

**MINISTRY OF
AGRICULTURE AND
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CIRCULAR

**ON MANAGEMENT OF ENDANGERED, RARE, PRECIOUS SPECIES, AND
COMMON WILD ANIMALS; AND THE ENFORCEMENT OF THE CONVENTION
ON INTERNATIONAL TRADE IN ENDANGERED WILD FAUNA AND FLORA**

*Pursuant to the Law on Forestry No. 16/2017/QH14 amended by the Law No.
16/2023/QH15, Law No. 31/2024/QH15, and Law No. 146/2025/QH15;*

*Pursuant to the Law on Biodiversity No. 20/2008/QH12 amended by the Law No.
35/2018/QH14 and Law No. 146/2025/QH15;*

*Pursuant to the Law on Fisheries No. 16/2017/QH14 amended by the Law No.
31/2024/QH15, Law No. 43/2024/QH15, and Law No. 146/2025/QH15;*

Pursuant to the Convention on international trade in endangered wild fauna and flora;

*Pursuant to Decree No. 35/2025/ND-CP dated February 25, 2025 of the Government on
functions, tasks, powers and organizational structure of the Ministry of Agriculture and
Environment of Vietnam;*

*At the request of the Director General of the Vietnam Administration of Forestry and
Forest Protection; and the Director General of Nature and Biodiversity Conservation
Agency;*

*The Minister of Agriculture and Environment promulgates the Circular on management
of endangered, rare, precious species, and common wild animals; and the enforcement of
the convention on international trade in endangered wild fauna and flora.*

Chapter I

GENERAL REGULATIONS

Article 1. Scope

1. This Circular elaborates some articles of the Law on Forestry, Law on Biodiversity and Law on Fisheries regarding management of endangered, rare, precious species; breeding,

rescue and release of common wild animals; and the enforcement of the convention on international trade in endangered wild fauna and flora (hereinafter referred to as “CITES”).

2. This Circular does not regulate the management of endangered, rare and precious breeds of livestock and flora, nor for endangered, rare, and precious aquatic species that are not listed in the Appendix of the CITES.

Article 2. Regulated entities

This Circular applies to state authorities, organizations, business households and individuals engaging in activities related to regulations in Article 1 of this Circular.

Article 3. Definitions

For the purposes of this Circular, the terms below shall be construed as follows:

1. “*Species*” is a basic taxonomic rank that indicates any species, subspecies, or geographically separate population thereof.
2. “*Hybrid*” is an animal or plant that is produced as the result of cross-breeding between two different species or subspecies.
3. *CITES* means the Convention on international trade in endangered species of wild fauna and flora ratified on March 03, 1973 in Washington. It applies to all contracting states of CITES including the Socialist Republic of Vietnam (a contracting state of CITES from April 20, 1994).
4. *CITES Secretariat* is managed by the United Nations Environment Programme carrying out the functions and tasks prescribed in Chapter XII of the Convention on international trade in endangered species of wild fauna and flora.
5. *A member state of the CITES* means a country participating and carrying out the CITES; applying management measures in accordance with the Convention.
6. *Appendices of the CITES* include the Lists of endangered wild fauna and flora agreed by the member states of the CITES and take effect as prescribed in the CITES including:
 - a) Appendix I of the CITES includes wild fauna and flora that are threatened with extinction; that are prohibited from export, import, re-export, introduction from the sea and transit of specimens extracted from the nature for commercial purposes; and hybrid species breeding with species prescribed in Appendix I of the CITES;
 - b) Appendix II of the CITES includes wild fauna and flora which although not necessarily now threatened with extinction may become so if the export, import, re-export, introduction from the sea and transit of specimens extracted from the nature for

commercial purposes are not controlled; and hybrid species breeding with species prescribed in Appendix II of the CITES (except for species breeding with species prescribed in Appendix I of the CITES);

c) Appendix III of the CITES includes wild fauna and flora which a contracting state requests other states of the CITES to cooperate in controlling the export, import, re-export, introduction from the sea and transit of specimens extracted from the nature for commercial purposes; and hybrid species breeding with species prescribed in Appendix III of the CITES (except for species breeding with species prescribed in Appendix I or II of the CITES);

7. *Specimen* means any live or dead animal, plant, microorganism and fungi; part, derivative or product of a species.

8. *Part of animal or plant* means any part of animal or plant, whether it is a raw, preliminarily processed.

9. *Derivative or product of animal or plant* means a part of animal or plant that has been processed.

10. *Common wild animals* mean species belonging to the following classes: Mammals, Birds, Reptiles, Amphibians and Insects that naturally inhabit forest environments and are not included in the list of endangered, rare, and precious species attached to this Circular; species in Appendices of the CITES; the list of domesticated animals in accordance with laws on livestock; the list of aquatic species in accordance with laws on fisheries; or the list of invasive alien species.

11. *Collection of specimens* means the activity of taking specimens of fauna and flora species out of their natural habitats.

12. *Commercial purposes* mean activities of trading specimens of animals and plants between organizations and individuals with the intent of making a profit.

13. *Non-commercial purposes* mean activities of trading specimens of animals and plants between organizations and individuals without the intent of making a profit such as for diplomatic purposes, scientific research, breeding and conservation, ornamental breeding, rescue, museums; exhibitions to introduce products; circus performances; and the transfer of specimens between CITES management authorities.

14. *Introduction from the sea* means of bringing specimens of animals and plants listed in the Appendices of the CITES that have been harvested from the sea areas beyond the jurisdiction of any country into Vietnam.

15. *Re-export* is the export of specimens that were previously imported including specimens that are intact or have undergone domestic preliminary processing, production, or processing.

16. *Controlled environment* is an environment managed by humans to ensure conditions that prevent the intrusion or spread of animals, plants, eggs, gametes, zygotes, seeds, sprouts, genes, or pathogens into or out of that environment with the aim of producing purebred or hybrid species.

17. *Breeding facilities and planting facilities* mean facilities for breeding, raising, and reproducing endangered, precious, and rare wild animal species and/or animal species listed in the Appendices of the CITES and/or common wild animal species; and facilities for artificial propagation of endangered, precious, and rare wild plant species and/or species listed in the Appendices of the CITES.

18. *Captive breeding* is a form of rearing animals or eggs that are harvested from the wild to grow them to maturity or hatch them into individuals within a controlled environment.

19. *Captive breeding* means the practice of raising animals to produce the next generation or animals from breeding facilities within a controlled environment.

20. *Artificial propagation* is the method of planting or grafting wild plants from seeds, sprouts, zygotes, cuttings, or other propagation techniques in a controlled environment.

21. *F1 generation* means individuals born in a controlled environment, where at least one parent was sourced from the wild.

22. *F2 generation or subsequent generations* mean individuals born in a controlled environment from parents belonging to the F1 generation or later.

23. *Personal or household belongings* mean specimens originating from wild fauna or flora in Appendices of the CITES that are owned by individuals or households, used solely for non-commercial purposes; and at the time of export, import, or re-export are carried personally or checked in as personal luggage or as part of household relocation.

24. *Pre-Convention specimens* mean specimens of a species acquired before the date on which the CITES applies to that species or before the contracting state joins the CITES. The date of acquisition of the specimen is determined by one of the following cases:

- a) The date the specimen was acquired from the wild;
- b) The date the specimen was artificially bred or cultivated in a controlled environment;
- c) In cases where the date of acquisition of the specimen cannot be determined as prescribed in points a and b of this clause, the date of acquisition is the first date on which an owner acquires that specimen.

25. *A finished product* means a product that is packaged, labeled, and ready for sale in the market for use without requiring further manufacturing or processing.

26. *Genetic source diversity coefficient of kind* means coefficient used to assess abundance extent of kind quantity, and diversity extent of plant varieties calculated according to Simpson's index.

Genetic source diversity coefficient of i kind: $H_g = 1 - \sum f_2(x_i)$

$f_2(x_i)$: Percentage of area planting i kind over total area planting all varieties of a plant species.

27. *Distribution zone of species* means area determined by the continued and shortest boundary line surrounding all locations where presence of such species has been known or forecast.

28. *Residence place of a species* means minimum area in need for existence of a species population sited in the distribution zone of such species.

29. *Ex-situ conservation* means the process of relocating individuals of a species from one natural distribution area to another natural distribution area that is suitable for the species' growth and development in accordance with the plan approved by the competent state authority.

30. *Conservation breeding and cultivation* means activities of breeding and cultivating for conserving genetic resources and restoring populations of species in accordance with the laws.

31. *Activities serving the purpose of biodiversity conservation* include in situ conservation and ex-situ conservation for protecting, restoring, and developing genetic resources, individuals, populations, and habitats of endangered, precious, and rare species prioritized for protection in accordance the Law on Biodiversity and this Circular.

32. *Activities serving the purpose of scientific research* mean activities conducted within the framework of national, ministerial, or provincial-level scientific and technological projects, programs or tasks approved by competent authorities in accordance with the laws.

33. *Activities serving the purpose of ecotourism* mean activities involving the observation of endangered, precious, and rare animal and plant species prioritized for protection in the wild or at biodiversity conservation facilities combined with educational efforts to raise awareness about biodiversity conservation.

Article 4. Classification and criteria for determination of endangered, rare, and precious species

1. Group I and Group II endangered, rare, and precious species

a) Group I includes species strictly prohibited from exploitation and use of specimens sourced from the wild in Vietnam for commercial purposes which includes endangered, precious, and rare species prioritized for protection; endangered, precious, and rare forest fauna and flora (Group IA: wild flora; Group IB: wild fauna);

b) Group II includes species sourced from the wild in Vietnam under strict control of exploitation and use for commercial purposes which includes endangered, precious, and rare wild fauna and flora (Group IIA: wild flora; Group IIB: wild fauna).

2. Criteria for determination of Group I endangered, rare, and precious species

a) Endangered, precious, and rare species listed in Appendix I of the CITES ranging from the Endangered (EN) to Critically Endangered (CR) categories that are naturally distributed in Vietnam or have been assessed by the Vietnam CITES Scientific Authority in accordance with IUCN criteria or the Vietnam Red Book;

b) Endangered, precious, and rare species prioritized for protection, except in cases prescribed in points c and d of this clause, that meet the criteria prescribed in point a of this clause and at least one of the following criteria: being endemic species; possessing special value in science, health, economics, ecology, landscape, environment, or culture - history;

c) For endangered, precious, and rare flora and fauna species prioritized for protection: the genetic source diversity coefficient of kind is less than 0,25; the proportion of households breeding or planting the species is under 10% of the total number of households breeding or planting it in the place of origin; the planting area is under 0,5 hectares for food crops, under 0,3 hectares for annual industrial crops, under 0,1 hectares for vegetable, flowers, and medicinal plants; or the number of individuals is under 250 for perennial industrial crops, under 500 for fruit trees and ornamental plants. A domestic animal breed is considered to have a low population or be threatened with extinction if the number of purebred females is below 100 individuals and the number of purebred males is below 5 individuals, or the total herd size is fewer than 120 individuals;

d) For endangered, precious, and rare fungi and microorganisms prioritized for protection: they are considered to have a low population or be threatened with extinction if the species has experienced a population decline of at least 50% within 10 years prior to the assessment and currently living in a severely degraded environment.

3. Criteria for determination of Group II endangered, rare, and precious species:

a) Species prescribed in Appendices II and III of the CITES that are naturally distributed in Vietnam;

b) Species in the IUCN Red List at threat levels from Vulnerable (VU) or higher; or species in the Vietnam Red Book at threat levels from Vulnerable (VU) or higher and

assessed by the Vietnam CITES Scientific Authority as requiring management measures to restrict exploitation and use for commercial purposes;

c) Species not specified in points a and b of this clause that are being overexploited and traded, or that are assessed to become endangered in the wild by the Vietnam CITES Scientific Authority in accordance with criteria of IUCN or Vietnam Red Book, and require management measures to restrict exploitation and use for commercial purposes.

4. The list of endangered, precious, and rare species is prescribed in Appendix I attached to this Circular.

Article 5. Amendments to the List of endangered, rare, and precious species

1. Relevant organizations, individuals and authorities that have information about flora and fauna species, fungi and microorganisms satisfying criteria for inclusion or removal from the List of endangered, rare, and precious species as prescribed in Article 4 of this Circular shall send such information to the Ministry of Agriculture and Environment using Form No. 01 in Appendix II attached to this Circular.

2. Procedures for amendments to the List of endangered, rare, and precious species

Every 3 years or when necessary, the Ministry of Agriculture and Environment shall review and decide the amendments to the List of endangered, rare, and precious species in accordance with the following procedures:

a) Based on the results of investigation, monitoring and assessment of the status of endangered, rare, and precious species; and information from relevant organizations, individuals and authorities, the Vietnam Administration of Forestry and Forest Protection, or the Nature and Biodiversity Conservation Agency shall prepare a written proposal on the List of endangered, rare, and precious species;

b) Within 05 working days from the completion of the written proposal, the Vietnam Administration of Forestry and Forest Protection, or the Nature and Biodiversity Conservation Agency shall establish a Council for appraisal of endangered, rare, and precious species. The Council shall be chaired by the head of the Vietnam Administration of Forestry and Forest Protection, or the Nature and Biodiversity Conservation Agency. The Council also includes representatives from professional authorities of the Ministry of Agriculture and Environment, CITES Vietnam scientific agencies, relevant organizations, institutions and experts;

c) Within 05 working days from the establishment, the Appraisal Council shall evaluate dossiers, provide comments on assessment forms of members of the Appraisal Council using Form No. 02, and prepare meeting minutes using Form No. 03 in Appendix II attached to this Circular;

d) Within 03 working days from issuance of the appraisal minutes, the Vietnam Administration of Forestry and Forest Protection, or the Nature and Biodiversity Conservation Agency shall collect written opinions from professional authorities of the Ministry of Agriculture and Environment using Form No. 04 in Appendix II attached to this Circular;

dd) Within 05 working days from the receipt of the request for opinions from the Vietnam Administration of Forestry and Forest Protection, or the Nature and Biodiversity Conservation Agency, the professional authorities shall send their written responses;

e) Within 05 working days from the receipt of the opinions from professional authorities, the Vietnam Administration of Forestry and Forest Protection, or the Nature and Biodiversity Conservation Agency shall submit to the Minister of Agriculture and Environment the dossiers including: the report summarizing and clarifying the comments from specialized authorities; meeting minutes and assessment forms of members of the Appraisal Council; the written proposal on the List of endangered, rare, and precious species attached with investigation, monitoring and assessment results, and information from organizations and individuals as prescribed in point a of this clause; and other relevant documents (if any);

g) Within 05 working days from the receipt of the dossiers, the Minister of Agriculture and Environment shall consider and decide the amendments to the List of endangered, rare, and precious species.

Chapter II

MANAGEMENT OF ENDANGERED, RARE, AND PRECIOUS SPECIES; AND COMMON WILD ANIMALS

Section 1. CONSERVATION AND PROTECTION OF ENDANGERED, RARE, AND PRECIOUS SPECIES; AND COMMON WILD ANIMALS

Article 6. Principles and methods for conservation and protection of endangered, precious, and rare species

1. Principles

a) The activities of exploitation, breeding, processing, trading, transporting, storing, advertising, exhibiting, exchanging, gifting, exporting and importing specimens of endangered, precious and rare species shall not negatively impact the survival, growth and development of those species in the wild; and shall be managed to ensure legal origin.

b) The activities of ranching and exporting of endangered, precious, and rare fauna prioritized for protection for commercial purposes are only applied to individuals from the F2 generation of the species as determined by the Vietnam CITES Scientific

Authority regarding their ability to reproduce through multiple generations in a controlled environment without affecting the survival and development of that species in the wild;

c) The activities of investigation, exploration, research, exploitation and tourism that may negatively affect the habitats, migration routes or feeding grounds of endangered, precious, and rare species shall comply with this Circular and relevant laws; and apply mitigation measures in order not to affect the survival and development of those species in the wild;

d) The use of following destructive and lethal tools or means is prohibited: weapons, poisoned arrows, explosives, poisons, digging tunnels or pits, spike traps, spear traps, electric traps, spring traps, net traps, cage traps, glue traps, slingshots, large swinging log traps, large iron teeth traps or animal sound devices to exploit specimens of endangered, precious, and rare wild species, except in cases of exploitation for scientific research, foreign affairs and conservation purposes with approval from competent authorities.

dd) Endangered, precious and rare species that have been rescued but are not eligible for release or reintroduction into the wild, or no longer have suitable natural habitats shall be transferred to biodiversity conservation facilities or rescue centers with adequate conditions to raise them for conservation purpose;.

e) The exploitation of specimens of fauna and flora prescribed in the Appendices of the CITES is the same for that of endangered, precious and rare species. The breeding, importing and exporting endangered, precious and rare species in Group I are the same for that of fauna and flora prescribed in Appendix I of the CITES. The breeding, importing and exporting endangered, precious and rare species in Group II are the same for that of fauna and flora prescribed in Appendices II and III of the CITES, except for cases prescribed in point g of this clause and point a, clause 2, Article 25 of this Circular;

g) The collection of specimens of wild aquatic species prescribed in the Appendices of the CITES shall comply with laws on fisheries, except for aquatic species that are simultaneously forest plant species, endangered, precious, and rare forest animals as prescribed in this Circular.

2. Methods for conservation and protection of endangered, precious, and rare species

a) Endangered, precious, and rare species in Group I that live naturally shall be conserved in situ within their natural distribution areas by establishing nature reserves or implementing measures for protection of habitat and migration in accordance with relevant laws on the management and protection of such species in areas where nature reserves have not been established;

b) Endangered, precious, and rare species shall be applied with ex-situ conservation with the following activities: rescue, breeding, artificial reproduction, preservation and storage of genetic resources and specimens of endangered, precious, and rare species to support the restoration of populations outside their natural habitats; reintroduction and ex-situ

conservation to protect and restore species at their natural habitats in accordance with the biodiversity law.

3. The management, conservation of endangered, precious, and rare flora and fauna prioritized for protection as well as forestry plant varieties shall comply with laws on crop production, animal husbandry and management of forestry plant varieties.

Article 7. Investigation, monitoring and assessment of the state; preparation and storage of information of endangered, precious, and rare species

1. The investigation, monitoring and assessment of the status of endangered, precious, and rare species include: distribution areas, habitats, population status, habitat conditions; extinction threat level; special values in terms of science, health, economy, ecology, landscape, environment, culture and history; current status of management, conservation, protection and development of species.

2. Preparation and storage of information

Organizations and individuals conducting investigation, monitoring and assessment of the status of endangered, precious, and rare species shall submit information using Form No. 05 of Appendix II attached to this Circular to the Ministry of Agriculture and Environment for preparation of a dossier and storage in the national biodiversity database.

3. Other content related to the investigation, monitoring and assessment of the status of endangered, precious, and rare species shall comply with regulations of the Minister of Agriculture and Environment regarding basic biodiversity surveys integrated with forest, fisheries and biodiversity survey activities as prescribed by relevant laws.

Article 8. Scientific research regarding endangered, precious, and rare species

1. The scientific research regarding conservation, protection and sustainable development of endangered, precious, and rare species shall be conducted under schemes or projects approved by competent authorities and comply with the laws on forestry, biodiversity, and relevant laws.

2. Before conducting scientific research, organizations and individuals shall notify the forest owner; the owner of breeding facilities; biodiversity conservation facilities; relevant organizations, households and individuals assigned to manage and use the land, forest, and water surface where the research activities take place.

Article 9. Handling cases where endangered, precious, and rare animals cause harm or threaten the life and property of humans

1. In all cases where endangered, precious and rare animals harm or threaten the life and property of humans, organizations, households and individuals shall apply measures to

prevent, repel and minimize injury to the animals while immediately notifying the Department of Agriculture and Environment or the nearest commune-level People's Committee.

2. In cases where endangered, precious and rare animals directly attack humans outside special-use forests or nature reserves, the commune-level People's Committee shall decide and directly organize the capture of such animals if all repelling measures are ineffective. In cases where animals attack posing a danger to human life, defensive measures shall be applied and the relevant local specialized management authority shall be immediately notified if there is no possibility to prevent, repel or capture them.

Article 10. Exploitation of wild endangered, precious, and rare species

1. Cases of exploitation of wild endangered, precious, and rare species include:

- a) Serving national-, ministerial- and province-level scientific research projects and topics that have been approved by competent authorities in accordance with the laws;
- b) Serving foreign affairs in accordance with the decision of the Prime Minister;
- c) The exploitation, utilization and salvage shall be approved by competent authorities in accordance with forestry laws.

2. The exploitation of endangered, precious, and rare species prioritized for protection shall comply with points a and b, clause 1 of this Article and satisfy the following requirements:

- a) The exploitation plan is approved by Vietnam CITES Scientific Authority to ensure that the exploitation of endangered, precious and rare species prioritized for protection does not affect the survival and development of those species in the wild;
- b) Locations for exploitation shall be determined with information on the population status and habitat conditions in the exploitation area;
- c) The time of exploitation shall not affect the species' reproduction, migration, habitat, or the species' ability to regenerate and recover its population;
- d) The methods for exploitation shall not cause harm to other individuals, habitats, or the structure of the natural population;
- dd) The exploitation quantity shall be kept at minimum level and determined based on the results of field surveys in order not to reduce the population's ability to survive in the wild.

3. A dossier for exploitation of cases prescribed in points a and b, clause 1 of this Article include:

- a) The original request for exploitation using Form No. 06 in Appendix II attached to this Circular;
- b) The original plan for exploitation using Form No. 07 in Appendix II attached to this Circular;
- c) The original approval for exploitation of the forest owner, organization, household and individual assigned to manage and use the land, forest, and water surface where the exploitation activities take place;
- d) The copy of the Decision of competent authority on approval of the scientific topic, project or task in cases where exploitation is conducted to create the source of original breed for captive breeding, artificial reproduction or specimen collection for scientific and technological tasks;
- dd) The copy of the Decision of the Prime Minister on gifting or donating specimens of endangered, precious and rare species for foreign affairs;
- e) The confirmation of Vietnam CITES Scientific Authority on confirming that the exploitation of endangered, precious and rare species prioritized for protection does not affect the survival and development of that species in the wild.

4. Procedures for cases prescribed in points a and b, clause 1 of this Article include:

- a) Organizations and individuals shall submit one set of dossier as prescribed in clause 3 of this Article to the Department of Agriculture and Environment of the place where the exploitation is carried out in person, online or by post;
- b) The Department of Agriculture and Environment shall immediately verify and accept dossiers submitted in person if they are complete and valid. For dossiers submitted online or by post, verification and acceptance shall be done within 01 working day. In case the dossier is incomplete or invalid, a written response stating the reasons shall be provided;
- c) Within 08 working days from the receipt of the valid dossier, the Department of Agriculture and Environment shall complete the appraisal and propose the President of province-level People's Committee for consideration and issuance of the Decision on approval of the Plan for exploitation;
- d) Within 03 working days from the receipt of the dossier from the Department of Agriculture and Environment, the President of province-level People's Committee shall consider and issue the Decision on approval of the Plan for exploitation using Form No. 08 in Appendix II attached to this Circular. In case the Plan for exploitation is not approved, a written response stating the reasons shall be provided.

5. Before exploitation, organizations and individuals shall send the Decision on approval of the Plan for exploitation to province-level forestry and fisheries state authorities and

commune-level People's Committees for supervision. Within 05 working days from the completion of the exploitation, organizations and individuals shall send the original Inventory list of forest products to the local forestry authorities or a written confirmation of aquatic product origin to the fisheries state authorities for verification as prescribed by laws.

6. In cases of exploitation, utilization and salvage as prescribed in point c, clause 1 of this Article, the subjects and requirements for exploitation shall comply with the Government's regulations on implementation of the Law on Forestry. The dossier and procedures for exploitation are the same as for those for common species as prescribed by the Minister of Agriculture and Environment on forest product management; handling of forest and aquatic products recognized as assets under the ownership of the people.

Article 11. Procedures for introduction of endangered, precious and rare species prioritized for protection to biodiversity conservation facilities; and reintroduction of them to natural habitats

1. Procedures for introduction of endangered, precious and rare species prioritized for protection to biodiversity conservation facilities:

a) The owner of the biodiversity conservation facility shall determine and receive species for breeding in the biodiversity conservation facility based on the number of species and individuals registered at the time of establishment of the facility.

b) Conduct a health assessment of the received individuals; prepare a Handover Record using Form No. 09 in Appendix II attached to this Circular and documents proving their legal origin in accordance with regulations on the management and traceability of forest and aquatic products;

c) Apply marks and maintain a monitoring log using Form No. 10 in Appendix II attached to this Circular;

d) Conduct quarantine and health monitoring of individuals before introducing into the breeding and conservation area;

dd) Within 03 working days from the date of introduction of fauna and flora to the biodiversity conservation facility, the owner of the facility shall send a notification using Form No. 11 in Appendix II attached to this Circular and a copy of the specimen origin dossier to the Department of Agriculture and Environment for monitoring and management.

2. Reintroduction of animals to natural habitats shall comply with the following requirements:

a) Animals that are planned to be reintroduced shall meet health conditions, be free of diseases and retain their natural behaviors;

- b) Location for reintroduction is the natural habitat suitable for the characteristics of animals that are planned for release;
- c) The reintroduction of animals that are under captive breeding at breeding facilities and biodiversity conservation facilities shall comply with clause 3 of this Article;
- d) The reintroduction of animals after rescue shall comply with Article 15 of this Circular, except for regulations in clause 3 of this Article.

3. Procedures for reintroduction of animals that are under captive breeding at breeding facilities and biodiversity conservation facilities to natural habitats:

a) The dossier includes: The original written request for reintroduction of animals to natural habitats using Form No. 12; and the original plan for reintroduction of animals to natural habitats using Form No. 13 in Appendix II attached to this Circular.

b) Implementation procedures:

The owner of the biodiversity conservation facility shall submit a set of dossier as prescribed in clause 1 of this Article to the Department of Agriculture and Environment where the facility is located in person, online or by post;

The Department of Agriculture and Environment shall review the dossier and immediately make a response about the validity of the dossier if the dossier is submitted in person; and make a response within 01 working day if the dossier is submitted by post and online. If the dossier is not valid, a written response stating the reasons shall be provided;

Within 03 working days from the receipt of the valid dossier, the Department of Agriculture and Environment shall submit a request for consultation to the Vietnam CITES Scientific Authority, relevant professional authorities of the Ministry of Agriculture and Environment, experts and the competent authority managing the expected release area;

Within 10 working days from the receipt of the request of the Department of Agriculture and Environment, Vietnam CITES Scientific Authority, relevant professional authorities of the Ministry of Agriculture and Environment, experts and the competent authority managing the expected release area shall respond in writing.

Within 03 working days from the receipt of the consultation result, the Department of Agriculture and Environment shall approve the Plan for reintroduction using Form No. 14 in Appendix II attached to this Circular. In case where the Department of Agriculture and Environment rejects the results or does not receive the results, a written response stating the reasons shall be provided.

4. The owner of the breeding facility and biodiversity conservation facility shall cooperate with relevant authorities in carrying out the reintroduction in accordance with the approved plan; making a record using Form No. 15 in Appendix II attached to this Circular; and reporting the result to the Department of Agriculture and Environment;

5. The owner of the breeding facility and biodiversity conservation facility shall cooperate with the Department of Agriculture and Environment, authorities assigned to manage and use the land, forest, and water surface where the exploitation activities take place in monitoring and protecting the reintroduced species.

Article 12. Ex-situ conservation of fauna and flora prioritized for protection in the List of endangered, precious and rare species

1. Cases of ex-situ conservation of species prioritized for protection:

- a) The habitat is degraded, reduced and fragmented that is no longer suitable for the species to survive or reproduce;
- b) The wild population of the species is severely declining; or exists in a solitary, small and scattered state which increases the risk of extinction;
- c) The population growth exceeds the capacity of the habitat which poses a risk of ecological imbalance or adversely affects other species.

2. Implementation procedures

- a) The Department of Agriculture and Environment shall develop the plan for ex-situ conservation of endangered, precious and rare species prioritized for protection using Form No. 16 in Appendix II attached to this Circular; and submit to the province-level People's Committee of the place where the ex-situ conservation takes place.
- b) Within 07 working days from the receipt of the plan for ex-situ conservation, the province-level People's Committee shall review and approve the plan using Form No. 17 in Appendix II attached to this Circular. If necessary, the province-level People's Committee shall consult with the scientific authority and relevant state management authorities in accordance with the following procedures:

Within 03 working days from the receipt of the plan for ex-situ conservation, the province-level People's Committee shall submit a request for consultation to the Vietnam CITES scientific authority, relevant state management authorities and the province-level People's Committee of the receiving place in cases where the receiving place is in a different province.

Within 15 working days from the receipt of the request of the province-level People's Committee, Vietnam CITES scientific authority, relevant state management authorities

and the province-level People's Committee at the receiving place shall respond in writing.

Within 03 working days from the receipt of the consultation result, the province-level People's Committee shall approve the plan for ex-situ conservation. In case where the province-level People's Committee rejects the result or does not receive the result, a written response stating the reasons shall be provided.

3. The Department of Agriculture and Environment shall cooperate with the Management Board of the nature reserve or the unit carrying out the ex-situ conservation under their management in monitoring and assessing endangered, precious and rare species prioritized for protection after the ex-situ conservation, and report the result to the authority issuing the decision on ex-situ conservation.

Article 13. Exchange, gifting and donation of specimens of endangered, precious and rare species prioritized for protection

1. Exchange, gifting and donation of specimens of endangered, precious and rare species prioritized for protection shall be carried out only for the purposes of biodiversity conservation, scientific research and ecotourism.

2. The dossier includes:

- a) The original request using Form No. 18 in Appendix II attached to this Circular;
- b) The copy of the breeding record using Form No. 10 in Appendix II attached to this Circular and the dossier of legal origin of the specimens in accordance with relevant laws;
- c) The copy of the agreement for exchange, gifting or donation using Form No. 19 in Appendix II attached to this Circular.

3. Procedures for issuance of licenses:

- a) Organizations and individuals shall submit one set of dossier as prescribed in clause 2 of this Article to the Department of Agriculture and Environment in person, online or by post;
- b) The Department of Agriculture and Environment shall immediately verify and accept dossiers submitted in person if they are complete and valid. For dossiers submitted online or by post, verification and acceptance shall be done within 01 working day. In case the dossier is incomplete or invalid, a written response stating the reasons shall be provided;
- c) Within 15 working days from the receipt of the valid dossier, the Department of Agriculture and Environment shall appraise the dossier and issue the license for exchange, gifting and donation of specimens of endangered, precious and rare species

prioritized for protection in accordance with Form No. 20 in Appendix II attached to this Circular. In case of rejection, a written response stating the reasons shall be provided.

4. In cases of exchange, gifting or donation of specimens that are not public assets between biodiversity conservation establishments, the head of the biodiversity conservation establishment shall submit the agreement for exchange, gifting or donation using Form No. 19 and the notification using Form No. 21 in Appendix II attached to this Circular to the Department of Agriculture and Environment within 05 working days before the planned date of the exchange, gifting or donation of specimens; and update the breeding record of the establishment after carrying out the exchange, gifting or donation of specimens.

5. A license for exchange, gifting and donation of specimens of endangered, precious and rare species prioritized for protection shall be used once and remain effective for 06 months from the date of issuance.

Article 14. Storage and transportation of specimens of endangered, precious and rare species

The requirements for organizations and individuals storing and transporting specimens of endangered, precious and rare species include:

1. Only specimens of endangered, precious and rare species with legal origin can be stored and transported in accordance with laws on forestry, fisheries and biodiversity.
2. The storage of live specimens shall involve proper breeding in accordance with the characteristics of each species, and ensure the safety of people and animals.
3. The transfer of live specimens shall ensure the safety of live specimens, and include experienced personnel or technicians to care for the specimens during transportation and at the receiving facility.
4. The storage and conservation of genetic resources shall be carried out at facilities for storing endemic, endangered, precious and rare microorganisms and fungi prioritized for protection, conservation of genetic resources and genetic specimens that have been granted licenses for biodiversity conservation facilities.

Article 15. Rescue of animals

1. Live animals that have lost their natural habitats, are lost, injured or sick shall be rescued at breeding facilities or biodiversity conservation facilities licensed by competent authorities in accordance with the laws.
2. Procedures for rescue of live animals that are seized evidence or voluntarily transferred in ownership by the owner to the State shall comply with regulations of the Minister of

Agriculture and Environment on forest product management; handling of forest and aquatic products recognized as assets under the ownership of the people.

3. Procedures for rescuing animals that have lost their natural habitats, are lost, injured or sick in cases other than those prescribed in clause 2 of this Article:

a) Organizations and individuals who discover animals that are lost, injured, sick, or have lost their natural habitat are responsible for immediately notifying the commune-level People's Committee where the animals are found to promptly rescue them;

b) Within 01 working day from the receipt of the information, the commune-level People's Committee shall organize an inspection, receive the animals, and prepare a Handover Record using Form No. 09 in Appendix II attached to this Circular; disclose the information about the animals in writing at the authority's office and on mass media to verify the owner or legal manager. The time limit for notification and verification is 05 working days;

Within the notification time limit, the commune-level People's Committee is responsible for transferring the animals to a conservation facility licensed by competent authorities to carry out rescue, care and treatment in accordance with the laws. If there is no suitable conservation facility, the animals shall be transferred to a breeding facility with a valid identification code;

If the owner or legal manager is not identified after the notification time limit, or the animal is not an evidence of a violation, the commune-level People's Committee shall cooperate with professional authorities of the Department of Agriculture and Environment, and the breeding or biodiversity conservation facility in deciding on the handling of the animals as prescribed in clause 4 of this Article.

4. Methods for handling animals after rescue:

a) Release animals that meet the requirements for compatible natural environments, and safety for the animals, humans and the environment;

b) Transfer to licensed breeding or biodiversity conservation facilities for care, breeding, research or environmental education purposes;

c) Transfer to research, training or environmental education organizations after obtaining written approval from the Department of Agriculture and Environment;

d) For endangered, rare and precious species that are prioritized for protection but are not suitable for release back into the wild, they shall be transferred to biodiversity conservation facilities for care, breeding, restoration and conservation. In case a biodiversity conservation facility is unable to receive them, the commune-level People's Committee shall cooperate with the Department of Agriculture and Environment in transferring them to other lawful breeding facilities in accordance with the laws.

5. In cases where animals die during the rescue process, the facility managing the animals is responsible for preparing a confirmation record, notifying the commune-level People's Committee where the animals are received, and proposing handling measures.

6. In cases where animals reproduce during the rescue process, within 03 working days from the birth, the facility managing the animals shall notify in writing professional authorities of the Department of Agriculture and Environment about the number of newborn individuals; decide on whether to continue rearing or release them back to the natural environment. The procedures for releasing animals back to the natural environment shall comply with clause 3, Article 11 of this Circular.

7. In cases where animals suffer from dangerous infectious diseases or cannot recover, they shall be destroyed in accordance with laws on veterinary, environmental protection and relevant regulations. The destruction process shall include representatives of the animal destruction authority, professional authorities of the Department of Agriculture and Environment, and the commune-level People's Committee where the destruction takes place. The destruction authority may invite witnesses and relevant organizations or individuals to participate.

Section 2. BREEDING OF ENDANGERED, PRECIOUS AND RARE SPECIES PRIORITIZED FOR PROTECTION; ESTABLISHMENT OF BIODIVERSITY CONSERVATION FACILITIES

Article 16. Breeding of endangered, precious and rare species prioritized for protection

1. The breeding of endangered, precious and rare fauna prioritized for protection to serve the purposes of biodiversity conservation, scientific research and ecotourism shall be conducted at biodiversity conservation facilities that have been granted license and meet the requirements prescribed in Article 17 of this Circular as well as the following requirements:

- a) Ensure the legal origin of species in accordance with relevant laws;
- b) Ensure that the species and the number of individuals comply with the list of species permitted in the license for biodiversity conservation facility;
- c) Have plan for breeding in accordance with Form No. 22 in Appendix II attached to this Circular;
- d) For ecotourism purposes, only species in the list of permitted species attached to the license for biodiversity conservation facility are allowed to be exhibited. Individuals that are sick, injured, pregnant or nursing offspring shall not be exhibited.

2. Artificial reproduction of endangered, precious and rare flora that are prioritized for protection for the purposes of biodiversity conservation, scientific research and

ecotourism shall be conducted at biodiversity conservation facilities that meet the requirements prescribed in Article 18 of this Circular.

3. Restoration of endangered, precious and rare species prioritized for protection shall be carried out at their natural distribution areas:

a) Endangered, precious and rare flora prioritized for restoration shall be planted in nature reserves located within the species' natural distribution areas;

b) The Management Board of the nature reserves shall prepare and submit the restoration project for endangered, precious and rare flora prioritized for protection to the competent authority for approval and implementation in accordance with the plan for conservation of endangered, precious and rare species prioritized for protection at the nature reserves;

c) The unit assigned to manage and use the land, forest and water surface outside the boundaries of national parks and nature reserves where the restoration project for endangered, precious and rare flora is planned shall cooperate with organizations and individuals in implementing the restoration project for endangered, precious and rare flora prioritized for restoration.

4. In cases where animals become ill, die or reproduce during the breeding process, the facility owner shall notify the local fisheries authority or the local forestry authority or for handling in accordance with relevant laws.

Article 17. Breeding endangered, precious and rare fauna prioritized for protection at biodiversity conservation facilities

1. Requirements for land area, animal enclosures and physical facilities:

a) The area of the facilities shall be appropriate to the scale and registered species;

b) Animal enclosures shall have dimensions and designs appropriate to the biological characteristics of the species; comply with the standards issued by competent authorities or the design announced by international organizations; and confirmed by relevant Vietnam CITES scientific authority to be suitable for the species' ecological characteristics and biological needs;

c) The facilities shall satisfy the requirements for environmental and veterinary sanitation; and safety for both humans and the species;

d) The facilities have means and devices for receiving and transferring the species if necessary;

dd) The facilities have isolation areas to prevent diseases during the monitoring process;

e) For megafauna, the facilities shall install areas for wildlife rehabilitation in case of captive breeding for conservation purposes.

2. Requirements for personnel:

a) Personnel responsible for examination and treatment for animals at the conservation facilities must hold degrees in veterinary medicine, animal husbandry or aquaculture;

b) Personnel responsible for care of animals must hold a certificate for professional training on care, disease prevention and treatment of animal.

3. Requirements for financial and management capacity of the facility:

a) The facility has a financial resource for the operation of the conservation facility and contingency measures for breeding species in case the facility ceases its operation or is dissolved;

b) The facility has a organizational structure, operation and supervision regulations on activities;

c) The facility has procedures and techniques for breeding; standards for feed and labor; and appropriate plans for disease prevention and treatment for the species being raised;

d) The facility has plans for the conservation, captive breeding and release of endangered, precious and rare animals prioritized for protection to their natural environment; plans for conducting awareness-raising and biodiversity conservation activities if it operates ecotourism; and plans for scientific research to conserve species prioritized for protection;

dd) The facility has plans for disease prevention, environmental protection and handling emergency risk situations.

Article 18. Artificial reproduction of endangered, precious and rare flora prioritized for protection at biodiversity conservation facilities

1. Requirements for physical facilities:

a) The facility complies with the standards issued by competent authorities or the design announced by international organizations; and is confirmed by Vietnam CITES scientific authority to be suitable for the species' ecological characteristics and biological needs;

b) The area of the facility shall be appropriate to the scale and registered species;

c) The facility has equipment for breeding and artificial reproduction suitable for the species being raised and reproduced;

d) The facility has equipment for waste treatment and control of disease transmission to the surrounding environment.

2. Requirements for personnel:

The personnel responsible for techniques of the facilities shall hold degrees in biology, biotechnology, plant quarantine, cultivation or relevant fields.

3. Requirements for financial and management capacity of the facility:

a) The facility has a financial resource for the operation of the conservation facility and contingency measures for breeding species in case the facility ceases its operation or is dissolved;

b) The facility has a organizational structure, operation and supervision regulations on activities;

c) The facility has procedures and techniques for cultivation and artificial reproduction of the species at the facility.

Article 19. Animal rescue facilities

1. Requirements for land area, animal enclosures and physical facilities:

a) The facilities shall comply with the standards issued by competent authorities or the design announced by international organizations; and be confirmed by Vietnam CITES scientific authority to be suitable for ecological characteristics and biological behavior of the rescued species;

b) The area of the facilities shall be appropriate for the scale and rescued species at the facilities. The facilities have an isolation area for newly received animals before releasing them back to their natural habitat;

c) The facilities shall have enclosures, cages and tanks that ensure a living environment suitable for the biological and ecological characteristics; and maintain the wild behaviors of the rescued species;

d) The facilities shall have equipment for care, environmental protection, disease prevention and safety conditions for both people and the rescued species;

dd) The facilities have means and equipment for receiving and transferring the rescued species if necessary.

2. Requirements for personnel:

a) Personnel responsible for techniques shall hold degrees in veterinary medicine, animal husbandry, aquaculture; aquatic pathology for practicing aquatic veterinary medicine; or fields related to biology, forestry or fisheries;

b) Personnel responsible for rescue and care of animals shall hold a certificate for professional training on care, disease prevention and treatment of animal.

3. Requirements for financial and management capacity of the facility:

a) The facility has a financial resource for the operation of the facility and contingency measures for rescued species in case the facility ceases its operation or is dissolved;

b) The facility has a organizational structure, operation and supervision regulations on activities;

c) The facility has procedures for animal rescue and care; standards for food and labor during the rescue process.

Article 20. Storage of endemic, endangered, precious and rare microorganisms and fungi prioritized for protection; conservation of genetic resources and genetic specimens at biodiversity conservation facilities

1. Requirements for physical facilities:

a) The facilities shall comply with the standards issued by competent authorities or the design announced by international organizations; and be confirmed by relevant specialized authorities to be suitable for stored and conserved species;

b) The area of the facilities shall be appropriate to the scale and registered species;

c) The facilities equipment for processing and preserving specimens before long-term storage and preservation;

d) The facility has a storage and preservation room designed for conditions of long-term preservation of specimens, and protection of specimens from the impact of surrounding environmental factors;

dd) The facilities have necessary analytical equipment to examine and determine the quality of genetic resources and genetic specimens;

e) The facilities shall have waste treatment equipment and measures to control the spread of diseases to the surrounding environment; ensure biosafety conditions in accordance with the law.

2. Requirements for personnel:

The personnel responsible for techniques shall hold bachelor's degrees or higher in biology, biotechnology or relevant scientific fields.

3. Requirements for financial and management capacity of the facility:

- a) The facility has a financial resource for the operation of the conservation facility and contingency measures in case the facility ceases its operation or is dissolved;
- b) The facility has a organizational structure, operation and supervision regulations on activities;
- c) The facility has procedures and techniques for preserving endemic, endangered, precious and rare microorganisms and fungi prioritized for protection; and conserving genetic resources and genetic specimens at the facility.

Article 21. Procedures for issuance of licenses for biodiversity conservation facilities

1. The dossier includes:

- a) The original application for issuance of the license for biodiversity conservation facility using Form No. 23 in Appendix II attached to this Circular;
- b) The original plan for establishment of biodiversity conservation facility using Form No. 24 in Appendix II attached to this Circular.

2. Procedures:

- a) Organizations and individuals shall submit one set of dossier as prescribed in clause 1 of this Article to the Department of Agriculture and Environment in person, online or by post;
- b) The Department of Agriculture and Environment shall immediately verify and accept dossiers submitted in person if they are complete and valid. For dossiers submitted online or by post, verification and acceptance shall be done within 01 working day. In case the dossier is incomplete or invalid, a written response stating the reasons shall be provided;
- c) Within 22 working days from the receipt of the valid dossier, the Department of Agriculture and Environment shall report to the President of province-level People's Committee for establishment of the Appraisal Council, organization of appraisal and inspection. The Appraisal Council must have at least 07 members including 01 President who is a head of the Department of Agriculture and Environment; 01 Deputy President (if necessary); 01 secretary and other members who are representatives of province-level state management authorities in agriculture and environment; science and technology; Vietnam CITES scientific authorities; and experts in suitable fields;

d) Within 03 working days from the issuance of appraisal result, the Department of Agriculture and Environment shall propose the President of province-level People's Committee for consideration and issuance of the license for biodiversity conservation facility;

dd) Within 02 working days from the receipt of the proposal, the President of province-level People's Committee shall consider and issue the license for biodiversity conservation facility using Form No. 25 in Appendix II attached to this Circular. In case of rejection, a written response stating the reasons shall be provided.

3. Amendments to licenses for biodiversity conservation facilities: In case of any changes or additions to information regarding the location, type, scale or species listed in the list of species in granted licenses for biodiversity conservation facilities, organizations or individuals must apply for amendments to the license for biodiversity conservation facility no later than 30 days from the date of such changes. The dossier and procedures shall comply with clauses 1 and 2 of this Article.

4. Annually, before December 31, the head of the biodiversity conservation facility is responsible for reporting the conservation status of species in the List of endangered, precious and rare species using Form No. 26 in Appendix II attached to this Circular to the province-level People's Committee via the Department of Agriculture and Environment.

Article 22. Revocation of licenses for biodiversity conservation facilities

1. The biodiversity conservation facilities shall have their licenses revoked in one of the following cases:

a) The facilities have ceased their operation for more than 01 month;

b) The facilities commit violations and bear criminal liability related to the management of endangered, precious and rare species prioritized for protection;

c) The facilities fail to satisfy requirements prescribed in Articles 17, 18, 19 and 20 of this Circular;

d) The facilities fail to carry out activities as prescribed in the approved plan for establishment of the biodiversity conservation facility within 12 months from the issuance of the Decision on issuance of the license for biodiversity conservation facility;

dd) State authorities shall discover organizations and individuals using fabricated documents for issuance of licenses.

2. Procedures for issuance of licenses for biodiversity conservation facilities:

- a) Within 07 working days from the receipt of information prescribed in clause 1 of this Article, the Department of Agriculture and Environment shall verify, summarize and propose the President of province-level People's Committee for consideration and issuance of the license for biodiversity conservation facility;
 - b) Within 03 working days from the receipt of the proposal from the Department of Agriculture and Environment, the President of province-level People's Committee shall consider and issue the license for biodiversity conservation facility using Form No. 27 in Appendix II attached to this Circular.
3. Within 30 working days from the issuance of the Decision on revocation of the license for biodiversity conservation facility, the facility owners shall transfer the captive species to the biodiversity conservation facility that satisfies the requirements prescribed in this Circular, prepare a handover record using Form No. 09 in Appendix II attached to this Circular, and submit to the Department of Agriculture and Environment for supervising and management.

Section 3. PROCESSING AND TRADING OF SPECIMENS OF ENDANGERED, PRECIOUS AND RARE SPECIES; BREEDING OF COMMON WILD FAUNA

Article 23. Processing and trading of specimens of endangered, precious and rare species

1. The processing and trading of specimens of endangered, precious and rare species are only allowed in the following cases:
- a) Specimens of F2 hybrid and subsequent generation of fauna generated by captive breeding at facilities that have been assigned identification codes, except for cases where CITES regulations prohibit or restrict trade. The Vietnam Administration of Forestry and Forest Protection shall translate and disclose the CITES regulations on trade prohibitions or restrictions regarding species related to Vietnam using Form No. 28 in Appendix II attached to this Circular on the website of the Ministry of Agriculture and Environment;
 - b) Specimens of flora originating from artificial reproduction from breeding facilities that have been assigned identification codes;
 - c) Specimens from legally imported sources or of legal ownership in accordance with the laws;
 - d) Specimens exploited from salvage and utilization as prescribed in Article 10 of this Circular.
2. The processing and trading of specimens of endangered, precious and rare species prioritized for protection for commercial purposes shall only apply to F2 hybrids and subsequent generation as determined by the Vietnam CITES Scientific Authority

regarding their capability for reproduction over multiple generations in a controlled environment; and comply with forestry and fisheries laws regarding traceability.

3. The processing and trading of specimens of species in Appendix I of the CITES is the same as for those of Group I wild endangered, precious and rare fauna and flora. The processing and trading of specimens of species in Appendices II and III of the CITES is the same as for those of Group II wild endangered, precious and rare fauna and flora.

4. The processing and trading of specimens of wild aquatic species prescribed in the Appendices of the CITES shall comply with laws on fisheries, except for aquatic species that are simultaneously forest plant species, endangered, precious, and rare forest animals as prescribed in this Circular.

5. Investment and business activities involving specimens exploited from wild species in Group II of the List of endangered, precious and rare wild fauna and flora attached to this Circular, which are also included in Appendix III of the Law on Investment, shall be comply with investment laws.

6. The owners of production and processing facilities shall keep records of production and processing activities using Form No. 29 in Appendix II attached to this Circular.

Article 24. Breeding of common wild fauna

1. Requirements for breeding of common wild fauna:

a) Such fauna must have legal origin in accordance with regulations of the Minister of Agriculture and Environment on forest product management; handling of forest and aquatic products recognized as assets under the ownership of the people;

b) The facilities shall ensure safety for the people and comply with the laws on environment and veterinary medicine. For species that already have standards and regulations on breeding cages and farms issued by competent state authorities, those standards and regulations shall apply. In cases where there are no existing standards or regulations on breeding cages and farms, the facility owners are encouraged to develop and apply their own facility standards, or adopt international standards and take responsible for the application of those standards.

2. Organizations and individuals breeding common wild fauna shall keep records using Form No. 10 in Appendix II attached to this Circular. Within 03 working days from the receipt of common wild fauna to the breeding facilities, organizations and individuals shall send a notification using Form No. 11 in Appendix II attached to this Circular to the local forestry authority for supervision and management.

Chapter III

EXECUTION OF THE CITES

Section 1. BREEDING

Article 25. Breeding fauna and flora in the Appendices of the CITES

1. Breeding facilities shall be granted an identification code, except for clause 2 of this Article.
2. Cases not required to register identification codes for breeding facilities:
 - a) The breeding of wild aquatic species prescribed in the Appendices of the CITES shall comply with laws on fisheries, except for aquatic species listed in Appendix I of the CITES for export for commercial purposes or aquatic species that are simultaneously forest plant species, endangered, precious, and rare forest animals as prescribed in this Circular;
 - b) The breeding of species in Appendix I of the CITES which are also included in the List of endangered, precious and rare species prioritized for protection to serve biodiversity conservation, scientific research and ecotourism shall comply with Section 2, Chapter II of this Circular;
 - c) The breeding of less than 10 individuals of animals without venom of Birds, Reptiles, Insects, Amphibians classes, or less than 02 individuals of mammals, except for carnivorous species listed in Appendices II and III of the CITES shall not be conducted for commercial purposes. In case of breeding of multiple different species, the total number of individuals shall not exceed 10. The breeding of animal species that are not naturally distributed in Vietnam shall comply with point d, clause 3 of this Article;
 - d) Planting fewer than 30 individuals of plants listed in Appendices II and III of the CITES shall not be conducted for commercial purposes. In case of planting multiple different species, the total number of planted individuals must not exceed 30.
3. Breeding species listed in Appendices of the CITES shall comply with the following requirements:
 - a) Such species must have legal origin in accordance with regulations of the Minister of Agriculture and Environment on forest product management; handling of forest and aquatic products recognized as assets under the ownership of the people; or have legal dossiers on forestry plant species in accordance with regulations of the Minister of Agriculture and Environment on management of forestry plants for cases of planting forestry plants;
 - b) The facilities shall ensure safety for the people and comply with the laws on environment and veterinary medicine;
 - c) For breeding mammals listed in Appendix I of the CITES, such animals shall be marked in accordance with regulations of the Minister of Agriculture and Environment

on forest product management; handling of forest and aquatic products recognized as assets under the ownership of the people for management and traceability;

d) In cases of breeding species in the Appendices of the CITES that do not naturally distribute in Vietnam and are being registered for raising in Vietnam for the first time, it is compulsory to obtain a written confirmation from the Vietnam CITES Scientific Authority stating that the breeding will not affect the survival of the species and relevant species in the wild.

4. The exploitation, sale, transfer of the ownership and transportation of specimens in the Appendices of the CITES of raising facilities that have been assigned identification codes, or cases prescribed in points c and d, clause 2 of this Article, the owners of breeding facilities shall update relevant information in the logbook using Form No. 010 in Appendix II attached to this Circular, and comply with the regulations on forest product dossiers of the Minister of Agriculture and Environment regarding forest product management; handling of forest and aquatic products recognized as assets under the ownership of the people for management and traceability.

5. Responsibilities of breeding organizations and individuals:

a) Within 03 working days from the date of receipt of animals or plants to the breeding facility, the owner of the facility shall send a notification using Form No. 11 in Appendix II attached to this Circular and a copy of the origin dossier to the local forestry authority for supervision and management;

b) The facility shall establish a logbook for recording breeding activities using Form No. 10 in Appendix II attached to this Circular;

c) The facility shall ensure safety for the people and comply with the laws on environment and veterinary medicine;

d) For cases prescribed in points c and d, clause 2 of this Article, organizations and individuals breeding animals or plants shall comply with points a, b and c of this clause, and clause 3 of this Article. If there is a need to register for an identification code or if the number of bred animals or plants exceeds the quantities prescribed in points c and d, clause 2 of this Article, organizations or individuals shall register for the issuance of an identification code in accordance Article 26 of this Circular.

Article 26. Registration for identification codes of facilities breeding fauna and flora in Appendices of the CITES

1. Identification codes of facilities breeding fauna and flora in Appendices of the CITES shall be issued before their operation.

2. The authority responsible for issuing identification codes:

a) The province-level forest protection authority shall issue identification codes to facilities breeding fauna and flora in Appendices of the CITES, except in cases prescribed in point b of this clause;

b) The province-level state management authority for fisheries shall issue identification codes to facilities breeding aquatic species in Appendix I of the CITES for commercial purposes. In cases of raising aquatic species in Appendix I of the CITES for domestic commerce or for non-commercial export, Appendix II and Appendix III of the CITES, the issuance of identification codes shall comply with fisheries laws.

3. Dossier on issuance of identification codes for breeding facilities

a) The original application for issuance of identification codes using Form No. 30 in the Appendix II attached to this Circular;

b) The original plan for breeding using Form No. 22, plan for planting using Form No. 31 in Appendix II attached to this Circular.

4. Implementation procedures:

a) Organizations and individuals shall submit one set of dossier as prescribed in clause 3 of this Article to the authority responsible for issuing identification codes as prescribed in clause 2 of this Article in person, online or by post;

b) The authority responsible for issuing identification codes shall review the dossier and immediately make a response about the validity of the dossier if the dossier is submitted in person; make a response within 01 working day if the dossier is submitted by post and online. If the dossier is not valid, a written response stating the reasons shall be provided;

c) Within 03 working days from the receipt of the valid dossier, the authority responsible for issuing identification codes shall issue the codes using Form No. 32 in Appendix II attached to this Circular. In case of rejection, a written response stating the reasons shall be provided;

d) If it is necessary for field inspection, within 15 working days from the receipt of the valid dossier, the authority responsible for issuing identification codes shall conduct field inspection and issue the codes using Form No. 32 in Appendix II attached to this Circular. In case of rejection, a written response stating the reasons shall be provided;

dd) In cases of breeding species in the Appendices of the CITES that do not naturally distribute in Vietnam and are being registered for raising in Vietnam for the first time, within 02 working days from the receipt of the valid dossier, the authority responsible for issuing identification codes shall send a written request to the Vietnam CITES Scientific Authority to confirm that the breeding will not affect the survival of the species and relevant species in the wild;

Within 06 working days from the receipt of the request, the Vietnam CITES Scientific Authority shall respond in writing;

Within 02 working days from the receipt of the confirmation, the authority responsible for issuing identification codes shall issue the codes using Form No. 32 in Appendix II attached to this Circular. In case of the authority responsible for issuing identification codes refuses to issue the codes or cannot receive the confirmation from the Vietnam CITES Scientific Authority, a written response stating the reasons shall be provided;

If it is necessary for field inspection, within 15 working days from the receipt of the valid dossier, the authority responsible for issuing identification codes shall conduct field inspection, collect opinions of the Vietnam CITES Scientific Authority and issue the codes using Form No. 32 in Appendix II attached to this Circular. In case of the authority responsible for issuing identification codes refuses to issue the codes or cannot receive the confirmation from the Vietnam CITES Scientific Authority, a written response stating the reasons shall be provided.

e) In cases of breeding fauna and flora in Appendix I of the CITES for commercial export, within 10 working days from the receipt of valid dossier, the authority responsible for issuing identification codes shall conduct field inspection if necessary, and submit dossier to the Vietnam CITES Management Authority for report to the CITES Secretariat;

Within 02 working days from the receipt of the dossier, the Vietnam CITES Management Authority shall submit the dossier to the CITES Secretariat.

Within 02 working days from the receipt of result from the CITES Secretariat, the Vietnam CITES Management Authority shall notify the authority responsible for issuing identification codes in writing;

Within 02 working days from the receipt of notification from the Vietnam CITES Management Authority, the authority responsible for issuing identification codes shall issue the identification codes for the breeding facilities. In case of rejection, a written response stating the reasons shall be provided.

5. Amendments to information about the identification codes for the breeding facilities: Within 30 days from the amendment to the location, purpose, methods, breeding scale, or addition of species, or change to Appendices of the CITES, species that have been issued identification codes, the owner of breeding facilities shall apply for amendments to information about the identification codes for the breeding facilities. The dossier includes: issued codes and documents prescribed in clause 3 of this Article. The procedures shall comply with clause 4 of this Article.

6. Cancellation of identification codes of breeding facilities:

a) Identification codes of breeding facilities shall be cancelled in the following cases: The facilities issue a notification to cease operations; The owners of the facilities are changed; The facilities cease operations continuously for 12 months from issuance of the codes; The owners of the facilities that have been subject to administrative fines or criminal prosecution engage in activities of exploiting, hunting, capturing, killing, breeding, confining, planting, storing, transporting, buying, selling, exporting or importing specimens of endangered, rare and precious species or species listed in the Appendices of the CITES against the laws;

b) Within 07 working days from the receipt of any information prescribed in point a of this clause, the authority responsible for issuing identification codes as prescribed in clause 2 of this Article shall issue the Decision on cancellation of the identification code using Form No. 33 in Appendix II attached to this Circular;

c) Within 60 working days from the issuance of the Decision on cancellation of the identification code, the owners of breeding facilities shall transfer fauna and flora to eligible facilities as prescribed in this Circular. If they fail to do so within the time limit, the authority responsible for issuing identification codes shall make a record and handle as prescribed by laws

7. During the breeding process, the owners of breeding facilities shall comply with the registered plan; accurately, fully and promptly note in the breeding record as prescribed in point b, clause 5, Article 25 of this Circular.

The responsible for issuing identification codes shall conduct supervision, periodic or ad hoc inspection of breeding facilities as prescribed by laws.

Section 2. EXPORT, IMPORT, RE-EXPORT, INTRODUCTION TO THE SEA AND TRANSIT

Article 27. Export, import, re-export, introduction from the sea and transit of specimens of fauna and flora in the Appendices of the CITES

1. The export, import, re-export, introduction from the sea and transit of specimens of fauna and flora in the Appendices of the CITES shall be licensed by the Vietnam CITES Management Authority, except for cases prescribed in clause 6 of this Article.

2. Export of specimens of fauna and flora in the Appendices of the CITES is licensed in the following cases:

a) Serving national-level, ministerial-level or province-level scientific research projects and topics approved by competent authorities;

b) Serving foreign affairs in accordance with the decision of the Prime Minister.

3. Export of specimens of fauna and flora in the Appendices of the CITES originating from captive breeding, ranching and artificial reproduction is licensed in the following cases:

- a) For species in Appendix I of the CITES: specimens of F2 hybrids and subsequent generation of fauna species originating from captive breeding at facilities that have been assigned codes by the CITES Secretariat; specimens for non-commercial export; flora specimens for export originating from artificial reproduction of facilities that have been assigned codes by the CITES Secretariat;
- b) For species in Appendices II and III of the CITES: specimens of F2 hybrids and subsequent generation of fauna species originating from captive breeding at facilities that have been assigned codes; specimens for non-commercial export; flora specimens for export originating from artificial reproduction of facilities that have been assigned codes;
- c) For aquatic specimens in the Appendices in the CITES: specimens of F2 hybrids and subsequent generation of species in Appendix I of the CITES that have been assigned codes by the CITES Secretariat; specimens of F2 hybrids and subsequent generation of species in Appendices II and III of the CITES from the facilities that have the license for biodiversity conservation facility; flora specimens from facilities that have been assigned codes by the CITES Secretariat, or facilities that have the license for biodiversity conservation facility in accordance with fisheries laws.

4. Introduction from the sea of fauna and flora in the Appendices of the CITES is licensed in the following cases:

- a) Ensuring the legal origin of species in accordance with fisheries laws;
- b) Specimens listed in Appendix I in the CITES shall be introduced from the sea for non-commercial purpose.

5. If the export or re-export date of specimens of fauna and flora in Appendices of the CITES imported into Vietnam is before the effective date of the trade suspension notification issued by the CITES Secretariat, the Vietnam CITES Management Authority shall issue the CITES permit for import of that shipment in accordance with Article 30 of this Circular, except in cases where the CITES Secretariat issues another notification.

6. Cases that are exempt from CITES permits issued by the Vietnam CITES Management Authority:

- a) Import of Pre-Convention specimens:

If specimens of a species in the Appendices of the CITES were exported or re-exported before the date when the CITES applies to that species, organizations or individuals shall submit a copy of the bill of lading, or other equivalent transport documents for the imported shipment to the customs authority.

If imported pre-Convention specimens are exported or re-exported from the date the CITES applies to that species, organizations or individuals shall submit the original CITES permit for export or re-export, or the pre-Convention certificate issued by the exporting or re-exporting country to the customs authority;

b) Import of aquatic specimens (excluding reptiles and amphibians) in Appendix I of the CITES at breeding facilities that have been assigned codes by the CITES Secretariat, as well as species in Appendices II and III of the CITES, organizations and individuals importing the specimens shall submit the original the CITES exporting or re-exporting permit to the customs authority;

c) Import of specimens in Appendix III of the CITES from a country that do not propose the species for inclusion in the Appendices of the CITES, organizations and individuals importing the specimens shall submit the copy of the certificate of origin issued by the exporting country;

d) Import of specimens that are finished products listed in Appendix I of the CITES at breeding facilities that have been assigned codes by the CITES Secretariat, as well as species in Appendices II and III of the CITES, organizations and individuals importing the specimens shall submit the original the CITES exporting or re-exporting permit to the customs authority;

dd) Transit of fauna and flora specimens in the Appendices of the CITES, organizations and individuals carrying out transit procedures shall submit the copy of the CITES exporting or re-exporting permit issued by the exporting or re-exporting country to the customs authority;

e) The export, import or re-export of specimens that are personal or household items shall not exceed the quantity limits prescribed by the CITES. The Vietnam Administration of Forestry and Forest Protection shall translate and publish on the Ministry of Agriculture and Environment's website the permitted quantities of specimens classified as personal or household items that may be exported, re-exported or imported without a CITES permit in accordance with Form No. 34 in Appendix II attached to this Circular.

Article 28. CITES permits

1. The CITES permit as prescribed in Form No. 35 of Appendix II attached to this Circular shall be issued for the export, import, re-export and introduction from the sea of endangered, rare and precious animals or plants listed in the Appendices in the CITES; export of endangered, rare and precious species.

2. The validity duration of the CITES permit for export and re-export is no more than 06 months from the date of issuance. The validity duration of the CITES permit for import is no more than 12 months from the date of issuance.

3. The CITES permit shall be issued as one original or electronic copy, and is valid for a single use only.

4. The quantity of the CITES permit for import shall comply with the quantity of the CITES permit for export and re-export issued by the CITES management authority for export and re-export.

Article 29. Procedures for issuance of CITES permits for export and re-export of specimens of fauna and flora in the Appendices of the CITES

1. Vietnam CITES management authority shall issue the CITES permits for export and re-export.

2. The dossier includes:

a) The original application for CITES permit using Form No. 36 in Appendix II attached to this Circular;

b) The copy of the inventory list of forest products certified by the local forest protection authority in accordance with regulations of the Minister of Agriculture and Environment on forest product management; handling of forest and aquatic products recognized as assets under the ownership of the people, or the copy of the certificate of origin of aquatic products in accordance with fisheries law. In cases where forestry or fishery laws do not have regulations on origin verification for animal or plant specimens proposed for re-export, organizations and individuals shall submit copies of the CITES permit for export and re-export and copies of the import customs declaration.

c) Regarding export and re-export of wild specimens for scientific research and foreign affairs: In addition to documents prescribed in points a and b of this clause, it is compulsory to include the copies of the following documents: the agreement on the scientific research cooperation program; the confirmation document of diplomatic gifts or presents certified by the competent authority in cases serving foreign affairs;

d) Regarding export and re-export of specimens in Appendix I of the CITES, except for specimens in Appendix I at facilities that have been assigned codes by the CITES Secretariat: In addition to documents prescribed in points a and b of this clause, it is compulsory to include the copy of the permit for import issued by the CITES Management Authority of the importing country;

dd) Regarding export or re-export of live specimens for exhibitions and circus performances: In addition to the documents prescribed in points a and b of this clause, it is compulsory to submit the copy of the Decision on appointment for participation in overseas exhibitions or circus performances issued by the competent authority, or an invitation letter from the foreign organization;

e) Regarding re-export of confiscated specimens to the country of origin or the exporting country: In addition to the documents prescribed in point a of this clause, it is compulsory to submit a copy of the Inventory list of forest products prepared by the organization assigned to handle the assets.

3. Procedures:

a) Organizations and individuals shall submit a set of dossier as prescribed in clause 2 of this Article in person, by post or via electronic means to Vietnam CITES Management Authority;

b) The Vietnam CITES Management Authority shall review the dossier and immediately make a response about the validity of the dossier if the dossier is submitted in person; make a response within 01 working day if the dossier is submitted by post and online. If the dossier is not valid, a written response stating the reasons shall be provided;

c) Within 05 working days from the receipt of the valid dossier, the Vietnam CITES Management Authority shall consider and issue the CITES permit for export or re-export using Form No. 35 in Appendix II attached to this Circular. In case of rejection, a written response stating the reasons shall be provided;

d) In cases where consultation is required regarding the impact of export or re-export on the survival of the species, or when requesting professional management authorities to cooperate with relevant authorities to conduct a field inspection due to suspected illegality of the specimen, the Vietnam CITES Management Authority shall send a request to Vietnam CITES Scientific Authority or professional management authorities within 03 working days from the receipt of the valid dossier;

dd) Within 06 working days from the receipt of the request for consultation, verification or inspection, authorities shall respond the Vietnam CITES Management Authority in writing;

e) Within 01 working days from the receipt of responses from authorities, the Vietnam CITES Management Authority shall issue the CITES permit for export or re-export using Form No. 35 in Appendix II attached to this Circular. In case of rejection, a written response stating the reasons shall be provided.

Article 30. Procedures for issuance of CITES permits for import of specimens of fauna and flora in the Appendices of the CITES

1. Vietnam CITES management authority shall issue the CITES importing permits.

2. The dossier includes:

a) The original application for the permit using Form No. 36 in Appendix II attached to this Circular;

b) The copy of the CITES exporting and re-exporting permit issued by the CITES Management Authority of the exporting or re-exporting country for species in Appendices II and III of the CITES, and for species listed in Appendix I of the CITES from facilities that have been assigned codes by the CITES Secretariat;

c) Regarding import of wild specimens in Appendix I for non-commercial purposes: In addition to the documents prescribed in point a of this clause, it is compulsory to submit one of the following copies: the code of the breeding facility, the license for biodiversity conservation facility for live specimens; the agreement on cooperation in scientific research approved by competent authorities for scientific research; the confirmation document of diplomatic gifts approved by competent authorities for foreign affairs; the invitation letter in exhibitions or circus performances issued by the competent authority for exhibition purposes; documents of CITES management authority of the exporting or re-exporting country regarding return of specimens to the country of origin;

d) Regarding import of live animals or plants in the Appendix I of the CITES from breeding facilities that have been assigned codes by the CITES Secretariat, or Appendices II and III of the CITES for breeding: In addition to the documents prescribed in points a and b of this clause, it is compulsory to submit one of the following copies: the code of the breeding facility, the license for biodiversity conservation facility; or submit one of the following original documents: the plan for breeding using Form No. 22, the plan for planting using Form No. 31 in Appendix II attached to this Circular for cases that are not subject to registration of identification codes for breeding facilities in accordance with this Circular;

dd) Regarding import of specimens from a country that is not a member state of the CITES, in addition to the documents prescribed in point a of this clause, it is compulsory to include the copy of the exporting and re-exporting permit issued by the competent authority of the exporting country;

3. Procedures:

a) Organizations and individuals shall submit a set of dossier as prescribed in clause 2 of this Article in person, by post or via electronic means to Vietnam CITES Management Authority;

b) The Vietnam CITES Management Authority shall review the dossier and immediately make a response about the validity of the dossier if the dossier is submitted in person; make a response within 01 working day if the dossier is submitted by post and online. If the dossier is not valid, a written response stating the reasons shall be provided;

c) Within 05 working days from the receipt of the valid dossier, the Vietnam CITES Management Authority shall issue the CITES permit for import using Form No. 35 in Appendix II attached to this Circular. In case of rejection, a written response stating the reasons shall be provided;

d) Within 05 working days from the receipt of the valid dossier, the Vietnam CITES Management Authority shall send a consultation or verification request in one of the following cases:

In cases of importing specimens originating from exporting countries located in geographical areas that are non-compliant with laws on forest product management and traceability; the exporting or re-exporting permit is counterfeit; the exporting or re-exporting permit shows signs of erasure or alteration; or the information about import of live animals is unclear, the Vietnam CITES Management Authority shall consult the authority issuing CITES exporting or re-exporting permit regarding information related to the exporting or re-exporting permit, or other electronic verification methods;

In cases where verification of the capacity of the breeding facility is required before issuance of the permit for import of live animals, the Vietnam CITES Management Authority shall consult the Vietnam CITES Scientific Authority, professional management authorities, or request professional management authorities to cooperate with relevant authorities to verify and conduct field inspections of the breeding facility;

dd) Within 07 working days from the receipt of the request for consultation, verification or inspection from the Vietnam CITES Scientific Authority, relevant authorities shall respond in writing;.

e) Within 03 working days from the receipt of responses from relevant authorities, the Vietnam CITES Management Authority shall issue the CITES permit for import using Form No. 35 in Appendix II attached to this Circular. If the Vietnam CITES Management Authority refuses to issue the permit or does not receive the consultation, verification or inspection result, a written response stating the reasons shall be provided.

Article 31. Procedures for issuance of CITES permits for introduction from the sea of specimens of fauna and flora in the Appendices I and II of the CITES

1. Vietnam CITES Management Authority shall issue the CITES permits for introduction from the sea.

2. The dossier includes:

a) The original application for introduction from the sea using Form No. 36 in Appendix II attached to this Circular;

b) The copy of license for raising aquatic species.

3. Procedures:

a) Organizations and individuals shall submit a set of dossier as prescribed in clause 2 of this Article in person, by post or via electronic means to Vietnam CITES Management Authority;

b) The Vietnam CITES Management Authority shall review the dossier and immediately make a response about the validity of the dossier if the dossier is submitted in person; make a response within 01 working day if the dossier is submitted by post and online. If the dossier is not valid, a written response stating the reasons shall be provided;

c) Within 05 working days from the receipt of the valid dossier, the Vietnam CITES Management Authority shall consider and issue the CITES permit for introduction from the sea using Form No. 35 in Appendix II attached to this Circular. In case of rejection, a written response stating the reasons shall be provided;

d) In cases of introduction from the sea of live animals, within 03 working days from the receipt of the valid dossier, the Vietnam CITES Management Authority shall consult the Vietnam CITES Scientific Authority, central-level fisheries management authorities regarding impacts of the introduction from the sea of specimens of animals on relevant animals in the wild in Vietnam;

Within 04 working days from the receipt of the consultation document of Vietnam CITES Management Authority, central-level fisheries management authorities shall respond in writing.

Within 03 working days from the receipt of the consultation result, the Vietnam CITES Management Authority shall issue the CITES permit for introduction from the sea using Form No. 35 in Appendix II attached to this Circular. If the Vietnam CITES Management Authority refuses to issue the permit or does not receive the consultation result, a written response stating the reasons shall be provided.

Article 32. Replacement of the CITES permits

1. Vietnam CITES management authority shall issue the replaced permits in cases where the issued permits are damaged or contains errors.

2. The dossier includes:

a) The original application for CITES permit using Form No. 36 in Appendix II attached to this Circular and the original issued CITES permit in cases where the issued paper CITES permit has been damaged or contains errors;

b) The original application for CITES permit using Form No. 36 in Appendix II attached to this Circular and the copy of issued CITES permit in cases where the electronic CITES permit contains errors.

3. Procedures:

a) Organizations and individuals shall submit a set of dossier as prescribed in clause 2 of this Article in person, by post or via electronic means to Vietnam CITES Management Authority;

b) The Vietnam CITES Management Authority shall review the dossier and immediately make a response about the validity of the dossier if the dossier is submitted in person; make a response within 01 working day if the dossier is submitted by post and online. If the dossier is not valid, a written response stating the reasons shall be provided;

c) Within 02 working days from the receipt of the valid dossier, the Vietnam CITES Management Authority shall issue the replaced CITES permit for import using Form No. 35 in Appendix II attached to this Circular.

4. In cases where organizations or individuals discover typographical errors, formatting or presentation mistakes on a CITES permit that has been used to complete customs clearance procedures, they shall notify the Vietnam CITES Management Authority to carry out a written correction using Form No. 37 in Appendix II attached to this Circular.

Article 33. Cancellation of CITES permits

1. Vietnam CITES management authority shall cancel the CITES permits in the following cases:

a) The permits are issued against the laws;

b) The permits have been erased or altered.

c) The permits are lost;

d) The Vietnam CITES Management Authority receives information from professional management authorities or the Vietnam CITES Scientific Authority regarding organizations or individuals that have permits violating regulations on breeding, planting, management and traceability.

2. Within 05 working days from the receipt of the information, the Vietnam CITES Management Authority shall issue the Decision on cancellation of CITES permit using Form No. 38 in Appendix II attached to this Circular.

Article 34. Vietnam CITES Management Authority

Vietnam CITES Management Authority is the unit affiliated to the Vietnam Administration of Forestry and Forest Protection performing advisory functions regarding execution of the CITES in Vietnam.

Article 35. Vietnam CITES Scientific Authority

1. The Ministry of Agriculture and Environment shall decide the criteria and procedures for appointing the Vietnam CITES Scientific Authority to perform the following tasks:

a) Provide advices and be accountable to the law for the following content: assessment of the current status of populations, distribution areas, levels of endangerment, rarity, and risk of extinction of wild flora and fauna; consultation on the issuance of CITES permits for the export, import, re-export and introduction from the sea of specimens of flora and fauna in the Appendices of the CITES; rescue and care of live specimens; identification of suitable habitats and distribution areas for the release of endangered, rare and precious fauna, and fauna in the Appendices of the CITES; consultation on ranching, captive breeding and artificial reproduction of endangered and precious wild flora and fauna, as well as fauna and flora in the Appendices of the CITES; appraisal of projects on ranching, captive breeding and artificial reproduction of wild fauna and flora species; appraisal of projects for establishing biodiversity conservation facilities; conservation breeding and cultivation at biodiversity conservation facilities; confirmation that the exploitation of endangered and precious species prioritized for protection does not affect the survival and development of the species in the wild; and plans for ex-situ conservation;

b) Participate in developing the List of endangered, precious and rare species;

c) Perform judicial expertise on endangered, precious and rare species in the Appendices of the CITES, and on common wild animals when being requested or required in accordance with the laws on judicial expertise and relevant laws.

d) Participate in the sessions of the CITES Conference of the Parties and meetings of the CITES Committees.

2. Vietnam CITES Scientific Authority shall submit annual report to the Ministry of Agriculture and Environment before December 15 of the reporting year, or ad hoc reports on results of tasks prescribed in clause 1 of this Article.

Article 36. Principles for handling confiscated specimens of fauna and flora in the Appendices of the CITES

1. Confiscated specimens with domestic origin shall be handled in accordance with the law on management and use of public property.

2. Confiscated specimens of imported origin shall be returned to the country of origin or the exporting country in accordance with the following procedures:

The responsible authority shall prepare a plan for handling the asset in accordance with the laws on management and use of public property and send a written request to Vietnam CITES Management Authority to return the imported specimens. Within 05 working days from the receipt of the request, Vietnam CITES Management Authority shall send a written request to the CITES Management Authority of the country of origin or the exporting country regarding the confiscated specimens. Within 30 days from the date Vietnam CITES Management Authority sends the request, if the CITES Management Authority of the country of origin or the exporting country refuses to

receive, does not respond, or fails to fulfill the obligation to pay the costs as prescribed by the CITES, the specimens shall be handled in accordance with clause 1 of this Article.

Chapter IV

IMPLEMENTATION

Article 37. Responsibilities for implementation

1. Vietnam Administration of Forestry and Forest Protection shall:

- a) Organize the implementation of regulations on management, protection and conservation of endangered, rare and precious wild fauna and flora; and execute the CITES as prescribed in this Circular;
- b) Provide guidelines, inspect and supervise the management of exploitation, breeding, processing, trading, transportation, storage, advertisement, import, export, re-export, transit, introduction from the sea, captive breeding, ranching, artificial reproduction of specimens of endangered, rare and precious fauna and flora in the Appendices of the CITES; breeding, rescue and release of common wild fauna in accordance with this Circular and relevant laws;
- c) Provide advices to the Ministry of Agriculture and Environment on announcement of information on endangered, rare and precious species in accordance with the laws; translate and disclose information on the notification of the CITES regulations on prohibition or suspension of trade in specimens related to Vietnam, and quantity of specimens that are personal or household items, and allowed for export, import, re-export without the CITES permit on the website of the Ministry of Agriculture and Environment;
- d) Advise the Ministry of Agriculture and Environment on the publication of the List of fauna and flora in the Appendices of the CITES ratified by the CITES Conference of the Parties;
- dd) Conduct inspection and handle within jurisdiction violations regarding exploitation, raising, processing, trading, transportation, storage, advertisement, import, export, re-export, transit, introduction from the sea, captive breeding, ranching, artificial reproduction of specimens of endangered, rare and precious fauna and flora in the Appendices of the CITES; raising, rescue and release of common wild fauna in accordance with this Circular and relevant laws;
- e) Cooperate with Nature and Biodiversity Conservation Agency in advising the Ministry of Agriculture and Environment on promulgation and amendment to the List of endangered, rare and precious species.

2. Nature and Biodiversity Conservation Agency shall:

- a) Organize the implementation of regulations on management and conservation of endangered, rare and precious species prioritized for protection as prescribed in this Circular;
- b) Take charge and cooperate with relevant units in developing programs for conservation of wild fauna and flora in the List of endangered, rare and precious species prioritized for protection, and proposing the Minister of Agriculture and Environment for promulgation and implementation of such programs as assigned by the Minister; direct and provide guidelines for conservation of endangered, rare and precious species at the nature reserves, habitats, migration areas outside nature reserves of endangered, precious and rare species, and at biodiversity conservation facilities;
- c) Provide guidelines, conduct inspection and supervision of activities of biodiversity conservation facilities, exchange, donation, release to natural distribution areas, ex-situ conservation, exploitation, raising, conservation, export and import of endangered, precious, and rare species; conduct inspection on processing and commercial trading activities involving endangered, precious and rare species prioritized for protection; conduct surveys, monitoring and assessment of the status of endangered, precious and rare species nationwide; coordinate the management of information and databases related to these species;
- d) Cooperate with Vietnam Administration of Forestry and Forest Protection in advising the Ministry of Agriculture and Environment on promulgation and amendment to the List of endangered, rare and precious species.

3. The Department of Planning – Finance shall ensure the annual funding for units affiliated to the Ministry of Agriculture and Environment to implement this Circular in accordance with the laws.

4. Other units affiliated to the Ministry shall execute regulations in this Circular within their functions and tasks.

5. Customs authority shall:

- a) Conduct inspection and verify to ensure that the management of exported, re-exported and imported specimens complies with this Circular; carry out the confirmation in boxes No. 13 and 14 on the original CITES permits for paper permits, copies printed by customs authority from the electronic system, or the original electronic CITES permit;
- b) Ensure the management of import of specimens of animals and plants in the Appendices of the CITES that are not subject to issuance of the CITES permit as prescribed in clause 6, Article 27 of this Circular;
- c) Annually, before January 31 of the reporting year, provide information and customs clearance data on the export, re-export and import of specimens listed in the Appendices of the CITES from the previous year using Form No. 39 in Appendix II attached to this

Circular to the Vietnam CITES Management Authority to satisfy the annual reporting requirements of the CITES.

6. Relevant state management authorities shall:

a) Conduct inspection on the management of biodiversity conservation facilities; the exchange, donation, release to natural distribution areas, ex-situ conservation, processing, trading, transit, export, re-export, import, introduction from the sea, captive breeding, ranching and artificial production of specimens of endangered, precious, and rare species in the Appendices of the CITES; raising, rescue and release of common wild fauna;

b) Cooperate with the Vietnam CITES Management Authority in the execution of the CITES; annually, before August 31, provide information and data on cases of seizure and handling of violations related to transit, export, re-export, import and introduction from the sea of specimens of endangered, precious, and rare species, as well as animal and plant species listed in the Appendices of the CITES from the previous year using Form No. 40 in Appendix II attached to this Circular to the Vietnam CITES Management Authority to satisfy reporting requirements of the CITES;

c) Annually, before January 31, provide information and statistical data on the storage of animal and plant specimens listed in the Appendices of the CITES that have been confiscated, seized and stored over time, or voluntarily returned by organizations or individuals from the previous year using Form No. 41 in Appendix II attached to this Circular to the Vietnam CITES Management Authority to satisfy reporting requirements of the CITES.

7. Province-level People's Committees shall:

a) Direct the inspection, monitoring and assessment of the status of endangered, precious and rare species within the province in accordance with Article 7 of this Circular; and periodically provide information on the inspection and assessment results of the province to the Ministry of Agriculture and Environment;

b) Direct the development of plans and implementation of plans for conservation of endangered, precious and rare species prioritized for protection within the province and restoration of their habitats;

c) Direct the establishment and recognition of biodiversity conservation facilities in accordance with this Circular, and approve projects for upgrading state-owned biodiversity conservation facilities under the biodiversity conservation planning to satisfy requirements for recognition as biodiversity conservation facilities;

d) Direct professional authorities to ensure compliance with regulations on issuance of codes for breeding facilities, issuance of certificates for biodiversity conservation facilities, and exploitation in accordance with this Circular;

dd) Inspection and supervision of operations of breeding facilities and biodiversity conservation facilities within the province;

e) Annually, before January 31, provide information and statistical data on the storage of animal and plant specimens listed in the Appendices of the CITES after confiscation or voluntarily returned by organizations or individuals from the previous year using Form No. 41 in Appendix II, and report on the breeding activities of species listed in the list of endangered, precious, and rare species; those listed in the Appendices of the CITES; and breeding of common wild animals using Form No. 42 in Appendix II attached to this Circular to the Ministry of Agriculture and Environment.

Article 38. Transitional provisions

1. Breeding facilities issued codes shall establish a monitoring logbook in accordance with this Circular within 90 days from the effective date of this Circular.
2. Organizations and individuals that have applied for issuance of identification codes for breeding and wild exploitation facilities, certificates for biodiversity conservation facilities, CITES permits; for release, exchange or donation of specimens of endangered, precious, and rare species prioritized for protection but have not yet received resolution from competent authorities shall comply with the applicable laws at the time of receipt, except in cases where organizations or individuals request to proceed in accordance with this Circular.
3. Within 12 months from the effective date of this Circular, the province-level People's Committee shall direct the Department of Agriculture and Environment to conduct a survey of planting facilities that have planted endangered, precious and rare species or species listed in the Appendices of the CITES prior to the effective date of this Circular but have not yet been assigned identification codes or issued certificates for biodiversity conservation facilities; and submit the information to the authority issuing codes and the authority issuing biodiversity conservation facility certificates. The authority responsible for issuing codes and biodiversity conservation facility certificates under the provisions of this Circular shall issue planting facility identification codes and biodiversity conservation facility certificates within 05 working days from the receipt of the information from the Department of Agriculture and Environment.
4. Within 02 years from the effective date of this Circular, wildlife rescue facilities and facilities breeding endangered, precious and rare animal species or species listed in the Appendices of the CITES prior to the effective date of this Circular but have not yet been assigned identification codes or issued biodiversity conservation facility certificates, organizations and individuals shall submit apply for issuance of identification codes or biodiversity conservation facility certificates in accordance with this Circular.
5. Within 01 year from the effective date of this Circular, the authority issuing codes as prescribed in this Circular shall review and amend identification codes for breeding facilities that were assigned codes before the effective date of this Circular according to

the breeding forms in accordance with this Circular. Organizations and individuals shall re-submit the original facility identification code that was previously issued and are exempted from applying for issuance of identification codes as prescribed in clause 3, Article 26 of this Circular.

6. For breeding facilities that were assigned identification codes before the effective date of this Circular, the authority issuing identification codes as prescribed in this Circular shall revoke the codes if the breeding facilities fall under one of the cases prescribed in point a, clause 6, Article 26 of this Circular.

7. For breeding facilities that were not identification codes before the effective date of this Circular and are exempt from compulsory code registration as prescribed in this Circular, within 90 days from the effective date of this Circular, the owners of breeding facilities shall open logs, submit breeding notifications and origin dossiers of animals and plants to the local forestry authorities for supervision and management as prescribed in clause 5, Article 25 of this Circular.

8. Specimens with forest product dossiers confirmed by competent authorities before the effective date of this Circular may continue to be used for processing and domestic trading.

Specimens confirmed and approved in writing by professional fisheries management authorities before the effective date of this Circular may continue to be used for processing and trading.

9. Specimens listed in Appendix II of the CITES with established export quotas for specimens that are harvested from the wild before the effective date of this Circular and announced by the CITES Secretariat may continue to be harvested in accordance with the procedures prescribed in clause 4, Article 10 of this Circular and may be exported for commercial purposes until the quota expires. The annual export quota quantity is applied accordingly.

10. Biodiversity conservation facilities that have been issued licenses for biodiversity conservation facilities by the province-level People's Committees are not required to obtain identification codes for breeding facilities. Organizations and individuals shall open logs for breeding and submit them to the authority issuing identification codes for breeding facilities as prescribed in this Circular.

11. Within 24 months from the effective date of this Circular, biodiversity conservation facilities that have been assigned breeding facility codes by competent authorities shall apply for issuance of biodiversity conservation facility certificates at the province-level People's Committee as prescribed in this Circular.

Article 39. Effect

1. This Circular comes into force from January 01, 2026.

2. Circular No. 27/2025/TT-BNNMT dated June 24, 2025 of the Minister of Agriculture and Environment on management of endangered, rare and precious species; the breeding of common wild fauna; and the enforcement of the convention on international trade in endangered wild fauna and flora ceases to be effective from the effective date of this Circular.

3. In cases where legislative documents prescribed in this Circular are amended, supplemented, or replaced, the newer documents shall prevail.

4. Authorities, organizations, households and individuals shall report any issues arise during the implementation to the Ministry of Agriculture and Environment for timely amendments./.

**PP. MINISTER
DEPUTY MINISTER**

Nguyen Quoc Tri

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