

Conf. 16.10

Implementation of the Convention for agarwood-producing taxa

REALIZING that Resolution Conf. 11.11 (Rev. CoP18) on *Regulation of trade in plants*, adopted at the 11th meeting of the Conference of the Parties (Gigiri, 2000), and amended at the 13th, 14th, 15th, 17th and 18th meetings (Bangkok, 2004; The Hague, 2007; Doha, 2010; Johannesburg, 2016; Geneva, 2019), provides a definition of 'artificially propagated';

ALSO REALIZING that Resolution Conf. 10.13 (Rev. CoP18)¹, on *Implementation of the Convention for tree species*, further clarifies how to apply the definition above to specimens from plantations;

RECOGNIZING that agarwood-producing species, as listed in Appendix II, refer to *Aquilaria* spp. and *Gyrinops* spp.;

NOTING that these species are internationally traded strictly for their resin and hardly for other plant derivatives;

AWARE that the resin used in trade in agarwood is produced through the infection of certain organisms and that, hence, the amount of standing stock is not equivalent to the quantity of resin produced;

RECOGNIZING that some tree species are easy to propagate artificially and can be manipulated to produce the agarwood resin;

ACKNOWLEDGING the outcome of the workshops on *Implementation of CITES for Agarwood-producing species* held in Kuwait, 3-6 October 2011, and the outcome of the *Asian regional workshop on agarwood: management of wild and plantation-grown agarwood*, held in Bangka Tengah, Indonesia, 22-24 November 2011;

CONSIDERING that the current definition of 'artificially propagated', in Resolution Conf. 11.11 (Rev. CoP18), cannot be applied to tree plantations;

RECOGNIZING that, for a plant species artificially propagated, and for a part of such plant, the provisions of Article VII, paragraph 5), of the Convention will apply;

ACKNOWLEDGING that range States may have different procedures in implementing non-detriment findings (NDFs) for agarwood, most suitable for their national adaptive management;

REALIZING that the management of agarwood can be improved through measures taken by and cooperation among range, exporting and importing States of specimens from agarwood-producing taxa;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding artificially propagated specimens

1. AGREES that:

- a) the current definition of 'artificially propagated' in Resolution Conf. 11.11 (Rev. CoP18) does not meet the circumstances of agarwood-producing taxa, due to the definition of the term 'under controlled conditions', and that the source of parental stock is not suitable and fully complied with in the plantation activities of agarwood-producing taxa; and
- b) the source of seeds or propagules for cultivation of agarwood-producing species may be obtained from the wild according to the definition of 'cultivated parental stock' in Resolution Conf. 11.11 (Rev. CoP18);

2. ADOPTS the following definition for terms used in this Resolution:

For agarwood-producing taxa, 'under controlled conditions' means in a tree plantation, including other non-natural environment, that is manipulated by human intervention for the purpose of producing plants or plant parts and derivatives;

¹ Corrected by the Secretariat following the 18th meeting of the Conference of the Parties (Geneva, 2019).

3. DETERMINES that the term 'artificially propagated' shall be interpreted to refer to plant specimens of agarwood as follows:
 - a) grown under controlled conditions; and
 - b) grown from seeds, seedlings, saplings, cuttings, grafting, marcoting/air-layering, divisions, plant tissues or other propagules that have been derived from wild or cultivated parental stocks, according to the definition of 'cultivated parental stock' in Resolution Conf. 11.11 (Rev. CoP18);
4. AGREES that trees of agarwood-producing taxa grown in cultivation such as:
 - a) gardens (home and/or community garden); and
 - b) state, private or community production plantation, either monospecific or mixed species;shall be considered as artificially propagated in accordance with the definition above;

Regarding non-detriment findings (NDF)

5. ENCOURAGES range States to make use of the agarwood NDF guidance as a reference while making NDFs for wild harvest of agarwood-producing taxa. The guidance should be available on the website of the Secretariat and be updated if necessary;
6. DIRECTS Parties and the Secretariat to use the agarwood NDF guidance in capacity-building workshops and relevant training materials;

Regarding management and trade control

7. ENCOURAGES range States to establish a registration system for the artificial propagation of agarwood-producing trees;
8. RECOMMENDS exporting States to establish a registration system of exporters who export pure or mixed oil of agarwood. Samples of the labels used and lists of relevant exporters should be communicated to the Secretariat by exporting States, and then be provided to all Parties through a Notification; and
9. ENCOURAGES Parties to make use of the Glossary as a reference while inspecting and controlling specimens of agarwood products. The Glossary was adopted by the Plants Committee at its 20th meeting (Geneva and Dublin, March 2012) and is presented in document CoP16 Inf. 3, in which the images illustrate samples of products but do not represent the whole range of products of agarwood.