

SUMMARY OF THE 18TH MEETING OF THE CITES PLANTS COMMITTEE: 17-21 MARCH 2009

The 18th meeting of the Plants Committee (PC18) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) convened from 17-21 March 2009, in Buenos Aires, Argentina.

PC18 discussed 22 agenda items on a wide range of topics, including: the review of significant trade (RST) in Appendix II species; the periodic review of plant species included in the CITES appendices; timber issues; strategic planning; the report of the International Expert Workshop on Non-Detriment Findings (NDFs); annotations; and proposals for possible consideration at the 15th Meeting of the Conference of the Parties (CoP15).

At its last meeting prior to CoP15 in 2010, the PC moved efficiently through its work in addressing a variety of CoP mandates. It heard reports from intersessional working groups, which have been diligently making progress since the PC's last meeting in April 2008, and issued recommendations on issues including: bigleaf mahogany; cedar and rosewood; orchid annotations; periodic review of the appendices; and the RST.

A BRIEF HISTORY OF CITES

CITES was established as a response to growing concerns that over-exploitation of wildlife through international trade was contributing to the rapid decline of many species of plants and animals around the world. The Convention was signed in Washington, DC, US, on 3 March 1973, and entered into force on 1 July 1975. There are currently 174 parties, with the Convention scheduled to enter into force for its 175th party, Bosnia and Herzegovina, on 21 April 2009.

The aim of CITES is to ensure that international trade of wild animal and plant species does not threaten their survival. CITES parties regulate wildlife trade through controls and regulations on species listed in three appendices. Appendix I lists species endangered due to international trade, permitting such trade only in exceptional circumstances. Appendix II species are those that may become endangered if their trade is not regulated, thus requiring controls aimed at preventing unsustainable use,

maintaining ecosystems and preventing species from entering Appendix I. Appendix III species are those subject to domestic regulation by a party requesting the cooperation of other parties to control international trade in that species. In order to list a species in Appendix I or II, a party must submit a proposal for approval by the CoP, supported by scientific and technical data on population and trade trends. The proposal must be adopted by a two-thirds majority of parties present and voting. As the

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trade impact on a species increases or decreases, the CoP decides whether or not it should be transferred or removed from the appendices.

There are approximately 5,000 fauna species and 29,000 flora species protected under the three CITES appendices. Parties regulate the international trade of CITES species through a system of permits and certificates that are required before specimens are imported, exported or introduced from the sea. Each party is required to adopt national legislation and to designate two national authorities, namely, a Management Authority responsible for issuing permits and certificates based on the advice of the second national body, the Scientific Authority. These national authorities also assist with CITES enforcement through cooperation with customs, police and other appropriate agencies. Parties maintain trade records that are forwarded annually to the CITES Secretariat, thus enabling the compilation of statistical information on the global volume of international trade in appendix-listed species. The operational bodies of CITES include the Standing Committee (SC) and two scientific committees: the Plants Committee (PC) and the Animals Committee (AC).

CONFERENCES OF THE PARTIES: The first CoP was held in Bern, Switzerland, in November 1976, and subsequent CoPs have been held every two to three years. The CoP meets to, *inter alia*: review progress in the conservation of species included in the appendices; discuss and adopt proposals to amend the lists of species in Appendices I and II; consider recommendations and proposals from parties, the Secretariat, the SC and the scientific committees; and recommend measures to improve the effectiveness of the Convention and the functioning of the Secretariat. The CoP also periodically reviews the list of resolutions and decisions, as well as the species listed in the appendices.

PC16: The 16th meeting of the CITES Plants Committee convened from 3-8 July 2006, in Lima, Peru. The PC discussed a wide range of topics, including: the RST in Appendix II species; the periodic review of plant species included in the CITES appendices; annotations to plant, medicinal plant and orchid listings; bigleaf mahogany; and proposals to amend the annotations for tree species.

PC16/AC22 JOINT SESSION: A joint session of the AC and PC was held from 7-8 July 2006, in Lima, Peru. It addressed issues of common interest to both committees, including: proposed amendments to the rules of procedure; the review of the scientific committees; the RST in Madagascar; transport of live specimens; and the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity adopted by the Convention on Biological Diversity (CBD).

AC22: The 22nd meeting of the CITES Animals Committee convened from 7-13 July 2006, in Lima, Peru. The AC discussed 28 agenda items and adopted six recommendations to be presented at CoP14 on issues including: the RST in Appendix II species; production systems for specimens of CITES-listed species; transport of live specimens; sea cucumbers; conservation and management of sharks; and the periodic review of animal species included in the Convention's appendices.

CITES CoP14: The 14th CITES Conference of the Parties convened from 3-15 June 2007, in The Hague, the Netherlands. The meeting considered 70 agenda items and 37 proposals to amend the CITES appendices. CoP14 adopted resolutions and decisions directed to parties, the Secretariat and Convention's committees, on a wide range of topics including: the CITES Strategic Vision 2008-2013; a guide to compliance with the Convention; management of annual export quotas; and species trade and conservation issues, including Asian big cats, sharks and sturgeons. Regarding species listings, CoP14 decided to list: slenderhorned and Cuvier's gazelles and slow loris on Appendix I; Brazil wood, sawfish and eel on Appendix II; and to amend the annotation on African elephants to allow a one-off sale of ivory from Botswana, Namibia, South Africa and Zimbabwe with a nine-year resting period for further ivory trade.

PC17: The 17th meeting of the CITES Plants Committee convened from 15-19 April 2008, in Geneva, Switzerland. The PC discussed 24 agenda items on a wide range of topics, including: the RST in Appendix II species; the periodic review of plant species included in the CITES appendices; timber issues; strategic planning; NDFs; transport of live plants; and the definitions of hybrids and cultivars under the Convention.

PC17/AC23 JOINT SESSION: The joint session of the PC and AC convened on 19 April 2008, in Geneva, Switzerland. The PC/AC addressed issues of common interest to both committees, including: the revision of the terms of reference of the scientific committees; cooperation with advisory bodies of other biodiversity-related multilateral environmental agreements (MEAs); the RST in specimens of Appendix II species; an international expert workshop on NDFs; and transport of live animals and plants.

AC23: The 23rd meeting of the CITES Animals Committee convened from 19-23 April 2008, in Geneva, Switzerland. The AC addressed 21 agenda items, including: the RST in Appendix II species; conservation and management of sharks; the periodic review of animal species included in the Convention's appendices; and a proposal to transfer the Mexican population of *Crocodylus moreletii* from Appendix I to Appendix II.

REPORT OF THE 18TH MEETING OF THE PLANTS COMMITTEE

On Tuesday, 17 March 2009, David Morgan, on behalf of CITES Secretary-General Willem Wijnstekers, opened the 18th meeting of the CITES PC, thanking Argentina for hosting the meeting in these times of economic hardship. He stressed the importance of implementation, and urged the PC to be practical in its endeavors and to "turn talk into action" by developing concrete proposals for CoP15, which will take place in Doha, Qatar in 2010.

PC Chair Margarita Clemente (Spain) welcomed participants to the last meeting of the PC before CoP15 and thanked Argentina for their generosity in hosting the meeting. She highlighted the large job ahead of the PC at its 18th meeting, and stressed the importance of the Committee's work on issues such as timber, review of annotations and the preparation of guidelines to undertake NDFs. Noting that these seemingly easy

tasks could actually become quite complicated, she underscored her confidence in the PC to progress quickly towards reaching its goals.

Homero Bibiloni, Secretary of Environment and Sustainable Development, Argentina, welcomed delegates and highlighted that global problems such as the economic crisis and climate change seriously affect wildlife. He stressed the importance of creating and enforcing progressive legislation to preserve biodiversity, and linking the science behind the PC's work with the reality of international wildlife trade in a manner that is practical for all countries.

PC Chair Clemente then brought participants' attention to the rules of procedure (PC18 Doc.2), and North America proposed modifying the rules of procedure restricting the rights of the Nomenclature Specialist to propose documents for consideration by the PC. Noting that North America could prepare a proposal for amendments to be considered at a later stage, PC Chair Clemente suggested, and the PC agreed, to adopt the rules of procedure. The PC then adopted the agenda (PC18 Doc.3.1) and working programme (PC18 Doc.3.2) with minor amendments, including addressing trade in artificially propagated plants under the agenda item on "Any Other Business." The PC also adopted the list of observers (PC18 Doc.4).

The PC met in plenary on Tuesday, Thursday, Friday and Saturday and in working groups all day on Wednesday, and as needed on Thursday, Friday and Saturday.

STRATEGIC PLANNING: PROGRESS REPORT ON THE WORK OF THE PC

On Tuesday in plenary, PC Chair Clemente reminded participants of the tasks ahead and priorities for work set by the PC at its last session. She noted that all proposals that entail work with budget implications for the Secretariat or the PC should be accompanied by an estimated budget (PC18 Doc.6).

COLLABORATION WITH THE GLOBAL STRATEGY FOR PLANT CONSERVATION

On Tuesday in plenary, Mexico introduced the document on collaboration with the Global Strategy for Plant Conservation (GSPC) of the CBD (PC18 Doc.7.2), stressing the importance of CITES providing input to the next meeting of the GSPC to be held from 26-28 May 2009 in Dublin, Ireland. He invited the PC to consider possible mechanisms to further facilitate cooperation between CITES and the CBD, such as: promoting and enhancing collaboration between GSPC focal points and CITES authorities; promoting close collaboration and joint participation during development and implementation of national strategies for plant conservation; and circulating a questionnaire to clarify the level of collaboration between GSPC national focal points and CITES authorities. Austria underscored the need to ensure that CITES expertise and knowledge is represented at the next meeting of the GSPC, and the PC requested that Austria and South Africa promote PC concerns at this meeting. PC Chair Clemente suggested, and the PC agreed, to establish a working group, chaired by Alejandra García-Naranjo (Mexico), to consider the issue of cooperation between CITES and the GSPC, including a calendar to submit a recommendation on the matter to CoP15.

The working group met throughout the week. On Friday in plenary, Chair García-Naranjo reported on the group's progress. The PC adopted the group's recommendations subject to an amendment to expand the scope of the collaboration, which was presented by Chair García-Naranjo in plenary on Saturday.

Recommendation: The PC recommends (PC18 WG2 Doc.1), *inter alia*: that the CoP adopt a decision directing the PC to collaborate with the GSPC and the Secretariat to communicate CITES contributions towards implementing the GSPC; and that a PC representative should attend the next meetings of the GSPC in May 2009 and the CBD Subsidiary Body for Scientific Technical and Technological Advice in May 2010.

RST IN SPECIMENS OF APPENDIX II SPECIES

EVALUATION OF THE RST: On Tuesday in plenary, the Secretariat introduced the document on evaluation of the RST of Appendix II species (PC18 Doc.8.2), asking the PC to agree to the Secretariat's proposed membership for the advisory working group on RST and designate a PC member to take part in the group. He requested the PC to identify and prioritize case studies, and invited the PC to endorse the suggested *modus operandi* for the advisory working group. The Committee established a working group, chaired by Noel McGough (UK), to identify case studies, establish priorities and make observations or ratify the *modus operandi* proposed by the Secretariat.

The working group on RST met throughout the week. On Saturday in plenary, Chair McGough (UK) summarized the group's deliberations and the PC adopted the working group's recommendations with minor amendments, including the inclusion of Canada in the advisory group.

Recommendation: The PC recommends (PC18 WG3 Doc.1): using *Prunus africana*, *Pericopsis elata*, and Madagascar (country study) as case studies for the advisory group's evaluation of RST; and supporting the *modus operandi* proposed by the Secretariat.

OVERVIEW OF THE SPECIES-BASED RST: On Tuesday in plenary, the Secretariat introduced the document on plant species that were selected for the RST at CoPs 11, 12, 13 and 14 (PC18 Doc.8.3), and the PC noted the report.

SPECIES SELECTED FOLLOWING COP14: On Tuesday in plenary, the Secretariat presented the document summarizing the status of species subject to the RST following CoP14 (PC18 Doc.8.4). PC Chair Clemente suggested, and the PC agreed, that this issue be addressed by the working group on RST, noting it should examine information available to determine whether Article IV paragraphs 2(a) and 3 (Conditions for trade in Appendix II specimens) have been applied correctly and recommend which species should stay or be eliminated from the RST process.

On Saturday in plenary, Chair McGough (UK) reported on the working group's progress on this issue. He asked the PC to comment on whether mahogany from Peru and Nicaragua should be maintained or excluded from the RST. The US noted that, despite the 10-year trade ban in place in Nicaragua, she remained concerned that Nicaragua considers kiln drying a secondary transformation, which exempts mahogany wood in this form from CITES. Noting the level of uncertainty surrounding trade in mahogany from Nicaragua the PC agreed to maintain mahogany from Nicaragua in the RST.

Peru, supported by the US, stressed his country's progress during the first phase of the RST, and underscored that while he does not object to inspection and controls, Peru has fulfilled its requirements under the Convention. He proposed, and the PC agreed, to exclude mahogany from Peru from the next round of the RST. The PC adopted the rest of the working group's recommendations with amendments proposed by Austria and Mexico to clarify taxonomic inconsistencies.

Recommendation: The PC recommends (PC18 WG3 Doc.1), *inter alia*, to:

- exclude mahogany from Peru from the RST;
- include mahogany from Nicaragua, Bolivia, Ecuador, Honduras and Venezuela in the next round of the RST; and
- include all varieties of *Aloe capitata* and *Euphorbia primulifolia* in the RST.

PROGRESS REPORT ON THE SIGNIFICANT TRADE

ONLINE MANAGEMENT SYSTEM: On Thursday in plenary, the United Nations Environment Programme-World Conservation Monitoring Centre (UNEP-WCMC) made a PowerPoint presentation on the development of a new online management system to implement the RST of Appendix II species. She explained that the new database will provide an interoperative platform to access all information relevant to the different stages of the RST process for each species. The PC welcomed and took note of the developments, agreeing to submit specific comments directly to UNEP-WCMC.

PROGRESS REPORT ON SEVEN ASIAN SPECIES OF MEDICINAL PLANTS: On Tuesday in plenary, the Secretariat presented a document summarizing the activities undertaken to date on Asian species of medicinal plants, noting the need to support parties in promoting compliance with CITES provisions (PC18 Doc.8.5 (Rev.1)). PC Chair Clemente suggested the issue of compliance should be brought to the attention of the SC and proposed that the working group on RST consider drafting a recommendation that brings this topic to the SC's attention. TRAFFIC and IUCN noted their support for developing a project to promote long-term sustainable use of Asian medicinal plants, which would be beneficial to both biodiversity conservation and the pharmaceutical industry. The US proposed that a workshop be organized on this issue. PC Chair Clemente suggested, and the PC agreed, that the issue of Asian medicinal plants be included among topics to be addressed by the working group on RST.

On Saturday in plenary, Chair McGough (UK) presented the working group's three draft decisions relating to improving management, preventing illegal trade and building capacity, which the PC adopted with minor amendments.

TRAFFIC then expressed concern about a significant increase in Indonesia's 2009 export quotas for *Aquilaria* spp. and *Gyrinops* spp. He suggested that the PC consider using CITES emergency provisions to include these species in the RST. PC Chair Clemente proposed that the Secretariat ask Indonesia to explain how it conducted the NDFs for these species before making a recommendation on whether or not to include the species in the RST. The Asia representative noted that a report on this issue exists but has not yet been submitted. PC Chair Clemente proposed, and the PC agreed, to ask the Secretariat to request and assess the existing report from Indonesia before considering the issue further.

Recommendation: The PC recommends (PC18 WG3 Doc.1), that CoP15, *inter alia*, direct:

- the range states, regional representatives for Asia and the Secretariat to ensure the implementation of regionally-coordinated actions to improve the management of, and prevent illegal trade in, the seven Asian medicinal plant species (*Cistanche deserticola*, *Dioscorea deltoidea*, *Nardostachys grandiflora*, *Picrorhiza kurrooa*, *Pterocarpus santalinus*, *Rauvolfia serpentina* and *Taxus wallichiana*);
- the range states and consumer countries to work with TRAFFIC to develop a proposal leading to one or several regional capacity-building workshops; and
- the Secretariat to liaise with TRAFFIC to organize one or several capacity-building workshops.

ANNOTATIONS

CACTACEAE AND ORCHIDACEAE, REVIEW OF TRADE IN FINISHED PRODUCTS, TREE SPECIES, AND EXEMPTION OF ORCHID SEED PODS: On Tuesday in plenary, Mexico presented a proposal on the merging and amendment of annotations #1 and #4 prepared by the intersessional working group on this issue (PC18 Doc.11.1). He explained the specifications proposed regarding parts and derivatives of orchids and cacti species, and the adequacy of a footnote reference to cacti "lacking chlorophyll." The US then introduced a proposal on amendments to the annotation for *Cibotium barometz*, *Cistanche deserticola*, *Dionaea muscipula* and *Euphorbia* spp. regarding "finished products packaged and ready for retail trade" (PC18 Doc.11.3). He also presented on progress made on the identification, review and proposed amendment of annotations in effect for tree species included in Appendices II and III (PC18 Doc.11.6), as well as the document that seeks input from the PC on potential risks and/or benefits of an exemption for orchid seed pods, particularly with regard to wild-collected specimens (PC18 Doc.11.4). Germany, the UK and the Secretariat noted that countries interpret this issue differently.

PC Chair Clemente then proposed, and the PC agreed, to establish a working group on annotations, co-chaired by Hesiquio Benítez (Mexico) and Robert Gabel (North America). The PC mandated the working group to, *inter alia*: analyze the consequences of merging annotations #1 and #4 for the taxa concerned; provide a definition for the term "sawn wood"; develop a progress report on the enforcement of all related decisions; and review benefits and risks of including an exemption for orchid seed pods.

On Saturday in plenary, Co-Chair Gabel (US) reported the results of the working group's deliberations. The Secretariat recalled that any changes made to the existing annotations could potentially affect other CITES-listed taxa with the same annotations, and Co-Chair Gabel reassured her that none of the changes proposed affected other species. He further stated that trade studies should be developed before recommending to exempt finished products of agarwood species. Germany warned that the proposed wording referring to cacti "color mutants grafted" would exempt specimens with high trade volumes.

The PC adopted the working group's recommendations, noting that the Secretariat will consult with the Co-Chairs during the intersessional period to adjust wording of the PC's submission to CoP15 on this topic in light of concerns raised in plenary.

Recommendation: The PC recommends (PC18 WG4 Doc.1), among other issues, that the CoP:

- adopt a new annotation merging Annotations #1 and #4, with further exemptions for orchid seed pods and finished products of Candelilla (*Euphorbia antisiphilitica*); and
- commission trade studies, including on: a review of the Harmonized Commodity Description and Coding Systems (HS Code) applicable to timber trade; associated definitions for specimens in trade; and amendments to annotations for tree species listed in Appendices II and III.

ORCHIDS: ANNOTATION FOR SPECIES INCLUDED

IN APPENDIX II: On Tuesday in plenary, the Secretariat presented document PC18 Doc.11.2 highlighting progress made in the implementation of Decisions 14.133 and 14.134 (Orchids: annotation for species included in Appendix II), including provisions on monitoring and assessing possible conservation problems arising from the implementation of the annotation. The PC established a working group, co-chaired by Duangduen Sripotar (Thailand) and Maurizio Sajeve (Europe), to consider if the two decisions should be maintained or eliminated.

On Friday in plenary, Co-Chair Sajeve reported the working group's recommendation that both decisions be maintained (PC18 WG5 Doc.1). The PC agreed.

CLARIFICATION OF THE EXEMPTION FOR FLASKED SEEDLINGS OF APPENDIX-I ORCHIDS: On Thursday in plenary, the US presented document PC18 Doc.11.5 seeking guidance from the PC on the advisability of submitting a proposal to CoP15 to amend the Appendix I orchids annotation so that it is consistent with the recommendation in Res.Conf. 11.11 (Rev.CoP14) (Regulation of trade in plants). The PC agreed that clear language is needed in the annotation to indicate that the exemption applies only if the flaked specimens meet the strict definition of "artificially propagated" that has been agreed by the CoP. The PC suggested, and the US agreed, to prepare a proposal on the issue for CoP15.

EXCHANGE OF HERBARIUM SPECIMENS

On Tuesday in plenary, Mexico presented the document summarizing the work of the intersessional working group on exchange of herbarium species (PC18 Doc.12). She highlighted that the main barriers to applying the registration procedures provided by the Convention are a lack of knowledge about CITES procedures and clarity about the guidelines and regulations for the exchange of specimens. She said, supported by the US, that a new exemption is unnecessary, and proposed that the PC consider: inviting the Secretariat to establish a standard labeling system with security measures to exchange herbarium species; drafting a CITES manual for the non-commercial loan, donation or exchange of museum and herbarium specimens; and conducting dissemination and capacity building activities on the current regulations for the exchange of herbarium specimens.

PC Chair Clemente agreed with the intersessional working group's conclusions and said that CITES cannot grant an exemption for these specimens, it can only urge parties to use the

system and inform botanical gardens and herbariums how they can better use its principles. She proposed, and the PC agreed, to establish a working group, co-chaired by Patricia Dávila (Mexico) and Michael Kiehn (Austria) to prepare a report on the implementation of Decision 14.130 (Cactaceae and Orchidaceae: review of annotations) with regard to exemptions of herbaria specimens and propose a new draft decision on this topic.

On Friday in plenary, Co-Chair Kiehn reported the results of the working group. The US said, and the PC agreed, that instructing parties to create a register of institutions exceeded the provisions of the Convention. Austria offered funding for the development and publication of a proposed brochure containing guidelines for herbaria. The Secretariat explained that material was already available, although remained unpublished due to lack of funding. The PC adopted the working group's recommendations with amendments reflecting the US concerns.

Recommendation: The PC recommends (PC18 WG6 Doc.1), *inter alia*:

- not to create an additional exemption related to non-living herbarium specimens for non-commercial purposes; and
- to submit a new decision to CoP15, *inter alia*, directing the Secretariat to prepare an information brochure and encouraging parties to promote registering scientific institutions.

NON-DETRIMENT FINDINGS

INTERNATIONAL EXPERT WORKSHOP ON NDFs:

On Tuesday in plenary, Mexico presented the document summarizing the results of the International Expert Workshop on NDFs held in Cancun, Mexico in November 2008 (PC18 Doc.14.1), noting the large participation and fruitful discussions held during the meeting. The PC noted the report. He then presented the document detailing the results of the plants working groups' discussions at the Workshop (PC18 Doc.14.2). He highlighted lines of agreement among the working groups on the need to: use a precautionary approach when evaluating information; and consider NDFs as a risk analysis, in which the quantity and quality of information will determine the quality of the NDF. He also noted agreement that NDF evaluations must take total impact into account, including domestic harvest, illegal trade and all sources of mortality to the population of the species. PC Chair Clemente proposed, and members agreed, to establish a working group on NDFs, co-chaired by Hesiquio Benítez (Mexico) and Greg Leach (Australia), to evaluate the recommendations coming from the Workshop and prepare relevant resolutions for the CoP.

On Wednesday, the working group discussed the results of the Workshop and agreed to draft a new resolution to put forward to CoP15 on NDFs, condensing the principles emerging from the Workshop.

On Saturday in plenary, Co-Chair Benítez presented the results of the working group on NDFs, noting participants agreed there was no need to establish an e-mail working group. He added the group prepared a draft resolution to be submitted to AC24 and will ask parties to comment on the document prior to CoP15. He stated representatives from the PC and AC would be in charge of receiving comments and proposing relevant modifications in time for CoP15. Stressing that creation

of capacities in the elaboration of NDFs is key, he noted the proposal includes a draft resolution with voluntary guiding principles that could aid parties in performing NDFs.

Argentina objected to including principles in the body of a proposed resolution on NDFs and said parties' sovereignty in performing NDFs should not be affected. She suggested including principles in the annex, rather than the body of the proposed resolution and questioned a paragraph referring to using the principles to exempt parties from the RST process. Malaysia and Peru echoed Argentina's comments on the need for further refinement of the principles. Participants also discussed the merits of including a proposal to amend Res.Conf.10.3 paragraph (h) (Designation and role of scientific authorities). The PC decided against doing this, noting if the AC agrees that a new resolution should be adopted on NDFs, then Res.Conf.10.3 would need to be amended in line with such a decision. North America and Europe highlighted the merits of maintaining the guiding principles and the annex to the decision on a draft resolution on NDFs.

The PC adopted the recommendations as amended.

Recommendation: The PC (PC18 WG8 Doc.1) agreed to:

- submit to AC24 the text of a preliminary draft resolution entitled "Non-detriment findings" contained in the annex;
- include in the new draft resolution six principles for making NDFs including: data requirements tailored according to the resilience or vulnerability of a species; the implementation of an adaptive management scheme; basing NDFs on resource assessment methodologies; and employing broad-scale assessments, such as total harvest assessments.
- request comments from parties on the applicability of the outcomes of the International Expert Workshop on NDFs, which would be received by two representatives of the PC and two representatives of the AC, in order to refine the document in time for presentation to CoP15;
- highlight the importance and relevance of capacity building regarding the development of NDFs by parties; and
- recommend that the use of the principles identified for NDFs would lead to RST not being necessary.

TIMBER SPECIES AND PRUNUS AFRICANA: On Tuesday in plenary, PC Chair Clemente introduced the document on timber species and *Prunus africana* (PC18 Doc.14.3), noting progress made by the plant working groups at the International Expert Workshop on NDFs, and highlighting the areas of agreement among them. She noted that it may be relevant to develop some NDF criteria for trees, rather than "timber species," highlighting common elements relevant to all tree species. PC Chair Clemente proposed, and the PC agreed, to establish a working group chaired by Ken Farr (Canada) to evaluate: NDFs for timber species and *Prunus africana* including compliance with Decisions 14.135 (Timber species and medicinal plants: non-detriment findings) and 14.143 (Agarwood-producing taxa); and whether these should be eliminated or reformulated. She noted the group should work in close contact with the working groups on agarwood and medicinal plants, with a view to having a single outcome on these agenda items.

The working group met during the week, and on Saturday in plenary, Chair Farr presented the results of the group's work, including recommendations and principles for making NDFs for timber species and *Prunus africana*. PC Chair Clemente said the recommendations proposed in the annex to the group's report, which include the general principles identified by the NDF working group and a detailed process for making NDFs for timber species and *Prunus africana*, should be accepted by the PC and submitted to CoP15 in compliance with Decision 14.135, rather than just be "taken note of." With this and other minor amendments, the PC approved the text.

Recommendation: The PC (PC18 WG9 Doc.1) recommends that the CoP consider the guidance document contained in the annex in the development of a resolution on NDFs, and proposes capacity-building workshops be established to provide guidance for NDFs for timber species and *Prunus africana*.

MEDICINAL PLANTS: On Tuesday in plenary, Germany presented the document on NDFs for medicinal plants (PC18 Doc.14.4). He said the intersessional group on this topic is finalizing its recommendations, which are based on the outcome of the International Expert Workshop on NDFs perennials working group. He also noted collaboration with other NDF working group Chairs and the likelihood of finding common principles for NDFs for all plant species. PC Chair Clemente proposed, and the PC agreed, to establish a working group on medicinal plants, chaired by Uwe Schippmann (Germany) to prepare principles, indicators and criteria on NDFs for medicinal plants. She also suggested they: consider compliance with decisions 14.135 and 14.143, and whether these should be eliminated or reformulated; and collaborate with the other working groups on NDFs.

The working group met during the week, and on Saturday in plenary, Chair Schippmann presented the results of the group's work, including recommendations and principles for making NDFs for medicinal plants. Schippmann proposed incorporating, *mutatis mutandi*, the same amendments as were adopted for timber species and *Prunus africana*, in order to maintain coherence among these recommendations. The PC agreed, and adopted the recommendations as amended.

Recommendation: The PC (PC18 WG10 Doc.1) recommends that in developing a resolution on NDFs the CoP consider the guidance document contained in the annex detailing a process for making NDFs for medicinal plants.

AGARWOOD-PRODUCING SPECIES: On Tuesday in plenary, the Oceania representative presented the results of the intersessional working group on agarwood-producing species (PC18 Doc.14.5). PC Chair Clemente proposed, and the PC agreed, to establish a working group chaired by Greg Leach (Australia) to: evaluate principles, criteria and indicators for NDFs for agarwood-producing species; consider compliance with Decisions 14.135 and 14.143, and whether these should be eliminated or reformulated; and collaborate with the other working groups on NDFs.

The working group met during the week, and on Saturday in plenary, Chair Leach presented the results of the group's work, including recommendations and principles for making NDFs for agarwood-producing species. He also proposed incorporating, *mutatis mutandi*, the same amendments as were adopted for

timber species and *Prunus africana*, in order to maintain coherence among these recommendations. The PC agreed, and adopted the recommendations as amended.

Recommendation: The PC (PC18 WG11 Doc.1) recommends that the CoP consider the guidance document contained in the annex in the development of a resolution on NDFs. The annex includes a detailed process for making NDFs for agarwood-producing species.

TIMBER ISSUES

PROGRESS ON THE IMPLEMENTATION OF THE ACTION PLAN FOR CEDAR AND ROSEWOOD:

On Tuesday in plenary, the Secretariat presented a progress report on the Action Plan for *Cedrela odorata*, *Dalbergia retusa*, *Dalbergia granadillo* and *Dalbergia stevensonii* (Cedar Action Plan) (PC18 Doc.13.3), noting that most exports in *Cedrela odorata* originate in Peru. Argentina noted that its scientific experts had concluded it should not be considered a range state for this species, and suggested deleting Argentina from the list of range states. The Secretariat agreed with Argentina's assessment. Peru said it will update relevant information and present it to this PC session, and the US highlighted current data may be incomplete due to the species listing in Annex III, which only requires reporting those shipments originating in countries listed in Annex III. The PC took note of the report.

PC Chair Clemente then presented a document on compliance with Decision 14.146 (*Cedrela* spp., *Dalbergia retusa*, *D. granadillo* and *D. stevensonii*) (PC18 Doc.16.1.3), inviting PC representatives to consider whether the criteria for an Appendix II listing had been met. The Central and South America and the Caribbean representative noted range states still find that information is incomplete to assess whether the criteria for an Appendix II listing are met. PC Chair Clemente proposed, and the PC agreed, to establish a working group, co-chaired by Fabiola Núñez (Peru) and Ken Farr (Canada), with a mandate to analyze country responses on the follow-up to the Cedar Action Plan, and whether criteria for inclusion in CITES Appendix II are met.

The working group on cedar met during the week. On Friday morning in plenary, Co-Chair Farr reported on the group's progress. He presented a draft recommendation stating that, after consideration of relevant documents, the PC determines that the "criteria for inclusion in Appendix II have not been met," and recommending: urging range countries to respond to the action plan, conducting a matrix analysis of responses, and establishing an e-mail working group. The Europe representative noted his region considers that criteria for Appendix II are met, and the UK proposed changing the text to say the group "could not conclude that the criteria have been met." The US, supported by TRAFFIC and WWF, noted the issue merited a stronger decision by the PC to ensure the sustainability of the species is addressed, especially since an increase in traded volumes is a cause for concern. The US further urged parties to take concrete action on cedar, reminding them that precious time was lost in the ten years it took them to approve an Appendix II listing for mahogany. PC Chair Clemente urged the working group to further reflect on the issue and come back to plenary with a new recommendation.

The working group on cedar continued its work on Friday afternoon. Participants agreed to task the Bigleaf Mahogany Working Group (BMWG) with information gathering and regional coordination on cedar and rosewood, collating existing information and analyzing existing trends in trade in these species, as well as elaborating a matrix based on this information. Countries then agreed that it should be recommended that the CoP "urge" range states to include all four species in Appendix III.

WWF suggested the BMWG focus on gathering and presenting existing information in a format which allows for comparison, rather than analyzing it. Parties then agreed to keep references related to work in progress by other institutions, like the International Tropical Timber Organization (ITTO), on *Cedrela* and *Dalbergia* spp., and highlight projects in place relating to sustainable management of these species.

Regarding the Cedar Action Plan, the US and UK suggested updating Decision 14.146 to extend timeframes and "urge" an Appendix-III listing of all cedar populations. Participants agreed, and decided to task the BMWG to follow-up on the Cedar Action Plan, noting the BMWG may need to be renamed in light of its new mandate.

On Saturday, PC Chair Clemente introduced a revised draft reflecting the discussions held on Friday and the PC adopted it without amendments.

Recommendation: The PC states (PC18 WG7 Doc.1 (Rev.1)) that, regarding the species *Cedrela odorata*, *Dalbergia retusa*, *D. granadillo* and *D. stevensonii*, it is unable to conclude whether the criteria for inclusion in the CITES Appendices are met. It further notes that many range states are working to improve available population studies in collaboration with the ITTO.

The PC also made twelve recommendations, including to:

- encourage range states that haven't done so to respond to the request for information on the status of the species;
- urge range states for the four species to include all their populations in Appendix III;
- task the BMWG to analyze relevant information on the status of these species and present it by 1 September 2009;
- task the BMWG with facilitating communication and information exchange with countries that already list *Cedrela odorata* in Appendix III; and
- continue projects with ITTO on trade in tropical timber and cooperation with Kew Gardens on identification and differentiation of these species.

BIGLEAF MAHOGANY: On Thursday in plenary, Mexico presented the BMWG progress report (PC18 Doc.13.1.2 (Rev.1)), highlighting activities undertaken, including the Fourth Meeting of the BMWG held in Cancun, Mexico, in November 2008. Among the developments in sustainable management of this species, Mexico highlighted the development of electronic permit and management systems and standardized criteria for the elaboration of NDFs for bigleaf mahogany, including methodologies. The PC took note of the report.

The Secretariat then presented a report on the implementation of the Action Plan for Bigleaf Mahogany (PC18 Doc.13.1.1), noting only Guatemala and Honduras had responded to the request for information on developments in the Mahogany Action Plan. The Secretariat questioned whether maintaining

reporting requirements made sense, considering countries were presenting relevant information within the RST process, and suggested the BMWG may not be needed anymore.

Brazil and Peru highlighted the usefulness of the BMWG as a forum to promote regional cooperation and supported maintaining the group. PC Chair Clemente emphasized the need to prevent duplication of efforts and reduce reporting requirements to parties. She added there may not be a need to maintain the Mahogany Action Plan considering that the RST process requires relevant reporting by parties. She noted substantive progress made to resolve the mahogany issue, and visible effort by states to comply with CITES provisions. Peru said it might be convenient to extend reporting requirements within the Action Plan.

Further to consultations with regional representatives, the PC decided to maintain the BMWG, refocusing its work on supporting those countries that are still subject to the RST process, and eliminating reporting requirements. The US suggested that the BMWG prepare a report on lessons learned during the process that may be valuable for other timber species. TRAFFIC and WWF supported the focus on practical implementation guidance.

On Friday in plenary, PC Chair Clemente proposed, and the PC agreed, to approve a draft decision to be submitted to CoP15.

Final Outcome: The draft decision to be submitted to CoP15 (PC18 Sum.3) requests the BMWG to, *inter alia*:

- continue reporting regularly to the PC as an element for conveying and exchanging experience on the management of bigleaf mahogany; and
- prepare a report on the progress attained in the management, conservation and trade of bigleaf mahogany and lessons learned.

PROGRESS REPORT ON THE JOINT CITES-ITTO TIMBER PROGRAMME: On Thursday in plenary, the Secretariat introduced the progress report on the joint CITES-ITTO timber programme (PC18 Doc.13.2), reminding parties that the objectives of the programme include strengthening parties' capacity to make NDFs and enhancing implementation of CITES. She highlighted the large number of proposals submitted from range states as a positive signal, noting that more proposals have been submitted than the programme can currently fund. Further noting that the programme lacks flexibility because it is limited to certain timber species, she suggested, supported by Malaysia, expanding its scope to include all CITES-listed tree species. The ITTO underscored that the number of proposals exceeds the funding supply and noted his organization's intention to continue supporting regional- and national-level dialogues. The US and Peru expressed support for the programme. The PC noted the report and agreed to encourage parties to help the Secretariat fill its vacant timber officer post.

INCONSISTENT IMPLEMENTATION OF APPENDIX III TIMBER ANNOTATIONS: On Thursday in plenary, the US introduced the document on inconsistent implementation of Appendix III timber annotations (PC18 Doc.13.4), noting that problems arise when countries annotate Appendix III listings to include only their national populations. He said that the PC needs a uniform approach for the control and reporting of Appendix III listings, and proposed, supported by the Secretariat, deleting

paragraph 4(iv) of Res.Conf.9.25 (Rev.CoP14) (Inclusion of species in Appendix III) that allows for this type of annotation. PC Chair Clemente noted that this is an enforcement issue and, with the Secretariat, asked the US to bring it to the SC's attention.

PROPOSALS FOR POSSIBLE CONSIDERATION AT COP15

PROPOSALS TO AMEND THE APPENDICES: Periodic review of plant species: On Tuesday in plenary, PC Chair Clemente introduced the agenda item on periodic review of plant species included in the CITES appendices and review of succulent *Euphorbia* spp. in Appendix II (PC18 Doc.16.1.1 and 16.1.2). Switzerland reported on the intersessional working group's progress on these issues, highlighting a draft annotation for the listing of *Euphorbia* in Annex 2 of document PC18 Doc.16.1.2. He explained the annex also contains two lists prepared by the working group: one of species proposed for removal from the appendix; and another of those proposed for retention. PC Chair Clemente then proposed, and the PC agreed, to establish a working group on periodic review, chaired by Jonas Lüthy (Switzerland), to *inter alia*: finalize the review of *Tillandsia harrisii* and *Podocarpus parlatorei*; discuss draft guidelines for the periodic review and prepare a draft final version for consideration by the PC and the AC; and decide how to proceed with the listing of *Euphorbia* species.

On Saturday in plenary, periodic review working group Chair Lüthy summarized the group's discussions. He further explained that the information submitted by Madagascar on *Aloe*, *Euphorbia* and *Didiereaceae* species was insufficient for the group to apply the criteria of Res.Conf. 9.24 (Criteria for amendment of Appendices I and II), and suggested that the intersessional working group be maintained and mandated to continue its review and consult with Madagascar on these species. PC Clemente proposed, and the PC agreed, that Namibia should be consulted formally about the group's recommendation to delist *Welwitschia mirabilis* before submitting a proposal on this matter to CoP15. Namibia agreed and said after formal consultations it would draft a CoP proposal for the delisting and decide at a later date if it would submit the proposal itself to CoP15 or transmit it to the PC for submission by the Depositary government.

Chair Lüthy noted that the look-alike species issue had not been discussed in the group by an oversight, but that he had consulted with working group members on the issue informally. Mexico said that because the group's recommendations on this issue were discussed informally they should not be included in the PC's recommendation to CoP15.

PC Chair Clemente then noted that with 10 minutes left in the meeting the PC would not have time to consider the draft annotation or the group's recommendations regarding the review of succulent *Euphorbia* species. She proposed, and the PC agreed, to defer these items for reconsideration in the intersessional working group. Chair Lüthy declined to chair the intersessional working group and PC Chair Clemente said the PC would determine its chairmanship via e-mail.

The PC adopted the group's recommendations, except for the provisions on look-alike species and succulent *Euphorbia*.

Recommendation: The PC recommends (PC18 WG12 Doc.1), *inter alia*, to:

- adopt the draft guidelines for periodic review, which add a second phase that provides a new budget line for contracting experts;
- maintain the current listing of *Tillandsia harrisii* in Appendix II;
- maintain the current listing of *Podocarpus parlatorei* in Appendix I;
- maintain the current listing of *Euphorbia antisiphilitica* but exempt finished products;
- delist *Welwitschia mirabilis* from Appendix II following formal consultations with range state Namibia confirming their agreement with this recommendation; and
- maintain the intersessional working group and instruct it to consult with Madagascar.

Proposal to include *Bulnesia sarmientoi* in Appendix II:

On Thursday in plenary, Argentina introduced the document summarizing her country's planned proposal to CoP15 to uplist *Bulnesia sarmientoi* from Appendix III into Appendix II (PC18 Doc.16.1.4). Germany and Switzerland supported the proposal, suggesting that Argentina consider annotation #2 exempting seeds, pollen and finished products to avoid enforcement problems. The PC congratulated Argentina and offered to assist her in drafting the proposal for the CoP.

OTHER PROPOSALS: Certification and labeling of timber: On Thursday in plenary, Germany introduced a proposal for the PC to evaluate existing timber certification schemes (PC18 Doc.16.2.1). Noting the rapid proliferation of certification schemes, she said that a transparent procedure for the "CITES-approval" of such systems is needed. Malaysia, supported by Canada, stressed that certification schemes must remain voluntary, highlighting immense implementation challenges for developing countries. Mexico, supported by Peru, said that CITES is not the appropriate forum to carry out the assessment, suggesting instead the evaluation be carried out in cooperation with the UN Forum on Forests. Brazil stressed that certification systems must not be used to verify government permits. PC Chair Clemente and many regional representatives thanked Germany for the proposal, but echoed concerns raised by the parties in the preceding discussion. The PC did not approve the proposal.

NOMENCLATURAL MATTERS

On Tuesday in plenary, the Secretariat introduced the document on revision and publication of the CITES Appendices (PC18 Doc.18.1), noting that the large number of changes following CoP14 made the revision process longer than usual. She recommended that any proposal to the CoP to change a standard nomenclatural reference should contain a list of the amendments that would need to be made to the Appendices if the proposal were adopted, and welcomed additional suggestions on how to accelerate the review process following a CoP.

The Nomenclature Specialist Noel McGough (UK) then introduced the document containing his report (PC18 Doc.18.2). He requested, and the PC agreed, to establish a working group to, *inter alia*, consider if it is necessary to adopt standard references for *Gonystylus*, *Aquilaria* and *Gyrinops*, and approve the update of "A World List of Cycads."

The working group met on Wednesday. On Friday in plenary, Nomenclature Specialist McGough (UK) reported on the group's progress, presenting draft recommendations that the PC adopted with minor amendments.

Recommendation: The PC recommends (PC18 WG13 Doc.1), *inter alia*, that:

- any proposal to the CoP to change a standard nomenclatural reference for CITES species should contain a list of the amendments that would have to be made to the appendices if the proposal were adopted;
- it is not necessary to adopt standard references for *Gonystylus*, *Aquilaria*, and *Gyrinops* at this time; and
- diverging objectives across MEAs should be taken into account when considering harmonization of nomenclature and taxonomy.

DEFINITION OF NON-TIMBER FOREST PRODUCTS

On Thursday in plenary, Oceania presented the results of the intersessional working group on non-timber forest products (PC18 Doc.15). He recommended that no further definition is required because Res.Conf. 10.13 (Rev.CoP14) (Implementation of the Convention for timber species) clearly defines "non-timber" as anything derived from a plantation-grown tree that is not timber. Regarding the definition of "artificially propagated," Thailand, India and Malaysia reiterated their opposition to considering only monospecific plantations as artificially propagated, because agarwood plantations in their countries usually include other species. PC Chair Clemente suggested, and the PC agreed, that interested parties consult informally on the topic and report back to plenary later in the week.

On Friday in plenary, Oceania proposed two draft decisions on the issue, which the PC approved.

Recommendation: The PC recommends (PC18 Sum.3) the CoP to instruct:

- the PC to consider current definitions of "artificially propagated plants" and their applicability to trees in plantations of mixed species; and
- the Secretariat to obtain funding and liaise with agarwood range states to organize a workshop on the management of wild- and plantation-sourced agarwood.

REVIEW OF THE USE OF SOURCE CODE 'R'

On Thursday in plenary, the Netherlands presented the results of the intersessional working group on the review and use of source code 'R' (ranching) (PC18 Doc.9). He reported the working group's findings that no examples of ranched plant specimens currently exist. The PC asked the Netherlands to undertake informal consultations on whether to recommend that source code 'R' either not be used for plant species or be deleted.

On Friday in plenary, the working group proposed, and the PC agreed, that source code 'R' should not be used for plant species.

HYBRIDS AND CULTIVARS

On Thursday in plenary, the Secretariat presented the document on hybrids and cultivars (PC18 Doc.10). He explained that the document contains a proposal to amend Res. Conf. 11.11 (Rev.CoP14) (Regulation of trade in plants) with regard to: the definition of cultivars; their consideration as "artificially propagated" specimens; and the applicability of the provisions of the Convention to these specimens. Noting that

the proposal is based on PC17's recommendations on the topic, he suggested that the draft revised resolution be included in the PC Chair's report for CoP15. The PC agreed to the proposal, on condition that the Nomenclature Specialist provides the updated nomenclatural reference before the proposal is submitted to the CoP.

REGIONAL REPORTS

On Thursday afternoon in plenary, Beatrice Khayota (Kenya), presented the Africa regional report (PC18 Doc.5.1), noting the poor communication between parties in her region. Summarizing activities, including those on *Prunus africana* and *Welwitschia mirabilis*, she highlighted the working group on *Prunus africana* has built adequate capacity and it is now up to the parties to comply with the group's recommendations.

Tukirin Partomihardjo (Indonesia) then presented the Asia regional report (PC18 Doc.5.2). Lamenting the lack of response from parties in his region, he noted various activities carried out including the publication of China's strategy for plant conservation, and a public awareness lecture on CITES addressed to agarwood traders in Kuwait.

On Friday morning in plenary, Dora Rivera (Costa Rica) presented the Central and South America and the Caribbean regional report (PC18 Doc.5.3), noting responses from nine out of the 31 parties in her region. She summarized parties' work on proposals to be presented to CoP15 including Argentina's proposal to uplist *Bulnesia sarmientoi* from Appendix III to Appendix II, and Brazil's proposal to list *Aniba rosaedora* in Appendix II. She also highlighted an inventory of cedar and mahogany in Peru financed by ITTO.

Maurizio Sajeve (Italy) then delivered the Europe regional report (PC18 Doc.5.4). He noted many activities in the region, including the Masters course at the International University of Andalusia. He highlighted timber identification and distinguishing wild from artificially propagated plants as the main problems with implementation in the region.

Robert Gabel (US) delivered the North America regional report (PC18 Doc.5.5). He highlighted his region's trilateral committee for nature conservation, the Mexican International Expert Workshop on NDFs, and problems associated with illegal trade in Hoodia and medicinal plants.

Greg Leach (Australia) presented the Oceania regional report (PC18 Doc.5.6), noting his country's funding for the CITES timber officer during 2008, and the organization of a regional capacity-building workshop in the region.

COOPERATION

COOPERATION WITH OTHER MULTILATERAL INSTRUMENTS: On Thursday in plenary, the Secretariat introduced the document on cooperation with other multilateral instruments (PC18 Doc.7.1), highlighting: the meeting of the chairs of the scientific advisory bodies of biodiversity-related conventions; the 2010 Biodiversity Indicators Partnership; and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES). He requested that volunteers offer guidance and assistance on indicators. PC Chair Clemente then summarized the results of the IPBES meeting in Putrajaya, Malaysia from 10-12 November 2009, noting that the only document produced by the meeting participants was the Chair's

summary (PC18 Inf.4). Mexico underscored the platform was not intended to serve as a substitute for the PC or AC. The PC noted the report.

PROGRESS REPORT ON THE IDENTIFICATION MANUAL

On Thursday in plenary, the Secretariat gave an oral report on progress made on the identification manual for CITES-listed species. He informed the PC that, due to the decrease in budget for keeping a paper manual up-to-date, UNEP contracted UNEP-WCMC to develop a web-based identification manual. He explained that such a manual will be easier to update, uses a wiki-type technology, and is scheduled to be completed by July 2009. PC Chair Clemente highlighted the new capacity-building platform established by the Secretariat and the International University of Andalusia. The PC took note of the information presented.

ANY OTHER BUSINESS

TRADE IN AGAVACEAE: On Friday in plenary, Switzerland presented a document (PC18 Doc.21.1) on trade in Agavaceae, noting concerns about high levels of trade of this family of plants for gardening and landscaping. TRAFFIC and IUCN noted that agaves are highly representative of desert systems and supported promoting artificial propagation to reduce pressure on wild populations. Species Survival Network (SSN) expressed concern over photographs presented by Switzerland that depicted agave plants for sale in Europe that are likely to be illegal in origin, and requested sharing information on importers and exporters. Mexico also expressed concern, noting at least three plants included in the document are part of Mexico's list of endangered species and do not appear in his country's records of legal exports. The US also expressed concern and, with Mexico, requested additional information from Switzerland to evaluate legal origin of the plants referred to in the report.

The PC requested Switzerland collaborate with range states with a view to presenting a joint proposal on trade in Agavaceae (PC18 Sum.3).

TRANSPORT WORKING GROUP: On Friday in plenary, Austria introduced the document on the PC/AC's intersessional Transport Working Group (PC18 Doc.21.2). He reminded participants that PC17 nominated Austria to represent the PC in this group and explained that the document outlines the group's progress. PC Chair Clemente proposed, and the PC agreed, that Austria should continue to represent the PC at the Transport Working Group and report to the PC Chair on relevant progress related to plants and any necessary actions in this regard.

REPORT ON ARTIFICIALLY PROPAGATED PLANTS: On Friday in plenary, the Secretariat presented an oral report on trade in artificially propagated plants. He said the Secretariat lacks funds to perform the survey on parties' reporting consistency mandated by Decision 14.39 (Reporting on trade in artificially propagated plants), noting that this survey is intended to make trade data comparable. UNEP-WCMC then explained data on trade in artificially propagated plants is inconsistent and incomplete, especially due to some countries reporting trade at the species level and others at the family level. SSN emphasized that this problem prevents the PC from adequately tracking trade trends, and urged parties to resolve this issue. Many participants

noted the relevance of this issue, but said reporting on wild species is more relevant to conservation. UNEP-WCMC noted in most cases parties were complying with existing guidance and agreed streamlining reporting on wild-traded species is of most concern. The PC agreed that the issue of reporting on artificially propagated plants is relevant and to propose to reformulate a decision to value the cost of improving this report.

CLOSING REMARKS

On Saturday afternoon in plenary, the Secretariat noted that, while the exact dates are to be determined, CoP15 will likely be held in March 2010 and PC19 will likely be held in early 2011. PC Chair Clemente then thanked the various participants, and solicited a round of applause for Argentina for hosting the meeting. She gavelled the meeting to a close at 6:23 p.m.

A BRIEF ANALYSIS OF THE MEETING

CITES Plants Committee (PC) Chair Margarita Clemente's proactive leadership, coupled with a well-oiled process that relies on intersessional work led by the Committee's most veteran members, provided a solid foundation for PC18 to succeed in addressing complex technical tasks in an efficient and collegial atmosphere. The 18th meeting of the PC (PC18) delivered a stack of recommendations for the 15th meeting of the CITES Conference of the Parties (CoP15) in 2010, and with heavily traded tropical timber species permeating the agenda, the PC confirmed that it does not shy away from addressing high profile species that are subject to high levels of international trade.

This brief analysis will highlight issues of relevance to parties in their preparation for CoP15. It focuses on those topics addressed by PC18 that, due to their political or economic implications, are likely to result in lively debates at CoP15. These include: the PC's recommendations regarding timber from mahogany, rosewood and cedar; the adoption of principles to undertake non-detriment findings (NDFs) for plant species; and the refinement of annotations regarding the plant and flower trade.

TRADE IN TROPICAL TIMBER

Participants at the meeting were proud to showcase successes achieved in the sustainable management of mahogany since its listing in Appendix II at CoP12 in 2002, with a significant reduction of trade volumes from Peru and a clear improvement in monitoring and control of illegal trade. Kudos for moving the mahogany market towards sustainability were awarded to both CITES and a new bilateral trade agreement requiring CITES implementation, signed by mahogany's main exporter (Peru) and importer (US). Countries' efforts to sustainably manage mahogany had already been recognized by PC17's agreement to exempt Brazil, Mexico and Guatemala from the review of significant trade (RST) process, and at this meeting were applauded with Peru's "graduation" from the RST. Work remains to be done, however, by those still in the RST process – Belize, Bolivia, Colombia, Nicaragua, Venezuela, Ecuador and Honduras – who are expected to provide evidence of their sustainable trade of the species in accordance with CITES criteria.

PC18 also analyzed cedar and rosewood species (*Cedrela odorata*, *Dalbergia retusa*, *Dalbergia granadillo* and *Dalbergia stevensonii*). Most discussions on these species, listed by

Colombia, Guatemala and Peru in Appendix III, focused on preventing them from taking an unsustainable turn in light of growing trade pressures. The PC Chair and the North America representative were vocal advocates for concrete action on cedar and rosewood, including a voluntary Appendix III listing by all range states as a way to improve monitoring to ensure sustainability.

Participants concerned about the plight of cedar highlighted an inverse correlation in trade volumes between cedar and mahogany, explaining that international cedar trade appears to have increased at a similar rate to the decrease in mahogany trade. Some non-governmental organizations wondered if cedar will "suffer a similar fate to mahogany," while range states insisted that cedar population trends – in terms of tree regeneration and abundance – are in no way comparable to those of mahogany. Nonetheless, and despite some nuanced opinions, everyone in the room seemed to agree that in order to avert a conflictive Appendix II listing in the near future, concrete action, including monitoring of trade in cedar and rosewood timber through Appendix III listings, and increased oversight and cooperation within the Bigleaf Mahogany Working Group, were necessary. As one delegate put it, "those who fail to pay heed to the lessons of history are destined to repeat it."

The Bigleaf Mahogany Working Group was thus revived with a new mandate to examine lessons learned from mahogany, promote increased cooperation among range states and with international institutions like the International Tropical Timber Organization, and use this experience to take the lead on cedar and rosewood to ensure that more trade does not translate into less sustainability.

SHEDDING LIGHT ON NDFS

The working group on non-detriment findings (NDFs) was tasked with clarifying how the relationship between trade and sustainability should be determined. In their centrality to implementation, NDFs are in many ways the spirit of CITES, as exports of CITES species must be authorized further to a scientific authority finding that it will not be detrimental to the survival of the species concerned. Even though a sound NDF is considered the best preventive remedy available within CITES to avoid unsustainable trade, participants have debated for three decades whether CITES should provide additional guidance for national scientific authorities, or leave this concept's interpretation and methodologies up to their discretion. Holding PC18 at Argentina's Catholic University inspired one delegate to parallel NDF methodologies to "the holy spirit," saying, "everyone knows they exist but no one has ever seen one." Quite often, as was the case in this meeting's questions on Indonesia's quota for *Aquilaria* and *Gyrinops*, parties' decisions regarding export quotas leave scientists with mouths agape and wondering what NDF methodology could have led to such findings.

In an effort to improve guidance on NDFs, an international expert workshop held in Mexico in 2008 analyzed more than 60 case studies and came up with basic principles to perform NDFs for plant and animal species. Based on the outcomes of that workshop, the PC decided the time was ripe to agree on basic criteria that could be used by national scientific authorities to guide their decision-making processes. PC18 thus approved a

draft resolution with guiding principles on NDFs, and outlined a process to consult with the Animals Committee with a view to arriving at a common proposal for CoP15.

In the final plenary, however, some national authorities expressed reluctance to receiving guidance – with the potential for additional oversight – over how they perform an NDF, providing a glimpse of what may become one of CoP15's most controversial proposals. In private, some authorities regard NDFs as their "Achilles heel," explaining that their limitations in terms of human, technical and financial resources, restrict their ability to perform sound NDFs for many species.

ANNOTATIONS: BEWARE OF THE SMALL PRINT

Annotations define which sub-products are actually covered by CITES regulations through often-overlooked small print in the appendices of the Convention. They are designed to liberate large sectors of trade (orchid seeds, for example) that are not considered to have an impact on sustainability. If too complex, however, annotations may become a customs officer's nightmare and provide loopholes to CITES implementation. The PC made efforts at this meeting to simplify annotations to cacti, orchids and candelilla. Lipstick manufacturers provided some unusual color to the debate, questioning if exports of drums containing candelilla wax should be considered exempted finished products, and seasoned delegates pondered whether liberating trade in things like "stem color mutants grafted" may just be too much for customs authorities to handle. A study was also commissioned to clarify timber species annotations, with debates on Nicaraguan mahogany exports showcasing the industry's creative approaches to CITES requirements through their controversial definition of a "log." Proposed decisions are thus likely to provide an arena for technical debates by timber and flower traders, NGOs, and enforcement officers at CoP15 next year.

ON OUR WAY TO COP15

The approval of a draft resolution on NDF guidelines was welcomed as a leap forward towards improving the Convention's effectiveness. However, some were overheard murmuring that key timber exporting countries' statements in the final plenary regarding their preference to maintain "sovereignty" when defining NDF methodologies, may not bode well for this proposal's chance of success at CoP15. One participant emphasized a longer process allowing CITES parties to take ownership of the proposal – which some still view as the result of a closed group of mostly developed country experts – may be key to securing wider support at CoP.

The PC's timber proposals, including those on annotations, the redesign of the Bigleaf Mahogany Working Group, recommendations for cedar and rosewood, and NDFs, coupled with further proposals to the CoP expected from the AC and Standing Committee in April and July 2009, provide plenty of material for discussion to keep industry, NGOs and governments busy in the lead up to CoP15.

UPCOMING MEETINGS

SECOND MEETING OF THE CONVENTION ON BIOLOGICAL DIVERSITY AD HOC TECHNICAL EXPERT GROUP ON BIODIVERSITY AND CLIMATE CHANGE:

This meeting will be held from 18-22 April 2009 in Helsinki, Finland. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@cbd.int; internet: <http://www.cbd.int/doc/?meeting=AHTEG-BDCC-02-02>

CITES AC24: The 24th meeting of the CITES Animals Committee will take place from 20-24 April 2009 in Geneva, Switzerland. The AC will address a wide range of issues, including: review of significant trade in specimens of Appendix II species; ranching; sharks and freshwater stingrays; transport of live animals; and sturgeons and paddlefish. For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: info@cites.org; internet: <http://www.cites.org>

LIAISON GROUP MEETING OF THE GLOBAL STRATEGY FOR PLANT CONSERVATION (GSPC): The Liaison Group Meeting of the GSPC will take place from 26-28 May 2009 in Dublin, Ireland. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@cbd.int; internet: <http://www.cbd.int>

THIRD SESSION OF THE GOVERNING BODY OF THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE (ITPGR): ITPGR GB3 will be held from 1-5 June 2009 in Tunis, Tunisia. For more information, contact: ITPGR Secretariat; tel: +39-06-570-53441; fax: +39-06-570-56347; e-mail: pgrfa-treaty@fao.org; internet: http://www.planttreaty.org/meetings/gb3_en.htm

CITES SC58: The 58th meeting of the CITES Standing Committee will take place from 6-10 July 2009 in Geneva, Switzerland. For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: info@cites.org; internet: <http://www.cites.org>

XIII WORLD FORESTRY CONGRESS: This event will be held from 18-23 October 2009, in Buenos Aires, Argentina. Attendees will hear presentations on a wide range of issues related to forests, biodiversity and development and have the opportunity to participate in technical tours and attend side events organized by countries and organizations on forestry issues. For more information, contact: WFC Secretariat; tel: +54-11-4349-2104; e-mail: info@wfc2009.org; internet: <http://www.wfc2009.org>

ITTC-45: The forty-fifth meeting of the International Tropical Timber Council and associated sessions of its four committees is scheduled for 9-14 November 2009, in Yokohama, Japan. For more information, contact: ITTO; tel: +81-45-223-1110; fax: +81-45-223-1111; e-mail: itto@itto.or.jp; internet: <http://www.itto.or.jp>

CITES COP15: CITES CoP15 will be held in 2010 (exact dates and location to be confirmed). For more information, contact: CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: info@cites.org; internet: <http://www.cites.org>