Abstracts of the presentations during the Thirteenth round of informal consultations of States Parties to the Agreement
(22-23 May 2018)

<u>PANELLIST</u>: Mr. Juan Carlos Vasquez, the Chief of Legal Affairs & Compliance team, Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (via teleconference)

<u>TOPIC</u>: The legal and policy framework for the science-policy interface within CITES, with a focus on fish species

Background:

CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) is an international agreement by which 183 Parties ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species in the wild. CITES was adopted in Washington D.C. in 1973.

Because the trade in millions of parts, derivatives and products obtained from wild animals and plants crosses borders between countries, the effort to regulate it requires international cooperation to safeguard certain species from over-exploitation. CITES was conceived in the spirit of such cooperation. Today, it accords varying degrees of protection to more than 36,000 species of animals and plants.

Species whose international trade is regulated under CITES are divided into three Appendices:

Appendices I (3% of CITES species)

Species threatened with extinction. Trade in specimens of these species is permitted only in exceptional circumstances.

Appendix II (97% of CITES species)

Species not necessarily threatened with extinction, but in which trade must be controlled in order to avoid utilization incompatible with their survival. Trade permitted if legal, sustainable and traceable; and

Appendix III (< 1% of CITES species)

Species whose trade is regulated at the request of at least one country, which has asked other CITES Parties for assistance in controlling that trade.

The majority of marine species are listed in CITES Appendix II, which allows commercial trade as long as it is legal, sustainable and traceable. These range from sedentary species as defined in Article 77 of UNCLOS, such as Queen conch and Giant clam, to species that are included in Annex 1 “Migratory Species” of UNCLOS, such as Hammerhead, Thresher, Basking and Whale sharks.

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CITES works by subjecting international trade in specimens of listed species to certain controls. In order to trade internationally, which under the Convention is defined as all import, export, re-export and introduction from the sea of specimens (live or dead animals, parts and derivatives) of species covered by the Convention has to be authorized through a licensing system. Each Party to the Convention must designate one or more Management Authorities in charge of administering that licensing system and one or more Scientific Authorities to advise them on the effects of trade on the biological status of the species.

Science-policy interfaces in CITES

There are several points of interface between science and policy in CITES:

1. Translating scientific evidence/advice into policy making

   a) Criteria for listing species

   At the international level, the process of adding or deleting species to Appendix I or Appendix II is decided by meetings of the Conference of the Parties. Detailed scientific criteria have been elaborated by CITES Parties to help decide in which Appendix species are best placed, but these need to be reconciled with wider policy and socio-economic considerations which may be poorly circumscribed.

   b) Sustainability findings prior to authorizing trade

   At the national level, prior to authorizing international trade in specimens of CITES Appendix II-listed species, Management Authorities must receive advice from a Scientific Authority that such export will not be detrimental to the survival of that species. The species should be maintained throughout its range at a level consistent with its role in the ecosystems in which it occurs and well above the level at which it species might become eligible for inclusion in CITES Appendix I. This advice is known as a 'non-detriment finding'.
   In data-poor situations, making such findings can be challenging, especially for Parties with limited resources and Management Authorities need to reconcile the advice they receive in relation to economic and social policy imperatives.

2. Introduction from the sea (applicability to areas beyond national jurisdiction)

   Introduction from the sea (IFS), is one of the four types of trade regulated under CITES. IFS is defined in the Convention [Article I, paragraph e] as "transportation into a State of specimens of any species which were taken in the marine environment not under the jurisdiction of any State" (areas beyond national jurisdiction).

   Recognizing that to facilitate the standard implementation of trade controls for "introduction from the sea" further guidance was needed, the Conference of the Parties in Resolution Conf. 14.6 (Rev. CoP16) adopted additional guidance regarding the practical implementation of these provisions.

> Through the Resolution, Parties agreed that 'the marine environment not under the jurisdiction of any State means marine areas beyond the areas subject to the sovereignty or sovereign rights of a State consistent with international law, as reflected UNCLOS. These areas are commonly referred to as "high seas", or areas beyond national jurisdiction. While introduction from the sea of specimens of species included in Appendix I and II is regulated by the Convention, these provisions do not apply for specimens of the Appendix III-listed species.

CITES Parties have worked hard over the years to develop a legal and policy framework to address the challenges at the science-policy interface. A short presentation to 13th Round of Informal Consultations of States Parties (ICSP) to the Agreement for the Implementation of the Provisions of UNCLOS Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks will present these in more detail.

PANELLIST: Mr. Peter Flewwelling, Compliance Manager, North Pacific Fisheries Commission (NPFC)

TOPIC: Experiences, challenges and opportunities on the science-policy interface within NPFC

Abstract:
NPFC and several other RFMOs are working diligently to address the science-policy interface challenges in their respective Convention Areas with the intent to achieve successful sustainable management strategies for marine resources and ecosystems in which they live. Issues to be addressed include the continued awareness and use of basic fisheries management principles; the precautionary and ecosystem approaches, and reliance on the best scientific advice available at the time of decision-making. This presentation provides an overview of the North Pacific Fisheries Commission, the barriers that impact all RFMOs in the ongoing progress of enhancing the science-policy and management interface in their respective organizations. These views are presented under the general headings of: Organizational Commitment; Science/Compliance and Management Team; the Secretariat and its role; Use of Technology; and Outreach and Liaison with other RFMOs and organizations. Further, the presentation suggests possible ideas to address these barriers and then delves into what NPFC and others are doing to address these barriers and implement solutions. Finally, Steps to the Future are categorized under the general topics of: Science Research and Technology; CMMs based on best scientific advice; Precautionary and ecosystem approaches to management; and Further actions to strengthen the science-policy interface through cooperation with other organizations.

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PANELLIST: Mr. Darius Campbell, Executive Secretary, North-East Atlantic Fisheries Commission (NEAFC)

TOPIC: Experiences, challenges and opportunities on the science-policy interface within NEAFC

Abstract:

The presentation will outline how the North-East Atlantic Fisheries Commission manages its regulated fish stocks in North East Atlantic in areas beyond national jurisdiction, in particular how it meets the Convention's objectives. The science (advice)- policy process for fisheries management and for conservation objectives will be described.

The relationship to the International Council for Exploration of the Seas as NEAFC's sole source of scientific advice will be set out, including how the process moves from data to advice to management decisions – all in the context of regional cooperation between our Contracting Parties.

The presentation will also touch on the challenges and opportunities of use of science in policy via an ecosystem based approach – that is, fisheries management in the context of other human impacts and ongoing environmental change, and at the right scale – that of the region.

PANELLIST: SPRFMO (video presentation)

TOPIC: Experiences, challenges and opportunities on the science-policy interface within SPRFMO

Abstract:

SPRFMO is a general RFMO with responsibility for fishery resources in areas beyond national jurisdiction of the South Pacific Ocean. The main species currently managed by SPRFMO are Chilean Jack mackerel, jumbo flying squid and a few deep-water species, most notably orange roughy. SPRFMO's goal consists in the long-term conservation and sustainable use of fishery resources, through the application of the precautionary approach and an ecosystem approach to fisheries, and, in so doing, to safeguard the marine ecosystems in which these resources occur. The Commission is the main decision-making body of SPRFMO and it closely follows the advice received from the SPRFMO Scientific Committee when adopting technical conservation measures, standards for the collection and reporting of data, and other matters.

A very good example for the successful cooperation between SPRFMO science and policy is the recovery of the Jack mackerel fishery since 2010, when the first pre-SPRFMO voluntary conservation measures were taken. Scientific advice also plays an important role in the development of new or exploratory fisheries, in particular regarding a Fisheries Operation Plan and a Data Collection Plan. Furthermore, the development of a bycatch measure for seabirds and an MoU with ACAP were entirely based on recommendations from the Scientific Committee. Finally, the continuing development of the bottom fishing measure and effective closure of

bottom fishing in most of the SPRFMO Area and for most of SPRFMO participants, depends crucially on scientific input.

Future challenges consist in the development of a conservation and management measure for squid, which is currently supporting an important SPRFMO fishery, as well as improving the existing observer programme and bottom fishing measure. SPRFMO also needs to address climate change and other future-facing issues, and strengthen its collaboration with relevant organisations.

PANELLIST: Mr. Eskild Kirkegaard, Chairman of the Advisory Committee, International Council for the Exploration of the Sea (ICES)

TOPIC: How ICES is contributing to the strengthening of the science-policy interface for sustainable fisheries, with a focus on straddling stocks and highly migratory fish stocks.

Abstract:

ICES provides annually advice on fishing opportunities for approximately 200 fish and shellfish stocks on requests from ICES Clients as specified in Memoranda of Understandings (MoU) or Administrative Agreements (AA) signed between ICES and the Clients.
These agreements specify the type of advice to be provided by ICES and list the stocks for which advice is requested. The context in which ICES advice is given is also specified and all MoUs/AA refer to the Agreement on Straddling and Migratory stocks.
To ensure that the advice is consistent, and provided within the context agreed with the Clients, ICES has developed a comprehensive framework for the advice.
The framework includes rules and criteria for the advice which are consistent with the Agreement on Straddling and Migratory stocks and aims at delivering an advice that is based on best available knowledge, quality assured, unbiased and non-political, relevant to the Clients, developed in a transparent process and provided timely.
ICES Advisory Framework is under continues development in close cooperation with ICES Clients, Member States and other Stakeholders. ICES have annual meetings with the Clients, recipients of ICES advice and Stakeholders to review progress and discuss future challenges. ICES is also attending RFMO meetings and meetings organised by stakeholders to present the advice and discuss the advisory framework.
ICES also organize dialogue meetings with clients and other stakeholders to address more strategic items. These meetings are forward looking meetings aiming at supporting ICES in developing its science and advisory work to meet the future needs for scientific advice.

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PANELLIST: Ms. Amanda Nickson, Director, International Fisheries, The Pew Charitable Trusts

TOPIC: How Pew Charitable Trusts is contributing to strengthen the science-policy interface for sustainable fisheries, with a focus on straddling stocks and highly migratory fish stocks, including through multi-stakeholder partnerships.

Abstract:

The need to modernize and adapt fishery management approaches to recognize changing world conditions presents considerable challenges. In particular, renewed commitments by fishery managers to ensure that decision making adheres to science comes with unique challenges at the science-policy interface. These include pressure on scientists to deliver advice beneficial to short term industry interests; the need to provide highly technical fisheries data and analysis in a format that will best enable responsible decision making by non-scientists; the increasing presence of "managers" in "science" fora leading to lack of independence in the recommendations resulting; and the need to ensure participation of the full suite of stakeholders in development of management protocols. Experience and learning to date show there are several tools which can be employed in order to strengthen conservation and management of straddling fish stocks and highly migratory fish stocks: 1) the use of formally constituted "dialogue groups" as a forum for exchange at the management-science interface; 2) development of engaging, yet uncomplicated, visual communication tools for conveying key results to different audiences at each stage; 3) the development and implementation of a "harvest strategies" or "management procedure" approach, whereby multi-annual planning tools are developed through a process where managers agree on objectives and science informs the roadmap to these objectives. While the development of these tools can be time consuming-particularly in regional fisheries management organizations, they provide the best chance of meeting the needs of stakeholders, safeguarding the independence of the science, and ensuring transparent and effective management over time.