

**PROTECTING A UNIQUE WILDLIFE  
ECOSYSTEM, NEVER BEFORE STUDIED  
AND NOW IN DANGER OF HUMAN  
DESTRUCTION. FINALLY**



**←  
A NEW NGO**

# KUSI CONSERVANCY

A NEW ORGANIZATION THAT FOCUSES ON PRESERVING THE NATURAL ECOSYSTEM AND THE SPECIES THAT LIVE IN THE PUNTA HORNILLOS AND CALETA HONORATOS NATIONAL RESERVE. APART FROM KUSI CONSERVANCY, THERE ARE NO OTHER ORGANIZATIONS OR GOVERNMENTAL AGENCY PROVIDING PROTECTION IN THE COASTAL ZONE.

# **IF I DO NOT SEE IT, I DO NOT BELIEVE IT**

- Unfortunately, this place is very remote and is only visited by tourists in the summer, people who spend only a few weekends and it is likely that they have contact with the animals of the area or of course not, even many do not know of the existence or the danger to which these animals are exposed located in the Punta Hornillos National Reserve and Caleta Honoratos, tourists when leaving the beaches no longer think about the protection and preservation that is necessary. That would allow these threatened and endangered species to coexist with us humans.
- Since this area is so remote, illegal activities such as seaweed extraction and net fishing are destroying the ecosystem that these few species need to survive.
- Although there is a National Reserve, it does not cover the entire area and it cannot be monitored or protected from illegal activities.





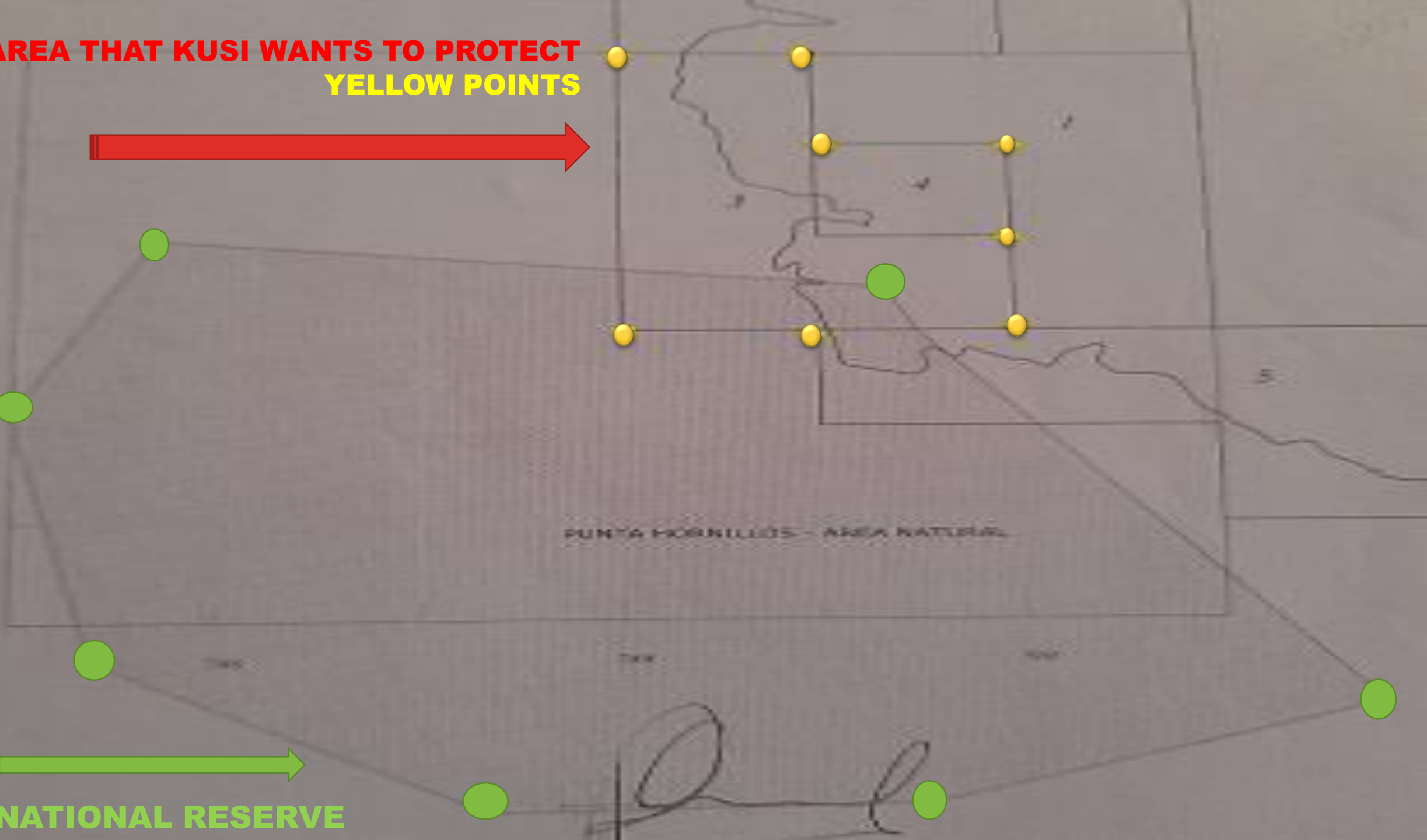


Caleta  
Honoratos  
de Islay



Reserva  
Nacional Punta  
Hornillos

**AREA THAT KUSI WANTS TO PROTECT**  
**YELLOW POINTS**

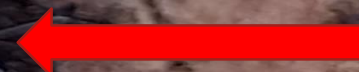


PUNTA HORNILLOS - AREA NATURAL



**NATIONAL RESERVE**





**WHAT A HEALTHY  
ECOSYSTEM LOOKS LIKE**



**THE PHOTO SHOWS A  
COLONY OF 27  
PENGUINS OUTSIDE  
THE LIMIT OF THE  
PUNTA HORNILLOS  
NATIONAL RESERVE**







**YOUNG  
STARFISH**





**REFUGE FOR SEA  
LIONS**



**Un joven lobo marino navegando por  
las rocas.**

**SEA LIONS  
IN ITS NATURAL HABITAT**





**SEA LIONS  
IN ITS NATURAL HABITAT**



**LOBOS MARINO REPOSANDO  
EN LAS ROCAS.**



**SEA LIONS  
IN ITS NATURAL HABITAT**







**SEA OTTER  
IN THEIR HABITAT**

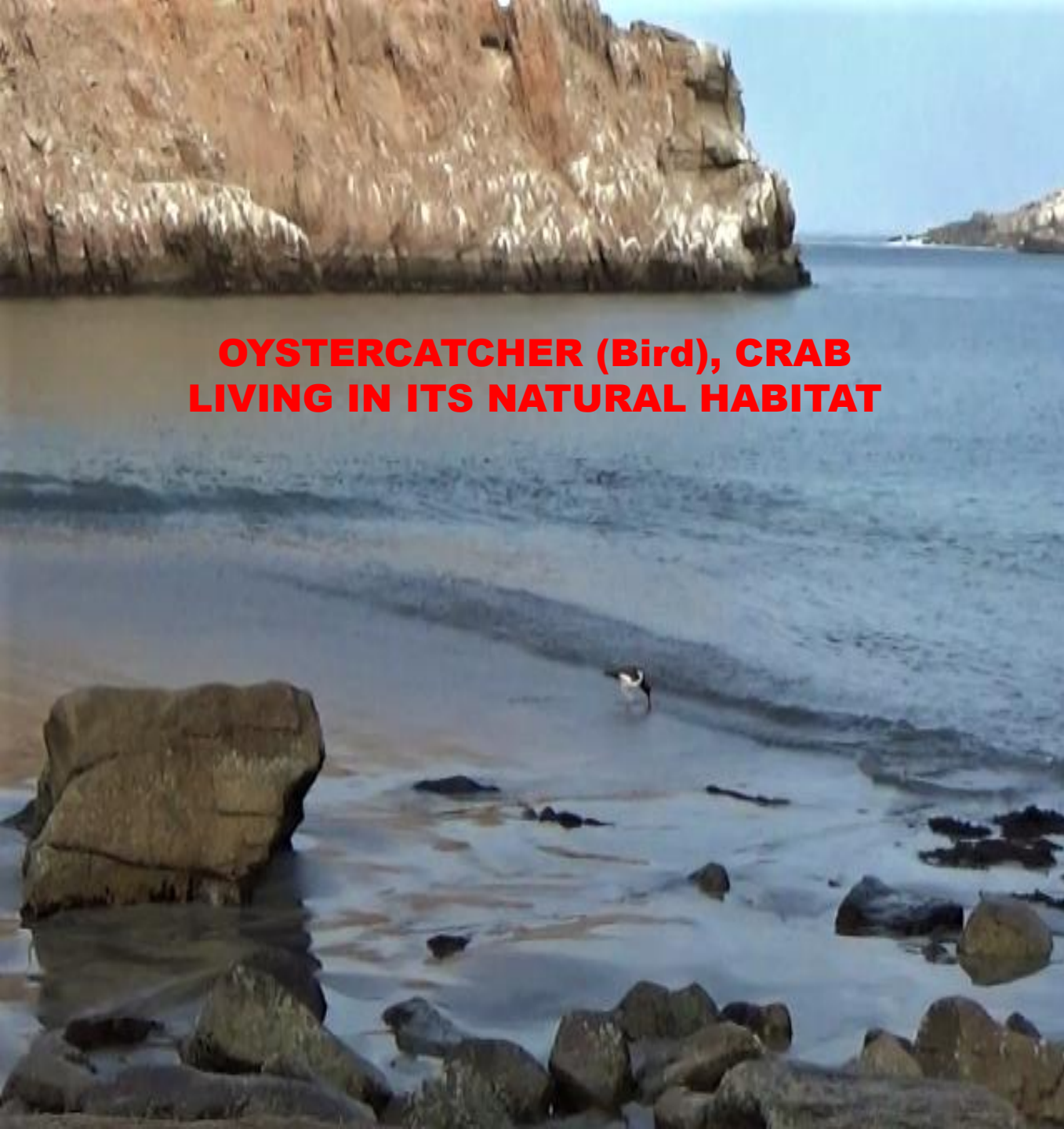


**SEA OTTER  
IN THEIR HABITAT**





**OYSTERCATCHER (Bird), CRAB  
LIVING IN ITS NATURAL HABITAT**





# **ILLEGAL NET FISHING**

**The impacts and consequences of two types of fishing with the most common nets in the area.**

- **BOTTOM TRAWLING FISHING**
- **INDUSTRIAL FENCE NET**

**Peruvian law (FISHING WITH A NET IS PROHIBITED WITHIN 5 MILES OF LAND)( SUPREME DECREE No. 017-92-PE)**

**FISHING WITH  
INDUSTRIAL NET**







**ILLEGAL NET FISHING  
CATCHES YOUNG  
IMMATURE FISH,  
PENGUINS, SEA OTTERS  
AND OTHER ENDANGERED  
SPECIES!!**





**THIS VIDEO  
SHOWS 2-INCH-  
SIZED FISH  
CAUGHT IN  
NETS**





**TWO TYPES OF ILLEGAL  
NET FISHING ARE SHOWN**





**ILLEGAL NIGHT  
FISHING SHOWN TO  
AVOID GETTING  
CAUGHT**






# **ILLEGAL EXTRACTION OF SEAWEEDS**

**The degradation of the fragile environment and the animals that depend on seaweed for their protection and food.**

**Therefore, the General Directorate of Fisheries in Peru (PRODUCE), through Ministerial Resolution No. 839-2008 Prohibits Direct Extraction in the entire Peruvian coast.**





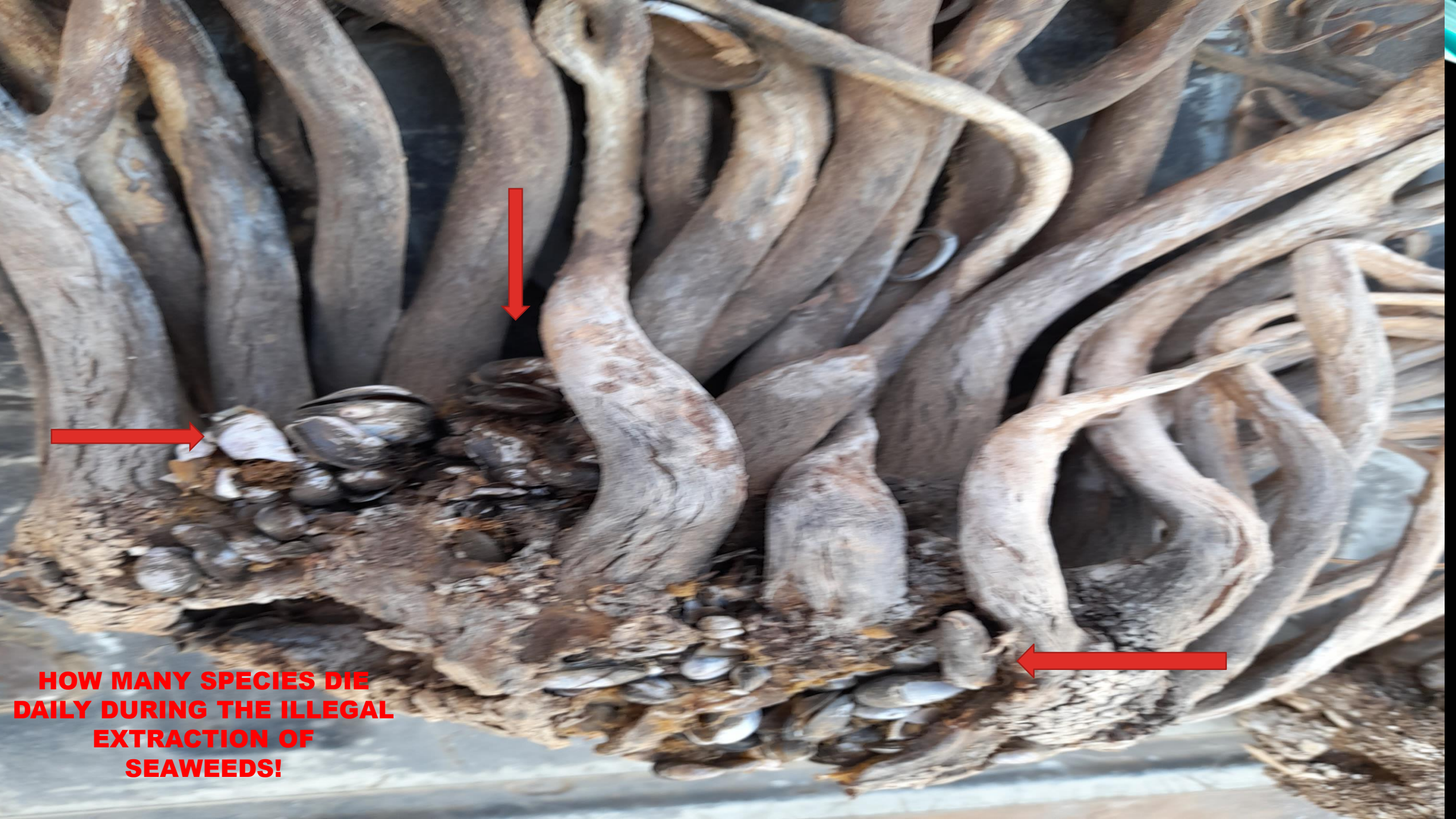
**THESE ALGAE  
ILLEGALLY EXTRACTED  
"IT IS IN THE PROCESS  
OF DRYING" LEAVING  
DAMNIFIED, DEAD CRAB.**





**SEE HOW MANY  
MARINE SPECIES ARE  
KILLED BY ILLEGAL  
SEAWEED  
EXTRACTION**

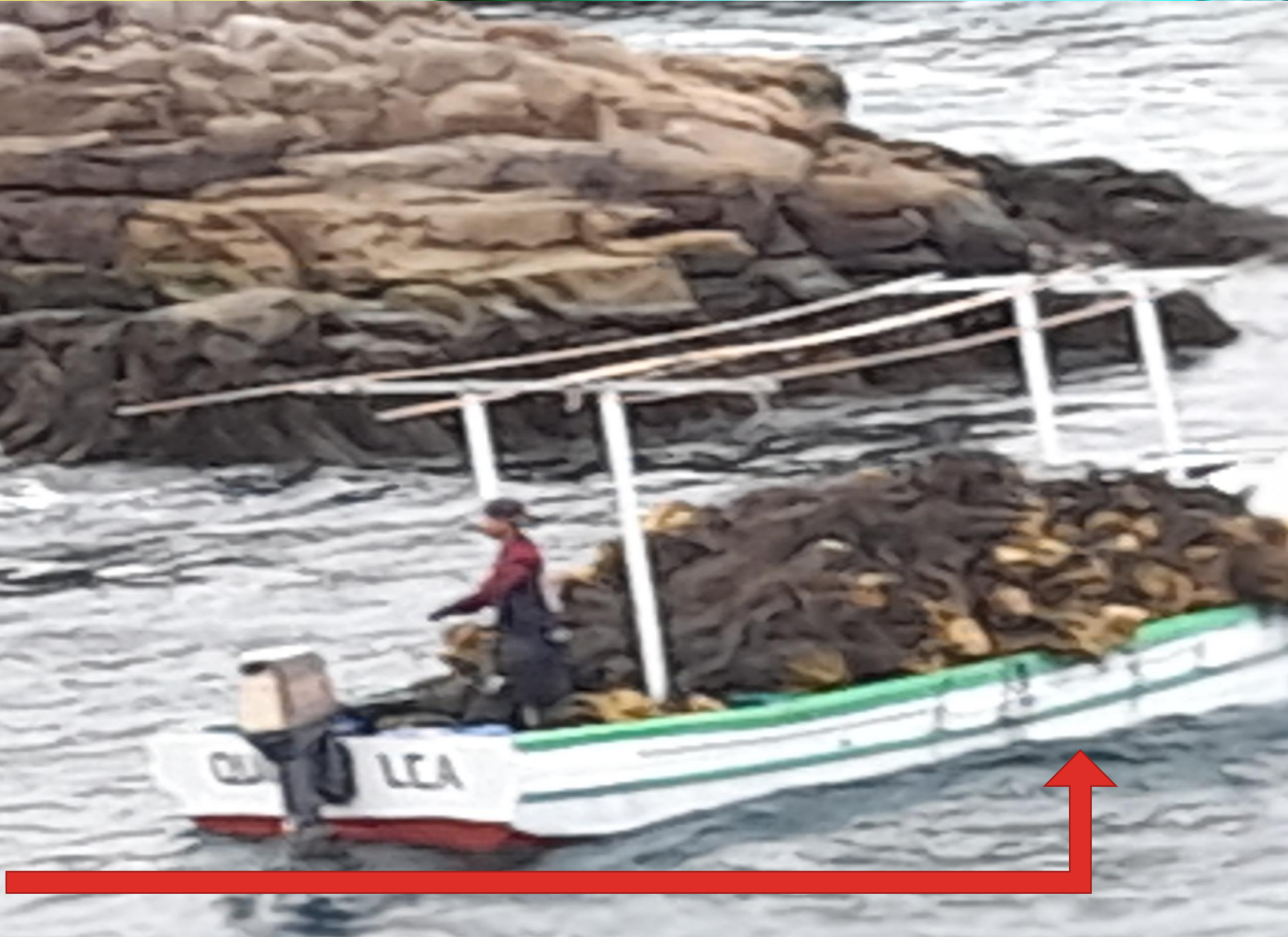




**HOW MANY SPECIES DIE  
DAILY DURING THE ILLEGAL  
EXTRACTION OF  
SEaweeds!**



**TWO SHIPS A DAY  
COLLECT THE  
ILLEGAL  
EXTRACTION OF  
SEAWEEDS.**





**SEAWEED  
IN THE PROCESS OF  
DRYING**







**ILLEGAL EXTRACTION  
OF SEaweeds**





**FOR THE EXTRACTION OF THESE  
MARINE ALGAE  
THEY USE RODS AS YOU CAN SEE  
IN THE VIDEO  
SUCH ACTION SCARES ANIMALS  
AND HURT THEM**





**9 MEN ATTACK ME FOR  
TAKING PHOTOS AND VIDEOS  
(THE OTHER 3 ARE BEHIND  
MY BACK)**



**SEAWEED  
ILLEGAL  
EXTRACTION**





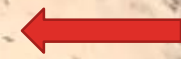


**SEAWEED**





**SEAWEED  
IN THE PROCESS OF  
DRYING**





**ISLAND  
FULL OF  
SEaweeds  
(BEFORE)**



**Illegal  
extraction of  
seaweed from  
the islands.**



**ISLAND AFTER REMOVING  
SEAWEEDS, HOW MANY  
SPECIES KILL**





**SEAWEED  
ILLEGALLY EXTRACTED**





**SEAWEED  
ILLEGALLY  
EXTRACTED**





**SEAWEED  
PROCESSED  
AND ILLEGALLY  
EXTRACTED**





**SEAWEED  
ILLEGALLY EXTRACTED**





**BIRD FAMILY:**  
**OYSTERCATCHER**  
**SPECIES: *Haematopus***  
***palliatus* (foraging)**



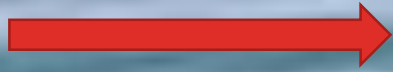




**HUMBOLDT PENGUIN  
NATURAL HABITAT**



**SEA OTTER  
EATING CRAB**





**SEA OTTER**  
**Feeding with Hedgehog**





**IF I CAN SAVE AT LEAST ONE OTTER, IT'S WORTH IT**







Organismo  
de Evaluación  
y Fiscalización  
Ambiental



## THE PERUVIAN AUTHORITIES

SERNANP, SERFOR, MINISTRY OF PRODUCTION, ENVIRONMENTAL PROSECUTOR, COAST GUARD OF PERU, MATARANI, QUILCA, CAMANA AND MOLLENDO COMMISSIONERS AS WELL AS THE MAYORS OF SAID DISTRICTS.





Universidad Católica  
de Santa María



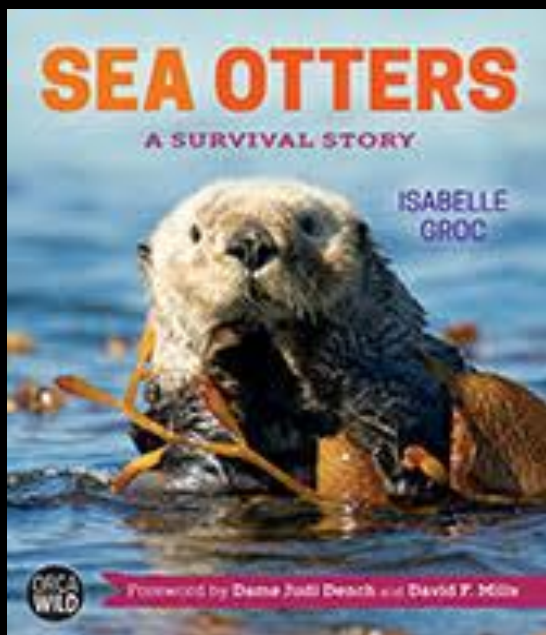
**KUSI CONSERVANCY NEEDS HELP**

**COLLABORATION, COORDINATION AND HARMONY**

**WE MUST WORK TOGETHER TO SAVE OUR PLANET**

**WHAT DOES THAT MEAN? GOVERNMENT WORKING WITH THE  
PRIVATE SECTOR**





V Congreso Nacional de  
Fiscales Especializados en  
Materia Ambiental del Perú  
y I Congreso Internacional sobre  
Delitos Ambientales  
Lima-Perú, 2020

Partnership for  
**nature** and **people**



**THE GOVERNMENT MUST ACCEPT RESPONSIBILITIES  
IF THERE ARE, LAWS TO PROTECT FLORA AND FAUNA. WORKING  
TOGETHER TO ENFORCE THE LAWS, PROTECTING AND PRESERVING THE  
REST OF THE WILD ANIMALS AND THE ECOSYSTEM THAT STILL EXISTS,  
ONCE IT DISAPPEARS, THEY ARE EXTINCT FOREVER.**





# THE PRESS, LOCAL, NATIONAL AND INTERNATIONAL

**The power of the press and advertising**



**WE NEED PUBLIC ATTENTION**

**El Pueblo**  
*... el Diario*





# EDUCATION



**KUSI CONSERVANCY CAN EDUCATE THE PUBLIC AND  
TEACH ABOUT THE CONSEQUENCES**

**PUBLIC SCHOOLS, PRIVATE SCHOOLS AND LOCAL, REGIONAL,  
NATIONAL AND INTERNATIONAL UNIVERSITIES**





**FISH  
CAUGHT  
IN PLASTIC GLOVES**







**BIRD  
STUCK  
WITH SAFETY  
RING  
OF PLASTIC  
BOTTLES**





90,000 fish released into the ocean for replenishment



48 marine mammal emergency responses



19 scientific research papers published



500 volunteers and students reached virtually

# RESEARCH AND MONITORING



Learn about the complexities of this small fragile ecosystem and provide management plans to protect, preserve and promote the growth of species that struggle to live in harmony with humans.

CAESAR KLEBERG  
**WILDLIFE**  
RESEARCH INSTITUTE

TEXAS A&M UNIVERSITY-KINGSVILLE

**A BASIS OF STUDIES IS REQUIRED**

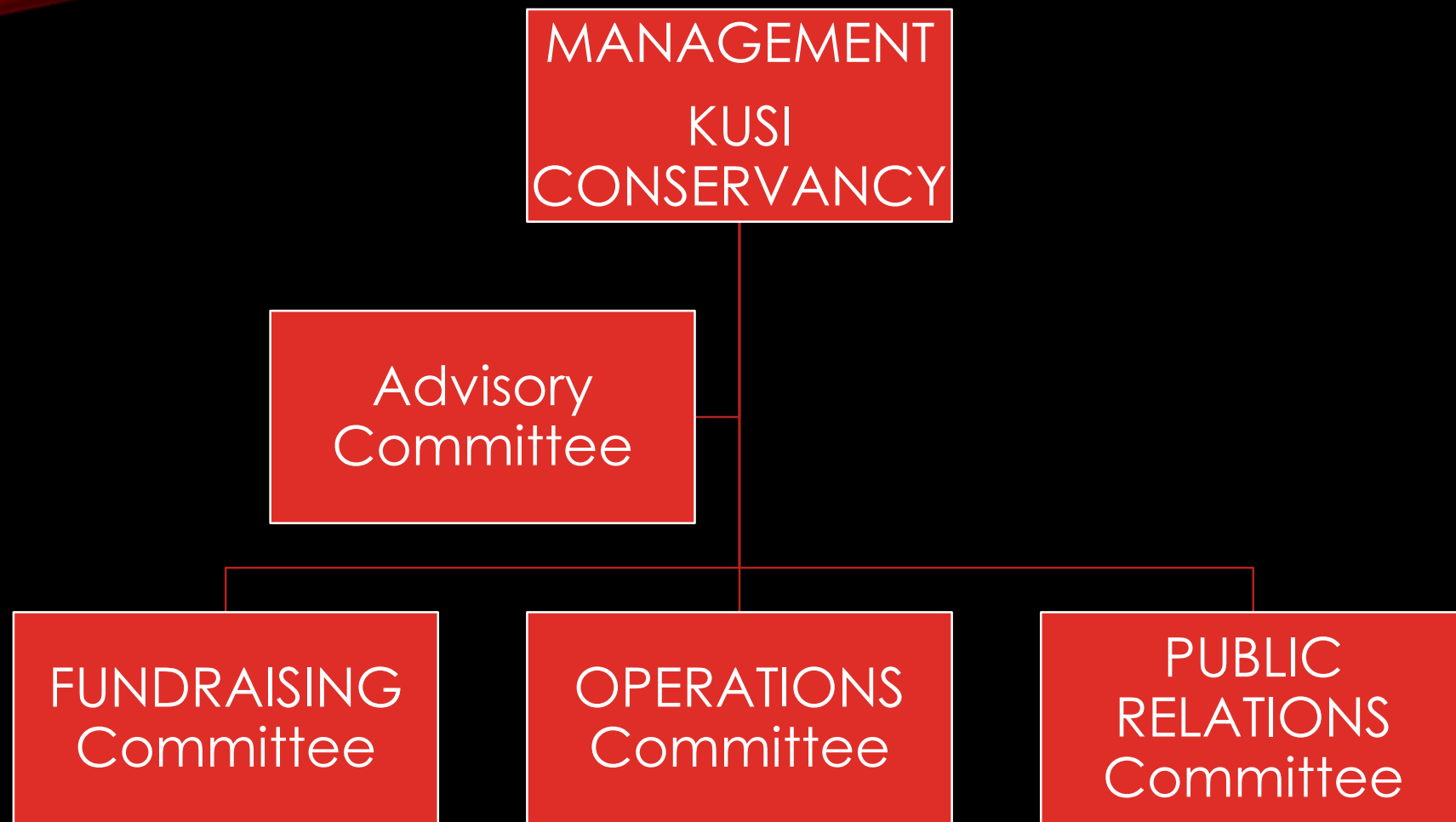


**PROTECTING MARINE  
WILDLIFE WORLDWIDE**













**KUSI CONSERVANCY** IT CAN AND DOES PROVIDE A MORE COMPLETE CONSERVATION, MANAGEMENT TO THIS AREA, AND PUBLICATION OF THE REALITY OF THESE ANIMALS WHICH ARE TRYING TO SURVIVE AGAINST ALL ODDS.

- **WORK WITH VOLUNTEERS AT A NATIONAL AND INTERNATIONAL LEVEL.**
- **WORK WITH INTERNATIONAL ORGANIZATIONS TO MAXIMIZE THE BEST CONSERVATION METHODS.**









## REGLAS DE ESTA PLAYA

- 1 Cuidar los recursos marinos
- 2 No botar basura al mar
- 3 Mantener limpia la playa
- 4 No tocar ni molestar a los cangrejos ni jaibas
- 5 Cuidar y preservar la naturaleza
- 6 Disfrutar de los Pingüinos y Lobos Marinos
- 7 Preservar la Naturaleza en la Playa para que todos puedan beneficiarse en el futuro!!

**ÁREA PROTEGIDA**  
ONG KUSI







CASE Nº 201-2021-239

PROVISIÓN Nº 01-2021

Arequipa, October 6, 2021

ATTENDING:

Dispatched this fiscal file NO 201-2021-239; and

**FIRST:** By RESOLUTION OF THE BOARD OF SUPREME PROSECUTORS NO 038-2008MP-FN-JFS, the Specialized Prosecutor's Offices on Environmental Matters were created, with jurisdiction to prevent and investigate crimes, which will operate in the following prosecutorial districts: Piura - Loreto - Amazonas - Ucayali - Junín - Arequipa - Cusco - Puno - Ayacucho - Lima.

That by means of Resolution No. 435-2020-MP-FN of the Attorney General's Office, published in the Official Gazette El Peruano on February 25, 2020, the Regulations for the

El Peruano, dated February 25, 2020, the Regulations of the Public Prosecutor's Offices were approved.

Article 60 states that "The Specialized Prosecutor's Offices for Environmental Matters are competent to hear actions of prevention and investigation of environmental crimes typified in TITLE XIII of Book Two of the Criminal Code and others related to environmental matters, in any of their modalities, including those committed by criminal organizations in accordance with Law 30077".

Article 100 states that "The specialized prosecutorial organization in environmental matters has an agile and flexible structure, with supra-provincial competence in each of the Prosecutorial Districts of the country".



**SECOND:** Article 329 paragraph 1 of the Code of Criminal Procedure provides that: "1. The prosecutor initiates the acts of investigation when he has knowledge of the suspicion of the commission of a fact that has the characteristics of a crime. The investigation is initiated ex officio or at the request of the complainants. [... J". The immediate purpose of



MINISTERIO PÚBLICO  
FISCALÍA DE LA NACIÓN

"Año del Bicentenario del Perú: 200 años de Independencia"

DISTRITO FISCAL DE AREQUIPA  
FISCALÍA ESPECIALIZADA EN MATERIA AMBIENTAL

Preliminary Diligences is to carry out urgent or unpostponable acts aimed at determining whether the facts that are the object of the investigation and their criminality have taken place, as well as to secure the material elements of their commission, to individualize the persons involved in their commission, including the injured parties, and, within the limits of the Law, to duly secure them. [...]

**THIRD: FACTS DENOUNCED:**

It has the complaint filed by KUSI CONSERVANCY, denouncing a damage to archaeological, tourist and environmental cultural heritage produced on the island Punta de Hornillos and Caleta Honoratos, located in the district of Quilca, against those allegedly responsible for destruction of flora, fauna and other minute species, as well as penguins, sea otters, wolves and birds that exist in this place. The complainant reports that on August 31, 2021, at 4:20 a.m., unknown persons removed seaweed from the land and sea islands, disturbing the animals in the area. He observed and photographed eight people working on the coast of Honorato Creek on the north side of the Punta Hornillos National Reserve,

where he was able to appreciate the whole process by which they extracted approximately three tons of algae that were then removed in two boats named NAZARENO with registration number M01981BM of Quilca and CONON with registration number M02208BM of Quilca.



#### **FOURTH: APPLICABLE CRIMINAL LAW**

The denounced facts are within the scope of the crime of **ILLEGAL EXTRACTION OF AQUATIC SPECIES** provided for in article 308-B of the C.P.

**OF AQUATIC SPECIES** provided for in article 308-B of the C.P. which states:

"Whoever extracts species of aquatic flora or fauna in times, quantities, size and zones that are prohibited or banned, or captures species without the respective permit or exceeds the catch limit per vessel, assigned by the competent administrative authority and the law of the matter, or does so exceeding the same or uses explosives, chemical means or other methods prohibited or declared illegal, shall be punished with imprisonment of not less than three years nor more than five years

#### **FIFTH: PROCEDURAL REGULATIONS:**

Numeral 1) of Article 336 of the C.P.P. indicates the presuppositions that must be satisfied in order to formalize a preparatory investigation:

"If from the complaint, the police report or the Preliminary Diligences carried out, there are indications that reveal the existence of a crime, that the criminal action has not prescribed, that the accused has been identified and that, if applicable, the procedural requirements have been met, it will order the formalization of the Preparatory Investigation.



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#### **SIXTH: ANALYSIS OF THE CASE AND FISCAL PRONOUNCEMENT**

6.1 As proposed in the complaint, there are facts that would fall within the scope of the crime of **ILLEGAL EXTRACTION OF AQUATIC SPECIES**, since the extraction of seaweed has been denounced both on Hornillos Island and in the surroundings of Honoratos Cove in the district of Quilca.



**IF AVAILABLE:**

FIRST: DECLARE that it is not appropriate to formalize and continue the preparatory investigation against THOSE WHO RESULT RESPONSIBLE, for the alleged commission of the crime of ILLEGAL EXTRACTION OF AQUATIC SPECIES foreseen in article 308-B of the Penal Code, to the detriment of the State represented by the Public Prosecutor Specialized in Environmental Crimes of MINAM. in aggravation of the State represented by the Public Prosecutor Specialized in Environmental Crimes of MINAM,



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consequently FILE the proceedings in the manner and form of Law, bearing in mind in case new elements of conviction are found that allow the identification of the presumed authors or participants of the fact, it will proceed according to the provisions of numeral 1) of Article 335 of the C.P.P.

SECOND: SEND certified copies of this complaint to the Environmental Protection Division of the PNP, so that within its competences and attributions it may develop the necessary actions, including, if deemed necessary, in coordination with the REGIONAL MANAGEMENT OF PRODUCTION in order to identify those allegedly responsible for illegal extraction activities of marine macroalgae, in the surroundings of the Honoratos cove and Hornillos Island in the district of Quilca, Province of Camana.

THIRD: TO EXHORT the Regional Management of Production of the Regional Government of Arequipa, in order that, in accordance with its competences and attributions, it complies with the control actions in order to detect and combat the activities of MARINE MACROALGAE EXTRACTION in the surroundings of the Honoratos Cove and the Hornillos, in the district of Quilca, province of Camaná, department of Arequipa, and must send a documented report in relation to such actions.

Intervening the undersigned by leave of absence of the Provincial Prosecutor.

Notifying the parties according to the Law.

Jlm



