

## Draft Resolution on the Critically Endangered Vaquita

**Submitted by Austria, Belgium, Czech Republic, Croatia, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Luxembourg, Netherlands, Poland, Slovak Republic, Slovenia, Spain, Sweden, the United Kingdom, and the USA**

**AWARE** that there exist differences in views between member states on the regulatory competence of the IWC with regard to small cetaceans, and noting that this resolution does not seek in any way to prejudice different members' positions;

**NOTING** that the biology of vaquita and concerns about incidental mortality in the shark and totoaba fishery were first mentioned in the published report of the IWC Scientific Committee's first meeting on small cetaceans, Montreal, 1974 (IWC, 1975).<sup>i</sup>

**NOTING** that the Commission first passed Resolution 1994-3, which acknowledged the immediate need to eliminate incidental catches of vaquita throughout the entire range of the species;

**AWARE** that the International Union for the Conservation of Nature (IUCN) listed the vaquita as Critically Endangered in 1996, and the population has significantly declined since then as a result of bycatch in entangling fishing nets (gillnets);

**RECALLING** IWC Resolution 2007-5 which urged members of the IWC and the world community to support Mexico's efforts to prevent the extinction of the vaquita by reducing bycatch to zero in the immediate future and assisting in providing financial resources and technical as well as socio-economic expertise;

**RECALLING** the repeated recommendations of the IWC Scientific Committee, the International Committee for the Recovery of the Vaquita (CIRVA) and the IUCN that gillnets must be eliminated from the vaquita's range in order to reduce bycatch to zero;

**CONCERNED** about the recent escalation of the illegal totoaba fishery and the illegal international trade of totoaba swim bladders, which has precipitated a dramatic decline in vaquita numbers over the last five years;

**DEEPLY CONCERNED** that the estimated total abundance of vaquitas in 2015 was 59 (95% CI 22–145), compared to previous estimates of 567 (95% CI 177–1,073) in 1997 and 245 (95% CI 68–884) in 2008;

**FURTHER CONCERNED** that at least three vaquita were killed by totoaba gillnets in March 2016, despite strong enforcement efforts in the Upper Gulf of California;

**NOTING** the Scientific Committee's strong endorsement of the recommendations contained in the June 2016 CIRVA-7 report;<sup>ii</sup>

**NOTING** the recent adoption of IUCN Resolution 013 on "Actions to avert the extinction of the vaquita porpoise (*Phocoena sinus*)" and CITES Decision 17.X "Totoaba - *Totoaba macdonaldi* – Opportunities for international collaboration within the CITES framework"

**RECOGNIZING** the hardships faced by the fishing communities of the Upper Gulf in light of the gillnet ban, and mindful of the need to develop and support alternative livelihoods such that these communities can overcome these challenges;

**NOW THEREFORE** the Commission:

**EXPRESSES DEEP CONCERN** that the vaquita numbers less than 59 animals and is facing imminent extinction;

**AFFIRMS** that only a permanent, complete, and effective gillnet ban in all fisheries operating in the Upper Gulf of California will prevent the imminent extinction of the vaquita;

**COMMENDS** the Mexican Government for the Strategy on the Comprehensive Care of the Upper Gulf of California that includes an interagency enforcement programme, a two-year gillnet ban (from May 2015), compensation for fishermen and those who work in fishery-related activities and the development of alternative fishing gear;

**COMMENDS** the Mexican Government on the announcement of a permanent ban on gillnets in the Upper Gulf of California gillnet exclusion zone from April 2017 and the programme to remove derelict fishing gear in the Upper Gulf of California.

**URGES** the Mexican Government to eliminate any exemptions to the ban, which can facilitate illegal fishing for totoaba, and to prohibit the use of any gillnets within the range of the vaquita;

**ENDORSES** the recommendations of the IWC Scientific Committee, in particular the urgent need to strengthen enforcement efforts against illegal fishing in Mexico and totoaba smuggling out of Mexico and into transit and destination countries; the urgent need to remove active and ghost gillnets from the range of the vaquita; and the need to maintain the acoustic monitoring programme as a key action in support of any recovery strategy;

**URGES** all Contracting Governments to follow the recommendations in CITES Decision 17. X and strengthen enforcement actions to eliminate the illegal international trade in totoaba swim bladders, in particular those countries where totoaba products are consumed or in transit, including the United States and China;

**URGES** Contracting Governments to support Mexico's efforts to prevent the extinction of the vaquita by assisting in providing financial resources as well as technical and socio-economic expertise;

**REQUESTS** the IWC Secretary to forward a copy of this Resolution to the CITES, FAO and IUCN Secretariats.

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<sup>i</sup> IWC (1975) Report of the meeting on smaller cetaceans, Montreal, April 1–11, 1974. Journal of the Fisheries Research Board of Canada, 32, 887–983.

<sup>ii</sup> Report of the Scientific Committee, Bled, Slovenia. 7-19 June 2016. IWC/66/Rep01(2016) p77.