

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

ANNOTATIONS FOR TREE SPECIES INCLUDED IN APPENDICES II AND III

1. This document has been prepared by the Chair of the Plants Committee on behalf of the Committee and with the support of the regional representative of North America .
2. At its 14<sup>th</sup> meeting of the Conference of the Parties (CoP14, The Hague, 2007) the Parties adopted the Decision 14.148 directed to the Plants Committee:
  - a) *The Plants Committee shall review and, if appropriate, draft amendments to the annotations to the tree species listed in Appendices II and III and/or shall prepare clear definitions for the terms used in those annotations in order to facilitate their use and understanding by CITES authorities, enforcement officers, exporters and importers.*
  - b) *The amended annotations shall focus on the articles that initially appear in international trade as exports from the range States and on those which dominate the trade in and demand for the wild resource.*
  - c) *The Plants Committee shall draft, if necessary, proposals to amend Resolution Conf. 10.13 (Rev. CoP14) and/or to amend the Appendices accordingly so that the Depositary Government may submit them on its behalf for consideration at the 15th meeting of the Conference of the Parties.*
3. At the PC17 to further implementation of Decision 14.148, the Committee agreed to establish a working group (PC17 WG3) chaired by the Representative of North America that could continue its work intersessionally if necessary.
4. As result of the working group recommendations the Plants Committee agreed the following:
  - a) to request that the Secretariat issue a Notification to range States for timber species listed in Appendices II and III and request information on whether existing annotations for those timber species appropriately focus on specimens that initially appear in trade from the range States, and on those specimens that dominate the trade in and demand for the wild resource.
  - b) to request that the Secretariat correspond with relevant experts at FAO, ITTO and WCO to compile a list of definitions and corresponding harmonized tariff codes for both primary and secondary processed timber products.

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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.*

- c) to request that the Secretariat compile a document containing a summary of the information provided by range States in response to the Notification as well as a compilation of the timber product definitions obtained through consultation with FAO, ITTO and WCO, these documents should be transmitted to the working group to continue its work by electronic means during the intersessional period until PC18.
  - d) The WG should present recommendations to PC18 on potential revisions to annotations for tree species listed in the Appendices as well as further definitions and harmonized tariff codes that would assist the Parties in implementing the revised annotations.
5. In response to recommendation a), the Secretariat issued Notification to the Parties No. 2008/046. Only four Parties provided brief responses to the Notification, as follows:
- Brazil: advised that current annotations are sufficient and no other specimens need to be covered.
  - Kuwait: suggested an amendment to annotation #1 for agarwood (*Aquilaria* spp. and *Gyrinops* spp.).
  - Mexico: provided export data for *Swietenia macrophylla* and *Guaiacum sanctum* and tariff codes used for each.
  - United Kingdom: advised that none of its overseas territories export any Appendix-II or –III timber species, and they therefore had no comments.
6. The chair of the working group submitted a report to the PC18 (see PC18 Doc. 11.6) and the working group prepared recommendations during the meeting that were agreed by the Plants Committee (see PC18 Summary record).
7. Although substantial effort was expended on this issue, both by the Plants Committee and the Secretariat, it was not possible to make recommendations regarding amendments to annotations to listings of tree species in Appendices II and III due to the lack of information received from Parties to facilitate the assessment of trade in these species and the complexity of issues pertaining to defining the types of specimens in trade. Therefore, it was also difficult to determine if the current annotations are sufficiently inclusive of the types of specimens that initially appear in international trade or are exported from the range States, and that dominate the trade in and demand for the wild resource.
8. The Plants Committee recommends that this Decision be amended and renewed at CoP15 to first require the Secretariat to commission a trade study, which would then inform the further deliberations of the Plants Committee on this issue so that potential amendments can be considered for submission to CoP16. The proposed new Decision is included in the Annex.
9. Estimated budget: USD 50,000.

#### COMMENTS FROM THE SECRETARIAT

- A. The Secretariat believes that the limited response to its request by Notification for information on the applicability of existing timber species annotations may reflect a general agreement that existing annotations are sufficient. If this is indeed the case, a further trade study would not be necessary. The Secretariat encourages timber-exporting countries to comment on the need for such a study.
- B. If timber-exporting countries believe such a study would be useful, the Secretariat believes the matter relates to implementation of the Convention, and that the results of the study should be reviewed by the Standing Committee, in consultation with the Plants Committee.
- C. If a decision is made to proceed with a study, the amount of external funding required for its implementation should also be estimated. The Secretariat will thereafter incorporate the activity and the required amount of external funding into the costed programme of work for the appropriate year. The Secretariat will be mobilizing resources for the overall costed programme of work, in accordance with priorities established by the Parties.

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES  
THE CONFERENCE OF THE PARTIES TO THE CONVENTION

**Tree species: annotations for species included in Appendices II and III**

Decision 15.XX

***Directed to the Secretariat***

The Secretariat shall commission a trade study, subject to available funding, to be conducted by an external consultant in cooperation with the International Tropical Timber Organization, to review the trade in timber species listed in Appendices II and III to determine the types of specimens that initially appear in international trade or are exported from range States and regarding those which dominate the trade in and demand for the wild resource. Once the specimens that meet these criteria have been determined, the study should also determine which six-digit universal HS codes and associated definitions are applicable to these specimens. The Secretariat shall provide the results of this study to the Plants Committee.

***Directed to the Plants Committee***

- a) Based on the results of the trade study, the Plants Committee shall review the annotations for tree species listed in Appendices II and III and, if appropriate, draft amendments to the annotations and prepare clear definitions for the terms used in those annotations in order to facilitate their use and understanding by CITES authorities, enforcement officers, exporters and importers.
- b) The amended annotations shall focus on articles that initially appear in international trade as exports from range States and those which dominate the trade in and demand for the wild resource.
- c) The Plants Committee shall draft, if necessary, proposals to amend Resolution Conf. 10.13 (Rev. CoP14) and/or to amend the Appendices accordingly so that the Depositary Government may submit them on its behalf for consideration at CoP16.