

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



Nineteenth meeting of the Plants Committee
Geneva (Switzerland), 18-21 April 2011

EXECUTIVE SUMMARY

1. Opening of the meeting No document
Mr John Scanlon, Secretary-General of the CITES Secretariat, welcomed the participants to the meeting.
2. Election of the Chair No document
Ms Margarita África Clemente Muñoz and Mr Hesiquio Benítez Diaz were elected by acclamation as Chair and Vice-Chair respectively.
3. Rules of Procedure PC19 Doc. 3
The Committee adopted the Rules of Procedure presented in document PC19 Doc. 3.
4. Adoption of the agenda and working programme
 - 4.1 AgendaPC19 Doc. 4.1 (Rev. 1)
The Committee adopted the agenda presented in document PC19 Doc. 4.1 (Rev. 1).
 - 4.2 Working programmePC19 Doc. 4.2 (Rev. 2)
The following amendments to the working programme were proposed:
 - a) that agenda items 8.3 and 8.4 be considered on Wednesday 20 April;
 - b) that item 14.3 be discussed on Monday 18;
 - c) that, with respect to the items to be discussed in working groups on Tuesday 19, items 8.3 and 8.4 be deleted and item 14.3 be added; and
 - d) that agenda item 11.6 be discussed together with the other documents on annotations.With these amendments, the Committee adopted the working programme.
5. Admission of observers PC19 Doc. 5
The Committee noted the list of observers in document PC19 Doc. 5.

7. Strategic planning

7.1 Resolutions and Decisions directed to the Plants Committee PC19 Doc. 7.1

and

7.2 Establishment of the Plants Committee work-plan PC19 Doc. 7.2

The Secretariat introduced document PC19 Doc. 7.1, which was noted by the Committee.

With regard to the work plan of the Committee, it was agreed to set up a working group (WG01) with the following mandate:

- a) Discuss the list of all instructions directed to the Plants Committee, or that may require that it be consulted or informed, that can be found in the currently valid Resolutions and Decisions of the Conference of the Parties; and
- b) Include the above-mentioned instructions in a work programme for 2011-2013, to determine priorities and to consider how best to achieve their effective implementation.

The Chair noted that the Secretariat would be represented on all working groups established at the present meeting.

Membership

Chair: PC Chair

Members: All PC members and alternate members present at the meeting

10. Non-detriment findings

10.1 Implementation of Decision 15.23 on Non detriment findings, and overview and links with Decisions 15.24, 15.26 and 15.27 PC19 Doc. 10.1

The Chair of the Plants Committee introduced PC19 Doc. 10.1, pointing out that it was a process in which everyone could take part. The Committee noted the document.

10.2 Progress reports from Parties (Decision 15.23) PC19 Doc. 10.2 (Rev. 1)

The Secretariat introduced document PC19 Doc. 10.2 (Rev. 1), outlining responses to a questionnaire on the outcomes of the international workshop on non-detriment findings held in Mexico in 2008.

10.3 Proposal for the implementation of Decision 15.24 PC19 Doc. 10.3

The Chair of the Plants Committee presented document PC19 Doc. 10.3. The representative of North America (Mr Benítez) suggested the possible establishment of an intersessional working group that might include members from the Animals Committee, and the observer from the American Herbal Products Association requested that non-governmental organizations (NGOs) be included in any such working group. This comment was noted. Following some discussion on practical results of guidelines for making non-detriment findings, the Chair announced the formation of a working group (WG03) with the following mandate:

- a) Review the feedback received from Parties in document PC19 Doc. 10.2 (Rev.1) and, in the context of consideration of document PC19 Doc. 10.3, and advise on how best to use this information to assist Scientific Authorities in the making of non-detriment findings. Answers from Canada, Guatemala, India, Mexico, New Zealand, Peru;
- b) Consider whether a further discussion paper on non-detriment findings should be prepared or whether Annex A of document CoP15 Doc. 16.2.2 should be submitted again at CoP16; and
- c) Decide whether the draft resolution in the Annex to document PC19 Doc. 10.3 forms a suitable basis for discussions about the draft guidance as a tool for making non-detriment findings, which

the scientific committees must submit at CoP16 in accordance with Decision 15.24. If the Committee agrees, it could establish an intersessional working group to work with the Animals Committee in the preparation a revised draft of this guidance, to be sent to the Parties for comment via the Notification to the Parties referred to in paragraph d) iii) of Decision 15.24.

Membership

- Co-Chairs: PC Chair and AC Chair, with assistance from Mexico
- Member: Acting representative of Africa (Mr Akpagana)
- Party observers: Belgium, Cameroon, Canada, Chile China, Germany, Guatemala, India, Indonesia, Ireland, Netherlands, Peru, Poland, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America
- IGO and NGOs: IUCN, SSN, TRAFFIC East/Southern Africa, WWF, American Herbal Products Association

10.4 Timber species, medicinal plants and agarwood-producing species (Decisions 15.26 and 15.27) – Progress report No document

The Secretariat presented a progress report and noted that the Committee should decide whether further work was required. After some discussion on whether it was practical or appropriate to standardize techniques for such a diverse set of species and to produce a handbook for making non-detriment findings, the Committee established an intersessional working group comprising:

- Co-Chairs: Representative and acting representative of Asia (Ms Zhihua Zhou and Ms Al-Salem)
- Member: Representative of Oceania (Mr Leach)
- Party observers: Brazil, Cameroon, Canada, Guatemala, India, Mexico, United Kingdom

11. Annotations

11.1 Overview [Decisions 15.31, 15.34, 14.133, 14.134 (Rev. CoP15), 14.149, 15.35 and 14.148 (Rev. CoP15)]PC19 Doc. 11.1

The Secretariat introduced document PC19 Doc. 11.1 and noted similarities with document PC19 Doc. 11.6. After some discussion on the possibility of efforts being duplicated, the Committee noted both documents.

11.2 Preparation of clarification and guidance on the meaning of "packaged and ready for retail trade" and other terms used in the AnnotationsPC19 Doc. 11.2

The representative of North America (Mr Benítez) introduced document PC19 Doc. 11.2 and the Committee noted its Annexes 1 and 2. It established a working group (WG04) with the following mandate:

Continue to discuss the issue of annotations, as follows:

- a) Review the definitions outlined in Annex 3 to document PC19 Doc. 11.2, in particular that of "Packaged and ready for retail trade", and consider whether they are of sufficient clarity to allow effective implementation of the Convention;
- b) Indicate which definitions could be included in a glossary as they currently stand;
- c) Indicate which definitions may need further revision and amendment, and
- d) Propose definitions for the following terms included in current plant annotations: 'cut flower' (#1 and #4), 'parts of root' (#3), 'pulp' (#13) and 'copra' (#13).

Membership

Chair: PC Vice-Chair

Party observers: Australia, Brazil, Canada, China, Germany, Peru, Poland, Republic of Korea, Spain, Thailand, United States

NGOs: SSN, American Herbal Products Association, Fédération des Entreprises de la Beauté, Indena, International Fragrance Association, IWMC World Conservation Trust.

11.3 Cactaceae and Orchidaceae: review of annotations (Decision 15.34)PC19 Doc. 11.3

The PC Vice-Chair introduced document PC19 Doc.11.3. There being no comments on the responses to Notification to the Parties No. 2011/003, the Annexes to that document were noted.

With regard to recommendation b) of the document, the acting representative of Africa (Mr Akpagana) and China, the Czech Republic, Thailand, the United States, UNEP-WCMC and the American Herbal Products Association, coordinated by the PC Vice Chair, volunteered to contribute to a Web survey on the international trade in orchid products.

With regard to recommendation c), the Committee decided to consider the relevance of continuing studies on other groups once the study on orchid products had been completed.

11.4 Orchids: annotations for species included in Appendix II [Decisions 14.133 and 14.134 (Rev. CoP15)]PC19 Doc. 11.4

The representative of Europe (Mr Sajeve) introduced document PC19 Doc. 11.4 and there was considerable discussion on whether hybrids should be exempted. A working group (WG05) was established with the following mandate:

- a) Monitor the trade trend for commercial hybrid orchids (at the genus level) and suggest guidelines for the simplification of the annotations including the necessary requirements (for example, only specimens with flowers, etc.);
- b) Improve the identification capacity of inspection officers, to encourage the exporters to use the exemption, and to produce an identification manual for this purpose;
- c) Verify which Parties are still requiring CITES permits for taxa which could benefit from the annotation; and
- d) Consider whether the annotation should be deleted.

Membership

Chair: Representative of Europe (Mr Sajeve)

Members: Representative of Central, South America and the Caribbean (Ms Mites) and acting representative of Asia (Ms Al-Salem)

Party observers: Australia, Austria, Brazil, China, Mexico, Peru, Switzerland, Thailand, United States

NGO: TRAFFIC International

11.5 Tree species: annotations for species included in Appendices II and III [Decision 14.149, 15.35 and 14.148 (Rev.CoP15)]PC19 Doc. 11.5

The observer from Canada introduced document PC19 Doc. 11.5 and the United States noted that they and the Secretariat had identified funding for a trade study. A working group (WG06) was established with the following mandate:

- a) Consider Annexes 1, 2 and 3 of document PC19 Doc. 11.5;
- b) Consider whether specimens described as "finished products packaged and ready for retail trade", (intended to refer to medicinal plant products), can or should be applied to timber products for species that are used for both purposes and listed with annotation #2, or can or should be excluded from timber products of *Aniba rosaeodora* listed with annotation #12;
- c) Consider addressing the increasing number of Appendix-II and Appendix-III tree annotations that reference non-fibre wood products, including essential oil and extracts. It may, for example, be possible to adopt specific HS code definitions for such products as "essential oil" (HS 3301) "gums, resins, and other vegetable saps and extracts" (HS 1301) and "powders" (HS 3304), and to include these definitions in Resolution Conf. 10.13 (Rev. CoP15); and
- d) Assess, based on elements presented in document PC19 Doc. 11.5, the need to amend current annotations relating to tree species.

Membership

- Chair: Canada (Mr Ken Far)
- Members: Acting representative of Asia (Ms Al-Salem) and alternate representative of Europe (Mr Carmo)
- Party observers: Australia, Chile, Guatemala, Mexico, Netherlands, Peru, Republic of Korea, United States
- IGOs and NGOs: European Union, UNEP-WCMC, TRAFFIC International, American Herbal Products Association

12. Review of Significant Trade in specimens of Appendix-II species

12.2 Overview of the species-based Review of Significant Trade PC19 Doc. 12.2

The Committee noted document PC19 Doc. 12.2 that was introduced by the Secretariat.

12.3 Species selected following CoP14 PC19 Doc. 12.3

and

12.4 Selection of species for trade reviews following CoP15 PC19 Doc. 12.4

The Secretariat introduced documents PC19 Doc. 12.3 and PC19 Doc. 12.4. The Committee established a working group (WG08) with the following mandate:

With regard to agenda item 12.3

- a) In accordance with paragraphs k) and l) of Resolution Conf. 12.8 (Rev. CoP13), review the reports and the responses received from range States, and, if appropriate, revise the preliminary categorizations proposed by the UNEP-WCMC (Annex 3);
- b) Refer to the Secretariat problems identified that are not related to the implementation of Article IV, paragraph 2 (a), 3 or 6 (a); and
- c) In accordance with paragraphs m) to o) of the same Resolution, formulate recommendations for species of urgent concern and of possible concern.

For species of urgent concern, these recommendations should propose specific actions to address problems related to the implementation of Article IV, paragraph 2 (a), 3 or 6 (a). Such recommendations should differentiate between short-term and long-term actions, and may include, for example:

- i) the establishment of administrative procedures, cautious export quotas or temporary restrictions on exports of the species concerned;
- ii) the application of adaptive management procedures to ensure that further decisions about the harvesting and management of the species concerned will be based on the monitoring of the impact of previous harvesting and other factors; or
- iii) the conducting of taxon- and country-specific status assessments, field studies or evaluation of threats to populations or other relevant factors to provide the basis for a Scientific Authority's non-detriment finding, as required under the provisions of Article IV, paragraph 2 (a) or 6 (a).

For species of possible concern, these recommendations should specify the information required to enable the Committee to determine whether the species should be categorized as either of urgent concern or of least concern. They should also specify interim measures, where appropriate, for the regulation of trade.

Such recommendations should differentiate between short-term and long-term actions, and may include, for example:

- i) the conducting of taxon and country-specific status assessments, field studies or evaluation of threats to populations or other relevant factors; or
- ii) the establishment of cautious export quotas for the species concerned as an interim measure.

Deadlines for implementation of these recommendations should be determined. They must be appropriate to the nature of the action to be undertaken, and should normally be not less than 90 days but not more than two years after the date of transmission to the State concerned.

With regard to agenda item 12.4

Select species of priority concern for review.

Membership

- Chair: PC nomenclature specialist (Mr McGough)
- Member: Acting representative of Africa (Mr Luke)
- Party observers: Austria, Belgium, Cameroon, China, Guatemala, Madagascar, Mexico, Netherlands, Peru, South Africa, United States
- IGOs and NGOs: European Union, IUCN, TRAFFIC East/Southern Africa, UNEP-WCMC, American Herbal Products Association, Indena

13. Periodic review of plant species included in the CITES Appendices

13.1 Overview of species under review PC19 Doc. 13.1 (Rev. 1)

and

13.2 Selection of species for review following CoP15 PC19 Doc. 13.2

The Chair of the Working Group on the Periodic Review (Ms Dávila) introduced documents PC19 Doc. 13.1 (Rev. 1) and 13.2 and Mexico referred to document PC19 Inf. 15. The Committee established a working group (WG09) with the following mandate:

With regard to agenda item 13.1

- a) Identify possible volunteers for reviewing the species listed in Annex 4. Consider seeking review volunteers in the Plenary session;

- b) Draft a recommendation for species for which a periodic review report already exists:

Species noted in information document PC19 Inf. 13:

- *Agave victoriae-reginae* "Results expected for PC19"
 - *Saussurea costus* "Results expected for PC19"
 - *Balmea stormiae* "Report submitted to the Chair on 6 February 2008: problems in obtaining data"
 - *Platymiscium pleiostachyum* "Report submitted to the Chair on 6 February 2008: problems in obtaining data"
 - *Tillandsia kautskyi* "Review in progress. The information will be submitted to the Chair of the Working Group"
 - *Tillandsia sprengeliana* "Review in progress. The information will be submitted to the Chair of the Working Group"
 - *Tillandsia sucrei* "Review in progress. The information will be submitted to the Chair of the Working Group";
- c) If agreed in Plenary, start selecting species to be reviewed between CoP15 and CoP17 (document PC19 Doc. 13.2); and
- d) Agree on the membership of the Working Group on the Periodic Review for the two next intersessional periods (CoP15 to CoP17) (document PC19 Doc. 13.1, Annex 5).

With regard to agenda item 13.2

- a) Review the following taxa included in Appendix I, whose wild populations are found in international trade for commercial purposes, especially those traded in relatively high quantities (*Encephalartos* spp., *Aloe polyphylla*, *Saussurea costus*, *Fitzroya cupressoides*) – see Annex 2 – given that this trade violates the provisions of the Convention;
- b) Review the following groups of taxa with a view to possibly downlisting them (Appendix I) or deleting them from the Appendices (Appendix II):
- i) 15 species included in Appendix I, that for the 10-year period studied have not been in international trade at all (document PC19 Doc. 13.1, Annex 1);
 - ii) 26 genera included in Appendix II, of which either none of its constituent species was in international trade in the 10 years studied, or else were trade sporadically (species with fewer than three records of trade, species traded at low trend and low frequency) – see Annex 3; and
 - iii) 27 species included in Appendix II, which either were not in international trade or else were trade sporadically (species with fewer than three records of trade, species traded at low trend and low frequency) – see Annex 4; and
- c) Review the following groups of taxa to assess whether they are in the appropriate Appendix or whether it is necessary to increase their level of protection:

Nine species included in Appendix II, which were in international trade at high frequency and high trend (Annex 5). In these cases consideration should be given to increasing the level of protection.

Membership

Chair: Chair of the Working Group on the Periodic Review
Party observer: United States
IGO: UNEP-WCMC

14. Amendment to the Appendices

14.1 Assessment of trade in epiphytic cacti and review of Cactaceae spp. in Appendix II (Decision 15.89) PC19 Doc. 14.1

The Chair of the Working Group on the Periodic Review introduced document PC19 Doc. 14.1. The PC Chair pointed out that range States would be involved in a consultative process, and the three recommendations to the Committee were incorporated in the mandate of WG09.

14.2 Euphorbia spp. [Decision 14.13 (Rev. CoP15)] PC19 Doc. 14.2 (Rev. 1)

The Chair of the Working Group on the Periodic Review introduced document PC19 Doc. 14.2 (Rev. 1). There were no comments and it was agreed to include this issue in the mandate of WG09.

14.3 Madagascar (Decision 15.97) PC19 Doc. 14.3

The Nomenclature Specialist of the Plants Committee introduced document PC19 Doc. 14.3. The Committee established a working group (WG10) with the following mandate:

- a) Make use of information contained in document PC19 Doc. 14.3 when considering a mechanism to implement Decision 15.97;
- b) Review the list to identify and confirm potential candidates for CITES listing;
- c) Consider the issues of practical identification of the wood and their products in trade and identify priority areas for research on same;
- d) Review at what taxonomic or other level the listings should be made to best assist implementation and enforcement;
- e) Review what annotation should apply to CITES Appendix-II listings to best assist implementation and enforcement;
- f) Consider what identification material will be required to identify the woods and their products, if regulated; and
- g) Propose a work plan that will bring forward comprehensive proposals to list the selected taxa on the Appendices of the Convention in time for consideration at the 16th meeting of the Conference of the Parties.

Membership

Co-Chairs: The PC nomenclature specialist (Mr McGough) and Madagascar
Member: Acting representative of Africa (Mr Luke)
Party observers: Belgium, Canada, United States
IGOs and NGOs: ITTO, IUCN, TRAFFIC International, UNEP-WCMC, IWMC World Conservation Trust.

16.3 Agarwood producing taxa (Decision 15.94) PC19 Doc. 16.3

The representative of Oceania (Mr Leach) introduced document PC19 Doc. 16.3, noting that there were two approaches to deciding whether trees in mixed plantations could be considered artificially propagated. The Committee established a working group (WG11) with the following mandate:

- a) Consider whether a revised wording for Resolution Conf. 10.13 (Rev. CoP15) should be drafted to restrict the consideration of plantation material only to those specimens that have been deliberately cultivated, and explicitly exclude any adventive material that occurs in a plantation; discuss whether such an amendment would alleviate concerns and allow consideration of deletion of the restriction to monospecific plantations;
- b) Recommend a procedure to request Parties producing plantation-grown agarwood to provide background information on the origin of the plantation material, i.e. whether the material is sourced from within or outside the range State, whether seed or vegetative propagation is used, and whether there is ongoing collection of wild propagating material;
- c) Recommend a way to assess whether the application and interpretation of Resolution Conf. 11.11 (Rev. CoP15) satisfy all Parties that are producing mixed species plantation-grown agarwood, and whether this material can qualify as artificially propagated;
- d) Discuss whether other non-agarwood CITES-listed tree species should be considered in this discussion of mixed-species plantations; and
- e) Discuss the issues around the timing and subject matter for the two proposed agarwood workshops in Indonesia and Kuwait.

Membership

Co-Chairs: Representative of Oceania (Mr Leach) and acting representative of Asia (Ms Al-Salem)

Party observers: Indonesia, Kuwait, Saudi Arabia, Thailand, United States

NGO: TRAFFIC East/Southern Africa

16.4 Aniba rosaeodora (Decision 15.90) PC19 Doc. 16.4

and

16.5 Bulnesia sarmientoi (Decision 15.96) PC19 Doc. 16.5 (Rev. 1)

These two documents were introduced by the PC Vice-Chair. The Committee established a working group (WG12) to work on both species. The mandate of the working group was decided as follows:

With regard to agenda item 16.4

- a) Take note of the responses to Notification No. 2010/027 and to the questionnaire circulated by the Scientific Authority of Mexico (see the Annex to document PC19 Doc. 16.4); and
- b) Address paragraphs a) to d) of Decision 15.90 (questions i. to iv. of the questionnaire) and identify the steps to be taken in order to give effect to that Decision.

With regard to agenda item 16.5

- a) Take note of the responses to Notification No. 2010/027 and to the questionnaire circulated by the Scientific Authority of Mexico (see the Annex to document PC19 Doc. 16.5);
- b) Take note that, in Decision 15.96, paragraphs a) and d), an inaccurate reference is made to essential oil, when annotation #11 does not include essential oil but powder and extracts; and

- c) Address paragraphs a) to d) of Decision 15.96 (questions i. to iv. of the questionnaire) and identify the steps to be taken.

Membership

Chair: European Union

Member: Alternate representative of Europe (Mr Carmo)

Party observers: Argentina, Australia, Brazil, Canada, China, France, Republic of Korea, United Kingdom, United States

NGOs: SSN, TRAFFIC East/Southern Africa, American Herbal Product Association, Fédération des Entreprises de la Beauté, International Fragrance Association.