



## Ten ways for provincial leaders to stop wildlife crime

Waging the war against hunting and the illegal trade of wildlife requires resources, manpower, training and skills. Many provinces complain these resources are limited thus preventing provincial authorities from taking aggressive steps to address the problem.

However, ENV has assembled a list of ten specific actions that provincial authorities can take now using existing limited resources and staff. These actions can make a difference and contribute meaningfully to the protection of wildlife in your province and in Vietnam.

### **Action 1: Hold managers accountable, reward performance, punish failure**

Set clear performance objectives for protected area managers and leaders of functional agencies that will result in a decrease in hunting and illegal trade of wildlife. Hold leaders accountable for the success and failure of their efforts. Recognize successful actions and promote leadership based on performance.

### **Action 2: Strengthen enforcement in protected areas**

Instruct protected area managers to implement immediate and urgent actions to "secure" their protected area. This should include increased patrols in core areas, collection of snare traps and monitoring of key forest access points. It is also important to strengthen cooperation between the protected area managers, community leaders and local authorities. This will assist them in identifying, apprehending and prosecuting professional hunters, local traders, and consumer establishments engaged in the illegal sale of wildlife in communities bordering parks and nature reserves.

### **Action 3: Enforce a ban on firearms**

Increase efforts to enforce the ban on firearms in the provinces. Collection of firearms and



One of two frozen tigers confiscated in Ninh Binh. More than 40 tigers have been seized since 2005. Experts believe this is only a small fraction of the number of tigers being smuggled into Vietnam to meet the demand for traditional medicines made from tiger bone

*Photo: Ninh Binh Forest Protection Department*

enforcement of gun bans has had a proven positive impact on the protection of endangered primates in at least one nature reserve where the ban has been aggressively enforced.

### **Action 4: Regular inspections of consumer establishments resulting in punishment of offenders**

Instruct Forest Protection Departments to conduct regular inspections of consumer establishments such as restaurants and traditional medicine shops in order to confiscate live animals and products, as well as menus and signboards advertising wildlife. Warnings should be issued to first-time or minor offenders. Strict punishment should be given for establishments that have previously been warned or commit major violations such as selling protected species. Enforcement must be professional, frequent and consistent in order to gain the respect and compliance of local businesses.

### **Action 5: Maximum fines for maximum deterrent value**

Instruct functional agencies and encourage courts to issue maximum fines and punishment to hunters,

traders and others that violate wildlife protection laws. Set an example of criminals and other violators, and publicize these actions to send a clear deterrent message to others who might choose to violate the law.

#### **Action 6: Campaign to reduce wildlife consumption and encourage public reporting**

Instruct radio and television stations to produce and regularly air public service announcements discouraging the public from consuming wildlife products and urging citizens to report crimes to local authorities.

#### **Action 7: Promote transparency in wildlife protection**

Provide journalists with improved access to political leaders and information on successful enforcement actions. Issue strong statements to the public urging citizens to assist with efforts to protect wildlife.

#### **Action 8: Encourage law enforcement to identify and pursue criminal targets behind trade**

Support in-depth investigations by law enforcement agencies that target those behind illegal trade of wildlife in the province, not just the mules and middlemen that are caught on the surface. Identify targets, gather evidence, and prosecute these key criminals, resulting in more substantial impact in stopping illegal hunting and trade. Cooperate with law enforcement from other provinces, sharing information about cases to support other investigations that may be underway.

#### **Action 9: Do not auction off Group 1B species**

Instruct authorities that all animals listed in Group 1B of Decree 32, and parts or derivatives from these animals, should not under any circumstances be auctioned or sold. Such practices promote further demand for the product and complicate efforts by law enforcement agencies that may be forced to distinguish between legal and illegal animals and wildlife products.

#### **Action 10: Zero tolerance for trade of fully protected species**

Exercise ZERO TOLERANCE in dealing with cases involving species listed as fully protected under Group 1B of Decree 32. Confiscate illegal Group 1B species and products and parts from these species, whenever and wherever they are found in accordance with the law. Group 1B species



A shipment of turtles in Nghe An included at least one Asian brown tortoise (*Manouria emys*) a species that is not native to Vietnam. This suggests the shipment originated abroad and not in Vinh Long, as permits accompanying the shipment suggested.

Photo: VTC

represent Vietnam's most critically endangered wildlife and require the fullest level of protection possible.

Confiscation denies the owner, who illegally obtained the animal, the benefit of continued possession and is the ONLY appropriate option that meets the protection needs of endangered wildlife. Allowing the owner to keep the animal, even if fined, only succeeds in putting a price tag on keeping endangered species (e.g. pay a fine and you may legally keep your illegal tiger).

Protecting our wildlife is a responsibility shared by government and the public. Recognizing the need to act now, a number of provincial governments are already taking aggressive action to protect wildlife in their provinces. They are placing pressure upon functional agencies and protected area managers to mobilize their limited resources to wage war on illegal hunting and trade, and achieve impacts that will help safeguard the future of Vietnam's wildlife.

*Contact ENV to discuss how we might help you fight wildlife crime in your province!*

# I can keep my rhino for a small fee

## *Testimony of a criminal*



All evidence suggests that rhinos are now extinct in Vietnam with the last of our rhinos killed in early 2010. But if rhinos did exist, and if I could get my hands on one, surely I could keep it, based on the current practices of decision-makers in some of the provinces.

The trick would of course be capturing it. I would need to do this in secrecy, as getting caught hunting a rhino would almost surely land me in jail. Then of course, I must transport the animal to my private zoo. This

also entails risk as getting caught would result in jail time. The beauty of it is, if I can get the rhino to my zoo, which I incidentally plan on expanding to include all sorts of lovely endangered creatures, it is mine to keep.

I am so sure of this that I feel safe inviting local authorities to have a look at my collection. "Hey, guys here is my rhino that I caught in the wild and transported illegally to my private zoo," I would say.

They would shake their heads and say, no, no, no. This is illegal. But then, they would fill out papers and more papers. And request for help from above. And in the end, my provincial leader would be required to make a decision. Given that some provinces interpret the law differently, chances are that I would be issued an administrative fine and allowed to keep my rhino.

Surely I am lucky that my provincial leader does not make a connection between allowing criminals, like me, from keeping protected species that I clearly have obtained illegally and the need to confiscate the protected animal to deny me of my investment and send a clear message to others that my behavior is not allowed.

As for the fine, I can afford it and I consider it cheap given that they let me keep my endangered rhino, right? I am pretty sure that my neighbor, after seeing my rhino, will want one too.

Thank goodness for the confusion and different interpretation of the law. In fact, after I collect my rhino and pay my fine, I have my eye on some endangered primates, and maybe I'll get a bear bile operation going too, and some tigers to spice up my life. This is just too easy!

However, I must remember to avoid some provinces. In Dong Nai and some other provinces, leaders there understand the need to fine violators and confiscate protected wildlife when it is discovered. This is the way the law is supposed to work and surely the way that things will be handled in the future, once other provincial leaders understand and support the need to enforce the law more effectively and deter negative behavior.

In the meantime, let them come to my zoo anytime. I will pay the fine as part of the cost of doing business, and collect what I want, when I want, enjoying the moment while I can.

*The preceding piece is a fictitious testimony aimed at highlighting the critical need to fully enforce the law and confiscate critically endangered species listed in Group 1B of Decree 32, when they are discovered in the hands of private individuals.*

## ALERT: Wildlife crime on the world wide web on the rise!

Increasingly, net savvy wildlife traders are using the internet to advertise and sell live animals and illegal products such as ivory, bear bile or tiger bone glue. During a single day survey conducted by ENV in April 2011, a total of 254 crimes were documented on Vietnam-hosted websites. These included 153 cases offering live animals for sale, 36 cases advertising tiger bone glue, 64 sites selling bear bile on the internet, as well as a range of other products from reptiles (mainly turtles) to live macaques.

In 2010, a sting operation conducted by ENV and Environmental Police in Ho Chi Minh resulted in the confiscation of live otters after the owner put the animals up for sale on a website. Other recent cases have involved rhino horn sales and other products banned from commercial trade.

In February, Indonesian authorities zeroed in on a Jakarta man who was selling wildlife products including tiger skins, teeth and ivory on the internet. Police in Jakarta raided the man's shop confiscating illegal wildlife including teeth from sun bears. The suspect is currently facing prosecution.



Two otters confiscated by Environmental Police in HCM after they were advertised for sale on the internet.

*Photo: Cu Chi Rescue Center*

Law enforcement agencies are encouraged to focus attention on internet-based illegal trade of wildlife, contacting owners and setting up purchases during which evidence can be seized and suspects arrested.

ENV will continue to work with law enforcement agencies on priority cases involving Group1B species fully protected under the law, as well as instruct website administrators to remove advertisements that violate the law, or ban such advertisements from their websites.

### 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**

# Enforcement advisor

All of the issues below are based on actual questions and statements relating to real cases documented by ENV.



A rare leatherback marine turtle was recently caught by a fisherman in Nghe An and released back into the ocean shortly after

Photo: Nghe An fishery resource protection Department

## Buying cooperation from violators is a bad idea

*Q: I just read in the newspaper about a case in a coastal province where local authorities paid a fisherman VND 10,000,000 to turn over a leatherback marine turtle so that the animal could be released back into the sea. Why did authorities pay the fisherman? Isn't it illegal to catch or keep this animal?*

**A:** Yes. Capture and possession of a leatherback marine turtle (*Dermochelys coriacea*) is illegal as the species is fully protected under the law. Local authorities set a bad example for other fisherman when they “buy back” wildlife. Ultimately, the fisherman should feel lucky to escape without serious fines or worse punishment.

ENV's advice is to never reward in any way people who violate the law, and especially do not pay them for their cooperation. The law states clearly that the species is fully protected. The fisherman violated the law. He should be punished in accordance with the law.

## Bear paw wine is illegal

*Q: I recently was involved in a case involving a bear paw sold in wine at a restaurant in a northern province. However, it is my understanding from the local Forest Protection Department that the bear paw was legal because it came from a farm where registered bears are kept. Is this true?*

**A:** No, this is not true. Selling bear paw in wine, is a violation of law as both native bear species are listed

under Group 1B of Decree 32 prohibiting sale of bears or their parts and derivatives. The fact that the bear paw may or may not have come from a bear farm is inconsequential. It is illegal to sell, period.

The bear paw wine should be confiscated by local authorities. Our guess is that the local ranger was either poorly versed on the law or was making an excuse for why he did not deal with the violation.

## Tough decisions required in enforcing the law

*Q: When investigating a case involving a gibbon that was being kept by a cafe owner I discovered that the owner had kept the gibbon for a long time. I felt bad for the owner because she seemed to love the animal like a pet. How can I confiscate it under such circumstances?*

**A:** It is often difficult to enforce the law, but the decisions that you make have a ripple effect on society. This means that a decision to allow the owner to keep the gibbon, due to her attachment to it, would ultimately have an effect on the lives of other gibbons. People may then wish to keep gibbons as pets after seeing the gibbon at the cafe. Unfortunately, pet or not, the woman cannot be permitted to keep the animal. ENV's suggestion would be to initially attempt to convince the woman to turn the animal over voluntarily. Dong Nai FPD has done this successfully on several occasions. It is possible to have an outcome that is satisfactory for everyone. However if she refuses, then the law must be exercised or we risk many more gibbons being captured from the wild.

# Crime Log

## NGHE AN

On March 7th, Nghe An Environmental Police (EP) seized a shipment of 125kg of turtles, 15kg of porcupines and 7 kg of monitor lizards from a man residing in Huong Son town of Ha Tinh province, near the Laos border. The subject claimed he brought the animals from Laos and planned to sell them in Dien Chau district of Nghe An province. The subject was fined a total of VND 30,000,000 (USD \$2,000). (Case ref. 3268/ENV)

On April 20, Nghe An Forest Protection Department (FPD) confiscated 1,490 kg of turtles, including a critically endangered species, the Asian brown turtle (*Manouria emys*), which is not native to Vietnam. The shipment reportedly originated from Vinh Long, a southern province of Vietnam. The owner claimed she bought the animals from another woman in Vinh Long and had a legal permit from Vinh Long provincial FPD. However, according to FPD, the permit did not match with the shipment. (Case ref. 3364/ENV)

## KHANH HOA

On March 19, Van Ninh district Forest Protection Department (FPD) confiscated 64 live animals including civets, monitor lizards, turtles, snakes and porcupines from a private home. All the animals were released into Deo Ca, a local forest. The subject was fined a total of VND 6,500,000 (USD \$320). (Case ref. 3290/ENV)

## DONG NAI

On March 26, a local resident voluntarily turned over a leopard cat (*Prionailurus bengalensis*) to Long Thanh FPD. The animal was immediately transferred to Cat Tien National Park Rescue Center. Leopard cat is commonly hunted and kept at private homes and business establishments. (Case ref. 3298/ENV)

## HANOI

On March 25, Hanoi EP confiscated three king cobras (*Ophiophagus hannah*) which were hidden in a private car. The subject claimed that he bought the animals in his home town in Lao Cai for VND 54,000,000 (USD \$2,500) and planned to sell them in Hanoi for a higher price. The subject is waiting to be prosecuted and the animals have been transferred to Soc Son Rescue Center in Hanoi. (Case ref. 3301/ENV)

On April 12, Ha Noi EP confiscated three leopard cats (*Prionailurus bengalensis*), two civets and ten brush-tailed porcupines (*Atherurus macrourus*) from a local restaurant in Thach That district. All the animals were transferred to Soc Son Rescue Center. Authorities are yet to determine the level of punishment. (Case ref. 3338/ENV)

Also in April, Hanoi EP and Economic Police confiscated eight cobras, including three king cobras (*Ophiophagus hannah*). The animals were transported on a motorbike



Ho Chi Minh FPD actively works to address the problem of street vendors selling wildlife. These lorises were confiscated during a recent raid in District 7.

Photo: ENV

by a man from Nghe An. The subject claimed that he bought the king cobras for VND 2,000,000/kg (USD \$100/kg) and planned to sell them in Hanoi. (Case ref. 3350/ENV)

## HA TINH

On March 24, Ky Anh district EP seized 15 pangolins which were abandoned by the driver after he realized that he was being followed by authorities. Most of the animals were already dead. Vietnam is home to two species of pangolins, Chinese pangolin (*Manis pentadactyla*) and the sunda pangolin (*Manis javanica*). Both species are protected in group IIB of Decree 32/2006ND-CP. (Case ref. 3302/ENV)

## THUA THIEN HUE

On March 28, a farmer in Phong Dien district voluntarily turned over a red-shanked douc langur (*Pygathrix nemaeus nemaeus*) to Thua Thien Hue FPD. The animal was later released into the Phong Dien Nature Reserve. According to the subject, he found the animal when he was working in his field which is adjacent to Phong Dien Nature Reserve. (Case ref. 3319/ENV)

## THANH HOA

On April 7, Thanh Hoa FPD confiscated an unregistered Asiatic black bear (*Selenarctos*

*thibetanus*) from a private home, thanks to a public report. Thanh Hoa authorities said that they did not punish the subject due to his cooperation. The bear was later transferred to Animals Asia Foundation (AAF) Bear Sanctuary at Tam Dao National Park. (Case ref. 3324/ENV)



Thanh Hoa Forest Protection Department (FPD) officers with an illegal bear that was transferred to authorities after it was discovered on a farm, thanks to a tip from the public.

Photo: Tho Xuan District FPD of Thanh Hoa province

## QUANG NINH

On April 1, Ha Long city police confiscated two Asiatic black bears (*Selenarctos thibetanus*) as they were being illegally transported from Hai Phong to Quang Ninh. Both bears were reportedly registered but did not match with the transporting permit. The animals have been transferred to Soc Son Rescue Center. (Case ref. 3325/ENV)

One week later, a resident in Van Don District voluntarily turned over a registered Asiatic black bear (*Selenarctos thibetanus*) to local authorities. The bear was immediately sent to AAF's Tam Dao Bear Sanctuary. (Case ref. 3326/ENV)

Also in April, Quang Ninh police confiscated 122 elephant tusks from a warehouse in Mong Cai city. The owner claimed that the warehouse was rented by a man from Hai Phong for VND 5,000,000 (USD \$250) for storing soybeans and he was not aware of the presence of illegal products. (Case ref. 3356/ENV)

## DA NANG

In early April, Da Nang FPD confiscated more than 100kg of snakes at the local railway station, including king cobras (*Ophiophagus hannah*). The animals were released into Son Tra and Ba Na Nature Reserves. However, the subject reportedly escaped and could not be punished by authorities. (Case ref. 3335/ENV)

## QUANG TRI

On April 17, the Department of Aquatic Resource Exploitation and Protection released a marine turtle back into the sea. The animal was caught by a local fisherman in Con Co Island area earlier and the fisherman voluntarily turned over the turtle to authorities. (Case ref. 3355/ENV)

Three days later, Quang Tri FPD seized 74kg of live animals including pythons, snakes, civets, porcupines and turtles hidden in a car. The animals were later released into a local forest. The driver was fined VND 5,250,000 (USD \$210), and the owner was fined VND 6,500,000 (USD \$320). (Case ref. 3362/ENV)

## BA RIA-VUNG TAU

On April 19, Ba Ria-Vung Tau authorities confiscated 18 marine green turtles (*Chelonia mydas*) from a truck. However, only six of the turtles were alive and the rest already dead. The subject claimed that he bought the turtles in Tien Giang for VND 30,000,000 (USD \$2,000) and planned to sell them in Vung Tau. The live turtles were released immediately back into the sea and the dead ones were incinerated. The subject was fined VND 8,500,000 (USD \$420). (Case ref. 3357/ENV)

## BINH DINH

On April 22, a local resident in Binh Dinh voluntarily transferred a mother and a baby grey-shanked douc langur (*Pygathrix nemaeus cinerea*) to Binh Dinh FPD. The animals were later transferred to Cuc Phuong Endangered Primate Rescue Center. (Case ref. 3365/ENV)



A mother and baby grey-shanked douc langur were voluntarily handed over to authorities by a local resident in Binh Dinh province.

Photo: Informant

## 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

The WCU is jointly funded by the World Society for the Protection of Animals (WSPA), the Humane Society International (HSI), The Whitley Fund for Nature, the MacArthur Foundation, the Critical Ecosystem Partnership Fund (CEPF), the Rufford Foundation, the Cleveland Metroparks Zoo, and SeaWorld and Busch Gardens Fund.

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### Contact Us

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Wildlife Crime Gallery: [www.savingvietnamswildlife.org](http://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**