

Intervention by Conservación de Mamíferos Marinos de México

Agenda Item 3.2.1 – Information from the Scientific Committee

Yolanda Alaniz

Thank you, Chair

I am making this intervention on behalf of 19 non-governmental organizations who are desperately concerned about the plight of the vaquita porpoise. A full copy of this statement, including the full list of endorsing organizations, will be posted to the Zoom chat and submitted to the Secretariat.

Mr. Chairman, for decades the IWC's Scientific Committee and this Commission, through three resolutions, have warned of vaquita's precipitous decline and impending extinction unless gillnet fishing within vaquita habitat is completely eliminated and illegal nets are removed. It has also encouraged the development of alternative, vaquita-safe, fishing gear. Unfortunately, those calls have largely been ignored and the political will to implement them has been insufficient. The vaquita is now on the precipice of extinction for a single reason – Mexico's failure to enforce its own legal dispositions to prohibit the use of fishing gillnets to avoid the bycatch of vaquita.

There is ample evidence that illegal fishing occurs day and night, yet virtually no evidence of enforcement efforts to deter criminal operations within the Upper Gulf of California. Mexico's recent announcement of a sliding scale of enforcement actions based on a set of triggering factors undermines the intent of the Zero Tolerance Area, where fishing is supposed to be strictly prohibited. Under Mexico's plan, the government will not apply 100 percent of its enforcement capacity until more than 50 illegal fishing vessels are observed in a single day. Mexico has yet to demonstrate an ability to enforce its laws and we are unconvinced that it will do so now unless brought under significant pressure to do so by the international community.

We note that there have been some successful enforcement actions involving arrests and seizures of totoaba maws, however these actions have not meaningfully disrupted illegal activities in the Upper Gulf. A real and concerted enforcement campaign to permanently patrol the vaquita refuge and, particularly the Zero Tolerance Area, using ships, drones, and other technologies is necessary to provide the vaquita any hope of recovery. Furthermore, Mexico and the transit and destination countries for totoaba maws must engage in collaborative and coordinated intelligence sharing and enforcement operations to expose, arrest, and dismantle the organized criminal networks engaged in illegal fishing and trade in totoaba.

The vaquita must be a wakeup call to all governments, the IWC and other multilateral environmental agreements to enact strong laws, regulations, policies, and agreements to

prevent any species or population from suffering the fate of the vaquita. Indeed, we note that the conservation status of many other cetaceans around the world are of concern, and we call on all countries in whose territories these populations and species live or which they migrate through to take appropriate action to better protect them. We must collectively act earlier and more effectively to stop the ongoing decline of cetaceans, due to bycatch, pollution, ocean noise, or other threats. In that regard, we acknowledge the important and growing role that the IWC, through its scientific and conservation work, is playing in addressing the many threats that these animals face. We encourage the IWC member nations to strongly support and enhance these initiatives.

We thank those governments who have expressed concern about the vaquita, and we join with them in respectfully requesting that the Secretariat urgently submit a letter to Mexico's president to share this concern and to ask how the IWC and its member governments and observer organizations can help protect the vaquita. We urge governments to bilaterally reach out to Mexico to offer their assistance, financial and otherwise, to help Mexico save the vaquita.

Thank you.

Endorsed by:

American Cetacean Society
Animal Welfare Institute
Center for Biological Diversity
Centro de Conservación Cetacea
Cetacean Society International
Conservation of Marine Mammals in Mexico
Environmental Investigation Agency
Fundacion Cethus
Fundacion Promar
Greenpeace
Instituto Baleia Jubarte
International Fund for Animal Welfare
Natural Resources Defense Council
OceanCare
ORCA
Paso Pacifico
Pro Wildlife
Whale and Dolphin Conservation
WWF