

# **China's domestic implementation of CITES and its international implications - A Case Study in the Context of Preventing Pandemics**

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Webinar Series “A Fresh Look at Global Wildlife Trade  
Law: Can CITES Help Prevent Pandemics?”**

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COVID-19 has sparked various discussions and reflections in the world on the huge public health risks associated with the commercial use and international trade of wildlife.

# WHERE DID THE COVID-19 CORONAVIRUS COME FROM?

## HOW WILDLIFE MARKETS SPREAD DISEASE

The spread of zoonotic diseases – those pathogens that jump from the species that it evolved with to a new host – is exacerbated by wildlife trafficking, habitat destruction and climate change. These threats drive humans and animals closer together. Coronavirus is just one example of a string of pathogens that has come from wildlife trafficking, including SARS, Ebola, Bird Flu, and more. | #COVID19

### 1. WILDLIFE TRAFFICKING & POACHING

Animals are hunted, trapped and taken to markets to be sold for traditional medicine, food and the pet trade.



### 2. RESERVOIRS OF DISEASE

Wild animals that appear healthy can harbor diseases that can make other animals, including humans, sick. When animals are forced into markets, they can spread disease.

### 3. PATHOGEN EXCHANGE



It's only when humans hunt wildlife or destroy their homes that these viruses and other pathogens jump species. We must combat trafficking of wild animals and change dangerous wildlife consumption behaviors, especially in cities.



# Outline

- Background
- China's Implementation of CITES
- China's Prompt Responses to COVID-19
- International Implications of China's Ban
- Suggestions



# Background

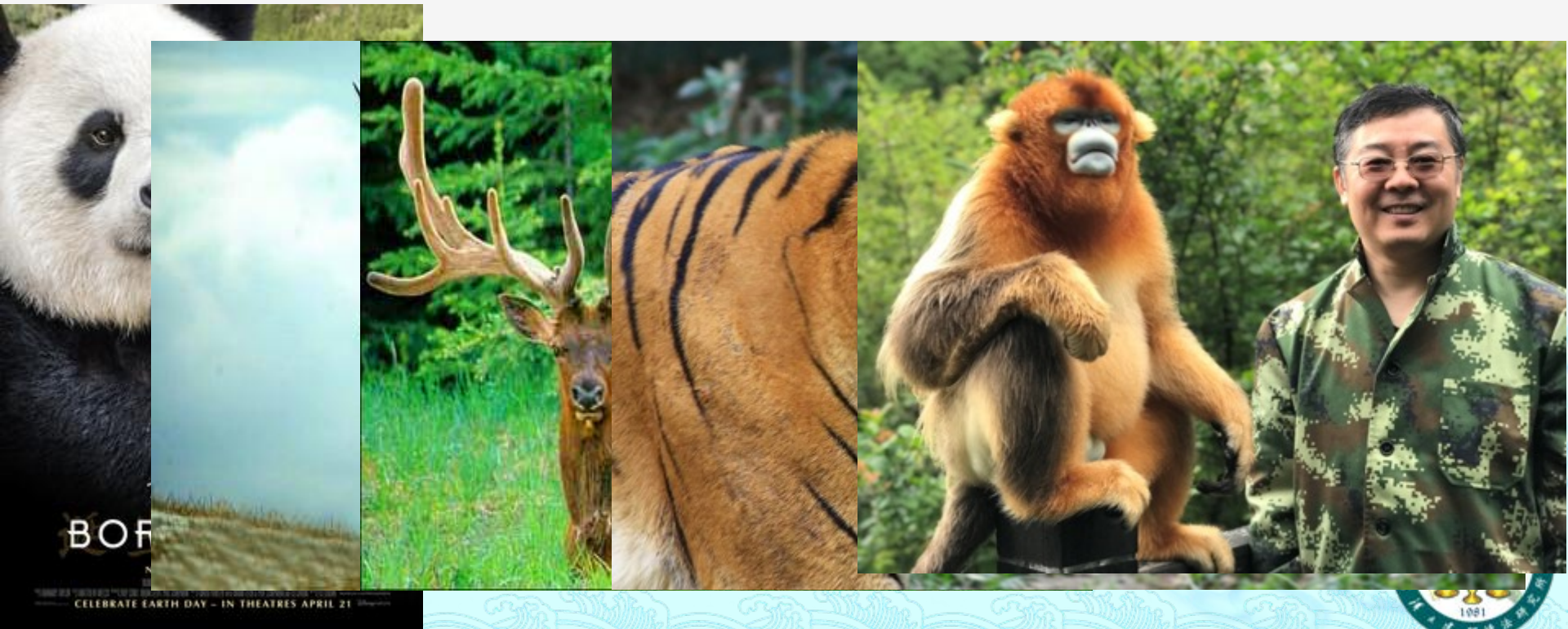
China's vast and diverse landscape is home to a profound variety and abundance of wildlife. As one of 17 mega-diverse countries in the world, China has 7,516 species of vertebrates, including 4,936 fish, 1,269 bird, 562 mammal, 403 reptile and 346 amphibian species. In terms of the number of species, China **ranks** third in the world in mammals, eighth in birds, seventh in reptiles and seventh in amphibians.



## Background

Many species of animals are **endemic** to China, including the country's most famous wildlife species, the giant panda. In all, about one-sixth of mammal species and two-thirds of amphibian species in China are endemic to the country.

China, as many other countries, has a 2000+years' history of sustainable use of wildlife, especially for local communities.



## Background

China acceded to the CITES in 1981 as its 63rd Party – CITES is the very first MEAS that China ever joined.

The establishment of authorities to implement CITES, adoption of legislation to protect wild animals and plants, research and monitoring of trade in endangered species and international cooperation in wildlife trade control are observable achievements in CITES implementation in China.



# China's Implementation of CITES

## Main Legislations

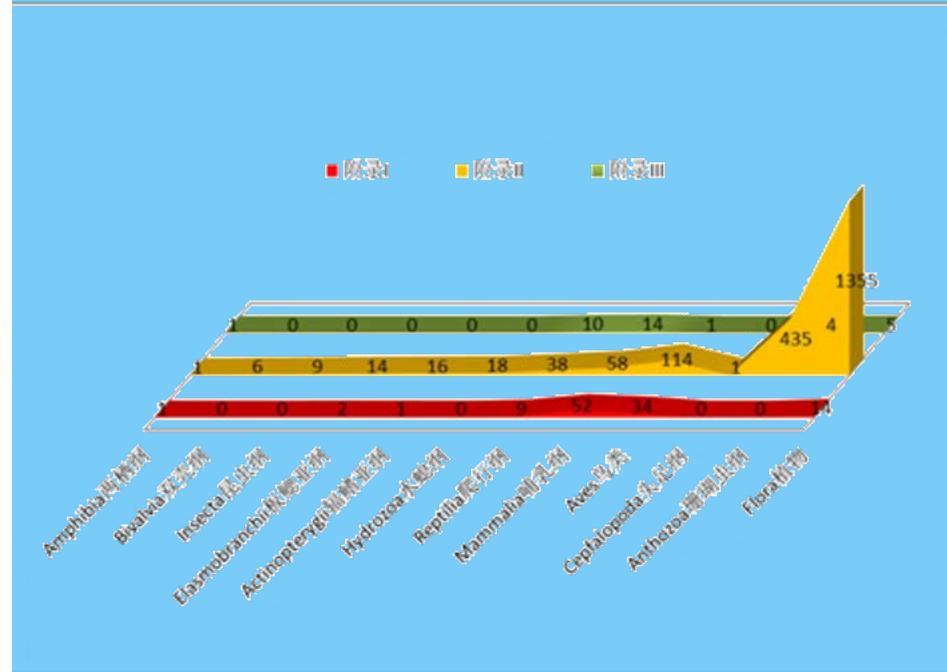
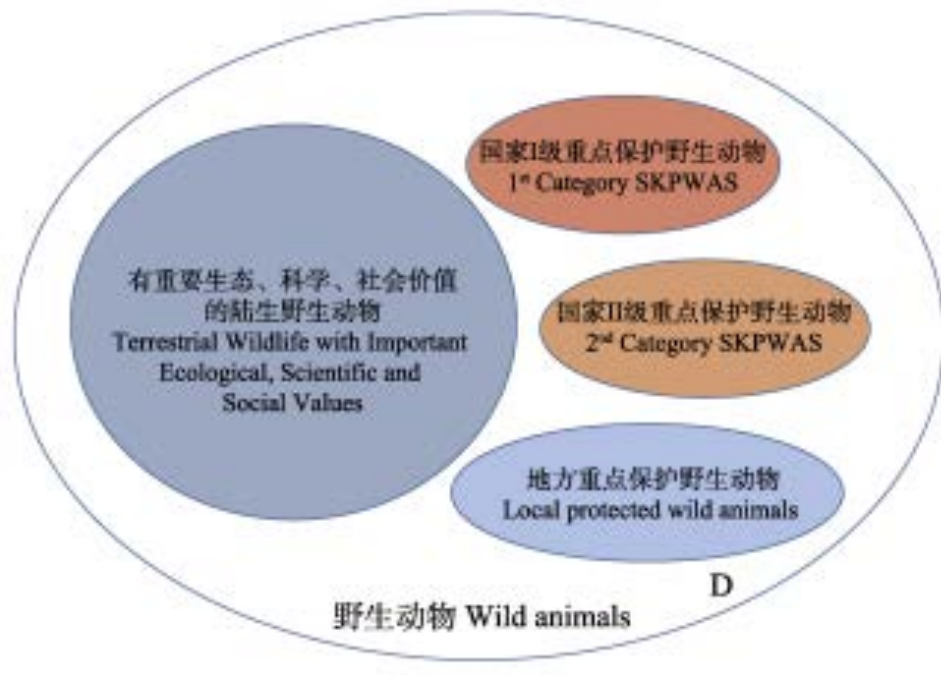
- Wildlife Protection Law
- Customs Law
- Criminal Law
- Foreign Trade Law
- Regulations on the Conservation of Wild Flora
- Regulations on the Importation and Exportation of Endangered Species of Wild Fauna and Flora
  
- April 24, 2014, The Standing Committee of NPC adopted a **Legislative Interpretation** on Article 341 of the Criminal Law
- August 12, 2014, the Supreme People's Court and Supreme People's Procuratorate jointly issued a **Judicial Interpretation** on the Sentencing Criterion of Smuggling Case



# China's Implementation of CITES

## State or Local Protected Wildlife

- The wildlife under state special protection consists of two





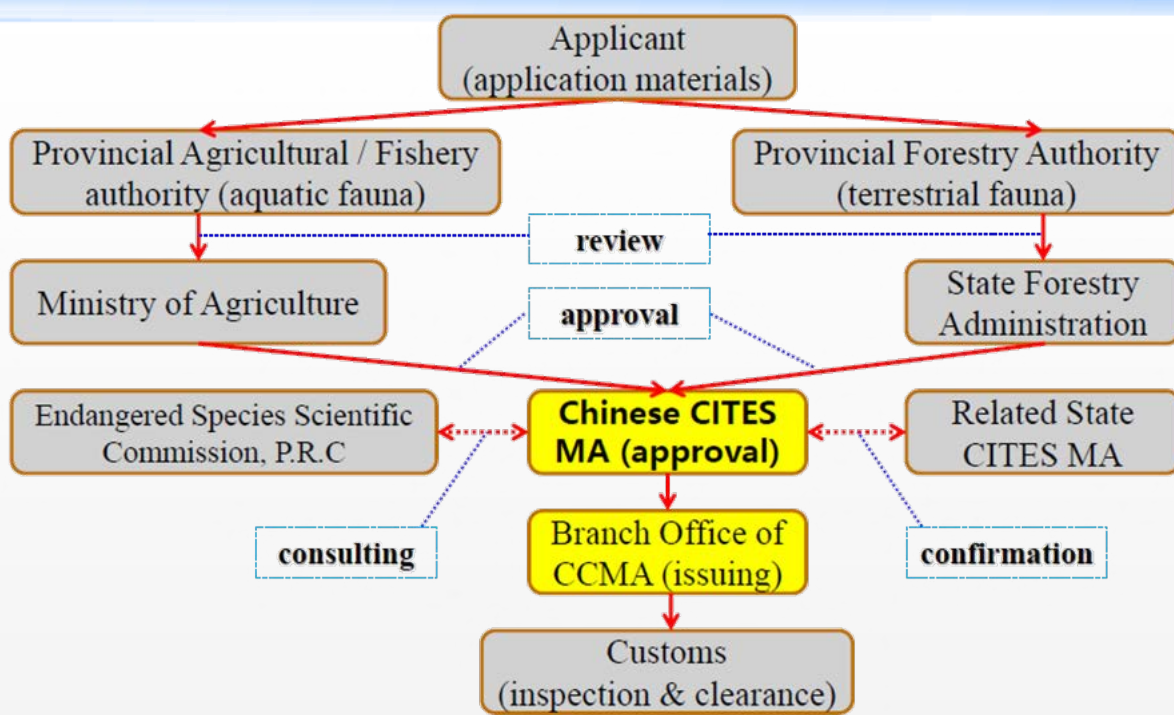
# China's Implementation of CITES

## Institutional Arrangement

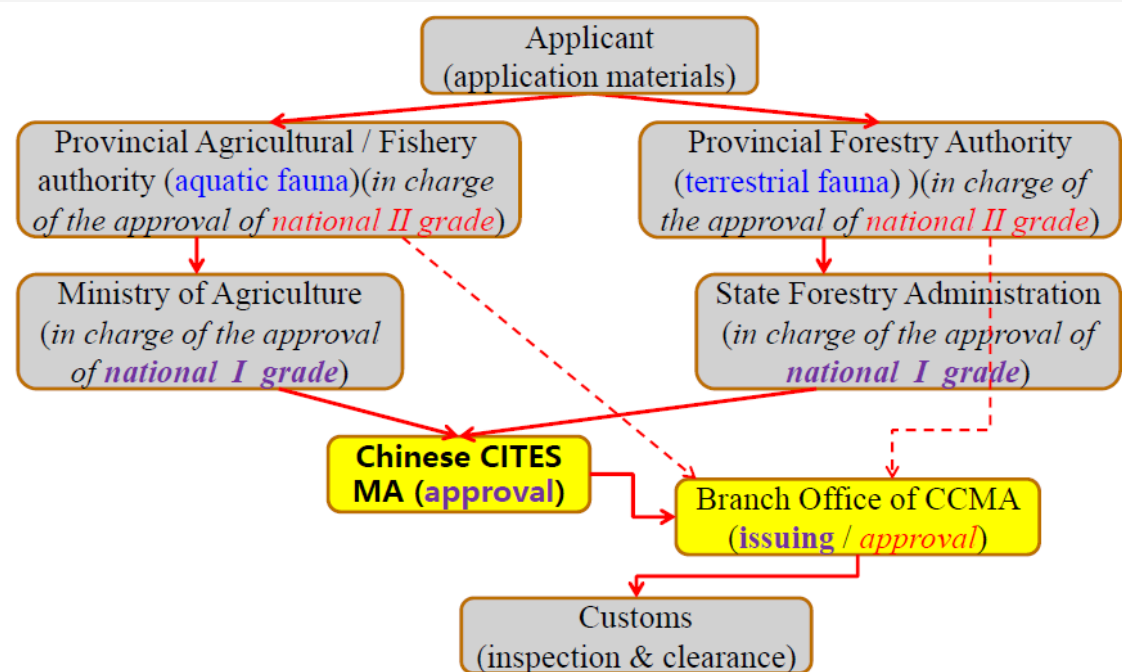
- Management Authority (CITES MA): The Endangered Species of Wild Fauna and Flora Import & Export Management Office of PRC, **170** full time staff with **14** branch offices.
- Scientific Authority (CITES SA) : Endangered Species Scientific Commission (ESSC)
- NICECG : National Inter-Agencies CITES Enforcement Coordination Group consisting of **9** relevant authorities of Forestry, Agriculture, Public Security, Customs, Industry and Commerce, and Quality Supervision and Inspection and Quarantine as well as Coast Guard, and even **Post and Tourism**
- NICECG 2.0: Inter-ministerial Joint Meeting on Combating Illegal Wildlife Trade (Nov. 2016), **25** ministries and agencies



## Regulation of Legal Trade CITES Species



## Regulation of Legal Trade Non-CITES Species



## Combating Illegal Trade: NICECG 1.0 & 2.0

- ✓ National Inter-Agencies CITES Enforcement Coordination Group
- ✓ Inter-ministerial Joint Meeting on Combating Illegal Wildlife Trade



# China's Implementation of CITES

## *Progress*

### ❑ Special Crackdown Operations



# China's Implementation of CITES

## *Progress*

### □ Capacity Building



# China's Implementation of CITES

## Progress

- Awareness Raising



中国移动  
China Mobile



China  
unicom 中国联通



中国电信  
CHINA TELECOM

世界触手可及

International  
Travel  
Reminder

**NO  
WILDLIFE**



# China's Implementation of CITES

## *Progress*

### □ International Cooperation



# China's Implementation of CITES

## *Progress*

### □ International Operations of Law Enforcement





## China's Prompt Responses to COVID-19



On January 26<sup>th</sup>, the State Administration of Market Regulation, Ministry of Agricultural and Rural Affairs and the State Forestry and Grassland Administration (SFGA) temporarily banned the trade of wildlife following the viral outbreak.

- ❑ Any form of **wildlife trade** will be strictly prohibited on all kinds of platforms including marketplaces, supermarkets, dining places and e-commerce sites.
- ❑ All sites raising wildlife shall be **quarantined** and forbidden for transportation and selling of wildlife.
- ❑ Any businesses and operators breaching the ban shall be **shut down**. And if the violations are serious enough, the suspects shall be handed over to police for criminal investigation.



## China's Prompt Responses to COVID-19

On February 24<sup>th</sup>, the Standing Committee of the National People's Congress adopted the ***Decision to Comprehensively Prohibit the Illegal Trade of Wildlife, Eliminate the Bad Habits of Wildlife Consumption, and Effectively Protect the Health and Safety of the People.***

❑ **Black list:** The food consumption of terrestrial wildlife, including terrestrial wildlife bred or raised in captivity, shall be prohibited. Aquatic wildlife not included in state list shall be exceptional.

❑ **White List:** The animals included in the ***List of Livestock and Poultry Genetic Resources*** and are edible.

❑ The **quarantine** provisions shall be strictly implemented for the management and utilization of wildlife for non-food purposes



# China's Prompt Responses to COVID-19

Afterwards, 14 provincial parliaments passed their own bans on wildlife consumption and stricter regulations on wildlife trading.

Internationally, on March 5th, 2020, at the request of China, the CITES Secretariat published a Notification on China's urgent measures regarding wildlife trade regulation.



## China's Prompt Responses to COVID-19

On February 27<sup>th</sup>, the SFGA issued rules implementing the Decision which

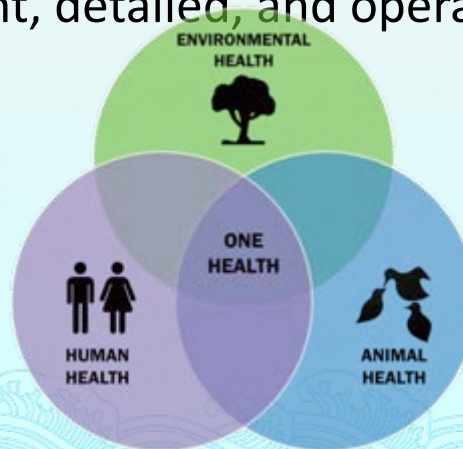
- ❑ Strictly crack down on wildlife hunting, illegal trading and other activities, and **resolutely ban illegal wildlife markets**
- ❑ Comprehensively rectify the companies for artificial breeding, operation and utilization of wildlife, and **withdraw and cancel all issued licenses** and permits according to laws
- ❑ All applications for hunting, operating wildlife and other activities for the purpose of **eating shall be halted**, and the approval of **non-edible use** of wildlife (such as research, medicine and exhibition) shall be **strictly regulated**.



# China's Prompt Responses to COVID-19

The Ban Decision “is a big step in the right direction.” (WCS)

- ❑ In light of **precautionary principle**, the concept of public health will be emphasized in the process of amending *Wildlife Protection law* and of enacting of the new *Biosecurity Law*.
- ❑ The breeding, management and utilization of wildlife for food purposes will be strictly banned and punished.
- ❑ The regulation of legal trade of wildlife and relevant quarantine will be more stringent, detailed, and operational.



# Implications of China's Ban

## *Domestic Implications*

- ❑ Unemployment of **14 million** farmer for wildlife-farming Industry
- ❑ Huge economic loss (**at least \$7.1 bn**) for shutdown of sites
- ❑ **Ecological and healthy RISKS** arising from the final disposal of existing animals
  - ✓ Return to the nature (disruption, more pathogens)
  - ✓ Transfer to other legal non-consumption uses (grey space)
  - ✓ Rescue stations (insufficient capacity)
  - ✓ No harmful treatment (kill)



# Implications of China's Ban

## *International Implications*

- “Worldwide governments face a **dilemma** here:
  - ✓ If you ban trade, you risk pushing it underground, where those dangerous conditions are likely to be prevalent - and realistically it's just a matter of time before the next zoonotic disease risk emerges.
  - ✓ If you manage legal trade properly, the risk of disease emergence should be mitigated but it needs to be thoroughly monitored and regulated.”
- Richard Thomas, a spokesman for TRAFFIC

## **Ban has more advantages:**

- ✓ Lower public health risks in countries with high population density
- ✓ change of behaviors of general public (no consumption)
- ✓ smaller size and exposure of “underground” market



# Implications of China's Ban

## *International Implications*

□ Other countries:

✓ **Follow China to ban wildlife trade** Eg. In March, Vietnam's Prime Minister instructed the Ministry of Agriculture and Rural Development to draft a directive banning domestic wildlife trade and consumption.

✓ Importing developed countries who have more resources and capacity to address wildlife trade, shall be more accountable for their roles in driving the destructive trade in the first place.

✓ **Business as usual:** The response from other countries in Asia and in Africa and South America is less encouraging, but they also engage in commercial-scale wildlife trade and ship animals and their parts, legally and illegally, to Asia and other international destinations.





# Implications of China's Ban

## *International Implications*

### □ Challenges

- ✓ It may stimulate wildlife traders from importation countries to seek alternative destinations like Africa, Southeast Asia and south America where wildlife trade regulations may be less stringent than China.
- ✓ Such a ban is likely to push the trade underground, and potential increase of ILLEGAL wildlife trade within and among the countries in the supply chain.
- ✓ It is urgent time for the all the parties in general, their enforcement agencies in particular jointly to check against laundering, and to disrupt the supply of illegal products entering one party from other parties.





PROTECT  
WILD  
ANIMALS

有朋自远方来

食之

乐乎?!



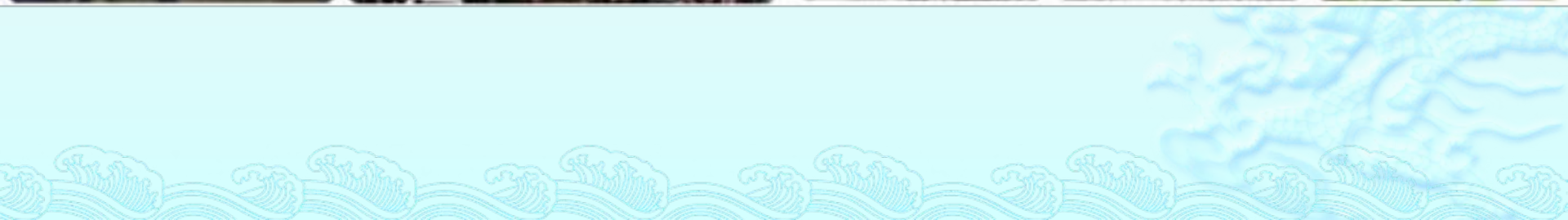
THEY ARE FRIENDS, NOT FOODS!



concerted progress in combating the illegal trade of wildlife.



# Thanks! Comments?



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