

Review report on the Implementation of China's illegal ivory law enforcement and the National Ivory Action Plan

Background

China (including Hong Kong SAR) has been listed as one of eight parties of 'primary concern' in the poaching of elephants and illegal trade of ivory by the Elephant Trade Information System (ETIS) in the CIITES Conference of the Parties in 2016 (CoP16). In response to recommendations endorsed at the 63rd and 64th meetings of the CITES Standing Committee (Bangkok, March 2013), China has been requested to develop the National Ivory Action Plan (NIAP).

In 2013, China submitted its first version of NIAP and progress report to the CITES Secretariat while Hong Kong submitted a separate plan. The mainland Chinese version included 11 actions, which were evaluated at the 65th meeting of the Standing Committee (SC65) (Geneva, July 2014). Seven actions were rated as 'substantially achieved', two 'on track' for achievement (2.1 violations of ivory card system; 4.2 promotion of a card system for legal trade) and two were rated as 'unclear' (1.1 ivory card system; 2.4 analyze ivory trade database).

During the 65th meeting of the Standing Committee (SC65), parties of "primary Concern", including China, were asked to submit a report on the further implementation of their national ivory action plan for the 66th meeting of the Standing Committee (SC66). A reporting template was developed by the Secretariat and distributed to the relevant parties. Following the template, a second version of NIAP was developed in 2015 by China, as well as a progress report, and submitted to the CITES

Secretariat and then to SC66 for consideration. This version of NIAP included 14 actions, of which three were new (Action 1.2: short-term ban on import of some ivory products and phasing out of domestic ivory trade;; Action 2.5: public destruction of confiscated ivory; and Action 4.4: training seminars on ivory trade for courier companies, international ivory retailers, and hunting agencies). In addition, the progress of several other actions was updated to detail the activities to be delivered between SC65 and SC66. Among these actions, 13 actions were rated as “substantially achieved” and one “on track” for achievement (1.2 strict law on ivory trade). This action was rated as “on track” since the amendment of China’s wildlife protection laws to be more effective against illegal wildlife trade was ongoing by the National People’s Congress of China.

During SC66, China and Hong Kong were commended for making substantial progress in achieving its NAIP, and encouraged the parties to complete implementation of any actions that had not been considered “substantially achieved” and report to the SC67 on any further measures taken. In June, 2016, China’s Further Implementation Report was submitted after SC 66 (See Annex 3) to report that “The law of People Republic of China on the protection of wildlife” was adopted by the National People's Congress of China and would come into force on January 1st, 2017 as well as China’s new action in suspend international trade of ivory and its products, and China’s plan to close the domestic market of ivory. Hence, all the 14 actions in China’s NIAP had been 100 percent “substantially achieved”.

In CoP 17, China (including Hong Kong) were still listed as Parties of Primary Concern. In SC69, the Standing Committee agreed that it will consider at SC70 whether China and Hong Kong SAR of China should exit the NIAP process, in accordance with Step 5 paragraph d) of the Guidelines

following the recommendation of CITES Secretariat.

China's NIAP was 100% achieved in 2016, but China has continued to take more steps toward addressing illegal ivory trade and implemented several new measures after 2016. These steps demonstrate China's commitment to combatting illegal ivory trade. Here, we would like to review the milestone of the actions China has taken in combatting illegal trade of ivory, and especially highlight the new actions beyond NIAP.

Legislation and regulations

China has established a comprehensive legislative system to combat the illegal trade of wildlife, including ivory and its products. Illegal ivory trade is a capitol felony in China with several years to life in prison for convicted felons. According to Article 151 of the Criminal Law of the People's Republic of China, "The smuggling of precious and rare species of animals as well as the products thereof shall be sentenced to fixed-term imprisonment between 5-10 years, with concomitant fine; if the circumstances are especially serious, they shall be sentenced to imprisonment of over 10 years, up to life sentence, with concomitant confiscation of property; they shall be sentenced to fixed term imprisonment of no more than 5 years with concomitant fine if the circumstances are minor."

According to "Interpretation of the applicable laws in handling criminal cases of smuggling" published by Supreme People's Court and Supreme People's Procuratorate of China in 2014, "rare species of animals in Article 151 of Criminal Law include the wild and captive-bred animals listed in CITES appendix I and II". The explanation also defines the criterion for imprisonment in Article 151 of the Criminal Law: "The smuggler should be sentenced to 5-10 years imprisonment if the value of the smuggled

species is from 200,000 to 1,000,000 Chinese RMB, while the smuggler should be sentenced imprisonment of over 10 years up to life sentence if the value is greater than 1,000,000 Chinese RMB”. It should be also noticed that the smuggling of wildlife doesn’t have a minimum standard for criminal prosecution.

According to the “Notification of the value standards of smuggled ivory and its products involved in the criminal cases of damaging wildlife resources” published by State Forestry Administration in 2001, the value of one unworked elephant tusk was 250,000 Chinese RMB. The ivory carving produced by one tusk or tusk pieces cut from one tusk should be considered as one tusk. For tusk pieces and ivory carvings that can’t be confirmed to belong to one tusk, the value of one kilogram of ivory and its products was 41,667 Chinese RMB. If these values were lower than actual selling price, the value of ivory and its products should be the actual selling price.

According to the “Value Evaluation of Wildlife and its Products” published by State Forestry Administration in 2017, “the value of species listed in the CITES Appendix but not distributed in China shall be accounted according to the value of the species of same genus but distributed in China.” Therefore, all elephant species are considered as appendix I or National Protected Class 1 Species while evaluating their value. The value per African Elephant is estimated at 1000000 Chinese RMB.

Some other related laws provide additional assistance in combating illegal trade of wildlife, including ivory. For instance, according to the Postal Law and provisional regulations on express delivery, “Postal enterprises shall examine the contents of postal materials when receiving and mailing them.

Postal enterprises shall not accept or send postal materials if users refuse to the inspect” and “The sender should provide the real name, address and telephone number of the sender and receiver as well as the name and quantity of the delivered item, and the express delivery service enterprise should check and register the identity information of the sender.” According to Cyber Safe law, “Network operators shall require the user to provide identity information when they provide services to the user including network access, domain name registration, access formalities of fixed telephone and mobile phone, information release, instant messaging and others”. The real name certification in express delivery and online service improve wildlife trade monitoring, especially since online platforms and express delivery has been increasingly the predominant channel of illegal ivory trade.

Amendment of Wildlife Protection Law

The Wildlife Protection Law of the People’s Republic of China was first adopted in 1988, and came into force in 1989. However, there have been many changes in wildlife protection and illegal wildlife trade since 1988. Thus, on the basis of long-term research and extensive consultation from the public, a new version of the Wildlife Protection Law of the People’s Republic of China was adopted on July 2nd 2016 by the Standing Committee of National People's Congress, and came into force as of January 1st 2017.

Drastic modifications and amendments were made in the new law, aiming for stricter regulation of wildlife protection and more effective measures against illegal wildlife trade. The basic principle of the wildlife protection law changed from “strengthening the protection of wildlife resources, actively domesticating and breeding the species of wildlife, and rationally

developing and utilizing wildlife resources, and encourage scientific research on wildlife” to “giving priority to conservation, regulating utilization, strengthening supervision and management, encouraging scientific research on wildlife, cultivating the awareness of citizens in the protection of wildlife and promoting the harmonious development of human and nature”. Many new regulations aiming at wildlife protection were added, such as: conservation and list of important wildlife habitat, wildlife rescue and house, wildlife epidemic sources and disease monitoring, list management of national protection wildlife with mature and stable captive breeding technology, national protection wildlife marking, government information publicity on wildlife management, ban the production and utilization of national protect wildlife and its products, ban the eating of illegally purchased national protected wildlife and its products, and management of introduced wildlife and wildlife release..

Four kind of new activities were identified as illegal in the new version of wildlife protection law. Among them, the new regulation in prohibiting to publish any advertisements for selling, purchasing or using wildlife and its products or the restricted hunting tools and prohibiting that any trading sites including the online trade platform and commodity trading market provide services for illegal selling, purchasing or using of wildlife and its product as well as restricted hunting tools were typical useful in combating illegal trade of ivory. Recently, the online trade and advertisement platform of ivory increased rapidly and have been one of the main trading floors of illegal ivory. Mobile media was wildly used by the sellers to publish advertise and communicate with buyers. These new regulations can provide a legal basis for the law enforcement authority to investigate the online cases of illegal trade of ivory.

Furthermore, the new version of law strengthened the legal responsibility both for the criminals and for the management and law enforcement officers. For criminals, "Relevant information in illegal activities of wildlife will be recorded in personal social integrity file and made public." For officers, "who do not investigate or publish the name of criminals upon discovering or receiving the report in illegal trade of wildlife or abuse, shall be given demerits, demotion, or dismissal and their supervisors shall resign."

The new version of the law also strengthens international and domestic cooperation in combating illegal trade of wildlife. The law requests the relevant authorities "to organize and carry out international cooperation and communication on wildlife protection and relevant law enforcement operation," and "to establish an inter-agency coordination mechanism to prevent and combat the smuggling and illegal trade of wildlife and its products, and to conduct operations to prevent and combat wildlife crime." International and domestic cooperation are the basis for combating illegal trade of ivory.

Suspension of International and domestic trade of Ivory

On the 26th of February, 2015, the State Forestry Administration published Bulletin No. 7, 2015. As required by the policy, the import of non pre-convention ivory carvings of African Elephant (*Loxodonta Africana*) were suspended from February 26th, 2015 to February 26th, 2016. During this period, the State Forestry Administration did not accept any application of the importation of non pre-convention ivory carvings of African elephants. (The original Chinese version can be found at this website: <http://www.forestry.gov.cn/main/444/content-744028.html>)

On the 20th of March, 2016, the State Forestry Administration published

Bulletin No. 3, 2016, which stated “In order to effectively control the import and export of tusks and ivory carvings of Elephant (Elephantidae spp.), the following forms would be suspended from March 20th, 2016 to December 31st, 2019.”

- a. The pre-Convention tusks from elephants and its products;
- b. Ivory carvings of African elephants gained after the Convention entered into force;
- c. Tusks from hunting trophies obtained in Africa.

During this period, the State Forestry Administration will not accept any application for the importation of ivory as mentioned above. (The original Chinese version can be found at this website: <http://www.forestry.gov.cn/main/4461/content-854385.html>)

On December 29th, 2016, the State Council published Notification No. 103 to cease the commercial carving and retail of ivory and its products. According to the notification, all domestic ivory retail outlets and ivory carving factories were to be closed in two batches before the end of 2017. The notification also requested the authority of public security, customs, industry and commerce, and forestry departments to support the law enforcement investigation of illegal carving, selling, transporting and smuggling of ivory and its products in order to cut down on illegal trade channels such as offline and online markets, and to carry out public education to guide the public to resist the illegal trade of ivory. (The original version of this notification in Chinese can be found at this website: http://www.gov.cn/gongbao/content/2017/content_5163456.htm)

Following the State Council’s notification, State Forestry Administration published the Notification No. 8 on March 30th, 2017, to publish the list of

ivory carving factories and domestic ivory retail outlets that should be closed and the timetable of the shutdown of all these factories and outlets. According to the notification, 12 factories and 55 outlets should be closed at the end of March. Furthermore, the rest of the 22 factories and 88 outlets should be shut down by the end of 2017. The original Chinese notification and the list of closed factories and outlets can be found in this website: <http://www.forestry.gov.cn/main/3457/content-960600.html>)

On March 31st, 2017, 67 ivory retail outlets and ivory carving factories closed as witnessed by the visiting inaugural CITES Secretary-General, John Scanlon. The rest of the 105 carving entities and retail outlets were then shut down before the 31st of December, 2017. Hence, now in China, all ivory retail outlets and ivory carving factories have been closed. Any commercial trade of ivory in China is illegal.

Inter-agency coordination mechanism

China's National Interagency CITES Enforcement Coordination Group (NICECG) was established in December 2011, consisting of 8 departments of 5 agencies. These include the Department of Wildlife Conservation, the Forest Police Bureau, and CITES MA under the State Forestry Administration (now the State Forestry and Grassland Administration), the Public Security Bureau of Ministry of Public Security, the Bureau of Fisheries of Ministry of Agriculture (now the Ministry of Agriculture and Rural Affairs), the Department of Customs Control and Inspection, and the Anti-smuggling Bureau of General Administration of Customs, and the department of Market Regulation of State Industry and Commerce Administration. Then the Department of Supervision of Animal and Plant Quarantine of the General Administration of Quality Supervision, Inspection and Quarantine, the Headquarter of the China Coast Guard, the

Department Of Market Supervision and Inspection of the State Post Bureau and National Tourist Administration participant in NICECG in 2012, 2014, 2015, 2016 respectively. Therefore, NICECG now have 12 Departments member from 9 Ministries or Administrations. NICECG will have its annual meeting each year to discuss the cooperation between different authorities in combatting illegal trade of wildlife.

By December 2013, provincial CITES enforcement coordination groups had been set up in all the 31 provinces (autonomous regions, and municipalities under the direct control of the central government) in China, which achieved complete coverage of the CITES enforcement coordination mechanism.

With the approval of China's State Council, the Inter-Ministerial Joint Conference on Combating Illegal Wildlife Trade was set up on November 15, 2016. Led by the State Forestry Administration, it consists of 22 departments at ministerial level in both the central government and Communist Party of China's Central Commission. The other members of the conference include all the departments that play a role in addressing illegal trade: Publicity Department of CPC/CC, Office of the Central Cyberspace Affairs Commission, Ministry of Foreign Affairs, National Development and Reform Commission, Ministry of Industry and Information Technology, Ministry of Public Security, Ministry of Finance, Ministry of Transport, Ministry of Agriculture, National Health and Family Planning Commission, State Administration of Customs, State Industry and Commerce Administration, General Administration of Quality Supervision, Inspection and Quarantine, State Administration of Radio and Television, National Tourism Bureau, State Administration of Civil Service, National Coast Guard, National Railway Administration, Civil Aviation Administration, State Post Bureau and China Railway.

The conference convened for the first time on April 11th, 2017, in Beijing. This marked the formation and start of operation of the inter-agency mechanism to crack down on illegal trade in wild animals and plants. The 3 priority areas were identified by the 22 members at the meeting in trafficking and illegal wildlife trade including combating the illegal smuggling and trade of ivory. Concerted efforts were taken to address the whole trade chain, including restaurants, border ports, markets, transport route, cyber and e-trade platforms, and captive breeding operations. An action plan for combating illegal wildlife trade was also to be produced. The conference also recommended the setup of similar mechanisms in those provinces or areas where illegal wildlife trade is rampant.

During the process of implementing the ivory trade suspend regulation, 3 inspection and verification activities were carried out and 8 inspection units were organized through the Inter-Ministerial Joint Conference mechanism, to inspect the main ivory processing factories and retail outlet, confirming that there were no processing and sales of ivory. The same verification activities involving a number of management and law enforcement officers were also organized in the relevant provinces to ensure that the trade ban measures were implemented.

The strict routine inspection at China's borders

Wildlife and their products have been rated as one of the top six priority inspection targets by China's customs, while ivory was given highest targets for all wildlife and products. China's customs departments were fully equipped with Investigative equipment. Small X-Ray devices were used in all of China's customs to detect illegal ivory at airports, sea ports and land ports. Furthermore, more than 1500 large-scale detect machines for inspecting high cube containers and trucks, and more than 5000

machines for small vehicles and containers were also equipped at the major airports, container ports, and international border crossings. Wildlife detection dogs for ivory were also deployed to main international airports such as Beijing, Shanghai, and Guangzhou. Risk assessment techniques were widely used to identify the targeted airplanes, shipments, packages, and luggage to enhance inspections to international passengers, cargos, luggage, parcels and transportation tools. Supervised classification was introduced by the custom to increase the success of detecting the presence of illegal ivory. The international passengers, cargos, luggage and containers from special countries which were identified as high risk of illegal trade of ivory are 100% inspected. The 100% of international passengers are inspected in the main international airport such as Beijing, Shanghai, Fuzhou, and Guangzhou.

The rapid identification of illegal wild animals and plants has certain difficulties for front-line law enforcement personnel at customs. For better and faster identification of wildlife, including ivory and its products, besides more than 30 training courses to first front law enforcement officers each year, two groups were organized in the APP called wechat for remote identification of wildlife since the end of 2016. These two groups are for all the custom officers in charge of the wildlife inspection and the domestic law enforcement officers such as the forest police. Experts and scientists in identification of wildlife were included in such groups. Once the law enforcement seizure suspected ivory or its products, they can send the picture of the seizures to one of the wechat groups and receive immediate professional identification and/or advice.

Operations targeted on illegal trade in ivory

Since 2001, China has organized at least one national-level law enforcement action against the illegal trade of wildlife and its products every year. The Forest Police organized operations “Falcon” in 2001, “migrant bird” in 2002, “Sword” and “Spring Thunder” in 2003, “migrant bird II” in 2004, “Plateau II” in 2005, “Green Shield” in 2006, “Green Shield II” in 2007, “Eagle” and “Migrant Bird III” in 2008, “Green Shield II” in 2009, “Ivory” in 2011, “ Networks” in 2012, “Skynet” in 2013, “Skynet II” in 2014, “Thunder” in 2015, “Plateau Sword” in 2016, “Spring Thunder II” in 2017 and “Spring Thunder III” in 2018. The customs department organized operations “GAPIN” in 2011, “predation” in 2012, “shield of country gates” in 2013, “Guarder” in 2014, “Five-wars” in 2015 and “Sword of Country gate” each year from 2016 to 2018. In all these actions, ivory are listed as the primary target of concern and a large amount of ivory was seized. Since 2018, China customs has published the website called “Protection of endangered species, we are in action” in its official website

(<http://www.customs.gov.cn/customs/xwfb34/302413/302417/bhysdzw/index.html>). The achievement in combating illegal trade of ivory and its products by custom were listed as a separate section.

China also organized and participated in International law enforcement operations. From 2013 to 2015, China organized and participated in operations “Cobra I, II and III”. During these three operations, 22, 28 and 64 countries participated, respectively. Furthermore, 6.5 tons, 3 tons, and 12 tons of ivory were seized during these 3 operations respectively and 185KG, 286KG, and 173 KG of ivory were seizure by Chinese Customs, respectively. In 2017, China participant in the operation “Thunder Bird” organized by Interpol and more than 50 KG of ivory were seized during this operation. Currently, China is participating in the operation

“Thunderstorm” organized by Interpol and The Huangpu Customs has reported a seizure of 15.72 KG of ivory during the operation.

According to the database of China’s customs, during the past five years, more than a quarter of cases of illegal trade of wildlife were related to the illegal trade of ivory and its products. In 2015, there were 314 cases of wildlife smuggling, including 100 criminal cases and 214 administrative cases, 178 cases including 43 criminal cases and 135 administrative cases related to ivory and its products. A total of 895.27 kg and 438 pieces of ivory and its products were seized. In 2016, 491 cases of wildlife (including 60 criminal cases and 431 administrative cases) were seized, of which 180 cases (including 26 criminal cases and 154 administrative cases) were related to ivory and its products. A total of 309.9 kg and 430 pieces of ivory and its products were seized. In 2017, among 308 cases of wildlife (including 110 criminal cases and 198 administrative cases) were seized, of which 81 cases (including 28 criminal cases and 53 administrative cases) were related to ivory and its products. A total of 488.54kg and 296 pieces of ivory and its products were seized. Overall, the number of smuggling cases and seized ivory and its products were significantly decreased with years, which indicated that the effect of the management and law enforcement were very obvious.

Monitoring the Market

Before China closed its domestic commercial ivory market, frequent and irregular inspections of arts and crafts markets, markets in tourist destinations, and antique markets and auctions were organized at the city, provincial and national levels. The aim of this monitoring was to make sure all ivory products were legally produced in registered carving factories, and then legally sold in registered retail outlets with identification cards on

display. Any ivory sold by unregistered vendors or without the correct identification card would be seized, the shop responsible would be closed down, and the owner and seller would be arrested and face criminal or administrative penalties.

After China closed its domestic market at the end of 2017, examinations of all 34 carving factories and 143 ivory retail outlets due to be shut down were carried out jointly by authorities from departments of domestic wildlife protection, law enforcement, market surveillance and culture. The city level and provincial level examinations were carried out in January and February to make sure that all carving factories and ivory retail outlets has been closed by their respective administrative regions. In March, 8 national task groups composed of officers from 7 ministries were dispatched to re-check these factories and outlets.

Stock Management

All seizures of illegal wildlife and its products, including ivory, is registered by the anti-smuggling department. This is then reported to the finance department, who take over as soon as the anti-smuggling department has finished the investigation and evidence collection. The ivory is then transferred to the warehouse of confiscated items and stocked in the specialized warehouse. During the period of hand over, officers from both the anti-smuggling department and finance department are present. The finance department checks all the ivory and registered information, and re-registers the ivory and record it in the ledger. During the transfer and work in the warehouse, there should always be officers from more than 2 departments together with the ivory. All warehouse stocked illegal wildlife products were built under strict standards. There is 24-hour video surveillance and full-time staff to monitor the ivory. Any movement of the

ivory in or among the warehouse of custom should be recorded. The finance department of custom will carry out regular and unscheduled inspections of the warehouse every year.

Any disposal of the specimens listed in the CITES appendix or Nationally protected species seized by the law enforcement authorities, such as through destruction or auction, needs approval from the domestic wildlife protection authority. It is currently forbidden to sell seized ivory in auction or by any other method. On January 6th, 2014 and May 29th, 2015, 6.1 tons and 662 KG of confiscated elephant ivory and related products were destroyed in public in Guangzhou and Beijing by the State Forestry Administration and General of Custom.

The stock registration system for ivory from one-time auction in 2008 was created and managed by the State Forest Administration. All ivory products are photographed and marked. Any carving or sale of this ivory should be approved by State Forestry Administration, and commercial trade of these products is now prohibited. Aiming to unified management of ivory, the customs department is now handing over all its stock of ivory to the State Forestry Administration.

Capacity Building

China holds more than 30 domestic training seminars for more than 3000 wildlife protection and law enforcement officers about CITES listed species, including elephant, each year. These seminars will introduce the officers to the new regulation policies of CITES and China, such as the suspension of the international and domestic ivory trade. For instance, during 2017 China CITES MA has held 46 training seminars for law enforcement officers of relative authorities about the import and export of endangered species, CITES implementation and law enforcement. About

5000 relative law enforcement officers and stakeholders were trained.

Each year since 2014, the CITES management authority and Ministry of Commerce jointly organized 3 capacity building training sessions for officials in wildlife conservation and law enforcement from Asia, Africa and developing countries from around the world. For instance, in 2017, 27 members from 6 Asian countries, 21 officers from 9 African countries and 33 officers from 11 developing countries participated in the training courses held from June 22nd to July 10th, August 11st to August 29th and August 29th to September 18th respectively. The issue of ivory trade was always addressed and comprehensively discussed.

Books and brochures on species identification, investigation of wildlife and its products and related litigation were compiled to enhance the capability of law enforcement officials. The online wildlife products detection and identification system and a phone app were developed, which improve the capability of law enforcement at various levels. In 2017, China translated the 3 ICCWC toolkits including “Guidelines on Methods and Procedures for ivory sampling and laboratory analysis” into Chinese, and distributed them to all main custom offices and forest police offices for their reference.

International collaboration

Over the years, the Chinese government has provided a large amount of grant aid to Africa to help African countries improve their protection capabilities and crack down on illegal ivory trade and poaching. During his visit to Africa in 2014, Mr. Li Keqiang, the Chinese Premier, announced that China will provide 10 million U.S. dollars to African nations as financial assistance in support of wildlife protection and combating wildlife crime. In 2015, China donated wild animal protection equipment

and funds worth 14 million RMB (equal to 2.2 million USD) to Zimbabwe to support their patrols and monitoring in illegal hunting and trafficking. In 2017, China donated 1.092 million USD dollars' worth of funds and equipment to Namibia for wildlife protection and combating poaching. These countries are important elephant range countries. These financial aids effectively support related African countries in strengthening the protection of elephant habitat, restoring populations and combating the illegal hunting of elephant.

China signed an MoU in CITES implementation and combating illegal trade of wildlife with several elephant range states and transit states of ivory, including Kenya, Tanzania, Malawi, South Africa, Viet Nam, Laos, Indonesia and Nepal, and plan to sign an MoU with Japan. All of these MoUs included statements of cooperation with law enforcement authorities and CITES MA to combating ivory smuggling. China also carried out bilateral collaboration with neighboring transit countries. In the last 5 years, China dispatched delegations from law enforcement authorities and CITES authorities to visit Viet Nam, Laos, Burma, Cambodia and Japan.

A series of outreach missions dispatched by China's CITES MA and Law enforcement authorities, with the support of Chinese embassies in African countries, local governments and NGOs, have been taken to educate Chinese emigrants and China-invested overseas enterprises and institution employees on issues of wildlife conservation, the poaching crisis, illegal wildlife trade, and CITES enforcement in African countries. Besides workshops for local Chinese nationals and enterprises, a high level bilateral meeting would also be held to discuss the next step of cooperation in combating illegal trade of wildlife, including ivory. Starting from 2014, 17 outreach missions were organized in 13 Africa countries including Kenya,

Ethiopia, South Africa, Mozambique, Gabon, Cameroon, Namibia, Zimbabwe, Uganda, Angola, Malawi, Zambia and Tanzania to particularly remind local Chinese citizens, China-invested overseas enterprises and institution employees and Chinese travelers to abide by international conventions and national regulations, consciously resist illegal trade related to endangered species and its products, and actively participate in local conservation activities. Most of these countries are NIAP parties. China will continue to hold these workshops in Africa and plans to expand to Asian Countries involved in the ivory trade.

China hosted and attended international meetings on combating illegal trade of ivory. Between January 28th to 29th, 2015, China host a workshop on demand-side strategies for combating illegal trade of ivory in Hangzhou. More than 80 representatives from 40 organizations attended the meeting to discuss the demand reduction in illegal ivory. Mr. Wang Yang, the incumbent Chinese Vice Premier, met Mr. John E. Scanlon, the incumbent secretary of CITES in Beijing on 30th January. China also sent a high-level delegation to attend many meetings on elephant protection such as the first Africa Elephant Summit in November, 2013, the second Africa Elephant Summit in March 2015, and the NIAP meeting in 2018.

Public awareness and education

A series of publicity activities have been conducted during World Wildlife Day, Bird-loving Week, and Wildlife Education Month. On March 3th, 2016, during World Wildlife Day under the sub theme “The future of the elephant is in our hands”, more than 30 activities were carried out in different cities in China to raise public awareness of elephant conservation and remind the public not to be involved in illegal trade of ivory through billboards, showcases, display windows and picture posters.

News of offences related illegal trade in ivory and its products are extensively reported in the mass media and social media alike to raise public awareness of elephant conservation, poaching, illegal trade, and more importantly of law enforcement and the penalties meted out to prosecuted criminals. Very often an offence will be systematically reported at different stages of the prosecution, such as seizure, investigation, apprehension, indictment, prosecution, and the final verdict to provide a complete story. For instance over the last five years, China Central Television (CCTV), the most important TV station in China, has broadcasted more than 30 news items on the illegal trade of ivory and regulation in combating illegal trade. Since 2013, all full-length verdicts of court rule are available at an open-access website called China Judgements Online (<http://wenshu.court.gov.cn/>) for those who are interested in details of each offence in illegal wildlife trade.

China also supports and collaborates with NGOs in China to improve public knowledge on illegal trade and illegal hunting. Non-commercial adverts on wildlife conservation have been published in newspapers, magazines, radio broadcasts, television programs, and online to raise the public's understanding on combating illegal trade of ivory, updates in regulations regarding ivory and the link between buying illegal ivory and illegal killing of elephants in Africa. The most famous Chinese sports and entertainment stars are wildly invited to participant in these advertisements. The context of these is always changed following the regulation. For instance, just one month after China closed its domestic market at the end of 2017, adverts explaining that any commercial trade of ivory is illegal could be found in the airports and subway stations of major Chinese cities.

Since July 2013, with the aid of the three biggest telecom companies in China, together covering more than 99% of Chinese mobile phone

subscribers, the Centre for Consular Assistance and Protection of the Ministry of Foreign Affairs has sent messages to all Chinese citizens travelling abroad on arrival reminding them “Don’t buy and carry elephant ivory, rhino horn and other wildlife products in violation of local and Chinese legislation” so as to dissuade them from illegal hunting, purchasing or carrying wildlife and their products including ivory and rhino horn.

Industry self-regulation

Under the support of CITES Management Authority, domestic authority and NGOs in China, the proposal of showing “Zero Tolerance” to illegal wildlife trade was signed by several industries related to the illegal trade of ivory. On October 10th, 2014, the 9 biggest Chinese internet enterprises signed a proposal refusing to advertise any information on the trade of illegal wildlife products in their Network platform. On March 3rd, 2015, 17 of the biggest Chinese delivery companies signed a proposal refusing to deliver illegal wildlife and its products in Beijing. On October 15th, 2015, 15 Key Traditional Chinese Medicine manufacturing companies signed a proposal refusing to use the illegal wildlife and its products in TCM. On March 3rd, 2016, 30 representatives from the biggest Chinese tourist companies signed a proposal pledging to show “Zero Tolerance” to the trafficking and illegal trade of endangered species and their products such as tiger, elephant, rhino, and pangolin. They also agreed to take measures on their respective websites to inform their customers not to carry illegal wildlife and their products in to and out of China. Furthermore, these above mentioned industries invited CITES MA and the relevant domestic authorities to hold training seminars on CITES implementation, national regulation and control of illegal wildlife trade several times in recent years to improve the awareness and understanding of practitioners in these

industries.

In November 2017, the Internet Enterprise Coalition against Cyberspace Illegal Wildlife Trade was launched. The coalition consists of the three biggest internet service providers in China: Baidu.com, Alibaba.com and Tencent.com (the so called BAT) and 8 others in the fields of collectables and tourisms. By signing the Coalition Charter, those companies pledged Zero Tolerance to online illegal trade in wildlife and their products, and actively pledged to support the works of enforcement agencies by strictly policing their individual platforms to detect and delete any information of trade in wildlife and their products, monitoring the suspected users for follow-up actions. The coalition come into being with the support from relevant Chinese government departments and NGOs.

The coalition is in the process of producing a standard operating procedure (SOP) to provide guidance to internet companies on identification, prevention and treatment of information of illegal wildlife trade. It plans to join force with global internet companies to fight online illegal wildlife trade. In March 2018, China's coalition members established an alliance with Google, Facebook, and six other international technology companies to ban illegal wildlife trade on the Internet. They pledged to strengthen cooperation to reduce illegal wildlife trade on the Internet platforms by 80% by 2020. Each company will develop its own policies and plans to prohibit the illegal trade in wildlife on the Internet.

Summary

In recent years, China has improved various wildlife protection policies, completely ceased legal trade in ivory, cracked down on illicit ivory trade, strengthened international and domestic cooperation, and urged communities to get involved. In particular, after China had fully completed

its national ivory action plan, it implemented a number of new actions and continued to strengthen the fight against illegal trade of wildlife and wildlife products, particularly ivory.

At present, the total number of ivory cases seized in China is relatively large. However, China is the most populous country with the fastest economic development in the world with a very large number of overseas tourism, business, and residence of Chinese citizens. It is also due to China's ivory trade management and measures in combating illegal ivory trade. The world's most stringent policies and measures have been adopted in China, hence the standard of ivory illegal cases is low and the scope is wide. For example, legal hunting trophy without import permits, or a very small number of ivory ornaments or pendants carried by travelers were treated as illegal trade cases, resulting in a larger number of cases. In addition, it is worth noting that many countries have pointed out that the ETIS report has a series of problems such as methodology, data sources, and time lag, which cannot fully and objectively reflect the actual situation of ivory illegal trade in all countries. The more relevant laws, regulations, and law enforcement are a better measure. The stricter countries are more likely to be accused of having a serious problem with illegal trade in ivory. The formulation of the Ivory National Action Plan aims to fill in gaps in policies and law enforcement, strengthen the control of various countries' trade and markets, and help countries fight illicit ivory trade. At present, China has exceeded its ivory report and has achieved remarkable results. In recent years, following the completion of the Ivory Action Report, China adopted a large number of policy adjustments and actions. China will take effective and excellent actions to combat illicit ivory trade, cooperating with countries of origin and transit countries. Therefore, we believe that

China should exit the NIAP process at the 70th Standing Committee of the Convention.



中华人民共和国濒危物种进出口管理办公室
The Endangered Species Import and Export
Management Office of the People's Republic of China

Ref: 2018-ELH-008

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To:

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Sub: The Implementation and law enforcement report of ivory and NIAP in China

Dear Mr. David Morgan

First of all, I would like to extend my gratitude for your continuous support to the implementation of CITES in China.

China (including Hong Kong SAR) has been listed as one of the eight Parties of 'primary concern' in the poaching of elephants and the illegal trade in ivory by ETIS in CoP16. Then in response to recommendations endorsed at the 63rd and 64th meetings of the CITES Standing Committee (Bangkok, March 2013), China were requested to develop the National Ivory Action Plans (NIAP).

In 2015, China submit the update version of NIAP and in 2015 and 2016, China submit its progress reports of NIAP to CITES Secretariat. Base on the progress reports, China has 100% 'substantially achieved' the 14 actions included in its NIAP. Therefore, the standing committee commended China (including Hong Kong) for substantially achieved its National Ivory Action Plan in its 66th meeting, and agreed that it will consider at SC70 whether China including Hong Kong SAR of China should exit the NIAP process in its 69th meeting.

Although China has achieved all the actions in its NIAP in 2016, we has taken more significant steps and implemented more multiple measures after 2016 to

address illegal trade in ivory. Here, we would like to submit the report in implementation and law enforcement of ivory and NIAP in China, to review the milestone of the actions China taken in combatting illegal trade of ivory and its products and especially highlight these new actions beyond NIAP.

From these actions listed in the report, NIAP has already scored a fruitful achievement and accomplish its mission in China. Furthermore, even without the request of NIAP, China taken more effective and comprehensive measures to demonstrate the firm commitment of China to combat illegal ivory trade.

Therefore, we consider that China should exit the NIAP in SC70.

Please accept the assurances of my highest consideration.

Mr. Dr. Meng Xianlin



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