

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



Twenty-fourth meeting of the Plants Committee
Geneva (Switzerland), 20, 21 and 23-26 July 2018

Species specific matters

POSSIBLE AMENDMENTS TO RESOLUTION CONF. 10.13 (REV. COP15) ON
IMPLEMENTATION OF THE CONVENTION FOR TIMBER SPECIES:
REPORT OF THE SECRETARIAT

1. This document has been submitted by the Secretariat.

Background

2. [Resolution Conf. 10.13 \(Rev. CoP15\)](#) on *Implementation of the Convention for timber species* contains recommendations of the Conference of the Parties to assist Parties with: developing amendment proposals for timber species (consultation with relevant international organizations and the process *per se*); definitions of parts and derivatives applicable to timber species; the definition of 'artificially propagated' in case of timber plantations; the improvement of public understanding of the role of the Convention in the conservation of timber species; timber species of concern; and the establishment of export quotas for timber species.
3. The Plants Committee, at its 23rd meeting (PC23, Geneva, July 2017) considered document [PC23 Doc. 28](#), submitted by the Secretariat on possible amendments to Resolution Conf. 10.13 (Rev. CoP15), which had resulted from discussions by the Plants Committee at its 22nd meeting (PC22, Tbilisi, October 2015; see document [PC22 SR](#)).
4. In its document, the Secretariat brought up nine areas of possible revision of Resolution Conf. 10.13 (Rev. CoP15) (areas identified by the Plants Committee at PC22, and a few additional ones suggested by the Secretariat):
 - a) changing the title of the Resolution to *Implementation of the Convention for tree species*;
 - b) the consultation processes regarding proposals to amend Appendices I or II for timbers;
 - c) the addition of more definitions and Harmonized System Codes (HS codes) for different types of timber and tree species;
 - d) considerations on the addition of a definition of 'plantation';
 - e) considerations regarding challenges for making non-detriment findings at species level;
 - f) considerations on the establishment of voluntary national export quotas for timber species;
 - g) the inclusion of a section on exports and imports;
 - h) the addition of a section on identification and forensics for tree species; and
 - i) the addition of a section on marking and traceability.

5. The Secretariat recommended that the Plants Committee should agree on a process for revising Resolution Conf. 10.13 (Rev. CoP15) that would involve the Standing Committee and reporting to the Conference of the Parties at its 18th meeting (CoP18, Colombo, 2019).

Progress achieved at PC23

6. After considering document PC23 Doc. 28, the Plants Committee agreed that the following amendments to Resolution Conf. 10.13 (Rev. Conf. 15) could be proposed (see document [PC23 SR](#), paragraph 28):
 - a) change the title of Resolution Conf. 10.13 to Implementation of the Convention for tree species;
 - b) seek enhanced, more elaborate and detailed views on proposals to amend the CITES Appendices for tree species from the International Tropical Timber Organization (ITTO), the Food and Agriculture Organization (FAO) and the International Union for Conservation of Nature (IUCN) under the current consultation procedure;
 - c) for the establishment of voluntary annual national export quotas for timber species, consider incorporating relevant guidance in Resolution Conf. 14.7 (Rev. CoP15) on *Management of nationally established export quotas*; and
 - d) move the section *Regarding improvement of public understanding of the role of the Convention in the conservation of timber species* towards the end of Resolution Conf. 10.13 (Rev. CoP15).
7. Furthermore, the Plants Committee, at PC23:
 - a) *noted that further discussion was needed on, among others, the establishment of non-detriment findings at the genus level, and the use of conversion factors relative to the species when setting export quotas for tree species and making related non-detriment findings;*
 - b) *agreed that the matter of permits and certificates issued under court orders has been addressed in Resolution Conf. 12.3 (Rev. CoP17) on Permits and certificates and did not need further consideration by the Plants Committee at this stage; and*
 - c) *further agreed to consider a revised version of the document by the Secretariat on possible amendments to Resolution Conf. 10.13 (Rev. CoP15) at its next meeting.*

Discussion

8. The proposed amendments to Resolution Conf. 10.13 (Rev. CoP15) that the Plants Committee agreed to at PC23 are shown in the Annex 1 to this document (with in Annex 2 a clean version).
9. The Secretariat has reflected the proposed change in the title of the Resolution (from 'timber' to 'tree') in the preamble and the operational part of the Resolution where it considered it to be appropriate.
10. The second substantive amendment is the proposed move of the section *Regarding improvement of public understanding of the role of the Convention in the conservation of timber species*.
11. The Secretariat is of the opinion that further substantive amendments to the Resolution, including in some of the areas mentioned in document PC23 Doc. 28 (and summarized in paragraph 4 above), may require further consideration, and consultations with the Parties and the Standing Committee. In this regard, the Secretariat notes that some of the constituent parts of Resolution Conf. 10.13 (Rev. CoP15) could probably be embedded in existing Resolutions that are dealing with the topic in an holistic way [such as Resolutions Conf. 4.22 on *Proof of foreign law*, Conf. 9.24 (Rev. CoP17) on *Criteria for amendment of Appendices I and II*, Conf. 11.11 (Rev. CoP17) on *Regulation of trade in plants*, Conf. 11.21 (Rev. CoP17) on *Use of annotations in Appendices I and II*, Conf. 14.7 (Rev. CoP15) on *Management of nationally established export quotas*, or Conf. 16.7 (Rev. CoP17) on *Non-detriment findings*].
12. Furthermore, the recommendation of the Plants Committee to enhance the existing consultative processes for proposals to amend the Appendices for tree species is reflected in two ways:

- i) in paragraph 1, sub-paragraph a), it is proposed that the following footnote be added concerning FAO, ITTO and IUCN: “International organizations from which the CITES Secretariat should seek views on proposals to amend the CITES Appendices for tree species.”; and
 - ii) in paragraph 1, sub-paragraph b), it is proposed that the word “including” be inserted to reflect the Plants Committee’s wish that the consultations with FAO, ITTO and IUCN be “enhanced, more elaborate and detailed”, i.e. could go beyond the matters specified in paragraph 3 h) of Resolution Conf. 9.24 (Rev. CoP17).
13. Where appropriate, the Secretariat has corrected footnote references, and alphabetically ordered organisations in Resolution Conf. 10.13 (Rev. CoP15).
14. Regarding further considerations agreed at PC23 relating to non-detriment findings (NDFs) for trade in specimens of tree species, the Plants Committee may wish to formulate advice on how to address issues such as NDFs for trees at the genus level, and the use of tree-to-timber conversion factors in NDFs for trees. The Plants Committee could suggest that, in consultation with the Parties, these matters be looked at in the context of the work on NDFs that is proposed in document AC30 Doc. 10.1/PC24 Doc. 10.1; or be the subject of separate and specific research and guidance.

Recommendations

15. The Plants Committee is invited to:
- a) review the draft amendments to Resolution Conf. 10.13 (Rev. CoP15) that are shown in Annexes 1 and 2 (containing track change and clean versions, respectively); consider requesting the Secretariat to present them for consideration by the Standing Committee at its 70th meeting (Rosa Khutor, Sochi, October 2018); and, taking account of the comments by the Standing Committee, submitting them for consideration at the 18th meeting of the Conference of the Parties (CoP18, Colombo, 2019); and
 - b) consider the suggestions in paragraph 14 above concerning the making of non-detriment findings for trade in specimens of tree species.

PROPOSED AMENDMENTS TO RESOLUTION CONF. 10.13 (REV. COP15) ON
IMPLEMENTATION OF THE CONVENTION FOR TIMBER SPECIES: TRACK CHANGES

Resolution Conf. 10.13 (Rev. CoP15⁸)
Implementation of the Convention for ~~timber~~tree species

RECOGNIZING that amendment proposals should contain the maximum amount of biological and trade information on the taxon concerned;

AWARE that such information is frequently available from international organizations that have expertise related to timber trade or forest management;

RECOGNIZING that parts and derivatives mentioned in the Interpretation of Appendices I, II and III should be clearly defined;

EMPHASIZING the need for Parties to report adequately on their annual trade in timber and to use agreed units of measurement;

AWARE that unambiguous identification of timber, by its nature, can be a complex procedure, requiring particular expertise;

RECOGNIZING that the development of timber identification materials is essential for the effective implementation of the Convention and that the cost of production will be considerable;

NOTING that the approach that authorities of some countries have taken, whereby they meet with timber trade groups and enforcement officers and agree to use standard nomenclature for vernacular and corresponding scientific names of ~~timber~~tree species, appears to be a useful one;

NOTING further that the objective of the Convention is to ensure the conservation of wild fauna and flora for this and future generations through the protection of certain species against over-exploitation through international trade;

NOTING also that the Convention can play a positive role in promoting the conservation of animals and plants, including ~~timber~~tree species, through trade in accordance with the requirements of Articles III, IV and V of the Convention and through improving trade monitoring for evaluation of biological status and effective enforcement;

RECOGNIZING that commercial trade may be beneficial to the conservation of species and ecosystems when carried out at levels that are not detrimental to the survival of the species in question;

RECOGNIZING also that Parties have the right to take stricter domestic measures concerning any species included in the Appendices;

AWARE that such measures can have effects unrelated to the conservation of listed species and could be taken for purposes not directly related to the purpose for which the species concerned were included in the CITES Appendices;

NOTING also that there are misconceptions that inclusion of a species in Appendix II or III represents a ban on trade in that species;

RECOGNIZING that such misconceptions can have negative impacts including the prohibition of or restriction on the use of CITES-listed ~~timber~~tree species by architects, engineers, commercial businesses and others, and reduced use of such items by consumers;

ACKNOWLEDGING that education is an important tool in the effective implementation of the Convention;

NOTING that many internationally traded ~~timber~~tree species, boreal, temperate and tropical, can be managed on a sustainable basis through the application of appropriate silvicultural techniques, but that for other ~~timber~~tree species such knowledge is currently lacking;

NOTING that some ~~timber~~tree species may be under threat because of detrimental levels of use and international trade;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. RECOMMENDS that:

Regarding international organizations

- a) any Party that intends to present an amendment proposal for a ~~timber~~tree species (irrespective of other agreed procedures) should consult with at least four different organizations listed in the table below [two from each of the two types (B and T)], to verify or request biological and trade data, and should include any relevant information in the amendment proposal before this is sent to the Secretariat for distribution to the Parties; and

Acronym	International organization	Data	
		B = Biological data	T = Trade data
ATO	African Timber Organization		T
ATTO	Asian-Pacific Timber Trade Organization		T
CIFOR	Center for International Forestry Research	B	
FAO*	Food and Agricultural Organization of the United Nations; Forestry Department	B	T
IBFRA	International Boreal Forest Research Association	B	
ITTO*	International Tropical Timber Organization	B	T
IUFRO	International Union for Forest Research Organizations	B	
IUCN*	International Union for Conservation of Nature	B	
IWPA	The International Wood Products Association		T
SPT-TCA	Pro-tempore Secretariat of the Treaty for Amazonian Cooperation	B	
TRAFFIC	Trade Records Analysis of Flora and Fauna In Commerce	B	T
UCBD	Union pour le Commerce des Bois Durs dans l'U.E. (European Hardwood Federation)		T
UNEP-WCMC	UNEP World Conservation Monitoring Centre	B	
WWF	World Wide Fund for Nature	B	

* International organizations from which the CITES Secretariat should seek views on proposals to amend the CITES Appendices for tree species.

- b) when any proposal is submitted to amend the CITES Appendices for ~~timber~~tree species, including for the implementation of paragraph 3 h) of Resolution Conf. 9.24 (Rev. CoP17)¹, the Secretariat should seek the views of ~~ITTO~~, FAO, ITTO and IUCN and present these to the Conference of the Parties;

¹ Corrected by the Secretariat following the 16th and 17th meetings of the Conference of the Parties: originally referred to Resolution Conf. 9.24 (Rev. CoP15).

Regarding parts and derivatives

c) the following definitions be applied with respect to annotations in the CITES Appendices:

i) Logs

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 44.032¹);

ii) Sawn wood

Wood simply sawn lengthwise or produced by a profile-chipping process. Sawn wood normally exceeds 6 mm in thickness (HS code 44.06⁴², HS code 44.07⁴²);

iii) Veneer sheets

Thin layers or sheets of wood of uniform thickness, usually 6 mm or less, usually peeled or sliced, for use in making plywood, for veneering furniture, veneer containers, etc. (HS code 44.08⁴²); and

iv) Plywood

Consisting of three or more sheets of wood glued and pressed one on the other and generally disposed so that the grains of successive layers are at an angle (HS code 44.12.13⁴², HS code 44.12.14⁴², and HS code 44.12.22⁴²); and

d) for the purpose of annotations in the Appendices for parts and derivatives of species traded as timber, definitions to be used should, to the extent possible, be based on the tariff classifications of the Harmonized System of the World Customs Organization;

Regarding amendment proposals for timbertree species

e) proposals for the inclusion of timbertree species in Appendix II or III indicate clearly which parts and derivatives should be regulated; and

f) where these parts and derivatives are not logs, sawn wood or veneer sheets, the proponent also propose the relevant amendment to Resolution Conf. 12.3 (Rev. CoP17)¹ if the procedures for extending

¹ HS refers to the Harmonized System of the World Customs Organization describing and coding goods in trade. The codes referred to in this document for timber include the following:

- | | |
|----------|--|
| 44.03 | Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared |
| 44.06 | Railway or tramway sleepers of wood |
| 44.07 | Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6 mm |
| 44.08 | Veneer sheets and sheets for plywood (whether or not spliced) and other wood sawn lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness not exceeding 6 mm |
| 44.12.13 | Plywood consisting solely of sheets of wood, each ply not exceeding 6 mm in thickness, and with at least one outer ply of tropical wood specified in Subheading Note 1 below [†] |
| 44.12.14 | Plywood consisting solely of sheets of wood, each ply not exceeding 6 mm in thickness, and with at least one outer ply of non-coniferous wood |
| 44.12.22 | Other (meaning one ply, or more, that is greater than 6 mm in thickness), with at least one outer ply of non-coniferous wood, and with at least one ply of tropical wood specified in Subheading Note 1 below [†] |

[†] Subheading Note 1: For the purposes of subheadings 44.03.41 to 44.03.49, 44.07.24 to 44.07.29, 44.08.31 to 44.08.39, and 44.12.13 to 44.12.99, the expression 'tropical wood' means one of the following types of wood:

Abura, Acajou d'Afrique, Afrormosia, Ako, Alan, Andiroba, Aningré, Avodiré, Azobé, Balau, Balsa, Bossé clair, Bossé foncé, Cativo, Cedro, Dabema, Dark Red Meranti, Dibétou, Doussié, Framiré, Freijo, Fromager, Fuma, Geronggang, Ilomba, Imbuia, Ipé, Iroko, Jaboty, Jelutong, Jequitiba, Jongkong, Kapur, Kempas, Keruing, Kosipo, Kotibé, Koto, Light Red Meranti, Limba, Louro, Maçaranduba, Mahogany, Makoré, Mandioqueira, Mansonia, Mengkulang, Meranti Bakau, Merawan, Merbau, Merpauh, Mersawa, Moabi, Niangon, Nyatoh, Obeche, Okoumé, Onzabili, Orey, Ovengkol, Ozigo, Padauk, Paldao, Palissandre de Guatemala, Palissandre de Para, Palissandre de Rio, Palissandre de Rose, Pau Amarelo, Pau Marfim, Pulai, Punah, Quaruba, Ramin, Sapelli, Saqui-Saqui, Sepetir, Sipo, Sucupira, Suren, Teak, Tauari, Tiamá, Tola, Virola, White Lauan, White Meranti, White Seraya, Yellow Meranti.

the period of validity of, and/or changing the destination on, the export permit or re-export certificate should apply;

Regarding the definition of 'artificially propagated'

- g) timber or other parts or derivatives of trees grown in monospecific plantations be considered as being artificially propagated in accordance with the definition contained in Resolution Conf. 11.11 (Rev. CoP17);

Regarding improvement of public understanding of the role of the Convention in the conservation of timber species

- ~~h) Parties consider any possible deleterious conservation and trade impacts before they impose stricter domestic measures on trade in timber specimens of species included in Appendix II or III; and~~
- ~~i) Management Authorities work with governmental agencies (including local governments), non-governmental organizations, industry and the general public to develop and provide information on the objectives, provisions and implementation of the Convention to counter the misconception that the inclusion of species in the Appendices represents a ban on the trade in specimens of these species, and to disseminate the message that international trade and utilization of timber species included in Appendices II and III are generally permitted and can be beneficial;~~

Regarding timbertree species of concern

- ~~—j) the range States pay particular attention to internationally traded timbertree species within their territories for which the knowledge of the biological status and silvicultural requirements gives cause for concern; and~~

Regarding the establishment of export quotas for timbertree species

- ji) whilst fully respecting the requirements of paragraphs 2 (a) and 3 of Article IV of the Convention, Parties exporting timber specimens from species listed in Appendix II consider establishing voluntary annual national export quotas for such exports.

Regarding improvement of public understanding of the role of the Convention in the conservation of timbertree species

- ~~hj) Parties consider any possible deleterious conservation and trade impacts before they impose stricter domestic measures on trade in timber specimens of species included in Appendix II or III; and~~
- ~~ik) Management Authorities work with governmental agencies (including local governments), non-governmental organizations, industry and the general public to develop and provide information on the objectives, provisions and implementation of the Convention to counter the misconception that the inclusion of species in the Appendices represents a ban on the trade in specimens of these species, and to disseminate the message that international trade and utilization of timbertree species included in Appendices II and III are generally permitted and can be beneficial;~~

PROPOSED AMENDMENTS TO RESOLUTION CONF. 10.13 (REV. COP15) ON
IMPLEMENTATION OF THE CONVENTION FOR TIMBER SPECIES: CLEAN VERSION

Resolution Conf. 10.13 (Rev. CoP18)
Implementation of the Convention for tree species

RECOGNIZING that amendment proposals should contain the maximum amount of biological and trade information on the taxon concerned;

AWARE that such information is frequently available from international organizations that have expertise related to timber trade or forest management;

RECOGNIZING that parts and derivatives mentioned in the Interpretation of Appendices I, II and III should be clearly defined;

EMPHASIZING the need for Parties to report adequately on their annual trade in timber and to use agreed units of measurement;

AWARE that unambiguous identification of timber, by its nature, can be a complex procedure, requiring particular expertise;

RECOGNIZING that the development of timber identification materials is essential for the effective implementation of the Convention and that the cost of production will be considerable;

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NOTING also that the Convention can play a positive role in promoting the conservation of animals and plants, including tree species, through trade in accordance with the requirements of Articles III, IV and V of the Convention and through improving trade monitoring for evaluation of biological status and effective enforcement;

RECOGNIZING that commercial trade may be beneficial to the conservation of species and ecosystems when carried out at levels that are not detrimental to the survival of the species in question;

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NOTING also that there are misconceptions that inclusion of a species in Appendix II or III represents a ban on trade in that species;

RECOGNIZING that such misconceptions can have negative impacts including the prohibition of or restriction on the use of CITES-listed tree species by architects, engineers, commercial businesses and others, and reduced use of such items by consumers;

ACKNOWLEDGING that education is an important tool in the effective implementation of the Convention;

NOTING that many internationally traded tree species, boreal, temperate and tropical, can be managed on a sustainable basis through the application of appropriate silvicultural techniques, but that for other tree species such knowledge is currently lacking;

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ATO	African Timber Organization		T
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IBFRA	International Boreal Forest Research Association	B	
ITTO*	International Tropical Timber Organization	B	T
IUFRO	International Union for Forest Research Organizations	B	
IUCN*	International Union for Conservation of Nature	B	
IWPA	The International Wood Products Association		T
SPT-TCA	Pro-tempore Secretariat of the Treaty for Amazonian Cooperation	B	
TRAFFIC	Trade Records Analysis of Flora and Fauna In Commerce	B	T
UCBD	Union pour le Commerce des Bois Durs dans l'U.E. (European Hardwood Federation)		T
UNEP-WCMC	UNEP World Conservation Monitoring Centre	B	
WWF	World Wide Fund for Nature	B	

* *International organizations from which the CITES Secretariat should seek views on proposals to amend the CITES Appendices for tree species.*

- b) when any proposal is submitted to amend the CITES Appendices for tree species, including for the implementation of paragraph 3 h) of Resolution Conf. 9.24 (Rev. CoP17)¹, the Secretariat should seek the views of FAO, ITTO and IUCN and present these to the Conference of the Parties;

¹ Corrected by the Secretariat following the 16th and 17th meetings of the Conference of the Parties: originally referred to Resolution Conf. 9.24 (Rev. CoP15).

Regarding parts and derivatives

c) the following definitions be applied with respect to annotations in the CITES Appendices:

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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 44.032)¹;

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Thin layers or sheets of wood of uniform thickness, usually 6 mm or less, usually peeled or sliced, for use in making plywood, for veneering furniture, veneer containers, etc. (HS code 44.08²); and

iv) Plywood

Consisting of three or more sheets of wood glued and pressed one on the other and generally disposed so that the grains of successive layers are at an angle (HS code 44.12.13², HS code 44.12.14², and HS code 44.12.22²); and

d) for the purpose of annotations in the Appendices for parts and derivatives of species traded as timber, definitions to be used should, to the extent possible, be based on the tariff classifications of the Harmonized System of the World Customs Organization;

Regarding amendment proposals for tree species

e) proposals for the inclusion of tree species in Appendix II or III indicate clearly which parts and derivatives should be regulated; and

f) where these parts and derivatives are not logs, sawn wood or veneer sheets, the proponent also propose the relevant amendment to Resolution Conf. 12.3 (Rev. CoP17)¹ if the procedures for extending

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the period of validity of, and/or changing the destination on, the export permit or re-export certificate should apply;

Regarding the definition of 'artificially propagated'

- g) timber or other parts or derivatives of trees grown in monospecific plantations be considered as being artificially propagated in accordance with the definition contained in Resolution Conf. 11.11 (Rev. CoP17);

Regarding tree species of concern

- h) the range States pay particular attention to internationally traded tree species within their territories for which the knowledge of the biological status and silvicultural requirements gives cause for concern; and

Regarding the establishment of export quotas for tree species

- i) whilst fully respecting the requirements of paragraphs 2 (a) and 3 of Article IV of the Convention, Parties exporting timber specimens from species listed in Appendix II consider establishing voluntary annual national export quotas for such exports.

Regarding improvement of public understanding of the role of the Convention in the conservation of tree species

- j) Parties consider any possible deleterious conservation and trade impacts before they impose stricter domestic measures on trade in timber specimens of species included in Appendix II or III; and
- k) Management Authorities work with governmental agencies (including local governments), non-governmental organizations, industry and the general public to develop and provide information on the objectives, provisions and implementation of the Convention to counter the misconception that the inclusion of species in the Appendices represents a ban on the trade in specimens of these species, and to disseminate the message that international trade and utilization of tree species included in Appendices II and III are generally permitted and can be beneficial.