

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

Twenty-seventh meeting of the Plants Committee
Geneva (Switzerland), 8 – 13 July 2024

Species conservation and trade

AGARWOOD-PRODUCING TAXA (*AQUILARIA* SPP. AND *GYRINOPS* SPP.)

1. This document has been submitted by the Chair of the intersessional working group on agarwood-producing taxa (*Aquilaria* spp. and *Gyrinops* spp.).*
2. At its 19th meeting (CoP19, Panama City, 2022), the Conference of the Parties adopted Decisions 19.239 and 19.240 on *Agarwood-producing taxa* (*Aquilaria* spp. and *Gyrinops* spp.):

Directed to the Plants Committee, with the assistance of the Secretariat

19.239 *The Plants Committee shall, with the assistance of the Secretariat, review document CoP19 Doc. 62.2 and information documents CoP19 Inf. 12 and CoP19 Inf. 15 and:*

- a) *consider potential revisions to Resolution Conf. 16.10 on Implementation of the Convention for agarwood-producing taxa, taking into account other relevant Resolutions, including Resolution Conf. 10.13 (Rev. CoP18) on Implementation of the Convention for tree species, and Resolution Conf. 11.11 (Rev. CoP18) on Regulation of trade in plants, as appropriate;*
- b) *formulate any appropriate recommendations regarding the Agarwood glossary and the Agarwood NDF guidance; and*
- c) *report its conclusions and recommendations on paragraphs a) and b) of the present Decision for consideration by the Standing Committee.*

Directed to the Standing Committee

19.240 *The Standing Committee shall consider the report by the Plants Committee on Decision 19.239 and formulate recommendations to the Conference of the Parties for the improvement of the implementation of the Convention for agarwood-producing taxa.*

3. At its 26th meeting (PC26; Geneva, June 2023), the Plants Committee considered document [PC26 Doc. 27](#) and made recommendations to revise the Agarwood NDF guidance in the context of the NDF workshop, the need for further work on Agarwood taxonomy, and the lack of knowledge about wild Agarwood populations and inventory data [see executive summary [PC26 Sum 3 \(Rev. 1\)](#)]. The Committee also agreed to include various species-country combinations of *Aquilaria crassna*, *A. malaccensis*, and *Gyrinops* spp. in the review of significant trade ([PC26 Sum. 4 \(Rev. 1\)](#)).

* *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.*

4. To address Decision 19.239, the Committee established an intersessional working group with the following mandate and membership:

Mandate: Taking into account document PC26 Doc. 27 and its Annex, and

- a) in accordance with paragraph b) of Decision 19.239, formulate recommendations regarding the Agarwood glossary, taking into account relevant information;
- b) in accordance with paragraph a) of Decision 19.239, consider potential revisions to Resolution Conf. 16.10 on *Implementation of the Convention for agarwood-producing taxa*; taking into account other relevant resolutions, including Resolution Conf. 10.13 (Rev. CoP18) on *Implementation of the Convention for tree species*, and Resolution Conf. 11.11 (Rev. CoP18) on *Regulation of trade in plants*, as appropriate;
- c) additionally consider consequential recommendations with respect to paragraph 3(b)iv of Resolution Conf. 13.7 (Rev. CoP17) on *Control of trade in personal and household effects*; as appropriate; and
- d) report its recommendations to PC27.

Membership:

Chair: representative for Asia (Ms. Zeng);

Parties: Austria, China, European Union, Germany, Indonesia, Malaysia, Netherlands, Republic of Korea, Singapore, Spain, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America; and

IGOs and NGOs: United Nations Environment Programme – World Conservation Monitoring Centre, International Tropical Timber Organization, World Wide Fund for Nature.

5. Subsequently, the Chair of the Plants Committee also approved to include India in this intersessional working group.

6. Working group activities:

- a) The working group met for three online meetings, and additionally worked by email. The Secretariat supported all working group activities.
- b) The working group was in close collaboration with the intersessional working group on Annotations established at the 76th meeting of the Standing Committee, with a view to paragraph 1 a) of its mandate on *Annotations to the Appendices of Aquilaria spp. and Gyrinops spp.*

7. The working group had the following observations:

- a) Although some members doubted that customs officers would be able to distinguish specimens of exhausted and non-exhausted agarwood powder by its colour and odour, range States expressed a strong preference to retain the term 'exhausted agarwood powder' contained in paragraph e) of Annotation #14, and an amendment to this Annotation would require a listing proposal to the Conference of the Parties;
- b) Some members expressed their intention to amend the quantity and type of specimens of agarwood exempted from CITES regulation as personal and household effects through Resolution Conf. 13.7 (Rev. CoP17) on *Control of trade in personal and household effects*, including suggestions to reduce the quantity of woodchips to 250g or 500g, or to add an exemption of 1 kg of agarwood resinoid or Boya oil to the list of specified limits in paragraph 3(b) iv of Res. Conf. 13.7 (Rev. CoP17);
- c) The working group congratulated India for completing and submitting the [Non-detriment Findings \(NDFs\) of Aquilaria malaccensis Lam. \(Agarwood\) in India](#) (2024).

8. The working group agreed:
 - a) to include the Agarwood glossary as an Annex to a revised Resolution Conf. 16.10 on *Implementation of the Convention for agarwood-producing taxa* [paragraph a) of its mandate];
 - b) proposed revisions to the preamble and operational clauses of Resolution Conf. 16.10 [paragraph b) of its mandate]; and
 - c) that any amendments to paragraph 3(b)iv of Resolution Conf. 13.7 (Rev. CoP17) on *Control of trade in personal and household effects* should be initiated by a Party in line with Annex 2 of this Resolution [paragraph c) of its mandate], and that any amendment to the exemptions for exhausted Agarwood powder would require consideration of a listing proposal by the Conference of the Parties.
9. Proposed revisions to Resolution Conf. 16.10, as agreed by the working group in response to paragraphs a) and b) of its mandate, are available in the present document as the clean version in Annex 1, and in ~~strikeout~~ and underlined text in Annex 2 [paragraph a) of Decision 19.239]. The revisions include proposals with regard to the Agarwood glossary and the Agarwood NDF guidance [paragraph b) of Decision 19.239].
10. Additional updates in line with recommendations formulated at PC26 are contained in:
 - a) document PC27 Doc. 16 / AC33 Doc. 16 regarding the international expert workshop on NDFs, which considered the agarwood NDF guidance within the context of Module 11 of the CITES NDF guidance on perennial plants;
 - b) document PC27 Doc. 41.1 regarding potential next steps towards considering agarwood nomenclature; and
 - c) document PC27 Doc. 15.1 regarding the species-country combinations of agarwood-producing taxa that are included in the review of significant trade.

Recommendations:

11. The Plants Committee is invited to:
 - a) note the completion of the working group mandate as agreed at PC26;
 - b) consider the proposed revisions to Resolution Conf. 16.10 on *Implementation of the Convention for agarwood-producing taxa* as contained in Annexes 1 and 2 to the present document that address paragraphs a) and b) of Decision 19.239;
 - c) agree that Decision 19.239 has been completed and can be proposed for deletion; and
 - d) report its recommendations to the Standing Committee.

AMENDMENTS TO RESOLUTION CONF. 16.10 ON IMPLEMENTATION OF THE CONVENTION FOR
AGARWOOD-PRODUCING TAXA

(clean version)

Conf. 16.10 **Implementation of the Convention** **(Rev. CoP20)** **for agarwood-producing taxa**

RECOGNIZING that agarwood-producing taxa included in Appendix II refer to *Aquilaria* spp. and *Gyrinops* spp.;

NOTING that wild populations of agarwood-producing taxa are in decline due to several reasons, including selective harvesting and over-exploitation, some of the main species in trade are threatened with extinction according to the International Union for Conservation of Nature (IUCN) Red List¹ and the conservation status of others remains unclear;

RECOGNIZING that some agarwood-producing tree species are easy to propagate artificially, and AWARE that the production of resinous wood is typically induced through natural or artificial stress factors (e.g. bacteria/fungi attacks, inoculation or mechanical injuries), and that the amount of tree stock is not equivalent to the amount of resinous wood produced;

RECOGNIZING that, for artificially propagated agarwood-producing taxa, and all parts and derivatives thereof, the provisions of Article VII, paragraph 5), of the Convention apply;

NOTING that the definition of 'artificially propagated' in Resolution Conf. 11.11 (Rev. CoP18) on *Regulation of trade in plants*, and Resolution Conf. 10.13 (Rev. CoP18) on *Implementation of the Convention for tree species* can be applied to monospecific tree plantations;

AWARE that agarwood-producing taxa can be grown in mono-specific or mixed-species plantations;

RECOGNIZING that for plant species that are propagated and grown in diverse production systems with varying degrees of human intervention, the Conference of the Parties adopted the term and definition for 'assisted production' and source code 'Y' at its 18th meeting (Geneva, 2018), in Resolution Conf. 11.11 (Rev. CoP18) on *Regulation of trade in plants*, and Resolution Conf. 12.3 (Rev. CoP19) on *Permits and certificates*, respectively;

RECOGNIZING that range States may have different procedures for making non-detriment findings (NDFs) for agarwood-producing taxa and that Scientific Authorities are encouraged to take into account the concepts and non-binding principles in Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings*;

NOTING the availability of guidance materials to assist Parties in making non-detriment findings for agarwood-producing taxa, such as the *CITES NDF Guidance*²;

RECOGNIZING that range States may establish national export quotas for agarwood specimens, which must be for individual species of agarwood-producing taxa consistent with the guidelines in Resolution Conf. 14.7 (Rev. CoP15) on *Management of nationally established export quotas*;

ACKNOWLEDGING that paragraph 3 iv), of the Resolution Conf. 13.7 (CoP17) on *Control of trade in personal and household effects* sets certain maximum quantities of specimens of agarwood-producing taxa that may qualify for the personal or household effects exemption from the provisions of Articles III, IV and V of the Convention;

¹ <https://cites.org/sites/default/files/documents/PC/26/agenda/E-PC26-27.pdf>

² <https://cites.org/eng/prog/ndf/index.php>

RECOGNIZING, however, that many Parties do not fully implement the exemptions of personal and household effects in Article VII, paragraph 3 of the Convention, and Resolution Conf. 13.7 (Rev. CoP17) on *Control of trade in personal and household effects* for specimens of agarwood-producing taxa, owing to stricter domestic measures or other provisions;

ACKNOWLEDGING the outcomes of the workshop on *Implementation of CITES for Agarwood-producing species* (Kuwait, 3-6 October 2011), the Asian regional workshops on agarwood (*Management of wild and plantation-grown agarwood* (Indonesia, 22-24 November 2011), the Asian Regional Workshop on the *Management of Wild and Planted Agarwood Taxa* (India, 19-23 January 2015, and Indonesia, 25-29 June 2018), the CITES Tree Species Programme Validation Workshop on Agarwood Report (Malaysia, 20-22 June 2022), and the International Tropical Timber Organization technical report: *Expensive, Exploited and Endangered. A review of the agarwood-producing genera Aquilaria and Gyrinops: CITES considerations, trade patterns, conservation, and management* (Thompson, I.D., Lim, T., and Turjaman, M. 2022. ITTO Technical Series No. 51);

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

NOTING that information document CoP16 Inf. 3, contains a previous version of the CITES Glossary of Agarwood products, with illustrated samples of agarwood products;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding 'artificially propagated' specimens of agarwood-producing taxa

1. AGREES that the definition of 'artificially propagated' in Resolution Conf. 11.11 (Rev. CoP18) does not fully cover all production systems and current practices in cultivating agarwood-producing taxa, due to the definition of the term 'under controlled conditions', and due to the fact that agarwood-producing taxa are also grown in mixed-species plantations;

2. ADOPTS the following definition used in this Resolution:

For agarwood-producing taxa, 'under controlled conditions' means monospecific or mixed species plantations or non-wild environments without wild populations of agarwood-producing taxa or remnants thereof, that are cultivated and intensively manipulated by human intervention for the purpose of producing agarwood specimens;

3. DETERMINES that the term 'artificially propagated' shall refer to specimens of agarwood-producing taxa as follows:

a) grown under controlled conditions; and

b) grown from cultivated parental stock in accordance with Resolution Conf. 11.11 (Rev. CoP18), or from specimens that are exempted from CITES regulation through the annotation associated with the Appendix-II listings of agarwood-producing taxa;

Regarding 'assisted production' specimens of agarwood-producing taxa

4. AGREES that for agarwood specimens derived from trees that do not fulfil the definition of 'artificially propagated' according to Resolution Conf 11.11 (Rev. CoP18), and that are considered not to be 'wild' because they are propagated or planted in an environment with some level of human intervention for the purpose of plant production, the requirements for 'assisted production' apply as for other plant species;

5. ALSO AGREES that propagation material for 'assisted production' of agarwood-producing taxa may be derived from plant material that is exempt from the provisions of the Convention, or from artificially propagated plants, or from plants obtained through 'assisted production' in accordance with Resolution Conf 11.11. (Rev. CoP18), or from plant material collected in a non-detrimental manner from wild populations and legally acquired in accordance with the provisions of Article IV of the Convention and relevant national laws;

Regarding non-detriment findings (NDFs)

6. ENCOURAGES range States to make use of the *CITES NDF Guidance* as a reference for making NDFs for specimens of agarwood-producing taxa sourced from wild populations or from 'assisted production' and for the establishment and maintenance of parental stock, and any subsequent additions to the parental stock for artificially propagated trees. The guidance is available on the CITES website and should be updated as appropriate;
7. ALSO ENCOURAGES Parties and the Secretariat to use the *CITES NDF Guidance* in capacity-building workshops and relevant training materials;

Regarding management and trade control

8. ENCOURAGES range States to establish registration systems for the artificial propagation and 'assisted production' of agarwood-producing taxa; and

Regarding parts and derivatives

9. RECOMMENDS that Parties use the 'Glossary of agarwood products' in the Annex to the current Resolution.

GLOSSARY OF AGARWOOD PRODUCTS

Common Names: gaharu, jinko, aloes wood, agarwood, oud, oodh, eagle wood

Products	Definition	CITES Trade term code	CITES Document Requirements and Exceptions*		Units
			CITES permit or certificate required	Exception from CITES permit or certificate for qualifying specimens	
Beads	Small, perforated balls made from agarwood wood	DER	yes	2 sets for personal purpose*	Pc/Kg
Block	Agarwood wood, processed by cutting, primarily used for crafting (HS code 12.11)	CHP	yes		Kg
Branches and Twigs	Branches: parts of trees that grow out from the trunk (HS code 12.11) Twigs: slender woody shoots growing from branches or trunks (HS code 12.11)	STE	yes		Kg
Carvings and handicrafts	For example statues carved from solid agarwood wood	CAR	yes		Pc/Kg
Finished products packaged and ready for retail trade	Products, shipped singly or in bulk, requiring no further processing, packaged, labelled for final use or the retail trade in a state fit for being sold to or used by the general public. For example: agarwood soap, agarwood balm, agarwood lotion, talcum powder, agarwood inhalant, agarwood tea made from agarwood leave or wood, agarwood incense sticks, agarwood perfume, patent medicines (medicine containing one or several ingredients, processed into tablets, granules, pills, capsules, mixed liquid and other forms, and officially registered by a competent authority of medicine administration in a country)	DER, MED		yes	Pc
Fruit	Refer to <i>Guidelines for the preparation and submission of CITES annual reports</i> ³	FRU		yes	Kg
Leaf	Normally, traded as dried leaves, for example for tea, or in pillows for aromatherapy	LVS		yes	Kg/no.

³ <https://cites.org/sites/default/files/eng/reports/annual/E-AR-Guidelines-SC77.pdf>

Log	All wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, for processing, notably into sawn wood, pulpwood or veneer sheets (HS code 44.03)	LOG	yes		Kg/m3
Molding compressed from exhausted powder	Molding means compressed powder in all shapes for example: Statue (using exhausted powder mixed with glue and molded into a shape) Incense in a cone or round shape	DER		yes	Pc/Kg
Prayer beads / Necklace / Wrist	A chain of beads (for necklace or wrist)	DER	yes	2 sets for personal purpose*	Pc/Kg
Oil	A hydrophobic liquid or semi-liquid that is predominantly clear, and often has a strong odor, which is obtained from raw agarwood material by methods such as any kind of distillation, or a mechanical process (HS code 33.01)	OIL	yes	24 ml for personal purpose*	Kg/liter
Resinoid	Any solid or semi-solid that is usually light brown to black, obtained from raw agarwood material by CO ² extraction methods and/or solvent extraction (HS code 12.11)	DER	yes		Kg
Root	The woody underground part of the plant (HS code 12.11)	ROO	yes		Kg
Sawdust & Powder (Exhausted Powder)	The residual agarwood powder which has been distilled to obtain agarwood oil and does not contain any essential oil. Usually light in color with little odor (HS code 12.11)	POW		yes	Kg
Sawdust & Powder (NOT exhausted)	Fine agarwood substance obtained either by grinding the chips or as by product while working on agarwood chips usually brownish in colour with odor (HS code 12.11)	POW	yes		Kg
Seed	Refer to <i>Guidelines for the preparation and submission of CITES annual reports</i> ⁴	SEE		yes	Kg
Seedling	A young plant that is grown from seed, other plant parts or tissue culture	LIV	yes		No. (LIVE)
Tissue culture (obtained in vitro, transported in sterile containers)	Seedling in flask or other sterile containers	CUL		yes	Pc/flask
Wood chips	Small to medium pieces of agarwood, which have been worked out from bigger pieces (such as logs of agarwood) (HS code 12.11)	CHP	yes	1 kg for personal purpose*	Kg
Wood piece	Medium or long pieces of wood strips having brownish to black streaks of resinous formation on the surface as well as inside (HS code 12.11)	CHP	yes		Kg

* Appendix II *Aquilaria* spp. and *Gyrinops* spp. have annotation #14. CITES Resolution Conf. 13.7 (Rev. CoP17) on *Control of trade in personal and household effects*, includes the provision that specimens of agarwood up to 1 kg of woodchips, 24 ml of oil and two sets of beads or prayer beads (or two necklaces or bracelets) per person, do not require export permits or re-export certificates for personal or household effects.

⁴ <https://cites.org/sites/default/files/eng/reports/annual/E-AR-Guidelines-SC77.pdf>

AMENDMENTS TO RESOLUTION CONF. 16.10 ON IMPLEMENTATION OF THE CONVENTION
FOR AGARWOOD-PRODUCING TAXA

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Conf. 16.10 **Implementation of the Convention** **(Rev. CoP20)** **for agarwood-producing taxa**

RECOGNIZING that agarwood-producing taxa included in Appendix II refer to *Aquilaria* spp. and *Gyrinops* spp.;

NOTING that wild populations of agarwood-producing taxa are in decline due to several reasons, including selective harvesting and over-exploitation, some of the main species in trade are threatened with extinction according to the International Union for Conservation of Nature (IUCN) Red List¹ and the conservation status of others remains unclear;

RECOGNIZING that some agarwood-producing tree species are easy to propagate artificially, and AWARE that the production of resinous wood is typically induced through natural or artificial stress factors (e.g. bacteria/fungi attacks, inoculation or mechanical injuries), and that the amount of tree stock is not equivalent to the amount of resinous wood produced;

RECOGNIZING that, for artificially propagated agarwood-producing taxa, and all parts and derivatives thereof, the provisions of Article VII, paragraph 5), of the Convention apply;

NOTING that the definition of 'artificially propagated' in Resolution Conf. 11.11 (Rev. CoP18) on *Regulation of trade in plants*, and Resolution Conf. 10.13 (Rev. CoP18) on *Implementation of the Convention for tree species* can be applied to monospecific tree plantations;

AWARE that agarwood-producing taxa can be grown in mono-specific or mixed-species plantations;

RECOGNIZING that for plant species that are propagated and grown in diverse production systems with varying degrees of human intervention, the Conference of the Parties adopted the term and definition for 'assisted production' and source code 'Y' at its 18th meeting (Geneva, 2018), in Resolution Conf. 11.11 (Rev. CoP18) on *Regulation of trade in plants*, and Resolution Conf. 12.3 (Rev. CoP19) on *Permits and certificates*, respectively;

RECOGNIZING that range States may have different procedures for making non-detriment findings (NDFs) for agarwood-producing taxa and that Scientific Authorities are encouraged to take into account the concepts and non-binding principles in Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings*;

NOTING the availability of guidance materials to assist Parties in making non-detriment findings for agarwood-producing taxa, such as the *CITES NDF Guidance*²;

RECOGNIZING that range States may establish national export quotas for agarwood specimens, which must be for individual species of agarwood-producing taxa consistent with the guidelines in Resolution Conf. 14.7 (Rev. CoP15) on *Management of nationally established export quotas*;

ACKNOWLEDGING that paragraph 3 iv), of the Resolution Conf. 13.7 (CoP17) on *Control of trade in personal and household effects* sets certain maximum quantities of specimens of agarwood-producing

¹ <https://cites.org/sites/default/files/documents/PC/26/agenda/E-PC26-27.pdf>

² <https://cites.org/eng/prog/ndf/index.php>

taxa that may qualify for the personal or household effects exemption from the provisions of Articles III, IV and V of the Convention;

RECOGNIZING, however, that many Parties do not fully implement the exemptions of personal and household effects in Article VII, paragraph 3 of the Convention, and Resolution Conf. 13.7 (Rev. CoP17) on *Control of trade in personal and household effects* for specimens of agarwood-producing taxa, owing to stricter domestic measures or other provisions;

ACKNOWLEDGING the outcomes of the workshop on *Implementation of CITES for Agarwood-producing species* (Kuwait, 3-6 October 2011), the Asian regional workshops on agarwood (*Management of wild and plantation-grown agarwood* (Indonesia, 22-24 November 2011), the Asian Regional Workshop on the *Management of Wild and Planted Agarwood Taxa* (India, 19-23 January 2015, and Indonesia, 25-29 June 2018), the CITES Tree Species Programme Validation Workshop on Agarwood Report (Malaysia, 20-22 June 2022), and the International Tropical Timber Organization technical report: *Expensive, Exploited and Endangered. A review of the agarwood-producing genera Aquilaria and Gyrinops: CITES considerations, trade patterns, conservation, and management* (Thompson, I.D., Lim, T., and Turjaman, M. 2022. ITTO Technical Series No. 51);

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

NOTING that information document CoP16 Inf. 3, contains a previous version of the CITES Glossary of Agarwood products, with illustrated samples of agarwood products;

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;

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

~~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 of agarwood-producing taxa

1. AGREES that
 - a) ~~the current definition of 'artificially propagated' in Resolution Conf. 11.11 (Rev. CoP18) does not meet the circumstances of fully cover all production systems and current practices in cultivating 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 due to the fact that agarwood-producing taxa are also grown in mixed-species plantations; 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 monospecific or mixed species plantations or non-wild environments without wild populations of agarwood-producing taxa or remnants thereof, that are cultivated and intensively in a tree plantation, including other non-natural environment, that is manipulated by human intervention for the purpose of producing agarwood specimens plants or plant parts and derivatives;
3. DETERMINES that the term 'artificially propagated' shall ~~be interpreted to refer to plant specimens of agarwood-producing taxa~~ as follows:
 - a) grown under controlled conditions; and
 - b) grown from cultivated parental stock in accordance with Resolution Conf. 11.11 (Rev. CoP18), or from specimens that are exempted from CITES regulation through the annotation associated with the Appendix-II listings of agarwood-producing taxa 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 'assisted production' specimens of agarwood-producing taxa

4. AGREES that for agarwood specimens derived from trees that do not fulfil the definition of 'artificially propagated' according to Resolution Conf 11.11 (Rev. CoP18), and that are considered not to be 'wild' because they are propagated or planted in an environment with some level of human intervention for the purpose of plant production, the requirements for 'assisted production' apply as for other plant species;
5. ALSO AGREES that propagation material for 'assisted production' of agarwood-producing taxa may be derived from plant material that is exempt from the provisions of the Convention, or from artificially propagated plants, or from plants obtained through assisted production' in accordance with Resolution Conf 11.11. (Rev. CoP18), or from plant material collected in a non-detrimental manner from wild populations and legally acquired in accordance with the provisions of Article IV of the Convention and relevant national laws;

Regarding non-detriment findings (NDFs)

56. ENCOURAGES range States to make use of the ~~Agarwood~~ CITES NDF guidance as a reference ~~for while~~ making NDFs for ~~wild harvest specimens~~ of agarwood-producing taxa ~~sourced from wild populations or from 'assisted production' and for the establishment and maintenance of parental stock, and any subsequent additions to the parental stock for artificially propagated trees.~~ The guidance ~~should be~~ is available on the CITES website of the Secretariat and should be updated as appropriate if necessary;
67. ALSO ENCOURAGES DIRECTS Parties and the Secretariat to use the CITES Agarwood NDF guidance in capacity-building workshops and relevant training materials;

Regarding management and trade control

78. ENCOURAGES range States to establish ~~a~~ registration systems for the artificial propagation and 'assisted production' of agarwood-producing taxa trees; and
- ~~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.

Regarding parts and derivatives

9. RECOMMENDS that Parties use the 'Glossary of agarwood products' in the Annex to the current Resolution.

GLOSSARY OF AGARWOOD PRODUCTS

Common Names: gaharu, jinko, aloes wood, agarwood, oud, oodh, eagle wood

<u>Products</u>	<u>Definition</u>	<u>CITES Trade term code</u>	<u>CITES Document Requirements and Exceptions*</u>		<u>Units</u>
			<u>CITES permit or certificate required</u>	<u>Exception from CITES permit or certificate for qualifying specimens</u>	
<u>Beads</u>	<u>Small, perforated balls made from agarwood wood</u>	<u>DER</u>	<u>yes</u>	<u>2 sets for personal purpose*</u>	<u>Pc/Kg</u>
<u>Block</u>	<u>Agarwood wood, processed by cutting, primarily used for crafting (HS code 12.11)</u>	<u>CHP</u>	<u>yes</u>		<u>Kg</u>
<u>Branches and Twigs</u>	<u>Branches: parts of trees that grow out from the trunk (HS code 12.11) Twigs: slender woody shoots growing from branches or trunks (HS code 12.11)</u>	<u>STE</u>	<u>yes</u>		<u>Kg</u>
<u>Carvings and handicrafts</u>	<u>For example statues carved from solid agarwood wood</u>	<u>CAR</u>	<u>yes</u>		<u>Pc/Kg</u>
<u>Finished products packaged and ready for retail trade</u>	<u>Products, shipped singly or in bulk, requiring no further processing, packaged, labelled for final use or the retail trade in a state fit for being sold to or used by the general public. For example: agarwood soap, agarwood balm, agarwood lotion, talcum powder, agarwood inhalant, agarwood tea made from agarwood leave or wood, agarwood incense sticks, agarwood perfume, patent medicines (medicine containing one or several ingredients, processed into tablets, granules, pills, capsules, mixed liquid and other forms, and officially registered by a competent authority of medicine administration in a country)</u>	<u>DER, MED</u>		<u>yes</u>	<u>Pc</u>
<u>Fruit</u>	<u>Refer to <i>Guidelines for the preparation and submission of CITES annual reports</i>⁸</u>	<u>FRU</u>		<u>yes</u>	<u>Kg</u>
<u>Leaf</u>	<u>Normally, traded as dried leaves, for example for tea, or in pillows for aromatherapy</u>	<u>LVS</u>		<u>yes</u>	<u>Kg/no.</u>

⁸ <https://cites.org/sites/default/files/eng/reports/annual/E-AR-Guidelines-SC77.pdf>

<u>Log</u>	All wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, for processing, notably into sawn wood, pulpwood or veneer sheets (HS code 44.03)	<u>LOG</u>	<u>yes</u>		<u>Kg/m3</u>
<u>Molding compressed from exhausted powder</u>	Molding means compressed powder in all shapes for example: - <u>Statue (using exhausted powder mixed with glue and molded into a shape)</u> - <u>Incense in a cone or round shape</u>	<u>DER</u>		<u>yes</u>	<u>Pc/Kg</u>
<u>Prayer beads / Necklace / Wrist</u>	<u>A chain of beads (for necklace or wrist)</u>	<u>DER</u>	<u>yes</u>	<u>2 sets for personal purpose*</u>	<u>Pc/Kg</u>
<u>Oil</u>	A hydrophobic liquid or semi-liquid that is predominantly clear, and often has a strong odor, which is obtained from raw agarwood material by methods such as any kind of distillation, or a mechanical process (HS code 33.01)	<u>OIL</u>	<u>yes</u>	<u>24 ml for personal purpose*</u>	<u>Kg/liter</u>
<u>Resinoid</u>	Any solid or semi-solid that is usually light brown to black, obtained from raw agarwood material by CO ² extraction methods and/or solvent extraction (HS code 12.11)	<u>DER</u>	<u>yes</u>		<u>Kg</u>
<u>Root</u>	<u>The woody underground part of the plant (HS code 12.11)</u>	<u>ROO</u>	<u>yes</u>		<u>Kg</u>
<u>Sawdust & Powder (Exhausted Powder)</u>	<u>The residual agarwood powder which has been distilled to obtain agarwood oil and does not contain any essential oil. Usually light in color with little odor (HS code 12.11)</u>	<u>POW</u>		<u>yes</u>	<u>Kg</u>
<u>Sawdust & Powder (NOT exhausted)</u>	<u>Fine agarwood substance obtained either by grinding the chips or as by product while working on agarwood chips usually brownish in colour with odor (HS code 12.11)</u>	<u>POW</u>	<u>yes</u>		<u>Kg</u>
<u>Seed</u>	<u>Refer to <i>Guidelines for the preparation and submission of CITES annual reports</i>⁹</u>	<u>SEE</u>		<u>yes</u>	<u>Kg</u>
<u>Seedling</u>	<u>A young plant that is grown from seed, other plant parts or tissue culture</u>	<u>LIV</u>	<u>yes</u>		<u>No. (LIVE)</u>
<u>Tissue culture (obtained in vitro, transported in sterile containers)</u>	<u>Seedling in flask or other sterile containers</u>	<u>CUL</u>		<u>yes</u>	<u>Pc/flask</u>
<u>Wood chips</u>	<u>Small to medium pieces of agarwood, which have been worked out from bigger pieces (such as logs of agarwood) (HS code 12.11)</u>	<u>CHP</u>	<u>yes</u>	<u>1 kg for personal purpose*</u>	<u>Kg</u>
<u>Wood piece</u>	<u>Medium or long pieces of wood strips having brownish to black streaks of resinous formation on the surface as well as inside (HS code 12.11)</u>	<u>CHP</u>	<u>yes</u>		<u>Kg</u>

⁹ <https://cites.org/sites/default/files/eng/reports/annual/E-AR-Guidelines-SC77.pdf>

* Appendix II *Aquilaria* spp. and *Gyrinops* spp. have Annotation #14. CITES Resolution Conf. 13.7 (Rev. CoP17) on *Control of trade in personal and household effects*, includes the provision that specimens of agarwood up to 1 kg of woodchips, 24 ml of oil and two sets of beads or prayer beads (or two necklaces or bracelets) per person, do not require export permits or re-export certificates for personal or household effects.