

Brazil's Proposal to list Pernambuco on CITES Appendix 1

Martin Swan (Martin Swan Violins), 28.09.2022

Pau-Brasil is a small tree native to the Atlantic coast of Brazil. Heavily exploited for the dye industry until the late 1800s, it is currently under pressure from clear-felling for arable agriculture and urban development. Although the tree is classed as endangered by the state of Brazil (all felling of wild Pernambuco is theoretically illegal), since 2020 the Bolsonaro government has suspended all laws against deforestation. As a result, natural habitat in which Pernambuco grows is being lost at an ever-accelerating rate.

Powerless to avert this environmental disaster, the Brazilian authorities seem to be looking to outsource their enforcement. They have proposed that Pau-Brasil be placed on CITES Appendix 1, and effectively be treated as a species on the brink of extinction. While our sympathies are with the Brazilian environmental agencies who have had the rug pulled from under their feet by their own government, their proposal is ill-conceived, their argument is peppered with logical fallacy and misinformation, and there is no serious research offered in support of it.

We should reject this proposal.

Moving Pernambuco to Appendix 1 would be a massive own goal for CITES – it would undermine the considerable effort in pernambuco conservation already being undertaken in Brazil and would cause needless misery to musicians and cultural organizations worldwide.

Here are a few observations which are fundamental to the subject and which are overlooked by the Brazilian proposal.

1. Pernambuco grows only in Brazil. If the Brazilian authorities believe (mistakenly in our view) that tighter export controls will help Pernambuco it's in their gift to act unilaterally and immediately ban all export of pernambuco and pernambuco products. This should surely be Brazil's first response to the situation, rather than proposing an appendix 1 listing.
2. The Brazilian proposal doesn't offer any kind of inventory of Pernambuco trees, nor have they demonstrated that the tree is in fact endangered. We concede that wild Pernambuco habitat is under threat, but there are many official and non-official plantations of Pernambuco which are simply not mentioned in the Brazilian proposal, and which are more than adequate to ensure the survival of the species. Several of these plantations were established specifically to provide sustainably managed pernambuco for bow-making.
3. Pernambuco is a relatively small tree of little use for commercial timber applications. It has not been used in the dye industry since the late 1800s, and currently the only end-users for Pernambuco are bow-makers. Bow-making is an artisan activity which

uses very small amounts of wood (one bowmaker would use on average one tree's worth in a lifetime of bow-making), and bow-makers have through their own efforts already ensured future supplies far in excess of what can be used for bow-making.

4. The suggestion that targeted logging of Pernambuco for bow-making is in any way the cause of the decline in wild Pernambuco stocks is simply false. The coastal forest where self-seeded Pernambuco is to be found is being destroyed for urbanization and agriculture. The fact that a very small portion of this uncontrolled and disastrous clear-felling ends up being illegally sold to bow-makers does not mean that pressure from bow-makers is the reason for the loss of Pernambuco, or that restricting the bow trade will have the slightest effect on deforestation.

The consequences of an Appendix 1 listing would be very serious, and we should reflect on these consequences.

1. With regard to Pernambuco conservation it would be a classic case of shooting oneself in the foot. The international bow-making community relies utterly on the sustained future of the Pau-Brasil tree and is already doing excellent work in conserving it. We can demonstrate that there are currently around 500,000 trees in managed plantations. If Pernambuco is placed on appendix 1, all these efforts will cease and yet the wild habitat will continue to be wiped out.
2. An appendix 1 listing would have drastic consequences for classical musicians. Appendix 1 paperwork is difficult, customs authorities don't understand it, and international travel for the purpose of performance or study would be severely restricted as a result.
3. Trade in historic bows would become impossible – the current system of re-export and import licences is not fit for purpose in the online world, and all pre-convention bows would unsaleable and therefore worthless. Given that there are well over a million historic bows in daily professional use across the globe, and given the value of such bows (many early 19th century examples are worth several hundred thousand dollars), an appendix 1 listing could create a huge international backlash and open up the possibility for litigation.

In conclusion, we don't accept the logic of the Brazilian case and we believe their proposal will actually be detrimental to the survival of Pernambuco. If the proposal is to be taken at all seriously, it should be supported reliable factual information, starting with an impartial and objective inventory of current populations of wild and plantation Pernambuco.

An Appendix 1 proposal should only be put forward after close consultation with CITES. We would particularly refer to CITES' provisional assessment by the Secretariat note No. 2022/066

*The Secretariat notes that the annotation proposed for the transfer of *P. echinata* from Appendix II to I is a substantive one and, as it contains a combination of inclusionary and exclusionary language, it meets the description in paragraph 5 c) of Resolution Conf. 11.21*

(Rev. CoP18). Further, Paragraph 7 of the same Resolution urges Parties submitting proposals that contain substantive annotations to “consult with the Secretariat, the Standing Committee and, as appropriate, the Animals Committee or Plants Committee, to ensure that the annotation is appropriate and can be readily implemented”. To the best of the Secretariat’s knowledge, these consultations have not taken place.