

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



Seventieth meeting of the Standing Committee
Rosa Khutor, Sochi (Russian Federation), 1-5 October 2018

Species specific matters

Rhinoceroses (Rhinocerotidae spp.)

REPORT OF THE WORKING GROUP

1. This document has been submitted by the United Kingdom of Great Britain and Northern Ireland as Chair of the Standing Committee Working Group on Rhinoceroses.*

Background

2. At its 69th meeting in November 2017, the Standing Committee (SC69) established an intersessional working group on rhinoceroses with the following mandate:
 - a) *evaluate Parties' implementation of Resolution Conf. 9.14 (Rev. CoP17) and measures to prevent and combat rhinoceroses poaching and trafficking in rhinoceros horn, taking into consideration the recommendations in CoP17 Doc.68 Annex 5 and, focusing particularly on countries identified for priority attention as presented in that report, make any recommendations as appropriate; and review and evaluate reports submitted by Mozambique and Viet Nam, when available.*
3. CoP17 Doc.68 Annex 5, '*African and Asian Rhinoceroses – Status, Conservation and Trade*' is a report from the IUCN Species Survival Commission (IUCN SSC), African and Asian Rhino Specialist Groups and TRAFFIC to the CITES Secretariat, in accordance with the mandate to the Secretariat in Resolution Conf. 9.14 (Rev. CoP17) on *Conservation of and trade in African and Asian rhinoceroses*, which instructs it to commission such a study. The report made a number of recommendations, including on investigations, legislation, prosecutions, anti-corruption, DNA forensics, trophy management and stock pile management. Full details of each of the recommendations is in **Annex 1** to the present document.
4. Of particular relevance to this Working Group is the recommendation on Priority Countries for Attention. The report identified four countries, Mozambique, South Africa, Viet Nam and Zimbabwe, as countries for priority attention. It also recommended that Parties consider adding two additional countries to the list: Namibia, because of an escalation in rhinoceros poaching at the time of reporting, and China, because of evidence of a significant market for rhinoceros horn.

Discussion

5. To evaluate Parties' implementation of Resolution Conf. 9.14 (Rev. CoP17) a questionnaire was developed by the Working Group to examine the following five key components of the Resolution:

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

- Investigations
 - Legislation
 - Prosecutions
 - DNA Forensics
 - Rhinoceros Horn Stock Management
6. The questionnaire was issued to all Parties under CITES Notification 2018/40, however in Decision 17.139, two Parties (Mozambique and Viet Nam) had already been requested to report to the Secretariat on their activities in implementing the recommendations adopted by the Standing Committee at its 67th meeting (SC67; September 2016) of Resolution Conf. 9.14 (Rev. CoP17) and the Working Group agreed that these reports would be used rather than responses to the questionnaire.
 7. A total of 20 responses were received from Austria, China, the European Union, France, Germany, Hungary, Malta, Mozambique, Namibia, the Netherlands, New Zealand, the Philippines, Slovakia, South Africa, Sweden, Thailand, United States of America, United Kingdom, Viet Nam, and Zimbabwe.
 8. The Working Group emphasises that the Party information included below has been sourced solely from the submissions received from Parties in response to Notification 2018/40 and the reports mentioned in Paragraph 6.

Information received from the Four Priority Countries for attention

Mozambique

9. The Working Group considered a National Ivory and Rhino Action Plan (NIRAP) covering the period from 15 August 2017 to 30 June 2018 submitted by Mozambique.
10. Mozambique had been requested at SC69 to include in its report on the implementation of its NIRAP to SC70, a report on the implementation of the amended Conservation Law, including information on arrests, prosecutions and convictions for offences involving rhinoceros and elephant poaching or illegal trade in rhinoceros horn and ivory. The Standing Committee also requested Mozambique to report on any activities conducted or measures implemented, to strengthen efforts to address criminal syndicates by enhancing intelligence gathering to initiate targeted intelligence driven law enforcement action, including deploying anti-money laundering and asset recovery investigations as appropriate, against the offenders involved.
11. Mozambique reported that the implementing Regulation of Conservation Law was published on the Official Journal of Mozambique, on December 29, 2017. Furthermore, the Regulation on Sport Hunting Activities was published on the Official Journal of Mozambique on December 29, 2017. Mozambique stated that it now has met all requirements for effective implementation of CITES and that Mozambique's wildlife trade penalties are among the strongest in Africa.
12. Mozambique reported that following the introduction of amendments to the Conservation Law and development of implementing regulations, 373 poachers were detained resulting in 25 convictions (no details of penalties imposed), 179 firearms and 692 munitions recovered, and 42 kg of rhino horn and 870 elephant tusks were seized.
13. Mozambique emphasised that the implementing regulation has had little impact on compliance or implementation of CITES in Mozambique because it contains no provisions on CITES and international trade of wildlife and it deals mainly with regulative measures on Conservation Areas.
14. Mozambique reported that it is implementing measures to improve security for confiscated rhinoceros horn (and ivory). With funding from the UNEP's African Elephant Fund, it finalised a dedicated strong-room for ivory and rhinoceros horn. Security measures have been installed and are operational. With the implementation of the GEF 6 Project (see below), funds have been secured to strengthen the security measures. Mozambique did not indicate whether it has declared its rhinoceros horn stocks to the Secretariat.
15. Further GEF 6 funding has been approved and a project begun in April 2017 on *Strengthening the conservation of globally threatened species in Mozambique through improving biodiversity enforcement and*

expanding community conservancies around protected areas. This will enable key actions to implement the law enforcement components of the NIRAP and includes drafting, approval and implementation of the National Strategy on Law Enforcement and Anti-Poaching, and the establishment of a National Wildlife Crime Unit. This will enhance institutional capacity through specialized training to fight trans-national organized wildlife crime by supporting initiatives that target enforcement along the entire illegal supply chain of threatened wildlife and wildlife products. Mozambique envisages that the Wildlife Crime Unit will in the near future coordinate all wildlife crime investigations in Mozambique.

16. In its NIRAP, Mozambique confirmed it has 'achieved' actions to establish a database for seized elephant and rhinoceros products and has 'substantially achieved' actions to seek and secure additional funding, technical and material support from partners to strengthen law enforcement capacity at key sites for elephant and rhinoceros protection; and to develop a communication plan to raise public awareness on the ivory and rhinoceros crisis and wildlife crime to address various audiences.
17. Specific actions include:
 - Securing funding through the French Agency for Development for a project, operational since April 2017 and financed via a grant of €6 million over four years and co-financed by the World Bank [MOZBIO](#) project and United States Fish and Wildlife Service, to support Mozambique's conservation areas and particularly the protection of elephants which included the creation and implementation of a database on Law enforcement and prosecutions of wildlife crime in Mozambique which will include information on seizures, court cases, penalties applied in rhinoceros cases.
 - Training of law enforcement instructors, basic and refresher training for law enforcement personnel; and support to Mozambique's CITES Management Authority was provided as a result of funds from The World Bank MOZBIO project.
 - The GEF 6 project reported above provides key enforcement agencies with equipment and trains law enforcement staff including customs and police officers to implement advanced intelligence and enforcement techniques to control illegal wildlife trade.
 - A communication campaign has been devised and is ready to start pending the availability of funding, which is being negotiated with one international donor. Meanwhile, a Facebook page for National Administration of Conservation Areas (ANAC) has been online since August 2016 <https://www.facebook.com/mozconservacao/>; and a Web page for ANAC has been online since August 2017 at <http://www.anac.gov.mz/>.
 - In partnership with the Attorney General's Office, the High Command of the Mozambican Police, and the Mozambican Customs, with the financial assistance of UK Aid (UK Department for International Development) and WWF Mozambique, produced a poster that is displayed in all airports, ports and other locations in Mozambique in order to raise awareness on illegal wildlife trade. The poster includes some telephone numbers that the public can call to report illegal activities.
18. The Working Group looks forward to hearing how Mozambique continues to progress with its commitment to the objectives set, and encourages Mozambique to include comprehensive information on seizures of rhinoceros (and elephant) products from its database, alongside other relevant information, in its annual illegal wildlife trade report to CITES (as required under Res. Conf. 11.17 (Rev. CoP17))

South Africa

19. The Working Group considered a detailed questionnaire response submitted by South Africa. This set some historical context by explaining that in 2010, South Africa put in place its *National Strategy for the Safety and Security of Rhinoceros Populations and Horn Stocks in South Africa* to inform strategic planning and critical intervention strategies by:
 - Implementing an immediate action plan to mitigate the escalation in poaching of rhinoceros and the illegal trade in rhinoceros horns;
 - Securing the shared commitment of government (at national and provincial level), private land owners, local communities and international stakeholders, as well as the necessary financial and manpower resources and political will to implement this policy;

- Supporting the establishment of a national coordination structure for information management, law-enforcement response, investigation and prosecution;
 - Developing an integrated and coordinated national information management system for all information related to rhinoceros species in order to adequately inform security related decisions; and
 - Investigating proactive security related measures aimed at possibly facilitating a better understanding for any possible future regulated and controlled international trade in the species, and any associated by-products.
20. In 2015 South Africa developed a *National Integrated Strategy to Combat Wildlife Trafficking* (NISCWT), which is currently going through an approvals process. The NISCWT shifts away from treating wildlife crime solely as an environmental crime to recognizing it as serious organised crime and a national security threat. Rhinoceroses are one of four taxa identified by the South African Government as being exploited by organised crime groups. Once the NISCWT is implemented, the South African Police Service will become the lead agency, in charge of addressing wildlife crime in South Africa. South Africa should be encouraged to expedite the approval of the strategy.
21. The NISCWT is closely aligned to the *Integrated Strategic Management Approach to rhino management* already being implemented. In particular the latter includes:
- Compulsory interventions, which include joint operations with neighbouring countries;
 - Increasing rhinoceros numbers by translocation to low risk areas, range and population expansion;
 - International and national collaboration and co-operation, where MoUs have been concluded with Viet Nam, China, Mozambique, Gambia, Kenya and Laos, outlining areas for co-operation, compliance and enforcement.
22. South Africa has added a *Rhino Conservation Lab* to its *Biodiversity Economy Lab* which acknowledges the key role the rhinoceros plays in the wildlife economy and South Africa's tourism industry. The aspiration is to secure a meta population of rhinoceros in South Africa through effective reduction in the number of rhinoceros killed by poaching by 11.1%, resulting in an increase in the population of 2% by 2020. The Working Group encourages South Africa to be ambitious in its rhinoceros poaching reduction targets.
23. Legislation is in place to use specialised investigation techniques, with Section 252A of the Criminal Procedure Act 51 of 1977 giving authority to make use of traps and undercover operations and the admissibility of evidence obtained by these methods. This has been successfully used in rhinoceros horn cases. In addition, South Africa has a suite of other laws which can be used to support wildlife legislation, for example on fraud, poisoning, racketeering and money laundering.
24. South Africa collaborates with many international partners. Initiatives include:
- Meeting biannually with Mozambique under a Joint Management Committee to discuss *inter alia* issues relating to the illegal killing of rhinoceros and subsequent illegal export of rhinoceros horns;
 - Hosting an Interpol Regional Investigative and Analytical Case meeting in Kruger National Park with China, Malaysia, Mozambique, South Africa, and Swaziland from 26 to 27 June 2017;
 - Participating in a Special Investigation Group (SIG) meeting to strengthen cross border wildlife enforcement between Asia and Africa in Thailand from 13 to 17 February 2017
 - Participating in the UNEP Regional Forum for the Police and Prosecutors on Environmental Crime Education in Africa held in Entebbe, Uganda, from 22 to 24 January 2018;
 - The South African Police Service's Directorate for Priority Crime Investigation, commonly known as the HAWKS, has strengthened priority actions and partnered with the Asset Recovery Inter Agency Network Southern Africa (ARINSA) focusing on taking proceeds from wildlife crime.
 - The South African Department of International Relations and Cooperation (DIRCO) engaging with the Government of Myanmar in a bilateral meeting for Senior Officials in Myanmar in August 2017. The

HAWKS participated in the meeting and spoke about combatting transnational crime, including wildlife trafficking with a particular focus on rhinoceros horn, elephant ivory, and human trafficking.

- Participating in a Wildlife Inter-regional meeting for Customs officers and Regional Investigative and Analytical Case Meeting between South East Asian, Asian and African Countries held in October 2017 in Hanoi, Viet Nam. Countries who participated in the meeting included the Interpol National Central Bureaus of China, Democratic Republic Congo, Kenya, Lao PDR, Malawi, Malaysia, Singapore, South Africa, Tanzania, Thailand, Uganda and Vietnam.
25. South Africa has comprehensive legislation in place, in the form of the National Environmental Management Biodiversity Act (Act 10 of 2004) (NEMBA), prohibiting the illegal killing of rhinoceros and the possession of and trade in rhinoceros parts and derivatives acquired in contravention of the Convention. Penalties for violating NEMBA include fines up to R10,000,000 and imprisonment of up to 10 years.
 26. South Africa submitted a paper detailing a number of the rhinoceros cases dealt with by their National Prosecuting Authority in 2016 and 2017. This was not an exhaustive list, though it presented a significant number of successful prosecutions, many of which attracted substantial custodial sentences.
 27. The majority of the cases pertained to criminals who were convicted of poaching or attempting to poach a rhinoceros. The accused were often charged with additional crimes, such as trespassing in a national park or possession of an unlicensed firearm, which allowed for prison terms exceeding the 10 year maximum sentence for NEMBA violations.
 28. South Africa reported seven successfully prosecuted cases of 'transnational organized crime' in which the accused attempted to smuggle rhinoceros horn out of South Africa.
 29. South Africa has guidelines for taking DNA samples from seized rhinoceros horn, whether whole or in pieces, and works with the Veterinary Genetics Laboratory of the University of Pretoria and the South African Police Service to obtain standardised RhODIS comparable genetic profiles. South Africa also requires a genetic profile certificate for each rhinoceros horn offered for sale domestically in South Africa. An application for sale of rhinoceros horn will not be accepted without a certificate confirming the horn has been DNA sampled and analysed.
 30. South Africa has used the *Form for collection and sharing of data on rhinoceros horn seizures and on samples for forensic analysis* provided in the Annex to Resolution Conf. 9.14 (Rev. CoP17) to try to obtain information and samples from Parties where a horn has been seized. It has had mixed responses from other Parties, with some sending a sample back without a form, making analysis very difficult. South Africa finds that Parties in general are reluctant to provide all the information about seizures on the collection form when an investigation is still on-going or the court case is still pending. Twelve Parties have provided samples from seized horn since 2015, and links have been made to rhinoceros from Kenya, Namibia, and South Africa.
 31. NEMBA requires horns to be marked, photographed and measured, with information entered into the National Rhino Horn Database. Horns must be kept in a secure place and rhinoceros mortality, irrespective of the cause of such mortality, or theft of a rhinoceros horn must be reported to the issuing authority within five working days of discovering the death of such rhinoceros or the theft of such rhinoceros horn.
 32. Stocks of rhinoceros horn are declared annually to the CITES Secretariat and NEMBA requires a permit to be issued for import, possession, keeping, buying and selling of horn. The Working Group encourages South Africa to establish systems for checking and verifying the legitimacy and accuracy of registration of privately held stockpiles, and to put in place measures to prevent any export of horn, which may be purchased legally within South Africa, for commercial purposes. These measures should be reported to the CITES Secretariat.

Viet Nam

33. At SC69, the Standing Committee requested Viet Nam to submit a progress report on the implementation of the new Penal Code 2017 at its 70th meeting and a full report including information on arrests, prosecutions and convictions for offences involving illegal trade in rhinoceros horn achieved through the implementation of Penal Code 2017 by 31 January 2019. The Secretariat will then make the report available to the Standing Committee at SC71 together with any recommendations it may have, and the Standing Committee will determine if the implementation of Penal Code 2017 and the activities or measures implemented sufficiently respond to illegal trade in wildlife as it affects Viet Nam, in particular illegal trade in rhinoceros horn, or if any further measures may be needed.

34. The Viet Nam CITES Management Authority submitted a progress report on the implementation of their [NIRAP](#), which covers the period from 2018 to 2020. The NIRAP was developed to use specific measures to enhance the prevention of, and combat, illegal ivory and rhinoceros horn trade from, to and within Viet Nam over a period of 30 months. The plan is expected to resolve related urgent issues, and at the same time, contribute to reducing and gradually eliminating the illegal trade of wildlife.
35. Viet Nam reported that a new revised Penal Code ('Amended Penal Code 2015'), entered into force on 1 January 2018 which includes provisions for deterrent penalties, including custodial sentences, and is expected to enable authorities to take strong action against illegal trade in wildlife. No results are reported as yet.
36. As highlighted in the Secretariat's report to SC69 (Doc. 60), in Viet Nam "Any trade in rhinoceros horn of more than 50 grams is considered to be a serious offence under the amended Penal Code, is punishable by an administrative fine of up to USD 50,000, or up to 15 years imprisonment, or both, for individuals. For legal entities, an administrative fine of up to USD 75,000 can be imposed, and such entities can also be prohibited from conducting business in certain specified industries or be prohibited from raising capital for its activities, for a period of between one to three years. With this new Penal Code, Viet Nam is one of the Parties with the strictest legislation in place in Asia to combat illegal trade in wildlife."
37. The Working Group notes the enactment of this new Penal Code by Vietnam; the effectiveness of the legislation in tackling illegal wildlife trade, in particular in rhinoceros horn, will depend on its implementation. The following are examples of actions taken since the implementation of the revised Penal Code:
 - In June 2018, the draft Decree on management of endangered, rare, and precious fauna and flora and the implementation of CITES was posted on the Viet Nam government website for public comment. The draft Decree includes provisions related to management of CITES Appendix I-listed species after confiscation and DNA forensic analysis.
 - Between October 2017 and June 2018, with the support of Humane Society International (HSI), the Viet Nam CITES Management Authority cooperated with UNODC to organize three training courses for 190 law enforcement officers on the application of the Penal Code, identification of ivory and rhinoceros horn specimens, and investigating wildlife trade.
 - UNODC has finalised a reference manual for law enforcement officers to use under the revised Penal Code, including crimes related to rhinoceros horn. The Supreme People's Procuracy is developing guidance on handling wildlife offences to procurators expected to be approved in December 2018.
38. SC69 encouraged Viet Nam "...to convene multi-disciplinary investigative teams involving all relevant authorities, to work in close collaboration with local authorities in key identified areas that are involved in the illegal trade in rhinoceros horn, and initiate intelligence driven operations and investigations to address the activities of those criminal elements that remain active in Viet Nam, with a particular focus on illegal rhinoceros horn trade". Viet Nam reported that its CITES Management Authority held an inter-sectoral meeting in June 2018, where management and enforcement agencies shared information related to arrests, revising legal provisions, information on prosecutions, hearings, and challenges in combatting wildlife crimes.
39. Enforcement actions taken recently include:
 - The investigation and arrest of traffickers attempting to smuggle 20.5 kg of rhinoceros horn by the Environmental Police Department and the Hanoi Police Department.
 - The development of a technical guide by the Viet Nam CITES Management Authority and HSI on collecting samples of ivory and rhinoceros horns used in forensics.
 - The standardization and dissemination of guidance for the identification of ivory and rhinoceros horn specimens, specifically for enforcement officers in border areas.
40. Demand reduction activities taken recently include:
 - A national extra-curricular education program on wildlife protection and conservation for primary school students is scheduled to be finalized in March 2019.

- The Viet Nam National Administration of Tourism will disseminate rhinoceros horn demand reduction information leaflets for international tourists visiting Viet Nam.

41. Viet Nam did not give information on whether it has declared its rhinoceros horn stocks to the Secretariat.

42. The Working Group looks forward to Viet Nam's full report being submitted for SC71.

Zimbabwe

43. The Working Group noted that Zimbabwe had supplied a response to the questionnaire.

44. Zimbabwe has adopted standard operating procedures for Joint Operations with other law enforcement agencies in conservancies and other poaching hotspots in parks estates. The joint operations are meant to offer immediate support and quick response to intelligence information, incursions and poaching.

45. Zimbabwe provided detailed descriptions of the implementation procedure for the Joint Operations in its response to the questionnaire and its general law enforcement patrolling procedures.

46. Zimbabwe has implemented the South African Development Community Law Enforcement and Anti-poaching Strategy (SADC LEAP). SADC LEAP provides a framework for country and regional cooperation, together with international engagement on natural resources management and wildlife-related law enforcement and anti-poaching issues. Special attention is paid to issues that transcend national boundaries. Zimbabwe's Sub National Joint Operations Command has adopted a national-level LEAP strategy that forms the basis for cooperation amongst state security agencies.

47. Zimbabwe shares information and has cooperated with countries and international law enforcement organizations. Intelligence information was shared with INTERPOL on rhinoceros poaching kingpin Dumisani Moyo and assisted in Moyo's extradition to Botswana after his arrest.

48. In response to the question about comprehensive legislation and enforcement controls, Zimbabwe referenced the Parks and Wild Life General Laws Amendment 5 of 2011. However, the response provided elaborated on provisions of the Parks and Wild Life General Laws Amendment 5 of 2011 that pertained specifically to elephants and not rhinoceroses.

49. Zimbabwe reported that other legislation, including the Criminal Law Codification and Reform Act and the Firearms Act, can be utilized in support of Zimbabwe's wildlife protection legislation.

50. Zimbabwe is in the process of approving a National Rhino Management Policy, reviewed most recently in April 2018, to guide management of rhinoceros in Zimbabwe for the next five years.

51. The rate of prosecution was reported to still be very low, however Zimbabwe provided details on two successfully prosecuted poaching cases that resulted in custodial sentences of 10 and 36 years, respectively. Measures taken that helped increase the number of successful prosecutions included training in crime scene attendance, advocacy and awareness campaigns, increasing patrol details at international borders and airports, increasing informer networks, reviewing the current legislation, and establishing intelligence units in poaching hot spots. The establishment of specialized Wildlife Courts dedicated to prosecuting wildlife crimes was identified by Zimbabwe as an action that would help secure successful prosecutions.

52. Zimbabwe regularly collects samples from seized rhinoceros parts and derivatives. The Government of Zimbabwe desires for all genetic analysis to be conducted in Zimbabwe, but capacity is currently limited. In 2018, Zimbabwe signed an MOU with a local institution of higher learning for DNA analysis and future forensic analysis. Zimbabwe has not used the *Form for collection and sharing of data on rhinoceros horn seizures and on samples for forensic analysis* provided in the Annex to Resolution Conf. 9.14 (Rev. CoP17).

53. Zimbabwe has regulations and administrative procedures in place to ensure rhinoceros horns are properly identified, tracked, and stored. Zimbabwe has declared its rhinoceros horn stocks to the Secretariat.

Information from the Parties suggested for consideration as Priority Countries for Attention

China

54. The Working Group noted China's response to the questionnaire and its additional report.
55. China confirmed that it had been working to develop and implement law enforcement strategies to combat all illegal trade in wildlife. China uses controlled deliveries and covert investigations to detect illegal trade in rhinoceros horn, and has anti-money laundering legislation that can be used support its wildlife protection legislation, though specific examples were not provided.
56. China works collaboratively with other Parties on the illegal wildlife trade and has MoU's with Kenya, Viet Nam, Lao PDR, South Africa, and Indonesia. China has worked bilaterally with Thailand, Japan, Sri Lanka and Nepal, and trilaterally with Viet Nam/ Laos and India/ Nepal. China also engages with multilateral mechanisms including ASEAN and Greater Mekong Region.
57. Collaborations like these have resulted in operations such as Operation State Gate Sword which has been ongoing since 2016 and has resulted in seizures of rhinoceros horn and other wildlife products both in 2016 and 2017. Xi'an and Shanghai customs confiscated rhinoceros horns weighing 25.4 kg and 38.6 kg, respectively, and in March 2018 a pair of horns weighing almost 7 kg was seized from a tourist entering China from South Africa. Details on prosecutions related to these seizures were not provided. Chinese customs officers have responded to developing sophistication in techniques for smuggling by using X-ray, CT scans, sniffer dogs, and risk profiling to identify high risk shipments. Outside of the period covered by this report, the Working Group notes that China showed leadership in international operations involving up to 22 other countries (the Cobra series of operations are of particular note.)
58. China has legislation in place to tackle illegal wildlife trade with penalties for smuggling endangered species between 5 and 10 years and a concomitant fine. For particularly serious offences prison sentences can be up to a life sentence with concomitant confiscation of property. People illegally taking or killing endangered wildlife can also receive a prison sentence of up to 10 years, be fined and have property confiscated. China did not report details of any prosecutions initiated since October 2016.
59. China reported differing information about tourists who smuggle endangered wildlife products into China. The voluntary report submitted by China states that it does not bring criminal charges against tourists who import souvenirs of endangered wildlife products into the country worth less than RMB100,000, yet in the same document China says it brings criminal charges against tourists who carry any rhinoceros horn products as personal effects regardless of the size of the products.
60. China routinely collects DNA samples from horns seized and reported having legislation in place to ensure stocks of rhinoceros horn can be controlled. China does not utilize the *Form for collection and sharing of data on rhinoceros horn seizures and on samples for forensic analysis* provided in the Annex to Resolution Conf. 9.14 (Rev. CoP17), and has not reported stocks of rhinoceros horn to the Secretariat.
61. China reported that its Wildlife Protection Law ensures that legally acquired rhinoceros trophies remain in lawful possession, but also noted that hunting trophies are illegal in China.
62. China also supplied information about ways in which it has supported African countries to enhance their capacity to deal with illegal wildlife trade. For example, in 2017 China donated N\$14 million for equipment to enhance anti-poaching patrols. Chinese conservation NGOs have assisted enforcement monitoring and awareness campaigns in Zimbabwe to support and protect wild rhinoceros populations.
63. Each year law enforcement agencies in China, including the forest police, customs and Management Authority (MA), provide targeted training to wildlife managers, frontline law enforcement officers, CITES managers and the general public to enhance their capacity in conservation and enforcement. This focuses on CITES and its implementation, national legislation, regulations and policies on wildlife conservation and management, and species identification. In 2017 China conducted more than 40 training courses with more than 5,000 trainees. Topics covered in those training courses included the trade ban in rhinoceros horn, valuation of rhinoceros parts, and identification of rhinoceros horn.
64. China has sent representatives from their MA, customs, and police to tour African countries to educate Chinese emigrants, Chinese overseas visitors, Chinese overseas company and institution employees on wildlife conservation, the poaching crisis, illegal wild trade, CITES, and enforcement in Africa and in China. By June 2018, 17 such reach-out missions have been undertaken in 13 African countries: Kenya, Ethiopia, South Africa, Mozambique, Gabon, Cameroon, Namibia, Zimbabwe, Uganda, Angola, Malawi, Tanzania, and Zambia. In addition, promotional materials such as posters and brochures are distributed by some

embassies of African countries in China, and Chinese embassies in African countries, and via some airlines and on board of certain flights, to warn passengers against illegal wildlife trade.

Namibia

65. The Working Group noted that Namibia had supplied a response to the questionnaire.
66. Namibia confirmed that it has developed and is implementing a *National Strategy on Wildlife Protection and Law Enforcement*. The objective of the strategy is to establish common approaches to protecting and conserving wildlife and to ensure effective enforcement of laws. Specific objectives include protecting wildlife, mainly rhinoceros and elephants, from poaching; facilitating community based natural resource management practices for better protection of wildlife; ensuring that staff in the field are skilled in techniques for patrol, arrests, seizures and evidence gathering; and better preparing the Ministry of Environment and Tourism for dealing with wildlife poaching syndicates.
67. Namibia has the *Financial Intelligence Act 2012* in place which provides for a Financial Intelligence Centre that can analyse suspicious transactions relating to money laundering or financing of terrorism. The Namibian Police Force, INTERPOL and the Ministry of Environment and Tourism have developed good working relationships with neighbouring law enforcement agencies and share information to address individuals or syndicates in rhinoceros poaching or/and the illegal trade in rhinoceros parts and derivatives, including conducting cross border patrols that have resulted in arrests.
68. Namibia's *Controlled Wildlife Products and Trade Act 2008* was amended in 2017 to strengthen penalties, including custodial sentences, for illegal killing of rhinoceros and illegal possession of and export, import, and trade in rhinoceros parts and derivatives. Penalties include fines of up to N\$25,000,000 and/or imprisonment for up to 25 years depending on offences. If a person has a previous conviction for hunting a rhino, the fine could be doubled and prison sentence could be up to 40 years. The legislation makes it an offence to possess rhinoceros horn without a permit.
69. Namibia has so far achieved six prosecutions for rhinoceros poaching or illegal trade in rhinoceros horn in 2018. 28 cases were prosecuted in 2017, and 51 cases were prosecuted in 2016. Of these 85 total reported cases, one has so far resulted in a conviction. Namibia considers a well-established informer network that works jointly with the Ministry of Environment and Tourism as well as the Namibian Police and Customs to have contributed towards an increase in the number of successful prosecutions concerning the illegal killing of wildlife in Namibia. However, prosecutors can sometimes be lenient with penalties and suspects released on bail tend to reoffend.
70. Namibia has a robust and prescriptive system for taking DNA samples of rhinoceros horn. It collects DNA samples routinely from all rhinoceroses that are immobilized, seized rhinoceros horns and poached rhinoceros within the country. DNA samples collected are sent to the University of Pretoria's Veterinary Genetics Laboratory for inclusion in the RhODIS database of all regional rhinoceros samples for forensic analysis that can link such horns to crime scenes and implicated suspects.
71. Namibia has legislation in place to protect stocks of rhinoceros horn and declares stocks to the Secretariat. Possession of a trophy is only allowed with a permit and legislation states that a person must report any change of address within seven days.

Information from other Parties

72. The Working Group was grateful to receive 14 questionnaires from other Parties.
73. Common themes across these were that all had legislation in place that protected all endangered wildlife and which would apply to rhinoceroses, rather than having specific legislation for the protection of them.
74. Many Parties reported additional (or stricter measures) for rhinoceros horn and shared good practice examples and contributions they had made to support others for example with capacity building. Some of these points were:
 - Austria only allows imports where an item forms part of someone's personal effects and checks to make sure they remain in that individual's possession. They only permit re-export for cultural exchange or research.

- The European Union has an EU CITES Enforcement Group which meets twice a year. Rhinoceros poaching and the illegal trade in horn is regularly on the agenda. EUROPOL is assisting EU Member States in the fight against serious and organised crime and has led several co-ordinated enforcement operations against wildlife trafficking including illegal trade in rhinoceros horn. The EU has issued [guidance](#) to Member States on export, re-export, import and intra-EU trade of rhinoceros horn.
- France has supported the project *Protecting rhinos by reducing demand for horn through the mobilisation of civil society and the private sector*. This was based in Viet Nam and was in partnership with TRAFFIC and French and Vietnamese branches of WWF. It has also been involved in the *Conservation of the forests and Biodiversity of Assam* project which is working in NE India and has contributed to the protection of Asian rhinoceros with the population beginning to grow. France loaned €8.2m and €1.9m to Kenya to fund translocation of white and black rhinoceros. The project completed in 2017 with populations having increased considerably.
- Germany has engraved all of its securely held stocks of rhinoceros horn all confiscated before 1990. It has carried out checks to ensure all hunters who imported rhinoceros horn trophies still have them in their possession.
- In 2017 Hungary joined with the Czech Republic to join a Eurojust assisted Joint Investigations Team, targeting illegal rhinoceros trade in Hungary, Slovakia and the Czech Republic. Hungary checks that rhinoceros trophies still remain in the possession of hunters.
- The Netherlands have forbidden the trade in rhinoceros horn for many years. Where illegal activity is found they work with the CITES MA in the country of origin and destination and involve INTERPOL where necessary. A prosecution in April 2018 involved a Chinese national passing through Schiphol airport who was discovered following luggage X-ray, to be carrying 5 horns and four art objects worth €500,000.
- The Philippines report that they have implemented various strategies to tackle the illegal wildlife trade including capacity building for law enforcers, and a “Stop Illegal Wildlife Trade” campaign at major air and sea ports.
- Slovakia has not seen many cases of rhinoceros horn trafficking but is working closely with Hungary and the Czech Republic on any investigations. They have a procedure in place to check that trophies are still in the hunters’ possession.
- Thailand is proactive in sharing intelligence with source, transit and destination countries and in 2017 this led to a case being tracked from Angola, via Dubai and Singapore where it was intercepted before it could carry on to Laos and 8 rhinoceros horns were seized. A further case where Lao PDR made their first customs seizure of a rhinoceros horn was due to intelligence from Thailand on Chinese trafficking syndicates moving items from Johannesburg via Singapore to Lao PDR. Thailand made 5 seizures in 2017 ranging from 5 pieces of horn to 49.4 kg.
- The United Kingdom was able to use its Proceeds of Crime Act 2002 in 2 recent cases one of which was for seizure of assets of £100,000. This case involved rhinoceros horn, elephant tusk and hippo teeth and resulted in a 14 month prison sentence. The UK’s National Wildlife Crime Unit supports investigations into rhinoceros offences and records prosecutions.
- The United States has long been able to use money laundering and asset forfeiture legislation in wildlife cases. Recent legislation– the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act 2016 (the END Act) provides additional nexus to the money laundering statute by the addition of certain US Endangered Species Act violations and specified ‘unlawful acts’ into the statute. The US Fish and Wildlife Service has placed 7 Law Enforcement Special Agent attaches in strategic regions around the world to act as regional liaison and advisors to countries on wildlife trafficking.

75. Three Parties, Malta, New Zealand and Sweden, returned brief responses explaining that they had little or no trade in rhinoceros parts and derivatives and no prosecutions had occurred in the time frame being examined.

Summary

76. The Working Group is grateful to those 20 Parties who have provided comprehensive information; either by responding to the bespoke questionnaire, through their NIRAPs, or by supplying other useful and relevant information in different formats.
77. It is disappointing that of 183 Parties, only 20 responses were received and none were from Asian rhinoceros range states.
78. For the countries of priority attention, Mozambique, South Africa, Viet Nam, and Zimbabwe, and the countries recommended for priority attention, China and Namibia, it is clear that there is much effort taking place to tackle the themes highlighted in Resolution Conf. 9.14 (Rev. CoP17).
79. Legislation is in place with strong penalties for illegal killing of rhinoceros and illegal trade in rhinoceros parts and derivatives. Good collaboration is happening among internal organisations in those countries and with range states, source countries, transit countries and destination countries. These Parties should be commended for these actions.
80. China, Namibia, South Africa, and Zimbabwe reported having adopted legislation to facilitate the use of specialised investigation techniques such as controlled deliveries and covert investigations, and to have used other legislative tools like anti-money laundering legislation to address rhinoceros poaching and illegal trade. The Working Group notes that specific examples of when these investigation techniques and legislative tools had been used would have been helpful for undertaking this evaluation.
81. Parties were requested to provide details of prosecutions that had been initiated since October 2016. South Africa provided a detailed list of successful prosecutions for illegal killing of rhinoceros and illegal trade in rhinoceros horn. Most of the reported cases involved 'low-level' poachers or smugglers. Namibia provided prosecution data for 85 cases relating to rhinoceros poaching and trafficking in rhinoceros horn since 2016. One case has so far resulted in a conviction with the majority still ongoing. Mozambique reported securing 25 convictions since its amended Conservation Law entered into force. Zimbabwe noted that the rate of successful prosecution is still very low, however provided details of two successful prosecutions for illegal killing of rhinoceros that resulted in substantial custodial sentences. Viet Nam reported on several initiatives to train law enforcement on how its amended Penal Code applies to wildlife crime, including illegal trade in and possession of rhinoceros horn, and the Working Group looks forward to reviewing Viet Nam's full report at SC71. China did not provide details on prosecutions, and is encouraged to clarify its enforcement policy for rhinoceros horn souvenirs illegally brought into the country.
82. Namibia, South Africa, and Zimbabwe all reported routinely collecting samples from seized rhinoceros parts and derivatives for forensic analysis. South Africa and Namibia collaborate with the Veterinary Genetics Laboratory of the University of Pretoria, while Zimbabwe entered into an MOU in 2018 with a local institution of higher learning for DNA analysis and future forensic analysis. Through its MOU with South Africa, Mozambique has requested assistance with forensic analysis of DNA samples for prosecution purposes, and South Africa has agreed to facilitate funding support. Viet Nam publicized a draft Decree in June 2018 that includes provisions related to DNA forensics of confiscated CITES specimens.
83. The working group notes that very few Parties reported using the *Form for collection and sharing of data on rhinoceros horn seizures and on samples for forensic analysis* provided in the Annex to Resolution Conf. 9.14 (Rev. CoP17).
84. China, Namibia, South Africa, and Zimbabwe have regulations in place to ensure stocks of rhinoceros horn are identified, marked, registered and secured pursuant to Resolution Conf. 9.14 (Rev. CoP17). Namibia, South Africa, and Zimbabwe declare their stocks to the Secretariat, while China does not. Mozambique is awaiting a consultancy study that will produce guidance on rhinoceros horn stockpile management to align its procedures with other SADC countries, and did not indicate whether it declares its rhinoceros horn stocks to the Secretariat. The progress report submitted by Viet Nam did not provide details on rhinoceros horn stock management.
85. China was flagged as a country for consideration of inclusion in the process because of evidence of a significant market for rhinoceros horn, reflecting China's role as a significant destination country for rhinoceros horn. China has set out clearly the legislative tools it has at its disposal and the collaborative work it has been doing with many African and Asian countries to tackle illegal trade in rhinoceros horn. This has included financial support to range states to build enforcement capacity as well as a significant internal programme for enforcement officers within China.

86. China has also made efforts to communicate with Chinese nationals living in range states to reinforce the messages about illegal wildlife trade to protect the species. It would have been useful for China to have supplied statistics on all prosecutions it has secured from October 2016 to date, which would demonstrate the impact of the work it is doing both internally and through its outreach and collaboration.
87. **Annex 2** is an extract from the text of Resolution Conf. 9.14 (Rev CoP17) showing the operative paragraphs relevant to the Working Group's work. **Table 1** (page 14) compares the work reported as being done by those Parties who have responded with the criteria set out in Resolution Conf. 9.14 (Rev CoP17) and for reference inserted into Annex 2.
88. It is clear that many of the Parties reporting are doing good work to implement the Resolution by having robust legal systems in place, and are working collaboratively across borders. Nevertheless, Parties provided little information on the effectiveness of regulatory measures, including the imposition of deterrent penalties in response to arrests and prosecutions.
89. Building on this initial evaluation, further detailed assessments would be needed to determine the impacts the implementation of these enforcement and management tools are having on wild rhinoceros populations. The better Parties understand the effectiveness of particular enforcement and management tools, the more strategic Parties can be when allocating finite resources to rhinoceros conservation efforts.
90. The Working Group considers that the four Parties identified as countries for priority attention should continue in their efforts to tackle rhinoceros poaching and the illegal trade in rhinoceros parts. The information they have supplied has indicated that there is still work to do in the following areas:

Mozambique:

- Mozambique is encouraged to consider how to increase the impacts of its implementing regulations so that they can become a useful tool in combatting rhino poaching and wider illegal wildlife trade issues.

South Africa:

- South Africa is encouraged to expedite the approval and adoption of its *National Integrated Strategy to Combat Wildlife Trafficking*, and to be ambitious in setting its targets for reducing rhino poaching.
- South Africa is encouraged to ensure its national and provincial legislation aimed at combating rhino poaching and rhino horn trafficking, are aligned.
- South Africa is encouraged to establish robust, transparent systems for checking and verifying the legitimacy and accuracy of registration of privately-held rhino horn stockpiles, and to implement measures to prevent any export of horn which may be subsequently used for commercial purposes, and report on these measures to the CITES Secretariat.
- South Africa is encouraged to focus on expediting outstanding high-profile cases involving rhino poaching, and bringing them to a successful conclusion, while continuing to focus on identifying and disrupting criminal networks involved in rhino horn trafficking.

Viet Nam:

- Viet Nam is encouraged to continue to engage, in partnership with other organisations, in the development of demand reduction programmes targeted at key identified audiences, taking into consideration the provisions within Resolution Conf. 17.4.

Zimbabwe:

- Zimbabwe is encouraged to prioritise the development and approval of its National Rhino Management Policy, and to share the final details with the CITES Secretariat.
- Zimbabwe is encouraged to proactively work with its enforcement, prosecutorial and judicial services in order to improve the rate of apprehension, prosecution, and deterrent sentencing of rhino offenders.
- Zimbabwe responded to the question about comprehensive legislation and enforcement controls, by referencing the Parks and Wild Life General Laws Amendment 5 of 2011, however, the response

provided elaborated on provisions of the Parks and Wild Life General Laws Amendment 5 of 2011 that pertained specifically to elephants. Zimbabwe is encouraged to clarify how these provisions apply to rhinoceroses.

- Zimbabwe is encouraged to further consider whether the establishment of specialized Wildlife Courts dedicated to prosecuting wildlife crimes could help in securing successful prosecutions.

91. The Working Group considers that China and Namibia identified as countries for consideration of Priority concern, should continue to be identified in that way as the information they have supplied indicates that some work is required in the following areas:

China:

- China is encouraged to develop bilateral relationships with Mozambique and Zimbabwe so that they can work collaboratively with all Parties identified as priority countries in CoP17 Doc. 68 Annex 5.
- China is encouraged to report details of any prosecutions initiated since October 2016.
- China is encouraged to fully report incidents of illegal trade in rhinoceros horn as part of their annual illegal wildlife trade report.
- China is requested to clarify information about tourists who smuggle endangered wildlife products into China. In its voluntary report China stated that it does not bring criminal charges against tourists who import souvenirs of endangered wildlife products into the country worth less than RMB100,000, yet later in the document says it brings criminal charges against tourists who carry any rhinoceros horn products as personal effects regardless of the size of the products.
- China is encouraged to utilize the *Form for collection and sharing of data on rhinoceros horn seizures and on samples for forensic analysis* provided in the Annex to Resolution Conf. 9.14 (Rev. CoP17).
- China is urged to report stocks of rhinoceros horn to the Secretariat in accordance with the provisions of Resolution Conf. 9.14 (Rev. CoP17).

Namibia:

- Namibia is encouraged to take action to ensure prosecutions are concluded swiftly and appropriate penalties are imposed on offenders.
- Namibia is encouraged to report convictions achieved to the CITES Secretariat.

Table 1

R. Conf. 9.14 (Rev. CoP17) Para. ref.	Does responding Parties evidence indicate this is being achieved?	Is this being achieved? Y/N/ in part
1.a	All responding Parties report they have legislation in place and enforcement controls. Penalties vary, but all have them. There were some comments that the judiciaries can tend to use the lower end of penalties available which was often disappointing.	Y
1.b	Many of the responding Parties report that they use covert operations to detect offences and that controlled deliveries are used by some. Several reporting Parties said that they had not had a need to do this as they had not experienced rhinoceros horn related crimes.	Y
1.c	Many responding Parties report that they have additional legislation in place giving them the capacity to tackle crimes with forfeiture order such as for money laundering in addition to the CITES crimes. A recent case in the UK was reported to have resulted in assets of £100,000.	Y
1.d	The legislation is in place to achieve this and several Parties reported arrests related to organised crime often through good collaborative inter-Party working.	Y
1.e	This is an area where some work may be needed. Some responding Parties reported that they were not able to share details with others about seizures that had been made. One Party explained that they find countries are reluctant to provide the information on seizures when an investigation is still ongoing and that they rarely receive feedback from countries on whether a prosecution has been successful. One Party said that it would not routinely collect a sample of a seized rhinoceros horn but would consider carefully whether forensic information was needed from the evidence they had. One Party feels that the form is not fit for purpose and has communicated this to the Secretariat.	N
1.f	See 1.e. above	N
1.g	See 1.e above	N
1.h	Information not sought	N/A
1.i	Many responding Parties reported that they had stricter measures which sometimes went as far as a total ban.	In part
2.a	Responding Parties who held stocks had them marked and securely held and report regularly to the Secretariat on stocks held.	Y
2.b	(Action for the Secretariat, not measured)	N/A
2.c	Several responding Parties gave details about successful enforcement operations and resulting prosecutions. Penalties were applied but there was concern that occasionally they could be at the more lenient end of the scale.	In part
2.d	All responding Parties that had experienced offences reported good interagency collaboration and where relevant good trans boundary co-operation.	Y
2.e	Information not sought	N/A

Recommendations

92. The Working Group recommends that the Standing Committee adopt the following recommendations:

- a) The Standing Committee is asked to agree that Mozambique, South Africa, Viet Nam and Zimbabwe remain on the list of Countries for Priority Attention, as recommended in CoP17 Doc.68 Annex 5, '*African and Asian Rhinoceroses – Status, Conservation and Trade*' and should invite these four Parties to provide further reports with particular attention to the issues raised in the Working Group's summary to this report.
- b) The Standing Committee is asked to agree that China and Namibia continue to be considered for inclusion as Countries for Priority Attention and should invite these two Parties to provide further reports with particular attention to the issues raised in the Working Group's summary to this report.
- c) The Standing Committee should consider directing the Secretariat to commission work to develop a methodology for measuring the impacts that Parties' work is having on slowing the rate of poaching and trafficking in range states. This is linked to Recommendation 6 and range states should be requested to submit their poaching and trafficking data/trends which along with population data could then be used to compare against work that has been carried out to implement Resolution Conf. 9.14 (Rev. CoP17).
- d) The Standing Committee should consider whether a standardised form for a NIRAP would be of assistance and to ensure that it seeks information in such a way that it can be seen clearly which actions are assisting the conservation of each species.
- e) The Standing Committee is requested to consider whether the *Form for collection and sharing of data on rhinoceros horn seizures and on samples for forensic analysis* which is appended to Resolution Conf. 9.14 (Rev. CoP17) is achieving the intended objectives and to make recommendations on whether to continue its use or to commission work to consider an alternative way to gather and share this type of data.

93. Directed to Parties:

- a) Parties are encouraged to make every effort to effectively implement Resolution Conf. 9.14 (Rev. CoP17) in particular to implement national strategies and proposed actions effectively to increase the effectiveness of the law-enforcement response to rhinoceros poaching and rhinoceros horn trafficking.
- b) Parties are encouraged to report any seizures of rhinoceros horn and related information in their annual illegal trade reports mandated under Resolution Conf. 11.17 (rev CoP17).
- c) Parties are encouraged to work with enforcers, prosecutors and judiciaries in their own countries to raise awareness of the impacts of illegal wildlife trade and the effects this can have on ecosystems and livelihoods so that penalties for offences are issued at a level which reflects the severity of the crime.

94. Directed to Parties identified as or recommended to be included as Countries for Priority Attention in CoP17 Doc.68 Annex 5, '*African and Asian Rhinoceroses – Status, Conservation and Trade*':

- a) Parties are encouraged to prioritize investigations into the transnational criminal syndicates driving the illegal rhinoceros horn trade over seizures and arrests of low-level criminals.
- b) Parties are encouraged to continue to collaborate and share information that could aid in successful prosecutions, including providing samples of seized rhinoceros horn to source countries for forensic analysis where applicable.

95. Directed to rhinoceros range states:

- Parties which are rhinoceros range states are encouraged to continuously review poaching and trafficking trends, to ensure that the measures they implement to prevent and combat rhinoceros poaching and rhinoceros horn trafficking remain effective and responsive to any newly identified trends. Records should be kept so that they can be used to inform progress against implementation of the Resolution (Decision 17.134 refers).

96. Directed to Parties where illegal markets for rhino horn exist:

- Parties in which illegal markets for rhinoceros horn exist are encouraged to develop demand reduction programmes targeted at key identified audiences, taking into consideration the provisions within Resolution. Conf. 17.4, and taking advantage of the experience and expertise developed in other jurisdictions and by other organisations.

**Recommendations from the IUCN Species Survival Commission (IUCN SSC),
African and Asian Rhino Specialist Groups and TRAFFIC, to the CITES Secretariat
pursuant to Resolution Conf. 9.14 (Rev. CoP15)**

	Recommended Actions:
1.	Priority countries for attention
	Despite some progress, it is appropriate that South Africa, Mozambique, Viet Nam and Zimbabwe remain countries for priority attention by the CITES Rhino Working Group (RWG). Parties should consider adding Namibia to this list because of the recent escalation of rhino poaching. Parties should also consider adding China to the list of CITES RWG countries of priority concern, because evidence has now established a significant market for rhino horn.
2.	Investigations
	Countries, especially those with end-use markets, are encouraged to undertake long-term, intelligence-led investigations (like those that have transpired in Europe and the U.S.) as part of their strategies to combat illegal rhino horn trade. Besides port-of entry seizures, more focus on controlled deliveries, follow-the-money initiatives and, where legally possible, sting-type operations to penetrate and disrupt transnational crime syndicates needs to occur. With so many Asian nationals arrested in conjunction with rhino crime all along the trade chain, it is of concern that mechanisms and procedures for ensuing information sharing and language-appropriate interrogations and evaluation of evidence (e.g. documents, computers, cell phones, etc.) remain underdeveloped, especially in Africa.
3.	Legislation
	Legislation in key countries, including transit countries, needs to be evaluated and revised where necessary to ensure that it serves to deter rhino trade crime adequately. Penal codes for rhino crimes in Mozambique and Viet Nam remain inadequate and need to be upgraded and effectively implemented as a matter of urgency.
4.	Prosecutions
	Rhino crime prosecutions should ideally employ a combination of laws which carry the highest penalties, with custodial sentences (possibly with additional fines and asset forfeitures) preferred, rather than just fines
5.	Anti-corruption
	As corruption remains a major factor behind rhino crime, Parties are encouraged to support actions that serve to mitigate and prevent systemic corruption within government regulatory and law enforcement institutions, and that foster compliance and accountability of private sector players.
6.	DNA Forensics
	The proposed development of methods and standardized protocols to facilitate validated and compatible DNA forensic analysis at multiple laboratories across the world linking to a global rhino DNA profile database is supported.
7.	Regulation of Trophy Hunting
	The development of a national rhino hunting database by South Africa is welcomed, but consideration should be given to enhancing its links to the CITES permitting and endorsement processes to track the export of trophies. South Africa should also consider the imposition of stricter domestic measures requiring the prior issuance of import permits for rhino trophies from countries of import to enhance control and reporting of legal rhino trophies. Investigation of discrepancies with respect to the CITES Trade Data should be pursued.
8.	Rhino Horn Stock Management
	A provision for annual reporting of rhino horn stocks by the Parties should be mandated as a revision to Resolution Conf. 9.14 (Rev. CoP15), as is the case for ivory in Resolution Conf. 10.10 (Rev. CoP16).

9.	Rhino Horn Destructions
	When rhino horn destructions occur, their impact, including on horn prices, needs to be evaluated to ensure that they do not result in unintended negative consequences. Where destructions are to be carried out, they should also be subject to independent auditing, DNA sampling and certification that no stocks are part of ongoing investigations or pending court cases.
10.	Asian Rhino
	India and Indonesia are encouraged to remain vigilant in their efforts to combat rhino poaching and curtail illegal horn trade, particularly in Kaziranga and Manas National Parks in Assam, and Bukit Barisan Selatan, Way Kambas and Gunung Leuser National Parks in Sumatra. Information on trade routes and other dynamics should be communicated to the CITES Rhino Working Group

**Extract from Resolution Conf. 9.14 (Rev. CoP17) on the
Conservation of and Trade in African and Asian Rhinoceroses**

The following extract from Resolution Conf. 9.14 (Rev. CoP17) includes the operative paragraphs relevant to the Working Group:

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) 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;

- g) 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;
- h) 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
- i) 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.