

HO CHI MINH NATIONAL ACADEMY OF POLITICS

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**APPLICATION OF LAW IN THE INVESTIGATION OF CRIMES
VIOLATING REGULATIONS ON THE PROTECTION OF
ENDANGERED, PRECIOUS, AND RARE ANIMALS BY THE
INVESTIGATION POLICE AGENCY IN VIETNAM**

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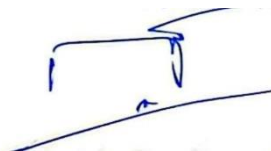
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INTRODUCTION

1. Rationale of the study

The protection of endangered, precious, and rare (EPR) animal species has now gone beyond the scope of an ordinary environmental protection task, becoming an issue of strategic importance in safeguarding ecological security, maintaining the natural balance of ecosystems, and fulfilling international commitments to sustainable development. Amidst the accelerating impacts of climate change, declining biodiversity, and the increasing risk of species extinction, the international community - including Vietnam - considers nature conservation an urgent mission tied to shared global responsibility. Vietnam's accession to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in 1994 has placed a mandatory obligation on the State to domesticate, implement, and ensure the effectiveness of legal regulations governing the management, protection, and prevention of illegal trade in wildlife and EPR species. This is particularly significant given that Vietnam is identified as one of the world's hotspots for the trafficking, transit, and consumption of wildlife and products derived from EPR animals.

From the perspective of national law, the Criminal Code of Vietnam 2015 devotes Article 244 to stipulating the offence of "Violations of regulations on the protection of endangered, precious, and rare animals," thereby demonstrating the State's particular concern over acts that seriously infringe upon natural resources and environmental security; concurrently, Resolution No. 27-NQ/TW of the Central Committee of the Communist Party of Vietnam affirms the requirement to continue building a socialist rule-of-law state, enhance the effectiveness of law application, and strengthen the operational efficiency of judicial agencies in crime prevention and control, while the 14th National Congress of the Communist Party of Vietnam further emphasizes the tasks of environmental protection, biodiversity conservation, and the совершенствование of the legal system alongside improving the effectiveness of state management over natural resources; within this enforcement framework, the Investigation Police Agency plays a central role in the application of law (ADPL) in detecting, handling, preventing, and investigating criminal acts under Article 244, thereby contributing significantly to ensuring deterrence, prevention, and overall legal compliance in society.

However, practical experience in recent years shows that the AOL in investigating crimes of this nature still exhibits several limitations that require scientific identification, analysis, and remediation. One notable shortcoming is the incomplete and insufficient assessment of initial information, which often fails to accurately reflect the substance of the case, resulting in incorrect investigative orientations. The selection of applicable legal provisions remains challenging due to the existence of multiple specialized regulations; in some instances, legal norms have been incorrectly applied, citations lack sufficient grounds, or procedural decisions have been issued without meeting statutory conditions. Furthermore, delays in the AOL process persist; the execution of procedural decisions remains inconsistent; procedures governing the handling and preservation of live animal exhibits remain inadequate; interagency coordination lacks uniformity; and violations of the legitimate rights and interests of persons subject to AOL still occur. These shortcomings not only undermine investigative effectiveness but also negatively affect Vietnam's compliance with its international obligations under CITES.

The causes of these limitations derive from both objective and subjective factors. Objectively, the legal framework related to EPR wildlife protection remains overlapping, inconsistent, and insufficient to keep pace with the increasingly sophisticated methods of environmental crime; coordination mechanisms among specialized forces in monitoring,

investigating, and handling such offenses remain fragmented; and the capacity for forensic examinations and traceability of exhibits does not yet meet practical requirements. Subjectively, investigative personnel still face shortcomings in interdisciplinary knowledge and lack specialized skills required for applying legal regulations in the environmental–biological–criminal context; training and professional development have not been adequately prioritized to match the complexity of crimes involving EPR species; and experiential, mechanical approaches to AOL continue to persist in certain investigations.

In this context, legal science is required to establish a comprehensive, systematic, and modern theoretical framework on the application of law in the investigation of crimes relating to EPR species. Yet, current domestic research has only addressed isolated aspects such as biodiversity conservation, combating wildlife trafficking, administrative enforcement, or analyses of criminal law provisions. There has been no scientific work that systematically, comprehensively, and deeply examines the AOL in investigating offenses violating regulations on EPR wildlife protection, particularly from the theoretical perspectives of the State and law, and from the standpoint of the Investigation Police Agency as the primary subject of AOL. This scholarly gap leads to inconsistent legal interpretation and application in practice, a lack of theoretical grounding, and insufficient standardization in investigative activities.

As environmental crime — especially crime involving EPR species — increases in scale, complexity, and organizational sophistication, the refinement of legal thinking on AOL becomes essential. This study contributes to clarifying the nature, roles, content, and characteristics of AOL in investigating this distinct category of crime; assessing the current state of AOL conducted by the Investigation Police Agency; identifying limitations and their causes; and proposing systematic solutions to improve the legal framework, enhance investigative quality, and strengthen the effectiveness of State management.

For these reasons, it can be affirmed that the selection of the topic *“Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Animals by the Investigation Police Agency in Vietnam”* as a doctoral dissertation under the major Theory and History of the State and Law is both urgent and highly significant in theoretical and practical terms. The research not only elucidates fundamental issues relating to AOL carried out by investigative authorities but also contributes practically to legal reform and the enhancement of State management effectiveness in the field of environmental and biodiversity protection in Vietnam.

2. Research objectives and tasks

2.1. Research objectivecs

The dissertation aims to contribute to the supplementation and development of theoretical foundations concerning the application of law (AOL) in the investigation of crimes violating regulations on the protection of endangered, precious, and rare (EPR) animals by the Investigation Police Agency in Vietnam. It also seeks to examine the practical implementation of AOL in this field and to propose viewpoints and solutions to ensure that AOL is carried out correctly, consistently, and in accordance with the requirements of building a socialist rule-of-law state and fulfilling Vietnam’s international commitments on nature conservation.

2.2. Research tasks

To achieve the above aim, the dissertation sets out the following tasks:

First, to collect and analyze domestic and international research works related to the application of law and the investigation of crimes violating regulations on EPR wildlife protection conducted by the Investigation Police Agency. On that basis, the dissertation evaluates

existing theoretical and practical findings, identifies proposed recommendations and solutions, and determines the issues that require further study within this research.

Second, to analyze and clarify the theoretical foundations of AOL in the investigation of crimes violating regulations on EPR wildlife protection by the Investigation Police Agency, including: concepts, characteristics, roles, substantive legal content and stages of AOL, as well as the conditions ensuring the effective application of law in this field. The dissertation also examines the experiences of selected countries and assesses their relevance and value for Vietnam.

Third, to analyze the factors influencing the current state of AOL in the investigation of crimes violating regulations on EPR wildlife protection by the Investigation Police Agency, while simultaneously assessing the practical situation of AOL across various dimensions, including results achieved, existing limitations, and the causes of both achievements and shortcomings.

Fourth, to forecast future trends in crimes violating regulations on EPR wildlife protection in Vietnam; and to propose viewpoints and solutions to ensure the effective application of law in the investigation of such crimes by the Investigation Police Agency in the coming period.

3. Research subject and scope

3.1. Research subject

The research subject of the dissertation consists of theoretical and practical issues concerning the application of law (AOL) in the investigation of crimes violating regulations on the protection of endangered, precious, and rare (EPR) animals by the Investigation Police Agency in Vietnam.

3.2. Research scope

- Content scope: The dissertation focuses on the legal framework governing the investigation of crimes violating regulations on the protection of endangered, precious, and rare (EPR) animals. The study covers the following key legal aspects: (1) laws on investigative authority; (2) laws on the receipt and handling of crime reports, denunciations, and recommendations for prosecution related to crimes violating regulations on the protection of EPR animals; (3) laws on the initiation of criminal proceedings and the application of preventive measures in such cases; (4) laws on investigative measures for crimes violating regulations on the protection of EPR animals; and (5) laws on the suspension or conclusion of investigations of such crimes.

- Subject scope: The subjects of implementation include heads, deputy heads, investigators, and investigation officers of the Investigation Police Agencies under the Ministry of Public Security and provincial-level police departments. For the period prior to the organizational restructuring that abolished district-level police investigation agencies (before March 1, 2025), the dissertation also takes into account the practical activities of these district-level Investigation Police Agencies in selected localities to ensure continuity and comprehensiveness in evaluation.

- Spatial scope: The research is conducted in Vietnam and incorporates comparative experiences in the application of law in investigating crimes violating regulations on the protection of EPR animals from several countries, including the United States, the United Kingdom, the Russian Federation, the People's Republic of China, and the Kingdom of Thailand.

- Temporal scope: The research covers the period from 2015 to December 2025.

4. Theoretical foundation and research methods

4.1. Theoretical foundation

The dissertation employs the methodological foundation of dialectical and historical materialism to examine issues related to the research topic. It is grounded in the theoretical framework of Marxism–Leninism and Ho Chi Minh's thought on the State and

the law in general, and on the application of law (AOL) in criminal investigation in particular, as well as the Party's and the State's viewpoints on the AOL in investigating crimes that violate regulations on the protection of endangered, precious, and rare (EPR) animals in the context of building a socialist rule-of-law State in the new era.

This theoretical foundation serves as the ideological and methodological basis for studying and ensuring the effective application of law in the investigation of crimes violating regulations on the protection of EPR animals by the Investigation Police Agency of Vietnam today.

4.2. Research methods

In the course of conducting the dissertation research, the doctoral candidate employed a variety of research methods, specifically as follows:

Documentary research method: This method is applied across all four chapters of the dissertation. It focuses on examining the system of documents issued by the Communist Party of Vietnam, as well as the policies and legal provisions of the State, the Ministry of Public Security, and other relevant ministries and sectors related to the application of law (AOL) in the investigation of crimes violating regulations on the protection of endangered, precious, and rare (EPR) animals. It also involves collecting and analyzing textbooks, scientific works, doctoral dissertations, and specialized monographs both domestically and internationally concerning the AOL in the investigation of such crimes. The findings and theoretical foundations of these prior studies are selectively inherited, supplemented, and further developed to meet the specific research objectives of this dissertation.

Analytical and synthetic methods: These methods are employed throughout the dissertation. They are used to analyze and compare different scientific viewpoints in order to construct definitions, characteristics, and roles of the AOL in the investigation of crimes violating regulations on the protection of EPR animals by the Investigation Police Agency, as presented in Chapter 2. In addition, these methods are utilized to analyze the current situation of such crimes and assess the practical state of the AOL in their investigation by Investigation Police Agencies at various levels in Vietnam, thereby identifying achieved results, existing limitations, and their underlying causes.

Survey and crime statistics method: This method is applied in Chapter 3 to collect and analyze statistical data on crimes violating regulations on the protection of EPR animals in Vietnam during the period from 2015 to 2025. The data are drawn from reports and summaries issued by the Education for Nature – Vietnam (ENV), the Ministry of Public Security, the Supreme People's Procuracy, the Supreme People's Court, and other competent authorities.

Expert method: This method is applied in Chapters 2 and 3 to gather expert opinions and professional insights related to the research topic, particularly from specialists in criminal investigation theory and experts with practical experience in AOL in the investigation, prevention, and combating of crimes violating regulations on EPR wildlife protection.

Comparative legal method: This method is applied in Chapter 2 and focuses on comparing different legal systems related to the protection of EPR animals around the world to identify similarities and differences. This method is significant as it supports the analysis and improvement of Vietnam's legal system, promotes legal harmonization, and contributes to the development of more rational legislative policies.

Scientific forecasting method: This method is used in Chapter 4 to identify future trends in crimes violating regulations on EPR wildlife protection and to determine the requirements posed for the AOL by the Investigation Police Agency in the coming period.

The dissertation places particular emphasis on comparing existing legal provisions and proposed solutions to improve the law in order to ensure the AOL in investigating crimes violating regulations on EPR wildlife protection by the Investigation Police Agency in Vietnam, as well as comparing them with the current practice to identify inconsistencies requiring amendment or supplementation. From this, necessary conclusions are drawn, and evaluations and justifications are provided as the basis for proposing viewpoints and solutions to ensure the AOL in this field in the coming period.

5. New contributions of the dissertation

This dissertation is the first systematic and comprehensive study on the application of law (AOL) in the investigation of crimes violating regulations on the protection of endangered, precious, and rare (EPR) animals by the Investigation Police Agency, and it makes the following key new contributions:

- It develops the concept, clarifies the characteristics and roles, and identifies the conditions ensuring the effective application of law in the investigation of crimes violating regulations on the protection of EPR animals by the Investigation Police Agency.

- It provides a thorough assessment of the current state of the application of law in the investigation of crimes violating regulations on the protection of EPR animals by the Investigation Police Agency; analyzes and identifies the achievements, as well as the limitations and their underlying causes, in the process of applying the law in such investigations in recent years.

- It justifies theoretical viewpoints and proposes a set of solutions to ensure the application of law in the investigation of crimes violating regulations on the protection of EPR animals by the Investigation Police Agency in the coming period. Among these, the dissertation highlights several innovative solutions, including: the development of a data infrastructure system to meet the requirements of law application in the investigation of such crimes, and the strengthening of mechanisms for management, monitoring, and supervision of the implementation of law application activities in these investigations.

6. Theoretical and practical significance of the dissertation

6.1. Theoretical significance

The research findings of the dissertation contribute to the supplementation, improvement, and further enrichment of the theoretical framework on the application of law (AOL) in criminal investigation in general, and particularly on the application of law in the investigation of crimes violating regulations on the protection of endangered, precious, and rare (EPR) animals by the Investigation Police Agency in Vietnam.

6.2. Practical significance

The research findings of the dissertation help clarify the current state of the application of law (AOL) in the investigation of crimes violating regulations on the protection of endangered, precious, and rare (EPR) animals by the Investigation Police Agency in Vietnam. At the same time, the viewpoints and solutions proposed in the dissertation are scientific and highly applicable, providing practical guidance for investigation agencies in their operations.

The research results also serve as a valuable source of reference for teaching, studying, and research in the fields of Theory and History of the State and Law and Criminal Investigation Law at legal and non-legal educational institutions. Moreover, the dissertation offers practical foundations for state authorities in the process of developing policies and revising or improving legal documents on criminal investigation, thereby contributing to the effective prevention and control of crimes violating regulations on the protection of EPR animals in Vietnam.

7. Structure of the dissertation

The dissertation consists of the introduction, main content, conclusion, list of references, and appendices. The main content is structured into four chapters with eleven sections.

CHAPTER 1

OVERVIEW OF RESEARCH ON THE DISSERTATION TOPIC AND ISSUES REQUIRING FURTHER STUDY

1.1. Overview of Research Related to the Dissertation Topic

1.1.1. Domestic Research

1.1.1.1. Studies Related to the Application of Law (AOL)

The dissertation provides an overview of domestic studies related to the application of law (AOL). These studies appear in the form of scientific research projects, reference books, monographs, doctoral dissertations, academic journals, and scientific articles. Collectively, they offer valuable theoretical and practical foundations relevant to the dissertation, contributing useful insights for further analysis and development of the research topic.

1.1.1.2. Studies Related to the Application of Law in Criminal Investigation by the Investigation Police Agency

The dissertation also reviews domestic studies concerning the application of law in criminal investigations conducted by the Investigation Police Agency. These include specialized monographs, scientific articles, conference papers, and doctoral dissertations. Such works provide theoretical and practical foundations regarding investigative methods, tactics, and criminal handling; they also assess existing legal shortcomings and propose remedial solutions. These studies serve as important reference sources for the dissertation's examination of the application of law in investigating crimes that violate regulations on the protection of endangered, precious, and rare (EPR) animals.

1.1.1.3. Studies Related to the Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare (EPR) Animals by the Investigation Police Agency in Vietnam

The dissertation provides an overview of domestic studies concerning the application of law (AOL) in the investigation of crimes violating regulations on the protection of EPR animals. These works, including specialized monographs, textbooks, scientific research projects, academic articles, conference proceedings, and doctoral dissertations, have offered both theoretical and practical foundations on criminal law, procedural law, investigative methods, and experiences in handling this type of crime. They also analyze the difficulties and obstacles encountered in practice, identify their causes, and propose solutions for improvement.

These studies serve as an important reference source, enabling the author to inherit, supplement, and further develop key arguments, thereby strengthening the scientific basis for the application of law in the investigation of crimes violating regulations on the protection of EPR animals by the Investigation Police Agency in Vietnam.

1.1.2. Foreign Research

1.1.2.1. Studies Related to the Application of Law (AOL)

The dissertation provides an overview of foreign research related to the application of law (AOL), including specialized monographs and both theoretical and practical studies conducted across various countries and regions. These works analyze the concepts, contents, and processes of law application in fields such as human rights, democracy, international law, environmental law, and the theory of the state and law. They also identify the difficulties, challenges, and causes of inconsistencies in law application, while proposing solutions for improvement. These studies offer comparative perspectives, enriching both the theoretical and practical foundations for the author's research on the application of law in investigating crimes that violate regulations on the protection of endangered, precious, and rare (EPR) animals in Vietnam.

1.1.2.2. Studies Related to the Application of Law in Criminal Investigation by the Investigation Police Agency

The dissertation reviews international studies concerning the application of law in criminal investigations conducted by investigative police bodies. These works include monographs, action plans, international declarations, conference proceedings, and scientific articles focusing on methods of identification, reporting, and investigation; analyses of criminal motives and operational patterns; experiences in prevention, suppression, and international cooperation; and the role of professional expertise in investigations. These materials constitute an important source of reference, providing theoretical, practical, and international experience for the author to draw upon in developing and refining solutions to ensure the effective application of law in investigating crimes that violate regulations on the protection of EPR animals in Vietnam.

1.1.2.3. Studies Related to the Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Animals by the Investigation Police Agency

The dissertation also examines foreign research concerning the application of law in the investigation of crimes violating regulations on the protection of EPR animals by the Investigation Police Agency, including specialized monographs, reports, research studies, and scientific articles. These materials analyze crime control models, national and international legal frameworks, judicial cooperation, investigative experiences, the use of technology and technical means, inter-agency coordination mechanisms, and the role of social organizations in combating wildlife-related crimes. Such works provide essential theoretical and practical insights, as well as international experiences, which the author uses as references for comparison and for proposing solutions to strengthen the application of law in the investigation of these crimes in Vietnam.

1.2. Evaluation of Research Status and Issues Requiring Further Study

1.2.1. Evaluation of the Research Status

From the overall review of existing studies, it can be seen that scientific works on the **application of law (AOL)** have addressed various theoretical, practical, and solution-oriented aspects across different fields, thereby providing an important reference source for this research. However, in general, there has not yet been a study that directly and comprehensively examines the **application of law in the investigation of crimes violating regulations on the protection of endangered, precious, and rare (EPR) animals** by the **Investigation Police Agency**. Gaps remain across all three dimensions—**theory, practice, and policy-oriented solutions**—particularly regarding the analysis of fundamental principles, substantive content, and specific methods of law application; the assessment of practical effectiveness; inter-agency coordination; and the application of international legal standards. Therefore, an in-depth, systematic, and comprehensive study is necessary to clarify the theoretical and practical foundations and to propose feasible solutions that meet the current demands of combating this category of crime in Vietnam.

1.2.2. Issues Requiring Further Study

** From the theoretical perspective:*

Building upon and selectively inheriting existing viewpoints while addressing remaining gaps, the dissertation constructs a comprehensive theoretical framework for the application of law in the investigation of crimes violating regulations on the protection of EPR animals. It clarifies the concept, characteristics, roles, contents, and stages of AOL by the Investigation Police Agency for this type of crime, identifying both the similarities and differences compared with the investigation of other criminal offenses.

** From the practical perspective:*

The dissertation analyzes and evaluates the influencing factors, achieved outcomes, and limitations encountered in the process of law application by the Investigation Police Agency in investigating this type of crime in Vietnam. The evaluation is conducted across the stages of AOL, while identifying the root causes of limitations and difficulties in practice, including issues related to inter-agency coordination and the application of international legal instruments.

** From the perspective of viewpoints, solutions, and recommendations:*

The dissertation forecasts the future trends of these crimes, formulates a coherent system of guiding viewpoints, and proposes a comprehensive and feasible set of solutions to ensure the effective application of law in the investigation of crimes violating regulations on the protection of EPR animals by the Investigation Police Agency. These proposed solutions are grounded in solid scientific reasoning, possess strong argumentative validity, and demonstrate higher practical value compared to previous studies.

1.3. Research Hypothesis and Research Questions

1.3.1. Research Hypothesis

Based on the review of existing studies and the theoretical foundations of the application of law (AOL) by the Investigation Police Agency in Vietnam in investigating crimes violating regulations on the protection of endangered, precious, and rare (EPR) animals, the dissertation proposes the following research hypothesis:

The application of law in the investigation of crimes involving violations of regulations on the protection of endangered, precious, and rare animals by the Investigation Police Agency plays an important role in environmental protection, the protection of endangered, precious, and rare animals, and the maintenance of ecological balance. However, at present, the theoretical framework and legal regulations governing this activity have not been fully studied and completed, while the practical application of law by the Investigation Police Agency still reveals a number of limitations due to both objective and subjective causes, such as the impact of the market economy, the development of science and technology, the trend of transnational crime, as well as limitations in awareness, capacity, and professional qualifications of the investigative personnel. Therefore, it is necessary to continue improving the law and enhancing the effectiveness of law application in the investigation of crimes involving violations of regulations on the protection of endangered, precious, and rare animals; the Investigation Police Agency needs to improve awareness, capacity, and professional qualifications for the Investigation Police force, effectively organize investigative measures, and enhance the effectiveness of coordination among relevant forces as well as strengthen international cooperation.

1.3.2. Research Questions

Drawing from the above hypothesis, the dissertation raises several key research questions:

- How should the application of law in the investigation of crimes violating regulations on the protection of EPR animals be understood? What are its characteristics, roles, and conditions for effective implementation?
- What contents are included in the law governing the application of law in the investigation of crimes involving violations of regulations on the protection of endangered, precious, and rare animals by the Investigation Police Agency? How are the stages of law application in the investigation of this category of crime carried out?
- How has the practice of law application in the investigation of crimes involving violations of regulations on the protection of endangered, precious, and rare animals by the Investigation Police Agency in Vietnam been conducted in recent years? What results have been achieved? What are the limitations, difficulties, and obstacles, and what are the causes of those limitations?

- To ensure the effective application of law in investigating crimes violating regulations on the protection of EPR animals by the Investigation Police Agency in Vietnam in the coming period, what guiding viewpoints should be adopted, and what comprehensive solutions should be implemented?

Chapter 2

THEORETICAL FOUNDATIONS OF THE APPLICATION OF LAW IN THE INVESTIGATION OF CRIMES VIOLATING REGULATIONS ON THE PROTECTION OF ENDANGERED, PRECIOUS, AND RARE ANIMALS BY THE INVESTIGATION POLICE AGENCY

2.1. DEFINITION, CHARACTERISTICS, AND ROLE OF THE APPLICATION OF LAW IN THE INVESTIGATION OF CRIMES VIOLATING REGULATIONS ON THE PROTECTION OF ENDANGERED, PRECIOUS, AND RARE ANIMALS BY THE INVESTIGATION POLICE AGENCY

2.1.1. Definition of the Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Animals by the Investigation Police Agency

*** Definition of the Application of Law**

The application of law (AOL) is an activity that carries the authoritative power of the State, performed by competent agencies and officials in accordance with legally prescribed procedures and processes. Its purpose is to individualize legal norms and apply them to specific cases involving specific organizations or individuals through the issuance of law-applying decisions, thereby giving rise to, altering, or terminating the legal rights and obligations of subjects within legal relations.

*** Definition of Endangered, Precious, and Rare Animals**

Endangered, precious, and rare animals are species that possess special economic, scientific, and ecological value, exist in very limited numbers in the wild or are at risk of extinction, and are listed in the List of endangered, precious, and rare species prioritized for protection, or in the List of endangered, precious, and rare forest flora and fauna under Group IB as prescribed by the Government, or in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

*** Definition of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Animals**

Crimes involving violations of regulations on the protection of endangered, precious, and rare animals are acts of illegally hunting, capturing, killing, transporting, raising, confining, or trading animals, or illegally transporting, possessing, or trading individuals, body parts, or products of animal species listed in the List of endangered, precious, and rare species as prescribed by national law and international treaties to which Vietnam is a party, committed intentionally by individuals with criminal liability capacity or by commercial legal entities to the extent that criminal liability must be imposed.

*** Definition of the Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Animals by the Investigation Police Agency**

The application of law in the investigation of crimes violating regulations on the protection of EPR animals by the Investigation Police Agency refers to the strict and accurate observance and enforcement of legal provisions by the agency in preventing, investigating, and handling such crimes. This process ensures the lawful rights and interests of all parties involved and upholds fairness, transparency, and compliance with the rule of law.

2.1.2. Characteristics of the Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Animals by the Investigation Police Agency

First, the application of law (AOL) in the investigation of crimes violating regulations on the protection of endangered, precious, and rare (EPR) animals is an organized activity that reflects the will and authority of the State as exercised through the Investigation Police Agency.

Second, the AOL in the investigation of crimes violating regulations on the protection of EPR animals is closely associated with the highly specialized professional activities of the Investigation Police Force and requires close coordination with other relevant professional and technical agencies.

Third, the AOL in investigating these crimes demands a flexible combination of criminal law, criminal procedure law, and relevant sectoral laws, ensuring consistency and coherence in both legal interpretation and enforcement.

Fourth, the AOL in the investigation of crimes violating regulations on the protection of EPR animals by the Investigation Police Agency is characterized by its individualized and case-specific nature, as it directly adjusts and resolves concrete acts of legal violation.

2.1.3. Role of the Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Animals by the Investigation Police Agency

First, the AOL in the investigation of crimes violating regulations on the protection of EPR animals helps raise public legal awareness, contributing to the protection of wildlife species, ecosystems, and the natural environment.

Second, the AOL in investigating these crimes directly serves the crime prevention and suppression functions of the Investigation Police Agency, thereby strengthening the effectiveness of criminal justice enforcement.

Third, the AOL in the investigation of crimes violating regulations on the protection of EPR animals contributes to environmental protection and social order, creating a stable foundation and motivation for local socio-economic development.

Fourth, the AOL in the investigation of crimes violating regulations on the protection of EPR animals by the Investigation Police Agency ensures that legal provisions on wildlife protection are effectively implemented in social life, while promoting the fulfillment of international treaties and commitments to which Vietnam is a party.

2.1.4. Criteria for Assessing the Application of Law

(1) The correctness of the legal basis serving as the foundation for investigative decisions and activities; (2) The lawfulness of investigative procedures and methods, ensuring that no violations of human rights or citizens' rights occur; (3) The completeness, coherence, and logical consistency of the system of collected evidence to clarify the criminal act, the offender's identity, the resulting harm, and other relevant circumstances; and (4) The consistency between investigative outcomes and the requirements of protecting endangered, precious, and rare (EPR) animals in accordance with the State's criminal policy.

2.2. CONTENT OF LAW AND STAGES OF THE APPLICATION OF LAW IN THE INVESTIGATION OF CRIMES VIOLATING REGULATIONS ON THE PROTECTION OF ENDANGERED, PRECIOUS, AND RARE ANIMALS BY THE INVESTIGATION POLICE AGENCY

2.2.1. Content of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Animals by the Investigation Police Agency

The legal framework governing the investigation of crimes violating regulations on the protection of endangered, precious, and rare (EPR) animals includes the following main components:

First, laws on investigative authority.

Second, laws on the receipt and handling of crime reports, denunciations, and recommendations for prosecution concerning crimes violating regulations on the protection of EPR animals.

Third, laws on the initiation of criminal proceedings, prosecution of suspects, and the application of preventive measures in such cases.

Fourth, laws on investigative measures applicable to crimes violating regulations on the protection of EPR animals.

Fifth, laws on the suspension or conclusion of investigations of crimes violating regulations on the protection of EPR animals.

2.2.2. Stages of the Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Animals by the Investigation Police Agency

In the process of investigating crimes violating regulations on the protection of EPR animals in Vietnam, the Investigation Police Agency implements a series of stages in the application of law (AOL) to ensure transparency, fairness, and effectiveness. These stages include:

First, receiving information, and accurately analyzing and assessing the facts and circumstances of the case.

Second, selecting the appropriate legal norms as the legal basis for making decisions on law application.

Third, issuing decisions on the application of law.

Fourth, organizing and implementing legal documents and decisions in accordance with the applicable legal provisions.

2.3. CONDITIONS ENSURING THE APPLICATION OF LAW IN THE INVESTIGATION OF CRIMES VIOLATING REGULATIONS ON THE PROTECTION OF ENDANGERED, PRECIOUS, AND RARE WILDLIFE BY THE INVESTIGATION POLICE AGENCY IN VIETNAM

The conditions ensuring the application of law (ADPL) in the investigation of crimes violating regulations on the protection of endangered, precious, and rare wildlife by the Investigation Police Agency constitute an integrated system comprising political, legal, economic, cultural–social, and international cooperation conditions.

2.3.1. Political Conditions

2.3.2. Legal Conditions

2.3.3. Economic Conditions

2.3.4. Cultural and Social Conditions

2.3.5. Conditions on International Cooperation

2.4. APPLICATION OF LAW IN THE INVESTIGATION OF CRIMES VIOLATING REGULATIONS ON THE PROTECTION OF ENDANGERED, PRECIOUS, AND RARE WILDLIFE IN SOME COUNTRIES AROUND THE WORLD AND LESSONS FOR VIETNAM

2.4.1. Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Wildlife in Selected Countries

2.4.1.1. The United States of America

2.4.1.2. The United Kingdom

2.4.1.3. The Russian Federation

2.4.1.4. The People's Republic of China

2.4.1.5. The Kingdom of Thailand

2.4.2. Reference Values for the Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Wildlife in Vietnam

Firstly, it is essential to further improve and complete the legal framework on the protection of wildlife, particularly endangered, precious, and rare species. The focus should be placed on ensuring consistency, clarity, and enforceability of relevant legal provisions; harmonizing national legislation with international treaties such as the *Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)*; and developing detailed legal documents specifying criminal liability, procedures for investigation, and mechanisms for coordination among competent agencies in handling wildlife-related offences.

Secondly, it is necessary to establish and consolidate specialized law enforcement forces tasked with implementing legal provisions on the protection of wildlife and endangered species. These forces should be professionally trained in criminal investigation techniques, forensic examination, environmental crime investigation, and the use of scientific and technological means in collecting, preserving, and analyzing evidence. The development of such specialized entities will enhance the efficiency and effectiveness of law enforcement activities in this complex and transnational crime area.

Thirdly, international cooperation in preventing and combating crimes violating regulations on wildlife protection should be further strengthened. Vietnam should actively engage in bilateral and multilateral cooperation frameworks, exchange information and experience, conduct joint investigations, and provide mutual legal assistance in accordance with international commitments. This will contribute to improving the effectiveness of transnational crime prevention and affirm Vietnam's responsibility as a member of the international community in biodiversity conservation.

Fourthly, there is a pressing need to raise public awareness of the importance of protecting endangered, precious, and rare species, as well as the harmful consequences of wildlife-related crimes. Awareness campaigns, education programs, and community-based initiatives should be developed to promote a sense of responsibility among citizens and encourage lawful behaviors in relation to wildlife exploitation, trade, and consumption.

Fifthly, the State and competent agencies should enhance investment in the modernization of equipment, facilities, and technical means serving the investigation of crimes violating wildlife protection regulations. The application of advanced technologies—such as digital forensics, DNA analysis, electronic tracking, and data integration systems—will contribute to improving the capacity of investigation authorities in detecting, documenting, and handling violations, thereby ensuring the strict and effective enforcement of the law.

Chapter 3

FACTORS INFLUENCING AND THE CURRENT SITUATION OF LAW APPLICATION IN THE INVESTIGATION OF CRIMES VIOLATING REGULATIONS ON THE PROTECTION OF ENDANGERED, PRECIOUS, AND RARE WILDLIFE BY THE INVESTIGATION POLICE AGENCY IN VIETNAM

3.1. FACTORS INFLUENCING THE CURRENT SITUATION OF LAW APPLICATION IN THE INVESTIGATION OF CRIMES VIOLATING REGULATIONS ON THE PROTECTION OF ENDANGERED, PRECIOUS, AND RARE WILDLIFE BY THE INVESTIGATION POLICE AGENCY IN VIETNAM

3.1.1. Geographical, Natural, Economic, Political, Cultural, and Social Characteristics

3.1.1.1. Geographical and Natural Characteristics

Vietnam possesses a diverse geographical position and ecosystem, encompassing 33 national parks and 168 nature reserves, home to numerous endangered, precious, and rare animal species. These characteristics create favorable conditions for wildlife protection and for the investigation of related offences. The nationwide conservation network provides essential support in detecting, preventing, and promptly handling illegal hunting and wildlife trafficking activities.

However, the country's rugged mountainous terrain, extensive borders, and long coastline have been exploited by offenders to transport and trade wildlife illegally, posing significant challenges to law enforcement and monitoring efforts. In addition, habitat degradation and the high commercial value of certain endemic species have increased the complexity of investigations and the handling of wildlife-related violations.

3.1.1.2. Economic, Political, Cultural, and Social Characteristics

– Economic and Political Characteristics

First, the Communist Party and the State of Vietnam have promulgated numerous legal instruments aimed at strengthening forest management, protection, and sustainable development. These measures seek to prevent deforestation, illegal logging, and to promote reforestation activities across the country.

Second, economic development policies are closely linked with forest protection efforts. Vietnam's economic strategies emphasize the integration of environmental sustainability into development, encouraging eco-friendly business practices, sustainable agriculture, and the rational exploitation of forest resources to balance economic growth with ecological preservation.

Third, the State provides financial and technical support for forest protection and sustainable forest development. This includes preferential credit mechanisms for afforestation projects, forest protection initiatives, and the restoration of degraded forest areas, thereby creating a favorable economic foundation for conservation and law enforcement activities.

– Cultural and Social Characteristics

First, historically, due to difficult socio-economic conditions and the heavy dependence of people's livelihoods on nature, the hunting of wild animals became a relatively common practice.

Second, illegal activities such as hunting, slaughtering, transporting, storing, trading, and consuming endangered and rare species continue to occur in some regions and localities. These violations are becoming increasingly sophisticated in methods and organization, often involving transboundary trafficking networks.

Third, certain endangered and rare species continue to be highly valued for their perceived medicinal properties, leading to persistent demand and illicit trade in wildlife products used in traditional medicine. This cultural factor further complicates efforts to investigate, prevent, and prosecute crimes related to the illegal exploitation of endangered wildlife.

3.1.2. Organizational Structure of the Investigation Police Agency in Vietnam

As of July 1, 2025, the Investigation Police Agency in Vietnam is organized into two levels: the Ministry of Public Security and the provincial-level police authorities. At the ministerial level, the structure consists of the Office of the Investigation Police Agency, the Department of Criminal Police responsible for investigating crimes against social order, the Department of Economic Police in charge of corruption, economic, and smuggling offences, and the Department of Drug Crime Investigation Police. At the provincial level, the organizational structure is similar but its investigative jurisdiction mainly covers very serious and particularly serious criminal cases under the competence of the provincial People's Court. At the communal and district levels, investigative powers are decentralized primarily for less serious and serious crimes, focusing on verification, evidence collection, and coordination with higher-level investigative bodies. The functions and powers of these levels include receiving and processing crime reports and denunciations, conducting criminal investigations according to competence, providing professional guidance, inspecting legal compliance, proposing crime prevention measures, organizing preliminary and final reviews of investigative work, and resolving complaints and denunciations. This two-tier organizational model aims to enhance professionalism, ensure unified command and coordination, and improve the overall effectiveness of criminal investigations across the Investigation Police system in Vietnam.

3.1.3. The Situation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Wildlife in Vietnam

During the 2015–2020 period, the number of detected illegal wildlife trafficking cases increased fivefold compared to the 2010–2015 period. The total volume of seized exhibits amounted to tens of tons of elephant ivory, rhino horns, tiger bones, and pangolin scales. Despite the 2015 Penal Code introducing stricter sanctions, violations continued to rise.

In 2020–2021, investigative agencies initiated 298 criminal cases involving 389 defendants, identifying 84 wildlife species, many of which were listed under Group IB, IIB, and other specially protected categories. Offences occurred on a large scale and across multiple provinces.

In 2022, there were 181 criminal cases, with an arrest rate of 97.2%; more than 46% of cases resulted in imprisonment, reflecting enhanced inter-agency coordination and a tougher stance on enforcement.

In 2023, authorities recorded 3,595 violations (including 257 criminal cases), with over 55% detected through citizen reporting. A total of 2,517 live specimens were confiscated, and online wildlife trafficking saw a significant increase.

In 2024, there were 1,914 violations (180 criminal cases), with offences committed via cyberspace rising by 15% compared to 2023. The estimated annual illicit profit from illegal wildlife trade reached approximately 21 million USD.

In 2025, the Investigation Police Agency detected and initiated criminal proceedings in 145 cases involving 201 defendants.

Through document research, statistical analysis, comparison, synthesis, and expert consultation, the current crime situation can be assessed as follows:

* *Geographic Distribution of Activities:*

Illegal trafficking of wildlife and endangered species occurs nationwide, with concentrations in major cities such as Hanoi, Ho Chi Minh City, and border provinces like Gia Lai and Quang Ninh, which serve as critical transit and distribution points.

** Time and Location of Offences:*

These crimes occur at various times of the day, often during periods of reduced surveillance such as noon or late at night. Offences frequently take place along national borders shared with Laos, Cambodia, and China, and at major international airports (Noi Bai, Tan Son Nhat) or seaports (Cat Lai, Tien Sa–Da Nang, Hai Phong), which serve as key gateways for smuggling activities.

** Methods and Criminal Tactics:*

Offenders commonly exploit licenses for captive breeding or traditional medicine practices to legalize illegal trading and slaughtering of endangered animals. They collude with restaurants to process wildlife into luxury dishes and use forged documents such as CITES certificates, contracts, and invoices to conceal their activities. Some also take advantage of temporary import–re-export policies and customs clearance loopholes to transport contraband. Between 2019–2021, due to the COVID-19 pandemic, trafficking activities shifted significantly to online platforms (Facebook, Zalo, etc.), with Vietnam ranking among the highest in Southeast Asia for online wildlife trade.

** Modes of Transportation:*

Wildlife smuggling is often conducted through organized networks, involving coordination between domestic and international actors, and sometimes exploiting legitimate enterprises or corrupt officials. The main methods include land transport (most common), maritime routes (using misdeclared or concealed cargo), and air transport. Recently, there has been an increase in innovative and sophisticated smuggling methods that are difficult to detect and control effectively.

** Offender Profile:*

Most offenders are males aged 18 to 40, unemployed or lacking stable income, with low educational backgrounds, and often driven by economic hardship or involvement in social vices.

** Sentencing:*

Regarding penalties, there have been positive signs of stricter judicial measures against wildlife crimes. The average prison sentence for offenders has become increasingly severe, averaging 4.5 years in 2019 and 4.38 years in 2020, reflecting a stronger judicial response to crimes violating regulations on the protection of endangered, precious, and rare wildlife.

3.2. CURRENT SITUATION OF LAW ENFORCEMENT IN INVESTIGATING CRIMES OF VIOLATING REGULATIONS ON THE PROTECTION OF ENDANGERED, PRECIOUS, AND RARE ANIMALS BY THE INVESTIGATION POLICE AGENCY IN VIETNAM

3.2.1. Achieved Results in the Application of Law in Investigating Crimes of Violating Regulations on the Protection of Endangered, Precious, and Rare Animals and Their Causes

3.2.1.1. Achieved Results

Stage 1: Receiving Information, Analyzing, and Accurately Assessing the Facts of Each Case to Decide on Handling Measures

+ *Results of analyzing and assessing case facts to determine the nature of incidents as the basis for initiating criminal proceedings*

The Investigation Police Agency has strictly complied with the provisions of the Criminal Procedure Code (CPC) and relevant legal documents, effectively conducting the reception, verification, and handling of crime reports and denunciations related to violations of regulations on the protection of endangered, precious, and rare animals. Information sources have been collected from various channels, enabling timely detection and handling of numerous cases, including those occurring in cyberspace. The investigation process has been conducted in accordance with procedural laws, ensuring the legality of collected evidence.

+ *Results of analyzing and assessing case facts in the stage of prosecution and application of preventive measures to clarify the nature of the incident*

The Investigation Police Agency has strictly adhered to the prescribed procedures of the CPC. After issuing decisions to prosecute defendants, case files and evidence were promptly sent to the Procuracy for approval, while decisions and explanations of rights and obligations were delivered to the accused as required. Preventive measures applied mainly included arrest, temporary detention, and custody; only a few cases used bail or financial guarantees.

+ *Results of analyzing and assessing case facts in procedural investigation activities*

The Investigation Police Agency has complied with the provisions of the CPC 2015 (amended in 2025) on evidence collection, preservation, evaluation, and the implementation of investigative measures, thus improving the effectiveness of criminal handling regarding endangered species violations. In 2022 alone, among 156 criminal cases, 95% of the offenders were arrested and 79% of the cases were prosecuted and adjudicated—significantly higher than before 2018.

+ *Results of analyzing and assessing case facts in search and seizure activities*

Search and seizure measures were lawfully conducted, resulting in numerous successful seizures involving hundreds of endangered animal specimens. For instance, on March 12, 2022, two offenders were arrested in Nghê An for transporting six frozen **tiger carcasses**. **All procedural steps were conducted in a synchronized and lawful manner.**

+ *Results of analyzing and assessing case facts in the process of witness interrogation*

The Investigation Police Agency has complied with Articles 133–136 of the CPC 2015 (as amended in 2025) during witness questioning, providing explanations of rights and obligations, recording complete minutes, and ensuring evidentiary and legal value. After each session, witnesses were required to sign for confirmation or provide written statements.

+ *Results of analyzing and assessing case facts during suspect interrogation*

Investigators carefully studied case files, prepared detailed questioning plans, and flexibly combined legal and professional investigative measures. Interrogation records were completed with full audio and video recordings, and both the suspect and participants were allowed to review or listen before signing for confirmation.

+ *Results of analyzing and assessing case facts in crime scene examination*

Crime scene examinations were conducted in strict accordance with the law, documenting traces, exhibits, and means of crime. In cases involving violations of wildlife protection, crime scenes were often located along transport routes, posing difficulties due to large areas, faint traces, and disturbances. Upon completion, minutes were read aloud and signed as required by procedure.

+ *Results of analyzing and assessing case facts in forensic examination requests*

The Investigation Police Agency coordinated early with forensic authorities to determine the species involved in each case, utilizing both traditional methods and modern

technological tools such as the “Giamdinhloai” application developed by WCS. This application allows rapid species identification based on morphological characteristics, classification, and recognition of animal-derived products.

+ Results of analyzing and assessing case facts in other evidence collection measures

Identification line-ups, on-site experiments, and other procedural evidence-gathering activities have been carried out in accordance with the law, contributing to clarifying the objective truth of the cases.

Stage 2: Selecting Legal Norms as the Legal Basis for Making Decisions on the Application of Law

Firstly, selecting legal norms for acts constituting crimes of violating regulations on the protection of endangered, precious, and rare animals, the *Penal Code 2015* (amended and supplemented in 2025) is the only legal document stipulating crimes and criminal liability.

Secondly, selecting legal norms when specific provisions have been concretized from those that are still general or unclear; eliminating infeasible provisions to ensure consistency and uniformity; clearly stipulating the functions and duties of relevant agencies in investigation.

Stage 3: Making Decisions on the Application of Law

- *Results in issuing decisions on the application of law*

- *Results in making decisions on temporary suspension or conclusion of investigation*

Stage 4: Organizing the Implementation of Decisions on the Application of Law

After the decisions on the application of law are issued, the organization of implementing such decisions ensures the effectiveness of the applied legal documents and reflects the organization and State authority performed by competent agencies, organizations, and individuals in accordance with principles and enforcement effectiveness.

Through practical research, after issuing decisions on the application of law, the Investigation Police Agency organizes the implementation of the decided contents seriously and in accordance with legal procedures. Besides, during the process of organizing the implementation of decisions on the application of law, the Investigation Police Agency has proactively and promptly implemented them in a scientific manner, ensuring that the implementation of decisions on the application of law contributes to the investigation process and enforcement effectiveness. During the process of implementing decisions on the application of law, the Investigation Police Agency prepares case files in compliance with criminal procedure order, such as: search, arrest, seizure of objects, request for expertise, etc., all of which are fully recorded in written minutes, signed by participants and witnesses, and archived in the case file.

3.2.1.2. Causes of the Achieved Results

First, the direct, comprehensive, and close leadership and direction of the Party, the State, the Central Public Security Party Committee, the leadership of the Ministry of Public Security, and the Party committees and leaders at all levels in protecting biodiversity and preventing acts of violating regulations on the protection of endangered, precious, and rare animals.

Second, the legal system has been increasingly strengthened through the promulgation and amendment of important legal documents.

Third, the Investigation Police Agency has regularly and proactively coordinated closely with law enforcement agencies, especially the People's Procuracy and the People's Courts at all levels.

Fourth, the Chiefs, Deputy Chiefs, investigators, and investigation officers of the Investigation Police Agency have always actively overcome difficulties, upheld their sense of responsibility, been self-aware in improving professional qualifications, constantly enhanced professional skills and working capacity, ability to use information technology, strengthened political courage and moral qualities, and fulfilled all assigned targets and tasks.

Fifth, facilities and financial resources have been strengthened.

Sixth, communication and education campaigns have been widely implemented, helping people better understand the importance of protecting wildlife and the legal consequences of violations.

3.2.2. Limitations in the Application of Law in Investigating Crimes of Violating Regulations on the Protection of Endangered, Precious, and Rare Animals by the Investigation Police Agency in Vietnam and Causes of These Limitations

3.2.2.1. Limitations

Stage 1: Receiving Information, Analyzing, and Accurately Assessing the Facts of the Case

First, failure to proactively collect sufficient information and documents related to the investigation situation.

Second, failure to fully and comprehensively evaluate the initial information and documents collected.

Third, failure to correctly assess the nature of the incident or case from the beginning, leading to incorrect investigative orientation.

Stage 2: Selecting Legal Norms as the Legal Basis for Making Decisions on the Application of Law

Firstly, incorrect or inaccurate selection of legal norms during the investigation of crimes violating regulations on the protection of endangered, precious, and rare animals due to some investigators' inability to clearly distinguish between the groups of species protected under the national legal system and those listed in the Appendices of the CITES Convention.

Secondly, limitations in selecting legal norms when multiple documents regulate the same act, leading to overlap or conflict in application.

Thirdly, inaccurate selection of legal norms, resulting in incorrect forms of handling and improper assessment of the nature of violations—confusion between administrative and criminal handling.

Stage 3: Making Decisions on the Application of Law

Firstly, issuing decisions on the application of law without sufficient legal grounds and solid evidence.

Secondly, failure to fully analyze and cite legal grounds in decisions. *Thirdly*, some delays in issuing decisions, violating procedural time limits.

Stage 4: Organizing the Implementation of Decisions on the Application of Law

Firstly, delays in implementation or implementation inconsistent with the contents of the decisions on the application of law.

Secondly, certain limitations remain in preparing files and records during the implementation process.

Thirdly, violations of the lawful rights and interests of persons subject to the application of law.

Fourthly, failure to promptly handle physical evidence that are live animals.

Fifthly, lack of clear procedures in handover and post-handling inspection.

3.2.2.2. Causes of the Limitations

- Objective Causes

First, certain legal documents contain provisions that are either insufficiently clarified or lack consistency, thereby creating difficulties in the application process and negatively affecting the effectiveness of the application of law (AOL) in the investigation of crimes violating regulations on the protection of endangered, precious, and rare (EPR) animals by the Investigation Police Agency.

Second, verification and investigative activities related to crimes violating regulations on EPR wildlife protection are sometimes slow and lack close coordination among relevant forces. In several cases, the preparation of personnel, equipment, and operational tactics is inadequate, resulting in reduced AOL effectiveness. Financial resources and technical facilities serving the detection and investigation of such crimes also remain limited and have not received sufficient investment.

Third, during the implementation of AOL activities, difficulties persist due to the absence of a comprehensive database developed by competent authorities concerning the characteristics and modus operandi of offenders involved in EPR-related crimes, as well as insufficient information on EPR species to support investigative activities.

- Subjective Causes

First, a segment of investigators and investigation officers assigned to handle cases have not fully recognized the position, role, and authority of the Investigation Police Agency in the AOL when investigating crimes violating regulations on EPR wildlife protection.

Second, in the implementation of AOL activities, the Investigation Police Agency has not established a fully developed and uniform coordination mechanism between investigative forces and other relevant agencies in combating crimes involving violations of regulations on EPR wildlife protection.

Third, in applying the law during the investigation of crimes violating regulations on EPR wildlife protection, the Investigation Police Agency still demonstrates limitations in coordinating and strengthening mechanisms for investigative, technical, and financial support from international law-enforcement bodies, particularly in cases involving transnational criminal elements.

Fourth, the management, monitoring, and supervision of AOL activities in the investigation of crimes violating regulations on EPR wildlife protection have not yet been institutionalized into a specialized and regular mechanism.

Chapter 4

FORECASTS, VIEWPOINTS, AND SOLUTIONS FOR ENSURING THE APPLICATION OF LAW IN THE INVESTIGATION OF CRIMES VIOLATING REGULATIONS ON THE PROTECTION OF ENDANGERED, PRECIOUS, AND RARE ANIMALS BY THE INVESTIGATION POLICE AGENCY IN VIETNAM

4.1. FORECASTS AND VIEWPOINTS FOR ENSURING THE APPLICATION OF LAW IN THE INVESTIGATION OF CRIMES VIOLATING REGULATIONS ON THE PROTECTION OF ENDANGERED, PRECIOUS, AND RARE ANIMALS BY THE INVESTIGATION POLICE AGENCY IN VIETNAM

4.1.1. Forecasts of Factors Affecting the Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Animals by the Investigation Police Agency

4.1.1.1. Basis for Forecasting

First, regarding the political and legal basis, the requirement to improve the institutional framework in the context of building and developing the socialist rule-of-law state of Vietnam continues to be strongly affirmed in the documents of the Party and the State.

Second, in terms of social and practical foundations, violations of laws on environmental protection in general and crimes violating regulations on the protection of endangered, precious, and rare animals in particular have been increasing in both scale and complexity.

Third, regarding the criminal situation forecast, activities such as hunting, slaughtering, storing, transporting, and trading endangered, precious, and rare animals still occur in remote areas as well as urban centers.

Fourth, in terms of law enforcement capacity, the forces directly tasked with investigating these crimes—particularly the Investigation Police Agency—still face many difficulties related to human resources, equipment, operational conditions, and professional expertise.

4.1.1.2. Forecasting Content

- Forecasts on the situation and development trends of crime.
- Forecasts on offenders.
- Forecasts on methods and tactics of committing crimes.
- Forecasts on the transnational nature of crimes.
- Forecasts on the species of endangered, precious, and rare animals being exploited or harmed.
- Forecasts on market demand.
- Forecasts on geographical areas of criminal activity.

4.1.2. Viewpoints on Ensuring the Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Animals by the Investigation Police Agency in Vietnam

First, to thoroughly grasp and implement the Party's viewpoints, lines, and guidelines, ensuring the leadership of all levels of Party committees in the application of law during the investigation of crimes violating regulations on the protection of endangered, precious, and rare animals.

Second, the application of law in investigating crimes violating regulations on the protection of endangered, precious, and rare animals by the Investigation Police Agency in Vietnam must strictly comply with legal provisions.

Third, the application of law in such investigations must ensure the professional nature of the People's Public Security forces, maintain national security, and guarantee social order and safety.

Fourth, the application of law in investigating crimes violating regulations on the protection of endangered, precious, and rare animals by the Investigation Police Agency in Vietnam must ensure strict, fair, and lawful handling—leaving no crime unpunished and preventing wrongful conviction of innocent persons.

Fifth, the application of law in investigating such crimes must meet the proactive requirements of Vietnam's regional and international integration process.

4.2. SOLUTIONS FOR ENSURING THE APPLICATION OF LAW IN THE INVESTIGATION OF CRIMES VIOLATING REGULATIONS ON THE PROTECTION OF ENDANGERED, PRECIOUS, AND RARE ANIMALS BY THE INVESTIGATION POLICE AGENCY

4.2.1. Raising awareness for subjects on the application of law in the investigation of crimes violating regulations on the protection of endangered, precious, and rare animals

Firstly, for the people – the force that plays the role of an important "eyes and ears" in the community – awareness raising needs to be carried out through many flexible forms of propaganda and education.

Secondly, for investigators and investigation officers: Along with propaganda for the community, improving professional capacity and legal awareness for the Investigation Police force is a key factor to ensure accurate and effective law application.

4.2.2. Continuing to improve the content of law application in the investigation of crimes violating regulations on the protection of endangered, precious, and rare animals by the Investigation Police Agency in Vietnam

** Improving the law on crimes violating regulations on the protection of endangered, precious, and rare animals*

Firstly, Article 244 of the Penal Code 2015 (amended and supplemented in 2025) still lacks specific provisions on the quantity, weight, or value of products from endangered, precious, and rare animals.

Secondly, the Government needs to soon amend and supplement the content of several issued Decrees regulating the list and criteria for identifying endangered, precious, and rare forest fauna and flora in a clearer direction in determining the list of priority-protected species, avoiding the situation where some species that are in fact highly endangered are not included in this list.

** Improving the law on the investigation of crimes violating regulations on the protection of endangered, precious, and rare animals by the Investigation Police Agency*

Firstly, improving the process of receiving and handling crime reports and denunciations of crimes violating regulations on the protection of endangered, precious, and rare animals.

Secondly, on organizing and implementing urgent measures during the process of receiving crime reports and denunciations.

Thirdly, handling denunciations and criminal information in cases involving multiple entities that share competence in resolving such denunciations and criminal reports.

Fourthly, Article 164 of the Criminal Procedure Code 2015 (amended and supplemented in 2025) clearly stipulates the tasks and powers of agencies assigned to conduct certain investigative activities.

Fifthly, Article 38 of the Law on Organization of Criminal Investigation Agencies 2015 (amended and supplemented in 2021) clearly defines the tasks and powers of agencies under the People's Police force assigned to carry out certain investigative activities.

Sixthly, it is necessary to add clear provisions to include the scientific agencies of CITES or public professional assessment organizations on wildlife and endangered, precious, and rare animal and plant specimens into the list of judicial expertise organizations under the current Law on Judicial Expertise.

4.2.3. Timely verify information, develop plans, and organize the implementation of law application on the protection of endangered, precious, and rare animals

In investigating crimes violating regulations on the protection of endangered, precious, and rare animals, it is necessary to promptly verify information, develop detailed plans, and organize the implementation of law application in a scientific, flexible, and lawful manner. This process must involve close coordination among forces within and outside the sector, full preparation of personnel, means, handling plans for exhibits, and responses to arising situations, while summarizing and drawing lessons to improve the effectiveness of crime prevention and control.

4.2.4. Closely coordinate the application of law between the Investigation Police Agency and law enforcement agencies in investigating crimes violating regulations on the protection of endangered, precious, and rare animals in localities and units

First, it is necessary to continue to promote and strengthen coordination relations between the Investigation Police Agency and professional forces in the Police such as the Environmental Police, Traffic Police, and Mobile Police.

Second, review and complete the inter-sectoral coordination regulations at the local level.

Third, establish regular and mobile inter-sectoral working groups.

Fourth, organize international cooperation in joint investigations.

4.2.5. Research and develop a database meeting the requirements of law application in the investigation of crimes violating regulations on the protection of endangered, precious, and rare animals by the Investigation Police Agency

Build a database serving the investigation of crimes violating regulations on the protection of endangered, precious, and rare animals. First of all, this system needs to include the following main groups of information:

First, information about endangered, precious, and rare animal species.

Second, information about criminal methods and tricks.

Third, information on investigation operations.

Fourth, legal support information.

Fifth, information on international cooperation.

Sixth, to effectively implement database development, it is necessary to establish a close coordination mechanism between the Ministry of Public Security (Office of the Investigation Police Agency, Department of Investigation of Crimes on Corruption, Economy and Smuggling, Department of Science, Strategy and Police History...)

When implementing this solution, attention should be paid to the following issues:

First, ensure uniformity in legal and technical standards when designing and deploying the database.

Second, there must be a mechanism for decentralization of use, exploitation, and strict information security.

Third, there must be a team of specialized officers trained in law, investigation skills, and information technology to operate the system.

Fourth, ensure flexibility and the ability for future integration and expansion.

Fifth, financial, technical, and legal resources for maintaining and operating the system must be ensured.

4.2.6. Strengthening mechanisms for management, monitoring, and supervision of the implementation of law application in the investigation of crimes violating regulations on the protection of endangered, precious, and rare animals

First, establish a specialized internal management mechanism within the Investigation Police force to monitor the application of law in the investigation of crimes related to the protection of endangered, precious, and rare animals.

Second, strengthen the mechanisms of regular and ad hoc inspection and supervision by superior authorities over the investigation of cases related to endangered, precious, and rare animals.

Third, apply information technology to develop a data management system for investigating crimes violating regulations on the protection of endangered, precious, and rare animals in the direction of digitalization and specialization.

Fourth, establish a two-way feedback mechanism between the Investigation Police Agency, the People's Procuracy, and the People's Court in law application activities.

Fifth, strengthen training and professional development for investigators and investigation officers.

4.2.7. Strengthening close international cooperation with foreign law enforcement agencies in applying the law in investigating crimes violating regulations on the protection of endangered, precious, and rare animals by the Investigation Police Agency

First, improve the mechanism for periodic evaluation and review of the results of international cooperation in combating crimes violating regulations on the protection of endangered, precious, and rare animals.

Second, concretize and expand the scope of cooperation with neighboring countries and strategic partners.

Third, effectively exploit and utilize international financial, technical, and intellectual resources.

CONCLUSION

After studying the entire objectives and purposes of the dissertation titled *“Application of Law in the Investigation of Crimes Violating Regulations on the Protection of Endangered, Precious, and Rare Animals in Vietnam”*, the author draws several conclusions as follows:

The application of law in investigating crimes violating regulations on the protection of endangered, precious, and rare animals by the Investigation Police Agency is the strict and accurate compliance with legal provisions in order to prevent, investigate, and handle such crimes, ensuring the lawful rights and interests of all related parties and achieving fairness and transparency in accordance with the law.

In addition to the general characteristics of law application, the application of law in investigating crimes violating regulations on the protection of endangered, precious, and rare animals has specific features regarding the competence and coordination of investigative subjects, the timing of investigation, and its nature as an individual and specific adjustment activity corresponding to each unlawful act.

The content of law application in the investigation of crimes violating regulations on the protection of endangered, precious, and rare animals is expressed specifically through four stages: the stage of receiving information, analyzing, and accurately assessing the facts of the incident; the stage of selecting legal norms as the legal basis for making decisions on law application; the stage of issuing decisions on law application; and the stage of organizing the implementation of law application documents.

During the period from 2015 to June 2025, crimes violating regulations on the protection of endangered, precious, and rare animals have tended to increase in both number and complexity, with more diverse areas of operation, methods, tactics, and forms of transportation. The application of law in investigating these crimes has achieved many positive results; legal provisions have been increasingly improved, promptly applied, and ensured in the investigative process. However, certain limitations still exist regarding content, stages, and conditions ensuring law application in the investigation of this type of crime. Legal documents remain incomplete and overlapping, while the practical application of law still faces difficulties and inconsistencies in several specific investigative activities.

Based on theoretical and practical foundations, the dissertation has conducted studies and provided forecasts, including the expected situation of crimes violating regulations on the protection of endangered, precious, and rare animals in Vietnam in the coming period, along with viewpoints to ensure law application. Furthermore, to overcome the existing shortcomings and limitations in practice, the author has proposed seven groups of solutions to ensure that the application of law in investigating crimes violating regulations on the protection of endangered, precious, and rare animals by the Investigation Police Agency in Vietnam is consistent, effective, and in strict accordance with the law.

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