

Wildlife

Lethal Loopholes

Global traditional Chinese medicine interests and the trade in pangolins between Uganda and China

April 2022



ACKNOWLEDGEMENTS

This report was written and edited by the Environmental Investigation Agency UK (EIA). It has been produced with funding from the Pangolin Crisis Fund, David Shepherd Wildlife Foundation and EJF Philanthropies.

EIA also wishes to thank its numerous other supporters whose long-term commitment to the organisation's mission and values helped make this report possible.

ABOUT EIA

We investigate and campaign against environmental crime and abuse.

Our undercover investigations expose transnational wildlife crime, with a focus on elephants and tigers, and forest crimes such as illegal logging and deforestation for cash crops like palm oil. We work to safeguard global marine ecosystems by addressing the threats posed by plastic pollution, bycatch and commercial exploitation of whales, dolphins and porpoises. Finally, we reduce the impact of climate change by campaigning to eliminate powerful refrigerant greenhouse gases, exposing related illicit trade and improving energy efficiency in the cooling sector.

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Front cover: All four African pangolin species including the ground pangolin pictured are at risk of extinction due to poaching.

Above: Bozhou Chinese Medicine Exchange is one of the biggest trade centres of traditional Chinese medicine ingredients in China. Thousands of tonnes of ingredients made of herbs and animal parts are bought and sold here every day.

CONTENTS

Summary	4
Introduction	6
Caught with pangolin scales	8
Powerful backing	10
Gaming the system	12
Chinese importers	16
Captive-breeding: just a façade	19
An emerging conspiracy	23
'Like ants moving home': TCM factory risk alert	25
A cautionary tale	27
Recommendations	29
Notes & References	30



Summary

African pangolins continue to face an unprecedented threat from the transnational trafficking of their scales. This is primarily driven by demand from China, where the scales are used in Traditional Chinese Medicine (TCM), both legally and illegally.

The Chinese Government, through its Belt and Road Initiative, is promoting the expansion of TCM supply chains and markets on the African continent. Such expansion carries significant risks for biodiversity and, unless carefully managed, has the potential to contribute to the worsening of the trafficking crisis facing globally threatened wildlife such as pangolins.

In this report, EIA investigates the case of Chinese

national Ma Jinru ('Ma'), who moved to the East African country of Uganda in 2013 to establish a pangolin trade operation. The activities of Ma and her close associate, wildlife trafficker Smith Ewa Maku ('Maku'), have on numerous occasions fallen under scrutiny of law enforcement and the media. In 2016, Ma was arrested by the Ugandan authorities for possessing a significant stockpile of pangolin scales, but ultimately there was no further legal action.



EIA's findings from an investigation conducted between 2019-21 suggest that Ma's move to Uganda has enabled her to trade pangolins by exploiting laws permitting legal wildlife trade. Crucial to this endeavour was the backing she obtained from individuals in the TCM industry as well as both the Chinese and Ugandan governments. While presenting herself as a pangolin conservationist and using her government connections to legally establish a facility, which she claimed would be for breeding pangolins, she appears to have been working with Maku to export pangolin scales of legally questionable origin to China.

Following the uplisting of pangolins to CITES Appendix I in 2016, it was no longer lawful to commercially trade in pangolin scales or live pangolins. This meant Ma was no longer able to gain legitimacy through wildlife trade permits and instead planned to traffic a large stockpile of pangolin scales. She now says she plans to establish TCM factories in Uganda and the Democratic Republic of

the Congo through which to process pangolin scales and other raw TCM ingredients into products for export to China and local sale.

Ma's case serves as a cautionary tale of how the growing footprint of China's TCM industry in Africa and the simultaneous abuse of legal loopholes in wildlife trade systems has the potential to exacerbate the already severe overexploitation of the continent's immensely rich biodiversity. We make specific policy and enforcement recommendations at the end of the report, including the need for further investigations into the roles of Ma and Maku in the pangolin trade and implementation of measures to prevent the wildlife trafficking risks of TCM expansion in Africa.

Above: Kampala, the capital of Uganda, is one of the fastest growing cities in the world and attracts foreign investment including from China.



Introduction

Despite bold international statements from the Chinese Government on the need to protect global biodiversity¹, China continues to be one of the world's top importers and consumers of trafficked wildlife^{2,3}

In particular, the country's legal and illegal use of pangolin scales for traditional Chinese medicine (TCM) is one of the major driving forces behind the overexploitation of pangolins across Africa and Asia.

Although the Chinese Government has taken some successful actions to investigate and prosecute higher-level pangolin traffickers^{4,5} it has not fully addressed the TCM industry's legal use of pangolin scales. This remains a significant impediment to addressing transnational pangolin trafficking.⁶ The boundaries of legal wildlife markets are difficult to enforce and such trade is susceptible to corruption, may stimulate consumer demand and provide an opportunity for the laundering of illicitly sourced wildlife products.⁷

Seeking to further its global political, economic and cultural interests, the Chinese Government launched the Belt and Road Initiative (BRI) in 2013. In its current form, the BRI is projected to have profound and lasting negative global environmental impacts through massive infrastructure development and growth in natural resource exploitation.^{8,9} There are now concerning signs that the expansion of TCM supply chains and market opportunities through the BRI will also bring new and growing trafficking risks to already threatened wildlife populations in some of the world's most biodiverse habitats.^{10,11}

Since 2008/09, West, Central, East and Southern African countries have experienced an escalating wave of pangolin scale trafficking.¹² Much of this has been to



supply the traditional medicine markets in China and Vietnam and it is expected to result in devastating impacts on the populations of Africa's four pangolin species.¹³ Of the 49 African countries cooperating with China through the BRI,¹⁴ at least 29 are pangolin range states. Among these is the East African country of Uganda, which is a well-established regional hub for transnational wildlife trafficking networks.¹⁵

Although Uganda has not experienced the levels of pangolin trafficking associated with some West and Central African countries, between 2011 and 2021 there were at least 153 seizures involving pangolins in the country or following export from it.¹⁶ Uganda has also received attention as one of the few places outside of China where a government has licenced the captive-breeding of pangolins for commercial purposes. In addition, several legal pangolin scale shipments were also exported from the country prior to January 2017, when the 2016 uplisting of all eight pangolin species from Appendix II to Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) entered into force.¹⁷

On several occasions, the separate activities of two individuals involved in Uganda's pangolin trade have fallen under public scrutiny. One of these is Chinese

businesswomen Ma Jinru (马津汝) ('Ma'), also known as 'Ma Jane', and the other is Ugandan wildlife trader Smith Ewa Maku ('Maku'). Since 2015, questions have been asked about the roles of Ma and Maku in the legal wildlife trade and whether they have used the permitted trade as a cover for unlawful pangolin trafficking.^{18,19,20}

Seeking to resolve unanswered questions, EIA launched an investigation to document Ma's involvement in the pangolin trade between Uganda and China. In mid-2019, EIA undercover investigators successfully made contact with Ma in Kampala, Uganda's capital.

Through a series of initial in-person engagements and subsequent virtual meetings, combined with information obtained through open-source research and anonymous sources, EIA has built a detailed picture of Ma's apparent pangolin trade activities. EIA's investigation findings suggest that Ma worked with her associates, particularly those in China's TCM sector, to exploit laws permitting legal wildlife trade while operating with backing from individuals in the Chinese and Ugandan governments.

Opposite page: The ground pangolin is endangered primarily due to poaching.

Above: Ma Jinru constructed breeding facilities for pangolins in her garden and also traded scales from giant ground pangolins.

Caught with pangolin scales

In August 2016, enforcement officers from the Uganda Wildlife Authority (UWA) and Uganda Police Force (UPF) conducted a search of Ma's house in the Kawempe area of Kampala.

The enforcement team found stocks of products from wildlife protected under Uganda's wildlife Act.¹ These included 870kg of pangolin scales, 33kg of hippopotamus ivory, 60 live leopard tortoises and five leopard tortoise shells. On finding the wildlife products at Ma's residence, the police arrested her and she was taken to Kawempe Police Station for questioning.

Subsequently, Ma claimed the seized pangolin scales were supposed to be part of a legal three-tonneⁱⁱ pangolin scale shipment exported in June 2016 to a company in Beijing, China. This export had been authorised by UWA, which had issued Maku with a series of CITES Appendix II export permits for 7.3 tonnes of giant pangolin scales between 2014-16.

According to Ma, when she attempted to export the three tonnes via Entebbe International Airport, airport entities "rejected" about 870kg of it. She claimed she had kept the rejected quantity of pangolin scales at her house, pending renewal of the CITES export permit. Ma also claimed someone had "dumped" the leopard tortoises at her house and she denied the hippopotamus ivory was even found there. Her wildlife trade partner Maku was known to deal in both hippopotamus ivory and tortoises. In 2006 and 2007, he was allegedly involved in two illegal shipments of live tortoises seized in Nairobi en-route to Thailand.^{21,22,23}

Ma's claims contrasted with those of an UWA expert who, at the time of her arrest, stated that all the wildlife products were in her possession illegally. It was asserted that while she had a mandate to breed pangolins, she did not have one to trade pangolin scales. On the same day of her arrest, Ma was released from police custody on bail.

Two months later, the Resident State Attorney in Nabweru concluded that Ma was in possession of the pangolin scales legally because she was "holding" them for Maku, who possessed them legally.ⁱⁱⁱ

Apparently giving Ma the benefit of the doubt, the State Attorney concluded that a 'Class D' Wildlife Use Right issued to her by UWA in 2014 to source live wildlife for her captive-breeding facility covered the seized leopard tortoises. This was despite her telling police the tortoises were not hers.



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Even though no evidence was produced to show Ma had acquired the hippopotamus ivory legally, the State Attorney made no determination on this issue. Instead, this aspect of the case was referred to UWA for further investigation. Following this, the wildlife trafficking charges against Ma were dropped by UWA, despite civil society organisations in Uganda calling for a full and impartial investigation.

Characteristic of many higher-level wildlife trafficking investigations in Uganda over the decades, there was no further action against Ma.

Above: Ma at her residence at the scene of the 2016 search and arrest.

CITES trade rules and pangolins

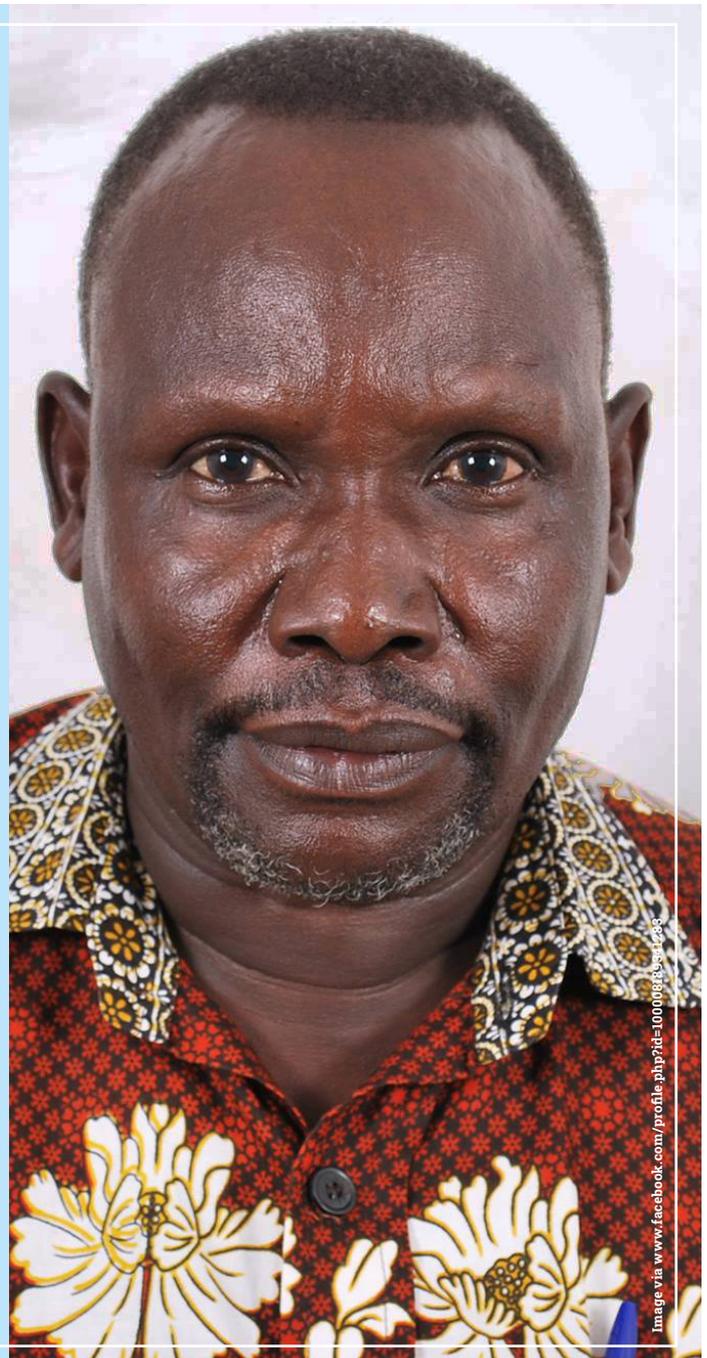
- In 2016, all eight pangolin species were uplisted from CITES Appendix II to Appendix I,²⁴ making their international commercial trade illegal.
- Between 2000-16, Asian pangolins were subject to zero export quotas, meaning they could not be commercially traded internationally. However, African pangolins could still be legally traded as Appendix II species in this period.
- A species listed in Appendix I can only be traded for very specific non-commercial purposes and, in these instances, permits are required from the relevant CITES Management Authority in both the exporting and importing countries.
- A species listed in Appendix II can only be traded when the CITES Management and Scientific Authorities have determined that a specific trade event will not be detrimental to the survival of the species. Such trade can only take place once the CITES Management Authority has issued an export or re-export permit. No CITES import permits are required, although in China it is necessary to obtain a Government permit for Appendix II imports.

A history of impunity: who is Smith Ewa Maku?

Maku, whom Ma calls her 'local partner', is a prominent Ugandan wildlife trader operating out of Uganda. He has owned the company Smico Skin Craft Industries Ltd and been heavily involved in the global wildlife trade since the 1970s.²⁵ For many years, he was involved in licensed trade, particularly the export of reptiles, primates and hippopotamus ivory, alongside illegal trade.^{26,27,28} Maku has held extensive connections among some of Uganda's and Asia's most established wildlife trafficking groups.

Maku has operated in Uganda, apparently with complete impunity, possibly a consequence of his high-level connections in the Uganda Government.²⁹ In 2003, he was arrested in possession of ivory weighing approximately 200kg, but the matter was not investigated further and Maku was not prosecuted.

In top-level validation of his activities, Maku received Uganda's 'President's Export Award' in 2002 as a top exporter of 'arts and crafts'.³⁰ He is said to have personal relationships with Moses Ali, who has held the positions of First Deputy Prime Minister and Deputy Leader of Government Business in Parliament.³¹ He has also reportedly worked with Yekoyada Nuwagaba, a Senior Presidential Advisor, who is the Managing Director of the wildlife trading company Navina Exports Ltd.³² Nuwagaba was arrested in 2017 on suspicion of illegal possession of hippopotamus ivory, a live tortoise and tortoise shells.^{33,34} He was released on bail and no further prosecution progress was made since.



Powerful backing

Before moving to Uganda in 2013, Ma lived in Hangzhou, in China's Zhejiang province. She was involved in supplying TCM ingredients to pharmaceutical companies, including Guangdong Yifang Pharmaceutical (广东一方药业有限公司).

In conversations between Ma and EIA investigators, she explained she had never been a TCM practitioner but had learnt about it from specialists she met through the China Association of TCM (中国中药协会).^{iv}

Through Ma's TCM ingredient supply work, she built a network of high-ranking contacts in the TCM industry who were to give her a platform to set up activities sourcing globally threatened wildlife in Uganda. One of her most prominent contacts is Fang Shuting (房书亭), who held senior positions in several TCM entities, including China's National Administration of TCM (国家中医药管理局) and the China Association of TCM; the China Association of TCM has been heavily involved in promoting the farming of bears in China.³⁵

Ma: "When I visited [Uganda] the first time, I thought this was a place with good development potentials. Good development potentials. So I contacted the China Association of TCM and the China Association of TCM encouraged me to come over, to farm pangolins and other endangered species."

From 2006, Ma has been a shareholder, along with her son, of Hangzhou Aosen Technology Co Ltd. (杭州奥森科技有限公司), which is involved in a range of business activities including the 'wholesale of handicraft and collectable items'.³⁶ Between 2016-18, she was also a shareholder of Fuzhou Aosen Agriculture Co. Ltd. (福州奥森农业有限公司), a company based in Fujian province with permits for the captive breeding of wildlife for the exotic pet trade.³⁷

Fuzhou Aosen Agriculture has faced law enforcement scrutiny for wildlife trafficking activity. Following Ma's departure as a shareholder of the company, its new shareholder, Yang Zemin (杨泽敏), and several of his associates were arrested by the Fuzhou anti-smuggling bureau in 2020. They were prosecuted for possession of wildlife under special State protection, including three species of hornbill and caracal cats.^{38,39}

Ma: "This project is high-level, done through high-ranked officials. My contacts/lobbying targets are high-ranked officials, not just faking a business."

According to a letter written by Ma to the Executive Director of UWA in 2015, representatives of the Chinese Government introduced her to a senior official in Uganda's CITES Management Authority – the Ministry of Tourism, Wildlife and Antiquities (MTWA) – in May 2013.⁴⁰ According to Ma's letter, following her introduction to this senior official, they introduced her to the wildlife trader Smith Ewa Maku to facilitate the establishment of her pangolin captive-breeding and trading activities under the Ugandan permit system.

In conversations with EIA investigators, Ma revealed her membership of the Chinese Association of TCM and its 'Committee for the Cultivation and Captive Breeding of TCM ingredients'⁴¹ was pivotal in spurring her move to

What is the China Life Science Research and Development Foundation (CLSRDF)?

CLSRDF was established by the China Overseas Educated Scholars Development Foundation, which is overseen by China's Ministry of Civil Affairs and the Chinese Communist Party's (CCP's) United Front Work Department (UFWD). Recently, the name of CLSRDF has been changed to the International Life Science Studies Charity Foundation. The UFWD works to form a 'united front' or coalition of groups which contribute to the CCP's interests.⁴³ Its aims include information-gathering, the global promotion of Chinese businesspeople and companies, building Chinese influence internationally and the establishment of pro-CCP political support.^{44,45}

Uganda. Notably, two individuals – Wang Wei-quan (王卫权), who is Chairman of the breeding committee, and Fu Xinchen (付欣忱) – provided her with official

Chinese Government support and initial financial assistance.⁴² Fu was the Director of China Life Science Research and Development Foundation (CLSRDF), which is part of the United Front Work Department (UFWD). The UFWD has a mandate to promote some of China's most contentious national and international interests.

Ma told EIA investigators that she had a clear goal when leaving China for Africa and that was to source "endangered animal products" for import into China through "Government channels". To do this, she was to rely on support from government officials both in

Uganda and China to facilitate the acquisition of import and export permits for pangolin scales.

A key component of her wildlife trade scheme was the formation of a Ugandan company in August 2013 named Olsen East Africa International Investment Co Ltd.^{46,47} Ma told EIA her company operated under the CLSRDF to give it a "higher status" and "Chinese Government support".

The evidence suggests Ma's work was less to do with pangolin conservation but more to use Olsen East Africa as profit-driven enterprise to trade in pangolin scales and live pangolins of suspicious origin while claiming to establish a pangolin captive-breeding facility to export live pangolins to China.



Wildlife trafficking risks: China's Belt and Road Initiative and traditional medicine

The Chinese Government is implementing a major global political, economic and cultural expansion strategy called the Belt and Road Initiative (BRI), launched in 2013.⁴⁸ Its geographical scope is primarily across Asia, Africa and Europe and includes a network of land ("Belt") and sea ("Road") routes to physically connect these regions to China.

Global TCM expansion is a key component of China's 2016-30 national TCM strategy⁴⁹ and the Chinese Government is using the BRI to promote the development of TCM supply chains and market opportunities globally.^{50,51}

EIA has previously expressed concern over the growing wildlife trafficking risks of TCM expansion in African countries.^{10,52} All, other than Eswatini, have agreed to the Beijing Action Plan through the Forum on China-Africa Cooperation (FOCAC).⁵³ Traditional medicine-related expansion in Africa is to involve the establishment of TCM centres, registration and production of TCM products, commercialisation of traditional African medicine and expansion of TCM ingredient discovery and sourcing.

Above: The CLSRDF branded the establishment of Ma's pangolin captive breeding centre in Uganda as an important foundation for the expansion of TCM under the BRI.

Gaming the system

To give legitimacy to their pangolin trading activity, Ma and Maku allegedly collaborated to exploit Uganda's Wildlife Use Rights and CITES permitting systems. This involved acquiring permits from UWA between 2014-16 to source live pangolins, establish a facility purporting to breed pangolins and trade pangolin scales.

While Ma's focus was on obtaining permits for the captive-breeding of pangolins, she relied heavily on Maku to obtain permits for the export of pangolin scales to her business partners in China. UWA permits for wildlife use rights enabled Maku to acquire significant volumes of pangolin scales of legally questionable origin. These were then exported using CITES Appendix II export permits issued by MTWA.

In March 2014, within six months of Ma registering Olsen East Africa as a legal entity,⁴⁶ Maku submitted a request to UWA to source pangolin scales.^{54, v} Despite the significant risk that such sourcing, without a proper audit, could involve the illegal killing of wild pangolins, in May 2014 Maku was issued a 'Class D' permit to trade wildlife.^{55,56} This was valid for two weeks and allowed Maku to source an unlimited quantity of "old trophies" from "public markets and other public places".

Ma: "Maku. He has the hunting permit. I did not include my name there. If I add my name, things would get complicated. He has the hunting permit and a quota. That's only under his name."

The UWA permit letter stated Maku was allowed to do this to "boost" the 131kg of pangolin scales he had bought from UWA's stockpile.⁵⁷ UWA's assertion was that communities across Uganda had amassed a "huge number of scales" over time because they are valued for traditional African medicine.⁵⁴ This was based on reports from "traders" and a particularly unscientific calculation prepared by UWA in 2014, calling into question whether there was any proper verification of legal acquisition.

Soon after Maku's Government-approved pangolin scale sourcing exercise, he was granted a UWA export licence and MTWA-approved CITES Appendix II export permit for 7.3 tonnes of giant pangolin scales.⁵⁸ A letter from UWA to the MTWA requesting the export permits stated that Maku's export approval was for "some" of his pangolin scales, suggesting he held more than 7.3 tonnes.⁵⁶

CITES requires that approvals for the export of Appendix II listed species can only be issued if such exports "will not be detrimental to the survival of that species". To

establish this, CITES Parties are required to conduct Non-Detriment Finding (NDF) studies on the population status of the species to be traded and the impacts of such trade.

UWA has in the past commissioned NDF studies for some of the most-traded reptile species.⁵⁹ However, in this instance, no reliable field-based and long-term NDF study for Uganda's pangolin populations was available. Given the methodological limitations associated with assessing pangolin populations, such a study would have been resource-intensive and scientifically demanding.

Despite the lack of an NDF, the flawed analysis of pangolin stocks held in Uganda's markets and questions regarding legal acquisition, UWA, in an apparent failure to adequately implement the CITES treaty, advised the MTWA that the export could proceed.⁵⁴

CITES trade records show that in 2014 there were two exports of giant pangolin scales from Uganda, 3.2 tonnes to China and 99kg to Malaysia. UWA documents confirm that the 3.2 tonne shipment was exported by Maku using the 7.3 tonne export permit⁶⁰; it is unclear who the recipient of this shipment was. This was the first ever large legal export of pangolin scales from any African country.¹⁷ Around this time, Maku and Ma also had plans to export three tonnes of giant pangolin scales to the Chinese company Beijing Sanhe Pharmaceutical Co Ltd (北京三和药业有限公司).

Following a report in Uganda's New Vision newspaper in January 2015, a public interest civil suit against UWA was launched by Greenwatch Uganda, questioning the legality of Maku's pangolin scale export permits.^{20,56} Greenwatch argued that UWA had failed to properly evaluate the impact of Maku's permits on wild pangolins, but the lawsuit was unsuccessful. In June 2015, a High Court judge ruled that, since the scales were "old trophies" and there was no evidence showing Maku sourced the scales illegally, the UWA wildlife trade and export permits were lawful.

The court ruling served to give Ma and Maku the green light to continue their pangolin scale sourcing and export activities. From September 2015 up to the time of Ma's arrest in August 2016, Maku secured renewed CITES export permits from the MTWA for the additional 4.1 tonnes of giant pangolin scales.^{61,62,63} These resulted in exports to three controversial companies – Beijing Shengshi Xingwen Cultural Development (北京盛世兴文文化发展有限公司) and Luoding Cheng Shan Trading (罗定市诚善贸易有限公司) in China,^{64,65} and Vinasakhone Wildlife Farm in Laos.^{66,67}



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The rise of transnational pangolin trafficking from African countries

- In 1994, at the 9th meeting of the Conference of the Parties (CoP) to CITES, it was suggested that an inter-continental trade in pangolin scales from Africa could appear because of their rising value in certain Asian markets.⁶⁸ For 20 years, these early and later warnings were largely ignored by the international community.
- Starting in 2008-09, there was an unambiguous emergence of pangolin scale trafficking from Africa to Asia involving, at a minimum, Cote d'Ivoire (2009),⁶⁹ Mozambique (2011),⁷⁰ Uganda (2012),^{71,72,73} Cameroon (2013),^{74,75} Kenya (2013)⁷⁶ and Nigeria (2014).⁷⁷
- Despite the warning signs, a series of CITES Standing Committee meetings held between 2010-13, as well as CoP16 in 2013, failed to request any action from the CITES Secretariat or Parties in relation to the trade in African pangolins.⁷⁸ This was a missed opportunity to potentially ensure the Appendix II listing did not stimulate pangolin trafficking from Africa to Asia.
- It was not until 2014 at the 65th meeting of the Standing Committee that an intersessional working group on pangolins was established, which would ultimately lead to the Appendix I uplisting at CoP17 in 2016.

Above: Despite international recognition for the need to step up their protection, pangolins remain as some of the most trafficked animals today. Large scale seizures are frequently made along the trade routes, such as this seizure of 500kg scales in Kinshasa, DR Congo in April 2020.

Uganda's system of Wildlife Use Rights

Under Uganda's Wildlife Act (2019), it is possible for a "person, community or lead agency" to apply for permits to legally exploit wildlife.⁷⁸ Prior to the 2019 Wildlife Act, this system was regulated by the Uganda Wildlife Act, Cap 200 (2000).^{79,80}

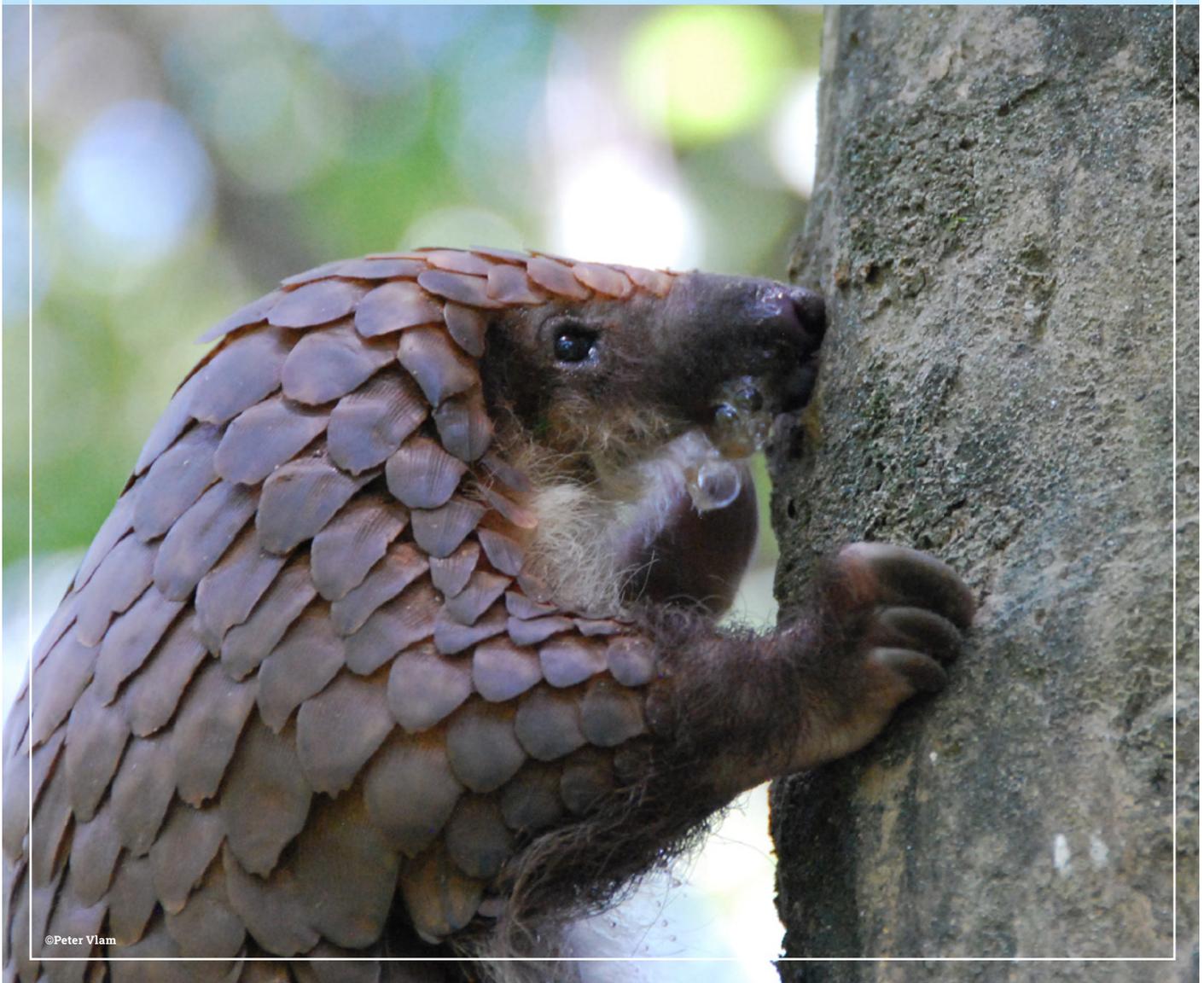
Wildlife Use Right permits can only be issued by UWA and under the 2019 Act they fall into eight categories, among which are sport hunting (Class A), farming (Class B), trading (Class D), educational or scientific purposes including medical experiments and developments (Class E) and pets or ornaments (Class G). Categories A to E in the 2019 Act reflect those of the 2000 Act. Through this system, UWA is authorised to set annual quotas for the exploitation of "partially" protected species.

The protected species list under the Uganda Wildlife Act, Cap 200 (2000) used that of the Game (Preservation and Control) Act 1959 (Ch 198), in

which even species under the highest level of protection ('Part A'), including all pangolin species, could be hunted and captured with a permit.

The 2019 Act has enhanced Uganda's protected species designation system by providing two categories: fully protected species (those not subject to Wildlife Use Rights) and partially protected species (those subject to Wildlife Use Rights). However, while the new Act lists a schedule of protected species (including the four African pangolin species), it has not stipulated which category each species falls; a statutory instrument intended to do this, as mandated by the Act, is yet to be published. The failure to set out the category of each pangolin species means it could be argued that pangolins can be taken from the wild.

Below: Uganda is home to at least three of the four African pangolin species: the white-bellied pangolin (pictured), the giant ground pangolin, and the Temminck's pangolin.



©Peter Vlam



©China Court Trial Online

Chinese importers

Between 2014-16, Ma played a significant role in brokering the sale of pangolin scales between Maku to three companies in China.⁸¹ The legal representatives of one of these were found guilty on 11 May 2021 in China for laundering pangolin scales and saiga horns, while another was involved in a corruption case as a bribing company.^{vii}

5.1 Beijing Sanhe Pharmaceutical

In July 2014, Ma was given power of attorney by the company Beijing Sanhe Pharmaceutical Co Ltd (北京三和药业有限公司) to represent its business interests in Uganda to the end of 2015.⁸² This was to facilitate the purchase of three tonnes of “large” pangolin scales from Smico Skin Craft Industries at a total cost of \$180,000 (\$60 per kg). This export was to take place using Maku’s 2014 CITES export permit for 7.3 tonnes of giant pangolin scales.

It is not known when, but Maku’s export permit expired at some point around mid-2015 and, in November of that year, Ma applied for her own export permit for the three tonnes.⁴⁰ However, the export to Beijing

Sanhe Pharmaceutical never took place and in a communication with Maku in November 2015, Ma explained the reason for this was that the export permit had expired before an import permit had been issued by China’s “quality and quarantine department”.⁸³ This was likely the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ).

Chinese Government court records show that several employees of Beijing Sanhe Pharmaceutical were convicted for illegal trade in protected species and fraud associated with a series of highly profitable pangolin scale transfers to six pharmaceutical companies.^{84,viii} This involved the illegal purchase of 9.9 tonnes of pangolin scales for RMB 29.63 million (\$4.5 million). As well as the illegal sale of at least 7.4 tonnes of pangolin scales



for between RMB 4,400 to 7,800 per kg (\$684 – 1,213), demonstrating the significant potential mark-up for scales sourced from Uganda. The employees were able to do this due to severe limitations in China’s system for permitting pharmaceutical companies and hospitals to legally acquire and use pangolin scales from registered stockpiles. In 2020, EIA identified that at least 221 pharmaceutical companies and 713 hospitals in China are licenced to produce and sell medicines containing pangolin scales.⁶

Ma: *“Pharmaceutical factories [in China], actually, they have their own established smuggling channels, fixed smuggling channels that supply them. So the price is cheap.*

“In China, the smuggled pangolin scales would sell for a bit more than 3,000 RMB, so \$5-600 ...per kg.”

The Chinese Government’s system of regulating the sale of patent consumer pangolin scale medicine products relies on ‘special marking labels’ issued by the China Wildlife Mark Centre.^{ix} These are purportedly intended to confirm legal provenance. It is also thought that owners of ‘legal’ pangolin scale stocks are issued labels or ‘sealing slips’ by provincial governments once their stockpiles are inventoried and registered, but oversight mechanisms are not robust. In conversations with EIA investigators, Ma alluded to this, claiming that in China some companies licenced to use pangolin scale stockpiles “constantly recycle” labels they have been issued and do not declare all the stock they hold. According to Ma, pharmaceutical factories in China “have their own established smuggling channels” and that trafficked pangolin scales are sold “for a bit more than RMB 3,000 [\$500] ... per kg” on the wholesale market.

Reports in the Chinese media point to interest from Beijing Sanhe Pharmaceutical in the captive-breeding of pangolins. In 2017, The Paper reported that the company had developed a joint project proposal with three other companies to develop a pangolin captive-breeding facility which would import pangolins from abroad.^{85,86} According to the media report, this project never materialised.

Above: In 2021, Beijing Sanhe Pharmaceutical and its top managers including the legal representative and shareholders were sentenced for trading illegally in pangolin scales and saiga horns.

Beijing Shengshi Xingwen Cultural Development

Following the failure of the Beijing Sanhe Pharmaceutical export, in December 2015 Ma was given power of attorney to represent a different company based in China, Beijing Shengshi Xingwen Cultural Development (北京盛世兴文文化发展有限公司).⁸⁷ In June 2016, relying on a new CITES export permit issued to Maku,⁶¹ Ma exported the three tonnes of giant pangolin scales originally intended for Beijing Sanhe Pharmaceutical to Beijing Shengshi Xingwen. This was the shipment from which she claimed the 870kg of pangolin scales seized from her house in August 2016 had originated.

Ma told EIA investigators that once the three tonnes reached China, the import was temporarily blocked by an inspection and quarantine authority, likely the AQSIQ.^x To resolve the import issue, Ma alleged that Beijing Shengshi Xingwen changed the use declaration of the scales from TCM to 'handicraft' following advice from an individual in the Chinese Government. She claimed this was to bypass controls on the import of TCM 'raw materials' not listed in the TCM pharmacopoeia.^{xi}

These import regulations are known to exist under the State Administration for Market Regulation⁸⁸ but are not believed to have been uniformly applied for pangolin derivatives. EIA is aware of permits being granted to Luoding Cheng Shan Trading by China's Guangdong provincial forestry department for the import of African pangolin scales between 2015-16 and in 2018.⁶⁵

Ma: *"I introduced him [Zheng] to the TCM industry. It was I who introduced him to the TCM industry. He has changed business focus since, because the craft business is now difficult to make profits from. That's why he shifted the focus to pharmaceuticals."*

According to documents from the Anhui provincial forestry department, Beijing Shengshi Xingwen has been involved in licenced pangolin scale trade.⁸⁹ This has involved the sale of at least 1.9 tonnes of pangolin scales to pharmaceutical companies in China between 2018-19.⁶⁴ EIA's open-source investigation into Beijing Shengshi Xingwen suggests the company's wildlife trade-related business interests do not exclusively include pangolins; it has also been involved in the sale of elephant ivory carvings,^{xii,90,91} taxidermy (including panda and polar bear) and tiger bone wine, as well as breeding musk deer to produce natural musk.^{92,93,xiii}

The company is one of several wildlife trade and pharmaceutical related companies owned by two brothers, Zheng Qinfeng (郑沁峰) and Zheng Qinbin (郑沁彬).^{xiv} Both brothers have business affiliations with a third brother named Zheng Qintong (郑沁彤),

who was the sole shareholder of a company^{xv} which held a 30 per cent share of Fuzhou Aosen Agriculture Co Ltd between 2016-18. Most recently, Zheng Qintong held senior positions in Fujian Province's Zherong county government, including in the UFWD and County Federation of Industry and Commerce.^{94,95}

In conversations with EIA investigators, Ma frequently mentioned her partner "Zheng", who is from Fujian and currently based in Beijing, to whom she exported three tonnes of pangolin scales. This partner is one of three brothers, the eldest of which has a history of working for the Zherong county government and is very good at networking with officials. However, she did not specify which of the three brothers was her partner. Ma stated that the brothers have "good relations" with China's National Forestry and Grassland Administration and, since "they deal in animals, they are familiar with getting endangered species permits, familiar with the people and procedures".

Ma told EIA investigators in 2019 her partner Zheng was in possession of significant stockpiles of elephant ivory and rhino horn. This, she claimed, included antique ivory sourced from auctions in the UK, which could have been traded lawfully at that time. She added that following the 2017 ivory trade ban in China, Zheng expanded his business interests to include TCM ingredients since it had become difficult to make profits from handicrafts. To facilitate Zheng's shift into TCM, Ma said she introduced him to individuals in the TCM industry.



A verdict from the Chinese Government database of court records suggests a link between Wang Minzhong, the former Director of the Beijing Wildlife Protection and Nature reserves Management Office and Beijing Shengshi Xingwen in a high-profile corruption case.⁹⁶ The court documents describe how "company 5" (possibly Beijing Shengshi Xingwen) had interests in an African pangolin farm and had imported three tonnes of pangolin scales in 2016. Zheng paid Wang a bribe of RMB 200,000 (\$31,000) in cash and a 500g gold bar worth RMB 150,000 (\$23,000) to facilitate the successful approval of stockpile permits for the imported three tonnes of scales, in addition to 208kg of musk.

Above: Pangolin scales are sold legally and illegally as a TCM ingredient in China.



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Captive-breeding: just a façade

Shortly after Ma's move to Kampala in late 2013, she embarked on constructing a facility to keep pangolins in captivity at her Kawempe residence. Despite portraying herself as a pangolin conservationist to Ugandan authorities,⁴² her stated intention was to breed or source pangolins for trade, not to protect the species.

This endeavour was backed by the CLSRDF and China Association of TCM and had high-level endorsement from UWA and the MTWA. Satellite imagery shows that by February 2014, in the run-up to when Ma acquired the necessary permits from UWA, she had constructed a concrete outbuilding with approximately 80 open air compartments.^{97,xvi}

In parallel to her involvement with Maku in pangolin scale sourcing and export, Ma sought to formalise her pangolin breeding operation. To do this, in 2014 she was

awarded by UWA both a 'Class B Wildlife Use Right' to breed pangolins in captivity and a 'Class D Wildlife Use Right' to acquire live pangolins to stock the captive-breeding facility.^{98,99} This was despite a complete lack of supporting evidence from any country that pangolins could be bred in captivity for commercial purposes. Her UWA breeding permit stipulated that she needed to demonstrate an effort in processing pangolin products in Uganda for "value-addition".

Above: A white-bellied pangolin rescued from Ma's residence in 2016

Ma revealed to EIA investigators that after she obtained the breeding permit, she paid 'red pockets' (gifts) of UGX 1 million (\$300) each to about 15 people in the Ugandan Government. She did this by working with local Ugandans who would give the payments to people appointed by the relevant Government officials.

Efforts by Ma to establish the pangolin captive-breeding scheme in Uganda were set in the context of attempts by the China Association of TCM to promote the commercial captive-breeding of pangolins in China. This is supported by a statement she made in 2016, that her goal was to export live pangolins from Uganda to China for breeding.¹⁰⁰

Between 2014-15, Ma attended at least three events on wildlife breeding in China organised by the China Association of TCM. One was in June 2014 held in Nanning on TCM and pangolin captive-breeding, which was also attended by a senior Uganda Government official.^{101,102} Another was in October 2014 in Guangdong, at which an 'alliance' to develop pangolin captive-breeding was announced.^{103,104} The following year, she attended China's first 'Strategic Summit of Chinese Medicine Manufacturers and Companies cultivating TCM ingredients' in Lijiang.^{105,106}

Ma's breeding scheme was of such importance to the CLSRDF's interests that its secretary general at the time, Ji Ye (纪烨), sent a letter in May 2015 to Uganda's MTWA detailing its partnership with Olsen East Africa to breed pangolins.¹⁰⁷ The Ministry's response stated that the Government of Uganda was committed to supporting Olsen East Africa's breeding initiative.

The CLSRDF-Olsen East Africa partnership was cemented in an inauguration ceremony held at Huayuan Hotel, Kampala in October 2015 attended by Ma, Ji

Ye, Fu Xinchen and representatives of the Ugandan Government as well as other unknown participants from Uganda and China.¹⁰⁸

In September 2015, UWA authorised Ma to capture 40 pangolins of any species present in Uganda before the end of the year.¹⁰⁹ This was much lower than the 200 live giant pangolins she had applied for, a quantity which would have likely been detrimental to long-term pangolin survival in Uganda.¹¹⁰ A letter written to UWA by Ma a few months later, in November, stated she had the "capacity to handle 2,000 pangolins" and requested her quota be increased to 500 animals.⁴⁰ These quantities would have far exceeded her capacity to adequately care for the creatures and calls in to question why so many animals would be required if she was only intending to breed pangolins in captivity.

Three months later, in January 2016, Ma registered as a shareholder in a new company in China, Fuzhou Aosen Agriculture. She told EIA investigators that she initially intended to export live pangolins to this company, which would in turn sell them on to buyers in China. It is not clear exactly how many pangolins Ma successfully sourced or bred; however, it is known that in 2016 she had approximately 20 white bellied pangolins in captivity.¹¹¹ In conversations with EIA investigators, she claimed that at one point she held up to 50-60 pangolins and did successfully breed them.

The origin of those she did keep is unknown. However, she told EIA she had struck an agreement with a Buganda Kingdom clan, the Lugave,^{xvii} for whom pangolins are a totem, to source live pangolins. Furthermore, EIA has obtained information that suggests at least one local wildlife trafficker assisted Ma in sourcing live pangolins for UGX 120,000 (\$35) per animal.¹¹²



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Eventually, Ma closed her pangolin breeding scheme in 2017 after she had struggled to adequately care for the pangolins and export them to China.^{xviii}

Ma: “Basically, I would not hand over the money myself in person. It would be handed to Africans for them to give [to the officials]. The contact would be done through a person specially appointed by them. As for the ministers, mostly I did not give money. The higher their ranks, the less they need [your] money. Their salaries are high, they have money. They are less likely to ask for money. What you should do is to buy them electronics, such as mobiles, for them.”

Why pangolins should not be bred in captivity for commercial purposes

Since 2007, the Chinese Government has promoted the development of pangolin captive-breeding to supply scales for the TCM industry.¹¹³ Pangolin captive-breeding facilities in China have been associated with widespread breeding failures and linked to pangolin trafficking.¹¹⁴

For commercial captive-breeding to be successful, it would be necessary for it to offset the supply of wild-sourced pangolins, but since pangolins are highly susceptible to stress and disease, many attempts to breed them in captivity have failed.¹¹⁵ Breeding them in large numbers to meet demand is not considered possible.¹¹⁶

Pangolins in South-East Asia have been found to be susceptible to several pathogens, including SARS-related coronaviruses.¹⁶ Despite there being limited research to date, there is the possibility that African pangolins also carry serious zoonotic pathogens. Considering this, the handling of live pangolins associated with their breeding represents a significant global human health risk.

Opposite page and below: Ma constructed concrete cells in her garden to keep pangolins.





An emerging conspiracy

The stockpile

In the years following the CITES Appendix I uplisting, Ma appears to have continued to sustain ambitions to trade in significant volumes of pangolin scales. In conversations with EIA investigators, she explained she had worked with Maku to accumulate an 18-tonne stockpile of pangolin scales over a period of one to two years. She said they had sourced the scales from “locals and the Government” and that “it was stored in a village in South Sudan near the border with Uganda”.

In conversation with EIA investigators, Ma said the stockpile primarily comprises “big” pangolin scales (likely either from giant or Temminck’s pangolins) and that there were only a few “hundred kilograms of tree pangolin scales”. EIA has been unable to verify the existence or specific location of Ma’s stockpile; however, she spoke confidently of it and enthusiastically shared a photograph of what appears to be approximately 10.5 tonnes of pangolin scales.

The provenance of the scales is unknown, but the quantity seems far more than Maku could have realistically obtained from ‘locals or Government’ during the UWA-authorized two-week sourcing period in May 2014. Across the border in South Sudan, all pangolins are Schedule I ‘completely protected species’, meaning their hunting, trade and capture is illegal and cannot be legally permitted.^{117,118} Therefore, any pangolin trade activity undertaken by Maku or Ma in South Sudan, or between Uganda and South Sudan, is likely to have been unlawful.

Ma told EIA investigators she had sought to “deal” with her pangolin stocks before the Appendix I uplisting came into effect, indicating the alleged 18-tonne stockpile had been acquired prior to 2017. During conversations with EIA, Ma outlined how she had sought to smuggle the 18-tonne stockpile to legitimise it for legal export to China.

Since South Sudan was and is not a CITES Party, Ma told EIA investigators she had worked to obtain permits to export the stockpile from Sudan.^{xix} Her intention was to transport the scales to a country where she could obtain authorisation for export to China using CITES permits. In 2017, she was also involved in efforts to export pangolin scales from Liberia to her partner company, Beijing Shengshi Xingwen.^{xx}

Ultimately, she was unsuccessful in her attempt to legalise the South Sudan stockpile and export it to China; the reasons she gave for this were the Appendix I uplisting, a lack of import permits from China and the conflict in South Sudan. In September 2021, in a call with EIA investigators, she confirmed that the stockpile was still in South Sudan and she was seeking to establish a TCM factory through which to process the scales before exporting them to China.

Ma: *“The 18 tonnes of scales can’t see the light of the day at the moment”*

EIA: *“But you can move them over here (to Uganda) and process them, right?”*

Ma: *“Yes, they can be brought back for processing. But the scales still can’t be out in the open at this point in time. As soon as their existence becomes known there will be trouble. People will ask about the source of the goods.”*



Opposite page: Photo shared to EIA by Ma, showing what she claimed to be part of her pangolin scales stockpile in South Sudan.

Above: Ma produced TCM capsules using pangolin scales powder and other ingredients. She plans to scale up the production by constructing factories in Uganda and DR Congo.

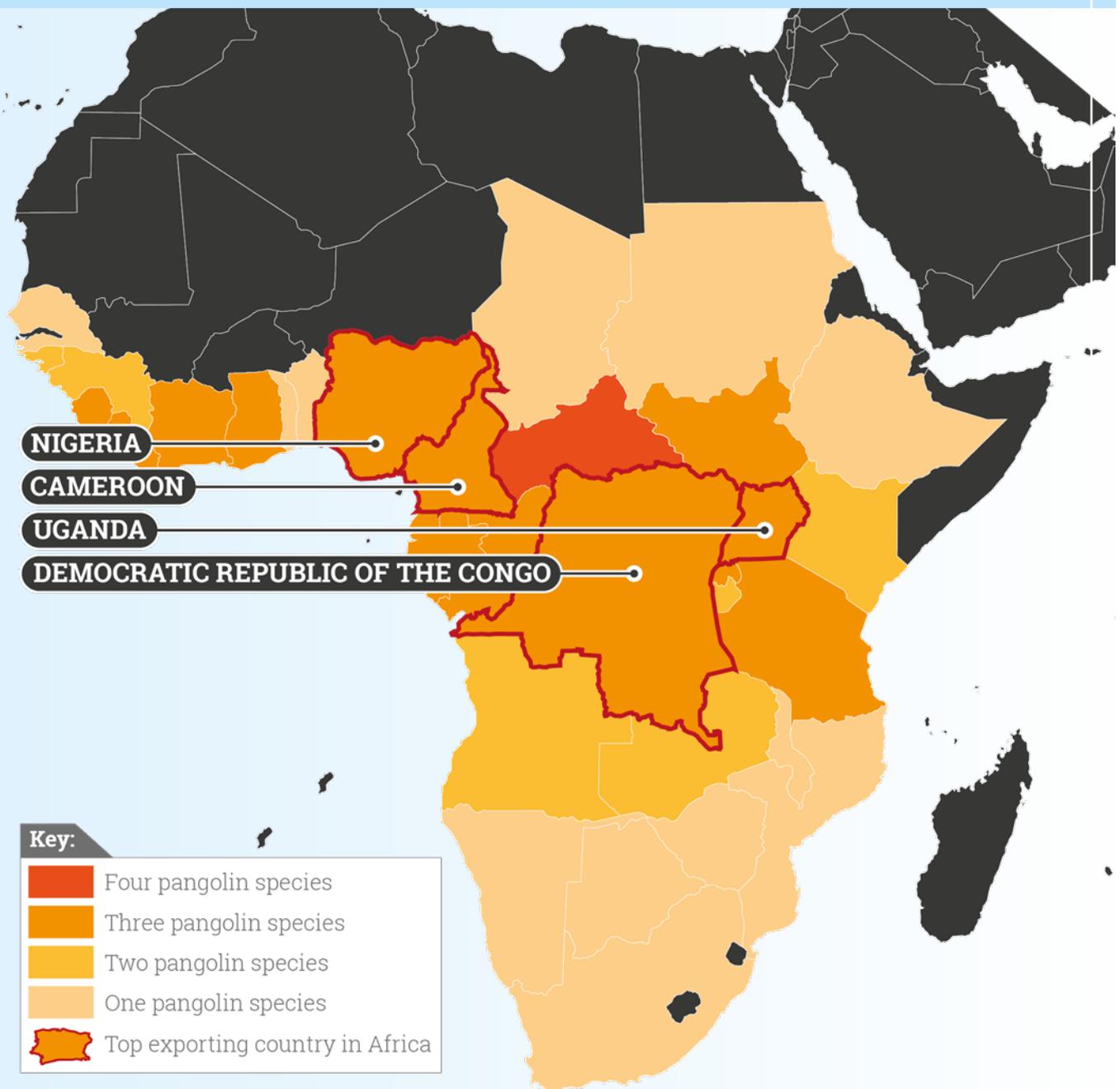
Uganda: East Africa's transnational wildlife trafficking hub

Uganda is a major regional sourcing, consolidation and transit hub for the transnational trafficking of illicit wildlife products such as pangolin scales, elephant ivory and rhino horn, as well as those from other globally threatened species.¹¹⁹

Wildlife trafficking networks exploit Uganda's geographic location, functioning infrastructure and vulnerability to corruption to transport illicit wildlife products sourced from across East, Central and Southern Africa to South-East and East Asia.^{15,120}

During the past decade, Uganda has made significant progress in combating wildlife trafficking, as demonstrated by its improved performance in investigating and prosecuting wildlife crime. However, the country continues to face challenges in addressing corruption as an enabler and facilitator of wildlife trafficking, interagency law enforcement cooperation, use of financial investigation techniques and the prosecution of higher-level traffickers.

Fig. 2: Range of pangolin species in Africa, and the countries most exploited as points of illegal export.





‘Like ants moving home’: TCM factory risk alert

With no possibility of legally exporting her South Sudan pangolin scale stockpile, Ma has eschewed options to traffic it unprocessed to China and instead intends to process the scales into powder in either Uganda or DR Congo. To do so in Uganda, she said the scales would need to be smuggled slowly, “like ants moving home”.

In conversations with EIA investigators, she talked at length about her plans to establish TCM factories in Kampala and in Bunia city, in Ituri province, eastern DR Congo. The Ugandan arm of this TCM manufacturing business is to operate under her recently established company Olsen Pharmaceuticals Ltd, which she registered in 2020.¹²¹ Confident in the business potential associated with processing TCM materials in Uganda and DR Congo, in 2019 Ma offered EIA investigators the opportunity to invest in her factory business. Her proposals have centred on using raw TCM materials, sourced both locally and internationally, to produce semi-processed and possibly even fully processed patented TCM products that can be exported to China or sold locally.

In Ituri, Ma’s TCM factory ambitions are associated with her prominent and very public involvement as an investment broker for Chinese Government-backed

efforts to promote Chinese industry relating to infrastructure, agriculture and energy. This is said to involve the creation of new Special Economic Zones and Ma told EIA she has obtained land in Bunia to use for ‘industrial’ purposes.

Ma: “I am currently preparing to apply for a TCM patent medicine factory to manufacture things such as Angong Niuhuang Wan.”

Above: Ma suggested to EIA that her South Sudan stockpile could be moved by road at night in small batches to Kampala (pictured).

In parallel to Ma's involvement in brokering investments in Ituri, it appears she has sought to develop her own business interests. These are not only to include TCM production but also high-value timber. She shared with EIA investigators a contract she signed on behalf of her company Olsen East Africa in October 2020 with a DR Congo company for the exploitation of timber (including mahogany, African teak and Afzelia) in a 400-hectare concession in the village of Idou, in Irumu Territory of Ituri.^{xxi} She told EIA investigators her goal is to "take it slow" in DR Congo and "combine the operations of pangolin scales and timber together, using the timber trade to set up a company and then establish a workshop to process the scales".

During conversations with EIA, Ma mentioned several large Chinese TCM companies as potential buyers of her processed TCM materials and in September 2021 claimed she was in the process of establishing a collaboration with one of these. She claimed to have applied for a medicine-production permit in Uganda and, in parallel, the TCM company has applied for a permit in China to import what she calls "endangered TCM ingredient raw material".

If these are obtained, she hopes to sign a contract with the TCM company to produce what she calls "famous products", such as Angong Niuhuang Wan, and those for which the raw materials, such as wildlife products, are available locally. In the meantime, she is focusing on "small-scale pilots" of TCM production, including producing donkey-hide gelatin.^{xxii}

Ma: *"I have the resources over here, ox bezoar (gallstones), pangolins, rhino horn powder ... and elephant skins, all of that; you simply can't compare the natural resource of Africa to China. And besides, it is much easier for me to acquire these resources over here."*

While Ma did not specify any additional patent TCM formulae she would seek to produce, in 2019, during meetings with EIA investigators at her Kawempe residence, she showed off medicine capsules she said contained pangolin scale powder, Chinese ginseng and lingzhi fungus.

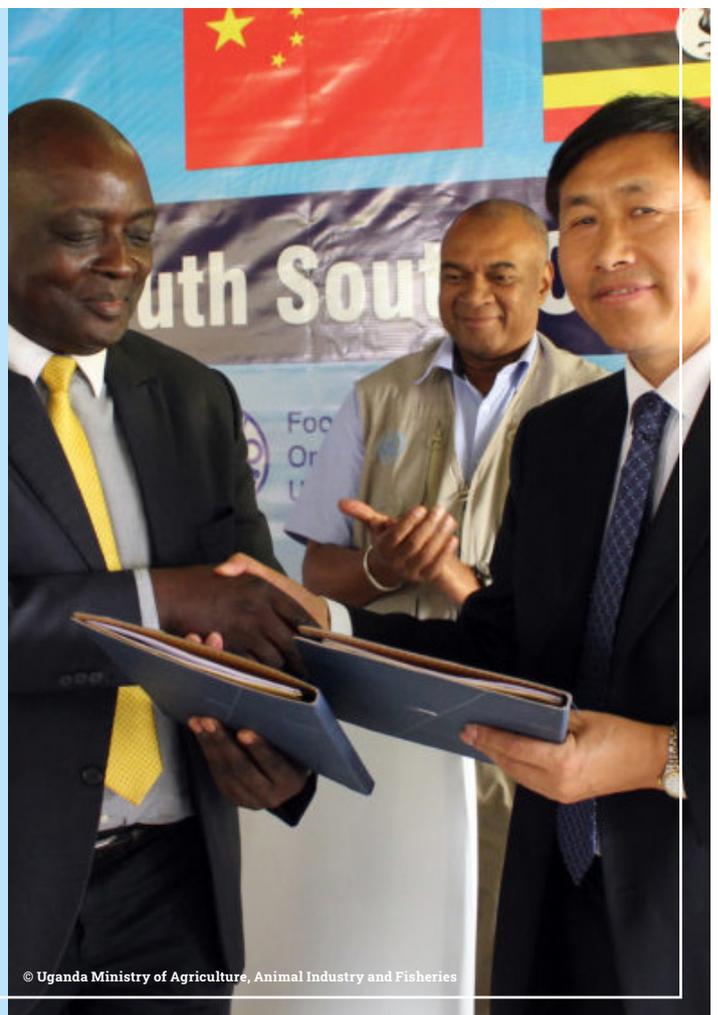
Over the course of EIA's investigation, she also made repeated mention of the potential to source rhino horn from South Africa, claiming in 2019 she could source it "right away from the black market". She also claimed she could source elephant skins in Africa, as well as deer musk from Nepal.

TCM promotion in Uganda

China's implementation of its TCM expansion strategy in Uganda appears to have benefited from engagements between the CLSRDF and the Ugandan Government. In 2017 a meeting was held in Kampala involving Fu Xinchun (CLSRDF Director), Ma Jinru and representatives from various Ugandan Government departments, including the Office of the President. One of the main aims of the meeting was "to promote the entry of TCM into Africa".¹²² A CLSRDF news article on the meeting specifically referred to the use of endangered wildlife for TCM and draws on the example of CLSRDF's support for Ma Jinru's pangolin captive-breeding in Uganda.

In 2019, Uganda's parliament passed 'The Traditional and Complementary Medicine Act', which was assented by the President in 2020.¹²³ When the Act was passed, Uganda's State Minister of Health said "the country will draw lessons from China on [the] integration of traditional and complementary medicine into [the] mainstream health care system".¹²⁴

Right: Under the BRI framework, China and Uganda have established bilateral agreements to collaborate on a range of businesses such as agriculture, infrastructure, manufacturing and medicine.



© Uganda Ministry of Agriculture, Animal Industry and Fisheries



A cautionary tale

While Uganda has a reputation as a transnational wildlife trafficking hub, less attention has been paid to issues associated with the country's legal wildlife trade.

The activities of wildlife traders Ma Jinru and Smith Ewa Maku not only shines light on the vulnerability of Uganda's wildlife laws to abuse, but also on how a poorly regulated international trade in CITES Appendix II species can incentivise trafficking. These issues are prescient in the face of the growing promotion of traditional medicine ingredient sourcing and commercialisation on the African continent.

Severe limitations in Uganda's Wildlife Use Rights system

Ma's chosen method of operation has been to knowingly exploit Uganda's Wildlife Use Rights system to trade in pangolins and other globally threatened wildlife of legally dubious origin. She achieved this by deploying a sophisticated political strategy that relied on the social status and relationships of her associates in the Chinese and Ugandan governments.

Relationships between senior individuals in the Ugandan Government and Chinese officials in the CLSRDF and

China Association of TCM during the 2013-16 period served to ensure Ma and Maku obtained official government endorsement for their pangolin trade activities. Such influence calls into question the ability of the MWTA and its institutions to regulate wildlife trade and captive-breeding responsibly and independently. This is exemplified by the repeated issue of wildlife trade permits to Maku, despite his widely suspected affiliation with transnational wildlife trafficking.

Even though significant unanswered questions remain as to how Ma was in possession of the pangolin scales, hippopotamus ivory and leopard tortoises in 2016, there has been no full law enforcement investigation. The obvious challenges facing Uganda in ensuring its legal wildlife trade does not contribute to wildlife trafficking warrants dialogue on whether its Wildlife Use Rights system should allow any commercial trade in globally threatened wildlife.

Above: Any legal trade of pangolin parts can stimulate and maintain demand for their products. Strict enforcement of a total trade ban without exemptions is fundamental for the protection of all pangolin species.

CITES slow in responding to Africa's pangolin trade

Ma sought opportunities to engage in the profitable commercial trade in pangolins between Uganda and China because it was legal. Her and Maku's exports were the first high-volume legal exports of pangolin scales from Africa and they sought to legally export additional stocks of uncertain and potentially illegal origin. This trade activity may well have played a significant role in stimulating the rise of pangolin trafficking in the East/Central Africa region.

With the massive loss of Asian pangolin populations, largely due to international trade, more than obvious by 2008, and growing incidents of Africa to Asia pangolin scale trafficking from 2008-09, the period between 2010-13 was a major lost opportunity for CITES Parties. Despite some attention on the issue, this is a clear example of an occasion when the application of the precautionary principle would have been warranted. Adoption of measures to prevent high-volume pangolin trade between Africa and Asia would have been proportionate to the risks. There is significant potential to strengthen current international mechanisms for detecting and mitigating rapidly emerging and continuing wildlife trade that is incompatible with species survival.

African countries face growing wildlife trafficking risks from TCM

The Ma Jinru case study demonstrates that TCM entities, such as the China Association of TCM and departments in the Chinese Government, have been involved in promoting the sourcing of globally threatened wildlife products in Africa. Ma's intentions to develop her TCM pharmaceuticals operation in Uganda and DR Congo clearly points to the growing wildlife trafficking risks associated with the expansion of TCM enterprise and supply chains on the African continent.

While only a fraction of the medicines produced by China's domestic TCM industry contain globally threatened wildlife, it has played a major role in driving the overexploitation of many terrestrial and marine species in Asia and Africa. The continued commercialisation and expansion of traditional medicine in countries such as Uganda represents an additional risk to the African continent's rich biodiversity.

As is seen in many countries, laws permitting a legal trade in globally threatened wildlife are often prone to abuse. There is a high possibility that such laws will be exploited by traditional medicine entities. It is vital for African governments to ensure that globally threatened species are not subject to commercial trade and that entities involved in the traditional medicine trade are in compliance with national wildlife laws.

EIA sent right-to-reply letters to Ma and UWA in March 2022. Ma responded that her 2016 case was cleared by the Resident Senior State Attorney and did not comment on the other allegations. UWA did not respond.



Finding justice, protecting pangolins

The Ugandan Government should:

- Reopen the investigation into the possession of protected wildlife by Ma Jinru to ensure all evidential lines of inquiry are pursued and launch a parallel financial investigation. Ensure cooperation with the Chinese Government where necessary
- Investigate the wildlife trading activities of Smith Ewa Mkau
- Strengthen rights-based criminal justice responses to wildlife crime (including the use of financial investigations) to ensure higher-level wildlife traffickers, and their government and private sector facilitators, are fully investigated and prosecuted where appropriate
- Ensure that globally threatened species are not subject to commercial legal trade, including in relation to captive-breeding and TCM
- Strengthen accountability, due diligence and processes around the approval of Wildlife Use Right permits, including the use of Legal Acquisition Findings
- Ensure strict application of Non-Detriment Findings procedures as a basis for issuing Wildlife Use Rights and adopt the precautionary principle when there is a lack of information
- Call for resourcing and capacity-building support from the international community to enhance species population and wildlife trade monitoring
- Seek international academic partnerships and resources to conduct a national assessment of pangolin populations

African governments (specifically those in West, Central, East and Southern Africa) should:

- Ensure that globally threatened species are not subject to commercial legal trade, including for TCM
- Ensure that TCM entities operating in their countries are subject to screening for wildlife trafficking risks and regular monitoring by enforcement agencies
- Engage with the Chinese Government to build support for meaningful efforts to reduce demand from Chinese citizens for globally threatened wildlife products, such as pangolin scales

The Chinese Government should:

- Investigate whether Ma Jinru has breached Chinese laws in relation to wildlife exports to Beijing Shengshi Xingwen and Fuzhou Aosen Agriculture. Ensure cooperation with the Ugandan Government where necessary
- Investigate Zheng Qinfeng, Zheng Qinbin and Zheng Qintong for potential wildlife trafficking offences
- Remove exemptions from the Wildlife Protection Law which allow for the commercial use of protected species such as pangolins
- Ensure that Chinese TCM entities operating internationally adhere to wildlife protection laws in China and countries of operation
- Ensure that Chinese TCM entities adhere to strict environmental, social and governance principles and cease the use of globally threatened species

Notes

i. At the time of her arrest, the Uganda Wildlife Act Cap 200 (2000) was in force; this was superseded by the Uganda Wildlife Act (2019).

ii. One tonne = 1,000kg.

iii. CITES trade records also show that in 2016 there were 3 exports of giant pangolin scales from Uganda to China. Amongst these was a 3,000kg export of pangolin scales that did not include an imported declared weight.

iv. The China Association of TCM started as the Chinese Society of Management of Traditional Chinese Medicine Enterprise in 1999 and changed to its current name in 2020 under the approval of the Chinese State Council. It is a collective of mainly high-ranked representatives of major TCM pharmaceutical companies, plus TCM academics and practitioners who represent the TCM sector in China. Its stated functions are to study the TCM market, voice industry demands and carry out relevant tasks referred by the Government.

v. At this time, all African pangolins were included under the Uganda Wildlife Act (Cap. 200) (2000) 1st Schedule Part A of animals not to be hunted or captured throughout Uganda except under special permit (i.e. wildlife use right). They were later included in the Uganda Wildlife Act (2019) as protected species.

vi. Decisions were made at CoP13 to only request information on Asian pangolin trade from Parties, these were Decisions 16.41 and 16.42. Available online: <https://cites.org/sites/default/files/Notif/E-Notif-2013-059.pdf>

vii. The Beijing Wildlife Protection and Nature reserves Management Office is under the Beijing Municipal Forestry and Parks Bureau (Beijing municipal government).

viii. Bozhou Zhenbaodao, Guangzhou Zhongliang Pharmaceutical Company, Beijing Junda Pharmaceutical Company Limited, Jiangyin Tianjiang Pharmaceutical Company Limited, Guangdong Yifang Pharmaceutical Company, and Anhui Yuanhe Tang Pharmaceutical Holdings Company Limited.

ix. Which is part of China's National Forestry and Grassland Administration.

x. This was likely the 'General Administration of Quality Supervision, Inspection and Quarantine'.

xi. The 2015 edition of the TCM pharmacopoeia only includes the Chinese pangolin.

xii. Beijing Shengshi Xingwen Cultural Development operates/used to operate an ivory carving factory, located in Xiji Town, Tongzhou District, Beijing. More information: <https://www.qixin.com/company/9e4fc658-b94b-45f4-b66d-c6c6fd064149>

xiii. Beijing Shengshi Xingwen has recently been involved in efforts to develop musk deer farms in Nepal.

xiv. According to Chinese company register websites, the legal representative and general manager of Beijing Shengshi Xingwen is Zheng Qinbin who holds a 30% share. Zheng Qinfeng also holds a 30 per cent share, and another individual named Lu Ying holds a 38 per cent share.

xv. Beijing Xiekai Zhenghe International Trading Co Ltd.

xvi. Ma told EIA investigators that she had spent up to USD 200,000 on setting up the facility. This included around USD 70,000 for the property and USD 30,000 for the construction of the outbuilding.

xvii. Meaning 'Pangolin' in Luganda language.

xviii. Some of the live pangolins kept by Ma Jinru were released by UWA, UPF and Tikki Hywood Foundation in 2017. More information: <https://www.flickr.com/photos/80011010@N00/albums/72157714316392917/with/49898346007/>

xix. Information from 2016 suggests Ma sought to acquire or acquired a permit from "Sudan" to export "11 tonnes eight hundred something kg" to her company in Uganda. From there, she stated she had plans of re-exporting to a Chinese contact of hers once "funding" and import "issues" had been resolved. It was to be exported along with six tonnes of stock, for which an associate of Ma's was "pulling strings". It is not certain what type of stock she was referring to.

xx. Between 2017-18, an associate of Ma arranged for the authorities in Liberia to issue a CITES export permit for five tonnes of white bellied pangolin scales to be shipped to Beijing Shengshi Xingwen Cultural Development Co Ltd. Ma shared a document with EIA investigators purporting to be a CITES export permit (no. LR 9120259). The document bears the name and logo of the Forestry Development Authority (FDA) of Liberia and a signature alleging to belong to Hon Thee V. Freeman, Managing Director FDA. The permit was issued on 25 October 2017 and was valid until 15 February 2018.

xxi. DRC currently has a logging moratorium, but this has been documented to frequently be violated. More information: <https://www.greenpeace.org/africa/en/blogs/13258/5-points-to-understand-congos-logging-moratorium/>

xxii. Donkey hide gelatin is known as 'ejiao' in China.

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