

【Title】 A Circular Decree of the State Council Concerning Strict Protection of Precious and Rare Wild Animals[现行有效]

【法规标题】 国务院关于严格保护珍贵稀有野生动物的通令 [Effective]

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A Circular Decree of the State Council Concerning Strict Protection of Precious and Rare Wild Animals

(Decree No. 62 [1983] of the State Council, April 13, 1983)

Ours is a country which has the largest varieties of wild animals in the world, accounting for over 10% of the world's total number of varieties of wild animals. Among these wild animals are giant panda, golden monkey, Taiwan monkey, takin, *Cervus albirostris*, *Muntiacus crinifrons*, Chinese river dolphin (*Lipotes vexillifer*), Chinese alligator, *Acipenser sinensis*, Chinese paddlefish, *Crossoptilon mantchuricum*, jacana, and black-necked crane, and others --- a total of more than 100 species of precious and rare wild animals, well known to the world and found exclusively in our country. Besides those mentioned above, there are some wild animals, such as red-crowned crane, white crane, red ibis, *Ciconia nigra*, swan, yellow-ventraled horned jacana, green-tailed jacana, white-crowned long-tailed pheasant, gibbon, black-leaf monkey, tufted deer, snow leopard, and wild camel, which are species of precious and rare wild animals on the brink of extinction. Wild animals are valuable natural resources of our country, but for a long time, owing to various reasons, these natural resources have been faced with the danger of being exhausted. The protection and rational utilization of these natural resources are of great significance in maintaining ecological balance, carrying on scientific research, developing national economy, and promoting the development of culture, education, medicine, and public health. In the past few years, cases of hunting precious and rare wild animals, seriously destroying the habitats of these wild animals, and the illegal acts of exporting these animals and products made from them, have been frequently reported in various places.

This circular decree is hereby issued in order to check resolutely the aforesaid illegal acts, and strengthen the protection of and the administration concerning the precious and rare wild animals:

(1) The protection of precious and rare wild animals constitutes an important aspect in promoting socialist spiritual civilization and socialist material civilization, and is also a bounden duty of every citizen. The

国务院关于严格保护珍贵稀有野生动物的通令

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我国是世界上拥有野生动物种类最多的国家, 占世界种类总数百分之十以上。其中大熊猫、金丝猴、台湾猴、羚牛、白唇鹿、黑麂、白鳍豚、扬子鳄、中华鲟、白鲟、褐马鸡、雉鹑、黑颈鹤等一百多种是闻名世界的我国特产珍贵稀有野生动物。此外, 还有丹顶鹤、白鹤、朱?、黑鹳、天鹅、黄腹角雉、绿尾虹雉、白冠长尾雉、多种长臂猿、叶猴、毛冠鹿、雪豹、野骆驼等珍稀濒危种类的野生动物。野生动物是我国一项宝贵的自然资源, 长期以来由于多方面的原因, 使这项自然资源面临枯竭的危险。保护及合理利用这项资源, 对维护自然生态平衡, 开展科学研究, 发展经济、文化、教育、医药、卫生等事业有着重要意义; 近几年来, 不少地区仍发生猎捕珍贵稀有野生动物, 严重破坏这些动物的栖息环境事件, 以及违章出口这些动物及其产品等违法行为。

为了坚决制止上述违法行为, 加强珍贵稀有野生动物保护管理工作, 特通令如下:

一、 保护珍贵稀有野生动物是建设社会主义精神文明和物质文明的一项重要内容, 是每个公民应尽的职责。各级

people's government at various levels should attach great importance to this task, strengthen their leadership, and give administrative orders to the departments concerned to adopt effective measures to carry out this task. It is imperative to step up publicity and educational work concerning the protection of precious and rare wild animals so as to form powerful public opinion in support of this task. The significance of this task should be made known to everybody, to every household, so that a new social mode will gradually form under which the protection of precious and rare wild animals is seen as a virtue and is concerned by the whole society. In order to do a good job in this respect, it is necessary to launch a publicity campaign for a period of time; while we do this, we should integrate our publicity campaign with another activity --- "a weekly publicity campaign for the protection of birds" ---and take the local specific conditions into consideration.

(2) Indiscriminate catching and wanton hunting of precious and rare wild animals must be checked resolutely. The provisions concerning the protection of precious and rare wild animals, promulgated by the State and by the provinces, the municipalities directly under the Central Government or the autonomous regions, must be executed strictly. Those who have violated these provisions and are engaged in hunting precious and rare wild animals, in buying, selling, or smuggling out of the country these animals and products made from them illegally, must be thoroughly investigated and penalized according to law. Typical cases shall be dealt with promptly and severely, and be published in newspapers for the purpose of educating all cadres and the broad masses. At the same time, units and individuals that have done a good job in protecting precious and rare wild animals shall be commended and rewarded.

(3) The departments concerned in various places must further strengthen the control over the hunting occupation and over hunting rifles and hunting gear. Without the approval of the competent authorities under the State Council, no units are permitted to manufacture and sell hunting rifles and air guns. The provisions promulgated by the State concerning the prohibition of hunting in certain areas and hunting in certain seasons, and of the use of a particular kind of hunting gear and hunting method, must be strictly executed; those who have violated these provisions shall be penalized according to law.

(4) The exportation of precious and rare wild animals and products made from them is forbidden. In cases where such exports are necessary, the cases must be handled by strictly going through the procedures for examination and approval in accordance with the provisions promulgated by the State, and the said cases shall be examined and approved by the Office of the People's Republic of China for the Administration of the Import and Export of Species on the Brink of Extinction, which shall be

人民政府应高度重视，加强领导、责成有关部门，采取有效措施，切实抓好这项工作。要加强保护珍贵稀有野生动物的宣传教育，造成强大的社会舆论，力求做到家喻户晓，深入人心，使爱护珍贵稀有野生动物逐渐成为一种新的社会风尚和美德。为了把这项工作搞好，各地应结合“爱鸟周”及本地区的具体情况，集中一段时间开展这方面的宣传教育活动。

二、 坚决制止乱捕滥猎珍贵稀有野生动物。要严格执行国家和省、市、自治区关于保护珍贵稀有野生动物的规定。对违反这些规定，私自猎捕珍贵稀有野生动物，买卖、走私出口这些动物及其产品的违法犯罪活动，必须彻底追查，依法惩办。要抓住典型案件，从严从速处理，并在报刊上公布，以教育广大干部和群众。与此同时，对保护珍贵稀有野生动物有显著成绩的单位和个人要给予表扬和奖励。

三、 各地要进一步加强对狩猎生产和猎枪、猎具的管理。未经国务院主管部门批准，任何单位不准擅自生产、销售猎枪和汽枪。国家关于禁猎的地区和时间，以及禁止使用的狩猎工具和方法的规定，必须严格执行，违者依法惩处。

四、 禁止珍贵稀有野生动物及其产品的出口。如有特殊需要出口时，必须按国家规定严格履行审批手续，并由“中华人民共和国濒危物种进出口管理办公室”核准，发给允许出口证明书。

responsible for issuing the export certificate.

(5) Scientific research on precious and rare wild animals shall be strengthened. Research work shall be conducted in a planned way into the resources survey and the artificial breeding and raising methods of such animals. In case that wild animals, which should be protected in accordance with the provisions promulgated by the State, have to be caught for the purpose of carrying on experiments in the domestication of wild animals, it is necessary to go through the prescribed procedures for examination and approval.

(6) Attention should be paid to the protection of the environment for the survival of precious and rare wild animals. The chief habitats and areas of breeding for precious and rare wild animals shall, in accordance with the provisions promulgated by the State, be designated as nature reserves or sanctuaries, the administration of which should be strengthened and the construction speeded up. With respect to the chief breeding places for those wild animals that are now on the brink of extinction, all production activities that might adversely affect the breeding and subsistence of the aforesaid animals shall be banned.

The circular decree, as defined above, is hereby made known to all citizens, who have the obligations to carry it out conscientiously.

五、 加强珍贵稀有野生动物的科学研究工作，有计划地开展这些动物的资源考察和人工驯养繁殖等工作，为了驯养目的需要捕捉国家规定保护的野生动物时，应按规定履行审批手续。

六、 注意保护珍贵稀有野生动物的生存环境。对珍贵稀有野生动物的主要栖息繁殖地区应按国家规定划为保护区或禁猎区，加强管理和建设。对于濒危野生动物的主要繁殖地应禁止一切影响其繁殖生存的生产活动。

以上通令，应公告全体公民周知，切实遵照执行。