

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA

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Sixty-second meeting of the Standing Committee  
Geneva (Switzerland), 23-27 July 2012

Interpretation and implementation of the Convention

Species trade and conservation

Rhinoceroses

REPORT OF THE SECRETARIAT

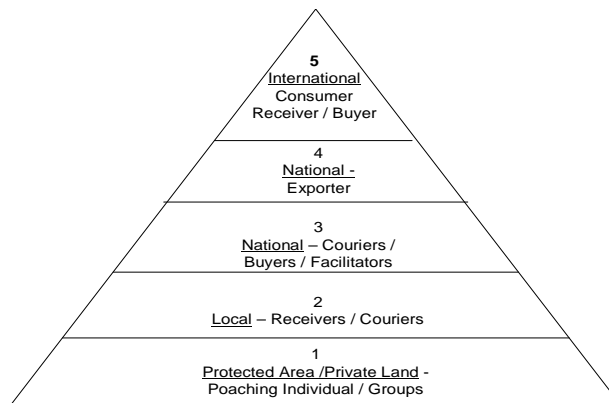
1. This document has been prepared by the Secretariat.
2. Decision 15.71, paragraph c) requires the Secretariat to report on the implementation of Resolution Conf. 9.14 (Rev. CoP15) at each of the three Standing Committee meetings prior to the 16th meeting of the Conference of the Parties. Notification to the Parties No. 2012/014 dated 20 February 2012 was issued by the Secretariat to facilitate reporting at the 62nd meeting of the Standing Committee and to assist the Rhinoceros Working Group in implementing its mandate. Eight Parties plus the Member States of the European Union responded to the Notification.
3. Parties that responded have implemented or are in the process of implementing several measures in support of Resolution Conf. 9.14 (Rev. CoP15). These measures, which are too comprehensive to discuss fully in this document, vary from country to country, but include: the prohibition of import of rhinoceros parts and derivatives for personal or commercial purposes (with an exception to the prohibition for proven pre-Convention specimens, although applications for permits for such specimens are carefully scrutinized); centralization of permit issuance; the prohibition of international and domestic trade in rhinoceros horn; identifying, marking and securing of rhinoceros horn stocks; security clearances for rhinoceros monitoring staff; more punitive penalties for wildlife crime; improved prosecution through the use of forensics; translocation of rhinoceroses from areas of low security to areas of high security; training of rangers; and deploying of additional field rangers.
4. In the light of the continuing need to identify urgent short-term measures to reduce the illegal trade in rhinoceroses and their parts and derivatives, the Secretariat will work closely with the Rhinoceros Working Group established at SC61, with a view to identifying measures that could be taken by CITES Parties to reduce the impact of illegal trade on the conservation of rhinoceroses and to enhance existing controls on trade in rhinoceros horn.

Decisions 15.71 and 15.72

5. Governmental officials from Viet Nam visited South Africa in September 2011 to discuss the illegal trade in rhinoceros horn. This visit followed the October 2010 mission of a five-member South African delegation to Hanoi and Ho Chi Minh City, Viet Nam, to discuss rhinoceros horn trafficking between the two countries. One of the outcomes from the bilateral cooperation is an agreement to develop a Memorandum of Understanding (MoU) on improving efforts to enhance wildlife protection. It is expected that this MoU will be signed in the second half of 2012.
6. The Secretariat has noted that important initiatives have been taken between South Africa and Viet Nam. However, it has also noted, from discussions with some persons in governmental and non-governmental bodies, that a demand for rhinoceros horn, apparently stemming from a belief that it may act as an effective treatment for cancer, continues in Viet Nam. It also appears that practitioners in Asia remain convinced of its effectiveness in the treatment of fever and cerebrovascular disease. A new trend has

developed in Viet Nam, with the horn being increasingly used in a manner akin to a recreational drug to cure the effects of over-consumption, such as to cure a hang-over. Possession of one or more rhinoceros horns is also regarded as a status symbol amongst some rich and influential individuals. As required in Decision 15.71, paragraph b), the Secretariat has been in contact with authorities in Viet Nam with regard to the ongoing illegal trade in rhinoceros horn. The Secretariat was informed that the CITES Management Authority of Viet Nam closely cooperates with the country's Customs authorities to verify and control the import of commodities, especially those originating from Africa. It was further indicated that a special meeting to discuss matters related to rhinoceros horn would be held by the VIET NAM-WEN, which was launched in 2010, to be an official channel to strengthen the collaboration among relevant authorities in Viet Nam to combat wildlife crimes. The Secretariat has not received any feedback with regard to the outcomes of this meeting, which was scheduled to take place at the end of April 2012. Viet Nam also indicated that they are currently undertaking a stock check of rhinoceros hunting trophies to verify the use of such trophies at national level. The Secretariat believes that it will be vital for the authorities in Viet Nam to conclude this activity as a matter of urgency and to investigate fully all incidents where trophies are no longer in possession of hunters. Such follow-up investigations can provide important information with regard to the identity of the driving force behind the trafficking of rhinoceros horn. Individuals who are no longer in possession of horns they imported as trophies should be in a position to provide information with regard to persons who obtained the horns from them.

7. From intelligence gathered by South African enforcement authorities, it is clear that organized crime syndicates involved in rhinoceros poaching and smuggling function at five levels of threat, as shown in the diagram below:



8. Investigation complexity differs significantly between level 1 and 5. Current enforcement activities in rhinoceros range countries address criminal syndicate members from level 1 to 3 relatively effectively. However, these role players are often easily replaced and the ongoing threat will continue to exist for as long as enforcement activities do not address the driving force behind these individuals. Organized crime syndicate members on levels 4 and 5 are often located in consumer countries and beyond the reach of enforcement authorities in range countries. For this reason, increased international cooperation and coordination are vital. Intelligence suggests that large numbers of rhinoceros horns are destined for illegal markets in Viet Nam. The Secretariat is however not aware of any arrests or prosecutions in Viet Nam related to the illegal trade in rhinoceros horn in recent years. In this regard, the Committee might consider requesting Viet Nam to submit a written report to the Rhinoceros Working Group describing its progress in the implementation of Resolution Conf. 9.14 (Rev. CoP15).
9. The Secretariat commends China, including Hong Kong SAR, for the seizure of 33 rhinoceros horns and several ivory specimens in November 2011 (see Notification to the Parties No. 2012/020 of 6 March 2012); however, it is believed that this could be an indicator that a significant amount of rhinoceros horn is destined for illegal markets in China. In response to Notification to the Parties No. 2012/014, China reported to the Secretariat a number of measures put in place in support of Resolution Conf. 9.14 (Rev. CoP15). The Secretariat welcomes the inclusion of provisions on cooperation to prevent wildlife trafficking and to enhance enforcement in an annex to the existing MoU between China and South Africa. The Secretariat is convinced that effective international cooperation amongst range, transit and destination countries to ensure that the entire criminal chain is targeted will have a significant impact on illegal rhinoceros horn trade and wildlife crime in general.

10. The Secretariat intends to continue promoting improved international cooperation between China, South Africa, Thailand and Viet Nam, and it has been in communication with these Parties to pursue this goal. Such improved cooperation will also support the outcomes of the May 2011 CITES Ivory and Rhinoceros Enforcement Task Force meeting (see document SC61 Doc. 45.1), during which participants agreed that greater communication, collaboration and coordination were needed at national and international levels. They also committed to increasing exchanges of information, in particular regarding persons who travel to other countries to engage in purportedly legal hunting, but whose actual intention is to obtain animal body parts that can be sold on the black market.
11. From discussions with different CITES Management Authorities, the Secretariat became aware of the fact that an increasing number of professional hunters are becoming involved in illegal rhinoceros horn trade. Trophies are exported to hunters after a legal hunt has occurred but, once the hunters have received the trophies in their home countries, the original rhinoceros horns are removed from the trophies and replaced with fake horns. The fake horns were initially made with a mould and were relatively easy to identify, but recent reports from authorities indicate that fake horns encountered lately are made in high quality resin, with a density even higher than that of a real horn. This makes visual identification, once fully mounted, extremely difficult. Fake horns can however be identified relatively easily by collecting and burning a small quantity of dust from the horn, which will deliver a distinctive smell indicating that it is not rhinoceros horn. In the light of this new trend, it is of extreme importance that Parties should have adequate legislation and enforcement controls in place, to prevent horns that are part of legally exported trophies from being used for purposes other than hunting trophies, and to ensure that these trophies remain in possession of their owners for the purpose indicated in the CITES export permit. The Secretariat further encourages all Parties that issue permits or certificates authorizing the movement of specimens of rhinoceroses, including pre-Convention certificates, to advise countries of destination, so that the true nature of the trade may be scrutinized.
12. The Secretariat has learned of the increase of rhinoceros numbers in Nepal through publicly available information. According to reports, rhinoceros numbers in Nepal have increased significantly in recent years, thanks to tightened security against poachers and community-based conservation programmes. According to information, a key turning point in the fight to save the rhinoceros occurred when the government decided to enlist community groups to protect the animals and engaged in exchanging information and creating awareness campaigns in local areas. Nepalese authorities developed a network of committees to coordinate efforts more efficiently and enlisted a group of local volunteers to patrol the forest. This approach, combined with patrols by the Nepalese army and the arrest of several poachers by the police, were instrumental in the rise of numbers of rhinos and the decline in illegal trade.

#### Briefing document: Poaching of and illegal trade in rhinoceros

13. Following a CITES Rhinoceros Enforcement Task Force meeting in Nairobi, Kenya, in November 2008, the CITES Secretariat prepared a briefing document on *Poaching of and illegal trade in rhinoceros*. The purpose of this document was to bring to the attention of political and law enforcement policy-makers and senior managers the serious levels of crime that have been linked with the poaching of and illegal trade in rhinoceroses. The first version of this document was published in February 2009.
14. The poaching of rhinoceroses and illegal trade in their horns continued unabated. As a consequence, the Secretariat convened a CITES Ivory and Rhinoceros Enforcement Task Force in May 2011 (see document SC61 Doc. 45.1). The Task Force agreed that the February 2009 briefing document should be updated and re-distributed.
15. The updated version of the 2009 briefing document was distributed in September 2011.
16. The Secretariat encourages the wide distribution of this document in the law enforcement community (whilst observing its restricted-circulation rating).

#### Forensic technology

17. The Governing Council of the Global Environment Facility (GEF) has approved a project, endorsed by the Secretariat, which will strengthen wildlife forensic capabilities in South Africa to combat wildlife crimes. The GEF unites 182 member governments, in partnership with international institutions, civil society organizations (CSOs) and the private sector, to address global environmental issues. The GEF provides grants to developing countries and countries with economies in transition for projects related to biodiversity, climate change, international waters, land degradation, the ozone layer, and persistent organic pollutants.

These projects benefit the global environment; linking local, national, and global environmental challenges; and promoting sustainable livelihoods.

18. The aim of the South African project is to ensure the sustainable use of protected wild fauna and flora by strengthening enforcement and use of wildlife forensics. Through this project, it is envisaged that South Africa's capacity to conduct wildlife crime forensic analysis will be strengthened. It is also foreseen that, through this project, South Africa will be in a position to provide wildlife forensic support on a regional level to countries affected by wildlife crime. The initial phase of this project will focus on white and black rhinoceroses as key species, but it can be broadened to include others. The main objective of this project is to reduce poaching of rhinoceroses and associated illegal international trade in rhinoceros horn through innovative forensic technologies applied to enforcement. It will ensure that seized rhinoceros horn can be linked to crime scenes and implicated suspects, which will facilitate the investigation, arrest and successful prosecution.
19. This is the first GEF project of its kind for CITES. The ultimate goal is to create a global network of dedicated wildlife crime forensic laboratories which will function through a centralized and standardized system.
20. South Africa has developed methods for analysing nuclear DNA from rhinoceros horns. A Rhino DNA Index System (RhoDIS) has been developed that allows individual rhinoceros to be identified from horn, blood, tissue, etc. Special sample collection kits and data forms have also been developed and widely distributed. Conservation officers and enforcement authorities have been trained in DNA collection techniques to ensure that the chain of evidence is maintained and that information collected can be used in court. Over 4,000 samples have already been analysed and are in the database. Other range states in Africa are also collaborating and there are ongoing efforts to include more DNA samples from the continent's rhinoceroses into the RhoDIS database.
21. The use of DNA forensics in cases of illegal rhinoceros horn trafficking has already proven to be very effective. DNA evidence has been used successfully in a number of rhinoceros-related cases in South Africa and it is routinely used in numerous criminal investigations. International cooperation is bearing fruit as a Kenyan investigation has also been aided by DNA analysis.
22. In mid-November 2011, China seized 33 rhinoceros horns and a number of ivory products in Hong Kong SAR. South Africa is currently finalizing with the judiciary in Hong Kong SAR the legal steps to take samples from the seized horns for DNA analysis. This analysis will allow the determination of the actual origin of the seized rhinoceros horns. Although seizures can be regarded as an indicator of successful enforcement activity, investigations too often stop at the point of seizure. The Secretariat believes that the follow-up investigations that are underway following the seizure in Hong Kong SAR are of extreme importance to ensure that all possible leads are pursued and that all possible evidence is gathered to identify, trace, arrest and prosecute criminals associated with all five threat levels of organized crime syndicates, as illustrated in the diagram in paragraph 6 above.
23. Parties are encouraged to report all rhinoceros horn seizures to countries of origin. Parties are further encouraged to provide DNA samples from rhinoceros horn seizures to authorities in South Africa when the origin of such horns is not known. This must be done in accordance with relevant legislation regulating the exchange of such specimens for use in criminal investigations. Taking into account the fact that approximately 80 % of the world's rhinoceroses are found in South Africa, the current large number of rhinoceros poached in South Africa and the comprehensive DNA database that South Africa maintains, the provision of DNA samples can assist greatly in linking seized horns to specific rhinoceros poaching scenes. Such evidence can therefore significantly contribute to addressing the entire crime chain.
24. The Secretariat would like to take this opportunity to encourage all Parties to increasingly use innovative investigation techniques, such as controlled deliveries and the forensic technologies at their disposal, in wildlife crime investigations.

#### Assessment of rhinoceros horn as a traditional medicine

25. With financial support provided by the United Kingdom of Great Britain and Northern Ireland, the Secretariat contracted TRAFFIC in March 2012 to undertake a study to identify available scientific evidence and documented evidence of traditional cultural practices and beliefs that exist relating to the medicinal properties of rhinoceros horn, and in particular to their alleged curative properties for cancers and strokes.

26. This report is based on a literature review and information collected by non-governmental organizations (particularly TRAFFIC offices in East and Southeast Asia), and focuses on five historical consumer markets where both domestic and international trade in rhinoceros horn is prohibited. A copy of this report is annexed to this document.

#### CITES rhinoceros documentary

27. Thanks to external funding, the CITES Secretariat, in cooperation with United Nations Television (UNTV), has developed a video documentary about the current surge in the illegal killing of rhinoceroses and international trade in rhinoceros horn, and the efforts deployed by authorities in South Africa and Viet Nam to address these problems. Filming for this documentary, titled *Rhinos under threat*, took place in South Africa, Swaziland and Viet Nam. It is believed that this documentary will assist in raising awareness of the scale and impact of rhinoceros poaching and illegal rhinoceros horn trade. It will also provide insight into ongoing initiatives and will promote a better understanding of the nature of the threat. The film was premièred on 18 June 2012 at the prestigious Odeon cinema in Rio de Janeiro. This launch took place during the Rio+20 United Nations Conference on Sustainable Development, as part of the GoodPlanet Film Festival led by UNEP Goodwill Ambassador Yann Arthus-Bertrand<sup>1</sup>. The documentary will also be screened during the present meeting.
28. The Secretariat would like to express its sincere appreciation to the South African Police Service, the South African National Prosecution Authority, South African National Parks, the Onderstepoort Veterinary Genetics Laboratory, University of Pretoria, Big Game Parks, Swaziland, the CITES Management Authority of South Africa, the CITES Management and Scientific Authorities of Viet Nam, the Press Department of the Ministry of Foreign Affairs of Viet Nam and the Radio and Television Section, United Nations Information Service, Geneva, without which the production of this documentary would not have been possible.

#### Final remarks

29. Despite significant resources being invested and commendable efforts by South African authorities to put an end to rhinoceros poaching, the number of rhinoceroses poached on an annual basis continues to rise at an alarming rate. There are clear indications that organized crime syndicates are involved in acquiring and trading in rhinoceros horns across the European Union and elsewhere. Theft of rhinoceros horns from museums, auction houses, antique shops and taxidermists has occurred. In the United States of America, seven people were arrested on charges of trafficking in endangered black rhinoceros horn in February 2012.
30. The Secretariat continues to believe that the illegal trade in rhinoceros horn is one of the most structured criminal activities currently faced by CITES. It has become a global problem and has an impact on several continents. Clearly, increased international cooperation and a well-coordinated law enforcement response will be required to address this threat effectively.
31. Range, transit and consumer countries should engage in the same level of enforcement. A multi-disciplinary and coordinated approach at the national and international levels is vital.
32. The Secretariat continues to believe that more needs to be done to 'follow the money', to ensure that criminals not benefit from the proceeds of their crimes, to uncover the criminals who are organizing the poaching and illegal trade, and to bring them before the courts.
33. The Secretariat encourages consumer countries to engage in public awareness campaigns highlighting the current serious levels of criminality associated with illegal trade in rhinoceros horn and the exploitation of persons suffering from various medical conditions. Such campaigns should also seek to create awareness of the brutality associated with obtaining rhinoceros horn illegally and to emphasize what the impact of continued poaching will be on rhinoceroses and nature. The Secretariat believes that these facts are largely unknown to consumers.
34. Parties are reminded of the need to work with all user groups and industries to develop and implement strategies for reducing the use and consumption of rhinoceros parts and derivatives, and to provide information on progress for inclusion in the joint IUCN/TRAFFIC reports called for in Resolution Conf. 9.14 (Rev. CoP15).

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<sup>1</sup> See [http://www.cites.org/eng/news/pr/2012/20120618\\_rhinos\\_under\\_threat\\_rio.php](http://www.cites.org/eng/news/pr/2012/20120618_rhinos_under_threat_rio.php).

## Recommendations

35. The Secretariat recommends that a Ministerial level meeting be arranged between China, South Africa, Thailand and Viet Nam to put in place mechanisms against the illegal trade in rhinoceros horn and to discuss measures to further improve communication, collaboration and coordination at the international level, as described in paragraph 10 above.
36. The Standing Committee is invited to:
- a) request Viet Nam to submit a written report to the Secretariat for consideration by the Rhinoceros Working Group, by September 2012, describing its progress on the implementation of Resolution Conf. 9.14 (Rev. CoP15) in support of the activities to be conducted by the Working Group;
  - b) encourage Viet Nam to:
    - i) as a matter of urgency, conclude the stock check of rhinoceros hunting trophies to verify the use of such trophies at the national level, as described in paragraph 6 above; and
    - ii) fully investigate incidents where results of such verifications indicate that individuals are no longer in possession of horns they imported as trophies, and share the results of such investigations with countries where the trophies originated from to ensure that all possible links of the criminal chain can be fully investigated;
  - c) encourage all Parties to ensure that they have adequate legislation and enforcement controls in place, to prevent horns that are part of legally exported trophies from entering the illegal market for rhinoceros horns, and ensure that these trophies remain in lawful possession;
  - d) encourage all Parties that issue permits or certificates authorizing the movement of specimens of rhinoceroses, including pre-Convention certificates, to advise countries of destination that such documents have been issued, so that the trade may be anticipated and carefully monitored; and
  - e) encourage all Parties to increasingly use specialized investigation techniques, such as controlled deliveries and forensic technology, as described in paragraphs 20 to 24 above.