

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

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Fiftieth meeting of the Standing Committee  
Geneva (Switzerland), 15-19 March 2004

Interpretation and implementation of the Convention

SPECIMENS TO BE EXEMPTED FROM THE PROVISIONS OF THE CONVENTION

1. This document has been prepared by the Secretariat in consultation with the Depositary Government.
2. At its 46th meeting (Geneva, March 2002), the Standing Committee reviewed document SC46 Doc. 12, containing recommendations of a working group on time sensitive research samples, and agreed that on the basis of these, proposals should be prepared for consideration at the 12th meeting of the Conference of the Parties (CoP12) (Santiago, 2002). Annex 1 of that document contained a proposed annotation to the Appendices, which was then finalized and was submitted by the Depositary Government at the request of the Standing Committee.
3. The proposal that was submitted by the Depositary Government is attached for information as Annex 1 to the present document. Unfortunately it contained a technical error, which was the reference to annotation °607, an annotation that related only to corals, although the intention of the proposal was to refer to all species. There was a short discussion of the proposal at CoP12, where there was little opposition. One amendment was suggested. It was noted that a strict application of the Rules of Procedure prevented the scope of the proposal being extended to cover all species. Therefore, because of the technical error, the Depositary Government withdrew the proposal and stated that a new one would be submitted for consideration at the next meeting.
4. The representative of the Depositary Government explained this background at the 49th meeting of the Standing Committee (Geneva, April 2003) and it was agreed to reconsider the matter at the 50th meeting.
5. Annex 2 contains a revised version of the proposal that was submitted for consideration at CoP12, but without the supporting statement, which would need to be prepared. This version is designed to apply to all CITES species. It includes an amendment suggested at CoP12 by States of the European Union, to refer to "*in vitro* cultivated DNA".
6. As the original proposal was submitted at the request of the Standing Committee, the Committee is requested to endorse the submission by the Depositary Government of the revised proposal in Annex 2.



## CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II

### A. Proposal

Amendment of Annotation °607 to read:

The following are not subject to the provisions of the Convention:

- a) synthetically derived DNA that does not contain any part of the original;
- b) urine and faeces;
- c) synthetically produced medicines and other pharmaceutical products such as vaccines that do not contain any part of the original genetic material from which they are derived; and
- d) fossils.

### B. Proponent

Switzerland as Depositary Government, at the request of the Standing Committee.

### C. Supporting Statement

At its 46th meeting, the Standing Committee, in the context of Decision 11.87, and as part of a series of proposals on the issue of trade in time-sensitive biological samples, requested the Depositary Government to prepare a proposal for consideration at the 12th meeting of the Conference of the Parties to amend the interpretation section of the Appendices to note that the following types of specimens are not covered by the Convention: i) synthetically derived DNA that does not contain any part of the original; ii) urine and faeces; and iii) synthetically produced medicines and other pharmaceutical products such as vaccines that do not contain any part of the original genetic material from which they are derived. The Secretariat proposed that Annotation °607 be amended to accommodate these exemptions to be applicable to all CITES-listed species, based on the precedent established through which fossils of the stony coral species included in the Appendices are not subject to the provisions of the Convention. For further information, please refer to documents Doc. AC.16.21, SC45 Doc. 10 and SC46 Doc. 12, available on the CITES website.



PROPOSAL TO AMEND APPENDICES I AND II

Inclusion of a new paragraph after paragraph 4 in the Interpretation section of the Appendices, to read as follows (with the following paragraphs being renumbered):

“5. The following are not subject to the provisions of the Convention:

- a) *in vitro* cultivated DNA that does not contain any part of the original;
- b) urine and faeces;
- c) synthetically produced medicines and other pharmaceutical products such as vaccines that do not contain any part of the original genetic material from which they are derived; and
- d) fossils.”