

Draft submitted by CITES for consideration by the  
25th session of the FAO Committee on Fisheries  
(Rome, 24 - 28 February 2003)

## MEMORANDUM OF UNDERSTANDING

Between

The Convention on International Trade in  
Endangered Species of Wild Fauna and Flora  
(CITES or the Convention)

and

The Food and Agriculture Organization of the United  
Nations (FAO)

Concerning

Commercially-exploited aquatic species

February 2003

NOTING that the Food and Agriculture Organization of the United Nations (FAO) was founded in 1945, inter alia, to promote and recommend international action with respect to the conservation of natural resources and the adoption of improved methods of agricultural production and to furnish such technical assistance as Governments may request;

FUTHER NOTING that the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) was adopted in 1973, inter alia, to ~~bring about international cooperation essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade;~~ regulate international trade in ~~certain~~ endangered species of wild fauna and flora against over-exploitation due to international trade;

RECOGNIZING that the aims and purposes of CITES and FAO are related and in conformity with each other and that strengthened cooperation between CITES and FAO would better ensure the achievement of those aims and purposes.

RECALLING the recommendation in February 2002 of the COFI Sub-committee on Fish Trade, a subsidiary body to the FAO Committee on Fisheries, that a Memorandum of Understanding (MoU) be established between FAO and CITES; and

FURTHER RECALLING the decision of the Conference of the Parties to CITES at its 12th meeting in November 2002 directing the Standing Committee to conclude a MoU with FAO to establish a frame work for cooperation; recognising the primary role of FAO and regional fisheries management organizations in fisheries management and the role of CITES in regulating international trade;

CITES and FAO agree on the following scope and methods of cooperation.

#### Article 1

##### Scientific and technical evaluation of CITES listing proposals

CITES and FAO shall develop a procedure for ensuring future FAO involvement in the scientific evaluation of proposals for listing, de-listing or transferring commercially exploited aquatic species in CITES appendices in accordance with Article XV, paragraphs 1 and 2(b) of the Convention. Once agreed, the procedure shall be annexed to and considered part of this MOU.

#### Article 2

##### Capacity building for natural resource management

a) CITES and FAO shall cooperate as appropriate to promote capacity building in developing countries ~~facilitate the provision of advice, technical assistance and training to developing countries and countries with economies in transition~~ concerning the implementation of the Convention and FAO Codes of Action concerning the management of commercially-exploited aquatic species and related law enforcement efforts. ~~, for example in connection with the CITES Review of Significant Trade pursuant to Resolution Conf. 12.8, the making of non-detriment findings under the Convention, the FAO Code of Conduct for Responsible Fisheries and the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported Fishing (IPOA-IUU).~~

b) CITES and FAO shall communicate and exchange information regularly and bring to each other's attention areas of concern where there is a role for CITES or FAO to play or where there are implementation difficulties that need to be taken into consideration and addressed.

### Article 3

#### Technical and legal issues of common interest

CITES and FAO shall identify and work together to address technical and legal issues of common interest.

### Article 4

#### Coordination of work

a) The Secretariats of CITES and FAO shall meet annually to discuss implementation of this MoU and to prepare joint work plans, if required —for carrying out specific activities. The result of these meetings shall be provided to the CITES Standing Committee and the FAO Sub-committee on Fish Trade for review, ~~and~~ input and workplans approval.

b) The Secretariat of CITES and FAO shall periodically report on work completed under the MoU to meetings of the Conference of the Parties to CITES and the FAO Committee on Fisheries.

### Article 5

#### General provisions

a) This MoU shall take effect on the date of signature by both CITES and FAO. It shall remain in force unless terminated by 90 days's written notice served by one upon the other, or replaced by another agreement. It may be amended by written mutual agreement of CITES and FAO.

b) Neither CITES nor FAO shall be legally or financially liable in any way for activities carried out jointly or independently. Separate letters of agreement or other arrangements, with specific budgets and resource identification, will be concluded for individual activities involving the commitment of financial resources by either CITES or FAO.

Ken Stansell  
Chairman, Standing Committee  
Council  
CITES

Chairman of the

FAO

Date:

Date: