

# CRS Report for Congress

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## Rhinos: Federal Protection

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### **SUMMARY**

Less than 10,000 of the five living species of rhinoceroses exist in the world today. This represents only 10 percent of the 1970 population. While habitat loss is a contributing factor to this decline in population, poaching is the primary cause. Trade in rhino products is prohibited under the Convention on International Trade in Endangered Species (CITES); however, China, Taiwan, South Korea, and Yemen still engage in trade activities. (China and South Korea are signatories of CITES.) In September 1993, Secretary of the Interior Bruce Babbitt certified both China and Taiwan for their continuing actions impeding the effectiveness of international programs to assist endangered species. As a result, in April 1994, the President announced his decision to impose trade sanctions upon Taiwanese wildlife products. A complete list of restricted products is due out in mid-June 1994.

### **BACKGROUND**

Of the five living species of rhinos, two species (black and white rhinos) exist in Africa, one species (Great Indian or one-horned rhino) in India, and two others (Javan and Sumatran rhinos) in Southeast Asia. Each species has its own distinct habitat requirements and the conservation status of each varies markedly (see table).

**Habitat:** Rhinos have inhabited a variety of habitats from desert to rainforest in Africa and Asia.

**Population Trends:** An estimated one million rhinos existed at the turn of the century. Recent estimates place the world's total rhino population at approximately 10,000.

**Principal Affected Federal Agencies:** U.S. Customs Service (Department of Treasury); Fish and Wildlife Service (FWS: Department of the Interior); and possibly international activities of other U.S. agencies.

**Major Threats:** Poaching poses the greatest threat to rhinos. Rhino horn is used in China, South Korea, and Taiwan as a fever-reducing agent, in India as an aphrodisiac, and in Yemen for ceremonial dagger handles. Rhinos are also taken for hides, hooves, and other body parts. Rhino hide and urine are used for medicinal purposes.

**Controversies:** Current controversy centers around continuing involvement of some Asian countries in the rhino horn trade. FWS reviewed evidence to decide whether to recommend that the Secretary of the Interior make a certification to the President, under authority of the Pelly Amendment to the Fishermen's Protective Act (Act of August 27, 1954 as amended in 1971 by P.L. 92-219). This certification results when a foreign country engages in trade that reduces the effectiveness of an international program designed to protect endangered species. Certification leads to a U.S. embargo on trade in certain animal products from that country. The U.S. is one of the largest consumers of goods exported from China and Taiwan; and South Korea exported more than \$18 billion worth of goods to the United States in 1992. In the past, certification has always been enough to bring dissenting countries into line with international conservation efforts; an actual embargo has never been

necessary.

While the threat of unilateral sanctions has been influential in encouraging species conservation in past years, use of the Pelly Amendment by the United States may conflict with obligations under the General Agreement on Tariffs and Trade (GATT), to which the United States is a signatory. Not only does a ruling on a dispute between the United States and Mexico under GATT call the Pelly Amendment into question, but the language of the Amendment itself limits its use to import restrictions acceptable under GATT. (See CRS Report 91-285, *Environmental Regulation and the GATT* and CRS Report 91-666, *Tuna and the GATT*.)

In September 1993, the CITES Standing Committee met to review the policies of China, Taiwan, South Korea, and Yemen relating to trade in rhino horn and their protection of endangered species in general. These nations are the main consumers of rhino horn. While the committee noted that progress had been made by authorities in consumer countries to improve domestic control and to educate communities as to the risk to rhino populations, concern was expressed regarding the progress made by China and Taiwan. This meeting occurred before recent civil strife in Yemen, and effect of the turmoil on conservation programs is not yet known.

On September 7, 1993, Secretary of the Interior Bruce Babbitt certified China and Taiwan. On November 5, 1993, the President reported to Congress concerning this certification, made recommendations to China and Taiwan, and announced that unless progress was made by March 1994, trade sanctions would be required. During the period November 1993 through March 1994, visits were made to these nations by CITES and by U.S. delegates to monitor progress.

In April 1994, the President announced his decision to impose trade sanctions on Taiwan, but not China. Some observers felt his decision to forego trade sanctions against China was based more on a hope of maintaining cooperation on both human rights and on U.S. efforts to persuade North Korea to open its nuclear facilities to international inspection than on Chinese wildlife protection. The President's decision to impose trade sanctions against Taiwan is unique, because trade sanctions have never been used to protect the environment. (Taiwan is not a signatory of GATT, which gives its government somewhat less protection against trade sanctions.) Under these sanctions, specific fish, wildlife, or products of fish or wildlife will be restricted. Products such as shoes and skins made from wildlife may be included. Plants, shellfish, or fish products imported for human or animal consumption will not. A complete list of products is to be announced in mid-June, 1994. This ban, once implemented, will remain in effect until Taiwan makes "sufficient progress" in curbing illegal trade in rhino (and tiger) parts.

Another controversial issue involves dehorning, a method of discouraging poaching used in several African countries. Wildlife managers track a suitable animal (preferably a calf about to leave its mother) and tranquilize it with a dart. After treatment with anesthetics, the horn(s) is (are) sawn off, rendering the animal less attractive to poachers. Zimbabwe has allowed safari hunters to join dehorning teams, arguing that it is an effective way to funnel tourist dollars directly into conservation.

Rhino horn obtained from dehorning is reportedly stockpiled by conservation officials, but recent research by the Humane Society suggests that some is sold locally and eventually enters the world market, where it can bring as much as \$60,000 per kilogram.(2) There is reportedly an increasing demand by sportsmen participating in the dehorning process to take the horns back to their home countries as trophies. Importing any part of an endangered species to the United States is illegal under the Endangered Species Act. One hunter from Louisiana, who is also a vice president of the Safari Club, has applied for a permit from the FWS to bring a horn from a black rhino dehorned in Zimbabwe. Conservation groups and wildlife managers argue that such "trophies" could fuel the demand for trade in rhino horn by providing an ostensibly legal source of horns.

**Rhinoceros Conference:** In an effort to formulate a strategy for rhinoceros conservation and to focus attention on the world's rapidly declining rhino populations, the United Nations Environmental Programme (UNEP) and the CITES Secretariat hosted a rhinoceros conference at the U.N. headquarters in Nairobi, Kenya, June 28 - July 1, 1993. A U.S. delegation including FWS officials attended the event. Representatives from countries with rhino populations (range states) came prepared with conservation project proposals, for which they sought funding from donor nations. The conference stimulated approximately \$7 million in grants for rhino conservation projects.

During the conference, the U.N. Governing Council recommended that an Elephant/Rhino Coordinator be designated to match up assistance donors with range states needing funding for conservation projects involving these animals. Although details are not yet certain, it is likely that such a position would be based in Nairobi and funded initially by UNEP.

**Upcoming Events:** The Conference of Parties of CITES will be held in the United States for the first time, in Fort Lauderdale, Florida, from November 6-18, 1994, to discuss both trade issues that affect endangered species.

those species that may be threatened by trade. This meeting of all signatory nations (currently 122) occurs every two years. One of the main topics of discussion will be the status of the rhinos. U.S. proposals for this conference are expected in mid-June 1994.

At the Nairobi conference, a call was made for international cooperation in stemming illegal trade in rhino horn. In response, a Draft Agreement (known also as the Lusaka Agreement), initiated by Zambia, was developed to establish a police force in Africa consisting of law enforcement officials from each of the member nations and having the authority to operate on an interstate basis. The U.N. Governing Council encouraged Asian nations to set up a similar force. UNEP agreed to coordinate final negotiating sessions on the Draft Agreement, which are expected to occur by December 1993.

| Common Name             | Scientific Name   | Historic Range   | Current Range   | Population Estimate                                     | Legal Status, Date Declared, FR Citation |
|-------------------------|---|--|---|---|--|
| Black rhinoceros        | <i>Diceros bicornis</i>                                 | Cameroon east to Somalia, down to southernmost tip of Africa   | Rwanda, Tanzania, Malawi, Ethiopia, Chad, Kenya                                     | <2000 <sup>+</sup>                                      | Endangered July 14, 1980 45 FR 47352     |
| Great Indian rhinoceros | <i>Rhinoceros unicornis</i>                             | India, Nepal   | Northern India (Kaziranga National Park), and Nepal (Royal Chitwan National Park)   | ~1900*  | Endangered Dec. 2, 1970 35 FR 18320      |
| Javan rhinoceros        | <i>Rhinoceros sondaicus</i>                             | Bangladesh to Vietnam south to Indonesia   | Vietnam, western tip of Java  | <80   | Endangered June 2, 1970 35 FR 8495       |
| White rhinoceros        | <i>Ceratotherium simum simum</i><br><i>C.s. cottoni</i> | South Africa (southern subspecies)<br>Zaire, Sudan, Uganda, Central African Republic (northern subspecies) | South Africa (southern subspecies)<br>Zaire's Garamba reserve (northern subspecies) | 5000<br><i>C.s. simum</i><br><30<br><i>C.s. cottoni</i> | Endangered June 2, 1970 35 FR 8495       |
| Sumatran rhinoceros     | <i>Dicerorhinus sumatrensis</i>                         | Bangladesh to Vietnam south to Indonesia (Borneo)  | Malaysia, Myanmar   | <500*   | Endangered June 2, 1970 35 FR 8495       |

**Source:** 57 FR 59122. The Fish and Wildlife Service obtained population estimates from the TRAFFIC Network, an international wildlife trade monitoring organization based in Cambridge, England. The agency suggests that these figures, especially for black rhinos, are highly optimistic.

(<= less than)

\* Data received from the Asian Rhino Special Group of IUCN, March 17, 1994

+ Data obtained from TRAFFIC USA, March 1994

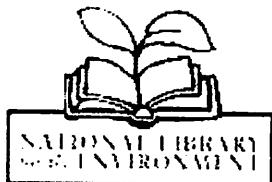
## Footnotes

1 Under the supervision of M. Lynne Corn, Cynthia Marcum, B.Sc. candidate at Bowling Green State University researched and contributed to a revision of this report.

2 This figure, obtained from a December 1922 United Nations Environment Programme (UNEP) press release is for horn from the three Asian species. According to UNEP, horn from the two African species is worth about \$10,000 per kilogram. In comparison, gold is sold for about \$12,000 per kilogram.



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