

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA

Nineteenth meeting of the Conference of the Parties  
Panama City (Panama), 14 – 25 November 2022

Interpretation and implementation matters

Exemptions and special trade provisions

GUIDANCE ON THE TERM 'ARTIFICIALLY PROPAGATED'

1. This document has been submitted by the Plants Committee.\*
2. At its 18th meeting, the Conference of the Parties adopted Decision 18.178 on *Guidance on the term 'artificially propagated'*:

***Directed to the Secretariat***

**18.178** *The Secretariat shall, subject to external funding:*

- a) *commission the preparation of guidance materials for the Parties on aspects of artificial propagation including the terms 'under controlled conditions', 'cultivated parental stock' and the new source code or such terms as may be adopted at CoP18, to supplement the publication A Guide to the application of CITES source codes;*
  - b) *report to the Plants Committee at its 26th meeting on progress on paragraph a); and*
  - c) *after review and revision by the Plants Committee, if directed by the Plants Committee, publish the final guidance on the CITES website.*
3. The Secretariat submitted documents [PC25 Comp.](#) and [PC25 Doc. 22 Add.](#) to the Plants Committee at its 25th meeting (PC25, online, June 2021), on progress in the implementation of Decision 18.178. The Annex to the addendum [PC25 Doc. 22 Add.](#) included draft guidance on terms relating to 'artificially propagated', which the Secretariat commissioned from the United Nations Environment Programme-World Conservation Monitoring Centre (UNEP-WCMC) using external funding generously provided by Switzerland.
  4. The Secretariat also suggested potential draft decisions for the consideration of the Plants Committee to further extend its scope to include all terms in the Appendices that are associated with artificial propagation, such as terms pertaining to '*cultivars*', '*phytosanitary certificates*', and '*hybrids of unannotated Appendix-I species that are considered artificially propagated*'.
  5. Based on the recommendations contained in said documents, at its 25th meeting, the Plants Committee established an in-session working group chaired by the representative for Oceania (Mr. Wrigley).
  6. Based on the working group's outputs [see [PC25 Com. 1 \(Rev. by Sec.\)](#)], the Plants Committee adopted the following recommendations:

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\* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

- a) Regarding the best way to publish a consolidated version of the *Guidance on terms relating to artificially propagated*, including consideration for incorporating it in a new edition of the publication 'A Guide to the application of CITES source codes', the Committee agreed to:
    - i) continue the review of the draft *Guidance on the term 'artificially propagated'*, incorporating as many of the comments made at the 25th meeting of the Plants Committee and as detailed in information document [PC25 Inf. 22](#) as possible, to enable the Chair of the Plants Committee, in consultation with the Members of the Plants Committee and the members of the in-session working group, to agree on the interim version of the *Guidance for the term 'artificially propagated'* no later than December 2021; and
    - ii) invite the Secretariat, after direction from the PC Chair, to publish an interim version of the *Guidance on the term 'artificially propagated'* on the CITES website as a stand-alone document making it clear that it is an interim version that will be improved and expanded in the future.
  - b) The Committee agreed to submit to CoP19 the draft decisions contained in Annex 1 to the present document.
  - c) The Committee agreed to report on the outcomes of its work to the Conference of the Parties for consideration at its 19th meeting.
7. Following PC25, and in collaboration with the Chair of the in-session working group of the Plants Committee, the Secretariat and UNEP-WCMC incorporated most of the comments made at PC25 to the draft *Guidance on the term 'artificially propagated'* and noted a small number of remaining comments that could, subject to the availability of external funding, be incorporated into future extensions of the draft guidance. The resulting revised guidance was signed off by the Chair of the Plants Committee for its publication on the CITES website.
  8. The Secretariat published the resulting preliminary *Guidance on the term 'artificially propagated'* on the CITES website in February 2022. ([Art Prop Guidance Feb2022.pdf \(cites.org\)](#)).

#### Recommendations

9. The Conference of the Parties is invited to:
  - a) note the publication of the preliminary *Guidance on the term 'artificially propagated'* on the CITES website;
  - b) adopt the draft decisions contained in Annex 1 to the present document; and
  - c) delete Decision 18.178.

#### COMMENTS OF THE SECRETARIAT

- A. With some revisions, the Secretariat recommends that the Conference of the Parties adopts the draft decisions proposed by the Plants Committee. Since all elements of Decision 18.178 have been implemented and the *Preliminary guidance on terms related to the artificial propagation of CITES regulated plants*<sup>[1]</sup> is published on the CITES website, the Secretariat also recommends Decision 18.178 to be deleted.
- B. Regarding draft decisions 19.AA to 19.CC, the Secretariat would like to offer the following observations:
  - a) Due to the adoption of the new source code Y on assisted production, and the only partial inclusion of specimens derived from assisted production in the preliminary guidance, it seems useful to include this source code explicitly in draft decision 19.AA, paragraph a).
  - b) Due to the overarching relevance of the preliminary guidance, it would be advisable to have it available in all CITES working languages.

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<sup>[1]</sup> Available at: [https://cites.org/sites/default/files/eng/prog/captive\\_breeding/Art\\_Prop\\_Guidance\\_Feb2022.pdf](https://cites.org/sites/default/files/eng/prog/captive_breeding/Art_Prop_Guidance_Feb2022.pdf)

- c) The expansion of the guidance to cover all regulatory aspects of CITES implementation pertaining to plants derived from artificial propagation (source code A) or assisted production (source code Y) would appear to extend beyond the scientific mandate of the Plants Committee and also overlap with existing guidance in the CITES Virtual College. It may also pre-empt the work being done in the review being proposed by the Standing Committee in document CoP19 Doc. 53 on *Review of CITES provisions related to trade in specimens of animals and plants not of wild source*. If the Guidance only updates the existing work done by the Plants Committee on aspects of artificial propagation including the terms 'under controlled conditions', 'cultivated parental stock' and 'assisted production' (as per Decision 18.178), then the Secretariat does not believe that the Standing Committee needs to be involved.
- C. The Secretariat therefore proposes that the Conference of the Parties adopts draft decisions 19.AA to 19.CC with amendments as follows:

Proposed new text is underlined, proposed deletions are indicated in strikethrough.

#### **19.AA Directed to the Secretariat**

The Secretariat shall, subject to external funding:

- a) ~~commission the revision, revise, also considering including~~ recommendations made at the 25th meeting of the Plants Committee, ~~and expansion of the *Preliminary guidance on terms related to the artificial propagation of CITES regulated plants* guidance for Parties relating to 'artificially propagated'~~ to cover all regulatory aspects pertaining to plant specimens derived from artificial propagation (source code 'A') or assisted production (source code 'Y') artificially propagated plant species, and trade in their parts and derivatives; and
- b) submit the draft revised guidance to report to the 26th meeting of the Plants Committee on progress on paragraph a); and
- c) subject to approval by the Plants Committee, make it available to Parties in all working languages of the Convention.

#### **19.BB Directed to the Plants Committee**

The Plants Committee shall consider ~~and, if appropriate, approve,~~ the revised *Preliminary guidance on terms related to the artificial propagation of CITES regulated plants* ~~submitted progress reported by the Secretariat as per Decision 19.AA and make recommendations to the Standing Committee and the Conference of the Parties, as appropriate.~~

#### **~~19.CC Directed to the Standing Committee~~**

~~The Standing Committee shall consider any report from the Plants Committee as per Decision 19.BB, including recommendations related to the publication of the final guidance on the CITES website.~~

DRAFT DECISIONS ON  
*GUIDANCE ON THE TERM 'ARTIFICIALLY PROPAGATED'*

***Directed to the Secretariat***

**19.AA** The Secretariat shall, subject to external funding:

- a) commission the revision, including recommendations made at the 25th meeting of the Plants Committee, and expansion of the guidance for Parties relating to 'artificially propagated' to cover all regulatory aspects pertaining to artificially propagated plant species, and trade in their parts and derivatives; and
- b) report to the 26th meeting of the Plants Committee on progress on paragraph a).

***Directed to the Plants Committee***

**19.BB** The Plants Committee shall consider the progress reported by the Secretariat as per Decision 19.AA and make recommendations to the Standing Committee and the Conference of the Parties, as appropriate.

***Directed to the Standing Committee***

**19.CC** The Standing Committee shall consider any report from the Plants Committee as per Decision 19.BB, including recommendations related to the publication of the final guidance on the CITES website.

**TENTATIVE BUDGET AND SOURCE OF FUNDING  
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS**

According to Resolution Conf. 4.6 (Rev. CoP18) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding. The Secretariat proposes the following tentative budget and source of funding.

| <b>Decision</b> | <b>Activity</b>  | <b>Estimated costs (USD)</b><br>(excludes Programme Support Costs) | <b>Source of funding</b> |
|-----------------|--|--|--------------------------|
| 19.AA           | Revision of the <i>Preliminary guidance on terms related to the artificial propagation of CITES regulated plants</i> | 40,000   | Extrabudgetary funds     |
|                 | Translation of the Preliminary guidance in all CITES languages   | 25,000   | Extrabudgetary funds     |