

Selling Wildlife Back into the Trade

Point of Discussion

The resale and auctioning of wildlife that has been confiscated from the illegal trade is a major obstacle in efforts to effectively combat the illegal trade of wildlife in Vietnam. Permitted under Decree 139 of June 2004, a large percentage of wildlife that was confiscated in recent years has been re-sold to traders. For example, of 106 trade seizures documented by the ENV Wildlife Crimes Monitoring Unit since January of 2005, more than 50 cases (47%) have resulted in the re-sale of some or all of the confiscated wildlife. Moreover, many of these cases involve the selling of rare and precious species that are protected under Vietnam's principal wildlife protection law, Decree 32 (March 2006) and listed in Group 1B or 2B of the decree. According to the law, Group 1B listed wildlife may not be traded commercially under any circumstances. However, Article 34 of Decree 139 allows for provincial authorities to sell rare and precious animals that are deemed weak or ill, and unlikely to survive in nature. Not surprisingly, high value species like pangolins and some rare turtles are almost always designated as sick or in poor condition, and sold off to traders!



Although allowed under the law, the practice of re-selling wildlife, especially species protected under Group 1B and 2B of Decree 32, contributes to the continued trade of wildlife by providing a legal mechanism by which markets can be supplied with rare and precious species of illegal origin.

Moreover, when wildlife is sold back to traders, the institutions tasked with protecting wildlife in effect take on a role in the trade of wildlife, which suggests a clear conflict of interest in the duties of wildlife protection officers. A survey of 60 rangers from three provinces in early 2006 showed that 81% percent of the rangers agreed that the practice of selling confiscated wildlife contributed to the trade by putting animals back into the hands of traders.

Some experts argue that by supplying the market wildlife, of legal or illegal origin, we increase demand by making the products readily available to consumers. Hunters must then increase supplies of wildlife to meet increased consumer demand expanding the overall volume of trade.

The National Forest Protection Department is in the process of proposing a revision to Decree 139 that would help close this loophole, as well as address other issues. We strongly urge that the revision of Decree 139 prohibit the resale or auction of confiscated wildlife under any condition in order to further strengthen efforts to combat the illegal hunting and trade of wildlife in Vietnam.

Education for Nature - Vietnam

The discussion section of this bulletin focuses on critical issues and obstacles that stand in the way of effective enforcement and the protection of endangered wildlife in Vietnam. This section is produced from the minutes of a monthly forum hosted by ENV on wildlife trade issues.

Trade Seizures

- Wildlife protection officers confiscated a civet and a colorful menu advertising pangolin dishes and other wildlife from the Asean Hotel in Ha Tay Province, and the owner was required to pay a small fine. (WCU Case Ref. 340)
- Wildlife Protection Officers in Quang Nam transferred a shipment of turtles to the Cuc Phuong Turtle Conservation Center following a confiscation from traders in late October. Monitor lizards and snakes, also in the shipment, were released locally. (WCU Case Ref. 327)
- Eight Asiatic black bears confiscated in August from a private company in Dong Nai were transferred to rescue facilities at Cat Tien National Park (WCU Case Ref. 341)
- Lao Cai authorities seized a shipment of 142 birds from traders. The birds were released locally and the trader was fined VND 3,000,000. (WCU Case Ref. 353)
- Following up on a tip from an informant, Ha Tinh police staking out Highway No. 8 attempted to stop five motorbikes that were reported to be carrying wildlife. The motorbike drivers sped away from police resulting in a chase. The motorbike drivers eventually abandoned their motorbikes and cargo in a residential area and fled on foot. Police discovered 173kg of pangolins at the scene. The pangolins reportedly were smuggled into Vietnam from Laos. (WCU Case Ref. 357)
- Shipments of pangolins were also confiscated in Quang Ninh, Binh Phuoc, Thanh Hoa, and a second shipment in Ha Tinh provinces during the month of November (WCU Case Ref. 338, 347, 348, 352).
- A shipment of snakes confiscated in Thai Binh were returned to their owner after it was determined that the snakes had originated on a legal farm (WCU Case Ref. 332)
- Two traders in HCM was fined VND 6,000,000 and 7,000,000 respectively following a trade seizure by HCM rangers of turtles, snakes, and other wildlife. (WCU Case Ref. 331)
- A wildlife trader in Da Nang received a six-month prison sentence following the seizure of turtles, monitors, and snakes in June 2006. (WCU Case Ref. 250)



Public participations

- A national newspaper agreed to stop advertising bear bile after an advertisement was reported through the hotline. (WCU Case Ref. 346)
- Binh Thuan FPD confiscated a pig-tailed macaque from a resort in Phan Thiet city after receiving information from a foreign visitor through the Wildlife Crimes Hotline (WCU Case Ref. 278).
- Khanh Hoa Fisheries Department officers confiscated stuffed marine turtles from two shops in Nha Trang after receiving a report that the marine turtles were observed for sale by an ENV staff member visiting the city. (WCU Case Ref. 290, 291)
- A restaurant in Hanoi voluntarily removed a stuffed marine turtles from their wall after a visit by the ENV Wildlife Crimes Monitoring Unit (WCU Case Ref. 326).

- A tip from a concerning citizen on a restaurant advertising wildlife on their signboard in Tay Ninh province led to a timely inspection by the FPD, and removal of the signboard by the restaurant's owners (WCU Case Ref. 309)..
- A Hanoi resident voluntarily turned over a loris to ENV after reading about efforts to protect wildlife on the ENV website. ENV transferred the loris to the Endangered Primate Center at Cuc Phuong National Park (WCU Case Ref. 312).



- A man selling raptors, herons, and other birds from a bicycle on Le Duan Street in Hanoi was reported by several callers to the hotline. After several attempts by the authorities to locate the man, a monitor from ENV was able to locate the subject and call the authorities to the scene. The subject was issued a warning. However, the birds were not confiscated by the ranger. Subsequent calls to the hotline have indicated that the subject has continued to sell birds in violation of the law. (WCU Case Ref. 342)
- A gray-shanked douc langur that had been captured by local hunters was turned over to authorities in Binh Dinh province and transferred to the Endangered Primate Rescue Center (WCU Case Ref. 349)

- Wildlife protection officers in Sa Pa searched the weekend market after a visiting tourist photographed and reported leopard cat skins for sale. The authorities were unable to locate the shop but will reportedly conduct regular monitoring of the market in the future. (WCU Case Ref. 344)



- Quang Tri rangers ordered a shop owner to remove stuffed civet and other wildlife displayed at the shop after the ENV received a report through the hotline. (WCU Case Ref. 320)

Crime Statistics

The ENV Wildlife Crimes Monitoring Unit has logged a total of 358 cases since January 1, 2005.

| Period | Trade seizures | Selling | Advertising | Possession display | Other | Total * |
|-------------------|----------------|---------|-------------|--------------------|-------|---------|
| November | 8 | 6 | 2 | 4 | 1 | 21 |
| This year | 65 | 64 | 9 | 50 | 23 | 211 |
| Total 2005 + 2006 | 106 | 103 | 15 | 80 | 54 | 358 |

* These statistics represent only a small fraction of the active trade in wildlife in Vietnam, and only account for those cases that are reported to ENV.

About the ENV Wildlife Crimes Monitoring Unit

Established in January of 2005, the Wildlife Crimes Monitoring Unit runs the national Wildlife Crimes Hotline, a toll-free number that was established to provide a mechanism for the public to report wildlife crimes. Reports are quickly passed on to the appropriate functional agency by ENV, after which the monitoring unit tracks each case through to its conclusion with special attention focused on the disposition of the animals or wildlife parts, and the punishment administered to the subjects in the case. Sources are contacted and advised in detail as to the outcome of the case that he/she reported. Cases are then documented and filed, as well as recorded on ENV's Wildlife Crimes Database.

The main aims of the program are to:

- Encourage public participation and support in efforts to combat the illegal trade of wildlife
- Support enforcement efforts by government agencies
- Document crimes and identify factors that contribute to the wildlife trade

The Voice of Vietnam

Exerts from the Q&A section of ENV's monthly Voice of Vietnam Radio show

Question (Anonymous)

Recently, through the media I heard about the successful breeding of domesticated tigers at the Thai Binh Duong Brewery Company in Binh Duong province. Is this an encouraging sign for tiger conservationists?

ENV Wildlife Crimes Monitoring Unit: Definitely not. The private holding and breeding of tigers and other endangered species is of great concern to wildlife protection authorities and others within the conservation community. According to the initial investigation, the adult tigers were illegally smuggled into Vietnam from Cambodia. Trading animals across Vietnam's international borders is a clear violation of CITES regulations, and under current Vietnamese law, it is also illegal to hunt, kill, possess or trade wildlife of any type without a government permit. News about breeding tigers of illegal origin in private hands supports the idea that people can own and operate private zoos without regard for the law or the welfare of the animals. However, it should be noted that in this particular case, that the tigers are being maintained in good conditions.

ENV notes: National FPD is currently determining what action will be taken in the case of 19 tigers currently being maintained in private hands at the beer company in Binh Duong province. Experts from around the world have offered advice and recommendations. Top on the list include determining the origin of the animals through DNA testing, maintaining the tigers in place where they are now, but transferring ownership to the authorities, or confiscating the tigers and transferring them to a legal rescue and holding facility that is capable of properly caring for the animals. (WCU Case Ref. 295)

Get Answers to Your Questions

If you have a question about some aspect of the wildlife trade that you would like answered by experts, email us and we will do our best to find you an answer!

Email: Hotline@fpt.vn

Other Developments

New law document

On October 16, Prime Minister Nguyen Tan Dung signed Decision 119/2006/ND-CP, guiding the enforcement of the 2004 Forest Development and Protection Law, which is about the operating systems, rights, and duties of rangers. It also stipulates their working conditions and the relationship between rangers and other relevant agencies.

One of the most important new developments in the decision is a set of changes that place provincial Forest Protection Departments under the direct management of the provincial Department of Agriculture and Rural Development. Previously, most provincial FPD's reported directly to the People's Committees.

Wildlife Crimes- Vietnam is produced monthly by ENV in Vietnamese and English language

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ENV Wildlife Crimes Monitoring Unit

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Stop Wildlife Crime!



If you see wildlife for sale in restaurants or other business establishments, contact your local Forest Protection Department or the ENV Wildlife Crime Hotline.

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

YOU can make a difference