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14 August 2021

Dear friends and colleagues,

I write in support of the submission on enforcement matters filed [11 August 2021](#) before the trilateral Commission for Environmental Cooperation and to convey the grave concern of a large number of scientists worldwide about the *vaquita marina* porpoise.¹ It is the most threatened marine mammal on the planet and the IUCN Species Survival Commission's (SSC) highest priority. We cannot let this imminent extinction happen, when we know how to prevent it: stopping the continued use of illegal gillnets. Urgent, collective and comprehensive measures are needed to make this a reality and ensure the vaquita's survival.

As Chair of SSC, and on behalf of the numerous multidisciplinary experts who have expressed their concern, I respectfully request immediate actions from governments, international bodies and potential donors. The most urgent is the need for technical, financial and legal support to the Mexican government and civil society to ensure effective implementation of conservation actions: scientific vaquita monitoring, equipping and training local fisherfolk to use legally mandated gear, continual removal of illegal gillnets from vaquita habitat, and training and increased resources for law enforcement. Of these needs, in particular, it is distressingly clear from the [12 August meeting outputs](#) of the Grupo Intergubernamental sobre la Sustentabilidad en el Alto Golfo de California (GIS) that the Mexican fishing authorities still lack a plan to transition local communities to vaquita-safe fishing, threatening both the vaquita and human livelihoods.

Time is of the essence. Shrimp fishing season in vaquita habitat begins in mid-September and the totoaba spawning and poaching season begins in earnest in December. The disastrous effect of the illegal totoaba fishery, which violates national laws and international conventions, has been well-known since 2012. Maintaining biodiversity must be done on the timescale of the risk to species, and the vaquita cannot wait another year for national and international bodies to exercise their powers to prevent this loss of biodiversity. Although the Andrés Manuel López Obrador administration has taken what appeared to be notable steps toward saving the vaquita, lax and seemingly corrupt enforcement of [environmental regulations](#) which the administration itself enacted has yielded results which are very far indeed from their commitment to "Zero Tolerance" of illegal fishing in vaquita habitat.

If intensive and uncontrolled illegal deployment of gillnets in vaquita habitat is allowed to resume next month in the shrimp fishing season, [as it did last year](#) (which we documented on IUCN SSC Cetacean Specialist Group website), severe sanctions should be imposed for Mexico's failure to enforce its environmental laws and international commitments. The imperative to overcome local corruption linked to totoaba trafficking was acknowledged in a recent statement by Secretary of the Navy Almirante José Rafael Ojeda Durán at a [21 May 2021](#) press conference with President Lopez-Obrador.

Please find attached a letter I sent a few months ago to the Mexican government expressing concerns regarding this matter. I am pleased that the two key issues flagged in it have now been resolved: 1) a week ago [NGOs were permitted](#) to resume participation in net removal in the Vaquita Protection Refuge and, 2) public discussion of the false narrative claiming that bycatch in gillnets is not the primary driver

¹ The vaquita (*Phocoena sinus*) is a small porpoise endemic to the Upper Gulf of California in Mexico, which has experienced a catastrophic 99% decline in its population in the last decade. Scientific estimates show that there may be only about 10 specimens left. Vaquitas are Critically Endangered due to their being incidentally trapped in gillnets set for totoaba (*Totoaba macdonaldi*), a fish that is also a threatened species, illegally fished because its swim bladders is sold in Asian black markets for exorbitant prices.



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of the vaquita extinction process has waned in recent dialogues the Mexican government has held with civil society. I hope to have a similar positive response from Mexico in reaction to the alarm of international scientists that this coming fishing season will spell the end for the vaquita; that is, I hope serious efforts will be taken to implement the use of legally mandated vaquita-safe fishing gear and there will be a long-overdue crack down on violators.

I also urge the GIS to modify the so-called “Trigger Factors” agreement published [9 July 2021](#), which it has the authority to do. The regulation creates a sliding scale of enforcement effort levels to be “triggered” by increasing counts of unauthorized vessels and lengths of gillnet removed from the sea on a daily basis. Such a complex management program will be almost impossible to implement and enforce. Moreover, it undermines the legal commitment to Zero Tolerance in the very small (280 km²) area where the last few vaquitas were detected in [fall 2020](#), in which all fishing activities, including sportfishing, with any type of vessel, are “[permanently and totally prohibited](#).”

Sincerely,

A handwritten signature in blue ink that reads "Jon Paul Rodríguez". The signature is stylized and cursive.

Jon Paul Rodríguez
Chair, IUCN Species Survival Commission