

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

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Twelfth meeting of the Conference of the Parties  
Santiago (Chile), 3-15 November 2002

Interpretation and Implementation of the Convention

Trade control and marking issues

TRADE IN TIME-SENSITIVE BIOLOGICAL SAMPLES

1. This document has been prepared by the Secretariat on behalf of the Standing Committee.
2. At its 45th meeting, the Standing Committee established a working group to develop, in collaboration with the Secretariat, recommendations for consideration at the 12th meeting of the Conference of the Parties on the subject of trade in time-sensitive biological samples, in response to the recommendations of the Animals Committee concerning Decisions 11.103 and 11.104. The Standing Committee, at its 46th meeting, agreed to propose a range of measures aimed at expediting trade in time-sensitive biological samples, and avoiding unnecessary regulation through the Convention of trade in specimens that poses minimal conservation risks. For further detail, please see documents Doc. AC.16.21, SC45 Doc. 10 and SC46 Doc.12, available on the CITES website.
3. The Standing Committee considers that certain biological samples should not be subject to the provisions of the Convention. It has accordingly 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 template; 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 (see proposal CoP12 Prop.1).
4. An important form of trade considered by the Standing Committee is the high volume trade for biomedical and pharmaceutical reasons that involves a relatively limited range of specimens, a limited number of species, occurs regularly between a limited number of institutions, and requires urgent transfers because of the nature of the biological samples concerned. The Standing Committee considers that this form of trade can be expedited, without any conservation risk, by the issuance of partially complete permits to exporters and importers. Options concerning, and appropriate circumstances for the use of partially-completed permits are outlined in a proposed amendment to Resolution Conf. 10.2 (Rev.), presented in Annex 1 to the present document. Agreement could not be reached on a proposal to establish a procedure for allowing permits to be used for several consignments.
5. Trade in samples from almost any CITES-listed species could at times be extremely time-sensitive because of public health or other reasons. The procedures referred to in paragraph 4 will, however, not be appropriate in all cases because such trade is neither predictable nor restricted to a narrow range of samples, species or trading partners. In such instances, it is considered that a standard approach toward the making of non-detriment findings for trade in such specimens as required in Article III, paragraphs 2(a) and 3(a) and Article IV, paragraph 2(a), may save time and facilitate the processing of applications without posing a significant conservation risk. A recommendation concerning such a standard approach has been included in Annex 1 as well in order to facilitate the processing of applications, rather than

being proposed as a separate draft resolution, as discussed at the 46th meeting of the Standing Committee.

6. Although the Standing Committee only considered the issue of trade in biological samples, the principles outlined in paragraphs 4 and 5 and the need to simplify the issuance of permits and certificates may apply in other cases as well. The Secretariat is aware that several Parties are already using simplified procedures to issue permits and certificates for other specimens, and that some of these procedures resemble those proposed in Annex 1. It seems justified therefore not to restrict the proposed amendment to biological samples only.

#### Consultation with the Convention on Biological Diversity

7. The Secretariat, on behalf of the Animals and Standing Committees, and as directed in Decisions 11.88 and 11.105, has sought input from the Secretariat of the Convention on Biological Diversity on earlier documents relating to this issue. A further request was made regarding the current proposal, and the response of the Secretariat of the Convention on Biological Diversity is attached as Annex 2.

#### Recommendation

8. The Secretariat, on behalf of the Standing Committee, recommends the adoption of the amendment to Resolution Conf. 10.2 (Rev.) presented in Annex 1.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Amendment to Resolution Conf. 10.2 (Rev.)

**Proposed additions to the preamble:**

RECOGNIZING that the trade in many biological samples, because of their special nature or because of the special purpose of such trade, requires expedited processing of permits and certificates to allow for the timely movement of shipments;

RECALLING that in accordance with Article VIII, paragraph 3, of the Convention, Parties are required to ensure that specimens shall pass through any formalities required for trade with a minimum of delay;

RECOGNIZING that Article VII of the Convention includes special provisions reducing the level of control on trade in specimens that were acquired before the provisions of the Convention applied to them and specimens that were bred in captivity or artificially propagated;

NOTING the need to develop simplified procedures that are compatible with the obligations of Parties to the Convention on Biological Diversity;

**Proposed additional section in the operative part:**

X. Regarding the use of simplified procedures to issue permits and certificates

RECOMMENDS that:

- a) Parties use simplified procedures to issue permits and certificates to facilitate and expedite trade that will have a negligible impact, or none, on the conservation of the species concerned, e.g.:
  - i) where biological samples of the type and size specified in Annex 3 of this Resolution are urgently required:
    - A. in the interest of an individual animal;
    - B. in the interest of the conservation of the species concerned or other species listed in the Appendices;
    - C. for judicial or law enforcement purposes;
    - D. for the control of diseases transferable between species listed in the Appendices; or
    - E. for diagnostic or identification purposes;
  - ii) for the issuance of pre-Convention certificates in accordance with Article VII, paragraph 2, of the Convention;
  - iii) for the issuance of certificates of captive breeding or artificial propagation in accordance with Article VII, paragraph 5, of the Convention or for the issuance of export permits or re-export certificates in accordance with Article IV of the Convention for specimens referred to in Article VII, paragraph 4; and
  - iv) in other cases judged by a Management Authority to merit the use of simplified procedures;

- b) Parties, in order to simplify procedures concerning the issuance of permits and certificates under the circumstances outlined above:
- i) maintain a register of persons and bodies that may benefit from simplified procedures, as well as the species that they may trade under the simplified procedures;
  - ii) provide to registered persons and bodies partially completed permits and certificates that remain valid for a period of up to six months for export permits, 12 months for import permits or re-export certificates, and three years for pre-Convention and certificates of captive breeding or artificial propagation; and
  - iii) authorize the registered persons or bodies to enter specific information on the face of the CITES document when the Management Authority has included in box 5, or an equivalent place, the following:
    - A. a list of the boxes that the registered persons or bodies are authorized to complete for each shipment; if the list includes scientific names, the Management Authority must have included an inventory of approved species on the face of the permit or certificate or in an attached annex;
    - B. any special conditions; and
    - C. a place for the signature of the person who completed the document;
- c) concerning trade in biological samples of the type and size specified in Annex 3 of this Resolution, where the purpose is among those specified in paragraph a) of this section, permits and certificates be accepted that were validated at the time the documents were granted, rather than at the time a shipment was exported or re-exported provided that the container bears a label, such as a Customs label, that specifies "CITES Biological Samples" and the CITES document number; and
- d) when processing applications for the export of biological samples of the type and size and for the use specified in Annex 3 to the Resolution, Scientific Authorities develop generic non-detriment advice that would cover multiple shipments of such biological samples, taking into account the impacts of the collection of the specimens of species included in Appendix I or II to determine whether the export or import of biological samples would be detrimental to the survival of the species.

**Proposed additional annex to Resolution Conf. 10.2 (Rev.):**

**Annex 3**

Types of biological samples and their use

Type of sample	Typical size of sample	Use of sample
blood, liquid	drops or 5 ml of whole blood in a tube with anticoagulant; may deteriorate in 36 hours	haematology and standard biochemical tests to diagnose disease; taxonomic research; biomedical research
blood, dry (smear)	a drop of blood spread on a microscope slide, usually fixed with chemical fixative	blood counts and screening for disease parasites
blood, clotted (serum)	5 ml of blood in tube with or without a blood clot	serology and detection of antibodies for evidence of disease; biomedical research

Type of sample	Typical size of sample	Use of sample
tissues, fixed	5 mm <sup>3</sup> pieces of tissues in a fixative	histology and electron microscopy to detect signs of disease; taxonomic research; biomedical research
tissues, fresh (excluding ova, sperm and embryos)	5 mm <sup>3</sup> pieces of tissues, sometimes frozen	microbiology and toxicology to detect organisms and poisons; taxonomic research; biomedical research
swabs	tiny pieces of tissue in a tube on a swab	growing bacteria, fungi, etc. to diagnose disease
hair, skin, feathers, scales  cell lines and tissue cultures	small, sometimes tiny pieces of skin surface in a tube (up to 10 ml in volume) with or without fixative  no limitation of sample size	genetic and forensic tests and detection of parasites and pathogens and other tests  cell lines are artificial products cultured either as primary or continuous cell lines that are used extensively in testing the production of vaccines or other medical products and taxonomic research (e.g. chromosome studies and extraction of DNA)
DNA	small amounts of blood (up to 5 ml), hair, feather follicle, muscle and organ tissue (e.g. liver, heart, etc.), purified DNA, etc.	sex determination; identification; forensic investigations; taxonomic research; biomedical research
secretions, (saliva, venom, milk)	1-5 ml in vials	phylogenetic research, production of anti-venom, biomedical research



*(photocopy of CBD letter  
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