

Interpretation and Implementation of the Convention
CONSERVATION OF RHINOCEROS IN ASIA AND AFRICA

The attached document (Annex 1) and draft resolution (Annex 2) have been prepared by the IUCN/SSC African Rhino Specialist Group at the request of the Standing Committee at its 31st meeting held in Geneva, from 21 to 25 March 1994. The document and draft resolution are submitted to the consideration of the Conference of the

Parties by the Standing Committee. However, the Standing Committee has not had the opportunity to debate of the wording of this document and draft resolution and, therefore, its submission of them does not imply its endorsement of their contents.

Doc. 9.35 Annex 1

Conservation of Rhinoceros in Asia and Africa

IUCN/SSC African Rhino Specialist Group

23–27 May 1994

Conservation Status of Rhinoceros Species

There are five extant species of rhinoceros, three in Asia and two in Africa. Close to 90% of the world's rhinoceroses have been lost since 1970 and currently the total number of all species is less than 12,000 animals. Numbering about 1,900, the population of the great one-horned rhinoceros (*Rhinoceros unicornis*) of India and Nepal has remained relatively static over the past decade, partially because of periodic losses to illegal hunting (IUCN, 1994). Asia's other one-horned species, the Javan rhinoceros (*Rhinoceros sondaicus*), is the world's rarest large mammal and numbers fewer than 100 animals, half of which occur in a single Indonesian population while the others are scattered in remnant groups in Indochina (IUCN, 1994; Khan, 1989). Inhabiting tropical forests in a number of South East Asian countries, the Sumatran rhinoceros (*Dicerorhinus sumatrensis*) was recently estimated to number fewer than 500 animals (IUCN, 1994). The species is likely to experience further decline because of serious deforestation and persistent hunting pressure throughout most of its range.

In Africa, the population of the black rhinoceros (*Diceros bicornis*) has declined faster than that of any other large terrestrial mammal in recent history (Milliken *et al.*, 1993). From an estimated 65,000 black rhinoceroses in 1970, only about 2,500 exist today, most being found in South Africa, Namibia, Kenya and Zimbabwe (ARSG, in press). Only the white rhinoceros (*Ceratotherium simum*) population of southern Africa seems secure for the moment, having increased steadily over the last 15 years to more than 6,700 animals today (ARSG, in press). The survival of the northern subspecies (*C. s. cottoni*) in the wild, however, rests on a single population of about 30 animals in north-eastern Zaire (ARSG, in press).

Rhinoceros Conservation and CITES

Decisions of the Conference of the Parties

International commercial trade in rhinoceros parts, derivatives and products has been prohibited since 1977 when all five species of rhinoceros were listed in Appendix I. Since then, the Parties have continued to address rhinoceros conservation issues on a number of occasions. At its third meeting (New Delhi, 1981), the Conference of the Parties adopted Resolution Conf. 3.11 (Trade in Rhinoceros Horn) recommending that the Secretariat request non-party States that reportedly had imported or exported rhinoceros horn over the previous five years to cease any further commercial international trade in rhinoceros products (Anon., 1981). The Resolution further recommends that all governments place a moratorium on the sale of government or parastatal stocks of rhinoceros products (Anon., 1981).

At its sixth meeting (Ottawa, 1987), the Conference adopted another, more far-reaching, Resolution in response to a report submitted by the IUCN/SSC African Elephant and Rhino Specialist Group. Resolution Conf. 6.10 (Trade in Rhinoceros Products) urged all Parties to take immediate steps to effect:

a complete prohibition on all sales and trade, internal and international, of rhinoceros parts and derivatives, especially horn, whether whole or in any other form, including personal effects, but excluding (solely) non-commercial movement of legitimate hunting trophies where appropriate full CITES documents are issued to that effect (Anon., 1987);

and urged them to destroy:

all government and parastatal stocks of rhinoceros horn with supporting contributory funds from external aid sources to be used for rhino conservation in the State concerned (Anon., 1987).

By addressing internal trade and domestic stockpile issues, Resolution Conf. 6.10 extended the interest of the Conference of the Parties beyond international trade.

In 1989, trade in rhinoceros horn was removed from the agenda of the seventh meeting of the Conference of the Parties (Lausanne, 1989) and rhinoceros conservation issues were not discussed at all. At the eighth meeting (Kyoto, 1992), Zimbabwe submitted proposals to transfer its populations of white rhinoceros and black rhinoceros to Appendix II and South Africa proposed the same for its white rhinoceros population. Both countries argued that controlled legal exports of rhinoceros horn would help offset the substantial recurrent expenditure range States face in protecting rhinoceroses *in situ*. Zimbabwe withdrew its proposal on white rhinoceros. While the other two proposals were rejected by vote in Committee I, that was confirmed in the plenary session, the Conference directed the Standing Committee to work to try to reverse the decline of rhinoceros populations.

Decisions of the Standing Committee and the Animals Committee

Since then, rhinoceros conservation has been a regular issue on the agenda of the CITES Standing Committee. At its 28th meeting (Lausanne, 1992), the Committee resolved "to make trade-related aspects of rhinoceros a project of special interest for the Standing Committee leading up to COP9 (*sic*)" (Anon., 1992a). The meeting adopted document SC/28 Annex 2 (Trade in Rhinoceros Horn), in which it noted the:

existence of substantial illegal stockpiles of rhinoceros horn in some countries, including Parties to the Convention, as totally unacceptable to and incompatible with implementation of the Convention, and accordingly calls for direct action to acquire and destroy rhinoceros horn on the part of government agencies responsible for CITES matters. It notes that failure to take such action would be viewed as a serious infraction, likely to result in a call for trade bans or other appropriate actions (Anon., 1992a).

By calling for governments to acquire "illegal stockpiles" of rhinoceros horn for their immediate destruction, the Standing Committee moved beyond the scope of Resolution Conf. 6.10 to expand the reach of CITES further into the domestic arena (Martin *et al.*, 1993). While the Standing Committee repeated the call for the destruction of rhinoceros horn stocks in accordance with the provisions of Resolution Conf. 6.10, it did not, at the same time, explicitly draw the attention of donors to the need for compensation to range States for the financial loss.

At its eighth meeting (Harare, 1992), the CITES Animals Committee deliberated at length over the rhinoceros resolution adopted at the 28th meeting of the Standing Committee and established a working group to study the problem. In a letter to the Chairman of the Standing Committee, the Chairman of the Animals Committee conveyed the sense of urgency rhinoceros conservation commanded at that meeting: "innovative ideas are required to deal with what was unanimously agreed to be a crisis situation" (Anon., 1992b). The Animals Committee suggested a number of specific measures in key areas, including strategies for overcoming problems of *in situ* management of rhinoceroses, trade and law enforcement, and research (Anon., 1992b). The Animals Committee also noted "there was some confusion concerning the issue of stockpiles as addressed in Doc. SC.28.15" (Anon., 1992b).

At the 29th meeting of the Standing Committee (Washington, D.C., 1993), three countries, namely China, including the province of Taiwan, the Republic of Korea and Yemen were specifically targeted for special attention and a process was put in motion to measure their compliance with CITES Resolutions and Standing Committee decisions (Anon., 1993a). The Committee's formal statement noted that several governments and entities:

- a) continue to tolerate imports and/or engage in internal commercial trade in rhinoceros horn;
- b) have not, in accordance with Resolution Conf. 6.10 and Annex 2 of the Summary Report of the 28th meeting of the Standing Committee:
 - i) enacted, enforced, and implemented prohibitions on all sales of, and commercial trade, internal and international, in rhinoceros parts and derivatives;
 - ii) destroyed all government and parastatal stocks of rhinoceros horn; and
 - iii) taken firm action against middlemen involved in trafficking in horn (Anon., 1993a).

The ninth meeting of the CITES Animals Committee (Brussels, 1993) was held simultaneously with the 30th meeting of the Standing Committee. In dealing with rhinoceros conservation issues, the Animals Committee convened three working groups, to assess the management of rhinoceros horn stockpiles, the use and demand for rhinoceros horn in traditional medicine in Asia, and the protection of rhinoceroses in range States. Concerning the issue of stockpiles, the Animals Committee hesitated to call for their destruction but proposed that all legal stocks of rhinoceros horn be consolidated under government control (Anon., 1993d). The Animals Committee requested that the Standing Committee consult with range States to assess

under what conditions there would be greater willingness to comply with Resolution Conf. 6.10. [The results of these consultations may require further consideration of Resolution Conf. 6.10 by the Standing Committee or the Conference of the Parties (Anon., 1993d)]. The request of the Animals Committee has never been formally passed to the Secretariat or to the Standing Committee.

At its 30th meeting, the Standing Committee (Brussels, 1993) reviewed the matter again. The Committee's resolution on rhinoceros issues (Decisions of the Standing Committee on Trade in Rhinoceros Horn and Tiger Specimens) established the following minimum conditions for consumer countries to meet "for the adequate implementation of protection measures, before the end of November 1993":

- a) identification and marking of stocks of rhinoceros horn;
- b) consolidation of both rhinoceros horn and tiger bone stocks and their adequate control by the State;
- c) adoption and implementation of adequate legislative measures; and
- d) provision for adequate enforcement of the above measures (Anon., 1993b).

The conditions specified by the Standing Committee no longer explicitly called for the destruction of rhinoceros horn stockpiles as a requirement and shifted the earlier emphasis from "acquire" and "destroy" to one of "consolidation" and "adequate control".

In other developments, the Standing Committee temporarily suspended judgement on the Republic of Korea and on Yemen, but noted with concern that measures taken by China, including the province of Taiwan, were "not adequate to sufficiently control illegal trade in rhinoceros horn and tiger specimens" (Anon., 1993b). To provide advice on the implementation of the minimum conditions, the Standing Committee proposed to make available to China, including the province of Taiwan, and the Republic of Korea a technical-assistance delegation, and to send a high-level delegation to report on the implementation of the measures that had been called for. At the same time, the list of countries cited for involvement in various aspects of the illegal trade in rhinoceros horn was expanded to include Zambia, the United Kingdom (Hong Kong), Myanmar, Viet Nam, and the Lao People's Democratic Republic.

At its 31st meeting (Geneva, 1994), the Standing Committee reviewed the reports of the high-level delegation (Anon., 1994b) and the technical-assistance mission (Anon., 1994c) on the situation in China, including its province of Taiwan, the Republic of Korea and Hong Kong. The meeting's formal document (Decisions of the Standing Committee on Trade in Rhinoceros Horn and Tiger Specimens) acknowledged that some measure of progress had been made in China and the Republic of Korea, but felt "that further actions are still needed" to meet the minimum conditions noted above (Anon., 1994a). On the other hand, the Standing Committee expressed "concern that the actions agreed by the authorities in Taiwan, China towards meeting the minimum requirements have not yet been implemented" (Anon., 1994a), even though the description of efforts made by authorities in the province of Taiwan in the high-level delegation's report was, generally speaking, more positive (Anon., 1994b). All other countries previously cited were requested to report further progress to the ninth meeting of the Conference of the Parties, while Oman and the United Arab Emirates were added to the growing list of countries believed to be trading in rhinoceros products (Anon., 1994a).

Other Measures to Promote Rhinoceros Conservation

The United Nations Environment Programme (UNEP) has also made rhinoceros conservation a priority issue, appointing a Special Envoy to undertake fact-finding

missions in a number of range States and consumer countries in 1992 and 1993. On two occasions (Nairobi, 16–18 December 1992; Nairobi, 28 June – 1 July 1993), UNEP hosted conferences between rhinoceros range States, consumer States and donors on financing the conservation of the rhinoceros. With expectations that rhinoceros conservation efforts would receive a major infusion of donor funds, project proposals totalling over USD 55 million over several years were tabled at the meeting (Anon., 1993c). In fact, the total commitment by donors was less than USD 10 million, much of which was already earmarked for ongoing projects (Anon., 1993c). The meetings also issued a number of recommendations, including an endorsement of the establishment of a UNEP Elephant and Rhinoceros Conservation Facility, a call for the administrators of the Global Environment Facility (GEF) to give priority to funding projects that included the conservation of rhinoceros, and the need for the development of inter-State co-operation in law enforcement and for regional agreements to combat illegal trade in rhinoceros horn, for example the proposed draft Lusaka Agreement.

The United States of America has also applied pressure on a number of countries that are traditional consumers of rhinoceros horn. Using the Pelly Amendment to the Fisherman's Protective Act of 1967, non-governmental organizations (NGOs) based in the United States petitioned the Secretary of the Interior to impose trade sanctions against China, the province of Taiwan, the Republic of Korea and Yemen, for continuing trade in rhinoceros products. After an internal public-review process, the Government of the United States moved to certify only China, including Taiwan, but suspended the imposition of trade sanctions until March 1994, pending further review. Similar action was not taken against the Republic of Korea and Yemen. In April 1994, only the province of Taiwan was singled out for censure and the United States of America began procedures to institute an embargo on imports of all Taiwanese wildlife products (Anon., 1994d). (Formal sanctions against Taiwan, expected to go into effect in mid-June 1994, were delayed pending a formal review process to consider possible exemptions.)

The Situation in Range States

Since the eighth meeting of the Conference of the Parties, the situation for African and Asian rhinoceroses in many range States has continued to deteriorate as a result of illegal hunting for rhinoceros horn. According to data provided to the IUCN/SSC African Rhino Specialist Group, between 1991 and 1994 black rhinoceros numbers are believed to have declined in all range States except three: Kenya, Namibia and South Africa (ARSG, in press). In spite of expending more resources on rhinoceros protection than most other range States, the most serious documented recent decline has been in Zimbabwe's black rhinoceros population, which has been reduced from an estimated 1,400 animals in 1991 to around 300 in 1994 (ARSG, in press). In Asia, the status of the Sumatran rhinoceros in Indonesia worsened, while poaching pressure on one-horned rhinoceros populations in India, Nepal and Bhutan also remained acute during this time.

There is little doubt that protecting rhinoceroses requires very large sums of money. Some studies indicate that traditional protection methods in Africa, which rely on anti-poaching patrol units, must sustain a funding level of about USD 400/km² of rhinoceros habitat and provide 1 man/20 km² in order to be effective (Leader-Williams *et al.*, 1990; DNPWLM, 1992). More recent estimates from South Africa and Zimbabwe suggest that funding levels of USD 1,000/km² or more may be required where poaching pressure is high. There are also indications that in some parts of Asia, the cost of adequate protection could be many times greater, possibly as a result of the higher value Asian horn commands in certain medicinal markets. Developing

self-sustaining rhinoceros conservation programmes that are not donor-dependent is challenging, particularly at a time when most wildlife department budgets in range States are facing severe economic constraints because of periodic and sometimes significant currency devaluations and high rates of inflation.

Faced with unrelenting poaching pressure, often involving cross-border incursions, a number of range States have felt compelled to move beyond traditional methods of protection and to introduce innovative, but ever more costly, programmes to protect rhinoceroses *in situ*. Expending tens of thousands of dollars, Namibia and Zimbabwe have dehorned hundreds of rhinoceroses in the wild to enhance prospects for their short-term security. Kenya and Zimbabwe have moved forward with the development of rhinoceros sanctuaries, conservancies and intensive protection zones which strive "to focus available resources, maximize security and intensify the breeding potential of depleted populations" (Milliken *et al.*, 1993). The United Republic of Tanzania and Cameroon may follow suit, but the costs of translocating rhinoceros, fencing, and development of other infrastructure is very expensive. Kenya's sanctuary programme, for example, required some USD 5 million of donor funds over an eight-year period, half of which was spent on the development of two sanctuaries (Milliken *et al.*, 1993). In Asia, Nepal and India have also expended large sums of money on the translocation of the one-horned rhinoceros to new locations. As a result of the UNEP meetings, most range States have developed detailed management plans for rhinoceros conservation. But funding constraints continue to plague local efforts throughout Africa and Asia.

The Situation in Consuming Countries

Rhinoceros horn is primarily consumed in the Middle East, where it is fashioned into handles for traditional daggers known as 'jambiya', and in other parts of Asia, particularly the Far East, where it is used as an ingredient in traditional medicines. Both of these uses are part of long-standing cultural traditions that date back many centuries. Yemen is the principal producer of rhinoceros horn handles for jambiya, while China, including Taiwan, and the Republic of Korea are recognized as the world's leading consumers of rhinoceros horn medicines. Smaller traditional medicinal markets have also been documented in India, Nepal, Hong Kong, Macau, Japan, the Democratic People's Republic of Korea and many South East Asian countries, including Brunei Darussalam, Cambodia, Indonesia, the Lao People's Democratic Republic, Malaysia, Singapore, Thailand and Viet Nam (Martin, 1980; Martin, 1983; Milliken *et al.*, 1993).

More recent investigations indicate that the trade in rhinoceros products has become a global phenomenon. Oman was recently identified as a manufacturing centre for daggers with rhinoceros horn handles, while the United Arab Emirates is cited as an outlet for Yemeni-produced jambiyas with rhinoceros horn handles (TRAFFIC, 1994a). Other research suggests that Chinese-produced rhinoceros horn medicines have been exported to or are available in many non-traditional consuming countries, including American Samoa, Australia, Bulgaria, Canada, Gabon, Germany, Mauritius, the Philippines, Saudi Arabia, South Africa, the United Kingdom and the United States of America (Mulliken and Haywood, 1994). In fact, the United States of America, through the examination of about 3% of the shipping containers that arrive at its ports of entry, confiscated over 50,000 medicinal products containing rhinoceros derivatives between 1988 and 1991 (Mulliken and Haywood, 1994). In the meantime, market surveys have identified at least 32 medicines that purport to contain rhinoceros horn as an ingredient for sale in the United States of America (TRAFFIC, in press).

In response to growing international pressure to curb traditional uses of rhinoceros products, a number of countries have strengthened internal trade controls, particularly the countries singled out by the Standing Committee at its 29th meeting. In a Public Announcement issued by the Council of Agriculture, effective 19 November 1993, authorities in the province of Taiwan prohibited the import, export, exchange, plan to peddle or display, or the prescribing of any medicine containing rhinoceros horn. Similarly, the Government of the Republic of Korea issued new ministerial decrees under the Pharmaceutical Affairs Law in January 1993, prohibiting the sale or display of rhinoceros horn, or possession with intent to sell. In a State Council Notice of 29 May 1993, China also prohibited domestic sale, purchase, transport (including through the mail) and pharmaceutical use of rhinoceros horn. Finally, Yemen issued a Cabinet Decree, effective 2 December 1992, outlawing the manufacture of dagger handles from raw rhinoceros horn and their sales, and called for registration of rhinoceros horn stocks with the Ministry of Supply and Trade before 2 February 1993. The Yemeni authorities, however, did not move to prohibit the ownership of jambiyas with rhinoceros horn handles or the sale of antique jambiyas.

While these positive developments were acknowledged by the Standing Committee at its 31st meeting, further actions by China, including the province of Taiwan, and the Republic of Korea, to meet the minimum conditions established at the 30th meeting were called for (Anon., 1994a). On the other hand, assessments of the implementation of the minimum criteria in other, less-traditional, consuming countries or the "non-Asian" markets highlighted in more recent studies have yet to be required. Moreover, in the face of certain legal constraints, the limitations of improved legislation are being recognized even with respect to the minimum conditions promoted by the Standing Committee. Of those States most under pressure, only China has been able to consolidate parastatal stocks of rhinoceros horn in eight separate locations, while in the province of Taiwan and the Republic of Korea (and presumably many other countries) to confiscate lawfully obtained private property and consolidate it at a government-controlled location would not be legally possible (Anon., 1994b). Likewise, authorities in Yemen are unable to confiscate or consolidate rhinoceros horn that was registered as the legal property of jambiya makers.

Legal considerations aside, policing the trade in rhinoceros horn presents a number of challenges to law-enforcement authorities, particularly in end-use markets. To detect rhinoceros horn in medicinal products or as raw powder requires detailed forensic examination. Unfortunately, laboratory techniques are currently not available in most consuming States and, in any case, are not possible to perform during routine inspections. Consequently, it is relatively easy for dealers to avoid problems by re-labelling stock or storing it away from their business premises. In the Republic of Korea, for example, authorities made over 11,300 inspections of traditional medicine outlets between January and April 1993, but found rhinoceros horn on only one occasion (Mills, 1993). Shortly thereafter, a TRAFFIC survey of 130 medicine shops and clinics in five cities in the Republic of Korea, including the capital Seoul, found that 56 (43%) claimed to be selling rhinoceros horn medicines (Mills, 1993). Investigations in China, including Taiwan, have yielded similar results (Loh and Loh, 1994; TRAFFIC, 1994b). Even Hong Kong, whose legislation, amended in December 1989, became the first in Asia to prohibit all avenues of trade in rhinoceros horn (Milliken, 1991), was found to have a significant illegal domestic trade in rhinoceros products in mid-1993 (EIA, 1993).

The combination of stricter legislation with crackdowns by law enforcement officers in the market place has not, at least in the short-term, always produced desirable effects.

For example, in the Republic of Korea, the only country known to publish a bi-weekly generic pricing index for traditional medicinal material, the retail price of raw rhinoceros horn doubled in value to a record high within two weeks of the news that the Republic of Korea was a target of the United States Pelly Amendment initiative (Mills, 1993). If demand for rhinoceros horn is hardly affected by price (i.e. highly price inelastic), as one recent report suggests (t Sas-Rolfes, 1993), then the quantity of horn consumed will not be affected significantly by rising prices. That is to say, rhinoceros horn usage will not be affected by large increases in price. This being the case, the principal beneficiaries of rising prices are black-market traders who stand to increase their profit margins considerably, which is likely to fuel incentives for the illegal trade to continue if not actually expand through speculative acquisition.

Fears have been expressed that the trade in rhinoceros horn in some Asian markets has responded to top-down political and legal initiatives by moving further underground, particularly where there seems to be popular support for its continuation (EIA, 1993; Milliken *et al.*, 1993; Mills, 1993; Loh and Loh, 1994; TRAFFIC, 1994a). In some countries, consumers rarely, if ever, specifically ask for rhinoceros horn medicines themselves (Nowell *et al.*, 1992; Mills, 1993). In such cases, the decision whether or not to use medicines that contain rhinoceros horn is made by traditional medicine practitioners, but until recently very little attention has been focused on understanding the motivation of this very important community. The results of two sociological surveys on the attitudes of traditional medicine doctors in the province of Taiwan and in the Republic of Korea suggest that between one-quarter and one-third of all practitioners regard rhinoceros horn as essential medicine for which there is no substitute and that they will continue to use it regardless of any legal ramifications (Mills, 1993; Nowell and Pei, *in press*).

General public awareness efforts that strive to undo long-standing cultural traditions face enormous obstacles. Unlike drug abuse or other social ills that are viewed negatively by society, the use of animals and plants, even endangered species, in traditional medicine is favourably upheld by a wide segment of the general public as a legitimate part of time-honoured cultural traditions. Discouraging the use of medicinal products, some of which are believed to be effective in life-threatening situations, is very different from persuading affluent consumers to avoid the purchase of certain luxury products, such as spotted-cat furs or elephant ivory jewellery. Only in the Middle East jambiya markets is rhinoceros horn used as a luxury item.

Discussion and Conclusions

Since the eighth meeting of the Conference of the Parties, a wide range of actions have been undertaken by CITES, UNEP, the United States of America, range States, consumer countries and NGOs to enhance the conservation of rhinoceros. As mentioned above, there have been a number of positive developments, including the enactment of stricter legislation, the development of better law enforcement, the promotion of greater public awareness, and an unprecedented measure of international co-operation. The donor community has provided some degree of additional funding to assist range States in the protection and conservation of rhinoceros species. There is little doubt that through these collective actions, rhinoceros conservation has received more attention at higher political levels than ever before.

By the same token, it must be acknowledged that, during the same period, overall rhinoceros numbers in Africa and Asia have continued to decline significantly. The efficacy of new legal measures and large-scale enforcement initiatives to curb domestic uses of rhinoceros products is difficult to measure, but in some instances appears to have been

ineffective, at least in the short-term, affording the industry an opportunity to move the traffic further underground. As a consequence, the ability to monitor the trade effectively has been seriously impaired, while new monitoring strategies remain to be developed and tested. In key Asian markets, meaningful dialogue with the traditional medicinal community has been disrupted and possibly lost altogether. At the same time, emerging sociological data indicate that a significant number of doctors may defy legal prohibitions and continue using rhinoceros horn in accordance with long-standing cultural traditions. Finally, most initiatives have been focused on the major consuming markets, while the usage of rhinoceros products elsewhere has not been examined in the same kind of detail. With overall numbers very low for most rhinoceros species, there is a legitimate fear that the existence of residual trade beyond the reach of law enforcement in any of the consuming countries will lead to a further decline in the status of the world's rhinoceroses.

Clearly, if the impact and consequences of policy initiatives called for under CITES are to be accurately monitored and understood, there is an urgent need to develop meaningful indicators of the developments in local markets for rhinoceros products and of the status of the species in the wild. Currently, a serious vacuum exists in which there is little accountability for policy decisions. As a result it is possible for counterproductive measures that actually increase the pressure on rhinoceros *in situ* to be allowed to continue unchecked.

At the same time, most Parties to the Convention have demonstrated a marked reluctance to implement at least one CITES recommendation. The call in Resolution Conf. 6.10 to destroy governmental and parastatal stocks of rhinoceros horn, later amplified by the Standing Committee, has been deliberately not acted upon by most range States, including Botswana, India, Namibia, Nepal, South Africa, the United Republic of Tanzania and Zimbabwe, all of which are Parties known to hold stocks of rhinoceros horn. Many observers have questioned the efficacy of the destruction of stocks (Martin *et al.*, 1993) and it is noteworthy that the most

recent deliberations of the Standing Committee have moved away from advocating this measure.

Finding lasting solutions to rhinoceros conservation problems remains elusive. So far, Resolutions of the Conference of the Parties and CITES-committee initiatives have demonstrated a reluctance to move beyond conventional conservation strategies that strive to prevent trade and to curtail existing markets for rhinoceros horn. The intensified pressure against certain Asian countries stems from a widely held perception that previous efforts to stop the illegal trade in rhinoceros horn have failed because not enough effort was put into enforcing them. The conviction that engaging governments at a high level to effect better legislation and stricter law enforcement in end-use markets will eventually stem the decline of the world's rhinoceroses is now being tested as never before. Whether these collective developments will serve to eliminate pressure on the remaining wild populations or to mobilize the required resources to protect these species *in situ* and halt any further decline remains to be seen.

On the other hand, while there is unity in the call for eradication of illegal trade in rhinoceros horn, important differences in opinions on the direction future rhinoceros conservation should take are found among the Parties to the Convention. In particular, some range States that harbour some of the world's largest extant rhinoceros populations have expressed the view that trade bans alone will not prevent the eventual extinction of the species through poaching. Hand-in-hand with this opinion is the belief that more-innovative management strategies need to be explored and implemented to test their validity. Recognizing that all policy initiatives carry associated risks and potentially may produce unintended consequences, the attached draft resolution attempts to encourage Parties to explore alternative approaches and, where appropriate, to develop indicators that may be used to evaluate success. It is strongly believed that current and future policy to enhance the conservation of rhinoceros species must be subject to periodic evaluation and, where appropriate, modified accordingly.

References

- African Rhino Specialist Group (in press). *Proceedings of the 2nd Meeting of the African Rhino Specialist Group*. IUCN/SSC ARSG, Pietermaritzburg, South Africa.
- Anonymous (1981). Resolution Conf. 3.11 Trade in rhinoceros horn. In: *Proceedings of the Third Meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora*. CITES Secretariat, Lausanne, Switzerland.
- Anonymous (1987). Resolution Conf. 6.10 Trade in rhinoceros products. In: *Proceedings of the Sixth Meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora*. CITES Secretariat, Lausanne, Switzerland.
- Anonymous (1992a). Doc. SC. 28.15 Trade in Rhinoceros Horn. CITES Secretariat, Lausanne, Switzerland.
- Anonymous (1992b). Minutes, eighth meeting of CITES Animals Committee.
- Anonymous (1993a). Decisions of the Standing Committee on Rhinoceroses and Tiger Specimens. *Notification to the Parties No. 738*. CITES Secretariat, Lausanne, Switzerland.
- Anonymous (1993b). Decisions of the Standing Committee on Rhinoceroses and Tiger Specimens. *Notification to the Parties No. 774*. CITES Secretariat, Geneva, Switzerland.
- Anonymous (1993c). Doc. SC.30.4 Report on rhinoceros conservation issues. CITES Secretariat, Brussels, Belgium.
- Anonymous (1993d). Minutes, ninth meeting of CITES Animals Committee.
- Anonymous (1994a). Decisions of the Standing Committee on Trade in Rhinoceros Horn and Tiger Specimens. CITES Secretariat, Geneva, Switzerland.
- Anonymous (1994b). CITES high level delegation to north east Asia report to CITES Standing Committee. Unpublished manuscript. CITES Secretariat, Geneva, Switzerland.
- Anonymous (1994c). The CITES technical assistance delegation report on visits to the People's Republic of China, Taiwan, and the Republic of Korea, 21 November – 5 December 1993. Unpublished manuscript. CITES Secretariat, Geneva, Switzerland.
- Anonymous (1994d). President announces trade sanctions against Taiwan for illegal trade in endangered species. Press release. The White House, Washington, D.C., United States.
- Department of National Parks and Wild Life Management (DNPWLM) (1992). *Zimbabwe Black Rhino Conservation Strategy*. Harare, Zimbabwe.
- Environmental Investigation Agency (EIA) (1993). Illegal rhino products available in two thirds of Hong Kong

- pharmacies. Press release. Environmental Investigation Agency, London, United Kingdom.
- IUCN (1994). Sumatran rhino closer to extinction. Press release. IUCN – The World Conservation Union, Gland, Switzerland.
- Khan, M. (1989). *Asian Rhinos, An Action Plan for their Conservation*. IUCN, Gland, Switzerland.
- Leader-Williams, N., Albon, S.D. and P.S.M. Berry (1990). Illegal exploitation of black rhinoceros and elephant populations: patterns of decline, law enforcement and patrol effort in Luangwa Valley, Zambia. *Journal of Applied Ecology*, 27:1055–1087.
- Loh, J. and K. Loh (1994). Rhino horn in Taipei, Taiwan. *TRAFFIC Bulletin*, 14: 55–58.
- Martin, E. B. (1980). *The International Trade in Rhinoceros Products*. IUCN/WWF, Gland, Switzerland.
- Martin, E. B. (1983). *Rhino Exploitation: The Trade in Rhinoceros Products in India, Indonesia, Malaysia, Burma, Japan and South Korea*. WWF Hong Kong, Hong Kong.
- Martin, E. B., T. Milliken, and K. Nowell (1993). Rhino Horn Stockpile Acquisition: Does It Help Conservation?, *SWARA*, 16 (3): 17–22.
- Milliken, T. (1991). The evolution of legal controls on rhinoceros products in Hong Kong: an Asian model worth considering. *Oryx*, 25 (4): 209–214.
- Milliken, T., K. Nowell and J. B. Thomsen (1993). *The Decline of the Black Rhino in Zimbabwe: Implications for Future Rhino Conservation*. TRAFFIC International, Cambridge, United Kingdom.
- Mills, J. A. (1993). *Market Under Cover: The Rhinoceros Horn Trade in South Korea*. TRAFFIC International, Cambridge, United Kingdom.
- Mulliken, T. and M. Haywood (1994). A report to the CITES Secretariat on recent data concerning trade in rhino and tiger products for the years 1988–1992. TRAFFIC International, Cambridge, United Kingdom.
- Nowell, K., Chyi, W.L., and Pei, C. J. (1992). *The Horns of a Dilemma: The Market for Rhino Horn in Taiwan*. TRAFFIC International, Cambridge, United Kingdom.
- Nowell, K. and C.-J. Pei (in press). Horns of a dilemma II: another look at the market for rhino horn in Taiwan. *TRAFFIC Bulletin*.
- 't Sas-Rolfes, M. J. (1993). The economics of rhino conservation, an economic analysis of policy options for the management of wild rhino populations in Africa. M.Sc. dissertation. University College London, United Kingdom.
- TRAFFIC (1994a). A report to the CITES Secretariat on a field investigation of the continued use of rhinoceros horn in the manufacture of traditional dagger handles in the United Arab Emirates, the Sultanate of Oman, and the Republic of Yemen. TRAFFIC International/India, Cambridge, United Kingdom.
- TRAFFIC (1994b). A report to the CITES Secretariat on a survey of retail availability of rhinoceros horn and tiger bone in the People's Republic of China. TRAFFIC International, Cambridge, United Kingdom.
- TRAFFIC (in press). *Prescription for Extinction*. TRAFFIC USA, Washington, D.C., United States.

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DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Conservation of Rhinoceros in Asia and Africa

DEEPLY CONCERNED that many 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 rhinoceros in Appendix I of the Convention in 1977 and adopted Resolution Conf. 3.11 on the Trade in Rhinoceros Horn (New Delhi, 1981) and Resolution Conf. 6.10 on the Trade in Rhinoceros Products (Ottawa, 1987);

RECALLING further that at its eighth meeting (Kyoto, 1992), the Conference of the Parties directed the Standing Committee to address rhinoceros conservation problems;

NOTING the detailed consideration given to rhinoceros conservation at the 28th (Lausanne, 1992), 29th (Washington, D. C., 1993), 30th (Brussels, 1993) and 31st (Geneva, 1994) meetings of the Standing Committee, and the recent actions of the Committee;

NOTING also the recommendations of the Animals Committee (Harare, 1992; Brussels, 1993);

RECALLING the resolutions and recommendations of the United Nations Environment Programme Conference between the Rhinoceros Range States, Consumer States and Donors on Financing the Conservation of the Rhinoceros (Nairobi, 1993);

COMMENDING the efforts made by range States to protect their rhinoceros populations against illegal hunting, often under very difficult circumstances;

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

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

RECOGNIZING that the illegal trade in rhinoceros horn is now known to be a global law enforcement problem, extending beyond range States and traditional consuming countries;

AWARE that, given the social, economic and cultural realities in many producer and consumer States, emphasis solely on law enforcement has failed to remove the threat to rhinoceroses;

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

CONCERNED that the destruction of stocks of rhinoceros horn could in all probability increase the risks to remaining rhino populations;

RECOGNIZING that recent international measures have had a number of unintended consequences, including driving the trade further underground, and have coincided with a rise in price in some consumer countries;

RECOGNIZING further that there is a diversity of opinion as to the most effective approaches to the conservation of rhinoceroses in Asia and Africa;

CONCERNED that the direct threats to rhinoceros populations are not being reduced, and that the cost of ensuring adequate security for them is increasing and can not easily be met by many range States under the present conditions;

THE CONFERENCE OF THE PARTIES TO THE
CONVENTION

URGES

- a) those Parties that have legal stocks of rhinoceros horn to identify, mark, register and secure all such stocks;
- b) all Parties to implement adequate legislative measures aimed at reducing illegal trade in rhinoceros products;
- c) range States to be vigilant in their law enforcement efforts and to place increased emphasis on the prevention of illegal hunting and on early detection of potential offenders; and
- d) that law enforcement co-operation between States be increased in order to curtail trafficking in rhinoceros horn;

DIRECTS the Standing Committee to continue to pursue actions aimed at reducing illegal trade, provided that:

- a) all such activities are accompanied by evaluations of their effectiveness;
- b) standardized indicators of success are developed to measure changes in levels of illegal hunting and of the status of rhinoceros populations in the range States; and
- c) the policies guiding interventions are responsive to the outcome of evaluations and are modified accordingly;

RECOMMENDS that all range States develop recovery plans for their rhinoceros populations, which, *inter alia*:

- a) are appropriate for the situation in their countries;
- b) will not adversely affect rhinoceros conservation in other range States;
- c) include provisions for the reinvestment of revenues derived from use of rhinoceros that is consistent with the Convention, in order to offset the high costs of their conservation; and
- d) aim towards a long-term goal of sustaining, on a basis of self-sufficiency, their rhinoceros conservation efforts;

URGES

- a) potential donors to assist with the funding efforts of the range States to implement rhinoceros recovery plans; and
- b) the Global Environment Facility to fund the protection of rhinoceros populations within the context of broadly based projects for the conservation of biological diversity;

DIRECTS the Secretariat to facilitate the implementation of this Resolution and report on progress to the tenth meeting of the Conference of the Parties;

CALLS for constructive engagement amongst all Parties to the Convention 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.