

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



Seventy-eighth meeting of the Standing Committee
Geneva (Switzerland), 3-8 February 2025

U.S. EDITS TO DRAFT DECISIONS ON TOTOABAS (*TOTOABA MACDONALDI*)

1. This document has been submitted by the United States of America* in relation to agenda item 33.12.1, to share with the Standing Committee and the Secretariat our suggested edits related to draft decisions on *Totoabas* (*Totoaba macdonald*) presented in Annex 3 of the document.
2. U.S. proposed edits are in red with text proposed to be deleted is indicated with strikethrough and proposed new text is underlined.

20.AA Directed to Parties and relevant stakeholders

In their implementation of measures and activities to conserve and protect totoaba and vaquita and address poaching and illegal trade affecting these species, Parties and relevant stakeholders are encouraged to:

- a) take into consideration the information contained in the study on totoaba and vaquita available in Annex 7 to document SC78 Doc. 33.12.1;
- b) support efforts related to the recovery and monitoring of wild populations of totoaba and vaquita;
- c) support efforts to eliminate supply of and demand for illegally sourced specimens of totoaba; and
- d) make every effort to support Mexico in the implementation of Decision 20.DD.

20.BB Directed to Parties affected by illegal fishing and trafficking of totoabas

Parties affected by illegal fishing and trafficking of totoabas 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, applying strict enforcement measures to prevent and combat this illegal trade and prosecute the criminals involved;
- 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 vaquitas (*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*.

* The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

20.CC Directed to China

China is encouraged to:

- a) strengthen information and intelligence gathering regarding individuals within the country managing and organizing illegal trade involving totoaba specimens, analyze data gathered to map out their criminal networks, and target their activities through intelligence-driven investigations and operations to facilitate their arrest and prosecution; and
- b) report to the 81st meeting of the Standing Committee on activities conducted and any associated results achieved.

20.DD Directed to Mexico

Mexico is requested to:

- a) 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"), or any new or revised version of "the Agreement";
- b) continue implementation of measures to effectively prevent fishers from using gillnets in the Vaquita Refuge Area (VRA) and vessels from entering the Vaquita Zero-Tolerance Area (Zo) and to maintain these areas completely gillnet-free, including by:
 - i. ensuring surveillance on a full-time basis drawing upon all systems at its disposal;
 - ii. 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;
 - iii. deploying authorities with legal powers of seizure and arrest, together with the Navy, to effectively prevent, disrupt and put an end to the illegal fishing activities;
 - iv. maintaining resources to ensure uninterrupted gillnet removal and to take all necessary measures to destroy confiscated nets;
- c) scale up activities in support of selective fishing gear development and use, including by implementing dedicated programmes in this regard, in consultation with stakeholders to ensure inclusivity and acceptance;
- d) maintain strict control over the activities of vessels to which fishing permits with alternative gear were granted to ensure that only the alternative gear is used as authorized by the permits and that strict action is taken when any irregularities are detected;
- e) continue delivering activities through awareness and sensitization programmes in pursuit of behaviour change regarding the use of alternative fishing gear that does not pose a threat to the vaquita and to deter illegal activities;
- f) take measures to address illegal totoaba fishing displaced elsewhere due to strengthened measures deployed at the Zo and VRA;
- g) further strengthen intelligence gathering and analyses of information and data to map out the criminal groups in Mexico involved in illegal fishing and totoaba specimen trafficking, and to address them through intelligence-driven enforcement operations; and
- h) submit a comprehensive report on the implementation of Decision 20.DD to the Secretariat 90 days in advance of the 81st meeting of the Standing Committee, for it to be made available to the Committee for consideration.

20.EE Directed to Parties affected by illegal fishing and trafficking of totoabas Directed to the United States of America

Parties affected by illegal fishing and trafficking of totoabas are encouraged to ~~The United States of America is encouraged to:~~

- a) strengthen information and intelligence gathering regarding individuals within ~~its~~their territory facilitating the transit of illegal totoaba specimen consignments through ~~its~~their territory, their *modus operandi* to receive, store and export such illegal consignments, and to target their activities through intelligence-

driven investigations and operations, including by sharing information with authorities in Mexico and China destination countries, as appropriate, in support of follow up investigations across the illegal trade chain;

- b) in ~~its~~ their implementation of measures and activities to address totoaba specimen trafficking, consider the risk of commercial seafood shipments transiting ~~its~~ their territory being used to conceal and smuggle illegal totoaba swim bladder consignments and to apply strict inspection measures to such shipments originating from and destined to Parties known to be affected by totoaba specimen trafficking, as well as review related national practices to ensure that the measures in place are effective and adapted as may be needed to respond to any newly identified trends; and
- c) report to the 81st meeting of the Standing Committee on the activities conducted and any associated results achieved.

20.FF Directed to China, Mexico, and the United States of America

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 81st meeting of the Standing Committee on the activities conducted ~~in accordance~~ consistent with the TECG terms of reference, as well as associated results achieved, as appropriate.

20.GG Directed to the Secretariat

The Secretariat shall:

- a) seek information from Parties through a Notification to the Parties on their implementation of Decisions 20.AA and 20.BB;
- b) continue monitoring Mexico's implementation of its compliance action plan and report the information communicated by Parties and Mexico in accordance with Decisions 20.AA to 20.DD, in a timely manner (at least 45 days in advance of the 81st meeting of the Standing Committee) to the Standing Committee at its 81st meeting with any recommendations it may have;
- c) report to the 81st meeting of the Standing Committee on its implementation of Decision 20.GG. together with any recommendations it may have.

20.HH Directed to the Standing Committee

The Standing Committee shall review the reporting submitted by Parties and the Secretariat in accordance with Decisions 20.CC to 20.GG and make recommendations as appropriate.