

BỘ NÔNG NGHIỆP VÀ PHÁT TRIỂN NÔNG THÔN
CƠ QUAN QUẢN LÝ CITES VIỆT NAM
Ministry of Agriculture and Rural Development of S.R. Viet Nam
VIET NAM CITES MANAGEMENT AUTHORITY



Report to the CITES Secretariat on Viet Nam's compliance with recommendation of 65 of Standing Animal Committee

Hanoi July 2015

At the 65th meeting of Standing Committee Meeting (Geneva, July 2014) the Committee adopted recommendations on Rhinoceroses related to Viet Nam and to compliance with Decision No 16.98 of COP16 (Bangkok, March 2013) the Viet Nam CITES Management authority furnish progresses on management of Rhinoceroses specimen as follow:

1. Update on arrests seizures prosecutions and penalties for offences related to illegal rhinoceros's horn trade in Viet Nam since SC65 (July 2014)

Since July 2014, Viet Nam Inter-agencies Committee on controlling of illegal wildlife trade (Viet Nam - WEN) organized a special meeting in Hanoi and adopted recommendations to request relevant enforcement agencies to pay more attention and priority to combat illegal trade on rhino's horn and elephant tusk from Africa to Viet Nam. Custom and police have conducted number of operations. In which, enforcement agencies put those airline from Africa then transited via Paris, Hong Kong, Bangkok or Quota as well as from Czech Republic to Viet Nam under strict monitoring and risk management. As the result from those operations number of seizures, even large seized was made by enforcement agencies:

- On 27 October 2014, Noi Bai International custom unit in cooperation with Police monitored and put the flight No QR 828 from Bangkok to Noi Bai at risk management and discovered a passenger carried 20 pieces (5.75kg) rhino's horn
- On the 01 November 2014, Noi Bai International Custom unit in cooperation with police arrested three people illegal import 6 pieces of rhino's horn (6.95kg) on the flight from Bangkok to Hanoi.



Rinos horn seized at Noi Bai international Airport on 1 November 2015

In 15 March 2013 a man was arrest by custom official at Tan Son Nhat International Airport because illegal import 1.4 kg rhino's horn on the flight transited via Quota.



Rhino's horn pieces seized at Tan Son Nhat International Airport in 15 March 2015

In 18 March 2015 three a women arrested by Custom officials in Noi Bai International Airport because illegal imported 7kg of rhino's horn.

In 15 April 2015, Noi Bai internacional airport Custom Unit continue to seize a box contained 4.86kg rhino's horn and 21 pieces of ivory (60.5kg) sent from France to Viet Nam on flight VN108 from Paris to Hanoi.

Especially in 9 May 2015 two men arrested by Police in Nghe An province (central of Viet Nam) on a train from Ho Chi Minh city to Nghe An, the police investigated that two men were illegal trafficking 37kg of rhino's horn for a unknow people.



Two men involved illegal trade on rhino's horn arrested by police in Nghe An province in 9 May 2015

2. The measurements to ensure that all confiscated rhinoceros horn stocks are secured marked and registered in accordance with the provisions of Resolution Conf 9.14.

According to the Viet Nam regulations, all of rhino's horn from illegal trade will be treated as specimen in Appendix I of CITES, therefore all of confiscated specimen was kept by enforcement agencies for investigation in very secure stores. The other rhino's horn have been hand over to education, scientific facilities for scientific research, education, training, enforcement. All of those facilities equipped with monitoring camera, three doors locked and other measurement to ensure that the rhino specimen be safety kept in stockpile. All of samples were marked and recorded in hard copies or electronic with very detail of each horn pieces such as quantity, measurement, images etc...



Rhino's horn was stored in Custom museum for enforcement purpose

3. Measures to reduce the demand for rhinoceros horn in domestic markets and reduce the engagement of Vietnamese people in the illegal trade in rhino horn, in Viet Nam.

Continuous with rhino horn demand reduction campaign since 2013 that we mentioned in SC65 Doc. 43.2, Viet Nam CITES MA in collaborate with Human Society International conduct more campaigns since July 2014 to raising awareness of publish to reduce demand on rhino's horn in country. We worked with Women Union, Education and Training Department, Businessmen Association, Universities of Hanoi, Hai Phong, Da Nang, Ho Chi Minh city and Can Tho provinces. By difference way of spreading the message on rhino protection, thousand of students, member of Women Union, and businessmen have been approached information on rhino conservation, protection status, and the facts about no useful of rhino horn for human health. Number of billboard were constructed in Hanoi, International airport to raise awareness of people on rhino protection and conservation. Thousand of posters, brochures, hats, T-shirt... with rhino protection slogan have been delivered to governmental

officials, student, workers etc. As the result from a survey in 2015 the demand on rhino's horn were decreased to 38% in Viet Nam and 77% in Hanoi city.



The rhino's horn demand reduction campaign film at
<https://www.dropbox.com/s/xbsftjuhs5dm19z/VN%20Film%20v2.mp4>

4. Progress on implementation of the Prime Minister's Directive on strengthening the direction and implementation of measures for controlling and protecting endangered, rare and precious wild animals

Prime Minister's Directive No. 03/CT-TTg is the Commitment of Viet Nam to combat the wildlife crime after London Conference on the illegal trade Declaration in February 2014. The Directive contained 9 points to request relevant Management Agencies, Enforcement Agencies, Supreme People's Court, Supreme People's Procuracy, People Committee of all Province to strengthen their responsibility to combat the illegal trade on wild animal (wildlife crime). In July 2015, the Viet Nam wildlife enforcement network organize a annual meeting to review progress on implementation of Directive No 03/CT-TTg and noted that:

- For more than a year, since February 2014 number of wildlife crimes involved to illegal trade on Endangered species was arrested, include 5 cases of illegal trafficking of rhino's horn. Many cases of violation to CITES regulations and Forest Protection Department related to illegal on wildlife trafficking, processing, ranching, trading were investigated by enforcement agencies and handover to court for sentence according to Penal Code or Administrative fine.
- The Ministry of Justice are on process to gather comment from relevant agencies to amend the Penal Code, in which several Articles on wildlife protection will be revised to improve the penalty level with wildlife crime. The Code will be submitted to parliament for approval in next year.
- Ministry of Foreign Affair have been closely work with Ministry of Agriculture and Rural development to facilitate the cooperation between Viet Nam and Africa Countries, China,

Czech Republic. In other hand, number of activities to raising awareness for Vietnamese citizen at oversea on national, international wildlife protection regulations have been conducted.

- State Mass media, private media working closely with government agencies, NGOs conducted number of awareness raising activities at "gold time" about wildlife regulations and wild animal demand reduction. Many of famous person such as singer, actress, wildlife experts invited to those activities.

- At provincial level, with the active from People Committee, since July 2014 to July 2015 more than case of poaching and illegal trade on wildlife were investigated.

5. a) Consider the development of appropriate cooperation mechanisms to increase international cooperation, for example Memoranda of Understanding (MOUs), and initiate targeted intelligence-driven bilateral, trilateral, sub regional, regional or international operations when illegal rhinoceros horn trade routes and trends are identified;

With the authorize from Government, Ministry of Agriculture and Rural Development of Viet Nam and Ministry of Environment and Water resources South Africa has signed an MOU with a detail working plan on Biology Protection and Conservation in 10/12/2012 in which both country agreed to collaborate in anti the illegal trade on rhino's horn. In September 2015 Viet Nam going to sign MOU with Mozambique and Czech republic. In May 2015 a senior delegate of Viet Nam government have visit three Africa countries, as a result Viet Nam and Mozambique have agree to sign MOU at Ministerial level to improve cooperation between management and enforcement both side to combat wildlife crime. Concern to the Vietnamese community in Czech Republic we identify the key issue that those people not aware about the domestic law as well international law then wildlife crime can you those people to trafficking the rhino horn from Africa to Europe and to Asia. Before the MOU signing in September, Viet Nam have exchange Vietnamese regulation, and CITES regulation in Vietnamese to Czech Authority for awareness raising

Viet Nam also on process to negotiate with Kenya Authority to develop a bilateral agreement to combat wildlife crime, and plan to sign in 2016.

In South East Asia, a Wildlife Enforcement Network has established in 2005, at the 10 meeting of ASEAN-WEN in Brunei May, 2015 all of member continue commitment to strengthen the cooperation amongst ASEAN member party to combat the wildlife crime.

In the joint statement between US president and Viet Nam Communist Party Secretariat, both side agree consider wildlife crime is a serious crime and combat wildlife crime is priority of both sides.

We also identify that China play a very important role to combat the wildlife crime, Viet Nam and China have come to consensus at all the scope, and field of cooperation and both side have agreed on the date and venue (13/9/2015) to sign MOU between CITES Management Authority of Viet Nam and China

6. The implementation of strategies and proposed action developed by the CITES Rhinoceros Enforcement Task Force and SC66, as requested in the Annex to Notification to the Parties No. 2014/006 of 23 January 2014.

6.1 The implementation of strategies and proposed action developed by the CITES Rhinoceros Enforcement Task Force

a) Implement programmes to build the capacity of national agencies responsible for wildlife law enforcement to target criminal groups involved in rhinoceros poaching and illegal rhinoceros horn trade through risk:

In Viet Nam there are key agencies involved to wildlife law enforcement including Environmental Police, Custom, Forest Ranger, Market control. Recently with the consideration from government that environmental crime is a new and serious crime. then the content of environmental crime have been include in the lectures at police academy. In other hand, the Viet Nam CITES Management Authority in cooperation with Custom General Department and Forest Protection Department conducts annually training course for their staff to control the illegal trade on wildlife. Number of training course which supported from NGOs communities to improve wildlife identification, wildlife regulation, CITES, safety hand animal, illegal trade methodologies, searching and investigation skills etc.

b) Increase their use of existing forensic technology and seek resources for the collection and submission of samples from all seized rhinoceros horns to designated accredited forensic laboratories;

All of rhino horn samples seized by enforcement agencies in Viet Nam territory required examination by CITES Scientific Authority before sending to courts. In Viet Nam IEBC (Institute of Ecology and Biology Resource) is designated as CITES Scientific Authority where they equipped a Forensic Lab sufficient equipment in order to identify species. In 2013 CITES SA and MA in cooperation with TRACE network and TRAFFIC Southeast Asia implement a project to improve forensic capacity of IEBC Lab with focusing on staff training, develop standard procedures to collect, sending, analysis the samples. 100% samples of rhino's horn from illegal trade cases are examined in this Lab. In other hand, in order to implement the MOU between Viet Nam and South Africa, 24 samples of rhino's horn were handover to South Africa Authorities

c) Implement programmes to build the capacity of national agencies responsible for wildlife law enforcement to conduct anti-money laundering investigations and to identify suspicious transactions, to ensure that criminals do not benefit from the proceeds of their crimes, to uncover the criminals who are organizing the poaching and illegal trade, and to bring them before the courts;

There are challenges for enforcement agencies because most of transactions in Viet Nam are by cash. However, in other field, Viet Nam have been using anti-money laundering investigation skill to trace suspicious transaction. However in the field of wildlife trade suspicious transaction is new term and just introduce in several recently workshop.

d) Implement measures that will facilitate contact between national agencies responsible for wildlife law enforcement and their designated national competent authority for the United Nations Convention against Transnational Organized Crime (UNTOC), for guidance on the tools and services provided by UNTOC that could be deployed to combat illegal rhinoceros horn trade

Enforcement Agencies of Viet Nam with Focal Point of Ministry of Security have been working closely with UNODC to conduct a project, as the result number of BLO (border liaison office) were established along Viet Nam border with China, Lao PDR and Cambodia. One of important task of BLO to against the wildlife crime by gathering information and sharing intelligent with related enforcement agencies. Number of training course which supported by UNODC have conducted to improve capacity to forest ranger, police, custom officers about wildlife law, wildlife trade situation, species identification, and other skills.

e) Raise awareness of the strategic and operational law enforcement Decisions on Rhinoceroses (*Rhinocerotidae* spp.) adopted at CITES CoP16 (Decisions 16.84 to 16.92), amongst all national law enforcement agencies, to facilitate the full implementation of these Decisions:

Viet Nam wildlife enforcement network Committee established in 2010 with member from leaders of Custom, Police, Border Army, Market Control, Forest Ranger, CITES MA agencies. The Committee meet six month per time or by cases, through those meeting, all member of Viet Nam - WEN were informed the content of the strategic and operational Law enforcement Decision on Rhinoceroses. Since 2012 to July 2015 enforcement agencies of Viet Nam conduct number of operation with priority to against ivory and rhino crime. Around 200kg of rhino's horn were seized, according to Viet Nam regulation, all of illegal cases require examination from Scientific Authority about species on trades, therefore all scientific authority collected sample of all rhino specimen for analysis in forensic Lab. 24 samples of rhino's horn were handover to South Africa Authority for more research. Samples from other cases are on process to send to South Africa as committed in MOU signed Between Ministry of Agriculture and Rural of Viet Nam and Department of Environment Affair and Tourism of South Africa. Another rhino horn samples on process to send South Africa Lap for further investigation.

f) Implement programmes to enhance awareness amongst judges and prosecutors of the serious nature and economic, social and environmental impacts of illegal trade in wildlife, in particular rhinoceros poaching and illegal rhinoceros horn trade;

Viet Nam CITES MA with support from WCS, through several small grant have conducted a training course, workshop at Hai Phong city to enhance awareness of judges and prosecutors about the wildlife crimes and how to applied the right regulations to bring this serious crime with heaviest justice. CITES MA also working with super people court and Super people justic to develop a Circular on the smuggling, carrying, and keeping of trade banned good with subject related to illegal trade on rhino's horn

A handbook on wildlife law and CITES regulations have just published in cooperation with WWF (World Wild Fund for nature) the handbooks were delivered to related enforcement, procurement agencies.

g) When appropriate, use bilateral agreements on mutual administrative assistance in Customs matters to facilitate investigations into illegal rhinoceros horn trade

h) Implement measures to monitor the activities of auction houses, auctioneers and the antiques trade, as appropriate, to prevent the illegal trade in rhinoceros horns;

In Viet Nam the trade on rhino's horn is illegal and not permitted, meanwhile there no existent of any auction house, auctioneer and the antiques trade.

i) Develop a media strategy to ensure that, when a seizure of rhinoceros horn is made by a country, all relevant information is shared with the countries of origin, transit and destination of the seized specimens for follow-up investigations to be conducted, before information on the seizure is released to the media. The release of seizure information to the media should as far as possible be coordinated with the countries of origin, transit or destination that engage in follow-up investigations, to ensure that ongoing investigations are not jeopardized;

By different channels, information related to any illegal trade on rhino specimen have been sent to related agencies of the original countries, transit countries. However, according to Viet Nam regulations, all of documents requires keeping in secrete to avoid the crime aware and erase all relevant evident.

A brief statement with general information related to each violation case going to release to media for raising awareness of public society

j) Examine how new technology such as the e-RhODIS mobile application (see www.erhosis.co.za) can be used in support of efforts to combat rhinoceros poaching and illegal rhinoceros horn trade;

In Viet Nam new technology have been applied to combat illegal rhinoceros horn trade such as a website was opened which targeted the user from enforcement agencies to identify rhino specimen on trade with pictures and description to distinguish the different between real horn and fake one and castle horns.

Online video also applied to communicate between enforcement staff with scientists and management authorities

k) Implement programmes to combat corruption:

Viet Nam consider corruption is one of the most serious crime which not only affected to natural conservation, wildlife protection but also to the economic development. Viet Nam is member of United Nations Convention against Corruption in 2009, Viet Nam also approved the Law on against corruption in 2005 created a system to against corruption from central to local government. In the field of wild fauna and flora protection, Viet Nam Government identifies that this is priority area because nature resources is high value products then

enforcement officers are strictly monitoring. Officers are rotated their position every 2 years (custom, ranger, police). Since 2014 to 2015 at least 5 forest ranger involved to corruption were arrested, number of custom official also be investigated with corruption activities

l) Encourage the use of tools and capacity building materials provided to the law enforcement community through the CITES Virtual College, as part of training interventions for national law enforcement authorities (see: <https://cites.unia.es/cites/>), in particular the “Training course for enforcement officers and information module for prosecutors and the judiciary” and the “Introduction to CITES for Customs” courses, as well as other law enforcement material such as the Wildlife Smuggling Concealment case study handbook, the Questioning Wildlife Smugglers handbook, the Arguments for Prosecutors of Environmental Crimes handbook and others; and

On process to implement the wildlife and forest crime toolkit and through several methodologies, Viet Nam identifies one of the weakness in wildlife law enforcement is low capacity of officers. The Viet Nam CITES MA consider capacity building is priority activities to against the illegal wildlife trade. Since CoP19 (March 2013) the CITES MA in cooperation with TRAFFIC, WCS, WWF, ASEAN-WEN PCU conducted number of training course to improve capacity of forest ranger, custom, police, market control, border army official with focus to several key provincial (use to be transit route of wild animal). We also working with private sector, for example airline service company at international airport conduct a training course for 1000 of workers on wildlife protection. With the permitting from CITES Secretariat, the Viet Nam CITES MA used training course material provided to adapt with national regulations and real situation.

m) As appropriate, engage with universities and academia to conduct analytical research on rhinoceros poaching and illegal rhinoceros horn trade, in support of the development of appropriate law enforcement responses.

The Viet Nam CITES MA in cooperation with International organization, NGOs with participated of expertise from scientific institute conducted a research on rhino's horn demand in Viet Nam, in which we focused in biggest consumption areas of Hanoi and Ho Chi Minh city. Apart of result, to gather with previous studies on wildlife consumption we has submit a decision to ban the import, export and re-export of all Africa elephant and Black and white rhino specimen. The decision signed by Prime-Minister in 2003 (Decision 11/2013/QD-TTg). Research on rhino and other wildlife products are the database for Viet Nam CITES MA to develop a circular control and monitor the hunting trophy imported into Viet Nam, the Circular plan to approved by 2016.

According to Viet Nam law, all the new policies required scientific base before approving by relevant authorities

6.2. All countries implicated in the illegal trade of rhinoceros horn as a range, transit or destination State should:

a) Consider the development of appropriate cooperation mechanisms to increase international cooperation, for example Memoranda of Understanding (MOUs), and initiate targeted

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intelligence-driven bilateral, trilateral, subregional, regional or international operations when illegal rhinoceros horn trade routes and trends are identified;

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b) Assign Focal Point

Viet Nam have assigned a focal point to work with relevant focal point of member parties to share intelligent and other related information about illegal trade on rhino specimen. We also assign official member of CENCom

c) Gather information and intelligence to identify the most wanted criminals implicated in illegal rhinoceros horn trade at the national level, and to target them through intelligence-led enforcement action;

During 2013 and 2014, enforcement agencies by using investigation skills in which, gather information and intelligence as well as apply risk management to target the rhino horn crime, as the result 4 illegal imported of rhino horn were discovered at Noi Bai and Tan Son Nhat international airports. Two men were arrested because involved to trafficking of 37kg of rhino

horn from Ho Chi Minh city to north of Viet Nam. Several potential crime are listed and under monitoring of enforcement agencies.

d) Identify the most prominent national ports of entry and exit used by criminal groups associated with rhinoceros poaching and illegal rhinoceros horn trade, and engage with port authorities to increase enforcement efforts at such ports;

Database recorded by enforcement agencies related to rhino horn seized, Viet Nam identified that Noi Bai international airport and Tan Son Nhat International airport are most prominent national ports. Most of rhino horn imported to Viet Nam origin from South Africa and Mozambique then transited via Thailand, Quata, Hong Kong, Singapore, Czech Republic, France, then custom official identified passengers from Africa under risk management. However, recently several seize cases of illegal trade on rhino horn occurred in domestic it mean that the crime may illegal import via land ports. in 2015, Viet Nam CITES MA has issue a official letter request Custom unit at key international port to pay attention of wildlife crime at those ports.

e) Engage with airport security companies, airlines, shipping companies and other relevant bodies operating at national ports of entry and exit to identify activities conducted by such companies that could support enforcement efforts, for example baggage screening;

To engage airport security companies, airlines, shipping companies and relevant bogies operating at international port to identify the illegal import of rhino horn. Number of training course were conducted to raising awareness of improvement their skills to identify illegal activities relevant. In December 2014, 900 of airline service worker were train skill how to identify the crime, rhino horn and rhino horn conceal methodology of traders. Three training course provided by management agencies to custom, airline security officers and police officers on National, International Regulation, basic method to quick identify the rhino horn and some investigation skills. Since January 2015 to June 2015 there illegal imported cases of rhino horn were discovered at Noi Bai international airport event those work were conceal inside of human body (pretend to be pregnancy) or decorated as a wood product

f) Implement legislation and enforcement controls to prevent horns that are part of legally acquired trophies from being used for purposes other than hunting trophies, and to ensure that these trophies remain in possession of their owners for the purpose indicated in the CITES export permit; and

In case of Viet Nam, prime-Minister has approved Decision No 11/2013/QĐ-TTg, dated 24 January 2013 ban to import, export, re-export of white rhino, black rhino, African elephant specimen. Then since January 2013 to June 2015, Viet Nam has not issue any permit to import those specimen for hunting trophy or other purposes. Viet Nam plan to develop a Circular to monitoring and control hunting trophy of other species.

g) Consider conducting study visits between countries when significant volumes or trends of illegal trade in rhinoceros horns between such countries are identified. The secondment of law enforcement officers to identified countries or regions should also be considered.

In May 2015 a delegate which include representative from Custom, Police, Ranger, Supreme people's court, Supreme people's Procuracy, CITES Management Authority conducted a study visits to South Africa, Kenya and Mozambique. The results from meetings with competence agencies, field visits and dialogues support Viet Nam and those countries come to agreement to sign MOU to improve cooperation to combat illegal rhino trade crime.

Other study visit of China delegation to Viet Nam will be organized in September, at this time a MOU to strengthen border cooperation will be signed by leaders of CITES Management Authority of both sides.

6.3. The Czech Republic, South Africa and Viet Nam should take immediate action to increase their bilateral and trilateral cooperation, taking into consideration ongoing initiatives such as the MoU between South Africa and Viet Nam. Such efforts should ensure that exports of rhinoceros horns from South Africa to the Czech Republic are legal, and prevent the illegal re-export of horns from the Czech Republic to Viet Nam.

As mentioned above of the report, Viet Nam and South Africa signed MOU in biodiversity conservation and protection since 2012. After that, a detail work plan between two parties also approved by authorities, every year Viet Nam and South Africa meet annually to sharing information, discuss