

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



Eighteenth meeting of the Conference of the Parties
Geneva (Switzerland), 17 - 28 August 2019

Summary record of the ninth session for Committee I

21 August 2019: 14h00 - 16h55

Chair: R. Hay (New Zealand)

Secretariat: I. Camarena
T. De Meulenaer
K. Gaynor
M. Hitziger

Rapporteurs: J. Gray
E. Jennings
J. Vitale
E. Vovk

Proposals to amend the Appendices

105. Proposals to amend Appendices I and II (cont.)

Proposal CoP18 Prop. 53 to amend annotation #5 to the listing of *Pericopsis elata* in Appendix II, and expand its scope to include plywood and transformed wood, was introduced by Côte d'Ivoire noting that varying interpretations of annotation #5 had led to exports of the species falling outside of the set quotas and of the scope of CITES, and stating that the amendment would ensure that all main products exported would be covered under CITES regulations.

The European Union acknowledged its status as one of the main importers of *Pericopsis elata* timber, and referenced information document CoP18 Inf. 20 providing additional details to Côte d'Ivoire's proposal. It noted that trade data compiled had shown multiple cases of international trade in transformed *Pericopsis elata* wood, which were not covered by annotation #5, possibly undermining the sustainability of trade in this species. It proposed an amendment to the proposal presented by Côte d'Ivoire, to leave Annotation #5 unchanged, and create a new annotation (proposed annotation #17), which would subsequently only be applicable to *Pericopsis elata*.

The new annotation would read as follows:

"Logs, sawn wood, veneer sheets, plywood, and transformed wood."

The newly proposed annotation would amend the original annotation whereby the text included in the footnote, "*Whereby transformed wood is defined by HS code 44.09: Wood (including strips, friezes for parquet flooring, not assembled), continuously shaped (tongued, grooved, v-jointed, beaded or the like) along any edges, ends or faces, whether or not planed, sanded or end-jointed.*" would be moved to the interpretation section of the Appendices.

Cameroon, supported by Burkina Faso, Chad, the Democratic Republic of the Congo, Ecuador, Liberia, Malawi, Mali, Niger, Nigeria, the Republic of Korea, Senegal, Switzerland, the United Republic of Tanzania and Thailand, all supported the proposal.

The United Republic of Tanzania requested clarification on the term 'transformed wood'. The United States of America noted its support for the incorporation of a definition of 'transformed wood' in the interpretation section of the Appendices. It added that although the proposed definition pointed to HS code 44.09, the term "transformed wood" was not an HS term, and that it would be important for the expanded annotation's definition to be clearly expressed to customs officials and others implementing CITES. Plywood and processed wood prior to the expansion of annotation #5 will be considered as pre-Convention stocks by the Democratic Republic of the Congo.

The International Tropical Timber Organization (ITTO) noted trade statistics indicating increasing amounts of processed products of *Pericopsis elata* and other species in trade, including domestically processed wood from African countries. The International Wood Products Association (IWPA) expressed concerns regarding the creation of a new annotation, as it felt that the matter of transformed wood would be better handled as an enforcement issue.

The proposal to create a new annotation for *Pericopsis elata* as follows "Logs, sawn wood, veneer sheets, plywood, and transformed wood" and to include the definition of the term 'transformed wood' as follows "*Transformed wood is defined by HS code 44.09: Wood (including strips, friezes for parquet flooring, not assembled), continuously shaped (tongued, grooved, v-jointed, beaded or the like) along any edges, ends or faces, whether or not planed, sanded or end-jointed*" in the interpretation text of the Appendices was accepted by consensus.

Proposal CoP18 Prop. 54 to include *Pterocarpus tinctorius* in Appendix II was introduced by Malawi. It additionally proposed that annotation #6 be applied, limiting controls to logs, sawn wood, veneer sheets, and plywood. It noted that the species was increasingly exploited as other rosewoods became scarcer, and that listing would support national measures in range States.

Angola, Argentina, the Democratic Republic of the Congo, Ecuador, the European Union, Gabon, Liberia, Mali, Mozambique, Nigeria, Senegal, Turkey and the United States of America, as well as ForestBased Solutions, Llc and IWPA, expressed support for the proposed listing and application of annotation #6. The United Republic of Tanzania did not believe the species met the criteria for its inclusion on Appendix II but did not wish to block consensus.

The proposal to include *Pterocarpus tinctorius* in Appendix II with annotation #6 was accepted by consensus.

Proposal CoP18 Prop. 55 to amend annotation #4 to remove finished products of *Aloe ferox* from Appendix II was introduced by South Africa. It highlighted that this would not hinder effective regulation of the species as the major commodities would remain under control, but that it would simplify permitting and reporting as well as compliance and enforcement. The amendment would be in line with Resolution Conf. 11.21 (Rev. CoP17) on *Use of annotations in Appendices I and II*. South Africa drew attention to information document CoP18 Inf. 61 on *Supplementary information on the Aloe ferox (bitter aloe) trade and industry*.

The European Union noted that the proposal conformed with the principles for annotations for plants in paragraph 6 b) of Resolution Conf. 11.21 (Rev. CoP17), specifically principle ii). It proposed the following draft decisions, tasking the Secretariat and the Plants Committee to report on the impact of the proposed amendment:

Directed to the Secretariat

- 18.AA** The CITES Secretariat shall issue a Notification to the Parties after one year of the conclusion of the 18th meeting of the Conference of the Parties requesting the following information:
- a) whether, and if so how, the amended annotation #4 has impacted the international trade in *Aloe ferox* specimens; and
 - b) whether, and if so how, the amended annotation #4 has affected the population size, distribution, status and harvest of *Aloe ferox*.
- 18.BB** The CITES Secretariat shall compile responses from the Parties as requested under Decision 18.AA and provide these responses to the Plants Committee.

Directed to the Plants Committee

18.CC The Plants Committee shall review the information received as requested under Decision 18.BB and other relevant information available regarding the status, management, and international trade in *Aloe ferox*, with a view to assessing whether the exemption of finished products of *Aloe ferox* packaged and ready for retail trade from CITES regulation have had any impacts on the natural populations of the species. Based on the outcome of this review, the Plants Committee shall formulate recommendations concerning the listing of *Aloe ferox* for consideration at the 19th meeting of the Conference of the Parties.

Directed to Parties

18.DD Range countries, consumer countries, and other countries involved in the management, propagation, or trade of *Aloe ferox* are encouraged to provide information regarding the status, management, and trade in this species as requested under Decision 18.AA.

The United Republic of Tanzania, supported by China, the Democratic Republic of the Congo, Kenya, Lesotho and Switzerland expressed support for the amendment to the Annotation, along with the United States of America, that also supported the draft decisions proposed by the European Union.

The Documentation Center for Species Protection supported the amendment. TRAFFIC, also on behalf of the International Union for Conservation of Nature (IUCN), welcomed the new information provided by South Africa that addressed concerns raised in the IUCN-TRAFFIC analyses of this proposal.

Proposal CoP18 Prop. 55 to add "*Aloe ferox*" to paragraph f) of annotation #4, together with the draft decisions presented by the European Union, were accepted by consensus.

Proposal CoP18 Prop. 56 to amend the annotation "#16 Seeds, fruits, oils and living plants" to the listing of *Adansonia grandidieri* in Appendix II by deleting the reference to live plants, was introduced by Switzerland. Switzerland explained that the reference to live plants was redundant as these were automatically covered by the provisions of the Convention through the listing. Switzerland noted that this would be elucidated should deliberations in Committee II result in revision to paragraph 7 of the Interpretation section of the CITES Appendices, as proposed in Annex 2 to document CoP18 Doc. 101.

Mali, Senegal and the Documentation Centre for Species Protection supported the proposal.

IWMC-World Conservation Trust pointed out an error in the French translation of paragraph 3 of section 2 of the proposal. It should read "Les plantes vivantes ou mortes ne peuvent pas être considérées comme des parties ou produits et, donc, ne peuvent pas être couvertes par une annotation en # suivi d'un nombre."

Proposal CoP18 Prop. 56 to amend the annotation #16 to *Adansonia grandidieri* in Appendix II to read "#16 Seeds, fruits and oils" was accepted by consensus.

Proposal CoP18 Prop. 57 to include *Cedrela* spp. in Appendix II was introduced by Ecuador, that announced that it wished annotation #6 to apply to the proposal such that it would be restricted to "logs, sawn wood, veneer sheets and plywood". It proposed an 18-month delay to implementation, should the proposal be successful.

Argentina, Belize, Benin, the Plurinational State of Bolivia, Brazil, Chile, China, Colombia, Costa Rica, Cuba, the Dominican Republic, Guatemala, Honduras, Mali, Mexico, Nicaragua, Paraguay, the Republic of Korea, Switzerland and Uruguay supported the proposal as introduced by Ecuador. India, seconded by Indonesia, Myanmar and Nepal, opposed the proposal on grounds that it could affect trade in specimens of *Toona* spp., owing to potential taxonomic ambiguities. Peru recommended that Parties use national-level regulation to manage trade in *Cedrela* spp. before resorting to Appendix-II controls.

Côte d'Ivoire, Ghana and Liberia noted the existence of *Cedrela* plantations in their countries and stated they could support the proposal providing their populations of trees in the genus were exempted from the listing. Guyana similarly did not support inclusion of its *Cedrela* populations in Appendix II.

The European Union, seconded by Senegal and the United States of America, reported that it could support the proposal if it were annotated to apply to populations of the neotropics. Both the European Union and the

United States, supported by Canada, were opposed to the condition of an 18-month delay in implementation, as had been put forward by Ecuador, as they feared this would lead to reactive logging and stockpiling.

Following clarification from the Nomenclature Specialist of the Plants Committee that the proposal would not apply to *Toona* spp. and agreement from Ecuador that annotation #6 would include the note“(Populations of Neotropics)” and a reduction in the implementation delay to 12 months would apply to the proposal, proposal CoP18 Prop. 57 as follows “*Cedrela* spp.^{#6} (population of neotropics) (entry into effect delayed by 12 months, i.e. until 28 August 2020)” was accepted by consensus.

The meeting was adjourned at 16h55.