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

CE

Seventy-eighth meeting of the Standing Committee Geneva (Switzerland), 3-8 February 2025

Regulation of trade

RAPID MOVEMENT OF WILDLIFE DIAGNOSTIC SAMPLES AND OF MUSICAL INSTRUMENTS

- 1. This document has been submitted by Australia as Chair of the Standing Committee working group on rapid movement of wildlife diagnostic samples and of musical instruments.¹
- 2. At its 19th meeting (Panama City, 2022), the Conference of the Parties adopted Decision 19.160 directed to the Standing Committee as follows:

Directed to the Standing Committee

19.160 The Standing Committee shall consider the need for the development of further appropriate mechanisms, including guidance and capacity-building on simplified procedures in accordance with the recommendations in Part XIII of Resolution Conf. 12.3 (Rev. CoP19) on Permits and certificates, to facilitate the efficient international movement of wildlife samples for diagnostic purposes and/or conservation purposes and the non-commercial movement of musical instruments for purposes of performance, display or competition, for consideration by the 20th meeting of the Conference of the Parties.

3. At SC76 (Panama City, 2022), the Standing Committee established an intersessional working group on rapid movement of wildlife diagnostic samples and of musical instruments with a mandate to:

Consider the need for the development of further appropriate mechanisms, including guidance and capacity-building on simplified procedures in accordance with the recommendations in Part XIII of Resolution Conf. 12.3 (Rev. CoP19) on Permits and certificates, to facilitate the efficient international movement of wildlife samples for diagnostic purposes and/or conservation purposes and the non-commercial movement of musical instruments for purposes of performance, display or competition, for consideration by the 20th meeting of the Conference of the Parties.

4. The membership of the intersessional working group on rapid movement of wildlife samples and of musical instruments was agreed as follows (19 Parties; 18 Observers): Australia (Chair), Austria, Brazil, Canada, China, European Union, Georgia, Germany, Indonesia, Japan, Liberia, Peru, Republic of Korea, Singapore, South Africa, Switzerland, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America; International Whaling Commission (IWC), United Nations Office on Drugs and Crime (UNODC), World Organisation for Animal Health (WOAH); International Union for Conservation of Nature (IUCN); Animal Welfare Institute (AWI), Association of Southeastern Fish and Wildlife Agencies, Association of Zoos and Aquariums (AZA), Confederation of the European Music Industries (CAFIM), International Association of Violin and Bow Makers, International Elephant Foundation, International Federation of Musicians, IWMC-World Conservation Trust, MEA Strategies LLC, League of

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American Orchestras, Pan African Sanctuary Alliance, Pearle, World Wide Fund for Nature (WWF), Zoological Society of London.

Background

- The 18th meeting of the Conference of the Parties (Geneva, 2019) adopted amendments to Resolution Conf. 11.15 (Rev. CoP18) on Non-commercial loan, donation or exchange of museum, herbarium, diagnostic and forensic research specimens and Resolution Conf. 12.3 (Rev. CoP18) on Permits and certificates.
- 6. The amendments addressed a number of concerns raised by persons, bodies and organizations involved in the movement of CITES samples for the urgent international movement of CITES biological samples for diagnostic and other health/disease related purposes. In particular, they enabled Parties to allow for the expedited movement of these samples and expanded the types of biological specimens that are eligible for transport under simplified permitting procedures, which addressed many of the concerns associated with the delay in receiving permits for these items. The broadened application of Resolution Conf. 11.15 (Rev. CoP18) was intended to allow for a broader range of scientific research to be conducted, further forensic research capabilities and allow for more rapid research response to wildlife disease outbreaks.
- 7. On 12 October 2021, the Director General of the World Organisation for Animal Health (then OIE, now WOAH), Dr. Monique Eloit, wrote to the Chair of the Standing Committee's working group on the role of CITES in reducing the risk of future zoonotic disease emergence associated with international wildlife trade (Canada) to raise an issue relating to the issuance of permits and certificates associated with the exchange of wildlife health diagnostic samples.
- 8. In its letter, WOAH proposed further exploring simplified CITES requirements for the transport of wildlife diagnostic specimens (most of the times collected and held by veterinarians or wildlife rangers in the field) with the aim to further facilitate the ability to undertake rapid wildlife health diagnostics. In particular, WOAH noted that when there is a wildlife health event, the current requirements to seek CITES export permits for wildlife diagnostic specimens (and in some cases import permits) frequently extends the time to obtain a diagnosis and thus may compromise any early measures that could be taken to protect the health of these and other species. WOAH also observed that there has been a decrease in international collaboration with many scientists and laboratories no longer being willing to expend the time and effort required to obtain CITES permits since the work is conducted on a voluntary or non-profit basis.
- 9. Subsequently, the 74th meeting of the Standing Committee (in response to document SC74 Doc. 44 from Australia) agreed to submit to CoP19 the following decision:
 - 19.XX Directed to the Standing Committee

The Standing Committee shall consider the need for the development of further appropriate mechanisms, including guidance and capacity-building on simplified procedures in accordance with the recommendations in Part XIII of Resolution Conf. 12.3 (Rev. CoP18) on *Permits and certificates*, to facilitate the efficient international movement of wildlife samples for diagnostic purposes and/or conservation purposes, for consideration by the 20th meeting of the Conference of the Parties

- 10. Further discussions on this topic at CoP19 expanded the scope of this matter to include the "non-commercial movement of musical instruments for purposes of performance, display or competition" [see summary record CoP19 Plen. Rec. 2 (Rev. 1)]. At SC76, Australia agreed to Chair the working group tasked with addressing Decision 19.160.
- 11. To begin discussions, the working group considered how widely the existing mechanisms for efficient international movement of wildlife samples and musical instruments were being used; what barriers were encountered in their use, or problems created; whether there was a need for further mechanisms (and what these mechanisms might be); and whether there is a need for further guidance and capacity-building on simplified procedures beyond what is contained in Resolution Conf. 12.3 (Rev. CoP19) and the <u>Guidance on the use of the scientific exchange exemption and the simplified procedures to issue permits and certificates</u>.
- 12. One matter that was raised in discussions is the distinction between the simplified permitting procedures outlined in Resolution Conf. 12.3 (Rev. CoP19), and the 'scientific exchange' process outlined in Resolution Conf. 11.15 (Rev. CoP18) on Non-commercial loan, donation or exchange of museum, herbarium, diagnostic and forensic research specimens. While the latter was not specifically a part of the group's mandate, given

that the group was asked to consider the need for the development of further appropriate measures including (but not exclusively) guidance and capacity-building on simplified procedures, the group concluded that discussing this matter was not outside of its mandate.

- 13. The working group submitted document SC77 Doc. 53 on the progress of the working group. The report indicated that the working group agreed to complete its work in two separate subgroups, one focusing on wildlife samples and the other one on musical instruments. The report noted that simplified procedures are not used by every Party, creating inconsistency. On wildlife samples, 'rapid' movement was generally considered to be within a few days. Many members expressed that better guidance for Parties on using the simplified procedures in emergency situations would be beneficial. Members also expressed a specific desire to better define the requirements for cataloguing of specimens under different circumstances (e.g., research, diagnosis, or forensic). On musical instruments, similar to the wildlife samples, the most significant barriers to the movement of musical instruments via existing simplified procedures include the inconsistent use of these procedures by Parties. In both subgroups, members suggested that better guidance for Parties on how to apply the simplified procedures available could be beneficial.
- 14. Owing to the substantial agenda of the meeting, the report was not opened for discussion. The Committee noted document SC77 Doc. 53 and requested further comments by Notification to the Parties. Two Parties responded with brief comments, both supporting the development of further guidance materials and continued discussions on the standards for the use of the scientific exchange provisions for movement of wildlife samples. One Party supported ensuring the *Exemptions and special procedures* webpage be kept up to date with a table of all Parties that recognize personal and household effects exemptions to ensure compliance for individuals traveling with their musical instruments.
- 15. Following SC77, the working group discussed practical options for addressing the issues raised. There was limited appetite for amendments to existing Resolutions, and an emphasis on more guidance and better access to information.

Wildlife samples

- 16. The existing issue of inconsistent application of the various exemptions and simplified procedures between Parties remains a major issue. A recent review of the CITES website indicated that only 76 of 183 Parties (excluding the EU as their Member States appear to register their scientific institutions separately) register scientific institutions entitled to the exemption provided by Article VII, paragraph 6, of the Convention 41% of Parties. Through discussions, it has become clear that there are some gaps in understanding of the more specific challenges facing Parties in implementing the existing exemptions and rapid movement arrangements available to them under Resolution Conf. 11.15 (Rev. CoP18) and Resolution Conf. 12.3 (Rev. CoP19). The working group therefore proposes that the Standing Committee agree to request CoP20 to direct the Secretariat to issue another Notification to attempt to gather this information. One member also observed that the current register is inconsistent in the level of detail provided for registered entities, which may hinder collaboration between these entities. The Notification could also remind Parties that while the Secretariat will issue a Notification every five years requesting that Parties review and update their register of scientific institutions and communicate any changes to the Secretariat [per Resolution Conf. 11.15 (Rev. CoP18) para 3(f)], they may update this information at any time.
- 17. Members proposed, with general support, a reorganization of information relevant to the movement of wildlife samples on the CITES website, to create a single 'landing page' where all relevant information can be accessed. The working group agreed that a new page could include:
 - a) a description of the scientific exchange arrangements under Resolution Conf. 11.15 (Rev. CoP18)
 - b) a description of the simplified procedures under Resolution Conf. 12.3 (Rev. CoP19).
 - c) links to the relevant Resolutions, meeting documents, and guidance materials (current and future).
- 18. Also on this page, members saw the benefit of a summary of individual Party's rapid movement/simplified procedures arrangements and links to further information (such as to their own websites). This could be done quite simply, in a register format in the same way the registered scientific exchange or captive breeding information is organised on the website. An additional, or alternate approach would be to include this information on the Country Profiles pages of individual Parties, and to link to those profiles from the new 'landing page.' The group did not discuss in detail the benefits and challenges of either approach, although

one member did comment that practitioners are more likely to look to a subject-based webpage for information on trade, rather than individual Party information pages.

- 19. The group acknowledged that a summary of individual Party arrangements would take time to collate, but the issuance of a Notification for Parties to populate such a register would be one way to begin to gather the information. As a starting point, the existing *Guidance on the use of the scientific exchange exemption and the simplified procedures to issue permits and certificates* already has some Party-specific information that could be used to populate an early version of such a register.
- 20. In regard to future guidance, working group members were generally in support of schematic or 'one page' guidance documents for ease of use. Including examples focussed on addressing the primary practitioners to which the rapid movement arrangements are relevant may be of assistance. More detailed guidance on related matters, such as appropriate permit conditions, de minimis quantities, purposes of use, and making NDFs for export and import of Appendix I samples may require an update to the Guidance on the use of the scientific exchange exemption and the simplified procedures to issue permits and certificates.
- 21. One group member raised that partially completed permits (an existing rapid movement option described under Resolution Conf. 12.3 (Rev. CoP19) XIII (b)) are not always useful when the species or type of specimen is genuinely not known, and a question about whether permits issued at Kingdom level (e.g. Animalia) would be possible. Several Parties, in responding to this suggestion, were hesitant to suggest this as a broad solution, although examples were given where higher-order permits were useful tools in certain cases.
- 22. The working group discussed whether veterinarians and veterinary services, rangers and national park staff should be included as 'scientists' and 'scientific institutions' per Article VII (6) of the Convention to facilitate their registration under Resolution Conf. 11.15 (Rev. CoP18). The group generally considered that this would be a case-by-case matter and acknowledged that those people and institutions would still need to meet the criteria for registration in that Resolution. Similarly, in earlier discussions, the group generally agreed that commercial laboratories could be registered for the express purpose of non-commercial exchanges to undertake non-commercial diagnostic tests in accordance with the conditions outlined in Resolution Conf. 11.15 (Rev. CoP18).

Musical instruments

- 23. The group agreed that overall, current simplified procedures (e.g. musical instrument certificates, traveling exhibition certificates, or the personal or household effects exemption) for musical instruments work well, although inconsistent implementation remained a problem.
- 24. The group supported creation of shorter, clearer guidance for Parties that desire implementation of these simplified procedures.
- 25. Similar to the wildlife samples discussed above, one barrier to the use of existing exemptions and simplified procedures (including by those people actually moving the instruments) is understanding how they are implemented by each Party. In that regard, the group supported the idea of a new 'musical instruments' webpage, to bring together information on:
 - a) Resolution Conf. 16.8 (Rev. CoP17) on *Frequent cross-border non-commercial movements of musical instruments*,
 - b) musical instrument certificates and travelling exhibition certificates, and
 - c) the application of personal and household effects exemptions and travelling exhibition certificates.

Also similar to the above, this page could also contain a short register of those Parties who issue and accept musical instrument certificates. A summary of annotations relevant to musical instrument trade (e.g. annotation #15) may also be beneficial.

26. The group agreed to highlight to the Committee ongoing issues with some border arrangements for the inspection of musical instrument certificates significantly slowing down border crossings. However, this is likely to be a domestic matter best addressed by Parties where those issues are occurring.

Recommendations

- 27. The Standing Committee is invited to:
 - a) submit the draft decisions in the Annex to the present document for consideration by the 20th meeting pf the Conference of the Parties; and
 - b) agree that Decision 19.160 has been implemented and should be deleted.

DRAFT DECISIONS ON RAPID MOVEMENT OF WILDLIFE DIAGNOSTIC SAMPLES AND OF MUSICAL INSTRUMENTS

Directed to the Secretariat

20.AA The Secretariat shall:

- a) issue a Notification to the Parties, requesting that Parties:
 - describe their individual implementation arrangements (including relevant website links) for existing exemptions and simplified procedures for the rapid movement of wildlife samples for diagnostic and/or conservation purposes, and the rapid non-commercial movement of musical instruments for purposes of performance, display or competition;
 - ii) identify and describe any specific challenges facing Parties in implementing the existing exemptions and rapid movement arrangements available to them under Resolution Conf. 11.15 (Rev. CoP18) on Non-commercial loan, donation or exchange of museum, herbarium, diagnostic and forensic research specimens, Resolution Conf. 12.3 (Rev. CoP19) on Permits and certificates and Resolution Conf. 16.8 (Rev. CoP17) on Frequent cross-border non-commercial movements of musical instruments;
 - iii) advise, for Parties that are not implementing the existing exemptions and rapid movement arrangements, why that is the case;
 - iv) consider providing updated or more detailed information on registered scientists and scientific institutions for inclusion in the Register of scientific institutions published on the CITES website in advance of the 5-yearly request by the Secretariat called for under Resolution Conf. 11.15 (Rev. CoP18); and
 - v) invite other affected stakeholders to comment on specific challenges faced when trying to access or utilise existing implementation arrangements.
- b) make the results available to the Standing Committee for their information and consideration in undertaking Decision 20.DD.
- **20.BB** The Secretariat shall, taking into account the responses received to the Notification issued under Decision 20.AA, develop for publication on the CITES website
 - a) a new 'rapid movement of wildlife samples for diagnostic and/or conservation purposes' webpage to bring together information on relevant exemptions and special trade provisions for the rapid movement of wildlife samples, including the scientific exchange arrangements under Resolution Conf 11.15 (Rev. CoP18) and the simplified procedures under Resolution Conf. 12.3 (Rev. CoP19), and including hyperlinks to relevant Resolutions, meeting documents and guidance materials.
 - b) a register of individual Parties' existing rapid wildlife sample movement arrangements and links to further information.
 - c) a new 'rapid non-commercial movement of musical instruments for purposes of performance, display or competition' webpage to bring together information on relevant exemptions and special trade provisions for the rapid movement of musical instruments, including the arrangements under Resolution Conf. 16.8 (Rev. CoP17), musical instrument certificates and travelling exhibition certificates, and personal and household effects arrangements, and including hyperlinks to relevant Resolutions, meeting documents and guidance materials.
 - d) a register of individual Parties' existing rapid musical instrument movement arrangements and links to further information.

20.CC The Secretariat shall, subject to external funding and in consultation with Parties and stakeholders, develop 'one-page' or simplified guidance materials on the rapid movement of wildlife samples for diagnostic and/or conservation purposes, and the rapid non-commercial movement of musical instruments for purposes of performance, display or competition, for review, appropriate amendment and endorsement by the Standing Committee.

Directed to the Standing Committee

20.DD The Standing Committee shall:

- a) review the report of the Secretariat on the implementation of Decision 20.AA; and
- b) review the 'one-page' or simplified guidance materials on the rapid movement of wildlife samples and of musical instruments prepared under Decision 20.CC, agree appropriate amendments, and request publication of endorsed guidance on the relevant CITES webpage.