

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



Sixty-ninth meeting of the Standing Committee  
Geneva (Switzerland), 27 November -1 December 2017

Species specific matters

IMPLEMENTATION OF DECISIONS 17.145 TO 151  
ON TOTOABA (*TOTOABA MACDONALDI*)

1. This document has been submitted by Mexico, China and the United States.\*

Background

2. At the 17th meeting of the Conference of the Parties, Mexico presented document [CoP17 Doc. 74](#) on “Totoaba –*Totoaba macdonaldi*: Opportunities for international collaboration within the CITES framework”. The document provided extensive background on the critically endangered totoaba (*T. macdonaldi*) and vaquita porpoise (*Phocoena sinus*), both of which are listed in CITES Appendix I and endemic to the Upper Gulf of California (Mexico). Document CoP17 Doc. 74 described at length:

- a) The issues affecting these species.
- b) The measures taken by Mexico to address these issues, including efforts to strengthen law enforcement, management and conservation, and increased international collaboration (including progress achieved at the 66<sup>th</sup> meeting of the Standing Committee, Geneva 2016).

Mexico recommended that the CoP take note of the measures taken to address the poaching of and illegal trade in totoaba, and to adopt the draft Decisions included in the Annex to document CoP17 Doc. 74 (Rev. 1).

3. After considering the recommendations of document CoP17 Doc. 74, the Conference of the Parties adopted by consensus Decisions 17.145 to 17.151 on Totoaba, which read:

Decision	Mandate
17.145	<b>Directed to Parties</b> Parties acknowledge that Mexico, the United States of America and China are committed to collaborating and contributing towards the conservation of totoaba, and urge other Parties to join them in this effort.
17.146	<b>Directed to range, transit or consumer States of totoaba</b> Parties should intercept illegal shipments, and as appropriate and to the extent possible, share information on such illegal catch and illegal trade, with the Secretariat, as well as CITES authorities of relevant Parties.

\* 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.

Decision	Mandate
17.147	<p><b>Directed to range, transit or consumer states of totoaba</b></p> <p>Parties should engage in awareness raising activities about the endangerment of totoaba and its grave implications for vaquita (<i>Phocoena sinus</i>, an endangered species threatened with extinction and listed under Appendix I), eliminate supply of and demand for totoaba, and increase law enforcement measures to prevent and address illegal fishing and trade.</p>
17.148	<p><b>Directed to range, transit or consumer states of tototaba</b></p> <p>Parties shall submit to the Secretariat information to be made available to the 69<sup>th</sup> and 70<sup>th</sup> meetings of the Standing Committee on the number and quantity of seizures of illegal totoaba products, arrests of those engaged in the illegal fishing and trade, results of any prosecutors, and actions taken to implement these decisions.</p>
17.149	<p><b>Directed to the Secretariat</b></p> <p>Subject to availability of external resources and in consultation with relevant organizations [i.e. the Food and Agriculture Organization of the United Nations (FAO), the International Union for Conservation of Nature (IUCN), etc.] as well as the range State, the Secretariat shall commission a report, to be submitted to the Standing Committee, on the current status of totoaba and vaquita, and ongoing conservation efforts, information on illegal trade and markets, and recommendations to guarantee the recovery of totoaba and vaquita and combat illegal trade.</p>
17.150	<p><b>Directed to Standing Committee</b></p> <p>The Standing Committee shall evaluate the data and information submitted by Parties at its 69<sup>th</sup> and 70<sup>th</sup> meetings and make recommendations for any additional actions.</p>
17.151	<p><b>Directed to Parties and other relevant stakeholders</b></p> <p>Parties and other relevant stakeholders are urged to support efforts to stop illegal fishing, trafficking, and support activities benefiting the recovery of wild populations of totoaba.</p>

Progress achieved in the implementation of Decisions 17.145 to 17.151

4. Through Notification 2017/043, the Secretariat requested Parties to report on Decision 17.148 by 31 July 2017. The Secretariat's report on Parties' responses are included in the Secretariat's SC69 document on totoaba.
5. In addition to Mexico's response to Notification 2017/043, on August 22nd Mexico published a new Emergency Mexican Official Standard [NOM-EM-169-SEMARNAT-2017](#), which establishes the marking requirements for specimens, parts and derivatives of totoaba sourced from wildlife Management Units (UMA): [http://www.dof.gob.mx/nota\\_detalle.php?codigo=5494562&fecha=22/08/2017](http://www.dof.gob.mx/nota_detalle.php?codigo=5494562&fecha=22/08/2017)
6. Mexico hosted a Trilateral meeting with China and the United States on "Combating Illegal Trafficking of Totoaba (*Totoaba macdonaldi*) Fish" during August 23-25, 2017, in Ensenada (Mexico).
  - 6.1 The meeting was attended by over 40 representatives, including State Secretariats and Ministers, Chinese, Mexican and United States CITES Authorities, the CITES Secretariat, other agencies from the Environmental, Fisheries, Customs, Markets, and International Affairs Sectors, and representatives from UNESCO and IUCN.
  - 6.2 The meeting's objective was to exchange strategies, practices, experiences and specialized knowledge in order to establish effective tri-national cooperation in the fight against the illegal harvest and trade of, and demand for, totoaba.
  - 6.3 Among the experiences and progress shared by the three countries were:
    - a) The Chinese Government presented efforts to amend its laws in order to conserve wildlife and the measures that have been taken to avoid the illegal trafficking and consumption of wildlife. Specifically, China presented its efforts related to: implementation of inspection operations in key markets; enhancement of capacity building of law enforcement, awareness raising on the critical situation of the totoaba, and the consequences of illegal totoaba trade.

- b) The United States, as a transit nation for totoaba trade, presented its efforts in combating totoaba trafficking by detailing U.S. border inspections, seizures, arrests, and criminal case outcomes since 2013.
- c) Mexico presented actions implemented within the framework of the “Comprehensive Strategy for the protection of the vaquita porpoise” and the “Comprehensive Attention Program of the Upper Gulf of California”, and updates on the national legal framework aimed to increase penalties for anyone who may illegally capture or transport totoaba. Furthermore, Mexico presented the Vaquita CPR program, intended to place some vaquitas in captive-breeding facilities until complete elimination of gillnets in their natural habitat is accomplished, and for their future reintroduction to the wild.
- d) The three countries acknowledged that: combined efforts are essential for the preservation of marine species, especially the totoaba and vaquita; the illegal harvest and trafficking of totoaba is one of the threats that put the vaquita at risk of extinction; and, that there is an urgent need to identify the networks and modus operandi of traffickers.

6.4 Based on the above, Mexico, China and the United States achieved the following agreements:

- a) Create a trilateral enforcement contact group to combat trafficking of totoaba to strengthen cooperation and coordination of investigations, with terms of reference to be developed.
- b) Consider formalizing international collaboration, through the adoption of a specific instrument of cooperation.
- c) Establish ongoing comprehensive training programs for the identification of the species, traffic routes and modus operandi in the three countries.
- d) Develop trilateral education and public awareness strategies.
- e) Carry out joint international operations against totoaba trafficking, where appropriate.
- f) To collaborate actively in various relevant international agreements to stop totoaba trafficking.
- g) Designate a point of contact to follow up on these agreements.
- h) Given the urgency of the situation, these agreements are to be implemented immediately.

7. On 4 September, within the framework of the Dialogue Between Emerging Market Economies and Developing Countries (Xiamen, China), President Enrique Peña Nieto (Mexico) thanked President Xi Jinping (China) for China’s support in tackling illegal totoaba trade; furthermore, both Heads of State reiterated their commitment toward the conservation of endangered species, in particular vaquita.

#### Recommendations to the Standing Committee

8. The Standing Committee may wish to:

- 8.1 Take note of the progress achieved by Mexico, China and the United States in the implementation of Decisions 17.145 to 17.151.
- 8.2 Provide advice to further support the effective implementation of Decisions 17.145 to 17.151 during the intersessional period until SC70 (October 2018; Sochi).
- 8.3 Furthermore, regarding Decision 17.149 -which calls for a study to be developed by CITES Secretariat in collaboration with relevant organizations such as FAO, and IUCN-, the Standing Committee shall encourage Parties and the wider CITES community to provide support for its full implementation.