Notification No. 2021/074
Annex

**The definition of 'artificially propagated' of CITES-listed tree species:
a proposed concept document and questionnaires**

**Background**

1. As the [Global Tree Assessment (2021)](https://www.bgci.org/our-work/projects-and-case-studies/global-tree-assessment/) illustrated, 30% of worldwide tree species are threatened with extinction. The causes are mainly from agricultural activities and livestock grazing (43%), logging (27%), urban (area) expansion, forest fires, mining and fuel consumption, plantations for pulp and timber, invasive and problematic species, as well as climate change. Harvesting of high-value tropical timber for global trade has been going on for centuries, and by the end of the twentieth-century commercial logging had destroyed more than 50 per cent of forest cover in some areas. At the beginning of the twenty-first century, fast-growing demand from emerging economies further affected forest cover, the tropical forests in particular.
2. [The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)](https://cites.org/eng) is an intergovernmental agreement to ensure that international trade does not threaten the survival of certain wild species. Although CITES has not yet specified the categories of tree species, as of 2019, more than 500 tree species have been listed in CITES Appendix I, II or III, and their international trade is governed by the Convention. The term "artificially propagated" is an important basis for determining whether CITES takes control measures against international trade of listed plants and their parts and derivatives. To some extent, it affects the inclusion of species into Appendices and the registration of nurseries.
3. The Ninth Conference of the Parties (CoP) held in 1997 adopted a resolution recommending that timber or other parts and derivatives from mono-species plantations be considered as "artificially propagated" products. Its CoP16 adopted another resolution in 2013, agreeing that Agarwood producing species, whether mono- or mixed species, are interpreted as 'artificial propagated', be it grown in gardens, state, private or community-owned produced plantations.
4. For the definition, the United Nations Food and Agriculture Organization (FAO) uses the Forest Resources Assessment (FRA) definition to divide forests into natural forests and planted forests. As defined in [FRA (2020)](https://www.fao.org/3/ca9825en/ca9825en.pdf), planted forests are composed of trees predominantly established through planting and/or deliberate seeding, and their " predominantly" means that the planted/seeded trees are expected to account for more than 50 per cent of the growing population at maturity. The plantation forests are intensively managed and meet the criteria for one or two species when planted and matured, with consistent tree age and regular tree spacing. Planted forests other than plantation forests are defined as other planted forests.
5. China's new [Forest Law](http://www.moj.gov.cn/Department/content/2020-01/03/592_3243766.html), put into force in 2020, requires the protection of trees with higher value. It prohibits the purchase, processing and transportation of trees from illegal or indiscriminate logging. It encourages the establishment of timber stands for precious tree species on the premise of ensuring a proper ecological environment and the creation of mixed forests when undertaking afforestation and greening. In 2021, the General Office of the State Council issued the '[Guidance of the General Office of the State Council on Scientific Greening](http://www.gov.cn/zhengce/content/2021-06/02/content_5614922.htm)', advocating the use of diversified tree species to create mixed forests, respecting nature, conforming to the rules of nature, protecting nature, enhancing ecosystem functions and supply capacity of ecological products, strengthening the function of ecosystem and ecological products supply ability, improving carbon sink capacity, and promoting the fundamental improvement of the ecological environment.
6. In November 2021, '[the Glasgow Leaders' Declaration on Forests and Land Use](https://ukcop26.org/glasgow-leaders-declaration-on-forests-and-land-use/)' proposed to jointly strengthen the efforts to facilitate trade and development policies, internationally and domestically, that promote sustainable development, and sustainable commodity production and consumption, that work to countries’ mutual benefit, and that do not drive deforestation and land degradation.

**A preliminary study**

1. China CITES authorities have initiated a preliminary study through systematic literature review, data analysis and structured interviews in 2021. The study collected CITES documents, cases and trade data, retrieved relevant international organizations and scientific literature reports and conducted systematic interviews with project managers of international and domestic organizations' offices in Beijing.

**Key Findings**

1. The study confirmed the value of the CITES and its significant ecological, social and economic benefits through the reasonable supervision of international trade in certain tree species and their products. CITES plays a vital role not only conducive to the protection of endangered plants but also the biodiversity conservation, forest protection and restoration, tackling global climate change and even poverty reduction.
2. The study has identified some problems that may affect the achievement of the goals and objectives of CITES:
3. There is a contradiction between the current CITES interpretation of "artificially propagated" specimens of tree species listed in the Appendix. The one in [Resolution Conf. 10.13 (Rev. CoP18)](https://cites.org/sites/default/files/document/E-Res-10-13-R18.pdf), which is old and conservative but covering a wide range of plant species, however the one in [Resolution Conf. 16.10](https://cites.org/sites/default/files/document/E-Res-16-10_0.pdf) is innovative and realistic but only covers Agarwood producing taxa.
4. The important legacy of Resolution Conf.10.13 (Rev. CoP18) came into effect more than 25 years ago. The former CITES Timber Working Group believed that knowledge of plantation of CITES timber species was scarce and that definitions were not easily applicable to specific afforestation techniques.
5. The revision of Resolution Conf.10.13 (Rev. CoP18) on [Implementation of the Convention for tree species](https://cites.org/sites/default/files/document/E-Res-10-13-R18.pdf) leaves many issues unsolved, such as the definition of "tree" and the definition of "plantation (planted forest)".
6. There are significant differences between some countries' legal and policy provisions and the old interpretation of CITES. For example, China redefines the scope of artificial propagation of tree species from the perspective of sustainable management and ecological restoration in terms of legal policies and promotes some cases of sustainably planted forests such as the mixed plantation of *Santalum album*-*Dalbergia odorifera*.
7. During the survey, an environmental NGO suggested that "in trade regulations, providing policy tilts for mono-specific plantations may promote a certain degree of natural forest conversion and drive deforestation".

**Way forward**

1. It is necessary to consider addressing the remaining issues left over from Resolution Conf.10.13 (Rev. CoP18).
2. We believe that more countries and regions need to be examined before proposing concrete and possible amendments.
3. To this end, we would like to learn more about national legal policies on the artificial propagation of endangered tree species, the status of their planting and trade, and comments on the provisions of the Convention; if possible, please fill out the following questionnaire.

**Questionnaire on 'artificially propagated' of CITES-listed tree species**

**1. Regarding the legislation and policy**

1.1 In accordance with applicable laws and policies, does your country regulate or encourage the plantation of mixed species forests?

□ Yes □ No

If Yes, please provide the name of the law or document:

1.2 In accordance with applicable laws, standards or guidance, does your country require a planted forest that must be mono-species when identifying "artificially propagated" trees?

□ Yes □ No

If Yes, please provide the name of the law or document:

1.3 Other necessary conditions for the certification of "artificially propagated" trees or planted forests, such as the source of seed or seedlings, determination of land tenure, plantation operation model or registration requirements.

If so, please provide the name of file and a brief description:

**2. The condition of planted trees of species listed in CITES (please fill in the table with numbers)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Species** | **Ownership** | **Types of plantations** | **Aims of plantation** |
| 1. State-owned2. Collective (community) ownership3. Individual/privately owned4. Company owned5. Other (listed) | 1. Mono-species plantation2. Mixed-species plantation3. Urban and rural greening4. Garden and yards5. Agroforestry6. Other (listed) | 1. Reserve of Germplasm2. Ecological restoration and greening3. Wood production4. Non-wood forest products production5. Improvements in the agroforestry system6. Other (listed) |
| *Abies guatemalensis* |  |  |  |
| *Aniba rosaeodora* |  |  |  |
| *Aquilaria crassna* |  |  |  |
| *Aquilaria filaria* |  |  |  |
| *Aquilaria malaccensis* |  |  |  |
| *Aquilaria sinensis* |  |  |  |
| *Gyrinops versteegii* |  |  |  |
| Other Agarwood producing taxon (please specify the species) |  |  |  |
| *Araucaria araucana* |  |  |  |
| *Cedrela odorata* |  |  |  |
| Other species of *Cedrela* (please specify the species) |  |  |  |
| *Dalbergia cochinchinensis* |  |  |  |
| *Dalbergia latifolia* |  |  |  |
| *Dalbergia odorifera* |  |  |  |
| *Dalbergia sissoo* |  |  |  |
| Other species of *Dalbergia* (please specify the species) |  |  |  |
| *Swietenia* *macrophylla* |  |  |  |
| *Swietenia mahagoni* |  |  |  |
| *Pericopsis elata* |  |  |  |
| *Prunus africana* |  |  |  |
| *Pterocarpus santalinus* |  |  |  |
| Other species of *Pterocarpus* (please specify the species) |  |  |  |
| *Taxus chinensis*  |  |  |  |
| *Taxus cuspidata* |  |  |  |
| Other species of *Taxus* (please specify the species) |  |  |  |
| Other tree species (please specify the species) |  |  |  |

**3. Regarding the comments on the definition of "artificially propagated"**

In the Resolution Conf.10.13 (Rev. CoP18) on [Implementation of the Convention for tree species](https://cites.org/sites/default/files/document/E-Res-10-13-R18.pdf).

*Regarding the definition of 'artificially propagated.'*

f) timber or other parts or derivatives of trees grown in monospecific plantations be considered as being artificially propagated in accordance with the definition contained in Resolution [Conf. 11.11 (Rev. CoP18)](https://cites.org/sites/default/files/document/E-Res-11-11-R18_0.pdf);

To provide comments or suggestions for possible amendments:

**4. Contact information of the representative who responded to the questionnaire**

Country Organization

Name Affiliation

Email Phone

**It is highly appreaciated if you could finish this questionnaire by 31 January, 2022 and send it back to:**

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