

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



Sixteenth meeting of the Conference of the Parties  
Bangkok (Thailand), 3-14 March 2013

Interpretation and implementation of the Convention

Amendment of the Appendices

DEVELOPMENT AND APPLICATION OF ANNOTATIONS

1. This document has been submitted by the United States of America, as Chair of the working group on annotations\*, at the request of the Standing Committee.

Background

2. Resolution Conf. 11.21 (Rev.CoP15) on *Use of annotations in Appendices I and II* stresses the need for annotations to be clear and unambiguous and for them to be used sparingly because their implementation can be challenging. Despite this guidance, some of the annotations that have been adopted for plant taxa in Appendices II and III have proven to be particularly challenging. A review of the Appendices shows that fewer than 20 of the many plant taxa listed in Appendices II and III are not annotated and that the Appendices contain 17 substantive plant-specific annotations.
3. As the Secretariat noted in PC19 Doc. 11.1, prepared for the 19th meeting of the Plants Committee (PC19; Geneva, April 2011), despite efforts to clarify legal and implementation issues related to annotations, and to simplify and consolidate various annotations, the number and variety of them have continued to increase. Furthermore, the Parties continue to have difficulty interpreting and implementing plant annotations in the Appendices.
4. Working groups have been established in both the Plants Committee and the Standing Committee to address various aspects of the challenges posed by developing and implementing annotations, ranging from reviewing the relevance and usefulness of existing annotations to crafting definitions of certain terms used in annotations.
5. At the 61st meeting of the Standing Committee (SC61; Geneva, August 2011), the Standing Committee established a working group on annotations. This intersessional working group had a mandate to explore:
  - The shared understanding among Parties of annotations, both their meaning and function; and
  - The adoption of appropriate and reasonable procedures for crafting plant annotations, which may include recommending that annotations be developed in consultation with the Plants Committee; revising the discussion of annotations in the listing proposal format in Annex 6 to Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II* to recommend, in addition to the elements already listed, that a proponent Party discuss the practical implementation of the annotated listing if adopted; and providing guidance in a Resolution (e.g., Resolution Conf. 11.21 (Rev. CoP15) on *Use of annotations in Appendices I and II*) or other appropriate location, including in identification materials as appropriate.

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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.*

6. The working group was unable to complete its work during the intersessional period and at SC62 (Geneva, July 2012), it was directed to continue its work and prepare a document for consideration at the 16th meeting of the Conference of the Parties (CoP16; Bangkok, March 2013). Additionally, the working group was asked to address some of the annotations-related issues referred to the Standing Committee from PC20 (Dublin, March 2012). This document represents the efforts of the working group.
7. In evaluating the way that annotations are currently crafted and how that process might be improved for the future, the working group recommends amendments to six Resolutions of the Conference of the Parties. These proposed amendments are found in Annexes 1 through 6 to the present document, with text proposed for inclusion underlined, and text proposed for deletion in strikethrough. The proposed changes are intended to ensure that annotations to future CITES listings are appropriate and can be readily implemented, and are thoroughly considered before being proposed, including through consultation with affected range States, the Secretariat, the Standing Committee (through its Working Group on Annotations), the Animals and Plants Committees, as appropriate, and other stakeholders.
8. As noted above, the Plants Committee has also dealt with a number of annotations-related issues. At PC20, the Plants Committee considered six documents related to annotations. Following discussions in a working group on annotations at PC20, the Plants Committee adopted definitions of the following terms used in plant annotations: 'powder', 'wood chip', and 'finished product packaged and ready for retail trade'. The Plants Committee will submit these agreed definitions for adoption by the Conference of the Parties at CoP16. The Committee was unable to agree on definitions of the terms 'extract' and 'root', and referred these terms to SC62 for further discussion.
9. At PC20, the Plants Committee annotations working group developed the following draft definition of the term 'extract':

*Any substance obtained directly from plant material by physical or chemical means regardless of the manufacturing process. An extract may be solid (crystals, resin, fine or coarse particles), semi-solid (gums, waxes), or liquid (solutions, tinctures, oil and essential oils). Finished products containing such extracts as ingredients are not considered to be included in this definition.*

The Plants Committee was unable to reach a consensus on the adoption of this definition. There was disagreement among the participants on whether, in addition to finished products, mixtures and fragrance compounds should also be excluded from the listing. Additionally, some participants believed that the exclusionary language in the last sentence of the definition should be part of the annotation rather than included in the definition of a term in an annotation. As a result, the Plants Committee decided to refer the issue to the Standing Committee for additional discussion.

10. Following additional discussion at SC62 and within the working group via email after the meeting, the working group has developed the following revised definition for the term 'extract'.

*Any substance obtained directly from plant material by physical or chemical means regardless of the manufacturing process. An extract may be solid (e.g., crystals, resin, fine or coarse particles), semi-solid (e.g., gums, waxes), or liquid (e.g., solutions, tinctures, oil and essential oils).*

11. It is the understanding of the working group that the Government of Brazil is agreeable to the above definition and will submit a proposal for consideration at CoP16 to revise the annotation for *Aniba rosaeodora*, subject to the adoption of this new definition, by changing the term 'essential oil' to 'extract' in the annotation. Additionally, the working group understands that Brazil also intends to include the exclusionary language in the last sentence of the definition drafted at PC20 in its proposal. The working group supports these changes.
12. Although the working group believes that the definition of 'extract' in paragraph 10 and Brazil's anticipated proposal partially resolve Parties' concerns regarding international trade in extracts and products containing extracts, we believe that additional discussion is required on the issue of mixtures and compounds of extracts. Therefore, the working group recommends that this issue be referred to the Standing Committee Working Group on Annotations, envisaged in the draft Decision in Annex 8 to the present document, for discussion during the CoP16-CoP17 intersessional period. Until these issues are more fully resolved, the working group would discourage Parties from requiring CITES documents for all compounds and mixtures that contain extracts.

13. With regard to the term 'root', the Chair of the Plants Committee, in document SC62 Doc. 54.2, suggested the following definition:

*Plant organ that grows in the opposite direction to the stem. It is usually underground, but may be aerial in some groups of plants (e.g. epiphytic orchids).*

14. The term 'root' is currently used in Annotation #3, which applies to *Panax ginseng* and *P. quinquefolius*, and Annotation #8, which applies to *Hydrastis canadensis*. During discussions at PC20, Canada and the United States, the range States for *P. quinquefolius* and *H. canadensis*, stated that they had not encountered issues with identifying the commodities covered by the listings and, therefore, did not believe that the term 'root' required a definition. The working group accepts this explanation and does not propose to develop a definition of 'root' at this time. If at some later date it is determined that such a definition would be useful, the issue can be addressed then.
15. The working group recommends that definitions that have been adopted for terms in annotations be included in the *Interpretation* section of the Appendices and that they may only be amended by a decision of the Conference of the Parties (see Annex 6 to the present document). Between meetings of the Conference of the Parties, in cases where significant differences exist among trading countries regarding the interpretation of an undefined term in an annotation, which is causing implementation difficulties, the Standing Committee Working Group on Annotations proposed in the draft Decision in Annex 8 should make a recommendation to the Standing Committee regarding the most appropriate interim definition. The Standing Committee should then agree on an interim definition and direct the Secretariat to issue a Notification to the Parties about the interim definition. The Standing Committee should include this interim definition in its report to the Conference of the Parties, for adoption.
16. The working group discussed the possibility of developing an annotations glossary that would include definitions of terms in annotations and reference materials illustrating the parts and derivatives covered under the annotations. However, the working group concluded that the definitions should be included in the *Interpretation* section of the Appendices, and the reference materials should be included in the CITES Identification Manual (see Annexes 3 and 5 to the present document). The working group notes, however, that this recommendation does not preclude Parties from preparing glossaries or identification materials to assist enforcement personnel in identifying specimens subject to CITES controls.
17. The working group also discussed the issue of whether definitions of terms in annotations should be considered "hard law" or "soft law" under CITES, recognizing that the text of the Convention, its Appendices, and amendments to the Appendices are considered as "hard law," while Resolutions and Decisions of the CoP are considered as "soft law." Although the working group generally agreed with the approach of including the definitions in the *Interpretation* to the Appendices, it was unclear whether doing that would mean that the definitions would be considered "hard law" under CITES. Recognizing that these issues require additional discussion, the working group has proposed to include them in the terms of reference of the envisaged Standing Committee Working Group on Annotations.
18. The working group also considered the annotation to the listing of *Hoodia* spp. in Appendix II, noting the difficulties many Parties have experienced in implementing this listing. The listing includes Annotation #9 (*All parts and derivatives except those bearing a label "Produced from Hoodia spp. material obtained through controlled harvesting and production in collaboration with the CITES Management Authorities of Botswana/Namibia/South Africa under agreement no. BW/NA/ZA xxxxxx"*). As indicated in Notification to the Parties No. 2012/055 of 3 September 2012, the three Parties concerned are intending to submit an amendment proposal to CoP16 to clarify this annotation.
19. At CoP15 (Doha, March 2010), the Parties agreed to delete Annotation #1 (All parts and derivatives, except: a) seeds, spores and pollen (including pollinia); b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers; c) cut flowers of artificially propagated plants; and d) fruits, and parts and derivatives thereof, of artificially propagated plants of the genus *Vanilla*) and replace it with Annotation #4, which now reads:

*All parts and derivatives, except:*

- a) *seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from Beccariophoenix madagascariensis and Neodypsis decaryi exported from Madagascar;*

- b) *seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers;*
- c) *cut flowers of artificially propagated plants;*
- d) *fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus Vanilla (Orchidaceae) and of the family Cactaceae;*
- e) *stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera Opuntia subgenus Opuntia and Selenicereus (Cactaceae); and*
- f) *finished products of Euphorbia antisyphilitica packaged and ready for retail trade.*

20. At the time this change was made, the Parties recognized that there were several plant species included in Appendix III with Annotation #1, but acknowledged that the annotations to those listings could not be changed without the consent of the listing Party. Although several attempts have been made by the Secretariat to obtain the agreement of the listing Party of these Appendix-III species to change the annotations to those listings from #1 to #4, the Party has not responded affirmatively. The working group discussed this issue, and agreed that it would be appropriate to replace Annotation #1 with Annotation #4 for the relevant species in Appendix III. However, the working group recognized that nothing in Article XVI or Article XII of the Convention gives the Secretariat or the Conference of the Parties the authority to change the scope of a Party's Appendix-III listing without the Party's agreement. Therefore, the working group has developed a draft Decision urging any range State having listed a species in Appendix III with Annotation #1 to evaluate that listing and replace Annotation #1 with #4, unless it can be demonstrated that #1 presents an advantage compared to #4 (see Annex 7).
21. The Standing Committee supported the idea of establishing a continuing working group. There was also agreement that work on annotations should be dealt with in a single working group rather than multiple working groups in different committees, as had occurred since CoP15. However, it was generally agreed that input from all of the committees is needed because annotations require the input of scientific experts as well as individuals who interpret and apply the annotations. The envisaged working group would not only address additional problems with existing annotations, but would also be available to ensure that future issues related to annotations are dealt with in an effective and timely manner. To that end, the working group has developed a draft Decision establishing the Standing Committee Working Group on Annotations. The draft Decision (see Annex 8) contains specific terms of reference for and recommendations for membership in the reconstituted working group.
22. The working group recognizes the usefulness of trade studies in evaluating the appropriateness of CITES listings. We note that the work related to annotations for tree species included in Appendices II and III, directed to the Secretariat in Decision 15.35, and to the Plants Committee in Decision 14.148 (Rev. CoP15) has not been completed, but that funding has now been secured for the study called for in Decision 15.35. Therefore, the working group believes that Decision 15.35 should be retained for the intersessional period between CoP16 and CoP17 and that Decision 14.148 (Rev. CoP15) should be revised to be directed to both the Standing Committee and the Plants Committee, rather than the Plants Committee alone. The draft revision of Decision 14.148 (Rev. CoP15) is located in Annex 9 to the current document.
23. The working group recognizes that there has been considerable discussion and work done under the auspices of the Plants Committee to evaluate the annotation for the agarwood-producing species and that several Parties are preparing a document for consideration at CoP16. The anticipated document addresses issues related to the annotation, but also proposes a number of Decisions, an action plan, a new Resolution, and amendments to several existing Resolutions. Although a number of members of the working group have concerns about the direction of some elements in the anticipated document, the working group as a whole concluded that a number of the issues being addressed in the agarwood document are outside the purview of an annotations working group. Additionally, the working group agreed that it does not at present have the mandate to address the agarwood annotation and might further confuse matters by developing potentially competing recommendations with regard to agarwood annotations. Working group members who are also engaged in the agarwood discussions are encouraged to work to ensure that any proposed changes to the annotation for agarwood-producing species result in an annotation that is appropriate and can be readily implemented. The current working group believes that any outstanding issues related to the agarwood annotation following CoP16 should be referred to the working group called for in the draft Decision contained in Annex 8 to the present document

## Recommendations

24. The Standing Committee recommends that the Conference of the Parties:

- a) adopt the proposed amendments to Resolutions Conf. 5.20, 8.21, Conf. 9.24 (Rev. CoP15), Conf. 9.25 (Rev. CoP15), Conf. 11.19, and Conf. 11.21 (Rev. CoP15) located in Annexes 1 through 6 to the present document;
- b) adopt the definition of the term 'extract' proposed by the working group in paragraph 10 of the present document;
- c) adopt the draft Decision in Annex 7 to the present document directing range States that have listed a species in Appendix III with Annotation #1 to evaluate the use of that annotation and replace Annotation #1 with Annotation #4, unless it can be demonstrated that Annotation #1 presents an advantage compared to #4;
- d) adopt the draft Decisions in Annex 8 to the present document directing the Standing Committee to establish a working group on annotations, along with the terms of reference and membership, and calling on the Parties to evaluate the need at subsequent meetings of the Conference of the Parties for maintaining the working group; and
- e) agree to retain Decision 15.35 for the next intersessional period and adopt the draft revision of Decision 14.148 (Rev. CoP15) in Annex 9 to the present document.

## COMMENTS FROM THE SECRETARIAT

- A. The Secretariat generally supports the draft revisions to existing Resolutions contained in Annexes 1, 2, 3, 4, 5 and 6 and the draft decisions contained in Annexes 7, 8 and 9 to the present document.
- B. In paragraph h) of the draft decision contained in Annex 8, the word 'directed' might be replaced by the word 'referred' to properly reflect the relationship between the Standing Committee and the Animals and Plants Committees.
- C. To the extent that the draft decision contained in Annex 9 diverges from the approach described in paragraph 20 of the present document, the Secretariat is concerned that it does not make clear that the responsibility for dealing with annotations is vested in the Standing Committee, with scientific or technical advice being provided by the Animals and Plants Committees. This lack of clarity could lead to duplication or confusion in relation to future work on annotations. In addition, the draft decision contained in Annex 9 does not seem consistent with paragraph c) of the draft decision contained in Annex 8 to the present document. The Secretariat therefore suggests that the draft decision in Annex 9 be recast and presented as two separate decisions. One decision would provide for a scientific or technical review and resulting recommendations by the Plants Committee. The other would provide for the Standing Committee to consider the Plants Committee's review and recommendations and to then draft, if necessary, revisions to Resolution Conf. 10.13 (Rev. CoP15) and amendments to annotations for consideration at the 17th meeting of the Conference of the Parties.

Resolution Conf. 5.20 on *Guidelines for the Secretariat*  
when making recommendations in accordance with Article XV

**Revise the paragraph beginning “ESTABLISHES” in the operative section of the Resolution as follows:**

- d) if the proposal includes an annotation, the recommendations should specifically cover:
  - i) the appropriateness of the proposed annotation with regard to those specimens primarily exported from the range States and those commodities that dominate the trade and the demand for the wild resource;
  - ii) any potential problems in implementing the proposed annotation; and
  - iii) whether the proposed annotation is harmonized with existing annotations;
- e) if the species has been listed previously or proposed for listing or delisting, a brief history of such listing or proposals and their treatment under CITES may be included in the recommendations;
- f) if applicable, reference should be made to any existing Resolutions affecting the proposal or to any draft Resolutions that have been tabled and await consideration by the Parties;
- g) additional biological or trade data may be requested from the proposing or range States, or from any other source to confirm or dispute other available data; and
- h) as far as possible, the Secretariat's recommendations should be based on as wide a range of information as it can obtain recognizing that such information should not be limited to scientific data; and

Resolution Conf. 8.21 on Consultation with range States on proposals to amend Appendices I and II

**Revise paragraph a) under “RECOMMENDS” in the operative section of the Resolution as follows:**

- a) where the proposing Party intends to consult the range States, it should:
  - i) advise the Management Authorities of the range States within which the species occurs of its intention to submit a proposal;
  - ii) consult with the Management and Scientific Authorities of these States on the substance of the proposal, including any proposed annotation; and
  - iii) include the opinions of these Authorities in section 10 of the proposal submitted in accordance with Resolution Conf. 9.24 (Rev. CoP15) except that, where no response has been received from a range State within a reasonable period of time, the proposing Party may instead simply document its attempts to obtain these opinions; or

Resolution Conf. 9.24 (Rev. CoP15) on *Criteria for amendment of Appendices I and II*

**Revise the fourth “RESOLVES” in the operative section of the Resolution as follows:**

RESOLVES that annotations to proposals to amend Appendix I or Appendix II should be made in accordance with the applicable Resolutions of the Conference of the Parties, be specific and accurate as to ~~affected~~ which parts and derivatives are covered by the Convention, include those parts and derivatives primarily exported from the range States and those commodities that dominate the trade and the demand from the wild resource, and should, to the extent possible, be harmonized with existing annotations;

**Revise the paragraph on “Annotations” in Annex 6 on *Format for proposals to amend the Appendices***

If a specific annotation to the listing in the Appendices is proposed, the proponent should:

- ensure that the proposed annotation is in compliance with the applicable Resolutions;
- indicate the practical intent of the annotation;
- be specific and accurate as to the parts and derivatives to be covered by the annotation;
- provide clear and simple definitions of any terms in the annotation that may not be easily understood by enforcement personnel and user groups (noting that definitions should be specific to CITES and scientifically and technically precise to the extent practicable for purposes of the annotation);
- ensure that the annotation covers those parts and derivatives primarily exported from the range States and those commodities that dominate the trade and the demand from the wild resource;
- harmonize, to the extent practicable, new annotations with existing annotations; and
- where applicable, provide identification sheets to be included in the CITES Identification Manual that illustrate the parts and derivatives covered under the annotation.~~be specific and accurate as to affected parts and derivatives~~



Resolution Conf. 9.25 (Rev. CoP15) on *Inclusion of species in Appendix III*

**Revise the second “RECOMMENDS” in the operative section of the Resolution as follows:**

- d) after due consultation, and having satisfied itself that the biological status and trade status of the species justify the action, submit to the Secretariat the name of the species it wishes to include in Appendix III; ~~and~~
- e) ensure that its request to include a species in Appendix III specifies which readily recognizable parts and derivatives are to be included unless it intends to include all readily recognizable parts and derivatives;
- f) ensure that any proposed annotation that is part of a request to include a species in Appendix III covers those parts and derivatives primarily exported from the range States and those commodities that dominate the trade and the demand for the wild resource and is, to the extent practicable, harmonized with relevant existing annotations; and
- g) consult with the Secretariat and the Standing Committee to ensure that any proposed annotation that is part of a request to include a species in Appendix III (and any definitions developed that define terms in the annotation, as appropriate) is clear and unambiguous, and likely to be understood by enforcement personnel and user groups.

Resolution Conf. 11.19 on *Identification Manual*

**Revise the paragraphs under “DIRECTS the Secretariat to” and insert a new paragraph as follows:**

- a) prepare sheets on the identification of animal and plant species for inclusion in the Identification Manual in the three working languages of the Convention;
- b) when listings that include annotations are adopted, prepare sheets that illustrate the parts and derivatives covered under the listings, as appropriate, based on relevant data obtained from Parties whose proposals to amend the Appendices have been adopted;
- bc) upon request from a Party, provide advice on the identification of species, or seek advice from experts on the taxa concerned;
- ed) ensure, where relevant, that the subject of identification of species or specimens is included in training seminars organized by the Secretariat;
- ee) provide assistance to Parties in the development of national or regional identification manuals;
- ef) obtain, from Parties whose proposals to include new species in the Appendices have been adopted, appropriate data for inclusion in the Identification Manual within one year after acceptance of such additions;
- fg) publish, within its financial capacity, the Identification Manual;
- gh) inform each meeting of the Standing, Animals and Plants Committees on the progress made; and
- hi) report at each meeting of the Conference of the Parties;

Resolution Conf. 11.21 (Rev. CoP15) on Use of annotations in Appendices I and II

**Insert two new paragraphs after “RECOGNIZING” in the Preamble as follows:**

NOTING that Article I, paragraph b) ii), of the Convention states that, in the case of an animal species included in Appendix I or II, the term ‘specimen’ means any readily recognizable part or derivative thereof;

NOTING FURTHER that Article I, paragraph b) iii), of the Convention states that in the case of a plant species included in Appendix I, the term ‘specimen’ means any readily recognizable part or derivative thereof, and in the case of a plant species included in Appendix II, the term ‘specimen’ means any readily recognizable part or derivative specified in Appendix II related to the species;

**Revise the paragraph beginning “RECOMMENDS” in the operative section of the Resolution as follows:**

- a) Parties submitting proposals that contain substantive annotations ensure that the text is those annotations are clear and unambiguous, and likely to be understood by enforcement personnel and user groups;
- b) two main principles be followed as standard guidance when drafting future annotations for medicinal plants:

**Insert the following paragraph after the paragraph beginning “RECOMMENDS” in the operative section of the Resolution:**

URGES that Parties submitting proposals that contain substantive annotations consult with the Secretariat, the Standing Committee, and the Animals Committee or Plants Committee, as appropriate, to ensure that the annotation is appropriate and can be readily implemented.

**Revise the paragraphs under “DIRECTS” and insert two new paragraphs in the operative section of the Resolution as follows:**

- a) the Secretariat, when a species is included in Appendix I or II with an annotation, and definitions for certain terms in the annotation are adopted by the Conference of the Parties, to include such definitions in the Interpretation section of the Appendices, which may only be amended by a decision of the Conference of the Parties;
- b) the Standing Committee to agree on interim definitions between meetings of the Conference of the Parties in cases where significant differences in the interpretation of terms in annotations exist among trading countries and are causing implementation difficulties and then include these definitions in its report to the Conference of the Parties for adoption;
- c) the Secretariat to issue a Notification to the Parties on any the interim definitions of terms in annotations agreed by the Standing Committee;
- ad) the Secretariat to report to the Standing Committee, for at least four years following the adoption of a proposal to transfer species from Appendix I to Appendix II subject to a substantive annotation, any credible information it receives indicating a significant increase in the illegal trade in or poaching of such species; and
- be) the Standing Committee to investigate any such reports of illegal trade and to take appropriate action to remedy the situation, which may include calling on the Parties to suspend commercial trade in the affected species, or inviting the Depositary Government to submit a proposal to amend the annotation or to retransfer the species to Appendix I; and

Annotation #1 and Annotation #4

***Directed to the Parties***

- 16.XX Any range States having listed a species in Appendix III with Annotation #1 should evaluate the listing and replace Annotation #1 with Annotation #4, unless it can be demonstrated that Annotation #1 presents an advantage compared to #4.

Working group on annotations

***Directed to the Standing Committee, Animals Committee, and Plants Committee***

- 16.XX The Standing Committee shall form a working group on annotations, in close collaboration with the Animals and Plants Committees. The group shall be chaired by a Member of the Standing Committee and shall include, but not be limited to, members from the Standing Committee, Animals Committee, Plants Committee, observer Parties, CITES Management and Scientific Authorities, and enforcement authorities, including Customs, and industry representatives. The terms of reference for the working group shall be:
- a) to act as a clearinghouse to evaluate and address issues related to the drafting, interpretation and implementation of annotations, and assist Parties in drafting future annotations, drawing on appropriate expertise from within and outside its membership;
  - b) initially, to focus its efforts on evaluating the existing annotations for plant taxa listed in Appendices II and III, with an emphasis on ensuring that such annotations are clear as to the types of specimens to be covered by a listing, can be readily implemented and focus on those parts and derivatives primarily exported from the range States and those commodities that dominate the trade and the demand for the wild resource;
  - c) based on the results of the timber trade study directed to the Secretariat in Decision 15.35 (Rev. CoP16), to review the existing annotations for tree species and, if appropriate, draft amendments to those annotations, and prepare clear definitions for the terms used in the annotations in order to facilitate their use and understanding by CITES authorities, enforcement officers, exporters and importers;
  - d) to review the appropriateness and practical implementation of the annotation(s) of the agarwood-producing taxa (*Aquilaria* spp., *Gonystylus* spp., and *Gyrinops* spp.), taking into consideration the previous work done by the range and consumer States of these species;
  - e) to review outstanding implementation challenges resulting from the listings of *Aniba rosaeodora* and *Bulnesia sarmientoi* in the Appendices and propose appropriate solutions to the 17th meeting of the Conference of the Parties;
  - f) to draft definitions of terms included in annotations, in cases where the terms are not easily understood or where there has been difficulty in implementing the listing as a result of confusion about what commodities are covered, and submit them to the Standing Committee for adoption by the Conference of the Parties and subsequent inclusion in the Interpretation section of the Appendices;
  - g) to consider the effectiveness of including definitions of terms in annotations in the Interpretation section of the Appendices instead of elsewhere (e.g., in Resolution) and, based on the determination, draft a proposal to include all definitions in a single location;
  - h) to conduct any work related to annotations directed to it by the Standing, Animals or Plants Committees; and
  - i) to prepare reports on progress made in addressing the issues tasked to it and submit them for the 65th and 66th meetings of the Standing Committee.

***Directed to Parties***

- 16.XX At its 17th meeting, the Conference of the Parties shall review the outcomes of the work undertaken by the working group called for in Decision 16.XX and evaluate the need for continuing such a working group. If agreed, the Parties shall maintain Decision 16.XX and make changes to the terms of reference, as appropriate.

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

***Directed to the Standing Committee and Plants Committee***

14.148 (Rev. CoP16)

- a) Based on the results of the timber trade study, the Standing Committee and Plants Committee, via the working group called for in Decision 16.XX, 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) As appropriate, the Standing Committee, in close cooperation with the Plants Committee, shall draft a proposal to amend any annotation in the Appendices and any amendments to Resolution Conf. 10.13 (Rev. CoP15).
- d) The Standing Committee shall request that the Secretariat submit on its behalf any proposal to amend Resolution Conf. 10.13 (Rev. CoP15) for consideration at the 17th meeting of the Conference of the Parties (CoP17). The Plants Committee shall request that the Depositary Government submit on its behalf any proposals to amend the annotations in the Appendices for consideration at CoP17.