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

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Eighteenth meeting of the Plants Committee
Buenos Aires (Argentina), 17-21 March 2009

NON-DETRIMENT FINDINGS: AGARWOOD-PRODUCING SPECIES
(PC18 Doc. 14.5)

Membership (as decided by the Committee)

Chair: the representative of Oceania (Mr Leach).

Party observer: Saudi Arabia.

IGOs and NGOs: TRAFFIC.

Mandate

Taking into account all available information and, in particular, the results of Group 2 of the workshop held in Cancún:

1. Develop principles, criteria and indicators for the formulation of non-detriment findings for wild specimens of agarwood-producing species; and

2. Collaborate with the chairs of the Groups on Timber Species and on Medicinal Plants, and, in this context, assess the possibility to propose either the deletion of Decisions 14.135 and 14.143, or their replacement by a new decision or decisions, with an indication of the budget required for their implementation.

Working Group results

The group has worked both intersessionally and during PC 18. The full working group report is contained in Annex 1 of this document.

Recommendations

The CITES Plants Committee is asked to:

1. to take note of the guidance document, in particular, information contained in Annex 1, prepared by the working group on NDFs for Agarwood-producing taxa;

2. to present this NDF guidance for Agarwood-producing taxa as part of the consideration of a NDF-specific Resolution;

3. to propose to CoP15 to delete Decision 14.133, on the basis of the Decision having been fulfilled;

4. to propose to CoP15 that capacity building workshops on the use of the Agarwood NDF guidance should be conducted in the Range states with the cooperation of the importing Parties.

Non-detriment findings

Agarwood-producing taxa

WORKING GROUP REPORT

Background

1. At its 14th meeting of the Conference of the Parties (CoP14, The Hague, 2007), the Parties adopted Decision 14.133 directed to the Plants Committee and the Secretariat on Agarwood-producing taxa as follows:

   The Plants Committee shall:

   On the basis of the work on non-detriment findings for Agarwood-producing species, that has been developed by TRAFFIC Southeast Asia and the Secretariat, the Plants Committee, in consultation with range states and the Secretariat, shall develop principles, criteria and indicators for the formulation of non-detriment findings for Agarwood-producing species.

2. At the 17th meeting of the Plants Committee (PC17, Geneva, 2008), a working group (WG7) was convened to implement this Decision. The group was asked to liaise with the Chairs of the timber and medicinal plant NDF WG's in order to maintain consistency on key issues – in particular the definitions of principles, criteria and indicators.

3. Mexico organised an International Experts Workshop on NDF methodology which was held in Cancun from 17-22 November 2008. The Agarwood WG7 agreed that both the working group reports produced by the Trees and the Perennial Plants groups at the Cancun workshop are applicable to Agarwood as the Trees WG had Agarwood case studies and the Perennial Plants WG emphasised medicinal and aromatic plants which is the predominant use of Agarwood. (see PC18 Doc 14.2). Due to the greater generic applicability and the diagrammatic step-by-step approach offered in the Perennial Plants WG report it was considered best-suited for adaptation to Agarwood-producing taxa NDF's.

Principles

4. At PC17 the Chairs of the three NDF working groups (timber, medicinal plants and Agarwood) were tasked with liaising and reaching agreement on common usage of the terms 'principles, criteria and indicators'. For the term 'principle' the Chairs considered material provided in the International Standard for the Sustainable Wild Collection of Medicinal and Aromatic Plants document (ISSC-MAP), discussions at the Mahogany and Agarwood working group meetings, and the output from the Cancun NDF workshop, in particular the Trees Working Group. The following principles are presented as generic principles applicable to the NDF process in CITES regardless of the taxa being considered.

   - The non-detriment finding (NDF) for Appendix I and II species verifies that traded volumes within the range state are not detrimental to the survival of that species.
   - The NDF considers whether the species is maintained throughout its range at a level consistent with its role in the ecosystems in which it occurs.
   - The data requirements for an NDF are tailored to appropriate precision according to the resilience or vulnerability of the target species.
   - The implementation of an adaptive management scheme based on regular monitoring is an important consideration in the NDF evaluation process.
   - The NDF is based on resource assessment methodologies.
   - The NDF employs appropriate broad-scale assessment, such as total harvest assessments.

Criteria and Indicators

5. The terms 'criteria' and 'indicator' were not used by any Working Group in the Cancun workshop. In the Cancun Perennial Plants Working Group report, the term 'criteria', within the context of elaborating a NDF, correlates with the term 'factors' used in the risk assessment or 'factors' which constitute sustainability. It is suggested that the 'elements of guidance' used in assessing the factors/criteria are the indicators that

would be used to measure the adequacy or robustness of an NDF. The WG suggests that the semantics of 'criteria' and 'indicators' distracts from the most critical and essential part of the Decision which is "... for the formulation of non-detriment findings for Agarwood-producing species". The process outlined here provides guidance for the formulation of an NDF for Agarwood. If this process is followed, a Scientific Authority will have confidence that the resultant non-detriment finding is robust and reliable. The WG believes this meets the spirit of the Decision.

Sources and references used

6. The Agarwood-producing taxa WG7 tried to build as much as possible upon existing guidance for making NDFs. Particularly valuable, and in fact mandated in the Decision as a basis for this work, is the TRAFFIC document "Essential elements for the formulation of non-detriment findings (NDF's) on Agarwood-producing taxa (Aquilaria/Gyrinops spp)" presented as PC17 Inf. 4[1]. Section 1 of this document provides a detailed introduction including background, approaches and context to the Convention.

7. Also of significant value is the "Guidance for CITES Scientific Authorities" [2] (hereafter called IUCN checklist). Therefore, the factors within Tables 1 and 2 of the IUCN checklist were fully adopted into the tables of the present document.

8. WG7 also recommended that there should be an assessment of the possible relevance and contribution of the document, "International Standard for Sustainable Wild Collection of Medicinal and Aromatic Plants (ISSC-MAP document, PC 16 Inf. 9[3]) for the development of an Agarwood NDF methodology. The Perennial Plant working group in Cancun considered ISSC-MAP and adopted relevant elements. ISSC-MAP especially provides additional guidance for evaluating the factors "Management Plan" and "Monitoring Methods" by specifying detailed criteria and indicators.

9. Additional elements were incorporated from the following sources:

   - Cancun Workshop Case Studies [4]
   - EU-SRG Guidance Paper [5]
   - Susceptibility matrices published by Cunningham (2001) and Peters (1994)[6].

Process for making non detriment findings

10. The process for making non-detriment findings for Agarwood-producing taxa therefore builds upon the Cancun Perennial Plants WG report which in itself is explicitly built upon the IUCN Checklist and other references. It incorporates the sources of information and methods that can be used to evaluate certain factors as well as identifying when a more rigorous approach is needed (i.e., when more information or more rigorous field methods are needed).

11. **Taxonomy**: According to Resolution Conf. 12.11 (Rev. CoP14), species that are listed in the Appendices of CITES should have a valid CITES-recognized name, as reported in CITES-approved checklists. The first step is therefore to assess whether the taxonomic circumscription, including authorities and synonyms, is stable or is dynamic. If the status of the taxon is dynamic, then the taxonomy is usually uncertain (e.g., the taxon may consist of several entities which have to be assessed separately). Sources of information include published floras, CITES checklist, identification guides, and taxonomic experts.

12. **Harvest limits**: Confirm if proposed trade is within existing harvest limits. Determine whether these harvest limits are current and valid for the particular population of the species, taking into consideration any new information regarding the species.

13. **Source of material**: Consider whether the source of the specimen proposed for trade is from the wild or artificially propagated. If the specimen was artificially propagated according to Resolution Conf. 10.13

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1 TRAFFIC (2008) Developing a Non-Detriment Finding Methodology for Agarwood-Producing taxa. PC17 Inf.4 http://www.cites.org/common/com/PC/17/X-PC17-Inf-04.pdf

2 Rosser, A. & M. Haywood. 2002. Guidance for CITES Scientific Authorities. Checklist to assist in making non-detriment findings for Appendix II exports. - xi+146 pp., IUCN, Gland and Cambridge

3 http://www.cites.org/common/com/PC/16/X-PC16-09-Inf.pdf

4 http://www.conabio.gob.mx/institucion/cooperacion_internacional/TallerNDF/Links-Documentos/WebPage%20-%20Format%20-%2023%20May%2008.doc

5 Duties of the CITES Scientific Authorities and Scientific Review Group under Regulations 338/97 and 865/2006. http://ec.europa.eu/environment/cites/pdf/srg/guidelines.pdf

6 CUNNINGHAM (2001): Applied ethnobotany. Earthscan; PETERS (1994): Sustainable harvest of non-timber forest plant resources in tropical moist forest. An ecological primer. - WWF Biodiversity Support Program, Washington.

(Rev. CoP14)[7] and Resolution Conf. 11.11[8], the NDF should address the criteria as established under these Resolutions. This should complete the NDF process. If the specimen does not meet the criteria of these Resolutions, continue with the process below.

14. **Resilience of a species to collection**: This step involves evaluating the resilience of species to collection by considering the elements in Table 1, which outlines factors for high, medium, and low resilience to collection. This table is not an exhaustive list but includes factors that may be most indicative of resilience or vulnerability, based on examples taken from Cunningham (2001) and Peters (1994). There are also links to the Agarwood specific detail provided in PC17 Inf.4.[1] It is expected that judgement will be cautionary, for example, if a species has only a few factors of lower resilience and several deemed higher resilience, the species may still be considered as having a lower resilience to collection. Species are evaluated as having higher resilience i.e. less at risk from collection, if most of the resilience factors are in the higher category.

15. **Assessing the management of wild-collection activities**: Table 2 outlines factors affecting the management of the collection or harvest, along with references that provide examples of how each factor may be applied (Annex 2). For species that are less resilient to collection, greater rigour should be used, for example, multiple data sources, intensive field study, etc. In general, it is expected that Scientific Authorities will work with the information that is available and seek more extensive information for species with very low resilience. Sources of data will vary, depending on the species and collection situation. In some cases, reliable information may not be part of an academic study or published in a peer-reviewed journal, but could still be considered to be reliable by the SA. For example, population abundance may be known from only information gathered from local harvesters.

16. If information gleaned from the previous steps indicates a predominantly negative trend, this may lead to management interventions (see Section 2.7 in PC17 Inf.4[1]). A comprehensive list of management criteria, including sustainable management indicators is outlined in Section 3 of PC17 Inf.4[1], which aims to present a list of options for CITES Authorities of range States to consider towards improving the sustainable management of wild agarwood populations. This includes a consideration of the monitoring and verification systems that could be set up or strengthened in parallel to the NDF assessment process

Recommendations

17. The CITES Plants Committee is asked:

- to take note of the guidance document prepared by the working group on NDFs for Agarwood-producing taxa;
- to present this NDF guidance for Agarwood-producing taxa as part of the consideration of a NDF-specific Resolution;
- to propose to CoP15 to delete Decision 14.133, on the basis of the Decision having been fulfilled;
- to propose to CoP15 that capacity building workshops on the use of the Agarwood NDF guidance should be conducted in the Range states with the cooperation of the importing Parties.

[7] Resolution Conf. 10.13 (Rev. CoP14). Implementation of the Convention for timber species. (http://www.cites.org/eng/res/10/10-13R14.shtml).

[8] Resolution Conf. 11.11 (Rev. CoP14). Regulation of Trade in Plants. (http://www.cites.org/eng/res/11/11-11R14.shtml)