

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



Seventeenth meeting of the Conference of the Parties  
Johannesburg (South Africa), 24 September - 5 October 2016

**Committee II**

Rhinoceroses (Rhinocerotidae spp.)

DRAFT DECISIONS AND AMENDMENT TO RESOLUTION CONF. 9.14 (REV. COP15) ON  
CONSERVATION OF AND TRADE IN AFRICAN AND ASIAN RHINOCEROSSES

*This document has been prepared by the European Union as chair of the working group on this matter established in the ninth session of Committee II. It is based on matters arising from the discussion of document CoP17 Doc. 68 at the ninth session of Committee II (see document CoP17 Com. II. Rec. 9).*

***Directed to all Parties***

- 17.A All Parties should review their implementation of Resolution Conf. 9.14 (Rev. CoP17), and the strategies and proposed actions developed by the CITES Rhinoceros Enforcement Task Force contained in the Annex to Notification to the Parties No. 2014/006 of 23 January 2014, to achieve good implementation of the Resolution and the strategies and proposed actions, and to increase the effectiveness of the law-enforcement response to rhinoceros poaching and rhinoceros horn trafficking.

***Directed to all rhinoceros range States***

- 17.B All rhinoceros range States should 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 are quickly adapted to respond to any newly identified trends.

***Directed to the Secretariat***

- 17.X1 The Secretariat shall conduct a mission to Viet Nam to meet with enforcement and justice sector agencies to review arrests, seizures, prosecutions, convictions, and penalties for illegal possession and trade of rhinoceros horn, including offences detected at border points and domestic markets in Viet Nam.
- 17.X2 The Secretariat shall report to the 69th meeting of the Standing Committee on its mission to Viet Nam, particularly regarding the rate of successful and unsuccessful prosecutions, convictions and penalties, the reasons for those successes and failures, and any priority actions needed.
- 17.X3 The Secretariat shall conduct a mission to meet with the Mozambique Ministry of Land, Environment and Rural Development, including the CITES Management Authority, as well as law enforcement and justice sector agencies that are mandated to enforce illegal wildlife trade and the implementation of CITES and related national legislation. This mission shall focus on implementation of Mozambique's

National Ivory and Rhino Action Plan, in particular to assist Mozambique with the priority actions identified in the recommendations agreed at the 67th meeting of Standing Committee.

- 17.X4 The Secretariat shall report to the 69th meeting of the Standing Committee on its mission to Mozambique, paying particular attention to both the rate of successful or unsuccessful prosecutions, convictions and penalties, the reasons for these successes and failures and priority actions needed to address these, and to the status and security of Mozambique's stockpiles and the strength of its stockpile management system; that report should include any recommendations for the consideration of the Standing Committee.

***Directed to Mozambique and Viet Nam***

- 17.X5 Mozambique and Viet Nam should implement the recommendations agreed by the Standing Committee at its 67th meeting and welcome the Secretariat missions called for in Decision 17.X1 and Decision 17.X3

***Directed to the Standing Committee***

- 17.X6 The Standing Committee shall evaluate, at its 69th and 70th meetings, 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.
- 17.X7 The Standing Committee shall evaluate the reports submitted by Mozambique and Viet Nam, as called for in the recommendations agreed at its 67th meeting, and shall make additional recommendations as appropriate.
- 17.X8 The Standing Committee shall evaluate the report of the Secretariat on its missions to Mozambique and Viet Nam, and shall make any additional recommendations for further action and request additional reporting to its 70th meeting, as necessary.
- 17.X9 Based on its assessment of progress by Mozambique and Viet Nam, both at its 69th and 70th meetings, the Standing Committee shall determine if Mozambique and Viet Nam have satisfactorily addressed all recommendations, or if further actions, up to and including compliance measures, are warranted.
- 17.X10 The Standing Committee shall report its findings and recommendations to the 18th Conference of Parties.

## PROPOSED AMENDMENTS TO RESOLUTION CONF. 9.14 (REV. COP15)

*NB: Text proposed to be deleted is crossed out. Proposed new text is underlined.*

### **Conservation of and trade in African and Asian rhinoceroses**

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

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

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

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

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

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

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

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

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

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

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

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

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

ENCOURAGING ICCWC to further increase its support to Parties;

~~CONSCIOUS that stocks of rhinoceros horn continue to accumulate in some countries and that the call for their destruction, as recommended in Resolution Conf. 6.10, has not been implemented, and is no longer considered appropriate by a number of Parties;~~

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

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

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

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES all Parties to:

- ~~a) all Parties that have stocks of rhinoceros horn to identify, mark, register and secure such stocks;~~
- ~~ab) all Parties to 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;
  - 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;

i) consider introducing stricter domestic measures to regulate the re-export of rhinoceros horn specimens from any source;

#### 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;

be) 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;

ce) 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;

de) 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, creation of such mechanisms in order to curtail rhinoceros poaching and illegal trade in rhinoceros horn; where an implicated State in this Resolution is a State or citizen(s) of a State significantly implicated or involved in legal and/or illegal trade in parts and derivatives; and

ef) the Parties that are affected States, as by illegal killing of rhinoceroses and the trafficking of rhinoceros horns, either as range or implicated States, to:-

i) as a matter of priority, to 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, and to 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 report on progress for inclusion into the joint IUCN/TRAFFIC reports;

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

a) all such actions are accompanied by evaluations of their effectiveness and appropriate recommendations; and

b) the policies that guide interventions are responsive and adaptive to the outcome of the evaluations;

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

RECOMMENDS further that those range States with an existing, budgeted plan for rhinoceroses should endeavour to implement the plan as expeditiously as possible, and should undertake a review of the effectiveness of enforcement and trade control measures therein;

RECOMMENDS that, where appropriate, national level measures are in place for the management of imported rhinoceros horn trophies, including addressing the issue of alteration and transfer of such trophies, to ensure that rhinoceros horns acquired as legal hunting trophies remain in lawful possession;

RECOMMENDS that DIRECTS the Secretariat, prior to each meeting of the Conference of the Parties, and pending external funding, to:

a) commission the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC to submit at least six months before each meeting of the Conference of the Parties a written report to the Secretariat on:

- a) the national and continental conservation status of African and Asian rhinoceros species;
- b) trade in specimens of rhinoceroses;
- c) stocks of specimens of rhinoceros and stock management;
- d) incidents of illegal killing of rhinoceroses;
- e) enforcement issues;
- f) conservation actions and management strategies, with an evaluation of their effectiveness; and
- g) measures implemented by implicated States to end the illegal use and consumption of rhinoceros parts and derivatives;

ba) distribute the report of the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC to range and implicated States for any comments; REQUESTS the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC to engage with range and implicated States as appropriate, as well as with the UNEP World Conservation Monitoring Centre, when producing the report, and to reflect the outcomes of these consultations in their reporting pursuant to this Resolution;

DIRECTS the Secretariat to:

a) make an aggregated summary of the rhinoceros horn stock declarations of Parties available to the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC for analysis and inclusion in their reporting to the Secretariat pursuant to the Resolution; and

b) make the report of the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC available at each meeting of the Conference of the Parties; and

cb) on the basis of the report and the comments received from the range and implicated States, formulate recommendations and draft decisions for consideration by the Conference of the Parties as appropriate; and

c) encourage the Parties to financially support the IUCN African and Asian Rhino Specialist Groups and TRAFFIC in the compilation of information from the range States and the reporting thereof to the Secretariat;

ENCOURAGES the Parties to support the Secretariat financially, to enable it to commission a report from the IUCN African and Asian Rhino Specialist Groups and TRAFFIC for each meeting of the Conference of the Parties;

URGES range States of African and Asian rhinoceroses, implicated States, other Parties and other stakeholders to provide financial support to and cooperate with the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC in collecting information and producing the report called for in this Resolution for their reporting to the Secretariat on trade in and conservation of rhinoceroses;

CALLS upon all governments and intergovernmental organizations, international aid agencies and non-governmental organizations to provide funds to implement rhinoceros conservation activities and the present Resolution, especially efforts to prevent the illegal killing of rhinoceroses and end the illegal trade in rhinoceros horn, and to enable IUCN and TRAFFIC to undertake effectively their reporting to the Secretariat before each meeting of the Conference of the Parties;

CALLS for constructive engagement amongst all Parties to the Convention and synergy between the Convention and the IUCN/SSC Rhino Specialist Groups to achieve the aims of this Resolution; and

REPEALS the Resolutions listed hereunder:

- a) Resolution Conf. 3.11 (New Delhi, 1981) – *Trade in Rhinoceros Horn*; and
- b) Resolution Conf. 6.10 (Ottawa, 1987) – *Trade in Rhinoceros Products*.

NB: This Annex presents the proposed new Annex to Resolution Conf. 9.14 (Rev. CoP 15). All text is new and therefore not underlined.

Annex

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

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

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

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

**Part A**

1. **Record (case, file) number:** \_\_\_\_\_

2. **Date of seizure:** \_\_\_\_\_

3. **Country of seizure:** \_\_\_\_\_

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

5. **Reporting agency (name and address):** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

8. **Country of origin <sup>1</sup>:** \_\_\_\_\_

**Country(ies) of transit<sup>1</sup>:** \_\_\_\_\_

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



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Country of final destination<sup>1</sup>: \_\_\_\_\_

9. Means of transport (please tick): Air  Land  Post/Courier  Sea

Other  If your answer is "other", please specify: \_\_\_\_\_

10. Accompanying documentation (please tick): None  Falsified  Other

If your answer is "other", please specify: \_\_\_\_\_

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11. Species of rhinoceros (if known): \_\_\_\_\_

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12. Type of rhinoceros specimen<sup>2</sup> and quantity:

	Number of horns	Weight (kg/g)
Whole raw horn		
	Number of pieces	Weight (kg/g)
Worked horn <sup>3</sup>		
Pieces of horn		
Skin		
		Weight (kg/g)
Powdered horn		
		Weight (kg/g)
Other		

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<sup>2</sup> For "Worked horn", "Powdered horn" and "Other", please provide detailed information about what was seized in Part B under **Additional information**.

<sup>3</sup> Worked horn should be interpreted to mean rhinoceros horn that has been carved, shaped or processed into a product, for example into a libation cup, jewellery, etc.

## Part B

Record (case, file) number (as provided in Part A): \_\_\_\_\_

Particulars of arrested offender included below

Particulars of suspected offender included below

No information about offenders available

Other

If your answer is "Other," please specify: \_\_\_\_\_

\_\_\_\_\_

### Identity of person(s) involved:<sup>4</sup>

a) Family name / Surname \_\_\_\_\_

b) First name (s) \_\_\_\_\_

c) Alias(es) \_\_\_\_\_

d) Sex \_\_\_\_\_

e) Nationality \_\_\_\_\_

f) Passport or ID number \_\_\_\_\_

g) Date of birth \_\_\_\_\_

h) Permanent address \_\_\_\_\_

\_\_\_\_\_

i) Profession \_\_\_\_\_

j) Other information (telephone number, vehicle, etc.) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

<sup>4</sup> Please complete a separate copy of this page for each person.

**Method of discovery:**

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

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**Modus operandi**

Technique of concealment, type of packaging, etc.

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**Additional information**

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

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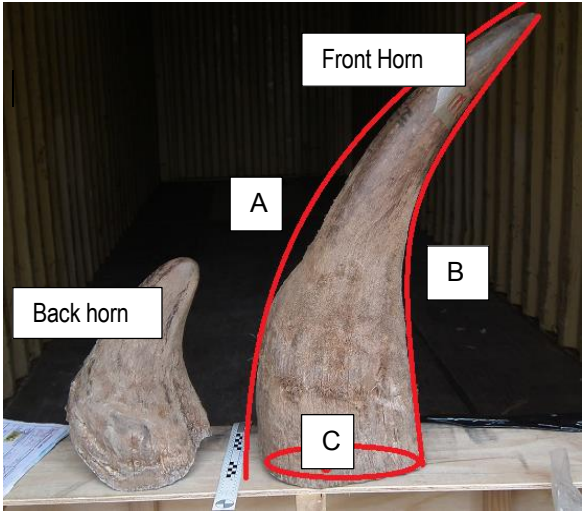
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## Part C

<b>Record (case, file) number</b>  <i>(as provided in Part A)</i>	
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<b>Note:</b> <ul style="list-style-type: none"> <li>Please complete a separate copy of this page for each whole raw rhinoceros horn seized.</li> <li>For worked horn, pieces of horn, skin, powdered horn or other specimens, please include as an Annex to Part C, detailed information about what was seized and, as applicable, information on the weight, length, breadth and height of each seized item.</li> <li>Please provide information about any marks, microchip number(s), or any other relevant information about the seized specimens, where available.</li> <li>Include a photograph of each seized rhinoceros specimen.</li> </ul>
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### Part C.1

Whole Raw Horn <sup>5</sup>		
	<b>Front horn or back horn?</b>	
	<b>A<sup>6</sup>- Outer length (indicate measurement unit)</b>	
	<b>B - Inner length (indicate measurement unit)</b>	
	<b>C - Circumference base (indicate measurement unit)</b>	
	<b>Weight (indicate weight unit)</b>	
	<b>Microchip number(s) *</b>	
	<b>Images taken (Y/N)</b>	

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

<b>Inspect the rhinoceros horn for any numbering that might be punched or written on it, and for any other relevant markings. Record these in detail.</b>
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<b>Have samples been or will they be collected from any of the seized rhinoceros specimens for forensic analysis?</b>	Yes	No
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<b>Note:</b> If your answer is "Yes", please complete Part C.2 below. After completion, please make a copy of Parts C.1 and C.2 of this form. These copies should be sent together with the collected samples, to the laboratory where the analysis will be conducted.
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<sup>5</sup> Please refer to the image for guidance on the measurement of the front and back horn for outer length, inner length and circumference.

## Part C.2

<b>Record (case, file) number</b> <i>(as provided in Part A)</i>	
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Please provide the following:

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