

State Forestry Administration: with the up-listing of pangolins onto CITES Appendix I in effect, eating could mean a criminal sentence

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Multiple cases of pangolin eating have recently been exposed, and this medium-small endangered mammal is getting unprecedented attention in China. The State Forestry Administration has recently declared that they will this year focus on controlling rampant hunting and consumption of species under special state protection, and will crack down on the smuggling and illegal trade of protected species and the products thereof, including ivory and pangolins.

In light of multiple incidents of consumption of pangolins and other protected species, Wang Weisheng, Deputy Head of the State Forestry Administration Department of Wildlife Conservation and Nature Reserve Management Bureau, in an interview with The Paper stated: "In accordance with the newly-revised Wildlife Protection Law, officially in effect as of January 1, 2017, species under special state protection, with the exception of species for which there are established techniques for captive breeding (such as the sika deer), may not be consumed as food. If they are purchased or sold for consumption as food or are prepared as a dish, this is in violation of the Wildlife Protection Law."

The public is concerned about how penalties are to be decided for diners at 'wild restaurants'. Wang Weisheng stated, "When it comes to eating, it's hard to determine limits for assessing sentences – did they eat one mouthful or two? But if a consumer goes to a restaurant and says they want to eat pangolin and pays 5,000 yuan, this 5,000 becomes the basis for determining the sentence. So national laws and regulations state that illegal purchase of a species under special state protection or the products thereof in order to eat it is illegal."

The pangolin a small to medium-sized mammal, its whole body covered by scales. It lives in Asia and Africa. There are currently eight species: Africa and Asia have four each.

On September 29, 2016 at the 17th CITES Conference of the Parties in Johannesburg, South Africa, a proposal was passed to up-list all eight species from Appendix II to Appendix I. According to CITES, Appendix I species are those species for which continued trade could cause their extinction, and so international trade is prohibited.

Zhang Shanning, Head of the National Endangered Species Management Office Law Enforcement Department, told The Paper that the aforementioned agreement formally came into effect on January 2, 2017. However, using this date as a limit, "pangolin scales that were stocked before January 2 are classed as having been obtained prior to this agreement, and may be traded as appropriate."

According to relevant State Council regulations, the authority to approve pangolin scales does not currently lie with the State Forestry Administration, but rather the provincial department of wildlife protection. Wang Weisheng says that the key to combatting illegal trade in pangolin scales is strengthening monitoring and inspection of the source of scales. "Then, those of unclear origin or illegal origin cannot enter legal trade. Illegal activities will be punished severely according to the law. As per relevant national regulations, the sale, purchase or use of species under special state protection and the products thereof is a violation of the Criminal Law, and national laws and regulations make clear provision for punishment. On this, we will work with relevant law enforcement agencies to increase investigative strength along all links in the trade."

With the new Wildlife Protection Law in effect, the State Forestry Administration will this year a full set of regulations revolving around the new law, including pushing forward adjustments to lists of species under special state protection, and a series of regulating systems relating to administration of sale, utilisation, breeding, performance and markings of wildlife, to strengthen regulation and management and lay a foundation for monitoring and enforcement.

Combatting illegal wildlife trade involves multiple different sectors, and requires the joint efforts of all law enforcement departments. The Paper understands that the State Forestry Administration has just passed a new system for inter-agency meetings for law enforcement to combat illegal wildlife trade, which will coordinate the work of various relevant agencies, including pushing forward to a focus on controlling rampant catching and eating of wildlife, the smuggling and illegal trade in ivory, pangolins and other species and their products, improving wildlife education, and addressing irregularities in wildlife performances.

Zhang Dehui, the Head of Animals Management Bureau at the SFA Wildlife Conservation Wildlife Conservation and Nature Reserve Management Office stated: "In wildlife performances, some behaviour is standard. Pulling a tiger's tail, touching a tiger's head, taking a photo with a tiger – is this standard? We will use a set of standards to regulate this. In addition, the new law stipulates that the sale, purchase and utilisation of wildlife under special state protection and wildlife for which established captive breeding techniques exist requires use of a 'special marking'. But with so many species of wildlife, it's hard for law enforcement to determine what is legal and what is illegal. The Administration of Industry and Commerce, Customs and Police are responding to this. So we will push forward the special marking system, which will benefit enforcement and supervision of activities."

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