

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



Sixty-first meeting of the Standing Committee
Geneva (Switzerland), 15-19 August 2011

Interpretation and implementation of the Convention

Species trade and conservation

Rhinoceroses

IMPLEMENTATION OF RESOLUTION CONF. 9.14 (REV. COP15)
AND DECISIONS FROM COP15

1. This document has been prepared by the Secretariat.

Background

2. At its 15th meeting (Doha, 2010), the Conference of the Parties adopted the following Decisions on the Conservation of and trade in African and Asian rhinoceroses:

Directed to the Secretariat

15.71 *The Secretariat shall:*

- a) *examine the implementation of Resolution Conf. 9.14 (Rev. CoP15) in those range States where illegal killing of rhinoceros poses a significant threat to populations of rhinoceros, particularly Zimbabwe and South Africa;*
- b) *examine progress with regards to curtailing illegal trade in rhinoceros parts and derivatives by implicated States, particularly Viet Nam; and*
- c) *report on the implementation of Resolution Conf. 9.14 (Rev CoP15) at the 61st, 62nd and 63rd meetings of the Standing Committee.*

15.72 *The Secretariat shall:*

- a) *facilitate, as a matter of urgency, and with others partners as appropriate, bilateral exchanges between key rhinoceros range States and rhinoceros horn consumer States, to improve wildlife enforcement cooperation efforts;*
- b) *report at the 61st and 62nd meetings of the Standing Committee (SC61 and SC62) on these efforts;*
- c) *seek funds to convene a joint CITES Ivory and Rhinoceros Enforcement Task Force. Besides the Secretariat, members should include the ASEAN Wildlife Enforcement Network Programme Coordination Unit, INTERPOL, the Lusaka Agreement Task Force, the United Nations Office on Drugs and Crime, the World Customs Organization and those Parties in Africa and Asia that are currently most affected by the smuggling of ivory and rhinoceros specimens. Priority should be given to including the following Parties: Cameroon, China, Ethiopia, Kenya, the Lao People's Democratic Republic, Mozambique, Nepal, the Philippines, South Africa, Thailand, the United Arab Emirates,*

the United Republic of Tanzania, Viet Nam and Zimbabwe. The Task Force should undertake an exchange of intelligence regarding smuggling of ivory and rhinoceros specimens and develop strategies for combating illegal trade; and

- d) *report on the work of the Task Force at SC61.*

Directed to the Standing Committee

- 15.73 *At its 61st and 62nd meetings, the Standing Committee shall consider the reports of the Secretariat requested under Decision 15.72 and determine what further actions, if any, are necessary.*

Reporting by the Secretariat

3. Decision 15.71, paragraph c) requires the Secretariat to report on the implementation of Resolution Conf. 9.14 (Rev CoP15) at each of the three Standing Committee meetings prior to the 16th meeting of the Conference of the Parties. The Resolution contains a wide range of actions that Parties, and the Secretariat, should undertake. It does not, however, place any reporting requirement upon Parties. The Secretariat does not suggest any change, but the absence of such a requirement places a potentially significant burden on the Secretariat in terms of contacting all rhinoceros range States to seek relevant information.
4. The Secretariat suggests, therefore, that the Standing Committee consider what level of detail it wishes to be provided with by the Secretariat and whether it wishes, for example, that the Secretariat issue Notifications to the Parties prior to each meeting of the Committee, calling for information. The Committee may also wish to consider whether it requires a detailed report at each of its meetings, or whether such reports should seek simply to highlight current or urgent issues, whilst a comprehensive report is prepared for the Conference of the Parties.
5. For the present meeting of the Committee, the Secretariat has restricted its focus primarily to Decisions 15.71, paragraphs a) and b), Decision 15.72, paragraphs a) and c), and the most immediate pressures on many populations of rhinoceroses, which appear to be poaching and illegal trade.

Decisions 15.71 and 15.72

6. In early December 2010, a workshop on multi-agency national and international coordination and collaboration was held in Ha Noi, Viet Nam, organized by TRAFFIC and the Wildlife Conservation Society, in conjunction with the Government of Viet Nam. It was funded by the World Bank and the Global Environment Facility as part of the 'Tiger Futures' Project. Specialized staff from the International Consortium on Combating Wildlife Crime (ICWC) acted as resource persons during the event. These included officials from INTERPOL and the United Nations Office on Drugs and Crime in Bangkok, the World Customs Organization's Regional Intelligence Liaison Office in Beijing, and the CITES Secretariat in Geneva. A senior official from the ASEAN Wildlife Enforcement Network (ASEAN-WEN) Programme Coordination Unit in Bangkok and a wildlife law enforcement officer from South Africa also participated.
7. The following national agencies in Viet Nam participated: Agriculture and Rural Development, Airport Security, Anti-Smuggling, Biodiversity Department, CITES Management Authority, Customs, Economic Police, Environmental Police, Forestry Protection, INTERPOL National Central Bureau, Market Control, and prosecution officials.
8. The workshop allowed officials in Viet Nam to discuss with their international counterparts and colleagues the difficulties they face in combating illegal trade in wildlife. Special attention was given to illegal trade in tigers, elephant ivory, pangolins and rhinoceros horn. The workshop built upon an exchange between law enforcement officials from South Africa and counterparts in Viet Nam, which had been facilitated several weeks previously by TRAFFIC. The Secretariat understands that the U.S. Fish and Wildlife Service provided funding to allow this work by TRAFFIC and commends it for such support.
9. The Secretariat noted that important first steps had been taken between South Africa and Viet Nam with regard to the exchange of information and intelligence relating to persons engaged in the illicit harvesting and trade in specimens of rhinoceroses. However, it also noted from discussions with some persons in governmental and non-governmental bodies that a demand for rhinoceros horn, apparently stemming from a belief that it may act as an effective treatment for cancer, continues in Viet Nam.

10. The Secretariat believes that the workshop was very successful, especially in raising awareness among enforcement agencies in Viet Nam of the kinds of support that can be provided by the ICCWC partnership.
11. In January 2011, the Secretariat conducted a mission to Nepal, which provided an opportunity to liaise with the Chief Wildlife Warden of Chitwan National Park, which has been a site of significant poaching of rhinoceroses in the past. It was pleased to learn that poaching has greatly diminished, although it has not been eradicated and Nepal remains a significant country of origin and transit for illegal trade in wildlife. The Secretariat also met with the Minister responsible for CITES matters, who has been a particularly strong supporter of the implementation of the Convention, the establishment of the South Asia Wildlife Enforcement Network (SAWEN), and tiger conservation.
12. Whilst in Kathmandu, the Secretariat also met with a range of wildlife law enforcement officials and managers, including the Joint Commissioner of Police for Criminal Investigations who expressed strong support for combating wildlife crime. The Secretariat also provided a multi-agency briefing on international illegal trade in wildlife to a range of officials. From Nepal, the Secretariat travelled to Bhutan, to attend the official launch of SAWEN, which is an important development in combating wildlife crime in this part of the world. Nepal is to act as the Secretariat for the Network.
13. The Secretariat has arranged to conduct missions to Mozambique, South Africa and Zimbabwe in early June 2011. These are intended to provide multi-agency briefings, especially to the law enforcement community, on current trends in wildlife crime and the ways in which the CITES Secretariat and ICCWC are responding, deliver specialized law enforcement training, and undertake liaison with field staff engaged in anti-poaching activities. An oral report on these missions will be provided at the present meeting.

CITES Ivory and Rhinoceros Enforcement Task Force

14. In accordance with Decision 15.72, and thanks to funding provided by the European Commission, the Secretariat convened a CITES Ivory and Rhinoceros Enforcement Task Force from 17 to 19 May 2011 at the United Nations Office in Nairobi, Kenya. The meeting was attended by 20 officials representing wildlife authorities, Customs, Investigations, national parks, the police and enforcement agencies in 12 countries (China, Ethiopia, Kenya, Mozambique, Nepal, the Philippines, South Africa, Thailand, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, Viet Nam and Zimbabwe). INTERPOL, the Lusaka Agreement Task Force, the World Bank and the World Customs Organization were also all represented. The Task Force considered intelligence supplied by Australia, Canada and the United States of America. The World Bank offered to provide its expertise in the fields of combating money-laundering and asset recovery, which was welcomed.
15. The meeting enabled an excellent exchange of information regarding illegal trade in specimens of rhinoceroses. In particular, useful intelligence was provided and the Secretariat has undertaken to use this to update and re-issue a detailed briefing document on the poaching of and illegal trade in specimens of rhinoceroses, which was first distributed to the law enforcement community in early 2009.
16. Demand for the horns of rhinoceroses is what apparently continues to drive poaching of these animals, the unscrupulous exploitation of potential loopholes in legal hunting, and the acquisition of pre-Convention rhinoceros horns. Whilst the belief held by some people in some parts of the world, primarily east Asia, that powdered rhinoceros horn is an effective treatment for cancer seems currently to form the primary demand, the Task Force noted the existence of other markets or other possible reasons for the demand.
17. Although rhinoceros horn has been prohibited from use in traditional Asian medicine since the early 1990s, it appears that practitioners remain convinced of its effectiveness in the treatment of fever and cerebrovascular disease. The Secretariat was told this by a representative of the traditional medicine community in China and this has been confirmed by CITES officials in China. The scale of such demand and the scale of any potential 'underground' market cannot currently be assessed but may perhaps mirror the ongoing demand for medicinal products containing tiger ingredients.
18. Participants also considered the very active, and apparently ever-increasing, acquisition of 'antique' rhinoceros horns by individuals, some of whom appear to have links with organized crime groups or networks. They noted that the majority of these items seemed destined for east Asia and are presumed to be entering the underground 'medicine' trade. However, there appear to be reasonable grounds for suspecting that some of what is taking place may have links to counterfeiting in the arts and antiques trade. The Secretariat hopes to examine this aspect more closely in the near future.

19. Participants agreed that greater communication, collaboration and coordination are needed at national and international levels, and they committed to increasing exchanges of information. In particular, data will be regularly exchanged regarding persons who travel to other countries to engage in purportedly legal hunting but whose actual intention is to obtain animal body parts that can be sold on the black market.
20. With this in mind, the Secretariat encourages all Parties that issue permits or certificates authorizing the movement of specimens of rhinoceroses, including pre-Convention certificates, to advise countries of destination, so that the true nature of the trade can be scrutinized.
21. Finally, the Task Force agreed that the Secretariat should report at the 62nd meeting of the Standing Committee on progress in combating the poaching of and illegal trade in rhinoceroses.

Trade in live animals

22. At the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994), the South African population of southern white rhinoceros (*Ceratotherium simum simum*) was transferred to Appendix II of the Convention subject to an annotation stating, in part, "For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies". The Secretariat is aware that South Africa has, in recent years, authorized the export of significant numbers of live rhinoceroses.
23. The Secretariat believes there may be reasonable grounds to suspect that some importers of live rhinoceroses have subsequently cut or trimmed the horns of such animals and entered them into illicit trade. This may not, in itself, amount to a violation of the Convention but the Secretariat believes that the authorities in importing countries should be alert to potential unscrupulous exploitation of this annotation. It also believes that, in adopting the annotation, the Conference of the Parties did not expect that such trade might involve the commercial use of rhinoceros horns.
24. The Secretariat knows that the authorities in South Africa are alert to this potential exploitation and are doing all they can to lessen its occurrence. However, they require the full cooperation of importing countries in monitoring animals post-import.

Final remarks

25. The Secretariat continues to believe that the illegal trade in rhinoceros horn is one of the most structured criminal activities currently faced by CITES. It consists of sophisticated and organized criminal behaviour that CITES and wildlife law enforcement authorities cannot respond to effectively on their own.
26. The levels of poaching show no sign of declining. South Africa experienced over 330 animals poached in 2010 and current indications are that those numbers will be exceeded in 2011. The Secretariat has noted the view of some conservationists that, despite the fact that South Africa has numerous and healthy rhinoceros populations, they cannot sustain such a level of offtake.
27. The illegal trade in specimens of rhinoceros involves the use of specially-recruited couriers and fraudulent hunters, money-laundering, fraudulent applications for hunting licences and CITES documents, avoidance of Customs duties and import and export taxes, violations of currency controls, corruption of officials and the abuse of diplomatic immunity. Apart from Central and South America and the Caribbean, all other CITES regions of the world appear to be affected by illegal trade in rhinoceros horn.
28. The Secretariat continues to believe that considerable scope exists for increased communication, collaboration and coordination between relevant enforcement agencies at national and international levels. It believes that some of the interceptions of rhinoceros horns being smuggled around the world have not been exploited sufficiently by the law enforcement community and that insufficient intelligence is being acquired in some of these instances or, importantly, shared with relevant counterpart agencies (nationally and internationally). Much more needs to be done to 'follow-the-money', to uncover those criminals who are organizing the poaching and illegal trade and to bring them before the courts. It is interesting to note emerging intelligence which suggests that organized crime groups in Europe may be playing an increasing role in relation to illegal trade in rhinoceroses.
29. The Secretariat encourages relevant countries to engage in public awareness campaigns highlighting the current serious levels of criminality associated with illicit trade in rhinoceros horn and the exploitation of persons suffering from various medical conditions.

Recommendation

30. The Secretariat currently has no specific recommendation to offer the Standing Committee and it is invited to note this report.