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COUNTER WILDLIFE TRAFFICKING STUDY

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ABSTRACT

Vietnam remains a hub for the illegal wildlife trade, growing from a transit point on the way to China to a final destination for high-value illegal products such as rhino horn, pangolin scales, ivory, and big cat products. Vietnam now may be emerging as a new global center of the ivory and pangolin scale trade. The threats driving the illegal wildlife trade derive from Vietnam's history and its economic resurgence. The drivers are broad, centering predominately on a lack of political will in addition to complex consumer demand dynamics. However, new opportunities to address this illegal wildlife trade in Vietnam should energize wildlife conservationists. COVID-19 has created a dichotomy, shutting the illegal wildlife trade down in some areas and intensifying it in others, while having a significant, though probably temporary, effect on consumption habits. Priorities for counter wildlife trafficking center on beginning to frame the issue differently, addressing ministerial discord, closing legal loopholes, and continuing work in essential areas such as forensic analysis. Arguably, the illegal wildlife trade should be confronted through an intergovernmental, interagency approach, with private sector collaboration. There are many potential Government of Vietnam counterparts, going to the top of Vietnam's political hierarchy but also including ministries such as the Ministry of Public Security and the Ministry of Agriculture and Rural Development. Opportunities to instigate collective action to address the illegal wildlife trade may be greater than ever before yet could be contentious.

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ACRONYMS

ASEAN	Association of South East Asian Nations
CBD	Convention on Biological Diversity
CDCS	Country Development Cooperation Strategy
CEO	Chief Executive Officer
CITES	Convention on the International Trade in Endangered Species
CITES MA	CITES Management Authority
CPVN	Communist Party of Vietnam
CSR	Corporate Social Responsibility
CWT	Counter Wildlife Trafficking
EIA	Environmental Investigation Agency
ENV	Education for Nature Vietnam
GVN	Government of Vietnam
IEBR	Institute for Ecological and Biological Resources
IFAW	International Fund for Animal Welfare
INGO	International Non-Government Organization
IUCN	International Union for the Conservation of Nature
KII	Key Informant Interview
MARD	Ministry of Agriculture and Rural Development
MFA	Ministry of Foreign Affairs
MOD	Ministry of Defense
MOET	Ministry of Education and Training
MOF	Ministry of Finance
MOH	Ministry of Health
MONRE	Ministry of Environment and Natural Resources
MPS	Ministry of Public Security
NA	National Assembly
NGO	Non-Governmental Organization
PDD	Project Development Document
ROUTES	Reducing Opportunities for Unlawful Transport of Endangered Species
SI	Social Impact, Inc.
TCM	Traditional Chinese Medicine
TOC	Theory of Change
USAID	United States Agency for International Development
USD	United States Dollars
USG	United States Government
VAFS	Vietnam Academy of Forest Sciences
VCCI	Vietnam Chamber of Commerce and Industry
WCS	Wildlife Conservation Society
WEN	Wildlife Enforcement Network
WWF	World Wildlife Fund

EXECUTIVE SUMMARY

BACKGROUND AND PURPOSE

Despite concerted efforts to combat wildlife trafficking and consumption since the early 2000s, Vietnam remains a global illegal wildlife trade hub.¹ International crime syndicates find illegal wildlife trade attractive because they believe it brings strong returns with little risk.² Under USAID/Vietnam's new Country Development Cooperation Strategy (CDCS), USAID aims to help Vietnam strengthen its leadership in counter wildlife trafficking (CWT).

To help USAID update its CWT situational model and prepare for future activities, this study seeks to learn more about current illegal wildlife trade and consumption of wildlife products in Vietnam. It explores factors that influence the illegal wildlife trade and investigates how to increase political will to strengthen CWT. The study also explores how COVID-19 may affect social and political perceptions around trading and consuming illegal wildlife products. This study identifies potential key priorities for USAID's CWT efforts, along with possible Government of Vietnam (GVN) counterparts. Finally, it explores how to link the private sector, government, and civil society together to counter wildlife trafficking.

METHODS

The assessment team collected primary qualitative data through semi-structured key informant interviews (KIIs) with 38 individuals, along with selected qualitative and secondary quantitative data through a desk review of recent documents on the illegal wildlife trade. USAID Learns organized a validation workshop to verify findings with 25 targeted stakeholders across a range of backgrounds.

RESEARCH QUESTIONS

The study is organized around seven research questions:

Context Analysis

1. What is the current situation of illegal wildlife trafficking in Vietnam?
2. What are the key factors (drivers and threats) influencing illegal wildlife trade and wildlife consumption in Vietnam?
3. What are opportunities to increase political will?

COVID-19

4. How is the political and social context related to wildlife trade and consumption in Vietnam expected to change given the global COVID-19 pandemic?

Way Forward

5. What should be priority areas of intervention for CWT/USAID and why?
6. Which GVN counterparts should USAID most actively engage with and how for its next generation of CWT/USAID programming?
7. What could be some of the most effective opportunities for collective action between the government, private sector, and local organizations that CWT/USAID should explore and how?

¹ Esmail et al., 2019.

² Pan Nature, 2018.

FINDINGS AND CONCLUSIONS

CONTEXT ANALYSIS

The study found that:

- Vietnam is a source, consumer (sink), and transit country in the illegal wildlife trade. The country remains a rhino horn and big cat products hub and is perhaps emerging as a global center of the ivory and pangolin scale trade.
- Large confiscations of illegal wildlife products can be lost, and government stockpiles are not systematically reported.
- Vietnam has not enacted scientific decision making in CWT and the legal wildlife trade according to the Convention on the International Trade of Endangered Species (CITES) requirements.
- Online trade cases in Vietnam are increasing, and wildlife crime surrounds Chinese tourism in popular destinations; Vietnam's well-known trafficking hotspots remain unchanged.
- Vietnamese-led crime syndicates are trafficking products across Africa and into Vietnam with few repercussions.

Key factors influencing the illegal wildlife trade and wildlife consumption:

- Vietnamese culture has been heavily influenced by the East Asian cultural sphere. After Vietnam's economic growth, Vietnamese consumers are imitating the consumption habits of China's nouveau riche.
- Vietnam's economic growth has led to increased purchasing power, which may exacerbate the illegal wildlife trade by contributing to its profitability.
- Vietnam's improved laws and updated penal code may act as a deterrent for some, but legislative reforms still limit criminal liability to a certain extent, due to remaining gaps, loopholes, and inconsistencies in the legal framework.
- Overlapping mandates, roles, and responsibilities, in combination with Vietnam's propaganda culture, limit action-based decision making to disrupt the illegal wildlife trade.
- The illegal wildlife trade is a lucrative, low-risk illicit activity because of limited enforcement.
- Vietnamese authorities have made progress addressing smaller illegal wildlife trade cases and prosecuting low- and mid-level criminals but have progressed less at the higher level.
- There is a lack of political will at specific levels in the Vietnamese system to address the illegal wildlife trade.
- Attitudes of younger people may differ from those of older generations in Vietnam, potentially strengthening CWT efforts.
- Many believe illegal wildlife products to be a panacea, sometimes contrary to standards of traditional Asian medicine.
- Consumers use illegal wildlife products to enhance status, as well as superstitiously, hedonistically, and for utility.

This study highlights opportunities to increase political will and instigate action, including:

- Mobilizing COVID-19 as a rare opportunity.

- Leveraging Vietnam’s chairship of the Association of South East Asian Nations (ASEAN) and competitive elements with China.
- Establishing champions at the highest levels of GVN leadership while biosecurity concerns are at the forefront.
- Working at the grassroots in Vietnam and with influential Vietnamese companies close to the GVN.

COVID-19

COVID-19 affected the social and political context related to wildlife trade and consumption in Vietnam in the following ways:

- There is probably temporarily less trafficking and consumption of illegal wildlife products.
- More people are becoming aware that zoonotic diseases can threaten human and animal health.
- Illegal wildlife products were not demanded or marketed as a cure for COVID-19 in Vietnam, as they were elsewhere in the region.
- There is a certain level of exceptionalism that regards high-value illegal wildlife products as safe for human health and wellbeing.
- The GVN may be hesitant to address the illegal wildlife trade, since it might profit from wildlife farming, could be concerned about deflecting from its achievements during the coronavirus pandemic, is more focused on avoiding recession, and requires harder evidence to justify the link between COVID-19 and the illegal wildlife trade.

WAY FORWARD & RECOMMENDATIONS

USAID should be aware that:

- Reframing the illegal wildlife trade as a serious transnational criminal issue and no longer a “victimless crime” through a new interagency and intergovernmental approach would quell GVN discord, strengthen law enforcement, and better disrupt transnational crime.
- Addressing ministerial overlaps and loopholes, especially within wildlife farming and the tiger trade, would heighten criminal liability and ensure that Vietnam’s legislation better serves species conservation.
- Developing Vietnam’s forensic analysis capacity would provide insight into systemic illegal wildlife trade challenges and help identify strategic entry points for intervention.
- Encouraging large Vietnamese corporations to pledge to and fund CWT (since they are influential actors with plentiful resources) would help to develop social opposition to the illegal wildlife trade.
- Publicizing positive messages to reduce demand and engaging CWT through USAID’s other activities as appropriate would popularize CWT, harmonize USAID’s strategy, and strengthen the protection of biodiversity focal species.

USAID could actively target GVN counterparts to reframe the illegal wildlife trade, reduce overlaps and loopholes, and develop Vietnam’s forensic analysis capacity. A selection of key counterparts includes Vietnam’s:

- Prime Minister, Deputy Prime Minister, and Deputy Prime Minister cum Minister of Foreign Affairs, via lobbying through high-level discussions.

- National Assembly: Committee on Science, Technology, and Environment; Committee on Judicial Affairs; and the Standing Committee, via advocating for an improved legal framework through high-level discussions.
- Ministry of Public Security (MPS): Police Department of Environmental Crime Prevention; Police Department for Corruption, Smuggling, and Economic Crimes; and the Peoples' Police Academy, via developing capacity through potential activities (depending on senior GVN permission).
- Ministry of Agriculture and Rural Development (MARD): Forest Protection Department (FPD) via developing capacity through potential activities; CITES Management Authority (MA) via advocating for it to have a higher governmental position (at the ministerial level) and helping the MA reappoint a Scientific Authority through high-level discussions.
- Justice System: Supreme Court and Supreme Prosecution Office via developing capacity.
- National Scientific Agencies: Institute for Ecology and Biological Resources (IEBR) and Vietnam Academy of Forest Sciences (VAFS) via developing capacity.

Opportunities to create collective action include:

- Working with large Vietnamese conglomerates, e-commerce, tech, transport, and financial sector companies, along with civil society, in existing CWT coalitions to build a consolidated response to reduce wildlife consumption and trafficking.
- Working with Communist Party organizations, local leaders in wildlife trafficking hotspots, and state education authorities, so CWT initiatives reach Vietnamese society more widely.
- Mobilizing nationalism, Vietnam's youthfulness, religion, and pop culture as rallying points.

This study recommends generally that:

1. USAID should work closely with several GVN entities (such as GVN leaders, National Assembly, MPS, MARD, the justice system, and scientific bodies) in new programming to support law enforcement and implementation, along with forensic capacity.
2. USAID should facilitate a platform for collective action by partnering with large Vietnamese conglomerates and supporting existing international coalitions between the private sector, government, and civil society.
3. USAID should review existing demand reduction approaches and the synergies that exist between projects.
4. USAID should orchestrate a new general intergovernmental and interagency approach to CWT in the post-COVID landscape that collaborates with African and Chinese counterparts.





INTRODUCTION

CONTEXT AND BACKGROUND

Despite concerted efforts to combat wildlife trafficking over the past two decades, Vietnam remains a global hub of the illegal wildlife trade.³ As Vietnam has grown into a middle-income country, trafficking of high-value wildlife products has increased.⁴ In the north, the Nhi Khe commune on the outskirts of Hanoi is home to key ivory trade markets, and pangolin scales, rhino horn, and big cat bone are sold for traditional medicinal purposes on Lang Ong Street in the heart of the capital's old quarter.⁵ In the south, Hai Thuong Lan Ong Street in Ho Chi Minh City is another illegal wildlife trade center for various traditional medicine products.⁶ Across the country, online markets freely trade ivory and other collectibles.⁷

International crime syndicates perceive the illegal wildlife trade to be a high value, low risk enterprise.⁸ Sophisticated networks, some of which are Vietnamese led, traffic illegal wildlife products through all the country's major airports and seaports.⁹ Vietnam's border crossings in Dak Lak and at Móng Cai are two significant overland routes through which illegal wildlife products flow.¹⁰ Although the authorities make large confiscations and Vietnam's updated penal code now punishes wildlife trafficking severely, the illegal wildlife trade continues unabated.¹¹

Vietnam as an illegal wildlife trade hub: recent seizures (adapted from Krishnasamy & Zavagli, 2020; images: USAID)

	IVORY From 2018 to 2019 alone, more than 17,000 kg of ivory was seized in Vietnam, representing over 70 percent of the ivory seized in Southeast Asia during this period.		PANGOLIN SCALES Vietnam seized more than 40,000 kg of African pangolin scales from 2017 to 2019.
	RHINO HORN Vietnam is one of the largest rhino horn consumer markets—between 2010 and 2015, the country was implicated in more than 75 seizures involving trafficking of over one ton of rhino horn.		BIG CAT PRODUCTS While little has been reported on the trafficking of big cat products, the equivalent of at least 216 tigers was seized from 2000 to 2018 in Vietnam.

³ Ibid.

⁴ Ngoc & Wyatt, 2013.

⁵ Krishnasamy & Zavagli, 2020.

⁶ Ibid.

⁷ Pan Nature, 2018.

⁸ Ibid.

⁹ EIA, 2018.

¹⁰ Krishnasamy & Zavagli, 2020.

¹¹ Ibid.

According to the London-based Environmental Investigation Agency (EIA), Vietnam does not have the political will to tackle its illegal wildlife trade.¹² The key ministries responsible for counter wildlife trafficking (CWT), the Ministry of Agriculture and Rural Development (MARD) and the Ministry of Natural Resources and Environment (MONRE), rarely coordinate on CWT tasks, and neither collaborates with the Ministry of Public Security for joint law enforcement efforts.¹³ Where high-level political will does exist in Vietnam (for example, combatting narcotics trafficking), law enforcement can be effective.¹⁴

Turning a blind eye to wildlife trafficking in Vietnam could have massive consequences for human health and wellbeing. The COVID-19 pandemic is presumed to have originated in wildlife traded at a market in Wuhan, China.¹⁵ The conditions that lead to zoonotic infection are present in Vietnam's wildlife trade and along the transnational routes along which illegal wildlife products flow.¹⁶ The risk of zoonotic pandemics emerging from the illegal wildlife trade is not a new concern, yet, as the world becomes ever more globalized, the likelihood of accumulating a disease in the illegal wildlife trade (and subsequent transmissions to humans) increases.¹⁷

Because of COVID-19, as is the case in China, CWT may gain traction as the trade and consumption of wildlife products become prohibited on public health grounds.¹⁸ Global efforts to reduce the likelihood of zoonotic pandemics call for better regulation of the illegal wildlife trade and increased law enforcement.¹⁹ Vietnam has yet to issue a directive on banning the wildlife trade, although Vietnam's Prime Minister requested a draft directive from the Ministry of Agriculture and Rural Development (MARD) before April 1st, 2020.²⁰ MARD claims to have drafted and presented the directive to the Prime Minister by the deadline.

PURPOSE

Under USAID/Vietnam's new Country Development Cooperation Strategy (CDCS), USAID aims to help Vietnam strengthen its leadership in CWT by reducing the pressure of wildlife crimes on endangered and threatened species. This involves the need to update a situational model that was designed in 2015 and used in planning USAID's Saving Species activity. Looking forward, a key feature of the new CDCS is USAID/Vietnam's intent to accelerate collective action approaches between government, civil society, and the private sector to address CWT issues via a new activity. To help update USAID's CWT situational model and prepare for the future, this study seeks to learn more about the current illegal wildlife trade and the consumption of wildlife products in Vietnam. It explores factors (threats and drivers) influencing the illegal wildlife trade and investigates how to increase political will to strengthen CWT. The study questions how COVID-19 may affect social and political perceptions around illegal wildlife products and consumption, especially after pangolins were identified as a potential intermediary host of COVID-19.²¹ This report identifies potential key priorities for USAID and CWT and highlights possible GVN

¹² EIA, 2019.

¹³ USAID, n.d.

¹⁴ Ibid.

¹⁵ WCS, 2020.

¹⁶ Ibid.

¹⁷ Broad, 2020.

¹⁸ WCS, 2020.

¹⁹ Ibid.

²⁰ Mongabay Environmental News, 2020.

²¹ Zhang & Zhang, 2020.

counterparts who could participate in future USAID activities. Finally, this report explores ideas of how to link the private sector, government, and civil society in concerted CWT efforts and makes recommendations based on findings emerging from the study's research questions.

RESEARCH QUESTIONS

The research questions for this study are as follows:

Context Analysis

1. What is the current situation of illegal wildlife trafficking in Vietnam?
2. What are the key factors (drivers and threats) influencing illegal wildlife trade and wildlife consumption in Vietnam?
3. What are opportunities to increase political will?

COVID-19

4. How is the political and social context related to wildlife trade and consumption in Vietnam expected to change given the global COVID-19 pandemic?

Way Forward

5. What should be priority areas of intervention be for CWT/USAID and why?
6. Which GVN counterparts should USAID most actively engage with and how for its next generation of CWT/USAID programming?
7. What could be some of the most effective opportunities for collective action between the government, private sector, and local organizations that CWT/USAID should explore and how?

METHODOLOGY

OVERVIEW

The study team used a mixed-methods approach to address the study questions, beginning with a desk review of recent illegal wildlife trade documents and reports containing qualitative and quantitative data. The study team collected primary qualitative data through semi-structured key informant interviews (KIIs) with 38 targeted individuals. Researchers organized findings, began to identify emergent themes, drew initial conclusions, and developed recommendations during weekly preliminary analysis sessions throughout the data collection period. The team then performed content analysis using empirically grounded codes based on a full review of the data. USAID Learns organized a validation workshop to verify findings with 25 targeted stakeholders from a range of backgrounds in Hanoi, including participants from each of Vietnam's three major cities. Feedback from the stakeholder session guided the exposition of findings, conclusions, and recommendations in this report. Researchers overcame hurdles such as social distancing directives, a constricted time frame, and research biases by properly planning around these issues before data collection began.

RESEARCH DESIGN

The research design for this study, including data collection tools, data sources, and analysis focus, is summarized in Table I.

Table 1. Research Design

RESEARCH QUESTION	CONTENT ANALYSIS FOCUS	DATA COLLECTION TOOLS	DATA SOURCES
1. What is the current situation of illegal wildlife trafficking in Vietnam?	To identify key illegal wildlife trade problems (or successes) in Vietnam for USAID Saving Species focal species	Desk Review	Recent illegal wildlife trade reporting, internal USAID documents, grey literature
		KIIs	Government (wildlife authorities and law enforcement agencies), international NGO (wildlife), NGOs (wildlife crime), civil society (traditional Chinese medicine (TCM) associations, environmental groups)
2. What are the key factors (drivers and threats) influencing illegal wildlife trade and wildlife consumption in Vietnam?	To reveal trends that contribute to the trafficking and consumption of USAID Saving Species focal species	Desk Review	Recent illegal wildlife trade reporting, TCM trend reporting, policy views, wildlife legislation, COVID-19 briefings
		KIIs	Government (wildlife authorities and law enforcement agencies), international NGO (wildlife), NGOs (wildlife, anti-corruption), civil society (TCM practitioners, environment)
3. What are opportunities to increase political will?	To recognize developments that could raise the general profile of CWT among decisionmakers	Desk Review	Recent illegal wildlife trade reporting, anti-corruption reporting, newspaper articles, government directives, COVID-19 briefings, corporate social responsibility (CSR) literature
		KIIs	USAID, donors (governance, environment), government (wildlife authorities and law enforcement agencies), international NGOs (wildlife, capacity development), NGOs (wildlife, capacity development), civil society (governance, environment), private sector (CSR professionals, chamber of commerce representatives)
4. How is the political and social context related to wildlife trade and consumption in Vietnam expected to change given the global COVID-19 pandemic?	To chart changes in sociocultural opinions on the illegal wildlife trade following COVID-19 and any opportunities these could bring to CWT	Desk Review	Recent illegal wildlife trade reporting, newspaper articles, government directives, COVID-19 briefings, local media
		KIIs	USAID, donors (governance, environment), government (wildlife authorities and law enforcement agencies), international NGO (wildlife), NGOs (wildlife conservation, health), civil society (TCM, public health, environment)
5. What should be priority areas of intervention be for CWT/USAID and why?	To recognize CWT challenges that could be addressed by potential USAID interventions	Desk Review	Recent illegal wildlife trade reporting, legal reviews, policy reviews, government directives, CSR documents
		KIIs	USAID, donors (governance, environment), government (wildlife authorities and law enforcement agencies), international NGO (wildlife), NGOs (wildlife conservation), civil society (TCM, environment), private sector (CSR professionals, chamber of commerce representatives)

RESEARCH QUESTION	CONTENT ANALYSIS FOCUS	DATA COLLECTION TOOLS	DATA SOURCES
6. Which GVN counterparts should USAID most actively engage with and how for its next generation of CWT/USAID programming?	To identify potential government CWT partners and methods to collaborate	Desk Review	Recent illegal wildlife trade reporting, donor reports, government directives, media reports, public health guidelines
		KIIs	USAID, donors (governance, environment), government (wildlife authorities, forest protection department, law enforcement agencies, public health, education), international NGOs (wildlife, education, governance), NGOs (wildlife, education, public health), civil society (TCM practitioners, environment)
7. What could be some of the most effective opportunities for collective action between the government, private sector, and local organizations that CWT/USAID should explore and how?	To highlight potential areas of collaboration on CWT between several different stakeholders belonging to separate sectors	Desk Review	Recent illegal wildlife trade reporting, donor reports, government directives, CSR documents, media reports
		KIIs	USAID, donors (governance, environment), government (wildlife authorities, forest protection department, law enforcement agencies, public health, education), international NGOs (wildlife, education, governance), NGOs (wildlife, education, public health), civil society (TCM practitioners, environment), private sector (CSR professionals, chamber of commerce representatives)

DOCUMENT REVIEW

The study team used a desk-based review to collect qualitative and secondary quantitative data. Researchers reviewed recent illegal wildlife trade documents and reports published by the EIA, Education for Nature Vietnam (ENV), TRAFFIC, the Wildlife Conservation Society (WCS), the World Wildlife Fund (WWF), the International Union for the Conservation of Nature (IUCN), USAID Governance for Inclusive Growth, and USAID Saving Species to develop initial data codes and add greater nuance or potentially challenge any findings. The study team drew on peer-reviewed scientific literature and grey literature, including recent articles featured in National Geographic magazine and The Financial Times. All publications reviewed for this study are listed in Annex I.

KEY INFORMANT INTERVIEWS

Researchers used key informant interviews (KIIs) with 38 individuals in May 2020 to collect primary qualitative data via online conference calls, telephone interviews, and in person. The study's Senior Advisor managed in person interviews in Vietnam, while the Team Leader led remote discussions. This study took an emic perspective, representing CWT in Vietnam from viewpoints of stakeholders.²² To reflect a range of views on CWT, the study team chose key informants (KIs) from varied backgrounds. Researchers targeted stakeholders via their contacts, web-based research, and a snowball sampling technique. Targeted KIs included government, non-government, civil society, and private sector stakeholders (see Table 2). Because the illegal wildlife trade is one of the world's most profitable criminal enterprises, interviewers

²² Schutt, 2018.

assured KIs that their involvement in this study would be strictly confidential and that their names and organizations would only be held by the research team. The team stored interview notes in password-protected files on Social Impact’s server.

Table 2. Key Informant Interviews

RESPONDENT CATEGORY	# OF KIIS
National GVN Representatives: MARD, Department of Protected Area and Protection Forest Management, Vietnam Administration of Forestry (VNFOREST), Forest Protection Department (FPD)	6
Local GVN Representatives: FPD, People’s Police Academy, National Border Defense Force, Army Medics (traditional Asian medicine), Cuc Phuong National Park, Pu Mat National Park, Yok Don National Park, Hanoi Wildlife Rescue Centre, 87 Military Medical Hospital, Na Meo Army Border Station–Thanh Hoa province, People’s Police Academy (PPA), CITES MA	9
Donors and international NGOs: USAID, British Embassy, Saving Species, TRAFFIC China, TRAFFIC South Africa, TRAFFIC Vietnam, WCS Vietnam, WWF Vietnam, Animals Asia Foundation Vietnam, Fauna & Flora International Vietnam, IUCN Vietnam, Environmental Investigation Agency	12
Local NGOs: GreenViet, Wildhand, Education for Nature Vietnam (ENV), CHANGE	4
Civil Society Leaders: The Australian National University, public health spokespeople, Vietnam Forest Owner Association (VIFORA), GVN retirees	4
Private Sector Representatives: Sun Group/Intercontinental Hotel Group, Thanh Lap Trading, BOO Company	3
TOTAL	38

ANALYSIS AND REPORTING

The study team analyzed data to identify findings addressing the research questions. The primary form of analysis for this study was qualitative content analysis, which Hsieh & Shannon describes as “a research method for the subjective interpretation of the content of text data through the systematic classification process of coding and identifying themes or patterns.”²³ Researchers filed interview notes electronically in Word documents on Social Impact’s server, designing test data codes during weekly preliminary data analysis sessions. The final coding was developed at the end of the data collection period to ensure that coding categories reflected the comments of informants rather than the initial conceptual framework of researchers. The study team revisited interview notes at the end of the data collection process to ensure that the entire data set was analyzed according to the final codes. Throughout this process, findings related to each research question emerged from the data. Researchers filtered findings to ensure relevance to current USAID Saving Species focal species, although the findings also cover general themes applicable to the illegal wildlife trade and wildlife consumption in Vietnam.

VALIDATION WORKSHOP

Under the USAID Learns contract, Social Impact facilitated a validation workshop on June 3, 2020, in Hanoi to validate initial findings and collect feedback on the future direction of CWT and USAID activities. Twenty-five stakeholders from civil society, GVN, and the private sector joined the event, several traveling from Ho Chi Minh City and Danang. After the initial findings were presented, attendees were assigned

²³ Hsieh & Shannon, 2005.

discussion groups that were balanced by stakeholder background and gender. Discussion groups were tasked with validating the threats and drivers of the illegal wildlife trade in Vietnam and discussing how USAID, the GVN, civil society, and the private sector could work to strengthen CWT. Notes from this workshop added nuance to the findings, conclusions, and recommendations in this report.

LIMITATIONS

Owing to COVID-19, travel restrictions required the research team to be highly flexible in their approach. Online and telephone interviews (78 percent of all interviews) were conducted in place of in-person interviews. Researchers adapted to use the preferred messaging and video conferencing platforms of their interviewees, simplifying communication for participants. The nature of video conferencing helped to informalize discussions and better position some participants to share their opinions away from the supervision of others. Interviewees in online interviews shared more critical views more often than those interviewing in person. Video interviews make it difficult to gauge nonverbal cues that are ordinarily observable during in-person interviews. However, researchers scheduled discussion meetings immediately after online KIs to share and record any subtleties they picked up on. Vietnam lifted its social distancing directive near the end of the data collection period, allowing researchers based in Hanoi to hold in-person interviews.

Since the timeframe for data collection was short and respondents sometimes were not available on short notice, researchers ensured that if certain KIs were difficult to track down, suitable alternative interviewees were targeted. The research team reflected on potential biases on CWT issues from themselves, key informants, and the study design before beginning data collection. When analyzing data, researchers searched for contravening evidence that could challenge their existing views.

FINDINGS AND CONCLUSIONS

QUESTION 1: CURRENT SITUATION

What is the current situation of illegal wildlife trafficking in Vietnam?

FINDINGS

Vietnam is a source, consumer (sink), and transit country in the illegal wildlife trade.

Consistent with the wider literature, key informants recognized that over the last decade, the frequency and quantity of confiscations of illegal wildlife products in Vietnam suggest that the country is no longer predominantly a transshipment country supplying China with illegal wildlife products.²⁴ Instead, these respondents believe that Vietnam is a consumer country of illegal wildlife products in its own right, while it remains a major illegal wildlife product supply route into China. Illegal wildlife products are probably still frequently smuggled over Vietnam's mountainous frontier through both official and covert channels,²⁵ but as Chinese law enforcement capacity in CWT increases²⁶ and certain markets such as ivory have been

²⁴ Krishnasamy & Zavagli, 2020; EIA, 2019; Nguyen et al., 2016.

²⁵ Truong et al, 2016.

²⁶ Global Initiative, 2020.

closed in China,²⁷ arguably, Vietnam will become less of a transit country for wildlife products destined for China.

Nevertheless, one key informant (an illegal wildlife trade program manager in a prominent international non-governmental organization [INGO]) explained it has recently become more difficult for traffickers to access the Chinese market through Hong Kong, leaving Vietnam as an overland supply route for illegal wildlife products. In general, international experts disagreed with Vietnamese experts (six key informants from a range of backgrounds) on this question, with Vietnamese experts saying that Vietnam remains mainly a transshipment point in the illegal wildlife trade. One international key informant referred to Vietnam as a “sink” of illegal wildlife, implying that products entering Vietnam are mostly destined for consumers in Vietnam. In the validation session for this study, one key informant (a regional director of an INGO) noted that Vietnam is a source of lower value wildlife products but that the majority of high-value wildlife products are imported into the country. The key informant argued that Vietnam’s ecosystems are ecologically poor and extirpated of the charismatic species that often make for high-value wildlife. Several products (particularly those derived from mammals) are harvested on farms in Vietnam, which may blur the extent to which Vietnam is a source of certain products.²⁸

Vietnam remains a rhino horn and big cat products hub and is perhaps emerging as a global center of the ivory and pangolin scale trade.

Vietnam has been recognized as a rhino horn source, destination, and transshipment country since the beginning of the decade²⁹ and before the extinction of Vietnam’s last Javan rhinoceros subspecies in 2010.³⁰ Interviews with key informants confirmed that Vietnam continues to be a hub for the rhino horn trade. One key informant explained that according to an analysis undertaken by the London-based EIA, 27 percent of global rhino horn seizures by weight (1,697 kg) have been linked to Vietnam and that 40 percent of those from Asian countries arrested in connection to rhino horn trafficking since 2010 were from Vietnam.³¹ Big cat products, some of which are unique to Vietnam (such as tiger bone glue³²), including bones and collectibles, are believed to be sourced from farms and “pseudo zoos” serving as fronts in the illegal wildlife trade across Asia and Africa.³³ Two key informants with backgrounds in wildlife rescue said these are pervasive in Vietnam.

One key informant (a country director of an INGO) explained that after China banned the ivory trade in 2018, Vietnam became a de facto hub for the illegal ivory trade. Another key informant (a chief technical officer of a local NGO) disagreed with this, asserting that after China closed ivory markets, ivory sales in Vietnam did not increase.

One key informant cited research conducted by Save the Elephants (2016) claiming that the number of ivory carvers in Vietnam had risen tenfold between 2008 and 2015, and according to press reports collected by WCS, Vietnamese authorities seized more than 23 tons and 1,778 pieces of ivory in 2019. Two key informants recognized Vietnam as the largest transshipment market for live pangolin in the world.

²⁷ Lechner & Campos-Arciez, 2018.

²⁸ ENV, 2017.

²⁹ See Milliken & Emslie, 2012; Nguyen et al., 2016.

³⁰ Brook et al., 2014.

³¹ EIA, 2018; EIA, 2019.

³² See Mills & Jackson, 1994.

³³ National Geographic, 2018.

Between 2018 and 2019, more than 75 tons of pangolin scales had been detected and seized in Vietnam, accounting for 36.4 percent of the total global volume from 2016 to 2019.³⁴ Four key informants suggested that there may be a convergence between ivory and pangolin scale trafficking and that Vietnam is a prevalent global trade center for both products.

Large confiscations of illegal wildlife products can be lost, and government stockpiles are not systematically reported.

After large quantities of illegal wildlife products have been confiscated in Vietnam, some have been lost while in the hands of authorities. This was supposedly the case with 9.1 tons of ivory confiscated at Tien Sa port in Danang in March 2019 that later disappeared. Five key informants explained that this event may imply that Vietnam's law enforcement agencies are complicit in the illegal wildlife trade, or perhaps demonstrate that Vietnamese authorities cannot secure such high quantities of high-value illegal products. Two key informants highlighted that disappearances of confiscated wildlife products may reflect the GVN's intention to auction illegal wildlife products and pay dividends to the state budget, rather than internationally reporting confiscations to CITES and destroying the contraband, as per CITES requirements. One key informant explained that the Ministry of Finance and the Ministry of Health disagree over the credibility of the official stockpile numbers.

Vietnam has not enacted scientific decision making in CWT and the legal wildlife trade according to CITES requirements.

CITES is an international treaty to prevent species from becoming endangered or extinct because of international trade. CITES Management Authorities (MAs) are locally appointed offices responsible for ensuring that the CITES parties follow the self-compliance requirements of the convention.³⁵ CITES requires that MAs issue trade permits that consider whether trade will ultimately serve conservation, report stockpiles to the CITES secretariat, and monitor confiscations. These actions are supposed to be

COVID-19 and the Illegal Wildlife Trade

The coronavirus pandemic has changed illegal wildlife trafficking in Vietnam. Fifteen interviewees recognized that since borders and transport routes have been closed, sales of illegal wildlife products have decreased (particularly in markets linked to tourist destinations). Six interviewees said that the black-market price of illegal wildlife products has subsequently dropped, due to a temporary reduction in demand caused by practical trade restrictions. Six interviewees said they assumed that trafficking of wildlife products through the Vietnam's seaports has increased, since many commercial air routes remain cancelled.

Seven key informants shared that traffickers and brokers are probably stockpiling illegal wildlife products, preparing to return to 'business as usual' when strategic border crossings and transport routes reopen. Key informants shared that Wildlife Justice Commission investigators in Vietnam were offered to buy 22 tons of pangolin scales during the height of the pandemic, confirming that traffickers had acquired larger quantities of product than before. There are concerns that organized crime syndicates are actively seeking innovative workarounds to the transportation blockages caused by Vietnam's response to the pandemic. The poaching of live species may have increased due to a loss of employment in rural areas in Vietnam, across the region, and in Africa.

Due to limits imposed by the GVN on the movements of people and animals during Vietnam's social distancing directive, government wildlife rescue centers in Vietnam received few or no live species confiscations during the height of the pandemic in Vietnam. After the WHO declared COVID-19 a global health emergency, a coalition of 14 NGOs sent a joint letter to Vietnam's Prime Minister, Nguyen Xuan Phuc, requesting that the GVN enact a directive to ban the trade and consumption of wildlife, since there were suggestions that COVID-19 had emerged from a market selling wildlife in Wuhan, China.

The Prime Minister ordered MARD to draft a new directive. A draft directive submitted to the Government Office has yet to be issued. NGOs have followed up and sent an additional letter to the Prime Minister requesting that the government issue a directive to ban wildlife trade and consumption as soon as possible.

³⁴ WJC, 2020.

³⁵ Vasquez, 2014.

carried out through appointed scientific authorities within local CITES MAs. Vietnam previously had four scientific authorities listed in the provisions of Decree 82/2006/ND-CP. After Decree 06/2019/ND-CP in early 2019, Vietnam did not reappoint any of these agencies as scientific authorities. One key informant explained that since Vietnam's scientific authority was disbanded, there has been no DNA testing of confiscations and no official scientific decision making over issuing trade permits, as per CITES requirements. Hence, Vietnam may be in contravention to the convention it is party to and therefore not fulfilling CWT requirements set out in international law.

Online trade is increasing.

Five key informants asserted that the number of online cases of illegal wildlife trade was increasing in Vietnam and becoming more technical and sophisticated. Two key informants recognized that online traders were said to now be using code names instead of species names to market illegal wildlife products more discreetly.

The illegal wildlife trade converges with an influx of Chinese tourists visiting Vietnam's tourist destinations.

In 2019, 5.8 million Chinese tourists visited Vietnam, contributing to an increasing trend in the number of Chinese tourists visiting the country.³⁶ One key informant (who monitors the country's illegal wildlife markets in biyearly surveys) explained that a fraction of Chinese travelers are believed to visit Vietnamese tourist destinations to specifically purchase ivory and consume wildlife. Nha Trang, Danang, and Trang An are potential key illegal wildlife trade markets catering to increasingly mobile Chinese tourists.

Vietnam's well-known trafficking hotspots remain unchanged.

Recent reports reconfirmed previously known illegal wildlife trade hotspots as nodes in Vietnam's illegal wildlife trade network.³⁷ Key informants identified all major cities, ports (Hai Phong, Tien Sa, and Ca Mau), and airports (Hanoi, Danang, and Ho Chi Minh City). Informants mentioned border crossings such as Mong Cai and Dak Lak and handicraft villages such as Nhi Khe as rhino horn and ivory trade hotspots.

Vietnamese-led crime syndicates are trafficking illegal wildlife products across Africa and into Vietnam with few repercussions.

Four key informants said that Vietnamese-led crime syndicates are alleged to be sourcing illegal wildlife products from countries such as Kenya, Tanzania, Mozambique, and Angola. These organized criminal groups are allegedly shipping products across Africa and then moving contraband into Vietnamese markets via hubs across the region. These transnational crime syndicates, the informants said, take advantage of African states that exhibit poor governance and little rule of law. Vietnamese-led crime syndicates are believed to be engaging in a range of high-level criminal activities in Africa in addition to the illegal wildlife trade.³⁸ The informants explained that the GVN has not seriously attempted to challenge crime syndicates led by Vietnamese citizens operating out of Africa.³⁹

³⁶ Xinhua, 2020.

³⁷ See Krishnasamy & Zavagli, 2020; WJC, 2020; WJC, 2017.

³⁸ See EIA, 2018.

³⁹ Ibid.

CONCLUSIONS

Vietnam is a source, consumer, and transit country for illegal wildlife products, although local extirpation may mean that the country will soon rely more on wildlife products from abroad. In addition to continuing to be a global hub for rhino horn and big cat products, Vietnam is emerging as a potential new global center of the ivory and pangolin scale trade. The suggestion that confiscated illegal wildlife products can be easily lost in the Vietnamese system is particularly relevant. Since the GVN does not internationally report its stockpiles, questions over its stockpile secrecy and capacity to manage confiscations remain. Vietnam is currently without a CITES scientific authority required of all parties to CITES per international law. This reveals that Vietnam has lost the capacity to undertake essential forensic analysis on the high number of seizures throughout 2019 and conduct scientific decision making in issuing CITES permits. The increasing number of cases of wildlife crime could reflect improved capacity of Vietnam's law enforcement agencies or growth in Vietnam's illegal wildlife trade.

QUESTION 2: KEY DRIVERS AND THREATS

What are the key factors (drivers and threats) influencing illegal wildlife trade and wildlife consumption in Vietnam?

FINDINGS

A threat is a proximate human activity or process that explicitly causes degradation or loss of biodiversity, and a driver is the ultimate factor, usually social, economic, political, or institutional, that enables or otherwise adds to the occurrence or persistence of one or more threats.⁴⁰

Threats

Vietnamese culture has been heavily influenced by the East Asian cultural sphere. After Vietnam's economic growth, Vietnamese consumers are imitating the consumption habits of China's nouveau riche.

Wildlife consumption habits in Vietnam, particularly regarding products used in traditional Asian medicine, are inextricably linked to Chinese tradition and ancient cultural modes of thought characteristic of the Sinosphere.⁴¹ China's 1,000-year colonization of Vietnam arguably cemented Chinese cultural components in Vietnam. The first documented use of rhino in medicinal practice can be traced back to 5th century China.⁴² Key informants also recognized that modern buying habits of the Chinese nouveau riche influence Vietnamese decision making and have been imitated by some wealthy Vietnamese buyers. For rhino horn, Vietnamese imitation breaks from the most common pharmaceutical applications of wildlife products in China since, in Vietnam, rhino horn is often drunk in a tonic and not consumed as a compound in combination with other ingredients, as according to traditional Asian medicine pharmacopeia.⁴³

⁴⁰ Salafsky et al., 2008.

⁴¹ The term Sinosphere is sometimes used as a synonym for the East Asian cultural sphere. The etymology of Sinosphere is from Sino- "China; Chinese" (cf. Sinophone) and -sphere in the sense of "sphere of influence", "area influenced by a country."

⁴² Ayling, 2013.

⁴³ Vu & Nielsen, 2018; Cheung et. al., 2018.

Vietnam’s economic growth has led to increased purchasing power, which may exacerbate the illegal wildlife trade by contributing to its profitability.

As the Vietnamese economy grew rapidly and expendable income rose, Vietnamese consumers could afford more high-value wildlife products.⁴⁴ Key informants highlighted that Vietnam’s newfound wealth probably exacerbated the illegal wildlife trade, extirpating certain species. As purchasing power increased for the first time, wealthy Vietnamese could access markets of exotic wildlife products sourced from abroad.⁴⁵ According to an implementor of Saving Species, the value associated with certain wildlife products by Vietnamese users may protect the profitability of the industry and arguably ensure it does not stop, since it has strong economies of scale.

Drivers: Governance

Vietnam’s improved laws and updated penal code may act as a deterrent for some, but legislative reforms still limit criminal liability to a certain extent, due to remaining gaps, loopholes, and inconsistencies in the legal framework.

Over the last decade, Vietnam has substantially improved its legal framework on wildlife protection. The 2015 penal code (revised in 2017) was recognized by 12 key informants and the 2018 Law on Forestry was recognized by six key informants (all GVN employees) as useful developments in wildlife protection. Article 234 of the penal code covers criminal violations against wildlife protection, while article 244 specifies appropriate punishments for criminal violations on protected species, with the strictest punishments for wildlife trafficking set at 15 years imprisonment and a 15 billion VND fine. One key informant who has worked closely with the GVN on drafting its wildlife legislation stressed that Vietnam now has some of the broadest wildlife protection legislation and the strictest punishments for wildlife trafficking in Asia.

Recent resolutions, decrees, and circulars to strengthen wildlife protection in Vietnam

To implement the wildlife protection law, the Supreme People’s Court adopted:

1. Resolution 05/2019 guiding the implementation of Article 234 and 244 on offenses against protected species
2. Decree 06/2019/ND-CP on the management of flora and fauna and the implementation of CITES
3. Decree 35/2019/ND-CP on the handling of administrative violations in the forestry sector

MARD issued:

4. Circular 29/2019/TT-BNNPTNT easing the handling of wildlife seized as evidence

However, according to three key informants, gaps, loopholes, and flaws in the legal framework have limited criminal liability. In the first draft of the revised penal code, wildlife products were vaguely defined as “body parts indispensable for life,” and prior to the promulgation of Resolution 05 by the National Committee of Judges in 2018, it was open to interpretation to what extent certain body parts were considered dispensable and to what extent ranching for certain parts could be allowed. The 2018 Law on Forestry and MONRE’s 2008 Law on Biodiversity are not aligned, making proper implementation difficult, since the laws overlap. As one key informant (a forestry official) explained, sometimes administrations and departments under MARD do not implement MONRE’s laws. While Decree 06/2019/TT-BNNPTNT better aligns Vietnam with CITES and international law, one key informant explained that loopholes allow

⁴⁴ Ngoc & Wyatt, 2013.

⁴⁵ Milliken, Shaw & Esmie, 2012.

wildlife farms to acquire breeding stock from the wild and purchase confiscated species through auctions, perpetuating wildlife farming and enabling some tourist facilities or farms to operate as fronts for the illegal wildlife trade.⁴⁶

Overlapping mandates, roles, and responsibilities, in combination with Vietnam's propaganda culture, limit action-based decision making to disrupt the illegal wildlife trade.

Management overlaps between MARD and MONRE on the protection of biodiversity limit action-based decision making.⁴⁷ According to one key informant who has worked to further CWT at the ministerial level in Vietnam, the Ministry of Public Security (MPS) is often not open to viewing wildlife crime as its responsibility, perhaps owing to MARD's large mandate on protected areas and species. This key informant reported that a widespread "propaganda culture" in Vietnam, which redefines success in the face of failure, results in a lack of accountability toward addressing the illegal wildlife trade and ministerial discord. Four interviewees explained that at the CITES Conference of Parties (where members of the convention meet), when Vietnam has been questioned by non-state entities such as the London-based EIA over why it has repeatedly failed to meet CITES requirements, Vietnamese officials have rationalized that, counter to the claims of others, Vietnam has successfully cracked down on the illegal wildlife trade.

The illegal wildlife trade is a lucrative, low-risk illicit activity because of limited enforcement.

One key informant who specializes in governance in Vietnam explained that law enforcement authorities do not actively pursue organizers of imports of illegal wildlife products. Vietnam's updated penal code has punished several mid-level wildlife trafficking kingpins; in the validation event for this study, it was highlighted that it has mostly punished truck drivers and individuals who are assigned to be prosecuted and serve prison time on behalf of wildlife trafficking bosses. While smaller illegal wildlife trade cases are being reported (one key informant, who is Chief Technical Advisor of a wildlife crime charity, claimed that 4.7 small cases were reported every day on average) and responded to with greater enthusiasm by the authorities, larger cases purposefully slip under the radar, according to two key informants who both work in INGOs with CWT programs. Although they did not have hard evidence, informants suggested that certain law enforcement officials are complicit in the illegal wildlife trade. Twelve key informants said that corruption within law enforcement agencies is a result of the low salaries state employees officially earn.

Vietnamese authorities have made progress addressing smaller illegal wildlife trade cases and prosecuting low- and mid-level criminals but have progressed less at the higher level.

As the GVN has improved its effectiveness and enthusiasm for addressing poaching and trade of protected species within Vietnam, confiscations have increased.⁴⁸ However, key informants explained that while the GVN prosecutes small cases, few high profile actors face appropriate punishment. One key informant (who is a program manager in an INGO) estimated that only five percent of wildlife traffickers have faced punishment in Vietnam. While regional trafficking kingpins such as Nguyen Huu Hue (a tiger farmer and trader) and Hoang Tuan Hai (Vietnam's marine turtle kingpin) have faced arrest and received lengthy jail terms for illegal wildlife trafficking, other more high profile figures in the illegal wildlife trade have escaped

⁴⁶ See National Geographic, 2018; ENV, 2017.

⁴⁷ USAID, n.d.

⁴⁸ ENV, 2020.

punishment. Nguyen Mau Chien (a leader of a rhino horn trafficking crime syndicate operating out of the Ivory Coast and Mozambique), after voluntarily handing himself over to the Vietnamese authorities in 2017, was sentenced to 13 months imprisonment and requested to pay a 10 million VND fine for trafficking and storing illegal goods in 2018. It could be argued that CWT advances in Vietnam mainly affect smaller and local cases of wildlife crime, since the EIA maintains that Vietnam has not yet appropriately punished any Vietnamese illegal wildlife trade actors operating out of Africa.⁴⁹ One key informant who has monitored wildlife crime in Africa and Vietnam over the past decade explained that their organization had attempted to arrange talks between Angolan and Vietnamese law enforcement agencies, but to no avail, owing to the Vietnamese side's indifference.

There is a lack of political will at specific levels in the Vietnamese system to address the illegal wildlife trade.

At the validation event for this study, one key informant explained that the Communist Party of Vietnam (CPVN) would likely want to stop people consuming illegal wildlife products and using wildlife in traditional Asian medicine; however, another key informant explained that within Vietnam's political system, the CPVN does not intend to pressurize the Vietnamese people to stop consuming wildlife products in traditional Asian medicine, as there are other, more vital gains it wishes to achieve. One key informant stated that even though the GVN is now addressing environmental crime with more enthusiasm than before, wildlife crime is less of a concern to Vietnam's propagandists compared to issues like non-source point water pollution, the destruction of century-old trees in Hanoi, and the degazettement of Vietnam's protected areas, all issues where strong political and social will may spur action.

Drivers: Consumer Demand

Attitudes of younger people may differ from those of older generations in Vietnam, potentially strengthening CWT efforts.

Six key informants from a variety of backgrounds believed younger people in Vietnam possessed a different outlook on wildlife crime and environmentalism than the older generations who may fuel the illegal wildlife trade and consumption of wildlife products. Key informants said that younger people in Vietnam may not believe in the efficacy of using wildlife in traditional Asian medicine; however, some at the validation event for this study noted that some younger populations such as university students are thought to be a significant consumer group of bushmeat and collectibles. Students in higher education in Thua Thien Hue province were identified as one significant key demographic commonly eating bushmeat (often wild boar), at least three times on average every year in 2016.⁵⁰

Many believe illegal wildlife products to be a panacea, sometimes contrary to standards of traditional Asian medicine pharmacopeia.

Thirty key informants noted rhino horn, pangolin scales, and big cat products as high-value wildlife products believed to serve pharmaceutical purposes according to myth, folklore, and traditional Asian medicine. Three key informants stressed that some users tend to acquire products such as rhino horn

⁴⁹ EIA, 2019.

⁵⁰ Sandalj, Treydte & Ziegler, 2016.

when their family, friends, or wider contacts cannot be cured by conventional medicine.⁵¹ These same informants pointed out that rhino horn was once touted as a desperate magical cure-all by a senior GVN official who claimed that rhino horn works as a cure for cancer.⁵² It is common in Vietnam for users to self-prescribe wildlife products per their interpretation of traditional Asian medicine and consume wildlife products to “remove toxins” in general, rather than consuming illegal products (or their legal substitutes) in compounds with other ingredients in accordance with a traditional medicine pharmacopeia.⁵³ This could make changing the pharmacopeia less effective in Vietnam than, for instance, in China, where authorities expect that removing pangolin scales from the pharmacopeia will slash demand.

Consumers use illegal wildlife products to enhance status.

Wealthy individuals who use illegal wildlife products to display status and class drive the illegal wildlife trade.⁵⁴ Access to high-value wildlife products can help maintain hierarchy and establish social position through an overt display of wealth.⁵⁵ One key informant, who has worked to develop GVN capacity in CWT, identified government officials as particularly common users of wildlife products to display their status (mainly through wearing ivory jewelry and consuming rhino horn). Exoticism dovetails with power: the more bizarre a special dish or collectible, the more powerful a dinner host, holder, or consumer may seem to others.

Illegal wildlife products are used superstitiously, hedonistically, and for utility.

Five key informants identified products such as tiger teeth, bear teeth, and elephant tail hair worn in jewelry as examples of ways to bring luck and good fortune to users in Vietnam. Certain superstitions have emerged from China, while others are unique to Vietnam.⁵⁶ Others consume bushmeat, rhino horn, and tiger products for hedonistic purposes.⁵⁷ Four key informants recognized that people in Vietnam derive pleasure when consuming exotic species, specimens in home-brewed alcohol, and when collecting wildlife products like trophies, especially if deemed illegal. Three key informants posited that wildlife came to be viewed as a commodity in Vietnam because of historical challenges (repeated colonization, war, and famine) that the country has faced for hundreds of years. Individuals used wildlife for subsistence, and certain rural livelihoods have continued to depend on using wildlife as natural commodities. Since rural poverty may drive wildlife crime, two key informants argued that citizens need to have secure employment and adequate living arrangements to afford an ecological conscience. Contrastingly, four key informants identified some high-value wildlife products (particularly rhino horn) as used to bribe powerful figures, suggesting that the utility of wildlife products is broad and may intersect with Confucianist gifting culture.⁵⁸

⁵¹ USAID, 2018.

⁵² UNDOC, n.d.

⁵³ Cheung et. al., 2018.

⁵⁴ USAID, 2018.

⁵⁵ See Vu & Neilson, 2018.

⁵⁶ USAID, 2018.

⁵⁷ Vu & Nielsen, 2018.

⁵⁸ Ibid.

CONCLUSIONS

Vietnamese culture around using wildlife has been heavily influenced by the East Asian cultural sphere, owing to historical colonization, modern consumption habits, and imitation. As the Vietnamese economy grew and expendable income rose, the ability of Vietnamese consumers to access high-value wildlife products increased, and the illegal wildlife trade adapted to serve Vietnamese consumers.

Vietnam now has some of the strictest punishments for wildlife trafficking and the broadest wildlife protection laws in Asia, but these advances are at least partially undermined by loopholes, inconsistencies, and overlaps (in written laws and decrees and via ministerial discord), meaning that Vietnam's CWT suffers an implementation crisis. The GVN does not openly discuss Vietnam's failures in CWT because of an underlying "propaganda culture" that claims success in the face of failure and hides the notion that Vietnamese law enforcement officers may be complicit in certain aspects of the illegal wildlife trade. Spurred on by gaps in the legal framework, the illegal wildlife trade in Vietnam has become a low-risk, high reward enterprise. While the Vietnamese authorities are cracking down on smaller cases (often involving endemic species) and low- or mid-level traffickers, Vietnam has not yet punished any of the leaders of Vietnamese crime syndicates operating out of Africa, and large cases may go unreported. Certain parts of the Vietnamese system and society do not find the illegal wildlife trade to be a pressing concern in comparison to other issues or environmental crimes where sufficient political will may exist.

Some segments of the younger generation have a different outlook on wildlife crime, but not all. Some believe stories about the pharmaceutical value of wildlife use rhino horn, pangolin scales, and big cat products despite their medical inefficacy. High-value wildlife products maintain hierarchy and establish individual social positioning by overtly displaying wealth. Certain products garner luck, according to cultural tradition. Wildlife products are commoditized for livelihoods and form part of a gifting culture. If people are prepared to consider wildlife products as culturally significant high-value commodities (and a certain amount of sophisticated illicit marketing influences this) demand will continue to create a strong economy out of the illegal wildlife trade, rendering it difficult to disrupt.

QUESTION 3: POLITICAL WILL

What are opportunities to increase political will?

FINDINGS

COVID-19 could be a rare opportunity to increase political will to address the illegal wildlife trade and wildlife consumption.

The conditions that led to the presumed transition of COVID-19 between wildlife and people at a market in Wuhan exist throughout wildlife markets and the supply chain of illegal wildlife products that are being trafficked into Vietnam.⁵⁹ Twelve key informants expressed that the Vietnamese public has become more concerned over the safety of wildlife products, as is reflected in recent reporting.⁶⁰ Further opportunities exist in Vietnam's successful pandemic planning response to COVID-19 and how the GVN has implemented international best practices in maintaining national biosecurity. Two key informants explained

⁵⁹ See Broad, 2020.

⁶⁰ See WWF/Globe Scan, 2020.

that the heightened attention of both the public and GVN on biosecurity is an opportunity to build political will to address the illegal wildlife trade and wildlife consumption more generally.⁶¹

Leveraging Vietnam’s chairship of the Association of South East Asian Nations (ASEAN) and competitive elements with China could be an opportunity to position Vietnam as the lead enforcer of CWT.

Three key informants explained that Vietnam’s ASEAN Year 2020 may be an opportunity for the GVN to showcase its regional leadership potential by making commitments to address transnational crime at the 36th ASEAN summit to be held in Danang in 2020. At the validation event for this study, one discussion group highlighted how law enforcement could be prioritized during Vietnam’s ASEAN Year 2020. Two key informants recognized that as Vietnam begins to take the role of a regional leader, leveraging Vietnam’s reputation in comparison to relative Chinese successes in CWT could prove helpful to build political will to address the illegal wildlife trade. Developments in China include the ban on the consumption of wildlife following COVID-19, the closure of ivory markets in 2018, and increased protection for pangolins in 2020.⁶²

ILLEGAL WILDLIFE TRADE AS A ZONOTIC DISEASE RISK AND USAID’S FAUNAL FOCUS

One key informant highlighted at the validation event for this study that several Saving Species Focal Species and the high value products they are associated with are less likely to be sources of zoonotic disease transmission than lower value bushmeat products that are sold alive (or butchered) in insanitary markets.

It is also true that, with the decline of species such as rhinos and elephants in the wild (and the degradation of habitats), the disease regulating ability of natural ecosystems can be negatively affected (Sandifer et al., 2015).

While it may be difficult to prove the risk of zoonosis in the larger illegal wildlife trade supply chain (and with products such as rhino horn, which is essentially dead keratin, entering Vietnam in packages and hence are unlikely to be comparable disease reservoirs to bushmeat), the destruction of nature and the sourcing practices of poachers (e.g., butchering the faces of rhinos to access horn within the skull; see Cheteni, 2014) are pertinent to the claim that the bigger picture of the illegal wildlife trade (and the practices it involves) is a significant disease interface between zoonotic pathogens and people.

There may be an opportunity to widen USAID’s species focus to include other taxa (in addition to pangolins) that are considered higher-risk species for zoonotic disease transmission to build political will on countering the trafficking of the other charismatic and keystone species already serving as focal points.

Establishing champions among the highest levels of GVN leadership while biosecurity concerns are at the forefront could be an opportunity to encourage the development of a national CWT strategy.

Two key informants recognized Vietnam’s Prime Minister, another highlighted Vietnam’s Deputy Prime Minister, and two other key informants identified members of the National Assembly as figures at the top of Vietnam’s political hierarchy who ought to be lobbied to further CWT in Vietnam’s post-COVID-19 landscape. Two key informants (one who has been developing legislation with MONRE and MARD since 2000 and the other who is embedded in government through an INGO) stressed that that it is important to identify senior change-makers in the GVN who possess the right attitude and share mutual interests in addressing the illegal wildlife trade. The Prime Minister replied to the joint letter sent by 14 NGOs requesting a directive to ban

⁶¹ Even if certain parts of the GVN are reluctant to equate COVID-19 with the illegal wildlife trade (see Q4), COVID-19 may provide opportunities to challenge the illegal wildlife trade on public health grounds that were previously known but not fully engaged.

⁶² TRAFFIC.org, 2020.

wildlife consumption, demonstrating that the highest levels of state power may possess an appetite (albeit a passing one) to consider CWT as more important following COVID-19. One key informant identified the Prime Minister as a busy man who ordinarily would not have time to act on the advice of NGOs. Another key informant said that a member of the National Assembly is currently advocating for the development of wildlife protection law as standalone legislation rather than as articles harmonized within wider forestry and biodiversity law, again demonstrating that there may be an opportunity to build on existing momentum.

Working at the grassroots in Vietnam is an opportunity to build political will.

Five key informants recognized that working to understand grassroots perceptions in Vietnam—in its communities, communes, and provinces—was important to build political will. Two key informants expressed that the Vietnamese system may at times appear authoritarian but is in fact a strong central state that wins consensus and validation from its grassroots. Hence, opportunities may exist to build political will from the bottom up, since even if the CPVN may support a ban on wildlife consumption, this does not mean that the CPVN's view automatically propagates throughout the larger Vietnamese system. One key informant (a retired forestry official) explained that communities may be able to hold their local authorities to account and that education on the ecological importance of biodiversity at the community level may prove effective. Two other key informants argued that sociological drivers of the illegal wildlife trade (such as rural poverty) should be confronted at the grassroots to build political will at the provincial and commune levels.

Working with homegrown corporations close to the GVN is an opportunity to build political will.

Two key informants recognized large Vietnamese corporations as entities that could build political will on CWT more effectively than any other organization. These informants explained that all of Vietnam's local corporations are owned by individuals highly connected to the GVN. Further, these corporations shape public perceptions as full product lifecycle mass marketers⁶³ and as symbols of Vietnam's Doi Moi economic renovation. One key informant (who works to progress CWT with corporate partners) explained that the owners of homegrown corporations in Vietnam are interested in creating a “legacy” for themselves and their brands. USAID could leverage this desire to strengthen views of CWT in consumer society. Opportunities to work with Vietnamese corporations are discussed further under Q5.

CONCLUSIONS

COVID-19 could provide a significant opportunity for large gains in CWT in general and USAID's focal species in particular because of heightened public and government interest. However, some parts of the GVN are reluctant to credit COVID-19 to the illegal wildlife trade (see Q4). As Vietnam chairs ASEAN throughout 2020, relevant political opportunities may arise to position Vietnam as the lead enforcer of CWT. Perhaps as Vietnam's reputation grows, positive CWT changes in China could be used to build political will and encourage the GVN and Vietnamese society to address illegal wildlife trade and wildlife consumption problems as in China. In the post-COVID landscape, opportunities to raise CWT could target the highest levels of power in Vietnam's political hierarchy, especially as the appetite to instigate change could develop room for a specific high-profile GVN leader to address the illegal wildlife trade.

⁶³ See Financial Times, 2018.

There is also an opportunity to build consensus from the bottom up by working at the grassroots and addressing links among poverty, education, and community perceptions of wildlife and wildlife crime. The lines between the corporate and government worlds in Vietnam are often blurred, so working with large home-grown corporations could ensure political will among mass consumer society and GVN leaders (as detailed below under Q5).

QUESTION 4: COVID-19

How is the political and social context related to wildlife trade and consumption in Vietnam expected to change given the global Covid-19 pandemic?

FINDINGS

Social

Given the global COVID-19 pandemic, there is probably temporarily less trafficking and consumption of illegal wildlife products.

Consistent with online surveys conducted after the coronavirus outbreak,⁶⁴ 12 key informants explained people may be more afraid of consuming illegal wildlife products (with a focus on bushmeat, although other products were mentioned) in Vietnam. Three of these twelve suggested that, owing to Vietnam's social distancing directive, there may have been less consumption of bushmeat that is ordinarily consumed at both urban and rural social gatherings in Vietnam by certain segments of Vietnamese society.⁶⁵ Two key informants identified that ethnic minorities in Vietnam may not be equally concerned about the risks posed by wildlife consumption, as their use is more closely tied to age-old cultural tradition and subsistence. The scaling down of the illegal wildlife trade (which is assumed to reflect a general reduction in legal and illegal transnational trade⁶⁶) and consumption of wildlife products is probably temporary. Nine key informants believed that before the end of 2020, the illegal wildlife trade and the consumption of wildlife products in general would return with a flurry of activity when public awareness of the threat of zoonosis and travel restrictions diminish.

More people are becoming aware that zoonotic diseases can threaten human and animal health.

Because of the global pandemic, a new awareness about how wildlife products can lead to disease transmission has potentially emerged. Fourteen key informants believed that there was a greater understanding of how wildlife could be responsible for disease transmission. Key informants shared that recent research conducted in March 2020 in five Asian markets identified that 84 percent of respondents were "unlikely" or "very unlikely" to buy wildlife products at open wildlife markets in the future.⁶⁷ While some key informants said that while this may show that Vietnamese society is developing a more nuanced understanding of the connection between human and non-human animal health, others indicated that any consciousness about this issue in Vietnam is likely superficial. One key informant (a stakeholder with a public health background) asserted that unless the GVN recognizes the connections between the illegal

⁶⁴ See WWF/GlobeScan, 2020.

⁶⁵ Shairp et al., 2016.

⁶⁶ See WJC, 2020.

⁶⁷ WWF/GlobeScan, 2020.

wildlife trade, the emergence of zoonotic pandemics, and public health, as the World Health Organization has, the public may be skeptical to accept links among wildlife, ecosystem health, and human health more generally.

Illegal wildlife products were not demanded or marketed as a cure for COVID-19 in Vietnam, as they were elsewhere in the region.

Seven key informants mentioned that, at the height of the coronavirus pandemic in the Greater Mekong, although high-value illegal wildlife products such as rhino horn were marketed as cures for COVID-19 in Lao People's Democratic Republic and Myanmar, for example,⁶⁸ there was no evidence to suggest that this was the case in Vietnam as of May 2020.

There is a certain level of exceptionalism that regards high-value illegal wildlife products as safe for human health and wellbeing.

Although agreeing that general consumers would be reluctant to buy illegal wildlife products given the global pandemic, one key informant at this study's validation event explained that some users do not connect the threats posed by zoonoses prevalent in bushmeat to high-value illegal wildlife products such as rhino horn that arrive in Vietnam as packaged specimens to be consumed in tonics or worn as jewelry. Two key informants confirmed this and argued that there was no zoonotic risk (direct or indirect) to human health from the consumption of products such as rhino horn. This suggests that there may be a certain degree of exceptionalism or perhaps skepticism connected to which products are perceived to pose significant health risks. The illegal wildlife trade is a general disease interface,⁶⁹ but the level of risk associated with certain products differs. Four key informants believed that the highest risk of disease in the illegal wildlife trade comes from specific taxa in specific trafficking and market conditions.

Political

The GVN may be hesitant to address the illegal wildlife trade, since it might profit from wildlife farming and could be concerned about deflecting from its achievements during the coronavirus pandemic.

Three key informants believed that the GVN is not prepared to ban wildlife consumption. Two key informants argued that the GVN has vested interests in wildlife farming through state-owned enterprises. Therefore, as one key informant identified, any move to ban the consumption or trade of wildlife products as a disease mitigation strategy may undermine vested interests in commercial wildlife farming and the promotion of wildlife farming to alleviate rural poverty. Six key informants believed that if the GVN was to address the illegal wildlife trade as a potential source of the pandemic, this would require acknowledging the seriousness of the current situation of illegal wildlife trafficking in Vietnam, thus recognizing implicit or explicit GVN failures to curb the illegal wildlife trade. There may not be any enthusiasm to address failure when Vietnam's response to COVID-19 has been internationally praised and this attention has arguably strengthened Vietnam's image on the world stage.⁷⁰ Three key informants suggested that the

⁶⁸ WJC, 2020; National Geographic, 2020.

⁶⁹ See Broad, 2020.

⁷⁰ Council on Foreign Relations, 2020.

GVN requires hard evidence to disprove the suggestion that COVID-19 was created in a Chinese lab and did not emerge from wildlife trade to act decisively on Vietnam's illegal wildlife trade.

After Vietnam's experience with the global pandemic, the major priority for the GVN is to avoid economic recession rather than address the source of COVID-19.

Two key informants explained that given the economic situation caused by the winding down of globalization following the outbreak of COVID-19, the GVN and wider Vietnamese society will be fully focused on doing everything within their means to avoid recession and economic hardship. The potential source of COVID-19, while important, may not be a practical priority for the GVN.

CONCLUSIONS

The coronavirus pandemic has altered trafficking and some consumption habits, albeit temporarily. Growing public awareness on pandemic planning and the risks posed by zoonotic disease emerging from the illegal wildlife trade, in general, could momentarily drive CWT strengthening efforts. The link between animal and human health may be better understood by Vietnamese society, although not universally. In an increasingly interconnected world, the risk of zoonotic infection in one corner can pose massive challenges to global health and wellbeing in another, although it is important to note that some taxa and activities in the illegal wildlife trade may pose higher risks than others.⁷¹ Unlike elsewhere in the Greater Mekong, illegal wildlife products have not been in demand or marketed as a cure for COVID-19 in Vietnam. The GVN may be reluctant to take any action on the illegal wildlife trade since it is believed to profit from wildlife farms, is potentially concerned about deflecting from its achievements in managing COVID-19, and requires more hard evidence to prove that COVID-19 derived from wildlife trade before taking decisive action. The disruption of trade and global recession has caused momentous challenges that will naturally require the GVN to focus on safeguarding immediate and tangible economic growth and, perhaps regrettably, not the source of the latest pandemic.

QUESTION 5: PRIORITIES FOR INTERVENTION

What should be priority areas of intervention for CWT/USAID and why?

FINDINGS

Reframing the illegal wildlife trade as a serious transnational criminal issue and no longer a “victimless crime” through a new interagency and intergovernmental approach would quell GVN discord, strengthen law enforcement, and better disrupt transnational crime.

Nine key informants argued that the illegal wildlife trade should be reframed to be taken more seriously as a criminal issue to be addressed by law enforcement agencies in Vietnam that possess the power to interrupt criminal activities. Both the Departments of Economic Police and Environmental Police were highlighted as key law enforcement agencies that hold power to investigate, arrest, and assist in prosecuting criminals. Reframing the illegal wildlife trade to be seen more squarely as a criminal issue was said to be necessary, since wildlife crime is often misunderstood as “victimless” and hence a lower priority than other crimes. One key informant explained that the human victims of wildlife are apparent, such as

⁷¹ Greatorex et al., 2016.

rangers who are killed in the line of duty and local communities who are criminalized by the presence of crime syndicates or suffer zoonotic diseases. Six key informants identified that law enforcement agencies need to develop their capacity in specific technical areas linked to the illegal wildlife trade, such as financial investigation and precautionary measures that target the profits of wildlife trafficking more strategically.

One key informant did express concern, however, that if the illegal wildlife trade was to be completely reframed as a criminal issue to be repositioned under the MPS mandate, that the overarching components of the illegal wildlife trade (such as its ecological and public health impacts) might be disregarded. Before events such as the Hanoi Conference (which worked to get the GVN to see the bigger picture of the illegal wildlife trade), the deeper ecological and criminological components of the problem were commonly overlooked. Some informants stressed that the MPS has not yet actively accepted responsibility for CWT, although this was not universally agreed upon. Several key informants commented that the MPS has collaborated more closely with other Vietnamese authorities on CWT in recent years.

Concerns over the extent to which the MPS wishes to take responsibility for CWT are linked to concerns that MARD is too possessive over its mandate on CWT. Key informants said that MARD is too totalizing when addressing the overlapping GVN responsibilities related to CWT and too dependent on framing the illegal wildlife trade through CITES. These behaviors, two key informants argued, potentially discourage ministerial cooperation on CWT.⁷²

Three key informants criticized the GVN for not adequately addressing Vietnamese-led crime syndicates abroad. Compared to African states, they argued, Vietnam is hardly challenged (in general) at the CITES Conference of Parties for failing to meet requirements and recognize the criminal actions of Vietnamese operating out of Africa. One key informant explained how the United States and European Union frequently hold African states to account and disregard Vietnamese shortcomings. Three key informants gave examples where Vietnamese-led crime syndicates were criminalizing entire communities in Angola where high-value wildlife products are sourced and where (at least through May 2020) the GVN has made no concerted effort to address high-level crimes committed by Vietnamese citizens in Africa.

Seven key informants advocated for an intergovernmental and interagency approach (including different ministries and organizations in Vietnam and the governments of source countries). They suggested that this could be established with USAID's support through a new United Nations Office on Drugs and Crime technical unit, owing to the potential emergence of COVID-19 from the illegal wildlife trade and the seriousness this brings to CWT. This dovetailed with the idea that CWT in Vietnam depends too heavily on CITES, as have existing forums such as the ASEAN Wildlife Enforcement Network (WEN). CITES is often seen as an imperfect international tool to control the illegal wildlife trade and promote legal sustainable wildlife trade. Key informants highlighted that CITES decisions have not always centered on conservation, and there is a growing concern among conservationists that it has become a blunt instrument.

Addressing ministerial overlaps and loopholes, especially within wildlife farming and the tiger trade, would heighten criminal liability and ensure that Vietnam's legislation better serves species conservation.

⁷² USAID, n.d.

As discussed above, Vietnam possesses some of the most stringent wildlife protection laws in the region, but overlaps and loopholes undermine implementation. MARD and MONRE overlap significantly on biodiversity and natural resource protection. Laws drafted by MONRE such as the 2008 Law on Biodiversity are not always enforced by MARD (including the administrations and departments it encompasses), which instead, according to two key informants, follows its own legislation such as the 2019 Law on Forestry, sometimes exclusively. Key informants also explained that loopholes in Decree 06/2019 allow wildlife farms to be set up from wild-caught CITES Appendix I species (the highest protected species under CITES). One key informant noted that Vietnamese wildlife farms can still use breeding stock from the wild and hence can legalize wild-caught animals through farms, effectively laundering species from the illegal wildlife trade. The same key informant highlighted that Decree 06/2019 allows the commercial sale of seized or confiscated dead specimens or species listed in Appendix II (the second-highest protected group). If confiscated protected species can be repurchased and re-enter the legal trade following seizure via loopholes in the law, the law's ability to deter illegal wildlife trade may be undermined. Two key informants highlighted the farming of big cats for traditional Asian medicine and collectibles as a worsening illegal wildlife trade problem, partly because of loopholes that let traffickers launder tigers through wildlife farms and pseudo-conservation facilities.⁷³ One key informant suggested that USAID should work to create a legal roadmap to plan with the GVN how to address the ministerial overlaps and loopholes that undermine CWT and Vietnam's legislative advances.

Developing Vietnam's forensic analysis capacity would provide insight into systemic illegal wildlife trade challenges and help identify strategic entry points for intervention.

Three key informants identified that consistent forensic analysis of species and specimens would be essential in furthering CWT in Vietnam. DNA testing could shed light on trade routes of species from their origin and help decide the conservation value certain live confiscations may possess. One key informant believed that forensic analysis of confiscated specimens had declined since the beginning of 2019 when Vietnam's CITES Scientific Authority was disbanded. Vietnam's Institute of Ecology and Biological Resources (IEBR) hosted one laboratory where basic DNA analysis could be conducted, although one other key informant expressed that, often, DNA samples had to be sent abroad for thorough analysis. The same key informant recognized that the WWF is working to build forensic capacity in the region and that USAID should consider supporting this effort, particularly to improve CWT of the big cat trade.

Encouraging large Vietnamese corporations to pledge to and fund CWT would help to develop a wider societal challenge to the illegal wildlife trade.

Eight key informants identified Vietnamese corporations such as VinGroup, Sun Group, FLC Group, and TH Group as companies that are developing Corporate Social Responsibility (CSR) strategies that could intersect with CWT. Several key informants (including one employed by one of the corporations) raised concerns over how these companies could seek to adopt environmental messaging to "greenwash" their image, which may have been tainted within environmental activist groups. There is circumstantial evidence in local media that suggests that some corporates have influenced protected area downgrading, downsizing, and degazettement. Local media outlets, such as the newspaper of the Women's Union of Ho Chi Minh City, have reported Sun Group's developments in Ba Na Nui Chia Nature Reserve and Tam

⁷³ National Geographic, 2018.

Dao National Park, and consequently, the newspaper has been temporarily banned by the Ministry of Information and Communications.⁷⁴

All key informants who raised concerns over the actions of some conglomerates agreed that the influence of homegrown corporations, both over citizens and the GVN, if used to further CWT, would outweigh their concerns around environmental degradation and greenwashing. The validation event for this study recognized that Vietnam's seven billionaires (including several owners of the private conglomerates mentioned above) were potential key actors in furthering and sustainably funding CWT; however, one discussion group observed that the culture of corporate philanthropy is underdeveloped in Vietnam, making it difficult to create meaningful partnerships with the corporate sector. Three key informants suggested that if one of the CEOs or owners of homegrown corporations could be convinced to champion CWT, this could have a multiplier effect on other corporations, who may seek to compete on furthering environmental causes. Two key informants stressed that engagement with some of the leaders of the largest Vietnamese corporations would need to be strategically targeted through highlighting potential shared interests in CWT, since this may be unfamiliar for them and their brands.

Publicizing positive messages to reduce demand and engaging CWT through USAID's other activities as appropriate would popularize CWT, harmonize USAID's strategy, and strengthen the protection of biodiversity focal species.

Key informants said that demand reduction messaging that has focused on negative themes such as shame and “losing face” may have been ineffective in furthering CWT. Instead, more positive themes linked to sustainability, emergent environmentalism, and national identity were more likely to encourage behavior change in Vietnam. Informants noted that this was exemplified by MOH's public awareness campaign on handwashing after the outbreak of COVID-19. Through creating an upbeat positive message on hand hygiene and a fun viral media campaign that was supported by influencers on the social media platform TikTok, Vietnam set an example of social marketing that went beyond traditional public service announcements and was recognized as sophisticated information dissemination. Two key informants proposed that promoting herbal traditional Asian medicine alternatives to animal products via similar means could prove useful.

One key informant raised concerns over splitting USAID programming between CWT and biodiversity projects when synergies exist between them. This informant suggested that USAID may be failing to understand that what influences a person to consume protected wildlife sourced from Vietnam and purchase high-value wildlife products sourced from Africa are not separate but linked. For example, the extinction of Vietnam's Javan rhino subspecies in 2010—a biodiversity event—likely drove demand for products sourced from abroad.

CONCLUSIONS

There is a need to portray the illegal wildlife trade as a criminal issue and no longer a “victimless” crime. USAID should prioritize reframing the illegal wildlife trade from being a victimless crime and enacting interagency and intergovernmental approaches instead of relying on CITES, a trade treaty, to provide all-encompassing solutions. Moving the illegal wildlife trade into the MPS mandate (and away from MARD) may bolster law enforcement but could detract from work that has been done to get the GVN to see the

⁷⁴ VN EXPRESS, 2020.

bigger picture of the illegal wildlife trade (predominately through MARD) as a social, economic, environmental, and public health issue, rather than a simple matter of rule-breaking.

As a ministry solely focused on domestic agricultural and environmental governance, MARD may be inadequately experienced or resourced to fight a transnational criminal issue alone. In the post-COVID-19 landscape, Vietnam could more actively work in coalition with other actors to disrupt the entire criminal supply chain of the illegal wildlife trade, especially in source countries, where crime syndicates (some of which are Vietnamese-led) take advantage of weak governance, through an interagency and intergovernmental approach. This may be aided by developing better extradition law in Vietnam to align more closely with international law.⁷⁵

Vietnam’s ministerial overlaps and legal loopholes may hinder action-based decision making, render new legal wildlife protection advances ineffective on the ground, and limit criminal liability. This is especially the case with wildlife farming, through which the laundering of species undermines CWT. Vietnam may have not kept up with advances in forensic analysis that could give law enforcement and wildlife professionals the upper hand against increasingly sophisticated crime syndicates and help them better understand which confiscated animals have the greatest conservation value.

By addressing the illegal wildlife trade in partnership with large Vietnamese-owned corporations, CWT could gain a wider reach. While the environmental records of several of Vietnam’s big corporate conglomerates may not be perfect, and CSR in Vietnam may be underdeveloped, these corporations are massively influential actors that offer a sustainable approach to CWT activities by providing an alternative to perpetual donor funding. Demand reduction campaigns that focus on “losing face” may not motivate society to act, while sustainability messaging, emergent environmentalism, and adopting nationalism to reframe CWT positively, could be worthwhile tools for behavior change campaigns. Finally, USAID should consider the synergies between local extinction in Vietnam and the import of high-value illegal wildlife products into the country.

QUESTION 6: GOVERNMENT COUNTERPARTS

Which GVN counterparts should USAID most actively engage with and how for its next generation of CWT/USAID programming?

FINDINGS

Actively engaging with GVN leadership, committees of the National Assembly, ministries, and the justice system can help to advance the priorities outlined above.

Key informants identified various GVN counterparts that USAID could engage with and how. Table 3 below captures these recommendations and aligns them with several of the recommendations laid out in Q5, as represented by symbols in the table as follows:

- Counterparts key to help reframe the illegal wildlife trade as no longer a “victimless crime,” escaping enforcement priorities. But instead, a serious transnational criminal, ecological, and public health issue.









⁷⁵ See VN EXPRESS, 2019.




- Counterparts key to reducing ministerial overlaps and legal loopholes that result in a lack of action-based decision making, limit criminal liability, and weaken illegal wildlife trade deterrents.
- Counterparts key to help develop Vietnam’s forensic sampling and analysis capacity, including DNA testing.







Table 3. Potential GVN Counterparts


GVN Leadership			
Counterpart	Engage through	Pros	Cons
Prime Minister 	Lobbying to see the bigger picture of the illegal wildlife trade, ministerial overlaps, and legal loopholes via USAID senior staff.	Demonstrated potential interest in CWT after responding to a letter sent by 14 NGOs demanding action on the illegal wildlife trade following COVID-19. The Prime Minister can guide overall direction and pressure the MPS, MARD, and MONRE to act.	Not directly involved in legislative processes.
Deputy Prime Minister 	Lobbying to see the bigger picture of the illegal wildlife trade, ministerial overlaps, and legal loopholes via USAID senior staff and potential USAID activities.	Interested in environmental issues in general. Demonstrated a suggested interest in CWT if further pressured by NGOs. Said to be a “man of action.” Can advise Prime Minister to put pressure on the MPS, MARD, and MONRE to follow up on CWT issues.	Not directly involved in legislative processes.
Deputy Prime Minister cum Minister of MFA 	Lobbying to see the transnational, environmental, and criminal issues within the illegal wildlife trade via USAID senior staff and potential USAID activities.	Demonstrated interest in improving the GVN’s reputation on transnational wildlife crime. As Minister of Foreign Affairs, the Deputy Prime Minister can call on and put CWT issues on Vietnam’s international collaboration agenda.	Not directly involved in legislative processes. Lacks power on domestic issues.



National Assembly (NA)			
Counterpart	Engage through	Pros	Cons
Committee on Science, Technology, and Environment 	Advocating for the improvement of the legal framework on wildlife protection, crime prevention (including forensic analysis), and/or to enhance the supervision role of the NA on activities of the MPS, MARD, and MONRE on CWT.	Can address issues raised by environmental NGOs and CSOs. Can advise NA to request MPS, MARD, MONRE, and other related ministries to revise laws or decrees to close legal loopholes.	Insufficient budget and low priority allocated for CWT monitoring.
Committee on Judicial Affairs 	Advocating for the improvement of the legal framework on investigation and prosecution of wildlife crime, corruption; implementation of penal code; and/or enhance the supervision role of NA on activities of Supreme People's Court, Supreme People's Procuracy, and other related agencies.	Can address issues raised by environmental NGOs and CSOs. Can advise NA to request the Supreme People's Court, Supreme People's Procuracy, and other related agencies to revise laws or decrees to close legal loopholes.	An insufficient budget allocated for CWT since it is considered a low priority. Not completely open to working with foreign organizations/donors.
Standing Committee 	Advocating for the suspension and repeal of the implementation of documents contrary to CWT.	Can address issues raised by environmental NGOs and CSOs. Can advise the NA to suspend the implementation of laws and resolutions of the government, the Prime Minister, the Supreme People's Court, and the Supreme People's Procuracy. Can annul official documents.	An insufficient budget allocated for CWT since it is considered a low priority. Not completely open to working with foreign organizations/donors.



Ministry of Public Security (MPS)			
Counterpart	Engage through	Pros	Cons
Police Department of Environmental Crime Prevention 	Developing capacity on law enforcement of illegal wildlife trade, strategic investigation of wildlife crime, handling of illegal wildlife products, and forensic sampling of specimens via potential USAID activities.	Inspects the implementation of environmental legislation. Can direct, guide, inspect, and directly conduct investigations against criminals and environmental violations. Conducts investigative activities under the Ordinance on Criminal Investigation, Administrative Violations under the Ordinance on Handling of Administrative Acts, and the provisions of the law on environmental protection.	Not completely open to working with foreign organizations/donors. Unable to share some information due to internal security regulations.
Police Department for Corruption, Smuggling, and Economic Crimes 	Developing capacity on law enforcement, anti-corruption investigation, handling of illegal wildlife products, and sampling of specimens via potential USAID activities.	Can investigate economic crimes, corruption, and smuggling cases throughout the country as prescribed by law. Can take preventive measures to detect, investigate, and handle wildlife crime.	Not completely open to working with foreign organizations/donors. Unable to share some information due to internal security regulations. Wildlife trafficking is not considered a serious focus.
Peoples' Police Academy 	Developing capacity and disseminating knowledge on CWT and forensic analysis in the curriculum via potential USAID activities.	Ability to develop capacity and knowledge across police departments. Can mainstream CWT topics in teaching curriculum for students in the Peoples' Police Academy.	CWT is not a focus and priority topic at present.


Ministry of Agriculture and Rural Development (MARD)			
Counterpart	Engage through	Pros	Cons
Forest Protection Department (FPD) 	Developing capacity to strengthen law enforcement on wildlife protection for species/specimen identification, handling, and sampling via potential USAID activities.	Maintains an expansive forest monitoring system from central to local levels. Can work closely with other law enforcement agencies such as police, customs, border army, and market inspectors.	Unarmed and without an operational budget to undertake law enforcement. Lacks power and plays the role of security guards rather than forest rangers with police powers.
CITES MA 	Advocating for CITES MA to have a higher governmental position (at the ministerial level) and to be allocated a Scientific Authority via USAID staff and potential USAID activities.	CITES MA is the focal point for CITES in Vietnam, and Decree 06 backs up CITES legislation in domestic law.	Lacks power (under VNFOREST); the office has limited personnel and funds (CITES MA has been accused of issuing permits for financial gain). CITES MA has only one office at the central level, while implementing CITES is based on FPD at provincial and district levels. CITES MA does not have adequate experience or expertise to deal with criminal issues such as the illegal wildlife trade.


Justice System			
Counterpart	Engage through	Pros	Cons
Supreme Court 	Developing capacity and reviewing the legal framework of criminal handling/trial of wildlife trafficking to apply the updated (2017) penal code to wildlife crime cases and familiarizing judges with animal DNA evidence via potential USAID activities.	Can judge wildlife crimes appropriately.	Not completely open to sharing information because of internal security regulations. In general, judges still have difficulty in identifying offenses and setting penalties for illegal wildlife trade offenses.
Supreme Prosecution Office 	Developing the capacity of prosecutors to apply the updated (2017) penal code to wildlife crime cases and familiarizing the legal system with the full breadth of Vietnam's wildlife legislation and animal DNA evidence via potential USAID activities	Can judge wildlife crimes appropriately.	Not completely open to sharing information because of internal security regulations.



National Scientific Bodies			
Counterpart	Engage through	Pros	Cons
Institute for Ecology and Biological Resources (IEBR) and Vietnam Academy of Forest Sciences (VAFS) 	Developing capacity to develop Vietnam into a best-practice forensic analysis center in DNA testing via potential USAID activities.	Can provide support on the management of species, advice on import and export policy, assisting in identification and examinations for CITES MA or the BCA through basic forensic analysis.	According to the provisions of Decree 82/2006/ND-CP, Vietnam had four CITES scientific agencies, but in Decree 06/2019/ND-CP (which replaced the old decree), there has not been any CITES scientific agencies reappointed since March 10, 2019.

Ministry of Finance (MOF)			
Counterpart	Engage through	Pros	Cons
General Department of Customs  	Developing capacity to strengthen law enforcement on illegal wildlife trade at Vietnam's borders, in species and specimen identification, and forensic sampling.	Manages the activities related to import, export, entry, and transit activities of Vietnam. Can disrupt the smuggling or illegal transportation of goods, foreign exchange, or money across borders. Can control and monitor the illegal wildlife trade at Vietnam's points of entry and exit.	Not completely open to working with overseas organizations/donors. Identified as a highly corrupt government entity

Ministry of Health (MOH)			
Counterpart	Engage through	Pros	Cons
Traditional Medicine Administration 	Advocating for practitioners to raise awareness to exclude wildlife products from traditional Asian medicine (owing to the risk of zoonosis) and instead promote herbal alternatives with higher efficacy.	Can promote the use of traditional medicine (herbs) and pharmacy in combination with modern pharmaceutical practice.	Difficult to collaborate with association members. While pangolin scales were removed from Vietnam's pharmacopeia previously, this may not be strictly followed in practice.
Health Environmental Management Agency 	Developing capacity to improve public awareness about the link between zoonotic disease and epidemics.	Can manage health, hygiene, occupational disease prevention, and germicidal preparations on a national level.	Inexperienced in addressing health risks specific to the illegal wildlife trade.

Ministry of Education and Training (MOET)			
Counterpart	Engage through	Pros	Cons
Primary Education Department 	Developing capacity on biodiversity and wildlife protection for teachers and students in Vietnam's education system.	Ability to influence the curriculum of educational facilities in Vietnam.	Biodiversity and wildlife protection are not focused or priority topics in the school system at present.

Ministry of Defense (MOD)			
Counterpart	Engage through	Pros	Cons
Border Defense Force 	Developing capacity on law enforcement at illegal wildlife trade border hotspots.	Ability to manage and protect the sovereignty, territorial integrity, security, order, and national boundaries on the mainland, islands, sea, and frontiers. Supports efforts to control, prevent, and confiscate illegal wildlife trade activities.	Not completely open to working with foreign organizations/donors in sharing information due to internal security regulations.

Ministry of Environment and Natural Resources (MONRE)			
Counterpart	Engage through	Pros	Cons
Vietnam Environment Administration (VEA) 	Developing capacity for biodiversity and wildlife interpretation.	Lead actor in charge of environmental management.	The relevance of MONRE and its administrations is not clear, owing to MARD's large mandate on the illegal wildlife trade. MONRE and its administrations have limited experience in CWT.
Biodiversity Conservation Administration (BCA) 	Developing capacity on wildlife interpretation by ensuring that conservation facilities meet international standards, that CWT efforts align with the Convention on Biological Diversity (CBD), and facilitating genetic testing within biodiversity conservation facilities.	Lead actor in charge of wildlife management.	The relevance of MONRE and its administrations is not clear, owing to MARD's large mandate on the illegal wildlife trade. MONRE and its administrations have limited experience in CWT.

CONCLUSIONS

There is a broad range of potential GVN counterparts. Most are integral to reframing the illegal wildlife trade to no longer be a victimless crime. Several high-profile figures and legislative bodies are important for both politically reframing the issue and addressing the overlaps and legal loopholes that limit criminal liability and weaken deterrents. Several partners in the National Assembly and Justice System may be

useful to develop all three priorities that have GVN linkages outlined in Q5. How they should be engaged depends upon their level in the political hierarchy of the GVN. For example, engaging with figures such as the Prime Minister and Deputy Prime Minister is best organized through diplomatic engagement via the United States Embassy and USAID leadership. Practically speaking, United States diplomats could lobby the top of the Vietnamese political hierarchy and National Assembly to identify legal loopholes that allow wildlife trafficking to continue and advocate for the harmonization of legislative advances. USAID activities could also collaborate with MARD and MONRE to phase out the farming of high-risk endangered and threatened taxa in Vietnam and develop forensic analysis capacity.

USAID may support CITES MA where improvements need to be made, but not necessarily in direct partnership, as actors need to look beyond a trade convention to solve a criminological and ecological problem. Active engagement with the MPS through USAID activities should boost law enforcement capacity, forensic sampling and handling (if Vietnam's security service allows a donor organization to work closely with it). Several counterparts that could prove to be some of the most strategic partners, such as the Standing Committee of the National Assembly, the MPS, and the justice system, may not be able to partner with USAID because of internal security requirements. If this is the case, senior USAID staff may seek concessions in this area from GVN leaders.

QUESTION 7: COLLECTIVE ACTION

What could be some of the most effective opportunities for collective action between the government, the private sector, and local organizations that CWT/USAID should explore and how?

FINDINGS

Collective impact, referred to as “collective action” in the context of USAID/Vietnam, is the commitment of a group of actors from different sectors to a common agenda for solving a specific social problem, using a structured form of collaboration.⁷⁶

Work with large Vietnamese conglomerates, e-commerce, tech, transport, and financial sector companies, along with civil society, in existing CWT coalitions to build a consolidated response to reduce wildlife consumption and trafficking.

As identified under Q5, partnerships with the private sector should be a priority area of intervention for USAID. To effectively realize results, a collective action approach that engages large Vietnamese conglomerates could build consensus among society and the GVN upon the shared benefits of CWT. In addition, four key informants thought of e-commerce companies such as Alibaba, Baidu, and Lazzada and tech companies such as Facebook, Google, and Instagram as important partners to address wildlife trafficking and consumption. One key informant mentioned that a forum for collective action to counter online trafficking already exists, namely, the Coalition to End Wildlife Trafficking Online. This forum is an initiative of the WWF, TRAFFIC, and IFAW and aims to unite tech, e-commerce companies, and subject experts to counter online wildlife trafficking. Table 4 identifies key actors in this coalition, along with other existing coalitions:

⁷⁶ See Kania & Kramer, 2011.

Table 4. Existing Coalitions, Actors, and Purposes (as identified by key informants)

EXISTING COALITION	TYPE OF ACTORS	PURPOSE
Coalition to End Wildlife Trafficking Online	Tech, e-commerce companies INGOs (wildlife trafficking, conservation, and welfare)	Disrupt online wildlife trafficking.
ROUTES (Reducing Opportunities for Unlawful Transport of Endangered Species) ⁷⁷	U.S. Government Departments, donors (USAID), international transport associations, defense and security thinktanks, INGOs, airlines, transport companies, international development, and international police organizations.	Disrupt wildlife trafficking via legal trade routes.
United for Wildlife: Financial Taskforce	Financial institutions, banks, international, INGOs, defense, and security thinktanks.	Engage with financial institutions and use financial intelligence to support law enforcement efforts upon the illegal wildlife trade's beneficiaries.
ASEAN-WEN	Donors (USAID), ASEAN law enforcement, ASEAN CITES implementors, INGOs, intergovernmental organizations (including the CITES Secretariat), international development, and international police organizations.	Address illegal exploitation and trade in CITES-listed species within the ASEAN region.
Wildlife Support Group	INGOs, NGOs, and like-minded Embassies.	Discuss wildlife-related issues and plan how to address problems.
Asia for Animals Coalition	Animal welfare organizations and affiliated organizations.	Appeal to both governments and specific facilities opposing animal cruelty as one voice and act as a filter point for animal welfare organizations across Asia.

Two key informants highlighted transport and logistics companies such as those operating inland and through Vietnam's ports and airports as potential key CWT partners. Four key informants identified companies in the financial sector as potential key CWT partners, specifically Vietnamese banks that could be (perhaps unintentionally) laundering money for Vietnamese-led wildlife trafficking crime syndicates.

All of the coalitions above collaborate with national and international law enforcement agencies to some extent. The ASEAN-WEN was organized (with support from USAID) to connect the law enforcement agencies of the 10 ASEAN countries in a regional intergovernmental law-enforcement network to implement CITES. Two key informants identified that the ASEAN-WEN was troubled by ministerial discord over governmental mandates on CWT among its GVN members, suggesting that the network was not fit for purpose.

Within civil society, three key informants recognized the Wildlife Support Group as an informal forum organized in Hanoi to raise wildlife protection issues and to plan joint interventions among INGOs, NGOs, Embassies, and donor organizations. Although key informants noted that the group's organizational capacity needs to be strengthened by a neutral party taking on the responsibility to facilitate meetings and to encourage members to commit to taking action. One key informant identified the chairwomen of the VCCI as a potential strong CWT leader in wider civil society. Two key informants highlighted Vietnam's

⁷⁷ Although not identified by key informants in this study, the United for Wildlife Transport Taskforce should be noted as an already existing coalition similar to USAID's ROUTES.

Women's Unions as important CWT partners, particularly as women are considered to be prolific buyers of illegal wildlife products on behalf of some male users. Two key informants recognized that INGOs and NGOs in Vietnam have almost organically grouped into a coalition following the coronavirus outbreak to request action from the Prime Minister on the illegal wildlife trade. and that formalizing this coalition would be a worthwhile task to further strengthen the effort to build consensus on addressing the illegal wildlife trade.

Work with Communist Party organizations, local leaders in wildlife trafficking hotspots, and state education authorities, so CWT initiatives reach Vietnamese society more widely.

Two key informants (both GVN employees) identified Communist Party organizations such as the Vietnamese Fatherland Front as potential key actors to further collective action on CWT, since the CPVN possesses the political will to address the wildlife trade and there is a need to disseminate this message at the grassroots in Vietnam. Two key informants identified that local government authorities in wildlife trafficking hotspots are key actors. Three other key informants recognized that state education authorities are also key actors that can help educate and campaign for behavior change that could ultimately strengthen CWT in Vietnam.

Mobilize nationalism, Vietnam's youthfulness, religion, and pop culture to create rallying points that encourage and support collective action on CWT.

Two key informants claimed that nationalism is a strong motivator among Vietnamese society that could help to bind collective action on CWT. Notions of progressive nationalism could celebrate the Vietnamese people's connection with nature as the home of some of the world's most spectacular landscapes and evolutionarily distinct wildlife, thus strengthening CWT. Three key informants argued that the energy and dynamism of Vietnam's youth is an opportunity that could be seized to help facilitate CWT along the lines of emergent environmentalism and species protection. Two key informants recognized that it may be more effective to disseminate a CWT message through engaging the youth on biodiversity conservation rather than older generations, who may be uninterested in such themes. Two key informants identified the prevalence of Buddhism in Vietnam as a strength that could be used to garner collective action around wildlife protection and CWT, as is being done by the Saving Species activity. Finally, four key informants recognized that gaining the endorsements of celebrities and pop culture icons for projects and campaigns could help influence behavior and participation in CWT in Vietnam.

CONCLUSIONS

Homegrown conglomerates heavily influence Vietnamese consumerism, the GVN, and wider society; these entities could be relevant partners to further CWT and sustainably fund activities through cautious partnerships (as discussed under Q5). Bringing Vietnamese conglomerates alongside e-commerce, tech, transport, shipping, logistics, and finance companies working in already existing coalitions may prove helpful to strengthen collective action on CWT. For law enforcement collaboration, if reformed (perhaps around an idea of pandemic planning and good governance, rather than CITES), the ASEAN-WEN could provide a suitable forum to organize collective action between GVN and other stakeholders. The Wildlife Support Group could be a setting to bring Hanoi-based stakeholders together and plan how to strengthen CWT but requires a neutral entity to be reinvigorated. Civil society leaders and the representatives of women's unions could be brought into the center of forums and help CWT efforts be more representative. The organic partnership that has been formed among NGOs to request Vietnam's Prime

Minister to address the illegal wildlife trade and wildlife consumption following COVID-19 could be formalized and built upon. Asia for Animals Coalition is a good example of how organizations with different aims can be brought together around a general shared interest and could serve as a model to group organizations and actors in CWT.

Through Party organizations and state education authorities, key CWT messages could be more widely disseminated. Connecting Vietnamese nationalism with CWT may prove beneficial to bring different Vietnamese groups and the wider society together as a movement to address the issue. If it is true that some members of the younger generation in Vietnam possess a different outlook to nature conservation than older Vietnamese generations, the young could be encouraged to be at the forefront of the future of CWT in Vietnam. Religion, particularly Buddhism, could prove beneficial to disseminating a CWT message in Vietnam and creating a theological perspective on the issue. Celebrities may prove beneficial for publicizing CWT messages, influencing behavior, and popularizing CWT.

RECOMMENDATIONS

USAID has focused its efforts toward CWT in Vietnam over the three years of the Saving Species activity. Owing to COVID-19 and the potential global recession, other donors explained that it will be difficult to allocate funds to CWT activities as their funding sources shrink.⁷⁸ USAID's involvement in CWT in a global illegal wildlife trade hub such as Vietnam, is vital to protect global biodiversity, ecosystem health, and hence human health and wellbeing. USAID programming can be strengthened over the coming years by building on existing work in some areas and exploring new approaches in others.

I. USAID should work closely with several GVN entities (such as GVN leaders, NA, MPS, MARD, the justice system, and scientific bodies) in new programming to support law enforcement and implementation, along with forensic capacity.

Work with the GVN should focus on reframing the illegal wildlife trade, reducing overlaps and loopholes, and developing Vietnam's forensic analysis capacity. Potential activities should encourage GVN entities to acknowledge (through private high-level discussions) that any poorly regulated wildlife trade not only threatens biodiversity, ecosystem health, and national security but also poses significant biosecurity hazards (both direct and indirect) to the Vietnamese people. There may be an opportunity following COVID-19 to query and assist GVN efforts to destroy its stockpiles of illegal wildlife products (including pangolin scales).

National Assembly committees and members should be key counterparts in potential activities to help legislate to reduce ministerial overlaps and close loopholes. With approval from senior GVN leaders, partnership with the MPS (namely its training institutes and police departments) in potential activities could encourage more strategic criminal investigations on wildlife crime and forensic evidence collection among Vietnam's law enforcement agencies. MARD, as the ministry in charge of Vietnam's protected areas and forest rangers, should be a central facilitator of CWT in potential activities, especially in addressing the prevalence of poorly regulated wildlife farming in Vietnam.

Potential activities should no longer predominately focus around Vietnam's CITES MAs, apart from lobbying for the reinstatement of Vietnam's scientific authority and advocating for Vietnam's MA to be

⁷⁸ See OECD, 2020.

repositioned at a higher level in the GVN hierarchy (through high-level discussions). Entities within Vietnam's justice system would be important counterparts, through which the advances in Vietnam's wildlife legislation and penal code can be better applied to ensure that high-profile wildlife criminals are prosecuted. Vietnam's scientific bodies such as IEBR will need to be supported to be able to organize best practice forensic analysis of species and specimens within Vietnam and in collaboration with the MPS, MARD, and MONRE.

2. USAID should facilitate a platform for collective action by partnering with large Vietnamese conglomerates and supporting existing international coalitions between the private sector, government, and civil society.

Through partnering with homegrown corporations, albeit cautiously, potential activities would be able to disseminate CWT messages widely throughout Vietnamese consumer society and perhaps develop a more sustainable funding base for CWT in Vietnam aside from donor funding. Efforts could be made to support and strengthen Vietnamese business (including the large Vietnamese conglomerates) and CSO involvement in the Coalition to End Wildlife Trafficking Online, ROUTES, and the United for Wildlife Transport Taskforce and Financial Taskforce.

The problematic nature of ministerial disagreement among the ASEAN-WEN's Vietnamese members may need to be addressed, and the forum could be reformed with different GVN counterparts. USAID ought to help reinvigorate the Wildlife Support Group to act as its neutral chair and to widen its reach to consider likeminded corporate and CSOs stakeholders. Potential activities could stand alongside the 14 NGOs who have sent two letters to the Prime Minister asking for a directive to ban wildlife consumption and trade. Potential activities may wish to encourage collective action and bring different stakeholders together on CWT, leveraging progressive nationalism, Vietnam's youthfulness, religious theology, and society's admiration of celebrity culture in potential activities.

3. USAID should review existing demand reduction approaches and the synergies that exist between projects.

There is a need to reflect on the effectiveness of current demand reduction messaging and consider whether more positive messaging could help further behavior change (just as Vietnam's MOH handwashing public service announcement became a viral sensation). Additional internal consideration should look closely at the synergies that exist between CWT and biodiversity conservation-focused projects to understand how perceptions at the grassroots between consumption of local species and the import of high-value products could have linkages and hence relate to methods to better protect biodiversity.

4. USAID should orchestrate a new general intergovernmental and interagency approach to CWT in the post-COVID landscape that collaborates with African and Chinese counterparts.

While COVID-19 is still on the agenda, potential activities should encourage Vietnam to work more closely to bridge discussions between the governments of African states (such as Angola where Vietnamese crime syndicates act with few repercussions) and the GVN. Potential activities may need to link Chinese law enforcement agencies to an intergovernmental approach so that increasingly mobile Chinese tourists who travel to Vietnam to purchase illegal wildlife products can be more strategically challenged. While this may prove difficult, wildlife-related issues can often provide a safe staging ground

for cooperation even when other relations are strained, arguably even more so in the post-COVID-19 landscape. Any new intergovernmental and interagency approach to CWT that brings law enforcement from source countries and Vietnamese representatives around the table should learn from the challenges of the ASEAN-WEN and ensure that ministerial discord no longer interferes with CWT efforts.

STUDY UTILIZATION

This study's findings, conclusions, and recommendations contributed to USAID's CWT Project Development Document (PDD) design by informing two stakeholder workshops and supporting internal processes. At the validation event, USAID Learns shared a selection of preliminary findings to provide context on the illegal wildlife trade for a broad range of stakeholders engaged in this sector. Stakeholders used this new evidence around threats and drivers of illegal wildlife trafficking and wildlife consumption to update the Mission's 2015 CWT situational model and prioritize key drivers. After reflecting on the feedback shared at the validation event, USAID Learns tailored findings and conclusions to support USAID's Theory of Change (TOC) workshop. At the TOC workshop, stakeholders brainstormed strategic approaches and assisted the drafting of USAID's CWT TOC. USAID utilized the information in both the validation and TOC workshops to develop the first draft of a TOC. Owing to this research and the participatory stakeholder engagement to apply the findings, USAID was able to update its 2015 CWT situational model and advance both project and activity designs. This also supported evidence use beyond USAID in order to collaboratively make progress toward development objectives. See Annex IV for detailed information on key considerations following the validation event.

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ANNEX II: FULL LISTING OF PERSONS INTERVIEWED

The full listing of persons interviewed was submitted separately in line with data de-identification policies. Please contact Carla Trippe, ctrippe@socialimpact.com, to request the data.

ANNEX III: DATA COLLECTION TOOLS

Interview Guides

The study team designed a generic interview guide to collect data from key informants. For each group of key informants, a generic interview guide was tailored to suit the needs of individual key informant groups and individuals listed in the research plan (e.g., expert, government officer, and corporate stakeholders). Researchers selected and/or modified a sample of appropriate questions from each section. Key questions were highlighted in the interview guide alongside a set of standardized questions that explored specific topics to collect information about individual experiences, opinions, suggestions related to the study's research questions.

CWT STUDY GENERIC INTERVIEW GUIDE

This generic interview guide should be tailored to suit the needs of individual key informant groups listed in the research plan by selecting and/or modifying a sample of appropriate questions from each section. Investigators should aim to keep discussions to 45 minutes in length.

The acronym CWT can stand for Counter Wildlife Trafficking (practical measures) and Combatting Wildlife Trafficking (more holistic approaches). It is sometimes used interchangeably. In this study, CWT should be interpreted broadly since its research aims to investigate both practical approaches and the bigger picture of the illegal wildlife trade/consumption in Vietnam to better inform future USAID programming.

Illegal Wildlife Trade

INTRODUCTION
Researchers introduce themselves and paraphrase informed consent language
Researchers share a little about the purpose of their study <i>“To help inform the next generation of USAID programming in Vietnam:</i> <ul style="list-style-type: none"><i>• Review the current context of illegal wildlife trade, consumption and CWT in Vietnam</i><i>• Explore considerations following COVID-19</i><i>• Recommend GVN collaboration and collective action approaches.”</i>
Please share a little about yourself and your organization.
What has been your experience in CWT (in a broad sense), on the illegal wildlife trade, or (for more general respondents) with COVID-19?
Researchers explain to respondents that the current coronavirus pandemic has been recognized by the WHO to have likely originated in the wildlife trade that supplied a market selling wild animals in Wuhan.
Thinking back to before the pandemic, based upon your experience, what was the general situation concerning the illegal wildlife trade (and consumption if appropriate) of wildlife products in Vietnam?

COVID-19
To what extent do you think the illegal wildlife trade and consumption (of high-value wildlife products if these are known) has changed during the global pandemic? In what ways and why?

What do you think will happen with the illegal wildlife trade as Vietnam's social distancing guidelines are relaxed, and once the pandemic dies down?

What do you think is the 'common view on the street' now about the illegal wildlife trade concerning COVID-19?

Probe: And what do you think about the view of the illegal wildlife trade in government right now?

What consequence, if any, could the pandemic have on the tactics used by wildlife traffickers?

What impact, if any, could the pandemic have upon the demand for high-value illegal wildlife products in Vietnam?

Probe: Is it true that people will desire wildlife products more to 'boost' their immune systems or, out of fear, be discouraged to consume wildlife products? *Why do you think so?*

What are you most concerned about right now considering the pandemic and the illegal wildlife trade?

What should be a priority for CWT (in a broad sense) following the pandemic and why?

Illegal wildlife trade in 2020

Researchers explain to respondents that high-value illegal wildlife products include items such as rhino horn, ivory, pangolin scales, and tiger bone.

What new developments can you recognize happening in the illegal wildlife trade and consumption in Vietnam (with a focus on high-value wildlife products), among traders or users?

Where do you think the illegal wildlife trade and trafficking hotspots are focused at the moment in Vietnam?

To what extent is the illegal wildlife trade becoming more technical? How should we catch up with it?

Probe: What challenges does the online trade of illegal wildlife products bring to CWT (in a broad sense)?

Drivers/threats

What are the main reasons why people purchase and consume illegal wildlife trade products in Vietnam?

Probe: Has this changed after COVID-19?

What works to counter wildlife trafficking and combat the illegal wildlife trade in the law e.g. CITES, VN Law; Law on Biodiversity, Decree 06, 160?

Probe: What doesn't work so well? *Why?*

What do you think are the risks of trafficking or consuming illegal wildlife products? What do you think the rewards may be for becoming involved in illegal wildlife trade for potential traders, brokers, or consumers?

Probe: Do you think the risks and rewards are balanced?

Probe: Have the risks and rewards changed in recent years?

Probe: Has the balance of risk and reward become altered due to the pandemic?

GVN Counterparts

How could the government collaborate with NGOs and donors to shutdown wildlife markets and end the consumption of illegal wildlife products or vice versa?

Which government counterparts should USAID work with and why? How could the government work with civil society stakeholders to improve CWT efforts?

In your opinion, how impactful is CITES MA in regulating wildlife trade in Vietnam?

Probe: How should it be improved?

Political will

What are the appropriate ways to increase political will on combating the Illegal Wildlife Trade and to ensure efforts to reduce the wildlife trade are considered during decision making and among decision-makers?

What are the significant developments, if any, in government on combatting the illegal wildlife trade?

Probe: In your opinion, what sort of impacts do harsh punishments have upon illegal wildlife traffickers and those who consume wildlife products?

Who should be responsible for combatting the Illegal Wildlife Trade in the private sector and among social groups?

Collective Action

How can the private sector work with donors to combat the illegal wildlife trade?

Probe: Do you know of any good examples of businesses that demonstrate efforts to combat the illegal wildlife trade, e.g. CSR pledges for airlines?

Who, in your opinion, should be responsible for encouraging action to combat the illegal wildlife trade in the private sector and among civil society?

Who needs to be brought together to help combat the illegal wildlife trade and consumption in Vietnam?

From your perspective, how impactful are celebrities on influencing consumer behavior of the users of high-value wildlife products?

USAID Intervention

How helpful has USAID been on supporting efforts to reduce/end the illegal wildlife trade in Vietnam so far?

What are other donors doing to address the illegal wildlife trade?

Probe: Are other donor's interventions positive or negative?

If you were responsible for USAID projects, where would you focus on to combat the illegal wildlife trade and consumption?

Probe: Has USAID focused too much on govt., or too little, where could USAID focus to strengthen CWT (in a broad sense) in Vietnam?

COMPLETION

Researchers thank stakeholders for their contribution

Researchers offer KIs the opportunity to ask any questions

Researchers produce typed interview transcript

Researchers meet to discuss inferences or cues noted in the interview and contribute raw data to typed transcript

ANNEX IV: STAKEHOLDER WORKSHOP REFLECTIONS

Data Validation Event for the Counter Wildlife Trafficking Study: Summary Brief

OVERVIEW

USAID/Learns facilitated a Data Validation Event for the Counter Wildlife Trafficking (CWT) Study on June 3, convening 25 people – including three from USAID and 22 others representing a mix of civil society, government, and private sector. Most participants represented civil society and wildlife conservation groups. The primary focus of this workshop was to review existing threats and drivers of illegal wildlife trafficking and wildlife consumption, update them based on new evidence from the study, and prioritize impactful drivers.

DRIVERS - GOVERNANCE ENVIRONMENT ENABLING TRAFFICKING

The participants spent most of the workshop reviewing and providing insight on drivers of illegal wildlife trafficking, both existing and new ones identified by the research and participants.

EXISTING DRIVERS

Overall, from the drivers that were deemed no longer relevant to those that still are, a focus on the governance environment arose. There remained significant debate – especially over political will and the role of civil society – but there was consensus that a specific legal framework lacking five years ago now exists.

Highlights from the overall group discussions on governance drivers included:

- Legislation may exist and may be much improved over five years, but enforcement of existing laws remains an issue.
- The role of civil society created debate in the group, but there is consensus that its role in addressing CWT is growing and improving.
- There was a good debate over the driver “lack of political will” - it was generally controversial even within groups. The consensus was that it is more nuanced, even within the government; there are levels that are exhibiting political will to address CWT and other levels that are not.
- The issue of limited resources was another topic of longer discussion at the group level. The question may not necessarily be the amount of resources available, but rather how they are spent. The group emphasized that resources need to be invested more efficiently, providing DNA testing as an example. Furthermore, participants regarded the availability and amount of resources to have improved significantly at central level but remain scarce at local levels.

NEW DRIVERS

Although some drivers from 2015 were determined to be no longer relevant, new ones were added in this session. One, added by WWF, is the use of snares, which are not legally restricted and are inexpensive.

Another participant who runs a refuge noted that a large percentage of animals that the organization receives are missing at least one limb, most likely due to snares.

Of the list below, the group rated snares and the lack of action at the interface of local communities and wildlife trade as the two most impactful. The complete list of new drivers developed by participants in this area included:

- Weak incentive for society to combat wildlife trade internationally
- Lack of early childhood education/awareness integrated into curriculum
- COVID-19: is there an opportunity? What GVN role does MOH play in relation to CWT?
- Little action at the interface of local communities and wildlife trade. Issues include livelihoods and opportunities.
- Wildlife in captivity for education/tourism - new driver for trafficking. Examples the group focused on included the “pseudo zoos” that are largely unregulated and often serve as a front for wildlife trafficking.
- Messaging not matching experience
- Insufficient regulation on wildlife farming
- Complexity of issues hinders comprehension
- Poor inter-sectoral (ministerial/agency) collaboration
- Wildlife crime considered a low priority at sub-national level
- Snares are not legally restricted and cheap! Actual snares are almost impossible to regulate - for example, bicycle brake cables can be used as snares.

DRIVERS - CONSUMER DEMAND FOR ENDANGERED WILDLIFE

Overall, the group agreed that many of the consumer demand drivers identified in 2015 are still relevant. There were some drivers related to food and medicinal benefits for men that the group felt should be broadened beyond men to include everyone.

EXISTING DRIVERS

Participants also discussed what evidence exists to show that the younger generation has an increased interest in protecting nature. The group conversation about this category showed the importance of conducting more research in this area. For example, regarding the younger generation and the issue of wearing wildlife jewelry, the group tended to provide feedback based on personal experience as opposed to an awareness of the overall situation.

NEW DRIVERS

In addition to the existing drivers that are still relevant, several new drivers were added. The group noted that some are interrelated with governance - specifically in the area of wildlife farming and international trafficking. Participants also discussed the livelihood issue in more detail in the larger group section and highlighted it as a driver not discussed enough.

The complete list of new drivers in this area suggested by participants included:

- Increasingly mobile Chinese population and stronger laws on wildlife causes "leakage" in wildlife consumption in other countries
- Increasing capacity to buy wildlife in Vietnam as wealth increases
- Lack of awareness on zoonotic disease risk (hunter/trader/consumers/GVN)
- Increased access and availability of products online for people
- During COVID-19, unemployment forced migration back to rural areas, where exploitation of natural resources (including wildlife) is higher
- Control of alcohol consumption may reduce wildlife consumption
- Farming for commercial purposes
- Farms maintain demand through availability and laundering wildlife (related to farming for commercial purposes)
- Weak pride in biodiversity
- Traditional belief of young generation (negative)

ANNEX V: STUDY STATEMENT OF WORK

COUNTER WILDLIFE TRAFFICKING STUDY

Hanoi, Vietnam

Social Impact (SI) is a global development management consulting firm which provides monitoring, evaluation, strategic planning, and capacity building services to advance development effectiveness. In Vietnam, SI is implementing the USAID/Vietnam Learns program to support USAID staff and partners to implement more efficient, effective, and transparent programs. Today, SI seeks qualified consultants to lead a new research assignment in support of the design of a new project to Combat Wildlife Trafficking (CWT).

Position Background:

Vietnam is considered one of the world's hot spots for wildlife poaching, trafficking, and illegal wildlife trade. Wildlife trafficking in Vietnam has increased to satisfy not only the domestic market but also foreign ones. The country is also a transit route and a “transit point” of regional and international wildlife crime networks. Ivory, rhino horn, pangolin and big cats are the most popular wildlife products being illegally imported to or in transit through Vietnam. The situation is believed to be one of the reasons for the decline of populations of many endangered and rare species in Vietnam, Africa and other countries. Some are facing the threat of becoming extinct in the wild.

To help the country control and stop the current increasingly serious situation of wildlife trafficking and to protect important ecosystems, over last few years USAID/Vietnam has implemented the Saving Species project which aims to: a) Strengthen inter-agency and international cooperation to control of wildlife trafficking; b) Implement international commitments on combating wildlife crimes; c) Improve and increase the effectiveness of existing legal regulations related to the protection and conservation of wildlife species as well as combating wildlife trafficking; d) Assist with the implementation of action plans and strategies on biodiversity and species conservation; reduce demand for wildlife consumption and e) Implement socio-economic development plans at local, sectoral and national levels. In addition to the Saving Species, USAID Vietnam has worked with the Wildlife Asia program based out of the Regional Development Mission for Asia to roll out some communication campaigns on wildlife demand reduction such as Social Behavior Communication Campaigns (SBCC) to raise awareness of target groups and the public on CWT.

Under USAID/Vietnam's new Country Development Cooperation Strategy (CDCS), USAID aims to support Vietnam to increase its leadership in combating wildlife trafficking by reducing the pressure of wildlife crimes on endangered and threatened species. A key feature of the new CDCS is the Mission's intent to accelerate collective action approaches between government, civil society, and the private sector to address CWT issues. Creating space for citizens and local organizations to join hands in addressing wildlife trade and consumption issues is something that the Mission wishes to explore further. In addition, given the global COVID-19 pandemic, and suggestions that pangolins may be the intermediary transmitter of the virus to humans, the Mission also wishes to understand what effect this may have, if any, on political will and social norms relating to wildlife consumption and trade.

Objective:

The background research will help inform the design team of the current situation on ground, possible collective action approaches, and potential contextual changes as a result of COVID-19. This will take place in Vietnam. Travel may be required if the situation permits. If not, an alternative plan to conduct interviews and meetings using online video conferencing will be required. This assessment is anticipated to start at the end of April and conclude by the first week of July.

Position Description:

SI is seeking two consultants who will develop a report that will inform project design on combating wildlife trafficking in Vietnam. Consultants will submit a final report that draws conclusions from the data and provide recommendations on how the information can best be utilized to design effective programming aimed at wildlife poaching, trafficking, illegal wildlife trade and consumption. These activities will complement, and occasionally contribute to a parallel process focusing on developing a situational model for CWT.

USAID CWT activities focus specifically on combating trafficking of African species, specifically the rhinoceros, pangolin, elephant and big cats. The primary focus of this study should center around those animals, although local species should be included if relevant to the overall scope.

In light of the current global health situation, the research team will be asked to not only consider as a research question how COVID-19 may impact future programming but develop a research plan that takes current travel limitations into account.

The questionnaire design and final report should be structured in a way to answer the following three questions:

Context Analysis:

1. What is the current situation of illegal wildlife trafficking in Vietnam?
2. What are the key factors (drivers and threats) influencing illegal wildlife trade and wildlife consumption in Vietnam? A sample of factors that may be considered includes (but is NOT limited to): legal framework, corruption, and public awareness.
3. What are opportunities to increase political will?

COVID 19:

4. How is the political and social context related to wildlife trade and consumption in Vietnam expected to change given the global COVID-19 pandemic?

Way Forward:

Based on the above findings and analysis:

5. What should be priority areas of intervention be for CWT/USAID *and why?*
6. Which GVN counterparts should USAID most actively engage with *and how* for its next generation of CWT/USAID programming?
7. What could be some of the most effective opportunities for collective action between the government, private sector and local organizations which CWT/USAID should explore *and how?*

**** Note: At least one of the two candidates will be required to be Vietnamese residing in Vietnam. Priority will be given to Vietnamese citizens, but international experts with relevant experience in the area may also be considered ****

Responsibilities:

Activities the research team will be expected to conduct and deliver include:

1. Desk review of existing literature on current state of wildlife trafficking in Vietnam and surrounding countries;
2. Key Informant Interviews (KIIs) and stakeholder meetings to answer key research questions (Note: may need to be conducted online if necessary);
3. Participate in parallel CWT design processes such as the development of a situational model (done by MI2), with USAID, Learns, and key actors in design process;
4. Stakeholder validation session(s) to review key questions (Note: this session may again need to be conducted remotely);
5. Analysis and report submission as per research and USAID guidelines;
6. Other contingency plans for structure and process if activity must be conducted mainly online
7. Timely delivery and completion of activities as per the Timelines & Deliverables table.

Note: The timeline for this Study currently assumes no travel (interviews and meetings to be conducted remotely or in Hanoi). If the conditions permit travel, then the timeline and anticipated Level of Effort (LoE) may be adjusted accordingly.

Qualifications:

Team Leader

- Experience in the area of Combating Wildlife Trafficking in Vietnam and/or the region;
- Advanced skills and experience conducting interviews with a wide array of stakeholders, especially in the area of Combating Wildlife Trafficking;
- Prior USAID Team Leader experience with USAID assessments/studies and familiarity with associated compliance requirements, required;
- Experience with strategic project/program design;
- Proven experience consolidating interview findings and literature reviews into concise and actionable reports;
- Ease with the facilitation of multi-person events, ideally on online;
- Fluency in Vietnamese, preferred
- Excellent writing and spoken English skills are required.

CWT Expert

- Expertise in the area of Combating Wildlife Trafficking in Vietnam;
- Experience implementing advocacy programs focused on combating wildlife trafficking;
- In-depth knowledge of the operating environment in Vietnam;
- Experience working with USAID-funded projects;
- Experience in workshop facilitation and design, and ease with the facilitation of multi-person events, ideally on online;
- Fluency in Vietnamese, required;
- Strong writing and spoken English skills are required.

United States Agency for International Development
Hanoi, Vietnam