

PRACTICE OF IMPLEMENTING POLICIES AND REGULATIONS FOR THE FARMING OF WILD ANIMALS

A SURVEY OF SIX PROVINCES IN VIET NAM



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Acronyms

BMZ	German Federal Ministry for Economic Cooperation and Development
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
DAHLP	Department of Animal Health and Livestock Production
FPD	Forest Protection Departments
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
MARD	Ministry of Agriculture and Rural Development



Foreword



The management of raising wild animals is regulated in a number of legal documents, such as: 2017 Law on Forestry, 2017 Law on Fisheries, 2020 Law on Investment, 2008 Law on Biodiversity, Decree No.06/2019/ND-CP, Decree No.84/2021/ND-CP, Decree No.160/2013/ND-CP, Circular No.27/2018/TT-BNNPTNT, Circular No.25/2016/TT-BTNMT, etc. The prevention and control of terrestrial animal diseases is mentioned in a number of legal documents, such as: The Veterinary Law in 2015, the Law on Prevention and Control of Infectious Diseases in 2007, Circular No.07/2016/TT-BNNPTNT regulating the prevention and control of terrestrial animal diseases; Circular No.24/2019/TT-BNNPTNT, dated 24/12/2019 of MARD amending and supplementing a number of articles of Circular No.07/2016/TT-BNNPTNT; Circular No.09/2021/TT-BNNPTNT, dated 12/8/2021 of the Ministry of Agriculture and Rural Development supplementing a number of articles of Circular No.07/2016/TT-BNNPTNT; Circular No. 25/2016/TT-BNNPTNT regulating quarantine of animals and terrestrial animal products; Joint Circular No. 16/2013/TTLT-BYT-BNNPTNT guiding the coordination of prevention and control of zoonotic diseases, etc.

Viet Nam has a complete and comprehensive set of legal documents regulating wildlife management, including management regimes and handling administrative and criminal violations.

The current law covers all aspects of the management regime, including origin records, farming conditions (cage conditions, environmental sanitation, disease prevention, and ensuring the safety of people and animals), transportation, processing, and trade. Traceability is ensured through stringent chain management of wildlife. These regulations have established a legal framework for the sustainable development and management of wildlife farming in Viet Nam. Besides the positive aspects, Viet Nam's legal regulation on wildlife management still has some insufficiencies, contradictions, overlaps, lack of feasibility, and gaps that have not been prescribed by law, etc. In practice, the organisation and practical implementation of these regulations are also limited, particularly in terms of human and financial resources.

Accordingly, we carry out *"The assessment on practical implementation of legal regulations on wildlife management and prevention of zoonotic diseases"* in order to detect the inadequacies and inefficiencies of legal regulations as well as the practical implementation thereof. We then propose amendments and supplements to better manage wildlife farming activities in Vietnam to competent authorities.



Part 1

SCOPE, OBJECTIVES, CONTENTS, IMPLEMENTATION METHODS OF THE ASSESSMENT

1.1. Scope

The scope of this report is limited to a practical evaluation of the application of legal regulations governing wildlife management and veterinary regulations related to wildlife farming management and the prevention of wildlife zoonotic diseases.

1.2. Objectives

- ✓ To identify wildlife farming and veterinary regulations pertaining to raising wild animals and preventing zoonotic diseases that contain illegal, contradictory, or overlapping content; regulations that are contrary to or inconsistent with CITES regulations.
- ✓ Detect wildlife farming and veterinary regulations related to raising – wild animals and preventing zoonotic diseases that are not suitable for socio-economic development and management practices.
- ✓ To identify content on wildlife farming management and the prevention of zoonotic disease that must be managed but has not yet been mandated in law (loopholes and gaps of legal regulations).
- ✓ To propose amendments to the legal provisions regulating violations and recommendations to strengthen the management of wildlife farming and the prevention of zoonotic diseases.

1.3. Content

1.3.1. Evaluation of the practical application of legal regulations.

Assessment of the practical application of legal documents, including legal provisions on (1) management of wildlife farming, (2) veterinary medicine related to raising wild animals and (3) the prevention of wildlife zoonotic diseases.

1.3.2. Evaluation of the organisation of legal document implementation

- Evaluation of inspection work.
- Evaluation of training.
- Evaluation of communication, education, and dissemination of laws.
- Coordination between state agencies in management.

1.3.3. Evaluation of human resources to implement legal documents

Evaluation of the quantity and quality of staff involved in wildlife management and disease prevention, and control of zoonoses by FPDs and the DAHLPs in Lam Dong, Binh Phuoc, Tay Ninh, Long An, Soc Trang and Hau Giang provinces.

1.3.4. Proposing measures to strengthen wildlife farming management and prevention of zoonotic diseases

- Amending and supplementing legal provisions
- Other suggestions

1.4. Implementation methods

1.4.1. Evaluation criteria

1.4.1.1. Contents

Legal provisions are deemed satisfactory if the following criteria are met:

■ **Firstly**, their contents are consistent with the Communist Party of Vietnam's views and guidelines on the management and protection of natural resources in general, as well as wild animals and plants and prevention of zoonotic diseases.

■ **Secondly**, compliance with the principles and requirements of building a socialist rule-of-law State is met, expressed by way of criteria such as openness, transparency, democracy and socialisation, etc.

■ **Thirdly**, legal documents on wildlife management and prevention of zoonotic disease from wildlife do not contain unlawful, contradictory, overlapping, or legal gaps content. Within the scope of this report, these terms shall be interpreted as nonconformities (or inconsistencies) between regulations of similar content that must be provided in accordance with each other but with different provisions or the same content prescribed in different documents by the same entity. It is as follows:

- When a provision of a subordinate document differs from that of a superior document on the same adjustment content, the term "unlawful" is used.

- The term “contradiction” refers to the fact that different provisions of the same level on the same adjustment content are issued by the same entity.
- When different provisions on the same adjustment appear in documents of the same level issued by different entities, the term “overlap” is used.
- “Legal gaps” refer to contents that must be managed but are not specified in legal documents.

■ **Fourthly**, the legal provisions on wildlife management and prevention of zoonotic diseases must ensure feasibility; that is, regulations must be consistent with real life, meet the objective requirements of practice and be capable of being implemented in the current economic, socio-political conditions.

The provisions’ feasibility is reflected in the fact that legal provisions must be promulgated in a timely manner, addressing practical issues while remaining consistent with the current mechanism of implementation and application of the law.

1.4.1.2. Implementation organisation

The law on the management of wild plants and animals and prevention of zoonotic diseases must be organised by state management agencies through the following activities:

- General training on legal regulations for enforcement officers and owners of farming facilities.
- The communication and dissemination of laws: Laws are not only expressed in the form of legal documents but those legal documents must also be put into practice. For the public, especially facilities that raise, plant, process, and trade wild animals and plants to fully grasp and comprehend the content of legal documents on wildlife management, it is necessary to quickly disseminate this information.
- The inspection, surveillance, and monitoring of the enforcement and handling of law violations: Completeness of the law is reflected in the efficacy of inspection, supervision of the implementation process, and handling of law violations.
- Difficulties and obstacles in implementing legal documents regarding wildlife management , and prevention and control of zoonotic diseases.

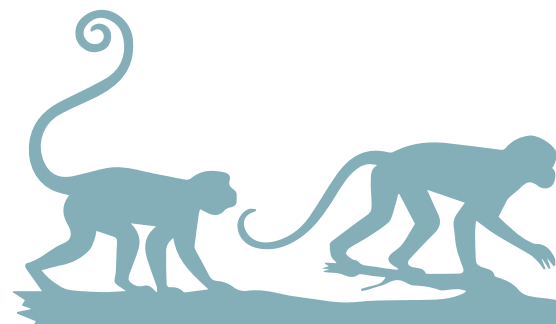
1.4.1.3. Capacity

In addition, we also evaluate the number and quality of staff involved in wildlife management at the provincial FPDs.

1.4.2. Field survey

The review and evaluation of the practical application of legal regulations on wildlife farming management and prevention of zoonotic diseases is carried out using the prepared set of questions (Interview Questions set in Appendix 1 attached) to interview officers of the FPDs, the DAHLs, and wildlife owners in Lam Dong, Binh Phuoc, Tay Ninh, Long An, Soc Trang and Hau Giang provinces to reach conclusions on:

- Contradictory, overlapping and illegal regulations related to the management of captive wildlife and the prevention of zoonotic diseases ... etc.
- Specific provisions of legal documents that are contrary to or inconsistent with the Party's strategies and policies;
- Specific provisions of legal documents that are no longer suitable situationally for management practices and socio-economic development situation;
- The provisions of legal documents should be promulgated in the form of higher legal documents (issuing level or superior authority);
- Social relations arising need to be considered and accommodated but there are no regulations of competent state agencies.



Part 2

CONFORMITY TO LEGAL REGULATIONS ON WILDLIFE MANAGEMENT AND PREVENTION OF ZONOTIC DISEASES

2.1. Legal regulations on wildlife farming management

2.1.1. Categories of wildlife animals

The list of wildlife animals in Viet Nam is divided into 10 different categories and is listed in Table 01.

Table 01: List of wild animals prescribed by law

Category Name	Content	Regulatory documents
List of endangered, precious and rare species of forest plants, forest and aquatic animals Group I	Including 93 species of endangered, precious and rare forest animals of Group IB and 103 species of endangered, precious and rare aquatic animals of Group I.	Appendix III of the Law on Investment No. 61/2020/QH14
List of endangered, precious and rare species prioritised for protection	Including 99 species of wildlife	Decree No. 64/2019/ND-CP
List of endangered, precious and rare forest plants and animals	Including 105 species in Group IB and 81 species in Group IIB.	Decree No. 84/2021/ND-CP

Category Name	Content	Regulatory documents
Common forest animals	There is no list of species. It only includes criteria for such species: forest animals belonging to the classes of mammals, birds, reptiles, amphibians and not belonging to: List of endangered, precious and rare forest plants and animals or List of species in the CITES Annex; The list of animals raised and domesticated into livestock in accordance with the law on animal husbandry.	Clause 8 Article 1 of Decree No. 06/2019/ND-CP
Other wildlife specified in Article 234 of the Criminal Code	Common forest animals as prescribed by law and wildlife in CITES Appendix III	Clause 2 Article 2 of Resolution No. 05/2019/NQ-HDTP
List of endangered, precious and rare aquatic species	Including 126 species of Group I and 60 species of Group II	Appendix II of Decree No. 26/2019/ND-CP
List of types of aquatic species allowed to trade in Viet Nam	Including 295 species of fish, 31 species of crustaceans, 44 species of mollusks, 7 species of reptiles, amphibians, 16 species of echinoderms and annelida, 18 species of zooplankton and 07 species of corals	Appendix III of Decree No. 26/2019/ND-CP
List of aquatic species banned for export	Including 43 species	Appendix IX of Decree No. 26/2019/ND-CP
List of conditionally exported aquatic species	Including 65 species	Decree No. 26/2019/ND-CP
Endangered Wildlife in CITES Appendices	Appendix I includes 530 species, Appendix II includes 4,400 species and groups of species; Appendix III contains 160 species	Notification No. 2019/055, dated 16/10/2019 of the CITES Secretariat

✓ The report has identified a number of difficulties and obstacles in the application of the List of wild animals as follows:

The categories overlap with each other, specifically:

- Group IB of the List of endangered, precious and rare forest plants and animals in Appendix III of the Investment Law No. 61/2020/QH14 coincides with Group IB of the List of endangered, precious and rare forest plants and animals issued together with Decree No. 06/2019/ND-CP. However, the List of endangered, precious and rare forest plants and animals issued together with Decree No. 06/2019/ND-CP has been amended and supplemented in Decree No. 84/2021/ND-CP.
- The List of endangered and rare species prioritised for protection issued together with Decree No. 64/2019/ND-CP basically coincides with Group IB of the List of endangered, precious and rare forest and wildlife plants issued together with Decree No. 84/2021/ND-CP except for a number of species, specifically:
 - ✓ There are 09 species listed in Decree No. 64/2019/ND-CP, but not listed in Decree No. 84/2021/ND-CP, including: The kouprey (*Bos sauveli*), Indo-Pacific humpback dolphin (*Sousa chinensis*), Dugong (*Dugong dugon*), Big-headed turtles (*Caretta caretta*), Green turtle (*Chelonia mydas*), Hawksbill sea turtle (*Eretmochelys imbricata*), Pacific ridley sea turtle (*Lepidochelys olivacea*), Leatherback sea turtle (*Dermochelys coriacea*), Red River giant softshell turtle (*Rafetus swinhoei*).
 - ✓ There are 15 species listed under Group IB of Decree No. 84/2021/ND-CP not listed in Decree No. 64/2019/ND-CP, including: Saltwater crocodile (*Crocodylus porosus*), Freshwater crocodile (*Crocodylus siamensis*), Bengal monitor (*Varanus nebulosus*), Southern river terrapin (*Batagur affinis*), Nicobar pigeon (*Caloenas nicobarica*), Silver pheasant (*Lophuranycthemera*), Chestnut-eared Laughingthrush (*Lanthocincla konkakinhensis*), Grey-crowned crocias (*Laniellus langbianis*), Collared Laughingthrush (*Trochaloxyeron yersini*), Imperial Eagle (*Aquila heliaca*), White-rumped vulture (*Gyps bengalensis*), Indian vulture (*Gyps indicus*), Red-headed vulture (*Sarcogyps calvus*), Golden jackal (*Canis aureus*), Red fox (*Vulpes vulpes*).
- The List of endangered, precious and rare forest animals promulgated together with Decree No. 84/2019/ND-CP has 09 species simultaneously specified in the List of aquatic species permitted to trade in Viet Nam and the List of aquatic species banned from export issued together with Decree No. 26/2019/ND-CP, including: Asiatic softshell turtle (*Amyda cartilaginea*), Wattle-necked Softshell (*Palea steindachneri*), Golden coin turtle (*Cuora*

trifasciata), Big-headed turtle (*Platysternon megacephalum*), Indochinese box turtle (*Cuora galbinifrons*), Vietnamese pond turtle (*Mauremys annamensis*), Tam Dao salamander (*Paramesotriton deloustali*), Asian giant softshell turtle (*Pelochelys cantorii*) and Swinhoei's softshell turtle (*Rafetus swinhoei*).

'Unlawful' aspect is found between some regulations: Section 4 of Appendix V of Circular 22/2019/TT-BNNPTNT stipulates that Deer (without a scientific name) is a livestock breed. However, Decree No. 84 stipulates that Deer (*Rusa unicorn*) belongs to group IIB.

There are no categories of species at high risk of spreading infectious diseases to humans. Therefore, management has not paid attention to the risks of disease from wildlife farming.

The List of endangered, precious and rare wildlife species among legal documents of Viet Nam has unfeasible elements, expressed in the following aspects: The List of endangered, precious and rare forest plants and animals is enclosed in Appendix III of the Law on Investment No. 61/2020/QH14 while this Law often changes slowly, and the requirements for the management and protection of wildlife species change faster. This List shall be updated regularly under the Decree level. Therefore, the Investment Law should cite the List of endangered, precious and rare forest plants and animals according to the Government's regulations.

2.1.2. Breeding conditions


2.1.2.1. Conditions for breeding endangered and rare species

Conditions for breeding endangered, precious, rare and wild animals in the CITES Annexes, including endangered, precious and rare wildlife species which are prioritised for protection (hereinafter referred to as endangered, precious and rare wildlife species) is listed in Table 02.



Table 02: Conditions for breeding endangered, precious and rare wildlife species

Breeding conditions	Legal basis
1. Ensure legal origin: Legal exploitation; specimens after confiscation adhere to the provisions of law; legal import or specimens from other lawful farming facilities	Clause 1 and Clause 3, Article 15 of Decree No. 06/2019/ND-CP are amended and supplemented in Clause 8 and Clause 9, Article 1 of Decree No. 84/2021/ND-CP
2. Barns are built in accordance with the characteristics of the species; ensuring safe conditions for people and pets, and sanitation and disease prevention	
3. Wildlife species in the CITES Annexes belonging to the classes of animals, birds and reptiles registered for breeding for the first time at the facility must be certified in writing by CITES VN that breeding such species will not affect the existence of farmed and other related species in nature.	
4. Having a breeding plan	
5. In the process of farming, a monitoring book must be established; farm owner has to periodically report to and be subject to inspection and supervision of CITES VN, the state management agencies in charge of fisheries, forestry and environment at the provincial level	

 The results of the survey and assessment of the implementation of legal regulations on farming conditions (lawful origin; subject to inspection and reporting upon request) unvey that farmers comply well to such regulations. However, in the implementation of other farming conditions, a number of difficulties and obstacles are encountered as follows:

- Regulations on cages, environmental hygiene, and disease prevention remain general; for example, how to ensure human safety, what is appropriate for the biological characteristics of farmed species, and so on need to be elaborated. State management agencies have not issued national regulations, standards, or technical guidance, for example barn condition, in a timely manner to guide farming practices. For the time being, the Ministry of Agriculture and Rural Development has only developed and promulgated national standards for

breeding ferocious mammals. Currently, the country raises over 250 different species of wildlife. Because there are no standards, barns are basically built based on the owner’s experience or shared knowledge attained from other facilities. Some facilities even use the same barn to keep different species; there is no legal or scientific basis to determine whether or not the facility has met the breeding conditions to determine the code issuance. Additionally, there are no legal grounds for inspection and handling for farming facilities that do not meet the breeding conditions.

- “Wildlife species in the CITES Appendices belonging to the classes of animals, birds and reptiles registered for breeding for the first time at the facility must be confirmed in writing by CITES Viet Nam science agency that the breeding for such species does not affect the existence of such species and other related species in the wild” is not suitable or easily achievable in actuality. Furthermore, this regulation is rarely implemented by FPDs. Some wildlife species have been successfully raised by people for many years, and many facilities raising such species have been issued codes by FPDs, but in case of first-time registry facility, they still have to consult CITES Viet Nam science agency. This regulation is not only unnecessary but also causes difficulties for farmers and increases processing pressure for CITES Viet Nam science agency. Meanwhile, CITES Viet Nam science agency basically “confirms that breeding of such species does not affect the existence of farmed and other related species in nature,” mainly based on the dossiers; they are unable to check the actual number of livestock, barn conditions, or the farming process, so the confirmation is unsubstantial and not valid for state management.
- The regulation of barn conditions must ensure conformity with the biological characteristics of the species in accordance with environmental hygiene and disease prevention. However, Decree No. 06/2019/ND-CP does not state that the code-issuing agency is responsible for coordinating with environmental protection agencies and veterinary agencies to evaluate the environmental hygiene assurance and disease prevention of farming facilities during the actual inspection of farming conditions or appraisal of dossiers of application for farm codes. According to the survey results, some FPDs have coordinated with environmental protection agencies (at the provincial or district level) and veterinary agencies in the process of inspecting farming conditions. However, this coordination is rare and varies by location.


- The breeding plans and monitoring books contain a lot of difficult content, therefore, some facilities do not have the ability to make breeding plans; or the ability to record in the monitoring book fully and accurately.
- Conditions for breeding endangered wildlife species do not mention the requirements regarding measures to prevent zoonotic diseases.

2.1.2.2. Conditions for breeding common wild animals

Conditions for breeding common forest animals and other terrestrial wildlife of Mammalia class, Aves class, Reptilian class (except for 27 species of animals mentioned in Decision No. 4737/QĐ-BNN-TCLN, dated 02/12/2021) are managed as common forest animals (hereinafter referred to as: common wild animals) listed in Table 03.

Table 03: Conditions for breeding common wild animals

Breeding conditions	Legal basis
1. Ensure the legal origin of farmed wildlife in accordance with the provisions of the law	Article 11 of Decree No. 06/2019/ND-CP
2. Ensure human safety; comply with the provisions of the laws on environment and veterinary medicine	and Clause 21 Article 1 of Decree No. 84/2021/ND-CP
3. Make a record of breeding monitoring book	CP
4. Within a maximum of 03 working days from the date of bringing the common wild animals to the farming facilities, organisations and individuals must send a notice to the local forestry agency for monitoring and management in accordance with the provisions of the law.	

 The results of the survey and assessment of the practice of implementing regulations on legal origins reveal that they are complied by farmers. However, the implementation of other farming conditions has a number of difficulties, which exist as follows:

- There are no specific guidelines on ensuring human safety (including disease safety and avoiding injury or attack by animals), so this regulation is rarely implemented in practice, and the FPDs have no grounds to check and handle violations.

- The monitoring book contains a lot of complicated content, therefore, some facilities do not have the ability to record fully and accurately in the monitoring book. Many farming facilities are very small (a few individuals), they do not make records in the monitoring book.

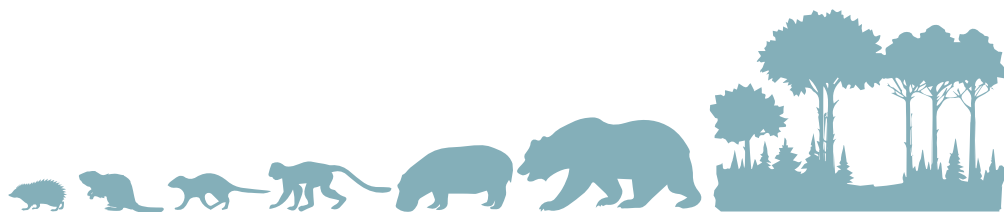
2.1.3. Subjects, times and authorities in issuing codes

Regulations on the issuance of farming facility codes relating to different species management status, facility registration time and authority are summarized in Table 04.

Table 04: Subjects, time and authorities issuing codes

Species	License type and issuing agency	Registration time	Legal basis
Forest animals in IB Group Wild animals in Appendix I CITES not for international trade	- Type of license: facility code - Issuing agency: CITES VN. In the case a facility raises species of groups IIB, CITES Appendix II, III, CITES VN issue 1 common code for species	- Facilities that have raised wild animals before Decree No. 84/2021/ND-CP: within 06 months from the effective date of Decree 84/2021/ND-CP, the owner of the farming facilities must submit a dossier of application for the facility code to CITES VN	- Article 17 of Decree No. 06/2019/ND-CP. - Clause 2 Article 3 of Decree No. 84/2021/ND-CP
Wild animals in Group IIB; Wild animals in CITES Appendix II and III	- Type of license: facility code - Issuing agency: + Provincial-level FPDs issue codes for terrestrial species + Provincial-level state management agencies in charge of fisheries issue codes for aquatic species	- Facilities that have raised wild animals before Decree No. 84/2021/ND-CP: within 06 months from the effective date of Decree 84/2021/ND-CP, the owner of the farming facility has to submit a dossier of application for the code to CITES VN	- Article 18 of Decree No. 06/2019/ND-CP. - Clause 2 Article 3 of Decree No. 84/2021/ND-CP

Species	License type and issuing agency	Registration time	Legal basis
CITES Appendix I	- Type of license: facility code - Issuing body: International CITES Secretariat	- Facilities that have raised wild animals before Decree No. 84/2021/ND-CP: within 06 months from the effective date of Decree 84/2021/ND-CP, the owner of the farming facility has to submit a dossier of application for the code to CITES VN	- Article 17 of Decree No. 06/2019/ND-CP. - Clause 2 Article 3 of Decree No. 84/2021/ND-CP. - Resolution 12.10 (Rev. CoP 16).
Common forest animals and other terrestrial wild animals	Not having to register for a code, but within a maximum of 03 working days from the date of bringing the wild animals to the farming facility, the owner has to send a notice to the local FPD for monitoring and management purposes.		- Article 11 of Decree No. 06/2019/ND-CP - Clause 21 Article 1 of Decree No. 84/2021/ND-CP



✓ The survey and assessment findings show that the subject, time and agency issuing the code of wildlife farming facilities are regulated into administrative procedures issued by the Ministry of Agriculture and Rural Development (Decision No. 818/QĐ-BNN-TCLN, dated 08/03/2019 of the Minister of Agriculture and Rural Development on the announcement of new administrative procedures; alternative administrative procedures; abolished administrative procedures in the field of forestry under the management functions of the Ministry of Agriculture and Rural Development), and provinces publicly announced this information for all organisations and individuals for acknowledgment and compliance. However, difficulties and obstacles in enforcing this regulation in actuality are still encountered as follows:

- The authority to issue codes of aquatic species simultaneously on the List of endangered, precious and rare forest plants and animals (Clause 2, Article 9 and Clause 1, Article 18 of Decree No. 06/2019/ND-CP) being the provincial-level State management agency in charge of fisheries contradicts to the authority of FPDs to “inspect, control and handle violations of the law in forest protection, forest exploitation, forest use, transportation, trading, storage and processing of forest products” specified at Point d, Clause 1, Article 104 of the Law on Forestry in 2017 and Point dd, Clause 1, Article 4 of Decree 01/2019/ND-CP (Tasks, powers of provincial-level FPDs) and management practices.

- There are currently 09 species, including: Asiatic softshell turtle, Wattle-necked Softshell, Golden coin turtle, Big-headed Turtles, Central Vietnamese flower back box turtle, Vietnamese pond turtle, Tam Dao salamander, Red River giant softshell turtle in the List of Endangered, precious and rare forest plants and animals, at the same time belonging to the List of aquatic species permitted to trade in Viet Nam and the List of aquatic species banned from export. The management of these species has not been unified among localities, in some provinces, they are managed by the provincial FPD, in some

other provinces they managed by the provincial fisheries agency. Some provinces have difficulty in identifying the agency managing these objects. With respect to the management of forest products in recent times, the FPD has taken a stewardship across the country.

Currently 9 species



in the List of Endangered, precious and rare forest plants and animals, at the same time belonging to the List of Aquatic species permitted to trade in Viet Nam and the List of Aquatic species banned from export.

- There is a gap in the regulations on the time limit for owners to prepare documents and send them to competent agencies to consider issuing codes and licenses for farming. Decree No. 160/2013/ND-CP does not stipulate the time limit for owners of endangered, precious and rare species to establish wildlife conservation facilities or register farming licenses. Decree No. 84/2021/ND-CP (Clause 2, Article 3) only specifies the time limit for facilities that have raised endangered, precious and rare wildlife species, species in the CITES Annexes. For farming facilities after Decree No. 84/2021/ND-CP takes effect, the law does not stipulate the time limit for owners to submit dossiers of application for facility codes to competent agencies in accordance with Decree No. 06/2019/ND-CP. Therefore, this may lead to some farmers taking advantage of this loophole to not register the farm code and make it difficult to sanction administrative violations for the act of raising without registering for codes.
- CITES VN has the authority to issue codes of facilities raising endangered, precious and rare forest animals of Group IB and species in the CITES Annexes, but the responsibility for managing and supervising these facilities assigned to the provincial FPDs or the provincial state management agencies in charge of fisheries, which is not suitable for local management practices. Therefore, CITES VN should only issue codes for facilities breeding species in Appendix I for export because FPDs are not capable of developing dossiers nor working with the CITES International Secretariat to request codes for these facilities.

2.1.4. Dossier of application for requesting breeding facility code

The composition of the dossier of application for requesting breeding facility code is summarised in Table 05.



Table 05: Application dossiers for breeding facility code

Species	Dossier components	Legal basis
Forest animals in group IB Wildlife animals in CITES Appendix I	(i) Application for a farming code; (ii) Breeding plan (captive breeding plan in the case of captive breeding; artificial propagation plan in the case of artificial propagation; one plan for each species).	Clause 2, Article 17 and Clause 2, Article 18 of Decree No. 06/2019/ND-CP
Forest animals in group IIB. Wildlife animals in CITES Appendix II, III	(i) Application for a farming code; (ii) Breeding plan (captive breeding plan in the case of captive breeding; artificial propagation plan in the case of artificial propagation; one plan for each species). Breeding plan (captive breeding plan in the case of captive breeding; artificial propagation plan in the case of artificial propagation; one plan for each species).	Clause 2, Article 17 and Clause 2, Article 18 of Decree No. 06/2019/ND-CP

✓ The dossier of application for requesting a wild animal farming facility code is regulated into administrative procedures and has been announced by the Ministry of Agriculture and Rural Development (Decision No. 818/QĐ-BNN-TCLN, dated 08/03/2019) as well as provinces for all organisations and individuals to follow. However, the implementation of these regulations in actuality is found with the following challenges and inadequacies:

- The composition of the dossier and the content of the breeding plan are asynchronous, not uniform and inappropriate for farming conditions. In principle, the composition of the dossier must fully reflect the satisfaction to the requirements of farming conditions. For example, under the condition of “ensuring legal origin of the stocks,” the dossier must include “Documents proving that farmed animals are of legal origin” or under the condition of “ensuring environmental hygiene,” the composition of the dossier must include one of the relevant documents, such as the Decision approving the environmental impact assessment report, or environmental protection plans, or proof of compliance to environmental regulations and standards

for wildlife facilities, etc. Currently, following administrative procedures for issuing codes in provinces, applications are submitted through the one-stop service counter of the province. The counter checks the applications to ensure the dossiers are adequate in quantity and transfer them to FPD, and they do not have the expertise to consider whether the dossiers meet the breeding conditions. The counter is not allowed to request organisations and individuals to add additional documents to prove that the facility ensures breeding conditions. Therefore, the person handling the code application does not have enough legal and scientific basis to assess whether or not the facility meets the conditions for farming.

- The plan to raise endangered and rare wildlife animals has a lot of complex content, not easily understandable for most farmers. Additionally, the requirements of management contain some unnecessary content. For example:
 - + The proportion of maternal individuals at Point a, Clause 9.1, Section 9 of the breeding plan is difficult to determine for large-scale farming facilities and aquatic species;
 - + Indicators of the average number of eggs per hatch; egg spoilage rate, offspring mortality rate at Point a, Clause 9.1, Section 9 of the breeding plan and sections 16, 17, 18, 19 and 20 of the breeding plan are not necessary. The breeding plan for endangered, precious and rare wild animals, although it describes the risks of disease, does not have a section describing measures to prevent diseases transmitted from wild animals to humans. Therefore, some breeding plans are built but not yet meet the requirements.

2.1.5. Order and procedures for farming facility code

For endangered, precious and rare forest animals Group IB, CITES Appendix I: The facility owners shall send the application dossiers directly; by post or via the national one-stop digital portal to CITES VN. Within 05 working days from the date of receipt of a valid dossier, CITES VN shall issue a code to the owner of the farming facility. In case it is necessary to check the actual conditions of farming, CITES VN shall assume the prime responsibility for doing so and coordinate with relevant agencies in organising the inspection, but the time limit for issuance shall not exceed 30 days. In case the dossier is invalid, within 03 working days from the date of receipt of the dossier, CITES VN shall notify the facility in writing. Within 01 working day from the date of issuance of the code, CITES VN shall upload the issued code to the CITES VN web portal.

For precious and rare forest animals Group IIB, CITES Appendix II and III: Facility owners shall send the application dossiers directly, by post or through the national one-stop digital portal, agency authorized for farming code issuance. Within 05 working days from the date of receipt of a valid dossier, the agency is responsible for issuing the code. In case it is necessary to physically check the farming conditions, the code-issuing agency shall assume the prime responsibility for doing so and coordinate with relevant agencies in organising the inspection, but the time limit for issuance shall not exceed 30 days. In case the dossier is invalid, within 03 working days from the date of receipt of the dossier, the agency issuing the code shall notify the facility in writing. Within 01 working day from the date of issuance of the code of the farming facility, the code issuing agency shall send information to CITES VN to post the issued code on the web portal of CITES VN.¹

2.1.6. Result of codes issuance in some endangered breeding facilities

The issuance of farming codes to facilities breeding endangered, precious and rare forest animals and wild animals in the CITES Appendices of the provincial FPDs (excluding the farming facilities issued by the CITES VN) in the surveyed provinces are listed in Table 06:

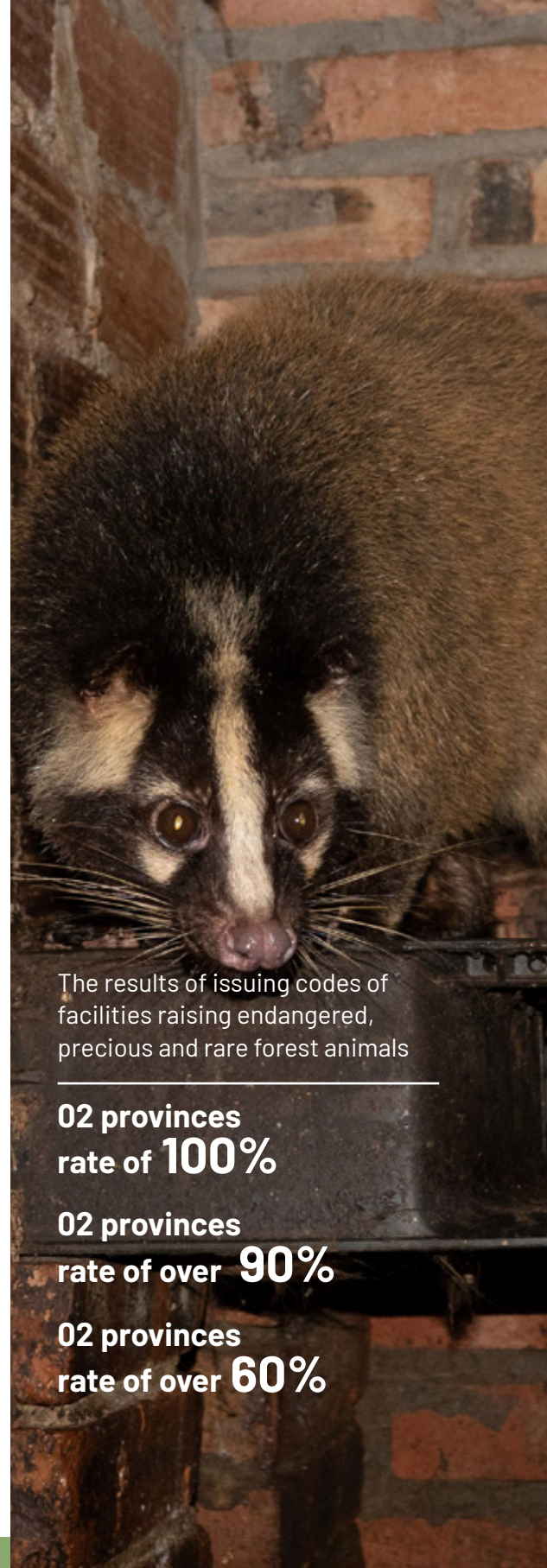
Table 06: Statistics on the farm code issuance in surveyed provinces

Survey provinces	∑ Farming facilities	∑ Farming facilities subject to code issuance ²	∑ The facilities issued a code	Code issuance rate (%)
Lam Dong	204	105	105	100
Binh Phuoc	47	22	14	63.6
Tay Ninh	171	164	150	91.5
Long An	180	156	156	100
Soc Trang	209	142	134	94.4
Hau Giang	264	227	146	64.3

¹ According to Clause 20, Article 4 of the Law on Enterprises No. 59/2020/QH14, dated June 16, 2020, "A valid dossier is a dossier with full documents as prescribed by this Law and the contents of such documents are fully declared in accordance with the provisions of law"

² Only farm facilities subject to the mandate of FPD in code issuance

The results of issuing codes of facilities raising endangered, precious and rare forest animals Group IIB, CITES Appendix II, III in differ by provinces. There are 02 provinces with a code issuance rate of 100%, 02 provinces with a rate of over 90% and 02 provinces with only over 60%. Low rates of code issuance are due to small farming facilities, which do not ensure farming conditions - especially ensuring a number of parent individuals enough to ensure sustainable fertility - while other farmers do not register for artificial propagation. In order to meet the breeding conditions in accordance with Resolution 10.16 (Rev. CoP 17) on specimens of breeding animals, there must be enough parent individuals to ensure that inbreeding is avoided. Current legislation does not provide for a minimum number of parent individuals to ensure sustainable reproduction. On the other hand, it is not prescribed that farming facilities that do not meet captive breeding conditions must register for artificial propagation.



The results of issuing codes of facilities raising endangered, precious and rare forest animals

02 provinces
rate of **100%**

02 provinces
rate of over **90%**

02 provinces
rate of over **60%**

2.1.7. Handling dead animals and animals returned by owners to the State

a) Handling dead animals

The Forestry Law, Fisheries Law and CITES do not provide measures to handle endangered, precious and rare forest animals, endangered wild animals under the CITES Annexes, and common wild animals that are dead.

In case a wild animal is sick, dies, or shows signs of infectious disease, the owner must immediately notify the commune-level veterinary staff, commune-level People's Committee, or the nearest specialised veterinary management agency as prescribed in Clause 1, Article 19 of the Veterinary Law No. 79/2015/QH13 and Clause 1, Article 7 of Circular No. 07/2016/TT-BNNPTNT. In case an animal dies due to one of the following diseases: (1) Anthrax; (2) Animal Rabies; (3) Avian Influenza (highly virulent and viral strains capable of transmitting diseases to humans), slaughter is prohibited according to the provisions of Section 3 of Appendix I of Circular No. 07/2016/TT-BNNPTNT. In case wild animals die due to one of the following diseases: (1) Avian influenza (applicable to highly virulent bodies or viruses capable of transmitting diseases to humans); (2) Foot-and-mouth disease; (3) Blue Ear Disease in pigs; (4) Anthrax; (5) Swine Fever; (6) Leptospirosis; (7) Animal Rabies; (8) Newcastle disease; (9) Streptococcus suis (type 2); (10) Trichinellosis; (11) Bovine Tuberculosis; (12) Bucellosis, must be destroyed according to the provisions of Appendix 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 of Circular No. 07/2016/TT-BNNPTNT.

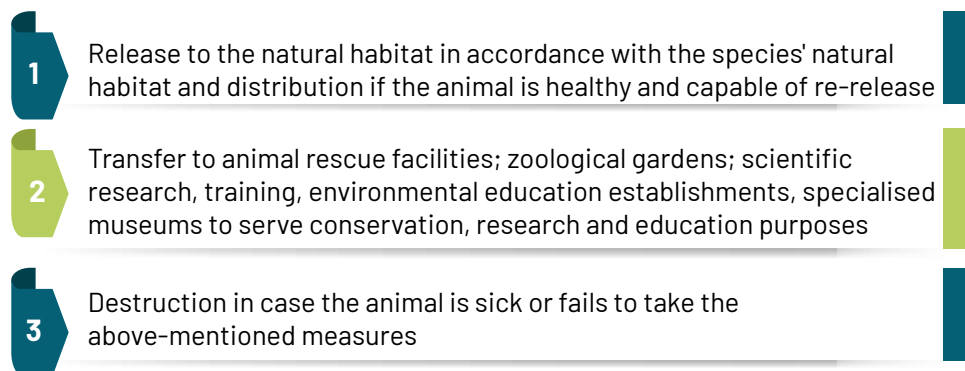
✓ The result of wildlife owners survey showed that when wild animals are killed, people often only notify the local FPD to know and confirm the situation in the monitoring book (33 of 41 of the facilities said they will notify the local FPD) and destroy the dead animals (34 of 41 cases said they will destroy the carcasses). People often do not report to veterinary authorities or local authorities because they lack information, lack understanding of the legal provisions on reporting responsibilities in case of unexplained deaths of wild animals or deaths due to infectious diseases.

b) Handling of animals voluntarily returned to the State by the owner

For endangered, precious and rare forest animals and endangered wildlife in CITES Annexes, Clause 6, Article 17 and Clause 6, Article 18 of Decree No. 06/2019/ND-CP stipulate that:

- Agencies competent to handle wildlife voluntarily handed over by the owner to the State are: The provincial-level state management agency in charge of fisheries for aquatic species and the provincial-level FPD for other wildlife species.

- The plan to treat wild animals voluntarily returned to the State by the owners in order of priority is as follows:



The regulations on handing wild animals voluntarily returned to the State give three options based on the health status of the animals. As such, the involvement and responsibility of veterinary agency should also be specified to ensure exact evaluation of its health.

- + Circular No.29/2019/TT-BNNPTNT, dated 31/12/2019 of the Minister of Agriculture and Rural Development on handling of forest animals being exhibits; and forest animals voluntarily given back to the State by organizations and individuals stipulates conditions for each options above. For all three options, certification from veterinary agency is required. However, for option 1 and 2, the certification is only on health status of the animals, not on zoonotic risks. For option 3, the certification is on animals carrying pandemics, also not on zoonotic risks.

2.1.8. Farming and reproduction monitoring books of farm owners

The farming activity monitoring book and the reproduction monitoring book are specified in Form No. 16 of the Appendix attached to Decree No. 06/2019/ND-CP. These forms are prepared and managed simultaneously by the owner and the provincial-level FPD (except for aquatic species), and the provincial-level State Management Agency for Fisheries (for aquatic species).

✓ The results of the survey showed that most of the farms surveyed updated inaccurate data in their monitoring books. The same was true for even some FPDs. The cause of this occurrence, as reflected by farmers and forest rangers, is that the farming activity monitoring book and the reproduction monitoring books have too many data fields, making it difficult for farmers to update the data. Some data field is not feasible in practice such as the number of juveniles under 1-year-old, juveniles over 1-year-old, etc.; some unnecessary information, such as the number of juveniles killed, etc...

2.1.9. Reporting mechanism

a) Reporting responsibilities of the owner of the farming facility:

Facilities breeding endangered, precious and rare wildlife species must periodically report and be subject to inspection and supervision by CITES VN, the state management agency in charge of fisheries, forestry and environment at the provincial level as prescribed in Clauses 7 and 8 Article 1 of Decree No. 84/2021/ND-CP. However, neither Decree No. 06/2019/ND-CP nor Decree No. 84/2021/ND-CP specifies the reporting period of farm owners.

For facilities breeding common forest animals and other terrestrial wildlife, Decree No. 06/2019/ND-CP and Decree No. 84/2021/ND-CP do not stipulate the responsibilities and reporting period of farm owners.

b) Reporting responsibilities of local State agencies

For endangered, precious and rare wildlife species and common wildlife, Clause 14 Article 38 of Decree No. 06/2019/ND-CP stipulates that provincial-level FPDs and provincial-level state management agencies in charge of fisheries shall send reports based on Form No. 18 in the Appendix issued together with Decree No. 06/2019/ND-CP before November 30 of each year to the Department of Agriculture and Rural Development and CITES VN.

✓ The results of consultations at the surveyed FPDs showed that Form No. 18 in the Appendix issued together with Decree No. 06/2019/ND-CP has a lot of complicated and unnecessary content. In addition, the updating and synthesis of data and reports of both owners and State management agencies is still mainly done manually in paper copies, so it is time-consuming, and there is a possibility of errors in the process of updating and synthesising data. The updated data is not real-time, so it is possible that the figures on the books are no longer consistent with the actual numbers at the facilities, especially at commercial wildlife facilities. Currently, CITES VN has developed wildlife management software, including reporting functions. However, the software has not been officially adopted.

2.1.10. Transportation of wildlife

Conditions for the transportation of wild animals are prescribed as follows:

- Having an animal health certificate for animals and animal products when transporting specimens to areas outside the province (Clause 1 Article 30 of Decree No. 06/2019/ND-CP and Clause 1 Article 4 of Circular No. 25/2016/TT-BNNPTNT);

- Ensuring the safety of living specimens and related persons during transportation and at specimen-receiving establishments (Clause 1 Article 30 of Decree No. 06/2019/ND-CP).
- Having legal dossiers in accordance with the law on forest and fishery products management (Clause 1 Article 30 of Decree No. 06/2019/ND-CP):
 - + For endangered, precious and rare wildlife, and common wildlife (except aquatic species): (i) Forest product list certified by the local FPD, except for internal transportation within the province; (ii) a copy of the forest product origin dossier of the owner of forest products sold as prescribed in Article 24 of Circular No. 27/2018/TT-BNNPTNT.
 - + For aquatic species in CITES annexes, the agency confirming the origin is the provincial-level state management agency in charge of fisheries (Article 39 and Article 40 of Decree No. 26/2019/ND-CP).
 - + For endangered, precious and rare wild animals, when transported and traded, specimen marking must be carried out according to the provisions of Articles 33, 34 and 35 of Circular No. 27/2018/TT-BNNPTNT.

✓ The consultation with FPDs, DAHLs, and the survey at some wildlife facilities showed that:

- Regulations on origin records and confirmation of the origin of wild animals when transported are well implemented by the local FPDs and wildlife owners. The results of interviews with farming facilities showed that in 100% of cases of wildlife transport, people reported and were confirmed by the local FPD the origin of the transported wild animals.
- Regulations on specimen marking are not implemented by owners when buying and selling endangered wild animals. As reflected by the owners of the farm, they do not know the regulations to mark; no agency requires marking specimens during purchase, sale or transportation. Buyers and sellers are not inspected by state agencies during transportation or sanctioned for violations when they do not make markings.
- Regulations on the implementation of animal health check when transporting wild animals to areas outside the province are not well implemented by buyers, sellers of wild animals and veterinary authorities. The survey results of 41 wildlife facilities recorded only 16 facilities requiring sellers to carry out animal health check (accounting for 39%), of which only 05 cases said that the law requires animal quarantine when transported to outside the province and to ensure that purchased wild animals do not get sick; The remaining 11

said that they carry out animal health check to ensure the wild animals they bought as breeding stock did not get sick. Of the 25 cases, buyers did not require sellers to carry out animal health check (accounting for 51% of the cases questioned) because they believed that wild animals were healthy, rarely sick, so they did not need animal health check, and they did not know the regulations to carry out animal health check when transporting wild animals to areas outside the province. Reasons for not carrying out animal health check when transporting wild animals outside the province include:

- + Many wildlife facilities do not know the regulations for animal health check when transporting to outside the province (36 of 41 cases asked did not know the regulations), some facilities believe that there are too many procedures to follow, that when they have the origin and animal health certificates, sometimes buyers do not want to buy anymore.
- + Veterinary authorities are not fully aware of the list of breeding facilities and how to handle the transactions and transportation of wild animals, and owners do not recommend quarantine.
- + Veterinary staff of the DAHLs currently do not have experience and an understanding of diseases in wild animals, they do not have enough machinery and equipment to take samples, analyse and test. Therefore, if there is health check for wild animals, it is mainly only clinical diagnosis, not sampling for analysis and testing.
- + The inspection and handling of cases of non-compliance with regulations on wildlife quarantine have not been prioritized.



2.2. Legal veterinary regulations related to raising wild animals

2.2.1. Prevention of animal diseases

The Veterinary Law in 2015 and Circular No. 07/2016/TT-BNNPTNT provide for measures to prevent animal diseases mentioned in Table 07.

Table 07: Regulations on disease prevention for wild animals

Terrestrial animals	Reference
<ul style="list-style-type: none"> - Livestock breeding places and tools used in animal husbandry must be cleaned, disinfected and sanitized periodically. - Kill intermediate hosts periodically and after each feeding; - The breeding place must be located where permitted by the local planning or by the competent authority. - Waste in animal husbandry must be treated in accordance with the law on environmental protection. For livestock wastewater, it must meet the standards specified in Regulation No. QCVN 62-MT:2016/BTNMT issued together with Circular No. 04/2016/TT-BTNMT, dated April 29, 2016. - Breeding stock, the food used in animal husbandry must ensure, disease safety and veterinary hygiene. - Animals must be subjected to mandatory prevention of dangerous infectious diseases at the request of specialised veterinary management agencies. 	<p>Article 15 of the Veterinary Law No. 79/2015/QH13 and Article 3 of Circular No. 07/2016/TT-BNNPTNT.</p>
<p> The assessment at the DAHLPs, as well as at the breeding facilities recorded that:</p> <ul style="list-style-type: none"> - The cleaning, disinfection and sanitisation of barns and tools used in wildlife breeding are carried out regularly and periodically by the owners. The interview results showed that 100% of owners of farming facilities clean barns, feeders and drinking troughs of wild animals periodically (every 01-02 days) and there are facilities who do so 02-03 times / day. The disinfection and sanitisation of the barn is carried out by the owner on an average of every 07-15 days, depending on the species of domestic animals and the size of the farm. 	

- According to Clause 1, Article 15 of the 2015 Veterinary Law, the place where animals are kept, including wild animals, must be “located where permitted by the local planning or by competent agencies,” but neither the Law on Forestry in 2017 nor the Law on Fisheries in 2017, Decree No. 06/2019/ND-CP stipulate this condition. The surveyed wildlife facilities are built on land owned by the owner, and most are in residential areas, in some cases, the barns are even located in the common living area of the family. Of the provinces surveyed, none of them had wildlife planning areas.
- farming facilities believe that the waste generated from raising wild animals is not as large as raising livestock and poultry, so the environmental impact from livestock activities is insubstantial. Therefore, most wildlife facilities do not meet the standards specified in Regulation No. QCVN 62-MT:2016/BTNMT issued together with Circular No. 04/2016/TT-BTNMT, dated April 29, 2016. The treatment of waste and wastewater in wildlife breeding activities is carried out by people according to their own experiences or learned experiences from other farming facilities, some facilities follow the guidance of local veterinary authorities. Some facilities collect manure and waste for incubation with probiotics to make fertilizers for plants; some facilities lead manure, waste and wastewater into manholes before it ends up discharged into the environment; some facilities discharge directly into the environment (home gardens, fishponds).
- Breeding animals must ensure disease safety: The results of interviews with farmers show that wild animals are less susceptible and generally healthier than domestic animals. Therefore, when buying breeding stock from other facilities for rearing, they usually do not require the seller to carry out animal health check. When they return to the facility, animals will be quarantined for 7-15 days (depending on the facility). If no sick animals are detected, they will enter the herd.
- Animals must be subject to mandatory prevention of dangerous infectious diseases at the request of specialised veterinary management agencies: According to the DAHLPs, as well as wildlife breeding facilities, there is currently no specialized vaccine for wild animals. The initial vaccination of wild animals has been carried out by some facilities raising civets, wild birds and wild boars according to the guidance of veterinary authorities. However, some owners are apprehensive that vaccines may negatively affect the health, fertility of animals and incur too high a cost for families to vaccinate wild animals.

2.2.2. Veterinary hygiene and environmental hygiene requirements

According to the provisions of Article 4 of Circular No. 07/2016/TT-BNNPTNT, the requirements for veterinary hygiene and environmental hygiene in animal husbandry for centralised animal breeding facilities are as follows:

- Centralised animal breeding facilities must comply with veterinary hygiene and environmental hygiene requirements in animal husbandry in accordance with the provisions of the law to prevent diseases of animals.
- For animal breeding facilities that meet the requirements of veterinary hygiene and environmental hygiene and are organised by specialised veterinary management agencies to collect samples and tests, if they have negative results for diseases specified in Section 1 of Appendix 07 promulgated together with Circular 07/2014/TT-BNNPTNT, they are not required to carry out mandatory prevention by vaccines for such diseases.

✓ The results of the survey and assessment show that:

- Most wildlife facilities are small-scale. Amongst these, only 01 monkey breeding facility in Tay Ninh was granted a certificate of veterinary hygiene. Currently, there are no specific regulations on specific veterinary hygiene requirements for wildlife facilities. Therefore, veterinary officers do not have grounds to check and handle when the facility does not meet the conditions. The instruction is qualitative and highly dependent on the qualifications and experience of the inspection staff.
- According to the DAHLs and surveyed wildlife breeding facilities, sampling and disease testing for wildlife facilities are usually not carried out, except for 01 export monkey breeding facility. The reason is that these facilities are small in size, and the veterinary authorities do not know the list of breeding facilities.

2.2.3. Animal disease surveillance

According to the provisions of Article 16 of the Veterinary Law No. 79/2015/QH13, the responsibility for animal disease surveillance of livestock facilities is as follows:

- Develop and monitor animal diseases at the facility under the guidance of specialised veterinary management agencies.
- Monitor and record the process of breeding, as well as preventing and treating animal diseases.
- When participating in the animal disease surveillance program, the owner of the livestock farming facility shall comply with the request of the specialised

veterinary management agency and be allowed to transport animals and animal products out of the epidemic zone under the guidance of the specialised veterinary management agency.

- Notify the authorities and specialised veterinary management agencies when there are inspection results to determine whether the carrier of the disease belongs to the List of animal diseases subject to announcement and the List of diseases transmitted between animals and humans; take regulatory measures.

✓ The results of surveys and assessments at the DAHLs, as well as wildlife breeding facilities, showed that most of the wildlife breeding facilities did not build and monitor animal disease surveillance mechanism at the facility; did not monitor and record the process of raising, preventing, treating and combating animal diseases (only 01 monkey breeding facility of 36 wild animal breeding facilities surveyed implemented a disease surveillance program). The cause of this phenomenon is due to limited knowledge of the disease and ways of preventing and treating diseases for wild animals; veterinary officers did not obtain a list of wildlife facilities; and owners are not aware of the legal requirements for disease development and surveillance, nor are they equipped to build and monitor epidemics themselves.

2.2.4. Declaration, diagnosis, investigation and cure of animal diseases

Articles 19 and 20 of the Veterinary Law in 2015 and Article 7 of Circular No. 07/2016/TT-BNNPTNT stipulate the declaration, diagnosis, investigation and treatment of diseases as follows:

- When detecting animals with diseases, deaths, signs of infectious diseases or abnormal processed animals with unknown causes, animal owners and owners of animal breeding facilities must immediately notify commune-level veterinary staff, commune-level People's Committees or specialised veterinary management agencies at the nearest place.
- Animals showing signs of disease must be diagnosed, isolated, cared for and treated in a timely manner, except in cases where treatment is prohibited or when compulsory slaughter and destruction are required as prescribed by law.
- When treating animals in animal disease outbreaks or epidemic areas, animal owners and owners of animal breeding facilities must follow the guidance of specialised veterinary management agencies; carry out cleaning, disinfection, sanitisation and regulations on prevention and control of animal diseases.

✓ The results of the survey and assessment of the implementation of legal provisions on the disease declaration and diagnosis of wildlife breeding facilities are as follows:

- The owner of the farming facility has not well complied to the regulations to report to the commune-level veterinary staff, the commune-level People's Committee or the nearest specialised veterinary management agency when the animal dies of unknown cause. In cases where wild animals are killed; owners usually report only to the local FPD (32 out of 38 cases say they will notify the local FPD) and destroy dead animals (35 out of 38 cases say they will destroy the carcasses of dead animals). In addition, some facilities also notify veterinary authorities or local authorities (07 of 38 cases said they will notify veterinary authorities); invite veterinarians to check to find the cause of animal death (06 of 38 cases said they will invite veterinarians to examine to find the cause of wildlife death); using dead animals for food (02 out of 38 cases reported using dead farmed wild animals for food); and there was 01 case where respondents did not know how to handle situations when farmed wild animals died.

Actions taken when captive animals die of unknown cause:

32/38 cases that owners report to the local FPD

35/38 cases that owners destroy the carcasses of dead animals

07/38 cases that owners notify veterinary authorities

06/38 cases that owners invite veterinarians to examine to find the cause of wildlife death

02/38 cases that owners use dead farmed wild animals for food

01 case that owners do not know how to handle situations when farmed wild animals died.



they followed the guidance of the veterinary authorities, while some followed their own experiences and practices learned from other breeding facilities.

2.2.5. Handling animal disease outbreaks

According to the provisions of the Veterinary Law and Circular No. 04/2016/TT-BNNPTNT, measures to handle outbreaks in animals in general and wild animals are outlined in Table 08.

Table 08: Measures to handle animal disease outbreaks

Terrestrial animals	Reference
<ul style="list-style-type: none"> - Immediately isolate sick animals with signs of disease; - Do not slaughter, trade, dispose of sick animals, animals showing signs of disease, dead animals, or animal products carrying pathogens into the environment; - Carry out compulsory cleaning, disinfection, sanitisation, destruction and slaughter of sick animals, animals showing signs of disease and dead animals according to the guidance of specialised management agencies and the provisions of the law on environmental protection; - Provide accurate information on animal diseases at the request of specialised management agencies and commune-level medical staff; - Comply with inspection requests of competent state agencies. 	<p>Articles 25 and 33 of the 2015 Veterinary Law; and Article 15 of Circular No. 04/2016/TT-BNNPTNT</p>

✓ The results of the survey and assessment of the observance of legal regulations on handling wildlife disease outbreaks show that wild animals have not yet shown indications of disease outbreaks. However, the owners have excellently implemented and abided by the regulations on handling outbreaks, such as: isolation when animals are sick or dead; not to buy and sell sick or dead animals; carry out cleaning and disinfection of cages and farming areas (35 of 41 cases said that they will clean and disinfect cages and farming areas if animals are sick or die, whereas only 03 of 41 facilities will not carry out disinfection and disinfection when animals are sick or dead, and 03 facilities do not have answers because there are no sick wild animals, dead). The owner's disinfection, sanitisation and cleaning of the barn is aimed mainly at avoiding the potential spread of disease to other healthy wild animals. Some facilities are guided by the veterinary authorities, and some facilities follow their own experience and learn from other breeding facilities' practices.

2.2.6. Prevention and control of terrestrial animal diseases in areas threatened by epidemics

According to the provisions of Article 28 of the 2015 Veterinary Law, animal owners and owners of animal breeding facilities have the following obligations:

- Carry out disease prevention by vaccines and other preventive measures for animals according to the guidance of specialised veterinary management agencies;
- Cleaning, disinfecting and sanitising livestock areas, livestock tools, livestock environment;
- Comply with measures to prevent and control animal diseases at the request of competent state agencies.

✓ The results of the survey and assessment at the DAHLPs and at the surveyed wildlife facilities showed that:

- Currently, veterinarians have very little knowledge about diseases in wild animals, not many medicines are available to prevent and treat diseases for wild animals, there is no vaccine for wild animals.
- The implementation of vaccine prevention at wildlife facilities is limited. Only 16 out of 41 facilities surveyed are vaccinated. Facilities have vaccinated their animals because owners are afraid that animals will be sick or die, some facilities are recommended and supported by veterinary authorities to issue vaccines, some facilities follow other breeding facilities' practices. For non-vaccinated facilities, owners assume that captive wildlife is disease-free and generally healthier than other facilities; not required by veterinary authorities for injections; there is currently no vaccine (no specialized vaccines) for wild animals; therefore, they are afraid of the effect on the health of animals when vaccinated.
- The cleaning, disinfection and sanitisation of farming areas, farming tools and the basic farming environment are actively carried out by farming owners. The survey results showed that 41 out of 41 facilities cleaned barns, breeding areas and equipment (feeders, drinking troughs) regularly and periodically. The disinfection and sanitisation of the barn is also carried out by the owner. The purpose of cleaning, sanitisation and disinfection is to prevent diseases for wild animals.

16/41 facilities surveyed are vaccinated

41/41 facilities cleaned barns, farming areas and equipment



2.2.7. Handling of sick animals or animals showing signs of disease

Article 30 of the Veterinary Law 2015 stipulates that:

Compulsory culling and compulsory slaughter of animals with signs of disease and disease-carrying animal products on the List of animal diseases subject to epidemic declaration, List of zoonotic diseases or detecting new infectious pathogens.

The mandatory slaughter of animals is carried out as follows:

- The slaughter is carried out at the slaughterhouse designated by the local specialised management agency.
- Means of transporting slaughter animals must have a closed floor so as not to scatter waste products on the way and must be cleaned, disinfected and sanitized immediately after transportation.
- Slaughterhouses, slaughter tools and wastes of slaughtered animals are required to be treated, sanitised, disinfected after slaughter.
- By-products, other products of animals subject to compulsory slaughter, litter, animal waste must be burned or buried.

✓ The survey results show that the current law does not stipulate that the List of wildlife diseases subject to epidemic declaration, the List of zoonotic diseases; List of wild animals diseases, symptoms and treatment measures. Therefore, both the DAHLPs as well as farming facilities do not have a legal and scientific basis to detect sick animals and take measures to handle situations when wild animals suffer from dangerous infectious diseases.

2.3. Prevention of zoonotic diseases

The prevention of zoonotic diseases is carried out in accordance with the Law on Prevention and Control of Infectious Diseases in 2007, the Veterinary Law in 2015, Joint Circular No. 16/2013 /TTLT-BYT-BNN&PTNT, dated May 27, 2013, between the Ministry of Health and the Ministry of Agriculture and Rural Development, specifically as follows:

- The list of zoonotic diseases prioritised for coordination between the health and agricultural sectors, including: (1) Influenza A (H5N1); (2) Rabies; (3) Streptococcus suis; (4) Anthrax and (5) Leptospirosis (Appendix I of Joint Circular No. 16/2013/TTLT-BYT-BNN&PTNT).
- Regarding surveillance of zoonotic diseases, Article 6 of Joint Circular No. 16/2013/TTLT-BYT-BNN&PTNT only assigns veterinary agencies and health agencies to be the focal point for exchanging information in surveillance of

zoonotic diseases and does not assign FPDs. The establishment of an outbreak investigation and handling team is specified in Article 7 of Joint Circular No. 16/2013/ TTLT-BYT-BNN&PTNT, the composition of the team also does not include representatives of the FPDs.

- Regarding the organisation of implementation, the Circular also does not specify the responsibilities of forest protection agencies in preventing zoonotic diseases. This is an unfortunate omission of Joint Circular No. 16 /2013/TTLT-BYT-BNN&PTNT because the FPDs are the one who directly manages wildlife breeding facilities. They have full information about the wildlife species, people often report to FPDs when animals are sick, died while reporting little or no information to veterinary authorities.

✓ The survey results show that the prevention of zoonotic diseases at farming facilities has not been paid attention to, is without the guidance, inspection and supervision of veterinary agencies and health agencies. Although some wildlife facilities do take some measures to prevent zoonoses, the purpose of such activities is mainly to protect the health of animals (people's property), not with the primary focus on preventing zoonotic diseases. According to officials of the DAHLPs, *the reason is that there are no Categories of zoonoses; the veterinary officers of the provincial-level DAHLPs do not have deep knowledge and experience of diseases transmitted by wild animals (type of wild animal with disease, signs when animals are sick, type of disease, route of transmission, treatment measures when animals are sick, prevention measures, etc.). There are no standards and regulations on measures to prevent zoonoses, standards on cages, veterinary hygiene, etc.; therefore, there are no grounds for examining and handling violations.* In the surveyed provinces, there has been no transmission of zoonotic diseases. Therefore, the implementation of prevention of zoonotic diseases has not been taken care of.

2.4. Penalties for violations

2.4.1. Sanctioning administrative violations of wildlife farming

- Administrative sanctions for the act of illegal keeping and breeding forest animals contrary to the provisions of law are specified in Article 21 of the Government's Decree No. 35/2019/ND-CP, dated April 25, 2019, stipulating sanctions for administrative violations in the field of forestry, amended and supplemented in Clause 12 Article 1 of Decree No. 07/2022/ND-CP on January 10, 2022, of the Government amending and supplementing a number of articles of the Decree sanctioning administrative violations in the field of forestry, plant protection and phytosanitary, veterinary medicine and animal husbandry.

- Administrative sanctions for violations of regulations on management of forest product records in keeping and breeding wild animals are specified in Article 24 of Decree No. 35/2019/ND-CP, amended and supplemented in Clause 15 Article 1 of Decree No. 07/2022/ND-CP.

✓ The survey results show that regulations on sanctioning administrative violations for illegally keeping wild animals or violations of forest product list in keeping and breeding wild animals are basically in line with reality. However, the practice of applying these regulations still encounters some difficulties, as follows:

- The framing of penalties is based on the consequences of the violation, specifically the value of illegally kept and bred wild animals, including endangered, precious and rare forest animals Group IIB, CITES Appendix II, including many non-commercial species. Therefore, it is very difficult to determine the value of these animals to frame the penalty.
- Farming monitoring book templates contain a lot of complex content; people do not have the ability to accurately record data (even forest rangers struggle). Therefore, it is very difficult to penalise owners for not taking notes or for incomplete/incorrect records in the monitoring book.
- The regulation "Owners of endangered, precious and rare wildlife farming facilities or species in the CITES Appendices that are of legal origin but do not register the number of farming facilities in accordance with the provisions of law" is not feasible and is difficult to implement in practice, for cases of farming facilities breeding endangered, precious, rare, wild animals belongs to the CITES Appendices established after Decree No. 84/2021/ND-CP takes effect. According to the provisions of Clause 2 Article 3 of Decree No. 84/2021/ND-CP, only for farming facilities subject to registration of facility codes, within 06 months from the effective date of this Decree, owners of such farming facilities must submit dossiers of application for facility codes to competent agencies in accordance with Decree No. 06/2019/ND-CP.
- Decree No. 06/2019/ND-CP, Decree No. 84/2021/ND-CP stipulates conditions for breeding endangered, precious and rare wildlife species in the CITES Annexes. However, Decree No. 35/2019/ND-CP and Decree No. 07/2022/ND-CP do not provide for sanctions for facilities that do not meet farming conditions. Therefore, the regulations on farming conditions in Decree No. 06/2019/ND-CP and Decree No. 84/2021/ND-CP can be said to not be fully implemented in practice.

2.4.2. Criminal handling of wildlife farming

Criminal sanctions for illegal breeding, keeping and storing of wild animals are specified in Article 234, Article 244 of the Criminal Code of Viet Nam (2015) amended and supplemented in Clauses 57 and 64, Article 1 of the Criminal Code No. 12/2017/QH14.

✓ The survey results show that criminal sanctions for illegal keeping and breeding of wild animals belonging to Group IIB, CITES Appendix II, III and common forest animals are based on the value of exhibits, rather than the number of wild animals, causing many difficulties and inconsistent application in practice. Many wildlife species are not commonly marketed, so there is no basis for determining the value of the exhibits. On the other hand, the value of wildlife will fluctuate over time, and even differs between various localities, while Viet Nam has not yet issued a price bracket for wildlife species for the whole country. Therefore, the same violation, but at different times and/or localities, there are cases where criminal liability will be pursued, but in some cases, only administrative violations are sanctioned.

2.4.3. Handling non-compliance with zoonotic prevention measures.

The current law does not contain administrative and criminal sanctions for non-compliance with take measures to prevent zoonotic diseases.

2.5. Organisation of the implementation of legal documents

If a legal document has the intention to come into fruition and practice, in addition to the quality of the document, the organisation and implementation of that document into practice is extremely important. The criteria for evaluating the implementation of legal documents into practice include:

- + Training on legal documents;
- + The communication and dissemination of legal documents;
- + Inspection and examination of compliance with legal documents by organisations and individuals.

2.5.1. For provincial FPDs

a) Training

The results of the survey and assessment of the training on regulations on wildlife management of FPDs surveyed in the period of 01/2020 - 10/2022 are listed in Table 09.

Table 09: Number of trainings on legal documents in the period from 01/2020 to 10/2022

FPDs	Trainings on regulations on the management of raising, slaughtering, processing and trading wildlife		Regulations on prevention of zoonotic diseases	
	Number of classes	Target audiences	Number of classes	Target audiences
Binh Phuoc	0	Ranger : 0 people Owner: 0 people Others: 0 people	0	Ranger: 0 people Owner: 0 people Others: 0 people
Lam Dong	02	Ranger: 35 people Owner: 0 people Others: 0 people	0	Ranger: 0 people Owner: 0 people Others: 0 people
Tay Ninh	03	Ranger: 17 people Owner: 0 people Others: 0 people	0	Ranger: 0 people Owner: 0 people Others: 0 people
Long An	0	Ranger: 0 people Owner: 0 people Others: 0 people	0	Ranger: 0 people Owner: 0 people Others: 0 people
Soc Trang	03	Rangers: 5 people Owner: 120 people Others: 15 people	0	Ranger: 0 people Owner: 0 people Others: 0 people
Hau Giang	0	Ranger: 0 people Owner: 0 people Others: 0 people	0	Ranger: 0 people Owner: 0 people Others: 0 people

Throughout the period of 01/2020-10/2022, in the surveyed provinces, the training of legal documents of the Forest Protection Department are relatively limited. Only 03 FPDs of Soc Trang, Tay Ninh and Lam Dong have training activities on legal regulations on wildlife management, slaughter, processing and trade. Hau Giang FPD and Binh Phuoc FPD do not organise training for forest rangers in forest protection departments in district level, wildlife owners and other stakeholders related to wildlife farming. None of the FPDs surveyed held training on measures to prevent zoonotic diseases.

According to the feedback of the surveyed FPDs, the training on legal regulations on livestock management and prevention of zoonotic diseases face many difficulties and limitations. The reasons for the restrictions include:

- 1 The FPDs did not have the function of preventing zoonotic diseases;
- 2 There are no officials with knowledge of infectious diseases and measures to prevent zoonotic diseases;
- 3 The impact of the Covid-19 pandemic;
- 4 Lack of experts for training sessions, while many contents of legal documents are general or have different interpretations;
- 5 No funding to organise training.

b) Dissemination of the Law

The results of the survey and assessment of the communication, dissemination and education on regulations on on wildlife management of FPDs surveyed in the period of 01/2020 - 10/2022 are listed in Table 10.

Table 10: Law communication and dissemination in the period 01/2020-10/2022

FPDs	Management of wildlife breeding, slaughter, processing and trade		Prevention of zoonotic diseases	
	Form	Target audiences	Form	Target audiences
Binh Phuoc	District-level radio and television stations, loudspeaker systems of communes, communicating directly through processes of inspections, issuing codes, etc.	Owners of wildlife breeding facilities; ranger units	None	
Lam Dong	Organising seminars and people's meetings at commune People's Committees	Locals; Owners of wildlife breeding facilities; Organisations and individuals engaged in activities of buying, selling and slaughtering wildlife; communal forestry board.	None	
Tay Ninh	Direct talk (34 times)	Civilians, farming facilities, markets, eateries, restaurants and civil servants and officials in the department	None	
Long An	Flyers, live training, radio (15 times)	Owners of wildlife breeding facilities	None	
Soc Trang	Communicate directly to owners of farming facilities through processes of inspection, confirmation of origin and issuance of farm codes	Owners of wildlife breeding facilities	None	
Hau Giang	Flyers (distributed 1200 flyers) and Zalo group messaging.	Farming households, market areas with wildlife trading points	None	

✓ The survey results showed that 06 out of 06 forest protection departments surveyed had activities of communicating and disseminating laws on wildlife protection in general and wildlife management in particular. The form of communication is quite abundant such as announcements on television, loudspeakers, people's meetings, posters, through the process of confirmation of the origin of wildlife, etc. However, there was no communication about the risk or prevention of zoonotic diseases.

As reflected by the FPDs, difficulties in law communication and dissemination include:

- 1 Lack of funds to organise communication activities;
- 2 lack of staff skilled in communication or production of media publications
- 3 lack of documentation and guidance on risks and prevention measures as well as legal provisions on the prevention of zoonotic diseases
- 4 lack of staff with expertise in zoonoses and zoonotic prevention

Therefore, it is not possible to organise communication activities and training on risks as well as measures to prevent zoonotic diseases for owners of wildlife breeding facilities.



c) Inspection

The results of the survey and assessment on the inspections and examinations of the observance of the law on wildlife management by organisations and individuals conducted by the Forest Protection Departments surveyed over the period of 01/2020 - 10/2022 are listed in Table 11.

Table 11: Examination and inspection on the observation of law on wildlife 01/2020-10/2022

FPDs	Number of inspections	Subjects for inspection	Result
Binh Phuoc	Number of inspections: 02. Number of examinations: 0	Wildlife breeding facilities	Individual/cases of/violations: 01 case. Individual/cases sanctioned for administrative violations: 01 person. Individual/cases subject to criminal prosecution: 0 cases.
Lam Dong	Number of inspections: 0 Number of examinations: 01.	Wildlife breeding facilities; markets and places for buying and selling wild animals	Individual/cases of violations: 0 cases. Individual/cases sanctioned for administrative violations: 0 people. Individual/cases subject to criminal prosecution: 0 cases.
Tay Ninh	Number of inspections: 03 Number of examinations: 185	Breeding facilities, restaurants, eateries, wildlife trading markets	Number of violations: 14 cases. Individual/cases sanctioned for administrative violations: 12 people. Individual/cases subject to criminal prosecution: 01 case.

FPDs	Number of inspections	Subjects for inspection	Result
Long An	Number of inspections: 01. Number of examinations: 18	Breeding facilities and wildlife trading markets	Individual/violations: 0 cases. Individual/cases sanctioned for administrative violations: 0 people. Individual/cases subject to criminal prosecution: 0 cases.
Soc Trang	Number of inspections: 0 Number of examinations: 04		Individual/violations: 03 cases. Individual/cases sanctioned for administrative violations: 03 people. Individual/cases subject to criminal prosecution: 03 cases.
Hau Giang	Number of inspections: 02. Number of examinations: 09	Wildlife breeding facilities (inspection of 171 facilities) and markets	Individual/violations: 0 cases. Individual/cases sanctioned for administrative violations: 0 people. Individual/cases subject to criminal prosecution: 0 cases.

✓ The survey results at the FPDs of Lam Dong, Binh Phuoc, Tay Ninh, Long An, Soc Trang and Hau Giang provinces show that, even in the context of logistical/systematic complications due to the Covid-19 pandemic in Viet Nam, the examination and inspection of the observance of the provisions of the law on management and protection of wild animals is taken seriously by FPDs. There are 06 out of 06 FPDs where the survey demonstrates monitoring and detailed inspection activities. This has contributed to strengthening the management of wildlife exploitation, breeding, processing, trading, and transportation activities in Viet Nam.

2.5.2. Departments of Animal Health and Livestock Production (DAHLPs)

The survey results in Lam Dong, Binh Phuoc, Tay Ninh, Long An, Soc Trang and Hau Giang provinces show that the training, awareness raising, legal education, overall inspection of compliance with the Veterinary Law for wildlife breeding have not been actively implemented by the DAHLPs. This activity is carried out by a number of DAHLPs as acting agencies participating in the interagency inspection team.

2.6. Human resources

2.6.1. Forest Protection Departments (FPDs)

Human resources of the FPDs involved in wildlife management in the surveyed provinces are listed in Table 12 below.



Table 12: Human resources participating in wildlife farming management in surveyed provinces

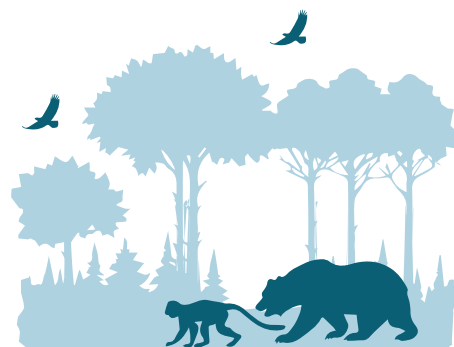
FPDs	Number of officials managing wildlife farming				Degree					
	Directors	Department/ station leader	Rangers		Ph.D	Masters	Bachelor	College	Technical school	Other
Binh Phuoc	01	01	08		0	03	05	0	0	0
Lam Dong	01	15	13		0	06	22	0	0	0
Tay Ninh	01	05	05		0	03	08	0	0	0
Long An	01	07	07		0	0	13	0	02	0
Soc Trang	01	03	03		0	0	07	0	0	0
Hau Giang	01	02	07		0	01	08	0	0	0

Regarding the number of people involved in wildlife management: The survey results showed that there are no specialised wildlife management officers in the provincial and commune-level FPDs, but there are only officers assigned with other tasks concurrently. At the surveyed FPDs, each department has 01 leader (usually the Deputy Director) for wildlife management, 01 head of department and 01 forest ranger assigned to manage wildlife farming (issuing code, statistics, reports, confirming the origins of wildlife, etc.). In addition, the inspection work also involves the participation of other departments. In commune-level FPDs, there will be 01 Head of that FPD and 01 or 02 officers involved in wildlife management. As reflected by the FPDs, the number of officers involved in wildlife management is greatly lacking due to the large management area, the number of breeding facilities to be managed, and the fact that one person has to assume many different jobs.

Regarding the quality of staff involved in wildlife management: the survey results showed that the people assigned to manage wildlife farming mostly had bachelor's degrees (accounting for 76.83%), some staff had master's degrees (accounting for 15.85%) and only 02 people had technical schools' degrees (accounting for 2.44%). Although the vast majority of staff involved in wildlife management have bachelor's degrees, according to the reflections of the commune-level FPDs, the management still faces many difficulties due to the characteristics of the field of wildlife management, requiring managers to have general knowledge of the law, biological and environmental understanding, and knowledge on the prevention of zoonotic diseases as well as species identification. In addition, according to the regulations, every 03 years, people working in wildlife management must rotate their working positions.

2.6.2. Departments of Animal Health and Livestock Production (DAHLPs)

✓ The survey results showed that the DAHLPs of Lam Dong, Binh Phuoc, Tay Ninh, Long An, Soc Trang and Hau Giang provinces did not have specialised staff or staff concurrently assigned other tasks to monitor wildlife breeding and prevention of zoonotic diseases.



2.7. Difficulties and challenges

✓ The survey results noted difficulties and challenges in wildlife management and prevention of zoonotic diseases as follows:

2.7.1. From the breeders

Wildlife breeding in Viet Nam lacks sustainability which is reflected in the following aspects:

- Currently, wild animals in Viet Nam are mostly bred in small, spontaneous farming facilities of local people, lacking methodical investment in barns and facilities. Breeding activities (including breeding scale and species) depend mainly on the market; there is no full calculation of business risks or disease risks, so the story of “high production equals low market price” is common.
- Many breeders lack basic knowledge of breeding techniques, caring for, preventing and treating diseases of wild animals and preventing zoonotic risks.
- Some species are assessed as incapable of reproducing or having very limited reproduction in captivity. However, these species are still used by some facilities for wildlife laundering in the name of captive breeding.

Wildlife breeding activities that are risky for human safety and can spread zoonotic diseases:

- Many wildlife breeding facilities are kept in residential areas, with regular contact between people, domestic animals and captive wildlife. Many species are potentially dangerous to humans, such as tigers, bears, crocodiles, cobras, king cobras, pythons, etc. Many species are assessed to be at high risk of infecting humans, such as primates, civets, rodents, etc. Meanwhile, the State has not promulgated standards and regulations on cages, environmental hygiene and measures to prevent zoonotic diseases. Therefore, breeders and communities around the facility face a general safety risk from wildlife breeding.
- Many wildlife breeding facilities do not ensure biosecurity. The awareness of people in general and owners in particular about the zoonotic risks from wild animals is limited.

Training and communication on risks and measures to prevent zoonotic diseases; prevention and treatment of diseases for wildlife is inadequately addressed. Therefore, breeders lack knowledge of breeding techniques, measures for prevention and treatment of diseases, and prevention of zoonotic diseases.

Some owners lack knowledge and/or lack the will to comply with the legal regulations on wildlife management, especially regulations for ensuring breeding conditions, keeping appropriate records of the legal origin of wild animals and checking animal health for wild animals when transported outside the province.

Wildlife breeders lack knowledge about measures to ensure safety and prevent zoonotic diseases.

2.7.2. From the management agency and management activities

Some localities lack qualified staff in the state management of wildlife breeding (law, biology, disease prevention; skills in monitoring wildlife breeding facilities, etc.). There is also a general lack of information on zoonotic diseases.

Data management and reporting on wildlife breeding activities are done manually (data is managed by dossiers and reports in paper), so synthesising and updating data is time-consuming, and there is even inaccurate data due to human error or untimely updates.

Lack of proactive and regular coordination (including coordination regulations) between forestry agencies (CITES VN, FPDs at all levels) and veterinary, environmental and local authorities in the management of breeding, transportation, slaughtering, processing and trading wild animals.

Despite many efforts, the effectiveness of such efforts is not high due to unclear legal provisions, limited staff capacity, lack of funding and human resources.

Lack of qualified veterinarians on wildlife diseases; therefore, appropriate monitoring activities on diseases and health check for wildlife breeding and transportation activities have not been carried out.

Lack of in-depth research on dangerous infectious diseases in wildlife such as: animals with potential of such diseases, disease transmission pathways; disease reservoirs; symptoms of infection in wild animals; disease prevention methods and treatment of sick wild animals; prevention and control of zoonotic diseases; etc.

Lack of disease surveillance programs, especially for infectious diseases dangerous to wildlife breeding facilities. There is a lack of coordination mechanisms between the DAHLPs, the FPDs, and the Health and Environment Agencies in monitoring infectious diseases and safety and sanitation in the chain of breeding, transporting and consuming wild animals.

Training, and raising awareness for breeders and stakeholders as well as the public on wildlife management, veterinary, environmental regulations and disease risks from wildlife breeding activities are not carried out methodically and regularly due to a lack of resources and finance.

There are no policies to provide support in terms of funding, science, technical knowledge and technology for wildlife breeders.



Part 3

RECOMMENDATIONS TO STRENGTHEN WILDLIFE MANAGEMENT AND PREVENT ZOOONOTIC DISEASES

3.1. Amending and supplementing legal provisions

Remove the List of endangered, precious and rare forest and wildlife species in Appendix III of the Law on Investment No. 61/2020/QH14 and amend Point c, Clause 1, Article 6 of the Law on Investment No. 61/2020/QH14 as follows: “Trading in specimens of plants and wildlife of natural origin specified in Appendix I of the CITES (Convention on International Trade in Endangered Species of Wild Plants and animals); specimens of endangered, precious and rare flora and fauna and aquatic species of Group I as prescribed by the Government exploited from the wild.”

Merge the List of endangered, precious and rare flora and fauna with the List of endangered, precious and rare species prioritized for protection into 01 single list.

- For the List aquatic species permitted to trade in Viet Nam and the List of aquatic species banned for export issued together with Decree No. 26/2019/ND-CP, propose removal of the species: Asiatic softshell turtle (*Amyda cartilaginea*), Wattle-necked softshell turtle (*Palea steindachneri*), Golden coin turtle (*Cuora trifasciata*), Big-headed turtle (*Platysternon megacephalum*), Indochinese box turtle (*Cuora galbinifrons*), Vietnamese pond turtle (*Mauremys annamensis*), Tam Dao salamander (*Paramesotriton deloustali*), Asian giant softshell turtle (*Pelochelys cantorii*) and Red River giant softshell turtle (*Rafetus swinhoei*) from the category for uniform management in accordance with the law on Forestry.

Section 4 of Appendix V of Circular 22/2019/TT-BNNPTNT, propose to exclude Sambar deer (*Rusa unicolor*) so as not to contravene the provisions of Decree No. 84/2021/ND-CP.

It is proposed to develop a List of endangered, precious and rare wildlife species permitted for breeding commercially in Viet Nam and a List of zoonotic diseases high risk species. At the same time, there is a need to prescribe appropriate management regimes.

- Regarding the time limit for owners to submit dossiers of application for codes, Articles 14 and 15 of Decree No. 06/2019/ND-CP should supplement the provisions “*Within 03 working days from the date of bringing endangered, precious and rare wildlife to the breeding facility, the owner must notify the local wildlife agency for knowledge and management. Within 20 working days from the date of bringing wildlife to the facility, the owner must complete the facility and send the dossier to the competent authority for consideration of issuing the farming facility code.*”
- Regarding the time limit for farmers to report, Articles 14 and 15 of Decree No. 06/2019/ND-CP, should be supplemented: “*Farmers are responsible for reporting the current status of wildlife breeding to commune-level and district-level FPDs every 3 months or when there is a change in species.*”

Regarding the subjects to be issued codes: For wildlife rescue centers, it is necessary to stipulate conditions and grant licenses for the establishment of the centers, and once the center has been licensed to operate, it does not have to register for raising rescued wild animals. Decree No. 06/2019/ND-CP should provide for the treatment of wild animals that owners already own before the species is protected by law, pilot breeding of bears and tigers.

Regarding farming conditions:

- Clause 8 Article 1 of Decree No. 84/2021/ND-CP, propose to amend the content “*Wildlife species in the CITES Appendices belonging to the classes of animals, birds and reptiles registered for the first time at the facility must be certified in writing by CITES Viet Nam that the captive breeding and artificial propagation does not affect the existence of such species and other related species in nature*” to “*Wildlife species in the CITES Appendices belonging to the classes of mammals, birds and reptiles registered for breeding for the first time in Viet Nam must be certified in writing by CITES Viet Nam that the captive breeding and artificial propagation does not affect the existence of such species and other related species in nature*” and transfer this content into the dossier in Article 17 and Article 18 of Decree No. 06/2019/ND-CP.
- Develop technical standards, regulations on cages and biosecurity in wildlife breeding according to species groups, especially aimed at aggressive species, species that are potentially dangerous to humans and species at high risk of zoonotic diseases.

Regarding the dossier of application for the code specified in Article 17 and Article 18 of Decree No. 06/2019/ND-CP, it is necessary to supplement the composition of the dossier with the “Dossier proving that the specimen is of legal origin.” Also, the breeding plan, according to Appendix V promulgated together with Decree No. 84/2021/ND-CP, needs to be amended, supplemented so that breeders find easier to fill.

Regarding the order and procedures for issuing codes in Clause 3, Article 17 and Clause 3, Article 18 of Decree No. 06/2019/ND-CP, it is necessary to consolidate the activities of checking the validity and legality of the code-issuing agency to create favorable conditions for organisations and individuals to apply for codes.

Regarding Article 17 and Article 18 of Decree No. 06/2019/ND-CP, it necessary to supplement regulations on handling dead wild animals belong to group IB in the list of endangered, precious and rare wild animals and CITES Appendix I for non-commercial farming.

Form No. 16 of the Appendix attached to Decree No. 06/2019/ND-CP should be amended and supplemented to suit the practices of owners.

Regarding the reporting regime of district-level FPDs, provincial FPDs and provincial State management agencies in charge of fisheries: it is necessary to prescribe the form of reporting to be conducted via online software.

Supplement the responsibilities of forest rangers in monitoring and organising the work of prevention and control of zoonotic diseases in Joint Circular No. 16/2013/TTLT-BYT-BNN&PTNT.

Develop and promulgate a list of dangerous zoonotic diseases and handling measures.

3.2. For the implementation of legal documents

- The State should supplement sufficient funds for training and dissemination of legal provisions on the management and protection of wild animals from exploitation, breeding, trade, processing, and transportation of wildlife.
- Strengthen training on legal regulations on wildlife management and protection, animal health, environment, as well as measures to prevent zoonotic diseases for ranger forces, veterinary and environmental staff, and farm owners.
- Strengthen supervision of breeding facilities and inspect the compliance to the law on wildlife farming.

- Strengthen the communication and dissemination of legal education to the community on wildlife management, protection and breeding, as well as risks and measures to prevent zoonotic diseases.
- Develop and promulgate regulations on coordination in the management of wildlife breeding facilities between forestry, animal health, environment, public health departments/agencies and local authorities.
- Strengthen law enforcement in the management of wildlife exploitation, breeding, processing, transportation and trade, in which it is necessary to focus on the implementation of legal regulations put into practice, monitoring, inspection and reporting scheme, as well as information transparency. Strengthen inspection and handling of cases of transporting wild animals to areas outside the province but not implementing animal health check.

3.3. Other measures

- Apply wildlife management software to manage wildlife breeding facilities, report and confirm the origin of wild animals.
- It is necessary to equip forest rangers and veterinarians with protective gear when inspecting wildlife breeding facilities and when seizing illegally traded and transported wild animals.
- Do not allow the keeping of aggressive wild animals, or wild animals that are at high risk of zoonotic diseases in densely populated areas.
- It is necessary to plan a wildlife farming area which gradually removes aggressive wildlife species, and species that are at risk of zoonotic disease, out of the residential area.
- Training veterinarians for wildlife at specialised veterinary schools.
- Research on transmission mechanisms and measures to prevent certain dangerous zoonotic diseases.
- Strengthen communication on wildlife management and protection and prevention of zoonotic diseases and management authorities.



References



I. INTERNATIONAL TREATIES

- [1] Convention on International Trade in Endangered Species of Wild Plants and animals (CITES).
- [2] Resolution 12.10 (Rev. CoP 16) on the procedure for registration and supervision of breeding farms of Annex I species for commercial purposes.
- [3] Resolution 10.16 (Rev. CoP 17) on specimens of breeding animals.
- [4] Resolution 10.21 (Rev. CoP16) on transportation of live specimens.

II. LEGAL REGULATIONS OF VIET NAM

- [1] Constitution of the Socialist Republic of Viet Nam 2012
- [2] The Criminal Code of Viet Nam No. 100/2015/QH13, dated 27/11/2015; Law No. 12/2017/QH14 amends and supplements a number of articles of the Criminal Code No. 100/2015/QH13.
- [3] Law on Forestry No. 16/2017/QH14, dated 15/11/2017.
- [4] Law on Biodiversity No. 20/2008 /QH12, dated November 13, 2008.
- [5] Law on Environmental Protection No. 55/2014/QH13, dated 23/6/2014.
- [6] Veterinary Law No. 79/2015/QH13, dated June 19, 2015.
- [7] Law on Investment No. 67/2014/QH13, dated 26/11/2014.
- [8] Commercial Law of Viet Nam No. 36/2005/QH11, dated June 14, 2006.
- [9] Law on Fisheries No. 18/2017/QH14, dated 21/11/2017.
- [10] Law on Animal Husbandry No. 32/2018/QH14, dated 19/11/2018.
- [11] Law on Prevention and Control of Infectious Diseases No. 03/2007 /QH12, dated November 21, 2007.
- [12] Decree No. 06/2019/ND-CP, dated 22/01/2019 of the Government on management of endangered, precious and rare forest plants and implementation of the Convention on International Trade in Endangered Wild Plants and animals.

- [13] The Government's Decree No. 84/2021/ND-CP, dated September 22, 2021, amending and supplementing a number of articles of the Government's Decree No. 06, dated January 22, 2019, on the management of endangered, precious and rare forest animals and plants and the implementation of CITES.
- [14] Decree No. 13/2020/ND-CP, dated January 21, 2020, of the Government detailing the Law on Animal Husbandry.
- [15] The Government's Decree No. 26/2019/ND-CP, dated March 8, 2019, details a number of articles and measures to implement the Law on Fisheries.
- [16] The Government's Decree No. 35/2019/ND-CP, dated April 25, 2019, provides for sanctioning administrative violations in the field of forestry.
- [17] The Government's Decree No. 07/2022/ND-CP, dated January 10, 2022, on providing amendments to decree on penalties for administrative violations against regulations on forestry, plant protection and phytosanitary, animal health and animal husbandry.
- [18] The Government's Decree No. 08/2022/ND-CP, dated January 10, 2022, details a number of articles of the Law on Environmental Protection.
- [19] Decree No. 45/2022/ND-CP, dated July 7, 2022, of the Government on sanctioning administrative violations of environmental protection.
- [20] The Government's Decree 160/2013/ND-CP, dated 12/11/2013, on criteria for species identification and management regime of species on the List of endangered, precious and rare species prioritised for protection.
- [21] Decree No. 01/2019/ND-CP, dated January 01, 2019, of the Government on forest rangers and forest protection forces of forest owners.
- [22] The Government's Decree No. 64/2019/ND-CP, dated July 16, 2019, amending Article 7 of the Government's Decree No. 160/2013/ND-CP, dated November 12, 2013, on criteria for identifying species and managing species on the List of endangered, precious and endangered species prioritised for protection.
- [23] Decision No. 24/2020/QD-TTg, dated 27/8/2020, of the Prime Minister amending and supplementing a number of articles of Decision No. 28/2017/QD-TTg, dated July 03, 2017, of the Prime Minister stipulating the functions, tasks, powers and organisational structure of the General Department of Forestry under the Ministry of Agriculture and Rural Development.
- [24] Decision No. 28/2017/QD-TTg, dated 03/7/2017, of the Prime Minister specifying the functions, tasks, powers and organisational structure of the General Department of Forestry under the Ministry of Agriculture and Rural Development.
- [25] Circular No. 27/2018/TT-BNNPTNT, dated 16/11/2018, of the Ministry of Agriculture and Rural Development on management and traceability of forest products.
- [26] Circular No. 09/2016/TT-BNNPTNT, dated June 01, 2016, of MARD on slaughter control and veterinary hygiene inspection.
- [27] Circular No. 13/2017/TT-BNNPTNT, dated 20/6/2017, of MARD on the promulgation of national technical regulations in the field of veterinary medicine.
- [28] Circular No. 07/2016/TT-BNNPTNT, dated May 31, 2016, of the Ministry of Agriculture and Rural Development stipulating measures to prevent and control animal diseases.
- [29] Circular No. 24/2019/TT-BNNPTNT, dated December 24, 2019, of MARD amending and supplementing a number of articles of Circular No. 07/2016/TT-BNNPTNT, dated May 31, 2016, of the Minister of Agriculture and Rural Development regulating the prevention and control of terrestrial animal diseases.
- [30] Circular No. 09/2021/TT-BNNPTNT, dated 12/8/2021, of the Ministry of Agriculture and Rural Development amends and supplements a number of articles of Circular No. 07/2016/TT-BNNPTNT, dated May 31, 2016, of the Minister of Agriculture and Rural Development regulating the prevention and control of terrestrial animal diseases.
- [31] Circular No. 29/2019/TT-BNNPTNT, dated 31/12/2019, of MARD on handling wildlife as exhibits; forest animals voluntarily returned by organisations and individuals to the State.
- [32] Circular No. 04/2016/TT-BNNPTNT, dated 31/5/2016, of MARD stipulating measures to prevent and control animal diseases.
- [33] Circular No. 25/2016/TT-BTNMT, dated September 22, 2016, of the Ministry of Natural Resources and Environment guiding the registration form of the Certificate of biodiversity conservation facility and the form of reporting on the current state of conservation of species on the List of endangered, precious and rare species prioritised for protection of biodiversity conservation facilities.
- [34] Circular No. 10/2022/TT-BNNPTNT, dated September 14, 2022, of MARD amending and supplementing a number of articles of Circular No. 09/2016/TT-BNNPTNT, dated June 01, 2016, of the Minister of Agriculture and Rural Development regulating slaughter control and veterinary hygiene inspection.

[35] Circular No. 09/2022/TT-BNNPTNT, dated 19/8/2022, of the Ministry of Agriculture and Rural Development amending and supplementing a number of articles of the Circulars regulating the quarantine of animals and terrestrial animal products.

[36] Joint Circular No. 16/2013/TTLT-BYT-BNN&PTNT, dated 27/5/2013, of the Ministry of Health and MARD guiding the coordination of prevention and control of zoonotic diseases.

[37] Circular No. 25/2016/TT-BNNPTNT, dated June 30, 2016, of the Ministry of Agriculture and Rural Development on quarantine of animals and terrestrial animal products.

III. RESOLUTIONS OF THE COMMUNIST PARTY OF VIET NAM AND DIRECTIVES OF THE PRIME MINISTER

[1] Resolution No. 24-NQ/TW, dated 3/6/2013, of the 7th Conference of the XI Central Committee on proactively responding to climate change, strengthening resource management and environmental protection.

[2] Resolution No. 26-NQ/TW, dated August 5, 2008, of the 7th Conference of the X Central Committee on agriculture, farmers and rural areas.

[3] Directive No. 03/CT-TTg, dated February 20, 2014, of the Prime Minister on strengthening the direction and implementation of measures to control and conserve endangered, precious and rare wildlife species.

[4] Directive No. 28/CT-TTg, dated 17/9/2016, of the Prime Minister on some urgent solutions to prevent and combat illegal acts of wildlife invasion.

[5] Directive No. 29/CT-TTg, dated 23/7/2020, of the Prime Minister on a number of urgent solutions to wildlife management.

IV. OTHERS

[1] Decision No. 293/QĐ-TCLN-VP, dated 17/8/2017, of the General Department of Forestry specifies the functions, tasks, powers and organisational structure of the Viet Nam CITES Management Agency under the General Department of Forestry.

[2] Decision No. 294/QĐ-TCLN-VP, dated 17/8/2022, of the General Department of Forestry stipulates the functions, tasks, powers and organisational structure of the FPD under the General Department of Forestry.

[3] Report on assessment of legal regulations on raising wild animals in Viet Nam (ENV, 2021).

[4] Report on review and evaluation of the application of Viet Nameese legal documents on wildlife management (CITES VN, 2018)

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