

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



Nineteenth meeting of the Conference of the Parties  
Panama City (Panama), 14 – 25 November 2022

Interpretation and implementation matters

General compliance and enforcement

Compliance matters

Totoaba (*Totoaba macdonaldi*)

REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.

**Background**

2. At its 18th meeting (CoP18, Geneva, 2019), the Conference of the Parties adopted Decisions 18.292 to 18.295 on *Totoaba* (*Totoaba macdonaldi*), as presented in Annex 1 to the present document.
3. In November 2020, the Secretariat prepared information document [SC2020 Inf. 14](#) to update the Standing Committee on progress with implementation of the CoP18 Decisions on totoaba. Due to the COVID-19 pandemic, the 73rd meeting of the Standing Committee was convened online (SC73, online, May 2021) with a reduced agenda that did not include the issue of totoaba. The Secretariat prepared document [SC74 Doc. 28.5](#) on *Totoaba* (*Totoaba macdonaldi*) for the 74th meeting of the Standing Committee (SC74, Lyon, March 2022).
4. The Committee, in accordance with the provisions of Decision 18.295, reviewed and assessed the information presented to it at SC74, and agreed a number of Recommendations as outlined in paragraph 28.5 of document [SC74 Sum. 4 \(Rev. 1\)](#). The Committee *inter alia* noted the reporting provided by Mexico in accordance with Decision 18.293, paragraph d), the Secretariat's assessments of Mexico's efforts, and the outcomes of the online *Meeting of Range, Transit and Consumer States of Totoaba*. The Committee also requested China, Mexico and the United States of America (USA) to set and agree a timeline to finalize the terms of reference for the establishment and operationalization of the trilateral enforcement contact group, as well as to establish and operationalize the group; and the Secretariat to undertake a second mission to Mexico to evaluate progress on the implementation of Decision 18.293. The Committee further invited the Secretariat to propose, in consultation with the Standing Committee through its Chair and following the second mission to Mexico, revisions to Decisions 18.292 to 18.295 for consideration at the 19th meeting of the Conference of the Parties (CoP19, Panama City, November 2022).
5. The Secretariat elaborates in more details on this work, the implementation of the Decisions on *Totoaba* (*Totoaba macdonaldi*), the Recommendations agreed by the Standing Committee and the work undertaken in this regard following SC74, as well as other relevant matters, in the paragraphs that follow.

**Meeting of Range, Transit and Consumer States of Totoaba**

6. The Secretariat hoped to organize the meeting called for in Decision 18.294, paragraph a), in the first half of 2020, but these plans had to be postponed due to the COVID-19 pandemic. Since prospects for an in-person meeting remained unlikely, the Secretariat on 18-20 and 22 October 2021, convened an online [Meeting of](#)

[Range, Transit and Consumer States of Totoaba](#). The meeting was made possible thanks to financial support from Switzerland.

7. The meeting culminated with the agreement of a comprehensive set of measures and activities to be undertaken to address illegal fishing and trafficking of totoaba and the threat this poses to the vaquita. These measures and activities entail: *Strengthening law enforcement measures and activities and international collaboration to address illegal totoaba specimen trafficking; Mobilizing specialized tools and measures to combat organized crime associated with totoaba trafficking; Opportunities to eliminate supply and demand for illegally sourced specimens of totoaba; and Financing, reporting and communications.*
8. The Secretariat as required by Decision 18.294, paragraph d), reported on the outcomes of the meeting to the Standing Committee. The Committee at SC74 noted the agreed outcomes presented to it in [Annex 4 to document SC74 Doc. 28.5](#). The Committee encouraged all Parties affected by illegal trade in totoaba specimens to make every effort to implement the measures and activities agreed as relevant to them. The agreed meeting outcomes document is available on the [Enforcement](#) webpage under *Documents and Notifications*, and is also available as Annex 8 to the present document.
9. The measures and activities outlined in the agreed meeting outcome document provide a strong basis to act against the illegal fishing and trafficking of totoaba and the threat this poses to the vaquita. Active follow up from the meeting to implement the agreed measures and activities is essential and cannot be over emphasized. In this regard, the Secretariat, based on its consultations, propose to add a new paragraph a) to the revised version of Decision 18.292 (Rev. CoP19), as shown in Annex 2 to the present document.

#### **Study on vaquita and totoaba**

10. Regarding the study on vaquita and totoaba called for in Decision 18.294, paragraph c), the Secretariat reported at SC74 that it would be advisable to review the terms of reference taking into consideration the outcomes of the online *Meeting of Range, Transit and Consumer States of Totoaba* held in October 2021 and SC74, so they reflect current conditions and needs.
11. Based on its deliberations, the Standing Committee at SC74 agreed to submit the following draft decisions to CoP19:

#### **Directed to the Secretariat**

- 19.AA The Secretariat shall revise the terms of reference for the study on vaquita and totoaba outlined in Annex 2 to document CoP18 Doc. 89 (Rev. 1), taking into consideration the outcomes of the online *Meeting of Range, Transit and Consumer States of Totoaba* held in October 2021, and the decisions of the 74th meeting of the Standing Committee, and undertake the study, subject to the availability of external resources and in consultation with organizations with relevant expertise, and report on the outcomes of this work to the Standing Committee.

#### **Directed to the Standing Committee**

- 19.BB The Standing Committee shall review and assess the study undertaken in accordance with Decision 19.AA and any recommendations from the Secretariat concerning the study and make recommendations as appropriate.
12. In considering the revision of Decisions 18.292 to 18.295, the Secretariat, in consultation with the Standing Committee Chair, proposed draft decisions 19.AA and 19.BB presented in paragraph 11 above be incorporated into the revised versions of Decisions 18.294 and 18.295, as shown in draft Decisions 18.294 (Rev. CoP19), paragraphs c) and d) and 18.295 (Rev. CoP19), paragraph b) in Annex 2 to the present document.

#### **Establishing and operationalizing the trilateral enforcement contact group**

13. Decision 18.293, paragraph a), iv) urges Mexico, together with relevant Parties, to establish and operationalize the trilateral enforcement contact group called for in the outcomes of the 2017 trilateral meeting held in Ensenada, Mexico, between China, Mexico and the USA on combatting totoaba trafficking.
14. The Secretariat noted in its SC74 document that, in November 2019, the CITES Secretary-General wrote to China, Mexico and the USA, stressing the importance of the Decisions adopted at CoP18 and their

implementation. The Secretary-General emphasized the urgency of addressing illegal fishing of, and trade in, totoaba specimens, as well as the impact this illegal activity has on the vaquita. These letters reiterated the need for strengthened collaboration amongst the Parties affected by the illegal trade in totoaba specimens. During a visit to China in November 2019, the Secretary-General also met with high level officials at the Ministry of Foreign Affairs, General Customs Administration, the National Forestry and Grassland Administration and the Fishery Department of the Ministry of Agriculture, conveying the concerns about illegal totoaba trafficking and the threat it poses to the vaquita.

15. The Secretariat in its report to SC74, also noted that Mexico reported it was making efforts to strengthen international cooperation, in particular with China and the USA, in order to combat totoaba trafficking. Mexico stated in its report that this trilateral collaboration is a shared responsibility between the three Parties and that investment in this issue by the Parties concerned has been uneven. Mexico reported that it prepared a draft proposal for the “Terms of Reference for the Creation, Organization and Functions of the Trilateral Contact Group on Law Enforcement”, which was made available to China and the USA for review and comment. This process was ongoing at the time of SC74, and the Secretariat noted in document SC74 Doc. 28.5 that it welcomed the development of these draft terms of reference and the activities conducted by Mexico to engage with authorities in China and the USA, but that progress has been slow. In the light of this, the Standing Committee agreed Recommendation c) on Totoaba (*Totoaba macdonaldi*), as presented in document SC74 Sum. 4 (Rev. 1), requesting China, Mexico and the USA to set and agree a timeline to finalize the terms of reference for the establishment and operationalization of the trilateral enforcement contact group, as well as to establish and operationalize the group, and to communicate this timeline to the Secretariat by 31 May 2022.
16. Mexico, in its 5th six monthly report submitted to the Secretariat on 30 April 2022, again reiterated the importance of international collaboration and full engagement by Parties from source, transit and destination countries to combat totoaba specimen trafficking.
17. Representatives from Mexico briefed the Secretariat on progress concerning the trilateral enforcement contact group on 30 May 2022 during the mission of the Secretariat to Mexico.<sup>1</sup> The Secretariat also received written reporting from Mexico on progress with the establishment and operationalization of the trilateral enforcement contact group at the end of May 2022. Mexico provided the Secretariat with the second version of the terms of reference and working plan for the trilateral enforcement contact group, and reported that this version was approved by both China and Mexico, and that approval from the USA was pending. The associated timeline provided by Mexico is available as Annex 4 to the present document, in the language received (English), for the information of Parties.
18. Mexico further enclosed a chart outlining the chronological order of activities that the Government of Mexico has undertaken to facilitate the development of the terms of reference and working plan for the trilateral enforcement contact group. This chart is available as Annex 5 to the present document, in the language received (Spanish), for the information of Parties.
19. The Secretariat welcomes the progress made since SC74. The terms of reference represent an important step to formalizing the framework for the operation of the trilateral enforcement contact group. It provides a basis for the three Parties to progress and strengthen collaboration and information exchange, as well as activities aimed at addressing illegal supply and demand. The Secretariat notes that in accordance with the terms of reference, the trilateral enforcement contact group will meet twice per year, with the possibility of convening additional extraordinary meetings when requested by at least two of the Parties concerned. The Secretariat further notes that the terms of reference includes a clause stating that they will be valid as soon as accepted by representatives from all three Parties concerned. In this regard, the Secretariat encourages the USA as the only Party that has not yet approved the terms of reference, to urgently validate them.
20. Considering the developments since CoP18 and the current status of this matter, the Secretariat consulted with the Standing Committee Chair, and it is proposed that Decision 18.293, paragraph a) iv) be deleted, and replaced with a new decision, presented in Annex 2 to the present document as draft decision 19.CC.

#### **Implementation of Decision 18.292 directed to Parties**

21. The Secretariat issued Notification to the Parties [No 2019/061](#) of 1 November 2019 inviting Parties and relevant stakeholders to provide information to the Secretariat on their implementation of Decision 18.292. Replies were received from China and the USA, and from four non-governmental organizations (Animal

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<sup>1</sup> The mission is elaborated upon in more detail in paragraphs 34 to 64 below.

Welfare Institute, Center for Biological Diversity, Environmental Investigation Agency and Natural Resources Defense Council) in a joint submission. Mexico included information on its implementation of Decision 18.292 in its reports to the Standing Committee in accordance with Decision 18.293, paragraph d), as well as in its regular six-monthly reports to the Secretariat. The replies to the Notification, as well as the reporting from Mexico, were made available to the Standing Committee in the Annexes to document SC74 Doc. 28.5.

22. The Secretariat, in document SC74 Doc. 28.5, highlighted that continued seizures of totoaba swim bladders demonstrate the ongoing nature of this illegal trade and emphasized the need for further strengthened collaboration and information exchange between Parties affected to ensure that criminal networks are disrupted from source to destination.
23. The Secretariat noted that the sharing of information in accordance with Decision 18.292, paragraph a), has been limited and unsatisfactory, but also that sharing of information is often not possible or appropriate due to the nature and sensitivity of some investigations. The difficulty of implementing Decision 18.292, paragraph a), was raised by several Parties that participated in the online *Meeting of Range, Transit and Consumer States of Totoaba*. The Secretariat encouraged Parties to use recognized and secure law enforcement communication channels and tools for the sharing of information so facilitating information and intelligence exchange is more effective. In this regard, INTERPOL agreed to serve as a central depository for such information and to assist with data analyses and exchange support, as anticipated by activity 1.5 in the totoaba meeting agreed outcomes document. In addition, the World Customs Organization (WCO) established a totoaba closed user group as anticipated by activity 1.10 in the same document. Representatives from Parties that participated in the online *Meeting of Range, Transit and Consumer States of Totoaba* were informed about the establishment of the closed user group and encouraged to use it. The closed user group provides an additional tool for Parties to share information quickly and securely.
24. The Standing Committee at SC74 agreed a Recommendation encouraging Parties to scale up information and intelligence exchange in support of disrupting criminal networks from source to destination and bringing the perpetrators involved to justice, including by drawing upon the support available through INTERPOL, as well as the functionalities available through the WCO closed user group on totoaba.
25. Considering the above, the Secretariat, in consultation with the Standing Committee Chair, proposes that Decision 18.292, paragraph a) be revised as proposed in draft decision 18.292 (Rev. CoP19) paragraph b), in Annex 2 to the present document.
26. Regarding demand reduction campaigns and awareness-raising activities, and eliminating supply and demand as anticipated by Decision 18.292, paragraphs b) and c), the Secretariat notes that the online *Meeting of Range, Transit and Consumer States of Totoaba* agreed outcome document, under the heading *Opportunities to eliminate supply and demand for illegally sourced specimens of totoaba*, contains various relevant actions and measures to be pursued by Parties as agreed at the meeting. In the light of this, the Secretariat, in consultation with the Standing Committee Chair, proposes that Decision 18.292, paragraphs b) and c) be revised as proposed in draft decision 18.292 (Rev. CoP19) paragraph c), in Annex 2 to the present document. In addition, it is considered that the matter of strengthening national policies and law enforcement measures to prevent and address their illegal trade as outlined in Decision 18.292, paragraph c), is sufficiently addressed by the new paragraph a) of Decision 18.292 (Rev. CoP19) and can therefore be deleted.
27. Lastly, it is proposed that Decision 18.292, paragraphs d) and e) be deleted and replaced with a new decision directed to Parties, proposed as new draft decision 19.DD in Annex 2 to the present document.

#### **Implementation of Decision 18.293 by Mexico**

28. The reporting from Mexico to the Standing Committee in accordance with Decision 18.293, paragraph d), was made available in [Annexes 2](#) and [3](#) to document SC74 Doc. 28.5. The Secretariat also prepared a summary of the information provided by Mexico in its reports to the Standing Committee and in the first to fourth regular six-monthly reports from Mexico submitted to the Secretariat. This summary, together with the final observations and assessments of the Secretariat concerning these reports and other information received, was provided in [Annex 1](#) to document SC74 Doc. 28.5.
29. The Committee at SC74 noted the reporting provided by Mexico and the Secretariat's assessments of Mexico's efforts. The Committee further noted the efforts made and substantial resources deployed by Mexico to address illegal fishing and trade of totoaba, and the associated threats posed to the vaquita. The

Committee, however, also noted ongoing concerns about fishers illegally operating in the vaquita refuge and zero-tolerance area and highlighted the urgency of addressing this.

30. The Committee encouraged Mexico to pursue actively the urgent implementation of all aspects of the [Agreement regulating gear, systems, methods, techniques and schedules for carrying out fishing activities with smaller and larger vessels in Mexican Marine Zones in the Northern Gulf of California and establish landing sites as well as monitoring systems for such vessels](#). It further requested Mexico to strengthen measures to ensure that a “zero tolerance policy” is strictly applied in the vaquita refuge and zero-tolerance area, and that consistent measures are taken, and strict penalties imposed against fishers that are found operating in areas where fishing is prohibited. The Committee also encouraged Mexico to further scale up and expand maritime surveillance and patrol activities in the vaquita refuge and zero-tolerance area to ensure that authorities are present on a full-time basis to prevent fishers from engaging in illegal activities in these areas and take action to address any illegal activities detected. The Committee requested Mexico to include information on the steps taken to address these matters in its next regular six-monthly reports to the Secretariat.
31. The Committee requested the Secretariat to continue to monitor Mexico's implementation of Decision 18.293, and to bring any matters of concern that may arise to the attention of the Standing Committee. The Committee also requested the Secretariat to undertake a second mission to Mexico to evaluate progress with the implementation of Decision 18.293, and with a particular focus on the areas of concern identified in document SC74 Doc. 28.5. These areas of concern are outlined in paragraphs 29 and 30 above.
32. The fifth six monthly report from Mexico was submitted to the Secretariat on 30 April 2022, as required. The report outlines the activities conducted by authorities in Mexico during the period 1 November 2021 to 15 April 2022. The Secretariat assessed this report and also conducted the second mission to Mexico as reported upon below.
33. The Secretariat prepared a brief summary highlighting key aspects from Mexico's fifth six monthly report. This summary, available in English only, is presented in Annex 6 to the present document. The full report received from Mexico and its Annexes are available in Annex 7 to the present document, in the languages it was received. It is noted that Annex 2 to the report from Mexico has been removed because it contains detailed information on the daily activities and routines of authorities that should not be made public, to protect the integrity of Mexico's enforcement measures. Mexico may wish to consider providing the detailed daily activity reports to Parties directly upon request.

#### **Second mission of the Secretariat to Mexico**

34. Following an invitation received from Mexican authorities, the Secretariat conducted a technical mission to Mexico from 30 May to 6 June 2022. After receiving briefings and having detailed discussions with representatives from all relevant national authorities in Mexico City at the beginning of the mission, field visits were made in San Felipe, Baja California, to the vaquita refuge and zero-tolerance areas, navy facilities, a fish storage, the Malecon, and other access points. The University of Baja California in Ensenada and the Earth Ocean Farms in La Paz were also visited. Further, the Secretariat met with relevant authorities at the federal, state, and local level, and interviewed representatives of the fisheries cooperatives, fishers, civil society representatives, as well as private and academic sector representatives.
35. The Secretariat thanks the Government of Mexico, and in particular the National Commission for the Knowledge and Use of Biodiversity (CONABIO), the National Commission for Protected Natural Areas (CONANP), the National Commission for Aquaculture and Fisheries (CONAPESCA), the Attorney General's Office (FGR), the office of the Federal Attorney for Environmental Protection (PROFEPA), the Secretariat of the Navy (SEMAR), and the Ministry of the Environment and Natural Resources (SEMARNAT), for the generous technical and logistical support provided in planning and coordinating the mission programme, as well as the hospitality offered to the Secretariat during its mission. The Secretariat also thanks representatives of the fisheries cooperatives, civil society, private sector, and others met during the mission for their frank and open way of providing relevant information. The Secretariat further thanks the Hong Kong Special Administrative Region (SAR) of China for its funding support to the enforcement related work of the Secretariat, which enabled the Secretariat to undertake the mission.

#### ***Assessment of progress with the implementation of Decision 18.293***

36. During its mission, the Secretariat evaluated progress with the implementation of Decision 18.293 with a particular focus on the areas of concern identified in document SC74 Doc. 28.5, as requested by the

Standing Committee. To do so, the Secretariat took into account the situation in the Upper Gulf of California and assessed the strengths and gaps where improvement is needed.

37. It is important to note from the outset that the situation in the Upper Gulf of California is complex and multifactorial. The response of the Government of Mexico to deal with the multiple facets of the issue involves different aspects, such as support for community well-being and development, addressing substance abuse, promoting sustainable and responsible fishing, exploring development alternatives, improving governance and security, and others. In the light of this multifactorial response, the situation in which enforcement activities directed at preventing and detecting illegal fishing and trade of totoaba are occurring is also complex. The fact that organized crime groups are deeply embedded in the region and have a strong presence further exacerbates the situation. These organized crime groups conduct their illegal activities through well-developed networks that facilitate an array of illegal activities, including drug trafficking, human trafficking and trafficking in wildlife specimens, disregarding the dignity and the rights of people and communities, the authority of officials, and the damage caused by their acts to livelihoods, conservation and nature. The activities of criminal groups such as the "Cartel del Mar", reported upon in document SC74 Doc. 28.5, involved in the poaching of totoaba for its swim bladder as well as illegal drug trafficking, and those of the "[Los Chapitos](#)" cartel, provide good examples. These cartels deploy all possible means to achieve their goals, targeting fishers and their families through the use of intimidation, threats, extortion and violence. Information provided during interviews with fishers also suggest that, in some cases, corruption facilitates the activities of organized crime groups.
38. The significance of organized crime group involvement and the need for responses that will be sufficiently deterrent to address this cannot be overemphasized. Strong and consistent strict action against any unauthorized or illegal conduct to ensure that responses are commensurate to the threat is essential.
39. The Secretariat was able to confirm during the technical mission the substantial resources deployed by Mexico to address illegal fishing and trade of totoaba, and the associated threats it poses to the vaquita. This includes large numbers of human resources from different authorities, vessels for patrols at sea and air support from the navy, vehicles for land patrols, the deployment of specialized equipment, and others. Whilst the daily deployment of these substantial resources is commendable and good progress is being made in some areas, still several matters of concern were identified during the mission.

### **Strength's assessment – areas of good progress**

#### ***Enforcement activities to address organized crime groups involved in totoaba trafficking***

40. One of the main strengths identified is associated with the efforts deployed within Mexico to investigate the criminal activity, including that of the organized crime groups involved. This includes intelligence gathering and investigative work that provided important insights and information about the structure and *modus operandi* of criminal organizations operating within Mexico and involved in totoaba fishing and swim bladder trafficking. This work amongst others resulted in the arrest of key members of the Cartel del Mar in November 2020, as well as several other arrests and seizures since then. PROFEPA and the FGR had a leading role in this work.
41. The FGR confirmed that its specialized unit dealing with crimes against the environment and the office of the specialized prosecutor for environmental crimes is fully engaged in the investigation of illegal trade in totoaba specimens. The FGR also explained that investigation methods have been adapted to facilitate better prepared cases for prosecution. The FGR expressed its firm commitment to continue and expand its work to respond to and address the organized crime groups involved in illegal fishing and illegal trade in totoaba. Similarly, information provided by the Financial Intelligence Unit (FIU) of Mexico confirmed that the FIU is actively attending to illegal trade in totoaba related matters as part of its work, and that engagement between the FGR and the FIU occurs. The national customs agency of Mexico (ANAM) confirmed its engagement in combating this illegal trade, highlighting that surveillance and control to facilitate international trade and detect and prevent illegal trade is a daily task of the agency. The ANAM representative informed the mission team that in collaboration with PROFEPA, 209 of its officers received training on totoaba specimen identification in December 2021. It was further noted that similar training for additional officers will continue to be undertaken in future. The representative from ANAM also indicated that the agency is in contact with its counterparts in mainland China and Hong Kong SAR of China to exchange information related to illegal trade in totoaba. Further, it was indicated that risk management practices specific to illegal trade in totoaba are in place, and that amongst others, the establishment of a K9 unit is also foreseen.
42. Another strength identified is the work undertaken by Mexico in collaboration with the INTERPOL General Secretariat and through INTERPOL channels. The FGR highlighted that this included publishing several

INTERPOL Notices, as well as submitting several eco-messages concerning illegal trade in totoaba to the INTERPOL General Secretariat. Other activities in collaboration with INTERPOL are also ongoing and being planned. These activities are welcomed and directly in line with what is proposed in the outcomes of the *Meeting of Range, Transit and Consumer States of Totoaba*.

43. Based on information gathered during the mission, the Secretariat concludes that encouraging progress has been made in the context of Decision 18.293, paragraph a) ii), regarding the collection and analyses of information, undertaking intelligence-driven operations and investigations, and convening multi-disciplinary investigative teams to address organized crime groups involved in totoaba trafficking within Mexico. However, more needs to be done and continued vigilance in this regard is needed, and Mexico is therefore encouraged to build upon the progress made to date to further expand and progress this work. The Secretariat proposes that Decision 18.293, paragraph a) ii) be revised as proposed in draft decision 18.293 (Rev. CoP19) paragraph c), in Annex 2 to the present document.

#### **Gap assessment – areas for improvement**

##### ***Preventing fishers and vessels from entering the vaquita refuge area and maintaining it as a net-free zone***

44. As outlined in paragraphs 29 and 30 above, the key concern noted by the Standing Committee at SC74 relates to the implementation of Decision 18.293, paragraphs a) i) and b), which anticipate that Mexico effectively prevent fishers and vessels from entering the vaquita refuge area and maintain it as a net-free zone. The Committee noted ongoing concerns about fishers illegally operating in the vaquita refuge and zero-tolerance area and highlighted the urgency of addressing this.
45. A substantial part of the mission was spent in San Felipe, where the naval base closest to the vaquita refuge and zero-tolerance areas is situated. During this time, several site visits as outlined in paragraph 34 were conducted, and further detailed briefings were provided to the mission team about daily work undertaken by the different authorities to prevent and address illegal fishing, totoaba specimen trafficking, as well as to secure the vaquita refuge. Authorities placed emphasis on the work of the Intergovernmental Group on Sustainability in the Upper Gulf of California (GIS), as described in paragraphs 7 and 8 of Annex 6 to the present document, reiterating that the main functions of the GIS are to coordinate permanently the work of the different authorities, support synergies, and create mechanisms for dialogue with civil society and local communities. Mexican authorities noted that activities undertaken through the GIS are delivering results, and asserted that the presence of fishers, vessels and illegal nets in the vaquita refuge and zero tolerance areas are decreasing over time.
46. The information gathered reaffirmed the numerous daily activities undertaken both on land and at sea, which include establishing and maintaining inspection and verification posts, undertaking land, sea and air patrols, conducting observation duties, and others. A new radar system, that was developed in Mexico and is operational since May 2022, was also demonstrated to the mission team. This radar system enables SEMAR to continuously monitor large numbers of vessels, as well as the full-time monitoring of the vaquita refuge and zero-tolerance areas. SEMAR emphasized that, together with the other authorities concerned, they place priority on taking swift action against any fishing vessel entering the vaquita refuge zero-tolerance area to ensure that this area remains free of any unauthorized activity. The mission team was briefed on a project that is currently under consideration to further strengthen retrieval of abandoned nets. This project would entail strategically placing almost 200 large blocks each with a hook attached to it in key areas, to intercept abandoned nets driven to the zero-tolerance area by winds and sea streams. It was emphasized however that further research and an environmental impact study still needs to be completed before a final decision on the feasibility of this project can be made.
47. The Secretariat mission team visited the vaquita refuge and zero tolerance areas on 31 May 2022. This visit was undertaken both by sea and air, using a vessel and helicopter provided by the navy. A welcome development is the new permanent buoys that were placed in March 2022 to clearly demarcate the zero-tolerance area. Authorities reported that fishers often used the excuse that they did not know they were in the zero-tolerance area but with the buoys now in place this excuse is no longer valid. SEMAR reported that positive results are already being observed and the presence of vessels in the zero-tolerance area notably decreased. The Secretariat during its visit to the vaquita refuge and zero tolerance areas did not observe any vessels or abandoned nets. This was very welcome to observe, but it must also be noted that a conclusive opinion cannot be formed based on a single one-day visit. Data provided by SEMAR, and data provided by Mexico in its report, shows that the presence of vessels in these areas continues to occur, especially during the height of the fishing season. Although the situation seems to be improving, continued vigilance and sustained efforts are needed. This is demonstrated by the reported 446 vessels carrying out

commercial fishing activities and 53 nets with a total length of 14 603 meters recovered at sea in the period 1 November 2021 to 15 April 2022, as described in Mexico's fifth six monthly report.

48. The Secretariat also visited the inspection and verification post at the authorized site for departure and arrival of vessels located at the naval base in San Felipe, where activities undertaken by authorities were observed first-hand. The activities undertaken were thorough and included physical inspection of all documentation and the fishing vessel. Vessels that did not comply with all requirements, for example if their registration numbers were not clearly visible or their paperwork not in order, were turned away and not allowed to launch. Awareness raising work is also conducted as a standard practice, informing fishers of areas where fishing is prohibited. No vessels with unauthorized fishing gear were observed during the Secretariat's presence at the inspection point. The Secretariat notes that on both 1 and 2 June 2022, when this inspection point was visited, the activity was limited. Very few fishers passed through the point, and authorities on duty said that on average during this time of the year, the number of fishing vessels that daily pass through the point was between five to ten.
49. On 1 June a change to the mission programme was requested by the Secretariat, which was kindly agreed by the authorities. An unplanned visit was conducted to the boardwalk in San Felipe, also referred to as the Malecon. The Malecon is identified on [social media](#) as a place where fishers launch their vessels without inspection and authorization. The Secretariat found that in a period of just more than one hour spent at the Malecon, at least 15 vessels were launching unauthorized and without inspection. The Secretariat was not satisfied with the authorities' explanation that they were not headed to the Zero Tolerance Area. Informal interviews with some of the fishers at the Malecon confirmed that this is a daily occurrence. Some of them also presented their fishing permits stating that they do not see the point of using the authorized launching sites. They stated that this is because those operating illegally are doing it in plain sight without any consequence. The fishers seemed frustrated because they believe they are operating legally and they question why they must comply with the multiple measures imposed. These fishers also held the view that the number of illegal fishers is increasing year after year, noting the lack of enforcement action as the reason for this.
50. During an official meeting with representatives from the fishing community, they expressed similar frustrations to those expressed by fishers informally interviewed at the Malecon. The fisher representatives said that fishing permits do not have value, since anyone who wants to engage in fishing can do so, with or without a permit. They noted that the legal fishermen need to comply with all the rules imposed, whilst those who operate illegally do what they want in plain sight without any consequence. The same views were held by members of civil society met during the mission, who unanimously held the view that a culture of legality must be established, and that the current lack of action from authorities against illegal fishers is detrimental to those in the fishing community operating legally.
51. This, and other findings made during the mission, as elaborated upon in the paragraphs below, raises concerns about the effectiveness of implementation of the [Agreement regulating gears, systems, methods, techniques and schedules for the performance of fishing activities with smaller and larger vessels in Mexican Marine Zones in the Northern Gulf of California and establishing landing sites, as well as the use of monitoring systems for such vessels](#), or "the Agreement", by authorities in Mexico. The Secretariat notes that Mexico in its reporting to date presented "the Agreement" as one of the key instruments guiding activities in the Upper Gulf of California. The Secretariat further notes the Recommendation agreed by the Standing Committee at SC74 encouraging Mexico to actively pursue the urgent implementation of all aspects of "the Agreement".

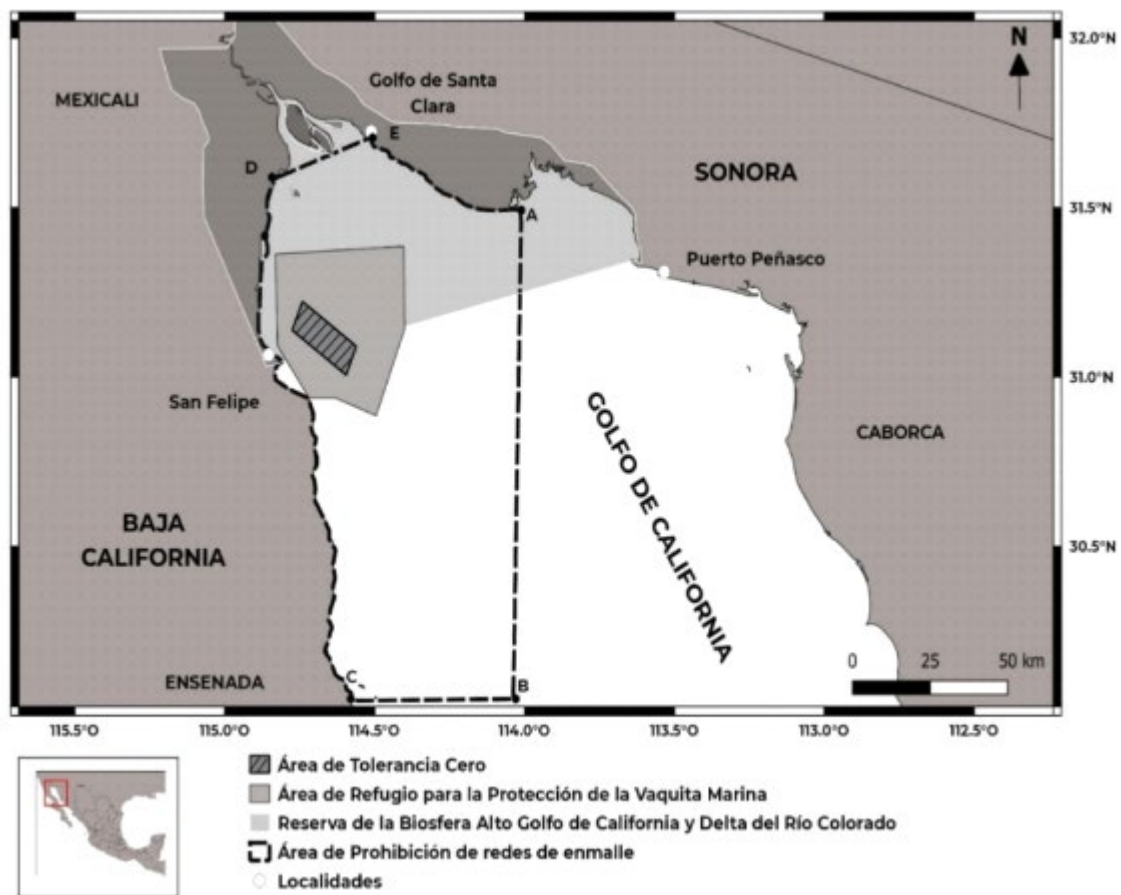
#### ***Authorized sites for departure and arrival of vessels***

52. "The Agreement" in Article 9 clearly defines the authorized sites for departure and arrival of vessels that must be used. Fishers presently seem to circumvent these sites at will, with few vessels entering the sea through them. This means that most vessels entering the sea do so without being inspected as required by Article 8 of "the Agreement". This creates a favourable environment for fishers that operate illegally. At the same time, the lack of action against illegal fishers frustrates and demotivates the fishers who claim they are operating legally and are expected to comply with the rules established in accordance with "the Agreement". This situation calls into question the significant investment made by Mexico to deploy authorities daily to perform duties at the authorized sites, seemingly with little effect and while unauthorized activities occur unhindered elsewhere at significant scale. The Malecon in San Felipe provides a good example. With information available on social media, it is general knowledge that the Malecon is being used daily by fishers as an unauthorized launching site. Although it is understandable that, as explained by authorities, it is not possible to check all possible launching sites continuously due to the vastness of the area, focussing on key places often used by fishers should be possible. Addressing unauthorized activities occurring at such places and

taking strict action against fishers operating illegally must be pursued by the GIS as a matter of priority. Considering how impact and effectiveness of work can be improved is essential.

***Prohibition of gillnets in the area established by “the Agreement”***

53. Article 2 of “the Agreement” determines that all gillnets, including those actively or passively operated for fishing activities, are permanently prohibited in the marine area established by “the Agreement”. This area is demarcated in the image below by the points marked A to E. From interaction with Mexican authorities, it became evident that this provision of “the Agreement” is not being implemented faithfully. SEMAR confirmed that all gillnets are prohibited in the zero-tolerance area, an area of approximately 20 x 22km within the vaquita refuge area, as shown in the image below. SEMAR, however, insisted that only totoaba gillnets are completely prohibited in the marine area established by “the Agreement”. SEMAR held that the use of other gillnets, such as those used for shrimp fishing, is allowed throughout the marine area established by “the Agreement”, except for the zero-tolerance area. SEMAR stated that this is because the mesh of the shrimp gillnets is smaller than that of the totoaba gillnets and therefore pose no danger to the vaquita. This was supported by representatives from the SEMARNAT International Affairs Coordination Unit and the Secretary of the GIS, who were present and accompanied the mission team. They noted that Mexico does not only work in accordance with “the Agreement”, and that there is a broad spectrum of matters, other than environmental aspects that need to be taken into consideration, which includes social aspects affecting local communities.



54. During a meeting with representatives from CONAPESCA, it was confirmed that no permits have been issued in recent years for the use of any type of gillnets in the marine area established by “the Agreement”. They made it clear that no gillnet fishing is allowed, and that the only fishing gear allowed are trawling nets, suripera nets, lines with hooks, longlines, traps and others as outlined in “the Agreement”.
55. The view held amongst some authorities that certain types of gillnets are allowed in the marine area established by “the Agreement”, stands in direct contradiction of the provisions of “the Agreement”. It also seems contradictory to information provided by Mexico in its report to the Secretariat, as outlined in paragraph 17 of Annex 6 to the present document. This inconsistency between the provisions of “the Agreement” and its application in practice not only undermines the effectiveness of activities aimed at

addressing illegal fishing, but likely also cause confusion within the fisher community regarding what is allowed. It could potentially also undermine efforts aimed at supporting the transition to alternative vaquita friendly fishing gear.

56. It does not seem that the provisions of “the Agreement” imposing a complete ban of all gillnets across the marine area established by “the Agreement”, aligns well with the broader Government policy on promoting sustainable fisheries, community engagement and working with local fishers. Mexico is therefore urged to maintain, as a minimum, both the vaquita refuge area as well as the zero-tolerance area completely gillnet free, whilst urgently clarifying how this provision should be implemented by authorities to ensure consistency between the implementation of activities and the provisions of “the Agreement”.

#### ***Manufacturing, possession, selling and transporting of gillnets***

57. Article 2 of “the Agreement” also determines that no gillnets may be manufactured, possessed, sold, or transported in the marine area established by “the Agreement”, nor transported by any means within a perimeter of 10 kilometres around the marine area established by “the Agreement”, or between any city, town, community, or fishing camp.
58. From information gathered during the mission, it seems that much more could be done to ensure compliance with these provisions of “the Agreement”. Authorities indicated that contravention of the above would constitute an administrative offence. The Secretariat requested information on activities undertaken in this regard, for example to inspect possible places where manufacturing, possession or selling may occur, but none could be provided. The Secretariat also requested to be provided with records of administrative penalties imposed for any contraventions detected regarding the manufacturing, possession, selling or transport of nets in contravention of “the Agreement”, but none were provided.
59. These provisions of “the Agreement”, if strictly implemented, could have a significant impact on the activities of illegal fishers, restricting their movements and activities, facilitating the seizure of their boats and prohibited nets, and discouraging practices of an illegal nature. In the absence of implementation, illegal fishers will likely continue their illegal activities. The Secretariat notes that data provided by SEMAR confirmed that the circulation of totoaba gillnets in the marine area established by “the Agreement” continues, as the majority of nets found and seized at sea by authorities (as described in Mexico’s fifth six-monthly report) are totoaba gill nets.

#### ***Measures taken against fishers found operating in the restricted areas***

60. Discussions with authorities during the mission, confirmed that where irregularities are detected in the vaquita refuge and zero tolerance areas, the measures taken by authorities are not sufficiently harsh to deter illegal fishers and the activities of the criminals that recruit these fishers. These measures entail inviting vessels to immediately cease their activities, to lift their fishing gear and to withdraw from the restricted area. If they comply, there is no consequence. When instructions to leave the area are refused, the most severe consequence is that authorities seize the fishing gear used.
61. Authorities during the mission expressed that Mexico relies on a system of cooperation rather than sanction. SEMAR stated that this approach is delivering results and held the view that this is because nets are expensive to replace if seized and new nets take time to make. SEMAR noted that fishers now rather comply and avoid the restricted areas.
62. The Secretariat in document SC74 Doc. 28.5, concluded that the number of fishing vessels entering and operating unauthorized in the zero-tolerance area has improved compared to previous years. The Secretariat also noted ongoing concern about vessels that continue to operate in the zero-tolerance area. The practice of asking them to leave and letting them go when they comply continues to be exploited by organized crime groups and the fishers they recruit. This seems evident during the height of the fishing season, when large numbers of illegal fishers are often found in these areas, as seen in social media and reported to the Secretariat. The Secretariat therefore continues to conclude that the actions of authorities are too lenient to have any permanent deterrent effect. Unless this practice is phased out and replaced with measures of a more deterrent nature, the activities of illegal fishers will likely continue in the vaquita refuge and zero tolerance area. The lenient approach provides an incentive for organized crime groups to continue their activities, and rather than serving as a measure to prevent and put an end to illegal activity, it creates a situation of impunity.

### ***Combining punitive approaches with alternative solutions: Transition to vaquita friendly fishing gear***

63. The Secretariat notes that one of the agreed outcomes of the October 2021 online *Meeting of Range, Transit and Consumer States of Totoaba*, is for Mexico to consider including matters related to totoaba and vaquita, including selective fishing gear development and fishery management in the Upper Gulf of California, in its national Global Environment Facility (GEF) environmental strategies and objectives for the eighth replenishment (GEF8) or other suitable funding opportunities, and also to explore other potential funding partners.
64. The Secretariat met with relevant government representatives to discuss opportunities to include these matters in GEF 8. Mexican authorities were receptive to this suggestion and noted that GEF 8 priorities will be defined through consultancies that were expected to commence in June 2022. It was further noted that Mexico is considering integrated projects as part of its strategic planning to maximize the effective mobilization of resources available. Mexico is encouraged to continue its work to define GEF 8 priorities, actively considering opportunities to include matters related to totoaba and vaquita, including selective fishing gear development.

### **Conclusion**

65. The importance that Mexico attach to the work of the GIS is evident, and the Secretariat welcomes the integrated approach promoted by the GIS to facilitate cooperation, monitor the actions carried out by authorities in the Upper Gulf of California, support synergies, and establish mechanisms for dialogue between different stakeholders. While some strengths and great potential have been identified during the mission of the Secretariat, important areas for improvement as outlined in the present document have also been identified. Mexico is therefore encouraged to consider how the work of the GIS could be further streamlined and strengthened to take into consideration and address these areas for improvement.
66. As noted in the present document, the Secretariat undertook revisions to Decisions 18.292 to 18.295 in consultation with the Chair of the Standing Committee, the results of which are presented in Annex 2 to the present document for consideration by the Conference of the Parties.
67. Whilst the decisions agreed at CoP19 will set the roadmap for Mexico and other Parties to follow during the next intersessional period, the Secretariat notes that the Standing Committee requested the Secretariat to continue to monitor Mexico's implementation of Decision 18.293, and to bring any matters of concern that may arise to the attention of the Committee. Whilst acknowledging the work done by Mexico, the complex nature of the situation in Mexico, the significant resources deployed, as well as the good progress that has been made by Mexico on some fronts, the Secretariat is also conscious of the urgent need for action portrayed by Decision 18.293. Matters pointed out as being of concern in documents SC2020 Inf. 14 and SC74 Doc. 28.5, based on the findings of the mission and elaborated upon in the present document remain of concern. The Secretariat therefore intends to bring the matters of concern identified during the mission to the attention of the Committee at its 75th meeting (SC75, Panama City, 13 November 2022), for the Committee to consider if any further measures might also be needed.
68. The Secretariat will in its report to SC75 also elaborate on other matters addressed during the mission, such as alternative solutions and the importance Mexico attaches to aquaculture as a tool to support and strengthen local population involvement as well as conservation. The Secretariat will also in this report provide an update to the Committee on its visit to Earth Ocean Farms and in particular on information provided by Mexico regarding progress made and activities undertaken concerning the destruction of totoaba swim bladders from this facility, as agreed to at SC74.

### **Recommendations:**

69. The Conference of the Parties is invited to:
  - a) adopt Decisions 18.292 (Rev. CoP19) to 18.295 (Rev. CoP19), and draft decisions 19.CC and 19.DD, as presented in Annex 2 to the present document. A clean version of these decisions is included in Annex 3 to the present document for ease of reference.

## DECISIONS ON TOTOABA (TOTOABA MACDONALDI) ADOPTED AT CoP18

At its 18th meeting (CoP18, Geneva, 2019), the Conference of the Parties adopted Decisions 18.292 to 18.295 on *Totoaba* (*Totoaba macdonaldi*), as follows:

### ***Directed to Parties***

**18.292** *Parties, in collaboration with relevant stakeholders, are encouraged to:*

- a) *communicate to the Secretariat and the CITES Authorities of relevant Parties information on seizures of specimens of totoaba, arrests of those engaged in illegal take and trade, results of any prosecutions, and actions taken to implement this Decision;*
- b) *engage in awareness-raising activities on the illegal trade in totoaba, and its severe implications for the conservation of vaquita (*Phocoena sinus*), including demand reduction campaigns;*
- c) *eliminate supply and demand for illegally sourced specimens of totoaba, and strengthen national policies and law enforcement measures to prevent and address their illegal trade;*
- d) *support efforts related to the recovery and monitoring of wild populations of totoaba and vaquita;*
- e) *support Mexico in the implementation of Decision 18.293, including support for gillnet retrieval programmes; and*
- f) *provide financial and in-kind support for the implementation of the study called for in Decision 18.294, paragraph c) to be presented before the 73rd meeting of the Standing Committee.*

### ***Directed to Mexico***

**18.293** *Mexico is urged to:*

- a) *take immediate and effective actions by 1 November 2019 in response to the threats to totoaba and vaquita posed by illegal trade by:*
  - i) *deploying governmental authorities with legal powers of seizure and arrest, together with the Navy, to effectively prevent fishers and vessels from entering the Vaquita Refuge area, and invite the Secretariat to assess the effectiveness and impact of these measures before the end of 2019;*
  - ii) *collecting and analysing information on organized crime groups involved in the illegal trade in totoaba, convening multi-disciplinary investigative teams to work in close collaboration with local authorities in key areas of concern, and undertaking intelligence-driven operations and investigations for addressing illegal trade in totoaba;*
  - iii) *providing regular (every six months) updates on these actions and their results to the Secretariat; and*
  - iv) *establishing and operationalizing, together with relevant Parties, the trilateral enforcement contact group called for in the outcomes of the 2017 “Trilateral Meeting China/United States/Mexico On The Combat Against Illegal Traffic Of Totoaba Fish (*Totoaba macdonaldi*) August 23-25, Ensenada, Mexico”;*

- b) *intensify efforts and to secure resources to expand gillnet removal efforts to maintain the Vaquita Refuge area as a net-free zone, and take all necessary measures to protect net removal teams and destroy confiscated nets;*
- c) *adhere to the implementation of Decision 43 COM 7B.26, adopted at the 43rd session of the World Heritage Committee (Baku, 2019); and*
- d) *submit a comprehensive report on the implementation of Decision 18.293, paragraphs a) to d) above, as well as the information required in Decision 18.292, paragraph a), to the Secretariat in time for it to convey this to the Standing Committee at its 73rd meeting, together with any recommendations it may have.*

**Directed to the Secretariat**

**18.294** *The Secretariat shall:*

- a) *subject to external resources and measurable progress made in implementing actions identified in Decisions 18.292 and 18.293, consider convening before the end of 2019 a meeting of range, transit and consumer States of totoaba, and selected organizations and stakeholders, to evaluate progress made in combating illegal fishing of totoaba, eliminating supply and demand for illegally-sourced specimens of totoaba, and strengthening law enforcement measures to prevent and address their illegal trade;*
- b) *engage with partner agencies of the International Consortium on Combating Wildlife Crime (ICWC) in support of activities that could facilitate the initiation of targeted joint investigations and enforcement action from source to destination across the entire illegal trade chain;*
- c) *subject to the availability of external resources and in consultation with organizations with relevant expertise, undertake the study on vaquita and totoaba outlined in Annex 2 to document CoP18 Doc. 89 (Rev. 1); and*
- d) *report the information communicated by Parties and Mexico in accordance with Decisions 18.292 and 18.293, as well as the outcomes of the meeting convened in accordance with paragraph a) above, to the Standing Committee at its 73rd meeting together with any recommendations it may have.*

**Directed to the Standing Committee**

**18.295** *The Standing Committee shall:*

- a) *review and assess any information and recommendations submitted by the Secretariat in accordance with Decision 18.294; and*
- b) *based on its assessment, and if not satisfied with timely progress in the implementation of Decisions 18.292 and 18.293, make any appropriate recommendations within the mandate of the Standing Committee in accordance with Resolution Conf. 14.3 (Rev. CoP18) on CITES compliance procedures.*

REVISED AND NEW DRAFT DECISIONS ON *TOTOABA* (*TOTOABA MACDONALDI*)  
PROPOSED FOR ADOPTION AT CoP19

NB: Text proposed to be deleted is crossed out. Proposed new text is underlined.

***Directed to Parties***

18.292 (Rev. CoP19) Parties ~~affected by illegal fishing and trafficking of totoaba~~, in collaboration with relevant stakeholders, are encouraged to:

- a) fully implement the measures and activities outlined in the online *Meeting of Range, Transit and Consumer States of Totoaba* agreed outcomes document, as relevant to them, to prevent and combat this illegal trade;
- ~~b)~~ draw upon the secure law enforcement communication channels and tools provided by INTERPOL and the World Customs Organization to share information on seizures and of specimens of totoaba, arrests associated with totoaba specimen trafficking of those engaged in illegal take and trade, results of any prosecutions, and actions taken to implement this Decision; and
- ~~b)~~ engage in awareness-raising activities on the illegal trade in totoaba, and its severe implications for the conservation of vaquita (*Phocoena sinus*), including demand reduction campaigns, as well as activities to eliminate supply and demand for illegally sourced specimens of totoaba, taking into consideration the measures and activities outlined in the *Meeting of Range Transit and Consumer States of Totoaba* agreed outcomes document under the heading *Opportunities to eliminate supply and demand for illegally sourced specimens of totoaba*;
- ~~c)~~ eliminate supply and demand for illegally sourced specimens of totoaba, and strengthen national policies and law enforcement measures to prevent and address their illegal trade;
- ~~d)~~ support efforts related to the recovery and monitoring of wild populations of totoaba and vaquita;
- ~~e)~~ support Mexico in the implementation of Decision 18.293, including support for gillnet retrieval programmes; and
- ~~f)~~ provide financial and in-kind support for the implementation of the study called for in Decision 18.294 (Rev. CoP19), paragraph c) to be presented before the 73rd meeting of the Standing Committee.

***Directed to Mexico***

18.293 (Rev. CoP19) Mexico is urged to:

- a) take immediate and effective actions by 1 November 2019 to further strengthen measures to effectively prevent fishers using gillnets from entering the vaquita refuge and zero-tolerance areas and to maintain these areas completely gillnet-free, by implementing a strict zero-tolerance policy concerning unauthorized fishing and fishing gear in these areas, and imposing strict penalties where irregularities are detected, including the seizure of both vessels and unauthorized fishing gear combined with administrative or criminal penalties as applicable; in response to the threats to totoaba and vaquita posed by illegal trade by:

- b) pursue the urgent implementation of all aspects of the *Agreement regulating gears, systems, methods, techniques and schedules for the performance of fishing activities with smaller and larger vessels in Mexican Marine Zones in the Northern Gulf of California and establishing landing sites, as well as the use of monitoring systems for such vessels* ("the Agreement"), giving priority attention to:
- i) deploying governmental authorities with legal powers of seizure and arrest, together with the Navy, to effectively prevent fishers and vessels from entering the Vaquita Refuge area, and invite the Secretariat to assess the effectiveness and impact of these measures before the end of 2019 taking strict action against fishers that use any sites other than the authorized sites for departure and arrival of vessels established by Article 9 of "the Agreement", to effectively prevent, disrupt and put an end to the activities of fishers that operate illegally;
  - ii) collecting and analysing information on organized crime groups involved in the illegal trade in totoaba, convening multi-disciplinary investigative teams to work in close collaboration with local authorities in key areas of concern, and undertaking intelligence-driven operations and investigations for addressing illegal trade in totoaba effectively implementing the gillnet ban as anticipated by Article 2 of "the Agreement"; and
  - iii) stepping up efforts to mobilize activities aimed at preventing, detecting and penalizing any manufacturing, possession, selling and transportation of gillnets in the marine area and surrounding areas as determined by "the Agreement", to ensure the disruption and neutralization of any illegal activities providing regular (every six months) updates on these actions and their results to the Secretariat; and
  - iv) establishing and operationalizing, together with relevant Parties, the trilateral enforcement contact group called for in the outcomes of the 2017 "Trilateral Meeting China/United States/Mexico On The Combat Against Illegal Traffic Of Totoaba Fish (*Totoaba macdonaldi*) August 23-25, Ensenada, Mexico";
- c) build upon the progress made in collecting and analysing information on organized crime groups operating within Mexico involved in illegal fishing and trafficking of totoaba, and the insights and information gained from such work about the structure and *modus operandi* of these groups, to further expand intelligence-driven operations and investigations to address and neutralize them;
- bd) intensify efforts and to secure maintain resources to ensure uninterrupted expand gillnet removal efforts to maintain the Vaquita Refuge and zero tolerance areas as a net-free zone, and take all necessary measures to protect net removal teams and destroy confiscated nets;
- ee) scale up activities in support of selective fishing gear development and use, and to consider including such matters related to totoaba and vaquita in its GEF 8 or other suitable funding sources adhere to the implementation of Decision 43 COM 7B.26, adopted at the 43rd session of the World Heritage Committee (Baku, 2019); and
- df) submit a comprehensive report on the implementation of Decision 18.293 (Rev. CoP19), paragraphs a) to de) above, as well as the information required in Decision 18.292 (Rev. CoP19), paragraph a), to the Secretariat in time for it to convey this to the Standing Committee at its 77th3rd meeting, together with any recommendations it may have.

**Directed to the Secretariat**

18.294 (Rev. CoP19) The Secretariat shall:

- a) ~~seek information from Parties on their implementation of Decision 18.292 (Rev. CoP19) subject to external resources and measurable progress made in implementing actions identified in Decisions 18.292 and 18.293, consider convening before the end of 2019 a meeting of range, transit and consumer States of totoaba, and selected organizations and stakeholders, to evaluate progress made in combating illegal fishing of totoaba, eliminating supply and demand for illegally sourced specimens of totoaba, and strengthening law enforcement measures to prevent and address their illegal trade;~~
- b) engage with partner agencies of the International Consortium on Combating Wildlife Crime (ICWC) in support of activities relevant to ICCWC partners, as outlined in the online [Meeting of Range, Transit and Consumer States of Totoaba agreed outcomes document](#) ~~that could facilitate the initiation of targeted joint investigations and enforcement action from source to destination across the entire illegal trade chain;~~
- c) revise the terms of reference for the study on vaquita and totoaba outlined in Annex 2 to document CoP18 Doc. 89 (Rev. 1), taking into consideration the outcomes of the online Meeting of Range, Transit and Consumer States of Totoaba held in October 2021, and the decisions of the 74th meeting of the Standing Committee, and undertake the study, subject to the availability of external resources and in consultation with organizations with relevant expertise ~~subject to the availability of external resources and in consultation with organizations with relevant expertise, undertake the study on vaquita and totoaba outlined in Annex 2 to document CoP18 Doc. 89 (Rev. 1); and~~
- d) report the information communicated by Parties and Mexico in accordance with Decisions 18.292 (Rev. CoP19) and 18.293 (Rev. CoP19), as well as the ~~study undertaken outcomes of the meeting convened in accordance with paragraph ca) above, to the Standing Committee at its 77th3rd~~ meeting together with any recommendations it may have.

**Directed to the Standing Committee**

18.295 (Rev. CoP19) The Standing Committee shall:

- a) review and assess the study undertaken in accordance with Decision 18.294 (Rev. CoP19), paragraph c) and any information and recommendations submitted by the Secretariat in accordance with Decision 18.294 (Rev. CoP19), as well as the report to be submitted in accordance with Decision 19.CC; and
- b) based on its assessment of the study undertaken in accordance with Decision 18.294 (Rev. CoP19), paragraph c), and if not satisfied with timely progress in the implementation of Decisions 18.292 (Rev. CoP19), and 18.293 (Rev. CoP19) and 19.CC, make recommendations as appropriate, which may where relevant include any appropriate ~~any appropriate~~ recommendations within the mandate of the Standing Committee in accordance with Resolution Conf. 14.3 (Rev. CoP18) on *CITES compliance procedures*.

**Directed to China, Mexico, and the United States of America**

- 19.CC China, Mexico, and the United States of America are requested to jointly submit, through the Chair of the Trilateral Enforcement Contact Group (TECG), a report to the 77th meeting of the Standing Committee on the operationalization of the TECG and the activities conducted in accordance with the TECG terms of reference, as well as associated results achieved.

***Directed to Parties***

19.DD Parties are encouraged to:

- a) support efforts related to the recovery and monitoring of wild populations of totoaba and vaquita;  
and
- b) make every effort to support Mexico in the implementation of Decision 18.293 (Rev. CoP19).

REVISED AND NEW DRAFT DECISIONS ON *TOTOABA* (*TOTOABA MACDONALDI*)  
PROPOSED FOR ADOPTION AT CoP19 (clean version)

The present Annex contains a clean version of the revised and new draft decisions presented in Annex 2 to document CoP19 Doc. 29.2.1. This clean version is provided for ease of reference.

***Directed to Parties***

18.292 (Rev. CoP19) Parties affected by illegal fishing and trafficking of totoaba, in collaboration with relevant stakeholders, are encouraged to:

- a) fully implement the measures and activities outlined in the online [Meeting of Range, Transit and Consumer States of Totoaba agreed outcomes document](#), as relevant to them, to prevent and combat this illegal trade;
- b) draw upon the secure law enforcement communication channels and tools provided by INTERPOL and the World Customs Organization to share information on seizures and arrests associated with totoaba specimen trafficking; and
- c) engage in awareness-raising activities on the illegal trade in totoaba, and its severe implications for the conservation of vaquita (*Phocoena sinus*), including demand reduction campaigns, as well as activities to eliminate supply and demand for illegally sourced specimens of totoaba, taking into consideration the measures and activities outlined in *the Meeting of Range Transit and Consumer States of Totoaba agreed outcomes document* under the heading [Opportunities to eliminate supply and demand for illegally sourced specimens of totoaba](#).

***Directed to Mexico***

18.293 (Rev. CoP19) Mexico is urged to:

- a) take immediate actions to further strengthen measures to effectively prevent fishers using gillnets from entering the vaquita refuge and zero-tolerance areas and to maintain these areas completely gillnet-free, by implementing a strict zero-tolerance policy concerning unauthorized fishing and fishing gear in these areas, and imposing strict penalties where irregularities are detected, including the seizure of both vessels and unauthorized fishing gear combined with administrative or criminal penalties as applicable;
- b) pursue the urgent implementation of all aspects of the [Agreement regulating gears, systems, methods, techniques and schedules for the performance of fishing activities with smaller and larger vessels in Mexican Marine Zones in the Northern Gulf of California and establishing landing sites, as well as the use of monitoring systems for such vessels](#) ("the Agreement"), giving priority attention to:
  - i) taking strict action against fishers that use any sites other than the authorized sites for departure and arrival of vessels established by Article 9 of "the Agreement", to effectively prevent, disrupt and put an end to the activities of fishers that operate illegally;
  - ii) effectively implementing the gillnet ban as anticipated by Article 2 of "the Agreement"; and

- iii) stepping up efforts to mobilize activities aimed at preventing, detecting and penalizing any manufacturing, possession, selling and transportation of gillnets in the marine area and surrounding areas as determined by “the Agreement”, to ensure the disruption and neutralization of any illegal activities.
- c) build upon the progress made in collecting and analysing information on organized crime groups operating within Mexico involved in illegal fishing and trafficking of totoaba, and the insights and information gained from such work about the structure and *modus operandi* of these groups, to further expand intelligence-driven operations and investigations to address and neutralize them;
- d) maintain resources to ensure uninterrupted gillnet removal to maintain the Vaquita Refuge and zero tolerance areas net-free, and take all necessary measures to protect net removal teams and destroy confiscated nets;
- e) scale up activities in support of selective fishing gear development and use, and to consider including such matters related to totoaba and vaquita in its GEF 8 or other suitable funding sources; and
- f) submit a comprehensive report on the implementation of Decision 18.293 (Rev. CoP19), paragraphs a) to e) above, as well as Decision 18.292 (Rev. CoP19), to the Secretariat in time for it to convey this to the Standing Committee at its 77th meeting, together with any recommendations it may have.

***Directed to the Secretariat***

18.294 (Rev. CoP19) The Secretariat shall:

- a) seek information from Parties on their implementation of Decision 18.292 (Rev. CoP19);
- b) engage with partner agencies of the International Consortium on Combating Wildlife Crime (ICWC) in support of activities relevant to ICCWC partners, as outlined in the online [Meeting of Range, Transit and Consumer States of Totoaba agreed outcomes document](#);
- c) revise the terms of reference for the study on vaquita and totoaba outlined in Annex 2 to document CoP18 Doc. 89 (Rev. 1), taking into consideration the outcomes of the online *Meeting of Range, Transit and Consumer States of Totoaba* held in October 2021, and the decisions of the 74th meeting of the Standing Committee, and undertake the study, subject to the availability of external resources and in consultation with organizations with relevant expertise; and
- d) report the information communicated by Parties and Mexico in accordance with Decisions 18.292 (Rev. CoP19) and 18.293 (Rev. CoP19), as well as the study undertaken in accordance with paragraph c) above, to the Standing Committee at its 77th meeting together with any recommendations it may have.

***Directed to the Standing Committee***

18.295 (Rev. CoP19) The Standing Committee shall:

- a) review and assess the study undertaken in accordance with Decision 18.294 (Rev. CoP19), paragraph c) and any information and recommendations submitted by the Secretariat in accordance with Decision 18.294 (Rev. CoP19), as well as the report to be submitted in accordance with Decision 19.CC; and

- b) based on its assessment of the study undertaken in accordance with Decision 18.294 (Rev. CoP19), paragraph c), and if not satisfied with timely progress in the implementation of Decisions 18.292 (Rev. CoP19), 18.293 (Rev. CoP19) and 19.CC, make recommendations as appropriate, which may where relevant include recommendations within the mandate of the Standing Committee in accordance with Resolution Conf. 14.3 (Rev. CoP18) on *CITES compliance procedures*.

***Directed to China, Mexico, and the United States of America***

- 19.CC China, Mexico, and the United States of America are requested to jointly submit, through the Chair of the Trilateral Enforcement Contact Group (TECG), a report to the 77th meeting of the Standing Committee on the operationalization of the TECG and the activities conducted in accordance with the TECG terms of reference, as well as associated results achieved.

***Directed to Parties***

- 19.DD Parties are encouraged to:

- a) support efforts related to the recovery and monitoring of wild populations of totoaba and vaquita; and
- b) make every effort to support Mexico in the implementation of Decision 18.293 (Rev. CoP19).



# MEDIO AMBIENTE

SECRETARÍA DE MEDIO AMBIENTE Y RECURSOS NATURALES

Draft 01 / 17.05.22

## TRILATERAL CHINA-Mx-USA CONTACT GROUP. ACTIVITY CALENDAR

**Objective:** to guide actions for an ordered initial operation of the CITES Trilateral Contact Group China-Mx-USA against totoaba illegal traffic.

Signature process (2022)		May	June	July	August	September	October	November
Activity	comments	30						
Virtual sessions 2022	Dates to be determined. The amount of sessions is open until consensus is reached.							
1st face-to-face session 2022	In the frame of the CITES Mision to Mexico.	x						
Legal opinion	Once solved the technical negotiation of the ToR.						x	
ToR signature	Towards COP-19-CITES (nov/22)							x
Focal points designation	Resulting of preliminary agreements.		x					

Actions on initial operation		2022									2023											
Activity	comments	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
Objectives identification to establish Plans of work (PoW).	As identified cooperation needs among Parties	x	x	x	x	x	x	x	x													
PoW build-up		x	x	x	x	x	x	x	x													
1st face-to-face-2023 session	Assessment of last year actions and next PoW									x												

1 de 2





Actions on initial operation		2022									2023											
Activity	comments	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
	adoption																					
Operation of PoW										x	x	x	x	x	x	x	x	x	x	x	x	
Virtual follow-up sessions	There could be as many sessions as necessary to execute PoW									x	x	x	x	x	x	x	x	x	x	x	x	

## Tarjeta de actividades

### Términos de Referencia del Grupo de Contacto Trilateral sobre aplicación de la Ley

- En **agosto de 2017**, México redactó los “Términos de Referencia del Grupo de Contacto Trilateral sobre aplicación de la Ley”, para definir la organización y su funcionamiento, con el objetivo de intercambiar información sobre los esfuerzos realizados para combatir el comercio ilícito, eliminar la oferta y demanda origen ilícito con relación a este pez, así como sugerir acciones para mejorar y fortalecer las capacidades de vigilancia. Sobre esa primera revisión de TdR se contaron con las aportaciones de Estados Unidos.
- El **23 de febrero**, la Embajada de México en China, informó que, por cambios de personal dentro de la Autoridad Administrativa CITES de China no contaban con registros de la propuesta para el establecimiento, organización y mandato sobre el “Grupo de Contacto Trilateral sobre aplicación de la Ley”.
- El **11 de abril** México remitió nuevamente los documentos en torno al establecimiento del “Grupo de Contacto Trilateral sobre aplicación de la Ley”, con el fin de que se entregaran a las nuevas autoridades de China.
- El **15 de abril**, China mencionó que no tenía comentarios adicionales. La Administración Nacional de Bosques y Pastizales de China (ANBP), compartió una lista de funcionarios responsables de este tema en la estructura organizacional del Gobierno Chino, que incluye a la Administración General de Aduanas (AGA), el Ministerio de Agricultura y Asuntos Rurales (MARA) y la Autoridad de CITES en China-parte de la ANBP.
- El **29 de abril**, el sector ambiental y la Cancillería de México se reunieron para analizar los comentarios emitidos por Estados Unidos respecto a los TdR.
- El **12 de mayo** México remitió la segunda versión de los TdR, acordada entre su sector ambiental y la Cancillería, a las Embajadas de México en China y EUA, solicitando presentar una invitación a las autoridades correspondientes para participar en una reunión virtual para revisar la 2ª versión de los TdR, acordar el cronograma para finalizarlos, además de establecer y poner en funcionamiento el Grupo de Contacto Trilateral. Se propusieron fechas y horarios de acuerdo con el horario de Beijing, China.
- El **16 de mayo** la Embajada de México en China informó que las autoridades de ese país indicaron que no sería posible llevar a cabo la reunión trilateral en virtud de que necesitaban tener los TdR en idioma chino mandarín. La Embajada de México trabajó en la traducción del documento remitiéndolo a las autoridades Chinas.

- El **17 de mayo**, la Autoridad Administrativa CITES de China aseguró que remitió el documento al Departamento contra Contrabando de la Administración General de Aduanas y al Ministerio de Agricultura y Asuntos Rurales y que posteriormente estarían enviando una fecha para la reunión trilateral. Hasta el momento no se había recibido respuesta por parte de China.
- El **23 de mayo** se remitió a las embajadas de México en China y Estados Unidos, un borrador de cronograma para que fuera presentado a las autoridades de ambos países, solicitando sus comentarios o visto bueno a más tardar el **26 de mayo**.
- El **30 de mayo**, la Embajada de México en China informó que ese país ha aceptado el cronograma y los TdR con un mínimo cambio.

**Summary of key aspects from Mexico's fifth six monthly report compiled by the Secretariat**

1. The fifth six monthly report from Mexico in accordance with Decision 18.293, subparagraph a) iii), was submitted to the Secretariat on 30 April 2022, as required. The report outlines the activities conducted by authorities in Mexico during the period 1 November 2021 to 15 April 2022.
2. The Secretariat prepared a brief summary highlighting key aspects from Mexico's fifth six monthly report. This summary is presented below and is available in English only.
3. The full report received from Mexico is available in Annex 7 to document CoP19 Doc. 29.2.1 on *Totoaba* (*Totoaba macdonaldi*), in the languages it was received.

**Regulatory framework in the Upper Gulf of California (UGC) to combat illegal fishing, totoaba specimen trafficking and the threat this pose to the vaquita**

4. Mexico in its fifth six monthly report reaffirms the regulatory framework that establishes the powers and mandates of the different Mexican authorities and enable coordination of activities in the UGC. Mexico highlights in its report that the regulatory framework depends on several regulatory instruments, specifically issued to facilitate the protection of totoaba and vaquita. These regulatory instruments are:
  - a) The [\*Agreement regulating gears, systems, methods, techniques and schedules for the performance of fishing activities with smaller and larger vessels in Mexican Marine Zones in the Northern Gulf of California and establishing landing sites, as well as the use of monitoring systems for such vessels\*](#) ("the Agreement") published in the Government Gazette on 24 September 2020.
  - b) *Guidelines for the organization and functions of the Intragovernmental Group on Sustainability in the Upper Gulf of California* (GIS), published in the Government Gazette on 15 January 2021.
  - c) *Guidelines for the Collaborative Group* (GCAL) on the application of "the Agreement".
  - d) The [\*Plan of Application in the Zero Tolerance Zone and the Vaquita Refuge Area\*](#), published in the Government Gazette on 20 January 2021.
  - e) The [\*Agreement establishing the indicators, triggering factors and predetermined actions\*](#) in accordance with Article 17 of "the Agreement", published in the Government Gazette on 9 July 2021, and the 24 September 2020 published *Agreement on use of monitoring systems for such vessels*.
5. The report received from Mexico includes an explanation of the purpose of each of the instruments mentioned in paragraph 4. a) to e) above and include a summary of the powers and mandates of the different authorities deployed in the UGC. Additional information on the above, consolidated from previous reporting received from Mexico, can also be found in [Annex 1 to document SC74 Doc. 28.5](#).
6. Mexico notes in its report that these instruments are in addition to the existing instruments focused on regulating the protection of the environment and natural resources, as well as fishing activities, such as for example the General Law of Ecological Balance and Environmental Protection (LGEEPA) and its Regulations, the General Law of Wildlife (LGVS), the General Law of Sustainable Fisheries and Aquaculture (LGPAS) and NOM-059-SEMARNAT, among others.
7. Mexico states in its report that further strengthening surveillance actions and activities to combat illegal trade in totoaba can only be achieved through further strengthened and intensified cooperation of the Intergovernmental Group on Sustainability in the Upper Gulf of California (GIS). As reported by Mexico in its previous reports and elaborated upon in [Annex 1 to document SC74 Doc. 28.5](#), the GIS fulfils a key role in overseeing the implementation of "the Agreement". In accordance with the *Guidelines for the operationalizing and functioning of the GIS*, it establishes a group of officials to monitor the actions carried out by authorities and Mexico reported that to strengthen governance, the group also includes civil society, local government representatives, and international observers. The GIS convenes quarterly to review progress and identify

and recommend additional actions as may be needed to strengthen law enforcement and promote the deterrence of illegal activities.

8. Mexico reports that the GIS meetings have yielded encouraging results, and that in the reporting period the number of maritime patrols and area covered has increased in both the vaquita refuge area and the zero-tolerance zone. Mexico further highlights that continued surveillance is done at embarkation and disembarkation areas, beaches, and coasts of the region.

**Collecting and analysing information, undertaking intelligence-driven operations and investigations, and convening multi-disciplinary investigative teams to address organized crime groups involved in totoaba trafficking**

9. Mexico reports that the inter-institutional relationship with the Attorney General's Office (FGR) has been strengthened to enable better and increased information exchange and facilitate swifter enforcement action to arrest offenders. It is reported that strengthened communication with the Office of the Prosecutor facilitates quick and expeditious information flow, enabling continuous swift follow-up to initiate and progress investigations.
10. Regarding the seizure of totoaba specimens and arrest of the offenders involved, Mexico highlights that in the reporting period, the FGR initiated investigations into two cases in November 2021, and that two other cases were presented in court during the same month for the offenders to stand trial. It is further reported that on 17 January 2022, a conviction of one year in prison, a fine of MX\$28 866 (approximately USD 1400), and a repair of damage fine in the amount of MX\$3 277 990 (approximately USD 160 000), was secured in a case against a Mexican national who, in 2018, transported 27 totoaba swim bladders in Baja California. Also, on 4 March 2022, a conviction of one year in prison and a fine of MX\$28 866.00, was secured against a Mexican national who transported 7 totoaba swim bladders in Baja California.
11. Mexico further highlights in its report, the [seizure of approximately 1.2 kilograms of suspected totoaba swim bladder](#) by authorities in Hong Kong Special Administrative Region (SAR) of China on 3 March 2022, and states that following this seizure it requested information from authorities in Hong Kong SAR. It is reported that Hong Kong SAR authorities subsequently shared with Mexico a file containing information regarding the seizure, which was being analysed for appropriate follow up in Mexico.
12. Mexico also included in its report information on follow-up regarding three other seizures made abroad (by authorities in Hong Kong SAR). In two of these cases follow up delivered no viable results; whilst in the third, an administrative file was opened in Mexico for further investigation.
13. Mexico reports that to follow up on the outcomes from the totoaba meeting held in October 2021, officials from the Federal Attorney for Environmental Protection (PROFEPA) in November 2021 engaged with the INTERPOL General Secretariat to discuss arrangements for exchanging information on seizures and arrests. It is reported that a training workshop for PROFEPA officials is pending, and other additional activities as reported upon will also be pursued.
14. Mexico reports that in January 2022, the FGR published an [INTERPOL Purple Notice](#), and also sent five eco-messages concerning illegal trade in totoaba and its parts to the INTERPOL General Secretariat. Mexico added in its report that since CoP18, its authorities published three INTERPOL Red Notices, two INTERPOL Purple Notices, and one INTERPOL Blue Notice. In addition, nine eco-messages were submitted to the INTERPOL General Secretariat during this period.

**Implementation of Decision 18.293, paragraph c)**

15. Decision 43 COM 7B.26 on *Islands and Protected Areas of the Gulf of California (Mexico)*, adopted at the 43rd session of the World Heritage Committee in 2019 is highly relevant and complementary to the CoP18 Decisions. Paragraph 5 of Decision 43 COM 7B.26 urges Mexico to ensure that the necessary resources and inter-institutional support are available for transition to fishing gear that does not endanger vaquita and other marine species, with full engagement of local communities.
16. Regarding transition to fishing gear that does not endanger vaquita and other marine species, Mexico highlights in its report that, on 24 January 2022 at a meeting of the GIS, a sustainable fishing gear project as well as the results of working groups related to fishing shelters and the prototype of a medium-altitude vessel, were presented. Although Mexico's report indicates that further follow up will be conducted in this regard, the information provided in the report is limited.

17. The Secretariat notes that Annex 3 of the report received from Mexico provides detailed information on activities conducted to implement the World Heritage Committee decisions. This includes information stating that the Government of Mexico maintains its commitment in promoting sustainable fisheries, and therefore continues implementing fishing systems that do not interact with species at risk in the UGC. The report states that alternative fishing systems have been developed and tested, and that the Mexican Government has, since 2016 and through the National Institute for Aquaculture and Fisheries (INAPESCA), promoted the Expert Committee on Fishing Technologies (ECOFT). It is reported that ECOFT concluded that "...already there are alternative fishing gears & methods that could substitute gillnets in the Upper Gulf, and there is no technical matter to keep [prevent] the transition". The report further states that the regulatory instruments published a list of the sustainable systems allowed in the UGC and that for all of them research has been conducted and findings issued by INAPESCA, supported by the ECOFT. The report further notes that although the efficiency of alternative fishing systems compared to gill nets is debated, in the data collected in the research and tests carried out with the fishers themselves, there is no difference in terms of efficiency compared to 200 meters-long gillnets. The report notes that by 2021, the fishing systems developed and adapted for the UGC include the suripera-net and the RSINP-MX trawlnet for catching shrimp; traps for capturing different species of fish; trawl for milkfish; and a system of artisanal closure and multi-lines for sawfish. The report further notes that by 2022, it intends to develop and implement a pilot program to test and improve the fishing system in two areas: 1) artisanal purse-seine and 2) "lamp-net", and thus continue with the development of alternative fishing systems for corvina fish. The information in Annex 3 is too elaborate to fully address in the present document, and Parties are invited to consult it for further information.

**Preventing fishers and vessels from entering the vaquita refuge and zero tolerance area and gillnet removal efforts**

18. The report from Mexico provides detailed information on the human and other resources deployed in the UGC to undertake enforcement, inspection and surveillance activities during the reporting period. This shows that activities at sea, land and by air continued to take place with substantial resources being deployed. Officials of the Secretariat of the Navy (SEMAR), the National Guard (GN), the Secretariat of National Defense (SEDENA), the National Commission for Aquaculture and Fisheries (CONAPESCA), the National Commission for Protected Natural Areas (CONANP) and PROFEPA were involved. Parties are encouraged to consult the report for more detailed information.
19. Mexico reports that 144 maritime surveillance patrols were undertaken in the period 1 November 2021 to 15 April 2022, during which 4,990 nautical miles were travelled in the Zero Tolerance Zone and the Vaquita Refuge Area. The report reaffirms that patrols are carried out every day, except when bad weather conditions do not permit.
20. Also, during this period, 446 smaller vessels were found carrying out commercial fishing activities within the zero tolerance area and the vaquita refuge area as follows:

November 2021	December 2021	January 2022	February 2022	March 2022	April 2022	Total
187	101	76	33	34	15	446

21. It is reported that these vessels were invited to immediately cease their activities, to lift their fishing gear and to withdraw from the restricted area. In 58.7% of the cases, the crew of these vessels complied with the instructions of the authorities, while 41.3% refused to do so. In the latter cases, the authorities proceeded to seize the fishing gear used. The report further states that it should be noted that since the maximum number of vessels sighted in a single day never exceeded 35, the closure of the area and the prohibition of any type of fishing in accordance with *the Agreement establishing the indicators, triggering factors and predetermined actions* was not implemented.
22. Mexico reports that in the period from 1 November 2021 to 15 April 2022, 53 nets with a total length of 14 603 meters were retrieved at sea, whilst during patrols on land 38 abandoned nets with a total length of 2 340 meters were recovered. It is reported that CONAPESCA takes responsibility for all nets seized and facilitated their transfer to SEMAR for destruction.
23. Further, it is reported that to verify that small vessels have the documentation required to carry out fishing activities, to inspect the gear used to prevent the possession, transportation and use of illegal nets and to

raise awareness among fishers about the fishing restricted areas, 240 actions have been carried out to review embarkation/disembarkation at the sites established at the main access points for the departure and disembarkation of smaller vessels. It is reported that, in total, 2,479 smaller vessels dedicated to fishing for commercial marine species (scale, shrimp and molluscs) were verified. It is further reported that during the same period, 24 verification activities were undertaken by joint teams made up of personnel from PROFEPA, SEMAR and CONAPESCA. These teams inspected the documents of 37 larger vessels that transited or intended to carry out fishing activities in the Reserva de la Biosfera Alto Golfo de California y Delta de Río Colorado (RBAGYDRC), as well as those that entered ports in the UGC authorized for the landing of fishery products. Activities included verifying the contents of fishing storage holds to prevent and detect the transport of unauthorized specimens.

24. Mexico reports that in the period 1 November 2021 to 15 April 2022, 126 land surveillance patrols, covering a total of 7,194 km were conducted. Vehicle checkpoints also continued to be established in the reporting period, with 2 permanent checkpoints manned by SEDENA and 26 temporary checkpoints established by SEMAR in the reporting period, at which 149 vehicles were inspected.



## 5º INFORME SEMESTRAL

1 de noviembre de 2021 – 15 de abril de 2022

**ACCIONES Y RESULTADOS DEL GOBIERNO DE MÉXICO  
EN CUMPLIMIENTO DE LAS DECISIONES 18.292 A 18.295**

Ciudad de México a 30 de abril de 2022

## ÍNDICE

1. INTRODUCCIÓN	2
2. DECISIÓN 18.292 A	4
3. DECISIÓN 18.293 A.I Y RECOMENDACIÓN SC74 DOC. 28.5 III, IV, V.	6
4. DECISIÓN 18.293 A.II MEDIDAS INTERNACIONALES PARA COMBATIR LA DELINCUENCIA ORGANIZADA	21
5. DECISIÓN 18.293 A.III PRESENTACIÓN DE INFORMES SEMESTRALES A LA SECRETARÍA	21
6. DECISIÓN 18.293 A.IV GRUPO DE CONTACTO TRILATERAL	23
7. DECISIÓN 18.293 B	24
8. DECISIÓN 18.293 C APLICACIÓN DE LA DECISIÓN 43COM 7B.26 ADOPTADA POR EL COMITÉ DE PATRIMONIO MUNDIAL DE LA ORGANIZACIÓN DE LAS NACIONES UNIDAS PARA LA EDUCACIÓN, LA CIENCIA Y LA CULTURA (CPM-UNESCO)	26
9. DECISIÓN 18.293 D) PRESENTACIÓN DE INFORME EXHAUSTIVO A LA SECRETARÍA	27
10. MANEJO EN CAUTIVERIO DE LA TOTOABA	28
11. OTRAS ACCIONES	28
12. CONCLUSIONES	31
13. SIGLAS Y ACRÓNIMOS	33
14. ANEXOS	35

## 1. INTRODUCCIÓN

Este quinto informe semestral dirigido al Secretariado de la Convención sobre el Comercio Internacional de Especies Amenazadas de Fauna y Flora Silvestres (CITES) presenta las acciones y los logros de México durante el periodo del 01 de noviembre de 2021 al 15 de abril de 2022 en la aplicación de la ley para detener la pesca y el comercio ilegal de la totoaba (*Totoaba macdonaldi*), así como para garantizar la supervivencia de la vaquita marina (*Phocoena sinus*), protegiendo el sitio declarado como bien del patrimonio mundial por la UNESCO, Islas y áreas protegidas del Golfo de California.

Se informa cómo México ha cumplido con los compromisos adquiridos en la Décimo Octava Conferencia de las Partes (CoP 18), celebrada del 17 al 28 de agosto de 2019 en Ginebra, Suiza, en la que se emitieron las Decisiones 18.292 a 18.295; así como las recomendaciones derivadas del documento 28.5, adoptado en la 74ª Reunión del Comité Permanente de la CITES, llevada a cabo en Lyon, Francia, del 7 al 11 de marzo del 2022.

Al respecto, México aprovecha este documento para agradecer a la Secretaría CITES y a los Estados Parte por los comentarios efectuados en la reunión referida, porque además de ser un reconocimiento a los retos enfrentados para la protección y conservación de dichas especies, son un aliciente para mejorar y una fuente de aprendizaje para afrontar con mayor eficacia esta problemática que rebasa las fronteras de México y constituye un tema transnacional entre los países de origen, tránsito y destino de la totoaba, que exige la colaboración conjunta y decidida de los países involucrados.

Es significativo recordar que el artículo VIII de la Convención CITES, establece la obligación de las Partes sobre adoptar las medidas apropiadas que lleven al cabal cumplimiento de sus disposiciones y para eliminar el comercio ilegal de ejemplares de especies protegidas por algún Estado miembro y listados en los anexos de la CITES; estas medidas contemplan, además de sancionar el comercio, establecer penalizaciones sobre su posesión. La Decisión 18.292 insta a las Partes a eliminar la oferta y la demanda de especímenes de totoaba de procedencia ilegal, a reforzar las políticas y las medidas nacionales de aplicación de la ley a fin de evitar dicho comercio ilegal, al tiempo que se insta a cooperar activamente con México en la aplicación de la Decisión 18.293. El tráfico ilegal de especies sólo puede detenerse si las Partes de la Convención colaboran en el cumplimiento de este objetivo común.

Con las acciones reportadas en este informe, se demuestra que México cumple con las decisiones emanadas de la CoP18 para detener la pesca ilegal de la totoaba y proteger a la vaquita marina, así como para conservar la integridad ecológica del Alto Golfo de California, tan valiosa como sus especies autóctonas asociadas evolutivamente a su biodiversidad. Mejorar la vigilancia marina sólo se puede hacer cerrando filas e incrementando la cooperación del Grupo Intragubernamental sobre la Sustentabilidad del Alto Golfo de California (GIS). Nuestras

reuniones han dado resultados alentadores, porque en el periodo que se reporta en este informe, se ha incrementado el número de recorridos marítimos, así como las millas náuticas vigiladas, en los polígonos del Área de Refugio para la Protección de la vaquita marina y la Zona de Tolerancia Cero; sin perder de vista que la vigilancia también se realiza en las áreas de embarque y desembarque, playas y costas de la región.

Otro tema que preocupa al gobierno de México, y por ello es que se ocupa de manera más acelerada, son las detenciones de los infractores, por lo que se ha fortalecido la relación interinstitucional con la Fiscalía General de la República (FGR), a fin de intercambiar información significativa para esclarecer los hechos de la comisión de delito ambiental e incrementar la vinculación a proceso de los presuntos delincuentes, procurar justicia apegada a derecho, y disminuir el tráfico ilegal de totoaba a través de la prevención del delito. La comunicación con la Fiscalía se ha estrechado, facilitando el flujo de información de forma más rápida y expedita, con lo cual el seguimiento a las carpetas de investigación abiertas es continuo.

La participación de la delincuencia organizada en la pesca y el tráfico ilegal de totoaba, cada vez se hace más evidente y ha conducido a fortalecer los lazos de comunicación sobre los delitos ambientales internacionales a través de INTERPOL y en el proceso de formalización de los Términos de Referencia del Grupo de Contacto Trilateral para la aplicación de la Ley China-Estados Unidos-México. El objetivo central es evitar el tráfico ilegal de especies de vida silvestre, y esto sólo puede lograrse con el concurso de acciones de inspección y vigilancia del país donde se origina la pesca ilegal (México), el país por el cual transita el material ilegal (en esta parte, EE.UU.) y el país que suele ser el destino final (China en este caso).

México elaboró una propuesta preliminar de los Términos de Referencia para el establecimiento del Grupo de Contacto Trilateral de Aplicación de la Ley (GCT) con los países mencionados, en cumplimiento a la Decisión 18.293, a) iv) y está en proceso de negociación hacia su formalización. Con la eventual firma de dicho instrumento legal internacional y la puesta en funcionamiento del GCT, se fortalecerá la vigilancia de lugares donde haya movimiento de mercancías, cruces fronterizos y pasajeros internacionales, se podrán establecer con mayor claridad las rutas del tráfico ilegal de vejigas de totoaba y realizar las investigaciones con mayor celeridad para lograr la detención de los responsables y desarticulación de grupos de delincuencia organizada que trafican con esta especie de vida silvestre y sus partes.

## 2. DECISIÓN 18.292 A

### 2.1 Información sobre los decomisos de especímenes de totoaba, las detenciones de personas dedicadas a la captura y el comercio ilegales, los resultados de procesamientos judiciales y las medidas adoptadas para aplicar esta Decisión.

Durante el periodo del presente informe, la FGR inició dos carpetas de investigación en noviembre de 2021, y se han judicializado otras dos durante el mismo mes.

Asimismo, el 17 de enero de 2022, se ha dictado una sentencia condenatoria en juicio oral de primera instancia en contra de un mexicano que, en 2018, transportaba 27 buches en Baja California; la sentencia fue de un año de prisión, una multa de \$28,866.00 mxn. y una reparación del daño por un monto de \$3'277,990.24 mxn.

Además, el 4 de marzo de 2022, se obtuvo una sentencia condenatoria en contra de un mexicano que transportaba 7 vejigas natatorias de totoaba en un vehículo en Baja California; se le condenó a un año de prisión y a una multa de \$28,866.00 mxn.

### 2.2 Decomisos realizados en el extranjero

#### a.- Decomisos nuevos

El 3 de marzo de 2022, el Servicio de Aduanas de Hong Kong aseguró 1.2 kilogramos de presunto buche de totoaba, con un valor estimado en \$260,000 dólares hongkoneses, en el Aeropuerto Internacional de Hong Kong<sup>1</sup>. Los presuntos buches secos de totoaba estaban escondidos en un paquete que se declaró contenía regalos y ropa.



Fotografías tomadas por los agentes aduanales de Hong Kong. A la izquierda, la caja de cartón con ropa que contenía los presuntos buches de totoaba. A la derecha, las seis vejigas presuntamente identificadas como partes de totoaba.

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<sup>1</sup> <https://bit.ly/3lqnesu> Boletín de prensa emitido por la autoridad aduanal de Hong Kong el 18 de marzo pasado, respecto a la detección, identificación y aseguramiento de un lote de vejigas natatorias presuntamente de totoaba con un peso de 1.2 kilogramos, en el Aeropuerto Internacional de Hong Kong.

A raíz de dicho decomiso, el Gobierno de México solicitó información al Gobierno de la región administrativa especial de Hong Kong, mismo que compartió una ficha confidencial con información diversa sobre dicho decomiso. Se está analizando la información compartida y se procederá con los actos de autoridad correspondientes (verificaciones e inspecciones) en territorio mexicano.

#### **b.- Seguimiento a decomisos realizados antes del periodo de reporte**

En el periodo que se informa, se ha dado seguimiento a 3 aseguramientos de partes de totoaba en Asia:

1.- Respecto al aseguramiento de 114 kg de buche de Totoaba, realizado por autoridades aduanales de Hong Kong en un vuelo comercial procedente de Corea con origen en México, declarados como productos pesqueros con un valor de mercado estimado de alrededor de \$18 millones dólares hongkoneses (equivalente a \$2,340,000 dólares de Estados Unidos USD), en octubre de 2020, la Delegación de la PROFEPA en Baja California Sur realizó la visita de inspección sin poder ubicar el domicilio ni al presunto infractor por lo que emitió el acuerdo de cierre al procedimiento administrativo respectivo.

2.- Respecto al aseguramiento en el Aeropuerto Internacional de Hong Kong por parte del gobierno de la Región Administrativa Especial de Hong Kong, China, el 20 de septiembre de 2021, de 46 kilogramos de “buches” de pescado fresco, presuntamente identificados como totoaba, procedentes de México, con un valor de mercado estimado de alrededor de \$7.4 millones dólares hongkoneses (equivalente a \$962,000 USD), la Delegación de la PROFEPA en Baja California Sur realizó la visita de inspección sin ubicar el domicilio ni al presunto infractor por lo que no se instauró procedimiento administrativo.

3.- Respecto al aseguramiento de 14.44 kg de buche seco de totoaba, realizado por autoridades aduanales de Hong Kong en un vuelo comercial en tránsito, con origen en Guadalajara, Jalisco, México y destino en Hanoi, Vietnam, declarados como productos pesqueros, con valor de la mercancía de 3.2 millones de dólares hongkoneses (equivalente a \$416,000 USD), la Delegación de la PROFEPA en Jalisco informó que se cumplimentó la orden de inspección a una persona moral, levantándose el acta correspondiente el 19 de agosto de 2021, se emitió el dictamen técnico con fecha 27 de agosto de ese año, y se abrió un expediente administrativo.

### 3. DECISIÓN 18.293 A.I Y RECOMENDACIÓN SC74 DOC. 28.5 III, IV, V.

#### 3.1 Marco regulatorio de coordinación en el AGC y facultades de las autoridades involucradas

Durante el periodo de reporte, no se tuvo actualización alguna respecto al marco regulatorio de coordinación en el AGC y en las facultades de las autoridades involucradas.

No obstante, lo anterior, se reitera la vigencia de los principales instrumentos regulatorios expedidos expresamente para la protección de la totoaba y de la vaquita marina:

***“ACUERDO por el que se regulan artes, sistemas, métodos, técnicas y horarios para la realización de actividades de pesca con embarcaciones menores y mayores en Zonas Marinas Mexicanas en el Norte del Golfo de California y se establecen sitios de desembarque, así como el uso de sistemas de monitoreo para tales embarcaciones”<sup>2</sup>, publicado el 24 de septiembre de 2020 en el Diario Oficial de la Federación.***

Dicho acuerdo delimita el Área de Tolerancia Cero (Zo) y Área de Refugio para la protección de la vaquita marina (ARVM), establece la prohibición de posesión y uso de redes agalleras y de enmalle en la zona, establece la obligación para las embarcaciones menores y mayores de contar con un sistema de monitoreo a bordo y define los sitios autorizados para embarcar y desembarcar. Asimismo, presenta las facultades respectivas de las autoridades involucradas en la vigilancia del Alto Golfo de California.

***“LINEAMIENTOS para la organización y funciones del Grupo Intragubernamental sobre la Sustentabilidad en el Alto Golfo de California” (GIS), publicado el 15 de enero de 2021 en el Diario Oficial de la Federación.***

Organiza y define el funcionamiento del GIS, la instancia encargada de analizar, definir, coordinar, supervisar y evaluar las acciones y estrategias en materia de cumplimiento del Acuerdo (24/sep/20) y para explorar mecanismos alternativos y complementarios de cooperación y colaboración con otras instancias competentes, así como recomendar acciones que permitan su cumplimiento, incluyendo cerrar áreas o cesar operaciones de pesca. Indica la naturaleza del intercambio de información pública del GIS, los objetivos y periodicidad de sus reuniones, así como su estructura de implementación (presidente, secretario técnico, miembros y participantes).

***“LINEAMIENTOS para el Grupo de Colaboración sobre aplicación del Acuerdo por el que se regulan artes, sistemas, métodos, técnicas y horarios para la realización de actividades de pesca con embarcaciones menores y mayores en zonas marinas mexicanas en el norte del Golfo de California y se establecen sitios de desembarque, así como el uso de sistemas***

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<sup>2</sup> Referido en lo sucesivo como Acuerdo (24/sep/20)

***de monitoreo para tales embarcaciones” (GCAL), publicado el 18 de enero de 2021 en el Diario Oficial de la Federación.***

Tienen por objeto integrar el GCAL y establecer sus reglas, como un conducto centralizado para facilitar el intercambio de información del Acuerdo. Indica las funciones del GCAL, su composición, el tipo, formato e idioma de las reuniones, así como la distribución de la agenda, lineamientos de asistencia, incorporación, continuidad e interrupción de participantes Internacionales y las reservas en cuanto a la información compartida en cada una de sus reuniones.

***“PLAN de Aplicación en la Zona de Tolerancia Cero y el Área de Refugio para la Protección de la Vaquita Marina”, publicado el 20 de enero de 2021 en el Diario Oficial de la Federación.***

Su objeto es organizar las acciones de vigilancia e inspección en el Norte del Golfo de California, con el fin de proteger a la vaquita marina, prevenir e inhibir el tráfico ilegal de productos de totoaba y sus derivados, garantizando el cumplimiento de las disposiciones legales aplicables en la materia. Asimismo, indica las funciones de operación y coordinación entre miembros del GIS y otras autoridades relacionadas.

***“ACUERDO por el que se establecen los indicadores, factores detonantes y acciones predeterminadas, de conformidad con el artículo décimo séptimo del Acuerdo por el que se regulan artes, sistemas, métodos, técnicas y horarios para la realización de actividades de pesca con embarcaciones menores y mayores en zonas marinas mexicanas en el norte del Golfo de California y se establecen sitios de desembarque, así como el uso de sistemas de monitoreo para tales embarcaciones, publicado el 24 de septiembre de 2020”, publicado el 9 de julio de 2021 en el Diario Oficial de la Federación.***

Define los factores detonantes, sus indicadores, su duración, alcance y los mecanismos para instrumentar actos y acciones predeterminados por parte de las autoridades competentes, en virtud de las presuntas conductas delictivas y las violaciones a las prohibiciones establecidas en el uso de artes, sistemas, métodos, técnicas y horarios para la realización de actividades de pesca con embarcaciones menores y mayores en Zonas Marinas Mexicanas en el Norte del Golfo de California. Establece los cierres de áreas o zonas, los mecanismos para el monitoreo de indicadores y sus factores detonantes. Los indicadores establecidos son los siguientes: i) número de embarcaciones no autorizadas en la Zona de Tolerancia Cero por día ii) redes recuperadas en la Zona de Tolerancia Cero por día.

Este Acuerdo refuerza el Acuerdo (24/sep/20) al establecer medidas más estrictas en caso de la detección de embarcaciones en la Zo, restringiendo la navegación más allá de los polígonos establecidos para la Zo y el ARVM.

Dichos instrumentos se suman a los instrumentos ya existentes enfocados a regular la protección del ambiente y de los recursos naturales, así como las actividades de pesca, como, por ejemplo,

la Ley General del Equilibrio Ecológico y la Protección al Ambiente (LGEEPA) y sus Reglamentos, la Ley General de Vida Silvestre (LGVS), la Ley General de Pesca y Acuacultura Sustentable (LGPAS) y la NOM-059-SEMARNAT, entre otros.

En armonía con la Ley Orgánica de la Administración Pública Federal, el marco regulatorio invocado, rige la actuación de las autoridades federales involucradas en las actividades de inspección y vigilancia que se realizan en el Alto Golfo de California para combatir la pesca y el comercio ilegal de la totoaba, cuyas facultadas en el tema referido se resumen a continuación:

- **SEMAR:** ejercer la autoridad marítima nacional, en defensa de la soberanía, protección y seguridad marítima, así como el mantenimiento del estado de derecho en las zonas marinas mexicanas, costas y recintos portuarios;
- **CONAPESCA:** administrar y regular el uso, así como promover el aprovechamiento sustentable de los recursos pesqueros y acuícolas que correspondan a la Federación, ordenando las actividades de las personas que intervienen en ella y estableciendo las condiciones en que deberán realizarse las operaciones pesqueras; así como también proponer, formular, coordinar y ejecutar la política nacional de pesca sustentable; establecer las medidas administrativas y de control a que deban sujetarse las actividades de pesca y fijar los métodos y medidas para la conservación de los recursos pesqueros;
- **PROFEPA:** Procurar la justicia ambiental mediante la aplicación y cumplimiento de la legislación ambiental federal vigente a través de la atención a la denuncia popular y mediante acciones de inspección, verificación y vigilancia en todo el territorio nacional, incluidos los puertos, aeropuertos y fronteras, a efecto de garantizar la protección de los recursos naturales y el capital natural;
- **CONANP:** Fomentar y desarrollar actividades tendentes a la conservación de los ecosistemas y su biodiversidad en las áreas naturales protegidas, en sus zonas de influencia y en las áreas de refugio para proteger especies de vida silvestre;
- **INAPESCA:** Coordinar y orientar la investigación científica y tecnológica en materia de pesca y acuacultura, así como el desarrollo, innovación y transferencia tecnológica que requiera el sector pesquero y acuícola, es responsable de desarrollar y fomentar el uso de artes de pesca alternativos en el AGC.
- **GN:** Realizar, en coadyuvancia con los Estados y Municipios, funciones de Seguridad Pública a través de la prevención de los delitos, combate a la criminalidad y el apoyo a la población; para salvaguardar la vida, integridad, seguridad, bienes y derechos de las personas, al igual que los bienes y recursos de la nación; a fin de contribuir a la generación y preservación de las libertades, el orden público y la paz social;

- **SEDENA:** Organizar, administrar y preparar al Ejército y la Fuerza Aérea Mexicanos, con objeto de defender la integridad, la independencia y la soberanía de la nación; garantizar la seguridad interior y coadyuvar con el desarrollo nacional;
- **FGR:** investigar los delitos y otorgar la procuración de justicia para combatir la inseguridad, prevenir el delito, fortalecer el Estado de derecho en México; así como promover, proteger, respetar y garantizar los derechos de verdad, reparación integral y de no repetición de las víctimas, ofendidos en particular y de la sociedad en general.

### 3.2 Reuniones emanadas de los acuerdos regulatorios

El 24 de enero de 2022, se realizó una reunión intersecretarial con el objetivo de evaluar y coordinar las acciones conjuntas en el Alto Golfo de California y en la cual participaron los Titulares y otros funcionarios de las siguientes dependencias gubernamentales:

Por parte del sector ambiental: SEMARNAT, PROFEPA, CONANP

Por parte de la Armada de México: SEMAR

Por parte del sector de agricultura y pesca: SADER, CONAPESCA e INAPESCA

Gobiernos estatales: Gobierno estatal de Sonora

En dicha reunión, se recordó la encomienda dada por el titular del Ejecutivo Federal de dar atención prioritaria a la problemática del Alto Golfo de California y se presentaron los avances del GIS. Se resaltó también la importancia de la colaboración con las mesas de cultura de paz coordinada por la SEGOB y de Estrategia Nacional de Prevención de Adicciones coordinada por la Secretaría de Salud. Se presentaron los proyectos de artes de pesca sustentables que se trabajan actualmente, así como los resultados de las mesas de trabajo relativos a los refugios pesqueros y el prototipo de embarcación de mediana altura.

Asimismo, se expusieron los recursos desplegados, las inspecciones y los aseguramientos realizados, así como el levantamiento de un censo de las embarcaciones de la región y los avances para el reblazamiento de la Zo, mismo que quedó concluido el 16 de marzo del presente. También se abordó la colaboración entre autoridades mexicana y las ONG, y se presentó una propuesta de sembrado de especies de importancia acuícola en la Zo para evitar el uso de redes de arrastre en dicha zona, propuesta que será revisada por un equipo técnico.

Los acuerdos de dicha reunión fueron los siguientes:

- i) Se conformará un grupo del sector ambiental para el análisis de la propuesta de sembrado de especies susceptibles de cultivo en la Zo,
- ii) la Primera sesión ordinaria 2022 del GIS se efectuará durante el segundo trimestre de 2022,

iii) se dará atención a los temas prioritarios comentados en esta reunión, y

iv) se dará seguimiento a la propuesta de embarcaciones de media altura con la posibilidad de la creación de una cooperativa por embarcación.

El 28 de abril del 2022 en San Felipe, Baja California, se desarrolló la primera sesión ordinaria del GIS de este año. Las secretarías SEMARNAT, SEMAR y SADER informaron sobre los avances alcanzados en las diferentes mesas de trabajo<sup>3</sup>. En la reunión también estuvieron presentes la gobernadora del Estado de Baja California y el gobernador del Estado de Sonora.

La Titular de la SEMARNAT, presidenta del GIS, aseguró que se ha logrado un diálogo fructífero entre todos los sectores involucrados, principalmente con las comunidades pesqueras, y que se avanza por buen camino. Hizo énfasis en el fortalecimiento de los programas de Conservación y Desarrollo Sostenible (PROCOCODES) y para la Protección y Restauración de Ecosistemas y Especies Prioritarias (PROREST), con los cuales se impulsan en una primera etapa más de 15 proyectos para vigilancia y monitoreo comunitario, restauración ecológica, sistemas productivos sustentables y proyectos ecoturísticos.

La Titular de la SEMARNAT informó de un registro que demuestra la existencia de vaquitas marinas gracias a detectores acústicos que fueron lanzados en tres sitios el pasado 10 de abril del 2022. Aunado a esto, dio a conocer que está vigente la Convocatoria para realizar el monitoreo acústico en 55 sitios dentro de la Zo, que se realizará de julio a noviembre en mareas muertas para evitar la pérdida de equipos. De la misma forma, invitó a los gobernadores de Baja California y Sonora, así como al sector pesquero para que faciliten la incorporación de 30 jóvenes de las comunidades de San Felipe, Golfo de Santa Clara y Puerto Peñasco al programa de formación del Centro de Educación Ambiental y Cultural Muros de Agua José Revueltas en islas Marías.

Al referirse al ámbito internacional, la Titular de la PROFEPA informó cual fue la postura de México en la 74ª Reunión del Comité Permanente de la CITES, durante la cual se reconoció el esfuerzo del Gobierno de México para cumplir con las indicaciones del Comité. Se dejó en claro que México ha cumplido y presentado de forma puntual sus informes sobre conservación y protección de la vaquita marina y la totoaba, así como el compromiso de intensificar los esfuerzos de protección de nuestra ecodiversidad del AGC y la vaquita marina, combate de la pesca y del comercio ilegal de totoaba.

Por su parte, el representante de la SEMAR, celebró este encuentro entre autoridades, sociedad civil y comunidad pesquera, dado que este tipo de actividades contribuyen al desarrollo integral y sostenible de la zona. En materia de seguridad, informó las acciones que desarrolla permanentemente en la región ya sea por mar, tierra y aire. Asimismo, la institución reafirmó las

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<sup>3</sup> <https://www.gob.mx/semarnat/prensa/grupo-intragubernamental-sobre-la-sustentabilidad-en-el-alto-golfo-de-california-gis-informa-avances-en-la-region-de-la-vaquita-marina>

acciones que realiza en apoyo a la sustentabilidad y legalidad, así como uso de tecnologías para el monitoreo de las zonas marinas, además del refuerzo en las labores de la inteligencia para dismantelar las redes de delincuencia organizada. Por último, presentó el proyecto multidisciplinario para el sembrado de dispositivos que retendrán redes de enmalle y desincentivarán la pesca ilegal en la zona de tolerancia cero, como una medida adicional a las estrategias existentes.

En cuanto a productividad pesquera, el representante de la CONAPESCA presentó la situación del sector pesquero en la región y la propuesta del “Plan de Acción para el Desarrollo del Sector Pesquero en el Alto Golfo de California”, elaborado en apego a las “Estrategias y Líneas de Acción del Programa Nacional de Pesca y Acuacultura 2020-2024”. Informó de manera especial, los avances que han tenido en los últimos dos años, en particular sobre los temas de Ordenamiento Pesquero, Inspección y Vigilancia y Bienpesca. Finalmente, expuso las áreas y temas identificados para la realización de sinergia y colaboración por parte de todos los miembros del GIS y que son de gran relevancia para el sector pesquero y la protección de la vaquita marina.

La Gobernadora de Baja California así como el gobernador de Sonora, coincidieron en sus puntos de vista, destacaron el trabajo interinstitucional con el objetivo de lograr que la zona del Alto Golfo de California sea un referente de desarrollo turístico sustentable, con permisos de pesca deportiva, principalmente de la totoaba, apoyada con vigilancia de alta tecnología para evitar actividades ilegales, pero cuidando en todo momento el bienestar de quienes tienen la pesca como sustento, especialmente los miembros de la etnia Cucapá.

Los representantes de pescadores también tuvieron una oportunidad amplia para expresar sus inquietudes y manifestaron su compromiso de continuar trabajando en conjunto con las autoridades para llegar a acuerdos que beneficien el desarrollo social, económico y sustentable de las comunidades de la región.

### **3.3 Recursos humanos, materiales y financieros para la protección y vigilancia en el AGC**

Las actividades de inspección y vigilancia en materia ambiental, pesquera y de seguridad en mar y tierra son ejecutadas de manera conjunta y coordinada con funcionarios de la Secretaría de Marina (SEMAR), la Guardia Nacional (GN), la Secretaría de la Defensa Nacional (SEDENA), la Comisión Nacional de Acuacultura y Pesca (CONAPESCA), la Comisión Nacional de Áreas Naturales Protegidas (CONANP) y la Procuraduría Federal de Protección al Ambiente (PROFEPA), compartiendo equipos a efecto de optimizar los recursos y obtener mejores resultados.

#### **a.- Recursos humanos**

La PROFEPA cuenta con funcionarios adscritos de manera permanente para la inspección y vigilancia en el puerto de San Felipe (BC) y Puerto Peñasco (SON); los inspectores reciben el apoyo de funcionarios comisionados desde las oficinas centrales (Cuadro I).

Cuadro I. Número de inspectores de la Subprocuraduría de Recursos Naturales de la PROFEPA presentes en los puertos de San Felipe (BC) y Peñasco (SON).

	San Felipe (BC)		Peñasco (Son)		Total San Felipe + Peñasco
	Fijos	Refuerzo	Fijos	Refuerzo	
Noviembre 2021	3	3	3	-	9
Diciembre 2021	3	3	3	-	9
Enero 2022	3	2	3	-	8
Febrero 2022	3	3	3	2	11
Marzo 2022	3	3	3	2	11
Abril 2022	3	4	3	-	10

Aunado a los funcionarios presentes en el Alto Golfo de California, cabe mencionar que la PROFEPA también cuenta con la presencia adicional permanente de 78 inspectores que vigilan y verifican los movimientos transfronterizos de mercancías reguladas por la SEMARNAT en los puertos, aeropuertos y fronteras del país. Dichos inspectores son capacitados para reconocer la totoaba y sus partes y productos, frescos o secos, y están en comunicación constante con las autoridades aduanales mexicanas.

## b.- Recursos Materiales

La PROFEPA cuenta con equipo propio para realizar sus actividades de vigilancia por mar y tierra (Cuadro II), sin que esto menoscabe el apoyo que recibe de SEMAR para realizar recorridos marítimos, principalmente.

Cuadro II. Recursos materiales de la PROFEPA asignados al Programa de inspección y vigilancia en el AGC.

Demarcación	Embarcación	Acciones realizadas en su operación	Vehículos	Acciones realizadas en su operación
San Felipe (BC)	Boston Whaler	Vigilancia e inspección marítima	Pickup RAM 4x4	Verificación de embarcaciones
	Boston Whaler			

	Boston Whaler	Recuperación de redes fantasma		Filtros vehiculares
Peñasco (SON)	Boston Whaler	Atención a denuncias de varamientos	Pickup 4x4 RAM	Vigilancia terrestre
	Boston Whaler		Pickup NP300 4x2	Atención a denuncias

Las unidades marítimas usadas de manera conjunta entre las dependencias participantes, son proporcionadas por la SEMAR, brindando seguridad y acompañamiento al personal actuante de las autoridades participantes en el Programa (Cuadro III).

Cuadro III. Embarcaciones propiedad de la SEMAR para los recorridos conjuntos intersecretariales (PROFEPA, CONAPESCA y SEMAR) de inspección y vigilancia.

Figura de la embarcación	Nombre	Participación por mes					
		Nov	Dic	Ene	Feb	Mar	Abr
Patrulla interceptora	ALKAID	2	7	1	-	12	6
	ALNITAK	1	6	12	2	8	10
	MINTAKA	2	4	10	10	5	3
	MENKALINAN	-	-	-	-	7	5
	PI-PEÑASCO	-	-	-	-	2	-
Tipo Defender	GOFAST	17	7	1	-	-	-

### c.- Recursos financieros

Los recursos erogados por la PROFEPA durante el periodo que abarca el presente informe sumaron un total de \$526,709.86mxn en lo que se refiere a los gastos de operación, mismos que se desglosan en el cuadro IV.

Cuadro IV: Recursos erogados por la PROFEPA durante el periodo comprendido del 1 de noviembre de 2021 al 28 de abril de 2022 para las acciones de inspección y vigilancia en el AGC

Partida	Denominación	2021 (1° de noviembre al 31 de diciembre)			2022 (1° de enero al 28 de abril)			Gasto ejercido sobre el periodo del 5° informe semestral
		Original	Modificó	Ejercido	Original	Modificó	Ejercido	

Baja California								
26102	Combustibles, lubricantes y aditivos para vehículos terrestres, aéreos, marítimos, lacustres y fluviales destinados a servicios públicos y la operación de programas públicos	40000	40000	40000	100000	100000	75000	115000
32101	Arrendamiento de terrenos	0	0	0	22000	22000	0	0
33801	Servicios de vigilancia	27916	27916	2856. <sup>32</sup>	0	0	0	2856. <sup>32</sup>
35501	Mantenimiento y conservación de vehículos terrestres, aéreos, marítimos, lacustres y fluviales	0	5136. <sup>01</sup>	5136. <sup>01</sup>	0	0	0	5136. <sup>01</sup>
37901	Gastos para operativos y trabajos de campo en áreas rurales	0	0	0	90000	90000	69437. <sup>5</sup>	69437. <sup>5</sup>
Sonora								
26102	Combustibles, lubricantes y aditivos para vehículos terrestres, aéreos, marítimos, lacustres y	0	0	0	50000	50000	0	0

	fluviales destinados a servicios públicos y la operación de programas públicos							
35501	Mantenimiento y conservación de vehículos terrestres, aéreos, marítimos, lacustres y fluviales	0	0	0	53952	53952	47715. <sup>12</sup>	47715. <sup>12</sup>
37901	Gastos para operativos y trabajos de campo en áreas rurales	0	0	0	165000	165000	67187. <sup>5</sup>	67187. <sup>5</sup>
Ciudad de México (áreas centrales)								
37201	Pasajes terrestres nacionales para labores en campo y de supervisión	0	1200	1200	0	1992	1992	3192
37504	Viáticos nacionales para servidores públicos en el desempeño de funciones oficiales	0	12747.91	12747.91	0	0	0	12747. <sup>91</sup>
37901	Gastos para operativos y trabajos de campo en áreas rurales	0	54375	54375	1	149062. <sup>5</sup>	149062. <sup>5</sup>	203437. <sup>5</sup>
Gran total del gasto ejercido de la PROFEPA durante el periodo del 1 de noviembre de 2021 al 28 de abril de 2022								526,709.86

Fuente: SICOP 2021 - 2022

### 3.4 Acciones y actos de inspección y vigilancia en el AGC (recorridos marítimos, terrestres y aéreos)

El esfuerzo interinstitucional para inhibir el aprovechamiento extractivo ilícito de totoaba en el AGC en aras de la protección y conservación de la vaquita marina, comprendió las siguientes acciones realizadas de manera permanente tanto en mar en la Reserva de la Biosfera del Alto Golfo y Delta del Río Colorado (RBAGYDRC), particularmente en el Área de Refugio para la Protección de la Vaquita Marina (ARVM) y la Zona de Tolerancia Cero (Zo), como en tierra en las regiones terrestres y costeras de las localidades de San Felipe y Tijuana, Baja California (BC), y del Golfo de Santa Clara, San Luis Río Colorado y Puerto Peñasco, Sonora (SON), así como en Baja California Sur.

#### a.- Patrullajes de vigilancia marítima

Con el fin de verificar cualquier tipo de navegación y la realización de actividades de pesca ilegal, durante el período anteriormente señalado, se realizaron 144 recorridos marítimos<sup>4</sup>, navegando un total de 4,990 millas náuticas<sup>5</sup> en los polígonos delimitantes del Área de Refugio para la Protección de la Vaquita Marina y la Zona de Tolerancia Cero, actividad realizada en compañía de oficiales de pesca de la CONAPESCA, inspectores federales de pesca de la SEMAR, oficiales de Resguardo Marítimo Federal y elementos de infantería de Marina brindando seguridad (Cuadro V). Los patrullajes se realizan todos los días salvo cuando por malas condiciones meteorológicas, que pueden poner en alto riesgo la vida de los inspectores y pescadores, no se permite la pesca.

Cuadro V. Recorridos marítimos realizados en las acciones de inspección y vigilancia durante el período comprendido del 1 de noviembre de 2021 al 15 de abril de 2022.

Acción	2021		2022				Total
	Nov	Dic	Ene	Feb	Mar	Abr	
Recorridos SEMAR, CONAPESCA y PROFEPA	22	24	24	12	34	28	144
Recorridos en atención a denuncias de ONG's	-	-	1	-	-	-	1

<sup>4</sup> Cifra al 15 de abril de 2022.

<sup>5</sup> Ibidem.

Millas náuticas recorridas	590	626	748	349	1,352	976	4990
Embarcaciones avistadas	187	101	76	33	34	15	446

Durante este periodo, se avistaron a 446 embarcaciones menores que se encontraban realizando actividades de pesca comercial dentro de las áreas de la Zona de refugio de la vaquita marina y la Zona de tolerancia cero. Dichas embarcaciones fueron invitadas a concluir de inmediato sus actividades, a levantar sus artes de pesca y a retirarse de la zona con restricción extractiva. En 58.7% de las ocasiones, los tripulantes de dichas embarcaciones acataron las instrucciones de la autoridad, mientras que el 41.3% se negaron a hacerlo; en este caso, las autoridades presentes procedieron a recuperar y asegurar las artes de pesca utilizadas, mismas que se reportan en el apartado 8 del presente informe.

Cabe aclarar que el número máximo de embarcaciones avistadas en un solo día nunca fue superior a 35, por lo que nunca se procedió a extender el cierre de la navegación y de la pesca más allá de la Zo y la ARVM, de conformidad con el Acuerdo de los factores detonantes.

Aunado a los recorridos marítimos realizados entre autoridades a manera de patrullaje de vigilancia, y en cumplimiento del convenio de Colaboración de acciones para la preservación y protección de vaquita marina y totoaba, se realizó un recorrido marítimo a solicitud de la ONG Sea Shepherd Conservation Society para la recuperación de un arte de pesca abandonado, el cual que ya había sido asegurado por las autoridades.

## **b.-Patrullajes de vigilancia terrestre**

Durante el período anteriormente señalado, para evitar la distribución, transporte y aprovechamiento ilícito de ejemplares, partes o derivados de especies de vida silvestre en las regiones costeras y terrestres de la RBAGCYDRC, la PROFEPA, junto con la SEMAR, la CONAPESCA, la SEDENA, la GN realizaron 126 patrullajes de vigilancia terrestre<sup>6</sup>, recorriendo un total de 7,194 km<sup>7</sup> por carreteras, caminos, veredas, campos pesqueros, brechas y playas. La información expuesta anteriormente se sintetiza en el Cuadro VI.

Cuadro VI. Recorridos terrestres realizados en las acciones de inspección y vigilancia durante el período comprendido del primero de noviembre de 2021 al 15 de abril de 2022.

Acción	2021		2022				Total
	Nov	Dic	Ene	Feb	Mar	Abr	

<sup>6</sup> Cifra al 15 de abril de 2022.

<sup>7</sup> Ibidem.

Recorridos terrestres	14	11	13	25	57	6	126
Kilómetros recorridos	910	835	767	1,814	2,705	163	7194

### c.- Verificaciones en sitios de embarque y desembarque

Con el fin de verificar que las embarcaciones menores cuenten con la documentación requerida para la realización de las actividades de pesca, así como para inspeccionar las artes utilizadas por las principales pesquerías en el Golfo de California (en aras de inhibir la posesión, el transporte y el uso de redes ilegales) y concientizar a los tripulantes sobre las zonas con restricción pesquera del RBAGCYDRC, se han realizado 2,408 acciones de revisión de embarque/desembarque en los sitios establecidos en los principales puntos de acceso para el zarpe y desembarque de embarcaciones menores en puntos elegidos por su representatividad y alto tránsito de unidades ribereñas:

#### San Felipe (Baja California)

- i) el Muelle de FONDEPORT (30° 59' 33.79" N - 114° 49' 53.73" W),
- ii) la Rampa del malecón (31° 01' 33.05" N - 114° 49' 55.85" W),
- iii) la localidad El Indiviso (32° 01' 14.43" N - 114° 58' 52.59" W),

#### Puerto Peñasco (Sonora)

- i) la bajada de La Choya (31° 20' 38.84" N - 113° 38' 21.08" W),
- ii) el estero La Pinta (31° 16' 59.93" N - 113° 27' 23.61" W),

En total, se verificaron 2,4799 embarcaciones menores dedicadas a la pesca de especies marinas comerciales (escama, camarón y moluscos). Durante dichas verificaciones, se recordó a los tripulantes de las embarcaciones la importancia de respetar las áreas restrictivas a la pesca en la RBAGCYDRC y se les informó sobre las sanciones a las que serían acreedores si se les sorprende realizando actividades extractivas en las poligonales prohibidas a la pesca.

<sup>8</sup> Cifra al 15 de abril de 2022.

<sup>9</sup> Ibidem.



Inspectores federales verificando embarcaciones menores (créditos: PROFEPA)

Durante el mismo periodo, en 2,410 ocasiones se conformaron grupos de verificación integrados por personal de la PROFEPA, SEMAR y CONAPESCA, en los que se inspeccionaron los documentos de 3,711 embarcaciones mayores que transitaron o que pretendían realizar actividades de pesca en la RBAGCYDRC, así como aquellas que ingresaron a los puertos autorizados en el AGC para el desembarque de productos pesqueros. Acción llevada a cabo con el fin de verificar las bodegas de almacenamiento pesquero, en aras de evitar el transporte de ejemplares, productos, subproductos o derivados de especies de vida silvestre que se encuentren listadas en alguna categoría de riesgo de la NOM-059-SEMARNAT-2010.



Inspectores federales verificando embarcaciones mayores (créditos: PROFEPA)

A la flota de pesquería industrial que zarpa de los puertos autorizados a realizar faenas pesqueras en el Golfo de California, se le indica insistentemente no realizar sus actividades en las áreas restrictivas a la pesca de la RBAGCYDRC por las sanciones a las que pudieran ser acreedores, por lo que si acataron las medidas. La información expuesta anteriormente se sintetiza en el cuadro VII.

<sup>10</sup> Cifra al 15 de abril de 2022.

<sup>11</sup> Ibídem.

Cuadro VII. Revisiones en puntos de embarque / desembarques realizados durante el período comprendido del 1 de noviembre de 2021 al 15 de abril de 2022

Acción	2021		2022				Total
	Nov	Dic	Ene	Feb	Mar	Abr	
Revisión de puntos de embarque y desembarque de embarcaciones menores	34	36	25	47	73	25	240
Número de embarcaciones menores verificadas	476	443	280	372	568	340	2479
Revisión de puntos de embarque y desembarque embarcaciones mayores	-	-	-	7	14	3	24
Número de embarcaciones verificadas	-	-	-	10	24	3	37

#### d.- Revisiones vehiculares en puesto de control

Con el objetivo de verificar unidades vehiculares para disuadir el transporte de productos, subproductos o derivados de especies de vida silvestre que se encuentren en alguna categoría de riesgo dentro de la NOM-059-SEMARNAT-2010, se establecieron 28<sup>12</sup> puestos de revisión vehicular, 2 en puestos fijos de la SEDENA y 26 en asentamientos temporales establecidos por la SEMAR, verificando un total de 149<sup>13</sup> vehículos.



Puestos de control vehicular y revisiones (créditos: PROFEPA)

<sup>12</sup> Cifra al 15 de abril de 2022.

<sup>13</sup> Ibídem.

#### 4. DECISIÓN 18.293 A.II MEDIDAS INTERNACIONALES PARA COMBATIR LA DELINCUENCIA ORGANIZADA

En seguimiento a la reunión de los Estados del área de distribución, de tránsito y de destino de la Totoaba organizada por la CITES, la PROFEPA y la INTERPOL sostuvieron una reunión en línea el 19 de noviembre de 2021 con el objetivo de sentar las bases para intercambiar información sobre decomisos y detenciones de presuntos delincuentes. Se enfatizó en la importancia de que la PROFEPA, a la par con otras dependencias del gobierno de México, comparta datos para que la INTERPOL pueda analizar adecuadamente el comercio ilegal de vejigas natatorias y las redes criminales involucradas. La INTERPOL invitó a la PROFEPA a usar su plataforma y quedó pendiente la organización de un taller de capacitación para los funcionarios de la PROFEPA.

En dicha reunión, también se comentó acerca de la posibilidad de organizar un taller con los actores involucrados como primer paso de la cooperación entre México e INTERPOL, con el objetivo de acordar a detalle la manera de trabajar conjuntamente. Finalmente, se compartió que se tiene conocimiento de varios países de tránsito y destino además de Estados Unidos y China. La INTERPOL comentó que tendría un acercamiento con otras autoridades mexicanas respecto a ese tema, particularmente con la FGR.

Asimismo, en enero de 2022, la FGR ha publicado una notificación morada y se han remitido 5 eco-mensajes a la Secretaría General de INTERPOL por comercio ilegal de totoaba y sus partes. Con ellos, suman desde la CoP18 de CITES 2 notificaciones moradas, 3 rojas, 1 azul y 9 eco-mensajes. No se considera prudente compartir más información al respecto debido a la sensibilidad de la información que contienen dichas notificaciones y eco-mensajes.

#### 5. DECISIÓN 18.293 A.III PRESENTACIÓN DE INFORMES SEMESTRALES A LA SECRETARÍA

La presentación de los cuatro informes semestrales a la Secretaría se ha realizado de manera oportuna, al igual que la presentación de dos informes exhaustivos anuales. Este documento corresponde al 5º Informe Semestral.

Portadas de los 4 primeros informes semestrales:

CONVENCIÓN SOBRE EL COMERCIO INTERNACIONAL DE  
ESPECIES AMENAZADAS DE FAUNA Y FLORA SILVESTRES  
(CITES)

INFORME SEMESTRAL DE ACCIONES PARA LA PROTECCIÓN Y  
CONSERVACIÓN DE LA VAQUITA MARINA Y LA TOTOABA

ABRIL DE 2020

1

INFORME SEMESTRAL ORDINARIO  
ACTUALIZACIÓN DE ABRIL-OCTUBRE

ACCIONES PARA LA PROTECCIÓN Y CONSERVACIÓN DE LA  
VAQUITA MARINA Y LA TOTOABA



CONVENCIÓN SOBRE EL COMERCIO INTERNACIONAL DE ESPECIES  
AMENAZADAS DE FAUNA Y FLORA SILVESTRES (CITES)

OCTUBRE DE 2020

1

ACCIONES REALIZADAS POR EL GOBIERNO MEXICANO PARA LA ATENCIÓN DE  
LA DECISIÓN 18.292 Y 18.293 CITES DIRIGIDAS A MÉXICO.

NOVIEMBRE-ABRIL 2021

INTRODUCCIÓN

México formula este Tercer Informe Semestral, relativo a las acciones realizadas y sus resultados, de noviembre de 2020 a abril de 2021, conforme a las decisiones adoptadas en la COP16 del Comité Permanente de la CITES y que es producto del trabajo coordinado de sus autoridades con facultades para la protección y conservación de la vaquita marina y la totoaba, especies endémicas del país, trabajos con los que honra de manera permanente y decidida los compromisos que ha asumido, en dicha Convención.

La captura ilegal de totoaba, que pone en riesgo la sobrevivencia de la vaquita marina, tiene por objeto su tráfico internacional y su comercialización, con ganancias desmesuradas, que diluyen el interés por combatirlos. A pesar de esto, México reitera que su dedicación y esfuerzos para inhibir y eliminar dichas acciones, son y seguirán siendo permanentes y hace también un llamado a los países de tránsito y destino para que ejerzan actos que eviten la demanda de vejigas de totoaba, para poder lograr la conservación y protección tanto de esta como de la vaquita marina.

Al no ser posible sostener que la captura de totoaba, ocasiona lo que puede denominarse como "una severa agresión", a una especie endémica de un país que no la consume, pero cuya demanda, limitada a una sola de sus partes, su vejiga natatoria, para llevarla a países ubicados al otro lado del mundo, implica graves riesgos tanto para ella, como para la sobrevivencia y conservación de la vaquita marina, el Gobierno de México, llama a los países miembros de la CITES a hacer aportaciones y a sumar sus esfuerzos para solucionar el problema.

Evitar actividades pesqueras en la Zona de Tolerancia Cero y prohibir el uso de redes agalleras en el Área de Refugio de la Protección de la Vaquita Marina, ambas, en el Alto Golfo de California, para evitar riesgos para la conservación y sobrevivencia de la vaquita marina y la captura ilegal de ilegal de totoaba, es un compromiso de gran trascendencia para México. Por esto, el Presidente de México, ha designado a tres Secretarías de Estado para que participen directamente y ordenó también, la expedición de ordenamientos específicos, aplicables al cumplimiento de obligaciones administrativas por quienes realizan

1

Combate al comercio ilegal de totoaba  
y protección de la vaquita marina

Acciones y resultados



4<sup>to</sup> Informe Semestral

Mayo - Octubre 2021

## 6. DECISIÓN 18.293 A.IV GRUPO DE CONTACTO TRILATERAL

En seguimiento a los acuerdos de la Reunión Trilateral China, Estados Unidos y México sobre la lucha contra el tráfico ilícito de peces totoaba (agosto de 2017, Ensenada, Baja California), México redactó los “Términos de Referencia del Grupo de Contacto Trilateral sobre aplicación de la Ley” para definir la organización y su funcionamiento, con el objetivo de intercambiar información sobre los esfuerzos realizados para combatir el comercio ilícito de totoaba, eliminar la oferta y demanda de esta especie de origen ilícito, así como sugerir acciones para mejorar y fortalecer las capacidades de vigilancia.

Actualmente se cuentan las aportaciones de Estados Unidos al proyecto de los Términos de Referencia, la Embajada de México en China realizó varias comunicaciones a las autoridades Chinas, quienes informaron que no contaban con registros de la propuesta para el establecimiento, organización y mandato sobre el “Grupo de Contacto Trilateral sobre aplicación de la Ley”, por lo que mediante la Embajada de México en China y la Misión Permanente de México ante los Organismos Internacionales, se volvió a proporcionar toda la información correspondiente, tanto a la autoridades chinas en Capital como a personal diplomático de China durante la reunión del Comité Permanente de la CITES en Lyon, Francia.

El 18 de marzo de 2022, la Secretaría de Relaciones Exteriores de México recibió la Nota Verbal de la Administración Nacional de Bosques y Pastizales de China (ANBP), de fecha 13 de abril de 2022, en la que se señala que esta entidad gubernamental no tiene comentarios adicionales al documento “Términos de Referencia del Grupo de Contacto Trilateral sobre Aplicación de la Ley (para Combatir el Comercio Ilegal de Totoaba)” (TdR).

La ANBP también compartió una lista de funcionarios responsables de este tema en la estructura organizacional del Gobierno Chino, que incluye a la Administración General de Aduanas (AGA), el Ministerio de Agricultura y Asuntos Rurales (MARA) y la Autoridad de CITES en China -parte de la ANBP-.

A finales del mes de abril de 2022, los funcionarios mexicanos se reunieron en dos ocasiones para analizar los comentarios emitidos por Estados Unidos respecto a los TdR y para considerar los siguientes pasos que permitan concretar la puesta en funcionamiento de este Grupo de Contacto Trilateral.

## 7. DECISIÓN 18.293 b

### 7.1 Actividades de retiro de redes

#### a.- Recuperación y aseguramiento de redes en el mar

Como se mencionó en el apartado 3.4.a, las personas avistadas en flagrancia de pesca en la Zo y que se negaron a retirarse de la zona, fueron privadas de sus redes. En total, sobre el periodo de reporte, se aseguraron 5,314 redes por una longitud total de 14,603.15 metros. Al no contar con ningún ejemplar de vida silvestre enlistado en la NOM-059-SEMARNAT-2010, y al encontrarse en una zona donde la pesca está prohibida, la responsabilidad del aseguramiento de las redes es de la CONAPESCA, quien se asegura también del destino final de las mismas.



Funcionarios federales asegurando redes durante recorridos marítimos (créditos: PROFEPA)

Los puntos en los cuales fueron recuperadas y aseguradas las redes, dentro del polígono custodiado por la autoridad nacional, se localizan en la Figura 1.

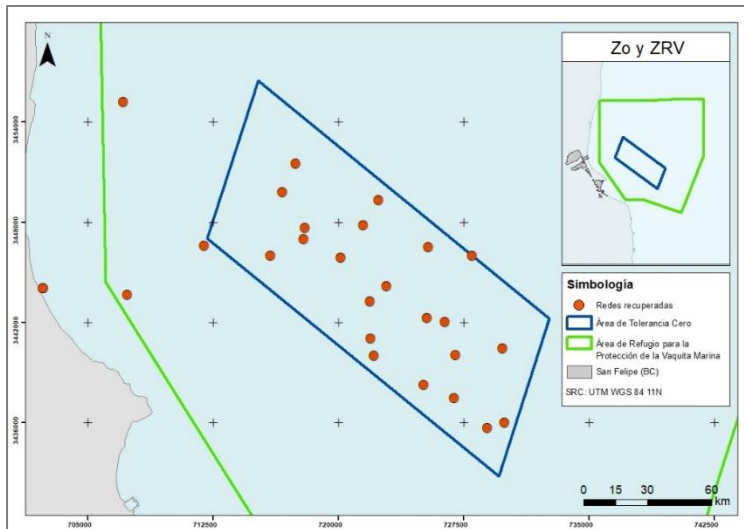


Figura 1. Localización de redes recuperadas y aseguradas en la ARVM y Zo durante el periodo comprendido del 1 de noviembre de 2021 al 31 de marzo de 2022. Fuente: PROFEPA.

<sup>14</sup> Cifra al 15 de abril de 2022.

<sup>15</sup> Ibídem.

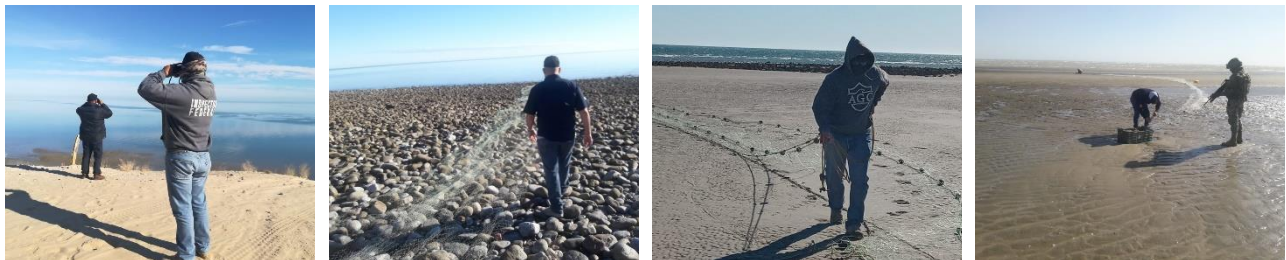
En el Cuadro VIII se presentan los datos de las redes recuperadas y aseguradas por las autoridades mexicanas. El acompañamiento fotográfico del Cuadro VIII es para evidencias cómo se realizan las actividades de vigilancia, cabe decirse que en ocasiones cuando las embarcaciones divisan a los inspectores sueltan y abandonan sus redes para emprender la huida.

Cuadro VIII. Redes de pesca aseguradas por mes del 1 de noviembre de 2021 al 15 abril de 2022.

Acción	2021		2022				Total
	Nov	Dic	Ene	Feb	Mar	Abr	
Redes recuperadas	11	8	7	17	4	6	53
Metros de red	1700	1300	2050	1903	3300	4350	14603

#### b.- Recuperación y aseguramiento de redes en tierra

Durante los recorridos terrestres, se recuperaron un total de 38<sup>16</sup> redes abandonadas por una longitud total de 2,340<sup>17</sup> metros. El acompañamiento fotográfico de muestra a los inspectores en faenas de vigilancia y retiro de redes ilegales durante sus recorridos de playa y costa.



Funcionarios federales asegurando redes durante recorridos terrestres (créditos: PROFEPA)

Las artes de pesca recuperadas por la autoridad correspondiente fueron señaladas por su ubicación geográfica en las regiones costeras del norte y sur del puerto de San Felipe. En la Figura 2 se aprecia la localización de cada red de enmalle asegurada.

<sup>16</sup> Cifra al 15 de abril de 2022.

<sup>17</sup> Ibídem.

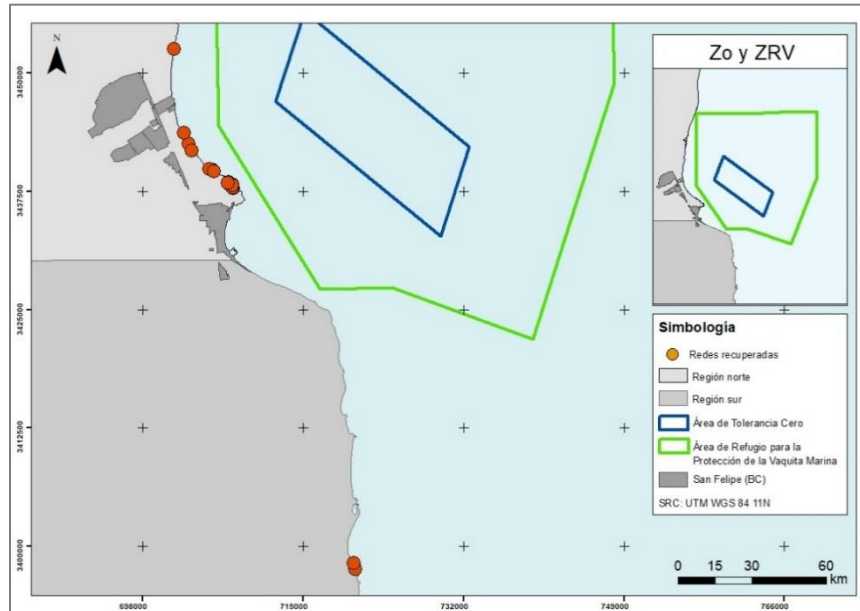


Figura 2. Localización de redes recuperadas y aseguradas en la región costera y terrestre del Puerto de San Felipe durante el periodo 1 de noviembre 2021 a 31 de marzo 2022. Fuente PROFEPA.

## 7.2 Destrucción de redes

Las redes son aseguradas por la CONAPESCA y transmitidas a la SEMAR para su destrucción.

## 8. DECISIÓN 18.293 C APLICACIÓN DE LA DECISIÓN 43COM 7B.26 ADOPTADA POR EL COMITÉ DE PATRIMONIO MUNDIAL DE LA ORGANIZACIÓN DE LAS NACIONES UNIDAS PARA LA EDUCACIÓN, LA CIENCIA Y LA CULTURA (CPM-UNESCO)

Durante la 43ª reunión del Comité de Patrimonio Mundial, realizada en Baku en 2019, el Sitio de Patrimonio Mundial “Islas y Áreas Protegidas del Golfo de California” fue incorporado al listado del patrimonio en peligro debido a la pesca ilegal de totoaba y la amenaza de la desaparición inminente de la vaquita marina (decisión 43COM 7b.26). Durante dicha reunión, se estableció la obligación para México de:

- i. desarrollar medidas correctivas, un calendario para su implementación y un estado deseado del sitio para la eliminación de la propiedad de la Lista del Patrimonio Mundial en Peligro (DSOCR), y
- ii. presentar un informe anual que de información actualizada sobre el estado de conservación del bien, así como sobre lo antes mencionado.

A raíz de dicha decisión, el Gobierno de México estableció un grupo de trabajo técnico para el desarrollo de las medidas correctivas y un calendario para su implementación, así como del DSOGR.

Durante la 44ª reunión del Comité de Patrimonio Mundial, realizada en línea en 2021, el Comité de patrimonio mundial decidió mantener al sitio en el listado de los sitios de patrimonio mundial en peligro y requerir a México la presentación de un nuevo informe anual sobre el estado de conservación del sitio y la implementación de todos los puntos de la Decisión 44 COM 7A.56.

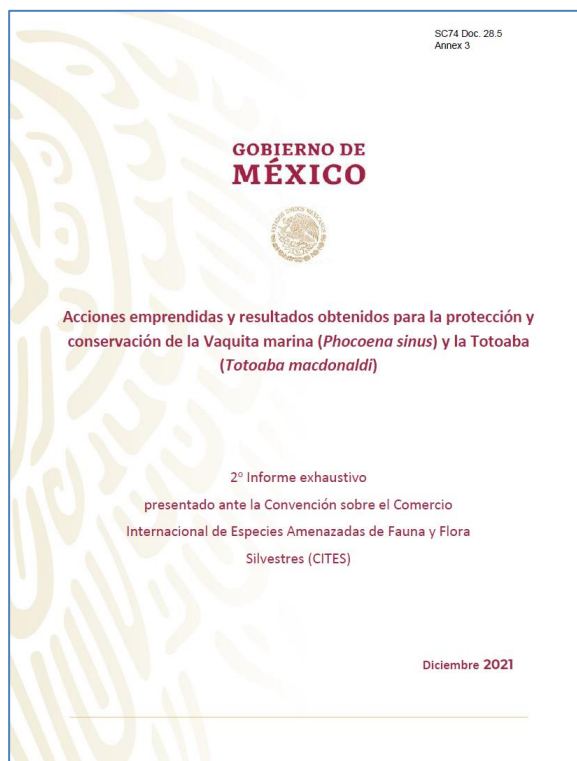
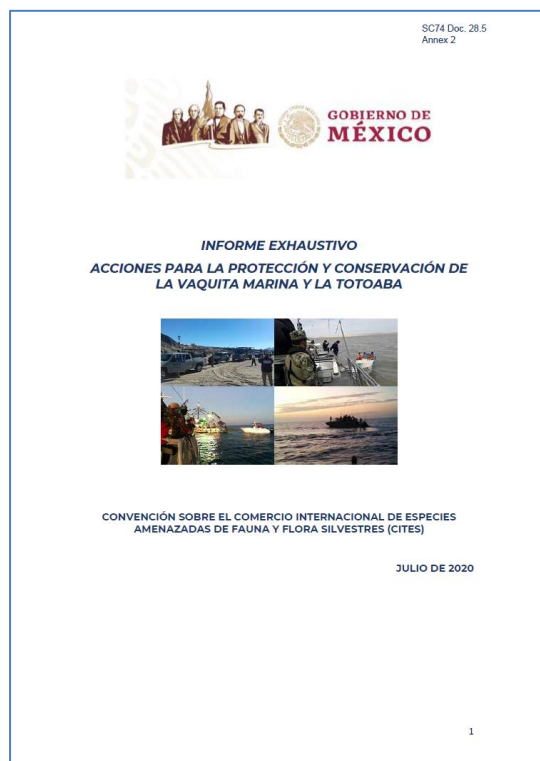
Desde entonces, y durante el periodo de reporte del presente informe, el mencionado grupo de trabajo técnico se ha reunido el 4 de noviembre de 2021 para dar cumplimiento a la decisión a la Decisión 44 COM 7A.56. Así, el informe anual actualizado en mención fue presentado al Comité el 3 de marzo de 2022.

Aunado a lo anterior, los días 24 y 25 de febrero de 2022, se llevó a cabo un Taller Técnico para la formulación del DSOCR en el cual participaron funcionarios mexicanos junto con representantes del Comité de Patrimonio Mundial UNESCO y diversas Organizaciones No Gubernamentales involucradas en la protección y conservación de la vida silvestre en el Golfo de California. Como resultado de dicho taller, se desarrolló una propuesta de documento DSOCR, la misma que fue revisada por las autoridades mexicanas involucradas durante una reunión interna el 13 de abril de 2022. El DSOCR que resultó de ello fue remitido a la Secretaría de Relaciones Exteriores el mismo día para su entrega al Comité de Patrimonio Mundial UNESCO. Dicho documento se comparte en el Anexo 3.

## 9. DECISIÓN 18.293 D) PRESENTACIÓN DE INFORME EXHAUSTIVO A LA SECRETARÍA

El 7 de diciembre de 2021, se hizo entrega del Segundo Informe voluntario Exhaustivo a la Secretaría General de la CITES, relativo a la Decisión 18.293 párrafo d), sobre las acciones para la protección y conservación de la totoaba y la vaquita, junto con sus respectivos anexos.

Portadas de los 2 informes exhaustivos:



## 10. MANEJO EN CAUTIVERIO DE LA TOTOABA

Actualmente existen en México 7 Unidades de Manejo para la Conservación de Vida Silvestre (UMA) de manejo intensivo y 2 Predios o Instalaciones que Manejan Vida Silvestre en Forma Confinada Fuera de su Hábitat Natural (PIMVS) con registro vigente para el manejo de Totoaba. Desde el 2018 a la fecha, se han liberado 144,650 ejemplares provenientes de 3 UMA (*Earth Ocean Farms*, S. de R. L. de C. V., el Instituto de Acuacultura del Estado de Sonora y la Unidad de Biotecnología en Piscicultura de la Universidad Autónoma de Baja California). Los sitios de liberación fueron: Playa Santispac, Municipio de Mulegé, Baja California Sur; alrededores de la Isla Tiburón, 10 km de la línea de Costa; y en el Campo Turístico 1, Puerto de San Felipe, Baja California.

### 10.1 Información sobre *Earth Ocean Farms S. de R.L. de C.V.*

Durante la 74ª reunión del Comité Permanente de CITES, realizada del 07 al 11 de marzo de 2022 en Lyon, Francia, se presentó el informe de la Secretaría (Doc. 59.1.1) y el informe de México (Doc. 59.1.2), ambos respecto al registro ante la Convención del establecimiento *Earth Ocean Farms S. de R.L. de C.V.* que cría *Totoaba macdonaldi*. Al respecto, el Comité votó sobre una moción para aceptar la solicitud, que quedó aprobada por 9 votos a favor, 5 en contra y una abstención.

Ante las inquietudes presentadas por algunas Partes, el Comité Permanente pidió a México que incluya información sobre las actividades del establecimiento registrado en su próximo informe a la Secretaría con arreglo a la Decisión 18.293, por lo que, en este informe, el Gobierno de México agrega en anexo el reporte de actividades de la empresa acuícola compartido por dicho establecimiento, el cual está siendo analizado y valorado por las autoridades nacionales, quienes trabajan en la regulación del procedimiento para la destrucción de las vejigas natatorias, conforme la normativa aplicable.

## 11. OTRAS ACCIONES

### 11.1 Acciones de coordinación con la Agencia Nacional de Aduanas de México (ANAM)

En 2019, se conformó un grupo de trabajo tripartita entre ANAM, CONAPESCA y PROFEPA con el objetivo de realizar revisiones de manera conjunta en aras a identificar posibles productos de totoaba en los cruces fronterizos del país; ello derivó de un registro del sistema electrónico aduanero para la prohibición de exportaciones de totoaba, a fin de que cuando se detecte algún producto sospechoso se realicen inspecciones conjuntas con las autoridades involucradas.

En el marco de esta colaboración, se llevó a cabo el “Curso Práctico de identificación de la totoaba (buche)” el 9 de diciembre de 2021, en el cual participaron 226 agentes aduaneros, así como funcionarios de la CONAPESCA y de la PROFEPA. En dicho curso, se presentó una guía práctica para la identificación de la Totoaba, misma que aborda los siguientes temas:

- ¿Qué es la Totoaba?
- Características físicas
- Identificación – Mandíbula
- Identificación – Aletas
- Identificación – Apéndice Tubular
- La vejiga natatoria (Buche)
- Modus Operandi

Durante el primer trimestre de 2022, la PROFEPA y la ANAM han tenido diversos intercambios para planear acciones operativas en los puertos, aeropuertos internacionales y cruces fronterizos de Baja California y Sonora, con la finalidad de prevenir y atender el tráfico ilegal de especímenes de totoaba en la región noroeste.

## **11.2 Seguimiento a la reunión de los Estados de distribución, tránsito y consumidores de Totoaba**

La Misión Permanente de México ante los Organismos Internacionales con sede en Ginebra, Suiza, realizaron gestiones a fin de que la Secretaría de la CITES consultara a los participantes sobre el interés de continuar los debates exclusivamente para los puntos en los que era posible continuar el debate, manifestando el interés de México de seguir debatiendo estos temas y se reiteró igualmente la preferencia de que los temas sin consenso pudieran ser debatidos en una futura reunión trilateral.

Asimismo, en seguimiento a la nominación del Punto Focal de México, se comunicó a la Secretaría CITES la designación del Ing. Patricio Rodolfo Vilchis Noriega, Encargado de la Subprocuraduría de Recursos Naturales en la PROFEPA, para fungir como punto focal para facilitar la comunicación entre Estados Parte y las Organizaciones Internacionales sobre los asuntos relacionados con el tráfico de totoaba.

### **11.3 Reuniones con la Secretaria General de CITES**

El 2 de marzo de 2022, se llevó a cabo una reunión entre la Subsecretaria de Asuntos Multilaterales y Derechos Humanos de la Secretaría de Relaciones Exteriores de México, con la Secretaria General de CITES.

En dicha reunión, se expresó la complejidad que enfrenta México en la protección de las especies y principalmente las marinas de la zona del Alto Golfo de California, como lo es el caso de la Vaquita Marina y otras especies más. Durante la reunión se agradeció la organización de la reunión de Estados, el impulso y colaboración con otros organismos como la UNESCO y la INTERPOL para apoyar las medidas y actividades para hacer frente a la pesca ilegal de totoaba, el comercio ilegal de vejigas natatorias de totoaba, y la protección de la vaquita marina.

Se reiteró que la reunión de Estados ofreció a México de estrategias y mecanismos para atender la problemática del tráfico ilegal de la Totoaba y sobre todo ha sido una gran oportunidad para fortalecer la cooperación internacional entre los países afectados por el tráfico ilegal del buche de Totoaba. Además, se expresó que el acompañamiento de la CITES para lograr que se concrete el inicio de actividades del Grupo Trilateral también será una valiosa aportación para la atención de la problemática.

La Representante Permanente de México ante los Organismos Internacionales, sostuvo una reunión el 17 de marzo de 2022 con la Secretaria General de la CITES en la que se intercambiaron mensajes, a fin de continuar avanzando en la implementación de las Decisiones dirigidas a México.

Asimismo, expresó que el reconocimiento de los progresos de México por la mayoría de los miembros del Comité Permanente de la CITES, debe llevar a nuestro Gobierno a continuar realizando esfuerzos, a fin de que se logren los objetivos de una estrategia persistente que evite el comercio ilegal de la vejiga natatoria de la totoaba y la sostenibilidad de la vaquita marina. De ahí que México continuará avanzando en la implementación de las Decisiones e insistirá en la cooperación internacional para atender aquellas acciones en la que es necesaria la intervención de China y Estados Unidos.

### **11.4 Seguimiento a los proyectos de reforma en materia de delitos contra el ambiente y prisión preventiva oficiosa**

Durante el periodo de reporte, se dio seguimiento a las reformas que se mencionan a continuación:

- Proyecto que reforma el párrafo segundo del artículo 19 de la Constitución Política de los Estados Unidos Mexicanos, con la finalidad incluir en el catálogo de los delitos que merecen prisión preventiva oficiosa a los de carácter ambiental, que afectan especies en

peligro de extinción, como la captura y el tráfico de totoaba; las conductas que se realizan de manera ilícita o sin aplicar medidas de prevención, con residuos peligrosos a cielo abierto o su omisión en la disposición final, así como las actividades de tala ilícita que genera ganancias millonarias. El proyecto fue turnado a la Comisión de Puntos Constitucionales de la Cámara de Diputados y se encuentra pendiente de dictamen en dicha Comisión.

- Proyecto de reforma para el incremento en las penas a los delitos previstos y sancionados el artículo 420 del Código Penal Federal. Dicho proyecto considera la adición del siguiente párrafo “En los casos a que se refiere la fracción IV, se aplicará una pena de cinco a quince años de prisión y de cinco mil a veinticinco mil días multa de salario mínimo diario vigente cuando se trate de algún ejemplar, partes, derivados, producto o subproducto de la especie *Totoaba macdonaldi*”.

Las dos últimas reformas fueron promovidas por integrantes del Grupo Parlamentario de Movimiento de Regeneración Nacional (MORENA) y fue turnado a la Cámara de Diputados, encontrándose pendiente de dictaminar.

Durante el periodo de reporte, no se ha tenido actualización alguna respecto a dichos proyectos de reforma.

#### **11.1 Reunión entre la Embajada de México en Estados Unidos con Sea Shepherd y la Secretaría de Marina.**

El 11 de febrero de 2022, la Embajada de México en Estados Unidos se reunió con la organización no gubernamental Sea Shepherd Conservation Society que, en conjunto con la Secretaría de Marina ejecuta la “Operación Milagro”, protocolo de operación y respuesta de vigilancia en la Zona de Tolerancia Cero del Alto Golfo de California. La reunión tuvo como finalidad facilitar la comunicación entre las partes firmantes del convenio de acciones de colaboración que preserven y protejan a la vaquita marina y a la totoaba, así como permitir la difusión de los exitosos resultados de la “Operación Milagro” entre autoridades estadounidenses y el público en general.

## **12. CONCLUSIONES**

Durante el periodo de reporte se tiene una sentencia dictada el 17 enero de 2022 con un individuo en prisión durante 1 año, debe pagar una multa de \$ 24,180.00 y un pago de la reparación del daño ambiental por \$3'277,990.24

La FGR en noviembre de 2021, inició dos carpetas de investigación y han judicializado otras dos.

Es relevante mencionar que producto del fortalecimiento de las relaciones de cooperación entre PROFEPA con la FGR, nos ayudó a consolidar y actualizar la información sobre los asuntos penales relacionados con el tráfico ilegal de totoaba, alcanzando la cifra de 84 desde el 2018.

Se tiene información de tres aseguramientos de buches de totoaba en Hong Kong.

Se ha reafirmado que los marcos regulatorios siguen vigentes y serán reforzadas las comunicaciones intragubernamentales como se ha establecido en las dos reuniones que se han sostenido en este año, la primera intersecretarial el 24 de enero y, la segunda, del GIS, el 28 de abril.

Las acciones de inspección y vigilancia también serán reforzadas por elementos de la SEMAR como lo dijeron sus representantes en la primera sesión del GIS; SEMARNAT, además de reforzar la vigilancia para asegurar la aplicación de la ley a través de la PROFEPA, fortalece los programas sociales para mejorar el nivel de vida de los pescadores. En el mismo tenor están las acciones de los gobiernos estatales de Baja California y Sonora.

Se realizaron 144 recorridos marítimos de manera conjunta con SEMAR y CONAPESCA, para un total de 4990 millas náuticas recorridas. Aunque se divisaron embarcaciones en la zona de pesca cero, se disuadieron de realizar los actos de pesca y nunca se encontraron más de 35 embarcaciones en la zona como para activar los factores detonantes.

Se realizaron 126 recorridos terrestres, con un total de 7194 km vigilados.

Se verificaron 2479 embarcaciones menores en los puntos de embarque y desembarque, mientras que las embarcaciones mayores verificadas fueron 37.

Debido a la participación de la delincuencia organizada transnacional en la pesca y tráfico ilegal de totoaba, que se ha convertido en una de las actividades delictivas más lucrativas, se hace necesaria una mayor cooperación de los países involucrados, para abordar de manera determinante la prevención y combate de este flagelo, a fin de evitar que la delincuencia transnacional obstaculice y socave los esfuerzos emprendidos por el gobierno mexicano para proteger y conservar sus especies endémicas, promover el Estado de derecho y lograr un desarrollo sostenible.

Se solicita a la Secretaría CITES que exhorte de manera firme a los Estados Partes involucrados como tránsito y destino, a que se presten mutuamente la cooperación más amplia posible para prevenir, investigar y enjuiciar los delitos ambientales cometidos en contra de estas especies, con independencia de los conocimientos especializados y las valiosas contribuciones de la Oficina de las Naciones Unidas contra la Droga y el Delito, INTERPOL, la Organización Mundial de Aduanas, y la Unión Internacional para la Conservación de la Naturaleza.

Es necesario buscar esquemas de financiamiento con el Banco Mundial y otras organizaciones internacionales y regionales pertinentes, para conseguir apoyo a los Estados Parte en sus

esfuerzos para combatir la delincuencia ambiental, bajo los principios de reciprocidad y responsabilidad compartida que rige las relaciones internacionales y el cumplimiento de los Tratados.

### 13. SIGLAS Y ACRÓNIMOS

AGA	Administración General de Aduanas de China
AGC	Alto Golfo de California
ANAM	Agencia Nacional de Aduanas de México
ANBP	Administración Nacional de Bosques y Pastizales de China
ARMV	Área de Refugio para la protección de la vaquita marina
BC	Baja California
CITES	Convención sobre el Comercio Internacional de Especies Amenazadas de Fauna y Flora Silvestres
CONABIO	Comisión Nacional para el Conocimiento y Uso de la Biodiversidad
CONANP	Comisión Nacional de Áreas Naturales Protegidas
CONAPESCA	Comisión Nacional de Acuacultura y Pesca
CoP 18	Décimo Octava Reunión de la Conferencia de las Partes de CITES
CoP 19	Décimo Novena reunión de la Conferencia de las Partes de CITES
CPM-UNESCO	Comité de Patrimonio Mundial de la Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura
DSOCR	Estado de conservación deseado
EUA	Estados Unidos de América
FGR	Fiscalía General de la República
GCAL	Grupo de Colaboración sobre aplicación del Acuerdo
GCT	Grupo de Contacto Trilateral
GIS	Grupo Intragubernamental sobre la Sustentabilidad en el Alto Golfo de California
GN	Guardia Nacional

INAPESCA	Instituto Nacional de Pesca
INTERPOL	Organización Internacional de Policía Criminal
LGEEPA	Ley General del Equilibrio Ecológico y la Protección al Ambiente
LGPAS	Ley General de Pesca y Acuacultura Sustentable
LGVS	Ley General de Vida Silvestre
MARA	Ministerio de Agricultura y Asuntos Rurales de China
MORENA	Movimiento de Regeneración Nacional
NOM	Norma Oficial Mexicana
ONG	Organización No Gubernamental
PIMVS	Predios o Instalaciones que Manejan Vida Silvestre de forma confinada
PROFEPA	Procuraduría Federal de Protección al Ambiente
RBAGYDRC	Reserva de la Biosfera del Alto Golfo y Delta del Río Colorado
SADER	Secretaría de Agricultura y Desarrollo Rural
SEDENA	Secretaría de la Defensa Nacional
SEGOB	Secretaría de Gobernación
SEMAR	Secretaría de Marina
SEMARNAT	Secretaría de Medio Ambiente y Recursos Naturales
SHCP	Secretaría de Hacienda y Crédito Público
SON	Sonora
SRE	Secretaría de Relaciones Exteriores
TdR	Términos de Referencia del Grupo de Contacto Trilateral sobre Aplicación de la Ley
UMA	Unidad de Manejo Ambiental
UNESCO	Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura
USD	Dólar estadounidense
Zo	Área de Tolerancia Cero

## 14. ANEXOS

### ANEXO 1: SUMARIO DE LAS ACCIONES REALIZADAS DESDE LA ADOPCIÓN DE LAS DECISIONES 18.292 A 18.295 EN LA COP18

Desde el 1 de septiembre de 2019 hasta el 15 de abril de 2022, la PROFEPA, junto con las otras autoridades federales involucradas, ha realizado:

736 recorridos marítimos de vigilancia

167 recorridos marítimos con ONGs

590 recorridos terrestres de vigilancia

1,219 operativos de verificación de embarcaciones en puntos de embarque/desembarque, durante los cuales se han verificado 11,000 embarcaciones menores

439 operativos de control vehiculares, durante los cuales se han revisado 1,468 vehículos

Durante ese periodo, se recuperaron un total de 462 redes por una longitud total de 90,044 metros.

Es relevante mencionar que producto del fortalecimiento de las relaciones de cooperación entre PROFEPA con la FGR, se logró consolidar y actualizar la información sobre los asuntos penales relacionados con el tráfico ilegal de totoaba. En el siguiente Cuadro se presentan los datos de la actuación judicial respecto a la pesca ilegal de totoaba y su comercio ilegal.

Numeraria de la actuación judicial respecto a la pesca totoaba y su comercio ilegales<sup>18</sup>.

	2018	2019	2020	2021	2022	Total
Carpeta de investigación iniciada	25	19	29	11	0	84
Carpeta de investigación judicializada	16	4	6	3	0	29
Sentencias condenatorias en 1ª instancia	2	0	1	2	1	6
Sentencias condenatorias procedimiento abreviado	1	1	0	0	0	2
Suspensión condicional del proceso (terminado)	3	2	3	0	0	8

<sup>18</sup> Esta información puede variar debido al cambio del estado procesal de los asuntos, conforme las actuaciones de los tribunales federales y las investigaciones que puedan surgir en cualquier día. De igual forma, está sujeta a validación y conciliación de las bases de datos entre PROFEPA y FGR, tema en el cual se está trabajando.

**ANEXO 2: INFORMES DE INSPECCIÓN Y VIGILANCIA DE LOS INSPECTORES DE LA PROFEPA.**

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**ANEXO 3: INFORME ANUAL SOBRE EL ESTADO DE CONSERVACIÓN DEL SITIO PATRIMONIO DE LA HUMANIDAD, DSOGR Y MEDIDAS CORRECTIVAS**

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**ANEXO 4: INFORME DE ACTIVIDADES DE EARTH OCEAN FARMS S. DE R.L. DE C.V.**

# State of Conservation Report

## “Islands and protected areas of the Gulf of California”

(México-N 1182 ter)



GOBIERNO DE  
**MÉXICO**



**February 28 2022**

Islands and Protected Areas  
of the Gulf of California (2005)



**unesco**

World Heritage site

For evaluation by the World Heritage Committee-UNESCO

## CONTENTS

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I.	Executive Summary.....	3
II.	Attendance to World Heritage committee regarding decision 44COM7A.56.....	4
III.	Other current conservation issues which may have an impact on the property's <i>Outstanding Universal Value</i> .....	38
IV.	Potential major restorations, alterations and/or new constructions that may affect the <i>Outstanding Universal Value</i> of the property.....	40
V.	Public access to the state of conservation report.....	40
VI.	Annex Documents.....	40

## **I. EXECUTIVE SUMMARY**

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The present State of Conservation report for the World Heritage property "Islands & protected areas of the Gulf of California" has the main objective to share information with the UNESCO-World Heritage Centre for its assessment, about the actions for the conservation of the Outstanding Universal Value, according to the decision 44 COM 7A.56 adopted by World Heritage Committee (Fuzhou, China 2021) and its recommendations.

In July 2019, the Government of Mexico accepted the inscription of the Site "Islands and Protected Areas of the Gulf of California" in the List of World Heritage in Danger considering that it is a mechanism of the Convention to strengthen international cooperation in conservation and maintenance the attributes of the Outstanding Universal Value of World Heritage Sites.

The information highlights the efforts of the Mexican Government towards the property's Outstanding Universal Value conservation.

The national authorities are operating a program to strengthen human resources and equipment in Law enforcement issues. During 2021 it is resulted in 21,556 inspections with seizure of 15 vessels and 172 fishing gear, equivalent to an accumulated length of 44,942 meters during 2021.

The recovery of abandoned fishing gear at sea has continued. It is a major impact activity in vaquita porpoise conservation due to its incidental entanglement. Between September 1, 2019 and September 30, 2021, 73,101 linear meters of fishing gear have been removed from the ocean in the Upper Gulf of California, with a progressive lower incidence.

The Mexican government maintains its comprehensive approach to socio-environmental problems, promoting law & regulations strengthening, alternative productive projects beyond fishing based on sustainability and promoting benefit of fishing communities, the re-composition of the social conditions and environmental governance. The above mentioned, in open dialogue; that includes main key actors, keeping focus on bioculturality. This dialogue is been strengthened since the installation of the Intragovernmental Group on Sustainability in the Upper Gulf of California (GIS).

Collaborative actions within the CITES framework are highlighted, such as meetings between international authorities involved in the illicit traffic of totoaba, international judicial cooperation such as the exchange of information on customs actions in different countries and through The International Criminal Police Organization INTERPOL such as the issuance of red, purple notices and eco-messages.

It is shown information about acoustic monitoring and vaquita sampling during 2021 in the Vaquita Refuge Area and the Zero Tolerance Zone.

The report includes activities that correspond to the whole of the Property. They are focused on the financing projects through two subsidy programs seeking balance between conservation and development of the communities within the Property. The Mexican government has continued strengthening social conditions, encouraging participation in productive and conservation activities.

In 2018 and 2021, the Permanent Management Effectiveness Assessment System was implemented. It is based on international standards, for the 12 protected natural areas included in the Islands and Protected Areas of the Gulf of California World Heritage Site. The assessment results are presented, as an important tool for the management of these areas, that allows the periodic and certified evaluation of the effectiveness in the management of these areas.

Our country respectfully acknowledges the position included in decision 44COM7A.56 to maintain the property on the List of World Heritage in Danger and remains attentive to the recommendations that arise as a result of the review and evaluation of this document by the World Heritage Committee. Likewise, it expresses its commitment to the full application of the principles of the Convention for the Protection of the World Natural and Cultural Heritage.

## **II. ATTENDANCE TO WORLD HERITAGE COMMITTEE REGARDING DECISION 44COM7A.56**

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44COM7A.56-1-2-3

The World Heritage Committee,

1. having examined Document WHC/21/44.COM/7A.Add,
2. recalling decision 43 COM 7B.26 adopted at its 43<sup>rd</sup> session (Bakú, 2019),
3. reiterates its utmost concern about the critical status of the vaquita population, specifically recognized as part of the property's Outstanding Universal Value (OUV) and endemic to the Gulf of California, and that illegal fishing of totoaba has continued in the Upper Gulf of California resulting in a threat of imminent extinction of the vaquita population;

The Government of Mexico presents this state of conservation report to the property Islands and Protected Areas of the Gulf of California according with the decisions: 43COM7B.86 (Baku, 2019) and 44COM7A.56 (Fuzhou, 2021) in which it is requested Mexico as a State Party to present, no later than February 1, 2022, an updated report of the property's conditions and the implementation of the recommendations agreed.

A key element for the Government of Mexico during the present administration is to direct benefits to fishing communities, through the solution to their immediate needs, in alignment with development policies towards sustainability and under conservation criteria of all wildlife species in the terrestrial and marine ecosystems within the Upper Gulf of California.

The authorities responsible for the law enforcement have focused a dissuasive profile, as well as direct actions to fight against corruption. The priority is to restore social conditions and raise awareness towards sustainable development in the medium term.

The Mexican Government is respectful to the international community opinions and is open to the constructive dialogue to join efforts.

44COM7A.56-4

4. [The World Heritage Committee] notes that no updated information has been provided regarding the remaining vaquita population and therefore requests the State Party to cooperate with the International Committee for the Recovery of the Vaquita (CIRVA) to update the current estimate and transmit this information to the World Heritage Centre;

### **2021 Acoustic monitoring and sampling of the vaquita population**

The acoustic monitoring project was developed by the Center for Science and Advanced Studies of Ensenada (CICESE) with resources in the amount of two million pesos from the Program for the Restoration of Ecosystems and Priority Species, conducted by the National Commission of Natural Protected Areas.

This project is carried out in the Refuge Area for the Protection of the Vaquita during the months of June to September. This year, 59 acoustic detectors were deployed according to the model designed since 2011, with which 23 acoustic encounters were achieved in three sites, which are very close to each other, and focused on the southern area of the Refuge.

A second acoustic sampling was conducted in the Cero Tolerance Area during the months of October and November, with 89 devices deployed in 29 sampling sites, with which 24 acoustic encounters in 10 sites were obtained.

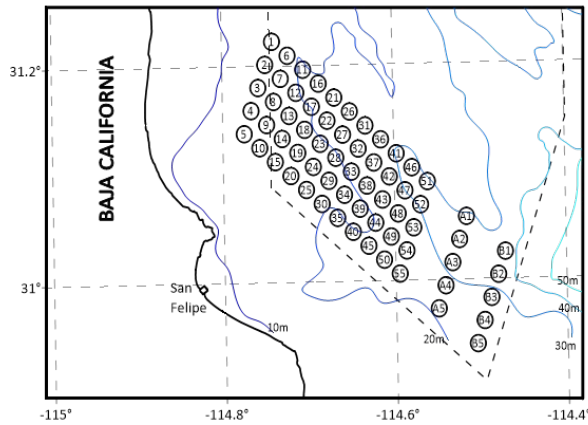


Fig. 1. Acoustic devises deployed in the Zero Tolerance Zone

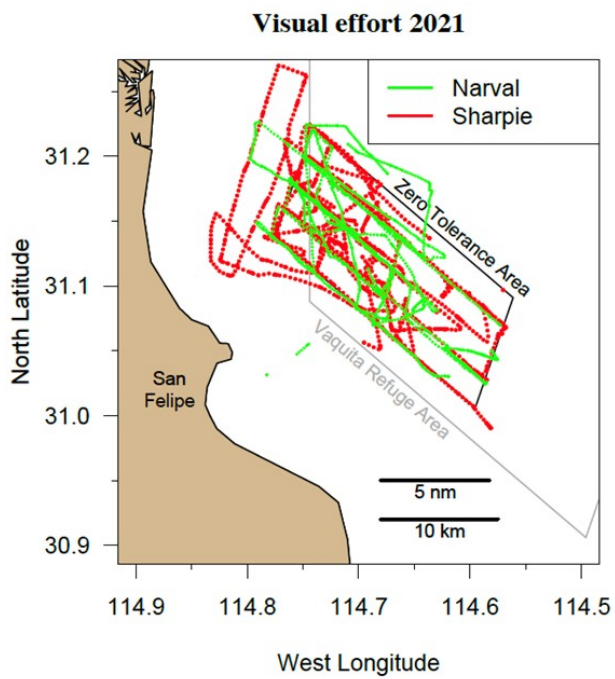


Fig. 2. Track lines followed during the survey onboard M/V Sharpie (red lines) and R/V Narval (green lines). Vaquita Refuge is delineated with a gray line and the Zero Tolerance Area is delineated with a black line.

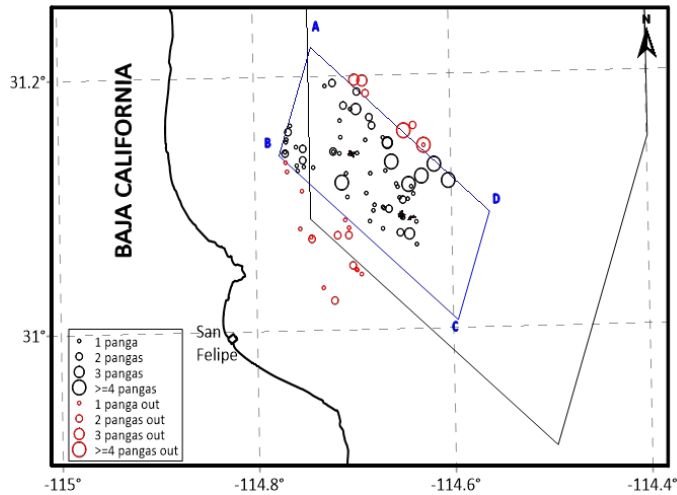


Fig 3. Panga count from within Zero Tolerance Area (blue polygon, vertices with letters). Red arrows represent the position and direction of bow of vessel at the times of counting. Black circles show the position of the counted pangas observed inside ZTA. Red circles show pangas observed outside the ZTA.

#### Research cruise 2021

Furthermore, between October 17th and November 3rd a research cruise with the vessels *El Narval* of the Whale Museum and *Sharpie* from Sea Shepherd Conservation Society was developed. The research was focused on the Zero Tolerance Zone, with the participation of seventeen observers with experienced in tracking down and counting vaquitas and acoustic monitoring as well. There were only five full days when the wind was low enough (level 2 or less on the Beaufort scale) to sight and track the species of interest. The total number of unique vaquitas sighted (including calves), was eight individuals, with a 78% probability of sighting between six and ten.

Due to the windy days, it was not possible to approach the vaquitas to obtain photographs of sufficient quality to use in photo-identification processes under the mark-recapture population sampling methods. The animals observed seemed to have a good body condition with the typical mobility of healthy organisms.

#### Expert elicitation method

Due to the sampling problems faced during 2019, an Experts Elicitation Method (EEM) was used to estimate the number of unique vaquitas and calves observed in the Zero Tolerance Area. The purpose of an EEM is to build up a probability distribution that objectively represents the knowledge and opinions of an expert or groups of experts on a certain problem. It is very important to note that the probability distributions obtained from the EE exercise, are not an estimate of population abundance, but rather an estimate of the total number

of different individuals (or calves) observed during the cruise, which represents an estimate of the minimum size of the population as of October 2021.

The EE exercise was carried out during a video-workshop during two and a half days, facilitated by experts in this methodology from the University of Saint Andrews, Scotland.

#### Results: Number of Vaquitas Sighted

Experts agreed that there was an almost equal chance that one or two calves would be observed, with the median value being 1.5. There was no chance that no calves had been observed (zero value) and a very small chance that three had been observed.

Regarding the total number of unique vaquitas sighted, it was estimated that the number observed, with a probability of 0.78, was between six and 10 animals. The median of the distribution obtained for the total number of animals sighted was eight.

The vaquita cruise, including national and international observers, as well as the operating costs of the vessels used, was financed by the Museo de la Ballena, Sea Shepherd Conservation Society, and other private donors, through the Cetacean Action Treasury. The Southwest Fisheries Science Center presented the necessary equipment for the visual study.

In 2019, the last CIRVA Report was published, and until the closing of this document, the CIRVA has not submitted any report with the aforementioned results.

44COM7A.56-5

5. [The World Heritage Committee] welcomes the efforts by the State Party to use the mechanism of the List of World Heritage in Danger to strengthen international cooperation to fight illegal international trafficking of totoaba products and to continue a dialogue with the States Parties that are transit and destination countries for illegal totoaba products, including within the framework of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES);

#### **Collaboration under CITES framework**

The Government of Mexico is aware that international cooperation must be the central strategy to solve this problem. Which, although it occurs within Mexican sovereignty due to the conservation of the vaquita marina, an endemic species of the Upper Gulf of California, has aspects and determinants of a multinational nature, particularly related to the totoaba poaching. Therefore, it is necessary to recognize the illicit trade of the totoaba swim bladder in Asian markets as the main factor that affects the survival of the species due to it causes the presence

of gillnets in its distribution area, in order to maintain multinational cooperation effectively.

Mexico, as a member of CITES, has complied with the commitments assumed through decisions 18,292 to 18,295 adopted at the Eighteenth meeting of the Conference of the Parties (CoP 18), held from August 17 to 28, 2019 (Geneva, Switzerland) in response to the issue of international trafficking of totoaba. In this sense, the corresponding mid-term (every 6 months) and exhaustive reports have been delivered, in a timely manner, the most recent being the second exhaustive report 2021 (annex 1) proactively delivered to the Executive Secretariat to the Convention on December 6, 2021, with the objective of showing the actions taken and the results got for the protection and conservation of the vaquita porpoise (*Phocoena sinus*) as well as fighting against the capture and illegal trafficking of the totoaba (*Totoaba macdonaldi*).

In compliance with Decision 18.294-a), the CITES Secretariat convened the States Parties for the meeting of the States of capture, transit and consumers of totoaba, carried out through videoconference on October 18, 19, 20 and 22, 2021. The event aimed to assess the progress made to combat illegal totoaba fishing, eliminate the supply and demand for totoaba specimens of illegal origin, and review measures to prevent their illegal trade. As a result of the meeting, the CITES States Parties China, Japan, Mexico, USA and Vietnam achieved agreements on joint actions aimed at inhibiting totoaba poaching.

Following up on these agreements, on November 19, 2021, representatives of the Mexican Federal Attorney for Environmental Protection (PROFEPA) met with representatives of INTERPOL. There was an offer to access online databases and to strengthen it with information on seizures and arrests of suspected criminals.

### **Cooperation with Hong Kong customs**

Under the Memorandum of Understanding among Hong Kong Customs Department and Mexican Tax Service about mutual cooperation and assistance in customs matters, there is a continuous information exchange on totoaba issue. This information is useful on intelligence to prevent and combat products transit far beyond Mexican boundaries, as it is described below.

### **International judicial cooperation**

From September 2019 to October 2021, four criminal complaints were filed in which international trafficking networks of totoaba from Mexico are allegedly involved.

The first complaint (June 19, 2020) refers to the seizure of 160 kilograms of fresh totoaba maw, carried out on June 4, 2020 at the Hong Kong airport. The product was mixed with frozen fish fillets with the route Los Angeles, USA, to Hong Kong, China. The investigation file is in the initial investigation stage.

The second complaint (August 27, 2020), is a seizure of 161 totoaba swim bladders weighing approximately 19 kilograms, detected by the customs authorities of Taiwan with an estimated value of \$900,000 USD. The seizure occurred between July 28 and August 12, 2020. The investigation file is in the initial investigation stage.

The third complaint (November 25, 2020), is related to the illicit sale of totoaba in a Chinese store, located in Vancouver, Canada. The investigation file is in the initial investigation stage.

The fourth complaint (July 28, 2021) refers to the seizure made on July 26, 2021 of 14.4 kilograms of totoaba maw mixed with dried fish fillets with the Chinese route (Hanoi) to Vietnam, at the Hong Kong airport customs. It is valued in \$ 415,000.00 USD.

Based on these actions, the exchange of information among the National Central Bureau of INTERPOL Hong Kong and the Prosecutor's Specialized Office in Organized Crime (FEMDO), of the Prosecutor General's Office of the Republic through the NCB-INTERPOL-Mexico, is carried out.

### **Cooperation based on Interpol**

Mexico published two red notices on March 8, 2021 through the INTERPOL National Central Bureau (control numbers A-1974/3-2021 & A-1982/3-2021). They included information about the main priority objectives regarding crimes against environment. Subsequently, a purple notification was issued on June 23, 2021, (control number P-1128 / 6-2021), regarding a crime against the environment in the form of possession of the *Totoaba Macdonaldi* fish bladder. This alert constitutes a warning to the 195 member countries of INTERPOL, including Mexico, regarding the covering observed, for their illicit traffic.

Also, there were two ecomessages as follow.

a) On March 11, 2020, related to the discovery of two suitcases at the Mexico City International Airport, which contained various parts of specimens with characteristics of the Totoaba.

b) On January 22, 2021, on the arrest of 10 people, related to crimes against the environment in Mexicali, Baja California, with the opening of an investigation file.

These actions are a direct tool of INTERPOL in order to promote the analysis of information related to global environmental crimes.

44COM7A.56-6

6. [The World Heritage Committee] also welcomes the ongoing inter-institutional efforts aimed at fighting illegal fishing activities in the Upper Gulf of California and illegal trafficking of totoaba products, but notes with concern

that the volume of illegally extracted totoaba products remains high, and also requests the State Party to further strengthen these efforts based on a critical assessment of the efficiency of the current efforts on how to improve them;

### Inspection & surveillance strengthening

In order to develop and strengthen surveillance and inspection actions in the Northern Gulf of California, ensuring compliance to national legal framework, the National State Ministry of the Navy (SEMAR), in November 2020, modified its scheme of operations in the region. There were increased human and material resources in Naval Sectors of San Felipe, State of Baja California and Puerto Peñasco, State of Sonora. In general, the human resources deployed and the resources used are shown in the following chart.

Chart 1

Resources available	San Felipe	Puerto Peñasco	Total
Infantry	121	188	<b>309</b>
Oceanic patrol	1	1	<b>2</b>
Interception patrol	3	3	<b>6</b>
Defender speedboats	2	2	<b>4</b>
Small speedboats	2	4	<b>6</b>
Helicopters	1	0	<b>1</b>
Airplanes	1	0	<b>1</b>
Land vehicles	7	8	<b>15</b>
Non-crew aerial vehicles & drones	1	2	<b>3</b>

The personnel and vehicles are available throughout the year in order to carry out various inspection and surveillance actions for the protection and conservation of wildlife species in the Upper Gulf ecosystems, mainly the totoaba and the vaquita porpoise.

The security actions are carried out under a dissuasive approach to avoid illicit acts in which the participating authorities are specialized. This is based on an inter-institutional strategy with the main goal of *non-stop* until the illegal fishing of totoaba is eradicated. The following stand out.

- Ocean rounds on oceanic patrols, interception patrols, defender speedboats and small speedboats.
- Land-in rounds crewed by navy infantry elements on pick-ups & commander vehicles.
- Air rounds on airplanes, helicopters and drones.
- Check points in docks to review fishing vessels in San Felipe, Baja California and Golfo de Santa Clara, Sonora.
- Check points in roads to review vehicles.

The main inland geographic impact of these actions is determined as below.

In land, focused on San Felipe y Tijuana, Baja California, Golfo de Santa Clara, San Luis Río Colorado y Puerto Peñasco, Sonora.

In ocean, focused on the Biosphere Reserve Upper Gulf of California and Colorado River Delta, the Vaquita Refuge Area and mainly the Zero Tolerance zone, in which there is the wider historic detection of vaquita species.

Furthermore, on December 9, 2021, the General Administration of Customs (AGA) officials were trained by the Federal Attorney for Environmental Protection (PROFEPA) through the "**Identification of the Totoaba Practical Course**" which strengthened their capabilities in the effective identification of the morphology of this species. The course was carried out at the Customs Office of the Mexico City International Airport and was transmitted remote conference to the country's customs. There was an effective rating of more than 200 officials.

For the year 2022, the training of canine pairs for the detection of totoaba is foreseen, especially in Customs where illicit traffic has been detected.

### **Ocean rounds**

The personnel of Mexican Navy (SEMAR), the National Aquaculture and Fisheries Commission (CONAPESCA) and Federal Attorney for Environmental Protection (PROFEPA) are coordinated rounding in the Refuge Area for the Protection of the Vaquita Marina and the Zero Tolerance Zone. The purpose is to keep order & rule of law at sea, keeping out any boat, as well as avoiding prohibited fishing. Also, there is a permanent retrieval of all abandoned-ghost gillnets and inspection for the fulfillment of national fisheries and environmental regulations.

Ocean rounds trip average 40 to 60 nautical miles (74 to 110 kilometers) during daytime and nighttime hours.

From September 1, 2019 to September 30, 2021, were carried out 734 oceanic rounds. 568 of them were carried out exclusively by law enforcement authorities (SEMAR, CONAPESCA and PROFEPA) and 166 with the participation of civil society organizations, as shown in the following plot.

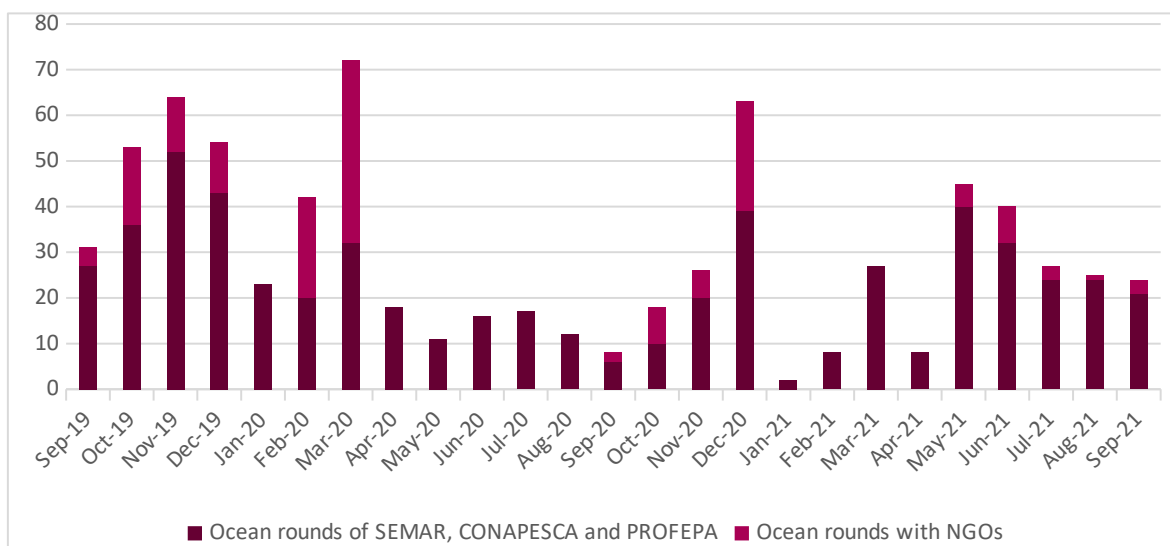


Fig. 4. Inspection & surveillance ocean round trips carried out from September 1, 2019 to September 30, 2021.

### Inland rounds

They are carried out simultaneously to the oceanic rounds. The personnel of SEMAR, CONAPESCA and PROFEPA are coordinated with other civil and military authorities such as the National Defense Ministry (SEDENA) and the National Guard (GN). The rounds are as wide as the north and south coasts of San Felipe. These actions avoid illegal fishing, deter clandestine loading and unloading sites and recover gillnets on beaches. Also, the authorities detect irregularities to environmental & wildlife legal framework. There are average 80 to 120 km traveled daily on highways, paths, side-roads, fishing traditional docks and beaches.

From September 1, 2019 to September 30, 2021, 460 inland rounds were carried out as shown in the following graph.

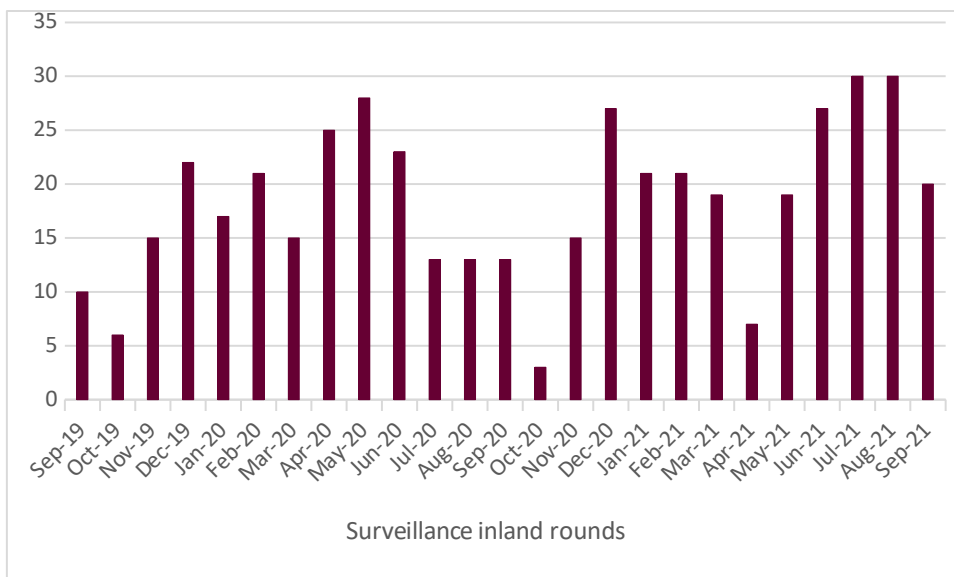


Fig. 5. Inland rounds carried out from September 1, 2019 to September 30, 2021.

### Air rounds

The air rounds are performed by specially trained personnel. They overfly ocean and inland key zones gaining a wider view of the fishing vessels and land vehicles movements. This information leads the priorities of oceanic and inland rounds to increase in-field law enforcement actions.

### Check points in unloading docks

The inspections of vessels at the loading and unloading points in beaches are carried out daily in San Felipe, Baja California and Puerto Peñasco, Sonora. SEMAR, PROFEPA and CONAPESCA personnel participate in these actions.

The main objective is to look at legal documentation such as fishing permits, concessions or fishing authorizations, and to aware crew members of small fishing vessels, as users of the biosphere reserve, of the bans established in the Zero Tolerance Zone and the Vaquita Refuge Area. Vessels and fishing products are also checked to ensure that they do not contain specimens, parts or derivatives of wildlife species listed in any category of risk according national regulations.

From September 1, 2019 to September 30, 2021, 944 check up were carried out, 8,088 vessels were verified, as shows the following chart.

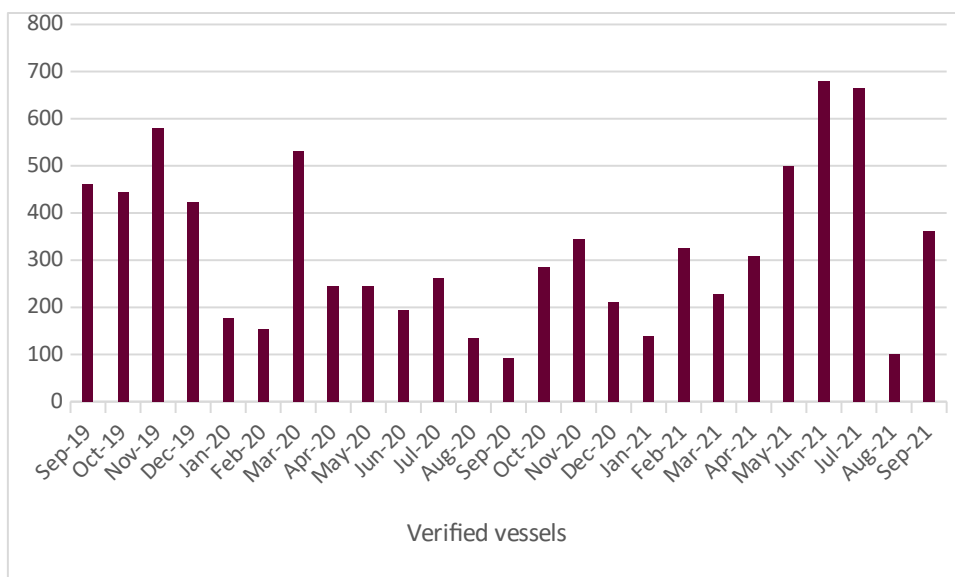


Fig. 6. Verified vessels in check points from September 1, 2019 to September 30, 2021.

### Vehicles' check up

The check points are leaded by SEDENA and PROFEPA. They are established in 14 strategic sites in the communities El Chinerito, El Chinerito, San Felipe y Puertecitos. They are focused on detecting wildlife ban species or products.

From September 1, 2019 to September 30, 2021, there were 409 check points established where 1,319 vehicles were verified.

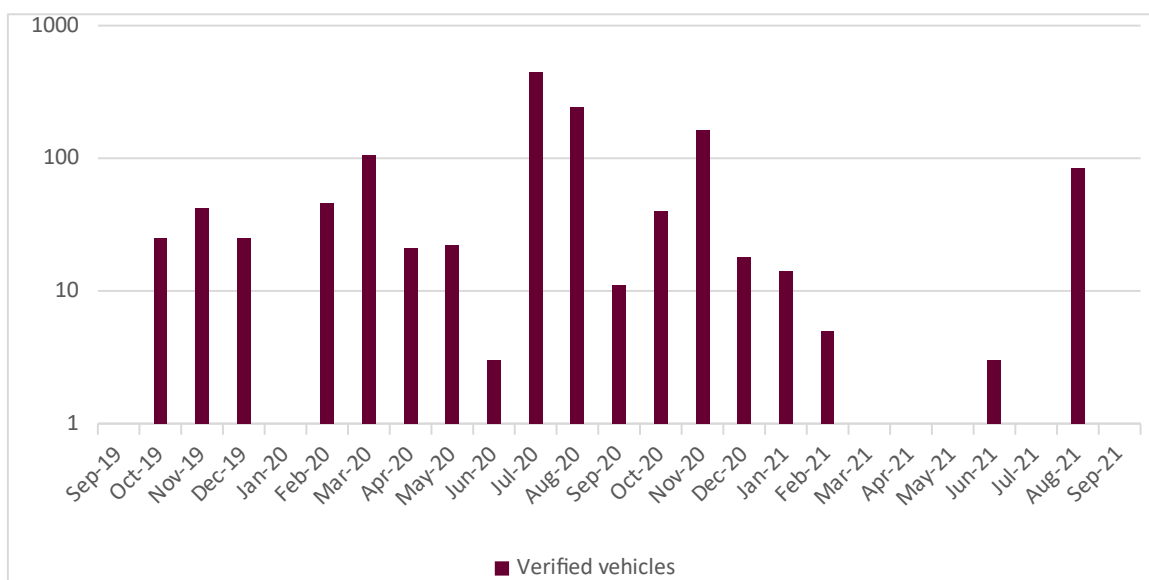


Fig. 7. Verified vehicles. The information is shown at logarithmic scale for a wider view of the data.

Considering the information above, the results gained during 2021 are the following.

Chart 2

2021 Results	Inspections	Seizure
Vessels	540	0
Small scale fishing boats	5,129	15
Land vehicles	2,284	0
Persons	8,280	5
Fishing facilities	15	0
Fishing gear		172
Fishing gear length		43,942

The above mentioned actions include the assistance of SEDENA army personnel and National Guard civil authority. These institutions also contribute in the “ghost-gillnets” retrieval operations.

It is important to state that the inspection and surveillance actions are also performed in the whole of the Gulf of California permanently. They seek to increase environment law enforcement and sustainable development in the region.

In fisheries matters, from September 2020 to September 2021, 36 inspection reports were drawn up, whose procedural status is 12 in the initiation stage of the procedure, 01 in the “evidence-showing” period, 09 in the period of allegations and 14 have a resolution. Likewise, from September 1, 2019 to September 30, 2021, 1,587 land surveillance tours were carried out in which 356 fishing gear were precautionarily retained. 62 prevention talks were also held with the fishing sector and the precautionary retention of 45.74 tons of fishery product was carried out.

### Crime processing follow up

From January 01, 2020 to November 30, 2021, there were 40 crime investigation files opened; 09 of these were advanced to judiciary stage and 02 were suspended and conditioned to environmental damage redress.

44COM7A.56-7

7. [The World Heritage Committee] also notes the reported information on new fisheries regulations that have been approved in September 2020, which, if

enforced, could have the potential to reduce totoaba poaching and vaquita bycatch, as well as the concerns that the State Party has not fully implemented the regulations and has failed to enforce them; and further requests the State Party to provide further information in this regard;

### **Regulations against crime framework strengthening**

In order to strengthen the legal framework to deter environmental crime, in March 2020, Mexican government drew up an initiative to reform Mexican Constitution article 19, so that crimes committed against the environment and environmental management regarding threatened wildlife traffic could be processed as serious crime and merit preventive imprisonment<sup>1</sup>.

Hence above, the Congress wrote a Law project to modify article 420, part IV, of the Federal Penalty Code, among others to increase from 5 to 15 years-prison and 5000 to 25000 salary days penalty fee as crime is involving the fish species *Totoaba macdonaldi*<sup>2</sup>.

Regarding organized crime, on February 21, 2021, there was established the modification of the Federal Penalty Code (article 420) to add from 5 to 10 years-prison and 3000 to 6000 salary days penalty fee if organized crime conducts (as described in part IV of article 420 and part X of article 2 of Organized Crime Law) against totoaba are proved.

### **Administrative regulations framework strengthening**

Since September 1, 2019, the Mexican State has published various regulatory instruments to order fishing activities in the Upper Gulf of California. It is important to highlight the “Framework Agreement” and the complementary regulatory instruments, as described below.

*AGREEMENT that regulates gear, systems, methods, techniques and schedules for carrying out fishing activities with smaller and larger vessels in Mexican Marine Zones in the Northern Gulf of California and establishes landing sites, as well as the use of monitoring systems for such vessels*<sup>3</sup>

This document was published on September 24, 2020. It establishes a gillnet ban zone and zero tolerance zone within the vaquita refuge area in addition to the restrictions previously established in the Biosphere Reserve Upper Gulf of California and Colorado River Delta.

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1 Initiative to modify Mexican Constitution article 19, pages 413-440:

<http://gaceta.diputados.gob.mx/PDF/64/2020/abr/20200428-I-1.pdf>

2 Congress project to modify Federal Penalty Code in environment crime issues:

<http://gaceta.diputados.gob.mx/Gaceta/64/2020/mar/20200303-V.html#Iniciativas>

3 Published in the Federal Official Daily News on September 24,

2020: [https://www.dof.gob.mx/nota\\_detalle.php?codigo=5601153&fecha=24/09/2020](https://www.dof.gob.mx/nota_detalle.php?codigo=5601153&fecha=24/09/2020)

It also permanently bans the use of gillnets, including those made of monofilament or multifilament nylon thread, or any modification of them, including gear actively or passively operated to carry out fishing activities in the limited marine area. These gillnets may not be:

- Used in any fishing activity, nor deployed, nor recovered for that purpose or any other purpose, nor contained on board a vessel or in possession within the limited marine area;
- Transported in that marine area and in a perimeter of 10 kilometers around it by any means, including land or air, or between any city, town, community or fishing unloading field;
- Manufactured, owned, sold or transported, in the limited marine area, nor in the cities, towns, "ejidos" (sort of agricultural municipality), communities and / or fishing unloading fields surrounding it.

The Agreement also establishes the responsibilities for fishing vessels to inform CONAPESCA about any interaction with marine mammals, to report the loss or misplacement of fishing gear during their fishing activities. And have a monitoring system, installed and working, with the technology and characteristics that are determined in the corresponding fishing concessions or permits.

Additionally, the agreement indicates 8 authorized sites for departure and arrival, where the vessels are inspected.

In the zero tolerance area, navigation or transit to any type of vessel is totally prohibited and it is noted that the use or transport of any fishing gear and vessel will be seized by the responsible authorities.

The Agreement also refers to coordination between the responsible authorities in the area to increase their efficiency and effectiveness.

*GUIDELINES to organize and operate the Intragovernmental Group on Sustainability in the Upper Gulf of California (GIS)*<sup>4</sup>

These guidelines were published on January 15, 2021, and direct organizing and defining the operation of the "Intragovernmental Group on Sustainability in the Upper Gulf of California" (GIS), a body in charge of analyzing, defining, coordinating, supervising and evaluating actions and strategies regarding compliance with the "Agreement" and to explore alternative and complementary mechanisms of cooperation and collaboration with other responsible bodies, as well as to recommend actions that allow compliance with the "Agreement".

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4 Published in the Federal Official Daily News on 15/01/2021: [http://dof.gob.mx/nota\\_detalle.php?codigo=5609927&fecha=15/01/2021](http://dof.gob.mx/nota_detalle.php?codigo=5609927&fecha=15/01/2021)

*GUIDELINES for the Collaboration Group (GCAL) on the application of the Agreement regulating gear, systems, methods, techniques and schedules for carrying out fishing activities with small and large vessels in Mexican marine areas in the northern Gulf of California and establishes landing sites, as well as the use of monitoring systems for such vessels*<sup>5</sup>

It was published on January 18, 2021 as an information exchange instrument through GCAL among government bodies, non-government organizations and international entities.

*PLAN of Zero Tolerance in the Vaquita Refuge Area*<sup>6</sup>

It was published on January 20, 2021. Its objectives are to develop and strengthen surveillance and inspection actions in the Northern Gulf of California that substantially improve the protection of the vaquita porpoise, as well as prevent and inhibit the illegal traffic of totoaba products and its derivatives. Also, enforcing fishing and environment legal matters.

The document promotes the coordination among agencies involved in inspection and surveillance (SEMAR, CONAPESCA and PROFEPA), as well as the exchange of information within the GIS member government bodies. It also defines supervisory actions such as the verification of vessel monitoring systems and suggests international exchange of information, particularly with the United States of America.

*AGREEMENT establishing the indicators, triggers and predetermined actions, in accordance with article 17 of the Agreement regulating gear, systems, methods, techniques and schedules for carrying out fishing activities with small and large vessels in Mexican marine areas in the northern Gulf of California and landing sites are established, as well as the use of monitoring systems for such vessels, published on September 24, 2020*<sup>7</sup>

It was published on July 9, 2021. Its objective is to set action criteria for the authorities based on alleged criminal conduct, as well as the application of additional preventive measures to those established in the Agreement of September 24, 2020. Its implementation depends on the detection of unauthorized vessels in the Zero Tolerance Zone (Zo) and the number of nets recovered per day in the Zo. In the case of this document, on September 29, 2021, an informative workshop called "Triggers for closure of fishing in the Upper Gulf of California" was carried out, in which the fishing sector were aware of the procedure guidelines for the responsible authorities.

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5 Published in the Federal Official Daily News on 18/01/2021:

[https://www.dof.gob.mx/nota\\_detalle.php?codigo=5609966&fecha=18/01/2021](https://www.dof.gob.mx/nota_detalle.php?codigo=5609966&fecha=18/01/2021)

6 Published in the Federal Official Daily News on 20/01/2021:

[https://www.dof.gob.mx/nota\\_detalle.php?codigo=5610105&fecha=20/01/2021](https://www.dof.gob.mx/nota_detalle.php?codigo=5610105&fecha=20/01/2021)

7 Published in the Federal Official Daily News on 09/07/2021: [http://dof.gob.mx/nota\\_detalle.php?codigo=5623442&fecha=09/07/2021](http://dof.gob.mx/nota_detalle.php?codigo=5623442&fecha=09/07/2021)

*AGREEMENT establishing the report format on any interaction with marine mammals and / or loss and / or misplacement of fishing gear during fishing activities, in Mexican marine areas in the Northern Gulf of California<sup>8</sup>*

It was published on December 8, 2021. The document facilitates the delivery of information by the fishing communities of the Upper Gulf of California to the authorities regarding contact with groups or specimens of free-living marine mammals in the wild during the fishing operations. It is expected that knowledge about the incidental capture of vaquita in the area derived from fishing practices will be considerably updated.

The institutional efforts made by the Government of Mexico, aimed at combating illegal fishing activities in the Upper Gulf of California, have yielded important results in seizure of illegal products. This means that programs & policies have positive effects. The actions performed by several institutions operating various law & regulation instruments in terms of their own responsibilities are resulting in inter-institutional strategies with a clear common goal.

The legal instruments published in 2021, complementary to the Agreement of Sep/24/20, together comprise a strengthened “legal-body”. Its operation based on the dissuasive focus has been fundamental for the restoration of the social conditions, promoting trust & environment-governance among citizens and authorities in the Upper Gulf of California region.

It is necessary to maintain a focus on the biological conservation of the Upper Gulf ecosystem as a whole, in order to preserve the vaquita porpoise. The policies established in this regard, based on the current regulatory framework, consider the fight against poaching of totoaba, at the same time that they promote the benefit and participation of the affected communities, as well as the integration of efforts of interested sectors, such as civil society, academics and scientific researchers.

Considering that time is essential in this matter, it is worth mentioning that it is necessary to give a chance on the initial implementation of the recently published instruments, in order to identify their efficiency and subsequently proceed to the progressive and permanent improvement optimizing the success in its operation.

The actions described in the inspection and surveillance section of this document reflect the commitment of the Mexican Government to dedicate its best efforts towards obtaining favorable results in the implementation of the current legal framework.

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<sup>8</sup> Published in the Federal Official Daily News on 08/12/2021:  
[http://www.dof.gob.mx/nota\\_detalle.php?codigo=5637600&fecha=08/12/2021](http://www.dof.gob.mx/nota_detalle.php?codigo=5637600&fecha=08/12/2021)

44COM7A.56-8

8. [The World Heritage Committee] further welcomes that ongoing “ghost net” retrieval efforts, including through collaboration with civil society organizations, have been formalized, but expresses concern that a large number of ghost nets continues to be found, that the ghost nets retrieval activities have been concentrated in the so called “zero tolerance zone”, but that no further information has been provided on how effective the zone has been and that net retrieval operations remain suspended since December 2020, while the totoaba illegal fishing season is underway;

### **Ghost-nets retrieval**

Based on the assumption that the presence of gillnets in the vaquita's distribution area constitute the greatest threat to its conservation, the programs for the recovery of abandoned ghost-fishing gear in areas maritime areas of the Upper Gulf of California are continuous and permanent.

The nets retrieval is carried out during the maritime and land rounds of the SEMAR, CONAPESCA and PROFEPA officials. On June 23, 2021, the Federal Government authorities signed a collaboration agreement with non-government organizations to jointly participate in gillnets removal activities. The signing of this legal instrument increases the certainty and legal validity of the actions carried out by the participating institutions. This ordinance will be in force for the rest of the present administration (Sep/ 30/24).

Thus, during September 1, 2019 and September 30, 2021, a total amount of 384 gillnets have been recovered, with a total length of 73,101 meters. The following graph highlights that in recent months the number of retrieved ghost nets has decreased, although the number of daily maritime routes has remained the same. The above suggests that there are fewer abandoned fishing gear in the area.

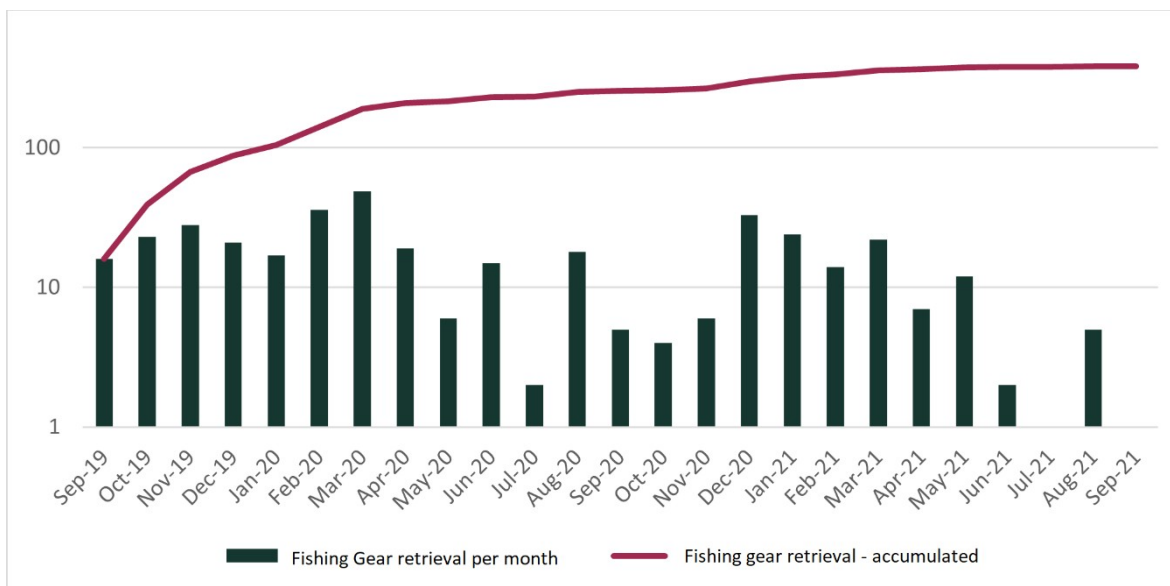


Fig. 8. Number of retrieved fishing gear. The information is in logarithmic scale to show monthly and accumulate numbers together.

The next graph shows that the length of fishing gear recovered is almost constant, in exception on September to November, when there are changes in fishing activity.

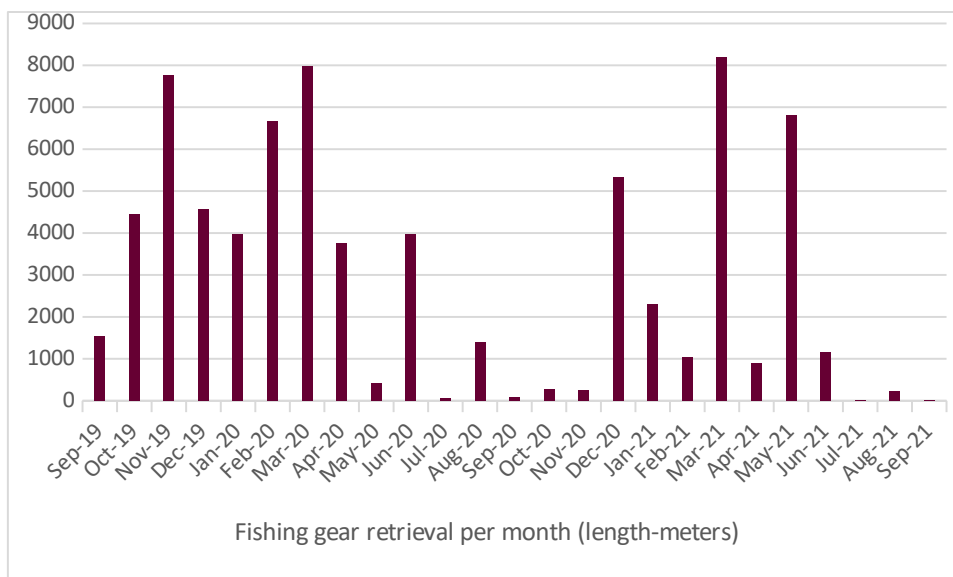


Fig. 9. Length of gillnets recovered (meters) from September 2019 to September 2021.

During May-to-October season, there is no gillnet found in the Zero tolerance zone. This could be understood as a positive result, considering that the zone is actually fishing gear free.

The fishing gear retrieved are moved to army-SEMAR headquarters in San Felipe, Baja California to proceed on their final destiny (wreckage).

44COM7A.56-9

9. Taking note of the confirmation provided by the State Party that alternative vaquita safe fishing gear is already available for a number of fisheries and has been provided to interested fishers, [The World Heritage Committee] requests furthermore the State Party to continue these efforts and to confirm the scale of deployment of alternative fishing gear across the fishing communities of the Upper Gulf of California;

### **Responsible fishing & sustainability**

The Government of Mexico maintains its commitment in promoting sustainable fisheries, so it continues on implementing fishing systems that do not interact with species at risk in the Upper Gulf of California. Following UNESCO recommendations, alternative fishing systems have been developed and tested.

INAPESCA, the National Fisheries Institute, has successfully developed alternative fishing gear systems that avoid marine mammals, sharks & turtles bycatch in the Upper Gulf of California. This successful development is due to civil organizations The Marisla Foundation, The David and Lucile Packard Foundation, WWF, Pronatura (Noroeste) and Pesca ABC, that validate the results of scientific research.

Since 2016, Mexican Government, by INAPESCA promoted the Expert Committee on Fishing Technologies (ECOFT). The group has advised research projects and has concluded that “...already there are alternative fishing gears & methods that could substitute gillnets in the Upper Gulf, and there is no technical matter to keep the transition...”<sup>9</sup>.

The recently published regulatory instruments list the sustainable systems allowed for the Upper Gulf of California and all of them have research work and opinion from INAPESCA, supported by the ECOFT. Although the efficiency of alternative fishing systems against gill nets is debated, in the data collected in the investigations and tests carried out with the fishermen themselves, there is no difference in terms of efficiency compared to 200 meters-long gillnets.

By 2021, the fishing systems developed and adapted for the Upper Gulf include the suripera-net and the RSINP-MX trawl net for catching shrimp; traps for capturing different species of fish; trawl for milkfish; system of artisanal closure and multi-lines for sawfish. By 2022, it is intended to develop and implement a pilot program to test and improve the fishing system in two lines: 1) artisanal purse-seine and; 2) “lamp-net”, and thus continue with the development of alternative fishing systems for curvine fish.

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<sup>9</sup> Herrera, Y, Sanjurjo E. and Glass, C. (2017). A comprehensive review of the research on alternative gear to gillnets in the Upper Gulf of California (2004 – 2016). Expert Committee on Fishing Technology (ECOFT). Working paper num. 1: 35pp.

So far, for the capture of curvine, the construction and/or modification of artisanal seine-nets has been carried out. The designed net distinguishes itself by being 90% polyethylene cloth and 10% multifilament polyamide nylon. In the net building, observations such as mesh size, thread diameter, type of net cloth, length and height of the net, length of reinforcement (coefficient of reinforcement), size and floating capacity were discussed.

In 2021, there were some sea-trials of the new nets for the Gulf of Santa Clara, Sonora, and for San Felipe, Baja California. In both places, the net was maneuvered by groups of fishermen, who for years have dedicated themselves to this fishery. As results of the tests, in both zones, it was observed that the catch is possible. The net remained on the surface as expected, and the length and height for fishing were met. It is worth mentioning that associated species were not captured nor wildlife under risk categories.

For San Felipe, Baja California, two sea-trials were carried out with reports of the presence and capture of curvine. As results of the testing, the first trial got 80 and 500 kg of catch in two rounds. The second trial got 481 kg of curvine. It is worth mentioning that associated species were not captured and no protected species were observed.

It is expected to continue with the construction activities and sea trials in which fishermen participate, even during curvine fishing season. This, in addition to lamp-type net suggested the Food and Agriculture Organization (FAO).

### **Alternative production efforts**

Regarding to productive diversification and social and economic development in the Upper Gulf of California, INAPESCA, during 2021, continued with the development of its technology transfer projects. Through the project "Development and validation of Technologies for the Bivalve Molluscs culture in producing areas of Mexico", the objective is to formulate technological packages for bivalve molluscs culture in Baja California and Sonora.

To date, for the state of Baja California, the installation of lines for oysters (*Crassostrea gigas*) has been carried out based on the system called Australian baskets. This system will be tested, with the main purpose of generating technological packages for regional producers. Likewise, the installation of chione clam (*Chione sp*) culture systems has been carried out. In Sonora State, the oyster growth testing was carried out, comparing Nestier-type (farming system used in "sea-women oyster and clam cooperative producing society) baskets vs. Australian baskets.

The second project involves producing native bivalves of the Natural Protected Area and capacity building to the producers regarding technology transfer for aquaculture.

There were 25 courses in San Felipe and Gulf of Santa Clara. Also, there were hand out some oyster "seed" to establish *Crassostrea gigas* farming systems in

Sonora and Baja California. In both cases, the productive units were established in association with cooperative fishermen. There were packages related with 3 different clams (*Panopea generosa*, *Panopea globosa* and *Atrina maura*) too.

Regarding wildlife totoaba population, INAPESCA has stated with certainty that it is in good size for fishing. So now the challenge is to establish sustainable fisheries as the Institute has recommended in 18 technical opinions.

44COM7A.56-10

10. [The World Heritage Committee] notes with satisfaction the dialogue between the State Party, the World Heritage Centre and IUCN regarding the development of a set of corrective measures and requests moreover the State Party to submit the final proposal with its next report on the state of conservation of the property, taking into account the comments provided by the World Heritage Centre and IUCN;

11. [The World Heritage Committee] Welcomes furthermore the establishment of a technical working group for the development of a Desired state of conservation for the removal of the property from the List of World Heritage in Danger (DSOCR) and urges the State Party to expedite the process, in cooperation with the World Heritage Centre and IUCN, including by organizing a technical workshop with participation of the World Heritage Centre, IUCN, including its Species Survival Commission, and CIRVA;

### **Corrective measures**

1. Strengthen law enforcement efficiency through increased surveillance and inspection, continuing and further strengthening inter-institutional cooperation in this field.

2. Introduce the necessary legislative changes to increase the penalties foreseen for illegal traffic, capture, possession, import and export of wildlife species, parts and products considered, threatened, endangered or specially protected and/or regulated under Mexican national law, or by international treaties adopted by the State Party of Mexico; and strengthen criminal prosecution procedures.

3. Further strengthen detection and elimination of illegal and derelict fishing gear found in the Vaquita Refuge and the Zero Tolerance Area, in coordination with relevant stakeholders, fishing communities and cooperatives.

4. Effectively implement the permanent ban on the use of gill nets (including the sale, manufacturing, or possession of all gill nets on land and at sea) in the Vaquita Refuge and the entire distribution range of the species.

5. Pursue, at the highest level of government, the necessary and urgent cooperation with the identified destination and transit countries involved in the illegal trade of totoaba, swim bladders, in particular the United States of America and China, through the implementation of the Decisions made by CITES and through other existing international mechanisms, such as INTERPOL.

6. Ensure the large scale roll out of alternative fishing gear systems which do not cause entanglement of vaquita and other protected species already developed by CONAPESCA/INAPESCA in the Upper Gulf of California by providing appropriate incentives and accompanying measures; and develop and promote sustainable fisheries based on environmentally friendly fishing gear throughout the entire Property.

#### **a) Progress achieved**

The aforementioned measures are pending approval by the World Heritage Committee. Notwithstanding the foregoing, the Mexican government is developing the programs and public policies necessary for compliance as soon as possible, with the term of the current administration as a medium-term horizon and assuming a continued commitment to facilitate the recovery of the population of vaquita porpoise.

#### **b) Corrective measures timeframes suitability**

The policies and programs implemented by the Mexican government in order to achieve the corrective measures are immediate. Likewise, it seeks to gain short-term (annual) and medium-term results (at the end of the present administration, ending 2024.) with the possibility of long-term continuity.

#### **c) Progress achieved towards the Desired state of conservation for the removal of the property from the List of World Heritage in Danger (DSOCR)**

The Desired State of Conservation Report of the property is under development stage with the support of various national and international technical bodies and it is hoped that a version will be available for approval by the World Heritage Committee as soon as possible. Last february 24 and 25, 2022 there was a Technical Workshop to prepare the DSOCR. The WHC authorities, IUCN and other civil society organizations participated in this useful drafting exercise.

44COM7A.56-12-13

12. Finally, [The World Heritage Committee] requests the State Party to submit to the World Heritage Centre, by 1 February 2022, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 45th session;

13. [The World Heritage Committee] decides to retain Islands and Protected Areas of the Gulf of California (Mexico) on the List of World Heritage in Danger.

#### **SOC-Report 2022**

This document observes the main objective to report the UNESCO-World Heritage Committee the conditions and state-of-conservation of the World Heritage property "Islands & Protected areas of the Gulf of California", in accordance to the decision 44 COM 7A.56 (Fuzhou, China, 2021).

It also contains information on the efforts of the Government of Mexico dedicated to the conservation of the Outstanding Universal Value of the property. This, understanding that the insular and coastal ecosystems of the Gulf of California are connected with the marine ecosystems in terms of their functioning patterns and evolutionary processes; also recognizing the importance of focusing surveillance attention on the sites where there are more endangered species towards extinction, such as the vaquita porpoise. This species is key to conservation of the landscape under the natural heritage of humanity focus.

In July 2019, the Government of Mexico accepted the inscription of the Site "Islands and Protected Areas of the Gulf of California" in the List of World Heritage in Danger considering that it is a mechanism of the Convention to strengthen international cooperation in conservation and maintenance the attributes of the Outstanding Universal Value of World Heritage Sites. Our country respectfully acknowledges the position included in decision 44COM7A.56 to keep the site on this List and remains attentive to the evaluation of this SOC-Report by the responsible authorities. Likewise, it expresses its commitment on the full observance of the World Heritage Convention principles.

### **Conservation and monitoring actions in the Property**

In order to seek a balance between conservation and development of the communities that are part of the Property, the Mexican government has continued to strengthen the social structure, encouraging participation in all productive and conservation activities.

In this sense, we continue to promote studies, productive projects and training through different programs, in coordination with the three levels of government and in collaboration with Civil Society Organizations, thus contributing significantly to the economy of the communities that are part of the Property, through the generation of sources of employment and conservation alternatives.

In the 2020-2021 period, various actions were carried out aimed at maintaining the attributes of the Property and its Outstanding Universal Value, developed within the 12 elements that integrate the Serial Property through two budgetary programs, the Conservation Program for Sustainable Development (PROCOCODES) and its components: technical studies; projects; training courses; environmental contingency brigades and, the Program for the Protection and Restoration of Ecosystems and Priority Species (PROREST) with its components of Technical Studies for the Management of Natural Protected Areas; community conservation in Natural Protected Areas with resources amounting to \$41,369,551 MXN (Includes operating expenses of the area) in 274 supports, corresponding to the 2020 and 2021 fiscal years. The development of these

programs in greater detail is described in the document referred to as Annex 2 of this document.

### Conservation for Sustainable Development Program (PROCOCODES)

The objective of PROCOCODES is to promote the sustainable use of natural resources and biodiversity by women and men living in Natural Protected Areas and their areas of influence, taking into account the 12 elements of the Serial Property, for social development and provides direct support for its implementation through the following four components:

Chart 3.

Component	Objective	Population eligible for support
Technical studies	Promote the elaboration of technical studies that allow women and men living in the organized groups; ejidos or localities settled in the Natural Protected Areas and their zones of influence to plan, program and execute sustainable activities.	Women and men 18 years of age or older, who are part of organized groups; ejidos or communities and legal persons, who are owners, possessors, usufructuaries or users of the natural resources included in the localities of the municipalities of the Natural Protected Areas and their zones of influence (Rules of Operation).
Projects	Promote the sustainable use of biodiversity and natural resources through the development of sustainable productive activities, as well as restoration and conservation projects for productive purposes.	Women and men 18 years of age or older, who are part of organized groups; ejidos or communities and legal persons, who are owners, possessors, usufructuaries or users of the natural resources included in the localities of the municipalities of the Natural Protected Areas and their zones of influence (Rules of Operation).
Training courses	Promote the training of women and men who live in the localities settled in the Natural Protected Areas and their areas of influence for the sustainable use of natural resources.	Women and men 18 years of age or older, who are part of organized groups; ejidos or communities and legal persons, who are owners, possessors, usufructuaries or users of the natural resources

		included in the localities of the municipalities of the Natural Protected Areas and their zones of influence (Rules of Operation).
Environmental Contingency Brigades	Prevent, mitigate and restore risk situations derived from the presence of environmental contingencies that endanger the integrity of one or several ecosystems.	Community brigades composed of at least eight people, men and/or women over 18 years of age, who must be trained in the subject matter in question by the corresponding institution.

The total investment authorized in PROCODES for the 2020-2021 period was \$14,510,806 MXN. In 2020, a total amount of \$6,254,500 MXN was spent through 60 supports that benefited 658 people, while in 2021, \$8,256,306 MXN was applied, benefiting 897 people with the execution of 83 projects.

Chart 4.

Procodes investment 2020-2021 in the Property IPAGC						
	2020			2021		
Element	Supports	Beneficiaries	Budget (MXN)	Supports	Beneficiaries	Budget (MXN)
Islands of the Gulf of California Flora and Fauna Protected Area, - Baja California	1	18	\$40,000	1	10	\$150,000
Islands of the Gulf of California FFPA – Baja California Sur	5	50	\$709,500	6	64	\$403,700
Islands of the Gulf of California FFPA, - Sonora	13	135	\$1,000,000	9	97	\$845,000
Islands of the Gulf of California FFPA - Sinaloa	9	101	\$1,090,000	15	173	\$1,230,000
Upper Gulf of California and Colorado River Delta –	15	161	\$1,190,000	33	348	\$3,561,606

Biosphere Reserve						
Isla San Pedro Mártir Biosphere Reserve	4	42	\$340,000	5	58	\$400,000
Bahía de Loreto National Park	1	11	\$150,000	3	36	\$525,000
Cabo Pulmo National Park	6	68	\$1,000,000	3	30	\$500,000
Cabo San Lucas Flora and Fauna Protected Area	--	--	--	1	10	\$75,000
Islas Mariás Biosphere Reserve	--	--	--	--	--	--
Isla Isabel National Park	5	62	\$460,000	4	40	\$435,000
Archipelago of San Lorenzo National Park	--	--	--	2	21	\$56,000
Islas Marietas National Park	1	10	\$275,000	--	--	--
Balandra Zone of Ecological Conservation and Community Interes	--	--	--	1	10	\$75,000
<b>TOTAL</b>	<b>60</b>	<b>658</b>	<b>\$6,254,500</b>	<b>83</b>	<b>897</b>	<b>\$8,256,306</b>

### Program for the Protection and Restoration of Ecosystems and Priority Species (PROREST)

In the conservation of biological diversity inside and outside the Natural Protected Areas, considering the 12 elements of the Serial Property, it is essential to promote and count on the participation and involvement of the communities settled there, as well as the academic sector. It is also essential to create synergies and coordinate complementary activities among the agencies of the Federal Public Administration.

In this sense, the National Commission of Natural Protected Areas (CONANP), through the Program for the Protection and Restoration of Ecosystems and Species at Risk (PROREST), promotes the conservation and restoration of representative ecosystems of Natural Protected Areas, as well as the protection

and conservation of their biodiversity through the support of technical studies and actions for the management of the territory of these areas and their priority species with the direct and effective participation of the local population.

PROREST provides direct support for its implementation through the following two components:

Chart 5.

Component	Objective	Population eligible for support
Technical studies for the management of Natural Protected Areas.	Promote technical studies for the effective management of Natural Protected Areas under Federal jurisdiction.	Mexican higher education and/or research institutions and research centers, with national or regional representativeness, legally constituted, that are not for profit.
Community Conservation in Natural Protected Areas	Promote the direct and effective participation of the local population in actions for the prevention, protection and restoration of ecosystems and their biodiversity in natural protected areas and their zones of influence, in such a way that economic opportunities are generated for their inhabitants.	Women and men of 18 years of age or older who are part of organized groups that are not constituted as legal entities; as well as Ejidos and Communities that live in localities of the municipalities that comprise the Natural Protected Areas and their Zones of Influence.

The funds authorized for PROREST for 2020-2021 were \$26,858,745 MXN. The \$14,604,728 MXN budget granted for 2020 was used for 49 supports with 792 beneficiaries. In 2021, \$12,254,017 MXN was applied, benefiting 1,073 people through 82 projects under the Community Conservation in NPA Component.

Chart 6.

PROREST Investment 2020-2021 in the Property IPAGC						
	2020			2021		
	Supports	Beneficiaries	Budget (MXN)	Supports	Beneficiaries	Budget (MXN)
Islands of the Gulf	---	---	---	---	---	---

of California Flora and Fauna Protected Area - Baja California						
Islands of the Gulf of California FFPA -Baja California Sur	6	65	\$1,969,086	7	74	\$1,464,837
Islands of the Gulf of California FFPA-Sonora	7	94	\$1,708,500	8	89	\$1,563,502
Islands of the Gulf of California FFPA-Sinaloa	5	48	\$1,320,000	5	48	\$888,005
Upper Gulf of California and Colorado River Delta BR	8	206	\$2,898,800	37*	562*	\$4,673,402
Isla San Pedro Mártir BR	2	23	\$599,834	6*	51*	\$843,746
Bahía de Loreto NP	6	91	\$1,721,879	6	80	\$832,627
Cabo Pulmo NP	3	38	\$1,433,776	5	48	\$947,944
Cabo San Lucas FFPA	1	133	\$212,953	3	24	\$174,207
Islas Marías BR	1	10	\$600,000	---	---	---
Isla Isabel NP	3	26	\$268,200	5	46	\$287,769
Archipelago of San Lorenzo NP	---	---	---	---	---	---
Islas Marietas NP	1	10	\$240,000	---	---	---

Balandra ZECCI	6	48	\$1,631,700	5	51	\$577,978
TOTAL	49	792	\$14,604,728	82	1,073	\$12,254,017

\* According to the guidelines established for executing PROREST, there are two types of beneficiaries: legal entities, which correspond to higher education and/or research institutions and Mexican research centers with national or regional representativeness, legally constituted, non-profit organizations that carry out actions or studies for the dissemination, research, protection, and conservation of ecosystems and their biodiversity; and natural persons who are women and men of 18 years of age or older of Mexican nationality, who conform organized groups that are not constituted as legal entities; as well as Ejidos and Communities, who live in localities of the municipalities that comprise the Natural Protected Areas and their Zones of Influence. In the case of Upper Gulf of California and Colorado River Delta BR, \$1,612,500 MXN was spent on two projects with two beneficiaries as legal entities; and for Isla San Pedro Mártir BR, \$187,500 MXN was spent on a project that benefited one legal entity. The remaining support was provided to individuals.

### **Evaluation of the Management Effectiveness of the Natural Protected Areas of the Heritage Property *i*-effectiveness.**

In 2018 and 2021, the Permanent Management Effectiveness Evaluation System of the natural protected areas included in the World Heritage Property Islands and Protected Areas of the Gulf of California was implemented.

The system consists of five Components: 1) Context and Planning, 2) Administrative and Financial, 3) Uses and Benefits, 4) Governance and Social Participation, and 5) Management. It has a total of 48 indicators, of which 30 correspond to the Management Effectiveness Tracking Tool (METT) and the remaining 18 to the methodologies of the Enhancing our Heritage Toolkit - Assessing management effectiveness of natural World Heritage sites, the IUCN Green List Global Standard and the NSW State Parks System, Australia. Its application yields an effectiveness index and five sub-indexes, one for each component. The following score ranges were established and assigned traffic light codes, so that the system calculates numerically and assigns the color of the corresponding traffic light, based on the programming of the algorithms established in the formulas.

Chart 7.

NPA	Effectiveness Index	Context and Planning Subindex	Administrative and Financial Subindex	Uses and Benefits Subindex	Governance and Social Participation Subindex	Management Subindex
<b>Islands of the Gulf of California FFPA</b>	69 highly effective management	64 highly effective management	56 partially effective management	79 highly effective management	87 management with outstanding effectiveness	68 highly effective management
<b>El Vizcaíno BR</b>	63 highly effective management	56 partially effective management	61 highly effective management	57 partially effective management	70 highly effective management	68 highly effective management
<b>Cabo Pulmo NP</b>	76 highly effective management	64 highly effective management	38 ineffective management	90 management with outstanding effectiveness	100 management with outstanding effectiveness	94 management with outstanding effectiveness
<b>Bahía de Loreto NP</b>	85 management with outstanding effectiveness	71 highly effective management	71 highly effective management	100 management with outstanding effectiveness	90 management with outstanding effectiveness	99 management with outstanding effectiveness
<b>Balandra FFPA (ZECCI)</b>	54 partially effective management	49 partially effective management	42 partially effective management	81 management with outstanding effectiveness	77 highly effective management	44 highly effective management
<b>Cabo San Lucas FFPA</b>	34 ineffective management	38 ineffective management	39 ineffective management	48 partially effective management	33 ineffective management	23 ineffective management
<b>Archipelago of San Lorenzo NP</b>	54 partially effective management	72 highly effective management	47 partially effective management	48 partially effective management	60 highly effective management	52 partially effective management
<b>Upper Gulf of California Colorado River Delta BR</b>	57 partially effective management	57 partially effective management	42 partially effective management	67 highly effective management	70 highly effective management	56 partially effective management

NPA	Effectiveness Index	Context and Planning Subindex	Administrative and Financial Subindex	Uses and Benefits Subindex	Governance and Social Participation Subindex	Management Subindex
Isla San Pedro Mártir BR	66 highly effective management	64 highly effective management	55 partially effective management	76 highly effective management	53 partially effective management	78 highly effective management
Isla Isabel NP	63 highly effective management	63 highly effective management	67 highly effective management	57 partially effective management	37 ineffective management	70 highly effective management
Marietas NP	67 highly effective management	66 highly effective management	39 ineffective management	90 management with outstanding effectiveness	90 management with outstanding effectiveness	67 highly effective management
Islas Marías BR	37 ineffective management	50 partially effective management	15 No elements to evaluate management effectiveness	39 ineffective management	52 partially effective management	15 No elements to evaluate management effectiveness

i-effectiveness		
Grade	Range	Color code
Outstanding	80 to 100 points	
High	60 to 79 points	
Medium	40 to 59 points	
Low	20 to 39 points	
Not enough for evaluation	0 to 19 points	

Fig 10. Table of numerical rating ranges and traffic lights

The main strength of the i-effectiveness system are the sources of verifications that support the values of each of the indicators. The 12 natural protected areas considered in the World Heritage Property have implemented 2 effectiveness evaluations, one in 2018 with the following results:

### **Effectiveness Index and Subindexes for each of the Components,**

#### **i-effectiveness 2018**

The main general strengths detected were:

- ▶ Natural and cultural values are prioritized and threats detected.
- ▶ NPAs produce economic benefits for local communities, through subsidy programs and sustainable activities.
- ▶ They promote and train service providers to offer activities in accordance with the objectives for the creation of the area, respect applicable regulations, and are sustainable.
- ▶ Local communities, resident or close to the NPA, actively participate in management decisions, within and outside the governance structure, such as the Advisory Council.
- ▶ Activities and programs are promoted to improve the benefits to local communities, always in accordance with the objectives and conservation of the values of the NPAs, train users, and promote environmental education.

The main general areas of opportunity were:

- It is of the utmost relevance to strengthen the administrative and financial Component for all NPAs and the effective management of external resources.
- Promote the generation of updated information on priority natural and cultural resources, as well as their monitoring.
- Strengthen governance and social participation mechanisms.

It is worth mentioning that the National Commission of Natural Protected Areas began in 2014 its participation in the initiative of the International Union for Conservation of Nature (IUCN) the Green List of Protected and Conserved Areas proposing two protected areas that already had effectiveness evaluation with the Pomeroy How is your MPA doing methodology, the Archipelago Espíritu Santo Marine Zone National Park, located in Baja California Sur and the San Pedro Mártir Island Biosphere Reserve, in Sonora. During 2018, an institutional effort was carried out to certify these areas in the Green List, under an international standard of effective management, with 50 indicators, being achieved in 2018 and 2019 respectively.

At the end of 2019, IUCN is requested to register the Bahía de Loreto and Cabo Pulmo National Parks and the El Vizcaino Biosphere Reserve on the Green List, and in 2021 the Green List Expert Group of Advisors (EAGL) was going to carry out the evaluation of the two National Parks. However the decision of the Green List Committee was postponed, as a result of changes in the governance structure of the IUCN, the decision of the Green List Committee is pending, as well as the evaluation of El Vizcaino Biosphere Reserve by the EAGL group, since due to the pandemic the on-site visit has not been scheduled.

In October 2021, the second evaluation of the effectiveness, now online, began. Below are the preliminary results of some of the 12 NPAs that integrate the World Heritage Property Islands and Protected Areas of the Gulf of California, emphasizing that these are not yet the final results, since the review and validation phases of the evaluation group of the process and the detection of strengths and areas of opportunity are still pending.

Chart 8. Preliminary Results of the Management Effectiveness Evaluation (5 NPAs)

NPA	Effectiveness Index	Context and Planning Subindex	Administrative and Financial Subindex	Uses and Benefits Subindex	Governance and Social Participation Subindex	Management Subindex
El Vizcaíno BR	<b>83</b> Management with outstanding effectiveness	<b>96</b> Management with outstanding effectiveness	<b>61</b> Highly effective management	<b>78</b> Highly effective management	<b>87</b> Management with outstanding effectiveness	<b>93</b> Management with outstanding effectiveness
Archipelago of San Lorenzo NP	<b>65</b> Highly effective management	<b>98</b> Management with outstanding effectiveness	<b>56</b> Partially effective management	<b>78</b> Highly effective management	<b>67</b> Highly effective management	<b>39</b> Low effectiveness Management
Islands of the Gulf of California FFPA	<b>80</b> highly effective management	<b>92</b> management with outstanding effectiveness	<b>50</b> partially effective management	<b>86</b> management with outstanding effectiveness	<b>83</b> management with outstanding effectiveness	<b>83</b> management with outstanding effectiveness
Bahía de Loreto NP	<b>88</b> management with outstanding effectiveness	<b>93</b> management with outstanding effectiveness	<b>72</b> highly effective management	<b>95</b> management with outstanding effectiveness	<b>97</b> management with outstanding effectiveness	<b>85</b> management with outstanding effectiveness
Balandra- (ZECCI) FFPA	<b>63</b> highly effective management	<b>73</b> highly effective management	<b>53</b> partially effective management	<b>71</b> highly effective management	<b>67</b> highly effective management	<b>56</b> partially effective management

In September 2020 the i-effectiveness results were published in the Global Database on Protected Area Management Effectiveness (GD-PAME), which is the most comprehensive global database of protected areas management effectiveness (PAME). It indicates whether a protected area documented in the World Database on Protected Areas (WDPA) has been assessed. The GD-PAME is a searchable database that includes assessments submitted by a wide range of governmental and non-governmental organizations to UNEP-WCMC, which is updated monthly and can be reviewed at the following link: <https://pame.protectedplanet.net/>

Complete 2018 evaluation information is available at the following link: <https://simec.conanp.gob.mx/efectividad.php>

### ***III. OTHER CURRENT CONSERVATION ISSUES WHICH MAY HAVE AN IMPACT ON THE PROPERTY'S OUTSTANDING UNIVERSAL VALUE***

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#### **Intragovernmental Group on Sustainability in the Upper Gulf of California (GIS)**

Following the Agreement published on sep/24/20, GIS was set up on November 3<sup>rd</sup> 2020. Its main objective is to analyze, define, coordinate, monitor and assess the actions and strategies to operate the Agreement.

The whole of main offices and complementary institutions responsible, Secretary of Agriculture & Fisheries (SADER), Secretary of Navy (SEMAR) and Secretary of environment & Natural Resources (SEMARNAT) participate as members of this group. Other State Ministries are also collaborating, such as Economy, Taxing, Jobs, Social Security, Order, Well-being, Foreign affairs, and General Attorney in Law.

Since its installation, GIS held twice ordinary meetings and one extraordinary meeting. There were appropriate occasions for an open multisectoral dialogue. It was directed on searching sustainable solutions to the socioeconomic & environmental issues in the region and promote the natural adequate long term conditions for vaquita recovery.

The above mentioned actions, besides vaquita conservation, are focused in direct benefits to the communities that live in the Northern Gulf of California, especially the small scale fishing sector and including women as part of productive chains in this industry. Furthermore, it is been considered the participation of the Cucapáh indigenous group, that lives and uses natural resources from the natural protected area Biosphere Reserve Upper Gulf of California and Colorado River Delta.

In order to focus on the main GIS issues, there are three technical discussion tables: Environment, Production promotion and Law & Order. Each one of them has held regular meetings to solve questions that key actors like Congressmen, non-government organizations communities' representatives and fishermen asked about sustainability, economic development and legal order to the Mexican government.

The productivity promotion table, under the responsibility of the Ministry of Agriculture and Rural Development (SADER), analyzes the viability and promotes the development of productive fishing and non-fishing alternatives under a framework of sustainability.

The Law & Order table, under the leadership of SEMAR, addresses issues related to law enforcement and general matters regarding the authorities involved, under a deep respect for human rights.

The environmental technical table, coordinated by SEMARNAT, provides a discussion forum. It seeks solutions to monitoring, conservation, ecosystems and natural elements' concerns in the Upper Gulf of California.

The Environmental Sector also serves as the Presidency and Technical Secretariat of the GIS.

In this framework there are some specific programs in operation that contribute to the region's development.

SEMAR, as the leader in law enforcement, has maintained close coordination with the environmental (PROFEPA) and fisheries (CONAPESCA) authorities, as well as the criminal court instances (Federal Public Ministries and judicial authorities). This Ministry is responsible for the inspection and surveillance strengthening program, and keeps up a daily presence to combat the illicit trafficking of totoaba in the interest area.

The Environmental Sector, has maintained communication with other bodies, such as the Ministries of the Interior and Welfare, in order to align efforts for the development of a peace-keeping culture, drug addiction prevention and restoration of the social conditions in the small scale fishing sector. Thus, it is growing a positive social surrounding that allows maintaining the long-term conditions necessary for the recovery of the populations of the vaquita porpoise.

### **Other general considerations**

The most recent affectation of the populations of this marine mammal due to the illicit trafficking of totoaba swim bladders "fish maw" in Asian markets imperates collective international actions addressing this issue.

The social problem linked to the illicit traffic of totoaba's maw is broader than the environmental preservation of the area. Particularly from an economic development perspective. So, the Mexican government efforts remain focused on creating environmentally sustainable and resilient coastal communities recovering the social context in an environment of reactivation of fishing and other activities carried out sustainably.

The Government of Mexico has achieved close inter-institutional coordination that involves security, law enforcement, welfare and management authorities related to the environmental, fisheries, economic and social sectors of the Federal, State and Municipal levels to attempt preserving of this World Heritage Site at the same time that its communities are guided to sustainable development.

The main products of this effort are medium term; however, the actions are “day-by-day” particularly in monitoring for compliance with the Law. This coordinated effort is directed towards dissuasive actions and strengthening public awareness, without ruling out the obligation to act in punitive sense, in cases of flagrancy. Thus, the framework programs are supported by unprecedented wildlife budget.

The aforementioned, in addition to the active participation of civil society, has been fundamental to achieve preliminary results.

Finally, the Government of Mexico maintains a high priority bioculturality focus, understanding biological diversity and communities’ well-being at the same level of importance in social structures’ determination.

#### **IV. POTENTIAL MAJOR RESTORATIONS, ALTERATIONS AND/OR NEW CONSTRUCTIONS THAT MAY AFFECT THE OUTSTANDING UNIVERSAL VALUE OF THE PROPERTY**

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Up-to-date there is no infrastructure or any development that could mean a significant effect on the environment, ecosystems or its elements, according to the Mexican Law & regulations. Hence, there is no possibility of impact on the *Outstanding Universal Value* of the World heritage property “Islands & protected areas of the Gulf of California”.

#### **V. PUBLIC ACCESS TO THE STATE OF CONSERVATION REPORT**

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##### **Disclaimer on access to information**

The Mexican government has *no-inconvenience* on uploading for public access on the World Heritage Centre’s State of conservation Information System.

#### **VI. ANNEX DOCUMENTS**

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Annex 1. Second voluntarily comprehensive report in accordance with Decision 18.293, paragraph d) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Annex 2. Subsidy projects and actions developed in the property, 2020-2021  
(CONANP)

## World Heritage Property - Islands and Protected Areas of the Gulf of California (México-N 1182 ter)

### Desired State Of Conservation for the Removal of the property from the List of World Heritage in Danger (DSOCR)

Indicator	Rationale	Method of verification	Timeframe
1. Sustainable fisheries based on legal fishing gear systems that do not cause entanglement of marine mammals, sharks and turtles have been successfully adopted and modified as necessary in the property, the “Upper Gulf of California-Colorado River Delta Biosphere Reserve (marine portion)” in particular, in collaboration with the relevant stakeholders	<p>Without a transformation towards the use of sustainable fishing practices, the vaquita, which is an attribute to the property’s Outstanding Universal Value (OUV) will continue to be threatened throughout the property.</p> <p>Fishing gear which avoids bycatch has already been developed and tested in the area, and thus represents a valid alternative.</p> <p>However, there are many different fishing gears which are specific for sport-, subsistence-, and commercial fishing, for example. These gears are the result of technical analysis and consultation with communities and are based on documented trends in the sustainable use of the fish species that are authorized to be caught. Collaboration with the relevant stakeholders is thus extremely important.</p>	<ul style="list-style-type: none"> <li>- 99 to 100 % of fishers are using approved fishing gear (to be confirmed based on vessel monitoring, traceability cameras, community-based catch monitoring, and mandatory departure and landing inspections by local authorities).</li> <li>- Results of trials and independent validation from impartial gear experts are freely available online to support the utility and effectiveness of the proposed gear.</li> <li>- XX % of total landings from fishers are traceable seafood products.</li> <li>- Implementation results of the second Transitory Article of Sept 2020 Gillnet Exclusion Zone regulation: by March 2022 CONAPESCA should publish the “Special Program for Marking of Gear and Fishing Equipment for Small Vessels” that fish inside the GEZ.</li> </ul>	1 report per year.

Indicator	Rationale	Method of verification	Timeframe
2. As an attribute of the Outstanding Universal Value of the property, the vaquita species population is increasing for at least 5 years, individuals appear healthy, and are producing calves.	<p>Since the imminent extinction of the vaquita population was the primary reason for the “In Danger” listing, and since the vaquita is an attribute of the property’s OUV, progress toward the recovery of the vaquita species is essential.</p> <p>The vaquita population has decreased from more than 250 in 2005, when the property was inscribed on the World Heritage List, to about 10 remaining vaquita individuals in 2021.</p> <p>Scientists consider it is still possible to recover the vaquita population but it will take a very long time. For example, a recovery to 100 individuals (at an assumed growth rate of 4% per year) would take up to 60 years. A 50% increase in number from 10 to 15 vaquitas would take approximately 10 years at an assumed growth rate of 4% per year (although it is likely that a very small population will not grow at its maximum possible rate).</p>	<ul style="list-style-type: none"> <li>- There is a 95% probability of a positive trend in the vaquita species population, as evidenced from acoustic monitoring of the Vaquita Refuge with methods used from 2011-2018 with relative intense effort within the Zero Tolerance Area (ZTA) while vaquitas appear healthy and producing calves.</li> </ul>	1 report per year

Indicator	Rationale	Method of verification	Timeframe
3. The property is effectively protected from illegal fishing activities through enhanced (1) legislation, (2) regulations, (3) policies, (4) seizures of gillnets wherever they are encountered in the Upper Gulf of California – Colorado River Delta, (5) increased surveillance and (6) prosecution of illegal acts.	<p>The main objective of the enhanced legislation and increased surveillance and prosecution mentioned as an indicator is to eliminate gillnet fishing of protected species (including cetaceans, pinnipeds, marine turtles and other marine megafauna), including those carried out by organized crime, through active surveillance and inspection.</p> <p>In 2020-2021, the Government of Mexico published five new regulations (Acuerdos) that govern fishing-related activity in vaquita range. The Government's priority is on their implementation, considering enhanced law enforcement and prosecution of organized crime.</p>	<p>1) Legislation: Progress towards legal reforms concerning the increase in penalties so that alleged offender do not reach freedom and must carry out the process in prison.</p> <p>2) Regulations: Progress toward implementing the 2020-2021 regulations:</p> <ul style="list-style-type: none"> <li>- 100% of all small and large vessels in vaquita habitat have a fully operationalized vessel monitoring system (VMS) onboard, accessible in real time.</li> <li>- Reports of meetings of the Intergovernmental Group for Sustainability in the Upper Gulf of California;</li> </ul> <p>The following numbers have declined significantly and are approaching zero:</p> <ul style="list-style-type: none"> <li>- Incompliance with designated departure and landing sites</li> <li>- Incompliance with ban on night fishing</li> <li>- Number of pangas prevented from launching because of improper gear or permits</li> <li>- Number of permits revoked</li> <li>- Number of reports received of marine mammal interaction or lost fishing gear in the Upper Gulf of California</li> </ul> <p>3) Policy: The “non-confrontation policy” is adapted to allow for effective enforcement of the 2020-21 regulations and legislative reforms.</p> <p>4) Seizures of illegal gillnets: The following numbers have declined significantly and are approaching zero:</p> <ul style="list-style-type: none"> <li>- Dates and number of illegal gillnets seized on land and at sea have declined significantly and are approaching zero</li> <li>- Number of pangas checked</li> </ul>	1 report per year .

Indicator	Rationale	Method of verification	Timeframe
		<p>5) Increased surveillance:</p> <ul style="list-style-type: none"> <li>- Additional enforcement regarding inspection officers by Mexican government agencies: increasing surveillance task force, more presence in land, sea &amp; seaports, strengthening cooperation among authorities.</li> <li>- Number of illegal fishers and vessels found in the Zero Tolerance Area, Vaquita Refuge, Upper Gulf of California and Colorado River Delta Biosphere Reserve, and Gillnet Exclusion Zone (as determined through observation by sea and air).</li> <li>- Number of inspections of fishing vessels from embarkation and disembarkation locations (official and unofficial sites).</li> <li>- Number of occasions fisheries closures were triggered</li> </ul> <p>6) Prosecution of illegal acts: As evidence of increased surveillance and enforcement the following numbers have declined significantly and are approaching zero:</p> <ul style="list-style-type: none"> <li>- Number and type of sentences issued related to illegal fishing or totoaba trafficking in the Upper Gulf under relevant laws.</li> <li>- Number of guilty sentences.</li> <li>- Number of environment damage redress resolutions.</li> </ul>	

Indicator	Rationale	Method of verification	Timeframe
<p>4. The Vaquita Refuge and the “Upper Gulf of California - Colorado River Delta Biosphere Reserve (marine portion)” are free of illegal fishing gear, while the use, sale, possession, manufacture, and transport of gillnets has been eliminated, including among the surrounding communities.</p>	<p>The presence of gillnets in the vaquita distribution area constitutes one of the greatest threats to its conservation. Gillnets also threaten other marine mammals and sea turtles, which are all important attributes of the property’s OUV.</p> <p>Removal and destruction/recycling of illegal fishing gear (if efforts to prevent such gear from being deployed are not effective) is essential for the conservation of vaquitas.</p> <p>In the Vaquita Refuge, from October 2016 to April 2020 approximately 1,600 gillnets were removed.</p> <p>The Gillnet Exclusion Zone (GEZ), based on the current and historical range of the vaquita, was first established in Mexican government regulations (<i>Acuerdos</i>) on a two-year temporary basis in 2015, made permanent in 2017, and strengthened with additional restrictions in 2020. The 2020 regulation applied the scope of the gillnet ban beyond small-scale commercial fishing to all kinds of fishers (industrial and sport/recreational) and boaters and added various prohibitions and requirements on the use, sale, possession, manufacture and transport of gillnets.</p> <p>Yet gillnets continue to be used, illegally.</p> <p>Therefore, it is important to continue with this effort to reduce entanglement risk for vaquita, totoaba, marine mammals, turtles, fin fish, and other marine species, by removing abandoned ghost-fishing gear and by preventing its deployment in the first</p>	<p>1) The following numbers have declined significantly and are approaching zero:</p> <ul style="list-style-type: none"> <li>- Number of gillnetting found and destroyed (or recycled)</li> <li>- Number of active illegal nets removed from the gillnet exclusion zone by area (e.g. ZTA, Refuge, etc), fishing season, and trends in net removal number and length.</li> <li>- Number of derelict fishing gear retrieved from the gillnet exclusion zone by area (e.g. ZTA, Refuge, etc), fishing season, and trends in net removal number and length.</li> <li>- Number of gillnets detected aboard pangas (September 2020 regulation Articles 8 and 9) at mandatory departure and landing inspections by the State Party as well as voluntary community catch monitoring programs decreases in comparison to validated numbers of legal gear aboard. If the permanent gillnet ban is effectively implemented, the numbers should start out high (potentially hundreds per month) and decrease to near zero by the end of the time frame.</li> <li>- Number of gillnets seized/confiscated on land or voluntarily surrendered to CONAPESCA and numbers seized by State Party authorities. If the permanent gillnet ban is effectively implemented, the numbers should start out high (potentially hundreds per month) and decrease to near zero by the end of the time frame.</li> <li>- Number of pangas operating illegally.</li> </ul> <p>2) The joint programs with civil society and other parties to</p>	<p>1 report per year .</p>

Indicator	Rationale	Method of verification	Timeframe
	place.	<p>remove derelict and illegal fishing have resumed and are continuously taking place.</p> <p>3) At least 99% of pangas within the GEZ on a daily basis (averaged over each calendar month) are not using illegal gillnets, as predicted by the Vessel Monitoring System (VMS) which is required for all pangas since 2020. Reports could be compiled by the contractual company the State Party engages for implementation of the vessel monitoring requirement.</p> <p>4) Illegal gillnet use has decreased to less than 10 encountered illegal boats per day (calendar month average) within a two-year time frame. As evidenced by government surveillance and civil society partner observation by sea, land and air, in coordination with VMS data to identify illegal boats both at sea and departing and landing.</p>	
5. International cooperation is operating systematically to combat illegal totoaba poaching and trafficking.	Demand for totoaba is primarily driven by international markets. The international cooperation including through the regional and global institutional networks is therefore an essential element to combat totoaba poaching and trafficking.	<ul style="list-style-type: none"> <li>- Actions performed by Mexico in INTERPOL frame. Results of INTERPOL's Regional Investigative and Analytical Case Meeting (RIACM) on totoaba (CITES <u>Doc SC74 Doc. 28.5 Annex 4</u> section 1.1)</li> </ul>	1 report per year .



## World Heritage Property - Islands and Protected Areas of the Gulf of California (México-N 1182 ter) Desired State Of Conservation for the Removal of the property from the List of World Heritage in Danger (DSOCR)

### Annex 1. Corrective Measures

- 1. Strengthen law enforcement efficiency through increased surveillance and inspection, continuing and further strengthening inter-institutional cooperation in this field.*
- 2. Introduce the necessary legislative changes to increase the penalties foreseen for illegal traffic, capture, possession, import and export of wildlife species, parts and products, considered, threatened, endangered or specially protected and/or regulated under Mexican national law, or by international treaties adopted by the State Party of Mexico; and strengthen criminal prosecution procedures.*
- 3. Further strengthen detection and elimination of illegal and derelict fishing gear found in the Vaquita Refuge and the Zero Tolerance Area, in coordination with relevant stakeholders, fishing communities and cooperatives.*
- 4. Effectively implement the permanent ban on the use of gill nets (including the sale, manufacturing, or possession of all gill nets on land and at sea) in the Vaquita Refuge and the entire distribution range of the species.*
- 5. Pursue, at the highest level of government, the necessary and urgent cooperation with the identified destination and transit countries involved in the illegal trade of totoaba, swim bladders, in particular the United States of America and China, through the implementation of the Decisions made by the Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES) and through other existing international mechanisms, such as INTERPOL.*
- 6. Ensure the large scale roll out of alternative fishing gear systems which do not cause entanglement of vaquita and other protected species already developed by CONAPESCA/INAPESCA in the “Upper Gulf of California - Colorado River Delta (marine portion)” by providing appropriate incentives and accompanying measures; and develop and promote sustainable fisheries based on environmental friendly fishing gear throughout the entire Property.*

## ANNEX 2

### SUBSIDY PROJECTS AND ACTIONS CARRIED OUT IN THE WORLD HERITAGE PROPERTY, 2020-2021 (CONANP)

The actions undertaken in 2020 and 2021 in each of the elements that comprise the Property are detailed below:

#### ISLANDS OF THE GULF OF CALIFORNIA FLORA AND FAUNA PROTECTED AREA (Baja California)

The actions undertaken in the Flora and Fauna Protection Area (FFPA) Islands of the Gulf of California- Baja California, element of the Serial Property Islands and Protected Areas of the Gulf of California were:

#### PROCOCODES

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (pesos MNX)	Support	Beneficiaries	Amount (pesos MNX)
ISLANDS OF THE GULF OF CALIFORNIA FFPA, (B.C.)	Project				1	10	150,000
	Training course	1	18	40,000			

In 2020, a conversational English course was given to improve communication between service providers and foreign visitors and to improve the services provided to them, including relevant information about the natural protected area. The project was promoted by a group of tourism service providers and the monitoring group Mujeres con Alas, with the participation of 10 people.

In the same year, support was given to the Ecological Sanitation Project (Sanitation of Terrestrial Ecosystems) in the Puertecitos community. This project involved the collection of solid waste on the islands, covering a total area of 35 hectares on the beaches of the San Luis Gonzaga Archipelago.

In 2021, the area received resources for \$150,000 MXN, through Conservation for Sustainable Development Program PROCODES for the execution of the Solid Waste Management project, with particular attention to the collection of nets and fishing gear abandoned on the beaches and around the islands and the acquisition of a boat for the provision of ecotourism services.

## **ISLANDS OF THE GULF OF CALIFORNIA FLORA AND FAUNA PROTECTED AREA (Baja California Sur)**

### **PROCODES Y PROREST 2020**

In 2020, the PROCODES and PROREST programs granted financial resources for the implementation of 11 projects for the communities settled within the islands and in the zone of influence, directly benefiting 115 people from different communities that are part of the zone of influence of the areas.

With support from PROCODES, five productive projects, technical studies and training courses were carried out, benefiting 50 people, while the PROREST budget supported six ecological restoration projects and community surveillance and monitoring, benefiting 65 people (Table 1).

Table 1. Type of projects supported through the PROCODES and PROREST budget programs in 2020.

PROGRAM	COMPONENT/SUPPORT CONCEPT	OBJECTIVES OF THE SUPPORTS
PROCODES	Productive project	Construction of 4 rustic tourist cabins (50 m2), in addition to the construction of pergolas to 2 cabins already built, in the community of San Evaristo.
PROCODES	Technical study	Caracterizar geomorfológica y sedimentológicamente 8 playas de Espíritu Santo. Identificar zonas relevantes de reclutamiento de especies arrecifales y proponer un reordenamiento de actividades
PROCODES	Training course	Conocer la importancia de los ecosistemas que se encuentran en Isla Cerralvo y su zona de influencia, así como su conservación para un uso sustentable del NPA
PROREST	Ecological restoration	Protect 34 km of sea turtle nesting beaches on the islands of

		Cerralvo and its areas of influence, Espiritu Santo and San Jose, and clean up 100 ha of ecosystems and 80 km of beaches and seabed in Espiritu Santo..
PROREST	Community surveillance and monitoring	Monitor activities in 104,000 ha of the Gulf of California from San José Island to the bay of La Paz, in addition to monitoring species such as sea lions and their entanglement and sea turtles.

### Biological Monitoring

Biological monitoring of birds, turtles, fish and invertebrates, and black hare is conducted in the area.

#### Birds

During the period January-June 2020, seabird monitoring was conducted around the Espiritu Santo Archipelago, Merito and Gaviota islets and banding of the species *Larus livens*, *Pelecanus occidentalis*, *Oceanodroma melania* and *O. microsoma*.

As a result of the monitoring, a total of 13,643 adult individuals belonging to the 27 species of marine, aquatic, and terrestrial birds were recorded: in addition to 882 juveniles of *Fregata magnificens* and *Pelecanus occidentalis*.

The three most abundant species were *Fregata magnificens*, *Pelecanus occidentalis* and *Larus livens*, with 4,188, 4,108 and 2,463 individuals respectively.

From July to December 2020, the monitoring of birds around the coastline of the Espiritu Santo Archipelago continued, and the annual monitoring of fish and invertebrates and black hare (*Lepus insularis*) began systematically from 2021.

As a result of the bird census, a total of 21,341 individuals belonging to 38 species of marine and aquatic birds and two terrestrial species (crows and auras) were recorded.

The adult category was the most represented with 18,005 individuals; in the juvenile category, 3,336 individuals of *Fregata magnificens* and *Pelecanus occidentalis* were counted.

#### Turtle Monitoring

In 2020, 162 turtles were captured for tagging, 126 black turtles (*Chelonia mydas*) and 36 hawksbill turtles (*Eretmochelys imbricata*). There were also 51 recaptures, 26 black turtles and 25 hawksbill turtles.

### *Fish and invertebrates*

Rocky reefs, rocky reefs with hexacorals and artificial reefs in the area were monitored; fish and invertebrates were counted and their size was estimated.

### *Black hare*

The monitoring of the species aims to gather information on the current status of the black hare (*Lepus insularis*) population in different habitats of the Espiritu Santo Archipelago,

In the first half of 2020, 12 carcasses or remains of *L. insularis* were found, four of which were analyzed by personnel from the National Service for Food Safety and Quality (SENASICA), resulting positive for EHVC, remains collected in El Cardonal and La Partida.

Monthly monitoring of the species was planned for 2021, considering the possible risk of transmission and contagion to the only hare endemic to the Archipelago due to the rabbit viral hemorrhagic disease (RHD) that is affecting wild rabbits and hares (Leporidae) in the State.

### Training

In 2020, a course was given with the participation of six members of the NPA staff, prior to the banding of the nestlings.

On the other hand, personnel from the UABCS Reef Fauna Laboratory provided theoretical and practical training to NPA staff for monitoring fish and invertebrates.

### Surveillance

Based on the information recorded by park rangers, the database of reports and complaints filed by personnel on surveillance and monitoring commissions in the NPA in 2020, 368 supervisory tours were conducted where 956 tourist service providers' boats, 258 private boats, 37 sport fishing boats, 26 commercial fishing boats, and 29 tourist camps were registered; the number of visitors totaled 11,663 visitors. An operation was carried out in coordination with PROFEPA in response to complaints filed by the area's Directorate, resulting in an inspection report.

### Biological Monitoring

In 2021, monitoring of birds, Espiritu Santo black hare (*L. insularis*), corals, Guadalupe fur seal (*Arctocephalus philippii townsendi*), sea turtles (*Chelonia mydas*, *Eretmochelys imbricata*, *Lepidochelys olivacea*) continued.

### Birds

In the first half of 2021, monitoring of marine and aquatic birds was conducted in the surroundings of the Espiritu Santo Archipelago, Merito and Gaviota islets, and

for the banding of the species *Larus livens*, *Pelecanus occidentalis*, *Oceanodroma melania* and *O. microsoma*.

As a result, a total of 16,751 individuals belonging to 32 species of seabirds, waterfowl, and landbird species were recorded.

Of the 16,751 individuals, 13,846 are adults, 2,843 juveniles and 929 chicks of the species *Fregata magnificens*, *Larus livens* and *Pelecanus occidentalis*.

For bird banding, between April and June, a total of 100 chicks of *P. occidentalis*, 134 chicks of *L. livens*, as well as 88 individuals of *Oceanodroma melania* and 87 of *O. microsoma* were banded. Nineteen petrels banded in previous years were also recaptured, four of *O. melania* and 15 of *O. microsoma*.

#### Black hare

Monthly monitoring of the Espiritu Santo black hare (*Lepus insularis*) was carried out, and the number of individuals observed and the locality are presented in the table.

No.	Locality	Dry Season (January-june)
1	San Gabriel	3
2	Partida pilos	17
3	Lupona	7
4	El Gallo	3
5	Ballena arroyo	20
6	Punta partida	37
7	La Salinita Costa	36
8	La Salinita II	37
9	Laguna Seca	43
10	Ensenada Grande I	<b>64</b>
11	Ensenada Grande II	46
12	El Rincón	37

During July-December 2021, the Espiritu Santo hare (*L. insularis*) was monitored for the incidence of rabbit hemorrhagic disease (RHD) that is affecting this species.

### *Corals*

Visual censuses were conducted in Los Islotes, Gallo, Corralitos or Empachado, Barra La Bonanza, Morritos and Navajas in the National Park surrounding the Archipelago, with the purpose of monitoring the possible bleaching of stony corals. This information was obtained for 20 colonies in the six dive sites of the Park, respecting the gauges of the boats. The site where the highest number of bleached colonies was recorded was Los Islotes.

### *Guadalupe fur seal*

On March 15, Dr. Fernando Elorriaga from CICIMAR-IPN and Dr. Fernando Elorriaga from CICIMAR-IPN went to Las Animas Islet, located northeast of San Jose Island, to conduct a census of *Zalophus californianus* (California fur seal) and *Arctocephalus philippii townsendi* (Guadalupe fur seal). As a result of the outing, the presence of Guadalupe fur seal on the islet reported in 2019 was confirmed and about 400 Guadalupe fur seals were recorded. No seabird nests were observed.

### *Sea Turtle Monitoring*

Sea turtles are captured at marine sites and nesting beaches. At marine sites, research is carried out in collaboration and coordination with personnel from academic institutions such as the Universidad Autónoma de Baja California Sur. At nesting beaches, the work includes protecting nests and recording the births of hatchlings and their release or entry into the sea, activities supported by community groups settled in the protected natural areas or in their areas of influence with economic resources from subsidy programs such as PROCODES and PROREST.

In 2021, 11 sea turtle monitoring activities were carried out in the Park, 179 turtles were captured, 127 individuals of *Chelonia mydas* and 52 of *Eretmochelys imbricata*, in addition to 57 recaptures, 22 correspond to *Chelonia mydas* and 35 to *Eretmochelys imbricata*. In nesting beaches of Espiritu Santo and Cerralvo, 40 nests of *Lepidochelys olivacea* are protected, 18 in Espiritu Santo and 22 in Cerralvo Island, as well as 2,347 births of hatchlings entering the sea, 1,042 in Espiritu Santo beaches and 1,305 in Cerralvo Island.

### **PROCODES and PROREST Programs 2021**

In 2021, the PROCODES and PROREST subsidy programs granted financial resources for the execution of 13 projects for the communities settled on the islands and in the zone of influence, directly benefiting 138 people from different communities that are part of the areas' zone of influence.

With support from PROCODES, six productive projects, technical studies and training courses were carried out, benefiting 64 people, and with resources from

PROREST, 7 ecological restoration, conservation of priority species and community surveillance and monitoring projects were supported, benefiting 74 people (Table 2).

Table 2. Projects supported through the PROCODES and PROREST budget programs in 2021.

PROGRAM	COMPONENT/SUPPORT CONCEPT	OBJECTIVES OF THE SUPPORTS
PROCODES	Productive project	Manufacture of 1 boat and purchase of equipment for the development of tourism activities, an alternative to fishing for the community of El Saltillo. Acquisition of a vacuum packing machine, scales and freezer for primary processing of fish products without intermediaries.
PROCODES	Technical Study	Qualitatively and quantitatively characterize 9 beaches of Espiritu Santo to propose a reordering of uses, evaluate the state of population health and recruitment of reef fish species listed in NOM-059-SEMARNAT-2019. Characterize and identify the distribution zones of rocky and coral reefs in the marine zone of Isla Cerralvo, with site mapping.
PROCODES	Training Course	To learn about the importance of the environmental services offered by NPAs, as well as to create awareness of conserving resources for their sustainable use.
PROREST	Ecological restoration	Through tours of sea turtle nesting beaches on Espiritu Santo, San Jose and Jacques Cousteau (formerly Cerralvo) islands, to locate and protect the nesting sites during the 2021 season, in order to incorporate the hatchlings produced by the hatching of the spawned eggs into the marine environment. Also, to monitor sea turtles through gillnet captures at

		marine sites on Cerralvo Island for research purposes..
PROREST	Ecological restoration	Clean 96 hectares of beaches on Espiritu Santo Island and clean the seabed in the park by diving in those sites that are most frequently used by large boats for anchoring and shelter.
PROREST	Priority Species conservation	Evaluation of the population level, associated species, conservation actions and outreach to society, of the mother pearl <i>Pinctada mazatlanica</i> in PNZMAES and area of influence.
PROREST	Priority Species conservation	Evaluate the population structure of the mangrove sites of the Espiritu Santo Archipelago National Marine Park, as well as points of tourist interest through underwater monitoring and aerial photogrammetry.
PROREST	Community surveillance and monitoring	Monitor activities in 377,596 ha of the Gulf of California from San José Island to the bay of La Paz and Cerralvo Island, as well as monitoring of species such as sea lions, as well as attending to the entanglement of the species, monitoring of key coral reefs, and monitoring of the sea lions.

### Surveillance

In 2021, 345 daytime supervision tours were carried out in which 1439 tourist service provider boats, 320 private boats, 17 sport fishing boats, 40 commercial fishing boats, and 21 tourist camps were registered, and a total of 18,195 visitors were registered. An outing was carried out in coordination with PROFEPA to attend to the complaints filed by the Area Directorate.

### **PROCEDURES**

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ISLANDS OF THE GULF OF	Project	2	20	\$499,500	2	24	\$186,200
	Technical Study	1	10	\$150,000	2	20	\$187,500

CALIFORNIA FFPA (BCS)	Training course	2	20	\$60,000	2	20	\$30,000
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## PROREST

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ISLANDS OF THE GULF OF CALIFORNIA FFPA (BCS)	Ecological restoration	3	35	\$917,626	3	34	\$565,637.84
	Community surveillance and monitoring	3	30	\$1,051,460	4	40	\$899,200

## ISLANDS OF THE GULF OF CALIFORNIA FLORA AND FAUNA PROTECTED AREA (Sonora)

CONANP's subsidy programs were applied in this element of the Property through training courses, strengthening of productive practices, biological monitoring, ecosystem restoration, community surveillance, as well as the promotion and dissemination of different environmental education contents. This has contributed significantly to the empowerment of coastal communities settled in the area of influence for participation and leadership in the conservation practices of the NPA, including Ramsar sites.

## PROCOCES

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ISLANDS OF THE GULF OF CALIFORNIA FFPA, (SONORA)	Project	13	135	\$1,000,000	9	97	\$845,000

## PROREST

		2020			2021		
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Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ISLANDS OF THE GULF OF CALIFORNIA FFPA, (SONORA)	Ecological restoration	1	10	\$200,000	2	20	\$235,094
	Community surveillance and monitoring	1	10	\$300,000	3	28	\$523,712.36
	Conservation of priority species	5	74	\$1,208,500	3	41	\$804,696.49

Through the PROCODES and PROREST programs in fiscal year 2020, 229 people from coastal communities benefited from actions for the dissemination of environmental education content; monitoring on the control of salt cedar (*Tamarix ramosissima*) and buffel grass (*Pennisetum ciliare*) in an area of 45 ha; biological monitoring of three priority species: California sea lion (*Zalophus californianus*), brown pelican (*Pelecanus occidentalis*), yellow-legged gull (*Larus livens*), indicator species of the conservation status of insular-marine-coastal ecosystems. Cleaned up 290 hectares affected by the accumulation of solid waste and carried out community surveillance actions with the participation of 70 people on the islands.

With the execution of the budget resources authorized for fiscal year 2021, 186 people from the coastal communities benefited, continuing the monitoring of buffel grass control in an area of 45 hectares; biological monitoring of priority species, California sea lion (*Zalophus californianus*), brown pelican (*Pelecanus occidentalis*), yellow-legged gull (*Larus livens*); participation of 28 people in community surveillance actions on the islands; in addition to the cleanup of 300 hectares affected by the accumulation of solid waste.

It should be noted that in 2021, due to the health contingency for the SARS CoV-2 virus (COVID-19), actions to strengthen the following four productive activities based on best practices were suspended: plants for medicinal use, sustainable tourism, traditional handicrafts and the training of specialized nature tourism guides.

During 2020 and 2021, seven community groups of participatory environmental monitoring were formed; while, in inter-institutional collaboration in inspection and surveillance, three joint actions were carried out with the Secretariat of the Mexican Navy (SEMAR) or PROFEPA, resuming the monitoring of this task for the area.

In terms of vulnerability monitoring, 31 islands were found to be free of Invasive Alien Species (IAS), 10 of which maintain the presence of exotic flora or fauna and 21 are free of IAS.

In terms of biological monitoring, annual population data were collected for six species of importance to the area: spiny iguana (*Ctenosaura nolascentis*), lizard (*Uta nolascentis*), gecko (*Aspidozelis bacatas*), mouse (*Peromyscus callatus*), mouse (*Chaetodipus intermedius*), and rat (*Neotoma varia*).

In the area of conservation education and culture, in the region of Tóbari, Punta Chueca and Desemboque de los Seris, outreach activities were carried out on environmental conservation of priority islands and species, organized by community groups of environmental promoters, on the culture of conservation of the area, and appropriate with the Seri and Mayo ethnic groups.

The Advisory Council for the Islands of the Gulf of California FFPA-Sonora was strengthened with social participation, the members of the Citizen Council were renewed, and territorial sub-councils were defined for each of the four micro-regions that concentrate the interaction of users and the area's zone of influence.

Although there is a broad universe of users to whom the message and the opportunity to actively participate in conservation must be conveyed, as well as in the reconversion towards better productive practices, in which the win-win ratio of obtaining economic benefits from the appropriation of ecosystem goods and services offered by the area is consolidated; The work path to follow has been clear and is maintained, betting on capacity building in communities, in collaboration and coordination with agencies of the three levels of government and organized civil society, thereby seeking to help train and empower community leaders responsible for bringing to more people, the example and message of conservation and sustainable use of natural resources in the area, Ramsar sites and their areas of influence.

**ISLANDS OF THE GULF OF CALIFORNIA FLORA AND FAUNA PROTECTED AREA (Sinaloa)**

In 2020, \$1,090,000 MXN were invested in nine sustainable productive projects, with 101 beneficiaries; three ecological restorations were supported with an amount of \$570,000 MXN for 30 beneficiaries; and two supports to carry out community surveillance and monitoring, with 18 beneficiaries, with an amount of \$750,000 MXN.

In 2021, \$1,230,000 MXN were invested in fifteen sustainable productive projects, with 173 beneficiaries. Three ecological restorations were supported with an amount of \$376,500 MXN for 30 beneficiaries; and two grants to carry out community surveillance and monitoring, with 18 beneficiaries, with an amount of \$511,505.86 MXN.

**PROCOCODES**

		2020	2021
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Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ISLANDS OF THE GULF OF CALIFORNIA FFPA, (SINALOA)	Project	9	101	\$1,090,000	15	173	\$1,230,000

## PROREST

Element	Activity	2020			2021		
		Support	Beneficiaries	Amount (pesos MNX)	Support	Beneficiaries	Amount (pesos MNX)
ISLANDS OF THE GULF OF CALIFORNIA FFPA, (SINALOA)	Ecological Restoration	3	30	570,000	3	30	376,500
	Community surveillance and monitoring	2	18	750,000	2	18	511,505.86

### Supervision and Surveillance

As part of the supervision of tourist activities within the Islands of the Gulf of California element (portion in front of the state of Sinaloa), Easter Week Operations are carried out (from March to April). In 2021, this operation was carried out in three main points; one in the Islands located in Mazatlan Bay, in which 5 park rangers of the NPA and 2 Community Watchmen of Mazatlan participated, conducting tours in the Islands and informing the users of Venados Island about the regulations applicable to the NPA; the second point was on the islands located in Santa María Bay, where a camp was set up on El Rancho Island, where preventive tours were conducted (on foot and by ATV) to restrict access to the colonies of blue-footed booby and elegant gallito birds on the island, and tours were also conducted by boat to Altamura, Coyota, Coyotilla, Otatito and Saliaca Islands, with the participation of 4 park rangers from the NPA and 2 Community Watchmen from the community of Costa Azul; The third point was Las Animas Island (El Maviri) and the islands of Ohuira Topolobampo Bay, where 2 park rangers from the ANP participated.

Additionally, during 2020 and until October 2021, 1,230 tours were conducted in 24 islands of the Element, covering a total of 30,752.5 hectares. These tours were conducted with the participation of Park Rangers and Community Watchmen. It is important to mention that during 2020, three Surveillance Operations were carried out in coordination with the Federal Attorney's Office for Environmental Protection (PROFEPA), one on Venados Island, one on El Rancho and Saliaca Islands, and one on Santa María Island; In 2021, three surveillance operations were carried out in coordination with PROFEPA, one on Pájaros Island, one on the islands of Bahía Santa María and one on Farallón de San Ignacio Island, and two surveillance operations were carried out in coordination with PROFEPA and the

Secretaría de Marina-Armada de México (SEMAR) on Farallón de San Ignacio Island.

During 2021 there were 39 community watchmen certified by PROFEPA who make up eight brigades in eight locations for supervision and surveillance.

In July 2021, a Work Program for the Surveillance of the Islands in the Gulf of California was formalized, with emphasis on El Farallon de San Ignacio Island in coordination with SEMAR, PROFEPA and CONANP. On this Island, cleaning and net collection actions have been carried out, which minimize gillnetting risks for the California sea lion (*Zalophus californianus*), a species that uses the Island as a breeding site, hosting an average population of 500 individuals. And since 2015, a floating population of Guadalupe fur seal (*Arctocephalus townsendi*) has been recorded. The members of the community brigade, in coordination with CONANP park rangers, maintain the actions of cleaning and sanitation of the seabed, complementing this activity with the dissemination and information provided to users of the area to discourage the use of plastics in the area.

### Biological Monitoring

In this element of the Serial Property, biological monitoring is continuously carried out focused on:

#### *Sea Turtles*

Conservation actions are applied in 144 km of nesting beach in Quevedo, Lucenilla, Altamura and Santa Maria islands, obtaining in the 2019 - 2020 season, 301 protected nests and 20,700 hatchlings released. In these actions, 25 people participate as Community Monitors, integrating four brigades from four communities.

#### *California sea lion*

We monitored the breeding sea lion rookery in Farallón de San Ignacio, obtaining a maximum record of 777 individuals. We also conducted a census of the Guadalupe fur seal, recording up to 1,655 individuals in 2021 (maximum record in the winter season). It should be noted that the California sea lion is the native species in this area and as of 2015 there are records of the Guadalupe fur seal, almost doubling the breeding population of the California sea lion on Farallón de San Ignacio Island.

#### *Seabirds and Shorebirds*

We continue to monitor populations on Patos, Bledos, Pájaros-Guasave, El Rancho, and Pájaros-Mazatlán islands, obtaining information on population trends. During the years 2020-2021 a total of 24 monitoring trips were conducted

on at least five islands covering a total of 51 species including seabirds, colonial waterbirds, shorebirds and landbirds, 25 of these species nest on one or more of these five islands.

The maximum count of individuals using these five islands was in April (2021), recording 55,054 individuals and 18,582 active nests. The most important species are the black-headed gull with approximately 9,000 active nests, the blue-footed booby with 3,800 active nests, the terns with 3,300 active nests; the brown pelican has a maximum count of 2,962 pelicans using these islands, either for resting or feeding and a maximum of 1,422 active nests in this season; the eared cormorant has a maximum count of 4,965 individuals and 2,129 active nests in maximum count of 4,965 individuals and 2,129 active nests in maximum count.

### Tourism

During 2020, there were 22 Tourism Service Providers (TSP) authorized by CONANP to operate in this element of the Property. By 2021, there were 32 authorized TSPs.

On Isla Venados, we continue monitoring (registration) of tourist activity, obtaining a total of 31,619 visitors in 2020 and 19,380 from January to November 2021.

Two operations were carried out with the participation of ANP park rangers in coordination with PROFEPA, aimed at supervising and monitoring tourist activity on Lobos and Venados Islands. They also carried out three surveillance operations in coordination with PROFEPA and two of these with the Secretary of the Navy on Farallón de San Ignacio Island. During these operations, the TSPs were urged to obtain the corresponding authorization from CONANP in order to be able to operate in the Gulf of California Islands.

In 2021, the NPA's Public Use Program began to be developed with the collaboration of the Red de Turismo Sustentable, A.C. and ANP staff, which includes 14 islands with tourist activity.

### Social Participation

Actions and processes aimed at involving society in the processes of conserving the island's natural heritage were carried out; however, due to the epidemiological contingency caused by COVID-19, the number of actions was reduced because their execution implied a risk of contagion for the participants. Nevertheless, the following actions were carried out seeking alternatives to comply with the measures established by the health sector:

### *Advisory Council*

The Advisory Council is active and operating under an annual work plan. During the 2020 - 2021 period, four meetings of the Council and one meeting of the FFPA Regional Sub-Council were held.

### *Community Networks*

The work team has achieved the involvement and participation of the local population in conservation actions, so that there are currently 22 community brigades that collaborate in the conservation of this element of the Serial Property through the following Community Networks: Community Watchers - 39 people integrating 8 brigades in 8 locations; Environmental Promoters - 138 people integrating 14 brigades in 12 locations; and Community Monitors - 29 people integrating 3 brigades monitoring birds and sea turtles.

### *Committees for the Conservation and Restoration of the Islands.*

Through the PROREST Program (Ecological Restoration and Community Monitoring and Surveillance components), during 2020 and 2021 a total of 60 people (30 women and 30 men) participated in conservation and restoration actions of this element of the Serial Property, who were integrated into 6 Committees carrying out the following actions.

### *Sanitation*

66 cleanup days on Las Animas Island (El Maviri), collecting 1,085 bags of solid waste (7,237 kilos). Likewise, 30 seabed cleanup days were carried out on Farallón de San Ignacio Island, collecting 91 bags (557 kilos) mainly with nets abandoned by fishermen, also known as "ghost nets", as well as 8 abandoned anchors with a rope. This action prevents these abandoned nets from endangering the lives of marine species and, above all, avoids the potential risk of sea lions entangling.

In addition, the park rangers, together with key actors (Community observers, members of the Advisory Council) carried out 22 cleanup days on the islands, as well as beach areas and mangrove zones in the area of influence, collecting 200 bags of solid waste.

### Control of Invasive Alien Species (IAS)

Actions were carried out to control two invasive exotic species, date palm and salt pine on Altamura Island, achieving the extraction of 10,103 specimens of salt pine and 506 specimens of date palm, covering a total of 60 hectares.

### Promotion of an environmental culture

Due to the SARS-Cov-2 virus pandemic, the environmental education activities carried out in coordination with Community Environmental Promoters were considerably reduced to avoid the risk of contagion. Before the pandemic, some face-to-face activities were carried out and during the pandemic, virtual activities were carried out, consisting of: 33 talks were given to a total of 132 people (76

women and 56 men). An Exchange of Experiences of the Network of Environmental Promoters was carried out virtually with the participation of 20 promoters from 8 communities (19 women and one man).

In addition, the following activities were carried out: seven virtual training workshops for members of the Network of Community Environmental Promoters, strengthening the capacities of 79 promoters from 17 communities; 131 events to disseminate and promote environmental culture, through talks and workshops (on-site and virtual), environmental celebrations, photographic exhibits, contests, among others.

Twenty productive projects were implemented, 19 related to ecotourism activities within the NPA. The other productive project consists of following up on the equipment of a workshop for the production of organic fertilizer with the Devil Fish (invasive exotic species).

## **UPPER GULF OF CALIFORNIA AND COLORADO RIVER DELTA BIOSPHERE RESERVE**

In 2020 the área received \$1,150,000 MXN which were invested in 14 sustainable productive projects, with 151 beneficiaries; a training course was implemented for 10 beneficiaries for an amount of \$40,000 MXN; 8 ecological restorations were supported with an amount of \$2,898,800 MXN and 206 beneficiaries.

Work was carried out to clean the areas, dunes and beaches most affected by solid waste, to prevent the excessive accumulation of garbage and its discharge into the sea.

We also cleaned up the ecosystem by locating and removing ghost, forgotten, lost or abandoned nets within the Vaquita protection polygon and the natural protected area, thus supporting the conservation of species such as the Vaquita (*Phocoena sinus*), the *Totoaba macdonaldi* fish, the bottlenose dolphin, the humpback whale and the black turtle, among many other species that inhabit the Upper Gulf of California.

In 2021, \$3,466,606 MNX pesos were invested in 31 sustainable productive projects, with 325 beneficiaries; \$75,000 MXN for a technical study with 12 beneficiaries; \$20,000MXN for a training course for the benefit of 11 people; two technical studies for Management, for two beneficiaries; and \$3,060,902 MXN for 33 ecological restoration activities with 539 beneficiaries.

The staff followed up on the cleaning of towns, streets, roads, dunes and beaches by manually collecting solid waste and separating it for reuse and final disposal. The removal of forgotten, lost or abandoned nets for their destruction and disabling.

At the same time, they worked on the biological monitoring of fish, collecting bone structures to read growth rings, otoliths, and muscle and/or epithelial tissue to determine the age of the totoba fish, which is affected by illegal fishing. The Universidad Autónoma de Baja California (UABC) applies genetic techniques of micro-satellite markers to determine the origin of the individuals caught in illegal fishing, that is, if they are from wildlife or come from releases for restocking.

They also rehabilitated canals to improve water flow in the wetland, eradicated and controlled exotic species, and expanded marginal habitat zones in the wetland to favor the colonization of the pupfish (*Cyprinodon macularius*).

Training was provided for the sustainable management of resources (particularly shorebirds, silversides, and solid waste), and communities were informed about the benefits of conservation through cultural and recreational activities.

Signs were made regarding sustainable resource management and conservation.

## PROCOCODES

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
UPPER GULF OF CALIFORNIA AND COLORADO RIVER DELTA BR	Project	14	151	\$1,150,000	31	325	\$3,466,606
	Technical study				1	12	\$75,000
	Training course	1	10	\$40,000	1	11	\$20,000

## PROREST

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
UPPER GULF OF CALIFORNIA AND COLORADO RIVER DELTA BR	Technical study for management				2	2	\$1,612,500
	Ecological Restoration	8	206	\$2,898,800	33	539	\$3,060,902.50

## ISLA SAN PEDRO MÁRTIR BIOSPHERE RESERVE

In 2020 and 2021 resources from CONANP's PROCODES and PROREST subsidy programs were applied in this element of the Property through actions to strengthen productive practices, biological monitoring, ecosystem restoration, community surveillance, promotion and dissemination of environmental education, have contributed significantly to the empowerment of participatory groups in the coastal community of Bahía Kino, a locality that concentrates most of the users identified in Sonora for this Reserve, in the participation and leadership of the conservation practices of the NPA and its areas of influence.

In the 2020 fiscal year, the PROCODES and PROREST programs benefited 42 people from the Bahía Kino community, which has favorably influenced biological population monitoring of more than 110 species of importance to the Reserve; underwater monitoring by community divers in collaboration with the civil association Comunidad y Biodiversidad A. C. (COBI), which included a total of 76 fish species and 35 invertebrate species. Another community monitoring program includes sea turtles (*Chelonia mydas*). Also, capacities for the identification and observation of large marine mammals were strengthened through a training course for the Bahía Kino community group.

## PROCODES

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ISLA SAN PEDRO MÁRTIR BR	Project	4	42	\$340,000.00	5	58	\$400,000.00

## PROREST

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ISLA SAN PEDRO MÁRTIR BR	Technical Study for Management	1	1	\$187,500			
	Ecological restoration				2	20	\$108,316.61
	Community surveillance and monitoring	1	9	\$299,834.70	3	30	\$547,929.71
	Priority Species conservation	1	14	\$300,000			

### Surveillance

In the area of participatory environmental monitoring, a committee was formed by 33 people belonging to community groups; in inter-institutional collaboration in inspection and monitoring, joint actions with the Navy SEMAR and/or PROFEPA, and the Inter-institutional Inspection and Monitoring Committee for the Large Islands of the Gulf of California, which includes the Isla San Pedro Mártir Biosphere Reserve, were continued.

The PROCODES and PROREST resources for fiscal year 2021 applied to the San Pedro Mártir Island Biosphere Reserve benefited 58 people from the community of Bahía Kino; this has favorably impacted the dissemination of environmental education content, productive activities, ecosystem restoration and biological population monitoring of 120 species of importance to the NPA; underwater monitoring by community divers in collaboration with Comunidad y Biodiversidad A. C. (COBI), for more than 111 species including 76 species of fish and 35 species of invertebrates and macroalgae (sargasso). Community monitoring also includes sea turtles (*Chelonia mydas*), sea lions, and seabirds. In addition, capacities for the identification and observation of large marine mammals were strengthened through a training course for a community group from Bahía Kino.

In terms of education and culture for conservation, 30 outreach events organized by community groups of environmental promoters were held to promote the culture of conservation of the NPA.

### **BAHÍA DE LORETO NATIONAL PARK**

This element is a marine area and includes the islands Coronados, del Carmen, Danzante, Montserrat, Santa Catalina or Catalana and several islets. In 2019 the update of the National Park's Management Program was published, which establishes the activities allowed and not allowed within the area, as it is the main instrument for its management and operation.

In 2020 this element of the Property received: \$150,000 MXN that were invested in a sustainable productive project, counting 11 beneficiaries; five ecological restorations were supported with an amount of \$1,346,879 MXN for 82 beneficiaries; and a support to carry out community surveillance and monitoring, with 9 beneficiaries, with an amount of \$375,000 MXN.

Among the activities carried out were: equipping boats for tourism activities; protecting beaches and monitoring sea turtle nesting; cleaning rocky reefs in marine preservation zones, wetlands and beaches on islands; manual extraction

of salt pine in wetlands; tours to detect irregularities and community monitoring of fish of commercial and sporting importance.

In 2021, \$525,000 MXN were invested in three sustainable productive projects, with 36 beneficiaries; five ecological restorations were supported with an amount of \$632,527.50 MXN for 70 beneficiaries; and a support to carry out community surveillance and monitoring, with 10 beneficiaries, with an amount of \$200,000 MXN.

This support was used to purchase a small boat for tourist services; equip boats for tourist activities; rehabilitate non-permanent infrastructure on Coronados Island; manually extract salt pine in wetlands; clean rocky reefs in marine preservation zones, wetlands and island beaches; clean up wetland water channels; protect beaches and monitor sea turtle nesting; and conduct surveys to detect irregularities.

## PROCOCODES

Element	Activity	2020			2021		
		Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
BAHÍA DE LORETO NP	Project	1	11	\$150,000	3	36	\$525,000

## PROREST

Element	Activity	2020			2021		
		Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
BAHÍA DE LORETO NP	Ecological Restoration	5	82	\$1,346,879	5	70	\$1,223,754
	Community surveillance and monitoring	1	9	\$375,000	1	10	\$400,000

## Surveillance and Protection

Surveillance activities have been strengthened through joint operations with different federal agencies that support inspection and surveillance. From 2020 to October 2021, five meetings have been held with authorities from the National Commission for Aquaculture and Fisheries (CONAPESCA), the Attorney General's Office for Environmental Protection (PROFEPA), Customs, the Attorney General's Office (FGR), the Mexican Navy (SEMAR), the Port Captain's Office and the federal police, holding working groups to address issues of coordination between

agencies, strengthening inspection and surveillance, and information on the management program of the natural protected area.

During this period, approximately 536 marine and terrestrial inspections have been carried out to supervise activities. CONAPESCA, PROFEPA, SEMAR, customs, and FGR have participated in 121 inspections, and 11 administrative procedures have been carried out, targeting fishing and tourism activities.

This Element of the serial Property has a surveillance center consisting of a FURUNO radar, which is installed in the lighthouse of the Secretariat of Communications and Transportation (SCT), located in the Loreto dock, at a height of 25 meters. This tool helps the staff to know the routes of the tourist and fishing boats in a radius of 45 nautical miles approximately. It mainly monitors navigation in marine preservation zones and wetlands, which are located in front of Isla del Carmen, this tool allows visualization from anywhere with internet access, so that facilitates the planning of routes to the areas of greatest influx of extractive and non-extractive activities.

In terms of participatory monitoring, a group of community monitors has been formed. The group represents four communities and is made up of nine people, who also carry out productive activities such as artisanal fishing and tourism service providers.

### Management

The activities carried out in this area facilitate management and promote sustainable use. The staff of the area continue to strengthen the tourism cooperatives by supporting them with the PROCODES program to equip their boats and thus promote improved quality of service.

In addition, the staff continue with the maintenance of trails and palapa on Coronados Island, which add value to the tours and also promote the recovery of the vegetation by reducing fragmentation due to human impact. The tourism cooperatives participated with a support of \$225,000 MXN and 15 people benefited.

The staff work together with neighboring communities to form community groups to carry out monitoring, restoration, and eradication of invasive species.

### Tourism

The staff of the Park are helping tourism service providers to become regularized and obtain permits to carry out tourism activities and promote good practices. Authorized tourism activities include island tours, whale watching, camping on the islands through kayak expeditions, diving, and snorkeling. There are 140 authorized service providers for these activities, of which 106 are individuals and 34 are legal entities.

### Restoration

In the restoration strategy, actions are focused on beach ecosystems, wetlands and rocky reefs.

Some beaches were cleaned, focusing on those used as fishing camps and those most visited by the tourist sector. A total of 105 hectares of beaches were cleaned on the islands of Coronados, del Carmen, Montserrat, Danzante and Catalana, as well as in the coastal zone on the beaches of la Negrita, el Quemado, Ligüí and Ensenada Blanca.

Wetland restoration activities focused on cleaning and manual removal of the invasive salt cedar species, mainly in the Ligüí and Las Garzas estuaries. Eradication has been carried out with the participation of local communities, which has helped the mangrove recover its habitat on approximately 50 hectares. In 2021, restoration actions began in the Balandra and Bahía Salinas wetlands on Carmen Island, cleaning up the canals to restore water flow.

As for the rocky reefs, underwater cleanups were carried out at 26 sites, covering approximately 60 hectares, cleaning these sites of fishing waste, mainly fishing lines, hooks, anchors, ropes, nets, tires and garbage in general.

### Knowledge

Whale monitoring. - Whale watching is very important as a tourist activity in the Element. The whales that can be observed are diverse, including blue whales, fin whales, and humpback whales. Service providers continue to carry out good whale watching practices.

During 2020 at least 28 different blue whales were identified, which were distributed mostly in the area between Danzante, Galeras and east of Isla del Carmen, where a great availability of food was observed, with concentrations of krill on the surface, which allowed the whales to remain in this area for most of the season. In this season the number of blue whales increased considerably compared to the previous two years, when 10 and 13 individuals were recorded, respectively. Of the 28 blue whales observed, 13 were females and 8 were males. Some of the whales recorded are more than 30 years old since they were first recorded in the area, and have been coming for several years. We also observed whales that were recorded in previous years as calves, including two separate whales that were mother and calf 24 years ago. This season 8 whales were observed that were seen the previous year. This demonstrates the high site fidelity of some of the whales that come to the area, some coming back 20 during years.

With respect to whale watching tourism activity, during 2020 a registry of boats and the number of tourists who carried out this activity was carried out. For this season, a total of 339 departures and 1,833 tourists were registered from the Malecon dock, being the year with most departures and tourists since 2014. An average of 7 boats per day and a maximum of 21 boats in a single day were recorded, indicating a considerable increase in the number of boats performing

this activity, since the maximum recorded in previous years was 16 boats in a single day.

Seabird nesting monitoring. - Yellow-legged gull (*Larus livens*) nesting colonies were monitored by recording nests and eggs on 8 islets. By 2020 a total of 849 eggs were recorded and by 2021 a total of 918 eggs. The egg record has been increasing considerably since 2017, peaking in this last season of 2021. As for the average clutch size, it has also remained at a considerable increase above 2.6. Clutch size is good indicator as it is related to food availability in the area.

In the 2021 season, a large Brown Pelican (*Pelecanus occidentalis*) nesting colony was recorded north of Monserrat Island. Nesting activity was also recorded for other species such as Ash Heron (*Ardea herodias*), Eared Cormorant (*Phalacrocorax auritus*) and American Oystercatcher (*Haematopus palliatus*).

Sea turtle nesting monitoring. - Nesting of olive ridley sea turtles (*Lepidochelys olivacea*) is being recorded on 8 beaches in the coastal zone and on the islands. In 2020, a total of 67 nests were registered and 1,375 hatchlings were released; in 2021, as of October, 54 nests have been registered and 581 hatchlings have been released. This activity is carried out in conjunction with the communities through the Community Monitoring Group, who make daily tours to the beaches to monitor and protect the turtle nests.

### Culture

There is an ongoing training program with different sectors and users of the park, including tourism service providers, community monitoring groups, community vigilance groups, and people from nearby fishing communities. Nine workshops have been held from 2020 to October 2021, on different topics such as good tourism practices, monitoring, park zoning, tourism management, and invasive species on the islands.

In terms of communication with emphasis on signage, in 2020 a total of 25 different signs were installed along the coastal zone in the communities to promote the care and protection of the beaches and wetlands, in addition to information regarding the National Park to disseminate the new zoning and rules on the beaches of Coronados, Monserrat and Danzante islands as well as at the main entry points to the Park.

### Management

Staff and infrastructure capabilities. - The staff consists of seven people. During the period from 2020 to 2021, the collaboration with EcoAlianza de Loreto continued, which allowed for the permanence of an additional support person for surveillance activities.

The staff received update training on various topics such as: sea lion disentanglement, database management, leadership, results orientation,

teamwork, solid waste reduction and management, financial planning, and first aid.

#### Advisory Council

From 2020 to October 2021, nine meetings were held to follow up on the work plan. The tourism subcouncil is also active to follow up on the management of the dry bathing area and the restoration subcouncil is active to follow up on conservation actions in the herons estuary.

#### IUCN Green List

The Green List of Protected and Conserved Areas of the International Union for Conservation of Nature (IUCN) recognizes and celebrates protected areas that demonstrate excellent management. Bahía de Loreto National Park entered the candidacy phase to obtain certification, during which information for indicators was gathered.

### **CABO PULMO NATIONAL PARK**

In 2020, the area received \$850,000 MXN, which were invested in five sustainable productive projects, with 58 beneficiaries; a Technical Study was supported, benefiting 10 people with an amount of \$150,000 MXN; an ecological restoration with an amount of \$269,890 MXN for 10 beneficiaries; a support to carry out community surveillance and monitoring, with 18 beneficiaries, with an amount of \$663,886 MXN, and \$500,000 MXN for the conservation of priority species with 10 beneficiaries.

In 2021, \$500,000 MXN were invested in three sustainable productive projects, with 30 beneficiaries; two ecological restorations were supported with an amount of \$365,965.49 MXN for 20 beneficiaries; one support to carry out community surveillance and monitoring, with 8 beneficiaries, with an amount of \$192,641 MXN; and two supports for the conservation of priority species with 20 beneficiaries for an amount of \$389,333 MXN.

### **PROCOCODES**

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
CABO PULMO NP	Project	5	58	\$850,000	3	30	\$500,000
	Technical study	1	10	\$150,000			

### **PROREST**

		2020	2021
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Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
CABO PULMONO NP	Ecological Restoration	1	10	\$269,890	2	20	\$365,965.49
	Community surveillance and monitoring	1	18	\$663,886.41	1	8	\$192,641.85
	Conservation of priority species	1	10	\$500,000	2	20	\$389,333.07

## CABO SAN LUCAS FLORA AND FAUNA PROTECTED AREA

In 2020 this element received \$212,953 MXN, which was invested in a project for the conservation of priority species, with 13 beneficiaries.

In 2021 it received \$75,000 MXN, which were invested in a technical study, with 10 beneficiaries; and support for the conservation of priority species with 10 beneficiaries for an amount of \$174,207.36 MXN.

## PROCOCODES

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
CABO SAN LUCAS FFPA	Technical study				1	10	\$75,000

## PROREST

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
CABO SAN LUCAS FFPA	Conservation of priority species	1	13	\$212,953.50	1	10	\$174,207.36

## ISLAS MARIAS BIOSPHERE RESERVE

In 2020, this element of the Property supported an ecological restoration called "Habitat Restoration (Terrestrial)" with an amount of \$600,000 MXN for 10 beneficiaries, with the purpose of contributing to the conservation of the native and endemic flora and fauna of Isla Maria Madre through the control of semi-domestic fauna (exotic mammals).

## PROREST

Element	Activity	2020			2021		
		Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ISLAS MARIAS BR	Ecological restoration	1	10	\$600,000	---	---	---

Within the Islas Marías Biosphere Reserve, Element of the Property, in Isla María Madre since 1905 by presidential decree published in the Official Journal of the Federation, the establishment of the Islas Marías Penitentiary Colony was destined.

On March 8, 2019, the Head of the Executive Branch, the President, issued the Decree whereby the Federal Social Readaptation Centers indicated, located in the Islas Marías Penitentiary Complex, were disincorporated from the Federal Penitentiary System. In its Fifth Article, the Decree states that: "The Ministry of Environment and Natural Resources (SEMARNAT) will be in charge of administering, developing and preserving the ecosystems and elements of the Islas Marías Biosphere Reserve, as well as overseeing that the actions carried out within it to achieve compliance with this Decree, are in accordance with the provisions of the Decree declaring the archipelago known as Islas Marías, located in the Mexican territorial sea of the Pacific Ocean, with a total surface area of 641,284-73-74. 2 hectares, published in the Official Gazette of the Federation on November 27, 2000 and August 1, 2003 (second publication), as well as its respective Management Program".

After the extinction of the Islas Marías Prison Complex, located on Isla María Madre, the National Commission of Natural Protected Areas (CONANP) was allowed to have a presence in the territory, carrying out various activities such as control and eradication of exotic and invasive species, biological monitoring, waste management, integrated fire management, supervision and surveillance, restoration, management of the agroecological farm and environmental education through the José Revueltas Environmental and Cultural Education Center, which initiated the "Muros de Agua" Program.

The purpose of the Environmental Education Program is to train young people from teacher training colleges, technological and polytechnic universities, and intercultural universities in various states of the Republic, as well as management actions with other important stakeholders for conservation, among other management and administration activities in the area.

Likewise, the Naval Sector Islas Marías (NAVISMAR) of the Secretariat of the Navy (SEMAR) was established in the territory of Isla María Madre, which assists in surveillance actions in marine and terrestrial areas in the Islas Marías Archipelago,

in order to protect the insular and marine ecosystems that present a high state of conservation.

In coordination with the Civil Society, Public, Academic and Research Institutions, the Management Program was updated and modified, which was published in the Official Journal of the Federation on August 20, 2021, through the AGREEMENT by which the Summary of the Management Program of the Islas Marías Biosphere Reserve is published, in which new administrative rules are established with the purpose of ordering the activities that will be carried out, such as low impact tourism, scientific research, attention to invasive exotic species, prevention of the introduction of plastics, as well as the regulation of infrastructure in Isla María Madre, the same activities that are regulated according to the zoning and subzoning of the Natural Protected Area, and that attend to the commitment acquired when forming part of the World Heritage Property Islands and Protected Area of the Gulf of California.

From its beginnings as a penal colony to the Penitentiary Center, human activity has impacted the insular system that constitutes the Islas Marías Archipelago, due to the introduction of exotic and invasive species that are present in each of the islands, predominantly goats, rats, cats, among others. To eradicate them, coordinated actions have been implemented with civil society organizations and community participation through subsidy projects granted by the National Commission of Natural Protected Areas (CONANP) through the Program for the Protection and Restoration of Ecosystems and Species at Risk (PROREST). In 2020, a project called "Habitat Restoration (Terrestrial)" was executed by an organized group from the community of San Blas, State of Nayarit, with the purpose of contributing to the conservation of the native and endemic flora and fauna of Isla María Madre by controlling semi-domestic fauna (exotic mammals), using \$600,000 MXN.

### Monitoring and Research

From 2019 to date, the Islas Marías Biosphere Reserve has collaborated with various institutions of civil and academic organizations for research and biological, ecological and social monitoring, considering it an important basis for decision making in its management, since it allows identifying, understanding and explaining processes and phenomena that affect the current conditions of the natural resources and their ecosystems.

According to the reserve's current Management Program, research should be promoted in coordination with the different stakeholders as the basis for orienting the reserve's actions. The lines identified as priorities are: the preparation of inventories of the reserve's natural resources; current conditions of natural resource use; control of exotic flora and fauna; identification of sites with problems of overexploitation or degradation of natural resources in order to

carry out the corresponding restoration actions; and monitoring of priority and indicator species to evaluate their conservation and their effects of climate change and anthropogenic activities.

### Management

Since the disincorporation of the Islas Marías Prison Complex, the management strategy for the Natural Protected Area is focused on ecosystem restoration, environmental protection, low-impact tourism exclusively on Isla María Madre, and on being a center of culture and environmental training for the country. In this context, SEMARNAT, through CONANP, is carrying out the reconversion of the management of the Islas Marías Archipelago in accordance with its Management Program and through development phases.

Currently, the infrastructure of the houses where the government personnel used to live is being rehabilitated, as well as the common use areas such as the parks, the lighthouse, the Christ, and the fort where a museum is planned to be installed, showing the conversion of the island from a penitentiary center to a Training Center for Environmental Education and Culture, called "Muros de Agua-José Revueltas", where young people are trained to defend their territory.

The "Guardians of the Territory" (Guardianas y Guardianes del Territorio) program is one of the Federal Government's priority projects, as it responds to the urgent need to halt the current socio-environmental crisis affecting the country and the world. The project focuses on the appreciation and identity appropriation of nature as Mother Earth; the sensitization and awareness of environmental problems; and the design and execution of community action projects in defense and care of the territory. All this is approached from the approaches and tools provided by popular environmental education.

Thus, the purpose of "Guardians of the Territory" is to stimulate and build the commitment and collaborative vision of young people within their communities. In this sense, it seeks to strengthen their identity as creative and active subjects that confront the devastation of Mother Earth. This will allow the realization of concrete actions that: contribute to the conservation and preservation of the environment; initiate sustainability processes; safeguard and preserve the biocultural heritage; and social transformation.

This course is the result of the inter-institutional coordination of SEMARNAT and its decentralized and decentralized agencies, the Ministry of Public Education, the Ministry of the Navy and the Ministry of Culture.

### Tourism

Tourism is proposed to contribute to the conservation of the area. Currently under review is the Acceptable Change Limit Study within Isla María Madre, where the current Conservation and Management Program indicates that low-

impact tourism activities can be carried out; therefore, eight tourism experiences are proposed for the Balleto area.

## **ISLA ISABEL NATIONAL PARK**

In 2020 this element of the Property received: \$460,000 MXN that were invested in five sustainable productive projects, with 62 beneficiaries; two ecological restorations were supported with an amount of \$155,700 MXN for 20 beneficiaries; and a support to carry out community surveillance and monitoring, with 6 beneficiaries, for an amount of \$112,500 MXN.

In 2021, \$435,000 MXN were invested in four sustainable productive projects, with 40 beneficiaries; four ecological restorations were supported with an amount of \$206,019.50 MXN for 40 beneficiaries; and a support to carry out community surveillance and monitoring, with six beneficiaries, for an amount of \$81,750 MXN.

### **PROCOCODES**

Element	Activity	2020			2021		
		Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ISLA ISABEL NP	Project	5	62	\$460,000	4	40	\$435,000

### **PROREST**

Element	Activity	2020			2021		
		Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ISLA ISABEL NP	Ecological restoration	2	20	\$155,700	4	40	\$206,019.50
	Community surveillance and monitoring	1	6	\$112,500	1	6	\$81,750

### Marine protection

We have given continuity to the work started in 2015, which arose from a series of marine protection agreements with fishermen in the region, for the recovery of the coral-rocky reef zone located in the marine area adjacent to Isla Isabel, which were affected by the El Niño phenomenon in the period 2014 - 2015. This includes the management to establish a fishing refuge, which contemplates no-fishing zones, comprising in addition to the reef zone of Isla Isabel, other reef

areas distributed along the coastal strip of the State of Nayarit, important as breeding, feeding and refuge sites for various species of marine vertebrates and invertebrates, including species of commercial importance.

Associated with this marine protection initiative, we are promoting the implementation of management programs for the exploitation of fisheries such as lobster, coral restoration programs and the installation of artificial reefs.

#### Eradication of invasive exotic species

The year 2021 marked the 12th anniversary of the island being free of exotic rodents, which for a long time represented the main threat to the conservation of native species such as seabirds, reptiles and crustaceans. Exotic plant species were also eradicated. As a result of the eradications, the populations of seabirds such as the pericota (*Onychoprion fuscatus*), yellow-rumped tropicbird (*Phaethon aethereus*), brown booby (*Sula leucogaster*) and blue-footed booby (*Sula nebouxii*) are no longer affected and nesting areas have recovered. In addition, areas of tropical deciduous forest have been recovered in areas where it had disappeared due to the presence of exotic grasses.

#### Monitoring

The area's operational staff participates with groups of Civil Society Organizations (CSOs) and natural protected areas, in the project to standardize the monitoring methodology for corals of the Mexican Pacific, presenting a baseline in 2020, with the publication of the technical report "Conservation status of the corals of the Mexican Pacific". Additionally, for those areas with available historical data, an indicator of the health of the reef ecosystem is included in a traffic light scale that allows identifying the most threatened sites.

For Isla Isabel National Park, we present a general description, the ecosystem services it provides (fishing, scientific research, and tourism), threats (illegal fishing, poor tourism practices, and climatic phenomena), and some success stories in its management.

### **ARCHIPELAGO OF SAN LORENZO NATIONAL PARK**

In 2020 and 2021, the communities of Puertecitos, El Barril and Bahía de los Ángeles participated in productive and observation projects supported through CONANP's budgetary programs: Conservation Program for Sustainable Development (PROCOCODES) and Program for the Protection and Restoration of Ecosystems and Priority Species (PROREST). During 2021, the integration of 10 committees was supported, five with PROCOCODES and five with PROREST with the participation of 100 people.

#### Biological monitoring

In this element of the Property IPAGC, biological monitoring of birds, turtles, fish and invertebrates was carried out in 2020. This activity is carried out in synergy with other authors, operating a consolidated biological monitoring program.

### *Birds*

The sentinel species within the NPA Complex maintain their annual population monitoring, in 2020 in the month of May the census and monitoring of brown pelican (*Pelecanus occidentalis*) was carried out. In the San Luis Gonzaga Archipelago, a total of 89 active nests were counted and 10 chicks were captured for banding; in the San Lorenzo Archipelago, with 2,226 active nests, 21 chicks were captured for banding; on Isla Ángel de la Guarda, 150 active nests were counted and very dispersed; no chicks were captured.

### *Mammals*

In 2020 the sea lion population census was carried out in the seven breeding colonies of the IGCFFPA, B.C. A total of 5,258 sea lions were recorded: 1,247 in Isla Partido, 586 in Rasito, 900 in Granito, 863 in Los Machos, 618 in Los Cantiles, 748 in El Coloradito and 296 in Roca Consag.

In 2020, three marine mammal surveys were conducted within the Bahía de los Ángeles Biosphere Reserve. Sightings of gray whales (*Eschrichtius robustus*), false killer whales (*Pseudorca crassidens*), killer whales (*Orcinus orca*), and an elephant seal (*Mirounga angustirostris*) were reported.

### Surveillance

During 2020, 116 patrols were conducted, 82 marine and 34 terrestrial in the ZOFEMAT.

### PROCOCODES subsidy program

In fiscal year 2021, the following productive projects were supported in the PNZM-Archipiélago San Lorenzo, through PROCOCODES: Establishment of community gardens and Diversify the productive activities of the community members to improve the quality of life with an amount of \$56,000 MXN.

### **PROCOCODES**

Element	Activity	2020			2021		
		Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ARCHIPELAGO OF SAN LORENZO NATIONAL PARK	Technical study				2	21	\$56,000.00

### Biological Monitoring

In 2021, bird monitoring allowed the recording of 2,580 active nests in the San Lorenzo Archipelago, 350 on Piojo Island, 530 on San Luis Island, and 700 on Ángel de la Guarda Island.

During 2021, a total of 4,127 sea lions were recorded: 678 on Isla Partido, 525 on Rasito, 782 on Granito, 823 on Los Machos, 560 on Los Cantiles, 759 on El Coloradito.

### Tourism

It was reviewed the Whale Shark Management Plan for Bahía de los Ángeles 2020 and updated and modified it in 2021. Training was offered to tourism service providers (TSP), and supported them in the preparation of the dossier in order to obtain authorization from the Dirección General de Vida Silvestre, SEMARNAT, for non-extractive use, observation and swimming with whale sharks within the Biosphere Reserve.

### Coastal fishing

Regarding fisheries management, intersectoral coordination meetings are held with the Regional Fisheries Research Center of the National Fisheries Institute (INAPESCA-CRIP), CONAPESCA and the Secretariat of Fisheries and Aquaculture of Baja California (SEPESCA, BC.).

Regarding the octopus fishery, there is a following up on the implementation of the Work Plan for the improvement of the octopus fishery, in coordination with CRIP Ensenada (INAPESCA), SEPESCA-BC, CONAPESCA and PRONATURA.

### Social Participation

Within the Advisory Council of the three areas in charge of the NPA's Management, there is a Social Participation and Environmental Education Sub-Council, which has promoted the integration of the Clean Bay Committee and the Research and Climate Change Sub-Council. Sessions have been held during 2020 and 2021.

### Surveillance

In 2021, 88 marine and 33 terrestrial patrols were conducted, 10 of them with PROFEPA personnel and one with CONAPESCA.

The SEMAR personnel conducted tours in the Bahía de los Ángeles area to attend to reports of entangled turtles; the net was removed and the corresponding complaint was filed with PROFEPA. Other trips with SEMAR were carried out to release four sea turtles, a dolphin and a female sea lion trapped in illegal nets. A total of six complaints were filed with PROFEPA for the presence of illegal nets

and the death of animals in the Reserve and one in the San Lorenzo Archipelago National Park for illegal fishing in one of the polygons by a large vessel. A total of five live sea turtles and one female sea lion trapped in illegal nets were released.

Quarterly sessions of the Inter-institutional Inspection and Surveillance Committee of the Big Islands, BC have been held, which has allowed coordination for the tours with PROFEPA and CONAPESCA. Operations were carried out within the Reserve with the participation of the Navy SEMAR, National Guard, PROFEPA and CONAPESCA, managed by the NPA management within the Bahía de los Ángeles protected area Complex Inspection and Surveillance Committee. During July and September, illegal nets were removed from the Reserve and boats were inspected at the town's public ramp.

## ISLAS MARIETAS NATIONAL PARK

In 2020 this element of the Serial Property received: \$275,000 MXN that were invested in a sustainable productive project, with 10 beneficiaries; and an ecological restoration was supported with an amount of \$240,000 MXN for 10 beneficiaries.

### PROCOCODES

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ISLA MARIETAS NP	Project	1	10	\$275,000	---	---	---

### PROREST

		2020			2021		
Element	Activity	Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
ISLA MARIETAS NP	Ecological restoration	1	10	\$240,000	---	---	---

### Tourism

From the tourism ordinance, carried out in 2016, which included various actions aimed at improving the protection and management of the area, such as the establishment of limits of tourist carrying capacity and limit of acceptable change per site, the mandatory use of life jackets, development of protocols for entry to the beaches, implementation of an effective coral restoration program, the placement of buoy systems to delimit swimming areas and the mooring of

boats, as well as the prohibition of anchorages to prevent damage to the corals, has slowed the negative impact on the reefs and through the implementation of a program to monitor the state of conservation of the reef, and the recovery of reef coverage has been recorded.

As with the Isla Isabel NP Element, there is a participation in the project to standardize the monitoring methodology for corals in the Mexican Pacific, presenting a baseline in 2020, with the publication of the technical report "Estado de conservación de los corales del Pacífico Mexicano" (State of conservation of corals in the Mexican Pacific), which presents a general description of the Islas Marietas National Park, threats (unauthorized fishing, tourism and natural phenomena), some success stories in its management, and future conditions.

### Restoration

The eradication of cats has allowed the recovery of seabird populations that breed in the Marietas Islands such as the Elegant Tern (*Thalasseus elegans*), Pichichin's Duck (*Dendrocygna autumnalis*), Brown Booby (*Sula leucogaster*) and Blue-footed Booby (*Sula nebouxii*).

### Funding

As part of the benefits achieved by the management process of tourism activities in Islas Marietas NP, the organization Bahía Unida, A. C. was created in 2016, formed by tourism service providers committed to the conservation of the Marietas Islands and their environmental services. This organization in association with Pronatura Noroeste, A. C. generated a funding mechanism, which through an agreement with CONANP strengthens the operation of the area to date, with funding of up to 200 thousand dollars annually, which finances surveillance activities, signage in the area, monitoring and environmental education.

La erradicación de gatos ha permitido la recuperación de las poblaciones de aves marinas que se reproducen en las Islas Marietas como el charrán elegante (*Thalasseus elegans*), pato pichichin (*Dendrocygna autumnalis*), bobo café (*Sula leucogaster*) y de patas azules (*Sula nebouxii*).

<http://www.bahiaunida.org/index.html>

## **BALANDRA ZONE OF ECOLOGICAL CONSERVATION AND COMMUNITY INTEREST**

In 2020, three ecological restoration initiatives were supported with an amount of \$720,000 MXN for 30 beneficiaries; and three contributios to carry out community surveillance and monitoring, with 18 beneficiaries, for an amount of \$911,700 MXN.

In 2021, \$75,000 MXN were invested in a sustainable productive project, with 10 beneficiaries; four ecological restorations were supported with an amount of \$438,178 MXN for 40 beneficiaries; and one support to carry out the conservation of priority species, with 11 beneficiaries, for an amount of \$139,800 MXN.

## PROCOCODES

Element	Activity	2020			2021		
		Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
BALANDRA ZECCI	Technical study	---	---	---	1	10	\$75,000

## PROREST

Element	Activity	2020			2021		
		Support	Beneficiaries	Amount (MXN)	Support	Beneficiaries	Amount (MXN)
BALANDRA ZECCI	Ecological restoration	3	30	\$720,000	4	40	\$438,178
	Community surveillance and monitoring	3	18	\$911,700	---	---	---
	Conservation of priority species	---	---	---	1	11	\$139,800

## PROREST Program 2020-2021

Through the implementation of different subsidy projects aimed at ecological restoration, community monitoring and supervision actions, as well as the dissemination of these actions, a significant contribution has been made to the empowerment of coastal communities through their participation and leadership of conservation practices, including the Ramsar site.

There is a tendency to concentrate productive activities in mangrove areas, which are rich in resources and very attractive to tourism, which can generate alterations that generally produce permanent damage and in many cases the total loss of the mangrove. Another field in which activities require attention is diving in sensitive sites, where there is coral, and in which users do not always follow the rules of the Management Program and anchor on the coral, causing serious damage to this biological resource, in addition to the garbage they leave on the site. Therefore, monitoring and removal of garbage generated by anthropogenic activity is essential to help keep the wetlands healthy.

During fiscal year 2020, the subsidy projects implemented were:

In Community Surveillance, three projects were carried out covering an area of 200 ha.

During the Community Surveillance tours, information was provided to the users of Balandra to prevent environmental crimes. Turtle nest records were taken and protection was provided to three species of mangrove, sea turtle and sea lion. Users arriving at Balandra and anchoring in the Punta Diablo Buffer Zone (Ensenada Balandra) who bring tourists to the site without authorization from CONANP, were invited to regularize their activity and to pay fees for visiting the natural protected area. The sea lion (*Zalophus californianus*) swim was monitored and controlled at the site known as San Rafaelito during the months of July-August, which is the breeding season for this mammal.

They also monitored the different tourist activities that take place in the aforementioned areas, and paid attention to red hot spots where illegal fishing takes place. Through these projects, biological resources were protected and cared for through tours and presence in the NPA. In addition, species and/or tourism-fishing activities were monitored using tools such as the SMART (Spatial Monitoring and Reporting Tool).

In Ecological Restoration, three projects were developed, covering an area of 240 hectares. In these projects, solid waste was removed from the seabed, on dune and mangrove beaches like scrap metal, plastics, car tires, aluminum cans, pieces of wood, clothing, pieces of netting, nylon ropes, pieces of iron, cardboard, wood, etc. were collected.

During FY 2021 the six subsidy projects implemented were:

A Technical Study, entitled "Community and/or Micro-regional Development Program", which covered 1,200 hectares of coastal reefs. Ecological evaluation (richness, density, size structure and biomass); determination of critical habitat for commercially important fish; proposal for a territorial reordering or planning; and management and conservation of recruitment zones for commercially important species.

An Ecological Restoration project covering 60 hectares of mangrove, beaches and dunes.

Five Technical Studies, within the Community and/or Micro-regional Development Program, covering 200 hectares of mangrove forest. These will include an evaluation, monitoring and conservation of the mangrove forests associated with the area and tourist activity.

Five ecological restoration projects covering 411 hectares of mangroves, beaches, dunes and seabed, as well as attention to ecological bathrooms. In these projects, solid waste removal activities were carried out in dunes, beaches, seabed and

mangroves, where plastics, aluminum cans, nets, fishing lines, anchors, cardboard, wood, etc. were collected.

## Informe de Actividades de la Granja Earth Ocean Farms

(Periodo 2021-Abril 2022)

Actividad	2021	2022
1. PRODUCCION		
Siembra de alevines (# ind.)	No hubo Siembra - 0	200,000 (proyectado)
Producción anual comercial (ton)	300 ton	300 ton (proyectado)
Capacidad instalada (individuos)	500,000 (10 corrales Instalados)	6 millones de crías/año.
Notas	Nuevo laboratorio comercial <i>hatchery</i> con tecnología de recirculación de agua marina (RAS), después de un largo periodo de construcción y puesta en marcha debido a retrasos derivados del COVID-19.	
2. TRAZABILIDAD		
Etiquetado en productos	Tag y QR y Etiqueta con Marca en Embalaje	Tag y QR y Etiqueta con Marca en Embalaje
Marcaje genético stock comercial	Genotipificación con base en 24 microsatélites ADN	Genotipificación con base en 24 microsatélites ADN
Marcaje genético stock conservación	Genotipificación con base en 24 microsatélites ADN	Genotipificación con base en 24 microsatélites ADN
Notas	Todo el material Parental tienen microchips ID.	Todo el material Parental tienen microchips ID.
3. MANEJO DE BUCHES		
Manejo de buches	Las Unidades de Manejo para la Conservación de la Vida Silvestre (UMA), como Earth Ocean Farms, establecen en su Plan de Manejo las formas, presentaciones, mecanismos, metodologías, tipos de marcaje, entre otros, para el aprovechamiento de sus ejemplares, productos y subproductos, lo cual incluye la disposición final de partes y derivados, como las vejigas natatorias que no serán utilizadas.  Como seguimiento las UMA envían inventarios periódicos de ejemplares y en su caso, de partes y derivados a la SEMARNAT, asegurando así un marco de coordinación entre la UMA	



	<p>y el gobierno, para llevar a cabo de manera correcta el cumplimiento de las actividades incluidas en dicho Plan de Manejo, lo cual es inspeccionado por la PROFEPA.</p> <p>Tras el registro aprobado a Earth Ocean Farms por el Comité Permanente de la CITES, el 10 de marzo de 2022, se está trabajando en modificar el Plan de Manejo de la granja, en el cual se incluirá un procedimiento para la disposición de las vejigas natatorias de Totoaba (<i>Totoaba macdonaldi</i>), para el caso de la destrucción voluntaria, pudiera llevarse a cabo en eventos semestrales. A estos eventos se invitará a diversas autoridades competentes para la gestión y verificación del cumplimiento de la normatividad en materia de conservación y aprovechamiento sustentable de la vida silvestre en México, como la Dirección General de Vida Silvestre (DGVS) de la SEMARNAT, la Procuraduría Federal de Protección al Ambiente (PROFEPA) y la Fiscalía General de la República (FGR). Además, será posible que funcionarios de la Secretaría CITES y representantes de ONG 's de conservación, soliciten ser informados de estos eventos y estar presentes, con previa aprobación para garantizar una mayor transparencia a la destrucción voluntaria periódica de las vejigas natatorias.</p> <p>El procedimiento para la destrucción de las vejigas natatorias puede describirse como sigue:</p> <ul style="list-style-type: none"><li>- Modificación del Plan de Manejo de la UMA EOF para su aprobación (ya se está trabajando en esto)</li><li>- Evaluación y aprobación de la modificación al Plan de Manejo</li><li>- Notificación a la DGVS sobre el próximo evento de destrucción</li><li>- Coordinación con la DGVS, la PROFEPA y la FGR, y partes externas, para establecer la fecha y lugar de destrucción.</li><li>- Destrucción de las vejigas natatorias</li></ul>	
4. COMERCIO		
Volumen exportado (Tons)	Sin exportaciones	Sin exportaciones
Tipo de producto y % de la producción	Entero sin vísceras – 65% (frescos y congelados)	Entero sin vísceras – 65% (frescos y congelados)
	Filetes y porciones – 35% (frescos y congelados)	Filetes y porciones – 35% (frescos y congelados)
Notas	Toda la producción fue destinada a mercado nacional	



5. CONSERVACIÓN		
# de individuos liberados	20,000 juveniles	30,000 juveniles (programada para junio)
Notas	Acumulado en las seis liberaciones (desde 2015), 146,500 alevines, en Playa Santispec, Mulegé, BCS. Links Relevantes a la conservación <a href="https://www.youtube.com/Liberacion2021">https://www.youtube.com/Liberacion2021</a> <a href="https://youtu.be/SREMarthaDelgado">https://youtu.be/SRE Martha Delgado</a> <a href="https://twitter.com/SEMARNAT_mx/Liberacion20.000Totoabas">https://twitter.com/SEMARNAT_mx/Liberacion 20,000 Totoabas</a> <a href="https://www.milenio.com/estados/pez-totoaba-paz-bcs-liberan-20-mil-crias">https://www.milenio.com/estados/pez-totoaba-paz-bcs-liberan-20-mil-crias</a> <a href="https://www.excelsior.com.mx/nacional/liberan-20-mil-crias-de-pez-totoaba-para-repoblar-el-golfo-de-california/1462636">https://www.excelsior.com.mx/nacional/liberan-20-mil-crias-de-pez-totoaba-para-repoblar-el-golfo-de-california/1462636</a> Noticiero Estelar TV AZTECA <a href="https://youtu.be/-bhvPswghk0">https://youtu.be/-bhvPswghk0</a>	
6. OTROS		
Certificaciones	La planta de procesamiento obtuvo la certificación internacional del Global Seafood Alliance (BAP) con los más altos estándares de calidad y trazabilidad que existen en el ámbito de pescados y mariscos.	La planta de engorda obtuvo el reconocimiento de BAP, siendo esta la primera granja en el mundo en haber logrado esta certificación para la Totoaba y el Pargo Rojo.
Personal	114 personas especializadas (laboratorio de reproducción, granja submarina de engorda, planta de procesamiento, equipo de ventas, administración y finanzas).	120 personas especializadas (laboratorio de reproducción, granja submarina de engorda, planta de procesamiento, equipo de ventas, administración y finanzas).
<div>7. Nombre, cargo y firma del responsable de la elaboración</div> <div>Paul Konietzko - Director General</div> <div></div>		

## **Meeting of Range, Transit and Consumer States of Totoaba (*Totoaba macdonaldi*)**

**Online: 18-20 and 22 October 2021**

### **Outcome document**

Participants in the online Meeting of Range, Transit and Consumer States of Totoaba (*Totoaba macdonaldi*) agreed the following measures and activities to address illegal fishing and trafficking of totoaba and the threat this poses to the vaquita:

#### **1. Strengthening law enforcement measures and activities and international collaboration to address illegal totoaba specimen trafficking**

To strengthen law enforcement and international collaboration to address illegal totoaba specimen trafficking, it is agreed to:

- 1.1 Invite INTERPOL, subject to the availability of funds and resources, to convene a Regional Investigative and Analytical Case Meeting (RIACM) on totoaba, to facilitate information exchange and engagement between counterparts in different countries affected by totoaba trafficking.
- 1.2 Invite INTERPOL and the World Customs Organization (WCO), based on available information and intelligence, to work with Parties concerned to initiate a law enforcement operation targeting at least one known organized crime network.
- 1.3 Invite INTERPOL and the WCO to include totoaba as a key species of focus in any other global law enforcement operations they may initiate.
- 1.4 Encourage Parties to explore opportunities, where illegal totoaba specimens are detected, to initiate and conduct controlled deliveries, and to engage with INTERPOL and the WCO for support as may be needed.
- 1.5 Encourage Parties to communicate all totoaba related seizures and arrests to INTERPOL, using the INTERPOL Ecomessage, in real time or as soon as circumstances permit. Currently there is a lot of information and intelligence available, but it is scattered and not easily accessible. By communicating such information to INTERPOL in a timely manner, INTERPOL can serve as a central depository for such information and assist with data analyses and exchange support.
- 1.6 Request Parties affected by totoaba trafficking, to nominate national focal points to facilitate stronger engagement and communication between authorities in different countries about totoaba trafficking related matters. The details of such focal points should be communicated to the CITES Secretariat by 30 November 2021. The Secretariat will then communicate the details of these focal points to all Parties and organizations concerned.
- 1.7 Encourage all Parties to consider illegal trade in totoaba specimens as part of their activities to address wildlife crime linked to the internet.

- 1.8 Invite Parties affected by totoaba trafficking to reach out to the WCO to request support in conducting risk assessments to develop totoaba specific risk profiles, where risk profiles specific to totoaba do not yet exist.
- 1.9 Invite Parties to share totoaba specimen identification materials with the WCO and the CITES Secretariat, to be made available on the WCO ENVIRONET platform and the CITES Virtual College by 30 November 2021.
- 1.10 Invite the WCO to set up a closed user group on totoaba, to facilitate communication and information exchange on illegal trade between counterparts in different countries.
- 1.11 Encourage Parties, in cases concerning totoaba trafficking and where possible, to advocate for penalties that will not only address the crime committed but also make provision for penalties in restitution of damage to the environment, and to explore opportunities for proceeds from such penalties to be invested in totoaba enforcement and conservation.
- 1.12 Pursue intelligence-led enforcement and collaboration within Mexico and at the international level. At the national level, build on recent prosecutions to gather information which could lead to the apprehension of more poachers and traffickers. At the international level, by closely engaging with China and the United States of America (USA). Further, China and the USA should support and work with Mexico drawing upon information collected and shared by Mexican authorities, to target key players throughout the illegal supply and trade chain.

## **2. Mobilizing specialized tools and measures to combat organized crime associated with totoaba trafficking**

It was agreed to mobilize specialized tools and measures to combat organized crime associated with totoaba trafficking by carrying out the following actions:

### **2.1 International law enforcement collaboration through the mechanisms established by the United Nations Convention against Transnational Organized Crime (UNTOC)**

- 2.1.1 UNTOC offers several different tools, including an extradition model and adjudicating penalties and standards, as well as different protocols that could be drawn upon in the fight against totoaba trafficking.
- 2.1.2 Existing mechanisms such as those provided by INTERPOL and the WCO should be utilized to exchange information, as appropriate.
- 2.1.3 A secure platform exists for Financial Intelligence Units through the EGMONT secure web and should be utilized to exchange relevant information.
- 2.1.4 UNODC is invited to engage with Parties affected by totoaba trafficking, subject to the availability of funds and resources, to explore opportunities to invite affected countries to a Wildlife Inter Regional Enforcement (WIRE) meeting to support the sharing of best practices, foster cross-border cooperation and make best use of instruments and tools available through the UNTOC, including the establishment of platforms that would enable and facilitate information and intelligence exchange.

**2.2. National legislation, including any provisions in national legislation that other Parties should be aware of in the context of international collaboration and information exchange.**

- 2.2.1 Encourage Parties to review and amend national legislation, where not yet done, to ensure that it meets the provisions set out in paragraphs 15. e) and g) of CITES Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*.
- 2.2.2 Protocols are needed to enable information and intelligence exchange. Parties affected by totoaba trafficking should, where not yet done and as a matter of urgency, establish such protocols since not all law enforcement and intelligence organizations can share information in the absence of protocols.

**2.3. Opportunities to strengthen the mobilization of financial investigations and Financial Intelligence Unit engagement in the fight against totoaba trafficking.**

- 2.3.1 Financial Intelligence Units (FIUs) can help to identify money laundering typologies and illicit financial flows. Parties are encouraged to involve national FIUs to support financial investigations through:
- a) Tracking the illicit financial flows associated with seized and confiscated totoaba specimens.
  - b) Identifying criminal networks and shell companies involved in totoaba trafficking.
  - c) Identifying money laundering typologies and illicit financial flows used by totoaba traffickers.
  - d) Analyzing the flow of wildlife crime proceeds.
  - e) Detecting illicit wildlife activities by analyzing suspicious transactions reports (STRs) and other financial intelligence.
- 2.3.2 Parties are encouraged to strengthen collaboration with national FIUs and key stakeholders on matters related to totoaba trafficking.
- 2.3.3 Parties affected by totoaba trafficking are invited to encourage their national FIUs to reach out to law enforcement agencies such as Customs, police, CITES and wildlife authorities, through formal and informal channels. Based on information or intelligence received, FIUs should develop red flags / indicators related to totoaba trafficking.
- 2.3.4 FIUs are encouraged to reach out to reporting entities regarding indicators to detect Suspicious Transaction Reporting (STR).
- 2.3.5 FIUs are encouraged to strengthen cooperation with NGOs and transport companies (e.g courier companies, airlines) with the aim to gather information about totoaba trafficking.
- 2.3.6 FIUs are encouraged to use and contribute information to the Egmont Secure Web, which provides a platform for FIUs to swiftly exchange information.

- 2.3.7 Invite Parties, where needed, to reach out to INTERPOL for support in mobilizing financial investigations in the fight against totoaba specimen trafficking, through the INTERPOL Financial Crime Task Force.
- 2.3.8 Invite Mexico and the USA to enhance activities to strengthen cooperation between their FIUs on matters related to totoaba.

#### **2.4. Opportunities to enhance capacity through staff exchange and twinning programs.**

- 2.4.1 Opportunities to facilitate staff exchange and twinning programmes should be pursued through the Trilateral Enforcement Contact Group to be established, as appropriate.
- 2.4.2 Invite Parties affected by totoaba trafficking to reach out to the International Consortium on Combating Wildlife Crime (ICWC) to explore opportunities to undertake twinning programmes or study visits, where the need for such activities to facilitate engagement and collaboration has been identified.

### **3. Opportunities to eliminate supply and demand for illegally sourced specimens of totoaba**

To eliminate supply and demand for illegally sourced specimens of totoaba, the following is agreed:

#### **3.1. SUPPLY SIDE**

##### **Incentivizing sustainable and legal fishing practices in the Gulf.**

- 3.1.1 Mexico is encouraged to explore opportunities to incentivize sustainable and legal fishing practices in the Gulf, including by:
  - a) Scaling up efforts to finalize the development of selective fishing gear that does not pose a vaquita bycatch risk;
  - b) Developing simplified procedures that would facilitate timely issuance of experimental permits allowing the use of selective fishing gear that does not pose a vaquita bycatch risk;
  - c) Significantly scaling up efforts to teach fishers to build and use gear that does not pose a vaquita bycatch risk;
  - d) Conducting awareness raising work to shift attitudes more favourably towards the use of vaquita friendly gear and to change negative perceptions towards the vaquita as the cause of the ban of the traditionally preferred gillnet gear;
  - e) Promote effective implementation of existing gillnet laws;
  - f) Deploying better law enforcement tools to verify that fishing is done legally, including the vessel monitoring system. Opportunities to draw upon support from the Mexican navy research and development division to help CONAPESCA get this required system implemented, should be explored;

- g) Developing market incentives for legally obtained vaquita-safe seafood, so fishers can access the markets and receive a premium price; and
- h) Increasing awareness in consumer markets about illegal fishing and the risk it poses to threatened species.

### **Disincentivize illegal fishing.**

3.1.2 To increase the effectiveness of the actions outlined above, Mexico is encouraged to disincentivize illegal fishing by:

- a) Initiating behavioural change activities in pursuit of addressing and changing tolerant attitudes towards totoaba poaching and trafficking;
- b) Developing projects to work on alternative/complementary livelihoods and poverty alleviation for fisheries communities and the population in the region. These projects should aim to decrease the profitability of totoaba poaching and/or support greatly enhancing the perceived risk of totoaba poaching; and
- c) Developing early warning systems and put in place satellite monitoring to detect and respond to illegal fishing activities in a timely manner.

## **3.2. DEMAND SIDE**

- 3.2.1. Parties where there is a market for illegally traded totoaba specimens are encouraged to draw upon the *CITES Guidance on demand reduction strategies to combat illegal trade* (prepared for consideration and adoption at CoP19) to guide the development of well-targeted demand reduction strategies for totoaba through a 5-step approach.
- 3.2.2. Parties where there is a market for illegally traded totoaba specimens are encouraged to develop well targeted demand reduction strategies for illegally sourced specimens. Demand for totoaba maws exists in a relatively small geographic region and within a small demographic group. Therefore, a well-targeted demand reduction strategy aimed at achieving behaviour change of consumers will likely be more effective than mass campaigns that are typically designed to raise awareness of the whole society.
- 3.2.3. Parties and organizations are encouraged to conduct research to achieve full understanding of the dynamics of demand for totoaba, and in support of the design of demand reduction strategies for illegally sourced specimens targeting consumer behaviour in the known main destination markets of southern China, including Hong Kong Special Administrative Region of China.
- 3.2.4. Parties are encouraged to take the following elements into account in the development of any demand reduction strategy for illegally sourced specimens:
  - a) The role of governments as powerful influencer of behaviour changes among citizens, particularly in east Asia.
  - b) Carefully considering and conducting research on the risks of perverse incentives of raising awareness of the totoaba swim bladder as a luxury status symbol form of food or investment.

- c) Offering of legal alternative products (containing rich collagen similar to totoaba swim-bladder) to achieve behaviour change by showing barriers of buying/consuming totoaba maws, i.e. illegal, expensive, likely to be fake, and benefits of legal products.
  - d) Considering to enlist as influencers in the campaign, top level governmental leaders or officials, doctors or health experts, successful business leaders, and key wealthy individuals from the region to deliver tailored messages – in addition to celebrities from the entertainment industry, etc. Further, China is one of the Parties with the most sites listed on the World Heritage Convention, and that could form the basis for messaging: linking China’s river porpoise in Yangtze river and/or panda to Mexico’s panda of the sea (vaquita), in communicating that the behaviour of some is destroying world heritage elsewhere.
- 3.2.5. Parties that are known or potential destination countries for totoaba swim bladders should pursue awareness raising among governmental law enforcement agencies in areas where there is known to be demand, through training and provision of materials which would help to identify totoaba swim bladders.
- 3.2.6. Parties should refrain from publicly highlighting the rarity of totoaba specimens and the high values of seized totoaba maws, as available information suggests that collection, speculation and investment are some of the key motivations driving demand for totoaba maws.

#### **4. Financing, reporting and communications**

- 4.1. Mexico is encouraged to consider including matters related to totoaba and vaquita, including Upper Gulf selective fishing gear development, fishery management and law enforcement, and outcomes of the October 2021 totoaba meeting, among others, in its GEF 8 or other suitable funding opportunities, and also explore other potential funding partners.
- 4.2. Parties, organizations and the donor community are encouraged to provide funding support to civil society organizations in Mexico, working with governmental authorities and supporting the implementation of key activities such as net removal, legal fishing promotion, and awareness raising, including social marketing work.
- 4.3. Parties, organizations and the donor community are encouraged to provide funding support to awareness raising work and initiatives in consumer markets.

## **Reunión de los Estados del área de distribución, de tránsito y de consumo de totoaba (*Totoaba macdonaldi*)**

**En línea: 18 a 20 y 22 de octubre de 2021**

### **Documento final**

Los participantes en la Reunión de los Estados del área de distribución, de tránsito y de consumo de Totoaba (*Totoaba macdonaldi*), celebrada en línea, acordaron las siguientes medidas y actividades para combatir la pesca ilegal y el tráfico de totoaba y la amenaza que representan para la vaquita:

#### **1. Fortalecimiento de las medidas y actividades de aplicación de la ley y de la colaboración internacional para combatir el tráfico ilegal de especímenes de totoaba**

A fin de reforzar la aplicación de la ley y la colaboración internacional para hacer frente al tráfico ilegal de especímenes de totoaba, se acuerda:

- 1.1 Invitar a INTERPOL a que, en función de la disponibilidad de fondos y recursos, convoque una Reunión Regional de Investigación y Análisis de Casos (RIACM) sobre la totoaba con el objetivo de facilitar el intercambio de información y la colaboración entre los homólogos de los distintos países afectados por el tráfico de totoaba.
- 1.2 Invitar a INTERPOL y a la Organización Mundial de Aduanas (OMA) a que, basándose en la información y los datos disponibles, colaboren con las Partes interesadas para iniciar una operación de aplicación de la ley dirigida al menos a una red de delincuencia organizada conocida.
- 1.3 Invitar a INTERPOL y a la OMA a incluir la totoaba como una especie clave en cualquier otra operación mundial de aplicación de la ley que lleven a cabo.
- 1.4 Alentar a las Partes a que, cuando se detecten especímenes ilegales de totoaba, examinen las posibilidades de iniciar y realizar entregas controladas, y a que se pongan en contacto con INTERPOL y la OMA para obtener el apoyo que sea necesario.
- 1.5 Animar a las Partes a comunicar a INTERPOL todos los decomisos y detenciones relacionados con la totoaba, en tiempo real o tan pronto como las circunstancias lo permitan, utilizando los Ecomensajes de INTERPOL. En la actualidad se dispone de mucha información y datos de inteligencia, pero están dispersos y no son fácilmente accesibles. Si se comunica dicha información a INTERPOL de manera oportuna, esta organización puede servir como depósito central para la misma y ayudar con el análisis de datos y el apoyo a los intercambios.
- 1.6 Pide a las Partes afectadas por el tráfico de totoaba que designen coordinadores nacionales a fin de facilitar una mayor colaboración y comunicación entre las autoridades de los diferentes países sobre cuestiones relacionadas con el tráfico de totoaba. Los datos de estos coordinadores deben ser comunicados a la Secretaría de la CITES antes del 30 de noviembre de 2021. A continuación,

la Secretaría comunicará los datos de los coordinadores a todas las Partes y organizaciones interesadas.

- 1.7 Alentar a todas las Partes a considerar el comercio ilegal de especímenes de totoaba como parte de sus actividades para combatir los delitos contra la vida silvestre relacionados con Internet.
- 1.8 Invitar a las Partes afectadas por el tráfico de totoaba a que se pongan en contacto con la OMA para solicitar apoyo en la realización de evaluaciones de riesgo para desarrollar perfiles de riesgo específicos para la totoaba, en los casos en que aún no existan perfiles de riesgo específicos para esta especie.
- 1.9 Invitar a las Partes a compartir con la OMA y la Secretaría de la CITES materiales de identificación de especímenes de totoaba de manera que estén disponibles en la plataforma ENVIRONET de la OMA y en el Colegio Virtual de la CITES antes del 30 de noviembre de 2021.
- 1.10 Invitar a la OMA a crear un grupo cerrado de usuarios sobre totoaba, con el objetivo de facilitar la comunicación y el intercambio de información sobre el comercio ilegal entre homólogos de diferentes países.
- 1.11 Alentar a las Partes a que, en los casos relacionados con el tráfico de totoaba, dispongan de sanciones que no sólo respondan al delito cometido, sino que también cubran la reparación del daño al medio ambiente, y a que examinen opciones para que los ingresos procedentes de dichas sanciones se inviertan en la observancia en relación con la totoaba y su conservación.
- 1.12 Llevar adelante la aplicación de la ley basada en datos de inteligencia y la colaboración, dentro de México y a escala internacional. En el plano nacional, aprovechar los recientes enjuiciamientos para recabar información que pueda conducir a la detención de más pescadores furtivos y traficantes. En el plano internacional, colaborar estrechamente con China y los Estados Unidos de América (EE.UU.). Además, China y EE.UU. deberían apoyar a México y colaborar con él utilizando la información recopilada y transmitida por las autoridades mexicanas, con el objetivo de centrar la acción en los actores clave en toda la cadena de suministro y comercio ilegal.

## **2. Movilización de herramientas y medidas especializadas para combatir la delincuencia organizada relacionada con el tráfico de totoaba.**

Se acordó movilizar herramientas y medidas especializadas para combatir la delincuencia organizada relacionada con el tráfico de totoaba mediante la realización de las siguientes acciones:

- 2.1 Colaboración internacional en materia de aplicación de la ley a través de los mecanismos establecidos por la Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional (UNTOC)**
  - 2.1.1 La UNTOC ofrece diferentes herramientas, como un modelo de extradición y sanciones y normas de adjudicación, así como diferentes protocolos que podrían ser utilizados en la lucha contra el tráfico de totoaba.
  - 2.1.2 Se deberían utilizar los mecanismos existentes, como los de Interpol y la OMA, para el intercambio de información, según proceda.

- 2.1.3 Las Unidades de Inteligencia Financiera disponen de una plataforma protegida a través de la Red Segura de Egmont que deberían utilizarse para intercambiar información pertinente.
- 2.1.4 Sujeto a la disponibilidad de fondos y recursos, se invita a la ONUDD a colaborar con las Partes afectadas por el tráfico de totoaba para examinar la conveniencia de invitar a los países afectados a establecer una Red Interregional para la Aplicación de la Ley de Vida Silvestre (WIRE) con el objetivo de apoyar el intercambio de mejores prácticas, fomentar la cooperación transfronteriza y hacer el mejor uso posible de los instrumentos y herramientas disponibles a través de la CNUDT, incluido el establecimiento de plataformas que permitan y faciliten el intercambio de información e inteligencia
- 2.2. Legislación nacional, incluyendo cualquier disposición de la legislación nacional que otras Partes deban conocer en el contexto de la colaboración internacional y el intercambio de información.**
- 2.2.1 Alentar a las Partes a que, cuando aún no lo hayan hecho, examinen y enmienden la legislación nacional a fin de velar por que esta cumpla con las disposiciones establecidas en los párrafos 15 e) y g) de la Resolución Conf. 11.3 (Rev. CoP18) sobre *Observancia y aplicación*.
- 2.2.2 Se necesitan protocolos que permitan el intercambio de información e inteligencia. Cuando aún no lo hayan hecho, las Partes afectadas por el tráfico de totoaba deberían establecer urgentemente dichos protocolos, ya que no todas las organizaciones de aplicación de la ley y de inteligencia pueden compartir información si no se dispone de ellos.
- 2.3. Oportunidades para reforzar la movilización de las investigaciones financieras y la participación de la Unidades de Inteligencia Financiera en la lucha contra el tráfico de totoaba.**
- 2.3.1 Las Unidades de Inteligencia Financiera (UIF) pueden ayudar a identificar los mecanismos de blanqueo de dinero y los flujos financieros ilícitos. Se alienta a las Partes a involucrar a las UIF nacionales para apoyar las investigaciones financieras a través de:
- a) El seguimiento de los flujos financieros ilícitos relacionados con los especímenes de totoaba decomisados y confiscados.
  - b) La identificación de redes delictivas y empresas ficticias implicadas en el tráfico de totoaba. c) La identificación de los mecanismos de blanqueo de dinero y los flujos financieros ilícitos utilizados por los traficantes de totoaba.
  - d) El análisis del flujo de las ganancias obtenidas con los delitos contra la vida silvestre.
  - e) La detección de actividades ilegales relacionadas con las especies silvestres mediante el análisis de los informes sobre transacciones sospechosas (ITS) y otros datos financieros.
- 2.3.2 Se alienta a las Partes a reforzar la colaboración con las UIF nacionales y los interesados directos clave en cuestiones relacionadas con el tráfico de totoaba.
- 2.3.3 Se invita a las Partes afectadas por el tráfico de totoaba a que alienten a sus UIF nacionales a ponerse en contacto con los organismos encargados de la aplicación de la ley, como las aduanas,

la policía y las autoridades CITES y de vida silvestre, a través de canales formales e informales. Sobre la base de la información o la inteligencia recibida, las UIF deben desarrollar alertas/indicadores relacionados con el tráfico de totoaba.

- 2.3.4 Se alienta a las UIF a que se pongan en contacto con las entidades que presentan informes en lo que respecta a los indicadores utilizados para establecer los informes sobre transacciones sospechosas (ITS).
- 2.3.5 Se alienta a las UIF a que refuercen la cooperación con las ONG y las empresas de transporte (por ejemplo, empresas de mensajería, compañías aéreas) con el fin de reunir información sobre el tráfico de totoaba.
- 2.3.6 Se alienta a las UIF a que obtengan y transmitan información a través de la Red Segura del Centro Egmont, que proporciona una plataforma para que las UIF intercambien información rápidamente.
- 2.3.7 Se invita a las Partes a que, cuando sea necesario, soliciten la colaboración de INTERPOL para que les apoye en la realización de las investigaciones financieras en el marco de la lucha contra el tráfico de especímenes de totoaba a través del Grupo de Trabajo de INTERPOL sobre Delitos Financieros.
- 2.3.8 Se invita a México y a EE.UU. a intensificar las actividades para fortalecer la cooperación entre sus UIF en asuntos relacionados con la totoaba.

#### **2.4. Oportunidades para fomentar la capacidad mediante el intercambio de personal y los programas de hermanamiento.**

- 2.4.1 Se deberán buscar oportunidades para facilitar el intercambio de personal y los programas de hermanamiento a través del grupo de contacto trilateral para la aplicación de la ley que será creado, según proceda.
- 2.4.2 Invitar a las Partes afectadas por el tráfico de totoaba a establecer contactos con el Consorcio Internacional para Combatir los Delitos contra la Vida Silvestre (ICWC) a fin de considerar las oportunidades para emprender programas de hermanamiento o visitas de estudio, cuando se haya identificado la necesidad de tales actividades para facilitar el involucramiento y la colaboración.

### **3. Oportunidades para eliminar la oferta y la demanda de especímenes de totoaba de origen ilegal**

A fin de eliminar la oferta y la demanda de especímenes de totoaba de origen ilegal, se acuerda lo siguiente:

#### **3.1. EN EL ÁMBITO DE LA OFERTA**

##### **Incentivar las prácticas pesqueras sostenibles y legales en el Golfo.**

- 3.1.1 Se alienta a México a buscar oportunidades para incentivar las prácticas pesqueras sostenibles y legales en el Golfo mediante acciones tales como:

- a) Aumentar los esfuerzos para finalizar el desarrollo de artes de pesca selectivas que no supongan un riesgo de captura incidental de la vaquita;
- b) Desarrollar procedimientos simplificados para facilitar la emisión oportuna de permisos experimentales que permitan el uso de artes de pesca selectivos que no representen un riesgo de captura incidental de la vaquita;
- c) Aumentar significativamente los esfuerzos para enseñar a los pescadores a construir y utilizar artes de pesca que no supongan un riesgo de captura incidental de la vaquita;
- d) Llevar a cabo un trabajo de sensibilización para cambiar las actitudes de manera que sean más favorables al uso de artes de pesca amigables con la vaquita y para cambiar las percepciones negativas hacia la vaquita como la causa de la prohibición de las redes de enmalle utilizadas tradicionalmente;
- e) Promover la aplicación efectiva de las leyes existentes en relación con las redes de enmalle;
- f) Desplegar mejores herramientas de aplicación de la ley para verificar que la pesca se realice legalmente, incluido el sistema de localización de buques. Deben examinarse las oportunidades para aprovechar el apoyo de la división de investigación y desarrollo de la Armada de México para ayudar a la CONAPESCA a implementar este sistema necesario;
- g) Desarrollar incentivos de mercado para los alimentos marinos obtenidos legalmente que no constituyan una amenaza para la vaquita, de modo que los pescadores puedan acceder a los mercados y recibir un precio superior; y
- h) Aumentar la concienciación en los mercados de consumo sobre la pesca ilegal y el riesgo que supone para las especies amenazadas.

### **Desincentivar la pesca ilegal.**

3.1.2 A fin de aumentar la eficacia de las acciones señaladas anteriormente, se alienta a México a desincentivar la pesca ilegal mediante acciones tales como:

- a) Iniciar actividades de cambio de comportamiento con el fin de enfrentar y cambiar las actitudes de tolerancia hacia la pesca furtiva y el tráfico de totoaba;
- b) Desarrollar proyectos para trabajar en medios de sustento alternativos/complementarios y en la mitigación de la pobreza en beneficio de las comunidades pesqueras y la población de la región. Estos proyectos deben tener como objetivo disminuir la rentabilidad de la pesca furtiva de totoaba y/o reforzar significativamente la percepción del riesgo que conlleva la pesca furtiva de totoaba; y
- c) Desarrollar sistemas de alerta temprana y establecer un monitoreo por satélite para detectar y responder a tiempo a las actividades de pesca ilegal.

### **3.2. EN EL ÁMBITO DE LA DEMANDA**

- 3.2.1. Se alienta a las Partes en las que existe un mercado de especímenes de totoaba comercializados ilegalmente a utilizar las *Orientaciones de la CITES sobre las estrategias de reducción de la demanda para combatir el comercio ilegal* (preparadas para su consideración y adopción en la CoP19) como base para el desarrollo de estrategias de reducción de la demanda orientadas específicamente a la totoaba, siguiendo un enfoque en 5 pasos
- 3.2.2. Se alienta a las Partes en las que existe un mercado de especímenes de totoaba comercializados ilegalmente a que desarrollen estrategias de reducción de la demanda de especímenes de origen ilegal debidamente orientadas. La demanda de buches de totoaba existe en una región geográfica relativamente pequeña y dentro de un grupo demográfico reducido. Por consiguiente, una estrategia de reducción de la demanda dirigida específicamente a lograr un cambio de comportamiento de los consumidores será probablemente más eficaz que las campañas masivas que suelen estar diseñadas para concienciar a toda la sociedad.
- 3.2.3. Se alienta a las Partes y a las organizaciones a que lleven a cabo investigaciones para lograr una plena comprensión de la dinámica de la demanda de totoaba, y en apoyo de la elaboración de estrategias de reducción de la demanda de especímenes de origen ilegal dirigidas a cambiar el comportamiento de los consumidores en los principales mercados de destino conocidos del sur de China, incluida la Región Administrativa Especial de Hong Kong (China)
- 3.2.4. Se alienta a las Partes a tener en cuenta los siguientes elementos en el desarrollo de cualquier estrategia de reducción de la demanda de especímenes de origen ilegal:
- a) El papel de los gobiernos como poderosos influentes en el cambio de comportamiento de los ciudadanos, especialmente en Asia oriental.
  - b) Preparar cuidadosamente y llevar a cabo una investigación sobre los riesgos de que haya incentivos contraproducentes si se realiza una sensibilización en relación con la vejiga natatoria de totoaba como alimento u objeto de inversión asociado al estatus o el lujo.
  - c) Desarrollar una oferta de productos alternativos legales (ricos en colágeno al igual que la vejiga natatoria de totoaba) para lograr un cambio de comportamiento poniendo de manifiesto las barreras para la compra/consumo de buches de totoaba, es decir, el hecho de que son ilegales, caros, probablemente falsos, a la vez que se destacan los beneficios de los productos legales.
  - d) Considerar la posibilidad de involucrar como influentes en la campaña a líderes o funcionarios gubernamentales de alto nivel, médicos o expertos en salud, líderes empresariales de éxito y personas adineradas clave de la región para que transmitan mensajes a medida, además de celebridades de la industria del entretenimiento, etc. Además, China es una de las Partes con más sitios inscritos en la Convención del Patrimonio Mundial, y eso podría servir de base para el mensaje a transmitir: vincular la marsopa del río Yangtsé de China y/o el panda con el panda del mar de México (vaquita), para transmitir el mensaje de que el comportamiento de algunos está destruyendo el patrimonio mundial en otros lugares.
- 3.2.5. Las Partes que son países de destino conocido o potencial de las vejigas natatorias de totoaba deben seguir concienciando a los organismos gubernamentales encargados de la aplicación de la

ley en las zonas donde se sabe que hay demanda, mediante la formación y el suministro de materiales que ayuden a identificar las vejigas natatorias de totoaba.

- 3.2.6. Las Partes deben evitar destacar públicamente la rareza de los especímenes de totoaba y el alto valor de los buches de totoaba decomisados, ya que la información disponible sugiere que el uso para colecciones, la especulación y la inversión son algunas de las motivaciones clave que impulsan la demanda de buches de totoaba.

#### **4. Financiación, presentación de informes y comunicaciones**

4.1. Se alienta a México a considerar la inclusión de cuestiones relacionadas con la totoaba y la vaquita, incluido el desarrollo de artes de pesca selectivos en el Alto Golfo, la gestión de las pesquerías y la aplicación de la ley, así como los resultados de la reunión sobre la totoaba de octubre de 2021, entre otros, en sus prioridades para el FMAM 8 u otras oportunidades de financiación adecuadas, y también a explorar otros posibles socios de financiación.

4.2. Se alienta a las Partes, a las organizaciones y a la comunidad de donantes a proporcionar apoyo financiero a las organizaciones de la sociedad civil en México, trabajando con las autoridades gubernamentales y apoyando la implementación de actividades clave como la retirada de redes, la promoción de la pesca legal y el trabajo de concienciación, incluido el marketing social.

4.3. Se alienta a las Partes, a las organizaciones y a la comunidad de donantes a que presten apoyo financiero a la labor de sensibilización y a las iniciativas en los mercados de consumo.

## TENTATIVE BUDGET AND SOURCE OF FUNDING FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

According to Resolution Conf. 4.6 (Rev. CoP18) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding. The Secretariat proposes the following tentative budget and source of funding.

### **Decisions 18.292 (Rev. CoP19), 18.293 (Rev. CoP19), 19.CC and 19.DD**

Decisions 18.292 (Rev. CoP19), 18.293 (Rev. CoP19), 19.CC and 19.DD does not have any budgetary and workload implications for the Secretariat or permanent committees.

### **Decision 18.294 (Rev. CoP19)**

Work to be undertaken by the Secretariat in accordance with Decision 18.294 (Rev. CoP19), paragraphs a) and d), would require some time from the Secretariat but should be a core part of the Secretariat's work and accommodated within its regular work programme.

Engagement with ICCWC partner agencies as anticipated by Decision 18.294 (Rev. CoP19), paragraph b), would require some time from the Secretariat. Part of this work can be accommodated within the Secretariat's regular work programme, whilst part of it would be supported by the CITES Secretariat externally funded ICCWC support staff. This work can be accommodated by the ICCWC support staff with a small contribution towards their staff time. An estimated budget of USD 10,000 would be required to accommodate tasks delivered by ICCWC support staff (approximately 5% of staff-time). The delivery of some activities relevant to ICCWC, as outlined in the online *Meeting of Range, Transit and Consumer States of Totoaba* agreed outcomes document, would be subject to the provision of external funds. These include activities 1.1, 2.1.4 and 2.4.2.

Implementation of Decision 18.294 (Rev. CoP19), paragraph c), is subject to the provision of external funds. Implementation of the decision would require some time from the Secretariat but should be a core part of the Secretariat's work and accommodated within its regular work programme.

### **Decision 18.295 (Rev. CoP19)**

Implementation of Decision 18.295 (Rev. CoP19) would require some time from the Standing Committee but can be accommodated within its regular work programme.

<b>Decision</b>	<b>Activity</b>	<b>Indicative costs (USD)</b>	<b>Source of funding</b>
Decision 18.294 (Rev. CoP19), paragraph b)	Convening a Regional Investigative and Analytical Case Meeting (RIACM) on totoaba (Activity 1.1 in the totoaba meeting outcome document).	USD 40 000	Extrabudgetary
	Convening a Wildlife Inter Regional Enforcement (WIRE) meeting on totoaba (Activity 2.1.4 in the totoaba meeting outcome document).	USD 60 000	Extrabudgetary
	Support for twinning programmes or study visits to address totoaba specimen trafficking.	USD 30 000	Extrabudgetary

	(Activity 2.4.2 in the totoaba meeting outcome document).		
	Contribution towards externally funded CITES Secretariat ICCWC support staff time	USD 10 000	Extrabudgetary
Decision 18.294 (Rev. CoP19), paragraph c)	Study on vaquita and totoaba	USD 60 000	Extrabudgetary (Funding already secured through a contribution from Switzerland)