

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



Seventeenth meeting of the Conference of the Parties  
Johannesburg (South Africa), 24 September -5 October 2016

Species specific matters

Maintenance of the Appendices

Annotations

ANNOTATIONS FOR APPENDIX II ORCHIDS

1. This document has been submitted by Canada and prepared by the Acting Chair of the Plants Committee (Ms. Sinclair) and Co-Chair of the Working Group of the Plants Committee on Annotations for Appendix-II orchids.\*
2. At the 22<sup>nd</sup> meeting of the Plants Committee (PC22, Tbilisi, 2015), the Committee established an intersessional working group regarding amendment of the annotation for Appendix II orchids after discussion of a document submitted by Switzerland seeking exploration of the potential risks and/or benefits of an exemption for orchid products, particularly with respect to wild specimens.
3. The Committee formed the preliminary membership of the intersessional working group, comprising Parties and non-governmental observers present at that meeting, as follows:  
  
Co-Chairs: Alternate Representative of North America (Ms. Sinclair) and Switzerland (Ms. Moser);  
  
PC Members: Representative of Asia (Ms. Zhou);  
  
Parties: Canada, China, Czech Republic, European Union, France, Germany, Italy, Latvia, Mexico, Netherlands, Republic of Korea, Slovakia, Sweden, Thailand, United Kingdom of Great Britain and Northern Ireland and United States of America;  
  
IGOs and NGOs: ITC, UNCTAD, UNEP-WCMC, IUCN, FTS Botanics, Species Survival Network, and TRAFFIC.
4. As agreed by the Committee, the Secretariat was asked to prepare and distribute a Notification to the Parties seeking additional expressions of interest from Parties to participate in the intersessional working group encouraging a wide representation from range States, importers, exporters and re-exporters; asking Parties to communicate with relevant non-governmental organizations and industries to identify additional working group members from these stakeholders; and asking Parties to communicate the names and contact information of these additional members to the working group co-chairs.
5. The Notification (2016/035) was issued on April 1, 2016 with a May 1, 2016 deadline for input. At the time of writing this document (April 21 2016), two additional Parties (Cuba and Columbia) have joined the working group. These Parties and Mexico have also communicated the names of 10 other members, including researches, non-government organizations and producers.

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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. At its 22<sup>nd</sup> meeting, the Plants Committee adopted the terms of reference for the working group, including the following direction:

At its 17th meeting, the Conference of the Parties shall review the outcomes of the work undertaken by the working group, and evaluate the need for continuing such a working group. If maintained, the working group will report its findings to the 23<sup>rd</sup> and 24<sup>th</sup> meetings of the Plants Committee (PC23 and PC24) as appropriate, with the request that PC23 and PC24 report to the Standing Committee for its consideration, and to inform the Standing Committee working group on annotations.

7. Due to the shortness of time, the working group was unable to complete formation and initiate discussions. Therefore, continuation of the working group is requested through adoption of the decision proposed below, which includes the terms of reference as agreed at PC22:

***Directed to the Plants Committee***

17.XX The Plants Committee shall:

- a) form a working group on Annotations for Appendix II Orchids with the following terms of reference as well as any other terms it deems appropriate:
  - i. The working group will 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.
    1. The questionnaire will ask 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 will 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.
    2. The questionnaire will be transmitted to the Parties via a Notification and 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, a workshop(s), or a study on trade data sources.
  - iii. Based on the information obtained from the Notification, as well as other information from the potential actions identified above, and other appropriate sources, the working group will analyze the risk of trade in orchid products to conservation and provide its conclusions about such risk.
  - iv. The working group will 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 (e.g. the International Orchid Conservation Congress IOCC6-Hong Kong May 16-20, 2016).
  - v. The working group will conduct its work via electronic means.
  - vi. The working group will report its findings to the 23<sup>rd</sup> and 24<sup>th</sup> meetings of the Plants Committee;
- b) Consider working group reports at its 23<sup>rd</sup> and 24<sup>th</sup> meetings;
- c) Report its findings to the Standing Committee for its consideration, and to inform the Standing Committee Working Group on annotations as appropriate; and
- d) Report its findings to the 18<sup>th</sup> meeting of the Conference of the Parties.

## Recommendations

8. It is recommended that the Conference of the Parties adopt the draft decision in Paragraph 7 above.

### COMMENTS FROM THE SECRETARIAT

- A. The Secretariat notes that issues concerning annotations in the CITES Appendices are also addressed in documents CoP17 Doc. 83.1 and CoP17 Doc. 83.2 and suggests that the documents be discussed together to ensure that outcomes of these discussions be compatible and not duplicative.
- B. The Secretariat appreciates that the Plants Committee's intersessional working group on the amendment of the annotation for Appendix II orchids, established at the 22nd meeting of the Plants Committee (PC22, Tbilisi, October 2015), did not have enough time to fulfil the mandated work. The Secretariat therefore recommends that the Plants Committee continue this work.
- C. As recommended by the Secretariat in the context of the Standing Committee's work on annotations (see document CoP17 Doc. 83.1), the Secretariat suggests that the Plants Committee report the results of its work on annotations for Appendix II listed orchids to the Standing Committee, for further reporting to the 18th meeting of the Conference of the Parties. The Secretariat is proposing an additional decision to that effect.
- D. The Secretariat also suggests that the Conference of the Parties request the Plants Committee's working group to apply its findings and analyses in considering and proposing a revised annotation, as appropriate. This is included in subparagraph iii) below.
- E. Finally, the Secretariat has some editorial suggestions as reflected below:

#### ***Directed to the Plants Committee***

17.XX The Plants Committee shall:

- a) ~~form 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 with~~ the following terms of reference ~~as well as any other terms it deems appropriate:~~
- i. The working group ~~will~~ 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.
1. The questionnaire ~~will~~ should ~~invite~~ ~~ask~~ 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 ~~will~~ 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.
  2. The questionnaire ~~will~~ 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, a workshop(s), or a study on trade data sources.

- iii. Based on the information obtained from Parties in their responses to the questionnaire from the Notification, as well as other information from the potential actions identified above, and other appropriate sources, the working group will 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 ~~will~~ 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 ~~(e.g. the International Orchid Conservation Congress IOCC6 Hong Kong May 16-20, 2016).~~
- v. The working group will conduct its work via electronic means.
- vi. The working group will report its findings to the ~~23<sup>rd</sup> and 24<sup>th</sup> meetings of the Plants Committee;~~
- b. Consider the results of the working group reports at its 23<sup>rd</sup> and 24<sup>th</sup> meetings; and
- c. Report its findings and recommendations to the Standing Committee for its consideration, ~~and to inform the Standing Committee Working Group on annotations as appropriate; and~~

Report its findings to the 18<sup>th</sup> meeting of the Conference of the Parties.

**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.

TENTATIVE BUDGET AND SOURCE OF FUNDING  
FOR THE IMPLEMENTATION OF THE DRAFT DECISIONS

Tentative budget (e.g., case studies, trade study, depends on number of studies):

USD 75,000 – 100,000

Sources of Funding: External

All interested Parties and organizations are invited to consider contributing funds to support the implementation of the draft decisions.