

## **Shenyang experts and volunteers come together to discuss wildlife**

Xu Weiwei, Shenyang Evening News, January 19, 2016

On January 17, a seminar on the Draft Revision of the Wildlife Protection Law was held, organised by experts from the Shenyang Wildlife Protection Society, Shenyang ornithologists, conservation experts, law experts and experienced volunteers. The government are currently accepting comments on the draft, a process which closes on January 29, 2016.

Experts from Shenyang believe that this new draft contains many aspects which are harmful to wildlife and ecosystems. They believe that its definition of wildlife is too narrow, excluding much wildlife that should be protected; that the word 'utilisation' appears too many times in the draft, raising suspicions of an attitude that sees wildlife as a resource for utilisation; and that the draft lacks provisions to control distribution links, which could easily lead to rampant hunting driven by market demand.

Point One: the definition of wildlife should be broadened.

The experts who participated in the seminar unanimously agreed that the greatest weakness in the current draft is that the definition of wildlife that receives protection under the law is too narrow.

The law states that "The wildlife protected under this Law refers to the species of wildlife which are rare or near extinction and the species of wildlife which are of important ecological, scientific or social value." This means it only protects rare species and overlooks the ecological value and right to life of a huge number of other species. Objectively speaking, the draft is incapable of controlling the hunting and sale of these other species.

Dr Wu Feng thinks that the definition of wildlife covered by the draft should be expanded. Shenyang's conservation and legal experts agreed that the definition of wildlife should be: animals living in natural habitats, including terrestrial and aquatic vertebrates and invertebrates (birds, mammals, reptiles, amphibians, fish and insects).

Point Two: it is inappropriate for 'utilisation' to be mentioned 20 times

Article 3 of the draft says that "Wildlife resources shall be owned by the state." Shenyang's conservation experts think that the word 'resources' should be removed from this sentence, as wildlife species are not mere resources. Experts also note that the word 'utilisation' appears around 20 times in this version of the draft; mention of utilisation should be reduced, as excessive use of this word makes the draft look like a 'wildlife utilisation law'.

Point Three: There should be a 'permit management' system for species not under special state protection

Zhou Haixiang suggests that Article 24, which says "The state shall implement a permit system with regards to the captive breeding of wildlife under special state

protection” should be changed to “The state shall implement a permit system with regards to the captive breeding of wildlife under special state protection and wildlife that is not under special state protection”. Zhou believes that there should not only be a permit system for protected species, which has for many years been the root of rampant poaching, but there should also be a permit system for non-protected species. However, the vast majority of administrators do not carry out their official duties, leading to a large number of poached animals being laundered as captive-bred animals and fed onto the market or put into zoos. If market management becomes even less effective, anyone could buy or sell wildlife and just say it was bred in captivity. Zhou Haixiang says: “There is a large amount of evidence that indicates the vast majority of wildlife that enters the market either cannot be bred in captivity, or the breeders cannot provide the correct conditions. We cannot give up on management altogether because previous management was poor.”

Point Four: Articles should be added to control distribution links

Meanwhile, given that “when the buying stops, the killing can too”, Shenyang’s experts stated that the new draft should tackle the cause of poaching and illegal trapping, and add legislation to increase controls over distribution links in the trade in wildlife and their derivatives. By tackling distribution links, authorities can increase control over the upper levels and perhaps even the entire supply chain. The experts also suggest that information about instances of illegal behaviour relating to wildlife and their habitats should be freely available.

The experts also recommend removing wording relating to “areas and periods in which hunting is prohibited”, as hunting prohibitions should be comprehensive and should not require further delineation. The states that “the people's government at the county level or above or wildlife protection departments may apply other protection measures, such as allocating areas in which hunting (or fishing) is prohibited, or stipulating periods in which hunting (or fishing) is prohibited”. One interpretation would be that the government can also choose not to allocate such prohibitions. Another is that outside these areas and periods, hunting is permitted. A Tianjin-like hub for selling trapped migratory birds could therefore continue to operate if the hunting happened outside such a prohibition area or period.

Shenyang’s conservation experts and volunteers had several other suggestions.

Article 16

Suggestion: Any public involvement in wildlife sheltering and rescue needs to be strictly managed, with records created, in order to prohibit any commercial utilisation (such as charged exhibition or photography).

Reason: To prevent any poaching done in the name of rescuing wildlife or preserving traditional falconry culture.

Article 23

Suggestion 1: Remove the term ‘hunting by annihilation’.

Reason: hunting isn’t necessarily annihilation.

Suggestion 2: Change “excepting the use of nets for the purposes of scientific research” to “excepting where necessary for scientific research and where approval

has been given, although it must be proven that methods have been selected which will have the minimum possible negative impact on wildlife and their habitats”.

Suggestion 3: Add ‘catapults’ to the list of prohibited hunting equipment.

Reason: Many catapults currently on the market have significant technical capabilities, and can be used for an accurate shot.

#### Article 29

“The provision of trading platforms for the illegal sale, purchase or utilisation of wildlife and the products thereof or the illegal hunting equipment stipulated in Article 23 by internet trading platforms, goods exchange markets or any other trading space is prohibited.”

Suggestion: Establish a public reporting platform, and regard any platforms still operating 24 hours after they have been reported as both having provided an illegal platform and having sold illegal products.

[The author then encourages readers to register and add their comments on the NPC website]

[Original Chinese-language article can be found here:

[http://epaper.syd.com.cn/sywb/html/2016-01/19/content\\_31126.htm?div=1](http://epaper.syd.com.cn/sywb/html/2016-01/19/content_31126.htm?div=1)]