

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

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Eleventh meeting of the Conference of the Parties  
Gigiri (Kenya), 10-20 April 2000

Strategic and administrative matters

SYNERGY WITH THE UNITED NATIONS FOOD AND AGRICULTURE ORGANIZATION

1. This document has been submitted by the United States of America.

Introduction

2. The United States supports synergy and co-operation between CITES and relevant international organizations such as the United Nations Food and Agriculture Organization (FAO). CITES and FAO should work co-operatively in the implementation of the FAO plans of action on seabirds, sharks, and fishing capacity management and in the upcoming review of CITES listing criteria.

FAO international plans of action

3. At the Ministerial meeting on Fisheries in March 1999, the FAO Committee on Fisheries endorsed plans of action to reduce by-catch of seabirds, conserve sharks, and manage fishing fleet capacity. These voluntary plans of action will be implemented through national plans of action developed by FAO member States. The plan of action for sharks is directly related to CITES through Conf. 9.17, Decision 10.73, and Decision 10.74, while the other two issues are critical to international conservation efforts.

The international plan of action for reducing the incidental catch of seabirds in longline fisheries

4. Seabirds are being incidentally caught in commercial longline fisheries in various parts of the world and concern is rising about the impact of this incidental catch on seabird populations. Some of the species of seabirds impacted by incidental capture in longline fisheries are also listed in the CITES appendices. For example, the short-tailed albatross (*Diomedea albatrus*) is listed in Appendix I. In response to concern over seabird populations, a proposal was made at the twenty-second session of the Committee on Fisheries (COFI) in March 1997 that FAO organize an expert consultation to develop guidelines leading to a plan of action to reduce seabird by-catch in longline fisheries. As a result, the International Plan of Action (IPOA-SEABIRDS) for reducing incidental catch of seabirds in longline fisheries was developed. The voluntary IPOA-SEABIRDS calls upon States to conduct an assessment of their longline fisheries to determine whether a problem exists with respect to incidental catch of seabirds. If a problem exists, States should adopt a National Plan of Action for reducing the incidental catch of seabirds in longline fisheries (NPOA-SEABIRDS). States are to implement those NPOA-SEABIRDS no later than the COFI Session in 2001. States should also report on the progress of the assessment, and development and implementation of their NPOA-SEABIRDS as part of their biennial reporting to FAO on the Code of Conduct for Responsible Fisheries.
5. The FAO will support States in the implementation of the IPOA-SEABIRDS and will support development and implementation of NPOA-SEABIRDS through in-country technical assistance projects. The major activities planned by FAO to implement the IPOA-SEABIRDS include:
  - a) provide technical assistance to Members in preparing National Plans of Action;
  - b) provide assistance in co-ordinating research and training; and
  - c) assist in the process of reporting to COFI.

## The international plan of action for the conservation and management of sharks

6. The current state of knowledge of sharks and the practices employed in shark fisheries cause problems in the conservation and management of sharks because of a lack of available data on catch, effort, landings and trade, as well as limited information on the biological parameters of many species and their identification. CITES has played a pivotal role in the collection of biological and trade data related to sharks. Resolution Conf. 9.17 urged the Parties to submit to the Secretariat all available information concerning the trade and biological status of sharks and directed the Animals Committee to review such information, summarize the biological and trade status of sharks subject to international trade, and prepare a discussion paper before CoP10. It also requested that FAO and other international fisheries management organizations establish programmes to collect biological and trade data on shark species, and requested all nations utilizing and trading specimens of shark species to co-operate with FAO and other international fisheries management organizations. The resolution also requested all nations to assist developing States in the collection of species-specific data.
7. At CoP10, the Conference further directed the Parties to work towards the effective implementation of Resolution Conf. 9.17 by collaborating with FAO and other international fisheries management organizations, to improve methods to identify, record, and report landings of sharks, by species, that are landed as directed catch or as a by-catch. The Parties were also encouraged to initiate management of shark fisheries at the national level and to establish international and/or regional bodies to co-ordinate management of shark fisheries throughout the geographic range of species, to ensure that international trade is not detrimental to the long-term survival of shark populations. The Secretariat was directed to work, in co-operation with FAO and the World Customs Organization, to improve statistics on trade in sharks and shark parts and derivatives.
8. In response to the increased concern about the expanding catches and their potential negative impacts on shark populations, a proposal was made at the twenty-second session of the FAO COFI, in March 1997, that FAO organize an expert consultation to develop guidelines leading to a plan of action. As a result, the International Plan of Action for Conservation and Management of Sharks (IPOA-SHARKS) was developed. The CITES Animals Committee participated in the development of the IPOA-SHARKS. The voluntary IPOA-SHARKS calls upon States to adopt a national plan of action for conservation and management of shark stocks (shark plan) if their vessels conduct directed fisheries for sharks or if their vessels regularly catch sharks in non-directed fisheries. States should strive to have a shark plan in place by the COFI session in 2001. States should conduct a regular assessment of the status of shark stocks subject to fishing, to determine whether there is a need to develop a shark plan. The shark plan should aim to ensure that shark catches from directed and non-directed fisheries are sustainable, that unutilized incidental catches of sharks are minimized, that waste and discards from shark catches are minimized, that improved species-specific catch and landings data and monitoring of sharks is facilitated, and that the identification and reporting of species-specific biological and trade data is facilitated.
9. The FAO will support States in the implementation of the IPOA-SHARKS, including the preparation of shark plans and will provide in-country technical assistance projects. The major activities planned by FAO to implement the IPOA-SHARKS include:
  - a) improving quality of shark landings data;
  - b) improving data on shark trade;
  - c) identification of elasmobranch species;
  - d) assessment of shark stocks; and
  - e) management of sharks.
10. CITES has played an important role in highlighting the need to improve data collection related to sharks and shark management and can continue to assist in the implementation of the IPOA-SHARKS.

### The international plan of action on the management of fishing capacity

11. Excess fishing capacity in world fisheries is an increasing concern. Excessive fishing capacity is a problem that contributes to, among other things, over-fishing, the degradation of marine fisheries resources, decline of food production potential, and significant economic waste. In 1997, COFI requested FAO to address the issue of fishing capacity and an International Plan of Action was developed.
12. The immediate objective of the International Plan of Action is for States and regional fisheries organizations, to achieve world-wide, not later than 2005, an efficient, equitable and transparent management of fishing capacity. That objective will be achieved through assessments of capacity, the preparation and implementation of national plans to effectively manage fishing capacity, strengthening regional fisheries organizations and related mechanisms for improved management of fishing capacity at regional and global levels, and immediate actions for major transboundary, straddling, highly migratory and high-seas fisheries requiring urgent measures.
13. States will report to FAO regarding progress on assessment, development and implementation of their plans for the management of capacity as part of their biennial reporting to FAO on the Code of Conduct.
14. FAO has developed budget estimates and has identified actions it will take in the implementation of these plans of action. The major activities planned by FAO to implement the IPOA on the management of fishing capacity include:
  - a) holding the second Technical Working Group meeting on measuring capacity;
  - b) collecting and analysing information on the causes of overcapacity; and
  - c) holding a Technical Working Group meeting on the effects of the transfer of capacity.

### Co-operation in the review of CITES listing criteria

15. The current CITES listing criteria were adopted at the ninth meeting of the Conference of the Parties (CoP9) through Resolution Conf. 9.24. In Resolution Conf. 9.24, the CITES Parties recommended: "...that the text and the annexes of this Resolution be fully reviewed before the 12th meeting of the Conference of the Parties (CoP12) with regard to the scientific validity of the criteria, definitions, notes and guidelines and their applicability to different groups and organisms." The CITES listing criteria in Resolution Conf. 9.24 were designed to cover all species of flora and fauna, but it was clear from the extensive discussions before and at CoP9 that taxon-specific criteria could be beneficial. It was agreed that development of such taxon-specific criteria would best take place after the Parties had experience in utilizing the new criteria in Resolution Conf. 9.24.
16. At its sixth session, in June 1998, the FAO Committee on Fisheries (COFI), Sub-Committee on Fish Trade proposed that FAO initiate a scientific review of the CITES listing criteria as they might apply to large-scale commercially harvested species, beginning with an ad hoc group to make suggestions on how such a process of scientific review might best be pursued. The ad hoc group met in November 1998, and produced a report for COFI. In that report, it recommended that FAO initiate a scientific review of the CITES listing criteria, leading to the development of recommendations to modify, if necessary, the existing criteria. Those recommendations will be presented to CITES through the CITES Standing Committee.
17. At its 41st meeting, in February 1999, the Standing Committee discussed this issue, and agreed that the review of CITES listing criteria should be a CITES-driven process, with leadership and direction from the Animals and Plants Committees. The Standing Committee agreed that the Chairmen of the Animals and Plants Committees should be asked to prepare terms of reference for the review of the criteria, and report these terms of reference at the 11th meeting of the Conference of the Parties (CoP11). The Chairmen of the Animals and Plants Committees will also be asked to oversee this review, to consider findings and develop any recommendations for consideration at CoP12. The Standing Committee encouraged the Committee Chairmen to "consult with international technical

bodies, such as FAO and COFI, but to ensure that the work plan for this effort must remain a CITES process.”

### Recommendations

18. The United States looks forward to discussion of these issues at CoP11 and recommends that Parties:
- a) recognize the importance of the FAO international plans of action to reduce seabird by-catch, conserve sharks, and manage fishing fleet capacity;
  - b) call upon FAO members and CITES to implement these plans expeditiously and explore areas of co-operation between CITES and the FAO in this endeavour, particularly in the reduction of seabird by-catch and the conservation of sharks;
  - c) recognize that the review of the CITES listing criteria called for in Resolution Conf. 9.24 should be a CITES-driven process, with leadership and direction from the Animals and Plants Committee;
  - d) recognize that the FAO has expertise to contribute to the review process and has expressed interest in participating in the review through the FAO Committee on Fisheries, Sub-Committee on Fish Trade;
  - e) encourage consultation and co-operation between CITES and international technical bodies, such as the FAO and COFI, as directed by CITES document Doc. 10.74; and
  - f) consider requesting that the Animals and Plants Committees formally liaise with the FAO in the development of terms of reference for the review of the criteria, the review, and the development of recommendations for consideration at the 12th meeting of the Conference of the Parties.

### COMMENTS FROM THE SECRETARIAT

- A. The Secretariat agrees that co-operation with FAO is important. For this reason it has, together with the Chairman of the Animals Committee, participated in several meetings of the Committee on Fisheries (COFI) as well as in a meeting of the ad hoc working group on the scientific review of the CITES criteria (Cape Town, November 1998). The Secretariat has also established a good working relationship with the FAO Secretariat in Rome, not only on fisheries issues, but also on others, such as forestry. The Secretariat intends to maintain and develop this relationship.
- B. In this document, the United States of America refers to three action plans adopted by FAO, of which only one is potentially relevant to the Convention, depending on the decision of the meeting of the Conference of the Parties regarding the the amendment proposals for shark species: namely, the International Plan of Action for the Conservation of Management of Sharks.
- C. The other two action plans, though of importance with regard to conservation, do not deal with international trade in CITES species. The Secretariat questions the appropriateness of adopting a statement about the importance of these [see recommendation a)].
- D. These action plans are to be implemented by the FAO member countries, rather than “CITES” [cf. recommendation b)]. It would therefore probably be more appropriate to call upon the CITES Management Authorities of FAO member countries to contact their national counterparts to co-operate in implementing the relevant plans.
- E. Recommendation c) reflects a decision already made by the Standing Committee, and formally communicated to FAO in February 1999.
- F. Regarding recommendation d), the expertise of FAO has been recognized already, and a specific reference to them is made in paragraph 9 of the draft terms of reference for a Criteria Working Group (see document Doc. 11.25).

- G. Regarding recommendation e), as mentioned above, the Secretariat has established a good working relationship with FAO. In addition, the Chairman of the Animals Committee, in his report to the Conference of the Parties (document Doc. 11.11.1) proposes a draft decision to replace Decision 10.74. Moreover, the involvement of FAO in the review process has been formally included in the draft terms of reference for the Criteria Working Group. In addition, the Secretariat has received from FAO a draft of a scientific review of the CITES criteria. This document will be discussed in the FAO Technical Consultation (mid-2000) before being submitted to COFI (March 2001). The Secretariat has indicated to FAO that this document will be provided to the members of the Criteria Working Group once this group has been established.
- H. Consequently, the Secretariat recommends that the Conference of the Parties note the information provided by the United States of America, but that it not adopt the recommendations, since all relevant issues will be dealt with under other agenda items.