

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



Twentieth meeting of the Plants Committee  
Dublin (Ireland), 22-30 March 2012

Proposals for possible consideration at CoP16

Other proposals

AGARWOOD-PRODUCING TAXA (DECISION 15.94)

1. This document has been submitted by Kuwait\*.
2. The 15th meeting of the Conference of Parties adopted the following Decisions:

***Agarwood producing taxa:***

***Directed to Parties involved in agarwood trade and to the Secretariat***

14.137 *Parties involved in trade in agarwood should, in consultation with the Secretariat, identify funds and produce identification materials for all forms of traded products under CITES control.*

14.138 *Parties concerned should identify and agree on which agarwood products and quantities (Rev. should be exempted from CITES controls. Once agreed, Parties concerned should agree CoP15) which range State will prepare and submit a proposal for amendment of the current annotation for agarwood-producing species to be considered at the 16th meeting of the Conference of the Parties.*

14.140 *Parties involved in agarwood trade shall prepare a glossary with definitions that illustrate the content of the amended annotations, the terms used and their practical application during enforcement and border controls. The Secretariat should facilitate the preparation and production of these materials, and strategies for incorporating them in training material.*

***Directed to Parties and the Secretariat***

14.141 *Parties and the CITES Secretariat will work with intergovernmental and non-governmental organizations to seek ways to share information through the establishment of networks, organization of regional workshops, capacity-building programmes, exchange of experiences and identification of financial resources.*

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\* *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.*

**Directed to the Plants Committee**

15.94 *The Plants Committee shall consider current definitions of artificially propagated plants and how they apply to trees in mixed species plantations and report at the 16th meeting of the Conference of the Parties.*

**Directed to the Secretariat**

14.144 *The Secretariat shall assist in obtaining funding from Parties, intergovernmental and non-governmental organizations, exporters, importers and other stakeholders to support a (Rev. CoP15) workshop aimed at strengthening the capacity of Parties to implement agarwood-related Decisions before the 16th meeting of the Conference of the Parties.*

15.95 *Subject to external funding, the Secretariat shall, in cooperation with the agarwood range States and the Plants Committee, organize a workshop to discuss management of wild and plantation-source agarwood.*

3. Workshop on Implementation of CITES for Agarwood-producing species was held in Kuwait, 3-6 October 2011 (document PC20 Inf. 1) and another Asian Regional Workshop on Agarwood: Management of Wild and Plantation-Grown Agarwood was held in Bangka Tengah, Indonesia 22-24 November 2011
4. National reports presented by parties and then two working groups were established during the two workshops, one on administrative issues, while another on scientific issues. The two workshop had fulfil all the discussion on agarwood-producing species adopted in CITES CoP14.
5. The scientific and administrative working groups result and recommendation is presented in Annex 1, 2, and 3 to this document.
6. The Plants Committee is invited to consider the result and the recommendations included in paragraph 5 and if appropriate, take any further actions needed.

## RESULT AND RECOMMENDATION OF THE SCIENTIFIC WORKING GROUP

1. Regarding to the Resolution Conf. 11.11 (Rev CoP15) on Regulation of trade in plants, most countries agree on the following definition:

**'under controlled condition' means in a tree plantation, including other non-natural environment that is intensively manipulated by human intervention for the purpose of producing plants or plant's parts and derivatives plant production.....**

Malaysia and Indonesia are interested to submit the proposal for amendment under Resolution Conf. 11.11 (Rev. CoP15) for consideration of the next CoP16.

2. Regarding to Resolution Conf. 10.13 (Rev. CoP15) – on implementation of the Convention for timber species, most countries raised objection on the use of only “monospecific” word as it is currently described within the Resolution. Based on country report, most countries establish plantation both in mono and mix-plantation as in many cases agarwood is a community based activity. Thus, the workshop agreed:

- **To delete word *monospecific* from paragraph g of resolution Conf. 10.13 (Rev. CoP 15); or**
- **To add to the same paragraph the wording “or mixed” after the word “monospecific”.**

There will be **two possible options** for the Plant Committee to consider and this can be submitted in one proposal.

In this case, Indonesia, Malaysia and Vietnam are interested in submitting the proposal to be amended for Resolution Conf. 10.13 (Rev. CoP15) and to be considered for the next CoP16.

3. Registration of Agarwood plantation is recommended to be done according to scale and intensity of the operation (i.e. small/ individual, and big/industrial)
4. The workshops recommended range states to develop registration system; labeling and certification are considered unnecessary.
5. Only three countries so far adopting NDF for wild agarwood products: Indonesia, Malaysia and PNG. Others have banned agarwood product from the wild and no NDF is applied.
6. It has been agreed that because of agarwood producing taxa listed in Appendix II are at genus level (*Aquilaria spp.* and *Gyrinops spp.*), the NDF of agarwood is recommended at the genus level or group therefore development NDF at the species level is not necessary. The main reason for working at the genus level or group is due to difficulties in distinguishing the mixture of harvested materials (products) at species level.
7. Regarding to Table of Assessment of factors affecting management of the collection (under NDF Guidance - Addressing Decision 15.26), the workshop requested clarification on this following sentence: *the “Species Risk List”* under National conservation status within Table (as attached herewith).
8. The Workshop has agreed to put NA under plantation column as described in Table for Assessment of factors affecting management of the collection containing these following text:
  - Effectiveness of regulation of harvest effort
  - Confidence in monitoring
  - Other factors that may affect whether or not to allow trade

9. The workshop suggested deleting information sources under Table for Assessment of factors affecting management of the collection (as attached), containing these following sentences:
- Is management of wild collection supported by adequate identification, inventory, assessment, and monitoring of the target species and collection impacts? Does the rate (intensity and frequency) of collection enable the target species to regenerate over the long term?
  - Identification of target species with voucher specimens from the collection site
  - Direct population estimates through field surveys, including surveys of populations before and after harvest (field surveys/data collection program is critical when collected quantities are above potential production)

Changes are made due to these following reasons:

- Most of the information is applicable only for agarwood harvested from natural population (wild)
  - Some of the information have already mentioned in the other paragraph (redundancy).
10. It is proposed to the Plants Committee that the following Decision be kept and amended as follows at the 16th meeting of the CoP:

**Directed to Parties and the Secretariat  
15.95 (Rev. CoP16)**

Subject to external funding, the Secretariat shall, in cooperation with the agarwood range States and the Plants Committee, organize a workshop to share experiences and discuss management of wild and plantation-source agarwood. Identify and agree on strategies that balance the conservation and use of the wild populations, while relieving the pressure on these by using the planted material.

## RESULT AND RECOMMENDATION OF THE ADMINISTRATIVE WORKING GROUP

### 1. Proponents:

- Annotation (China, Kuwait, Indonesia, Saudi Arabia, Thailand, AJMAL, CAT).
- Personal and household effect (Kuwait, Indonesia, Saudi Arabia, Viet Nam).
- Glossary (India, Kuwait, Thailand, Saudi Arabia, China, Indonesia).
- Definition of Artificial Propagation (Indonesia & Malaysia) in consultation with the Plant Committee.
- Amendment of Resolution Conf. 10.13 Rev CoP15 regarding the use of the word mono specific or mix plantation. The title of the resolution should be amended to “tree species” instead of “timber species” (Indonesia, Malaysia, Viet Nam).
- NDF (Plant Committee representative of Asia (China) and alternate of Asia (Kuwait), India, Papua New Guinea, Malaysia, Indonesia).

### 2. Specimens to be controlled or not to be controlled by CITES (see PC20 Doc. 16.2.1 Annex 3 for details):

#### To be controlled by CITES:

- Pure Agarwood oil (exception 60 ml)
- Mixed oil more than 15% of Agarwood oil (exception 60 ml)
- Agarwood logs
- Agarwood chips (exception 1 kg)
- Agarwood blocks
- Agarwood branches and twigs
- Agarwood roots
- Agarwood seedling
- Agarwood sawdust and powder (not extracted)
- Agarwood carving and handicrafts
- Beads, prayer beads, necklaces, bracelets, etc (exception 2 pieces)

#### Not to be controlled by CITES:

- Mixed oil less than 15% of Agarwood oil
- Agarwood fruit
- Agarwood leaves
- Finished product packaged and ready for retail trade (including molding from Agarwood powder)
- Tissue Culture (obtained in vitro in solid or liquid media, transported in sterile containers)
- Agarwood seeds
- Agarwood powder (extracted)


### 3. Personal and household effects: All parties can accept maximum 1 kg woodchips, 60 ml oil, and 2 pieces beads, prayer beads, necklaces, bracelets, etc per person for personal and household effects.





### 4. There is a need for a national registration system for nurseries and plantations.

### 5. National registration for nurseries and plantations at commercial level will be helpful to manage these species. Many range states already have a national or local registration system.




6. Identification materials:
  - Parties have some identification materials for some product, but it is difficult to differentiate them in the species level, so it is been proposed to produce this material at the genus level.
  - It has been proposed to strengthen the whole chain of custody in order to distinguish natural and artificially propagated product, and wood from Agarwood from wood of other timber species
7. Parties are encourage, to the best extent possible, to manage this Agarwood taxa at a species level although recognizing that a higher taxonomy level (genus) is listed on appendix II.
8. Permitting problems: In one or more countries there is a problem that export permits are not endorsed at the time of export. Resolution Conf. 12.3 (Rev. CoP15) deals with this issue.
9. Reservations: Countries with reservations are recommended to make sure that the stocks of agarwood are legally acquired and to reconsider the need for their reservations.
10. There is no need for time limits for re-exports at the international level. However at the national level records should be kept of the import and the export.
11. Custom code: It seems that in many countries there is an HS code for agarwood.
12. Labelling is not considered necessary for most parts and derivatives in trade, but the use of labels is recommended for oil, to indicate the percentage of Agarwood oil.
13. It is not considered necessary to establish quotas for specimens from plantations.
14. Issues for consideration:
  - a) There was no consensus reached on whether the traditional medicine contained agarwood should be included or excluded from CITES control. Therefore, this matter is being referred for further discussion at the 20th meeting of the Plants Committee.
  - b) Definitions of Agarwood product are to be reviewed and consulted with Plant Committee members.



GLOSSARY OF AGARWOOD PRODUCTS




Product	Pictures	Control by CITES			Definition	Units	Exception
		In Favor	Oppose	No comment			
1	2	3	4	5	6	7	8
Pure Oil		All			A hydrophobic liquid or semi-liquid that is predominantly clear, and often has a strong odor, which is obtained from raw plant material by methods such as any kind of distillation, or a mechanical process.  [Agarwood Oil hydro distilled from Wild/harvested Agarwood]→ alt.	Kg or ml	60 ml
Mixed oil more than 15% of agarwood oil		All			Pure Agarwood oil containing 15% Matrix distilled from Agarwood and balance may be approved solvents and / or approved essential oils.	kg or ml	60 ml




1	2	3	4	5	6	7	8
Log	 	All			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)	m <sup>3</sup> or kg	
Chips	 	All			Small to medium pieces of Agarwood, which have been worked out from log/block of Agarwood.	Kg	1 kg








1	2	3	4	5	6	7	8
Block		All				Kg	
Branches and Twigs		All				Kg	
Root		All			<p>the underground organ or part of a plant, including primary and secondary roots, and underground stems such as bulbs, rhizome, corms, caudices, and tubers.</p>	Kg	


1	2	3	4	5	6	7	8
Seedlings		All				Number	
Sawdust & Powder (NOT Extracted)		All			Fine Agarwood substance obtained mostly as by product while working on Agarwood chips or grounded/fine Agarwood.	Kg	

1	2	3	4	5	6	7	8
Carvings and handycraft		All				Pc	
beads, prayer beads, necklaces and bracelets etc.		All				Pc	2 pcs
Mixed oil less than 15% of agarwood			All			kg/ml	

1	2	3	4	5	6	7	8
Fruit			All			Kg	
Leaves			All			kg	
Finished products packaged and ready for retail trade (including molding from powder)			All		Products requiring no further processing, packaged, labelled and ready for retail trade, in a state fit for being sold to or used by the general public.	Kg, ml, Number	

1	2	3	4	5	6	7	8
<p>(Cont.) Finished products packaged and ready for retail trade (including molding from powder)</p>			<p>All</p>				

1	2	3	4	5	6	7	8
<p>(Cont.) Finished products packaged and ready for retail trade (including molding from powder)</p>	  		All				
<p>Tissue Culture (obtained in <i>vitro</i> in solid or liquid media, transported in sterile containers)</p>			All			Number	

1	2	3	4	5	6	7	8
Seed			All				Kg
Powder (Extracted)			All		The residual Agarwood powder which has been distilled to obtain Agarwood oil and does not contains any essential oil.	Kg	
Traditional Medicine		no consensus			Patent medicine	Kg of net weight of the ingredie nts	