

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



Joint sessions of the 30th meeting of the Animals Committee and
the 24th meeting of the Plants Committee
Geneva (Switzerland), 20-21 July 2018

Species specific matters

Maintenance of the Appendices

ANNOTATIONS

1. This document has been submitted by Canada as Chair of the Standing Committee's working group on annotations.*

Background

2. At the 17th meeting of the Conference of the Parties (Johannesburg, 2016), the Conference of the Parties adopted Decision 16.162 (Rev. CoP17) which directs the Standing Committee to re-establish the working group on annotations, in close collaboration with the Animals and Plants Committees. At the 69th meeting, the Standing Committee re-established the working group. The terms of reference, as outlined in Decision 16.162 (Rev. CoP17) are as follows:

Terms of Reference

3. At the 69th meeting, the Standing Committee re-established the working group, with the following terms of reference:
 - a) *to further consider procedures for crafting annotations and develop recommendations for improving them;*
 - b) *to evaluate and address issues related to the drafting, interpretation and implementation of annotations, and assist Parties in drafting future annotations, drawing on appropriate expertise from within and outside its membership;*
 - c) *to conduct any relevant additional work on evaluating the existing annotations for plant taxa listed in Appendices II and III, with an emphasis on ensuring that such annotations are clear as to the types of specimens to be covered by a listing, can be readily implemented, and focus on those parts and derivatives primarily exported from the range States and those commodities that dominate the trade in and demand for the wild resource;*
 - d) *based on the results of the timber trade study directed to the Secretariat in Decision 15.35 (Rev. CoP16), to review the existing annotations for tree species and, if appropriate, draft amendments to those annotations and prepare clear definitions for the terms used in the*

* 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.

annotations in order to facilitate their use and understanding by CITES authorities, enforcement officers, exporters and importers;

- e) in close collaboration with ongoing efforts in the Plants Committee, to continue reviewing the appropriateness and practical implementation of the annotation(s) of the agarwood-producing taxa (*Aquilaria* spp. and *Gyrinops* spp.), taking into consideration the previous work done by the range and consumer States of these species;
- f) to review outstanding implementation challenges resulting from the listings of *Aniba rosaeodora* and *Bulnesia sarmientoi* in the Appendices, particularly concerning trade in extracts, and propose appropriate solutions;
- g) to draft definitions of terms included in annotations, in cases where the terms are not easily understood or where there has been difficulty in implementing the listing as a result of confusion about what commodities are covered, and submit them to the Standing Committee for adoption by the Conference of the Parties and subsequent inclusion in the Interpretation section of the Appendices;
- h) to conduct any work related to annotations directed to it by the Conference of the Parties, the Standing, Animals or Plants Committee; and
- i) to prepare reports on progress made in addressing the issues tasked to it and submit them for consideration at the 69th and 70th meetings of the Standing Committee.

4. The composition of the working group, comprising Parties and Non-Party observers is as follows:

Chair: Canada

SC Member: Chair of the Standing Committee (Ms. Caceres).

PC Members: Chair of the Plants Committee (Ms. Sinclair), PC representatives for Africa (Ms. Flore, Mr. Mahamane, Ms. Koumba Pambo, Ms. Khayota), Asia (Mr. Lee), Central and South America and the Caribbean (Ms. Coradin), Europe (Mr. Carmo, Ms. Moser), North America (Ms. Osorno), Oceania (Mr. Leach).

Parties: Canada (Chair), Argentina, Australia, Belgium, Brazil, China, Democratic Republic of the Congo, Denmark, European Union, France, Gabon, Germany, Guatemala, Italy, Japan, Kuwait, Mexico, Namibia, Netherlands, Portugal, Republic of Korea, Russian Federation, South Africa, Spain, Sweden, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America, and Zimbabwe;

IGOs and NGOs: Association Technique International des Bois Tropicaux, C.F. Martin & Co., Inc., Center for International Environmental Law, Chambre Syndicale de la Factice Instrumentale, Confédération des Industries Musicales Européennes, Environmental Investigation Agency – UK, Fender Musical Instruments Corp., Forest Based Solutions, Llc., Humane Society International, International Association of Violin and Bow Makers, International Wood Products Association, IWMC World Conservation Trust, League of American Orchestras, Lewis & Clark – International Environmental Law Project, Madinter Trade, S.L., Species Survival Network, Taylor Guitars, TRAFFIC, World Resources Institute, and World Wildlife Fund.

Working Group Discussions

5. Immediately following the 69th meeting of the Standing Committee, the working group began discussions by email. The working group identified Annotation #15, adopted at CoP17 with proposals CoP17 Prop. 55 (Include the genus *Dalbergia* in CITES Appendix II with exception to the species included in Appendix I) and CoP17 Prop. 56 (Include *Guibourtia tessmannii*, *Guibourtia pellegriniana* and *Guibourtia demeusei* in Appendix II) as a priority for discussion, under subparagraph c) of its terms of reference. The working group has to date considered a range of options for potential revision or replacement of annotation #15, and will continue to seek consensus on this issue. The working group continues to actively seek input from range Parties for the genera and species to which Annotation #15 applies.

6. Noting that at SC69 the Standing Committee requested that the intersessional working group on annotations propose guidance related to the issues raised related to Annotation #16 for its consideration at its 70th meeting (SC69 SR), the working group considered a proposal drafted by Switzerland to eliminate the words “live plants” from the annotation, and agreed that the revision as drafted addressed concerns raised by several Parties and observers. In its report to the 70th meeting of the Standing Committee, the working group will ask the Standing Committee to endorse a revision to the interpretive section of the CITES appendices, at paragraph 7, for subsequent submission to CoP18, to emphasize the concept that when a species is included in one of the Appendices, the whole live or dead animal or plant and all readily recognizable parts and derivatives are also included in the same Appendix, unless the species is annotated to indicate that only specific parts and derivatives are included.
7. Additional actions discussed by the working group in relation to its terms of reference include potential revision of Resolution Conf. 11.21 (Rev. CoP17) *Use of annotations in Appendices I and II*, potential revision to Resolution Conf. 10.13 (Rev. CoP15) *Implementation of the Convention for Timber Species*, and practical implementation related to a number of plant taxa included in the Appendices, as outlined in the working group’s terms of reference. The working group will also draft a new mandate for the Standing Committee to conduct additional work related to existing and future annotations between CoP18 and CoP19.

Recommendations

8. The Animals and Plants Committees are invited to take note of this interim report and to offer comments and guidance regarding the tasks included in the working group Terms of Reference as presented in paragraph 3 of the present document), and in particular, subparagraph h).