

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



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REVIEW OF CITES PROVISIONS RELATING TO THE TRADE IN
SPECIMENS OF ANIMALS AND PLANTS NOT OF WILD SOURCE

1. This review has been prepared by the Secretariat and represents its own views, taking into account advice from a Standing Committee working group on the subject.
2. The Secretariat recognizes that some Parties and stakeholders have different interpretations of certain provisions of the Convention and Resolutions of the Conference of the Parties. Reconciling these different interpretations is one of the reasons that this review has been requested.

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Glossary used in this Review

“Artificially propagated” or “ap”	Specimens of plant species meeting the qualifications set by the Conference of the Parties and traded using source code A or D.
“Bred in captivity”, “captive-bred” or “cb”	Specimens of animal species meeting the qualifications set by the Conference of the Parties and traded using source code C or D.
“Not of wild source”	Specimens traded using source codes A, C, F, R, or D rather than W.
Source codes [from Resolution Conf. 12.3 (Rev. CoP17)]	<p>W Specimens taken from the wild;</p> <p>R Ranched specimens: specimens of animals reared in a controlled environment, taken as eggs or juveniles from the wild, where they would otherwise have had a very low probability of surviving to adulthood;</p> <p>D Appendix-I animals bred in captivity for commercial purposes in operations included in the Secretariat's Register, in accordance with Resolution Conf. 12.10 (Rev. CoP15), and Appendix-I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4, of the Convention;</p> <p>A Plants that are artificially propagated in accordance with Resolution Conf. 11.11 (Rev. CoP17), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5 (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III);</p> <p>C Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5;</p> <p>F Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of ‘bred in captivity’ in Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof</p>

Introduction

Following on from work undertaken between 2013 and 2016 under Decisions 16.63 to 16-66, the Standing Committee noted that more attention needed to be paid to the control of trade in specimens claimed to have been bred in captivity or ranched. It noted that there were concerns about the confusing and challenging nature of the wording of current CITES Resolutions on the subject, about insufficient checks on the legal origin of the breeding stock used in captive-breeding facilities and about the establishment of captive-breeding facilities outside the country of origin of the specimens and species concerned (see document [CoP17 Doc. 32](#)).

Consequently, at the 17th meeting of the Conference of the Parties, the Committee proposed and the Conference of the Parties agreed to adopt Decision 17.101, which reads as follows:

Subject to available resources, the Secretariat shall review ambiguities and inconsistencies in the application of Article VII paragraphs 4 and 5, Resolution Conf. 10.16 (Rev.) on Specimens of animal species bred in captivity, Resolution Conf. 12.10 (Rev. CoP15) on Registration of operations that breed Appendix-I animal species in captivity for commercial purposes, Resolution Conf. 11.11 (Rev. CoP17) on Regulation of trade in plants, Resolution Conf. 9.19 (Rev. CoP15) on Registration of nurseries that artificially propagate specimens of Appendix-I plant species for export purposes, Resolution Conf. 5.10 (Rev. CoP15) on Definition of ‘primarily commercial purposes’ and Resolution Conf. 12.3 (Rev. CoP17) on Permits and certificates as it relates to the use of source codes R, F, D, A and C, including the underlying CITES policy

assumptions and differing national interpretations that may have contributed to uneven application of these provisions, as well as the captive breeding issues presented in document SC66 Doc. 17 and legal acquisition issues, including founder stock, as presented in document SC66 Doc. 32.4, submit the review to Parties and stakeholders for comments through a notification, and submit its conclusions and recommendations along with the comments of Parties and stakeholders to the Standing Committee.

The Secretariat submitted the review, along with the comments of Parties and stakeholders on it, to the Standing Committee at its 70th meeting (Rosa Khutor, Sochi, October 2018). At meeting the Standing Committee decided that that further study on the different approaches and assumptions adopted by Parties on current resolutions relating to captive breeding and artificial propagation was required in order to advance the work reflected in document SC70 Doc. 31.1. The Committee agreed to propose the adoption of a number of Decisions at CoP18 to permit such further study. Background

When the Convention was drafted, captive breeding and artificial propagation of wild fauna and flora species were relatively limited and certainly intensive production of many species for commercial purposes was rarely undertaken. As demonstrated by recent work commissioned by the Secretariat¹ at the request of the Conference of the Parties, this is no longer the case. More recent figures show for example that, during the period 2007-2016, 62% of all reported commercial trade in live CITES animal species involved specimens declared as not from wild source. For mammals, 95% of live commercial trade was in specimens from these sources. The percentage of trade in animal specimens declared as not from wild source is increasing every year. This trend is mirrored in relation to natural resources more generally. The Food and Agriculture Organization of the United Nations' (FAO) [State of World Fisheries and Aquaculture 2016](#) states that in terms of food supply, aquaculture provided more fish than capture fisheries for the first time in 2014. [State of World Fisheries and Aquaculture 2018](#) shows the percentage of fish produced in aquaculture for all purposes continuing to rise. Similarly, areas of plantation forests are increasing, while those of natural forests are decreasing. Consequently, the situation that prevailed when the text of the Convention was first drafted no longer applies today.

The Parties' views on the merits or otherwise of captive breeding and artificial propagation have varied over the years and have not always been consistent across different taxa. Resolution Conf. 1.6 on *Resolutions adopted by the Plenary Session* (repealed in 2002) urged all contracting Parties to encourage the breeding of animals for the pet trade and the preamble to Resolution Conf. 9.19 on *Registration of nurseries that artificially propagate specimens of Appendix-I plant species for export purposes*, agreed in 1994 but still valid, recognizes that the artificial propagation of specimens of plant species included in Appendix I could form an economic alternative to traditional agriculture in countries of origin, and could also increase conservation interest in the areas of natural distribution. It further recognizes that, by making such specimens readily available, the artificial propagation of specimens of plant species included in Appendix I reduces the collecting pressure on wild populations and thus has a positive effect on their conservation status. To the contrary, Decision 14.69 from 2007 directs Parties, especially Appendix-I Asian big cat range States with intensive operations breeding tigers (*Panthera tigris*) on a commercial scale, to implement measures to restrict the captive population to a level supportive only to conserving wild tigers, stating that tigers should not be bred in captivity for trade in their parts and derivatives.

While it may relieve the pressure on wild stocks, artificial propagation and captive breeding can have perverse effects on the conservation of the species in the wild. Where CITES plants are grown in plantations (mixed or monoculture), it is worth bearing in mind that natural habitat may have been removed to provide space for such plantations. In such cases, the CITES species involved has been 'saved', but the conservation of nature as a whole may have suffered. The recent history of trade in sturgeon caviar is also notable. Wild stocks became increasingly depleted in the Caspian Sea, but when supplies of caviar of wild origin were replaced with caviar from captive fish, the captive breeding did not generally take place *in situ* in Caspian littoral States, but in other countries outside the natural range of the species concerned. Efforts to rebuild the stocks of sturgeons in the Caspian Sea are faltering and this may be because there is a lack of incentive to undertake this activity as the market demand for caviar is now being met by other countries. The question of who benefits financially from trade in fauna and flora produced outside range States is also pertinent in the light of the preamble to [Resolution Conf. 8.3 \(Rev. CoP13\) on Recognition of the benefits of trade in wildlife](#), which recognizes that the returns from legal use may provide funds and incentives to support the management of wild fauna and flora to contain the illegal trade.

Benefits and disadvantages for the conservation of the species, of trade in specimens of CITES-listed species bred in captivity or artificially propagated, may vary between species and perhaps depend on whether the activity is conducted *in situ* or *ex situ*. If these varied effects do occur, then the different approaches to be taken should preferably be clearly agreed by the Parties in order for policies governing the implementation of the Convention

¹ See Annex 2 in AC27 Doc. 17 (Rev.1) - <https://cites.org/sites/default/files/eng/com/ac/27/E-AC27-17.pdf>.

to be more targeted and contribute better to the conservation of those species. To a certain extent, this has already been done in the case of tigers, through Decision 14.69.

As supplies of some species from the wild have become more limited and demand has increased, a new trend has emerged, which may be termed 'assisted wild production'. For fauna, this has been established for some time in the form of ranching, which, in Resolution Conf. 11.16 (Rev. CoP15) on *Ranching and trade in ranched specimens of species transferred from Appendix I to Appendix II*, Parties have recognized as a management system that for some species has proven to be a 'safe' and robust form of sustainable utilization relative to wild harvests of adults. This approach has been expanded to a number of other different types of production systems, some of which were summarized in document [AC20 Inf. 15](#). These systems are evolving and developing all the time. Recent examples include fragging and budding of corals in order to increase production. For flora, the trend is often exhibited in the form of mixed or monoculture plantations that are only lightly managed. The harvesting of specimens from such plantations generally may have less of an impact on the conservation of the species than harvest directly from the wild – even if the specimens do not meet the definition of 'artificially propagated'. Over the years, some efforts were made to seek better understanding of, and recognition for, these forms of production and harvesting; an early review for animal species can be found in document [AC17 Doc. 14 \(Rev. 1\)](#). For plants, this has taken the form of attempts by some Parties to widen the definition of the term 'artificially propagated' to allow more specimens to be covered by this term. In exchanges with the Secretariat, a number of Parties have expressed frustration that trade in specimens derived from such forms of production and harvesting are treated too strictly under current CITES rules.

The question of the linkage between populations of the species in the wild on the one side and captive-breeding and artificial-propagation operations on the other is a key one. Trade in captive-bred/artificially propagated specimens can have a negative impact if wild sourced specimens are passed off as bred in captivity or artificially propagated. Such trade may perhaps also increase demand which may subsequently be met by illegal or unsustainable removal of specimens from the wild. On the other hand, the availability of captive bred/artificially propagated specimens may assist in meeting the demand, which would otherwise be satisfied by specimens removed from the wild. There seems to be little empirical evidence to support either of these hypotheses.

Increased trade in captive-bred/artificially propagated specimens may also influence the incentives for the conservation of species in the wild, but such incentives may vary depending on whether the captive breeding/artificial propagation is taking place within or outside the natural range of the species. In this respect, although not mentioned in the terms of reference for this review, the provisions of Resolution Conf. 13.9 on *Encouraging cooperation between Parties with ex situ breeding operations and those with in situ conservation programmes* are significant.

These sometimes conflicting and contradictory impacts confound the search for a coherent approach to controlling trade in captive-bred and artificially propagated specimens.

It should be noted that this is far from the first attempt to bring some clarity to the application of Article VII.4 and 5 and related provisions and Resolutions – see document [CoP10 Doc. 10.67](#) for instance.

A brief history of the resolutions of the Conference of the Parties concerning the regulation of trade in specimens not taken from the wild can be found in the Annex to the present document.

Review of provisions, ambiguities and inconsistencies and issues that may need attention.

1. The application of Article VII paragraphs 4 and 5

1.1 Overview

Article VII paragraphs 4 and 5 allow trade in specimens that are 'bred in captivity' or 'artificially propagated' to be undertaken with controls that are not as strict as that for trade in specimens taken from the wild. The terms 'bred in captivity' and 'artificially propagated' have been defined in two Resolutions – see sections 4 and 5 below. Article VII.4 deals with specimens of species included in Appendix I that have been bred in captivity/artificially propagated for commercial purposes and Article VII.5 deals with specimens of species included in Appendix I that have been bred in captivity/artificially propagated for non-commercial purposes and with specimens of species included in Appendices II or III bred for any purpose (commercial or non-commercial).

Article VII.4 states that specimens of Appendix-I species bred or artificially propagated for commercial purposes are deemed to be specimens of species included in Appendix II and thus traded under

Article IV. This means, for instance, that they may be imported for primarily commercial purposes, while still being subject to a non-detriment finding. Use of this provision is further qualified by two Resolutions – see sections 6 and 7 of the present document.

Article VII.5 states that for specimens bred in captivity or artificially propagated, a certificate stating this shall be accepted in lieu of any of the permits or certificates required under the provisions of Article III, IV or V (i.e. this provision applies for specimens of species in Appendices I, II or III). The practical implications of the use of certificates of captive breeding/artificial propagation are detailed in the table in section 2 of the present document.

In order to assist distinguishing wild source specimens from those that have been bred in captivity or artificially propagated (and thus qualify for exemptions under Article VII 4 and 5), Resolution Conf. 3.6 on *Standardization of permits and certificates issued by Parties* introduced source codes which were to be included on permits and certificate. At the time, these were “W”, “C” and “A”, with a source code “O” for specimens which did not fit the above three categories.

Today, the source codes are found in Resolution Conf. 12.3 (Rev. CoP17) which is described further in paragraph 2 of the present document.

The term commercial purposes in Article VII.4 is addressed in Resolution Conf. 5.10 (Rev. CoP15), Resolution Conf. 12.10 (Rev. CoP15) and Resolution Conf. 9.19 (Rev. CoP15), which are reviewed in paragraphs 3, 6 and 7 of the present document.

1.2 Ambiguities and inconsistencies

The Secretariat has noted some differences of views between Parties about the use of Article VII paragraphs 4 and 5 of the Convention and the permits or certificates required. Paragraph 3 i) of Resolution Conf. 12.3 (Rev. CoP17) indicates that the source codes D, A and C, i.e. specimens bred in captivity/artificially propagated, should only be used when Article VII paragraphs 4 and 5 are being applied. The Secretariat has observed that some Parties are of the view that captive bred/artificially propagated specimens (with source codes D, A and C) may also be traded under Articles III and IV. However, as explained in document [CoP10 Doc. 10.67 Annex](#), when Resolution Conf. 10.16 was agreed the third and fourth preamble were designed to clarify that Article IV procedures should be applied to exports under Article VII.4 and certificates of captive breeding should be used in the case of Article VII.5.

Many Parties use the Standard CITES form in Annex 2 of Resolution Conf. 12.3 (Rev. CoP17) for CITES documentation. Because of the way the form is designed, it is important to clearly indicate on the form whether a document issued is an export permit issued under Article III, IV or V, or a certificate of captive breeding/artificial propagation issued under Article VII paragraph 5. Until CoP12, Resolution Conf. 10.2 (Rev.) on *Permits and certificates*, specified that every form issued should indicate if it was being issued as a certificate of captive breeding or artificial propagation or not, but this specific instruction was deleted thereafter for reasons which are not explained in the records of the meeting.

It is unclear if Article VII.4 and 5 can be applied sequentially – i.e. any qualifying Appendix I specimens can be treated as Appendix II under Article VII.4 and then be given a certificate of captive breeding/artificial propagation by virtue of Article VII.5. Guidance to the effect that the provisions of Article VII.4 and 5 are to be applied separately was previously contained in Resolution Conf. 2.12 but was deleted when this Resolution was replaced by Resolution Conf. 10.16. It is unclear if this has created misunderstandings for Parties.

Controls of trade under Article VII paragraph 4 are rigorous as the specimens are treated as if they were included in Appendix II; however, controls on trade under Article VII paragraph 5 are arguably weaker as once a determination has been made that a specimen has been bred in captivity or artificially propagated, only a certificate to that effect is required. This highlights the importance of having clear definitions of the terms bred in captivity and artificially propagation and their careful and accurate application. Current definitions may not be sufficiently clear as explained in sections 4 and 5 below.

Overall, it would seem that at present clear guidance is lacking about which documents should be issued in what circumstances when trade in undertaken under Article VII. paragraphs 4 and 5.

2. Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates*

2.1 Overview

This Resolution lists the source codes to be used on permits and certificates for specimens not from wild source. They are set out in paragraph 3 i) of the Resolution and include R, D, A, C and F which are pertinent to the issue at hand. Most of the definitions for the terms used in the source code descriptions are not however to be found in Resolution Conf. 12.3 (Rev. CoP17) but are spread out in five other Resolutions.

The use of source codes C and A seems relatively straight forward and are applied in relation to Article VII.5. When specimens of species included in Appendix I that are bred in captivity or artificially propagated originate from a registered facility or nursery (see sections 6 and 7), they can be traded under Article VII.4 and are given the code D instead of C or A.

Concerning source code R, the obligations upon Parties are different depending on whether the specimen concerned is from a population transferred from Appendix I to Appendix II under the provisions of paragraph A. 2. b) in Annex 4 of [Resolution Conf. 9.24 \(Rev. CoP17\) on Criteria for amendment of Appendices I and II](#) (so called 'ranching downlisting') or not. In both cases, the provisions of Articles III and IV apply to any permits issued, but in the case of specimens of species transferred from Appendix I to Appendix II for ranching purpose, extra monitoring and reporting obligations, described in [Resolution Conf. 11.16 \(Rev. CoP15\) on Ranching and trade in ranched specimens of species transferred from Appendix I to Appendix II](#) apply.

As explained in Resolution Conf. 12.3 (Rev. CoP17), source code F is applied to specimens born in captivity, but not to the standards required to be considered a bred in captivity (source code C) as per Resolution Conf. 10.16 (Rev.).

The permit requirements for specimens with source codes R and F are identical to those for wild source specimens.

The following table summarizes the permits or certificates required for specimens given each source code and some of the consequent obligations required before issuance of such permits or certificates.

Source code	App.	Document(s) required	Non-detriment finding needed?	Legal acquisition finding needed?	Import for primarily commercial purposes allowed?	Provision of the Convention
C/A	I	Certificate of cb/ap	NO*	NO*	YES	Art. VII.5
	II	Certificate of cb/ap	NO*	NO*	YES	Art. VII.5
D	I = II	Export permit	YES	YES	YES	Art. VII.4
R	I	Export & Import permit	YES	YES	NO	Art. III
	II	Export permit	YES	YES	YES	Art. IV
F	I	Export & Import permit	YES	YES	NO	Art. III
	II	Export permit	YES	YES	YES	Art. IV
W	I	Export & Import permit	YES	YES	NO	Art. III
	II	Export permit	YES	YES	YES	Art. IV

* Although not needed for the actual specimens in trade, these must be made for the parental stock of the facility by virtue of Resolution Conf. 10.16 (Rev.) for animals and Resolution Conf. 11.11 (Rev. CoP17) for plants.

Resolution Conf. 12.3 (Rev. CoP17) specifies what information should be included in CITES permits and certificates including certificates of captive breeding and artificial propagation. In its Annex 2, it also has a standard form for CITES permits and certificates, the content and (to the extent practicable) the format of which, Parties are recommended to follow.

2.2 Ambiguities and inconsistencies

Concerning the use of source codes, paragraph 3 i) of the Resolution recommends that source codes D, C and A are only to be used in the context of the application of Articles VII paragraphs 4 and 5, but this is not applied by all Parties, as some also use source codes C and A on export permits issued under Articles III and IV as indicated above. This may be because they are applying stricter domestic measures or because they have a different understanding about which type of permit and certificate is to be issued in which circumstances. The fact that some source codes are defined in the Resolution and others not, is unhelpful. The source code F is one that is defined in the Resolution, but only by what qualities the specimen involved do not have, rather than in a positive sense. This seems to have resulted in source F being used when it is not clear what other code to use. The permit requirements for specimens with source codes F and R are identical to those for source code W which may beg the question of the purpose of these codes, as they render the implementation of the Convention more complicated. without any discernible benefits. Some arguments have been advanced for such 'intermediate' source codes - see for instance paragraph 12 of document PC24 Doc. 16.1.

It can be noted that in relation to the use of source code D, the Resolution does not mention Resolution Conf. 9.19 (Rev. CoP15) regarding artificial propagation of plants, in the way that Resolution Conf. 12.10 (Rev. CoP15) is mentioned for animals. Although there is a lack of clarity in Resolution Conf. 9.19 (Rev. CoP15) (see section 7.2), this seems to be because registration of operations that artificially propagate specimens of Appendix-I species for commercial purposes seems to be optional.

A further noticeable inconsistency is that when used in relation to Article VII.5, source code A applies to specimens of plant species included in Appendix I only when they have been artificially propagated for non-commercial purposes. Although it might be assumed that the same qualification (bred for non-commercial purposes) would apply in relation to animals, it is not specified in the definition of source code C in paragraph 3 i) of Resolution Conf.12.3 (Rev. CoP17).

The standard CITES form in Annex 2 of Resolution Conf. 12.3 (Rev. CoP17) does not clearly distinguish between cases when it is used as an export permit under Article III or IV, or when it being used as a certificate of captive breeding or artificial propagation under Article VII paragraph 5. The box "Other" could be checked at the top of the form where the type of permit or certificate is indicated, but this still would not provide clearly indicate the purpose for which the document is being used.

3. Resolution Conf. 5.10 (Rev. CoP15) on *Definition of 'primarily commercial purposes'*

3.1 Overview

This Resolution provides recommendations to Parties when assessing whether the import of a specimen of an Appendix-I species would result in its use for primarily commercial purposes [Article III, paragraphs 3 (c) and 5 (c)] and is not primarily intended to be used in the context of Article VII.4. Nevertheless, some of the general principles and examples in its Annex refer exemptions under Article VII, paragraphs 4 and 5. It is not however very clear if the guidance is to be used in relation to the application of Article III or Article VII.4 and 5.

For example, section e) in the Annex relates to captive-breeding programmes, in particular in relation to the commercial nature of any import of specimens of Appendix-I species. The text could be read to confirm that import of specimens bred in captivity (and by extension, plant specimens that have been artificially propagated) should take place under Article VII, paragraphs 4 and 5, using source codes D, C and A, and not Article III and IV. The Resolution also provides some general principles and the examples of "primarily commercial purposes" to be used in the context of imports of specimens of Appendix I species under Article III.

3.2 Ambiguities and inconsistencies

The examples in the Annex of the Resolution raise significant questions.

When they refer to imports of specimens of Appendix-I species for captive-breeding purposes, it is difficult to ascertain if this refers to specimens which themselves are bred in captivity or specimens from the wild which are to be used in captive breeding. The text refers to Resolution Conf. 10.16 (Rev.) which defines the term "bred in captivity" which might imply the former. However, Resolution Conf. 5.10 (Rev. CoP15) then goes on to refer to the import of specimens of Appendix-I species bred in captivity that could be allowed for commercial purposes, provided that any profits are reinvested in the continuation of the captive-breeding programme to the benefit of the species, and here it must be

presumed that it refers to trade in specimens of source W traded under Article III because as the text explains, trade in specimens with source code D and C is not undertaken under Article III.

Further, the text attributes requirements to Resolution Conf. 10.16 (Rev.) that are not found in that Resolution e.g. imports must be aimed as a priority at the long-term protection of the affected species.

The Resolution refers to the use of the term “primarily commercial purposes” in relation to the importation of specimens under Article III. However, the similar term “bred in captivity for commercial purposes” is used in Article VII paragraph 4 and is defined in Resolution Conf. 12.10 (Rev. CoP15) in a slightly different way. In the latter case, some Parties consider that it is the commercial nature of the breeding that is at issue and not the nature of the international trade that subsequently takes place with the specimen. They therefore allow facilities where the breeding in captivity of specimens of Appendix-I species is not primarily undertaken to obtain economic benefit, (so-called ‘hobby breeders’) to export such specimens for commercial purposes using purpose code T. Many importing Parties of such specimens, seeing that the specimens are bred in captivity and therefore traded under Article VII.5, then allow the import even if the specimens are to be used for primarily commercial purposes. Such a set of events circumvents the need for registration of the breeding facilities under Resolution Conf. 12.10 (Rev. CoP15) – see section 6 of the present document.

Resolution Conf. 9.19 (Rev. CoP15) is silent on the definition of commercial purposes in relation to the artificial propagation of plants of Appendix I species.

4. Resolution Conf. 10.16 (Rev.) on *Specimens of animal species bred in captivity*

4.1 Overview

The Resolution defines the term ‘bred in captivity’ as used in Article VII paragraphs 4 and 5 (source codes C and D) and applies to specimens of species in Appendix I, II and III and regardless of whether the breeding or trade is commercial or non-commercial. The main features are the degree to which the environment in which the species have been produced is controlled by the breeder and the qualities of the breeding stock used to produce the offspring: this stock should be legally established under national law and CITES and not in a manner detrimental to the survival of the species. With some exceptions, the facility should be self-sustaining – i.e. no longer taking specimens from the wild. Lastly, the facility should have produced F2 or subsequent generations – or be managed in a manner that has been demonstrated to be capable of doing so.

In response to concerns about the veracity of some claims that specimens have been bred in captivity in accordance with this Resolution and consequently the CITES permits and certificates issued on the basis of such claims, the Parties agreed Resolution Conf. 17.7 on *Review of trade in animal specimens reported as produced in captivity*.

4.2 Ambiguities and inconsistencies

Parties have experienced difficulties in proving the legal origin of the breeding stock used to produce the specimens bred in captivity. This applies particularly where the original breeding stock was acquired many years ago when there may have been no reason to believe that such documentation to confirm the legal origin of specimens might be important many years later. To the contrary, and as highlighted in document [SC66 Doc. 32.4](#), a number of instances have been found where specimens which had almost certainly been illegally obtained have been incorporated into breeding stocks producing specimens bred in captivity which have subsequently been internationally traded. A lack of a standardized approach in this area is a difficulty. This issue was addressed by the Standing Committee under paragraph c) of Decision 17.66 and at a workshop held in June 2018. In a draft Resolution, the Standing Committee proposes guidance for use when verifying the legal acquisition of founder stock of specimens traded under Article VII paragraph 4 and 5 in document CoP18 Doc. 39.

Paragraph 2 b) ii) B of the Resolution permits specimens from the wild to be added to the breeding stock and provides guidance about the circumstances under which this may be warranted which is open to a variety of interpretations. Although it may be clearer to limit the definition of ‘bred in captivity’ to those specimens produced in captivity from facilities that are no longer taking further specimens from the wild, some Parties are worried such a restriction may hamper attempts to breed species in captivity. A balance may need to be struck between the need for clear and simple procedures and the economic and biological viability of some individual facilities.

Paragraph 2 b) ii) C 2 permits an exception to the general principle that specimens bred in captivity should be limited to those of generation F2 and beyond. Here again difficulties have been experienced in determining when such exceptions apply. A requirement for all specimens to be demonstrably F2 or beyond may be easier to implement. Again, some Parties claim this might hinder certain commercial captive breeding operations, but this might be price worth paying if a simplification of the rules could improve the implementation of the Convention to the benefit of the conservation of the species concerned.

Provisions such as these which are open to different interpretations make harmonious implementation of the Convention more difficult. Regardless of the clarity or simplicity of the instructions, Parties are still likely to be victims of fraudulent declarations of captive breeding. In this respect, Resolution Conf. 17.7 should assist in identifying cases of such fraud which have escaped the attention of national authorities.

5. Resolution Conf. 11.11 (Rev. CoP17) on Regulation of trade in plants

5.1 Overview

This Resolution sets out the definition of the term 'artificially propagated' to be used in the implementation of the special provisions of Article VII paragraphs 4 and 5 and applies to specimens of species in Appendix I, II and III and regardless of whether the propagation or trade is commercial or non-commercial. Originally, it was the only Resolution in which guidance on this point could be found; however, it has subsequently been supplemented by further guidance in Resolution Conf. 16.10 on *Implementation of the Convention for agarwood-producing taxa* and Resolution Conf. 10.13 (Rev. CoP15) on *Implementation of the Convention for timber species*.

The main features are the degree to which the environment in which the species have been produced is controlled by the propagator and the qualities of the cultivated parental stock used to produce the propagated plants. This stock should be legally established under national law and CITES and not in a manner detrimental to the survival of the species. The degree to which the propagating facility should be self-sustaining – i.e. no longer taking specimens from the wild is less constrained than for animals. Over the years, special provisions have been added to the definition in relation to grafted plants, cultivars, hybrids, flaked seedlings, salvaged plants, plantations of agarwood-producing taxa and for other trees grown in monospecific plantations. This has resulted in a very complex set of rules which are difficult for non-specialists to follow.

The fecundity of plants and the ease with which many species can be artificially propagated means that concerns about the impact of false declarations may be less than for animal taxa. However, these do remain, in particular for species such as rare orchid and cactus species. They may also be significant for example, large-scale semi-natural forests are considered to be 'under controlled conditions' and specimens originating therefrom are thus treated as if they were artificially propagated.

5.2 Ambiguities and inconsistencies

Examination of the flow diagram on page 7 of document SC69 Inf. 3 - *A guide to the application of CITES source codes* shows that the definition of the term 'artificially propagated' is very complicated, making its application a challenge for Parties. The fact that it is spread over three different Resolutions as indicated above, is also not conducive to correct application. It seems rather incongruous that paragraph 4 of the Resolution permits specimens taken from the wild to be described as artificially propagated under certain circumstances. As in the case of the definition of 'bred in captivity', guidance on legal acquisition would be beneficial and it may be wise to explore the possibility of simplifying the definition, particularly by removing exceptions from general provisions.

No compliance procedure for claims of artificial propagation has been put in place by the Conference of the Parties.

It should be noted that, under Decision 17.175, the Plants Committee is also reviewing the applicability and utility of the current definitions of 'artificial propagation' and 'under controlled conditions' in Resolution Conf. 11.11 (Rev. CoP17) in order to make recommendations to the Standing Committee. Further, under Decision 16.156 (Rev. CoP17), the Plants Committee, after considering the current production systems of tree species, including mixed and monospecific plantations, is assessing the applicability of the current definitions of artificial propagation in Resolution Conf. 10.13 (Rev. CoP15) on *Implementation of the Convention for timber species* and Resolution Conf. 11.11 (Rev. CoP17) on

Regulation of trade in plants. This work has resulting in the Standing Committee proposing a further source code ('Y') for plants for adoption at CoP18 in document CoP18 Doc. 59.2. This source code would be intermediate between source codes W and A.

6. Resolution Conf. 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*

6.1 Overview

Over the years, the provisions which provide guidance in relation to the application of Article VII paragraph 4, as it relates to specimens of Appendix-I animal species which have been determined to have been bred in captivity under Resolution Conf. 10.16 (Rev.) have evolved and changed considerably.

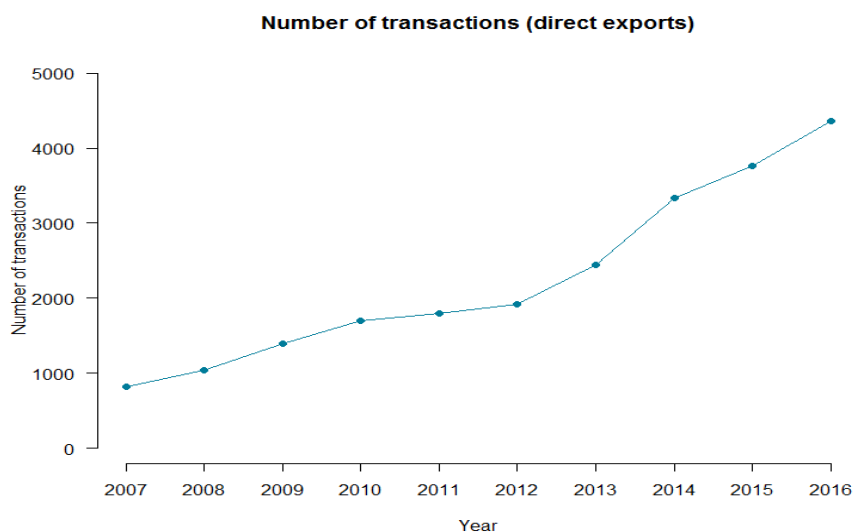
The current version of the Resolution restricts the use of the special provisions of Article VII.4 to specimens that are from breeding operations which are included in the [Register of operations that breed Appendix-I animal species for commercial purposes](#) maintained by the Secretariat on the CITES website. Registration requires substantial evidential documentation and can be objected to by other Parties. If contested registrations cannot be resolved, including through guidance provided by the Animals Committee, such cases are arbitrated by the Standing Committee.

Specimens of Appendix-I animal species from duly registered operations may be traded as if they were specimens of species included in Appendix II – i.e. they may be imported for primarily commercial purposes.

6.2 Ambiguities and inconsistencies

The procedures for registering facilities such that they may take advantage of the special provisions of Article VII paragraph 4 are rigorous. However, many Parties do not apply this Resolution. Some of these Parties have a very large number of commercial captive-breeding facilities for Appendix I species in their territory. This leads to an inconsistent approach as many captive-bred specimens of Appendix-I animals are exported from unregistered operations but using purpose code 'T' for trade. During the period 2007-2016, there were 22,650 exports of this type involving 110 Appendix-I taxa. The main species involved were birds of prey and parrots. The trend in this type of trade is increasing.

Figure 1: Exports of specimens of captive-bred Appendix-I species for trade purposes from unregistered facilities (CITES Trade Database).



The main way that such trade is undertaken from unregistered operations is that exporting Parties determine that although the export and subsequent import may be commercial in nature (undertaken with purpose code T), the purpose of the breeding, defined in paragraph 1 of the Resolution, is deemed not commercial and therefore the specimens have not been bred in captivity for commercial purposes and can be exported under Article VII paragraph 5, and not Article VII paragraph 4. This seems to be contrary to paragraph 5. k) of Resolution Conf. 12.3 (Rev. CoP17) which recommends that Parties avoid issuing export permits for specimens of species included in Appendix I when the use is for primarily commercial purposes and the specimens did not originate in a CITES registered breeding operation. Additionally, although it is contrary to Resolution Conf. 12.3 (Rev. CoP17), sometimes such specimens are also traded under Article III of the Convention and source code C, with the exporting Party claiming that, while the export might be commercial, the subsequent import is not and therefore such trade is allowed.

By contrast, those Parties implementing Resolution Conf. 12.10 (Rev. CoP15) must comply with a complex and bureaucratic process before their facilities are included in the *Register of operations that breed Appendix-I animal species for commercial purposes*. It is difficult to reconcile the rigorous controls on the registration of operations with the ease with which these controls can be circumvented by Parties which do not wish to be bound by them. This juxtaposition is striking and the Secretariat has long been of the view that the registration process is lengthy, costly and ineffective (see documents [CoP10 Doc. 10.67](#), [CoP12 Doc. 55.1](#) and [CoP15 Doc. 18 Annex 2. a](#)). Minor changes to Resolution Conf. 12.10 were made at CoP15, but since then the scale of commercial export of specimens of Appendix-I species from unregistered facilities has continued to increase as shown in Figure 1. Additionally, new species have recently been added to Appendix I, such as the African grey parrot, *Psittacus erithacus*, which is bred in captivity commercially in very large numbers.

Application of this Resolution is complicated by breeding systems using satellite facilities, such as for certain crocodylian species in South-East Asia. Here the actual breeding of the specimens is done by a very large number of small-scale facilities which then pass the specimens on within the same State to a small number of registered facilities who carry out the export of the specimens. This situation seems to work without reported detriment to populations in the wild but is not properly provided for in the Resolution.

The new compliance controls in Resolution Conf. 17.7 would appear to have alleviated some of the concerns expressed by Parties when significant changes to Resolution Conf. 12.10 have been proposed in the past. The Secretariat does not have the resources to visit any of the operations wishing to be registered and therefore is almost completely reliant on the Management Authorities in the Parties where the operations are located for information about the facilities.

7. Resolution Conf. 9.19 (Rev. CoP15) on *Registration of nurseries that artificially propagated specimens of Appendix-I plant species for export purposes*

7.1 Overview

This Resolution provides guidance on the application of Article VII paragraph 4, as it relates to specimens of Appendix I plant species, which have been determined to have been artificially propagated under Resolutions Conf. 11.11 (Rev. CoP17), Conf. 16.10 and Conf. 10.13 (Rev. CoP15).

As for animals, the Resolution provides for a register of operations that artificially propagate specimens of Appendix-I species for commercial purposes, but unlike the situation for animals, it leaves the registration up to Management Authorities in the Party where the nursery operation is situated. Other Parties may contest the registration of the operation if they can show that it does not meet the requirements for registration and in such cases it is for the Secretariat to delete the operation from the register after consultation with the Management Authority of the Party in which the nursery is located.

7.2 Ambiguities and inconsistencies

The last preambular paragraph in this Resolution, which states:

RECOGNIZING that nurseries that are not registered may still continue exporting artificially propagated specimens of Appendix-I species using the standard procedures for obtaining export permits.

is rather ambiguous and it is not clear what types of 'standard procedures' are referred to. If unregistered nurseries are able to export artificially propagated specimens of Appendix I plant species under Article VII.5 and using the source code A, then the purpose of registration may seem moot.

While to the best recollection of the Secretariat, it has not removed any nursery operations from the register at the request of another Party, it would seem more appropriate for any such contested registrations to be judged by the peers in other Parties through the Standing Committee rather than by the Secretariat itself.

Annex: Brief history of the resolutions of the Conference of the Parties concerning the regulation of trade in specimens not taken from the wild (other than ranching)

Definition of “bred in captivity”

Year	CoP	Resolution	Notable features/changes effected from previous version
1979	CoP2	2.12 on <i>Specimens bred in captivity or artificially propagated</i>	<p>Recalled that the special treatment of animals bred in captivity [Article VII.4 and 5] was intended to apply only to captive populations sustained without augmentation from the wild.</p> <p>Recommended that the provisions of Article VII, paragraph 4, of the Convention be applied separately from those of Article VII, paragraph 5, i.e. that specimens of animal species in Appendix I bred in captivity for commercial purposes shall be treated as if they were in Appendix II and shall not be exempted from the provisions of Article IV by the granting of certificates to the effect that they were bred in captivity. [both preambles deleted in 10.16]</p> <p>Regarding the definition of “bred in captivity”, recommends that to the satisfaction of the competent government authorities of the relevant country:</p> <ul style="list-style-type: none"> - Specimens must be produced in a “controlled environment” - Parental breeding stock must be established in a manner not detrimental to the survival of the species in the wild; largely maintained without augmentation from the wild and managed in a manner designed to maintain the breeding stock indefinitely. <p>“Controlled environment” defined.</p> <p>“Managed in a manner designed to maintain the breeding stock indefinitely” defined as demonstrated to be capable of reliably producing second-generation offspring.</p>
1992	CoP8	2.12 (Rev.) [Repealed by 10.16]	Elements relating to plants and artificial propagation removed
1997	CoP10	10.16 on <i>Specimens of animal species bred in captivity</i>	<p>As well as “in a manner not detrimental to the survival of the species in the wild”, breeding stock must be established accordance with the provisions of CITES and relevant national laws.</p> <p>Occasional additions to the breeding stock to be established in the same manner.</p> <p>“Breeding stock” defined as:</p>

			<p>Self-sustaining nature of the breeding in the operation defined as either producing F2 or subsequent generations, or be a species on a list of those commonly bred in captivity established by the Standing Committee, or is managed in a manner that has been demonstrated to be capable of reliably producing second-generation offspring in a controlled environment</p> <p>All specimens of Appendix I species must be marked in accordance with any CITES rules on that matter.</p>
2000	CoP11	10.16 (Rev)	Reference to list of species commonly bred in captivity established by the Standing Committee deleted – it was never agreed.

Registration of operations that breed specimens of species included in Appendix I in captivity for commercial purposes

Year	CoP	Resolution	Notable features/changes effected from previous version
1983	CoP4	4.15 on <i>Control of captive breeding operations in Appendix I species</i> [replaced by 6.21, then 7.10, then 8.15, then 11.14, then 12.10]	Secretariat requested to establish Register of the operations which breed specimens of species included in Appendix I in captivity for commercial purposes on the basis of “appropriate information” from Parties. Parties recommended to reject any document granted under Article VII.4 if the specimens concerned do not originate from a registered operation.
1987	CoP6	6.21 on <i>Control procedures for commercial captive breeding operations</i> [supplemented by 7.10 and then replaced by 8.15, then 11.14, then 12.10]	Recommended that Parties ensure that products from commercial captive breeding operations are marked and that live birds from such operations be ringed – details to be added to Article VII.4 documents. Recommends that the registration of the first operation involving species not on the Register, be approved only after agreement by the CoP. Provided for Parties to propose to CoP, the deletion of an operation from the Register if they believe that it is failing to comply with “the requirements”.
1989	CoP7	7.10 on <i>Format and criteria for proposals to register the first commercial captive-breeding operation for an Appendix I animal species</i> [repealed by 8.15]	Supplements 6.21 and provides guidance for the first commercial captive-breeding operation for an Appendix I species. Commercial captive breeding operations should not normally be considered for species that are so critically endangered that their survival does depend on a captive breeding programme, unless they make use of specimens that are surplus to those needed for the preservation of the species in the wild and in captivity. Provided format for proposals to CoP for registration of the first operation involving species not on the Register.
1992	CoP8	8.15 on <i>Guidelines for a procedure to register and monitor operations breeding Appendix-I animal species for commercial purposes</i>	Noted that at March 1992, 60 operations were registered for 14 species*. Recognized that breeding a species in captivity for commercial purposes can be an economic alternative to domestic livestock production in its places of origin and thus provide an incentive for rural populations in those places to develop an interest in its conservation.

		<p>[8.15 repealed 7.10, and then was replaced by 11.14, then by 12.10]</p>	<p>Urged the Secretariat to encourage Parties to establish, where appropriate, captive-breeding operations for commercial purposes for indigenous species of animals included in Appendix I.</p> <p>Established a comprehensive process to register any facility (not just the first one for the species concerned), including Annexes on the roles of the operation, the Management Authorities in host Parties, the Secretariat and Parties and the CoP.</p> <p>Proposed registrations were to be notified to all Parties, who may object to/oppose a proposed registration, in which case the matter be referred to CoP.</p> <p>Resolved that where the establishment of a captive-breeding operation involves the removal of animals from the wild (allowable only under exceptional circumstances), that operation should demonstrate to the satisfaction of the Management Authority and the Secretariat that the removal of such specimens is not detrimental to the conservation of the species and, in the case of non-native species, such removal should require the agreement of the State of origin in conformity with Article III of the Convention.</p> <p>Resolved that where the conservation needs of the species warrant, the Management Authority shall satisfy itself that the captive-breeding operation will make a continuing meaningful contribution to the conservation of the species.</p>
2000	CoP11	<p>11.14 on <i>Guidelines for a procedure to register and monitor operations that breed Appendix-I animal species for commercial purposes</i></p> <p>[replaced by 12.10]</p>	<p>Defined “bred in captivity for commercial purposes”.</p> <p>Deleted the recognition that breeding a species in captivity for commercial purposes can be an economic alternative to domestic livestock production in its places of origin and thus provide an incentive for rural populations in those places to develop an interest in its conservation and the requirement for the Secretariat to encourage Parties to establish, where appropriate, captive-breeding operations for commercial purposes for indigenous species of animals included in Appendix I</p> <p>Simplified the registration procedures with the Annexes cut back to deal with “Information to be supplied by the (host) Management Authority to the Secretariat and the Procedure for registering new operations.</p> <p>The host Management Authority, in collaboration with its Scientific Authority to monitor the management of each registered captive-breeding operation under its jurisdiction and advise the Secretariat in the event of any major change in the nature of the operation or in the type(s) of</p>

			<p>products being produced for export, in which case the Animals Committee shall review the operation to determine whether it should remain registered</p> <p>Any Party believing that a registered operation does not comply with the <u>provisions of Resolution Conf. 10.16 (Rev.)</u> may, after consultation with the Secretariat and the Party concerned, propose that the CoP delete the operation from the Register.</p> <p>Agreed that Parties shall restrict imports for primarily commercial purposes, as defined in Resolution Conf. 5.10, of captive-bred specimens of Appendix-I species listed in Annex 3 of the Resolution to those produced by operations included in the Secretariat's Register and shall reject any document granted under Article VII, paragraph 4, of the Convention, if the specimens concerned do not originate from such an operation and if the document does not describe the specific identifying mark applied to each specimen.</p> <p>The previous procedures in Resolution Conf. 8.15 were to be repealed when the list in Annex 3 had been approved by the Standing Committee and distributed by the Secretariat. The task of compiling the list was delegated to the Animals Committee, but no such list was agreed.</p>
2002	CoP12	12.10 on <i>Guidelines for a procedure to register and monitor operations that breed Appendix-I animal species for commercial purposes</i>	<p>Same text as 11.14, with minor editing, including to remove reference to Annex 3 and the following changes:</p> <p>Replacement of referral of all applications involving species not yet on the Register to the Animals Committee, with a requirement for this to happen if any Party objects to, or expresses concern about, any proposed registration. Animals Committee instructed to "respond to these objections within 60 days", following which the Secretariat shall facilitate a dialogue between the Management Authority of the Party submitting the application and the Party or Parties objecting to the registration, before referring the case back to the Animals Committee for resolution of the identified problem(s).</p> <p>If the objection is not withdrawn or the identified problem(s) not resolved, the application is to be referred to the CoP for decision.</p> <p>(8.15 and 11.14 both repealed.</p>

2004	CoP13	12.10 (Rev. CoP13)	<p>Deletion of call for Parties to provide incentives to their captive-breeding operations to register and for importing countries to facilitate import of Appendix-I species from registered captive-breeding operations.</p> <p>In relation to proving the legal origin of the founder stock, provision that, until CoP14, where actual documentation is difficult to obtain, the Management Authority may accept signed affidavits supported by other documents (e.g. dated receipts).</p>
2007	CoP14	12.10 (Rev. CoP14)	<p>Deletion of the provision to accept signed affidavits supported by other documents (e.g. dated receipts) in order to prove legal origin of founder stock.</p>
2010	CoP15	12.10 (Rev. CoP15) on <i>Registration of operations that breed Appendix-I animal species in captivity for commercial purposes</i>	<p>In the case of objections to registrations by Parties, the matter is to be determined by the Standing Committee, not the CoP.</p> <p>Considerable editorial changes to the Annexes.</p> <p>Any objections must be directly related to the application or species under consideration, and fully documented including supporting evidence that has given rise to concerns.</p> <p>Inclusion of an Annex with a sample application form (Annex 3) for applications that wish to be registered</p>
			<p>*In 2018, the Register contains over 350 operations from 24 different Parties and involving 26 of the 707 Appendix I animal species.</p>

Definition of “artificially propagated”

Year	CoP	Resolution	Notable features/changes effected from previous version
1979	CoP2	<p>2.12 on <i>Specimens bred in captivity or artificially propagated</i></p> <p>Elements related to plants repealed by 8.17</p>	<p>Recalled that the special treatment of plants artificially propagated [Article VII.4 and 5] was intended to apply only to nurseries sustained without augmentation from the wild.</p> <p>Recommended that the provisions of Article VII, paragraph 4, of the Convention be applied separately from those of Article VII, paragraph 5, i.e. that specimens of plant species in Appendix I artificially propagated for commercial purposes shall be treated as if they were in Appendix II and shall not be exempted from the provisions of Article IV by the granting of certificates to the effect that they were artificially propagated. [both preambles deleted in 8.17]</p> <p>Defined "artificially propagated" as plants grown by man from seeds, cuttings, callus tissue, spores or other propagules under “controlled conditions” (which is defined).</p> <p>The artificially propagated [parental] stock must be established and maintained in a manner not detrimental to the survival of the species in the wild, and managed in a manner designed to maintain the artificially propagated stock indefinitely</p>
1992	CoP8	<p>8.17 on <i>Improving the regulation of trade in plants</i></p> <p>[8.17 repealed 2.12 and was then replaced by 9.18, then by 11.11]</p>	<p>Noted that 2.12 did not mention all forms of artificial propagation, that artificial hybridization is readily and often accomplished in some plant groups and that the resulting hybrids and their progeny may be extensively traded and that that the control of the trade in flasks seedlings of orchids is not considered to be relevant to the protection of the natural populations of orchid species.</p> <p>Minor edits to the definition of “controlled conditions”</p> <p>“Managed in a manner designed to maintain the artificially propagated stock indefinitely” changed to “managed in such a way that long-term maintenance of this cultivated stock is guaranteed”</p> <p>Application in relation to grafted plants, Appendix I hybrids and flasks seedlings of orchid species listed in Appendix I qualified.</p>
1994	CoP9	<p>9.18 on <i>Regulation of trade in plants</i></p>	<p>Observed that certain Parties that export large quantities of artificially propagated plants need to find ways of reducing paperwork while maintaining protection for wild plants and helping exporters of artificially propagated plants to understand and to comply with the requirements of the Convention.</p>

		[9.18 repealed 8.17 and was replaced by 11.11]	Minor editorial changes to provisions related to artificial propagation. Other changes unrelated to the artificial propagation added.
1997	CoP10	9.18 (Rev. CoP10)	Any determination that a specimen is artificially propagated to be made to the satisfaction of the competent government authorities of the exporting country. As well as “in a manner not detrimental to the survival of the species in the wild”, cultivated parental stock must be established accordance with the provisions of CITES and relevant national laws. Application in relation to seeds and parts and derivatives qualified
		10.13 on <i>Implementation of the Convention for timber species</i> [revised by 10.13 (Rev. CoP14)]	Timber taken from trees grown in monospecific plantations be considered to meet the definition of artificially propagated.
2000	CoP11	11.11 on <i>Regulation of trade in plants</i> [11.11 repealed 9.18]	Minor editorial changes from 11.11
2004	CoP13	11.11 (Rev. CoP13)	Recognized that the provisions of Article III of the Convention remain the basis for permitting trade in specimens of Appendix-I species of plants that do not qualify for the exemptions of paragraphs 4 and 5 of Article VII. Noted that import of wild-collected specimens of Appendix-I plant species for purposes of establishing a commercial operation for artificial propagation is precluded. Minor editing to definitions of “under controlled conditions” and “cultivated parental stock”. “Managed in such a way that long-term maintenance of this cultivated stock is guaranteed” changed to “maintained in sufficient quantities for propagation so as to minimize or eliminate the need for augmentation from the wild, with such augmentation occurring only as an exception and limited to the amount necessary to maintain the vigour and productivity of the cultivated parental stock”. Application to plants grown from cuttings or divisions and to grafted plants slightly modified. Recommends that wild-collected seeds or spores may be deemed to be artificially propagated under certain specified circumstances, including inclusion of the Secretariat’s <i>Register of</i>

			<i>operations that artificially propagate specimens of Appendix-I species for commercial purposes if Appendix I species are involved.</i>
2007	CoP14	11.11 (Rev. CoP14)	Minor editorial changes.
		10.13 (Rev. CoP14)	Timber and non-timber products derived from trees grown in monospecific plantations be considered to meet the definition of artificially propagated.
2010	CoP15	11.11 (Rev. CoP15)	Minor editorial changes.
		10.13 (Rev. CoP15)	Timber and other parts or derivatives of trees grown in monospecific plantations be considered as being artificially propagated
2013	CoP16	16.10 on <i>Implementation of the Convention for agarwood-producing taxa</i>	New definition of “under controlled conditions” and less strict rules related to augmentation of cultivated parental stock adopted in relation to agarwood-producing taxa <i>Aquilaria</i> spp. and <i>Gyrinops</i> spp.) Agreed that trees (sic) grown in gardens, production plantation (either monospecific or mixed) shall be considered as artificially propagated
2016	CoP17	11.11 (Rev. CoP17)	No changes to relevant provisions.

Registration of nurseries that artificially propagate specimens of Appendix-I plant species for export purposes

Year	CoP	Resolution	Notable features/changes effected from previous version
1985	CoP5	5.15 on <i>Improving and simplifying the regulation of trade in artificially propagated plants</i> [repealed by 9.19]	<i>Inter alia</i> , recommended that Parties consider, where appropriate to their circumstances, registering individual traders of artificially propagated specimens of Appendix I plants and inform the Secretariat accordingly providing copies of the documents, stamps, seals, etc. used. Parties should also take steps to ensure that such traders do not also trade in wild collected plants, including through inspections of nurseries, trade catalogues, advertisements, etc.
1994	CoP9	9.19 on <i>Guidelines for the registration of nurseries exporting artificially propagated specimens of Appendix-I species</i> [9.19 repealed 5.15]	Recognized that the artificial reproduction of specimens of species included in Appendix I could form an economic alternative to traditional agriculture in countries of origin and could also increase conservation interest in the areas of natural distribution and that making such specimens readily available to all those interested has a positive effect on the conservation status of the wild populations because it reduces the collecting pressure. Resolved that each Party Management Authority should be responsible for registering operations that artificially propagate specimens of Appendix I plant species for export purposes, sending details to the Secretariat, who should be satisfied that all requirements are met before publication. Assigned roles to the commercial nursery, Management Authority and Secretariat in annexes. Exports to be packed and labelled separately from artificially propagated or wild-collected Appendix II and/or Appendix III plants in the same consignment. Export permit clearly states the registration number attributed by the Secretariat and the name of the nursery of origin if it is not the exporter. Parties may to remove a nursery within its jurisdiction from the Register Any Party which can demonstrate a nursery's lack of compliance can propose to the Secretariat that this nursery be deleted from the Register - Secretariat to delete only after consultation with the Management Authority of the Party in which the nursery is located.
2004	CoP13	9.19 (Rev. CoP13)	Minor editorial changes
2010	CoP15	9.19 (Rev. CoP15) on <i>Registration of nurseries that artificially propagate specimens</i>	Minor editorial changes

		<i>of Appendix-I plant species for export purposes</i>	
			In 2018, the Register contains 111 operations from 11 different Parties and involving 252 of the 338 Appendix I plant species (91 of the operations relate only to <i>Saussurea costus</i> in India).