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Mexico Enacts Permanent Ban on Gillnets in Habitat of Endangered Porpoise

by Carlos Navarro

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Mexican authorities announced a complete ban on the use of gillnets in the waters of the upper Gulf of California as part of an effort to protect an endangered porpoise known as the vaquita marina. Scientists believe there are only 30 specimens of the vaquita left in the gulf, which is also known as the Sea of Cortez. That total is down considerably from 2008, when Mexico launched its first effort to defend the endangered porpoise. At that time, scientists believed there were no more than 150 vaquitas in the area ([SourceMex, Nov. 5, 2008](#)).

“Mexico has invested more than 200 million pesos (US\$11.4 million) since 2007 to preserve the vaquita marina,” columnist Julio Pilotzi wrote in the online news site 24Horas two weeks after Mexico announced the permanent ban on gillnets. “Furthermore, President Enrique Peña Nieto, along with entrepreneur Carlos Slim and actor Leonardo DiCaprio, last month launched a historic campaign to protect this species. And in the end, we only have fewer than 30 specimens.”

Pilotzi pointed out that Mexican fishing fleets are using the correct equipment to provide the proper environmental protection. “Mexico is using fishing technologies employed by developed countries, where nets have been developed to protect the flora and fauna of the ocean while at the same time preserving the maritime subsoil.”

The primary threat to the vaquitas is the use of driftnets for the illegal catch of the giant totoabas, a fish in high demand in China, where its swim bladder is valued for its supposed medicinal purposes. The totoaba can fetch more than US\$4,500 per pound from buyers in China, and many fishing communities in Baja California and Sonora have come to rely on its unauthorized catch.

“The illegal fishing operations use driftnets, and that is partly the result of a lack of training for fishing communities about conservation, which has resulted in multiple deaths of vaquitas marinas,” Pilotzi added.

Pilotzi said the deaths of dozens of vaquitas could have been avoided if Mexico’s fisheries agency (Comisión Nacional de Acuacultura y Pesca, CONAPESCA) had taken a more urgent approach. “What we’re saying is that 10 years ago, we had more than 150 specimens, and today that number has dwindled to fewer than 30 vaquitas, despite the millions of pesos that were invested in conservation.”

Others agreed that swift action was required back in 2008 and is even more necessary now. “You are really getting down to the last few vaquitas,” said Barbara Taylor, a conservation biologist at the Southwest Fisheries Science Center, which is part of the National Oceanic and Atmospheric Administration (NOAA). “We can’t afford to be slow about this. We have to give this our mightiest effort as quickly as possible.”

Gillnets now illegal

Earlier this year, the Mexican government enacted a temporary ban on the use of gillnets through the end of May ([SourceMex, April 19, 2017](#)). At that time, the environment ministry (Secretaría de Medio Ambiente y Recursos Naturales, SEMARNAT) was already considering making the ban permanent.

On July 1, the Peña Nieto administration announced that use of gillnets would no longer be allowed in the habitat of the vaquita marina. "We have implemented a historic effort to avoid the extinction of a unique species, the vaquita marina, and to protect our ecosystem," Peña Nieto said.

José Luis Funes, director of SEMARNAT's wildlife division, announced the decision at a gathering in front of Mexico's Palacio Nacional. "This is a positive and encouraging sign that responds to an outcry from the global community," he said.

The Mexican government's decision to make the ban permanent drew international praise.

"This is a fantastic and encouraging step forward in the path to saving the vaquita, provided the ban is fully enforced and accompanied by fishing alternatives for local communities," the World Wildlife Fund said in a statement.

However, some critics suggested that the action is insufficient, because the Mexican government failed to ban the sale or manufacture of gillnets in the region and did not address significant weaknesses in the enforcement of the decree. In addition, two area fisheries were exempted from the ban.

"Mexico has gotten very good at making commitments for vaquita," said Zak Smith, a senior attorney with the Marine Mammal Protection Project of the Natural Resources Defense Council. "But until Mexico achieves the one necessary change for vaquita survival—a gillnet-free habitat—they are managing the vaquita's extinction, not its salvation."

In Washington, a group of 30 members of Congress wrote a letter to US President Donald Trump, dated July 5, calling for a partial ban on imports of fish and fish products from Mexico. In the letter, the US legislators cited Mexico's potential violation of the Marine Mammal Protection Act as justification for the ban.

The US lawmakers also urged the Trump government to certify Mexico pursuant to the Pelly Amendment to the Fishermen's Protective Act of 1967, which would label the country as "conducting fishing operations in a manner that diminish the effectiveness of international fishery conservation."

"Both actions would directly target the sole threat to vaquita survival—the use of gillnets in and adjacent to the vaquita's habitat—and compel the Mexican government to take the kind of forceful actions necessary to save the species," said the letter, which was sent from the office of U.S. Rep. Jared Huffman (D-California). "For decades, vaquitas have become entangled and drowned in gillnets used by fisheries in their range, leading vaquita specialists to repeatedly conclude that the use of gillnets in the upper Gulf of California is incompatible with vaquita survival."

Enacting permanent protections

In 2015, the non-governmental organizations Animal Welfare Institute and Center for Biological Diversity petitioned the UN Educational, Scientific, and Cultural Organization (UNESCO) to apply an “in-danger” designation to the habitat of the vaquita, which is a World Heritage site. The area comprises 244 islands, islets, and coastal areas in the upper Sea of Cortez.

Shortly after the Peña Nieto government announced the ban on gillnets, UNESCO issued a statement on the 2015 request, saying it had decided to give Mexico a year to enact further measures to protect the endangered porpoise.

Mexico’s commitment to protect the vaquita marina includes a plan to pinpoint the location of the existing specimens so that new protection measures can be implemented. Environmental authorities will make use of dolphins to locate the vaquitas and transfer them to a safe breeding ground. The operation is planned for September.

“Vaquitas will be located using boats, and at the request of the Mexican government, will receive help from the US Navy Marine Mammal Program,” the National Marine Mammal Foundation said.

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