

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

SYNERGY AND COOPERATION BETWEEN CITES AND FAO

The attached document has been submitted by Japan.

COMMENTS FROM THE SECRETARIAT

- A. Significant collaboration has occurred recently between CITES and FAO, through FAO's involvement in the Criteria Review process. FAO actively participated in the Criteria Working Group and contributed expert opinion on the applicability of the CITES criteria to fish stocks. FAO's suggestions for amendment of Resolution Conf. 9.24 have been incorporated in document CoP12 Doc. 58. The Secretariat supports fully the ongoing cooperation with FAO and believes that it is timely to formalize its collaboration through the development of a Memorandum of Understanding (MoU) with that body.
- B. However, the Secretariat does not believe that there is a need for a resolution to progress the development of an MoU. It believes that there should be a decision of the Conference of the Parties on this subject.
- C. A similar proposal, calling for the development of an MoU with FAO, is presented by the United States of America, under Agenda item 16.b) ii) (document CoP12 Doc. 16.2.2). Since that proposal anticipates the adoption of a decision rather than a resolution, the Secretariat recommends the adoption of that document and the actions proposed therein.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Synergy and cooperation between CITES and FAO

RECALLING that Resolution Conf. 9.24, adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994), recommends that the text and the Annexes of that Resolution be fully reviewed before the 12th meeting with regard to the scientific validity of the criteria, definitions, notes and guidelines and their applicability to different groups of organisms;

AWARE that the Conference of the Parties at its 11th meeting (Gigiri, 2000) agreed to the terms of reference for the review of the criteria and established a Criteria Working Group, which included a representative of the FAO Secretariat;

NOTING that the process to review the criteria has included meetings of the Criteria Working Group, a joint meeting of the Animals and Plants Committees (Shepherdstown, 2000) and consultations with the Parties and interested international organizations;

RECALLING that Article XV, paragraph 2 (b), of the Convention, requires that, in relation to amendments to Appendices I and II between meetings of the Conference of the Parties and pertaining to marine species, the Secretariat communicate with inter-governmental bodies having a function in relation to those species;

AWARE that in 1998 the FAO Committee on Fisheries (COFI) initiated a scientific review of the CITES listing criteria as they might apply to commercially-exploited aquatic species, that this review has included the convening of an ad hoc Expert Group and Technical Consultations and that, at its seventh session (Bremen, 2002), the FAO/COFI Sub-Committee on Fish Trade, on behalf of COFI:

- a) agreed that the report of the FAO Second Technical Consultation should be conveyed to the CITES Secretariat as the formal FAO input to the review of the CITES criteria;
- b) requested the Secretariats of FAO and CITES to coordinate in the drafting of a Memorandum of Understanding (MoU) to facilitate dialogue and exchange of information;
- c) agreed that the MoU between FAO and CITES should include provisions elaborating future FAO involvement in the scientific evaluation of proposals for including exploited aquatic species in the Appendices or for down-listing them; and
- d) endorsed an expert process to provide input to FAO and CITES on Article II, paragraph 2b, of the Convention (the look-alike clause), split-listing, aquaculture, administrative and monitoring implications of listing and down-listing including the implications for this of Annex 4 of Resolution Conf. 9.24, the applications of 'introduction from the sea' in the definition of trade and an analysis of the legal implications of the existing CITES criteria in relation to UNCLOS;

RECOGNIZING the appreciation expressed by the observer from the CITES Secretariat at the Bremen session, for the contribution of FAO to the re-evaluation of the CITES listing criteria and for the fresh perspectives that the involvement of FAO had brought to the process;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AFFIRMS that FAO and the mandated regional fisheries management organizations (RFMOs) are appropriate inter-governmental bodies responsible for fisheries and fisheries management;

AGREES that, in cases where there is no responsible fisheries management organization and where trade is having a significant negative impact on conservation, the listing of commercially-exploited fish species in the Appendices may temporarily serve a useful conservation purpose;

AGREES FURTHER that additional work as identified by the FAO is required to examine the full implications of including commercially-exploited fish species in the Appendices;

AGREES ALSO that the results of the FAO Second Technical Consultation, including the proposals to amend the listing criteria, the emphasis on using the best scientific information available, the need for a strengthened scientific evaluation process and evaluating proposals on a case-by-case basis should be fully reflected in further work by CITES to revise its listing criteria before the 13th meeting of the Conference of the Parties;

INSTRUCTS the Secretariat to work with the FAO Secretariat on the drafting of an MoU, as conceived by FAO, to establish a framework for cooperation between CITES and FAO, with the aim of concluding it at the highest possible level, e.g. between COFI and the Standing Committee, in order to enhance exchange of information and cooperation, and to establish a process, along the lines suggested by FAO, to ensure FAO involvement in the scientific evaluation of proposals for inclusion in the Appendices and down-listing of exploited aquatic species; and

ENCOURAGES further work by FAO concerning the inclusion of commercially-exploited aquatic species in the Appendices.