

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



Tenth meeting of the Plants Committee
Shepherdstown, West Virginia, United States of America, 11 – 15 December 2000

Technical proposals for the 12th meeting of the Conference of the Parties

STANDARD EXEMPTIONS

1. With the adoption of Resolution Conf. 6.18, the Parties specified "that pollen (including pollinia) and flaked seedling cultures are standard exemptions for Appendix-II and -III plants, in addition to seeds, spores and tissue cultures as specified in Resolution Conf. 4.24".
2. However, at its ninth meeting the Conference of the Parties repealed this Resolution on the understanding that the intention of the Parties to annotate Appendix-II and -III plant species as indicated above was maintained on record (cf. Document Com. 9.14) for relevant proposals adopted at subsequent meetings of the Conference of the Parties.
3. At that same meeting, the Parties also recommended in Resolution Conf. 11.11 that trade in flaked seedlings of Appendix-I orchids be interpreted as being exempt from the provisions of the Convention.
4. Although the decision regarding this latter exemption is clearly reflected in the section regarding flaked seedlings in Resolution Conf. 11.11 [which replaced Resolution Conf, 9.18 (Rev.)], the intent of the Parties referred to in paragraph 2 above is not.
5. The text in document Com. 9.14 is not easily accessible for Parties preparing amendment proposals for plants, and is in itself somewhat ambiguous and open to interpretation.
6. The Secretariat therefore proposes that the Plants Committee agree to recommend to the CoP that in Resolution Conf. 11.11 the current section regarding flaked seedlings be replaced by the following new section:
7. Regarding standard exemptions for plants

AGREES that:

- a) for species included in Appendices II and III, and for hybrids derived from unannotated species included in Appendix I, seeds, pollen (including pollinia), cut flowers of artificially propagated plants and seedling or tissue cultures in solid or liquid media in sterile containers shall be standard exemptions, unless the amendment proposal specifies otherwise; and

- b) flaked seedlings of orchid species listed in Appendix I should be interpreted as being exempt from CITES control, taking into account the provisions of Article VII, paragraph 4 and Article I, paragraph (b) (iii), and agreeing to a derogation of Resolution Conf. 9.6 for this exemption;
- 8. The exemption for cut flowers of artificially propagated plants is included in paragraph 7 a) to reflect the intent of the Parties when adopting proposal Prop. 10.11, making this exemption applicable to all plan taxa listed at that time.
- 9. If the Plants Committee agrees to this proposal the Secretariat will prepare a document on the subject for consideration at the 12th meeting of the Conference of the Parties and will also ensure that a reference to this is included in Annex 6 of the draft resolution on the criteria for amendment of Appendices I and II, which will be presented at the same meeting of the Conference of the Parties.