

**Questionnaire on the implementation of Resolution Conf. 9.14 (Rev. CoP17) and  
measures to prevent and combat rhinoceroses poaching and trafficking in rhinoceros horn**

Please provide as much information as possible in answer to the questions below. Where specified within the questions, please report on any actions taken since the 17th meeting of the Conference of the Parties (CoP17, Johannesburg, 2016). In all other questions, information requested is not time bound.

Country	The Netherlands
Function of agency completing this questionnaire	CITES MA
Contact details of agency/agencies completing this questionnaire	Ministry of Agriculture, Nature and Food Quality Bezuidenhoutseweg 73, 2594 AC the Hague, the Netherlands
Contact person (name, email, job title, function)	Marijke Langeveld, national coordinator CITES

Question 1.	INVESTIGATIONS, (Please do NOT provide any nominal or other sensitive information that might jeopardise or impede ongoing or future investigations or prosecutions)
1.1.	<p>Has your country developed and implemented any law enforcement strategies to combat, as applicable, rhinoceros poaching and illegal trade in rhinoceros horn?</p> <p><b>Yes</b></p> <p>If 'yes', please provide details of such law enforcement strategies and associated activities conducted.</p> <p><b><i>Under Dutch law it has been forbidden to trade in rhino horns since many years, this article is strictly enforced. The Netherlands have implemented law enforcement strategies to combat wildlife crime. Law enforcement authorities, inspection, customs and public prosecutors office work together on an integrated approach to combat wildlife crime (including illegal trade). ,</i></b></p>

1.2.	<p>Has your country adopted legislation or drawn upon existing legislation to facilitate the use of specialized investigation techniques such as controlled deliveries and covert investigations, where appropriate, in support of conventional investigation techniques, in particular for offences related to the illegal killing of rhinoceroses and the trafficking of rhinoceros horns?</p> <p><b>Yes</b></p> <p>If 'yes', please provide details below of:</p> <ul style="list-style-type: none"> <li>i. titles:</li> <li>ii. date of enactment ;</li> <li>iii. provisions of such legislation;</li> <li>iv. examples where such legislation has been utilised.</li> </ul> <p><b><i>The law on prosecution (wetboek van strafvordering) allows in set circumstances for the use of techniques such as pseudo buying, controlled deliveries and systematic observation.</i></b></p>

1.3	<p>Has your country used any other legislative tools and regulations, such as anti-money laundering and asset forfeiture legislation, in support of wildlife legislation, to address rhinoceros poaching and illegal trade in rhinoceros horn and other parts or derivatives, as applicable to your country?</p> <p><b>Yes /</b></p> <p>If 'yes', please provide details below of the titles, date of enactment and provisions of such legislation, as well as examples where such legislation has been utilised.</p> <p><b><i>Forfeiture of money gained via illegal practices and anti-money laundering legislation. This legislation is regularly used in wildlife crime related cases to seize assets and animals</i></b></p>
1.4	<p>Has your country shared information and cooperated with other source, transit or destination countries, or international law enforcement organizations, and was any mechanisms such as those provided for in the United Nations Convention against Transnational Organized Crime (UNTOC) and the United Nations Convention Against Corruption (UNCAC) mobilized to address individuals or groups suspected of involvement in rhinoceros poaching or the illegal trade in rhinoceros parts and derivatives, including conducting cross-border investigations?</p> <p><b><i>Yes in every case of illegal trade contact has been made with the CITES MA of the country of origin and the country of destination. Information in significant seizures have been shared with Interpol. Cooperation has led to prosecution in the country of origin in a smuggle case of 6 horns of rhinoceros in a transit flight.</i></b></p> <p>If 'no', please outline below any barriers or obstacles your country may have encountered in encouraging further information sharing and cooperation with other countries, and as any support that might be needed to overcome them.</p>
Question 2.	LEGISLATION

2.1	<p>Has your country enacted and implemented comprehensive legislation and enforcement controls, including internal trade restrictions and penalties aimed at reducing illegal trade in rhinoceros parts and derivatives, and including any specimen that appears from an accompanying document, the packaging, a mark or label, or any from any other circumstances, to be a rhinoceros part or derivative?</p> <p><b>Yes</b></p> <p><b><i>See question 1.1</i></b></p> <p>If 'yes', please elaborate below on enforcement controls implemented and the titles, date of enactment and provisions of such legislation, penalties (can fines, custodial sentences, and asset forfeiture, as appropriate, be imposed, as well as any exemptions that might apply). If such legislation is publicly available, please provide a copy of such legislation as an attachment or indicate how it can be accessed by providing a web link or reference.</p> <p><b><i>Penalty is six years imprisonment, community service or a fine of 82.500 euros</i></b></p> <p>If 'no', please explain what measures have been implemented, and any support that might be needed to put in place such comprehensive legislation and enforcement controls.</p>
2.2	<p>Has your country enacted legislation that prohibits possession of rhinoceros parts and derivatives acquired in violation of the Convention?</p> <p><b><i>Yes , see question 1.1, all possession of rhino horn or rhino parts are forbidden. Only with special permits are museums and scientific authorities allowed to possess rhino horn.</i></b></p> <p>If 'yes', please provide details below of the titles, date of enactment and provisions of such legislation, including penalties (fines, custodial sentences, and asset forfeiture) that can be imposed, as well as any exemptions that might apply. If such legislation is publicly available, please provide a copy of such legislation as an attachment or indicate how it can be accessed by providing a web link or reference.</p>

	If 'no', please explain below how possession and utilization of rhinoceros parts and derivatives is regulated in your country.
Question 3.	PROSECUTIONS
3.1.	<p>Please provide details of prosecutions that have been initiated in your country <b><u>since October 2016</u></b> related to the illegal killing of rhinoceroses or illegal possession of and trade in rhinoceros horns, including dates, quantities and types of specimens involved, outcomes (successful or not), penalties imposed, prosecution rates, etc.</p> <p><b><i>In April a Dutch judge has sentenced a Chinese citizen to 12 months in prison for smuggling rhinoceros horns and forged visas. He had five horns and four art objects in his luggage with a value of around half a million euros.</i></b></p> <p><b><i>In December 2017 he made a stopover at Schiphol on a journey from South-Africa to Shanghai. At Schiphol Airport the Customs discovered the contraband when scanning his luggage.</i></b></p> <p><b><i>Inspectors of the Nature team of the Dutch Food and Consumer Product Safety Authority (NVWA) held the Chinese. The time he was in custody is deducted from his prison sentence.</i></b></p>
3.2	If any measures have been implemented in your country that contributed to an increase in the number of successful prosecutions concerning the illegal killing of rhinoceroses or illegal possession of and trade in rhinoceros horns, please share information about these measures.
3.3	Please outline below any barriers or obstacles there may be in securing successful prosecutions or deterrent penalties in your country concerning the illegal killing of rhinoceroses or illegal possession of and trade in rhinoceros horns, and any support that might be needed to overcome them.

Question 4.	DNA FORENSICS
4.1.	<p>Does your country routinely collect samples from rhinoceros parts and derivatives seized for forensic analysis?</p> <p><b>No</b></p> <p>Please provide information on any samples collected <b>since October 2016</b>. Kindly also provide information on the methodology by which sample collection takes place, the chain of custody of samples, whether the samples have been submitted for analysis and the feedback from analysis.</p> <p>Please outline below any barriers or obstacles there may be in developing and adopting policies that allows for routine collection of samples from rhinoceros parts and derivatives for forensic analysis, as well as any support that might be needed to overcome them.</p>
4.2.	<p>Has your country to date in any way used the <b>Form for collection and sharing of data on rhinoceros horn seizures and on samples for forensic analysis</b> provided in the Annex to Resolution Conf. 9.14 (Rev. CoP17) <b>Conservation of and trade in African and Asian rhinoceroses</b>, to collect and share information about seizures of rhinoceros specimens?</p> <p><b>No</b></p> <p>If 'yes', please indicate whether you have communicated with the country of origin?</p> <p>If 'no', please outline below any barriers or obstacles encountered in using the Form, and any support that might be needed to overcome them.</p>
Question 5.	RHINO HORN STOCK MANAGEMENT
5.1.	<p>Does your country have legislation, regulations or administrative measures in place to ensure that stocks of rhinoceros horn are identified, marked, registered and secured, pursuant to Resolution Conf. 9.14 (Rev. CoP17) on <b>Conservation of and trade in African</b></p>

	<p><b><i>and Asian rhinoceroses?</i></b></p> <p><b><i>No stocks are present</i></b></p> <p>If 'yes', please provide details below of the provisions of the measures.</p> <p>If 'no', please outline below any barriers or obstacles encountered in providing these measures, and any support that might be needed to overcome them.</p>
5.2.	<p>Has your country declared these stocks to the Secretariat in accordance with the provisions of Resolution Conf. 9.14 (Rev. CoP17), paragraph 2. a)?</p> <p><b><i>See 5.1</i></b></p> <p>If 'no', please outline below any barriers or obstacles encountered in providing these measures, and any support that might be needed to overcome them.</p>
5.3	<p>Has your country implemented national level measures for the management of imported rhinoceros trophies, including addressing the issue of alteration and transfer of such trophies, to ensure the rhinoceros horns acquired as legal hunting trophies remain in lawful possession pursuant to Resolution Conf. 9.14 (Rev. CoP17) on <b><i>Conservation of and trade in African and Asian rhinoceroses?</i></b></p> <p><b><i>No imports of trophy horns are allowed</i></b></p> <p>If 'yes', please provide details below of the provisions of the measures and describe successes and/or challenges of their implementation.</p> <p>If 'no', please outline any barriers or obstacles encountered in providing these measures, and any support that might be needed to overcome them.</p>