

CONVENCIÓN SOBRE EL COMERCIO INTERNACIONAL DE ESPECIES
AMENAZADAS DE FAUNA Y FLORA SILVESTRES



Decimoctava reunión de la Conferencia de las Partes
Colombo (Sri Lanka), 23 de mayo – 3 de junio de 2019

Cuestiones específicas sobre las especies

CONSERVACIÓN Y COMERCIO DE RINOCERONTES DE ÁFRICA Y DE ASIA (RHINOCEROTIDAE SPP.):
INFORME DE LA SECRETARÍA SOBRE VIET NAM

1. El presente documento ha sido preparado por la Secretaría.
2. En su 69 reunión (SC69, Ginebra, noviembre de 2017), el Comité Permanente adoptó, entre otras, las recomendaciones e) g) y h) dirigidas a Viet Nam, cuyo texto es el siguiente¹:

Viet Nam

e) El Comité Permanente alienta a Viet Nam a:

- i) redoblar sus esfuerzos para analizar la información disponible a fin de detectar los grupos delictivos organizados activos en el país involucrados en el tráfico de cuerno de rinoceronte, con un enfoque estratégico en los lugares de Viet Nam más afectados por el comercio ilegal de cuerno de rinoceronte;
- ii) mediante la Red para la Aplicación de la Legislación sobre Vida Silvestre de Viet Nam, convocar equipos de investigación multidisciplinarios en los que participen todas las autoridades pertinentes para trabajar en estrecha colaboración con las autoridades locales en áreas clave identificadas que están envueltas en el comercio ilegal de cuerno de rinocerontes, e iniciar operaciones e investigaciones basadas en información de inteligencia para abordar las actividades de esos elementos delictivos que siguen activos en Viet Nam, centrándose en particular en el comercio ilegal de cuerno de rinoceronte;
- iii) institucionalizar la recolección de muestras de cuerno de rinoceronte confiscado para análisis forenses, centrándose en especial en el párrafo 1 f) de la Resolución Conf. 9.14 (Rev. CoP17), sobre Conservación y comercio de rinocerontes de África y de Asia, y el párrafo 22 de la Resolución Conf. 10.10 (Rev. CoP17), sobre Comercio de especímenes de elefante, instaurando un protocolo nacional que facilite la recolección de muestras de conformidad con los procedimientos reconocidos, y la legislación relevante que regula el intercambio de esos especímenes; y
- iv) elaborar directrices y materiales específicos por país que puedan ayudar a los oficiales a identificar el cuerno de rinoceronte trabajado y los especímenes de marfil usados como joyería, para facilitar una mayor sensibilización sobre esos artículos entre los oficiales de primera línea que desempeñan su función en puestos en los que pueden encontrar a turistas que lleven esos artículos, y para velar por que esos oficiales estarán alerta para detectar esos artículos, y que cualquier intento de pasar de contrabando especímenes de vida silvestre de esta forma puede detectarse y abordarse;

...

¹ <https://cites.org/sites/default/files/esp/com/sc/69/sum/S-SC69-SR.pdf>

- g) El Comité Permanente pide a Viet Nam que someta un informe completo sobre la aplicación del Código Penal de 2017, incluyendo información sobre los arrestos, los enjuiciamientos y las condenas por delitos relacionados con el comercio ilegal de cuerno de rinoceronte perpetrados en los pasos fronterizos y en los mercados nacionales en Viet Nam, logrados gracias a la aplicación del Código Penal de 2017, e información sobre las actividades realizadas o las medidas adoptadas de conformidad con la recomendación e) i) a iv) supra, a la Secretaría antes del 31 de enero de 2019, de modo que la Secretaría pueda presentar el informe al Comité Permanente en su 71ª reunión (SC71), junto con recomendaciones, de haberlas;
- h) El Comité Permanente acuerda considerar el informe sometido por Viet Nam y las recomendaciones de la Secretaría, en su 71ª reunión, para determinar si la aplicación del Código Penal de 2017 y las actividades o las medidas aplicadas responden suficientemente al comercio ilegal de vida silvestre que afecta a Viet Nam, en particular el comercio ilegal de cuerno de rinoceronte, o si es preciso tomar nuevas medidas.
3. El informe remitido por Viet Nam con arreglo a la recomendación g) anterior figura en un anexo del presente documento, en inglés únicamente. Viet Nam es una de las Partes incluidas en el proceso de los PANM. En la SC69, el Comité Permanente solicitó a Viet Nam que revisara y actualizara su PANM y desarrollara un Plan de acción combinado para el marfil y el cuerno de rinoceronte (PANMR). Viet Nam incorporó, en gran medida, las cuestiones señaladas en las recomendaciones anteriores en su PANMR revisado y actualizado, que se calificó como “adecuado” en julio de 2018. En el informe que somete a la consideración de la presente reunión, Viet Nam utilizó el modelo para los informes sobre los progresos realizados en la aplicación de los PANM. Viet Nam proporcionó información actualizada sobre los progresos realizados en la aplicación de su PANMR revisado y actualizado, e informó además sobre cuestiones que exceden el alcance de las recomendaciones mencionadas. Se invita a las Partes a consultar el informe completo para ver información detallada. En los párrafos 4 a 10 a continuación, se proporciona un resumen de las cuestiones esenciales en relación con las recomendaciones.

Aplicación del Código Penal de 2017 revisado (“Código Penal de 2015 enmendado”)

4. El nuevo Código Penal de 2017 revisado (“Código Penal de 2015 enmendado”) de Viet Nam entró en vigor el 1 de enero de 2018. Viet Nam informa sobre una serie de actividades realizadas para fortalecer aún más su marco jurídico a fin de abordar el comercio ilegal de especies silvestres, incluido del comercio ilegal de marfil y cuerno de rinoceronte. Esto incluye la elaboración de un nuevo decreto sobre *Gestión de especies amenazadas, preciosas y raras de plantas y animales forestales y aplicación de la CITES*, como se describe en la Medida 1.1 de su PANMR. Este decreto entró en vigor el 10 de marzo de 2019. Además, Viet Nam informa que se ha presentado al Primer Ministro para su aprobación un decreto sobre *Sanciones por faltas administrativas relacionadas con la gestión, el desarrollo, la protección de los bosques y los productos forestales*, como se describe en la Medida 1.2 de su PANMR. En lo que respecta a la Medida 1.3 de su PANMR, Viet Nam informa que el Ministro de Agricultura y Desarrollo Rural ha expedido una circular sobre *Gestión y trazabilidad de productos forestales*, que entró en vigor el 1 de enero de 2019. Viet Nam también informa que su Corte Suprema expidió la Directiva 05/2018/NQ-HDTP, de 5 de noviembre de 2018, sobre Aplicación del Código Penal.
5. Viet Nam informa que, a fin de aplicar la Medida 2.9 de su PANMR, se realizaron entre enero y diciembre de 2018 nueve cursos de capacitación sobre la regulación del comercio de especies silvestres y el Código Penal revisado, en los que participaron más de 500 funcionarios de aduanas, la policía y el Departamento de Protección Forestal, entre otros. Viet Nam informa además sobre los progresos realizados en la elaboración de una guía de bolsillo de referencia rápida para funcionarios encargados de la observancia de la ley sobre la aplicación del nuevo Código Penal, como se prevé en la Medida 2.11 de su PANMR. Además, se informa que, con miras a aplicar la Medida 2.10 de su PANMR, se habían realizado tres cursos de capacitación sobre delitos contra la vida silvestre y los bosques, centrados en el comercio ilegal de marfil y cuerno de rinoceronte y el Código Penal revisado, a los que habían asistido 169 jueces.
6. Según el informe, las autoridades de las aduanas de Viet Nam detectaron 40 incidentes de comercio ilegal de especies silvestres; de estos, tres se relacionaban con marfil y otros tres con cuerno de rinoceronte. Viet Nam informa además que los organismos encargados de la observancia de la ley están aplicando el nuevo Código Penal revisado desde que entró en vigor, y que se ha detenido a 29 infractores en diez casos en 2018. Dos de estos casos se llevaron a enjuiciamiento penal, mientras que se impusieron sanciones administrativas en los otros ocho casos. Viet Nam no proporciona detalles sobre los resultados de los juicios o las sanciones administrativas que se impusieron.

Actividades realizadas o medidas aplicadas con arreglo a la recomendación e), apartados i) a iv)

7. En lo que respecta a la recomendación e) i) citada, Viet Nam proporciona información limitada en su informe, señalando que ha habido colaboración entre la policía, la aduana y organizaciones intergubernamentales y no gubernamentales, pero que no se había podido incluir en el informe información de índole confidencial en relación con estas actividades. La Secretaría considera que esto es comprensible, dado que frecuentemente se trata de información delicada.
8. En lo que respecta a la recomendación e) ii), Viet Nam informa que, de acuerdo con la Medida 2.4 de su PANMR, su Comando de Guardia de Fronteras coordinó sus actividades con el Departamento Provincial de Protección Forestal y las autoridades locales para movilizar a 12 equipos de inspección destinados a zonas clave que se sabe que están afectadas por el comercio ilegal de especies silvestres. El informe indica que el Departamento de Protección Forestal cooperó con el Comité Popular de Hanoi para llevar a cabo investigaciones de tiendas de tallas y artículos de recuerdo en las comunas Phu Khe y Thuong Tin de Hanoi, en junio y julio de 2018. En lo que respecta a la Medida 2.3 de su PANMR sobre investigaciones centradas en las zonas clave identificadas como zonas afectadas por delitos contra la vida silvestre, Viet Nam informa que el Ministerio de Seguridad Pública está considerando un plan detallado. La Secretaría observa que el pilar 2 del PANMR de Viet Nam incluye varias medidas destinadas a apoyar las acciones de observancia en el plano nacional, así como la colaboración interinstitucional, como por ejemplo a través de la Red de aplicación de la legislación sobre vida silvestre (WEN) de Viet Nam, y alienta a Viet Nam a continuar ejecutando esas actividades.
9. La recomendación e) iii) está incorporada en el PANMR en la Medida 2.6, y Viet Nam informa que se han redactado orientaciones iniciales sobre la recolección de especímenes de marfil y cuerno de rinoceronte para análisis forenses, y que esta tarea se encuentra en curso.
10. La recomendación e) iv) está incorporada en la Medida 2.7 del PANMR, y se informa que esta tarea se encuentra en curso.

Conclusiones

11. Viet Nam está realizando progresos encomiables en la aplicación de su PANMR, que se ha elaborado y puesto en práctica para el período 2018-2020. El informe preparado por los Grupos de especialistas en rinocerontes africanos y asiáticos de la Comisión de Supervivencia de Especies de la Unión Internacional para la Conservación de la Naturaleza (CSE/UICN) y TRAFFIC² para la 18ª reunión de la Conferencia de las Partes (CoP18, Colombo, 2019) indica que el número de decomisos realizados en Viet Nam en el período 2014-2018 aumentó un 35% en comparación con el período 2009-2013. Si se comparan los mismos períodos, los decomisos relacionados con Viet Nam realizados por otras Partes mostraron una considerable disminución. Esto resulta alentador y cabe destacarse y, como se señala en el informe, podría indicar una mejora en la observancia de la ley en Viet Nam.
12. Sin embargo, el informe de los Grupos de especialistas en rinocerontes africanos y asiáticos de la CSE/UICN y TRAFFIC presentado a la CoP18 también indica que Viet Nam sigue siendo una de las Partes más afectadas por el tráfico de cuerno de rinoceronte. Señala que los datos sobre decomisos disponibles sugieren que Viet Nam continúa siendo uno de los destinos más destacados de envíos de cuerno de rinoceronte ilegal. El informe señala que, en general, las cifras estimadas de cuernos de rinoceronte ilegales aumentaron aproximadamente un 24% en el último período. La Secretaría expone más detalladamente acerca de Viet Nam en el documento CoP18 Doc. 83,1.
13. Si bien se ha hecho mucho y se están realizando progresos, resulta evidente que es necesario redoblar los esfuerzos para hacer frente al tráfico de cuerno de rinoceronte y marfil en Viet Nam. Sigue siendo esencial que Viet Nam procure, como parte de la aplicación de su PANMR, realizar análisis de información para identificar y ubicar a los grupos de delincuencia organizada activos en el país en relación con el comercio ilegal de cuerno de rinoceronte, centrándose estratégicamente en los lugares de Viet Nam más afectados por este comercio ilegal. Sigue revistiendo importancia fundamental convocar a grupos de investigación multidisciplinarios en los que participen todas las autoridades pertinentes a fin de que trabajen en estrecha colaboración con las autoridades locales en las zonas clave identificadas e inicien operaciones e investigaciones basadas en información de inteligencia para hacer frente a las actividades de los grupos

² Véase el Anexo 2 del documento CoP18 Doc 83.1 sobre *Rinocerontes (Rhinocerotidae spp.): Informe del Comité Permanente y de la Secretaría*

delictivos que siguen estando activos en Viet Nam. La Secretaría considera que Viet Nam puede abordar estas actividades mediante la aplicación de su PANMR.

14. Se alienta a Viet Nam a que dé prioridad a las actividades descritas en el párrafo 13 del presente documento en la aplicación de su PANMR y a que incluya informes sobre estas actividades en su informe sobre los progresos realizados en la aplicación del PANMR que se presentará a la 73ª reunión del Comité Permanente, de conformidad con las Directrices para el proceso de los PANM que figuran en el Anexo 3 de la Resolución Conf. 10.10 (Rev. CoP17) sobre *Comercio de especímenes de elefante*.

Recomendación

15. La Secretaría recomienda que el Comité Permanente:

- a) aliente a Viet Nam a que, mediante la aplicación de su PANMR:
 - i) realice análisis de información para identificar a los grupos de delincuencia organizada involucrados en el comercio ilegal de cuerno de rinoceronte en el país y los lugares de Viet Nam donde estos operan; y
 - ii) lleve a cabo investigaciones y operaciones en las que participen todas las autoridades pertinentes con miras a poner fin a estas actividades.
- b) solicite a Viet Nam que incluya, en el informe sobre la aplicación de su PANMR que presentará a la SC73, la situación de las actividades realizadas con arreglo a los apartados i) y ii) de la recomendación a).



CITES NATIONAL IVORY ACTION PLAN PROGRESS REPORT

Prepared for the eighteenth meeting of the CITES Standing Committee

Party: VIET NAM

Reporting period: 1/1/2018 to 31/12/2018

PART A: Synopsis of NIAP implementation

The National Ivory Action Plan (NIAP) is implemented in Viet Nam as the National ivory and rhino horn action plan (NIRAP) for the period 2018-2020 which has been developed to implement urgent actions in order to (1) control the illegal trade of ivory and rhino horns to and from Vietnam, (2) continue to implement the initiatives, programs and plans to prevent and furtherly tackle illegal wildlife trade in general and illegally traded ivory in particular in accordance to the Directive no.28/2018/CT-TTg of the Prime Minister. The NIRAP initially aims to response to Prime Minister's Directive, the Penal Code and the Decree on Sanctions for administrative violations on forest management, development, protection and CITES management.

After one year of implementation, the results are relatively positive in which 24% of the total planned activities has been achieved and 36% will be achieved in the target timeframe, as follows:

- Viet Nam has gradually completed the legal framework related to tackling illegal wildlife trade including ivory and rhino horn. The achievements include the development and completion of the Governmental documents such as Directive no.28/2018/CT-TTg of the Prime Minister some urgent solutions to prevent and tackle behaviors violent to the wildlife; Governmental Decree no.06/2019/ND-CP dated 22/01/2019 on management of endangered, precious and rare species of forest plant and animals and CITES implementation; Circular no. 27/2018/TT-BNNPTNT dated 16/11/2018 of Ministry of Agriculture and Rural Development on management and traceability of forest products
- Viet Nam has strengthened the law enforcement and improve the inter-agency cooperation by (i) organizing 09 training courses on capacity building to improve technical skills on investigation, prosecution, judgement related criminal cases, and other skills related to specimens identification for customs and border guards at the Northern border; (ii) applying of the new revised 2015 Penal Code and related criminal frames; and (iii) implementing other cooperation activities of the Viet Nam Wildlife Enforcement Network (Viet Nam-WEN). After the amended Penal Code took effect, the Vietnamese law enforcement and investigation agencies restarted suspended cases due to lack of sanctions and applied the Penal code for new cases. In 2018, in according to the report of the Steering Committee of 1389, the Border Guard Command coordinated with other enforcement agencies to arrest 10 cases with 29 suspects, including 02 prosecuted criminal cases and 08 administrative violations. The Customs have detected and arrested 40 cases involving illegal wildlife trade, of which three were related to ivory and three were related to rhino horn. These show the great efforts of the Viet Nam Government and serious punishment for this type of crime.
- Viet Nam has initially completed the technical guidance on ivory and rhino horn specimen collection and identification in compliance with the national and international laws.
- Viet Nam spends a lot of efforts on issue on domestic demand and demand from the foreign visitors to Viet Nam for ivory, rhino horn. These include conducting a survey on domestic demand for ivory and horns; to conduct the communication plan for demand reduction based on the scientific evidence and facts applied for different components and objects. The goals aim to improve social awareness in parallel with behavioral change in which a part from focusing on a number of target groups such as healthcare, business, tourism and services sectors, are also in other sectors such as education for pupils and students.
- Initial exchange and coordination within Viet Nam-WEN to build a unified national database on controlling the illegal trade of ivory, rhino horn in order to share among enforcement agencies and to meet the

international requirements by updating and summarizing data from relevant agencies and periodically report to the CITES Secretariat.

- Viet Nam continues to promote bilateral and multilateral exchanges and cooperation between source - transit - destination countries and between the Government agencies and non-governmental organizations, international organizations to strengthen the trading control and law enforcement implementation.

- Viet Nam has been fulfilling the obligations as a CITES Party in responsibly collecting information, preparing and sending periodic reports to CITES upon request.

Thus, in comparison with the proposed objectives set out in the NIRAP, Viet Nam has initially successfully completed its first year of NIRAP. Specifically, of a total of 25 activities of NIRAP, the progress is summarized as follows:

No.	Implementing progress	No. of activities	Percentage (%)
1	Achieved	6	24%
2	Substantially achieved	9	36%
3	On track	7	28%
4	Partial progress	0	0%
5	Pending completion of another action	1	4%
6	Not commenced	2	8%
	Total	25	100%

According to provided information, only one activity stopped implementing due to legal barriers of the domestic regulations. With the summary, Viet Nam self-assesses the completion of the NIRAP is 24%. This is an initial indicator of the NIRAP implementation which show the right direction and effectiveness of Viet Nam. Viet Nam's view point on tackling wildlife crime, particularly the organized crimes related to ivory and rhino horn is a long-term fight which requires attention and coordination of the source country and the transit country due to the sophisticated and complex crime activities. This will be less effective with the single effort of one country without information network and cooperation among countries.

Specifically, the Vietnamese Government won many priorities for this activity; Vietnam's law enforcement forces have abolished numerous shipments of ivory originating from Africa into Vietnam (before shipment to Vietnam) is a clear demonstration of drastic, efforts of Vietnamese law enforcement agencies. Viet Nam enforcement agencies has discovered numerous shipments of ivory originating from Africa into Vietnam (before shipment to Vietnam) is a clear proof of the efforts of Viet Nam Government in tackling this issue.

PART B: Summary evaluation of actions (assigned progress ratings)

PILLAR	PROGRESS RATING					
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
1. Legislation and regulations	<p>1.1. Develop the Decree on endangered, rare and precious wildlife management and CITES implementation;</p> <p>1.3. Develop a degree regulating the exploitation of forest products, lawful files of forest products and management of forest products origin, files of traceability and marking of specimens of forest plants and animals.</p>	<p>1.2. Amend the Decree on Sanctions for administrative violations on management, development, protection of forest and forest products.</p>				
2. National level enforcement action and inter-agency collaboration	<p>2.4. Forest protection departments, interdisciplinary agencies to cooperate to carry out 01 investigation at souvenir shops, processing workshops that is likely to be involved with wildlife crime in hotspot areas;</p> <p>2.9. Training on the amended Penal Code 2015, related to the crime of trade, transport, possession of ivory and rhinoceros horns for law enforcement officers;</p>	<p>2.1. Cooperate, exchange information on VN-WEN network;</p> <p>2.8. Training workshops for law enforcement agencies to strengthen their CITES implementation capacity using specifically designed curriculums suitable for each group.</p>	<p>2.5. Survey, report, recommendation, and solution in controlling online illegal wildlife trade, cyber-crime on social media;</p> <p>2.6. Develop technical guidelines on collecting forensic samples of ivory, rhino horns and training for forensic officers to use the guidelines;</p> <p>2.7. Standardize and publicize guideline documents for identification of ivory and rhino horn specimens, specifically</p>			<p>2.2. Hands-on training of environmental police on investigation techniques;</p> <p>2.3. Environmental police to carry out 02 investigations in the area to strengthen control on wildlife crime in hotspot area.</p>

PILLAR	PROGRESS RATING					
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
	<p>2.10. Training courses to raise awareness of judiciary officials on the seriousness of wildlife crimes, particularly ivory and rhino horn offences;</p> <p>2.11. Development of a quick-reference pocket guide for law enforcement officers on application of the revised wildlife crime under the new Penal Code, including ivory and rhino horn offences.</p>		for front-line law enforcement officer at border gate, in checking processing workshop, hand luggage, jewelries of tourist			
3. International and regional enforcement collaboration		<p>3.1. Continuous exchange of information on seizures within ASEAN-WEN countries or joint-training among countries who signed MoU with Viet Nam;</p> <p>3.2. Collaborate with source countries (Africa) to exchange information on solutions to improve the effectiveness of criminal legal assistance; To actively support the implementation of criminal legal assistance requests in order to respond to the investigation, prosecution and adjudication of criminal cases related to wildlife; Promoting the negotiation and signing of bilateral criminal legal</p>				

PILLAR	PROGRESS RATING					
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
		<p>assistance agreements between Vietnam and African countries;</p> <p>3.3. Cooperate with non-governmental and international organizations in receiving, transferring, processing information of early warning, arrests, suspects and other information.</p>				
4. Outreach, public awareness and education		<p>4.1. National extra-curricular training curriculum on the protection, conservation of prioritized wildlife animals for elementary school students.</p> <p>4.6. Raise public awareness on the protection and conservation of wildlife in general and elephant and rhinoceros in particular.</p>	<p>4.2. Incorporate issues on protection, conservation of prioritized wild species in the reformed national curriculum for general education;</p> <p>4.3. Surveys on consumer demands, consumer behaviors domestic market of ivory and rhinoceros horns;</p> <p>4.4. Outreach of demand reduction for ivory and rhino horns among international tourists to Viet Nam;</p> <p>4.5. Survey on consumer demands, consumer behaviors on reducing demand for ivory and rhino horns to business groups.</p>			

PILLAR	PROGRESS RATING					
	Achieved	Substantially achieved	On track	Partial progress	Pending completion of another action	Not commenced
5. Reporting		5.2. The international reporting and information systems include the Elephant Species Information System (ETIS), the rhino horn specimen storage report, the annual national report			5.1. National database system of illegal trade, transport, possession and related cases, from seizures, prosecution, convictions	

PART C: Detailed evaluation of actions

ACTION	EVALUATION	SUMMARY OF PROGRESS (and comments)
<i>PILLAR 1: Legislation and regulations</i>		
1.1. Develop the Decree on endangered, rare and precious wildlife management and CITES implementation	INDICATOR: New Decree incorporate the contents on species lists, management scheme, regulations on CITES implementation, marking, traceability to address gaps in domestic legislation in comparison to international requirements	PROGRESS RATING: Achieved <ul style="list-style-type: none"> • Governmental Decree no.06/2019/ND-CP dated 22/01/2019 on management of endangered, precious and rare species of forest plant and animals and CITES implementation. The decree takes effect on 10/03/2019.
1.2. Amend the Decree on Sanctions for administrative violations on management, development, protection of forest and forest products	INDICATOR: the Decree is amended with relevant contents	PROGRESS RATING: Substantially achieved <ul style="list-style-type: none"> • The Governmental Decree on Sanctions for administrative violations on management, development, protection of forest and forest products has been submitted to the Prime Minister for approval and expected to be issue on Quarter 1 of 2019.
1.3. Develop a degree regulating the exploitation of forest products, lawful files of forest products and management of forest products origin, files of traceability and marking of specimens of forest plants and animals	INDICATOR: Degree issued by the Ministry of Agriculture and Rural Development.	PROGRESS RATING: Achieved <ul style="list-style-type: none"> • Ministry of Agriculture and Rural Development has issued Circular no. 27/2018/TT-BNNPTNT, dated 16/11/2018 on management and traceability of forest products. The Circular takes effect on 01/01/2019. • Apart from the three above activities, the Viet Nam Supreme Court has issue the Directive no.05/2018/NQ-HDTP on implementation of the Penal Code on crimes related to wildlife protection, dated 5/11/2018.
<i>PILLAR 2: National level enforcement action and inter-agency collaboration</i>		
2.1. Cooperate, exchange information on VN-WEN network	INDICATOR: 01 - 02 meeting organized annually, information exchange to allow Viet Nam MA generate an unified, official and national database about the illegal wildlife trade, especially ivory and rhino horn	PROGRESS RATING: Substantially achieved <ul style="list-style-type: none"> • 01 Viet Nam-WEN meeting was conducted on May 2018 to discuss on information sharing information.
2.2. Hands-on training of environmental police on investigation techniques	INDICATOR: number of police officers trained	PROGRESS RATING: Not commenced <ul style="list-style-type: none"> • The Ministry of Public security is considering the detailed plan of the training.

ACTION	EVALUATION		SUMMARY OF PROGRESS (and comments)
2.3. Environmental polices to carry out 02 investigations in the area to strengthen control on wildlife crime in hotspot area	INDICATOR: basic investigation report in the area	PROGRESS RATING: Not commenced	<ul style="list-style-type: none"> The Ministry of Public security is considering the detailed plan of the training.
2.4. Forest protection departments, interdisciplinary agencies to cooperate to carry out 01 investigation at souvenir shops, processing workshops that is likely to be involved with wildlife crime in hotspot areas	INDICATOR: investigation report	PROGRESS RATING: Achieved	<ul style="list-style-type: none"> The Department of Forest Protection has cooperated with the Hanoi People's Committee to carry out the investigation at the craving, souvenir shops at Phu Khe and Thuong Tin commune in Hanoi in June and July 2018. The Steering Committee 1389, Border Guard Command has coordinated with the Provincial Department of Forest Protection and local authorities to organize 12 delegations to inspect and combat smuggling and trade fraud in hotspots.
2.5. Survey, report, recommendation, and solution in controlling online illegal wildlife trade, cyber-crime on social media.	INDICATOR: increased level of information exchange and interaction with cyber-crime police	PROGRESS RATING: On track	<ul style="list-style-type: none"> The activities are allocated in the Saving Species project funded by USAID and expect to be completed in July 2019.
2.6. Develop technical guidelines on collecting forensic samples of ivory, rhino horns and training for forensic officers to use the guidelines	INDICATOR: 01 technical guidelines issued / recommended considering CITES guidelines in Resolution 9.14 (Rev CoP14)	PROGRESS RATING: On track	<ul style="list-style-type: none"> The CITES management authority, the CITES scientific authorities and INGOs have been cooperating to develop technical guidelines on collecting forensic samples of ivory, rhino horns The procedure is expected to be completed in 2019.
2.7. Standardize and publicize guideline documents for identification of ivory and rhino horn specimens, specifically for front-line law enforcement officer at border gate, in checking processing workshop, hand luggage, jewelries of tourist	INDICATOR: 01 materials recommended by management authorities and provided for relevant parties, number of guidelines incorporated	PROGRESS RATING: On track	<ul style="list-style-type: none"> The activities are allocated in the Saving Species project funded by USAID and expect to be completed in 2019.
2.8. Training workshops for law enforcement agencies to strengthen their CITES implementation capacity using specifically designed curriculums suitable for each group.	INDICATOR: 01 training curriculum for law enforcement groups adapted to local practice; number of officers participate in workshops.	PROGRESS RATING: Substantially achieved	<ul style="list-style-type: none"> The Viet Nam CITES Management Authority has conducted 01 training course on CITES implementation and tackling illegal wildlife trade for 55 official from the Border Guards, Customs, Environmental Police, Department of Forest Protection, Department of Fishery Protection, Marine Police and Directorate of Fishery at 15 provinces in the Southern Vietnam in October 2018. The Viet Nam CITES Management Authority continues to conduct similar trainings in 2019.
2.9. Training on the amended Penal Code 2015, related to the crime of trade, transport, possession of ivory and rhinoceros horns for law enforcement officers	INDICATOR: number of officers participate the training workshop	PROGRESS RATING: Achieved	<ul style="list-style-type: none"> 9 training courses for enforcement agencies including official of Customs, Police, Department of Forest Protection on legal regulation on controlling wildlife trade and revised Penal Code: + 03 courses conducted by the Viet Nam CITES Management Authority in cooperation with Humane Society International and UNODC for 250 officials in January 2018;

ACTION	EVALUATION		SUMMARY OF PROGRESS (and comments)
			<ul style="list-style-type: none"> + 03 courses conducted by the Viet Nam CITES Management Authority in cooperation with Border Guard Command and Humane Society International for 100 border guards and customs at the border area in Northern Vietnam in November 2018; + 03 courses conducted by the Viet Nam CITES Management Authority in cooperation with USAID for 158 enforcement officials in December 2018. • The outcome of the training course is the improvement on awareness and knowledge on wildlife in general.
2.10. Training courses to raise awareness of judiciary officials on the seriousness of wildlife crimes, particularly ivory and rhino horn offences	INDICATOR: Number of convicted cases with penal sanctions	PROGRESS RATING: Achieved	<ul style="list-style-type: none"> • The Supreme People's Court in the collaboration with UNODC with the support of USAID Governance for Inclusive Growth program and Saving Species Project has organized 03 training courses for judges from 63 provinces and cities across the country on wildlife and forestry crimes in focusing on illegal trade in ivory, rhino horn, and the revised Penal Code. The total number of trained judges is 169. • The Supreme People's Court has conducted a seminar to get feedbacks and suggestions for the drafting of the Resolution of the Judges Council. Resolution No. 05/2018 / NQ-HDTP has been issued on 5 November 2018.
2.11. Development of a quick-reference pocket guide for law enforcement officers on application of the revised wildlife crime under the new Penal Code, including ivory and rhino horn offences	INDICATOR: 01 pocket guide to be disseminated to enforcement officers	PROGRESS RATING: Achieved	<ul style="list-style-type: none"> • Agencies of Ministry of Environment and Natural resources have cooperated with UNODC to get feedbacks on the quick-reference pocket guide for law enforcement officers on application of the revised wildlife crime under the new Penal Code, including ivory and rhino horn offences from 158 environmental inspectors, environmental police and prosecutors.
PILLAR 3: International and regional enforcement collaboration			
3.1. Continuous exchange of information on seizures within ASEAN-WEN countries or joint-training among countries who signed MoU with Viet Nam.	INDICATOR: number of information exchanges including data on seizures, prosecution, conviction, forensic test	PROGRESS RATING: Substantially achieved	The Viet Nam CITES Management Authority has updated on illegal wildlife trade issues periodically to the CITES Secretariat in the annual reports.
3.2. Collaborate with source countries (Africa) to exchange information on solutions to improve the effectiveness of criminal legal assistance; To actively support the implementation of criminal legal assistance requests in order to respond to the investigation, prosecution and adjudication of criminal cases related to wildlife; Promoting the negotiation and signing of bilateral criminal	INDICATOR: The number of cases is exchanged legal assistance information	PROGRESS RATING: Substantially achieved	<ul style="list-style-type: none"> • The Supreme People's Procuracy completed negotiations on the Criminal Mutual Assistance Treaty with Mozambique in December 2018. The agreement is submitting to the President of Vietnam and the President of Mozambique for approval, which is expected to take effect in 2019. • From 2015-2018, the Supreme People's Procuracy sent 08 requests for legal assistance on criminal matters related to trade in ivory, specifically: 02 to China, 02 to Nigeria, 02 to Mozambique, 01 to Laos and 01 to Malaysia but only received 2 responses.

ACTION	EVALUATION		SUMMARY OF PROGRESS (and comments)
legal assistance agreements between Vietnam and African countries			
3.3. Cooperate with non-governmental and international organizations in receiving, transferring, processing information of early warning, arrests, suspects and other information.	INDICATOR: : The number of receiving information and arrests made from sufficient quality information	PROGRESS RATING: Substantially achieved	<ul style="list-style-type: none"> Police and Customs have cooperated with non-governmental and international organizations in receiving, transferring, processing information of early warning, arrests, suspects and other information (<i>confidential information could not be stated in this report</i>).
PILLAR 4: Outreach, public awareness and education			
4.1. National extra-curricular training curriculum on the protection, conservation of prioritized wildlife animals for elementary school students	INDICATOR: extra-curricular training program to be approved by the Ministry of Education and Training and endorsed for nationwide application.	PROGRESS RATING: Substantially achieved	<p>The Viet Nam CITES Management Authority in cooperation with Ministry of Education and Training and the support from Humane Society International has</p> <ul style="list-style-type: none"> Completed the draft educational materials on wildlife protection for primary school which will be pilot in teaching in 5 provinces and cities; Two pilots will be completed in June 2019 and the materials will be appraisal before applied nationwide.
4.2. Incorporate issues on protection, conservation of prioritized wild species in the reformed national curriculum for general education.	INDICATOR: extra-curriculum activities approved by the National Assembly and applied nationwide.	PROGRESS RATING: On track	<ul style="list-style-type: none"> The Viet Nam CITES Management Authority has submitted to proposal to the General Education Reform Board.
4.3. Surveys on consumer demands, consumer behaviors domestic market of ivory and rhinoceros horns	INDICATOR: survey reports towards a more behavior-oriented demand reduction outreach	PROGRESS RATING: On track	<ul style="list-style-type: none"> USAID Wildlife Asia in cooperation with TRAFFIC has conducted the surveys and expected to be completed in Quarter 1 of 2019.
4.4. Outreach of demand reduction for ivory and rhino horns among international tourists to Viet Nam.	INDICATOR: number of tourist received communication messages	PROGRESS RATING: On track	<ul style="list-style-type: none"> The Viet Nam CITES Management Authority in cooperation with Humane Society International has developed the plan and will implement the project.
4.5. Survey on consumer demands, consumer behaviors on reducing demand for ivory and rhino horns to business groups.	INDICATOR: number of business/business-person received communication messages	PROGRESS RATING: On track	<ul style="list-style-type: none"> The activities are allocated in the Saving Species project funded by USAID and expect to be completed in July 2019.
4.6. Raise public awareness on the protection and conservation of wildlife in general and elephant and rhinoceros in particular	INDICATOR: carry out a number of communications on the mass media (newspapers, radio ...) and other forms	PROGRESS RATING: Substantially achieved	<ul style="list-style-type: none"> Ministry of Agriculture and Rural Development has announced One year progress report on the Hanoi statement on illegal wildlife trade in May 2018; the event has been projected on the media national wide and international. Vietnam has committed in the London statement on illegal wildlife trade in October 2018;

ACTION	EVALUATION		SUMMARY OF PROGRESS (and comments)
			<ul style="list-style-type: none"> The Viet Nam CITES Management Authority has joined the Wildlife Village at the UK Festival in Hanoi in November 2018 with thousands of people attended.
PILLAR 5: Reporting			
5.1. National database system of illegal trade, transport, possession and related cases, from seizures, prosecution, convictions	INDICATOR: information regularly updated, statistical report made annually	PROGRESS RATING: Pending completion of another action	<ul style="list-style-type: none"> The activity has discontinued due to barriers from domestic legislation in sharing and publicizing information on arrest, prosecution and trial.
5.2. The international reporting and information systems include the Elephant Species Information System (ETIS), the rhino horn specimen storage report, the annual national report	INDICATOR: Information and reports are updated by Viet Nam CITES Management Authority from the relevant agencies and sent to the CITES Secretariat periodically.	PROGRESS RATING: Substantially achieved	<p>The Viet Nam CITES Management Authority has completed:</p> <ul style="list-style-type: none"> To submit to the rhino horn specimen storage report to the CITES Secretariat; To provide information on ETIS for seizures more than 500kg; The country annual report will be completed in Quarter 1/2019.

Part D: Annex (supporting information)

PILLAR 1: Legislation and regulations

The Decree no.06/2019/ND-CP dated 22/01/2019 on management of endangered, precious and rare species of forest plant and animals and CITES implementation is available in Vietnamese ([download here](#)).

The Circular no. 27/2018/TT-BNNPTNT, dated 16/11/2018 on management and traceability of forest products issued by Ministry of Agriculture and Rural Development is available in Vietnamese ([download here](#)).

The Directive no.05/2018/NQ-HDTP on implementation of the Penal Code on crimes related to wildlife protection, dated 5/11/2018 issued by the Viet Nam Supreme Court is available in Vietnamese ([download here](#))

PILLAR 2: National level enforcement action and inter-agency collaboration

Activity 2.4: Some images on illegally traded ivory crimes



Figure 1: Border guards seized ivory transporters in Cao Bang province in December 2018.



Figure 2: The cooperation of police, border guards, and customs arrested a case of transporting over 2 tons of ivory in Da Nang in October 2018



Figure 3: Hanoi People's Procuratorate completed the indictment of prosecuting Nguyen Huu Tien in the case of Hanoi police arresting 85kg of ivory at Thuong Tin, Hanoi in August 2018

Activity 2.8: Training workshops for law enforcement agencies to strengthen their CITES implementation capacity using specifically designed curriculums suitable for each group..



Figure 4: The training course on CITES implementation and tackling illegal wildlife trade in October 2018

Activity 2.9: Training on the amended Penal Code 2015, related to the crime of trade, transport, possession of ivory and rhinoceros horns for law enforcement officers



Figure 5: Training courses on strengthening law enforcement and the revised Penal Code in January 2018



Figure 6: The training course for border forces on CITES implementation and improving skills in law enforcement on the management of wildlife trade across borders, border gates and land in November 2018

Activity 2.10: Training courses to raise awareness of judiciary officials on the seriousness of wildlife crimes, particularly ivory and rhino horn offences



Figure 7: The training course on awareness raising for judicial officials on the severity of wildlife crimes, especially ivory and rhino horn-related crimes

Activity 2.11: The quick-reference pocket guide for law enforcement officers on application of the revised wildlife crime under the new Penal Code is available in Vietnamese ([download here](#)).

Activity 4.6: Raise public awareness on the protection and conservation of wildlife in general and elephant and rhinoceros in particular

An article on the event hosted by the Ministry of Agriculture and Rural Development announced One year progress report on the Hanoi statement on illegal wildlife trade in May 2018 ([download here](#)).

One year review of progress on proposed actions of the Hanoi Statement on illegal wildlife trade ([download here](#)).

Video on the Viet Nam's commitment at the London Conference on illegal wildlife trade in October 2018 ([download here](#)).

Video news of Nhan Dan news on the wildlife village at the UK Festival in Hanoi in November 2018 ([download here](#)).