

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

Twelfth meeting of the Conference of the Parties
Santiago (Chile), 3-15 November 2002

Strategic and administrative matters

Cooperation with other organizations

CITES and FAO

FAO COLLABORATION WITH CITES THROUGH A MEMORANDUM OF UNDERSTANDING

1. This document has been submitted by the United States of America.
2. The agenda of the eighth session of FAO's Sub-Committee on Fish Trade of the Committee of Fisheries (COFI:FT/VIII), held in Bremen, Germany from 12 to 16 February, 2002 listed several issues related to CITES listing, implementation and treaty interpretation. In a paper prepared by FAO for these agenda items, it was suggested, among other means to address some or all of these issues, that a formal memorandum of understanding (MoU) should be developed between FAO and CITES to formalize collaboration on these and other fish trade issues of common concern.
3. A specific recommendation regarding establishment of an MoU between FAO and CITES was made at the conclusion of the eighth session of the Sub-Committee of Fish Trade and has been referred, with the other COFI:FT/VIII recommendations, to the February 2003 meeting of the 25th session of the FAO Committee of Fisheries (COFI) for action. The specific recommendations and the summary of the COFI:FT/VIII discussions are contained in the Annex to this document, which presents paragraphs 15 to 22 of FAO Fisheries Report No. 673 and Appendix F.
4. The United States of America asks the Conference of Parties at its 12th meeting to review this document and suggest a course of action and time frame to initiate and finalize such an MoU on all CITES-specific issues under review by FAO. This MoU could be made between the CITES Standing Committee and the FAO committee comparable to the Standing Committee and should recognize the possible financial and human resource commitments such an MoU would require from both organizations.

COMMENTS FROM THE SECRETARIAT

- A. Close collaboration between CITES and FAO has occurred since the 11th meeting of the Conference of the Parties. The Secretariat is grateful for FAO's involvement in and commitment to the Criteria Review process and for the scholarly suggestions made for amendment of Resolution Conf. 9.24 that have been incorporated in document CoP12 Doc. 58.

- B. The Secretariat supports the concept of strengthening collaboration with FAO on commercially-exploited aquatic species through an MoU, which *inter alia* would address the following elements:
1. the role of FAO in the evaluation of proposals to amend the CITES Appendices concerning commercially-exploited aquatic species and communication and liaison with Regional Fisheries Management Organizations, in the context of Article XV paragraph 2;
 2. the development of a cooperative work plan to address key aspects of the Convention in the regulation of trade in commercially exploited aquatic species, e.g. aquaculture [in the context of Article VII, paragraph 4], introduction from the sea [Article III, paragraph 5b) and Article IV, paragraphs 6 and 7], split-listing and look-alike provisions [in the context of Resolution Conf. 9.24], and the effect of listing species in the CITES Appendices;
 3. an evaluation of the need for measures to promote closer harmonization of the implementation of CITES, the FAO Code of Conduct for Responsible Fisheries and the United Nations Convention on the Law of the Sea (UNCLOS) and related international law covering fisheries; and
 4. the provision of technical assistance from or through FAO concerning the implementation of the Convention regarding commercially exploited aquatic species, for example in connection with the Review of Significant Trade [pursuant to Resolution Conf 8.9 (Rev.)].
- C. The Secretariat notes that FAO has competence in relation to a number of areas, including timber trade issues, and hence a broad collaboration between CITES and FAO is appropriate.
- D. The Secretariat seeks direction from the Parties on whether to develop formalized collaboration with FAO initially as a broad agreement, covering both fish and timber trade issues, or instead to initiate collaboration regarding fish-trade issues only.