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Environmentalists Warn About Further Drop in Numbers of Endangered Porpoises in Mexico

by Carlos Navarro

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Despite intensive conservation efforts, the number of vaquita marina porpoises in the Sea of Cortez, also known as the Gulf of California, has dwindled to extremely critical numbers. According to a recent report from the wildlife preservation group Elephant Action League (EAL), only about a dozen of the endangered porpoises are left, about one-third of the total estimated just last year ([SourceMex, Sept. 30, 2015](#), and [April 19, 2017](#)).

EAL, the International Committee for the Recovery of the Vaquita, and other private conservation groups attribute the sharp drop to human activity—mainly the illegal use of gillnets by fishing fleets in the vaquita's habitat. The fishing fleets are primarily searching for another threatened species, the totoaba, whose swim bladders are in high demand in China, where the organ is used to prepare a specialty soup ([SourceMex, March 25, 2015](#)). Some buyers are willing to pay as much as US\$4,500 per kilogram of swim bladders, according the Baja California-based newspaper La Prensa.

"My sources confirmed to me that we are now talking about a dozen vaquitas left in the Sea of Cortez," said EAL director Andrea Crosta. "The scientists are using sonic buoys to count them, through echolocation, and numbers are now really low."

In 2017, the Mexican government banned the use of gillnets in the area ([SourceMex, July 19, 2017](#)) in order to protect the vaquita, but the fishing fleets continue to make use of this illegal fishing method. As a result, armed Mexican Navy and federal police officers have begun riding aboard patrol boats operated by the US environmental group Sea Shepherd in a bid to save the vaquitas.

"This new facet of the government partnership comes at a time where tensions are rising in the upper Gulf of California," Sea Shepherd said in a statement. "Poachers have become more aggressive towards Sea Shepherd vessels, using firearms to shoot down [surveillance] drones and incendiary objects to intimidate the crew."

A lack of deterrent

And yet, the military presence on the Sea Shepherd vessels seems to be more of a reaction to the problem than a response to the symptom. According to conservation organizations, the individuals and criminal organizations engaged in the illegal capture of the totoaba are rarely punished. In a report published in April, the daily newspaper El Universal said only 10% of the cases involving illegal trafficking of the totoaba have been prosecuted.

The report, which used statistics from Mexico's environmental protection agency, the Procuraduría Federal de Protección al Ambiente (PROFEPA), said only 21 out of 213 complaints have resulted in penalties against the violators. The cases that were actually prosecuted also resulted in the seizure of 137 totoaba fish and 804 swim bladders.

Authorities insist that they are working diligently to address the problem, and that their efforts are beginning to bear fruit. According to Joel González Moreno, who leads the PROFEPA division

charged with monitoring wildlife, marine resources, and coastal ecosystems, investigations require large amounts of time and effort because cases are viewed under the statutes governing organized crime.

“The public prosecutor and the judge have to certify that each of the accused was participating in the illicit activity,” González Moreno told El Universal. “Because of this complexity, I would not describe the number [of successful prosecutions] as small.”

The penalties for trafficking of totoaba range from four to eight years in prison for those who are merely carrying out orders from a higher-up. The leaders could receive a sentence ranging from eight to 16 years.

According to González Moreno, a set of reforms is in the works that would give prosecutors more tools to conduct financial investigations and tap telephones of the criminal organizations involved in the trafficking of the totoaba.

“The objective is to dismantle these criminal organizations and also to investigate each of the members according to their participation in the structure of the organization,” he said.

Environmental and conservation organizations, however, say the government has not done enough to seek and punish the perpetrators. According to Juan Carlos Cantú, director of programs for the Mexico chapter of Defenders of Wildlife, time is running out for the vaquita marina, and authorities need to take immediate action.

For example, said Cantú, one of the steps that the government could take right away is to introduce alternative means of catching fish that are already in use by sports fishers.

According to Cantú, Mexico’s fishing commission, the Comisión Nacional de Acuacultura y Pesca (CONAPESCA), has delayed implementation of these types of fishing equipment, which protect porpoises and other marine mammals.

“Authorities have been incapable of halting illegal fishing in the upper areas of the California Peninsula,” he said. “We have to change the paradigm on how [protective measures] are enacted. Authorities like CONAPESCA have not promoted new methods of fishing that are less damaging to the vaquita.”

The ‘cocaine of the sea’

The illegal catch and trafficking of totoaba is also having a direct impact on some of the residents of fishing villages situated on the shores of the Sea of Cortez. In the village of San Felipe, for example, residents complain that the restrictions imposed to discourage the illegal catch of totoaba—such as a fishing moratorium in the area—are affecting them directly. The villagers complain that the compensatory payments from the government are slow to arrive and often insufficient to allow them to make a living.

Furthermore, authorities had promised to create an alternative economic development plan for the area, but no details have been provided since the restrictions were imposed two years ago.

The villagers are also concerned that despite the restrictions, the measures imposed by the government have not discouraged the traffickers. According to news reports, the villagers would like

to help stop the illegal catch of the totoaba, which they describe as the “cocaine of the sea,” but are reluctant to get involved because of fear of retaliation.

“The fishers that we interviewed requested anonymity because of concerns that they would be targeted [by the criminals,]” La Prensa reported. “They indicated that to confront the illegal catch of the totoaba would be to come face-to-face with criminal organizations.”

One villager told La Prensa, “We know who the people are who go out to sea by night. Some of them use ski masks, carry high-caliber weapons. We are a small village and we all know each other. There are times when we have been threatened. The only thing we can do is to keep quiet.”

Mexican government officials believe that another way to address the problem is to collaborate with intelligence agencies in China and the US, the two countries where demand for seafood from the Sea of Cortez is greatest. According to PROFEPA’s González Moreno, Mexican authorities have begun contacts with US and Chinese authorities to coordinate investigations against the traffickers.

While there is not much demand for the totoaba in the US, fishing fleets use gillnets to catch shrimp and other seafood that is exported north of the border. Three US-based conservation groups are seeking legal action against US President Donald Trump’s administration for failing to comply with a federal law that bans the importation of shrimp and other seafood caught with gillnets in the upper Gulf of California.

The lawsuit—filed by the Natural Resources Defense Council (NRDC), the Center for Biological Diversity, and the Animal Welfare Institute at the US Court of International Trade in New York, calls—for judicial intervention and an immediate ban.

The three environmental groups say that a US ban on imports of shrimp and other fishery products from the vaquita’s habitat will exert direct pressure on Mexico to enforce the prohibition of gillnets in the waters where the endangered porpoise lives.

According to the NRDC, the sole cause of the extinction of the vaquita is the use of gillnets in the upper Gulf of California, and many of the fish caught in the area, including shrimp and corvina (sea bass), are exported to the US.

“The United States has leverage over these fisheries, because US law requires a ban on imports of fish and fish products that harm marine mammals like the vaquita in excess of US standards,” said NRDC senior attorney Zak Smith, who heads the group’s wildlife trade initiative. “However, the United States has failed to ban vaquita-harmful imports.”

The legal battle can help save the vaquita, Smith wrote in the NRDC website.

“If a court forces the US government to follow the law, it will require a ban on vaquita-harmful imports,” he said. “To retain or regain access to the lucrative US market, the Mexican government and Mexican fisheries will ensure that exports are vaquita-friendly, reducing gillnet use in vaquita habitat and helping save the species.”

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