

**Questionnaire on the implementation of Resolution Conf. 9.14 (Rev. CoP17) and
measures to prevent and combat rhinoceroses 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	UNITED KINGDOM
Function of agency completing this questionnaire	UK CITES Management Authority
Contact details of agency/agencies completing this questionnaire	Department for the Environment, Food and Rural Affairs (Defra) CITES.UKMA@defra.gsi.gov.uk
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Question 1.	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>Yes</p> <p>If 'yes', please provide details of such law enforcement strategies and associated activities conducted.</p> <p>If 'no', please indicate the reason why such strategies have not been considered, and if the development and implementation of such strategies is expected in future.</p>

	<p>The UK has six wildlife crime priorities, one of which is CITES. Rhino horn smuggling is currently one of the key areas considered under the UK CITES priority, although there is minimal intelligence to support this position. The enforcement response to the UK CITES priority is the responsibility of the CITES Priority Delivery Group (CPDG) chaired by UK Border Force.</p>
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><i>No</i></p> <p>If 'yes', please provide details below of:</p> <ol style="list-style-type: none"> i. titles; ii. date of enactment ; iii. provisions of such legislation; iv. examples where such legislation has been utilised. <p>If 'no', please outline below any barriers or obstacles there may be in adopting such legislation, and any support that might be needed to overcome them.</p> <p>The UK is not a rhino range state and therefore such techniques are not required in the UK.</p>

<p>1.3</p>	<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><i>Yes</i></p> <p>If 'yes', please provide details below of the titles, date of enactment and provisions of such legislation, as well as examples where such legislation has been utilised.</p> <p>If 'no', please outline below any barriers or obstacles there may be in adopting or applying such legislation, and any support that might be needed to overcome them.</p> <p>The Proceeds of Crime Act (POCA) 2002 has been used in cases involving the illegal trade in rhino horn in the UK. This Act enables courts to seize assets from those who have committed a crime so that they do not benefit from the crime. Two cases that involved POCA applications are:</p> <p>1) The ALLAWI Abbas case (see response to 3.1) included a POCA application for the court to consider seizing assets. The confiscation hearing went ahead on 1st June 2018 and the order was awarded. The available assets held by ALLAWI were agreed to be £ 100,642.55. ABBAS has 6 months to satisfy this order, or go back to prison for 3 years.</p> <p>2) There was to be a POCA hearing relating to the 2016 Rathkeale Rovers investigation (https://www.bbc.co.uk/news/uk-england-cambridgeshire-35667130) which was believed to be for at least £5 million, possibly up to £12 million. The investigation was led by both Cambridgeshire and Durham Police Forces but as far as we are aware, the POCA confiscation has not gone through yet.</p>
<p>1.4</p>	<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><i>No</i></p> <p>If 'yes', please provide outline below details of such operations and their outcomes.</p>

	<p>If 'no', please outline below any barriers or obstacles your country may have encountered in encouraging further information sharing and cooperation with other countries, and as any support that might be needed to overcome them.</p> <p>UK Border Force has not seized any rhino horn or derivatives since October 2016. All international intelligence is directed to the UK INTERPOL National Crime Bureau.</p>
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 part or derivative?</p> <p>Yes</p> <p>If 'yes', please elaborate below on enforcement controls implemented and the titles, date of enactment and provisions of such legislation, penalties (can fines, custodial sentences, and asset forfeiture, as appropriate, be imposed, as well as any exemptions that might apply). If such legislation is publicly available, please provide a copy of such legislation as an attachment or indicate how it can be accessed by providing a web link or reference.</p> <p>If 'no', please explain what measures have been implemented, and any support that might be needed to put in place such comprehensive legislation and enforcement controls.</p> <p>The UK is a party to the Convention on International Trade in Endangered Species (CITES). Our legal obligations under CITES are implemented through EU Wildlife Trade Regulations that are directly applicable in the UK. The UK has domestic secondary legislation establishing sanctions for infringements of the EU Wildlife Trade Regulations, the most important of which is the Control of Trade in Endangered Species (Enforcement) Regulations 1997 ("COTES 1997").</p> <p>The UK prohibits the import, export, sale and commercial use of all rhino horn products, on the grounds that such trade is detrimental to the conservation of the species. The ban extends to trade in pre-Convention specimens, although worked specimens acquired before 1 June 1947 may be traded in accordance with the derogation at Article</p>

	<p>62.3 of Commission Regulation (EC) 865/2006. All decisions to permit trade in rhino horn products must be authorised by a senior manager in the Animal and Plant Health Agency CITES Licensing team. Penalties of infringement of COTES provisions are a fine of £5,000 (maximum) and/ or up to 2 years in prison.</p> <p>COTES 1997 can be accessed at: http://www.legislation.gov.uk/uksi/1997/1372/contents/made</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><i>No</i></p> <p>If 'yes', please provide details below of the titles, date of enactment and provisions of such legislation, including penalties (fines, custodial sentences, and asset forfeiture) that can be imposed, as well as any exemptions that might apply. If such legislation is publicly available, please provide a copy of such legislation as an attachment or indicate how it can be accessed by providing a web link or reference.</p> <p>If 'no', please explain below how possession and utilization of rhinoceros parts and derivatives is regulated in your country.</p> <p>The UK does not have any possession controls on rhino horn. The sale, import and re-export of rhino horn is controlled in the UK through CITES controls.</p>
Question 3.	<p>PROSECUTIONS</p>
3.1.	<p>Please provide details of prosecutions that have been initiated in your country <i>since October 2016</i> 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.</p> <p>The National Wildlife Crime Unit (NWCUC) collates records of convictions relating to all CITES offences. Since October 2016 there has only been one known conviction for rhino horn:</p>

	<p>ALLAWI Abbas sentenced on 09/11/2017 at Harrow Crown Court for COTES offences relating to rhino horns, elephant tusks and hippopotamus teeth. Case investigated by the Metropolitan Police. Sentence: 14 months, 7 months and 3 months to run concurrently. See: http://news.met.police.uk/news/man-jailed-for-offering-tusks-of-endangered-species-for-sale-274803</p>
3.2	<p>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.</p> <p>N/A</p>
3.3	<p>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.</p> <p>N/A</p>
Question 4.	DNA FORENSICS
4.1.	<p>Does your country routinely collect samples from rhinoceros parts and derivatives seized for forensic analysis?</p> <p>Yes</p> <p>Please provide information on any samples collected <i>since October 2016</i>. Kindly also provide information on the methodology by which sample collection takes place, the chain of custody of samples, whether the samples have been submitted for analysis and the feedback from analysis.</p> <p>Please outline below any barriers or obstacles there may be in developing and adopting policies that allows for routine collection of samples from rhinoceros parts and derivatives for forensic analysis, as well as any support that might be needed to overcome them.</p> <p>The protocols are in place for DNA testing to be conducted on seized specimens, although no seizures have been made since October 2016.</p>

	Seized Rhino horn specimens were sent for testing prior to October 2016. The results being disseminated accordingly.
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>No</p> <p>If 'yes', please indicate whether you have communicated with the country of origin?</p> <p>If 'no', please outline below any barriers or obstacles encountered in using the Form, and any support that might be needed to overcome them.</p> <p>There have been no seizures of rhino horn in the UK since October 2016. The data sharing form included in the annex to resolution Conf. 9.14 (Rev CoP17) would not be used for disseminating nominal information as it is not considered fit for purpose. This has already been communicated to the CITES Secretariat.</p>
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>No</p> <p>If 'yes', please provide details below of the provisions of the measures.</p> <p>If 'no', please outline below any barriers or obstacles encountered in providing these measures, and any support that might be needed to overcome them.</p> <p>The UK does not have a stockpile of rhino horn.</p> <p>UK Border Force and the National Wildlife Crime Unit hold a small number of horns for display and training purposes only.</p>

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><i>No</i></p> <p>If 'no', please outline below any barriers or obstacles encountered in providing these measures, and any support that might be needed to overcome them.</p> <p>The UK does not have a stockpile to declare to the Secretariat. The small number of horns held by the National Wildlife Crime Unit were declared to the Secretariat in response to Notification 2017/080.</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><i>No</i></p> <p>If 'yes', please provide details below of the provisions of the measures and describe successes and/or challenges of their implementation.</p> <p>If 'no', please outline any barriers or obstacles encountered in providing these measures, and any support that might be needed to overcome them.</p> <p>The UK is currently considering what measures could be implemented to ensure rhino horns brought into the UK as hunting trophies are kept in the possession of the importer.</p>