

**Questionnaire on the implementation of Resolution Conf. 9.14 (Rev. CoP17) and
measures to prevent and combat rhinoceros 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	Malta
Function of agency completing this questionnaire	CITES Management Authority
Contact details of agency/agencies completing this questionnaire	Environment and Resources Authority, Hexagon House, Spencer Hill, Marsa, Malta
Contact person (name, email, job title, function)	Jonathan Henwood Team Manager Environmental Permitting Unit Pauline Brincat Camilleri Senior Environment Officer Environmental Permitting Unit cites.permitting@era.org.mt

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.	Has your country developed and implemented any law enforcement strategies to combat, as applicable, rhinoceros poaching and illegal trade in rhinoceros horn? Yes/No

	<p>If 'yes', please provide details of such law enforcement strategies and associated activities conducted.</p> <p>If 'no', please indicate the reason why such strategies have not been considered, and if the development and implementation of such strategies is expected in future.</p> <p>No. Since 2004, the competent authority has never received a request for the import/export/re-export of Rhinoceros specimens or parts and derivatives thereof. Furthermore, the authority has never encountered an attempt to traffic such specimens illegally. In view of the above and on the market demands which do not include Rhino specimens, Malta does not feel the need to enact particular legislation, rather the normal procedures as outlined in the CITES Convention and the European Wildlife Trade Regulations are employed.</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>Yes / <u>No</u></p> <p>If 'yes', please provide details below of:</p> <ol style="list-style-type: none"> i. titles; ii. date of enactment ; iii. provisions of such legislation; iv. examples where such legislation has been utilised. <p>If 'no', please outline below any barriers or obstacles there may be in adopting such legislation, and any support that might be needed to overcome them.</p> <p>Malta is not a range state for rhinoceros and since we have never had any issues with the importation or transit of Rhino horns, parts and other derivatives, no particular legislation has been enacted. Malta follows the Convention and the European Wildlife Trade Regulations across the board.</p>

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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>Yes / <u>No</u></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>If 'no', please outline below any barriers or obstacles there may be in adopting or applying such legislation, and any support that might be needed to overcome them.</p> <p>Malta has never had any issues with the illegal import of Rhino specimens and since Malta is not a Range state for the species, poaching is impossible.</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>Yes / <u>No</u></p> <p>If 'yes', please provide outline below details of such operations and their outcomes.</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> <p>No cases available to share.</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>Yes/No</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>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> <p>Malta has no market demand for Rhino specimens and parts and derivatives thereof.</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>Yes / <u>No</u></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> <p>If 'no', please explain below how possession and utilization of rhinoceros parts and derivatives is regulated in your country.</p> <p>Malta has not enacted any particular legislation to control the possession of Rhinoceros specimens. Our legislation covers all the species as listed in the Convention's appendices and in the European Wildlife Trade Regulation Annexes.</p>
Question 3.	PROSECUTIONS
3.1.	<p>Please provide details of prosecutions that have been initiated in your country <i>since October 2016</i> 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>Not Applicable</p>

3.2	<p>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.</p> <p>Not Applicable</p>
3.3	<p>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.</p> <p>Not Applicable</p>
Question 4.	DNA FORENSICS
4.1.	<p>Does your country routinely collect samples from rhinoceros parts and derivatives seized for forensic analysis?</p> <p>Yes / No</p> <p>Please provide information on any samples collected <i>since October 2016</i>. 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> <p>Not Applicable</p>

4.2.	<p>Has your country to date in any way used the <i>Form for collection and sharing of data on rhinoceros horn seizures and on samples for forensic analysis</i> provided in the Annex to Resolution Conf. 9.14 (Rev. CoP17) <i>Conservation of and trade in African and Asian rhinoceroses</i>, to collect and share information about seizures of rhinoceros specimens?</p> <p>Yes / <u>No</u></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> <p>Not Applicable</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 <i>Conservation of and trade in African and Asian rhinoceroses</i>?</p> <p>Yes <u>No</u></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> <p>Malta has no stocks of Rhino horn hence there is no need to have such legislation.</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>Yes<u>No</u></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> <p>Not Applicable</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 <i>Conservation of and trade in African and Asian rhinoceroses?</i></p> <p>Not Applicable</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>