

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

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STATEMENT OF PRINCIPLES  
MUSICAL INSTRUMENTS AND APPENDIX II ANNOTATION #15

This document has been submitted by the United States of America, at the request of a group of musicians and musical instrument manufacturers, in relation to proposal CoP18 Prop. 52.\*

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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.*

## **Statement of Principles**

### **Musical Instruments and Appendix II Annotation #15**

Annotation #15 pertaining to *Dalbergia spp.*, *Guibourtia demeusei*, *Guibourtia pellegriniana*, and *Guibourtia tessmannii* (bubinga) provides that the rosewood and bubinga Appendix II listings cover:

All parts and derivatives are included, except:

- a) Leaves, flowers, pollen, fruits, and seeds;
- b) Non-commercial exports of a maximum total weight of 10 kg per shipment;
- c) Parts and derivatives of *Dalbergia cochinchinensis*, which are covered by Annotation #4; and
- d) Parts and derivatives of *Dalbergia spp.* originating and exported from Mexico, which are covered by Annotation #6.

The absence of a clear and complete exemption for the commercial and non-commercial movement of musical instruments and parts presents a significant impact on the trade, hinders international cultural activity, and unnecessarily burdens CITES management authorities. If the Parties do not replace or amend Annotation #15, the world of music and culture will lose certain instruments that produce the highest quality tones, with no corresponding conservation benefit.

**At CoP18, music industry stakeholders support adoption of [the proposal](#) made by the European Union and Canada, in accordance with the consensus recommendation made by the Standing Committee at its 70th meeting (SC70, Sochi, October 2018) to amend Annotation #15 as follows, requiring CITES permits for:**

All parts and derivatives, except:

- a) Leaves, flowers, pollen, fruits, and seeds;
- b) Finished products to a maximum weight of wood of the listed species of 500g per item;
- c) Finished musical instruments, finished musical instrument parts and finished musical instrument accessories.
- d) Parts and derivatives of *Dalbergia cochinchinensis*, which are covered by Annotation # 4;
- e) Parts and derivatives of *Dalbergia spp.* originating and exported from Mexico, which are covered by Annotation # 6.

As the proposal states, this revision “exempts from CITES controls finished musical instruments, finished musical instrument parts, and finished musical instrument accessories, reflecting the consensus view that the regulation of these items imparts little conservation value while increasing greatly the permit and compliance burdens.”

The music industry and those that supply wood product inputs to music instrument manufacturers strongly support efforts to conserve rosewood and bubinga as well as further study of their biology, conservation, and trade. Protecting these trees is a priority.

The making of musical instruments requires very limited quantities of rosewood and bubinga. For example, guitars, violins, violas, cellos, double basses, clarinets, piccolos, oboes, flutes, xylophones, and pianos that contain rosewood or bubinga typically contain substantially less than 10kg of the material. Marimbas and a small minority of pianos may contain larger quantities of the wood, but will usually not exceed 30kg per instrument. For certain instruments, such as those of the violin family, the use of this material is at the same time minimal and crucial, as it is the most suitable material, for instance, for tuning pegs. In aggregate, these instruments represent an extremely small proportion of the worldwide trade in rosewoods and bubinga in term of volume, while representing a significant proportion of the permits issued.

**Musicians and instrument makers support a solution that will address both the commercial and noncommercial movement of instruments.** Given the long lifespan of musical instruments in use - decades, if not centuries - instruments are typically re-sold by their musician owners and are frequently

used in performances. For musicians, and particularly for orchestras and ensembles, limitations on travel and re-sale of instruments present a threat to livelihoods and artistic activity. For instrument makers and related businesses (e.g., violin accessory makers), increases in the cost of international sales can greatly erode marginal profitability and threaten livelihoods. Imposing permitting and documentation requirements on musicians for the transboundary resale and use of their instruments will hinder trade and cultural activity and potentially undermine the substantial investments (sometimes life savings) of musicians with no apparent accompanying conservation value.

**Limited administrative and enforcement resources should be focused where they will have the greatest conservation benefit.** Musical instruments remain in use and are re-sold over a long period of time by both retailers and individuals, multiplying the cost and burden of permit issuance and enforcement. Decisions at CoP18 must address the substantial increase in the volume of permits that Parties are processing in the aftermath of the *Dalbergia* listing. The overburdening of management authorities is not helpful from the perspective of either trade or conservation. It is important to note that these permits include multiple permits for the same piece of wood as it moves from blanks to finished product. Finished musical instruments, parts, and accessories should be exempt from permit requirements.

**Focus is best placed on trade from range states and not finished musical instruments.** [Resolution Conf. 11.21 \(Rev. CoP17\)](#), provides guidance and principles for annotations, and recommends that the Parties ensure that annotations are clear and unambiguous in the three working languages of the Convention; consider the conservation impact of excluding certain specimens; and consider enforceability. It further states that: 1) controls should concentrate on those commodities that first appear in international trade as exports from range States; and 2) controls should include only those commodities that dominate the trade and the demand for the wild resource. Finished musical instruments do not first appear in international trade as exports from range States and are very far from dominating the trade. These principles and facts should guide the development of the new annotation. CITES Parties implicitly recognized the conservation value of regulating trade from range states when they agreed on Annotation #10, for *Caesalpinia echinata* (also known as *Paubrasilia echinata* or Pernambuco), which covers "Logs, sawn wood, veneer sheets, including unfinished wood articles used for the fabrication of bows for stringed instruments."

#### **Essential elements of any annotation for *dalbergia* and bubinga:**

- All trade in finished musical instruments, parts, and accessories should be exempted from CITES permitting requirements, including:
  - Commercial shipments of musical instruments, parts, and accessories
  - Non-commercial shipments, including for performances, repair, and display in trade shows
  - Musical instruments as personal effects, hand-carried or shipped as cargo
- The language of a revised annotation should leave no ambiguity at the enforcement level that musical instruments, parts, and accessories are exempted. Annotation #15 adopted at CoP17 required substantial clarification of terms of reference related to non-commercial activity, consolidated shipments, weight limits, and identification and marking requirements, as agreed in [CITES Notification 2017/078](#). Exemptions related to musical instruments and their parts can be enforceable as customs officials are well acquainted with and readily identify musical instruments through the use of the Harmonized System of the World Customs Organization (HS) codes (see, e.g., [Chapter 92 on Musical Instruments; parts and accessories of such articles](#) and [Chapter 97.05 and 97.06 on collectors' pieces and antiques](#)), and the use of HS codes is encouraged in [Resolution Conf 10.13](#) paragraph c) and d). We stand ready to advise on the crafting of any related guidance, such as a definition of the terms musical instruments, parts, and accessories, and an exemplary, non-binding list of musical instruments most commonly found in trade. Given the array of artisans and manufacturers involved in making musical instruments globally over hundreds of years, we are able to offer substantial information about the use of *dalbergia* in musical instruments most commonly in trade, but not comprehensive or encyclopedic data. The music sector, therefore, does not believe that it would be appropriate for a definitive list to be included as part of a CITES annotation or otherwise codified under CITES.
- A revised annotation should ensure consistency with current practices in customs, shipping, documentation, and declarations procedures.

## Signatories as of April 2019



**American Federation of Musicians of the United States and Canada.** The American Federation of Musicians of the United States and Canada (AFM), celebrating 120 years of existence, is the largest organization in the world dedicated to representing the working interests of professional musicians. The AFM's more than 80,000 members perform all styles of music: alternative, rock, classical, pop, gospel, jazz, country, folk, big band, reggae, contemporary Christian, to name just a few. AFM musicians can be found in recording studios for motion picture and film, as back up musicians for internationally recognized featured artists, in American and Canadian symphony orchestras, and any other venue that requires the use of highly trained professional artists. [www.afm.org](http://www.afm.org)



**American Federation of Violin and Bow Makers.** The American Federation of Violin and Bow Makers was founded in 1980 to provide the musical community with a standard of work and expertise upon which they could depend. The Federation's mission is to enhance the public's understanding and appreciation of the violin and bow families, and of related areas of expertise, including the making of new instruments, as well as conservation and restoration of historical and modern instruments. Now numbering over 170 of the finest makers, dealers and restorers in the United States and Canada, the Federation has strict requirements for membership. In addition to submitting an example of his or her work for review, a prospective member must have at least nine years of experience working in the profession. [www.afvbm.org](http://www.afvbm.org)



**Anafima - Brazilian Music Industry Association** (Associação Nacional da Indústria da Música) is the Brazilian music industry association that serves over 1,200 people annually across Brazil. The association is split into four main categories: musical instruments, pro audio, installations, and car audio. Each category has its own goals and objectives proposed by its members. Currently, ANAFIMA is the biggest association in Brazil and it represents companies of all different sizes. [www.anafima.com.br/site/](http://www.anafima.com.br/site/)



**The Argentinian Association of Musical Instruments Manufacture** (Camara Argentina de Fabricantes de Instrumentos Musicales, or CAFIM, in Spanish) was founded in 2012 to protect the rights and interests of its members, encouraging the increase in the musical instruments industry in Argentina. CAFIM is an organization for the support, care, defense and promotion of such market and it settles itself as a valid mediator before the different governmental organisms. [www.cafim.com.ar/](http://www.cafim.com.ar/)



**Association of British Orchestras.** The ABO is the national body representing the collective interests of professional orchestras, youth ensembles and the wider classical music industry throughout the UK. Our mission is to enable and support an innovative, collaborative and sustainable orchestral sector by providing advice, support, intelligence and information to the people who make British orchestras a global success. <https://www.abo.org.uk/>



**The Australian Music Association (AMA).** The Australian Music Association represents and furthers the interests of the Music Products industry which is a network of wholesalers, manufacturers, retailers and associated services for musical instruments, print music and music technology. The AMA also works with a network of government and non-government organisations to advocate for music education, promote music making and represent the industry in matters of common interest. It organises trade shows, conventions and forums, publishes Australian Musician magazine online, develops industry statistics and provides commercial member benefits. [www.australianmusic.asn.au/](http://www.australianmusic.asn.au/)



**Bundesverband der deutschen Musikinstrumentenhersteller e.V.** The National Association of German Musical Instruments Manufacturers is the official body representing the German Music Industry. Its principal objectives are to promote members' common interests through advice and support in commercial, technical and all other relevant issues; to cultivate exchange of experience between members and other associations in the realms of music worldwide; to represent the interests of German manufacturers of musical instruments and accessories vis-à-vis German and other European as well as supranational and overseas public authorities, associations and other institutions; and to draft expert opinions and furnish of information to public authorities in the sectors of musical instrument manufacture and the appurtenant field of accessories. [www.musikinstrumente.org](http://www.musikinstrumente.org)



**C.F. Martin & Co.** C.F. Martin & Co. has been creating some of the finest musical instruments in the world since 1833. Hand-made by skilled craftsmen and women, Martin combines modern innovations with techniques developed by the company and recognized today as industry standards, including the Dreadnought shape, X-bracing, the square headstock, and the 14-fret guitar. Martin guitars and Martin strings continue to inspire musicians worldwide, from the icons of rock, pop, country, folk and bluegrass to those who strum for personal enjoyment. They can be seen across all segments of pop culture, from television to movies, Broadway, books, online, and gracing the covers of popular magazines on newsstands everywhere. [www.martinguitar.com](http://www.martinguitar.com)



CONFEDERATION OF  
EUROPEAN MUSIC INDUSTRIES

**Confederation of European Music Industries.** The Confederation of European Music Industries (CAFIM) used to gather European musical instrument manufacturers only. On May 5, 1977, as unification within Europe gradually progressed, the confederation came to cover the entire branch. Today CAFIM represents the music trade in the whole of Europe including wholesalers, retailers and importers. Its general objectives are to promote and safeguard the interests of the European musical instrument industry as well as those of practicing musicians in every conceivable way. [www.cafim.org](http://www.cafim.org)



**Dismamusica.** Dismamusica is the only Industry Association existing in Italy that represents the full chain of the Musical Instruments and Music Publishers business community (manufacturers, importers, distributors, retailers, service companies, music schools, musicians). Founded in 1982, over the years it has worked hard toward the central and local Institutions, obtaining important results in favor of the sector, both in economic and labor aspects. By promoting many activities, it gives great attention to the cultural side of the role of music making. The mission is to promote the benefits of music practice at all levels, from schools to communities, in order to increase the market size and reach more stability and profitability for the Industry business community in parallel with an universally recognized social positive influence. [www.dismamusica.it](http://www.dismamusica.it)



**Fender Musical Instruments Corporation.** Since 1946, Fender has revolutionized music and culture as one of the world's leading musical instrument manufacturers, marketers and distributors. Fender Musical Instruments Corporation (FMIC), whose portfolio of brands includes Fender®, Squier®, Gretsch® guitars, Jackson®, EVH® and Charvel®, follows a player-centric approach to crafting the highest quality instruments and musical solutions across genres. FMIC is dedicated to unlocking the power of music through electric and acoustic guitars, amplifiers, pro audio, accessories and digital products that inspire and enable musical expression at every stage, from beginners to history-making legends. [www.fender.com](http://www.fender.com)



**ForestBased Solutions, LLC.** ForestBased Solutions (FBS) provides forest product due diligence services, risk assessment and comprehensive approaches to resource and supply chain management. FBS has over 25 years of experience in species-specific highend forest products from musical instruments, flooring, furniture, decking and fiber content. FBS was instrumental in moving the musical instrument manufacturing industry into stepwise approaches for integrating forest products from identified well-managed forests into their global supply chain. FBS currently works in over 15 timber producing countries. [www.forestbased.com](http://www.forestbased.com)



**French Musical Instrument Organisation.** French Musical Instrument Organisation (La Chambre Syndicale de la Façture Instrumentale, CSFI) was founded in 1890 in Paris. It gathers companies and craftsmen who make, distribute and export musical instruments and their accessories. The CSFI also welcomes resellers and other instrument makers associations (violin, guitar, piano). Its main objectives are the protection of its members and of the musical instrument making as a whole and the development of the instrumental practice for everybody. [www.csfi-musique.fr](http://www.csfi-musique.fr)



**International Association of Violin and Bow Makers.** (EILA: Entente Internationale des Luthiers et Archetiers). Founded in 1950 in Europe, the Entente Internationale is an association of violin and bow makers from around the world. The Entente was established with the aim of bringing together master craftsmen on the basis of friendship and exchange and for taking any steps deemed pertinent to defending their working conditions, developing understanding of their art, perfecting teaching methods for their students and combining the strengths and talents of each member in order to promote a revival in the art of violin and bow making. [www.eila.org](http://www.eila.org)



**International Federation of Musicians.** The International Federation of Musicians (FIM), founded in 1948, is the only body representing musicians' unions globally, with members in about 65 countries covering all regions of the world. FIM is recognised as an NGO by diverse international authorities such as WIPO (World Intellectual Property Organisation), UNESCO (United Nations Educational, Scientific and Cultural Organisation), the ILO (International Labour Office), the European Commission, the European Parliament or the Council of Europe. [www.fim-musicians.org](http://www.fim-musicians.org)



**International Wood Products Association.** Established in 1956, IWPA is the leading international trade association representing the North American imported wood products industry, with over 200 companies and trade organizations engaged in the import of hardwoods and softwoods from sustainably managed forests in more than 30 nations across the globe. Association members consist of three key groups involved in the import process: U.S. importers and consuming industries, offshore manufacturers and the service providers that facilitate trade. [www.IWPAwood.org](http://www.IWPAwood.org)



**Japan Musical Instruments Association.** Established in 1948, The Japan Musical Instruments Association (JMIA) represents more than 500 Japanese musical instruments manufacturers, wholesalers and retailers. JMIA supports the sound development of domestic musical instruments related companies, contributes to the popularization of domestic musical instruments and music, and the enhancement of music culture, aiming to contribute to the creation of an affluent society. [www.zengakkyo.com](http://www.zengakkyo.com)



**League of American Orchestras.** The League of American Orchestras leads, supports, and champions America's orchestras and the vitality of the music they perform. Its diverse membership of more than 2,000 organizations and individuals across North America includes world-renowned symphonies, community orchestras, festivals, and youth ensembles. Founded in 1942 and chartered by Congress in 1962, the League links a national network of thousands of instrumentalists, conductors, managers and administrators, board members, volunteers, and business partners. [americanorchestras.org](http://americanorchestras.org)



**Madinter.** Madinter, founded in 2001, is a Spanish company based in Madrid, Spain, specializing in the supply of wood for making musical instruments. It is a young, modern, and dynamic business dedicated to supplying products of the highest quality standards. The value of these products is the result of a maximized efficiency in both the processing and adequate treatment of the wood. Since the beginning, Madinter is committed to innovation, internationalization, and the use of clean energies, from the search and implementation of sustainable forestry practices in its supply chain, to the establishment of sustainability protocols in manufacturing and waste management in the company. [www.madinter.com](http://www.madinter.com)



**Music Industries Association.** The Music Industries Association (MIA) is the trade body for the UK musical instrument industry. Our members are the manufacturers, distributors, publishers and retailers of musical instruments and associated products. We exist to promote, protect and support the UK music making industry. We do this by: Providing leadership and guidance to the industry, Promoting the substantial and wide ranging benefits of music making, Representing the sector at all levels of government, its agencies and other interest groups, Creating pro-active public relations and communications internally and externally, Supporting our members with advice, best practice and money saving offers. [www.mia.org.uk](http://www.mia.org.uk)



**National Association of Music Merchants.** NAMM, the National Association of Music Merchants (NAMM), established in 1901, is the not-for-profit association that strengthens the \$17 billion global music, sound and event technology products industry. The association's global trade shows serve as the crossroads for professionals seeking the newest innovations in music, recording technology, sound, stage and lighting products. NAMM member programs and services promote music making for people of all ages and to create a more musical world. NAMM has supported the development of a global music coalition advocating for sustainable use of world's natural resources alongside reliable regulations that support fair trade and has funded advocacy events and participation in CITES events. [www.namm.org](http://www.namm.org)



**Orchestras Canada.** Orchestras Canada is the national association for Canadian orchestras, helping orchestras achieve together what they cannot accomplish alone, and serving Canadian orchestras in both official languages, through research, knowledge-sharing, convening, and advocacy. Orchestras Canada was founded in 1972, and represents over 130 Canadian orchestras and their diverse stakeholders. [orchestrascanada.org](http://orchestrascanada.org)



**Paul Reed Smith.** Paul Reed Smith Guitars is one of the world's premier guitar and amplifier manufacturers. Since our humble beginning in 1985, PRS Guitars has always strived to create the highest quality instruments possible. Guitar and amplifier building are very personal things here, as most of us are dedicated players, refining our craft as builders, musicians, and artists of all kinds. Our deep commitment to the craft and our culture of quality are what drives PRS in the workplace and the marketplace. [www.prsguitars.com](http://www.prsguitars.com)



**PEARLE\*.** Pearle\* Live Performance Europe, is the 'Performing Arts Employers Associations League Europe'. Pearle\* represents through its member associations the interests of more than 10000 organisations in the music, performing arts and live entertainment sector. This includes profit as well as non-profit organisations, ranging from micro-enterprises to organisations with over 250 employees. Pearle\* is recognised by the European Commission as a European sectoral social partner, representing the employers in the European sectoral social dialogue committee live performance. [www.pearle.ws](http://www.pearle.ws)



**The Recording Academy.** Best known for the GRAMMY Awards®, the Recording Academy is the only organization that exists to champion the voices of performers, songwriters, producers, and engineers. With no corporate members, the Recording Academy directly and solely represents music creators, working tirelessly to protect their rights and interests. From strong representation in Washington, to mobilizing the industry and organizing grassroots movements across all 50 states, we use advocacy, education, and dialogue to raise awareness about pressing music issues, develop policy, and advance key legislation. Our purpose is to give back to music makers by making sure that they're compensated fairly for their work today and have greater opportunities to prosper tomorrow. [www.grammy.com/recording-academy](http://www.grammy.com/recording-academy)



**Society of Music Merchants. The SOMM - Society of Music Merchants e. V.** SOMM represents the cultural and commercial interests of the musical instrument and music equipment industry in Germany and throughout Europe. The association was founded in February 2005 by leading companies from various sectors of the musical instrument industry in Germany, with the aim of organising a strong general association that represents the entire industry across all sectors (Manufacturer, Distributors, Retailer and Media). SOMM sees itself as a lobby, service provider and communications link for all trade and economic relations within and outside the musical instrument and music equipment industry. The association coordinates matters within the industry and to the outside, and cultivates close ties with political bodies, public authorities, institutions and other business associations and market partners. [www.somm.eu](http://www.somm.eu)



**Taylor Guitars.** Founded in 1974, Taylor Guitars is one of the world's leading manufacturers of premium acoustic guitars. Renowned for blending an innovative use of modern technology with a master craftsman's attention to detail, Taylor guitars are widely considered among the best sounding and easiest to play in the world. [www.taylorguitars.com](http://www.taylorguitars.com)