

IN REPLY REFER TO:
FWS/DMA/TRE 1-06a.

Mr. Willem Wijnstekers
Secretary General
CITES Secretariat
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CH-1219 Châtelaine-Geneva
Switzerland

VIA FACSIMILE: (4122) 797 3417

Dear Mr. Wijnstekers:

As was agreed at the Forty-Ninth Meeting of the Standing Committee (SC49), the Secretariat has issued Notification to the Parties No. 2003/030 inviting Parties to comment on the draft Memorandum of Understanding (MOU) with the United Nations Food and Agriculture Organization (FAO). This MOU was developed by the Secretariat, in consultation with the Chairman of the Standing Committee, and submitted to the Committee as an annex of SC49 Doc. 6.3. Comments on the draft are intended to assist the Chairman of the Standing Committee in liaising with FAO on the development of an MOU between CITES and FAO.

This letter provides the U.S. response to Notification to the Parties No. 2003/030. Both FAO and CITES have agreed that an MOU to guide and coordinate work between the two organizations on topics or species of mutual interest would be beneficial. The United States is an active participant in both CITES and the FAO Committee on Fisheries (COFI) and has played a prominent role in promoting establishment of an MOU between the two organizations. Indeed, the United States and Japan drafted the compromise document, COP12 Doc 16.2.1/16.2.2.addendum, that resulted in Decision 12.7 asking that the Standing Committee produce and negotiate such an MOU.

The U.S. supports the tone and the substance of the draft MOU between CITES and FAO attached to Notification to the Parties No. 2003/030. This draft MOU maintains much of the politically neutral language of the draft decision submitted jointly by Japan and the U.S. that was adopted at COP12 (Decision 12.7). We believe such neutral language is essential to ensure that the final document is acceptable to the large number of nations that are party to both CITES and FAO. We would suggest that the preambular text of the MOU be the same or adhere as closely as possible to that of the compromise document from COP12 (Doc. 16.2.1/16.2.2 addendum), particularly the language on the

roles of each organization as it was taken from their mission

Mr. Willem Wijnstekers

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statements. Our experience in the COFI and SC49 working groups suggests that it is the preambular language that is some of the most controversial. Using language already agreed by CITES Parties at COP12 should eliminate some of that controversy.

We believe that the draft MOU adheres closely to the terms of reference laid out in Decision 12.7 by: calling for development of a procedure for ensuring FAO involvement in the evaluation of listing proposals for exploited aquatic species; stating the need for CITES and FAO to assist with capacity building in developing countries and countries with economies in transition; and directing CITES and FAO to work together to identify and address issues of common interest. We concur with the need to outline a process for the two Secretariats to meet to discuss implementation of the MOU and to prepare joint work programs which would be reviewed by the CITES Standing Committee and the FAO Sub-Committee on Fish Trade, and with the provision to report to the CITES Conference of the Parties and the FAO Committee on Fisheries on work completed.

Formalized cooperation between CITES and FAO will benefit exploited aquatic species and the communities and industries that depend on them. The U.S. remains hopeful that progress can be made on this issue and supports the establishment of an MOU like the draft provided with Notification to the Parties No. 2003/030.

Sincerely,

Peter O. Thomas, Ph.D., Chief
Division of Management Authority

cc: Surname, RF-2, originator, DSA

FWS/DMA/OPS:Laura N.,703-358-2104:6-30-03

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