

# State of Conservation Report

## “Islands and protected areas of the Gulf of California”

(México-N 1182 ter)



GOBIERNO DE  
**MÉXICO**



**February 28 2022**

Islands and Protected Areas  
of the Gulf of California (2005)



**unesco**

World Heritage site

For evaluation by the World Heritage Committee-UNESCO

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## **I. EXECUTIVE SUMMARY**

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The present State of Conservation report for the World Heritage property "Islands & protected areas of the Gulf of California" has the main objective to share information with the UNESCO-World Heritage Centre for its assessment, about the actions for the conservation of the Outstanding Universal Value, according to the decision 44 COM 7A.56 adopted by World Heritage Committee (Fuzhou, China 2021) and its recommendations.

In July 2019, the Government of Mexico accepted the inscription of the Site "Islands and Protected Areas of the Gulf of California" in the List of World Heritage in Danger considering that it is a mechanism of the Convention to strengthen international cooperation in conservation and maintenance the attributes of the Outstanding Universal Value of World Heritage Sites.

The information highlights the efforts of the Mexican Government towards the property's Outstanding Universal Value conservation.

The national authorities are operating a program to strengthen human resources and equipment in Law enforcement issues. During 2021 it is resulted in 21,556 inspections with seizure of 15 vessels and 172 fishing gear, equivalent to an accumulated length of 44,942 meters during 2021.

The recovery of abandoned fishing gear at sea has continued. It is a major impact activity in vaquita porpoise conservation due to its incidental entanglement. Between September 1, 2019 and September 30, 2021, 73,101 linear meters of fishing gear have been removed from the ocean in the Upper Gulf of California, with a progressive lower incidence.

The Mexican government maintains its comprehensive approach to socio-environmental problems, promoting law & regulations strengthening, alternative productive projects beyond fishing based on sustainability and promoting benefit of fishing communities, the re-composition of the social conditions and environmental governance. The above mentioned, in open dialogue; that includes main key actors, keeping focus on bioculturality. This dialogue is been strengthened since the installation of the Intragovernmental Group on Sustainability in the Upper Gulf of California (GIS).

Collaborative actions within the CITES framework are highlighted, such as meetings between international authorities involved in the illicit traffic of totoaba, international judicial cooperation such as the exchange of information on customs actions in different countries and through The International Criminal Police Organization INTERPOL such as the issuance of red, purple notices and eco-messages.

It is shown information about acoustic monitoring and vaquita sampling during 2021 in the Vaquita Refuge Area and the Zero Tolerance Zone.

The report includes activities that correspond to the whole of the Property. They are focused on the financing projects through two subsidy programs seeking balance between conservation and development of the communities within the Property. The Mexican government has continued strengthening social conditions, encouraging participation in productive and conservation activities.

In 2018 and 2021, the Permanent Management Effectiveness Assessment System was implemented. It is based on international standards, for the 12 protected natural areas included in the Islands and Protected Areas of the Gulf of California World Heritage Site. The assessment results are presented, as an important tool for the management of these areas, that allows the periodic and certified evaluation of the effectiveness in the management of these areas.

Our country respectfully acknowledges the position included in decision 44COM7A.56 to maintain the property on the List of World Heritage in Danger and remains attentive to the recommendations that arise as a result of the review and evaluation of this document by the World Heritage Committee. Likewise, it expresses its commitment to the full application of the principles of the Convention for the Protection of the World Natural and Cultural Heritage.

## **II. ATTENDANCE TO WORLD HERITAGE COMMITTEE REGARDING DECISION 44COM7A.56**

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44COM7A.56-1-2-3

The World Heritage Committee,

1. having examined Document WHC/21/44.COM/7A.Add,
2. recalling decision 43 COM 7B.26 adopted at its 43<sup>rd</sup> session (Bakú, 2019),
3. reiterates its utmost concern about the critical status of the vaquita population, specifically recognized as part of the property's Outstanding Universal Value (OUV) and endemic to the Gulf of California, and that illegal fishing of totoaba has continued in the Upper Gulf of California resulting in a threat of imminent extinction of the vaquita population;

The Government of Mexico presents this state of conservation report to the property Islands and Protected Areas of the Gulf of California according with the decisions: 43COM7B.86 (Baku, 2019) and 44COM7A.56 (Fuzhou, 2021) in which it is requested Mexico as a State Party to present, no later than February 1, 2022, an updated report of the property's conditions and the implementation of the recommendations agreed.

A key element for the Government of Mexico during the present administration is to direct benefits to fishing communities, through the solution to their immediate needs, in alignment with development policies towards sustainability and under conservation criteria of all wildlife species in the terrestrial and marine ecosystems within the Upper Gulf of California.

The authorities responsible for the law enforcement have focused a dissuasive profile, as well as direct actions to fight against corruption. The priority is to restore social conditions and raise awareness towards sustainable development in the medium term.

The Mexican Government is respectful to the international community opinions and is open to the constructive dialogue to join efforts.

44COM7A.56-4

4. [The World Heritage Committee] notes that no updated information has been provided regarding the remaining vaquita population and therefore requests the State Party to cooperate with the International Committee for the Recovery of the Vaquita (CIRVA) to update the current estimate and transmit this information to the World Heritage Centre;

### **2021 Acoustic monitoring and sampling of the vaquita population**

The acoustic monitoring project was developed by the Center for Science and Advanced Studies of Ensenada (CICESE) with resources in the amount of two million pesos from the Program for the Restoration of Ecosystems and Priority Species, conducted by the National Commission of Natural Protected Areas.

This project is carried out in the Refuge Area for the Protection of the Vaquita during the months of June to September. This year, 59 acoustic detectors were deployed according to the model designed since 2011, with which 23 acoustic encounters were achieved in three sites, which are very close to each other, and focused on the southern area of the Refuge.

A second acoustic sampling was conducted in the Cero Tolerance Area during the months of October and November, with 89 devices deployed in 29 sampling sites, with which 24 acoustic encounters in 10 sites were obtained.

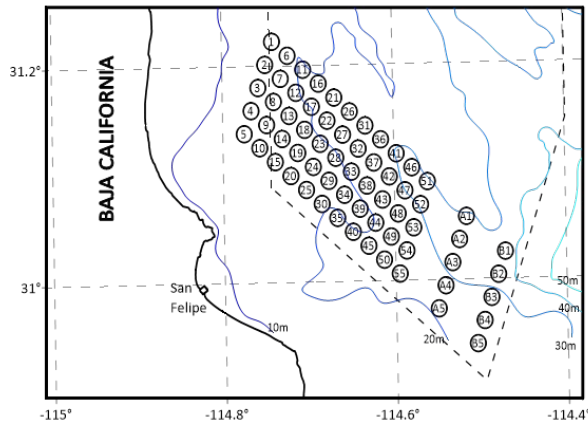


Fig. 1. Acoustic devises deployed in the Zero Tolerance Zone

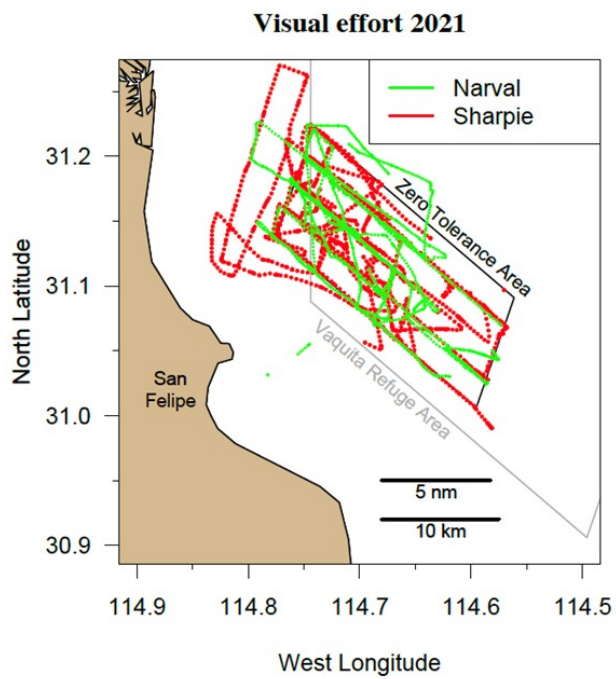


Fig. 2. Track lines followed during the survey onboard M/V Sharpie (red lines) and R/V Narval (green lines). Vaquita Refuge is delineated with a gray line and the Zero Tolerance Area is delineated with a black line.

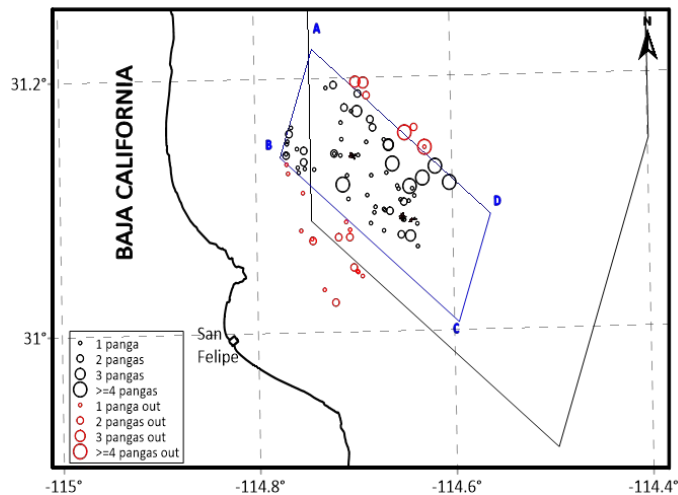


Fig 3. Panga count from within Zero Tolerance Area (blue polygon, vertices with letters). Red arrows represent the position and direction of bow of vessel at the times of counting. Black circles show the position of the counted pangas observed inside ZTA. Red circles show pangas observed outside the ZTA.

#### Research cruise 2021

Furthermore, between October 17th and November 3rd a research cruise with the vessels *El Narval* of the Whale Museum and *Sharpie* from Sea Shepherd Conservation Society was developed. The research was focused on the Zero Tolerance Zone, with the participation of seventeen observers with experienced in tracking down and counting vaquitas and acoustic monitoring as well. There were only five full days when the wind was low enough (level 2 or less on the Beaufort scale) to sight and track the species of interest. The total number of unique vaquitas sighted (including calves), was eight individuals, with a 78% probability of sighting between six and ten.

Due to the windy days, it was not possible to approach the vaquitas to obtain photographs of sufficient quality to use in photo-identification processes under the mark-recapture population sampling methods. The animals observed seemed to have a good body condition with the typical mobility of healthy organisms.

#### Expert elicitation method

Due to the sampling problems faced during 2019, an Experts Elicitation Method (EEM) was used to estimate the number of unique vaquitas and calves observed in the Zero Tolerance Area. The purpose of an EEM is to build up a probability distribution that objectively represents the knowledge and opinions of an expert or groups of experts on a certain problem. It is very important to note that the probability distributions obtained from the EE exercise, are not an estimate of population abundance, but rather an estimate of the total number

of different individuals (or calves) observed during the cruise, which represents an estimate of the minimum size of the population as of October 2021.

The EE exercise was carried out during a video-workshop during two and a half days, facilitated by experts in this methodology from the University of Saint Andrews, Scotland.

#### Results: Number of Vaquitas Sighted

Experts agreed that there was an almost equal chance that one or two calves would be observed, with the median value being 1.5. There was no chance that no calves had been observed (zero value) and a very small chance that three had been observed.

Regarding the total number of unique vaquitas sighted, it was estimated that the number observed, with a probability of 0.78, was between six and 10 animals. The median of the distribution obtained for the total number of animals sighted was eight.

The vaquita cruise, including national and international observers, as well as the operating costs of the vessels used, was financed by the Museo de la Ballena, Sea Shepherd Conservation Society, and other private donors, through the Cetacean Action Treasury. The Southwest Fisheries Science Center presented the necessary equipment for the visual study.

In 2019, the last CIRVA Report was published, and until the closing of this document, the CIRVA has not submitted any report with the aforementioned results.

44COM7A.56-5

5. [The World Heritage Committee] welcomes the efforts by the State Party to use the mechanism of the List of World Heritage in Danger to strengthen international cooperation to fight illegal international trafficking of totoaba products and to continue a dialogue with the States Parties that are transit and destination countries for illegal totoaba products, including within the framework of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES);

#### **Collaboration under CITES framework**

The Government of Mexico is aware that international cooperation must be the central strategy to solve this problem. Which, although it occurs within Mexican sovereignty due to the conservation of the vaquita marina, an endemic species of the Upper Gulf of California, has aspects and determinants of a multinational nature, particularly related to the totoaba poaching. Therefore, it is necessary to recognize the illicit trade of the totoaba swim bladder in Asian markets as the main factor that affects the survival of the species due to it causes the presence



of gillnets in its distribution area, in order to maintain multinational cooperation effectively.

Mexico, as a member of CITES, has complied with the commitments assumed through decisions 18,292 to 18,295 adopted at the Eighteenth meeting of the Conference of the Parties (CoP 18), held from August 17 to 28, 2019 (Geneva, Switzerland) in response to the issue of international trafficking of totoaba. In this sense, the corresponding mid-term (every 6 months) and exhaustive reports have been delivered, in a timely manner, the most recent being the second exhaustive report 2021 (annex 1) proactively delivered to the Executive Secretariat to the Convention on December 6, 2021, with the objective of showing the actions taken and the results got for the protection and conservation of the vaquita porpoise (*Phocoena sinus*) as well as fighting against the capture and illegal trafficking of the totoaba (*Totoaba macdonaldi*).

In compliance with Decision 18.294-a), the CITES Secretariat convened the States Parties for the meeting of the States of capture, transit and consumers of totoaba, carried out through videoconference on October 18, 19, 20 and 22, 2021. The event aimed to assess the progress made to combat illegal totoaba fishing, eliminate the supply and demand for totoaba specimens of illegal origin, and review measures to prevent their illegal trade. As a result of the meeting, the CITES States Parties China, Japan, Mexico, USA and Vietnam achieved agreements on joint actions aimed at inhibiting totoaba poaching.

Following up on these agreements, on November 19, 2021, representatives of the Mexican Federal Attorney for Environmental Protection (PROFEPA) met with representatives of INTERPOL. There was an offer to access online databases and to strengthen it with information on seizures and arrests of suspected criminals.

### **Cooperation with Hong Kong customs**

Under the Memorandum of Understanding among Hong Kong Customs Department and Mexican Tax Service about mutual cooperation and assistance in customs matters, there is a continuous information exchange on totoaba issue. This information is useful on intelligence to prevent and combat products transit far beyond Mexican boundaries, as it is described below.

### **International judicial cooperation**

From September 2019 to October 2021, four criminal complaints were filed in which international trafficking networks of totoaba from Mexico are allegedly involved.

The first complaint (June 19, 2020) refers to the seizure of 160 kilograms of fresh totoaba maw, carried out on June 4, 2020 at the Hong Kong airport. The product was mixed with frozen fish fillets with the route Los Angeles, USA, to Hong Kong, China. The investigation file is in the initial investigation stage.

The second complaint (August 27, 2020), is a seizure of 161 totoaba swim bladders weighing approximately 19 kilograms, detected by the customs authorities of Taiwan with an estimated value of \$900,000 USD. The seizure occurred between July 28 and August 12, 2020. The investigation file is in the initial investigation stage.

The third complaint (November 25, 2020), is related to the illicit sale of totoaba in a Chinese store, located in Vancouver, Canada. The investigation file is in the initial investigation stage.

The fourth complaint (July 28, 2021) refers to the seizure made on July 26, 2021 of 14.4 kilograms of totoaba maw mixed with dried fish fillets with the Chinese route (Hanoi) to Vietnam, at the Hong Kong airport customs. It is valued in \$ 415,000.00 USD.

Based on these actions, the exchange of information among the National Central Bureau of INTERPOL Hong Kong and the Prosecutor's Specialized Office in Organized Crime (FEMDO), of the Prosecutor General's Office of the Republic through the NCB-INTERPOL-Mexico, is carried out.

### **Cooperation based on Interpol**

Mexico published two red notices on March 8, 2021 through the INTERPOL National Central Bureau (control numbers A-1974/3-2021 & A-1982/3-2021). They included information about the main priority objectives regarding crimes against environment. Subsequently, a purple notification was issued on June 23, 2021, (control number P-1128 / 6-2021), regarding a crime against the environment in the form of possession of the *Totoaba Macdonaldi* fish bladder. This alert constitutes a warning to the 195 member countries of INTERPOL, including Mexico, regarding the covering observed, for their illicit traffic.

Also, there were two ecomessages as follow.

a) On March 11, 2020, related to the discovery of two suitcases at the Mexico City International Airport, which contained various parts of specimens with characteristics of the Totoaba.

b) On January 22, 2021, on the arrest of 10 people, related to crimes against the environment in Mexicali, Baja California, with the opening of an investigation file.

These actions are a direct tool of INTERPOL in order to promote the analysis of information related to global environmental crimes.

44COM7A.56-6

6. [The World Heritage Committee] also welcomes the ongoing inter-institutional efforts aimed at fighting illegal fishing activities in the Upper Gulf of California and illegal trafficking of totoaba products, but notes with concern

that the volume of illegally extracted totoaba products remains high, and also requests the State Party to further strengthen these efforts based on a critical assessment of the efficiency of the current efforts on how to improve them;

### Inspection & surveillance strengthening

In order to develop and strengthen surveillance and inspection actions in the Northern Gulf of California, ensuring compliance to national legal framework, the National State Ministry of the Navy (SEMAR), in November 2020, modified its scheme of operations in the region. There were increased human and material resources in Naval Sectors of San Felipe, State of Baja California and Puerto Peñasco, State of Sonora. In general, the human resources deployed and the resources used are shown in the following chart.

Chart 1

Resources available	San Felipe	Puerto Peñasco	Total
Infantry	121	188	<b>309</b>
Oceanic patrol	1	1	<b>2</b>
Interception patrol	3	3	<b>6</b>
Defender speedboats	2	2	<b>4</b>
Small speedboats	2	4	<b>6</b>
Helicopters	1	0	<b>1</b>
Airplanes	1	0	<b>1</b>
Land vehicles	7	8	<b>15</b>
Non-crew aerial vehicles & drones	1	2	<b>3</b>

The personnel and vehicles are available throughout the year in order to carry out various inspection and surveillance actions for the protection and conservation of wildlife species in the Upper Gulf ecosystems, mainly the totoaba and the vaquita porpoise.

The security actions are carried out under a dissuasive approach to avoid illicit acts in which the participating authorities are specialized. This is based on an inter-institutional strategy with the main goal of *non-stop* until the illegal fishing of totoaba is eradicated. The following stand out.

- Ocean rounds on oceanic patrols, interception patrols, defender speedboats and small speedboats.
- Land-in rounds crewed by navy infantry elements on pick-ups & commander vehicles.
- Air rounds on airplanes, helicopters and drones.
- Check points in docks to review fishing vessels in San Felipe, Baja California and Golfo de Santa Clara, Sonora.
- Check points in roads to review vehicles.

The main inland geographic impact of these actions is determined as below.

In land, focused on San Felipe y Tijuana, Baja California, Golfo de Santa Clara, San Luis Río Colorado y Puerto Peñasco, Sonora.

In ocean, focused on the Biosphere Reserve Upper Gulf of California and Colorado River Delta, the Vaquita Refuge Area and mainly the Zero Tolerance zone, in which there is the wider historic detection of vaquita species.

Furthermore, on December 9, 2021, the General Administration of Customs (AGA) officials were trained by the Federal Attorney for Environmental Protection (PROFEPA) through the "**Identification of the Totoaba Practical Course**" which strengthened their capabilities in the effective identification of the morphology of this species. The course was carried out at the Customs Office of the Mexico City International Airport and was transmitted remote conference to the country's customs. There was an effective rating of more than 200 officials.

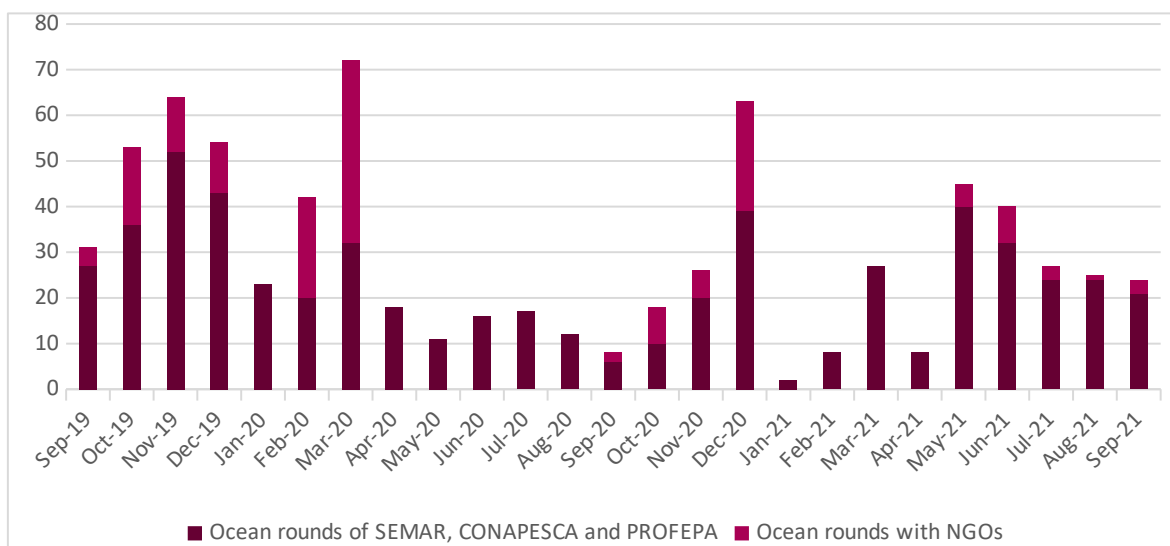
For the year 2022, the training of canine pairs for the detection of totoaba is foreseen, especially in Customs where illicit traffic has been detected.

### **Ocean rounds**

The personnel of Mexican Navy (SEMAR), the National Aquaculture and Fisheries Commission (CONAPESCA) and Federal Attorney for Environmental Protection (PROFEPA) are coordinated rounding in the Refuge Area for the Protection of the Vaquita Marina and the Zero Tolerance Zone. The purpose is to keep order & rule of law at sea, keeping out any boat, as well as avoiding prohibited fishing. Also, there is a permanent retrieval of all abandoned-ghost gillnets and inspection for the fulfillment of national fisheries and environmental regulations.

Ocean rounds trip average 40 to 60 nautical miles (74 to 110 kilometers) during daytime and nighttime hours.

From September 1, 2019 to September 30, 2021, were carried out 734 oceanic rounds. 568 of them were carried out exclusively by law enforcement authorities (SEMAR, CONAPESCA and PROFEPA) and 166 with the participation of civil society organizations, as shown in the following plot.



*Fig. 4. Inspection & surveillance ocean round trips carried out from September 1, 2019 to September 30, 2021.*

### Inland rounds

They are carried out simultaneously to the oceanic rounds. The personnel of SEMAR, CONAPESCA and PROFEPA are coordinated with other civil and military authorities such as the National Defense Ministry (SEDENA) and the National Guard (GN). The rounds are as wide as the north and south coasts of San Felipe. These actions avoid illegal fishing, deter clandestine loading and unloading sites and recover gillnets on beaches. Also, the authorities detect irregularities to environmental & wildlife legal framework. There are average 80 to 120 km traveled daily on highways, paths, side-roads, fishing traditional docks and beaches.

From September 1, 2019 to September 30, 2021, 460 inland rounds were carried out as shown in the following graph.

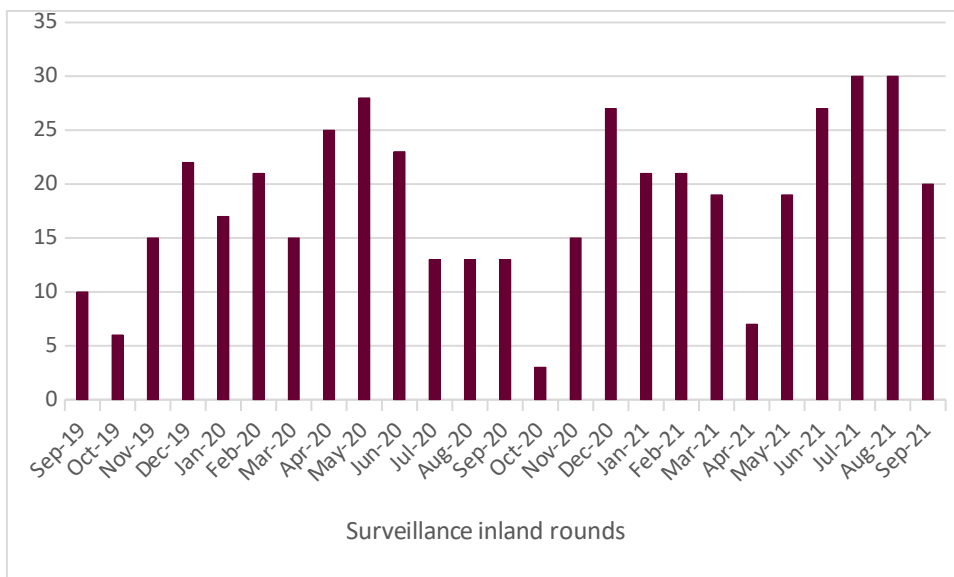


Fig. 5. Inland rounds carried out from September 1, 2019 to September 30, 2021.

### Air rounds

The air rounds are performed by specially trained personnel. They overfly ocean and inland key zones gaining a wider view of the fishing vessels and land vehicles movements. This information leads the priorities of oceanic and inland rounds to increase in-field law enforcement actions.

### Check points in unloading docks

The inspections of vessels at the loading and unloading points in beaches are carried out daily in San Felipe, Baja California and Puerto Peñasco, Sonora. SEMAR, PROFEPA and CONAPESCA personnel participate in these actions.

The main objective is to look at legal documentation such as fishing permits, concessions or fishing authorizations, and to aware crew members of small fishing vessels, as users of the biosphere reserve, of the bans established in the Zero Tolerance Zone and the Vaquita Refuge Area. Vessels and fishing products are also checked to ensure that they do not contain specimens, parts or derivatives of wildlife species listed in any category of risk according national regulations.

From September 1, 2019 to September 30, 2021, 944 check up were carried out, 8,088 vessels were verified, as shows the following chart.

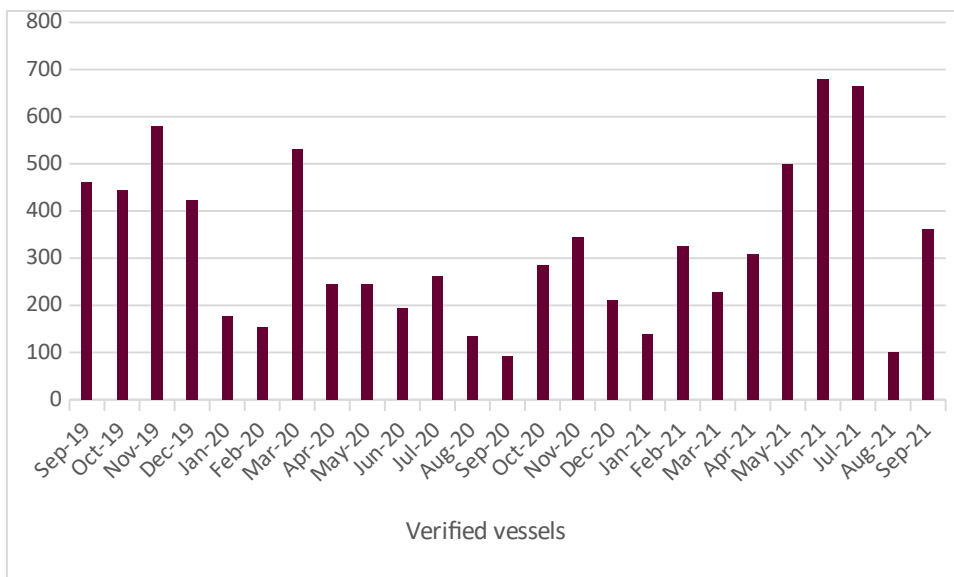


Fig. 6. Verified vessels in check points from September 1, 2019 to September 30, 2021.

### Vehicles' check up

The check points are leaded by SEDENA and PROFEPA. They are established in 14 strategic sites in the communities El Chinerito, El Chinerito, San Felipe y Puertecitos. They are focused on detecting wildlife ban species or products.

From September 1, 2019 to September 30, 2021, there were 409 check points established where 1,319 vehicles were verified.

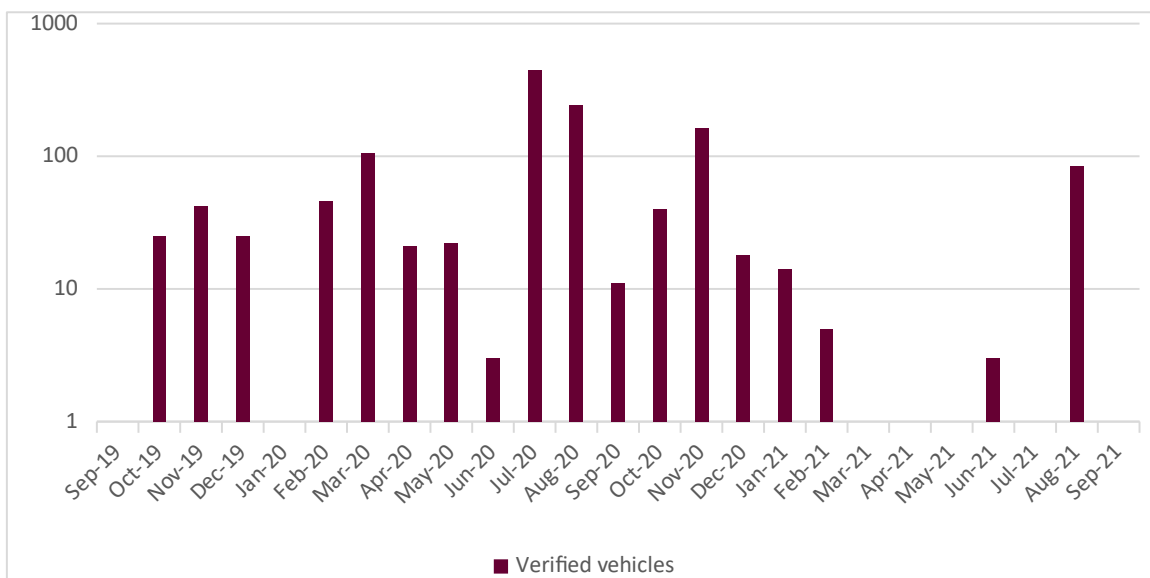


Fig. 7. Verified vehicles. The information is shown at logarithmic scale for a wider view of the data.

Considering the information above, the results gained during 2021 are the following.

Chart 2

2021 Results	Inspections	Seizure
Vessels	540	0
Small scale fishing boats	5,129	15
Land vehicles	2,284	0
Persons	8,280	5
Fishing facilities	15	0
Fishing gear		172
Fishing gear length		43,942

The above mentioned actions include the assistance of SEDENA army personnel and National Guard civil authority. These institutions also contribute in the “ghost-gillnets” retrieval operations.

It is important to state that the inspection and surveillance actions are also performed in the whole of the Gulf of California permanently. They seek to increase environment law enforcement and sustainable development in the region.

In fisheries matters, from September 2020 to September 2021, 36 inspection reports were drawn up, whose procedural status is 12 in the initiation stage of the procedure, 01 in the “evidence-showing” period, 09 in the period of allegations and 14 have a resolution. Likewise, from September 1, 2019 to September 30, 2021, 1,587 land surveillance tours were carried out in which 356 fishing gear were precautionarily retained. 62 prevention talks were also held with the fishing sector and the precautionary retention of 45.74 tons of fishery product was carried out.

### Crime processing follow up

From January 01, 2020 to November 30, 2021, there were 40 crime investigation files opened; 09 of these were advanced to judiciary stage and 02 were suspended and conditioned to environmental damage redress.

44COM7A.56-7

7. [The World Heritage Committee] also notes the reported information on new fisheries regulations that have been approved in September 2020, which, if



enforced, could have the potential to reduce totoaba poaching and vaquita bycatch, as well as the concerns that the State Party has not fully implemented the regulations and has failed to enforce them; and further requests the State Party to provide further information in this regard;

### **Regulations against crime framework strengthening**

In order to strengthen the legal framework to deter environmental crime, in March 2020, Mexican government drew up an initiative to reform Mexican Constitution article 19, so that crimes committed against the environment and environmental management regarding threatened wildlife traffic could be processed as serious crime and merit preventive imprisonment<sup>1</sup>.

Hence above, the Congress wrote a Law project to modify article 420, part IV, of the Federal Penalty Code, among others to increase from 5 to 15 years-prison and 5000 to 25000 salary days penalty fee as crime is involving the fish species *Totoaba macdonaldi*<sup>2</sup>.

Regarding organized crime, on February 21, 2021, there was established the modification of the Federal Penalty Code (article 420) to add from 5 to 10 years-prison and 3000 to 6000 salary days penalty fee if organized crime conducts (as described in part IV of article 420 and part X of article 2 of Organized Crime Law) against totoaba are proved.

### **Administrative regulations framework strengthening**

Since September 1, 2019, the Mexican State has published various regulatory instruments to order fishing activities in the Upper Gulf of California. It is important to highlight the “Framework Agreement” and the complementary regulatory instruments, as described below.

*AGREEMENT that regulates gear, systems, methods, techniques and schedules for carrying out fishing activities with smaller and larger vessels in Mexican Marine Zones in the Northern Gulf of California and establishes landing sites, as well as the use of monitoring systems for such vessels*<sup>3</sup>

This document was published on September 24, 2020. It establishes a gillnet ban zone and zero tolerance zone within the vaquita refuge area in addition to the restrictions previously established in the Biosphere Reserve Upper Gulf of California and Colorado River Delta.

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1 Initiative to modify Mexican Constitution article 19, pages 413-440:

<http://gaceta.diputados.gob.mx/PDF/64/2020/abr/20200428-I-1.pdf>

2 Congress project to modify Federal Penalty Code in environment crime issues:

<http://gaceta.diputados.gob.mx/Gaceta/64/2020/mar/20200303-V.html#Iniciativas>

3 Published in the Federal Official Daily News on September 24,

2020: [https://www.dof.gob.mx/nota\\_detalle.php?codigo=5601153&fecha=24/09/2020](https://www.dof.gob.mx/nota_detalle.php?codigo=5601153&fecha=24/09/2020)

It also permanently bans the use of gillnets, including those made of monofilament or multifilament nylon thread, or any modification of them, including gear actively or passively operated to carry out fishing activities in the limited marine area. These gillnets may not be:

- Used in any fishing activity, nor deployed, nor recovered for that purpose or any other purpose, nor contained on board a vessel or in possession within the limited marine area;
- Transported in that marine area and in a perimeter of 10 kilometers around it by any means, including land or air, or between any city, town, community or fishing unloading field;
- Manufactured, owned, sold or transported, in the limited marine area, nor in the cities, towns, "ejidos" (sort of agricultural municipality), communities and / or fishing unloading fields surrounding it.

The Agreement also establishes the responsibilities for fishing vessels to inform CONAPESCA about any interaction with marine mammals, to report the loss or misplacement of fishing gear during their fishing activities. And have a monitoring system, installed and working, with the technology and characteristics that are determined in the corresponding fishing concessions or permits.

Additionally, the agreement indicates 8 authorized sites for departure and arrival, where the vessels are inspected.

In the zero tolerance area, navigation or transit to any type of vessel is totally prohibited and it is noted that the use or transport of any fishing gear and vessel will be seized by the responsible authorities.

The Agreement also refers to coordination between the responsible authorities in the area to increase their efficiency and effectiveness.

*GUIDELINES to organize and operate the Intragovernmental Group on Sustainability in the Upper Gulf of California (GIS)*<sup>4</sup>

These guidelines were published on January 15, 2021, and direct organizing and defining the operation of the "Intragovernmental Group on Sustainability in the Upper Gulf of California" (GIS), a body in charge of analyzing, defining, coordinating, supervising and evaluating actions and strategies regarding compliance with the "Agreement" and to explore alternative and complementary mechanisms of cooperation and collaboration with other responsible bodies, as well as to recommend actions that allow compliance with the "Agreement".

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4 Published in the Federal Official Daily News on 15/01/2021: [http://dof.gob.mx/nota\\_detalle.php?codigo=5609927&fecha=15/01/2021](http://dof.gob.mx/nota_detalle.php?codigo=5609927&fecha=15/01/2021)

*GUIDELINES for the Collaboration Group (GCAL) on the application of the Agreement regulating gear, systems, methods, techniques and schedules for carrying out fishing activities with small and large vessels in Mexican marine areas in the northern Gulf of California and establishes landing sites, as well as the use of monitoring systems for such vessels*<sup>5</sup>

It was published on January 18, 2021 as an information exchange instrument through GCAL among government bodies, non-government organizations and international entities.

*PLAN of Zero Tolerance in the Vaquita Refuge Area*<sup>6</sup>

It was published on January 20, 2021. Its objectives are to develop and strengthen surveillance and inspection actions in the Northern Gulf of California that substantially improve the protection of the vaquita porpoise, as well as prevent and inhibit the illegal traffic of totoaba products and its derivatives. Also, enforcing fishing and environment legal matters.

The document promotes the coordination among agencies involved in inspection and surveillance (SEMAR, CONAPESCA and PROFEPA), as well as the exchange of information within the GIS member government bodies. It also defines supervisory actions such as the verification of vessel monitoring systems and suggests international exchange of information, particularly with the United States of America.

*AGREEMENT establishing the indicators, triggers and predetermined actions, in accordance with article 17 of the Agreement regulating gear, systems, methods, techniques and schedules for carrying out fishing activities with small and large vessels in Mexican marine areas in the northern Gulf of California and landing sites are established, as well as the use of monitoring systems for such vessels, published on September 24, 2020*<sup>7</sup>

It was published on July 9, 2021. Its objective is to set action criteria for the authorities based on alleged criminal conduct, as well as the application of additional preventive measures to those established in the Agreement of September 24, 2020. Its implementation depends on the detection of unauthorized vessels in the Zero Tolerance Zone (Zo) and the number of nets recovered per day in the Zo. In the case of this document, on September 29, 2021, an informative workshop called "Triggers for closure of fishing in the Upper Gulf of California" was carried out, in which the fishing sector were aware of the procedure guidelines for the responsible authorities.

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5 Published in the Federal Official Daily News on 18/01/2021:

[https://www.dof.gob.mx/nota\\_detalle.php?codigo=5609966&fecha=18/01/2021](https://www.dof.gob.mx/nota_detalle.php?codigo=5609966&fecha=18/01/2021)

6 Published in the Federal Official Daily News on 20/01/2021:

[https://www.dof.gob.mx/nota\\_detalle.php?codigo=5610105&fecha=20/01/2021](https://www.dof.gob.mx/nota_detalle.php?codigo=5610105&fecha=20/01/2021)

7 Published in the Federal Official Daily News on 09/07/2021: [http://dof.gob.mx/nota\\_detalle.php?codigo=5623442&fecha=09/07/2021](http://dof.gob.mx/nota_detalle.php?codigo=5623442&fecha=09/07/2021)

*AGREEMENT establishing the report format on any interaction with marine mammals and / or loss and / or misplacement of fishing gear during fishing activities, in Mexican marine areas in the Northern Gulf of California*<sup>8</sup>

It was published on December 8, 2021. The document facilitates the delivery of information by the fishing communities of the Upper Gulf of California to the authorities regarding contact with groups or specimens of free-living marine mammals in the wild during the fishing operations. It is expected that knowledge about the incidental capture of vaquita in the area derived from fishing practices will be considerably updated.

The institutional efforts made by the Government of Mexico, aimed at combating illegal fishing activities in the Upper Gulf of California, have yielded important results in seizure of illegal products. This means that programs & policies have positive effects. The actions performed by several institutions operating various law & regulation instruments in terms of their own responsibilities are resulting in inter-institutional strategies with a clear common goal.

The legal instruments published in 2021, complementary to the Agreement of Sep/24/20, together comprise a strengthened “legal-body”. Its operation based on the dissuasive focus has been fundamental for the restoration of the social conditions, promoting trust & environment-governance among citizens and authorities in the Upper Gulf of California region.

It is necessary to maintain a focus on the biological conservation of the Upper Gulf ecosystem as a whole, in order to preserve the vaquita porpoise. The policies established in this regard, based on the current regulatory framework, consider the fight against poaching of totoaba, at the same time that they promote the benefit and participation of the affected communities, as well as the integration of efforts of interested sectors, such as civil society, academics and scientific researchers.

Considering that time is essential in this matter, it is worth mentioning that it is necessary to give a chance on the initial implementation of the recently published instruments, in order to identify their efficiency and subsequently proceed to the progressive and permanent improvement optimizing the success in its operation.

The actions described in the inspection and surveillance section of this document reflect the commitment of the Mexican Government to dedicate its best efforts towards obtaining favorable results in the implementation of the current legal framework.

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<sup>8</sup> Published in the Federal Official Daily News on 08/12/2021:  
[http://www.dof.gob.mx/nota\\_detalle.php?codigo=5637600&fecha=08/12/2021](http://www.dof.gob.mx/nota_detalle.php?codigo=5637600&fecha=08/12/2021)

44COM7A.56-8

8. [The World Heritage Committee] further welcomes that ongoing “ghost net” retrieval efforts, including through collaboration with civil society organizations, have been formalized, but expresses concern that a large number of ghost nets continues to be found, that the ghost nets retrieval activities have been concentrated in the so called “zero tolerance zone”, but that no further information has been provided on how effective the zone has been and that net retrieval operations remain suspended since December 2020, while the totoaba illegal fishing season is underway;

### **Ghost-nets retrieval**

Based on the assumption that the presence of gillnets in the vaquita's distribution area constitute the greatest threat to its conservation, the programs for the recovery of abandoned ghost-fishing gear in areas maritime areas of the Upper Gulf of California are continuous and permanent.

The nets retrieval is carried out during the maritime and land rounds of the SEMAR, CONAPESCA and PROFEPA officials. On June 23, 2021, the Federal Government authorities signed a collaboration agreement with non-government organizations to jointly participate in gillnets removal activities. The signing of this legal instrument increases the certainty and legal validity of the actions carried out by the participating institutions. This ordinance will be in force for the rest of the present administration (Sep/ 30/24).

Thus, during September 1, 2019 and September 30, 2021, a total amount of 384 gillnets have been recovered, with a total length of 73,101 meters. The following graph highlights that in recent months the number of retrieved ghost nets has decreased, although the number of daily maritime routes has remained the same. The above suggests that there are fewer abandoned fishing gear in the area.

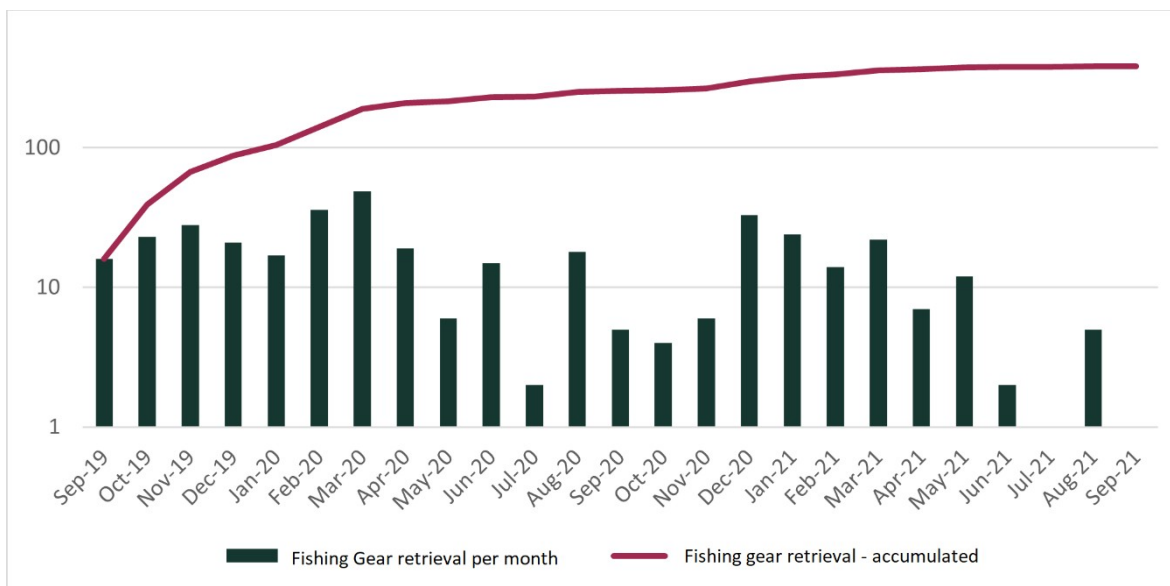


Fig. 8. Number of retrieved fishing gear. The information is in logarithmic scale to show monthly and accumulate numbers together.

The next graph shows that the length of fishing gear recovered is almost constant, in exception on September to November, when there are changes in fishing activity.

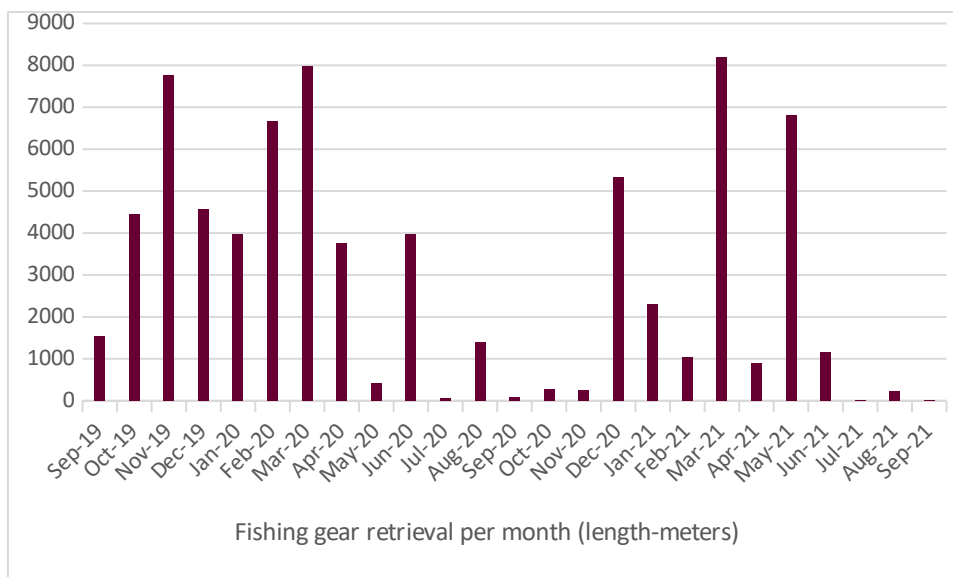


Fig. 9. Length of gillnets recovered (meters) from September 2019 to September 2021.

During May-to-October season, there is no gillnet found in the Zero tolerance zone. This could be understood as a positive result, considering that the zone is actually fishing gear free.

The fishing gear retrieved are moved to army-SEMAR headquarters in San Felipe, Baja California to proceed on their final destiny (wreckage).

44COM7A.56-9

9. Taking note of the confirmation provided by the State Party that alternative vaquita safe fishing gear is already available for a number of fisheries and has been provided to interested fishers, [The World Heritage Committee] requests furthermore the State Party to continue these efforts and to confirm the scale of deployment of alternative fishing gear across the fishing communities of the Upper Gulf of California;

### **Responsible fishing & sustainability**

The Government of Mexico maintains its commitment in promoting sustainable fisheries, so it continues on implementing fishing systems that do not interact with species at risk in the Upper Gulf of California. Following UNESCO recommendations, alternative fishing systems have been developed and tested.

INAPESCA, the National Fisheries Institute, has successfully developed alternative fishing gear systems that avoid marine mammals, sharks & turtles bycatch in the Upper Gulf of California. This successful development is due to civil organizations The Marisla Foundation, The David and Lucile Packard Foundation, WWF, Pronatura (Noroeste) and Pesca ABC, that validate the results of scientific research.

Since 2016, Mexican Government, by INAPESCA promoted the Expert Committee on Fishing Technologies (ECOFT). The group has advised research projects and has concluded that “...already there are alternative fishing gears & methods that could substitute gillnets in the Upper Gulf, and there is no technical matter to keep the transition...”<sup>9</sup>.

The recently published regulatory instruments list the sustainable systems allowed for the Upper Gulf of California and all of them have research work and opinion from INAPESCA, supported by the ECOFT. Although the efficiency of alternative fishing systems against gill nets is debated, in the data collected in the investigations and tests carried out with the fishermen themselves, there is no difference in terms of efficiency compared to 200 meters-long gillnets.

By 2021, the fishing systems developed and adapted for the Upper Gulf include the suripera-net and the RSINP-MX trawl net for catching shrimp; traps for capturing different species of fish; trawl for milkfish; system of artisanal closure and multi-lines for sawfish. By 2022, it is intended to develop and implement a pilot program to test and improve the fishing system in two lines: 1) artisanal purse-seine and; 2) “lamp-net”, and thus continue with the development of alternative fishing systems for curvine fish.

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<sup>9</sup> Herrera, Y, Sanjurjo E. and Glass, C. (2017). A comprehensive review of the research on alternative gear to gillnets in the Upper Gulf of California (2004 – 2016). Expert Committee on Fishing Technology (ECOFT). Working paper num. 1: 35pp.

So far, for the capture of curvine, the construction and/or modification of artisanal seine-nets has been carried out. The designed net distinguishes itself by being 90% polyethylene cloth and 10% multifilament polyamide nylon. In the net building, observations such as mesh size, thread diameter, type of net cloth, length and height of the net, length of reinforcement (coefficient of reinforcement), size and floating capacity were discussed.

In 2021, there were some sea-trials of the new nets for the Gulf of Santa Clara, Sonora, and for San Felipe, Baja California. In both places, the net was maneuvered by groups of fishermen, who for years have dedicated themselves to this fishery. As results of the tests, in both zones, it was observed that the catch is possible. The net remained on the surface as expected, and the length and height for fishing were met. It is worth mentioning that associated species were not captured nor wildlife under risk categories.

For San Felipe, Baja California, two sea-trials were carried out with reports of the presence and capture of curvine. As results of the testing, the first trial got 80 and 500 kg of catch in two rounds. The second trial got 481 kg of curvine. It is worth mentioning that associated species were not captured and no protected species were observed.

It is expected to continue with the construction activities and sea trials in which fishermen participate, even during curvine fishing season. This, in addition to lamp-type net suggested the Food and Agriculture Organization (FAO).

### **Alternative production efforts**

Regarding to productive diversification and social and economic development in the Upper Gulf of California, INAPESCA, during 2021, continued with the development of its technology transfer projects. Through the project "Development and validation of Technologies for the Bivalve Molluscs culture in producing areas of Mexico", the objective is to formulate technological packages for bivalve molluscs culture in Baja California and Sonora.

To date, for the state of Baja California, the installation of lines for oysters (*Crassostrea gigas*) has been carried out based on the system called Australian baskets. This system will be tested, with the main purpose of generating technological packages for regional producers. Likewise, the installation of chione clam (*Chione sp*) culture systems has been carried out. In Sonora State, the oyster growth testing was carried out, comparing Nestier-type (farming system used in "sea-women oyster and clam cooperative producing society) baskets vs. Australian baskets.

The second project involves producing native bivalves of the Natural Protected Area and capacity building to the producers regarding technology transfer for aquaculture.

There were 25 courses in San Felipe and Gulf of Santa Clara. Also, there were hand out some oyster "seed" to establish *Crassostrea gigas* farming systems in



Sonora and Baja California. In both cases, the productive units were established in association with cooperative fishermen. There were packages related with 3 different clams (*Panopea generosa*, *Panopea globosa* and *Atrina maura*) too.

Regarding wildlife totoaba population, INAPESCA has stated with certainty that it is in good size for fishing. So now the challenge is to establish sustainable fisheries as the Institute has recommended in 18 technical opinions.

44COM7A.56-10

10. [The World Heritage Committee] notes with satisfaction the dialogue between the State Party, the World Heritage Centre and IUCN regarding the development of a set of corrective measures and requests moreover the State Party to submit the final proposal with its next report on the state of conservation of the property, taking into account the comments provided by the World Heritage Centre and IUCN;

11. [The World Heritage Committee] Welcomes furthermore the establishment of a technical working group for the development of a Desired state of conservation for the removal of the property from the List of World Heritage in Danger (DSOCR) and urges the State Party to expedite the process, in cooperation with the World Heritage Centre and IUCN, including by organizing a technical workshop with participation of the World Heritage Centre, IUCN, including its Species Survival Commission, and CIRVA;

### **Corrective measures**

1. Strengthen law enforcement efficiency through increased surveillance and inspection, continuing and further strengthening inter-institutional cooperation in this field.

2. Introduce the necessary legislative changes to increase the penalties foreseen for illegal traffic, capture, possession, import and export of wildlife species, parts and products considered, threatened, endangered or specially protected and/or regulated under Mexican national law, or by international treaties adopted by the State Party of Mexico; and strengthen criminal prosecution procedures.

3. Further strengthen detection and elimination of illegal and derelict fishing gear found in the Vaquita Refuge and the Zero Tolerance Area, in coordination with relevant stakeholders, fishing communities and cooperatives.

4. Effectively implement the permanent ban on the use of gill nets (including the sale, manufacturing, or possession of all gill nets on land and at sea) in the Vaquita Refuge and the entire distribution range of the species.

5. Pursue, at the highest level of government, the necessary and urgent cooperation with the identified destination and transit countries involved in the illegal trade of totoaba, swim bladders, in particular the United States of America and China, through the implementation of the Decisions made by CITES and through other existing international mechanisms, such as INTERPOL.

6. Ensure the large scale roll out of alternative fishing gear systems which do not cause entanglement of vaquita and other protected species already developed by CONAPESCA/INAPESCA in the Upper Gulf of California by providing appropriate incentives and accompanying measures; and develop and promote sustainable fisheries based on environmentally friendly fishing gear throughout the entire Property.

#### **a) Progress achieved**

The aforementioned measures are pending approval by the World Heritage Committee. Notwithstanding the foregoing, the Mexican government is developing the programs and public policies necessary for compliance as soon as possible, with the term of the current administration as a medium-term horizon and assuming a continued commitment to facilitate the recovery of the population of vaquita porpoise.

#### **b) Corrective measures timeframes suitability**

The policies and programs implemented by the Mexican government in order to achieve the corrective measures are immediate. Likewise, it seeks to gain short-term (annual) and medium-term results (at the end of the present administration, ending 2024.) with the possibility of long-term continuity.

#### **c) Progress achieved towards the Desired state of conservation for the removal of the property from the List of World Heritage in Danger (DSOCR)**

The Desired State of Conservation Report of the property is under development stage with the support of various national and international technical bodies and it is hoped that a version will be available for approval by the World Heritage Committee as soon as possible. Last february 24 and 25, 2022 there was a Technical Workshop to prepare the DSOCR. The WHC authorities, IUCN and other civil society organizations participated in this useful drafting exercise.

44COM7A.56-12-13

12. Finally, [The World Heritage Committee] requests the State Party to submit to the World Heritage Centre, by 1 February 2022, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 45th session;

13. [The World Heritage Committee] decides to retain Islands and Protected Areas of the Gulf of California (Mexico) on the List of World Heritage in Danger.

#### **SOC-Report 2022**

This document observes the main objective to report the UNESCO-World Heritage Committee the conditions and state-of-conservation of the World Heritage property "Islands & Protected areas of the Gulf of California", in accordance to the decision 44 COM 7A.56 (Fuzhou, China, 2021).

It also contains information on the efforts of the Government of Mexico dedicated to the conservation of the Outstanding Universal Value of the property. This, understanding that the insular and coastal ecosystems of the Gulf of California are connected with the marine ecosystems in terms of their functioning patterns and evolutionary processes; also recognizing the importance of focusing surveillance attention on the sites where there are more endangered species towards extinction, such as the vaquita porpoise. This species is key to conservation of the landscape under the natural heritage of humanity focus.

In July 2019, the Government of Mexico accepted the inscription of the Site "Islands and Protected Areas of the Gulf of California" in the List of World Heritage in Danger considering that it is a mechanism of the Convention to strengthen international cooperation in conservation and maintenance the attributes of the Outstanding Universal Value of World Heritage Sites. Our country respectfully acknowledges the position included in decision 44COM7A.56 to keep the site on this List and remains attentive to the evaluation of this SOC-Report by the responsible authorities. Likewise, it expresses its commitment on the full observance of the World Heritage Convention principles.

### **Conservation and monitoring actions in the Property**

In order to seek a balance between conservation and development of the communities that are part of the Property, the Mexican government has continued to strengthen the social structure, encouraging participation in all productive and conservation activities.

In this sense, we continue to promote studies, productive projects and training through different programs, in coordination with the three levels of government and in collaboration with Civil Society Organizations, thus contributing significantly to the economy of the communities that are part of the Property, through the generation of sources of employment and conservation alternatives.

In the 2020-2021 period, various actions were carried out aimed at maintaining the attributes of the Property and its Outstanding Universal Value, developed within the 12 elements that integrate the Serial Property through two budgetary programs, the Conservation Program for Sustainable Development (PROCOCODES) and its components: technical studies; projects; training courses; environmental contingency brigades and, the Program for the Protection and Restoration of Ecosystems and Priority Species (PROREST) with its components of Technical Studies for the Management of Natural Protected Areas; community conservation in Natural Protected Areas with resources amounting to \$41,369,551 MXN (Includes operating expenses of the area) in 274 supports, corresponding to the 2020 and 2021 fiscal years. The development of these

programs in greater detail is described in the document referred to as Annex 2 of this document.

### Conservation for Sustainable Development Program (PROCOCODES)

The objective of PROCOCODES is to promote the sustainable use of natural resources and biodiversity by women and men living in Natural Protected Areas and their areas of influence, taking into account the 12 elements of the Serial Property, for social development and provides direct support for its implementation through the following four components:

Chart 3.

Component	Objective	Population eligible for support
Technical studies	Promote the elaboration of technical studies that allow women and men living in the organized groups; ejidos or localities settled in the Natural Protected Areas and their zones of influence to plan, program and execute sustainable activities.	Women and men 18 years of age or older, who are part of organized groups; ejidos or communities and legal persons, who are owners, possessors, usufructuaries or users of the natural resources included in the localities of the municipalities of the Natural Protected Areas and their zones of influence (Rules of Operation).
Projects	Promote the sustainable use of biodiversity and natural resources through the development of sustainable productive activities, as well as restoration and conservation projects for productive purposes.	Women and men 18 years of age or older, who are part of organized groups; ejidos or communities and legal persons, who are owners, possessors, usufructuaries or users of the natural resources included in the localities of the municipalities of the Natural Protected Areas and their zones of influence (Rules of Operation).
Training courses	Promote the training of women and men who live in the localities settled in the Natural Protected Areas and their areas of influence for the sustainable use of natural resources.	Women and men 18 years of age or older, who are part of organized groups; ejidos or communities and legal persons, who are owners, possessors, usufructuaries or users of the natural resources

		included in the localities of the municipalities of the Natural Protected Areas and their zones of influence (Rules of Operation).
Environmental Contingency Brigades	Prevent, mitigate and restore risk situations derived from the presence of environmental contingencies that endanger the integrity of one or several ecosystems.	Community brigades composed of at least eight people, men and/or women over 18 years of age, who must be trained in the subject matter in question by the corresponding institution.

The total investment authorized in PROCODES for the 2020-2021 period was \$14,510,806 MXN. In 2020, a total amount of \$6,254,500 MXN was spent through 60 supports that benefited 658 people, while in 2021, \$8,256,306 MXN was applied, benefiting 897 people with the execution of 83 projects.

Chart 4.

Procodes investment 2020-2021 in the Property IPAGC						
	2020			2021		
Element	Supports	Beneficiaries	Budget (MXN)	Supports	Beneficiaries	Budget (MXN)
Islands of the Gulf of California Flora and Fauna Protected Area, - Baja California	1	18	\$40,000	1	10	\$150,000
Islands of the Gulf of California FFPA – Baja California Sur	5	50	\$709,500	6	64	\$403,700
Islands of the Gulf of California FFPA, - Sonora	13	135	\$1,000,000	9	97	\$845,000
Islands of the Gulf of California FFPA - Sinaloa	9	101	\$1,090,000	15	173	\$1,230,000
Upper Gulf of California and Colorado River Delta –	15	161	\$1,190,000	33	348	\$3,561,606

Biosphere Reserve						
Isla San Pedro Mártir Biosphere Reserve	4	42	\$340,000	5	58	\$400,000
Bahía de Loreto National Park	1	11	\$150,000	3	36	\$525,000
Cabo Pulmo National Park	6	68	\$1,000,000	3	30	\$500,000
Cabo San Lucas Flora and Fauna Protected Area	--	--	--	1	10	\$75,000
Islas Mariás Biosphere Reserve	--	--	--	--	--	--
Isla Isabel National Park	5	62	\$460,000	4	40	\$435,000
Archipelago of San Lorenzo National Park	--	--	--	2	21	\$56,000
Islas Marietas National Park	1	10	\$275,000	--	--	--
Balandra Zone of Ecological Conservation and Community Interes	--	--	--	1	10	\$75,000
<b>TOTAL</b>	<b>60</b>	<b>658</b>	<b>\$6,254,500</b>	<b>83</b>	<b>897</b>	<b>\$8,256,306</b>

### Program for the Protection and Restoration of Ecosystems and Priority Species (PROREST)

In the conservation of biological diversity inside and outside the Natural Protected Areas, considering the 12 elements of the Serial Property, it is essential to promote and count on the participation and involvement of the communities settled there, as well as the academic sector. It is also essential to create synergies and coordinate complementary activities among the agencies of the Federal Public Administration.

In this sense, the National Commission of Natural Protected Areas (CONANP), through the Program for the Protection and Restoration of Ecosystems and Species at Risk (PROREST), promotes the conservation and restoration of representative ecosystems of Natural Protected Areas, as well as the protection

and conservation of their biodiversity through the support of technical studies and actions for the management of the territory of these areas and their priority species with the direct and effective participation of the local population.

PROREST provides direct support for its implementation through the following two components:

Chart 5.

Component	Objective	Population eligible for support
Technical studies for the management of Natural Protected Areas.	Promote technical studies for the effective management of Natural Protected Areas under Federal jurisdiction.	Mexican higher education and/or research institutions and research centers, with national or regional representativeness, legally constituted, that are not for profit.
Community Conservation in Natural Protected Areas	Promote the direct and effective participation of the local population in actions for the prevention, protection and restoration of ecosystems and their biodiversity in natural protected areas and their zones of influence, in such a way that economic opportunities are generated for their inhabitants.	Women and men of 18 years of age or older who are part of organized groups that are not constituted as legal entities; as well as Ejidos and Communities that live in localities of the municipalities that comprise the Natural Protected Areas and their Zones of Influence.

The funds authorized for PROREST for 2020-2021 were \$26,858,745 MXN. The \$14,604,728 MXN budget granted for 2020 was used for 49 supports with 792 beneficiaries. In 2021, \$12,254,017 MXN was applied, benefiting 1,073 people through 82 projects under the Community Conservation in NPA Component.

Chart 6.

PROREST Investment 2020-2021 in the Property IPAGC						
	2020			2021		
	Supports	Beneficiaries	Budget (MXN)	Supports	Beneficiaries	Budget (MXN)
Islands of the Gulf	---	---	---	---	---	---

of California Flora and Fauna Protected Area - Baja California						
Islands of the Gulf of California FFPA -Baja California Sur	6	65	\$1,969,086	7	74	\$1,464,837
Islands of the Gulf of California FFPA-Sonora	7	94	\$1,708,500	8	89	\$1,563,502
Islands of the Gulf of California FFPA-Sinaloa	5	48	\$1,320,000	5	48	\$888,005
Upper Gulf of California and Colorado River Delta BR	8	206	\$2,898,800	37*	562*	\$4,673,402
Isla San Pedro Mártir BR	2	23	\$599,834	6*	51*	\$843,746
Bahía de Loreto NP	6	91	\$1,721,879	6	80	\$832,627
Cabo Pulmo NP	3	38	\$1,433,776	5	48	\$947,944
Cabo San Lucas FFPA	1	133	\$212,953	3	24	\$174,207
Islas Marías BR	1	10	\$600,000	---	---	---
Isla Isabel NP	3	26	\$268,200	5	46	\$287,769
Archipelago of San Lorenzo NP	---	---	---	---	---	---
Islas Marietas NP	1	10	\$240,000	---	---	---



Balandra ZECCI	6	48	\$1,631,700	5	51	\$577,978
TOTAL	49	792	\$14,604,728	82	1,073	\$12,254,017

\* According to the guidelines established for executing PROREST, there are two types of beneficiaries: legal entities, which correspond to higher education and/or research institutions and Mexican research centers with national or regional representativeness, legally constituted, non-profit organizations that carry out actions or studies for the dissemination, research, protection, and conservation of ecosystems and their biodiversity; and natural persons who are women and men of 18 years of age or older of Mexican nationality, who conform organized groups that are not constituted as legal entities; as well as Ejidos and Communities, who live in localities of the municipalities that comprise the Natural Protected Areas and their Zones of Influence. In the case of Upper Gulf of California and Colorado River Delta BR, \$1,612,500 MXN was spent on two projects with two beneficiaries as legal entities; and for Isla San Pedro Mártir BR, \$187,500 MXN was spent on a project that benefited one legal entity. The remaining support was provided to individuals.

### **Evaluation of the Management Effectiveness of the Natural Protected Areas of the Heritage Property *i*-effectiveness.**

In 2018 and 2021, the Permanent Management Effectiveness Evaluation System of the natural protected areas included in the World Heritage Property Islands and Protected Areas of the Gulf of California was implemented.

The system consists of five Components: 1) Context and Planning, 2) Administrative and Financial, 3) Uses and Benefits, 4) Governance and Social Participation, and 5) Management. It has a total of 48 indicators, of which 30 correspond to the Management Effectiveness Tracking Tool (METT) and the remaining 18 to the methodologies of the Enhancing our Heritage Toolkit - Assessing management effectiveness of natural World Heritage sites, the IUCN Green List Global Standard and the NSW State Parks System, Australia. Its application yields an effectiveness index and five sub-indexes, one for each component. The following score ranges were established and assigned traffic light codes, so that the system calculates numerically and assigns the color of the corresponding traffic light, based on the programming of the algorithms established in the formulas.

Chart 7.

NPA	Effectiveness Index	Context and Planning Subindex	Administrative and Financial Subindex	Uses and Benefits Subindex	Governance and Social Participation Subindex	Management Subindex
<b>Islands of the Gulf of California FFPA</b>	69 highly effective management	64 highly effective management	56 partially effective management	79 highly effective management	87 management with outstanding effectiveness	68 highly effective management
<b>El Vizcaíno BR</b>	63 highly effective management	56 partially effective management	61 highly effective management	57 partially effective management	70 highly effective management	68 highly effective management
<b>Cabo Pulmo NP</b>	76 highly effective management	64 highly effective management	38 ineffective management	90 management with outstanding effectiveness	100 management with outstanding effectiveness	94 management with outstanding effectiveness
<b>Bahía de Loreto NP</b>	85 management with outstanding effectiveness	71 highly effective management	71 highly effective management	100 management with outstanding effectiveness	90 management with outstanding effectiveness	99 management with outstanding effectiveness
<b>Balandra FFPA (ZECCI)</b>	54 partially effective management	49 partially effective management	42 partially effective management	81 management with outstanding effectiveness	77 highly effective management	44 highly effective management
<b>Cabo San Lucas FFPA</b>	34 ineffective management	38 ineffective management	39 ineffective management	48 partially effective management	33 ineffective management	23 ineffective management
<b>Archipelago of San Lorenzo NP</b>	54 partially effective management	72 highly effective management	47 partially effective management	48 partially effective management	60 highly effective management	52 partially effective management
<b>Upper Gulf of California Colorado River Delta BR</b>	57 partially effective management	57 partially effective management	42 partially effective management	67 highly effective management	70 highly effective management	56 partially effective management

NPA	Effectiveness Index	Context and Planning Subindex	Administrative and Financial Subindex	Uses and Benefits Subindex	Governance and Social Participation Subindex	Management Subindex
Isla San Pedro Mártir BR	66 highly effective management	64 highly effective management	55 partially effective management	76 highly effective management	53 partially effective management	78 highly effective management
Isla Isabel NP	63 highly effective management	63 highly effective management	67 highly effective management	57 partially effective management	37 ineffective management	70 highly effective management
Marietas NP	67 highly effective management	66 highly effective management	39 ineffective management	90 management with outstanding effectiveness	90 management with outstanding effectiveness	67 highly effective management
Islas Marías BR	37 ineffective management	50 partially effective management	15 No elements to evaluate management effectiveness	39 ineffective management	52 partially effective management	15 No elements to evaluate management effectiveness

i-effectiveness		
Grade	Range	Color code
Outstanding	80 to 100 points	
High	60 to 79 points	
Medium	40 to 59 points	
Low	20 to 39 points	
Not enough for evaluation	0 to 19 points	

Fig 10. Table of numerical rating ranges and traffic lights

The main strength of the i-effectiveness system are the sources of verifications that support the values of each of the indicators. The 12 natural protected areas considered in the World Heritage Property have implemented 2 effectiveness evaluations, one in 2018 with the following results:

### **Effectiveness Index and Subindexes for each of the Components,**

#### **i-effectiveness 2018**

The main general strengths detected were:

- ▶ Natural and cultural values are prioritized and threats detected.
- ▶ NPAs produce economic benefits for local communities, through subsidy programs and sustainable activities.
- ▶ They promote and train service providers to offer activities in accordance with the objectives for the creation of the area, respect applicable regulations, and are sustainable.
- ▶ Local communities, resident or close to the NPA, actively participate in management decisions, within and outside the governance structure, such as the Advisory Council.
- ▶ Activities and programs are promoted to improve the benefits to local communities, always in accordance with the objectives and conservation of the values of the NPAs, train users, and promote environmental education.

The main general areas of opportunity were:

- It is of the utmost relevance to strengthen the administrative and financial Component for all NPAs and the effective management of external resources.
- Promote the generation of updated information on priority natural and cultural resources, as well as their monitoring.
- Strengthen governance and social participation mechanisms.

It is worth mentioning that the National Commission of Natural Protected Areas began in 2014 its participation in the initiative of the International Union for Conservation of Nature (IUCN) the Green List of Protected and Conserved Areas proposing two protected areas that already had effectiveness evaluation with the Pomeroy How is your MPA doing methodology, the Archipelago Espíritu Santo Marine Zone National Park, located in Baja California Sur and the San Pedro Mártir Island Biosphere Reserve, in Sonora. During 2018, an institutional effort was carried out to certify these areas in the Green List, under an international standard of effective management, with 50 indicators, being achieved in 2018 and 2019 respectively.

At the end of 2019, IUCN is requested to register the Bahía de Loreto and Cabo Pulmo National Parks and the El Vizcaino Biosphere Reserve on the Green List, and in 2021 the Green List Expert Group of Advisors (EAGL) was going to carry out the evaluation of the two National Parks. However the decision of the Green List Committee was postponed, as a result of changes in the governance structure of the IUCN, the decision of the Green List Committee is pending, as well as the evaluation of El Vizcaino Biosphere Reserve by the EAGL group, since due to the pandemic the on-site visit has not been scheduled.

In October 2021, the second evaluation of the effectiveness, now online, began. Below are the preliminary results of some of the 12 NPAs that integrate the World Heritage Property Islands and Protected Areas of the Gulf of California, emphasizing that these are not yet the final results, since the review and validation phases of the evaluation group of the process and the detection of strengths and areas of opportunity are still pending.

Chart 8. Preliminary Results of the Management Effectiveness Evaluation (5 NPAs)

NPA	Effectiveness Index	Context and Planning Subindex	Administrative and Financial Subindex	Uses and Benefits Subindex	Governance and Social Participation Subindex	Management Subindex
El Vizcaíno BR	<b>83</b> Management with outstanding effectiveness	<b>96</b> Management with outstanding effectiveness	<b>61</b> Highly effective management	<b>78</b> Highly effective management	<b>87</b> Management with outstanding effectiveness	<b>93</b> Management with outstanding effectiveness
Archipelago of San Lorenzo NP	<b>65</b> Highly effective management	<b>98</b> Management with outstanding effectiveness	<b>56</b> Partially effective management	<b>78</b> Highly effective management	<b>67</b> Highly effective management	<b>39</b> Low effectiveness Management
Islands of the Gulf of California FFPA	<b>80</b> highly effective management	<b>92</b> management with outstanding effectiveness	<b>50</b> partially effective management	<b>86</b> management with outstanding effectiveness	<b>83</b> management with outstanding effectiveness	<b>83</b> management with outstanding effectiveness
Bahía de Loreto NP	<b>88</b> management with outstanding effectiveness	<b>93</b> management with outstanding effectiveness	<b>72</b> highly effective management	<b>95</b> management with outstanding effectiveness	<b>97</b> management with outstanding effectiveness	<b>85</b> management with outstanding effectiveness
Balandra- (ZECCI) FFPA	<b>63</b> highly effective management	<b>73</b> highly effective management	<b>53</b> partially effective management	<b>71</b> highly effective management	<b>67</b> highly effective management	<b>56</b> partially effective management

In September 2020 the i-effectiveness results were published in the Global Database on Protected Area Management Effectiveness (GD-PAME), which is the most comprehensive global database of protected areas management effectiveness (PAME). It indicates whether a protected area documented in the World Database on Protected Areas (WDPA) has been assessed. The GD-PAME is a searchable database that includes assessments submitted by a wide range of governmental and non-governmental organizations to UNEP-WCMC, which is updated monthly and can be reviewed at the following link: <https://pame.protectedplanet.net/>

Complete 2018 evaluation information is available at the following link: <https://simec.conanp.gob.mx/efectividad.php>

### ***III. OTHER CURRENT CONSERVATION ISSUES WHICH MAY HAVE AN IMPACT ON THE PROPERTY'S OUTSTANDING UNIVERSAL VALUE***

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#### **Intragovernmental Group on Sustainability in the Upper Gulf of California (GIS)**

Following the Agreement published on sep/24/20, GIS was set up on November 3<sup>rd</sup> 2020. Its main objective is to analyze, define, coordinate, monitor and assess the actions and strategies to operate the Agreement.

The whole of main offices and complementary institutions responsible, Secretary of Agriculture & Fisheries (SADER), Secretary of Navy (SEMAR) and Secretary of environment & Natural Resources (SEMARNAT) participate as members of this group. Other State Ministries are also collaborating, such as Economy, Taxing, Jobs, Social Security, Order, Well-being, Foreign affairs, and General Attorney in Law.

Since its installation, GIS held twice ordinary meetings and one extraordinary meeting. There were appropriate occasions for an open multisectoral dialogue. It was directed on searching sustainable solutions to the socioeconomic & environmental issues in the region and promote the natural adequate long term conditions for vaquita recovery.

The above mentioned actions, besides vaquita conservation, are focused in direct benefits to the communities that live in the Northern Gulf of California, especially the small scale fishing sector and including women as part of productive chains in this industry. Furthermore, it is been considered the participation of the Cucapáh indigenous group, that lives and uses natural resources from the natural protected area Biosphere Reserve Upper Gulf of California and Colorado River Delta.

In order to focus on the main GIS issues, there are three technical discussion tables: Environment, Production promotion and Law & Order. Each one of them has held regular meetings to solve questions that key actors like Congressmen, non-government organizations communities' representatives and fishermen asked about sustainability, economic development and legal order to the Mexican government.

The productivity promotion table, under the responsibility of the Ministry of Agriculture and Rural Development (SADER), analyzes the viability and promotes the development of productive fishing and non-fishing alternatives under a framework of sustainability.

The Law & Order table, under the leadership of SEMAR, addresses issues related to law enforcement and general matters regarding the authorities involved, under a deep respect for human rights.

The environmental technical table, coordinated by SEMARNAT, provides a discussion forum. It seeks solutions to monitoring, conservation, ecosystems and natural elements' concerns in the Upper Gulf of California.

The Environmental Sector also serves as the Presidency and Technical Secretariat of the GIS.

In this framework there are some specific programs in operation that contribute to the region's development.

SEMAR, as the leader in law enforcement, has maintained close coordination with the environmental (PROFEPA) and fisheries (CONAPESCA) authorities, as well as the criminal court instances (Federal Public Ministries and judicial authorities). This Ministry is responsible for the inspection and surveillance strengthening program, and keeps up a daily presence to combat the illicit trafficking of totoaba in the interest area.

The Environmental Sector, has maintained communication with other bodies, such as the Ministries of the Interior and Welfare, in order to align efforts for the development of a peace-keeping culture, drug addiction prevention and restoration of the social conditions in the small scale fishing sector. Thus, it is growing a positive social surrounding that allows maintaining the long-term conditions necessary for the recovery of the populations of the vaquita porpoise.

### **Other general considerations**

The most recent affectation of the populations of this marine mammal due to the illicit trafficking of totoaba swim bladders "fish maw" in Asian markets imperates collective international actions addressing this issue.

The social problem linked to the illicit traffic of totoaba's maw is broader than the environmental preservation of the area. Particularly from an economic development perspective. So, the Mexican government efforts remain focused on creating environmentally sustainable and resilient coastal communities recovering the social context in an environment of reactivation of fishing and other activities carried out sustainably.



The Government of Mexico has achieved close inter-institutional coordination that involves security, law enforcement, welfare and management authorities related to the environmental, fisheries, economic and social sectors of the Federal, State and Municipal levels to attempt preserving of this World Heritage Site at the same time that its communities are guided to sustainable development.

The main products of this effort are medium term; however, the actions are “day-by-day” particularly in monitoring for compliance with the Law. This coordinated effort is directed towards dissuasive actions and strengthening public awareness, without ruling out the obligation to act in punitive sense, in cases of flagrancy. Thus, the framework programs are supported by unprecedented wildlife budget.

The aforementioned, in addition to the active participation of civil society, has been fundamental to achieve preliminary results.

Finally, the Government of Mexico maintains a high priority bioculturality focus, understanding biological diversity and communities’ well-being at the same level of importance in social structures’ determination.

#### **IV. POTENTIAL MAJOR RESTORATIONS, ALTERATIONS AND/OR NEW CONSTRUCTIONS THAT MAY AFFECT THE OUTSTANDING UNIVERSAL VALUE OF THE PROPERTY**

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Up-to-date there is no infrastructure or any development that could mean a significant effect on the environment, ecosystems or its elements, according to the Mexican Law & regulations. Hence, there is no possibility of impact on the *Outstanding Universal Value* of the World heritage property “Islands & protected areas of the Gulf of California”.

#### **V. PUBLIC ACCESS TO THE STATE OF CONSERVATION REPORT**

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##### **Disclaimer on access to information**

The Mexican government has *no-inconvenience* on uploading for public access on the World Heritage Centre’s State of conservation Information System.

#### **VI. ANNEX DOCUMENTS**

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Annex 1. Second voluntarily comprehensive report in accordance with Decision 18.293, paragraph d) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Annex 2. Subsidy projects and actions developed in the property, 2020-2021  
(CONANP)