

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



Seventeenth meeting of the Conference of the Parties  
Johannesburg (South Africa), 24 September – 5 October 2016

UPDATED INFORMATION TO THE PARTIES AT COP17 REGARDING VIET NAM CITES  
ENFORCEMENT EFFORTS TO TACKLE ILLEGAL TRADE ON RHINO HORN AND IVORY

1. This document has been submitted by Viet Nam\* in relation to agenda item 68 of COP17 on Rhinoceros to provide more information on Viet Nam's efforts to address rhino horn trafficking.
2. Viet Nam has submitted the two reports to the Standing Committee as mentioned in SC67 Doc. 13 (Ivory Action Plan) SC67 Doc. 21.1 (on the Rhinoceroses).
3. The Government of Viet Nam recognises the need for further, more effective action to combat the criminal networks trafficking rhino horns to Vietnam for re-export and for consumption in Viet Nam and for continued efforts to reduce demand for rhino horns.
4. A number of individuals, organizations and media have highlighted the on-going and substantial illegal sales of rhino horn and elephant ivory in Thuong Tin district, Hanoi. In July 2016 a series of law enforcement operations took place targeting the Thuong Tin network. Seven people were arrested including transporters, wholesalers and processors, and 256kg of ivory was seized. The suspects are currently under investigation.
5. In the first six months of 2016 Customs seized a total of 8kg rhino's horn illegal imported through Tan Son Nhat International Airport; and more than 1500kg of ivory were seized by Police and Custom at Bac Giang and Lang Son province.
6. Convicting criminals has been challenging under the current penal code as it the law lacks sufficient detail on criteria to determine the level of penalty. As a result, many cases of wildlife trafficking are pending further guidance. In order to deal with this situation, Viet Nam is making changes to its criminal law and has developed a new Penal Code that is expected to enter into force in July 2017. The Penal Code was due to enter into force in July 2016 but a number of errors were identified in the text. The new Penal Code will significantly facilitate the prosecution of criminals involved in wildlife trafficking. For example the weight of the rhino horn smuggled will be taken into account instead of its value, making it easier to identify penalties, e.g. transporting and trading over 9kg of rhino horn will be punished by 10 to 15 years imprisonment.
7. In April 2016, the Supreme People's Procuracy (SPP) issued guidance on the prosecution of 24 pending cases clarifying the penalties that should apply to all suspects, and has asked for all pending cases to be closed. In addition to this, the SPP is undertaking a review of prosecutions over the last 5 years related to the trafficking of rhino horn, elephant ivory, tigers, pangolins, and turtles to identify trends and possible problems. This will inform future guidance by the SPP.

---

\* The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

8. In September 2016, the Prime Minister issued Directive number 28/CT-TTg on Imperative measures to combat violations that cause harm to wildlife. In which the Prime Minister directs The Ministry of Public Security to implement special investigations to dismantle networks of trans-boundary organized criminals involved in the illegal trade, possession, transportation, import, export, and re-export of endangered wildlife specimens, especially ivory and rhino horns
9. In relation to Resolution Conf. 9.6 (Rev. CoP16), Vietnamese law includes administrative sanctions from US\$3000-US\$4000 for the act of advertising banned goods such as rhino horn, whether fake or real.