

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

Sixth Meeting of the Conference of the Parties

Ottawa (Canada), 12 to 24 July 1987

Interpretation and Implementation of the Convention

Trade in Plant Specimens

IMPROVING IMPLEMENTATION OF THE CONVENTION
FOR ARTIFICIALLY PROPAGATED HYBRIDS OF APPENDIX I PLANTS

This document has been prepared and is submitted by the Chairman of the Plant Working Group.

1. At the third meeting of the Plant Working Group in conjunction with the second meeting of the Technical Committee (TEC 2; Lausanne, 23-27 June 1986), it was decided that regulation could be simplified for artificially propagated hybrids of most plants listed in Appendix I by fully treating most of the hybrids as if they were in Appendix II. At the plenary session of the Technical Committee on 27 June 1986, a preliminary draft resolution (WGR. TEC. 2.9 Annex) was provided and its concepts presented and readily accepted in principle, with the presenter noting that a document stating the concepts more simply would be prepared for Ottawa.

Accordingly, several clarifications are included here. In addition, a simplification not presented to the plenary session has been incorporated into this document and the draft resolution, rather than keeping the preliminary version presented at TEC 2. Now, unless stricter regulation is specifically indicated for the Appendix I species or other taxon, all its artificially propagated hybrids would be fully treated as if they were in Appendix II. The TEC 2 version would have treated as if in Appendix II all hybrids except the hybrids of species where the Appendix I immediate parent was of wild origin. This change simplifies the version presented at TEC 2 since now one would not need to determine whether the other parent is a species or a hybrid, and fewer hybrids would be regulated strictly. In the usual fashion, one would still consider whether either parent is of wild origin or artificially propagated when determining whether the hybrid qualifies as artificially propagated.

2. The treatment of hybrids under CITES is based on Resolution Conf. 2.13, which states in decision c) that if the parents of a hybrid specimen are included in different appendices, the provisions of the more restrictive appendix shall apply.
3. CITES Article VII, paragraph 4, states that specimens of Appendix I species, if artificially propagated for commercial purposes, are to be treated as specimens of Appendix II species. The Parties have agreed in Resolution Conf. 2.12, recommendation a), that such specimens require an

export permit (or re-export certificate) (under the provisions of Article IV) rather than a certificate of artificial propagation (under the provision of Article VII, paragraph 5).

Unique aspects of plant biology, not considered analogous for animals, require additional considerations for regulation of certain plant hybrids. Therefore for fauna the approach presented here is considered inappropriate and is not recommended. With regard to some plant groups that are extensively traded as artificially propagated hybrids, crossing the artificial hybrids with specimens recently collected from the wild is very uncommon in most commercial plant operations. Creation of new artificial hybrids and their artificial propagation is carried out using well-established nursery stocks of species and hybrids that have been artificially propagated, often in large number, for many years.

For example, the first artificial hybrid orchid was produced in 1853, and upwards of 60,000 different artificial hybrid orchids had been formally registered by 1980. Not only are interspecific crosses of orchids and crosses of the hybrids themselves often easily made, but also intergeneric hybrids (frequently involving more than two genera) have been produced in great numbers. Cattleya and Laelia, including current Appendix I species in these genera, are involved in many orchid hybrids (see Fig. 1), but with only a remote possibility that recently collected wild specimens are involved. As another example, many artificial hybrids have been produced that include the Appendix I species Alocasia sandarana (Araceae) in their parentage, but again with only a very remote possibility that recent wild specimens of A. sandarana are involved. [Addition of species to Appendix I could rapidly compound the examples, e.g. if a cactus species in the parentage of the intergeneric hybrid epicacti (e.g. X Epixochia) was placed in Appendix I, or as became apparent with the proposed uplisting of some Cattleya and Laelia species at the fifth meeting of the Conference of the Parties]. Once created, the hybrid can often be artificially propagated readily or in great numbers, for example in orchids by meristem tissue culture and fertile seed.

In such circumstances, it is not useful to plant conservation or the administration of CITES to reconstruct, if possible, enough of the genealogy (parentage) of the artificial hybrid to see if there is an Appendix I species in the ancestry of the hybrid, as Resolution Conf. 2.13 requires. The germplasm of the Appendix I species is too removed to be likely to benefit conservation of the species. Furthermore, even plant hybrids with an immediate Appendix I species parent are unlikely, in general, to be of conservation value because specimens (including division, cuttings, offsets, or seeds) of the species itself are likely to be available. Also, conservation recovery efforts use wild specimens of the species whenever possible, because maintenance of plants in cultivation and their artificial propagation over the long term may increase systemic pathogens (e.g. viruses), and somatic mutations, decrease vitality, and if propagated sexually, decrease genetic variability, select (even inadvertently) for cultivated conditions, and increase risk of unwanted hybridization.

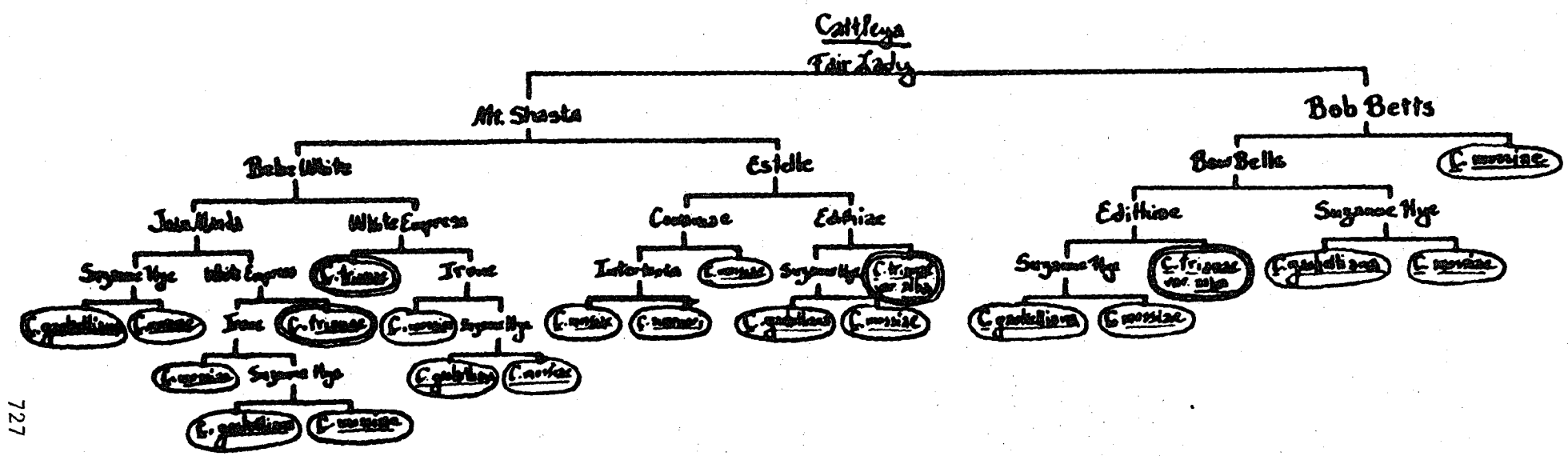
For the minority of taxa where all artificially propagated hybrids are of sufficient conservation value or concern, the species or other taxon in Appendix I could be annotated (under the provisions of Article XV) to require compliance with Resolution Conf. 2.13, decision c). Hybrids of unannotated Appendix I species would then be traded with a certificate of artificial propagation rather than an export permit.

Annotation of Appendix I species could be appropriate, for example because 1) the hybrid has genes of value to the rare species; and perhaps also because 2) excess hybrid crosses using wild Appendix I parent(s) might be made (a) because the hybrid is difficult to create or to propagate, or (b) to get around more strict regulation of the species than the hybrid; or 3) smuggling might increase in (a) the species claimed as the hybrid, or (b) the natural hybrid claimed to be artificially propagated. For the majority of plants species appropriate for listing in Appendix I, it is believed that none of the above concerns apply and thus annotation would not be necessary.

4. If the simplifying procedure in the draft resolution is adopted, one would not need to know the hybrid's genealogy unless its Appendix I species was annotated. One would only need to know the relatively few hybrids of annotated Appendix I species. Parties would continue the usual practice in evaluating applications to decide whether specimens were of wild origin or artificially propagated as defined in Resolution Conf. 2.12, recommendation c). Artificially propagated hybrid specimens involving one or more unannotated Appendix I species would be traded under a certificate of artificial propagation following Article VII, paragraph 5, just as artificially propagated specimens of Appendix II taxa are traded.

If its artificially propagated hybrid specimens are sufficiently important, the Appendix I species or other taxon would be annotated to indicate that all its artificially propagated hybrids should be strictly regulated. With the annotation, the hybrids would require an export permit (or re-export certificate) in compliance with Resolution Conf. 2.13, decision c) [and thus Article VII, paragraph 4; Resolution Conf. 2.12, recommendation a); and Article IV].

5. Future listing proposals need only address the topic if their Appendix I species should be annotated [in which case the proposal should mention the known (but not necessarily all) hybrids that would be regulated in accord with Resolution Conf. 2.13, decision b)]. The new resolution would not take effect for plants listed in Appendix I prior to or at the sixth meeting of the Conference of the Parties until any appropriate species have been annotated. This would be done by development of an overall listing proposal, prepared by the Plant Working Group, and submitted by the Party that is the Depositary Government.
6. The practical result of this simplified procedure can be shown as follows. Most applications for artificially propagated hybrids are likely to continue to be for orchids (90 percent of the orchid industry involves hybrids rather than species). Applicants could be issued certificates of artificial propagation without determining whether any of the hybrids are derived from unannotated Appendix I species, just as certificates are now issued for hybrids derived from Appendix II species. The great majority of artificially propagated hybrids could thus be traded with greater facility. If an Appendix I species was annotated, one would have to know only its hybrids and their presence in the applicant's inventory. Even though all these hybrids might not be known, it would be a more manageable process to encompass than at present, when knowledge of the parentage of all hybrids of Appendix I species is required (e.g. Fig. 1).
7. Accordingly, the draft resolution attached expands Resolution Conf. 2.13, decision c), so that more hybrids would be regulated under the provisions of the less restrictive Appendix II; consequently, the need for permits following Resolution Conf. 2.12, recommendation a), would be less. Resolution Conf. 5.14 would still be effective and unaffected by this new resolution.



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Figure 1. Genealogy of an artificial hybrid orchid, *Cattleya Fair Lady*, with an Appendix I species, *Cattleya trianae*, in its parentage. (Species circled; *C. trianae* circled twice.)

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Additional Considerations for Artificially
Propagated Hybrids of Appendix I Plants

RECOGNIZING the guidance of Resolution Conf. 2.13 in regulating trade in hybrids under the Convention;

RECOGNIZING further that there are unique aspects of plant biology not considered analogous for animals, and that for fauna the approach presented here is inappropriate and is not recommended;

OBSERVING that artificial hybridization is readily and often accomplished in some plant groups and that the hybrids and their progeny may be extensively traded;

RECOGNIZING also the guidance of Resolution Conf. 2.12 in regulating trade in artificially propagated specimens under the Convention;

AWARE of the charge in the Summary Report of the CITES Plant Working Group (document Doc. TEC. 1.11) to improve and simplify the regulation of trade in artificially propagated plants;

RECOGNIZING finally the advantages in lessening the need for analysis and permits under Resolution Conf. 2.12, recommendation a), for artificially propagated hybrids of Appendix I plants;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DECIDES

- a) to extend Resolution Conf. 2.13, decision c), so that artificially propagated hybrids produced from one or more unannotated Appendix I species or other taxa are traded with a certificate of artificial propagation (just as artificially propagated Appendix II species and their hybrids are traded); and
- b) that if the plant species or other taxon listed in Appendix I is annotated (under the provisions of Article XV), an export permit (or re-export certificate), in accordance with Resolution Conf. 2.13, decision c), is required for all its artificially propagated hybrids.