

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



Seventy-seventh meeting of the Standing Committee  
Geneva (Switzerland), 6–10 November 2023

Regulation of trade

SPECIMENS PRODUCED THROUGH BIOTECHNOLOGY

1. This document has been submitted by Cuba as Chair of the Standing Committee Intersessional Working Group on Specimens produced through biotechnology.\*
2. At its 19th meeting (CoP19; Panama City, 2022), the Conference of the Parties adopted Decision 19.161 on *Specimens produced through biotechnology* as follows:

***Directed to the Standing Committee, in close collaboration with the Animals and Plants Committees***

**19.161** *The Standing Committee, in close collaboration with the Animals and Plants Committees, shall:*

- a) *continue to discuss trade in products of biotechnology, which might potentially affect international trade in CITES-listed specimens in a way that would threaten their survival, including enforcement of CITES provisions. The Committee's discussion shall consider the need for new guidance material or updates to existing guidance material on the following issues, in relation to trade in specimens produced through biotechnology:*
  - i) *whether an update is needed in the Guidance on the use of the scientific exchange exemption and the simplified procedures to issue permits and certificates, endorsed by the Standing Committee at SC73 (online, May 2021), to include a section on specimens produced through biotechnology;*
  - ii) *whether there is a need for additional guidance on making legal acquisition findings in relation to specimens produced through biotechnology;*
  - iii) *whether there is a need for guidance on the application of source codes to specimens produced through biotechnology;*
  - iv) *whether guidance is needed to improve permitting and enforcement of trade in specimens produced through biotechnology in order to address the risk of natural specimens of illegal origin being passed as synthetic and thereby entering the market with a valid CITES permit;*
  - v) *whether guidance is needed on traceability issues to improve permitting and enforcement of trade in specimens produced through biotechnology in order to ensure*

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\* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

*a clear link (e.g., marking, other means of identification) between a specimen produced through biotechnology and CITES documentation in order to prevent misuse;*

*vi) whether biotechnology issues concerning animals and plants should be addressed distinctly; and*

*vii) any emerging issues or cases not considered in the document AC31 Doc. 17/PC25 Doc. 20, such as hirudin and squalene;*

*b) communicate to the Animals and Plants Committees any matters that may require scientific advice and guidance, as appropriate; and*

*c) make recommendations for consideration at the 20th meeting of the Conference of the Parties, including appropriate updates to existing guidance materials, the development of new guidance materials on trade in specimens produced from biotechnology or changes to any pertinent Resolutions.*

3. At its 76th meeting (SC76, Panama City, November 2022), the Standing Committee established an intersessional working group ([SC76 SR](#)) with the following mandate:

***In close collaboration with the Animals and Plants Committee:***

*a) continue to discuss trade in products of biotechnology, which might potentially affect international trade in CITES-listed specimens in a way that would threaten their survival, including enforcement of CITES provisions. The working group's discussion shall consider the need for new guidance material or updates to existing guidance material on the following issues, in relation to trade in specimens produced through biotechnology:*

*i) whether an update is needed in the Guidance on the use of the scientific exchange exemption and the simplified procedures to issue permits and certificates, endorsed by the Standing Committee at SC73 (online, May 2021), to include a section on specimens produced through biotechnology;*

*ii) whether there is a need for additional guidance on making legal acquisition findings in relation to specimens produced through biotechnology;*

*iii) whether there is a need for guidance on the application of source codes to specimens produced through biotechnology;*

*iv) whether guidance is needed to improve permitting and enforcement of trade in specimens produced through biotechnology in order to address the risk of natural specimens of illegal origin being passed as synthetic and thereby entering the market with a valid CITES permit;*

*v) whether guidance is needed on traceability issues to improve permitting and enforcement of trade in specimens produced through biotechnology in order to ensure a clear link (e.g., marking, other means of identification) between a specimen produced through biotechnology and CITES documentation in order to prevent misuse;*

*vi) whether biotechnology issues concerning animals and plants should be addressed distinctly; and*

*vii) any emerging issues or cases not considered in the document AC31 Doc. 17/PC25 Doc. 20, such as hirudin and squalene;*

*b) communicate to the Animals and Plants Committees any matters that may require scientific advice and guidance, as appropriate; and*

*c) make recommendations for consideration by the Standing Committee, including appropriate updates to existing guidance materials, the development of new guidance materials on trade in specimens produced from biotechnology or changes to any pertinent Resolution.*

4. The membership of the working group ([E-2023-2025-SC-IWGs](#)) comprises:

Chair: Cuba

Parties: Benin, Botswana, Brazil, Canada, China, Colombia, Costa Rica, Cuba (Chair), Czech Republic, Democratic Republic of the Congo, Ecuador, Germany, Ghana, Indonesia, Liberia, Peru, Republic of Korea, Switzerland, Tonga, United Republic of Tanzania, United States of America, Zimbabwe;

Observers: United Nations Office on Drugs and Crime (UNODC); International Union for Conservation of Nature (IUCN); Association of Zoos and Aquariums (AZA), Center for Biological Diversity, International Fur Federation (IFF), IWMC-World Conservation Trust, Lewis & Clark – Global Law Alliance, MEA Strategies LLC, Wildlife Conservation Society (WCS), World Wide Fund for Nature (WWF).

AC Members: alternate representative for North America (Mr. Leuteritz) and alternate representative for Oceania (Ms. McIntyre)

PC Members: representative for Asia (Ms. Zeng)

5. At its 26th meeting, the Plants Committee (PC26, Geneva, 2023) agreed to nominate the representative for Asia (Ms. Zeng) to participate in the working group.

6. At its 32nd meeting, the Animals Committee (AC32, Geneva, 2023) agreed to nominate the alternate representative for North America (Mr. Leuteritz) and the alternate representative for Oceania (Ms. McIntyre) to participate in the working group.

7. In its initial exchanges, the working group agreed to focus the discussion on points i) to v) of subsection a), and wait for the support of the Animal and Plants Committees for points vi) and vii).

8. The Chair then asked the members of the working group to provide inputs on the following questions:

a) Do you think it is pertinent to consult the Parties on the implementation of Resolution Conf. 9.6 (Rev. CoP19) on *Trade in readily recognizable parts and derivatives*, and on which specimens, identified by the Parties as produced through biotechnology, are traded; taking into account that the parties were already consulted in 2020, Notification No. 2020/062, on the application of Resolution Conf. 9.6 (Rev. CoP19)?

b) Do you consider it necessary to create a new source code for specimens obtained through biotechnology, considering that diverging views were expressed on this matter during the discussions of this working group in its previous period?

c) Do you find it necessary or desirable to hold a virtual meeting of the working group next fall, after the Standing Committee meeting? What topics do you propose to address?

9. At the time of writing, the Chair is still in the process of receiving and analysing the answers to these questions provided by the members of the working group.

#### Conclusion

10. The working group will continue its work with the aim to fulfil the mandate assigned by the Standing Committee and report on results to the 78th meeting of the Standing Committee.

#### Recommendations

11. The Standing Committee is invited to note the interim report of the Intersessional Working Group on Specimens produced through biotechnology.