

Conf. 9.14

(Rev. CoP19)*

Conservation of and trade in African and Asian rhinoceroses

CONCERNED that some rhinoceros populations have continued to decline drastically and that four of the five species are threatened with extinction;

RECALLING that the Conference of the Parties included all species of rhinoceroses in Appendix I of the Convention in 1977, and that the South African and Swaziland populations of *Ceratotherium simum simum* were transferred to Appendix II with an annotation in 1994 and 2004 respectively;

RECALLING further Resolution Conf. 3.11 and Resolution Conf. 6.10, adopted by the Conference of the Parties at its third and sixth meetings respectively (New Delhi, 1981; Ottawa, 1997), and Decision 10.45, adopted at its 10th meeting (Harare, 1997), all relating to the conservation of and trade in rhinoceroses;

COMMENDING the successful management and protection of rhinoceroses in some African and Asian range States, often under difficult circumstances;

COMMENDING further the measures taken by Parties to control and reduce use of rhinoceros horn, especially Parties where use is part of a cultural tradition extending back many centuries;

CONCLUDING that the above measures have yet not arrested the decline of most rhinoceros populations;

RECOGNIZING that the illegal trade in rhinoceros horn is known to be a global law enforcement problem, extending beyond range States and traditional consuming countries, but that emphasis solely on law enforcement has failed to remove the threat to rhinoceroses;

NOTING the importance of well targeted strategies or programmes to reduce demand for illegally obtained rhinoceros specimens, and the importance of implementing strategies or programmes to enhance community awareness of the economic, social and environmental impacts of illegal killing of rhinoceroses;

RECOGNIZING the need to deploy the same tools and techniques as those used against other domestic and transnational organized crimes, provided for in the United Nations Convention against Transnational Organized Crime and the United Nations Convention Against Corruption, against the criminal groups involved in the illegal killing of rhinoceroses and the trafficking of rhinoceros horns, and in particular against those individuals managing and organizing these illegal activities;

NOTING the importance of using forensic science to the fullest extent possible in order to combat wildlife crime, and in particular rhinoceros poaching and illicit rhinoceros horn trafficking;

WELCOMING the strategies and proposed actions developed by the CITES Rhinoceros Enforcement Task Force at its meeting in Nairobi, in 2013 as made available through Notification to Parties No. 2014/006 of 23 January 2014;

WELCOMING the establishment of and support provided by the International Consortium on Combating Wildlife Crime (ICWC);

AWARE of the important role of ICWC in bringing coordinated support to the national wildlife law enforcement agencies and to the subregional and regional networks that, on a daily basis, act in defence of natural resources;

ENCOURAGING ICWC to further increase its support to Parties;

* Amended at the 11th, 13th, 14th, 15th, 17th and 19th meetings of the Conference of the Parties.

RECOGNIZING that some international measures may have unintended consequences, for example, on trade;

RECOGNIZING that there is a diversity of opinion as to the most effective approaches to the conservation of rhinoceroses;

CONCERNED that threats to rhinoceros populations and demand for rhinoceros horns and other parts and derivatives still exist, and that the cost of ensuring adequate security for rhinoceroses and rhinoceros horn stocks is increasing and cannot easily be met by many range States;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. URGES all Parties to:

- a) adopt and implement comprehensive legislation and enforcement controls, including internal trade restrictions and penalties:
 - i) aimed at reducing illegal trade in rhinoceros parts and derivatives, including any specimen that appears from an accompanying document, the packaging, a mark or label, or from any other circumstances, to be a rhinoceros part or derivative;
 - ii) incorporating specific provisions that apply to CITES-related offences, including the possession of rhinoceros specimens acquired in violation of the Convention, and to engage with the Secretariat as may be needed, for legal assistance in the development of legislative measures aimed at tackling illegal trade in rhinoceros specimens and to ensure effective domestic enforcement and prosecution of offenders; and
 - iii) that make provision for strong penalties, including custodial sentences, to deter illegal killing of rhinoceroses and illegal possession of and trade in rhinoceros horn;
- b) adopt legislation or draw upon existing legislation to facilitate the use of specialized investigation techniques such as controlled deliveries and covert investigations, where appropriate, in support of conventional investigation techniques, in particular for offences related to the illegal killing of rhinoceroses and the trafficking of rhinoceros horns;
- c) maximize the impact of enforcement actions to combat illegal killing of rhinoceroses and the trafficking of rhinoceros horns, by using other tools and regulations, such as anti-money-laundering and asset forfeiture legislation, in support of wildlife legislation;
- d) prosecute members of organized crime groups implicated in rhinoceros-related crimes under a combination of relevant laws which carry appropriate penalties that will act as effective deterrents, whenever possible;
- e) immediately bring the seizure of illegal rhinoceros specimens made within their territories:
 - i) to the attention of authorities in countries of origin, transit and destination, as applicable, providing information associated with the seizure, for example on *modus operandi*, accompanying documentation, any identification marks on the seized specimens, where appropriate the details of the offenders involved, and any other information that could assist the initiation of investigations as appropriate, in countries of origin, transit and destination; or
 - ii) to the attention of the CITES Secretariat in cases where sufficient information is not available to identify the countries of origin, transit and destination of the seized rhinoceros specimens, including information describing the circumstances of the seizure;
- f) continuously review trends associated with the illegal killing of rhinoceroses and illegal trade in rhinoceros specimens, and the measures and activities they are implementing to address these crimes, to ensure that these measures and activities remain effective;
- g) collect samples from rhinoceros horn seized within their territories for forensic analysis, to link such horns to crime scenes and implicated suspects, and to promote successful prosecution;

- h) use the *Form for collection and sharing of data on rhinoceros horn seizures and on samples for forensic analysis* provided in the Annex to this Resolution, as a standard format to collect and share information about seizures of rhinoceros specimens, and for the collection of relevant data to accompany samples collected from seized rhinoceros specimens for forensic analyses, in support of the implementation of paragraphs e) i) and ii) and f) above;
- i) prior to issuing permits or certificates, including pre-Convention certificates, authorizing the movement of specimens of rhinoceroses, consult with the country of destination, so that the trade may be confirmed and monitored; and
- j) consider introducing stricter domestic measures to regulate the re-export of rhinoceros horn specimens from any source;

2. URGES

- a) all Parties that have stocks of rhinoceros horn to identify, mark, register and secure such stocks, and declare these to the Secretariat each year before 28 February, in a format to be defined by the Secretariat;
- b) the Secretariat and other appropriate bodies, where possible, to assist those Parties with inadequate legislation, enforcement, or control of stocks, by providing them technical advice and relevant information;
- c) range States to be vigilant in their law enforcement efforts, including the prevention of illegal hunting, the early detection of potential offenders and the application of appropriate penalties to act as effective deterrents;
- d) that law enforcement cooperation between and among range and implicated States be increased through the existing international, regional and national law enforcement mechanisms and, where necessary, for example, through the establishment of treaties on extradition and Mutual Legal Assistance in criminal matters, in order to curtail rhinoceros poaching and illegal trade in rhinoceros horn; and
- e) the Parties that are affected by illegal killing of rhinoceroses and the trafficking of rhinoceros horns, either as range or implicated States, to:
 - i) as a matter of priority work with all user groups and industries to develop and implement well targeted strategies for reducing the use and consumption of rhinoceros parts and derivatives, with the aim of achieving measurable change in consumer behaviour;
 - ii) develop and implement strategies or programmes to enhance community awareness of the economic, social and environmental impacts of illegal wildlife trade, and to encourage the general public to report activities related to the illegal killing of rhinoceroses and the trafficking of rhinoceros horns to appropriate authorities for further investigation; and
 - iii) provide information on the effectiveness of strategies or programmes referred to in subparagraphs e) i) and ii) above, to the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC, to assist in identifying best practices and challenges experienced, and for inclusion into the joint IUCN/TRAFFIC report;

3. DIRECTS the Standing Committee to continue to pursue actions aimed at ending rhinoceros poaching and illegal trade in rhinoceros parts and derivatives, ensuring that:

- a) all such actions are accompanied by evaluations of their effectiveness and appropriate recommendations; and
- b) the policies that guide interventions are responsive and adaptive to the outcome of the evaluations;

4. RECOMMENDS that those range States without a budgeted conservation and management plan for rhinoceroses should develop and implement one as expeditiously as possible, utilizing all available relevant expertise and resources;

5. RECOMMENDS further that those range States with an existing, budgeted plan for rhinoceroses should endeavour to implement the plan as expeditiously as possible, and should undertake a review of the effectiveness of enforcement and trade control measures therein;
6. RECOMMENDS that, where appropriate, national level measures are in place for the management of imported rhinoceros horn trophies, including addressing the issue of alteration and transfer of such trophies, to ensure that rhinoceros horns acquired as legal hunting trophies remain in lawful possession;
7. DIRECTS the Secretariat, prior to each meeting of the Conference of the Parties, and pending external funding, to commission the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC to submit a report to the Secretariat on:
 - a) the national and continental conservation status of African and Asian rhinoceros species,
 - b) trade in specimens of rhinoceros,
 - c) stocks of specimens of rhinoceros and stock management,
 - d) incidents of illegal killing of rhinoceroses,
 - e) enforcement issues, including information on challenges and best practices associated with addressing rhinoceros poaching and horn trafficking,
 - f) conservation actions and management strategies with an evaluation of their effectiveness; and
 - g) measures implemented by implicated States to end the illegal use and consumption of rhinoceros parts and derivatives;
8. REQUESTS the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC to engage with range and implicated States as appropriate, including by conducting a survey focusing on range and implicated States and relevant experts, to gather information on challenges, best practices and trends associated with addressing rhinoceros poaching and horn trafficking, as well as with the UNEP World Conservation Monitoring Centre, when producing the report, and to reflect the outcomes of these consultations in their reporting pursuant to this Resolution;
9. DIRECTS the Secretariat to:
 - a) make an aggregated summary of the rhinoceros horn stock declarations of Parties available to the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC for analysis and inclusion in their reporting to the Secretariat pursuant to the Resolution;
 - b) make the report of the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC available at each meeting of the Conference of the Parties; and
 - c) on the basis of the report, formulate draft decisions for consideration by the Conference of the Parties as appropriate;
10. ENCOURAGES the Parties to support the Secretariat financially, to enable it to commission a report from the IUCN African and Asian Rhino Specialist Groups and TRAFFIC for each meeting of the Conference of the Parties;
11. URGES range States of African and Asian rhinoceroses, implicated States, other Parties and other stakeholders to cooperate with the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC in collecting information and producing the report called for in this Resolution;
12. CALLS upon all governments and intergovernmental organizations, international aid agencies and non-governmental organizations to provide funds to implement rhinoceros conservation activities and the present Resolution to prevent the illegal killing of rhinoceroses and the illegal trade in rhinoceros horn;

13. CALLS for constructive engagement amongst all Parties to the Convention and synergy between the Convention and the IUCN/SSC Rhino Specialist Groups to achieve the aims of this Resolution; and
14. REPEALS the Resolutions listed hereunder:
 - a) Resolution Conf. 3.11 (New Delhi, 1981) – *Trade in Rhinoceros Horn*; and
 - b) Resolution Conf. 6.10 (Ottawa, 1987) – *Trade in Rhinoceros Products*.

**Form for collection and sharing of data on rhinoceros horn seizures
and on samples for forensic analysis**

This form consists of six pages and is divided into Parts A, B and C. Please complete all three parts.

It has been developed to assist authorities to immediately bring every seizure of rhinoceros specimens that illegally entered their territories to the attention of authorities in countries of origin, transit or destination of such specimens, to where appropriate, enable follow-up investigations to take place in these countries. For this purpose, Parts A, B and C.1 of this form should be completed when a seizure of illegally traded rhinoceros specimens is made. Parts A and B of this form should be used for law enforcement purposes only, and be used to, where appropriate, share information between agencies responsible for law enforcement, such as police and customs. If the country of origin, transit or destination cannot be determined, the completed form can, if deemed appropriate, be sent to the CITES Secretariat.

Parts C.1 and C.2 of this form should also be completed if samples are collected from seized rhinoceros specimens for forensic analysis. In this case, parts C.1 and C.2 should be completed and sent to the laboratory where the analysis will be conducted, together with the collected samples.

Part A

1. **Record (case, file) number:** _____

2. **Date of seizure:** _____

3. **Country of seizure:** _____

4. **Place of seizure (e.g. airport name, residential address, etc.):** _____

5. **Reporting agency (name and address):** _____

6. **Contact officer (name, telephone number, email, address):** _____

7. **Reason for seizure** (*please tick*): Illegal: Export Re-export
Import Transit Possession (Offer for) Sale
Other (*specify*)

8. **Country of origin**¹: _____

9. **Country(ies) of transit**¹: _____

10. **Country of final destination**¹: _____

11. **Means of transport** (*please tick*): Air Land Post/Courier

Sea Other *If your answer is "other", please specify:*

12. **Accompanying documentation** (*please tick*): None Falsified

Other *If your answer is "other", please specify:*

13. **Species of rhinoceros** (*if known*): _____

¹ If the country(ies) of origin, transit or destination is not known, please state **Unknown**, otherwise please state whether the country(ies) mentioned is the **Known** or **Suspected** country(ies) of origin, transit or destination.

14. Type of rhinoceros specimen¹ and quantity:

	Number of horns	Weight (kg/g)
Whole raw horn		
	Number of pieces	Weight (kg/g)
Worked horn²		
Pieces of horn		
Skin		
		Weight (kg/g)
Powdered horn		
		Weight (kg/g)
Other		

¹ For “Worked horn”, “ Powdered horn” and “Other”, please provide detailed information about what was seized in Part B under Additional information.

² Worked horn should be interpreted to mean rhinoceros horn that has been carved, shaped or processed into a product, for example into a libation cup, jewellery, etc.

Part B

15. Record (case, file) number (as provided in Part A): _____

Particulars of arrested offender included below

Particulars of suspected offender included below

No information about offenders available

Other

16. If your answer is "other", please specify: _____

Identity of person(s) involved:¹

a) Family name / Surname _____

b) First name (s) _____

c) Alias(es) _____

d) Sex _____

e) Nationality _____

f) Passport or ID number _____

g) Date of birth _____

h) Permanent address _____

i) Profession _____

j) Other information (telephone number, vehicle, etc.) _____

¹ Please complete a separate copy of this page for each person.

k) Subject's role in the offence, e.g. unknown, courier, dealer, etc. _____

Method of discovery:

Circumstances under which the seizure was made and method of discovery, e.g. a random check, a long term investigation, X-ray, house search, road check etc.

Modus operandi

Technique of concealment, type of packaging, etc.

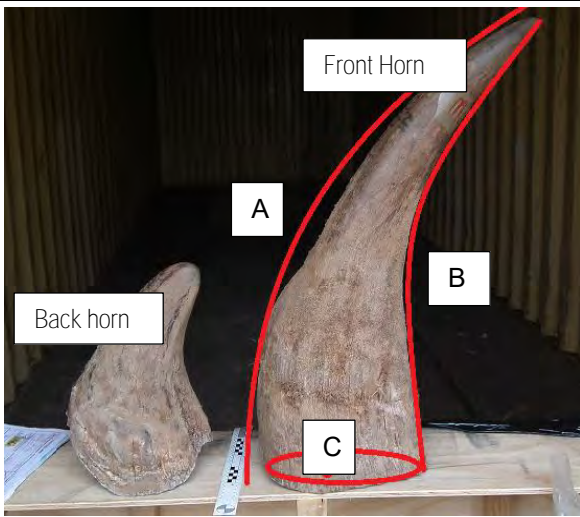
Additional information

Please provide any additional information concerning the seizure deemed to be relevant, for example if there is a connection to other cases, for worked horn, what types of items were seized, e.g. libation cup, jewellery, etc.

Part C

Record (case, file) number <i>(as provided in Part A)</i>	
Note: <ul style="list-style-type: none"> Please complete a separate copy of this page for each whole raw rhinoceros horn seized. For worked horn, pieces of horn, skin, powdered horn or other specimens, please include as an Annex to Part C, detailed information about what was seized and, as applicable, information on the weight, length, breadth and height of each seized item. Please provide information about any marks, microchip number(s), or any other relevant information about the seized specimens, where available. Include a photograph of each seized rhinoceros specimen. 	

Part C.1

Whole Raw Horn¹		
	Front horn or back horn?	
	A - Outer length (indicate measurement unit)	
	B - Inner length (indicate measurement unit)	
	C - Circumference base (indicate measurement unit)	
	Weight (indicate weight unit)	
	Microchip number(s) *	
	Images taken (Y/N)	

* *If possible, check whether a microchip is present in the horn by using an appropriate microchip reader.*

¹ Please refer to the image for guidance on the measurement of the front and back horn for outer length, inner length and circumference.

Inspect the rhinoceros horn for any numbering that might be punched or written on it, and for any other relevant markings. Record these in detail.

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Have samples been or will they be collected from any of the seized rhinoceros specimens for forensic analysis?

Yes

No

Note:

If your answer is "Yes", please complete Part C.2 below. After completion, please make a copy of Parts C.1 and C.2 of this form. These copies should be sent together with the collected samples, to the laboratory where the analysis will be conducted.

Part C.2

**Record (case, file) number
(as provided in Part A)**

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Please provide the following:

a) Name of the laboratory to which the samples will be sent:	
b) Date of sampling	
c) Details of the officer investigating the case	
Name	
Department and designation	
Telephone number	
Email address	
d) Details of the person who collected the samples:	
Name	
Department and designation	
Telephone number	
Email address	
e) DNA sample reference number:	
f) Evidence bag number:	
g) Signature of the person that collected the samples:	