

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



Fifteenth meeting of the Conference of the Parties
Doha (Qatar), 13-25 March 2010

Species trade and conservation

Amendment of the Appendices

CACTACEAE AND ORCHIDACEAE: REVIEW OF ANNOTATIONS

1. This document has been prepared by the Chair of the Plants Committee on behalf the Committee with the support of the Representative of North America and the Scientific Authority of Mexico*.
2. At its 14th meeting of the Conference of the Parties (CoP14, The Hague, 2007) the Parties adopted the Decision 14.130 directed to the Plants Committee:

The Plants Committee shall:

- a) *analyse the amendments of annotations #1, #4 and #8 of proposal CoP14 Prop. 26 in order to decide whether there is merit in further developing and refining them; and*
 - b) *if appropriate, prepare a proposal on annotations for consideration at the 15th meeting of the Conference of the Parties.*
3. The Plants Committee dealt the implementation of the Decision at the PC17 and PC18 analyzing the amendments to annotations #1, #4 and #8 proposed in CoP14 Prop. 26, in order to decide whether there is merit in further developing and refining them. Based on decisions taken at CoP14, annotation #8 was removed from further consideration, and efforts focused on merging annotations #1 and #4, with amendments.
 4. The Plants Committee eliminated herbarium specimens from further consideration in this exercise, but separately considered how the existing exemption and registration system for such specimens might be strengthened. It was decided that, following CoP15, the Plants Committee should develop a brochure for distribution to herbaria to assist them in implementing and applying the procedures established in Resolution Conf. 11.15 (Rev. CoP12), that the brochure would be posted on the CITES website, and that the Secretariat should be requested to send the brochure to the International Association for Plant Taxonomy. In addition, the Plants Committee recommends the adoption of the Decisions on this topic included in the Annex.
 5. The Plants Committee considered amendments to the annotations to include additional exemptions for finished products specifically for *Cibotium barometz*, *Cistanche deserticola*, *Dionaea muscipula*, and *Euphorbia* spp., particularly *Euphorbia antisyphilitica* to address the trade in candelilla wax used in cosmetic products.
 6. After careful review of the trade in these species, the Plants Committee recommends only an exemption for finished products of *Euphorbia antisyphilitica*, but suggests a new Decision be adopted to direct the

* *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.*

Plants Committee to review additional taxa for the potential exemption of finished products following CoP15.

7. The Plants Committee also considered whether the exemption for seeds included in these annotations should be clarified as to whether it included seedpods (fruits). For practical reasons, particularly with regard to orchids, it was determined that the exemption should include seedpods. In addition, some Parties advised that they already consider seedpods to be exempt as a practical way of applying the exemption for seeds. The Plants Committee therefore agreed that any new annotation should be amended accordingly.
8. The Plants Committee also examined footnote 6 applied to Appendix-II Cactaceae to clarify and revise the phrase "cactus without chlorophyll", since this phrase is not technically accurate and results in enforcement problems.
9. The result of these deliberations is contained in CoP15 Prop.25 from Mexico and the United States of America, submitted on behalf of the Plants Committee, which propose a new annotation for Orchidaceae and Cactaceae listed in Appendix II based on a merger of #1 and #4 for these taxa, with amendments; the exemption for finished products of *Euphorbia antisyphilitica*, as well as an amendment to footnote 6 for Cactaceae.
10. The Plants Committee recommends the adoption of the Decisions on this topic included in the Annex.
11. Estimated budget for the Decisions regarding Herbarium specimens, including the preparation, publication and distribution of a brochure: USD 50,000. Estimated budget for the Decision regarding Evaluation of trade in finished products: USD 20,000.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat agrees that it would be useful for Parties to inform their national scientific institutions about the implications and benefits of using the special provisions of Article VII, paragraph 6, of the Convention, relating to regulation of trade in specimens of species included in Appendices I, II and III for:

the non-commercial loan, donation or exchange between scientists or scientific institutions registered by a Management Authority of their State, of herbarium specimens, other preserved, dried or embedded museums specimens, and live plant material which carry a label issued or approved by a Management Authority.

However, Resolution Conf. 11.15 (Rev. CoP12) on *Non-commercial loan, donation or exchange of museum and herbarium specimens* already urges Parties to contact scientists and scientific institutions in the territory under their jurisdiction, and the Secretariat does not believe that a further Notification, or a Decision directed to the Parties, would achieve better results. Therefore, the Secretariat does not support the draft decisions concerning herbarium specimens.

- B. The Secretariat supports the continuation of the review of plant taxa for the potential exemption of finished products after CoP15. However, the Secretariat believes this matter is mainly an implementation issue, and therefore suggests that the decision on the evaluation of trade in finished products be directed to the Standing Committee, as follows:

Evaluation of trade in finished products

Directed to the Standing Committee

- 15.XX The Standing Committee shall, in consultation with the Plants Committee and the Secretariat, review the trade in *Aloe* spp., Cactaceae spp., *Cyclamen* spp., *Galanthus* spp., *Gonystylus* spp., Orchidaceae spp., and *Prunus africana* to determine whether additional finished products should be exempted by amending the relevant annotations for these species. This review should initially focus on trade in finished products of Orchidaceae spp. In conducting this work, the Standing Committee should consider whether a clear definition of 'finished products' should be developed; and it shall, based on the outcome of its review, request the Depositary Government to prepare proposals to amend Appendix II for submission to CoP16.

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Herbarium specimens

Decision 15.XX

Directed to the Secretariat

The Secretariat shall:

- a) Encourage Parties via a notification to contact their national scientific institutions, and to inform them about the implications and benefits under article VII, paragraph 6, and Resolution Conf. 11.15 (Rev. CoP12);
- b) Encourage Parties via a notification to apply article VII, paragraph 6, by registering scientific institutions as appropriate (as stated in Resolution Conf. 11.15 (Rev. CoP12); and
- c) In compliance with decision 12.79 to support the preparation of an information brochure.

Directed to the Parties

The Parties shall:

- a) Contact their national scientific institutions, and to inform them about the implications and benefits under article VII, paragraph 6, and Resolution Conf. 11.15 (Rev. CoP12); and
- b) Apply article VII, paragraph 6, by registering scientific institutions in accord with Resolution Conf. 11.15 (Rev. CoP12).

Evaluation of trade in finished products

Decision 15.XX

Directed to the Plants Committee

- a) The Plants Committee shall continue to review the trade in *Aloe* spp., Cactaceae spp., *Cyclamen* spp., *Galanthus* spp., *Gonystylus* spp., Orchidaceae spp., and *Prunus africana* to determine whether additional finished products should be exempted by amending the relevant annotations for these species. This review should initially focus on trade in finished products of Orchidaceae spp. Recommendations on whether to exempt additional finished products from CITES controls should be based on the same considerations reflected in PC18 Doc. 11.3 (e.g., whether finished products are exported from range States and are a significant portion of the trade). In conducting this work, the Plants Committee should consider whether a clear definition of 'finished products' should be developed; and
- b) The Plants Committee shall, as appropriate, prepare proposals to amend Appendix II, based on the outcome of this review, and provide them to the Depositary Government for submission to CoP16.