

**Questionnaire on the implementation of Resolution Conf. 9.14 (Rev. CoP17) and
measures to prevent and combat rhinoceros poaching and trafficking in rhinoceros horn**

Please provide as much information as possible in answer to the questions below. Where specified within the questions, please report on any actions taken since the 17th meeting of the Conference of the Parties (CoP17, Johannesburg, 2016). In all other questions, information requested is not time bound.

Country	THAILAND
Function of agency completing this questionnaire	CITES Management Authority
Contact details of agency/agencies completing this questionnaire	National Parks, Wildlife and Plant Conservation Department (DNP) 61 Phaholyothin Road, Chatuchak, Bangkok 10900 Tel./Fax. (66)2 940 6449
Contact person (name, email, job title, function)	Mr. Somkiat Soontornpitakkool, Director of Wild Fauna and Flora Protection, Email: citesthailand@yahoo.com

Question	INVESTIGATIONS, (Please do NOT provide any nominal or other sensitive information that might jeopardise or impede ongoing or future investigations or prosecutions)
1.1.	<p>Has your country developed and implemented any law enforcement strategies to combat, as applicable, rhinoceros poaching and illegal trade in rhinoceros horn?</p> <p><u>Yes</u></p> <ul style="list-style-type: none"> - Establish "Forest Protecting Operation Center" that integrate existing Special Forces together to become the centerpiece for cooperation between related departments such as the police force, customs, justice department, anti-corruption department, anti-laundering department, National Security department, and the administration department. The combined work force will have the united goal of creating effective and sustainable protection measures against the destruction of wildlife and forest resources. - Establish "WILDHAWK Wildlife Task Force" with the objectives that focus on the investigation, examination, suppression, arrest, and seizures of illegal wildlife and ivory violations in the country.

	<ul style="list-style-type: none"> - There is “Smart Patrol System” together with a patrol database called, “SMART” (Spatial Monitoring And Reporting Tool). It aims to equip park rangers and managers with information and technology to better protect areas, boost their morale, and in still a sense of pride in their duty. The ultimate purpose is to guarantee that species and the intrinsic value provide can forever survive the greedy demands and indifferences in our human society. - Develop a more modern patrol system which implements recent scientific and technological advances to improve the working of rangers via “Smart Patrol System” which utilizes the SMART (Spatial Monitoring And Reporting Tool) information database. With the objective of safeguarding all valuable wildlife from poaching and preventing endangerment of the species, patrol officials are being given additional training which includes specialization in forensic sciences - Establish pilot joint-agency Wildlife Law Enforcement in Thailand to collate intelligence from SMART and i2. i2 database has already deployed at the Center to support the Joint-agency Wildlife Law Enforcement to compile and analyze SMART data from protected areas and intelligence data from i2. These data and analyses can then be used by Wildlife Law Enforcement staff working closely with local law enforcement agencies for planning purposes and to take action against wildlife crime in the country. - Launch “Wild Watch TH” Campaign together with varies NGOs to promote public participation on the social networks. In this, the public is encouraged to report any illegal activities that can be found online to their respective departments for further legal proceeding. - Strengthen enforcement of wildlife crime under the WARPA to make sure that convicted offenders receive the highest penalty of Wildlife Laws and related legislation. - There are Wildlife Forensics Laboratory for DNA investigation work to test the species of these confiscated rhino horns before sending to the prosecution step. - Social protection is one of Thai Customs’ priorities strategies. We put the full effort to combating illegal wildlife trade. We also implement the National Ivory Action Plan which is for Thai Customs, not only apply for elephants control but all wildlife smuggling.
1.2.	<p>Has your country adopted legislation or drawn 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?</p>

	<p><u>Yes</u></p> <p>i. titles: Prevention and Suppression of Participation in Transnational Organised Crime Act, B.E. 2556 (2013)</p> <p>ii. date of enactment; 26th June B.E.2556 (2013)</p> <p>iii. provisions of such legislation; Please find the details from the following link: http://www.legald.go.go.th/images/documents/Translation/1_Thai_Eng_Anti_Participation.pdf</p> <p>iv. examples where such legislation has been utilised. -</p>
1.3	<p>Has your country used any other legislative tools and regulations, such as anti-money laundering and asset forfeiture legislation, in support of wildlife legislation, to address rhinoceros poaching and illegal trade in rhinoceros horn and other parts or derivatives, as applicable to your country?</p> <p><u>Yes</u></p> <ul style="list-style-type: none"> - The DNP collects evidences of illegal operations which aim to exploit natural resources via trades accordingly to the wildlife law. The DNP also cooperates in sharing information with investigative officials to submit cases to the Anti-Money Laundering Office and other related departments involved in the seizures of investors, influencers, or involved individuals in accordance with the Anti-Money Laundering Act, B.E. 2542.
1.4	<p>Has your country shared information and cooperated with other source, transit or destination countries, or international law enforcement organizations, and was any mechanisms such as those provided for in the United Nations Convention against Transnational Organized Crime (UNTOC) and the United Nations Convention Against Corruption (UNCAC) mobilized to address individuals or groups suspected of involvement in rhinoceros poaching or the illegal trade in rhinoceros parts and derivatives, including conducting cross-border investigations?</p> <p><u>Yes</u></p> <ul style="list-style-type: none"> - Thai Customs regularly share the intelligence related to wildlife smuggling with source, transit and destination countries. We also sometimes inform the in-depth investigation which is depended on Thai's internal laws. On July 2017, our officer alerted Singapore Customs on Rhinoceros horns trafficking by Vietnamese syndicates from Luanda, Angola via Dubai, UAE and Singapore to Luang Prabang, Lao PDR which led to the seizure of 8 pieces of the horns. On September and October 2017, our officer alerted Laos Customs on Rhinoceros horns trafficking by Chinese syndicates from Johannesburg via Singapore to Luang Prabang. That case was the first Rhinoceros seizure made by Laos Customs.
Question 2.	LEGISLATION
2.1	<p>Has your country enacted and implemented comprehensive legislation and enforcement controls, including internal trade restrictions and penalties aimed at reducing illegal trade in rhinoceros parts and derivatives, and including any specimen that appears from an accompanying document, the packaging, a mark or label, or any from any other circumstances, to be a rhinoceros</p>

	<p>part or derivative?</p> <p><u>Yes</u></p> <p>1) Customs Act B.E.2560 Section 4 stated that “In this Act “Prohibited goods” means goods which are, by laws, prohibited from importing into, exporting out of, transshipping or transiting through the Kingdom”</p> <p>And Section 242 stated that “Any person who imports or exports goods, which have not been passed through customs formalities into or out of the Kingdom, or unloaded goods from a means of transport, a bonded warehouse, a godown, a place of security, a permitted port or a duty free zone without a permission from a customs officer, shall be liable to an imprisonment for a term not exceeding ten years, or a fine of four times of a price of goods including a duty or both. Such goods shall be forfeited irrespective of whether or not there is a person inflicted with the punishment according to a judgment. Any person who attempts to commit the offence under paragraph one, shall be liable to the equivalent penalty.”</p> <p>2) No internal trade of rhinoceros parts and derivatives is allowed in Thailand. Rhinoceroses are Protected species, under Wild Animal reservation and protection Act B.E.2535 (WARPA), not allowing for trade and possession purpose.</p> <p>i. titles: Wild Animal reservation and protection Act B.E.2535 (1992)</p> <p>ii. date of enactment ; 28th February B.E.2535 (1992)</p> <p>iii. penalties; Whoever trade in, possession of the protected species in violation to this Act shall be punished with imprisonment not exceeding four years or fined not exceeding four thousand bath, or both.</p> <p>iv. Link; http://web3.dnp.go.th/wildlifeweb/downloads/Unofficial%20English%20Translation.pdf</p> <p>i. titles: Wild Animal reservation and protection Act (No.3) B.E.2557 (2014)</p> <p>ii. date of enactment ; 30th December B.E.2557 (2014)</p> <p>iii. penalties; Whoever trade in, possession of the protected species in violation to this Act shall be punished with imprisonment not exceeding four years or fined not exceeding four thousand bath, or both.</p> <p>iv. Link; http://it2.dnp.go.th/wp-content/uploads/WILD-ANIMAL-RESERVATION-AND-PROTECTION-ACT-NO.-3-B.E.-2557-2014.pdf</p>
2.2	<p>Has your country enacted legislation that prohibits possession of rhinoceros parts and derivatives acquired in violation of the Convention?</p> <p><u>Yes</u></p> <p>- No possession of rhinoceros parts and derivatives is allowed in Thailand. Rhinoceroses are Protected species, under Wild Animal reservation and protection Act B.E.2535 (WARPA), not allowing for trade and possession purpose.</p>

- v. **titles:** Wild Animal reservation and protection Act B.E.2535 (1992)
- vi. **date of enactment ;** 28th February B.E.2535 (1992)
- vii. **penalties;** Whoever trade in, possession of the protected species in violation to this Act shall be punished with imprisonment not exceeding four years or fined not exceeding four thousand bath, or both.
- viii. **Link;** <http://web3.dnp.go.th/wildlifeweb/downloads/Unofficial%20English%20Translation.pdf>

- v. **titles:** Wild Animal reservation and protection Act (No.3) B.E.2557 (2014)
- vi. **date of enactment ;** 30th December B.E.2557 (2014)
- vii. **penalties;** Whoever trade in, possession of the protected species in violation to this Act shall be punished with imprisonment not exceeding four years or fined not exceeding four thousand bath, or both.
- viii. **Link;** <http://it2.dnp.go.th/wp-content/uploads/WILD-ANIMAL-RESERVATION-AND-PROTECTION-ACT-NO.-3-B.E.-2557-2014.pdf>

Question 3. PROSECUTIONS

3.1 Please provide details of prosecutions that have been initiated in your country *since October 2016* related to the illegal killing of rhinoceroses or illegal possession of and trade in rhinoceros horns, including dates, quantities and types of specimens involved, outcomes (successful or not), penalties imposed, prosecution rates, etc.

Date of seizure	Types of specimens	Quantity	Unit	Location	Reason for seizure	Law under which charges were brought	Penalty
11 Dec 2017	Rhino horn	11.16	Kg.	Suvarnabhumi International Airport	smuggling animal carcasses without permission	- Animal Epidemics Act, B.E. 2558 (2015)	Imprisonment 2 years 6 months All confiscated items become state property
					illegally transporting restricted animal parts	- Wild Animal Reservation and Protection Act (No. 3), B.E. 2557 (2014) - Customs Act B.E., 2496 (1926)	
10 Oct 2017	Rhino horn	6.2	Kg.	Suvarnabhumi International Airport	smuggling animal carcasses without permission	- Animal Epidemics Act, B.E. 2558 (2015)	Amidst official investigations

						illegally transporting restricted animal parts	- Wild Animal Reservation and. Protection Act (No. 3), B.E. 2557 (2014) - Customs Act B.E., 2496 (1926)	
	23 Sep 2017	Rhino horn	7.4	Kg.	Suvarnabhumi International Airport	smuggling animal carcasses without permission	- Animal Epidemics Act, B.E. 2558 (2015)	Amidst official investigations
						illegally transporting restricted animal parts	- Wild Animal Reservation and. Protection Act (No. 3), B.E. 2557 (2014) - Customs Act B.E., 2496 (1926)	
	8 Aug 2017	Rhino horn	5	pcs.	Suvarnabhumi International Airport	smuggling animal carcasses without permission	- Animal Epidemics Act, B.E. 2558 (2015)	Amidst official investigations
						illegally transporting restricted animal parts	- Wild Animal Reservation and. Protection Act (No. 3), B.E. 2557 (2014) - Customs Act B.E., 2496 (1926)	
	10 Mar 2017	Rhino horn	49.4	Kg.	Suvarnabhumi International Airport	smuggling animal carcasses without permission	- Animal Epidemics Act, B.E. 2558 (2015)	Amidst official investigations
						illegally transporting restricted animal parts	- Wild Animal Reservation and. Protection Act (No. 3), B.E. 2557 (2014) - Customs Act B.E., 2496 (1926)	

3.2 If any measures have been implemented in your country that contributed to an increase in the number of successful prosecutions concerning the illegal killing of rhinoceroses or illegal possession of and trade in rhinoceros horns, please share information about these measures.

- Thailand has a DNP-Wildlife Forensic Science Unit laboratory which was established since December 15, 2010. To apply the forensic process as the tools for allowing the evidential results to be used in a legal context.

3.3 Please outline below any barriers or obstacles there may be in securing successful prosecutions or deterrent penalties in your country concerning the illegal killing of rhinoceroses or illegal possession of and trade in rhinoceros horns, and any support that might be needed to overcome them.

- Presently a number of illegal activities concerning wildlife are also connected or correlate to illegal activities of other fields such as illegal drug activities, human trafficking, and gun violations. This in turn causes on-going investigations, the summarization of court cases, persecuting and criminal procedure to experience delays.

Question 4. DNA FORENSICS

4.1. Does your country routinely collect samples from rhinoceros parts and derivatives seized for forensic analysis?

Yes

- From October 2016 up to now, there are 5 cases of confiscated rhino horns were accepted and analyzed in the forensics laboratory (DNP-WIFOS Laboratory) which can be concluded as below;

No.	Date	Country of origin	Case Code	Amount	Result	
					White Rhino	Black Rhino
1	14 Mar 2017	South Africa	60-DNP-22	21	19	2
2	10 Aug 2017	Dubai, Arub Emirates	60-POL-66	5	-	5
3	26 Sep 2017	-	60-POL-81	15	-	15
4	11 Oct 2017	Ndola, Zambia	60-DNP-85	8	6	2
5	13 Dec 2017	JNB, South Africa	60-DNP-94	14	12	2

		Total	63	37	26
4.2.	<p>Has your country to date in any way used the <i>Form for collection and sharing of data on rhinoceros horn seizures and on samples for forensic analysis</i> provided in the Annex to Resolution Conf. 9.14 (Rev. CoP17) <i>Conservation of and trade in African and Asian rhinoceroses</i>, to collect and share information about seizures of rhinoceros specimens?</p> <p><u>No</u></p> <ul style="list-style-type: none"> - The confiscated rhino horns cases and their now are in the responsibility of the DNP to Keep them in the safe place in the DNP and manage them in the DNP's evidence storage system. For these rhino horns confiscated samples, DNP is no has any policy to return them to the origin country and don't want to let them return to the trading cycle anymore. 				
Question 5.	RHINO HORN STOCK MANAGEMENT				
5.1.	<p>Does your country have legislation, regulations or administrative measures in place to ensure that stocks of rhinoceros horn are identified, marked, registered and secured, pursuant to Resolution Conf. 9.14 (Rev. CoP17) on <i>Conservation of and trade in African and Asian rhinoceroses</i>?</p> <p><u>Yes</u></p> <ul style="list-style-type: none"> - Rhinoceros horn is treated as one of the forfeited goods and shall keep in secure Customs warehouse and DNP facilities with 24 hrs. CCTV surveillance. The stockpile with permanent mark is also apply to both Rhinoceros horns and Ivory tusks. 				
5.2.	<p>Has your country declared these stocks to the Secretariat in accordance with the provisions of Resolution Conf. 9.14 (Rev. CoP17), paragraph 2. a)?</p> <p><u>Yes</u></p>				
5.3	<p>Has your country implemented national level measures for the management of imported rhinoceros trophies, including addressing the issue of alteration and transfer of such trophies, to ensure the rhinoceros horns acquired as legal hunting trophies remain in lawful possession pursuant to Resolution Conf. 9.14 (Rev. CoP17) on <i>Conservation of and trade in African and Asian rhinoceroses</i>?</p> <p><u>Yes</u></p> <ul style="list-style-type: none"> - There is the Ministry notification on notifying the change of specimens that are imported and exported B.E. 2539 (1996). The owner of rhinoceros trophies has to inform DNP, if there is any alteration or transfer of such trophies. 				