

Terms of Reference: Study on vaquita (*Phocoena sinus*) and totoaba (*Totoaba macdonaldi*)

In accordance with Decision 18.294 (Rev. CoP19), paragraph c), the Secretariat in consultation with the Standing Committee through its Chair, prepared the following Terms of Reference for the study on vaquita and totoaba focusing on the conservation status, illegal trade and supply and demand of totoaba specimens, with a particular focus on swim bladders in order to identify recommendations to range, transit and consumer States so they can undertake corresponding action, individually or collectively.

Terms of Reference

- A1. Conducting a review of available information, including the scientific literature and reports by experts, intergovernmental and nongovernmental organizations, and multilateral environmental agreements (MEAs) as well as relevant meeting documents¹ on, *inter alia*:
- a) totoaba and vaquita conservation status, threats and conservation efforts including enforcement related actions;
 - b) illegal trade in and markets for totoaba, its swim bladders, and any other parts and derivatives, the characteristic of the illegal trade, drivers and actors of illegal trade, including the identification and analysis of illicit financial flows linked to trade in totoaba, its swim bladders, and any other parts and derivatives;
 - c) challenges associated with addressing the illegal trade chain and opportunities to address these challenges;
 - d) supply and demand for totoaba and market developments;
 - e) the potential positive and negative impacts of legal trade in totoaba specimens on illegal trade and the conservation status of vaquita and totoaba;
 - f) ongoing activities relating to cooperation amongst range, transit and consumer States with the aim of identifying gaps and opportunities for inter-governmental cooperation and synergies;
 - g) activities relating to cooperation on totoaba and vaquita conservation by other Parties and relevant stakeholders with the aim of identifying gaps and existing or potential synergies as well as opportunities for new strategic partnerships; and
 - h) any other issues relevant to totoaba and vaquita conservation and linked to the above identified by the Secretariat, the Standing Committee and relevant Parties while the review of information is taking place.
- A2. Preparing and submitting an annotated outline for a report based on the review of information referred to in A1 taking into consideration the “Outline for a study on vaquita and totoaba” agreed by the CITES Standing Committee. The annotated outline for the report will include a list of references and details on planned consultations with stakeholders (relevant Parties to CITES, organizations and experts) ensuring balance and representativeness of the different actors and points of view to acquire information not readily available in literature.
- A3. Consulting relevant Parties to CITES and other key stakeholders and experts based on the

¹ Decisions of the 70th meeting of the Standing Committee - [SC70 SR](#) (October 2018), Outcomes of the online Meeting of Range, Transit and Consumer States of Totoaba – [SC74 Doc 28.5 A4](#) (October 2021), Decisions of the 74th and 75th meeting of the Standing Committee – [SC74 SR](#) (March 2022) and [SC75 SR](#) (November 2022), and [Decisions 18.292 \(Rev. CoP19\) to 18.295 \(Rev. CoP19\) & 19.74 to 19.76 Totoabas \(*Totoaba macdonaldi*\) among others.](#)

consultation plan and taking into consideration the review in A1 in order to:

- a) identify and obtain additional information, including on the conservation status and threats to the vaquita and totoaba and enforcement actions, or clarify available information;
- b) articulate based on the best available scientific, enforcement and other relevant information, potential avenues for the recovery of vaquita and totoaba; and
- c) provide specific recommendations directed to range, transit and consumer States on actions that can be taken, individually or collectively, to conserve the vaquita and address illegal trade in totoaba specimens with a particular focus on swim bladders;

Deliverables

- Deliverable 1: An annotated outline for a report based on the review of information and at a minimum the elements presented in the “Outline for a study on vaquita and totoaba” agreed by the CITES Standing Committee, including a preliminary list of documents and scientific articles reviewed and a detailed plan for consultations with stakeholders (relevant Parties to CITES, organizations and experts) to acquire information not readily available in literature.
- Deliverable 2: A draft report based on the annotated outline including the results of consultations undertaken with stakeholders, potential avenues for the recovery of vaquita and totoaba and draft recommendations for consideration by the CITES Standing Committee, that could be directed to range, transit and consumer States.
- Deliverable 3: A final written report including, at a minimum, all sections in the “Outlines for a study on vaquita and totoaba” taking into account any feedback provided and including supporting documentation.

Outline for a study on vaquita and totoaba

1. Acknowledgments
2. Executive summary
3. Background
4. Setting the scene: Best available information on the current status of vaquita and totoaba
 - 4.1. Vaquita
 - a) Population status and trends
 - b) Threats to species and its habitat
 - c) Conservation efforts, including enforcement related actions
 - 4.2. Totoaba
 - a) Population status, trends
 - b) Threats to species and its habitat
 - c) Conservation efforts, including enforcement related actions, intra and inter-governmental collaborations and intelligence sharing, and impacts of released captive-bred specimens on wild totoaba, including genetic health
5. Comprehensive and integrative diagnosis of the illegal and legal trade in and markets for totoaba specimens

- a) Characteristics of illegal trade, its drivers and identification of transit and consumer States, as well as the main actors involved in illegal trade
 - b) Supply and market developments, including identification of wild versus captive bred totoaba specimens
 - c) Illegal trade chain mapping including illicit financial flows linked to trade of totoaba, its swim bladders and any other parts and derivatives
 - d) New and emerging illegal trade trends
 - e) Challenges along the illegal trade chain and opportunities to address them
 - f) Analysis of the potential positive and negative impact of legal trade in totoaba specimens (captive-bred):
 - i) the conservation of vaquita and totoaba²
 - ii) illegal trade and enforcement efforts to address illegal trade
 - iii) demand for totoaba specimens
6. Comprehensive overview and analysis of supply and demand for illegally sourced totoaba specimens including, but not limited to:
- 6.1 Supply side
- a) Development of selective fishing gear
 - b) Challenges regarding uptake and use of fishing gear that do not pose a risk to vaquita
 - c) Market incentives for legally obtained vaquita-safe seafood
- 6.2 Demand side
- a) Dynamics of demand for illegal totoaba specimens
 - b) Demand reduction strategies for totoaba swim bladders
 - c) Awareness raising activities considering the actions identified in the results of the Meeting of Range, Transit and Consumer States of Totoaba (3.2, in particular 3.2.4)
7. Cooperation: assessment of ongoing activities and potential synergies with key CITES partners
- a) Ongoing activities & synergies, and gap analysis
 - b) Potential for new strategic partnerships with Parties, other MEAs, other national and international institutes, and stakeholder organizations
8. Discussion: Progress, challenges and opportunities
9. Conclusions and recommendations
- 9.1. Conclusions
- a) Avenues for the recovery of vaquita [General measures; CITES-related measures; other MEA-related measures]
 - b) Avenues for the recovery of totoaba [General measures; CITES-related measures; other MEA-related measures]
- 9.2. Recommendations
- a) Range State (Mexico)
 - b) Transit States
 - c) Consumer States
10. Literature cited

² As agreed by the Standing Committee at its 70th meeting (SC70, Sochi, 2018). For reference, see [SC70 Sum. 11 \(Rev. 1\)](#), with some minor editorial amendments by the Secretariat.