



14 October 2009

**To: Ministry of Agriculture & Rural Development
Quang Ninh People's Committee
National Assembly's Committee of Science, Technology & Environment
National Assembly's Committee of Justice
Forest Protection Department
Department of Environmental Police
Quang Ninh Forest Protection Department**

Re: 24 Illegal Bears from Viet Thai Bear Farm in Quang Ninh need to be confiscated

Dear Sir,

The Vietnam and international conservation and wildlife protection organisations, Animals Asia Foundation, Education For Nature Vietnam, Free The Bears Fund Inc, Wildlife At Risk, and World Society for Protection of Animals send our compliments to the Forest Protection Department.

We write to ask the Government of Vietnam to confiscate the 24 illegal Asiatic black bears¹ (*Selenarctos thibetanus*), also known as moon bears, found on a bear farm run by Viet Thai Company in Dai Yen Village, Ha Long City and strictly prosecute the bear farm in accordance with the laws of Vietnam.

On 2 October, 2009, the Quang Ninh Police force caught staff of the Viet Thai bear farm in the act of extracting bear bile and selling the bile to Korean tourists.

We are encouraged that Vietnam has introduced tough and effective laws to conserve and protect its endangered wildlife. Vietnam is also an active member, since 1994, of Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Furthermore, on 30 January 2008, the Prime Minister's Office ratified a new Appendix I (Ban on Trading) to the CITES Agreement, enacted at the CITES Convention in the Netherlands in June 2007. This demonstrates that Vietnam is committed to upholding International Treaties to protect endangered species such as the Asiatic black bears, which is in Appendix I of CITES and is also fully protected under Vietnam Government Decree 32/2006/ND-CP.

Besides the CITES Treaty, Vietnam has a number of laws that, for example, prohibit the keeping of unregistered bears, prohibit the trading and hunting of bears and their product and prohibit the

¹ Environmental Police Report 629/BC-PV11 dated 04/10/2009

extraction and selling of bear bile. However, the number of bears taken from the wild has still increased dramatically in the past decade. Currently, there are about 4,000 highly endangered bears on bear farms in Vietnam. Asiatic black bears are extinct in many areas of Vietnam and there are believed to be only a few hundred left in the wild.

We note that as early as 1996, the Prime Minister's Instruction 359/TTg was enacted to provide urgent measures to protect remaining endangered wildlife. The Instruction stated organisations or individuals that violated the laws would be fined or face criminal prosecution. On 7 June 2004, in the official letter 2822/VPCP-NN, the Prime Minister's Office took the decisive step of banning the hunting and poaching of bears from the wild by approving the document, "Management of Bears", through a registration programme using microchips to identify and register all bears on farms.

The subsequent provisions of the laws 32/2006/ND-CP and 47/2006/QD-BNN have legally banned the hunting and taking of bears from the wild, since any bear found on a bear farm after February 2006 without a microchip or proper registration, would be considered illegal and confiscated (Article 2.4 of 47/2006/QD-BNN, now replaced by Decision 95/2008/QD-BNN dated 29/9/2008). Article 190 of the Penal Code specifically banned the illegal hunting, catching, killing, transporting and/or trading of precious and rare wild animals and their products.

In summary, we ask the Government to confiscate the 24 illegal bears on the Viet Thai Company bear farm in Quang Ninh because:

1. The bear farm has repeatedly violated wildlife protection laws and was caught by legal authorities on three occasions:
 - i) On 20 September 2007 the bear farm was caught violating provisions of Decrees 32/2006/ND-CP, 82/2006/ND-CP, and the Decision 47/2006/QD-BNN by holding illegal bears (unregistered and unmicrochipped).
 - ii) On 5 March 2008, the Viet Thai Company illegally transported 21 more bears to its bear farm, violating Decision 47/2006/QD-BNN and ignoring the Government's order as the bear farm was under prosecution².
 - iii) On 2 October 2009, the bear farm was caught in the act of extracting bear bile and selling the bile to Korean tourists³. This is a violation of the Decrees 32/2006/ND-CP, Decree 59/2006/ND-CP and Decision 95/2008/QD-BNN. The sale of bear bile to foreign tourists risks breaches of the CITES Treaty.
2. The confiscation will send a strong and clear message to transgressors, the general public and the international community, that Vietnam is taking the required steps to protect its endangered species and honouring its international commitments.
3. The confiscation will send a strong signal that violations of wildlife protection laws will not be tolerated and especially the repeated offences of farms such as Viet Thai Bear Farm.
4. The Viet Thai Company's illegal bear farm activities are affecting Ha Long Bay's image as a World Heritage-listed area and the most popular tourist destination in Vietnam. We

² Quang Ninh People's Committee Official Letter 537 dated 19/2/2008, Quang Ninh FPD report KL-KH dated 29/4/2008.

³ Environmental Police Report 629/BC-PV11 dated 04/10/2009

have received complaints and photographic evidence from international tourists, who have raised concerns about illegal bear bile extraction from the Viet Thai bear farm (photos attached).

5. Vietnam Bear Rescue Centre in Tam Dao National Park, a collaborative project between the Forest Protection Department, Tam Dao National Park, and Animals Asia Foundation, currently has 28 bears on site but the centre currently has the capacity to receive up to 100 bears. Animals Asia has pledged to provide lifetime care for the 24 bears and to fund their confiscation fully.

We urge the Government of Vietnam to consider seriously our concerns and to act quickly to protect the country's remaining wildlife for future generations. We are prepared to provide support and technical advice as required. We thank you for your ongoing support for our work in assisting Vietnam to protect and conserve its endangered wildlife species.

Sincerely,



Jill Robinson
Founder & CEO
Animals Asia Foundation



Nguyen Phuong Dung
Co-Director
Education For Nature
Vietnam



Matt Hunt
SE Asia Program
Manager & CEO
Free The Bears
Fund Inc



Matt Wills
Technical Advisor
Wildlife At Risk



Chris Gee
Programmes Manager
(Wildlife)
World Society for
Protection of Animals

NOTE: Attached photographs were taken by a tourist from Taiwan on 22 February 2009 at Viet Thai bear farm in Ha Long City, Quang Ninh Province. Contact: Ms. Mona (b9208012@hotmail.com)