

## **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.