

DATE: June 12, 2002

TO: Directors- Midwest Association of Fish and Wildlife Agencies
Directors- Western Association of Fish and Wildlife Agencies
Directors- Northeastern Association of Fish and Wildlife Agencies
Directors- Southeastern Association of Fish and Wildlife Agencies

FROM: Chuck Pils- MAFWA CITES Representative
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SUBJECT: Results of CITES Plants Committee Meeting- May 13-17, 2002

Introduction: Cal DuBrock (Pennsylvania Game and Fish Commission), Gary Graham (Texas Game and Parks Department), and Chuck Pils (Wisconsin Department of Natural Resources) attended the 12th Annual CITES Plants Committee meeting held in Leiden, The Netherlands from May 13-17, 2002.

The meeting was attended by 64 people, including official delegates for various countries, 3 Intergovernmental Organizations (European Commission, IUCN-The World Conservation Union, and UNEP-WCMC), as well as 10 NGO's, who represented a variety of associations, ranging from The American Orchid Society to Flora and Fauna International. Official delegates and NGO's were able to comment on various proposals that were introduced by Plants Committee Chairperson Margarita Clemente (Spain). The Secretariat representatives were Tom de Meulenaer from Namibia and Ger van Vliet from the Netherlands. Spanish, French, and English translators were located in the back of the room.

The tenor of this meeting was more collegial and less confrontational than the Animals Committee meeting. This was due in part to the smaller size of the group and the absence of animal welfare/ animal rights groups. Unlike the Animals Committee meeting, there were 3 Power Point presentations about specific issues such as Switzerland's presentation of the international status of all cacti on Appendix I (Switzerland has produced a CD with detailed drawings and information about App I cacti that would be useful to Texas and California), Devil's Claw (*Harpagophytum*) trade in Africa, and techniques for utilizing species-specific DNA markers analysis for separating species such as *Aquilaria*. As a result of all this cooperation, the meeting ended one day earlier, on May 16th.

All meeting participants received a notebook of all the proposals along with supporting documents. The process for the meeting was to have the Chairman introduce various documents, then have various countries comment on the proposals. Then the Secretariat, Intergovernmental and NGO's were given the opportunity to make their comments. If an issue was not resolved, a working group of voluntary meeting participants approved by the Chairperson was organized to resolve issues within the proposals. Later the working group chairs reported back to the main meeting for acceptance of issues.

The underlying premise of The Plants Committee meeting was to discuss and clarify various plant proposals that will be presented for final resolution at the 12th Conference of the Parties (COP 12) in Santiago, Chile, from November 3-15, 2002.

Our state team spent considerable time on the sideline conferring with the U.S delegation and various NGO's in an effort to best represent the interests of the state Fish and Wildlife Agencies. Roddy Gable, Chief, Division of Scientific Authority and head of the U.S. delegation, was extremely helpful in answering questions and listening to our concerns. Only proposals concerning issues of importance to the states will be discussed in this report.

A team of reporters from Earth Negotiations Bulletin (A Reporting Service For Environment and Development Negotiations) recorded a summary of the meeting, which is available at <http://www.iisd.ca/cites/CITP2>. Check this web site for more meeting details.

Major Issues Discussed at The meeting:

The primary issues that were discussed at the Plants Meeting were the ongoing significant trade review and the review of several non-CITES traded species, as well as a review of the Appendices in order to insure that the listed taxa satisfy the relevant criteria. (Don MacLauchlan had advised our team that this issue was very important to the states because of the previous effort in Ft. Lauderdale during COP 9 in 1993 to get scientific criteria, not emotionally-driven ones, in place). Significant trade review, artificially propagated orchid hybrids, trade in seeds, and forestry certification schemes were addressed, if not fully resolved.

With more than 25,000 plant species currently listed on Appendices, compared with 5,000 for animals, delegates agreed that there is a real need to simplify and revise the listings in order to focus on the species most effected by trade. The Orchid Family (Orchidaceae) was singled out for this review because of the enforcement problems due to the unwieldy number of species and hybrids. Delegates agreed to exclude, through specific annotation in the Appendices, certain genera of artificially propagated orchid hybrids, which make up some 95% of the trade and have no impact on species threatened in the wild. This would also greatly reduce the workload of permit-issuing authorities.

Most delegates agreed that an Appendix III listing for many proposed species would be an advantage in achieving sustainable use as it would give both countries of import and export a potential tool to eliminate illegal trade.

Devil's Claw Discussion: The discussion on *Harpagophytum* or Devil's Claw, a plant that grows in the savannahs of South Africa and Namibia was relevant to the U.S. because it addressed the issue of socio-economics within the context of CITES regulations. Roots of the Devil's claw are used as treatments for arthritis and rheumatism. Indigenous people from Africa depend on digging roots for their livelihood. Populations are declining in study areas. There is disagreement about the impact of trade on Devil's Claw population levels. (The United Kingdom felt that AppII listing could give needed trade data.). If large-scale artificial propagation is used here to grow the plant in large numbers, the local gatherers could be forced out of business. The solution to this dilemma is unknown at this time; however monitoring through AppII would certainly clarify the trade impact situation. *As a result of these discussions, Chairperson Clemente proposed having the next Plants Committee meeting in Namibia or South Africa.*

Mahogany Working Group: The issue of certification of forest products came up more than once during the meeting. Most delegates felt that CITES involvement in this area was premature at this time. The Mahogany Working group felt that an Appendix III listing would be useful in determining trade levels.

Trade in Seeds: There had been past confusion concerning the definition of artificially propagated seeds. Most seeds of most of the App II species are exempted from CITES control (only seeds of Mexican cacti species originating in Mexico are subject to the provisions of CITES). The Secretariat offered comments concerning the U.S. proposal to clarify the definition of seeds. The confusion stems from definitions of "artificially propagated" as related to "live plants grown from seeds.....under controlled conditions" The definition was not resolved at the meeting.

Orchid Proposal: There are many artificially propagated orchid hybrids. Six selected genera were selected to be exempted from CITES rules. The quandary here is because of the difficulties in separating artificially grown from hybrids, is this proposal feasible or would it complicate the situation to exempt the 6 genera? The U.S. will proceed with this proposal and will submit it at COP 12.

Delisting of Leaf-Bearing Cacti: This proposal, to downlist these cacti from App II was submitted by Switzerland. However Mexico, Chile, and the U.S. opposed this, stating that illegal trade is continuing. (This would be a good issue for Texas and California to discuss with Mexico in relation to a possible App III listing in order to get better trade information). No further action was taken on this proposal.

Ginseng: Traffic of North America has prepared a 1998 report about trade of the species. Plant Committee members should have received it.

Problems and Inconsistencies In Resolution of Significant Trade: This proposal was based on previous Animals Committee discussion of the same topic. A 24 page document was prepared, which offers many suggestions to clarify the topic of significant trade in plants; consultation of range states and use of adaptive management were two of the many ideas proposed. This proposal is a starting point; it will be discussed more at COP 12.

Medicinal Plants: There was a discussion, similar to the one at the Animals Committee meeting, of the need to develop such a list. Virtually every species, including common plants can be used for medicinal purposes. Is it worth the effort to make a proper list? No decision was made.

Relationship Between Ex Situ and In Situ Production: The Animals Committee felt that the Plants Committee was too negative about this topic, should give it more thought, and should think of the positive benefits. Germany cited an example in Mexico where local people worked with an APP I species to propagate and market plants locally. However, there is a concern (similar to the Devil's Claw scenario), that if a big company could mass produce this plant, it would ruin the local business.

Review of The Appendices: Switzerland mentioned how one cactus on App I gets processed and comes back several times to Switzerland from India. Thus the problem of processed plants make listing very difficult (this is the case with other plants such as goldenseal and ginseng, among others). The Plant Committee Chair wants a review of timber species here; she is frustrated over lack of progress. The North American delegate stated that despite extensive reviews of species, no recommendations come forth! When asked about the need to review appendices, everyone says yes, let's do it. But then no agreement results.

Field Trip: Delegates at the meeting spent one day touring various plant operations in the Leiden area, including the world's largest plant wholesale market, which was like seeing several aircraft hangers put together. We also toured large greenhouse specializing in plants like cacti and carnivorous plants. At the cactus greenhouse, the Swiss delegate got into a lively discussion with the owner of the greenhouse as to which cacti were covered under CITES regs! This illustrated the need for simplification of CITES regulations.

