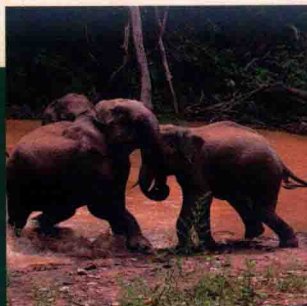




The Best Practices of Biodiversity Conservation and Sustainable Use in China

Foreign Economic Cooperation Office,
Ministry of Environmental Protection
Translator: Feng Jin

China Environment Publishing Group

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***The Best Practices of Biodiversity
Conservation and Sustainable Use in China***

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The Greater Mekong Subregion (GMS) is an area where biodiversity resources are among the richest. Cambodia, Laos, Myanmar, Thailand, Vietnam, and China (Specifically Yunnan Province & Guangxi Zhuang Autonomous Region), play key roles in GMS biodiversity conservation. GMS has the potential to be one of the fastest growing economic areas in the world. While its economic growth paves way to local prosperity, it also posts challenges for biodiversity conservation. (As human needs for natural resources are elevated on a daily basis, it is of great importance to protect biological diversity in GMS, implement effective biodiversity conservation and regionally sustainable ecosystem services and advocate resource development and utilization in a sustainable manner.)

The Chinese government attaches great importance to ecological civilization reform and ecological and environmental conservation. The 19th CPC National People's Congress clearly proposed that building an ecological civilization is vital to sustain the nation's development. We must realize that *lucid waters and lush mountains* are invaluable assets. We must continue the Beautiful China initiative to create good working and living environments for our people. It is an obligation for China to become an important participant, contributor, and torchbearer in the global endeavor for ecological civilization.

As one of the first signatories to the Convention on Biological Diversity, the Chinese government has put substantial investment in biodiversity for years, and has made tremendous achievements in this area. In 2010, the State Council of China launched *National Biodiversity Conservation Strategy and Action Plan (2011—2030)* placing biodiversity as a national priority. In 2011, the State Council of China established the China National Committee for Biodiversity Conservation to comprehensively coordinate and promote biodiversity conservation at the national level. Meanwhile, China has also made great progress and accumulated abundant experiences on laws and regulations, policy-making, financing, in-situ conservation, ex-situ conservation, sustainable use, access and benefits sharing, scientific research and publicity and education, demonstrating *China's image* as a responsible power.

The Chinese government actively participated in GMS environmental cooperation and advanced good-neighborly relations among GMS countries by initiating and promoting The Core Environment Program and Biodiversity

Conservation Initiative in the Greater Mekong Subregion programme (GMS CEP-BCI). China's successful experiences, models, advanced technologies and practical methods in the field of biodiversity conservation and sustainable use are summarized into cases and then organized into *The Best Practices of Biodiversity Conservation and Sustainable Use in China*. The book aims at exchanging experiences in the field of biodiversity conservation with GMS countries and other nations, providing technical support to CBD-COP15 and making sustainable contributions to global biodiversity conservation and sustainable use.

The cases selected in this book cover three key topics stipulated in CBD, namely, the conservation of biological diversity, the sustainable use of its components and the equitable sharing of benefits arising out of the use of genetic resources. In a bid to facilitate learners in drawing on merits from the book and better demonstrate China's experiences, the editor structures the book by integrating similar cases happened in different regions and times into a more comprehensive case.

Readers of this book are decision-makers, practitioners in biodiversity conservation and sustainable use, or enterprises, organizations and individuals who are committed to biodiversity conservation and sustainable use.

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Editor
Beijing, 2017

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Chapter I :

Laws, Regulations and Policies

Nothing can be accomplished without norms and standards. Biodiversity conservation and sustainable use require not only technical and financial support but also public participation, improved laws, regulations and policies. Only by establishing sophisticated systems both for laws and regulations and law enforcement and supervision will laws be observed and strictly enforced and lawbreakers are prosecuted. Legal, economic, technical and administrative approaches must be comprehensively integrated and applied to addressing biodiversity issues and realizing the fundamental goal of biodiversity conservation and sustainable use. China has accumulated substantial experiences in improving biodiversity-related laws, regulations and policies and made tremendous progress.

Case 1:

Remarkable Results Achieved by Chinese “Fishing Moratorium” Policy

Problem:

Overfishing is considered as one of the factors leading to marine biodiversity loss. A lot of problems emerged due to overfishing, such as depleted fish population, reduced quality of catches, intensified conflicts in resource-utilization and biodiversity conservation, etc., which strictly confined the sustainable use of fishery resources. In light of experiences learned by different countries, fishing moratorium is the most effective measure in responding to the above-mentioned problems. But how to implement the policy in a scientific way is still a challenging task.

Description:

Since China's fishery resources could no longer sustain its inshore fishery development, the “Closing Fishing System in Summer Seasons” (CFSSS) was extensively established in the East China Sea and the Yellow Sea in 1995. In 1999, CFSSS was also set up in the South China Sea. The scaling up of fishing moratorium policy in China's three major seas greatly alliviates overfishing pressure, averts decline of fishing resources and increases the productivity of commercially-important fishes, which makes a great contribution to maritime biodiversity conservation.

The fishing moratorium is a suspension of fishing activities during aquatic creatures' growth and reproduction periods, which aims to protect maritime resources and acquire the largest amount of high-quality catches. The long-term implementation of the fishing moratorium policy marked a substantive growth in annual catches and enhancement in quality of fishing resources. The catches of little yellow croakers, and hairtail rose 3.5 times and 65.3% respectively year on year. Instead of causing great loss in catches during the fishing moratorium, the CFSSS greatly enhanced the catches and fishermen's revenue and therefore was widely accepted and supported by fishermen. In addition, it also publicized the notion of

sustainable development of fishery industry and made the notion deeply rooted in people's mind. Since a majority of fishermen started to realize that they are the ultimate beneficiaries of the fishing moratorium, they voluntarily reported violations to the responsible authorities on their initiatives when violations were found in the market or their daily lives.

Meanwhile, the authorities strengthened the enforcement of fishing moratorium during summer and established a severe penalty regime on violations. The governments also held various training sessions on laws, regulations and corresponding knowledge as well as techniques to enhance fishermen's comprehensive qualifications. In order to respond to fishing moratorium, fishermen were encouraged to be engaged in other fishing industries, such as aquafarm, aquatic product delivery, aquatic food festivals, fishery-based tourism, and ecological tourism. These measures secure fishermen's incomes and protect fishery resources, which really kills two birds with one stone.

Features and Highlights:

(1) The governments' scientific planning on catches of sea fish is the key to aquatic life conservation and sustainable use and increase of fishermen's income.

(2) Only when fishermen directly benefit from CFSSS, will they actively participate in the implementation of CFSSS, report on violations and assist in conservation of maritime resources and biodiversity.

(3) During the fishing moratorium, local governments performed their duties to raise fishermen's income by engaging them into industrial transfer and secured the implementation of the policy.

Application:

This case may be use to: waters where overfishing exists in China and abroad; development of laws and regulations on fishing moratorium can be based on this case; training sessions on industrial transfer can be used by other areas facing similar problems.

(Du Leshan)

Case 2:

The Biodiversity–offset Regulations Formulated by Governments

Problem:

Biodiversity conservation and a favorable eco-environment are safeguards of water resources and water quality. As biodiversity loss is intensified and functions of ecological services are degraded, rivers dry up, lakes and wetlands shrivel, the function of water conservation is degraded, erosion is aggravated and other water pollution ensue.

In terms of the laws and regulations on biodiversity conservation, there are few dedicated articles or provisions on eco-compensation of water resources stipulated in different laws and regulations of China's legislation system. A complete legislation system of eco-compensation has not been established in China.

It is well proven that the legislation support is a prerequisite for the operation of biodiversity-included ecological compensation mechanism in river basins, and a brand-new environmentally economic approach to realize systematically sustainable development. The corresponding legislation system can be taken as a legal basis and a justification for the mechanism establishment.

Description:

In May 2013, the Program of Capacity-Building for Institutions of GEF-China Biodiversity Partnership and Framework (CBPF) supported the model legislation for biodiversity-included ecological compensation in water environment of Liaoning Province. Progress was made on the following aspects:

(1) Added "Implement water resource eco-compensation mechanism" into the *"Revision of Protection for Freshwater in Dahuofang Reservoir of Liaoning Province (draft)"*

During the revision, Article No.16 is especially formulated for water resources eco-compensation mechanism, which stipulates that governments at provincial, municipal and county level shall integrate economic and social development of

Dahuofang Reservoir protected area into their comprehensive strategic planning, and establish and improve eco-compensation mechanism in Dahuofang by developing corresponding policies and actions. The expected improvements are as follows: “objects shall be clarified, rational compensation criteria shall be developed and funds shall be raised from a variety of resources, eco-compensation shall be included into annual fiscal plan, fiscal transfer shall be managed more forcefully, conserve and improve the environment of water resources in protected areas, secure water quality, seek balanced development between water resource protected area and other areas.” The legal status of water resources eco-compensation mechanism is thereby secured by approval of the legislation enacted in September 2014.

(2) *Introduced Opinions of launching Environmental Governance and Eco-compensation Mechanism in Dahuofang*

According to *Revision of Protection for Freshwater in Dahuofang Reservoir of Liaoning Province* and current status of water resources conservation in Dahuofang, Provincial Water Resource Management Office, Provincial Development and Reform Commission, Provincial Department of Finance, Provincial Department of Environmental Conservation and Provincial Department of Water Conservancy jointly developed *Opinions of launching Environmental Governance and Eco-compensation Mechanism in Dahuofang* with support from the provincial government. Detailed regulations on assessment goals, objectives, indicators, measures, results application, organization and implementation are beneficial to the establishment of a long-term compensation mechanism on water resources conservation and economical consumption.

(3) *Prepared Measures for Eco-compensation Mechanism in Water Basin of Liaoning Province for Water Environment Protection (submission draft)*

According to *Water Pollution Prevention and Control Law of the People's Republic of China* and *Regulations of Liaoning Province on Water Pollution Prevention and Control in Liao River Drainage Basin*, Liaoning developed *Measures for the Management of Eco-compensation for Water Environment Conservation in Drainage Basin of Liaoning Province* (hereinafter referred to as The Measure) based on ecosystem services. The Measure detailing legislation objectives, application scale, compensation resources, management and use, fund declaration and screen and supervision, is an instructive and practical legislation.

Features and Highlights:

(1) In eco-compensation design, besides ecosystem service, we should also take public funds and market funds into consideration, take innovative measure to introduce dual-natured funds, set up demonstration areas for adjustment and establish institution for regulation.

(2) During the model legislation process, legislative bill studies, drainage basin management system and the whole society's involvement contributed to a joint implementation of provincial eco-compensation mechanism legislation in drainage basin and establishment of demonstration areas, which were developed by the provincial drainage basin management department, the provincial legislative branch and the provincial government.

(3) During the project implementation, *Revision of Protection for Freshwater in Dahuofang Rservoir of Liaoning Province* introduced by Liaoning People's Congress ensured the effectuation of water resources eco-compensation mechanism and development of rational eco-compensation standard.

Application:

This case proposed the preliminary framework of drainage basin eco-compensation mechanism (Figure 1-2-1), which can be of use to: regions and areas where legislation of a drainage basin eco-compensation mechanism is required; provinces which can draw on merits from the case or plan to integrate drainage basin eco-compensation mechanism into legislation system.