

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



Seventieth meeting of the Standing Committee
Rosa Khutor, Sochi (Russian Federation), 1-5 October 2018

Species specific matters

Maintenance of the Appendices

Annotations

APPENDIX II ORCHIDS: REPORT OF THE PLANTS COMMITTEE

1. This document has been submitted by the Chair of the Plants Committee.*

Background

2. At the 17th meeting of the Conference of the Parties (COP17, Johannesburg 2016), the Parties adopted [Decisions 17.318 and 17.319](#) on *Annotations for Appendix II orchids* as follows:

17.318 Directed to the Plants Committee

The Plants Committee shall:

- a) *re-establish a working group on Annotations for Appendix II Orchids. The working group shall be chaired by a member of the Plants Committee and work on the basis of the following terms of reference:*
 - i) *The working group shall develop a questionnaire taking into consideration previous discussions and work on this topic, to seek information on the trade in orchid parts and derivatives (wild and artificially propagated) in consideration of the potential conservation impact of exempting orchid products from CITES controls.*
 - A) *The questionnaire should invite Parties to provide available information on: the trade in orchid products from source to final product, including the identification of the major industry sectors involved in the trade; how NDFs are made; traceability along the trade chain; and trade reporting. It should also request information on orchid parts and derivatives used in products, sectors involved (cosmetics, nutritional supplements, traditional medicine, foodstuffs – in particular flours -etc.), and conservation concerns for wild populations.*

* 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.

- B) *The questionnaire should be transmitted to the Parties via a Notification and should emphasize the importance of responses from range States, with a sufficient deadline for responding.*
- ii) *Subject to the availability of funding, the working group may also consider actions to enable a full analysis of the potential conservation impact of orchid exemptions. These may include developing case studies on key orchid species identified in trade as finished products, including the 39 species identified in the Annex of document PC22 Doc. 22.1, as well as the two cases of orchid foodstuffs outlined in PC22 Inf. 6, workshop(s), or a study on trade data sources.*
 - iii) *Based on the information obtained from Parties in their responses to the questionnaire, as well as other information from the potential actions identified above, and other appropriate sources, the working group shall analyse the risks of trade in orchid products to conservation and provide its conclusions about such risks. Based on the findings and the analyses, the working group shall review the current annotation for Appendix II-listed orchids, and suggest such amendments as it considers appropriate, if any.*
 - iv) *The working group shall also consider and highlight the knowledge gaps of the orchid species in trade, i.e., consider identification, nomenclature and distributional information gaps where these are found to exist, and highlight these to the wider orchid research community and traders during trade events and forthcoming international meetings and workshops.*
 - v) *The working group will conduct its work via electronic means.*
 - vi) *The working group will report its findings to the Plants Committee;*
- b) *consider the results of the working group; and*
 - c) *report its findings and recommendations to the Standing Committee for its consideration.*

17.319 Directed to the Standing Committee

The Standing Committee shall consider the findings and recommendations of the Plants Committee together with the results of its working group on annotations, and provide the results of the work and its recommendations to the 18th meeting of the Conference of the Parties.

Implementation of Decision 17.318

3. At its 23rd meeting (PC23, Geneva, 2017), the Plants Committee established an Intersessional Working Group on Annotations for Appendix II Orchids, as directed in Decision 17.318.
4. The report with the findings of the Working Group was presented at the Plants Committee's 24th meeting (PC24; Geneva 2018) in Document [PC24 Doc. 28](#). The report showed in-depth case studies and overviews assessing whether certain products containing orchid parts and derivatives may be eligible for exemptions under the Convention; proposed a definition of 'cosmetics' for consideration by CITES; as well as pertinent background research, and draft decisions proposing further work.
5. The Plants Committee noted document PC24 Doc. 28 and requested the Secretariat to submit to the Standing Committee for inclusion in the *Guidelines for the preparation and submission of the CITES annual trade report* and in the *Guidelines for the preparation and submission of the CITES annual illegal trade report* the following draft definition for "cosmetics":

Any product or mixture of products which is applied to an external part of the body only (e.g. skin, lips, hair, nails, external genital organs, teeth or the mucous membranes of the oral cavity) with a view to clean, odourise, change the appearance or protect and/or keep these parts in good condition. Cosmetics may include the following: make-up, perfume, skin cream, nail polish, hair colourants, soap, shampoo, shaving cream, deodorant, sunscreens, toothpaste.

6. The Committee also established an in-session working group to review the draft decisions proposed in Annex 1 of document [PC24 Doc. 28](#), with a view to retain the action elements as needed, rewrite them consistent with the standard format for decisions, and include views that had been expressed in plenary.
7. The Plants Committee reviewed the recommendations of the in-session working group in document PC24 Com. 1, and adopted amended versions thereof as follows:

18.AA Directed to the Plants Committee

The Plants Committee shall:

- a) seek information on the trade in orchid parts and derivatives (wild and artificially propagated) in consideration of the potential conservation impact of exempting orchid products from CITES controls, completing the work already initiated on orchids used in the production of cosmetics and personal care products and then considering orchids used in other commodities (e.g. medicinals and foodstuffs), subject to the availability of funding;
- b) seek information from Parties and relevant other stakeholder groups, including industry, on: the trade in orchid products from source to final product, including the identification of the major industry sectors involved in the trade; how non-detriment findings and legal acquisition findings are made; traceability along the trade chain; and trade reporting. It should also request information on orchid parts and derivatives used in products, sectors involved, and conservation concerns for wild populations;
- c) undertake an analysis of the potential conservation impact of orchid exemptions, subject to the availability of funding. This may include developing case studies on key orchid species identified in trade as finished products, including but not limited to, the species identified in the Annex to Document PC22 Doc. 22.1, Annex 2 to Document PC23 Doc. 32, and Annex 3 to Document PC24 Doc. 28, as well as the two case studies of orchid foodstuffs outlined in Document PC22 Inf. 6, workshop(s), or a study on trade data sources;
- d) based on the information obtained from Parties, as well as from other sources, analyse the risks of trade in products containing parts or derivatives of orchids to conservation and provide its conclusions about such risks. Based on the findings and the analyses, the working group shall highlight any knowledge gaps, review the current annotation for Appendix II-listed orchids, and suggest amendments, as it considers appropriate;
- e) where relevant, work in close consultation with the Standing Committee, including its Working Group on Annotations; and
- f) report its findings and recommendations to the Standing Committee for its consideration.

18.BB Directed to the Standing Committee

The Standing Committee shall consider the findings and recommendations of the Plants Committee and provide the results of the work and its recommendations to the 19th meeting of the Conference of the Parties.

18.CC Directed to the Secretariat

The Secretariat shall:

- a) provide support to the Plants Committee for implementation of Decision 18.AA; and
- b) seek funding to implement Decision 18.AA.

18.DD Directed to the Parties

Parties are encouraged to:

- a) submit to the Plants Committee, through the Secretariat, information on the trade in orchid products from source to final products; and

- b) provide funding for Decision 18.AA, and provide assistance to the Secretariat in reaching out to other stakeholders and user groups that may be able to provide funding to support this work.

Recommendations:

- 8. The Standing Committee is invited to
 - a) Note this document;
 - b) Review the draft decisions in paragraph 7 of the present document, and provide recommendations to the Plants Committee for their consideration in submitting the decisions to the 18th meeting of the Conference of the Parties; and
 - c) Consider the draft definition for “cosmetics” presented in paragraph 5 and, as appropriate, request the Secretariat to include an agreed definition of “cosmetics” in the *Guidelines for the preparation and submission of the CITES annual trade report* and the *Guidelines for the preparation and submission of the CITES annual illegal trade report*.