

FROM TUSK TO TRINKET

Persistent illegal ivory markets
in Viet Nam

Minh D. T. Nguyen, Rosa A. Indenbaum, and Madelon Willemsen

SUMMARY





TRAFFIC REPORT

TRAFFIC is a leading non-governmental organisation working globally on trade in wild animals and plants in the context of both biodiversity conservation and sustainable development.

Reproduction of material appearing in this report requires written permission from the publisher.

The designations of geographical entities in this publication, and the presentation of the material, do not imply the expression of any opinion whatsoever on the part of TRAFFIC or its supporting organisations concerning the legal status of any country, territory, or area, or of its authorities, or concerning the delimitation of its frontiers or boundaries.

Published by:

TRAFFIC

Viet Nam Office

No 1, Lane 95, Giang Van Minh Street,

Ba Dinh District, Ha Noi, Viet Nam

© TRAFFIC 2018. Copyright of material published in this report is vested in TRAFFIC.

ISBN no: 978-1-911646-02-0

UK Registered Charity No. 1076722

Suggested citation: Nguyen, M. D. T., Indenbaum, R. A., & Willemsen, M. (2018). *From Tusk to Trinket: Persistent illegal ivory markets in Viet Nam*. TRAFFIC, Ha Noi, Viet Nam

Front cover photograph and credit:

Ivory items on sale in Viet Nam © TRAFFIC

Design by: Hallie Sacks

This report was made possible with support from the American people delivered through the U.S. Agency for International Development (USAID). The contents are the responsibility of the authors and do not necessarily reflect the opinion of USAID or the U.S. Government.

The USAID-funded Wildlife Trafficking, Response, Assessment and Priority Setting (Wildlife TRAPS) Project is an initiative that is designed to secure a transformation in the level of co-operation among international stakeholders impacted by illegal wildlife trade between Africa and Asia. The project is designed to increase understanding of the true character and scale of the response required to set priorities, identify intervention points, and test non-traditional approaches with project partners.

FROM TUSK TO TRINKET: Persistent illegal ivory markets in Viet Nam

Minh D. T. Nguyen, Rosa A. Indenbaum, and Madelon Willemsen



USAID
FROM THE AMERICAN PEOPLE

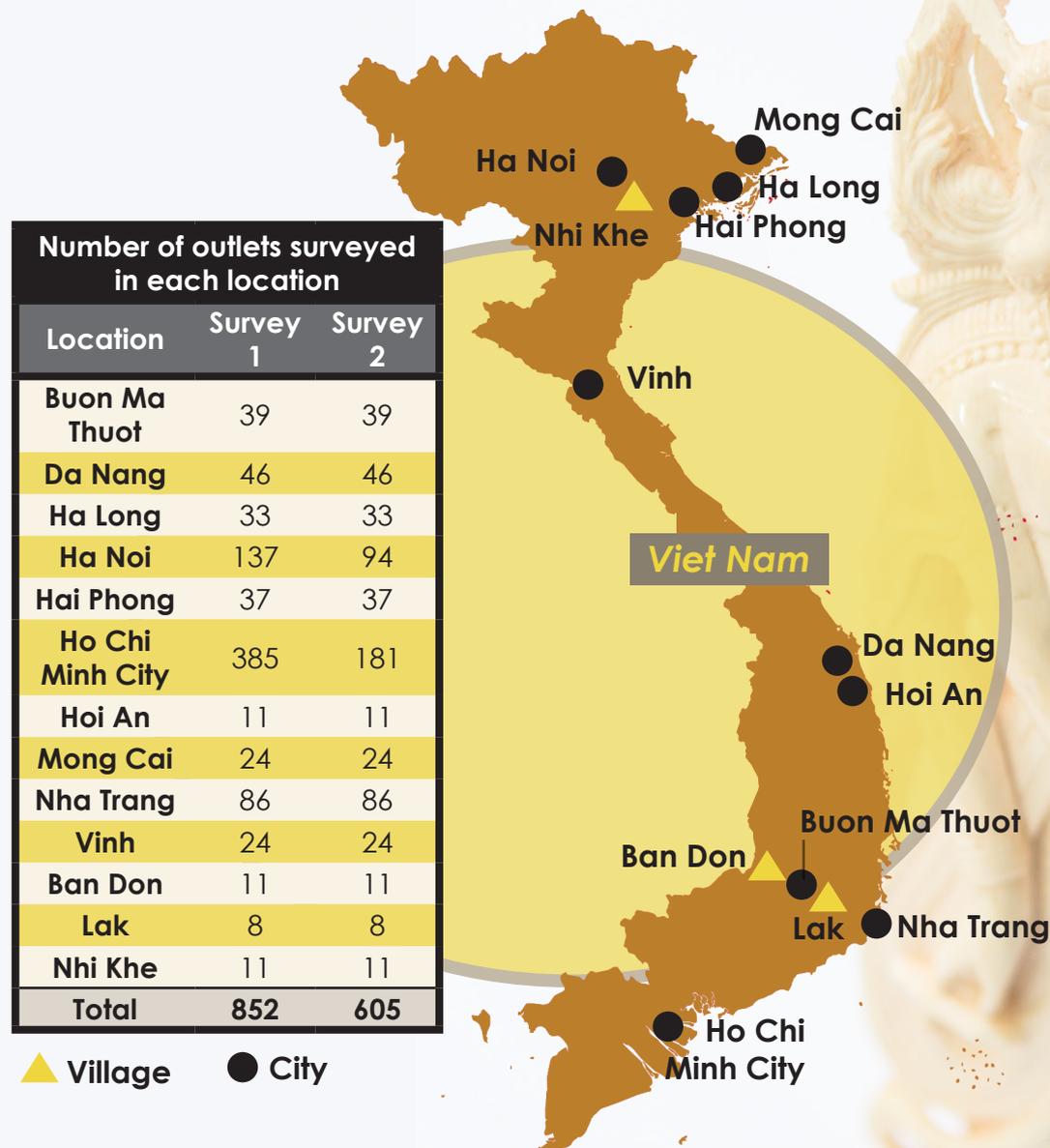


TRAFFIC
the wildlife trade monitoring network

Physical Market Surveys

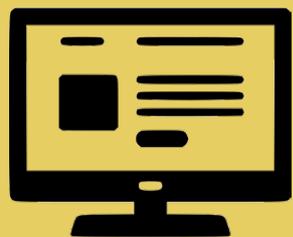
Survey 1: Nov 2016–Mar 2017

Survey 2: May–June 2017



Online Market Surveys

Mar–Apr 2017



2
Social Media
Platforms

10
E-commerce
Websites

5
Online
Forums

60 online
sellers across
17 platforms

852 physical
outlets across
13 locations

4,363 items found
in online outlets
6,186–9,097
items found in
physical outlets

90%
of items on
sale were
jewellery





Ivory items on sale in Viet Nam © TRAFFIC

SUMMARY

The physical market availability of ivory has been well documented in Viet Nam, but online market availability less so. Recently, there has been evidence of the emerging use of online channels to sell illegal wildlife products, particularly ivory. However, Viet Nam's ability to enforce a ban on ivory sale, whether physical or online, is hampered in its effectiveness by an unclear regulatory framework.

This report provides an update on the ivory market in Viet Nam (including prices, volumes, and locations), explores changes in market availability in physical locations at two different points in time, and further investigates online trade in ivory and its relation to the physical market. A total of three surveys were conducted (two physical market surveys and one online survey) between November 2016 and June 2017. Ivory was found for sale at all 13 of the physical locations surveyed: Ban Don, Buon Ma Thuot, Da Nang, Ha Long, Ha Noi, Ho Chi Minh City, Hoi An, Hue, Mong Cai, Nhi Khe, Lak, Nha Trang, and Vinh. Ivory was also found on all three kinds of online platforms surveyed: social media websites, e-commerce websites, and online forums. In total, 852 physical outlets and 17 online platforms were surveyed, and a minimum of 10,549 ivory items and a maximum of 13,460 ivory items were observed for sale (6,186–9,097 in physical outlets and 4,363 items from online sellers). These findings demonstrate that both physical and online ivory markets persist throughout Viet Nam, likely due to demand from both domestic and international consumers.

Physical outlets in Ho Chi Minh City and Buon Ma Thuot had the highest number of items for sale. However, two villages (Ban Don and Lak) represented a disproportionately high number of items when compared to the number of outlets selling ivory. Amongst

"These findings demonstrate that both the physical and online ivory markets persist throughout Viet Nam, likely due to demand from both domestic and international consumers."

the online platforms, social media websites had the highest number of ivory posts and items for sale. Clear links between physical markets and online outlets were found in this survey. In eight instances online sellers were either linked to physical stores or physical stores were also selling their items online.

Eight different types of ivory items were observed, but ivory jewellery items accounted for over 90% of all the items found online and in physical outlets. Prices for ivory products varied widely, from USD7 to USD2,637, but only 154 items were priced over USD200. Although sellers consistently reported Viet Nam as the origin of the ivory for sale, the population of wild elephants in Viet Nam is estimated at fewer than 100 individuals. Thus, it is highly likely the ivory originates from elsewhere, noting that most of the ivory seized in Viet Nam in the last few years has arrived from range countries of the African Elephant *Loxodonta africana*.

The involvement of China and Chinese nationals in the Vietnamese ivory trade remains particularly noteworthy. Ivory market availability linked to tourism was observed in the following locations: Ha Long, Mong Cai, Ban Don, and Lak. The price of some ivory items was quoted in foreign currencies, such as Chinese Yuan and United States Dollars. Chinese nationals were reported as buyers by multiple sellers, and sellers in the physical outlets offered to send items directly to China.

As in previous surveys, sellers know that selling ivory is illegal, but this knowledge does not deter them from offering it openly for sale in Viet Nam. The poor regulatory framework, such as the legal grey area stemming from Decree 18/1992/HDBT and the 2 kg minimum threshold required to trigger the amended Penal Code 100/2015/QH13, hampers the ability of Vietnamese law enforcement agencies to regulate the open sale of ivory in physical and online markets effectively. The following recommendations stem from the findings and analysis of the research.

RESULTS

Physical Survey 1



13 locations
237 outlets
6,186 ivory items

Physical Survey 2



13 locations
148 outlets
2,911 ivory items

Online Survey



7 platforms
184 ads/posts
4,363 ivory items

10,549–13,460
total ivory items

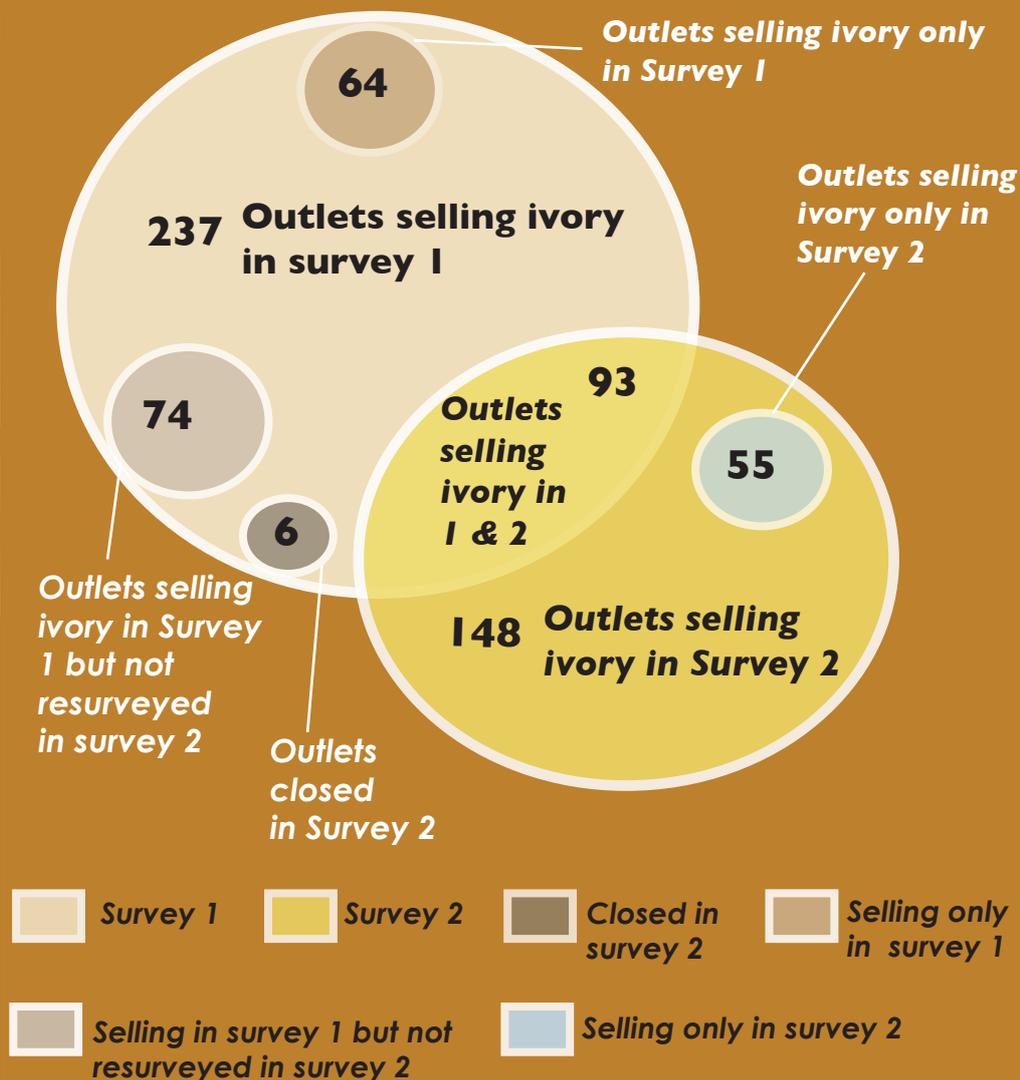
"Amongst the online platforms, social media websites had the highest number of ivory posts and items for sale. Clear links between physical markets and online outlets were found in this survey"



Chinese characters advertising ivory on a billboard in Ha Long, Viet Nam © TRAFFIC

"In one instance, the amount of ivory observed in the physical market corresponded with the high and low tourist seasons for Chinese tourists."

Outlets Selling Ivory





RECOMMENDATIONS

Recommendations for the Vietnamese Government

Increase deterrents against criminal activity:

- Close the legal loopholes relating to the trade in Asian and African elephants and their parts by: 1) amending Decree 32/2006/ND-CP to clarify that it applies inclusively to Asian Elephant *Elephas maximus* parts exploited and used prior to 1992; 2) clarifying that both Asian and African elephants and their parts are equally prohibited from trade in Viet Nam thus closing any loopholes that may be used to launder ivory from one species or the other; and 3) eliminate the 2 kg minimum threshold for the application of the amended Penal Code as the majority of worked ivory products found on the market in this report do not meet that threshold and would thus be exempt from criminal penalties.
- Increase capacity building for law enforcement officers to identify and understand contemporary marketing tactics used to reduce the risk of detection in illegal wildlife trade, such as the open use of Chinese-language advertisements for ivory at physical outlets and the ease of opening new groups on online platforms.
- Adapt and apply existing regulatory frameworks to ensure effective law enforcement against online trading channels, including the development of capacity to detect and combat illegal online trade in ivory products, particularly on social media. The Vietnamese government is encouraged to develop a special law enforcement unit to focus on online ivory trading, given that policing online marketplaces involves a different skillset than that of physical markets.
- Conduct an ivory stockpile inventory, including an assessment of storage facility security, marking, and management of stocks, in accordance with CITES Res. Conf. 10.10 (Rev. CoP17).

Restrict the market availability of ivory:

- Law enforcement agencies should target resources at locations with a high density of outlets selling high volumes of ivory, such as in Ban Don and Ho Chi Minh City, where coordination and logistics needs are minimal, but law enforcement efforts would have a high impact. Efforts should also be put towards streamlining the reporting of illegal ivory trade (online or physical markets) to provide current, accessible, and actionable information to law enforcement and the service providers behind the outlets/platforms. In some instances, members of law enforcement and the public can report illegal or questionable advertisements directly through the relevant online platform. Other reporting avenues, such as the Environmental Police Online Reporting Platform, the Education for Nature – Viet Nam phone hotline (18001522), and the mobile application Wildlife Witness can also be used to report both physical and online market availability of wildlife.
- Law enforcement agencies, with assistance from NGOs and cyber security experts, are urged to work with the online sector actively to moderate the illegal selling of ivory and improve reporting mechanisms on their platforms.
- Law enforcement agencies are encouraged to regularly confiscate visible ivory products (and items stored out of sight) in identified locations and continue to re-survey outlets and cities known previously to offer ivory, as markets can easily appear and disappear over short periods of time.



Ivory items on sale in Viet Nam © TRAFFIC

Recommendations for all Stakeholders

Stay up to date on market trends:

- Conduct regular physical market surveys using standardised methodology, particularly in areas with known ivory markets and existing or developing domestic and international tourism. Although it is challenging to conduct full-scale market surveys on a regular basis, rapid surveys using standardised methods can be used to continue tracking trends in key markets, to understand buyers, including the role of tourists, and other emerging trade dynamics.
- Conduct regular online market surveys using standardised methodology with a concentration on social media websites and platforms. Conducting online market surveys is less cumbersome than physical market surveys and it is important to continue gathering data to better understand the online ivory market and ivory sellers' use of multiple channels.
- Stay alert to and share with law enforcement agencies any avoidance tactics used by sellers and buyers, such as displaying fake ivory while storing genuine ivory off-display.

Reduce consumer demand:

- Implement consumer market research on the ivory trade to gain an understanding of the motivations and practices of those purchasing ivory in physical and online markets
- Develop and implement social and behaviour change communication campaigns to change the behaviour of consumers purchasing ivory in Viet Nam.
- Robustly evaluate demand reduction efforts by assessing the baseline of reported market availability and changes in motivations and intention to purchase ivory.



Ivory in Ha Long, Viet Nam © TRAFFIC

TRAFFIC, the wildlife trade monitoring network, is a leading non-governmental organisation working globally on trade in wild animals and plants in the context of both biodiversity conservation and sustainable development.

For further information contact:
TRAFFIC
Viet Nam
No 1, Lane 95, Giang Van Minh Street,
Ba Dinh District, Ha Noi, Viet Nam

Telephone: +44 (0)1223 277427
E-mail: traffic@traffic.org
Website: www.traffic.org

*UK Registered Charity No. 1076722,
Registered Limited Company No. 3785518.*



The Rufford Foundation is gratefully acknowledged for its support to TRAFFIC publications.