

Combating Wildlife Trade: Commitment + Vision + Leadership = Success

Wildlife protection laws are intended to ensure the long-term protection of animals in nature, particularly species that are endangered and threatened with extinction. The Forest Protection Department is tasked with safeguarding the long-term protection of endangered species and other wildlife in Vietnam and ensuring that no species becomes extinct.

Achieving this objective is a challenging task for the Forest Protection Department, from those rangers serving on the front lines at National Parks and Nature Reserves to the mobile response teams operating in the provinces, and the scores of rangers serving important roles in district, provincial, and central offices. Achieving success is entirely possible, but is dependent upon the commitment and vision of leadership and the willingness to embark on a road that will effect change.

Effective measures to protect wildlife will begin to succeed when leaders of functional agencies and their superiors mobilize their agencies to aggressively address the problem in a manner that is not half hearted. They must focus on achieving results, measured in terms of hunters arrested, traps removed, shipments seized, criminals prosecuted and reduction in consumer trade.

Illegal consumer trade, too big a problem to handle?

The problem of addressing the illegal consumer trade of wildlife is indeed an immense problem to tackle. However, it is not beyond our ability to do so if we are committed to achieving this task.

The first step in this process is purely psychological; accepting the idea that we can have substantial impact on the illegal trade. Simply giving in to the idea that it is too big an issue to tackle are words of defeat uttered by the weak and non-committed.

Following acceptance of the fact that we can do something is the need for a clear strategic approach to the problem that is designed to yield results. In practical terms, this plan would focus on



The remains of three tigers that were seized in Mong Cai border town of Quang Ninh province shortly before they were to be smuggled into China. Protecting tigers and other critically endangered wildlife requires a strong commitment by politicians, law enforcement and the public to stop this illegal trade.

Photo: Quang Ninh EP

immediate reductions in consumer trade by targeting establishments violating the law.

Minor or major, does it matter?

Business owners that violate the law must be held accountable regardless of whether their violation is major or minor in nature. How an enforcement agency responds to any given violation has a ripple effect within society. If authorities consistently enforce a law, the public will quickly learn to comply with the law. However, if enforcement is inconsistent or makes allowances for "minor violations", that the authorities believe may not be important enough to warrant attention, this too sends a message to the public suggesting that the violation is at least selectively allowed or "not enforced".

Failure to consistently enforce the law on even small violations actually contributes to increasing



Selling of bear bile may be considered a minor violation but this perception has contributed to the growth of the bear bile industry in Vietnam which in turn is credited for the decimation of wild bear populations across Southeast Asia.

Photo: ENV

wildlife trade, as other businesses see that the violation is permitted without penalty and engage in the same sort of business. Inconsistency in enforcement also undermines public trust and respect for the law and those tasked with enforcing the law.

While it is argued that all violations warrant a response aimed at securing compliance with

the law, methods used to obtain compliance allows local authorities considerable leeway in treating violations differently ranging from warnings to imprisonment, depending on the nature of the crimes. In all cases, a response is necessary and confiscation of illegal contraband is a critical requirement to achieve success.

Bringing revenue to the state

Ensuring that fines contribute to the state budget is an important part of wildlife protection. However, this alone is NOT the objective. As noted at the beginning of this article, the purpose of wildlife protection laws are to protect wildlife in nature and regulate human activities that threaten Vietnam's biodiversity. The purpose of fines and punishment is to establish an effective deterrent to ensure compliance with the law, and thus, protect wildlife. The purpose of these laws is not to bring funds into the state budget. Thus, local authorities should focus on the objectives of these laws and direct enforcement actions, not based upon potential fines or proceeds from auctions but on impacts that enforcement will have on protecting wildlife.

If this concept was universally understood and valued, the results of enforcement efforts would have substantially higher impact on wildlife protection than they do presently.

The power to make these changes rests not with policy-makers in Hanoi, but with local leadership of enforcement agencies and government. Success in protecting Vietnam's wildlife rests in the hands of local authorities, and having major positive impacts on illegal trade is not as complicated or impossible as many people may suggest. In the end, success depends mainly on good leadership and commitment at the local level and enforcing existing laws effectively to bring change.

How to gain compliance of restaurants and businesses violating the law

- Regularly inspect establishments looking for signboards, menus and price lists advertising wildlife including live animals, parts, or products.
- Confiscate any wildlife, parts, or products that are not of legal origin including wildlife wines, live animals, meat, or products made from wildlife such as medicines, handicrafts, or decorations. These animals and products are illegal and may not be left in the hands of the owner regardless of whether punishment follows or not.
- Confiscate menus and order immediate removal of signboards or other advertising.
- Issue a warning to first time minor violators and make the owner aware of the law
- Issues stiff fines to business establishments that continue to violate the law after previous warnings or punishment. Utilize maximum fines for major violators and coordinate revocation of business licenses by local authorities.
- Coordinate with police to arrest and prosecute violators engaged in criminal activity.

If these measures are taken consistently without exception, illegal consumer trade within the jurisdiction will be eliminated in less than a year. However, actions must be consistent and determined, with the aim being to set an example of violators that the public can see and to project the understanding that enforcement of wildlife protection laws will remain in effect indefinitely.

Public reporting of crimes: Measuring the response of local authorities



A spotted seal caught in Quang Binh province was discovered at the home of a local fisherman. Authorities plan to turn it over to the Nha Trang Oceanographic Institute.

Photo: Dang Quang Ngoc

ENV is launching a new program aimed at evaluating the response of local authorities to the public reporting of wildlife crimes.

When crimes (excluding minor violations) are reported to ENV by the public, trained case officers at ENV transfer the information to local authorities and the case is logged on ENV's new case tracking system. ENV will later follow up on the report to determine what action was taken in response to the report by a member of the public. The response is then documented.

ENV will then produce a report biannually rating the performance of each province in relation to cases reported to ENV by the public. ENV will provide copies of the "report card" to provincial leaders and relevant departments within the province. A public version of the evaluation will also be posted on ENV's website so that people reporting crime in each province can see how their province is performing.

For example, between January 1 and June 30, 2011 tracking shows that Thua Thien Hue, Quang Nam and Quang Tri provinces had 100% response rate. Da Nang also had a great response rate of 93% for cases reported to local authorities by the public through ENV. This excellent record demonstrates how seriously these provinces understand the importance of combating wildlife crime, and responding to public interest and concerns over the issue.

Evaluations have been completed for Hanoi and several other provinces but are yet to be released.

Provinces with only a few cases reported through ENV will not be evaluated under the new system.

Enforcement advisor

Owner allowed to keep illegal bear, why?

Q: I was involved in a bear case recently in Nghe An during which an unregistered bear was discovered during monitoring of farms. After many months of discussion, the owner was allowed to keep the bear after consultation with the CITES office. This seems to be counterproductive and confusing for rangers if the goal is to end bear farming.



ENV has documented the confiscation of 39 illegal unregistered bears after they were discovered being kept on farms. In addition, 31 live bear cubs that were destined for bear bile farms have been confiscated in recent years.

Photo: ENV

A: We agree. When a criminal is caught in possession of an illegal bear the very first step is to confiscate the animal and then determine the appropriate punishment to follow. Allowing a criminal to keep a bear undermines not only the law but also collective efforts inside and outside of Vietnam to protect bears. Indeed, the government put in place wildlife protection laws in order to protect bears and other endangered wildlife.

Some provinces understand this clearly and act strictly, using the law to confiscate bears and other wildlife and punish violators, with the objective of ending illegal trade in their provinces. A few other provinces seem less consistent in their dealings when illegal wildlife is discovered.

The Nghe An bear that you mention should have been confiscated as is the law, and in line with the 2005 commitment by the Ministry of Agriculture and Rural Development to end bear farming in Vietnam.

There is plenty of space for confiscated bears at any number of rescue facilities in Vietnam. There is no reason to allow criminals to keep bears that are discovered in their possession anymore than we would allow criminals to keep a shipment of narcotics, firearms, or human slaves.

Transfer Bear

If you have an illegal bear that you wish to transfer, let us know and we will help you get it placed in one of the rescue centers. Call us at

1800 1522

Shakedown breeds disrespect

Q: I run a farm in the north of Vietnam where I keep some valuable species (listed on Group 1B) and porcupines. I receive regular visits by inspection teams from the province and at these visits they require me to prepare a big meal and ask for money each time they check. If I complain the situation will become worse. Why should I follow the law when local authorities only use the law to line their pockets?

A: We are aware of similar stories from other farmers. We agree that authorities should be responsible in their dealings with farmers, inspecting farms and enforcing the law. However, they should not ask for or agree to receive any form of payment or favors including meals or gifts during their inspections. Certainly, this type of negative behavior undermines their authority and breeds disrespect for the law. If farmers are to respect and follow the law, local authorities must act professionally in their execution of the law.



A ferret badger advertised for sale on the internet disappeared before authorities could track down the owner.

Photo: www.5giay.vn

Report corruption

If you are aware of authorities accepting money or gifts from individuals involved in wildlife trade or wildlife farming, please report the incident to the National Anti-corruption Department at

080 48 228

Crime Log

DONG NAI

In mid-June, a tourism company in Dong Nai voluntarily handed over five registered bears to authorities. The animals included three Asiatic black bears (*Selenarctos thibetanus*) and two Malayan sun bears (*Helarctos malayanus*). The bears were transferred to Cat Tien National Park Rescue Center (Case ref. 3490/ENV).

DA NANG

In June, Da Nang authorities confiscated a number of live animals including a civet, three monitor lizards, four Chinese cobras (*Naja atra*), two banded kraits (*Bungarus fasciatus*), 13 common rat snakes (*Ptyas mucosus*), seven bamboo rats (*unidentified*), 13 Chinese water dragons (*Physignathus cocincinus*) and 6kg of wildlife meat from two local restaurants. All the live animals were released into Ba Na-Nui Chua Nature Reserve (NR) and the owners of the two restaurants received administrative fines of VND 5,000,000 and VND 6,500,000 (USD \$250 and USD \$325) (Case ref. 3493 and 3494/ENV).

On July 18, Da Nang Forest Protection Department (FPD) confiscated a crested goshawk (*Accipiter trivirgatus*) from a mobile street vendor after receiving a tip from an informant. The bird was released into Son Tra NR (Case ref. 3581/ENV).

QUANG NINH

On July 18, Quang Ninh Environmental Police (EP) confiscated three frozen tigers (*Panthera tigris*) from a resident in Mong Cai city. The subject claimed that he was hired by a Chinese man to buy the tigers in Nghe An and transport them to China. Authorities are yet to prosecute the subject (Case ref. 3590/ENV).

HANOI

On July 12, Hanoi EP and Soc Son district police confiscated a fishing cat (*Prionailurus viverrinus*) that was advertised for sale on the internet. The animal was transferred to Soc Son Rescue Center and authorities plan to issue the subject with an administrative fine (Case ref. 3517-3574/ENV).

In late July, Hanoi authorities confiscated two leopard cats (*Prionailurus bengalensis*) from a



A marine turtle trapped in a net was rescued by this group of children in Quang Ninh. The turtle was then released back into the sea.

Photo: Duc Man

residence in Chuong My district. The animals were transferred to Soc Son Rescue Center and the subjects involved were fined VND 50 million (\$2,500) (Case ref. 3622/ENV).

QUANG NAM

On June 5, Quang Nam management board of Cham Island Marine Protection Authority released two hawksbill sea turtles (*Eretmochelys imbricate*) into the sea. Both turtles had been confiscated from local residents. One owner claimed he bought the turtle 8 years ago in Quang Ngai and the other owner claimed she had owned the turtle for about nine months (Case ref. 3497 and 3498/ENV).

NINH THUAN

On July 19, Nui Chua National Park confiscated 15 dead black-shanked douc langurs (*Pygathrix nigripes*) from two local hunters coming out of the forest. The animals had been hunted, gutted then hidden in a bag. The subjects are currently in prison awaiting prosecution (Case ref. 3589/ENV).

QUANG BINH

In June and July, Quang Binh authorities confiscated two macaques from residents after

Buying and selling wild animals and their parts is a CRIME.

receiving tips from local volunteers. Both animals were transferred to Phong Nha-Ke Bang National Park (Case ref. 3517-3572/ENV).

THAI NGUYEN

On June 8, Thai Nguyen FPD confiscated one dwarf musk deer (*Moschus berezovskii*), two keeled box turtles (*Cuora mouhotii*) and one raccoon dog (*Nyctereutes procyonoides*) from a local hunter. All the animals were transferred to Cuc Phuong National Park. According to a member of staff at Cuc Phuong, the musk deer unfortunately died as a result of serious injuries sustained previously (Case ref. 3500/ENV).

BINH DINH

On July 30, Binh Dinh authorities seized 102 hawksbill sea turtles that had been illegally transported in a truck by a man residing in Ben Tre province. All the turtles were dead and ENV encouraged the authorities not to auction the animals but instead to transfer them to a museum or incinerate them (Case ref. 3617/ENV).

QUANG TRI

On June 8, Quang Tri FPD confiscated a macaque from a resident after receiving a tip from a local volunteer. The animal was released immediately into a local forest (Case ref. 3499/ENV).

One week later, Trieu Phong district police confiscated 16 turtles and eight butterfly lizards that had been illegally transported by motorbike. According to authorities, the subject claimed he was hired to transport the animals from Trieu Phong to Dong Ha district of Quang Tri but he refused to provide any further information. The subject was fined a total of VND 5,750,000 (USD \$280) and the animals were released into a local forest (Case ref. 3503/ENV).

THUA THIEN HUE

In June, Thua Thien Hue FPD raided local restaurants and confiscated a number of live animals including three rhesus macaques (*Macaca mulatta*), two pig-tailed macaques (*Macaca leonia*) and one Asiatic rock python (*Python molurus*). Authorities plan to release the animals into Phong

Dien Nature Reserve (Case ref. 3506, 3507, 3508 and 3509/ENV).

HAI PHONG

In May, Hai Phong Customs confiscated 400kg of elephant tusks that had been hidden in a container amongst rubbish. The shipment reportedly originated from Tanzania (Case ref. 3438/ENV).

In early June, Hai Phong Fishery Resource Protection Department released a green turtle (*Chelonia mydas*) into the sea. The case was reported by a commune chairman who said the turtle had been accidentally caught in the net of a local fisherman (Case ref. 3502/ENV).

KHANH HOA

On June 17, Khanh Hoa authorities confiscated a green sea turtle (*Chelonia mydas*) from a restaurant thanks to a tip from a local resident. The turtle was released into the sea on the same day (Case ref. 3504/ENV).

DAK NONG

On July 21, Dak Nong FPD confiscated one yellow checked gibbon (*Hylobates gabriellae*) and two crab-eating macaques (*Macaca fascicularis*) that were displayed at a local hotel. Authorities have yet to prosecute the subject (Case ref. 3591/ENV).



Bear paw wine, snake and other wildlife wines at a Bac Kan restaurant shortly before authorities raided the establishment and confiscated a king cobra, which was later destroyed.

Photo: Confidential

Punish criminals today to prevent crime tomorrow.

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 3,200 wildlife crime cases as of February 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:

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| Humane Society International (HSI) | Cleveland Metroparks Zoo |
| John D. and Catherine T. MacArthur Foundation | Auckland Zoo |
| Critical Ecosystem Partnership Fund (CEPF) | Houston Zoo |
| World Society for the Protection of Animals (WSPA) | Rufford Maurice Laing Foundation |
| SeaWorld & Busch Gardens Conservation Fund | |

Contact Us

ENV Wildlife Crime Unit

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ENV Vietnamese Website: www.thiennhien.org
ENV English Website: www.envvietnam.org
Wildlife Crime Gallery: www.savingvietnamswildlife.org
ENV Facebook: <http://www.facebook.com/group.php?gid=47162312016>



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**