



NOTIFICATION TO THE PARTIES

No. 2023/005

Geneva, 12 January 2023

CONCERNING:

Amendments to Appendices I and II of the Convention
adopted by the Conference of the Parties at its 19th meeting
(Panama, 14 – 25 November 2022)

1. In accordance with the provisions of Article XV of the Convention, the Conference of the Parties to the Convention, at its 19th meeting, held in Panama City, Panama, from 14 to 25 November 2022, considered the amendments to Appendices I and II proposed by the Parties. These proposed amendments were communicated to the contracting States of the Convention by Notification to the Parties No. 2022/052 of 8 July 2022.
2. At its 19th meeting, the Conference of the Parties took the following decisions (the abbreviation 'spp.' is used to denote all species of a higher taxon):
 - a) The following taxa are transferred from Appendix I to Appendix II of the Convention:

FAUNA

CHORDATA

MAMMALIA

PERISSODACTYLA

Rhinocerotidae *Ceratotherium simum simum* (The population of Namibia of *Ceratotherium simum simum* is included in Appendix II for the exclusive purpose of allowing international trade in live animals for in-situ conservation only, and only within the natural and historical range of *Ceratotherium simum* in Africa. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.)

RODENTIA

Sciuridae *Cynomys mexicanus*

AVES

PASSERIFORMES

Anatidae *Branta canadensis leucopareia*

PROCELLARIIFORMES

Diomedidae *Phoebastria albatrus*

REPTILIA

CROCODYLIA

Alligatoridae *Caiman latirostris* (The population of Brazil of *Caiman latirostris* is included in Appendix II subject to zero annual export quota for wild specimens traded for commercial purposes.)

Crocodylidae *Crocodylus porosus* (The population of the Palawan islands, Philippines, of *Crocodylus porosus* is included in Appendix II subject to a zero annual export quota for wild specimens traded for commercial purposes.)

SERPENTES

Boidae *Chilabothrus inornatus*¹

b) The following taxa are transferred from Appendix II to Appendix I of the Convention:

F A U N A

CHORDATA

AVES

PASSERIFORMES

Pycnonotidae *Pycnonotus zeylanicus* <Entry into effect delayed by 12 months, i.e. until 25 November 2023>

REPTILIA

TESTUDINES

Geoemydidae *Batagur kachuga*

Cuora galbinifrons

Trionychidae *Nilssonina leithii*

¹ Name of species changed from that used in the original proposal (*Epicrates inornatus*) in order to bring it into line with the appropriate standard nomenclatural reference adopted by the Conference of the Parties.

c) The following taxa are included in Appendix I of the Convention:

F A U N A

CHORDATA

REPTILIA

SAURIA

Scincidae *Tiliqua adelaidensis*

TESTUDINES

Kinosternidae *Kinosternon cora* and *Kinosternon vogti*

d) The following taxa are included in Appendix II of the Convention:

F A U N A

CHORDATA

AVES

PASSERIFORMES

Muscicapidae *Copsychus malabaricus*²

REPTILIA

SAURIA

Agamidae *Physignathus cocincinus*

Gekkonidae *Cyrtodactylus jeyporensis*

Tarentola chazaliae

Phrynosomatidae *Phrynosoma* spp.

TESTUDINES

Chelidae *Chelus fimbriatus*³ {Includes *Chelus orinocensis*}⁴

Chelydridae *Chelydra serpentina* and *Macrochelys temminckii*

Emydidae *Graptemys barbouri*, *Graptemys ernsti*, *Graptemys gibbonsi*, *Graptemys pearlensis* and *Graptemys pulchra*

² Name of species changed from that used in the original proposal (*Kittacincla malabarica*) in order to bring it into line with the appropriate standard nomenclatural reference adopted by the Conference of the Parties.

³ Name of species changed from that used in the original proposal (*Chelus fimbriata*) in order to bring it into line with the appropriate standard nomenclatural reference adopted by the Conference of the Parties.

⁴ According to the appropriate standard nomenclature reference adopted by the Conference of the Parties, *Chelus orinocensis* is not considered as a separate species from *Chelus fimbriatus*.

Geoemydidae	<i>Rhinoclemmys</i> spp.
Kinosternidae	<i>Claudius angustatus</i> <i>Kinosternon</i> spp. (Except the species included in Appendix I) <i>Staurotypus salvinii</i> and <i>Staurotypus triporcatus</i> <i>Sternotherus</i> spp.
Trionychidae	<i>Apalone</i> spp. (Except the subspecies included in Appendix I)

AMPHIBIA

ANURA

Centrolenidae	Centrolenidae spp.
Hylidae	<i>Agalychnis lemur</i> (A zero annual export quota for wild-taken specimens traded for commercial purposes.)

CAUDATA

Salamandridae	<i>Laotriton laoensis</i> (A zero annual export quota for wild-taken specimens traded for commercial purposes.)
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ELASMOBRANCHII

CARCHARHINIFORMES

Carcharhinidae	Carcharhinidae spp. <Entry into effect delayed by 12 months, i.e. until 25 November 2023>
Sphyrnidae	Sphyrnidae spp.

MYLIOBATIFORMES

Potamotrygonidae	<i>Potamotrygon albimaculata</i> , <i>Potamotrygon henlei</i> , <i>Potamotrygon jabuti</i> , <i>Potamotrygon leopoldi</i> , <i>Potamotrygon marquesi</i> , <i>Potamotrygon signata</i> and <i>Potamotrygon wallacei</i>
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RHINOPRISTIFORMES

Rhinobatidae	Rhinobatidae spp.
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ACTINOPTERI

SILURIFORMES

Loricariidae	<i>Hypancistrus zebra</i> (A zero export quota for wild specimens for commercial purposes.)
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ECHINODERMATA

HOLOTHUROIDEA

ASPIDOCHIROTIDA

Stichopodidae *Thelenota* spp. <Entry into effect delayed by 18 months, i.e. until 25 May 2024>

FLORA

Bignoniaceae	<i>Handroanthus</i> spp., <i>Roseodendron</i> spp. and <i>Tabebuia</i> spp. with annotation #17 <Entry into effect delayed by 24 months, i.e. until 25 November 2024>
Crassulaceae	<i>Rhodiola</i> spp. with annotation #2
Leguminosae	<i>Afzelia</i> spp. with annotation #17 (Only the African populations; no other population is included in the Appendices) <i>Dipteryx</i> spp. with annotation #17 <Entry into effect delayed by 24 months, i.e. until 25 November 2024> <i>Pterocarpus</i> spp. with annotation #17 (Except <i>P. santalinus</i> which is included in Appendix II with annotation #7; only the African populations; no other population is included in the Appendices)
Meliaceae	<i>Khaya</i> spp. with annotation #17 (Only the African populations; no other population is included in the Appendices)

e) The following decisions were taken with regard to annotations:

FLORA

APOCYNACEAE, CACTACEAE, CYCADACEAE, DICKSONIACEAE, EUPHORBIACEAE, GNETACEAE, LILIACEAE, MAGNOLIACEAE, NEPENTHACEAE, ORCHIDACEAE, PAPAVERACEAE, PODOCARPACEAE, SARRACENIACEAE, TROCHODENDRACEAE, ZAMIACEAE and ZINGIBERACEAE

Annotation #1 was amended as follows:

All parts and derivatives, except:

- a) seeds, spores and pollen (including pollinia);
- b) seedling or tissue cultures obtained *in vitro* transported in sterile containers;
- c) cut flowers of artificially propagated plants; and
- d) fruits, and parts and derivatives thereof, of artificially propagated plants of the genus *Vanilla*.

Annotation #4 was amended as follows:

All parts and derivatives, except:

- a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- b) seedling or tissue cultures obtained *in vitro* transported in sterile containers;
- c) cut flowers of artificially propagated plants;
- d) fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;

- e) stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae);
- f) finished products of *Aloe ferox* and *Euphorbia antisyphilitica* packaged and ready for retail trade; and
- g) finished products derived from artificial propagation packaged and ready for retail trade of cosmetics containing parts and derivatives of *Bletilla striata*, *Cynoches cooperi*, *Gastrodia elata*, *Phalaenopsis amabilis* or *P. lobbii*.

Annotation #14 was amended as follows:

All parts and derivatives except:

- a) seeds and pollen;
- b) seedling or tissue cultures obtained *in vitro* transported in sterile containers;
- c) fruits;
- d) leaves;
- e) exhausted agarwood powder, including compressed powder in all shapes; and
- f) finished products packaged and ready for retail trade, this exemption does not apply to wood chips, beads, prayer beads and carvings.

LEGUMINOSAE

Annotation #10 for *Paubrasilia echinata* was amended as follows:

All parts, derivatives and finished products, except re-export of finished musical instruments, finished musical instrument accessories and finished musical instrument parts.

ORCHIDACEAE

The parenthetical annotation to Appendix-I Orchidaceae was amended as follows:

Seedling or tissue cultures obtained *in vitro* and transported in sterile containers are not subject to the provisions of the Convention only if the specimens meet the definition of 'artificially propagated' agreed by the Conference of the Parties.

- f) The following decisions were taken with regard to the interpretation section:

Paragraph 5 was amended as follows:

As none of the species or higher taxa of FLORA included in Appendix I is annotated to the effect that its hybrids shall be treated in accordance with the provisions of Article III of the Convention, this means that artificially propagated hybrids produced from one or more of these species or taxa may be traded with a certificate of artificial propagation, and that seeds and pollen (including pollinia), cut flowers, seedling or tissue cultures obtained *in vitro* transported in sterile containers of these hybrids are not subject to the provisions of the Convention.

Paragraph 7 was amended as follows:

When a species is included in Appendix I, II or III, the whole, live or dead, animal or plant is always included. In addition, all parts and derivatives thereof are also included in the same Appendix unless, for animal species listed in Appendix III and plant species listed in Appendix II or III, the species is annotated with the symbol # followed by a number to indicate that only specific parts and derivatives are included. The symbol # followed by a number placed against the name of a species or higher taxon included in Appendix II or III refers to a footnote that indicates the parts or derivatives of animals or plants that are designated as 'specimens' subject to the provisions of the Convention in accordance with Article I, paragraph (b), subparagraph (ii) or (iii).

The following definitions in paragraph 8 were amended as follows:

Ten (10) kg per shipment

For the term "10 kg per shipment", the 10 kg limit should be interpreted as referring to the weight of wood of each individual annotated species of genus Dalbergia or Guibourtia present in the items in the shipment. The 10 kg limit is to be assessed only against the individual weights of the portions of wood of each individual annotated species contained in each item of the shipment, and not against the total weight of the shipment. The total weights present of each individual annotated species are considered individually to determine whether a CITES permit or certificate is required for each individual annotated species, and weights of different individual annotated species are not added together for this purpose.

Transformed wood

Defined by Harmonized System code 44.09: Wood (including strips, friezes for parquet flooring, not assembled), continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges, ends or faces, whether or not planed, sanded or end-jointed.

3. As a consequence of the adoption by the Conference of the Parties of a revised Annex to Resolution Conf. 12.11 (Rev. CoP18) on *Standard nomenclature*, containing taxonomic and nomenclature references for species included in the Appendices, some orthographic and name changes have been introduced in the revised version of Appendices I, II and III, in addition to those mentioned in paragraph 2 of this Notification.
4. In accordance with the provisions of Article XV, paragraph 1, sub-paragraph (c), of the Convention, the amendments adopted at the 19th meeting of the Conference of the Parties shall enter into force 90 days after that meeting, i.e. on 23 February 2023, for all Parties except those which make reservations in accordance with paragraph 3 of that Article.
5. In accordance with the provisions of Article XV, paragraph 3, of the Convention, and during the period of 90 days provided for by subparagraph (c) of paragraph 1 of that Article (i.e. by 23 February 2023), any Party may by notification in writing to the Depositary Government (the Government of the Swiss Confederation) make a reservation with respect to one or more amendments to the Appendices adopted at the 19th meeting of the Conference of the Parties. Until such reservation is withdrawn, the Party shall be treated as a State not party to the Convention with respect to trade in the species concerned. The other Parties shall then apply the provisions of Article X of the Convention to such trade with the Party having made the reservation.
6. In accordance with the provisions of Article XII, paragraph 2, subparagraph (f), of the Convention, the Secretariat will publish an updated version of Appendices I, II and III to take into account the amendments adopted at the 19th meeting of the Conference of the Parties and the changes necessitated by the adoption of standard references mentioned under paragraph 3 after the present Notification.

7. According to paragraph 7 of Resolution Conf. 4.6 (Rev. CoP18) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Resolutions and Decisions adopted at the 19th meeting of the Conference of the Parties will also enter into effect on 23 February 2023.