

Ha Long Bears: A simple question of law made difficult

How many months and how many years will it take to get Ha Long city bear bile tourism operations stopped? Despite clear instructions from the Ministry of Culture, Sports and Tourism, and support from key National Assembly Members and provincial law enforcement and government agencies, at least three bear bile businesses continue to receive busloads of Korean visitors in Ha Long city.

In accordance with two separate instructions issued in March 2011 by the Ministry of Culture, Sports and Tourism, as well as the Quang Ninh Department of Culture, Sports and Tourism, such tourism activities at bear farms in Vietnam in general, and Ha Long Bay specifically, are prohibited and tour companies and businesses engaging in such activities would be punished in accordance with the law.

The instruction from the Ministry of Culture, Sports and Tourism states, "Some businesses welcome tourists to visit bear farms, see bear bile extraction, and buy bear products. This negatively influences the friendly and attractive image of the country and the people of Vietnam, and also harms the healthy and sustainable nature of local tourism".

The aim of these instructions is to bring an end to this practice, which not only festers as an embarrassing blemish on the face of our country, but also promotes and encourages tourists to engage in illegal activities.

Each month, surveillance of these farms is carried out. Each month, photographs are taken of buses unloading tourists in front of the farms. Although the number of tourists has reduced, the practice has not stopped



A number of bear farms in Ha Long are still taking tourists despite the ban issued by the Ministry of Culture, Sports and Tourism.

Photo: ENV

as some local authorities have suggested. The only notable difference is that the buses park down the street so as not to attract attention. Korean visitors continue to flow through the farms.

One of the bear bile business operations, the Dat Viet company, was raided in October 2010 by Environmental Police, during which a group of Korean tourists and farm employees were caught "red handed" in the act of extracting bile. However, despite determined action by provincial police, the Dat Viet company continues to run two of the active farms in Ha Long city.

The question remains, what price are we willing to pay by allowing Dat Viet and other farms to continue to entertain Korean tour groups in defiance of the instructions from authorities? It seems that very few

people benefit from these illegal operations and yet these farms adversely impact our international reputation in the heart of our most prestigious and popular tourist site.

What will it take to bring closure to this issue, not just in Ha Long city but in Ho Chi Minh City, Binh Duong and Ha Noi where a few other bear farms lure unsuspecting foreign tourists into committing crimes while visiting our country?

The Quang Ninh People's Committee needs to close these farms to visitors and take bold action to demonstrate our collective commitment and effectiveness, upholding the laws of Vietnam intended to protect bears, meeting the instructions from government, and serving the interests of Vietnam and its people, and our reputation.

This is an issue of law, but also pride, responsibility, and a measure of the effectiveness of local authorities to meet their obligations to the country.



Korean tour buses recently observed at bear farms in Ha Long.

Photo: ENV

Ban on Bear Bile Tourism

Ministry of Culture, Sports and Tourism Instruction No.210/TCDL - LH, March 11, 2011

- Travel companies are prohibited from organizing tours and taking tourists to bear farms where bears are kept and bile is extracted.
- For serious violations, the Vietnam National Administration of Tourism will withdraw the business license of tour companies.

Other provinces should note: This instruction applies to ALL bear farms in Vietnam for which tour companies are involved in delivering tourists or arranging tours.

Quang Ninh Department of Culture, Sports and Tourism Instruction No.282/ SVHTTDL - TTr, March 1, 2011

- Tour companies are prohibited from bringing tourists to bear-keeping places
- The tour companies are required to warn tourists not to buy bear bile or products while in Vietnam as it represents a violation of the law and CITES regulating international trade of wildlife.
- Tour companies will identify and strictly deal with guides who violate this instruction.

The illegal wildlife trade is mainly run by organized criminal networks some of which also are involved in drugs, prostitution, and human trafficking.

Enforcement briefs

Critically endangered Vietnamese turtles observed in Chinese markets

A team of international experts inspecting China's notorious Guang Zhou wildlife market over a two day period in early November, observed hundreds of turtles that were reportedly sourced from Vietnam representing at least 16 of Vietnam's 25 native species. Of particular concern was the presence of more than one hundred Bourret's box turtles (*Cuora bourreti*) a critically endangered species endemic to the provinces of central Vietnam. This species, native to Thua Thien Hue south to Dak Nong, inhabit forested areas.

The market inspections in China should be a cause for concern for authorities here given the endemic and rare nature of this species. It is therefore critical that provincial governments in the region for which this species is found, increase vigilance in efforts to protect remaining natural forest habitat, increasing enforcement measures to reduce hunting, and ensuring that turtles that are confiscated (and are of known origin), are returned to their native habitat.

Moreover, authorities situated along main trade routes to China should carefully inspect shipments of confiscated turtles, and ensure that this and other critically endangered species are not auctioned off under any circumstances.

More than 100 critically endangered Indochinese box turtles (*Cuora galbinifrons*) were also observed in Guang Zhou market, along with thousands of elongated tortoises (*Indotestudo elongata*), giant Asian pond turtles (*Heosemys grandis*), yellow-headed temple turtles (*Heosemys annadalii*), and keeled box turtles (*Cuora mouhotii*), many of which were likely sourced from Vietnam or smuggled through Vietnam from Cambodia and Laos.

Action is needed to protect some of our most endangered turtle species before they are hunted to extinction. It is time to stop looking at turtles as a resource to be exploited, and start thinking about protecting them more effectively in the wild. At best, endangered turtle species should NEVER be auctioned off back into the trade. Such actions are irresponsible and auctioning of endangered wildlife is now widely perceived as a form of "crime against nature" in itself.



Bourret's box turtles (*Cuora bourreti*) endemic to Vietnam and recently observed in Chinese markets. Authorities have auctioned off this species more than once following seizures, a practice that must stop if this species is to survive.

Photo: Bui Dang Phong

The best place to protect wildlife is to protect animals in their habitat where they belongs, and before they fall into the hands of hunters and traders.

Enforcement briefs

Illegal bears must be confiscated according to the law

At the meeting between the Ministry of Agriculture and Rural Development, National Environmental Police and the Ministry of Justice in mid-2010, National Forest Protection Department confirmed that illegal bears must be confiscated when discovered by authorities. Owners may be fined, but the bear must also be confiscated in accordance with the law. Under no circumstances may a province allow the owner to keep the bear.

National Forest Protection Department plans to issue an official correspondence to this effect in the coming weeks.

New Turtle ID Resource

In December, ENV released a hard copy version of the Guide to Tortoises and Freshwater Turtles intended for use by enforcement agencies in helping identify turtles confiscated in trade. An updated electronic version of the guide is also available on the ENV website: <http://envietnam.org/library/Resource%20and%20Publication/Turtle%20ID%20book%202011.pdf>

Direct from the public

Giant soft-shell sold to China

Regarding a case in Hanoi, concerning a large Asiatic soft-shell turtle that was caught by a local fisherman efforts by police and ENV to get a response from relevant agencies that would have resulted in the turtle's confiscation were unsuccessful. The FPD argued that it was the Fisheries Department's responsibility. The Fisheries Department argued that it was the FPD's responsibility. Police gave up when on one from either agency showed up and the fisherman then sold the turtle to a Chinese buyer.

Some public responses:

"When authorities argue over who is responsible rather than do their duty, how can the public be expected to follow the law?"

"Authorities should have done their job to prevent this from happening"

"How can our country develop if authorities are so irresponsible? Moreover, the soft-shell turtle was sold to China. Why are Vietnamese people still killing our wildlife???"



A rare large soft shell turtle was illegally caught in Hanoi and reportedly sold to a Chinese man after local authorities failed to respond.

Photo: ENV

On watch

BINH DUONG

Mr.Hai, owner of Thanh Canh Enterprise is still keeping tigers and other endangered wildlife, despite being convicted in August 2011 for his involvement in illegal trade of as many as five tigers through or from his private zoo. ENV notes that the appropriate thing to do, given his recent conviction and criminal trade of tigers, is to confiscate all of his remaining tigers and transfer them to a legal establishment. It should be noted that Mr.Hai also keeps a large number of bears and other endangered wildlife, which like the tigers, are reportedly of illegal origin.



Photo: ENV

NINH BINH

Transfer of the remains of two tigers confiscated in Tam Diep district in Ninh Binh province is pending following agreement by authorities to move them to the National Museum.

BINH DINH

Disposal of 102 dead marine turtles that were confiscated in Binh Dinh province is pending. ENV expects the remains of these turtles to be destroyed or transferred to the National Museum in Hanoi.

QUANG NGAI

A final decision is pending on the transfer of an illegal bear from Quang Ngai to the Animals Asia Foundation's Bear Sanctuary in Tam Dao or Cat Tien Bear Rescue Center. The owner of the illegal bear reportedly wants compensation from authorities for taking care of the animal that he obtained and kept illegally. ENV expects that the bear will be transferred to a legal establishment by the time this bulletin is printed and distributed.

Tigers, gibbons, langurs, elephants, and many more species, all following the path of the rhino. It's up to you to get off this road before it's too late.

Crime log

BINH THUAN

On November 5, authorities discovered five green sea turtles (*Chelonia mydas*) in a three-meter deep well in the Phu Quy island but there was no one in the village claiming the owner of these turtles. Authorities released the turtles back into the sea on the following day (Case ref.3795/ENV).

HANOI

On October 19, Hanoi environmental police confiscated a loris from a shop in Hanoi. The animal was then transferred to the Soc Son Rescue Center (Case ref.3742/ENV).

QUANG TRI

On October 17, authorities confiscated 15 Asian leaf turtles (*Cyclemys tcheponensis*) and three Chinese soft-shell turtles (*Pelodiscus sinensis*) from a man who claimed that he bought the animals from Laos and intended to sell them in Dong Ha town. The animals were released into a local protected area (Case ref.3748/ENV).

QUANG NINH

On October 22, Quang Ninh Customs arrested a Vietnamese boat man and two Chinese for transporting 1,061 kg of elephant tusks illegally. The Vietnamese subject said that he was hired to transport the shipment from Mong Cai to Guang Xi, China. The Chinese subject claimed that he was hired by a man in China to transport cloth from Vietnam to Guang Xi (Case ref.3753/ENV).



Quang Ninh Customs agents discovered elephant tusks hidden on a boat that was preparing to cross the river to China.

Photo: Quang Ninh Customs



Five marine turtles rescued by Binh Thuan authorities from a local well waiting to be released back into the sea.

Photo: www.zing.vn

On October 31, Tien Yen district police confiscated more than 150kg of water birds which were transported illegally by a man residing in Hai Phong city. The subject was fined a total of VND 6,5 million (USD 312) (Case ref.3779/ENV).

HAI PHONG

On November 5, Hai Phong authorities confiscated a shipment of 350 kg of elephant tusks. According to the authority, the shipment originated from Hong Kong; however, the addressee denied ownership of the shipment (Case ref.3787/ENV).

NGHE AN

On November 3, Nghe An authorities confiscated eleven civets and two live brush-tail porcupines (*Atherurus macrourus*) from a man residing in Quynh Luu district. The subject was fined VND 15 million (USD 720) (Case ref.3789/ENV).

LANG SON

On November 6, Tung Dien district traffic police arrested one man and confiscated 367 kg of frozen pangolins and 83 kg of bear paws hidden in a car which originated from Ha Tinh province and was heading for the Chinese border. However, the driver, who was suspected to be the owner of the shipment, managed to escaped in the dark (Case ref.3791/ENV).

DONG NAI

On October 24, a local bear farmer voluntarily turned over two Asiatic black bears (*Selenarctos*

thibetanus) to the provincial FPD. The bears were then transferred to the Cat Tien National Park Rescue Center (Case ref.3697/ENV).

KHANH HOA

On November 8, the Fishery and Resource Protection Department released two hawksbill sea turtles (*Eretmochelys imbricata*) back into the sea. The animals were bought by a local resident earlier from a fisherman, then voluntarily turned over to the authorities (Case ref.3806/ENV).

DAK NONG

On November 25, a local resident voluntarily turned over a Barn owl (*Tyto alba*) which was accidentally caught in his net in his garden the day before. The Dak Nong FPD received the bird and released it into the Cat Tien National Park.(Case ref.3825/ENV).

HO CHI MINH

On October 11, FPD and environmental police responded to a hotline call and confiscated a yellow-cheeked gibbon (*Hylobates gabriellae*) and a pig-tailed macaque (*Macaca leonina*) from a church. The animals were transferred to the Cu Chi Rescue Center (Case ref.3714/ENV).

On October 27, environmental police confiscated 45 wild birds including from a street vendor including pelicans, thrushes, bulbuls and ospreys. All the birds were transferred to the Dam Sen Park (Case ref.3783/ENV).

On November 17, 2011 local police confiscated seven hawksbill sea turtles (*Eretmochelys imbricata*) being transported in a car. The turtles have been transferred to the Cu Chi Rescue Center and are planned to be released in the near future (Case ref.3863/ENV).

On November 23, a veterinarian voluntarily turned over a baby owl. According to him, the owl was given to him by a Japanese woman who found the animal while she was jogging. The owl was received by the Cu Chi Rescue Center (Case ref.3826/ENV).

QUANG NAM

On November 30, Tam Ky city police confiscated 60 kg of wildlife including 36 kg of Indochinese rat snakes (*Ptyas korros*), four kg of radiated rat snakes (*Elaphe radiata*), three turtles, one python and one civet. The subject ran away, leaving

behind his motorbike and the animals. The animals were later released into the Phu Ninh protection forest (Case ref.3855/ENV).

BINH DUONG

On November 29, a bear farmer voluntarily turned over 14 Asiatic black bears (*Selenarctos thibetanus*) to the Binh Duong FPD. Under instruction from the National FPD, the animals were immediately transferred to the Animals Asia Foundation's Tam Dao Bear Sanctuary (Case ref.3856/ENV).

DAK LAK

On November 22, rangers of Chu Yang Sin National Park arrested a university student for transporting 14 dried black-shanked douc langurs (*Pygathrix nigripes*) and one stump-tailed macaque (*Macaca arctoides*). The subject claimed that he bought the animals from ethnic minority people and this was the second time he had done so. He is currently waiting to be prosecuted (Case ref.3859/ENV).

HA TINH

On December 2, Cau Treo Customs confiscated 50 kg of pangolins but the subject(s) managed to get away. The animals were believed to be illegally imported from Laos and planned to be shipped to China (Case ref.3862/ENV).



Gutted wild boar and muntjac confiscated by Dak Lak Environmental Police.

Photo: Dak Lak Environmental Police

The ENV Wildlife Crime Unit

ENV's Wildlife Crime Unit (WCU) was established in 2005 to facilitate and motivate public involvement in efforts to combat wildlife trade, and to improve the effectiveness of front line law enforcement agencies. The WCU administers a public toll-free national hotline for reporting wildlife crimes. Information reported through the hotline is passed on to the appropriate authorities. ENV then works closely with law enforcement agencies, tracking each case through to conclusion, and documenting the results on ENV's Wildlife Crime Database. The WCU has documented more than 3,700 wildlife crime cases as of September 2011

The main aims of the WCU are to:

- Encourage public participation in efforts to stop the illegal trade of wildlife
- Provide support to law enforcement agencies tasked with combating wildlife crime
- Document crimes and work with authorities to identify and address factors that contribute to wildlife crime

ENV's Wildlife Crime and Investigation Unit's efforts to end illegal hunting and trade of wildlife are made possible thanks to the generous support from the following institutions:

World Society for the Protection of Animals (WSPA)

Humane Society International (HSI)

Critical Ecosystem Partnership Fund (CEPF)

SeaWorld & Busch Gardens Conservation Fund

John D. and Catherine T. MacArthur Foundation

Rufford Maurice Laing Foundation

Houston Zoo

Auckland Zoo

Columbus Zoo

Freeland Foundation

Cleveland Metroparks Zoo

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ENV English Website: www.envvietnam.org

Wildlife Crime Gallery: www.savingvietnamswildlife.org

ENV Facebook: <http://www.facebook.com/EducationforNatureVietnam>

Stop Wildlife Crime!



If you observe wildlife being kept, sold, transported, traded, consumed, or advertised, contact your local authorities or call the ENV Wildlife Crime Hotline:

Hotline: **1800 1522** Email: hotline@fpt.vn