

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



Seventy-eighth meeting of the Standing Committee
Geneva (Switzerland), 3-8 February 2025

Compliance

Compliance matters

APPLICATION OF ARTICLE XIII IN VIET NAM

1. This document has been prepared by the Secretariat.
2. At its 74th meeting (SC74; Lyon, March 2022), the Standing Committee adopted a recommendation with regard to timber trade from or to Viet Nam, requesting the Secretariat to continue to keep close communication with Viet Nam and, upon invitation, to conduct a technical assessment and verification mission to investigate allegations related to possible illegal trade in timber and other species. A mission was conducted in Viet Nam from 4 to 6 October 2022 and the Secretariat reported to the Standing Committee in document [SC75 Doc. 7.1](#). At SC75, the Standing Committee requested the Secretariat to continue to keep close communication and strengthen its cooperation with Parties concerned and present its findings and recommendations to the 77th meeting of the Standing Committee (SC77; Geneva, November 2023).
3. At SC77, pursuant to Article XIII of the Convention, the Secretariat reported in further detail on the outcomes of the above-mentioned mission to Viet Nam in document [SC77 Doc. 33.1](#) and provided an update to the Standing Committee on the potential compliance matters identified regarding trade in timber and other species that have been illegally harvested or traded. The Standing Committee adopted the following recommendation concerning Viet Nam:
 - a) *renew the mandate of the Secretariat to continue to keep close communication and strengthen the cooperation with Viet Nam to understand how the CITES authorities ensure that timber and other species are imported and re-exported in full compliance with CITES. The Secretariat shall seek an invitation from Viet Nam to provide in-country assistance, conduct a second technical assessment and a verification mission to further investigate allegations related to Viet Nam's possible engagement in trade in timber and other species that have been illegally harvested or traded, including timber that has been traded contrary to CITES provisions. Subject to the availability of external funds and human resources to conduct that work, the Secretariat shall present its findings and recommendations to the forthcoming Standing Committee meetings.*
4. Pursuant to this recommendation, Viet Nam extended an invitation to the Secretariat, and the mission took place from 6 to 10 January 2025. A summary of the mission is included in the Annex to the present document.
5. During the mission, the Secretariat met with the Vietnamese CITES Management Authority (MA), Scientific Authority (SA) as well as agencies with responsibility for implementing and enforcing the Convention, such as the customs administration and environmental police (see the Annex to the present document for further details). Site visits were organized to the seaport in Hai Phong city, and the timber storage yard of Dai Loi Company Limited. Finally, a meeting was organized with various international and non-governmental organizations including: the Food and Agriculture Organization (FAO) of the United Nations, the United Nations Office on Drugs and Crime (UNODC), the World Wildlife Fund (WWF), TRAFFIC, Animals Asia Foundation, Education for Nature Viet Nam, Humane Society International, and the USAID Saving Threatened Wildlife project. The Secretariat also took the opportunity to clarify elements related to the captive-breeding of *Macaca fascicularis* and the artificial propagation of *Aquilaria crassna*, in the context of

the Review of trade in animal specimens reported as produced in captivity and Review of Significant Trade processes.

6. Viet Nam is currently considered under several CITES processes and documents, including:
 - the National Ivory Action Plan process (see document [SC78 Doc. 33.13.1](#) and [Annex 14](#))
 - illegal trade in specimens of rhinoceroses (*Rhinocerotidae* spp.) (see document [SC78 Doc. 45](#))
 - the conservation of and trade in tigers and other Appendix-I Asian big cat species (*Felidae* spp.) (see document [SC78 Doc. 43.1](#))
 - pangolins (*Manis* spp.) (see document [SC78 Doc. 67.1](#))
 - the Review of Significant Trade for *A. crassna* (see document [SC78 Doc. 34.5](#)), and
 - the Review of trade in specimens reported as produced in captivity for *Macaca fascicularis* (see document [SC78 Doc. 35.1](#) and [Annex 5](#)).
7. The Secretariat thanks Viet Nam for the excellent organization in hosting the Secretariat and is grateful for the technical and logistical support provided in planning and coordinating the mission and the different site visits. The mission was supported by the generous contribution of the European Union. The Secretariat appreciates the support provided in this regard.

General implementation of the Convention

CITES national authorities

8. Viet Nam acceded to the Convention on 20 January 1994 and the Convention entered into force on 20 April 1994. In accordance with Article IX, the Forest Protection Department of the Ministry of Agriculture and Rural Development (MARD) has been designated as CITES Management Authority. A number of scientific institutions have been designated as Scientific Authorities (4 for fauna and 10 for flora). Four entities exercise enforcement responsibilities with regard to CITES: the Forest Protection Department (MARD), the Environmental Police Department of the Ministry of Public Security, the Viet Nam General Department of Customs, and the Market Control Department of the Ministry of Industry and Trade.
9. Viet Nam reported that, in recent years, several workshops or initiatives have been organized to strengthen the capacities of agencies in charge of CITES implementation (e.g. trainings on procedures, sampling methods, species identification) and to raise awareness on the Convention, trade in wildlife, and biodiversity conservation.

Legislation

10. The national legislation of Viet Nam for the implementation of the Convention is placed in Category 1 of the National Legislation Project and reflects the provisions of the Convention for trade in specimens of species listed in Appendices I, II and III and the delivery of permits and certificates. The Convention is mainly implemented through:
 - The Law on Forestry
 - The Law on Fisheries
 - The Law on Biodiversity
 - The Penal Code
 - The Law on Investment
 - Decree No. 6/2019/ND-CP on the management of endangered, rare and precious species of forest fauna and flora and observation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and
 - Decree No. 11/2013/QĐ-TTg which strictly prohibits the export, import, purchase and sale of any specimens of elephants and rhinoceros.

In accordance with Article XIV of the Convention, the legislation includes stricter domestic measures. For instance, a permit must be obtained for the import of specimens of any CITES-listed species regardless of the Appendix. Viet Nam confirmed that the Convention has been fully transcribed in the national legislation and that no specimen of CITES-listed species can enter Viet Nam without respecting the conditions and

procedures set in the law and obtaining an import permit from the CITES MA. In accordance with Article III of the Convention, and in addition to the general prohibition on the trade of elephant and rhinoceros specimens, all commercial trade in specimens of Appendix I species is prohibited.

11. Viet Nam's national legislation is currently under revision to streamline certain administrative processes on the issuance of CITES documents and to implement additional stricter domestic measures. One of the major changes is the prohibition of the harvest of specimens of species – whether CITES-listed or not – from wild origin for commercial purposes. Trade in native species will only be allowed for scientific research, for wild specimens obtained due to natural disaster or land conversion, or for specimens produced in captivity or artificially propagated. This will mean that Viet Nam's exports will be almost entirely restricted to specimens produced in captivity or artificially propagated. Imports of wild specimens originating from other countries will still be allowed, under the normal CITES rules. It is expected that the revised legislation will be adopted and published in the course of 2025.

International trade

Management of imports

12. Any entity wishing to import CITES specimens into Viet Nam must apply for an import permit with the CITES MA. Since 2021 when the current procedures were adopted, the application process is carried out through Viet Nam's National Single-Window system. The applicant is required to submit different documents to the MA, including the CITES export permit for the specimen(s) concerned (except for Appendix-I specimens, where the import permit is normally issued first). Upon reception of the application, the MA verifies the information related to the applicant (to confirm that the applicant is allowed to import CITES-listed species), the information provided in the application (including, where relevant publication of non-detriment findings, export quotas, recommendations to suspend trade, etc.), and liaises with the MA of the country of origin to obtain confirmation of the validity of the export permit and the information provided. To ensure clarity, Viet Nam normally requests that any applicable export quotas are provided on the export permit. If the specimens are declared as pre-Convention, evidence showing the date of acquisition of the specimens is required. The Viet Nam MA may require the MA of the country of export to confirm the validity of the documents provided as evidence. In case of doubt, the MA may request additional information. Concerning import of specimens issued from captive breeding or artificial propagation, the MA verifies the use of source codes and the legality of the specimens with the country of export. Such verifications are conducted for all imports, regardless of the species and Appendix concerned. If the information provided by the country of export is deemed satisfactory, the application is submitted to the Head of the MA for issuance of the import permit. If unclarity remain, additional questions may be raised and, if necessary, the issuance of the permit may be denied.
13. Viet Nam presented the example of import of a shipment of *Guibourtia demeusi* from the Central African Republic in 2023. As the export permit did not include any export quota for this species, the Viet Nam MA inquired about the shipment and the MA of the Central African Republic confirmed that it had requested the Secretariat to publish the quota. The issuance of the import permit was therefore delayed until the said export quota was published on the CITES website. A similar example was provided on the case of an import of *Pericopsis elata* from the Democratic Republic of the Congo.
14. The MA confirmed that Viet Nam rarely imports specimens directly from countries that are not Party to the Convention. Rare exceptions concern recent imports of timber from South Sudan, but the MA indicated that this timber was pre-Convention, and that verifications had been made with South Sudan. However, Viet Nam mostly imports timber originating from South Sudan via Uganda.
15. Implementation of Viet Nam's national legislation creates certain difficulties: Under applicable administrative law, the CITES MA has only 20 days to issue or refuse to issue an import permit. This provides the MA with little time to engage with the MA of the countries of export and any delay in answers may negatively impact the process. As indicated above, if the information contained in the application for an import permit cannot be verified or if doubts remain, the MA may decide to refuse the issuance of the permit. In such case, the applicant may choose to resubmit an application with additional information. However, in practice, this exposes the MA to pressure from the economic operators and risks of litigation. Despite efforts from the Viet Nam MA, such a short delay may not always be sufficient to conduct proper due diligence on imports of specimens of CITES-listed species.
16. Viet Nam's MA raised additional difficulties concerning the management of imports, including during the transitional period when a listing of species in the Appendices or transfer of species from one Appendix to another takes effect after the specimens left the port of export but before reaching Viet Nam, or the effect

and scope of recommendations to suspend trade. The Secretariat notes that these issues are further discussed in documents [SC78 Doc. 79](#) and [SC78 Doc. 33.1](#).

17. Concerning customs procedures, Viet Nam implements a risk-based management approach. Imports of goods are classified under a “green”, “yellow”, or “red” channel. This is based on information gathered from international customs systems, the countries of origin, the companies concerned (classified from Categories 1 to 7), transport routes used, species concerned, value of shipment, etc. Under the “green” channel, the normal clearance procedure applies. Under the “yellow” channel, traders are required to provide additional documentation for verification before proceeding with customs clearance. The “red” channel triggers a physical verification of the shipment. CITES specimens are generally considered under the “yellow”, channel and traders are therefore required to provide additional information concerning the shipments such as invoice, bill of lading, manifests, and inventory in addition to the applicable CITES documentation (and sanitary or phytosanitary certificates). Certain shipments may be considered under the “red” channel, thus triggering a physical verification by customs or the CITES SA. It is only upon confirmation by the CITES SA that the specimens correspond to the CITES export permit that the customs clearance can proceed.
18. During the visit to the seaport of Hai Phong, Viet Nam explained that the system used by customs has been updated in order to comply with international standards. It was further explained that Viet Nam also practices random scanning of some containers transiting through the port. The port is equipped with fixed and mobile scanners. If necessary, scanning of specific containers can be requested before potential physical verification. If the scanning result raises suspicion or reveals a hidden merchandise, the container will be opened for verification.
19. Beyond issues related to the identification and deterrence of illegal trade (see below), customs representatives at the Hai Phong seaport and Hai Phong Customs Headquarters, like the MA (see above), highlighted particular challenges arising during transitional periods when a listing of species in the Appendices or transfer of species from one Appendix to another takes effect after the specimens left the port of export but before reaching Viet Nam. They expressed the need for clearer rules for handling such situations. The MA was also encouraged to share any information that could support the customs authorities in carrying out their duties.
20. With its legislation placed in Category 1 of the National Legislation Project, the adoption of stricter domestic measures and clear procedures for the management and customs clearance of imports, it appears that Viet Nam has put in place the necessary instruments to implement the Convention and ensure that trade in CITES-listed species is conducted in compliance with its provisions. The ongoing revision of the legislation should also reduce any risks of unsustainable or illegal export of native species. However, in the case of imports, the short timeframe for decision-making under national procedures on the issuance or non-issuance of an import permit raises the question as to whether the CITES MA can exercise proper due diligence for imports of specimens of CITES-listed species. Additional time would allow the MA to fully conduct any necessary verification without pressure. It should be noted that Viet Nam is currently working with the Secretariat on the development of an eCITES system, which could make the process more efficient.

Trade in timber

21. Two Government circulars cover the management and traceability of forest products in Viet Nam. Pursuant to these circulars, internal moves, transfers, sales, or processing of timber are recorded. All timber industries must be registered in a database managed by the Forest Protection Department and comply with the Viet Nam’s legal procedures. Companies are required to keep logbooks of the specimens they hold. The Forest Protection Department oversees the enforcement of these rules at central and provincial levels. The Viet Nam Timber Legality Assurance System ([VNTLAS](#)) records this information and verifies the legality of timber products according to specified requirements for all stages of the supply chain, from the forest or the point of import to the point of final sale or export. If necessary, the CITES MA may require provincial officers of the Forest Protection Department to carry out certain traceability verifications in the field. Exports of specimens of CITES-listed tree species from Viet Nam are governed by the Vietnamese national legislation for the implementation of the Convention, and particularly the Decree No. 6/2019/ND-CP on the management of endangered, rare and precious species of forest fauna and flora and observation of CITES.
22. Concerning imports, Viet Nam explained that CITES-listed tree species constitute around only 1% of the country’s total imports of timber. The vast majority of timber from CITES-listed species originates from Africa. The main genera imported by Viet Nam are: *Azelia* spp., *Aquilaria* spp., *Bulnesia* spp., *Dalbergia* spp., *Guibourtia* spp., *Gyrinops* spp., *Khaya* spp., *Pericopsis* spp., and *Pterocarpus* spp.

23. Imports of timber specimens of CITES-listed species follow the process described in the preceding section, with some specific considerations. During the clearance process, timber specimens are normally assigned to a “yellow” channel, but specimens originating from countries affected by conflicts or with a history of illegal trade are normally assigned to a “red” channel, triggering physical verification. As indicated above, if Customs Officers have any doubts about the identity of the species, they refer the matter to the CITES SA and will follow its advice. If the SA is able to identify species and specimens, the clearance process will continue, but if the SA does not confirm the species or identifies different specimens than those covered by the CITES export permit, the clearance is denied, and customs seizes the shipment. Customs authorities and the CITES MA noted that multiple transit and stops before timber shipments reach Viet Nam can complicate the risk-based management and due diligence verifications.
24. After issuance of the import permit and clearance of the import by customs, the Forest Protection Department controls the movement of timber from the port of entry to the storage yard or warehouse of the importing company. Controls and traceability of timber after acceptance of the import are governed under the two Government circulars mentioned above.
25. During its visit to the Dai Loi Co., Ltd., the Secretariat viewed stocks of logs imported from Cameroon that could be traced by the markings that the Secretariat had seen during its mission to Cameroon in September 2024 (see document SC78 Doc. 33.4). The company was able to present the documents related to these timber specimens and provided additional examples of import documents, including CITES export and import permits, for verification. The Secretariat found that the documentation presented appeared to be in order.
26. In 2018, the European Union (EU) and Viet Nam signed a Voluntary Partnership Agreement (VPA) on Forest Law Enforcement, Governance and Trade (FLEGT). The agreement aims at improving forest governance, address illegal logging and promote trade in verified legal timber products from Viet Nam to the EU, and other markets. The VPA-FLEGT is currently under its third phase of implementation, and the Viet Nam Timber Legality Assurance System is undergoing an external assessment. Similarly, in 2021, Viet Nam signed an Agreement with the United States of America on illegal logging and timber trade, which covers procedures for customs clearance and verifications for timber trade carried out between the two countries.
27. In 2022 and 2023, Viet Nam maintained its voluntary zero export quota for domestically harvested specimens of *Dalbergia cochinchinensis* and *Dalbergia oliveri*. The Secretariat did not receive requests to publish similar zero export quotas for 2024 and 2025. The adoption of the revised legislation and the prohibition of commercial exploitation of native species should reinforce the protection of these species. Once the revised legislation is adopted, the Secretariat encourages Viet Nam to request that a notification be published regarding this prohibition of export of any species from Viet Nam sourced in the wild.
28. Both the Viet Nam MA and customs authorities consider that the rules and procedures provide adequate control of imports of timber, including CITES-listed species. They however acknowledge that illegal trade persists (see below) and that timber identification remains a challenge for three main reasons: limited capacity of the CITES SA which is required to respond to multiple identification requests under tight deadlines, insufficient species identification skills, and the lack of laboratories for scientific analysis. To address these challenges, Viet Nam has taken various initiatives. With support from Germany, work is underway to develop a timber identification application, with 200 species samples collected so far and expected to launch in 2025. The SA noted that additional training in timber identification – designed for them as well as for law enforcement and customs – would be beneficial, including with the support of non-governmental organizations with a mandate on wildlife trade. The Secretariat noted that UNODC and the World Customs Organization could also provide additional support on these matters.

Disposal of confiscated specimens illegally traded or possessed

29. In accordance with Article VIII, paragraph 1, of the Convention, Viet Nam’s legislation provides for the confiscation or return to the State of export of specimens illegally traded or possessed. In Resolution Conf. 17.8 (Rev. CoP19) on *Disposal of illegally traded and confiscated specimens of CITES-listed species*, the Conference of the Parties recommends that:
 - a) *when specimens are exported or re-exported in violation of the Convention, importing Parties:*
 - i) *consider that the seizure and confiscation of such specimens are generally preferable to the definitive refusal of the import of the specimen;*

- ii) *notify as soon as possible the Management Authority of the State from which the specimens were consigned of the violation and of any enforcement actions taken concerning these specimens; and*
 - iii) *are encouraged to take enforcement actions against the party which violated the Convention in addition to seizure and confiscation of the specimens; and*
- b) *when the import of specimens that have been exported or re-exported in violation of the Convention is refused by the country to which the specimens are consigned, the exporting or re-exporting Party take the measures necessary to ensure that such specimens are not re-entered into illegal trade, including monitoring their return to the country and providing for their confiscation;*
30. The Vietnamese legislation prioritizes the return to the country of origin over seizure and confiscation. When discovering illegally traded specimens, the authorities hold them and contact the country of export or re-export to inquire about their potential return. If the return is refused by the country of export or re-export or if no answer is received within 30 days, Viet Nam, in accordance with national legislation, proceeds with the confiscation of the specimens.
31. Viet Nam has not developed any mechanism to assess the risks of the specimens re-entering into illegal trade if they are returned to the country of export or re-export. The MA noted that, pursuant to the Resolution, this is a responsibility that rests with the country of export or re-export or the country that confiscates the specimens. In case of return to the country of export or re-export, the MA will ensure that the return process follows applicable procedures and that the specimens are accompanied by all required documentation.
32. If the return cannot take place and the specimens are confiscated, they are transferred to the Department of Public Assets Management, under the Ministry of Finance, which holds and manages stockpiles of specimens of CITES-listed species as State property. However, this seems to raise various difficulties:
- a) While the MA seems fully aware of Resolution Conf. 17.8 (Rev. CoP19) and the recommended methods of disposal of confiscated specimens (typically, some are used for education, scientific, or enforcement purposes, while others are destroyed), it is unclear which authority is responsible for taking the decision on the disposal of stockpiles of confiscated specimens. Decree No. 29/2018/ND-CP on the handling and storage of material evidence that are specimens of endangered, precious and rare wild animal states only that management and handling of specimens must be decided by the competent authority. However, it appears that such decisions depend on the inputs from multiple Ministries or agencies.
 - b) The Ministry of Agriculture and Rural Development (MARD) has developed Guidelines for the handling of confiscated specimens, but it is unclear how the stockpiles are managed by the Ministry of Finance. Particularly, it is unclear whether the Ministry of Finance undertakes the identification, marking, or recordkeeping of the specimens it holds. The MA does not have a mandate under the national legislation to maintain such a registry or to obtain this information.
 - c) During the Secretariat's recent mission to Viet Nam, WWF pointed out that storage of confiscated specimens has become an issue in certain regions (especially for large specimens such as timber), which increases difficulties in managing stockpiles. In certain cases, confiscated specimens have to be held in the containers they came in.
 - d) Finally, the fact that the CITES MA does not have access to stockpiles or related information creates challenges on reporting under CITES. Some information is reported in the National Ivory and Rhinoceros Action Plan (NIRAP) progress report (see below), but Viet Nam has not submitted a report on stockpiles of pangolin scales as called for in paragraph 3 of Resolution Conf. 17.10 (Rev. CoP19) on *Conservation of and trade in pangolins*.
33. Although efforts seem to be made to manage stockpiles and dispose of specimens illegally traded or possessed in the best possible manner, the Secretariat notes that the approach followed by Viet Nam and procedures developed do not seem to align with Resolution Conf. 17.8 (Rev. CoP19).
34. The Secretariat is of the view that increased collaboration and exchange of information between MARD and the Ministry of Finance, particularly clarifications on the responsibilities of each agency regarding the management and disposal of seized and confiscated specimens, are essential to ensure proper management of stockpiles of specimens of CITES-listed species. Considering that the CITES MA currently does not have access to stockpile-related information, conducting a survey of existing stockpiles would also be recommended in order to assess the quantities of CITES-listed specimens being currently held by Viet

Nam, to ensure that such specimens do not (re-)enter illegal trade, and to allow the CITES MA to report on all existing stockpiles in line with relevant resolutions. This is corroborated by a forthcoming study on ivory stockpiles management by WWF.

Concerning captive breeding and artificial propagation

35. As indicated in paragraph 5 above, the Secretariat took the opportunity to clarify certain elements related to the captive-breeding of *Macaca fascicularis* and the artificial propagation of *Aquilaria crassna*, in the context of the Review of trade in animal specimens reported as produced in captivity and Review of Significant Trade processes.
36. Viet Nam explained that, under national law, facilities that operate captive-breeding and artificial propagation must be registered with the MA. The documentation requirement for the registration includes the evidence of the legal acquisition of the breeding/parental stock. The Forest Protection Department (FPD) conducts an inspection of the facilities, and if the registration is validated by FPD, the facility receives a unique identification code allowing it to start their activity and engage in commercial trade in the specimens produced. Each facility is required to keep a logbook of all activities, such as acquisitions, transfers of specimens, and sales. Transfers of specimens must be authorized by FPD which is also in charge of the issuance of CITES export permits. All operations are conducted using the unique code of the facility. During the Secretariat's mission to Viet Nam, FAO explained that, as a joint project with MARD on captive wildlife management under the OneHealth approach, a Captive Wildlife Facilities Management Database has been created. The database serves as a reference to all captive-breeding facilities operating in Viet Nam, providing authorities with a complete view of the captive-breeding industry in the country, and an important tool for the management and monitoring of the sector.
37. Concerning *Macaca fascicularis*, Viet Nam provided information on the captive-breeding operations registered in the country. Viet Nam reported 23 facilities engaged in commercial farming (representing 57,662 individuals) and 32 facilities engaged in non-commercial farming (representing 2,726 individuals). Commercial farming includes any for-profit operation, including farming for exports. Non-commercial farming includes zoos, rescue centers, and facilities breeding for the purpose of release in the wild. These figures are within a similar range with previously reported numbers, such as in Van Tuh *et al.* (2023)¹ Viet Nam reported a reproduction rate of 54 to 75%, with litters every 9-13 months. The country has an export capacity equivalent to 80% of the birth rate over an average of 5 years. The Secretariat understands that all commercial farming facilities breed *M. fascicularis* for commercial purposes and are technically eligible for export. However, the international market is covered by 5 to 10 main facilities, while smaller facilities seem to operate at a lower scale, mainly supporting the larger operations.
38. As indicated in paragraph 36, all breeding farms are under the competence of FPD. No facility can operate without FPD's authorization. Facilities must report on the total number of individuals housed, sex ratios, mortality and birth rates. They also need to report their exports and sales/transfers to other breeding facilities. These reporting requirements ensure the traceability of the specimens. Farms are expected to keep their logbooks / studbooks with relevant data, which is centralized by FDP. FPD can also conduct inspections in the farms to verify records, usually mid-year and at the end of year.
39. With regard to the acquisition of the breeding stocks, the MA indicated that breeding stocks have been obtained in three main ways:
 - Legal imports from Lao People's Democratic Republic (Lao PDR) and Cambodia, although no such import has taken place since the end of 2010 / early 2011;
 - Legal acquisition of specimens from other breeding facilities in Viet Nam (which is the main source); and
 - Legal acquisition of specimens after auctions of confiscated specimens.
40. Viet Nam acknowledged that there is a risk of entry of wild specimens in the breeding stocks but confirmed that authorities are taking preventative measures. As indicated above, the legal acquisition of the breeding stock must be demonstrated when registering the operation with the FPD. Facilities are also required to maintain logbooks to ensure the traceability of the specimens; the FPD can conduct inspections at the farms; and legal origin must be proven to make legal acquisition findings for exports. Viet Nam recognized that the proper maintenance of logbooks and having adequate capacity of the FPD to conduct checks in all facilities are challenging, but the MA believed it can prevent introduction/laundrying of wild specimens in these facilities. Further, an FPD hotline has been created to allow people to report any wildlife infraction. Quoting

¹ [Captive wildlife management survey in Vietnam, 2015–2021 - ScienceDirect](#)

the examples of the DNA analysis of tigers and the microchipping of bears as good examples of management of captive-breeding, the MA expressed its hope to be able to apply such control/traceability measures to Appendix-II species of captive bred-specimens (like the macaques) (see also document [SC78 Doc. 35.1](#) and [Annex 5](#)).

41. Concerning *Aquilaria crassna*, at its 27th meeting (PC27; Geneva, July 2024), the Plants Committee invited Viet Nam to request the publication of a Notification on its stricter domestic measures for *A. crassna* and to consider publishing a zero export quota for wild specimens in line with their national legislation. During the latest Secretariat mission, Viet Nam confirmed the existence of stricter domestic measures (the obligation to apply for a permit to import any specimen of agarwood in Viet Nam) and provided information on the upcoming adoption of its revised national legislation, including the prohibition of commercial exploitation of wild native species. Viet Nam explained that they did not request the publication of a Notification on stricter domestic measures for *A. crassna*, as its commercial exploitation will be prohibited when this prohibition will be in effect in the near future. For the same reason, and also because Viet Nam affirmed that there are no commercial exports of wild *A. crassna*, they did not request the publication a voluntary zero export quota for domestically harvested specimens of *A. crassna* either.
42. Viet Nam reported that there are currently 99 facilities registered with the FPD concerning agarwood, covering 1,197,182 trees. The MA indicated that 1,333 export permits were delivered in 2023, and that the numbers have been increasing over the years. Further information was obtained on the “home gardens”, which are private gardens or farm plots where families have owned, planted, and cultivated agarwood for many years (sometimes centuries). People are free to cultivate and sell their agarwood because it grows on their private land, although they do not export agarwood in practice but rather sell seeds and seedlings to the artificial propagation nurseries, who carry out the commercial exploitation and exports of agarwood. Similar to artificial propagation facilities, home gardens are registered with the FPD and have a registration code and are subject to the same regulations. Viet Nam also indicated that, due to the activities of nurseries and home gardens, there is no exploitation or collecting of wild seeds of agarwood (see also document [SC78 Doc. 34.5](#)).
43. The Secretariat requested clarifications from the CITES MA on imports of *A. crassna* from the Lao People’s Democratic Republic in 2023, as recommended by the Standing Committee, pursuant to Article XIII of the Convention, that Parties suspend trade for commercial purposes with Lao PDR as of 21 November 2023. According to the CITES Trade database, the following trade transactions have been reported:

2023	II	<i>Aquilaria crassna</i>	Myrtales	Thymelaeaceae	<i>Aquilaria</i>	VN	LA			255000	chips	kg	T	A
2023	II	<i>Aquilaria crassna</i>	Myrtales	Thymelaeaceae	<i>Aquilaria</i>	VN	LA			400000	logs	kg	T	A
2023	II	<i>Aquilaria crassna</i>	Myrtales	Thymelaeaceae	<i>Aquilaria</i>	VN	LA			2000.01	oil	kg	T	A

The MA confirmed being aware of the recommendation to suspend trade for commercial purposes with the Lao People’s Democratic Republic but indicated that those imports took place prior to the issuance of [Notification to the Parties No. 2023/127](#) of 21 November 2023 and that no export / import had taken place between the two countries since then.

Enforcement

General enforcement of the Convention and reporting

44. In recent years, Viet Nam has significantly become targeted by criminal networks involved in illegal wildlife trade. The Secretariat’s mission in January 2025 provided an opportunity to discuss enforcement matters, notably those concerning illegal trade in CITES-listed species such as Asian big cats, elephant ivory, rhino horn, pangolin scales, and tree species, including wildlife crime linked to the Internet.
45. As mentioned above, customs authorities have the competence to seize and confiscate illegally traded specimens under the Vietnamese national legislation. If the specimens are confiscated, they are transferred to the Ministry of Finance. Investigations on illegal trade, including criminal networks, are carried out by the police, and prosecutions are under the competence of the judiciary.
46. Through its national legislation and the mandate of its various law enforcement agencies, Viet Nam reported it has carried out important enforcement actions. During the mission, it was reported to the Secretariat that over the period 2019-2023, Viet Nam had seized *inter alia* 30 tons of ivory, 500 kg of rhino horn, and 36 specimens of big cats (live or carcass). In its [CITES NIRAP Progress report](#), Viet Nam reported that on 28

December 2023 they incinerated 456.9 kg of ivory, 138.7 kg of rhino horn, 6.2 tons of pangolin scales, and 3.1 tons of lion bones confiscated in seizures at Tien Sa Port (Da Nang) during 2021 and 2022. During the mission, Viet Nam further reported having conducted 500 prosecutions concerning 550 offenders. Details about prosecutions and administrative and criminal proceedings regarding ivory and rhino horn cases have also been reported by Viet Nam in its NIRAP progress report, and regarding Asian big cats in information document [SC78 Inf. 9](#). For instance, on elephant ivory, in the period 2022-2023, 19 cases of illegal trade were reported, with a total of 17 suspects reported. Among those, 11 cases have been prosecuted, and offenders received criminal penalties and administrative fine based on national laws. The remaining 8 cases are still under investigation. The case that triggered the most severe criminal penalties is the case of the seizure of 456.9 kg of ivory and 6.2 tons of pangolin scales at Da Nang city in early 2022. The main offender received a sentence of 13 years imprisonment and an administrative fine of VND 50 million (about 2,000 USD). On rhino horn, in the period 2022-2023, 15 cases of illegal trade were reported, with a total of 24 suspects arrested. Among those, 17 cases have been finalized and 7 remain under investigation. The case that triggered the most severe criminal penalties is the case of the seizure of 9.3 kg of rhino horn at Ha Noi international airport. The two main offenders received sentences of 8 years and 7 years imprisonment respectively, which were recorded as the most severe punishments associated with rhino horn trade in the period.

47. Viet Nam has submitted its annual illegal trade reports (AITR) for the period from 2016 to 2023 in accordance with Resolution Conf. 11.17 (Rev. CoP19) on *National reports*. From 2016 to 2021², Viet Nam reported a total of 212 seizures of CITES-listed species, including significant numbers of pangolin, elephant, and rhino specimens, along with other species such as reptiles, big cats, tortoises, turtles, lizards, geckos, primates, and birds. Between 2016 and 2022, other countries reported 132 seizures with Viet Nam as the alleged final destination and 115 seizures identifying Viet Nam as a country of transit. Furthermore, a considerable 1,666 seizures reported by other Parties identified Viet Nam as the country of origin. This data highlights the significant role Viet Nam plays in both the regional and global illegal wildlife trade dynamics. Viet Nam is therefore encouraged to conduct further analysis of the relevant illegal wildlife trade data to identify trade routes, traffickers and species involved, and possible points of intervention to combat this illegal activity.
48. During the mission, references were made to seizures of timber specimens. However, the Secretariat noted that the AITR submitted by Viet Nam includes seizure data only on fauna, and no data on flora. Three seizures were reported by other countries with Viet Nam as the alleged destination. Furthermore, the Secretariat notes that Viet Nam is among the Parties that have not yet submitted implementation reports covering 2021 to 2023. Viet Nam is encouraged to include any seizure data on CITES-listed flora species, including trees, in its AITR and to submit its implementation report, including information to show progress in prosecutions and penalties imposed on any other cases of illegal trade. Viet Nam is also encouraged to continue enhancing the capacity of enforcement agencies in species identification and forensic analysis, further supporting their efforts in combatting illegal wildlife trade.

National Ivory and Rhinoceros Action Plan process

49. Viet Nam is identified as a Category A Party in the National Ivory Action Plan process. At its 69th meeting (SC69; Geneva, November 2017), the Standing Committee requested Viet Nam to revise and update its NIAP in accordance with Step 2 of the Guidelines, and to develop a combined National Ivory and Rhinoceros Action Plan (NIRAP) ([SC69 SR](#)). Information related to the implementation of Viet Nam's NIRAP can be found in document [SC78 Doc. 33.13.1](#) and [Annex 14](#).

Concerning Asian big cats (Felidae spp)

50. Viet Nam was also identified in document [SC70 Doc. 51](#) as one of the Parties in whose territories there are facilities which may be of concern keeping Asian big cats in captivity. In accordance with Decision 18.102 (Rev. CoP19) Viet Nam invited the Secretariat to visit some of these facilities in February 2023, with the purpose of gaining a better understanding of their operations and activities. The outcome of this mission was reported to SC77 in document [SC77 Doc. 41.2](#). The Standing Committee adopted recommendations to all Parties in whose territories there are facilities keeping Asian big cats in captivity, as well as country-specific recommendations directed to Viet Nam available in summary record [SC77 SR](#). Viet Nam submitted a report in response to the Notification to the Parties No. 2024/086 on *Request for information on Asian big cats (Felidae spp.)*, which is further discussed in document [SC78 Doc. 43.1](#).

² The latest data for 2022 and 2023, submitted in November 2024, is pending processing and has not yet been integrated into the CITES Illegal Trade Database.

Illegal trade in pangolins (Manis spp)

51. The Secretariat analysed seizure data of pangolin specimens recorded in the CITES Illegal Trade Database and observed that Viet Nam, between 2018 to 2021, reported a total of 60 seizures of pangolin specimens. These included over 800 live pangolins, over 1,400 kg of live pangolins, and over 45,000 kg of pangolin scales. During the same period, Viet Nam was identified as the alleged country of destination in six seizures of pangolin scales reported by other Parties (France, Malaysia, Nigeria, Singapore, and Türkiye) totalling over 32,000 kg.
52. The Secretariat notes that Viet Nam has not responded to different reporting obligations and requests on *Manis spp*, including [Notification to the Parties No. 2024/096](#) of 3 September 2024 on *Request for information on pangolins (Manis spp.) and pangolin stocks* issued in accordance with Decision 19.202 and paragraph 3 and 4 of Resolution Conf. 17.10 (Rev. CoP19) on pangolin stocks.
53. The Secretariat encourages Viet Nam to submit a response to Notification to the Parties No. 2024/096 by 31 March 2025.
54. Based on information in the AITRs, the number of seizures carried out by other countries with Viet Nam reported as the alleged country of origin, transit, or destination has decreased in recent years. Viet Nam also conducted its own seizures of CITES-listed specimens, which testifies to the strengthened enforcement efforts made by Viet Nam. However, the number of seizure incidents and the volumes of specimens seized remain significant. The Secretariat encourages Viet Nam to take additional measures to combat transnational organized wildlife crime by strengthening criminal intelligence, exchange of intelligence, controlled delivery, wildlife crime investigation and prosecution, and financial investigations linked to wildlife crime. Further action could also be taken, using the [CITES demand reduction guidance](#) to develop and implement demand reduction strategies for ivory, rhino horn, pangolin, and big cat specimens and products, particularly as the species concerned are all listed in Appendix I of the Convention.

Capacity-building and international cooperation

55. As reported in document [SC78 Doc. 23](#), the Secretariat provides compliance support to Viet Nam under a project funded by the United States of America, which aims to complete the remaining activities of the NIRAP, focusing on building the capacity of enforcement officers and forest rangers to strengthen their ability to combat wildlife crime and providing support in planning the e-permitting system.
56. Viet Nam has also benefited from the support provided by the International Consortium on Combatting Wildlife Crime (ICWC). For instance, in 2015, Viet Nam completed the implementation of the ICWC Toolkit, which is designed to enhance national enforcement capabilities against wildlife crime. As noted in document [SC78 Doc. 38.2 \(Rev. 1\)](#), Viet Nam has also received ongoing support from ICWC partners to implement the Toolkit's recommendations and in combating wildlife crime. In November 2024, INTERPOL organized a national training in Viet Nam to enhance its capacity to address internet-linked wildlife crime. In May 2024, Viet Nam also participated in a training organized by the World Customs Organization (WCO) and various partners, focusing on the trafficking of marine species such as shark fins, shark meat, and sea cucumbers. During the same month, Viet Nam participated in another WCO workshop in Madagascar, which targeted timber trafficking, to build advanced skills among frontline customs officials. In November 2024, Viet Nam participated in the 8th Wildlife Inter-Regional Enforcement (WIRE) meeting convened by UNODC in South Africa. This meeting served as a platform for 140 representatives from 36 countries to enhance cooperation in wildlife crime enforcement.
57. As further noted in document [SC78 Doc. 38.2 \(Rev. 1\)](#), the European Union is expected to provide funding in support of, among other things, the ICWC Vision and its associated Strategic Action Plan. This funding is part of a broader project aimed at implementing coordinated responses to combat wildlife crime at the national level and reducing demand for illegal wildlife specimens. Viet Nam is among the countries anticipated to benefit from this support.
58. Viet Nam reported that it has signed Memorandums of Understanding (MoU) on Biodiversity and Combatting Illegal Wildlife Trade with Cambodia, China, Czechia, Indonesia, the Lao People's Democratic Republic, and South Africa. As mentioned in the *Trade in timber* section above, Viet Nam has signed agreements with the EU and the United States of America on illegal logging and timber trade.
59. Since 2022, the Viet Nam CITES MA has been collaborating with the Nigerian CITES authorities to draft an MoU on strengthening CITES enforcement. Viet Nam forwarded the final draft to the Nigerian Ministry of

Natural Resources for review and internal approval and is awaiting feedback from Nigeria. Viet Nam requested assistance from the Secretariat to facilitate the signing of the MoU with Nigeria.

60. Viet Nam highlighted challenges related to international collaboration in addressing illegal trade in wildlife species, particularly in terms of exchanging information related to investigations, arrests, and prosecutions. Viet Nam emphasized the absence of a structured and cohesive mechanism for coordination with source countries, where extraction and processing of resources occur, and transit and importing countries, especially in the context of the timber trade.
61. Regarding national enforcement inter-agency collaboration, Viet Nam has established a national wildlife enforcement network (VN-WEN network) under MARD which includes 13 Departments and Agencies (Department of Animal Health, Department of Fisheries Resources Development & Management, Forest Protection Department, Viet Nam CITES Management Authority, Biodiversity Conservation Department, Supreme People's Procuracy of Viet Nam, Department of Legal and Scientific Management – Supreme People's Court, Anti-Smuggling Bureau, Environmental Crime Police Bureau, Agricultural, Forestry, and Economic Security Bureau, Market Surveillance Bureau, Department of External Relations, Narcotics and Criminal Police Bureau.
62. Finally, Viet Nam is developing Standard Operating Procedures for information-sharing related to enforcement, with support from UNODC.
63. To strengthen international collaboration to combat illegal wildlife trade, Viet Nam may wish to consider implementing provisions of the United Nations Convention against Transnational Organized Crime (UNTOC) and seek and provide assistance to other countries to disrupt transnational organized wildlife crime networks and to enter into extradition agreements. Also, where not yet done, designate enforcement focal points to facilitate information sharing and coordination of enforcement efforts with regard to wildlife crime and take advantage of existing mechanism/platforms (e.g., INTERPOL, WCO, and regional policing bodies such as ASEANAPOL) for regional and international cooperation on illegal wildlife trade. Collaboration with other Parties, particularly with African States, could also be further developed.

Conclusions

64. The Secretariat has neither found nor received evidence of compliance issues currently existing in Viet Nam that should be addressed under Article XIII of the Convention. The Secretariat noted the commitment and efforts made by the competent authorities in Viet Nam to ensure the proper implementation of the Convention and this sentiment was generally echoed by the international and non-governmental organizations met. With a legislation placed in Category 1 of the National Legislation Project, the adoption of stricter domestic measures, and clear procedures for the management and customs clearance of imports, it appears that Viet Nam has put in place the tools required to implement the Convention and ensure that trade in CITES-listed species is conducted in compliance with the Convention. Commendable efforts have also been made with regard to combatting illegal wildlife trade.
65. The situation of Viet Nam is considered under different other processes and the Standing Committee will consider the reports made under each of these processes under other agenda items.
66. Nevertheless, to further enhance Viet Nam's efforts, the Secretariat identified specific areas where improvements could be made, such as disposal and management of stockpiles of confiscated specimens and enforcement. Furthermore, Viet Nam would benefit from continued and/or additional support from national and international partners.

Recommendations

67. In light of the above, the Standing Committee may wish to commend the significant efforts made by Viet Nam and agree with the conclusion of the Secretariat that there is currently no evidence of compliance issues to be addressed under Article XIII of the Convention concerning Viet Nam.
68. In order to enhance the implementation and enforcement of the Convention, the Standing Committee may wish to recommend that Viet Nam:

Concerning the management of imports

- a) assess its national procedures concerning imports of CITES-listed species to ensure that the Management Authority has adequate time and capacity to conduct appropriate due diligence verifications;
- b) continue to build the capacities of the Scientific Authority and law enforcement authorities, in particular with regard to species identification and forensic analysis, with an emphasis on timber species;

Concerning the disposal of confiscated specimens illegally traded or possessed

- c) assess its national procedures concerning the confiscation of specimens illegally traded or possessed, taking into account paragraph 1 of Resolution Conf. 17.8 (Rev. CoP19) on *Disposal of illegally traded and confiscated specimens of CITES-listed species*;
- d) assess its national procedures and the roles of the different institutions involved in the management of stockpiles, taking into account Resolution Conf. 17.8 (Rev. CoP19), and take any necessary measure to ensure the proper management and recording of such stockpiles;
- e) conduct an inventory of all existing stockpiles of CITES-listed specimens, and report on such stockpiles in accordance with relevant resolutions, as appropriate;
- f) submit a response to Notification to the Parties No. 2024/096 on *Request for information on pangolins (Manis spp.) and pangolin stocks* by 31 March 2025;

Concerning enforcement

- g) review its annual illegal trade reports and include any relevant data on seizures related to CITES-listed species of flora, particularly timber species;
 - h) take additional measures to combat transnational organized wildlife crime by strengthening criminal intelligence, exchange of intelligence, controlled delivery, wildlife crime investigation and prosecution, and financial investigations linked to wildlife crime;
 - i) take further action to develop and implement strategies to reduce the demand for ivory, rhino horn, pangolin, and big cats specimens and products;
 - j) strengthen international collaborations with international organizations and other CITES Parties to strengthen the control of trade in CITES-listed species, exchange information and combat transnational organized wildlife crime;
 - k) further support the capacity of law enforcement agencies in combatting wildlife crime; and
 - l) submit its implementation report covering 2021 to 2023, in accordance with Article VIII of the Convention and Resolution Conf. 11.17 (Rev CoP19) on *National reports*.
69. The Standing Committee may further wish to recommend that the Secretariat continue to provide technical support to Viet Nam in implementing these recommendations, subject to the availability of extrabudgetary resources, including in the context of the compliance support provided by the Secretariat and initiatives conducted under ICCWC.
70. Finally, the Standing Committee may wish to invite Viet Nam to submit a report to the Secretariat on any action taken to implement these recommendations 90 days before SC81.

BRIEF SUMMARY OF THE SECRETARIAT'S MISSION TO VIET NAM

6-10 January 2025

Following the missions of the Secretariat to Viet Nam in October 2022, the mission of the Secretariat in January 2025 was carried out as follows:

- In Hanoi, the Secretariat was welcomed by Mr. Bui Chinh Nghia, Director General of the Forest Protection Department, and Director of the CITES Management Authority (MA), Mr. Chu Ngoc Quan, Deputy Director of the CITES MA, and representatives of the MA and Scientific Authority (SA). The Secretariat met with the CITES MA and SA as well as agencies with responsibility for implementing and enforcing the Convention such as the customs administration and environmental police for a series of meetings on the implementation of the Convention in the country, and successes and challenges associated with such implementation. Various presentations were made on:
 - ❖ CITES implementation in Viet Nam
 - ❖ Management of imports and import permits process in Viet Nam
 - ❖ Domestic management, traceability of CITES timber import, export, re-export
 - ❖ Progress in VPA/FLEGT implementation in Viet Nam
 - ❖ Control and risk management in import, export, re-export of CITES timber
 - ❖ Timber forensic identification
 - ❖ Enforcement efforts and international cooperation in information exchange, combat, and prevention of illegal trade of CITES specimens.

These meetings allowed the Secretariat to obtain a global view of the implementation of the Convention in Viet Nam, as well as detailed information on various core questions covered by the mission including the management of import, trade in timber, and the combatting of illegal wildlife trade.

- A meeting was also organized with various international and non-governmental organizations including: the Food and Agriculture Organization (FAO) of the United Nations, the World Wildlife Fund (WWF), TRAFFIC, Animals Asia Foundation, Education for Nature Viet Nam, Humane Society International, and the "Saving Threatened Wildlife" project. As the United Nations Office on Drugs and Crime (UNODC) could not be present to this meeting, the Secretariat met with UNODC on Thursday 9 January. The organizations presented the different projects they run in Viet Nam, including certain projects carried out in coordination with the CITES authorities.
- A site visit was organized to the seaport in Hai Phong city, where the Secretariat was welcomed by the Deputy Director of the Hai Phong Department of Customs. The Secretariat met with Customs authorities, visited part of one terminal of the port, and witnessed the scanning procedures of containers and the processing of verifications for customs clearance. This visit presented an opportunity for the Secretariat to learn more about the procedure of clearance of goods in Viet Nam, with particular emphasis on timber trade. The Secretariat also benefited from presentations and discussions on the Customs Department's role and efforts in combatting illegal wildlife trade. Still in Hai Phong city, the Secretariat visited the storage yard of the company Dai Loi Co., Ltd., an important importer of timber in Viet Nam. The Secretariat learnt about the management of timber imports from the point of view of the company, and the challenges raised by the import of specimens of CITES-listed species. In the yard, the Secretariat was able to conduct certain traceability verifications on some of the logs present. Interestingly, different stocks of logs were logs that had been imported from Cameroon and that could be traced by the markings applied by Cameroon, including the SIGIF2 numbering and barcode. The company was able to present the documents related to these timber specimens, and provided additional examples of import documents, including CITES export and import permits, for verification.
- The mission concluded with another series of meetings with the CITES Management Authority to review the agenda of the mission, take stock on the various meetings conducted and topics discussed, and clarified certain details in view of the preparation of the Secretariat's report to the Standing Committee.