

CONVENTION SUR LE COMMERCE INTERNATIONAL DES ESPECES  
DE FAUNE ET DE FLORE SAUVAGES MENACEES D'EXTINCTION



Soixante et onzième session du Comité permanent  
Colombo (Sri Lanka), 22 mai 2019

Questions spécifiques aux espèces

CONSERVATION ET COMMERCE DES RHINOCEROS D'ASIE ET D'AFRIQUE (RHINOCEROTIDAE SPP.):  
RAPPORT DU SECRETARIAT SUR LE VIET NAM

1. Le présent document a été préparé par le Secrétariat.
2. À sa 69<sup>e</sup> session (SC69, Genève, novembre 2017), le Comité permanent a adopté entre autres les recommandations e), g) et h) adressées au Viet Nam, comme suit:<sup>1</sup>

**Viet Nam**

e) *Le Comité permanent encourage le Viet Nam à:*

- i) *intensifier ses efforts d'analyse de l'information disponible afin de repérer les groupes criminels organisés actifs dans le pays, dans le commerce de la corne de rhinocéros, en mettant stratégiquement l'accent sur les lieux, au Viet Nam, qui sont les plus affectés par le commerce de la corne de rhinocéros;*
- ii) *dans le cadre du Réseau de protection des espèces sauvages (Viet Nam WEN), organiser des équipes d'enquête multidisciplinaires regroupant toutes les autorités compétentes pour collaborer étroitement avec les autorités locales dans les zones clés identifiées qui sont impliquées dans le commerce illégal de la corne de rhinocéros, et lancer des opérations et des enquêtes soutenues par le renseignement pour combattre les activités des éléments criminels actifs au Viet Nam en mettant particulièrement l'accent sur le commerce illégal de la corne de rhinocéros;*
- iii) *institutionnaliser la collecte d'échantillons de corne de rhinocéros saisie, à des fins d'analyse criminalistique, en mettant tout particulièrement l'accent sur le paragraphe 1 f) de la résolution Conf. 9.14 (Rev. CoP17), Conservation et commerce des rhinocéros d'Asie et d'Afrique, et le paragraphe 22 de la résolution Conf. 10.10 (Rev. CoP17), Commerce de spécimens d'éléphants, par la mise en place d'un protocole national qui facilitera le prélèvement d'échantillons conformément aux procédures reconnues et à la législation pertinente réglementant ces échanges de spécimens; et*
- iv) *élaborer des directives et du matériel spécifiques au pays pour aider les fonctionnaires à identifier les spécimens travaillés de cornes de rhinocéros et d'ivoire portés comme bijoux, pour mieux sensibiliser les fonctionnaires qui se trouvent en première ligne et peuvent être en contact avec des touristes portant ces articles, et pour faire en sorte que ces fonctionnaires soient prêts à détecter ces articles et que toute tentative de contrebande de spécimens d'espèces sauvages de ce type puisse être détectée et déjouée;*

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

- g) *Le Comité permanent demande au Viet Nam de soumettre un rapport complet sur la mise en œuvre du Code pénal 2017, y compris des informations sur les arrestations, poursuites et condamnations en cas de délits impliquant le commerce illégal de cornes de rhinocéros commis à la frontière et sur les marchés nationaux au Viet Nam, obtenues grâce à l'application du Code pénal 2017, ainsi que des informations sur toute activité menée ou mesure appliquée conformément à la recommandation e) i) à iv) ci-dessus, au Secrétariat, avant le 31 janvier 2019, afin que le Secrétariat puisse mettre le rapport à la disposition du Comité permanent à sa 71<sup>e</sup> session, accompagné de toute recommandation qu'il pourrait faire;*
- h) *Le Comité permanent décide d'examiner le rapport soumis par le Viet Nam et les recommandations du Secrétariat au Comité permanent à sa 71<sup>e</sup> session pour déterminer si l'application du Code pénal 2017 et les activités ou mesures mises en œuvre constituent une réponse suffisante au commerce illégal des espèces sauvages en ce qu'il touche le Viet Nam, en particulier le commerce illégal de la corne de rhinocéros, ou si de nouvelles mesures sont nécessaires.*

3. Le rapport reçu du Viet Nam en application de la recommandation g) ci-dessus figure en annexe du présent document, en anglais seulement. Le Viet Nam est l'une des Parties incluses dans le processus des PANI. À sa 69<sup>e</sup> session, le Comité permanent a demandé au Viet Nam de réviser et d'actualiser son PANI et d'élaborer un Plan d'action national combiné pour l'ivoire et le rhinocéros (PANIR). Le Viet Nam a intégré, dans une large mesure, les questions exposées dans les recommandations ci-dessus dans son PANIR révisé et actualisé, jugé "adéquat" en juillet 2018. Pour son rapport à la présente session, il a utilisé le modèle de rapport sur l'état d'avancement de la mise en œuvre des PANI. Il a fourni des informations actualisées sur les progrès accomplis dans la mise en œuvre de son PANIR révisé et actualisé, ainsi que sur des questions allant au-delà de la portée des recommandations mentionnées ci-dessus. Les Parties sont invitées à consulter le rapport complet pour plus d'informations détaillées. Les paragraphes 4 à 10 ci-dessous présentent un résumé des principales questions relatives aux recommandations.

#### Mise en œuvre du Code pénal révisé 2017 ("Code pénal 2015 amendé")

4. Le Code pénal vietnamien nouvellement révisé en 2017 ("Code pénal 2015 amendé") est entré en vigueur le 1<sup>er</sup> janvier 2018. La Partie rend compte d'un certain nombre d'activités menées pour renforcer encore son cadre juridique de lutte contre le commerce illégal d'espèces sauvages, notamment le commerce illégal de l'ivoire et de la corne de rhinocéros. Cela comprend l'élaboration d'un nouveau décret sur la gestion des espèces menacées, précieuses et rares de plantes et d'animaux forestiers et l'application de la CITES comme cela est décrit dans l'action 1.1 de son PANIR. Ce décret est entré en vigueur le 10 mars 2019. En outre, le Viet Nam signale qu'un décret sur les sanctions applicables aux infractions administratives en matière de gestion, d'exploitation et de protection des forêts et des produits forestiers, comme cela est décrit à l'action 1.2 de son PANIR, a été soumis au Premier Ministre pour approbation. En ce qui concerne l'action 1.3 de son PANIR, le Viet Nam indique que le Ministère de l'agriculture et du développement rural a publié une circulaire sur la gestion et la traçabilité des produits forestiers, qui a pris effet le 1<sup>er</sup> janvier 2019. Le Viet Nam précise également que sa Cour suprême a publié la Directive 05/2018/NQ-HDTP du 5 novembre 2018 sur l'application du Code pénal.
5. Le Viet Nam indique que, pour mettre en œuvre l'action 2.9 de son PANIR, neuf cours de formation sur la réglementation du commerce des espèces sauvages et sur le Code pénal révisé ont été organisés entre janvier et décembre 2018. Plus de 500 fonctionnaires des douanes, de la police et de la Direction de la protection des forêts y ont notamment participé. La Partie rend compte en outre des progrès accomplis dans l'élaboration d'un guide de poche sur l'application du nouveau Code pénal à l'attention des agents des services de lutte contre la fraude, comme le prévoit la décision 2.11 de son PANIR. En outre, pour mettre en œuvre l'action 2.10 du PANIR, trois cours de formation sur la criminalité liée aux espèces sauvages et aux forêts, axés sur le commerce illégal de l'ivoire et de la corne de rhinocéros ainsi que sur le Code pénal révisé, ont été organisés, et 169 juges y ont participé.
6. Selon le rapport, les autorités douanières vietnamiennes ont détecté 40 cas de commerce illégal d'espèces sauvages, dont trois impliquant de l'ivoire et trois de la corne de rhinocéros. Le Viet Nam indique en outre que les agences de lutte contre la fraude appliquent le nouveau Code pénal révisé depuis son entrée en vigueur et que 29 contrevenants ont été arrêtés en 2018 dans 10 affaires. Des poursuites pénales ont été engagées dans deux de ces affaires et des sanctions administratives ont été appliquées dans les huit autres. La Partie ne fournit pas de précisions sur l'issue des affaires ni sur les sanctions administratives appliquées.

#### Activités menées ou mesures prises conformément à la recommandation e) i) à iv)

7. En ce qui concerne la recommandation e) i) ci-dessus, le Viet Nam fournit peu d'informations dans son rapport, notant qu'il y a eu une collaboration entre la police, les douanes, les organisations intergouvernementales et non gouvernementales, mais que les informations confidentielles concernant ces activités n'ont pu être incluses dans le rapport. Le Secrétariat estime que cela est compréhensible, car ces informations sont effectivement souvent confidentielles.
8. En ce qui concerne la recommandation e) ii), le Viet Nam indique que, conformément à l'action 2.4 de son PANIR, son Commandement des gardes-frontières a coordonné, avec La Direction provinciale de la protection des forêts et les autorités locales, la mobilisation de 12 équipes d'inspection visant des zones clés connues pour être affectées par le commerce illégal d'espèces sauvages. Le rapport indique que la Direction de la protection des forêts a coopéré avec le Comité populaire de Hanoï pour mener des enquêtes dans les magasins de sculptures et de souvenirs des communes de Phu Khe et Thuong Tin à Hanoï en juin et juillet 2018. En ce qui concerne l'action 2.3 de son PANIR sur les enquêtes sur les principales zones identifiées comme étant touchées par la criminalité liée aux espèces sauvages, le Viet Nam indique que le Ministère de la sécurité publique envisage un plan détaillé. Le Secrétariat note que le pilier 2 du PANIR du Viet Nam comporte un certain nombre de mesures visant à appuyer les actions de lutte contre la fraude au niveau national et la collaboration entre institutions, notamment par l'intermédiaire du Réseau vietnamien de lutte contre la fraude liée aux espèces sauvages (WEN – *Wildlife Enforcement Network*), et encourage le Viet Nam à continuer à entreprendre de telles activités.
9. La recommandation e) iii) est intégrée dans le PANIR en tant qu'action 2.6, et le Viet Nam indique que les orientations initiales concernant la collecte de spécimens d'ivoire et de corne de rhinocéros aux fins d'analyses criminalistiques ont été rédigées et que ce travail est en cours.
10. La recommandation e) iv) est intégrée au PANIR en tant que mesure 2.7 et il est signalé que ce travail est en cours.

#### Conclusions

11. Le Viet Nam fait des progrès louables dans la mise en œuvre de son PANIR, qui doit être appliqué au cours de la période 2018-2020. Le rapport préparé par les groupes de spécialistes des rhinocéros d'Afrique et d'Asie de la Commission de la sauvegarde des espèces (CSE) de l'Union internationale pour la conservation de la nature (UICN) et TRAFFIC<sup>2</sup> pour la 18<sup>e</sup> session de la Conférence des Parties (CoP18, Colombo, 2019) indique que le nombre de saisies effectuées au Viet Nam au cours de la période 2014-2018 a augmenté de 35 %, comparativement à la période 2009-2013. Si l'on compare les mêmes périodes, les saisies associées au Viet Nam et faites par d'autres Parties ont considérablement diminué. Cela est encourageant et, comme le souligne le rapport, pourrait indiquer une amélioration de la lutte contre la fraude au Viet Nam.
12. Toutefois, le rapport du Groupe CSE/UICN de spécialistes des rhinocéros d'Afrique et d'Asie et de TRAFFIC à la CoP18 indique également que le Viet Nam demeure l'une des Parties les plus touchées par le trafic de corne de rhinocéros. Il signale que les données disponibles sur les saisies laissent penser que le Viet Nam continue d'être l'une des principales destinations des envois illégaux de corne de rhinocéros. Le rapport note que, dans l'ensemble, le nombre estimé de cornes de rhinocéros illégales en cause a augmenté d'environ 24 % au cours de la dernière période. Le Secrétariat donne plus de détails sur le Viet Nam dans le document CoP18 Doc. 83.1.
13. Bien que beaucoup de travail ait été fait et que des progrès aient été réalisés, il est évident que le Viet Nam doit déployer des efforts soutenus et encore plus intenses pour lutter contre le trafic de corne de rhinocéros et d'ivoire. Il reste essentiel qu'il poursuive, dans le cadre de la mise en œuvre de son PANIR, l'analyse des informations afin de recenser les groupes criminels organisés actifs dans le pays impliqués dans le commerce illégal de corne de rhinocéros, en mettant un accent stratégique sur les lieux du pays les plus touchés par ce commerce illégal. Il reste également essentiel de réunir des équipes d'enquête pluridisciplinaires auxquelles participeraient toutes les autorités compétentes pour travailler en étroite collaboration avec les autorités locales dans les principaux domaines identifiés et pour lancer des opérations et des enquêtes fondées sur le renseignement afin de lutter contre les activités des éléments criminels restant actifs au Viet Nam. Le Secrétariat considère que ces activités peuvent être poursuivies par le Viet Nam à travers la mise en œuvre de son PANIR.

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<sup>2</sup> Voir l'annexe 2 du document CoP18 Doc 83.1, *Rhinocéros (Rhinocerotidae spp.): Rapport du Comité permanent et du Secrétariat*

14. Le Viet Nam est encouragé à donner la priorité aux activités décrites au paragraphe 13 ci-dessus dans le cadre de la mise en œuvre de son PANIR et à rendre compte de ces activités dans son rapport sur les progrès de la mise en œuvre de son PANIR qui sera soumis à la 73<sup>e</sup> session du Comité permanent, conformément aux Lignes directrices sur le processus relatif aux PANI figurant en annexe 3 de la résolution Conf. 10.10 (Rev. CoP16), *Commerce de spécimens d'éléphants*.

Recommandation:

15. Le Secrétariat recommande que le Comité permanent:

- a) encourage le Viet Nam, à travers la mise en œuvre de son PANIR, à:
  - i) poursuivre l'analyse des informations afin d'identifier les groupes de criminels organisés impliqués dans le commerce illégal de corne de rhinocéros dans le pays et les lieux où ils opèrent au Viet Nam; et
  - ii) entreprendre des enquêtes et des opérations impliquant toutes les autorités compétentes pour mettre fin à ces activités.
- b) demande au Viet Nam d'inclure dans le rapport sur la mise en œuvre de son PANIR qu'il soumettra à la 73<sup>e</sup> session du Comité permanent, l'état d'avancement des activités menées en application de la recommandation a) i) et ii).



## CITES NATIONAL IVORY ACTION PLAN PROGRESS REPORT

Prepared for the eighteenth meeting of the CITES Standing Committee

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Party: VIET NAM

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

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## **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 to 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:

<b>No.</b>	<b>Implementing progress</b>	<b>No. of activities</b>	<b>Percentage (%)</b>
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%
	<b>Total</b>	<b>25</b>	<b>100%</b>

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**

<b>PILLAR 1: Legislation and regulations</b>			
1.1. Develop the Decree on endangered, rare and precious wildlife management and CITES implementation	<b>INDICATOR:</b> 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	<b>PROGRESS RATING:</b> Achieved	<ul style="list-style-type: none"> <li>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.</li> </ul>
1.2. Amend the Decree on Sanctions for administrative violations on management, development, protection of forest and forest products	<b>INDICATOR:</b> the Decree is amended with relevant contents	<b>PROGRESS RATING:</b> Substantially achieved	<ul style="list-style-type: none"> <li>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.</li> </ul>
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	<b>INDICATOR:</b> Degree issued by the Ministry of Agriculture and Rural Development.	<b>PROGRESS RATING:</b> Achieved	<ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul>
<b>PILLAR 2: National level enforcement action and inter-agency collaboration</b>			
2.1. Cooperate, exchange information on VN-WEN network	<b>INDICATOR:</b> 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	<b>PROGRESS RATING:</b> Substantially achieved	<ul style="list-style-type: none"> <li>01 Viet Nam-WEN meeting was conducted on May 2018 to discuss on information sharing information.</li> </ul>
2.2. Hands-on training of environmental police on investigation techniques	<b>INDICATOR:</b> number of police officers trained	<b>PROGRESS RATING:</b> Not commenced	<ul style="list-style-type: none"> <li>The Ministry of Public security is considering the detailed plan of the training.</li> </ul>

2.3. Environmental polices to carry out 02 investigations in the area to strengthen control on wildlife crime in hotspot area	<b>INDICATOR:</b> basic investigation report in the area	<b>PROGRESS RATING:</b> Not commenced	<ul style="list-style-type: none"> <li>The Ministry of Public security is considering the detailed plan of the training.</li> </ul>
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	<b>INDICATOR:</b> investigation report	<b>PROGRESS RATING:</b> Achieved	<ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul>
2.5. Survey, report, recommendation, and solution in controlling online illegal wildlife trade, cyber-crime on social media.	<b>INDICATOR:</b> increased level of information exchange and interaction with cyber-crime police	<b>PROGRESS RATING:</b> On track	<ul style="list-style-type: none"> <li>The activities are allocated in the Saving Species project funded by USAID and expect to be completed in July 2019.</li> </ul>
2.6. Develop technical guidelines on collecting forensic samples of ivory, rhino horns and training for forensic officers to use the guidelines	<b>INDICATOR:</b> 01 technical guidelines issued / recommended considering CITES guidelines in Resolution 9.14 (Rev CoP14)	<b>PROGRESS RATING:</b> On track	<ul style="list-style-type: none"> <li>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</li> <li>The procedure is expected to be completed in 2019.</li> </ul>
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	<b>INDICATOR:</b> 01 materials recommended by management authorities and provided for relevant parties, number of guidelines incorporated	<b>PROGRESS RATING:</b> On track	<ul style="list-style-type: none"> <li>The activities are allocated in the Saving Species project funded by USAID and expect to be completed in 2019.</li> </ul>
2.8. Training workshops for law enforcement agencies to strengthen their CITES implementation capacity using specifically designed curriculums suitable for each group.	<b>INDICATOR:</b> 01 training curriculum for law enforcement groups adapted to local practice; number of officers participate in workshops.	<b>PROGRESS RATING:</b> Substantially achieved	<ul style="list-style-type: none"> <li>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.</li> <li>The Viet Nam CITES Management Authority continues to conduct similar trainings in 2019.</li> </ul>
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	<b>INDICATOR:</b> number of officers participate the training workshop	<b>PROGRESS RATING:</b> Achieved	<ul style="list-style-type: none"> <li>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;</li> </ul>

			<ul style="list-style-type: none"> <li>+ 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;</li> <li>+ 03 courses conducted by the Viet Nam CITES Management Authority in cooperation with USAID for 158 enforcement officials in December 2018.</li> <li>The outcome of the training course is the improvement on awareness and knowledge on wildlife in general.</li> </ul>
2.10. Training courses to raise awareness of judiciary officials on the seriousness of wildlife crimes, particularly ivory and rhino horn offences	<b>INDICATOR:</b> Number of convicted cases with penal sanctions	<b>PROGRESS RATING:</b> Achieved	<ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul>
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	<b>INDICATOR:</b> 01 pocket guide to be disseminated to enforcement officers	<b>PROGRESS RATING:</b> Achieved	<ul style="list-style-type: none"> <li>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.</li> </ul>
<b>PILLAR 3: International and regional enforcement collaboration</b>			
3.1. Continuous exchange of information on seizures within ASEAN-WEN countries or joint-training among countries who signed MoU with Viet Nam.	<b>INDICATOR:</b> number of information exchanges including data on seizures, prosecution, conviction, forensic test	<b>PROGRESS RATING:</b> 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	<b>INDICATOR:</b> The number of cases is exchanged legal assistance information	<b>PROGRESS RATING:</b> Substantially achieved	<ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul>

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.	<b>INDICATOR:</b> : The number of receiving information and arrests made from sufficient quality information	<b>PROGRESS RATING:</b> Substantially achieved	<ul style="list-style-type: none"> <li>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>).</li> </ul>
<b>PILLAR 4: Outreach, public awareness and education</b>			
4.1. National extra-curricular training curriculum on the protection, conservation of prioritized wildlife animals for elementary school students	<b>INDICATOR:</b> extra-curricular training program to be approved by the Ministry of Education and Training and endorsed for nationwide application.	<b>PROGRESS RATING:</b> 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"> <li>Completed the draft educational materials on wildlife protection for primary school which will be pilot in teaching in 5 provinces and cities;</li> <li>Two pilots will be completed in June 2019 and the materials will be appraisal before applied nationwide.</li> </ul>
4.2. Incorporate issues on protection, conservation of prioritized wild species in the reformed national curriculum for general education.	<b>INDICATOR:</b> extra-curriculum activities approved by the National Assembly and applied nationwide.	<b>PROGRESS RATING:</b> On track	<ul style="list-style-type: none"> <li>The Viet Nam CITES Management Authority has submitted to proposal to the General Education Reform Board.</li> </ul>
4.3. Surveys on consumer demands, consumer behaviors domestic market of ivory and rhinoceros horns	<b>INDICATOR:</b> survey reports towards a more behavior-oriented demand reduction outreach	<b>PROGRESS RATING:</b> On track	<ul style="list-style-type: none"> <li>USAID Wildlife Asia in cooperation with TRAFFIC has conducted the surveys and expected to be completed in Quarter 1 of 2019.</li> </ul>
4.4. Outreach of demand reduction for ivory and rhino horns among international tourists to Viet Nam.	<b>INDICATOR:</b> number of tourist received communication messages	<b>PROGRESS RATING:</b> On track	<ul style="list-style-type: none"> <li>The Viet Nam CITES Management Authority in cooperation with Humane Society International has developed the plan and will implement the project.</li> </ul>
4.5. Survey on consumer demands, consumer behaviors on reducing demand for ivory and rhino horns to business groups.	<b>INDICATOR:</b> number of business/business-person received communication messages	<b>PROGRESS RATING:</b> On track	<ul style="list-style-type: none"> <li>The activities are allocated in the Saving Species project funded by USAID and expect to be completed in July 2019.</li> </ul>
4.6. Raise public awareness on the protection and conservation of wildlife in general and elephant and rhinoceros in particular	<b>INDICATOR:</b> carry out a number of communications on the mass media (newspapers, radio ...) and other forms	<b>PROGRESS RATING:</b> Substantially achieved	<ul style="list-style-type: none"> <li>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.</li> <li>Vietnam has committed in the London statement on illegal wildlife trade in October 2018;</li> </ul>

			<ul style="list-style-type: none"> <li>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.</li> </ul>
<b>PILLAR 5: Reporting</b>			
5.1. National database system of illegal trade, transport, possession and related cases, from seizures, prosecution, convictions	<b>INDICATOR:</b> information regularly updated, statistical report made annually	<b>PROGRESS RATING:</b> Pending completion of another action	<ul style="list-style-type: none"> <li>The activity has discontinued due to barriers from domestic legislation in sharing and publicizing information on arrest, prosecution and trial.</li> </ul>
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	<b>INDICATOR:</b> Information and reports are updated by Viet Nam CITES Management Authority from the relevant agencies and sent to the CITES Secretariat periodically.	<b>PROGRESS RATING:</b> Substantially achieved	<p>The Viet Nam CITES Management Authority has completed:</p> <ul style="list-style-type: none"> <li>To submit to the rhino horn specimen storage report to the CITES Secretariat;</li> <li>To provide information on ETIS for seizures more than 500kg;</li> <li>The country annual report will be completed in Quarter 1/2019.</li> </ul>



**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](#)).