

International Pernambuco Conservation Initiative

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ALLIANCE

PAU-BRASIL & CITES

OPTIONS FOR CONSERVATION AND MUSIC¹

Pau-brasil (*Paubrasilia echinata*, also known as pernambuco) is a treasured species that grows only in Brazil and is beloved around the world as the wood that makes stringed-instrument music possible. As the result of development pressures in the Atlantic Rainforest, the species is endangered and protected under national law and CITES². Discussions are currently underway regarding the regulation under CITES. The question before government decision makers is whether it is possible to achieve *all* of the following crucially important and commonly shared goals:

- Ensure full protection of the species against exploitation and illegal trade;
- Enable sustainable production and trade of new bows using pau-brasil grown on regulated plantations; and
- Protect the centuries-old cultural and artistic tradition of stringed-instrument music around the world by ensuring pau-brasil can be legally traded for bow making and cross-border performances globally.

We believe strongly that *all* of these goals are attainable and within reach.

How does CITES work?

CITES regulations are highly complex. Endangered species are protected in different ways depending on which of three CITES “appendixes” a species is listed in by agreement of the governments participating in CITES. The most restrictive appendix, Appendix I, severely limits trade and is generally reserved for species in danger of extinction. Appendix II also limits trade but provides flexibility through “annotations” to target limits so that they provide conservation value while enabling trade that does not impair conservation³.

The current listing

Pau-brasil was first listed on Appendix II in 2007, with an annotation, and modified in 2022 to require CITES permits for the international trade of: “All parts, derivatives and finished products, except re-export of finished musical instruments, finished musical instrument accessories and finished musical instrument parts.” CITES parties determined that requiring permit requirements for each and every time the multitude of existing bows crossed international borders would create an enormous administrative burden with no commensurate conservation value.

Why an Appendix I listing would harm conservation, music, livelihoods, and prevent achievement of common goals

Some have expressed the view that pau brasil should be moved from Appendix II to Appendix I. There are a number of reasons, however, why placing pau-brasil on Appendix I would undermine decades of progress towards the conservation of pau-brasil, the creation of a local artisanal bow-making trade in Brazil, and the development of legal, sustainable use of planted pau-brasil that would ensure the future of stringed instrument music globally:

- **Impacts on illegal trafficking, conservation and planting initiatives:**
 - *Does not address enforcement:* An Appendix I listing banning international trade would not remedy the domestic enforcement challenge created by illegal harvesting and the use of fraudulent permits. If anything, the value of pau-brasil would likely increase and, with it, the profitability and desirability of illegal trading.
 - *Conservation efforts undermined:* Brazilian and internationally supported efforts to conserve and restore pau-brasil would be undermined with the result that recovery of the species would become far less probable. A potential “win-win” situation would be turned into a defeat for the future of pau-brasil.

¹ International Pernambuco Conservation Initiative (IPCI) is a non-governmental organization with representatives in Europe, North America and Brazil. IPCI has worked in cooperation with Brazilian organizations and institutions for over 25 years to conserve and restore populations of *Paubrasilia echinata*, while adhering closely to CITES and all other applicable laws. This document reflects IPCI’s views and is based on discussions with Brazilian and international stakeholders.

² Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), is an international agreement among 185 governments that is administered by the United Nations. The aim of CITES is to ensure that international trade in specimens of wild animals and plants does not threaten the survival of those species.

³ References to the text of the CITES Convention and relevant resolutions are available at www.cites.org.

- *Plantation-grown trees not legal:* Since the early 1970s, landowners interested in pau brasil have established plantations and planted several hundred thousand trees. Nearly none of these trees would meet the CITES criteria for an exemption from Appendix I for trade purposes.⁴ For example, the many trees that have been planted in ecologically favorable agroforestry systems, and any products derived from them, would not be eligible for CITES permits. This would reverse progress and severely harm the decades of efforts made and currently underway by Brazilian scientists, environmentalists and many local farmers to regrow pau-brasil. By contrast, registering and legalizing trade of these trees, many of which are mature enough for harvesting, would relieve pressure on wild populations and easily ensure the future of stringed instrument music, which requires very little wood annually.
- **Impacts on musicians:**
 - *Buying and selling banned:* With very limited exceptions, buying and selling the large universe of existing pau-brasil bows would be banned. Musicians would lose access to these bows, which are essential to their livelihoods and cannot be even remotely compared to bows made of alternative wood. Musicians would also lose the value of their investments, which sometimes represent life savings.
 - *Travel permits and stamps for each border:* Musicians traveling with any of the vast number of bows created during the over 250 years of bow making would require a CITES permit or a Musical Instrument Certificate (MIC), stamped every time they cross a border, regardless of their bow's age or origin. Some countries do not accept the MIC. Others restrict their use to a limited number of designated entry/exit points, creating a high burden on traveling musicians. To obtain permits musicians, makers and sellers would need to provide documents proving that the bow, or the wood from which it is made, was obtained prior to September 13, 2007. For most bows, experts and bow owners would find it impossible to prove the bow's origin, age and/or date of harvest. This is true because there were no document requirements in the past, and bows have typically been sold informally, from owner to owner, often handed down from generation to generation.
- **Administrative burdens:** A permit, if required for each of the vast quantities of already-existing bows every time their owners cross a border, would pose tremendous administrative burdens for *CITES* management authorities and professionals (bow makers, musicians, orchestras, tour organizers, etc.), without providing any conservation benefit.
- **The end of bow making:** The historic craft of bow making would be brought to an end inside Brazil, where it is an emerging source of local livelihoods, as well as outside Brazil. This would create irreparable (and avoidable) harm to music and culture around the world.

How the Appendix II listing can save pau-brasil and stringed-instrument music

By contrast, pau-brasil's Appendix II listing with an annotation provides a framework and a range of regulatory and non-regulatory tools that can support conservation, future sustainable use and controlled trade, while protecting music. Appendix II enables and enhances protection of the species in the following ways:

- ▶ Prohibits the exploitation and illegal trade of wild populations on the grounds of existing Brazilian laws.
- ▶ Provides a framework for international cooperation and continued advancement of science, conservation (e.g., the recently announced project to create Brazil's first pau-brasil seed bank), and reforestation, and will enable the implementation of new global "traceability" initiatives that will prevent illegal activity.
- ▶ Permits the regulated and sustainable use of trees grown in agroforestry systems⁵ in which species are grown together for mutual shared benefit, e.g., in Bahia, where cacao is grown alongside planted pau-brasil.
- ▶ Provides flexibility to conserve the species, while protecting domestic livelihoods, trade and music.

⁴ Only "artificially propagated" plant specimens would be *potentially* exempt from a trade ban. CITES defines "artificially propagated" very narrowly and authorizes commercial trade permits only when each of several criteria have been met.

⁵ CITES defines these systems as "assisted production".