



CITES Secretariat
Chemin des Anémones
CH-1219 CHATELAINE-Genève
SVEITS

Your ref.:

Our ref.:

Date:

03/4699 ARTS-AM-OS
File Key:

2003.06.30

Comments on draft MoU between CITES and FAO

We refer to CITES Notification no 2003/030 where the CITES Secretariat invites the Parties to submit comments on a draft MoU with the FAO. The Norwegian CITES Management Authority wants to submit the following comments:

Pre-ambles

Norway would prefer keep the preambles rather short and succinct, with a focus on relevant decisions adopted by CITES COP12 and by FAO's COFI sub-committee on Fish Trade, 8th session in 2002, endorsed by COFI in its 25th session in 2003. This last meeting should be added to the preambular paragraph 5 of the present draft.

We therefore suggest to shorten the preambular text by deleting the first three preambles ("Noting that the Food and Agriculture, Further noting that the Convention on, and Recognizing that the aims and purposes.....).

However, in order to make a transition to the main text in the agreement we recommend adding the following paragraph to the present text:

"BELIEVING that there is a need to strengthen the process in CITES for scientific and technical evaluation of proposals for amendment of Appendices I and II concerning commercially exploited aquatic species; "

Article 1

As we see it, this paragraph contains the most important text of the MoU and should therefore add something substantial to what is already stated in Article XV of the Convention (cf. consultation on proposals concerning marine species), otherwise the usefulness of the MoU may be questioned.

The CITES Secretariat should in this Article be directed to inform FAO on relevant listing proposals and on relevant resolutions/decisions, and further to include FAO's response in full into the documents to be presented to the member states prior to the COP. By including FAO's response in full no misconception can arise. These proposals are reflected in our re-written proposal for a new Article 1.

Since FAO's views on proposals are sought to be included in the proposals presented to the Parties, we think it is necessary to bear in mind important deadlines, including when the CITES Secretariat shall present relevant proposals to the FAO, and when FAO's response must be received by the CITES Secretariat. Therefore we agree with the draft MoU presented to include the last sentence in Article 1 "Once agreed, the procedures"

The present text invites FAO to comment on amendment proposals only, we believe it is important to seek FAO's cooperation and comments on other relevant issues as well. We have thus included "resolutions and decisions" in the text:

"CITES and FAO shall develop a procedure for ensuring future FAO involvement in the scientific and technical evaluation of proposals for amending the appendices of the CITES Convention concerning commercially exploited aquatic species as well as draft resolutions and decisions related to commercially exploited aquatic species. In accordance with Article XV, paragraphs 1 and 2(b) of the Convention, the results of such evaluations by FAO shall be conveyed in full and addressed in the advice and recommendations of the CITES Secretariat to the Parties. Once agreed, the procedure shall be annexed to and considered part of this MoU."

Article 2

We believe it is unnecessary to go into detail on training issues etc. We thus propose to shorten Article 2a:

- a) CITES and FAO shall cooperate as appropriate to promote capacity building in developing countries on issues relating to commercially exploited aquatic species listed on CITES Appendices.

Article 3

Concerning issues of common interest we feel that the revision of the CITES listing criteria merit a special mentioning since it is an area where both CITES and FAO have invested considerable effort. We thus propose to add a new paragraph (3b):

- b) FAO will continue to provide advice to CITES and be involved in the process of revision of the CITES listing criteria.

Article 4

We only have minor amendments to this Article 4a) to make the intent more clear, and propose a new paragraph 4c):

- a) The Secretariats of CITES and FAO shall meet annually to discuss implementation of this MoU and if required, to prepare joint work plans for carrying out specific activities. The results of these meetings shall be provided to the CITES Standing Committee and the FAO Sub-committee on Fish Trade for review and input and approval of any workplans.
- b) No change
- c) FAO shall be invited as an observer to meetings under the auspices of CITES or its committees that are of common interest, and CITES will be invited as an observer to meetings of common interest held by the Fisheries Department of FAO, the FAO Committee on Fisheries or its subcommittees.

We hope these suggestions will help the Secretariat increase the accuracy of the text and the usefulness of establishing a MoU between CITES and FAO.

Sincerely yours

Brit Veie-Rosvoll
Head of Section

Øystein Størkersen
Senior advisor

Attachment: Rewritten proposal for a MoU

Copy:

- Miljøverndepartementet
- Utenriksdepartementet
- Fiskeridepartementet
- PJS, FK