

CHINA

PARTY TO CITES (1981) | UNTOC (2003) | UNCAC (2006) | MEMBER OF INTERPOL | WORLD CUSTOMS ORGANISATION

- DEMAND**
AT LEAST **47 TONNES** IVORY SEIZED SINCE 2010
- DEMAND**
859.7 kg RHINO HORN SEIZED IN OR LINKED TO CHINA SINCE 2010
- DEMAND**
AT LEAST **178** TIGERS SEIZED SINCE 2000
- SOURCE • DEMAND**
OVER **47 TONNES** PANGOLINS AND **24 TONNES** SCALES SEIZED SINCE 2010
- DEMAND**
AT LEAST **870** BEAKS CASQUES & PIECES SEIZED SINCE 2010

NEARLY 4 TONNES PANGOLIN SCALES SEIZED 2014

OVER **15 TONNES** PANGOLIN SCALES SEIZED YTD OCT 2016

TIGER TRADE

5000 TO 6000 TIGERS IN CAPTIVITY 2016

OVER **72 TONNES** IVORY SEIZED SINCE 2000

EQUIVALENT TO IVORY **10 800** ELEPHANTS SINCE 2000

CHINA | INVESTING IN ENFORCEMENT

KEY INDICATORS¹

- INTERPOL National Central Bureau has officer(s) dedicated to investigating wildlife crime
- Multi-agency enforcement mechanism established to investigate wildlife crime
- Financial intelligence unit includes wildlife crime on their portfolios
- Assets and proceeds of crime seized in relation to wildlife crime cases since 2014
- DNA analysis used in wildlife crime investigations since 2014
- Government monitoring of online wildlife trade
- Part of bilateral or multilateral agreements that specifically tackle transnational wildlife crime²
- Participated in INTERPOL operations on wildlife crime since 2014
- Participated in regional/international enforcement operations on wildlife crime since 2014³
- Applied or declared intention to apply ICCWC Wildlife and Forest Crime Analytic Toolkit

- **Advanced investigation techniques** have been used in wildlife crime cases, including tracing of phone calls and text messages and employing controlled deliveries.
- While **enforcement efforts** have resulted in successful prosecution and conviction in several cases, such efforts **do not appear to be taking place uniformly**—for example, there is limited information available about the prosecution of organised criminals involved in the trans-Himalayan tiger trade and there also does not appear to be strong enforcement co-operation with India and Nepal to end such trade.
- An extensive illegal wildlife trade persists both on open **online trading** platforms and through social media—an IFAW study found 1,662 suspected ivory items offered openly for sale on 21 websites over a six-week period in 2014, despite all online ivory sales being illegal. While major online trading platforms such as Taobao and Alibaba have implemented effective policies to eliminate illegal wildlife trade through their websites, and there are multiple examples of successful prosecutions for online trade in wildlife, the scale of the issue demands further investment and training of dedicated enforcement personnel.



ABOVE: IVORY CARVING FOR SALE IN CHINA © EIA

participate in the INTERPOL Project Predator strategic planning meeting in November 2015, a **significant missed opportunity** because it sought to develop a common enforcement strategy for combatting tiger crime.

BEST PRACTICE

China has signed a MoU with Kenya regarding 'Cooperation in the Fields of Forestry and Ecological Conservation'. In 2014, through collaboration between Kenyan authorities and the Chinese Embassy in Kenya, Chinese police officers were dispatched to Kenya and arrested a Chinese national running an ivory carving factory in Nairobi. The suspect was extradited to China and jailed for 13 years.

CASE FILES

In October 2014, police in Yongjia County, Zhejiang, followed a tip-off to arrest a local pangolin trader and seize over 130 frozen pangolins and 60 bear paws. Subsequent investigations led police to arrest 41 suspects and seize evidence of more than 100 banks transfers. In total, during the investigation, more than 370 pangolins were seized and 65 suspects arrested, 32 of them sentenced in June 2016 receiving up to 13 years in prison.

MAIN OBSERVATIONS

- China's **National Inter-Agency CITES Enforcement Coordination Group** brings together various agencies to coordinate enforcement actions on wildlife crime; although this group holds regular meetings with various agencies, it is not a permanent fulltime operational unit.

- The Government has **provided funding for anti-poaching** in Kenya and Botswana.
- There is no publicly available information on whether the INTERPOL National Central Bureau (NCB) has officers dedicated to investigating and coordinating cases related to wildlife crime. China has, however, participated in INTERPOL operations such as Operation PAWS II in 2015. China did not

CHINA | ENSURING EFFECTIVE LEGAL DETERRENTS

KEY INDICATORS¹

Legislation treats wildlife crime as a 'serious crime' as per UNTOC, ie, the maximum sanction applicable is not less than 4 years

Sentencing guidelines for wildlife crime have been disseminated

Known convictions for wildlife crime since 2014

Charges brought under ancillary legislation such as anti-money laundering laws in wildlife crime cases since 2014

Has anti-corruption unit

Known convictions for corruption related to illegal wildlife trade cases since 2014

37/100 TI Corruption Perceptions Index 2015



ABOVE: TIGER BONE WINE SOLD AT WILDLIFE FARM, CHINA © EIA

MAIN OBSERVATIONS

- Use of wildlife products such as tiger bone wine and tiger skins as bribes indicates that **corruption is a significant challenge**.
- The Supreme Court has issued specific **sentencing guidelines** for cases involving smuggling, poaching, transport and trade of protected wildlife.

- While mainland China prescribes custodial sentences of up to life imprisonment for wildlife trafficking, **Hong Kong legislation** allows for a maximum jail term of two years for such an offence, failing to meet the definition of 'serious crime' under UNTOC.

CHALLENGE

A revised Wildlife Protection Law, China's primary wildlife legislation, will come into place in January 2017.

The revised law continues to sanction trade in captive-sourced specimens of endangered species – a potential **loophole enabling the laundering of wild specimens as captive and undermining demand-reduction efforts**.

The revised law also devolves authority to provincial governments to approve commercial breeding of nationally protected species, a responsibility previously held by central authorities.

CHINA | ERADICATING DEMAND

KEY INDICATORS¹

Prohibits trade in elephant ivory

Prohibits trade in parts/products of Asian big cats

Stockpiled ivory has been inventoried

Destroyed ivory stockpile since 2014

Destroyed other wildlife stockpiles since 2014

No known incidents of thefts of government-owned wildlife stocks

Government-led initiatives to reduce demand for wildlife products implemented since 2014

MAIN OBSERVATIONS

- **A legal trade in ivory persists in China.** Major abuse of the system and laundering of illegally sourced ivory has been widely documented. As the world's largest destination for ivory, it is crucial that China immediately closes its domestic ivory market. In September 2015, China's President committed to ending the domestic commercial trade in ivory but while the Government has adopted some measures to prohibit international trade in ivory, it is yet to fulfil its commitment to end its domestic trade. In June 2016, Hong Kong released a plan to phase out its domestic ivory trade by 2021, although this announcement has been criticised on the grounds that a five-year delay is unreasonable.

- **Medicines containing leopard bone** are widely available in China. Although the purchase of leopard bone was banned in 2006, existing laws and policies permit medicine producers to continue using existing stocks, enabling laundering.
- Existing laws and policies **allow legal commercial trade in pangolin scales** with a domestic yearly quota of approximately 26.6 tonnes of pangolin scales for use by designated hospitals. Licenses are also issued to 209 companies to produce products that contain pangolin. The origin of these scales is likely to be illegal, as they far outweigh the productive capacity of China's wild or captive pangolin populations and legal imports.
- While **Hong Kong has destroyed its entire 29-tonne ivory stockpile**, China has destroyed only 6.8 tonnes of seized ivory. A few small-scale destructions of other seized products notwithstanding, large stockpiles of seized and captive-origin tigers and other wildlife items have not been destroyed.
- Government officials have participated in **NGO-led workshops on reducing demand** for illegal wildlife products, although targeted Government-led demand-reduction campaigns have been lacking.
- The Government has launched a public awareness campaign under which Chinese nationals arriving in selected African countries **receive text messages** urging them to not buy illegal wildlife products.

- In 2015, **New Era Health Group** became the first state-owned Chinese company to include a zero-tolerance policy towards the use and gifting of illegal and endangered wildlife products within the company's formal code of conduct.

CHALLENGE

Despite several CITES directives to phase out tiger farming and prohibit tiger trade, China's captive tiger population has grown to 5,000–6,000, with Government support and funding, while the country permits legal trade in skins of captive tigers, sold as luxury home decor. Further, despite a 1993 ban on use of tiger bone, companies are producing and openly selling tonic wines marketed as containing tiger bones. Moreover, the title of a 2005 Government-issued notification (not available in full) suggests that use of captive-bred tiger bone for medicinal purposes may be legal.

Insufficient action has been adopted to address the role of Chinese businesses and nationals taking advantage of weak laws and governance abroad to buy and sell wildlife products. For example, Chinese nationals are the main buyers in open wildlife markets in the border areas of Laos, Vietnam and Myanmar.

Further, Chinese nationals in Africa play a key role in rhino horn and ivory trafficking; EIA investigations in 2014 in Tanzania documented Chinese-led organised crime syndicates conspiring with corrupt Government officials to smuggle several tonnes of ivory from Africa to China.