



منظمة الأغذية  
والزراعة  
للأمم المتحدة

联合国  
粮食及  
农业组织

Food  
and  
Agriculture  
Organization  
of  
the  
United  
Nations

Organisation  
des  
Nations  
Unies  
pour  
l'alimentation  
et  
l'agriculture

Продовольственная и  
сельскохозяйственная  
организация  
Объединенных  
Наций

Organización  
de las  
Naciones  
Unidas  
para la  
Agricultura  
y la  
Alimentación

## COMMITTEE ON FISHERIES

### SUB-COMMITTEE ON FISH TRADE

#### Twelfth Session

**Buenos Aires, Argentina, 26-30 April 2010**

### UPDATE OF ACTIVITIES RELATED TO CITES

#### SUMMARY

This document provides an updated overview of the CITES-related activities undertaken by the FAO Fisheries and Aquaculture Department. These include the outcome of the third Expert Advisory Panel that evaluated proposals to amend CITES Appendices with commercially-exploited aquatic species, and the work conducted by FAO to improve capacity in the assessment and management of listed species.

## INTRODUCTION

1. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement established with the objective to protect and conserve endangered species by ensuring that their survival is not threatened by international trade. Roughly 5000 species of animals and 28000 species of plants are protected by CITES against over-exploitation through international trade. Those species are listed in one of three Appendices, and international trade in these species is controlled according to the degree of protection they require.
2. The CITES Appendices currently include close to 100 commercially-exploited aquatic species of fish, molluscs and echinoderms, including amongst others, basking shark (*Cetorhinus maximus*), great white shark (*Carcharodon carcharias*), whale shark (*Rhincondon typus*), all species of sawfishes (Pristidae), sturgeons (*Acipenser brevirostrum* and *A. sturio*), European eel (*Anguilla anguilla*), Napoleon wrasse (*Cheilinus undulatus*), Caribbean queen conch (*Strombus gigas*), giant clams (Tridacnidae) and sea cucumber (*Isotichopus fuscus*).
3. A Memorandum of Understanding (MoU) from 2006 between FAO and CITES formalizes the intentions of the two organizations in strengthening cooperation on issues related to commercially aquatic species listed in CITES Appendices. The MoU has been considered an important achievement by many FAO Member Countries and Parties to CITES. This report provides an updated overview of the CITES related activities undertaken by the FAO Fisheries and Aquaculture Department since the 11<sup>th</sup> Session of the Sub-Committee on Fish Trade (COFI:FT) in 2008, including work conducted under the work plan and a subsequent Trust Fund Project on “CITES and commercially-exploited aquatic species, including the evaluation of listing proposals” funded by the Government of Japan.
4. Since the Eleventh Session of COFI:FT, FAO has held one Expert Advisory Panel to evaluate listing proposals submitted to the latest Conference of the Parties to CITES (CoP15 in March 2010). Further, FAO has been playing an active role in promoting capacity building of Member Countries on issues related to commercially-aquatic species listed in CITES Appendices such as sharks, queen conch, sea cucumbers, humphead wrasse and sea horses.

## AN ALTERNATIVE INTERPRETATION OF THE APPENDIX 2 LISTING CRITERIA PUT FORWARD BY THE CITES SECRETARIAT

5. In 2004, the CITES CoP 13 adopted revised criteria for amendment of Appendices I and II (Resolution 9.24<sup>1</sup>); the revision was made with significant input by FAO on science-based criteria that are appropriate for the listing of commercially exploited aquatic species. In particular, the revised criteria include a quantitative definition of “decline” in Annex 5 of Resolution 9.24 (Definitions, explanations and guidelines) whose application for the listing of commercially exploited species in Appendix II is made explicit in the footnote.

---

<sup>1</sup> Resolution Conf. 9.24 [Rev CoP14]; <http://www.cites.org/eng/res/all/09/E09-24R14.pdf>.

6. Annex 2a of Resolution 9.24 contains the criteria for the inclusion of commercially exploited aquatic species in Appendix II in accordance with Article II, paragraph 2 (a) of the Convention<sup>2</sup>:

*The following criteria must be read in conjunction with the definitions, explanations and guidelines listed in Annex 5, including the footnote with respect to application of the definition of 'decline' for commercially exploited aquatic species.*

*A species should be included in Appendix II when, on the basis of available trade data and information on the status and trends of the wild population(s), **at least one** of the following criteria is met:*

- A. It is known, or can be inferred or projected, that the regulation of trade in the species is necessary to avoid it becoming eligible for inclusion in Appendix I in the near future; or*
- B. It is known, or can be inferred or projected, that regulation of trade in the species is required to ensure that the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences.*

7. For the 14<sup>th</sup> CITES Conference of Parties in 2007, FAO submitted the recommendations of its Expert Advisory Panel on seven proposals for listing commercially exploited aquatic species<sup>3</sup>. To the surprise of FAO, the CITES Secretariat offered its own markedly deviating recommendations and explained that it had a different interpretation of the listing criteria for Appendix II than FAO (see correspondence between the FAO and CITES Secretariats<sup>4</sup>). FAO described its viewpoint at CoP14<sup>5</sup> and emphasized that the CITES Resolution 9.24 *“recognises, through the special references to commercially-exploited aquatic species in Annex 5, that the approach to Annex 2 (a) is different for this group than for other taxa. The primary reason for this is that, drawing on the rich empirical and theoretical knowledge available for commercially-exploited aquatic species, the Annex 5 guidelines are much more detailed and specific for this group than for other taxa”*.

8. In 2009, at the CITES 58<sup>th</sup> Standing Committee meeting, the CITES Secretariat circulated a document<sup>6</sup> in which it expressed the opinion that *“the term ‘decline’ given in Annex 5 of Resolution Conf. 9.24 (Rev. CoP14) is not relevant in the consideration of whether a species meets the criterion as the term is used neither directly nor indirectly in Annex 2(a), paragraph B*

---

<sup>2</sup> The CITES Convention, Paragraph 2 states:

Appendix II shall include:

- (a) all species which although not necessarily currently threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation in order to avoid utilization incompatible with their survival; and
- (b) other species which must be subject to regulation in order that trade in specimens of certain species referred to in sub-paragraph (a) of this paragraph may be brought under effective control.

<sup>3</sup> FAO. 2007. Report of the second FAO Ad Hoc Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II of CITES Concerning Commercially-exploited Aquatic Species. Rome, 26–30 March 2007. FAO Fisheries Report. No. 833. 133 p. <http://www.fao.org/docrep/010/a1143e/a1143e00.htm>.

<sup>4</sup> CoP14 Inf. 26; <http://www.cites.org/common/cop/14/inf/E14i-26.pdf>.

<sup>5</sup> CoP14 Inf. 64. The interpretation of Annex 2 a (criteria for the inclusion of species in Appendix II in accordance with Article II, paragraph 2 (a), of the Convention) and Annex 5 (Annex 5 Definition, Explanations and Guidelines) of Resolutions Conf.9.24 (Rev. CoP13) in relation to commercially-exploited aquatic species; <http://www.cites.org/common/cop/14/inf/E14i-64.pdf>.

<sup>6</sup> SC58 Doc.43. Criteria for Amendment of Appendices I and II. <http://www.cites.org/eng/com/sc/58/E58-43.pdf>.

of that Resolution". In its reply the FAO Secretariat pointed out that "the word 'reducing' in Annex 2(a), paragraph B, must be taken to be referring to a 'decline' and that paragraph B must therefore be read in conjunction with and interpreted according to the definition of 'decline' in Annex 5"<sup>7</sup> (and as instructed in the chapeau of Annex 2[a]). In response to concerns expressed by some delegates to the Standing Committee meeting that an assessment based on quantitative criteria might not adequately address cases in which scientific information is not sufficient, FAO also submitted an information paper in which it informed the Standing Committee on the consideration given to data-poor and uncertain cases in Annex 5 of Resolution 9.24<sup>8</sup>.

9. After lengthy negotiations by the SC members and in which the FAO Secretariat was consulted, the following resolution was adopted until final clarification by CITES Parties:

*"... the Committee:*

- a) noted that, in the past, Parties and organizations had had different interpretations as to whether a species met criterion B to Annex 2 a of Resolution Conf. 9.24 (Rev. CoP14), insofar as it related to commercially-exploited aquatic species;*
- b) asked the Conference of the Parties to give its guidance at its 15th meeting (CoP15) as to a common interpretation of the criteria B given in Annex 2 a of Resolution Conf. 9.24 (Rev. CoP14) paying particular attention to the flexibility contained in the Resolution and situations where only limited data were available for the species concerned;*
- c) asked Parties, as they prepared for the upcoming CoP15, to clearly define in their listing proposals for how they interpreted and applied Resolution Conf. 9.24 (Rev. CoP14) using sound and relevant scientific information, and recognizing flexibility and data-poor cases; and*
- d) highly appreciated the work of the FAO ad hoc Expert Panel on proposals submitted to CoPs and looked forward to the continuing cooperation with FAO as outlined in the FAO-CITES Memorandum of Understanding."*

10. Responding to this resolution, the CITES Secretariat has prepared a document for CoP15 in which it explains its viewpoint from an historical, linguistic and legal perspective<sup>9</sup>. The FAO Secretariat was given the opportunity to comment on an earlier version of this document. Many of these comments were taken into account by the CITES Secretariat for the final draft, but FAO still disagrees fundamentally with the arguments and conclusions of the paper. A response to this effect will be delivered by FAO at CoP15.

11. The CITES Secretariat paper CoP15 Doc. 63 includes an Annex which presents a draft decision for consideration by CoP15 "concerning an inter-sessional process ... and to provide guidance on the interpretation of the criteria to be followed in the interim." In principle, FAO supports a process that attempts to resolve the current differences of interpretation in the Appendix II listing criteria. However, it is important to note that FAO's current role in relation to the assessment of listing proposals to CITES is based on the understanding that the CoP13 in 2004 agreed to the application of particular listing criteria for commercially-exploited aquatic species. The absence of definitions and interpretations aimed specifically at commercially-exploited aquatic species was a significant problem that had prevailed with the Resolution 9.24 criteria prior to the adoption of the current revised criteria in 2004 and it was precisely the recognition by the CoP13 that a separate interpretation was required for these species which enabled FAO Members and many Parties to CITES to support the revised criteria.

---

<sup>7</sup> SC58 Inf.6 FAO Response to Document SC58 Doc. 43; <http://www.cites.org/eng/com/sc/58/E58i-06.pdf>.

<sup>8</sup> SC58 Inf. 12 Examples of relevant text to highlight the consideration given to flexibility and data-poor cases in the assessment for listing species under CITES Annex 2a; <http://www.cites.org/common/com/SC/58/E58i-12.pdf>.

<sup>9</sup> CoP15 Doc 63. Criteria for the Inclusion of Species in Appendices I or II; <http://www.cites.org/eng/cop/15/doc/E15-63.pdf>.

## FAO AD HOC EXPERT ADVISORY PANEL FOR THE ASSESSMENT OF PROPOSALS TO AMEND CITES APPENDICES

12. The Twenty-fifth Session of COFI (2003) agreed on the Terms of Reference (ToR) for an Expert Advisory Panel for assessment of listing proposals to CITES concerning commercially-exploited aquatic species. The ToR defined the process and composition of a technical panel, which should be established by the FAO Secretariat in advance of each Conference of the Parties to CITES (CoP), with the main task to assess proposals from a scientific perspective and in accordance with CITES biological listing criteria. The Panel was also responsible for commenting on technical aspects of the proposals in relation to biology, ecology, trade and management issues. The first Expert Advisory Panel met in July 2004 to consider proposals submitted to the CoP13.

13. Following the endorsement of the Twenty-sixth Session of COFI, the Tenth Session of the COFI:FT agreed that FAO should convene an Expert Advisory Panel to assess listing proposals made to the CoP14 and for subsequent meetings of the CITES CoPs. It was also agreed that the Sub-Committee should evaluate, after each CITES CoP, whether the Panel recommendations had been taken into account and, if not, why they had not been.

14. The third Expert Advisory Panel met in Rome, Italy, from 7–12 December 2009, convened by FAO<sup>10</sup>. The Panel consisted of a core group of eight members and fourteen species and implementation experts; members of the FAO Secretariat were present and the CITES Secretariat sent one observer. The Panel considered the following six proposals submitted to the CoP15 (Doha, Qatar, 13–25 March 2010):

**CoP15 Proposal 15.** Proposal to include *Sphyrna lewini* (scalloped hammerhead) in Appendix II in accordance with Article II paragraph 2(a), and to include *Sphyrna mokarran* (great hammerhead), *Sphyrna zygaena* (smooth hammerhead), *Carcharhinus plumbeus* (sandbar shark), and *Carcharhinus obscurus* (dusky shark) in Appendix II in accordance with Article II paragraph 2(b). The proposal includes an annotation stating that “the entry into effect of inclusion of these species in Appendix II of CITES will be delayed by 18 months to enable Parties to resolve the related technical and administrative issues.”

**CoP15 Proposal 16.** Proposal to include *Carcharhinus longimanus* (oceanic whitetip shark) in Appendix II in accordance with Article II paragraph 2(a), including an annotation stating that “the entry into effect of inclusion of *Carcharhinus longimanus* in Appendix II of CITES will be delayed by 18 months to enable Parties to resolve the related technical and administrative issues.”

**CoP15 Proposal 17.** Proposal to include *Lamna nasus* (porbeagle) in Appendix II in accordance with Article II paragraphs 2(a) and (b), including an annotation stating that “the entry into effect of the inclusion of *Lamna nasus* in Appendix II of CITES will be delayed by 18 months to enable Parties to resolve related technical and administrative issues, such as the possible designation of an additional Management Authority and adoption of Customs codes.”

**CoP15 Proposal 18.** Proposal to include *Squalus acanthias* (spiny dogfish) in Appendix II in accordance with Article II paragraphs 2(a) and (b), including an annotation stating that “the entry into effect of the inclusion of *Squalus acanthias* in Appendix II of CITES will be delayed by 18 months to enable Parties to resolve related technical and administrative issues, such as the development of stock assessments and collaborative management agreements for shared stocks and the possible designation of an additional Scientific or Management Authority.”

---

<sup>10</sup> FAO. Report of the third FAO Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II of CITES Concerning Commercially-exploited Aquatic Species. Rome, 7–12 December 2009. FAO Fisheries Report. No. 925. Rome, FAO. 2010. 144 p. (En). Advance copy available at: <ftp://ftp.fao.org/FI/DOCUMENT/R925/r925.pdf>.

**CoP15 Proposal 19.** Proposal to include *Thunnus thynnus* (Atlantic bluefin tuna) in Appendix I in accordance with Article II paragraph 1, including an annotation stating that “Appendix I listing would be accompanied by a Conference resolution that would mandate the Animals Committee of the Convention to review the status of the East Atlantic and Mediterranean stock and the West Atlantic stock of *Thunnus thynnus* in light of any intervening actions at ICCAT and, if warranted, ask the Depositary Government (Switzerland) to submit a proposal to a subsequent CoP to downlist the species to Appendix II or remove it from the Appendices. A ruling to this effect by the Animals Committee only requires a simple majority of the Committee members and CoPs have a high rate of acceptance of proposals submitted by the depositary Government at the request of a relevant CITES Committee.”

**CoP15 Proposal 21.** Proposal to include all species in the family Coralliidae (red and pink corals) in Appendix II of CITES in accordance with Article II paragraphs 2(a) and 2(b).

15. Following a thorough six-day review of the proposals using the CITES criteria, the panel determined that sufficient evidence exists to warrant placing the following species on CITES Appendix II: Oceanic whitetip shark (*Carcharhinus longimanus*), porbeagle (*Lamna nasus*), and scalloped hammerhead shark (*Sphyrna lewini*). In addition, the proposed listing of "look-alike" shark species to help enforcement for scalloped hammerhead shark was found to be justified in two of the four cases proposed, great hammerhead shark (*Sphyrna mokarran*) and smooth hammerhead shark (*Sphyrna zygaena*). The panel did not reach consensus regarding the proposed listing under CITES Appendix I of Atlantic bluefin tuna (*Thunnus thynnus*), however a majority of the panel agreed that the available evidence supports the proposal. There was consensus that the evidence available supports the inclusion of Atlantic bluefin tuna on Appendix II. For the remaining species under consideration, spiny dogfish (*Squalus acanthias*) and all species of the coral family Coralliidae, the panel assessed that they did not meet the criteria required by CITES for listing on Appendix II. However, the panel did note that inadequate management in many areas of distribution of these species represents a cause for "serious concern". It urged that these shortcomings be remedied by relevant fishing nations and regional organizations in order to prevent rates of exploitation for these animals from exceeding acceptable levels.

16. The recommendations produced independently by the CITES Secretariat on the listing proposals did not completely follow the FAO Panel advice and instead proposed that all six listing proposals be accepted by CITES Parties. The differences between the recommendations of the CITES Secretariat and the opinion of the FAO Expert Advisory Panel are attributed by the CITES Secretariat to differences in the interpretation of the listing criteria (see above).

## **THE INTERPRETATION OF “INTRODUCTION FROM THE SEA”**

17. CoP14 in 2007 adopted a resolution that directed the Standing Committee to establish a Working Group on “Introduction from the Sea” to prepare a discussion paper and draft a revised resolution for consideration at CoP15. In 2008, at the 57th meeting of the Standing Committee this Working Group, chaired by the Chairman of the Standing Committee was established and agreed that it would work electronically for the most part.

18. The Secretariat provided a rolling text to Working Group members via electronic mail and invited comments on the document. By the end of December 2008, input had been received from various Parties and organizations, including FAO. In their comments several Working Group members proposed that the Group focus on defining the phrase ‘State of introduction’, which appears in Articles III, IV and XIV of the Convention as reaching agreement on the ‘State of introduction’ could facilitate the handling of other matters such as definition of the phrase ‘transportation into a State’, which appears in Article I of the Convention, and consideration of a range of potentially complex procedural questions involving introduction from the sea. Some of the key legal issues identified by the Working Group, relevant to defining the phrase ‘State of introduction’, were whether a vessel can be viewed as the State itself and whether ‘introduction’

is a process rather than a single or simple act. During its September 2009 meeting Working Group members agreed on a draft discussion paper and draft revised resolution for consideration by the 59<sup>th</sup> Standing Committee meeting in March 2009, through electronic mail<sup>11</sup>.

## ASSISTANCE IN RELATION TO LISTED SPECIES

### SHARKS

19. With the slow progress in the implementation of the IPOA-Sharks by FAO Member countries, and fuelled by a strong criticism from NGOs and Parties on the lack of a stronger role of FAO in fostering shark fisheries management internationally, there has been an increasing level of attention from CITES on the conservation of shark species affected by international trade.

20. In 2008, FAO convened a Technical Workshop on the “Status, Limitations and Opportunities for Improving the Monitoring of Shark Fisheries and Trade”<sup>12</sup>. This Workshop considered global and country specific information to evaluate the current limitations in the monitoring of shark fisheries and the trade in shark products and to recommend strategies for improving the situation. Reports from a selected number of main shark fishing and trading nations described the status of shark fisheries and the efforts towards the development of a National Plan of Action for Sharks. The workshop recommended actions to promote the implementation of National Plans of Action for Sharks and to address specific problems affecting catch and trade monitoring, including a lack of specificity in data, underestimated catch volumes, and limitations in the customs codes used in trade monitoring.

21. The Twenty-eighth Session of COFI in 2009 found that despite considerable effort undertaken by many Members in the inter-sessional period to develop national plans of action (NPOAs) for the conservation and management of sharks, countries and Regional Fisheries Management Organizations (RFMOs) were encouraged to take further steps to achieve its goals. As already noted two years ago, the limited progress by FAO Member Countries is providing a justification for some CITES Parties and Observers to call for a greater role for CITES. Accordingly, four of the six proposals to list commercially exploited aquatic species submitted to CoP15 were for sharks.

22. The shark species currently listed on CITES Appendix II are the white shark *Carcharodon carcharias*, whale shark *Rhincodon typus* and basking shark *Cetorhinus maximus*, all three listed in Appendix II. In addition, at CoP14 it was decided to include all seven species of sawfishes (family Pristidae) in Appendix I.

### CARIBBEAN QUEEN CONCH

23. In many Caribbean countries queen conch (*Strombus gigas*) is an important and traditional aquatic resource. FAO has assisted these countries in the responsible management of this species that is listed in CITES Appendix II.

24. Further to the FAO Fisheries Technical Paper on “Monitoring and managing queen conch fisheries: a manual” from 2008<sup>13</sup>, FAO has undertaken field surveys in three Caribbean countries

---

<sup>11</sup> CoP15 Doc. 27 Introduction from the Sea; <http://www.cites.org/eng/cop/15/doc/E15-27.pdf>.

<sup>12</sup> FAO. Report of the Technical Workshop on the Status, Limitations and Opportunities for Improving the Monitoring of Shark Fisheries and Trade. Rome, 3–6 November 2008. FAO Fisheries and Aquaculture Report. No. 897. Rome, FAO. 2009. 152p. <http://www.fao.org/docrep/012/i1121e/i1121e.pdf>.

<sup>13</sup> Medley, P. Monitoring and managing queen conch fisheries: a manual. FAO Document technique sur les pêches. No. 514. Rome, FAO. 2008. 78p. <http://www.fao.org/docrep/011/i0256e/i0256e00.htm>.

(the Dominican Republic, Honduras and Nicaragua) to establish conversion factors for processed queen conch to nominal weight<sup>14</sup>.

### SEA CUCUMBERS

25. International trade in sea cucumber (*bêche-de-mer*) is considered by CITES to be a significant conservation issue, particularly considering the poor status of sea cucumber fisheries management worldwide. Ecuador is currently the only country that has listed a species of sea cucumber (*Isostichopus fuscus*) in CITES Appendix III, in an attempt to control the overfishing of the species resulting from illegal international trade.

26. At the Twenty-sixth Session of COFI in 2005, several Members suggested that it would be beneficial for FAO to develop a sea cucumber management strategy and to review the global status of that taxonomic group. Through the Trust Fund Project "CITES and Commercially-exploited Aquatic Species", FAO has initiated several activities aimed at improving knowledge and capacity for the management of commercially-exploited sea cucumber species. The activities include the review and analysis of the available information on the global status of commercially-exploited sea cucumber stocks and on any "hot spots" where management action may be particularly urgent, the production of guides to facilitate the identification of sea cucumber species and products in trade, and the development of technical guidelines for the sustainable management of sea cucumber fisheries. Relevant publications will become available in 2010.

### HUMPHEAD WRASSE

27. Since the listing of humphead (Napoleon) wrasse, *Cheilinus undulatus*, on CITES Appendix II in 2004, FAO has been actively involved in the development of approaches and guidelines for the assessment and management of the species. Most recently, FAO is finalizing two Fisheries Circulars, one on "Monitoring and Management of the Humphead Wrasse, *Cheilinus undulatus*" and the second on "Estimating reef habitat coverage suitable for the humphead wrasse, *Cheilinus undulatus* (CITES Appendix II), using remote sensing".

### SEA HORSES

28. The FAO Fisheries Circular "A Case-study of the Impacts of the CITES Listing of Sea Horses on the Status of the Species and on Human Well-being in the Philippines" is currently being published. This study identifies the legal and socio-economic implications of the recent CITES Appendix II listing of seahorses (*Hippocampus spp*) in the Philippine context. Based on their analysis, the authors recommend that the development of balanced impact assessments for listings that consider not only ecological impacts on organisms, but also policy, legal, and socio-economic implications in an integrated fashion, would improve both understanding and practice.

### FUTURE ACTIVITIES BY FAO

29. Within the means and resources available to it, FAO will continue to provide assistance to Member Countries and regions to improve their ability to implement CITES regulations concerning commercially-exploited species that have been listed in CITES Appendices. In this regard, the Government of Japan is thanked for the funds provided for the implementation of the Trust Fund Project "CITES and commercially-exploited species", which has enabled many of the recent activities of FAO on CITES issues reported in this report. The United States of America is also thanked for its contribution towards the costs for the Expert Advisory Panel meeting in 2009.

---

<sup>14</sup> Aspra, B.; Barnutty, R.; Mateo, J.; Marttin, F.; Scalisi, M. Conversion factors for processed queen conch to nominal weight/Factores de conversión para el caracol reina procesado a peso nominal. FAO Fisheries and Aquaculture Circular/FAO, Circular de Pesca y Acuicultura. No. 1042. Rome/Roma, FAO. 2009. 97p.  
<ftp://ftp.fao.org/docrep/fao/012/i0996b/i0996b00.pdf>.

30. FAO will continue its direct cooperation with CITES through the work of its Expert Advisory Panel. The current dispute over the interpretation of the criteria for inclusion of species in Appendix II is not helpful for ensuring the appropriate role of CITES in relation to commercially-exploited aquatic species and efforts to clarify the issue and bring it to a satisfactory conclusion should be continued.

31. FAO is also committed to strengthening the implementation of the IPOA-Sharks by assisting Member Countries in the development and implementation of National Plans of Action for the conservation and management of sharks. Through the Trust Fund Project “CITES and commercially-exploited species” efforts will be directed to evaluate potential management measures to improve the status of the shark species considered most threatened by international trade.

32. Finally, FAO is planning to work on approaches to address enforcement and identification issues in order to avoid unnecessary listing of look-alike species and to facilitate the implementation of split listing of species in CITES.

### **ACTIONS BY COFI:FT**

33. The Sub-Committee may wish to consider the process and the outcomes of the third meeting of the FAO Expert Advisory Panel. Based on this, the Sub-Committee may wish to advise COFI on whether any changes to the Terms of Reference or other aspects of the implementation of the Panel may be desirable.

34. COFI:FT may wish to consider how best to address the justified criticisms by some CITES Parties and Observers concerning slow progress in implementation of the IPOA-Sharks. Concerns related to the progress of the IPOA-Sharks were also expressed at the Twenty-seventh Session of COFI. The Committee concurred that, despite progress made in recent years, further intensive work was required to improve the implementation of the programme.

35. The Sub-Committee may wish to comment on priorities for FI regarding its future work related to CITES within the framework of the MoU. In doing so, consideration should be given to the fact that nearly all of the work over the last five years by the Fisheries and Aquaculture Department on CITES-related issues has only been possible because of the funds provided by the Government of Japan through the Trust Fund project on CITES. This project, which terminates in 2010, has recently been prolonged but with much lower fund allocations. Thus, consideration will need to be given to locating the resources necessary to undertake any substantive work beyond the scope of the existing project.