

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



Twenty-sixth meeting of the Plants Committee
Geneva (Switzerland), 5 – 9 June 2023

Appendices of the Convention

Annotations

ANNOTATION #15

1. This document has been prepared by the Secretariat.
2. At its 19th meeting (CoP19; Panama City, 2022), the Conference of the Parties revised Decisions 18.321 (Rev. CoP19) and 18.322 (Rev. CoP19) on *Annotation #15* as follows:

Directed to the Secretariat

18.321 (Rev. CoP19) *The Secretariat shall:*

- a) *subject to available resources, undertake a study to assess the effect on Dalbergia/Guibourtia species in international trade of the exemptions contained in annotation #15 for finished musical instruments, parts and accessories, and the conservation implications thereof;*
- b) *bring any scientific or technical issues to the attention of the Plants Committee and seek its advice; and*
- c) *report the results of its evaluation along with its recommendations to the Standing Committee.*

Directed to the Standing Committee

18.322 (Rev. CoP19) *The Standing Committee shall in the context of its work on annotations under the relevant Decisions, consider any report by the Secretariat in accordance with Decision 18.321 (Rev. CoP19), undertake additional evaluation if necessary and report to the 20th meeting of the Conference of the Parties. If warranted, the Standing Committee may work with relevant Parties in preparing an amendment proposal for the 20th meeting of the Conference of the Parties.*

3. Annotation #15 applies to the following listings in Appendix II (valid from 23 February 2023):
 - *Dalbergia spp. #15* (Except for the species included in Appendix I)
 - *Guibourtia demeusei #15*
 - *Guibourtia pellegriniana #15*
 - *Guibourtia tessmannii #15*

4. Annotation #15 reads as follows:

All parts and derivatives, except:

- a) *Leaves, flowers, pollen, fruits, and seeds;*
- b) *Finished products to a maximum weight of wood of the listed species of up to 10 kg per shipment;*
- c) *Finished musical instruments, finished musical instrument parts and finished musical instrument accessories;*
- d) *Parts and derivatives of Dalbergia cochinchinensis, which are covered by Annotation # 4; and*
- e) *Parts and derivatives of Dalbergia spp. originating and exported from Mexico, which are covered by Annotation # 6.*

5. The interpretation section of the Appendices (valid from 23 February 2023) includes the following definitions for the terms and expressions used in Annotation #15:

Finished musical instruments

A musical instrument (as referenced by the Harmonized System of the World Customs Organization, Chapter 92; musical instruments, parts and accessories of such articles) that is ready to play or needs only the installation of parts to make it playable. This term includes antique instruments (as defined by the Harmonized System codes 97.05 and 97.06; Works of art, collectors' pieces and antiques).

Finished musical instrument accessories

A musical instrument accessory (as referenced by the Harmonized System of the World Customs Organization, Chapter 92; musical instruments, parts and accessories of such articles) that is separate from the musical instrument, and is specifically designed or shaped to be used explicitly in association with an instrument, and that requires no further modification to be used.

Finished musical instrument parts

A part (as referenced by the Harmonized System of the World Customs Organization, Chapter 92; musical instruments, parts and accessories of such articles) of a musical instrument that is ready to install and is specifically designed and shaped to be used explicitly in association with the instrument to make it playable.

Shipment

Cargo transported under the terms of a single bill of lading or air waybill, irrespective of the quantity or number of containers or packages; or pieces worn, carried or included in personal baggage.

Ten (10) kg per shipment

For the term "10 kg per shipment", the 10 kg limit should be interpreted as referring to the weight of wood of each individual annotated species of genus Dalbergia or Guibourtia present in the items in the shipment. The 10 kg limit is to be assessed only against the individual weights of the portions of wood of each individual annotated species contained in each item of the shipment, and not against the total weight of the shipment. The total weights present of each individual annotated species are considered individually to determine whether a CITES permit or certificate is required for each individual annotated species, and weights of different individual annotated species are not added together for this purpose.

Progress in the implementation of Decision 18.321 (Rev. CoP19)

6. The Secretariat estimated the cost of the implementation of the study called for in paragraph a) of Decision 18.321 (Rev. CoP19) at USD 80,000. At the time of writing, the Secretariat is in the process of reviewing this estimate to ensure the timely and effective implementation of Decision 18.321 and will provide an update on this at the present meeting.

7. In preparation for the implementation of the study, the Secretariat has prepared the draft terms of reference included in Annex 1 to the present document for the consideration of the Plants Committee.
8. At its 25th meeting (PC25, online, June 2021), the Plants Committee considered document PC25 Doc. 36 (by the Secretariat) and its Addendum [by the Secretariat in collaboration with the regional representative of Oceania (Mr. Damian Wrigley)] on *Annotation #15*. Together, these documents provided updates and information relevant to the implementation of Decision 18.321 (Rev. CoP19). The Addendum also brought to the attention of the Committee information document PC25 Inf. 12 on the summary of responses received to Notification to the Parties No. 2020/033, which could be relevant in support of the study to assess the effects on *Dalbergia/Guibourtia* species in international trade of the exemption contained in annotation #15.
9. For ease of reference and consideration at the present meeting of the Plants Committee, the documents mentioned in paragraph *supra* are available as annexes to the present document, as follows:
 - PC25 Doc. 36 in Annex 2;
 - PC25 Doc. 36 Add. in Annex 3; and,
 - PC25 Inf. 12 in Annex 4.
10. The documentation cited above has been considered in the draft terms of reference contained in Annex 1 to the present document.

Recommendations

11. The Plants Committee is invited to:
 - a) review the present document and its Annexes;
 - b) provide feedback to the draft terms of reference included in Annex 1 to the present document; and
 - c) make recommendations to the Secretariat in preparation for its reporting to the Standing Committee, in accordance with Decision 18.322 (Rev. CoP19).

DRAFT TERMS OF REFERENCE

Study on the effect on *Dalbergia/Guibourtia* species in international trade of the exemptions contained in annotation #15

Activities

- a) **Activity 1** — Desk study and consultation with experts to undertake the following:
 - i) a literature and trade review, using as a baseline document PC26 Doc. 37 and its annexes;
 - ii) supply-chain stakeholder and expert consultations;
- b) **Activity 2** — Representative and regionally balanced case studies with the following steps:
 - i) design a fieldwork protocol to assess on the ground any conservation effects of the exemptions contained in annotation #15 to obtain a representative set of case studies in selected sites/range States;
 - ii) consult with the Secretariat about the proposed case studies and protocols, and revise them as appropriate;
 - ii) implement the agreed protocols and case studies on any effect on *Dalbergia/Guibourtia* species in international trade of the exemptions contained in annotation #15;
- c) **Activity 3** — Draft recommendations in support of the Secretariat's reporting to the Standing and Plants Committee:

Based on the findings of Activities 1 and 2, develop draft recommendations for consideration of the Secretariat, and its further reporting to the Standing and Plants Committees in accordance with Decision 18.322 (Rev. CoP19).

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



Twenty-fifth meeting of the Plants Committee
Geneva (Switzerland), 17 and 20-23 July 2020

Species specific matters

Maintenance of the Appendices

ANNOTATION #15

1. This document has been prepared by the Secretariat.
2. At its 18th meeting (CoP18, 2019), the Conference of the Parties adopted Decisions 18.321 and 18.322 on *Annotation #15*, as follows:

18.321 Directed to the Secretariat

The Secretariat shall:

- a) *subject to available resources, undertake a study to assess the effect on Dalbergia/Guibourtia species in international trade of the exemptions contained in Annotation #15 for finished musical instruments, parts and accessories, and the conservation implications thereof;*
- b) *bring any scientific or technical issues to the attention of the Plants Committee and seek its advice; and*
- c) *report the results of its evaluation along with its recommendations to the Standing Committee.*

18.322 Directed to the Standing Committee

The Standing Committee shall in the context of its work on annotations under the relevant Decisions, consider any report by the Secretariat in accordance with Decision 18.321, undertake additional evaluation if necessary and report to the 19th meeting of the Conference of the Parties. If warranted, the Standing Committee may work with relevant Parties in preparing an amendment proposal for the 19th meeting of the Conference of the Parties.

3. Annotation #15 reads as follows:

All parts and derivatives, except:

- a) *Leaves, flowers, pollen, fruits, and seeds;*
- b) *Finished products to a maximum weight of wood of the listed species of up to 10 kg per shipment;*

- c) *Finished musical instruments, finished musical instrument parts and finished musical instrument accessories;*
- d) *Parts and derivatives of Dalbergia cochinchinensis, which are covered by Annotation # 4; and*
- e) *Parts and derivatives of Dalbergia spp. originating and exported from Mexico, which are covered by Annotation # 6.*

4. Annotation #15 applies to the following listings in the Appendices (valid from 26 November 2019):

	Appendix II
FLORA (PLANTS)	
LEGUMINOSAE (Fabaceae) Afrormosia, cristobal, palisander, rosewood, sandalwood	
	<i>Dalbergia spp.</i> #15 (except for the species listed in Appendix I)
	<i>Guibourtia demeusei</i> #15
	<i>Guibourtia pellegriniana</i> #15
	<i>Guibourtia tessmannii</i> #15

5. At CoP18, the Conference of the Parties also adopted the following definitions for the exemptions contained in Annotation #15, as reflected in the Interpretation section of the Appendices:

Finished musical instruments

A musical instrument (as referenced by the Harmonized System of the World Customs Organization, Chapter 92; musical instruments, parts and accessories of such articles) that is ready to play or needs only the installation of parts to make it playable. This term includes antique instruments (as defined by the Harmonized System codes 97.05 and 97.06; Works of art, collectors' pieces and antiques).

Finished musical instrument accessories

A musical instrument accessory (as referenced by the Harmonized System of the World Customs Organization, Chapter 92; musical instruments, parts and accessories of such articles) that is separate from the musical instrument, and is specifically designed or shaped to be used explicitly in association with an instrument, and that requires no further modification to be used.

Finished musical instrument parts

A part (as referenced by the Harmonized System of the World Customs Organization, Chapter 92; musical instruments, parts and accessories of such articles) of a musical instrument that is ready to install and is specifically designed and shaped to be used explicitly in association with the instrument to make it playable.

Shipment

Cargo transported under the terms of a single bill of lading or air waybill, irrespective of the quantity or number of containers or packages; or pieces worn, carried or included in personal baggage.

Ten (10) kg per shipment

For the term "10 kg per shipment", the 10 kg limit should be interpreted as referring to the weight of the individual portions of each item in the shipment made of wood of the species concerned. In other words, the 10 kg limit is to be assessed against the weight of the individual portions of wood of Dalbergia/Guibourtia species contained in each item of the shipment, rather than against the total weight of the shipment.

Progress in the implementation of Decision 18.321

6. In addition to the assessment of the conservation implications of the exemptions contained in annotation #15 for the rosewood species concerned, the study called for under paragraph a) of Decision 18.321 will also entail consultations with relevant stakeholders along the supply chain. The Secretariat estimates the cost of the study at USD 80,000. At the time of writing, these external funds have not been raised (see [Notification to the Parties No. 2020/032](#) on *Status of funding for the implementation of valid Decisions after CoP18*). The Secretariat will continue its efforts to mobilize the necessary funds to undertake the study.
7. In April 2020, the Secretariat published Notification No. 2020/033, encouraging Parties and relevant stakeholders to share information and experiences relevant to the implementation of annotation #15 by 31 May 2020. The Secretariat will publish in an information document any responses received to the Notification, bringing to the attention of the Plants Committee any scientific or technical issues, as per paragraph b) of Decision 18.321.
8. The Secretariat is also aware that that the Chair of the Standing Committee's intersessional working group on annotations will present a progress report on its work (see document AC31 Doc. 40/PC25 Doc. 35), which may contain further useful information or insights in preparation for the implementation of Decision 18.322.

Recommendations

9. The Plants Committee is invited to establish an intersessional working group on annotation #15 to:
 - a) provide advice on any scientific aspects of the implementation of annotation #15 brought to its attention by the Secretariat and emanating from the responses to Notification No. 2020/033 and the study, if funding is raised, called for in paragraph a) of Decision 18.321; and
 - b) submit the outcomes of its work to the Plants Committee for consideration at its 26th meeting.

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



Twenty-fifth meeting of the Plants Committee
Online, 2-4, 21 and 23 June 2021

Species specific matters

Maintenance of the Appendices

ADDENDUM TO ANNOTATION #15

1. This document has been prepared by the Secretariat in collaboration with the regional representative of Oceania (Mr. Damian Wrigley), as co-lead on Decision 18.321 on *Annotation #15*.

Progress since May 2020

2. Following the postponement due to the COVID-19 pandemic of the 25th meeting of the Plants Committee (PC25), scheduled to take place from 17 to 23 July 2020, the Committee took a number of intersessional decisions (see [Notification no. 2020/056](#) of 21 September 2020), including the approval of its workplan for 2020-2022 as outlined in document PC25 Doc. 7.2. Through its workplan, the Plants Committee agreed on the leads for the implementation of Decision 18.321 as follows: Rosemarie Gnam, representative of North America, and PC Vice-Chair; Ursula Moser, representative of Europe; and Damian Wrigley, representative of Oceania.
3. Concerning paragraph a) of Decision 18.321 regarding a study to assess the effects on *Dalbergia/Guibourtia* species in international trade of the exemption contained in annotation #15 for finished musical instruments, parts and accessories, and the conservation implications thereof, the Secretariat received an expression of interest from a potential donor to contribute USD 5,000 to the study, which could allow initial 'desk' research to commence. The Secretariat will continue to explore potential sources of additional funding to undertake the full study.
4. Concerning paragraph b) of Decision 18.321, on 13 January 2021 the Secretariat published information document PC25 Inf. 12 on *Annotation #15 – Responses to Notification to the Parties No. 2020/033*. The information document presents a summary of the responses received and could serve as reference in the implementation of the study called for under paragraph a) of Decision 18.321.
5. In view of the difficulties it experienced to date in implementing Decision 18.321, the Secretariat intends to report to the Standing Committee that an extension of the mandates in Decisions 18.321 and 18.322 until CoP20 seems warranted.

Revised recommendations

6. The Plants Committee is invited to:
 - a) take note of document PC25 Doc. 36 and the progress reported in the present addendum; and
 - b) take note of the Secretariat's reporting to the Standing Committee, as outlined in paragraph 5.

Original language: English

PC25 Inf. 12
(English only / seulement en anglais / únicamente en inglés)

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



Twenty-fifth meeting of the Plants Committee
Geneva (Switzerland), 17 and 20-23 July 2020

ANNOTATION #15 – RESPONSES TO NOTIFICATION TO THE PARTIES NO. 2020/033

1. This document has been submitted by the Secretariat in relation to agenda item 36 and provides background on and progress in the implementation of Decisions 18.321 and 18.322 on *Annotation #15*.
2. In support of Decision 18.321, through Notification to the Parties No. 2020/033 published on 21 April 2020, the Secretariat requested Parties and relevant stakeholders to submit relevant information, including any relevant guidance developed after the 18th meeting of the Conference of the Parties (CoP18), on the implementation of exemptions contained in annotation #15 for finished musical instruments, parts and accessories, and the conservation implications thereof.
3. This information document summarizes the responses received to the Notification as a complement to document PC25 Doc. 36.

Responses

4. A total of seven Parties responded to the Notification: Cambodia, China, India, New Zealand, Switzerland, Thailand, and the United States of America.
5. In its response, the United States of America included a document by a musical instrument group, which represents the views of the following eight organizations and companies: C.F. Martin & Co. Inc., Fender Musical Instruments Corporation, ForestBased Solutions, International Association of Violin and Bow Makers, International Wood Products Association, League of American Orchestras, National Association of Music Merchants, and Taylor Guitars.
6. The following five non-Party stakeholders submitted responses: *Chambre syndicale de la facture instrumentale* (CAFIM), *Confédération des industries musicales européennes* (CSFI), ForestBased Solutions, *International Federation of Musicians* (FIM), and *Performing Arts Employers Associations League Europe* (Pearle).

Information submitted by Parties

7. **Cambodia** expressed interest in the results of the study called for in Decision 18.231, paragraph a), as soon as this becomes available.
8. **China** reported (as of May 2020) not having issued any CITES permits for finished products, finished musical instruments, parts and accessories containing timber of *Dalbergia* spp. (except for the species listed in Appendix I) and *Guibourtia* spp.
9. **India** sought clarification of the interpretation of paragraph b) of annotation #15 ("*b*) *Finished products to a maximum weight of wood of the listed species of up to 10 kg per shipment*"). The Secretariat notes that similar consultations have been made by other Parties, and that these are more appropriate for consideration

and clarification under the mandate of the Standing Committee's working group on annotations; which is already considering this in detail.

10. **New Zealand** noted that the exemption under paragraph c) of annotation #15 was well received by their commercial importers of Appendix II listed *Dalbergia* spp., particularly for musical instruments such as acoustic and electric guitars. However, as of June 2020, New Zealand noted not having collected data on the implementation of the exemptions provided by annotation #15, and was therefore unable to determine "if the removal of permitting requirements has led to an increase of importations of Appendix II *Dalbergia* spp. as finished musical instruments, parts and accessories". New Zealand also informed on the measures taken in preparation of the entry into force of the CoP18-amended annotation #15, by notifying regular importers of the pending changes to annotation #15 and how they could prepare for this to ensure that all importations were legal. They also recommended that either they, or their overseas suppliers, contacted the Management Authority of each Party they were intending to obtain specimens from to determine that Party's permitting requirements.
11. **Switzerland** shared the following links relevant to the incorporation of CoP18 amendments in the Swiss legislation: <https://www.blv.admin.ch/blv/en/home/import-und-export/import/importe-artengeschutzte-tiere-pflanzen.html> and <https://www.blv.admin.ch/blv/en/home/import-und-export/export/pflanzen-und-pflanzliche-produkte.html>
12. **Thailand** provided information on the measures taken to comply with the exemptions contained in annotation #15, as follows:
 - a) Ongoing progress in updating Ministry Regulation under Plant Act. B.E. 2518 (1999);
 - b) Regarding the import of finished musical instruments, parts, and accessories containing wood in the genera *Dalbergia/Guibourtia*, the Management Authority continues to monitor that imports of said specimens are in full compliance with the exemptions allowed by annotation #15;
 - c) Regarding exports, which they inform are few, the Management Authority develops legal acquisition findings for specimens relevant to annotation #15; and
 - d) Additionally, Thailand highlighted national laws such as the Forest Act to control the source of wood and wood products in trade.
13. **USA** shared the updated version of their "question and answer" document regarding the CoP18-amended annotation #15. The document is available at: https://fwsepermits.servicenow.com/fwsepermits?id=fws_kb_article&sys_id=f6c585461ba390501f45dbdbe54bcbda

Information submitted by non-Party stakeholders¹

14. Joint response by C.F. Martin & Co. Inc., Fender Musical Instruments Corporation, Forest Based Solutions, International Association of Violin and Bow Makers, International Wood Products Association, League of American Orchestras, National Association of Music Merchants and Taylor Guitars (Annex 1, as received). These stakeholders highlighted *Inter alia* the benefits of the newly revised annotation #15, noting that:
 - a) it has greatly reduced administrative burden; they continue to support conservation of *Dalbergia/Guibourtia* species, permit requirements for range state wood exports, and CITES compliance;
 - b) it has heightened consumer confidence regarding the international use and resale of finished musical instruments, parts, and accessories; and
 - c) the ongoing awareness among instrument makers and consumers regarding the long-term conservation of wood species.

¹ Non-Party stakeholders provided extensive attachments in their responses, that the Secretariat deemed were best to include "as received" in the form of Annexes, in addition to what is summarized here.

These stakeholders also mention next steps, where they express interest in following up on any results or developments regarding the study called for under Decision 18.321.

15. ForestBased Solutions, in addition to signing the joint statement above, provided information on a conservation project for *Dalbergia latifolia* (Annex 2, as received), amongst projects for other CITES-listed timber producing trees.
16. A joint statement by CSFI-CAFIM, FIM and Pearle (Annex 3, as received). *Inter alia*, they highlight the efforts of the music industry and those that supply wood product inputs to music instrument manufacturers actively support efforts to conserve rosewood (genera *Dalbergia* and *Guibourtia*) as well as to study their biology, conservation, and trade.