



TRAFFIC

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Willem Wijnstekers, Secretary General
Convention on International Trade in
Endangered Species of Wild Fauna and Flora
International Environment House
Chemin des Anémones
CH-12 Châtelaine, Geneva
Switzerland

17 June 2003

Dear Mr. Wijnstekers

WWF and TRAFFIC would like to take this opportunity to congratulate the Parties to CITES in moving forward with collaboration with the UN's Food and Agriculture Organisation (FAO) in order to improve the conservation and management of the world's commercially-exploited aquatic species.

WWF and TRAFFIC believe that CITES can fulfil a complementary role where monitoring and regulation of trade in such species will strengthen existing management arrangements. Additionally, in cases where there are no specific management measures in place, CITES may provide the first step towards the development of cooperative arrangements where the impact of trade is of concern. The effectiveness of CITES in contributing to the conservation and management of commercially-exploited aquatic species will be enhanced through a complementary relationship with the FAO, formalised by the development of a Memorandum of Understanding (MoU) between CITES and the FAO.

WWF and TRAFFIC would like to express our support for the CITES Secretariat's draft MoU with the FAO (SC49 Doc 6.3, Annex) and recommend its adoption, with some minor amendments, by the Chair of the Standing Committee as the negotiating draft with which to engage the FAO.

WWF and TRAFFIC believe that this MoU should focus on the effective implementation (including sustainable trade, enforcement and compliance) of current (and potential future) listings of commercially-exploited aquatic species in the CITES Appendices. Issues regarding the listing of species and possible amendments to the CITES listing criteria (Resolution Conf. 9.24) are currently being discussed as part of another process, within which CITES Parties and the FAO have been consulted, and should not be pre-empted by this MoU. WWF and TRAFFIC also believe that it is the responsibility of CITES Parties and FAO members to fully cooperate to ensure the effective implementation of this MoU.

WWF and TRAFFIC do not support the inclusion of any statements in the text that seek to restrict the competence or mandate of one or other of the organisations, or make the decision-making processes of one organisation dependent on the outcome of deliberations by the other. In particular, decisions of CITES Parties relating to the listing of commercially-exploited aquatic species should not require pre-approval from the FAO, any of its subsidiary bodies, or other regional fisheries management organisations.



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WWF and TRAFFIC do not believe that it is necessary for draft joint workplans to be approved by the CITES Standing Committee and the FAO Sub-committee on Fish Trade. We would note that CITES has previously agreed an MoU with the Convention on the Conservation of Migratory Species (CMS). It was determined that it would be sufficient for the Secretariat to develop and sign the joint workplan with the Secretariat of the CMS, and then distribute it to the Standing Committee for subsequent review of implementation. WWF and TRAFFIC believe such an approach to also be appropriate for the development of a joint workplan between CITES and FAO.

Recommended Amendments to SC49 Doc. 6.3 Annex:

Preambular section

As Decision 12.7 clearly recognises that both CITES and the FAO would benefit from increased cooperation and clarification of their mutual roles, WWF and TRAFFIC recommend that this section note some of the revisions to Resolution Conf. 9.24 (Rev CoP12) which:

- a) States in its preamble: NOTING the competence of certain intergovernmental organisations in relation to the management of marine species: and RECALLING that the international trade in all wild fauna and flora is under the purview of the Convention;
- b) Resolves that when considering proposals to amend Appendices I and II, ... the views, if any, of intergovernmental organisations with competence for the management of the species concerned should be taken into account.

Article 1: Scientific evaluation of CITES listing proposals

WWF and TRAFFIC recommend that the wording be changed from “listing or transferring” to “inclusion in the CITES Appendices, or transfer between the Appendices, or removal from the Appendices, of commercially-exploited aquatic species...”.

Article 2: Capacity building for natural resource management

Paragraph a: suggested change to:

“...and related law enforcement efforts, for example in connection with:

- effective implementation of CITES Article IV, including the required non-detriment findings;
- effective implementation of the CITES Significant Trade process, pursuant to CITES Resolution Conf. 12.8;
- effective implementation of the enforcement and compliance provisions of the CITES treaty and related resolutions;
- the FAO Technical Guidelines for Responsible Fisheries, particularly the Ecosystem Approach to Fisheries;
- the FAO Code of Conduct for Responsible Fisheries;
- the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing; and
- the FAO International Plan of Action for the Conservation and Management of Sharks”.



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Article 3: Technical and legal issues of common interest
As drafted.

Article 4: Coordination of work
As drafted.

Article 5: General provisions
As drafted.

WWF and TRAFFIC would like to thank the Secretariat for this opportunity to comment on the draft MoU and hope that these comments and suggestions will prove useful. We look forward to the adoption of an MoU that clarifies the complementary role of CITES and FAO and ensures that the respective expertise of the organisations is used in a way that maximises the contribution of each to fisheries conservation and management.

Yours sincerely,

Dr Susan Lieberman
Director, Species Programme
WWF International

Steven Broad
Executive Director
TRAFFIC International

cc Kenneth Stansell, Chair of the Standing Committee
Standing Committee Members and Alternates