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The People's Republic of China's Panda Diplomacy

The giant panda (*Ailuropoda melanoleuca* or panda) is a rare and charismatic species that is native to China, which holds a natural monopoly over the species. Pandas generally are popular zoo exhibits, and highly sought after for display by zoos around the world. The People's Republic of China (PRC or China) has used pandas to pursue diplomatic objectives, a practice termed *panda diplomacy*. That practice has evolved to reflect shifting domestic and international circumstances. In the process, the panda has become a diplomatic symbol for China, and serves to soften its authoritarian image, according to some analysts. Some in Congress are interested in how the practice contributes to conserving the pandas as well as its role in diplomatic relations with the PRC.

Status of the Giant Panda

Pandas are found in the wild in bamboo forests in central China. They live 14-20 years in the wild and up to 30 years in captivity. Their breeding age is 4-20 years old and they can give birth to one cub every two years. In 1984, the U.S. Fish and Wildlife Service (FWS) listed pandas as an endangered species under the Endangered Species Act (ESA; 16 U.S.C. §§1531-1544), and pandas were included under Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) as a species endangered due to trade. In contrast to these listing statuses, China declared in 2021 that pandas are no longer endangered and reported around 1,800 breeding pairs living in the wild in China (approximately 600 live in zoos around the world).

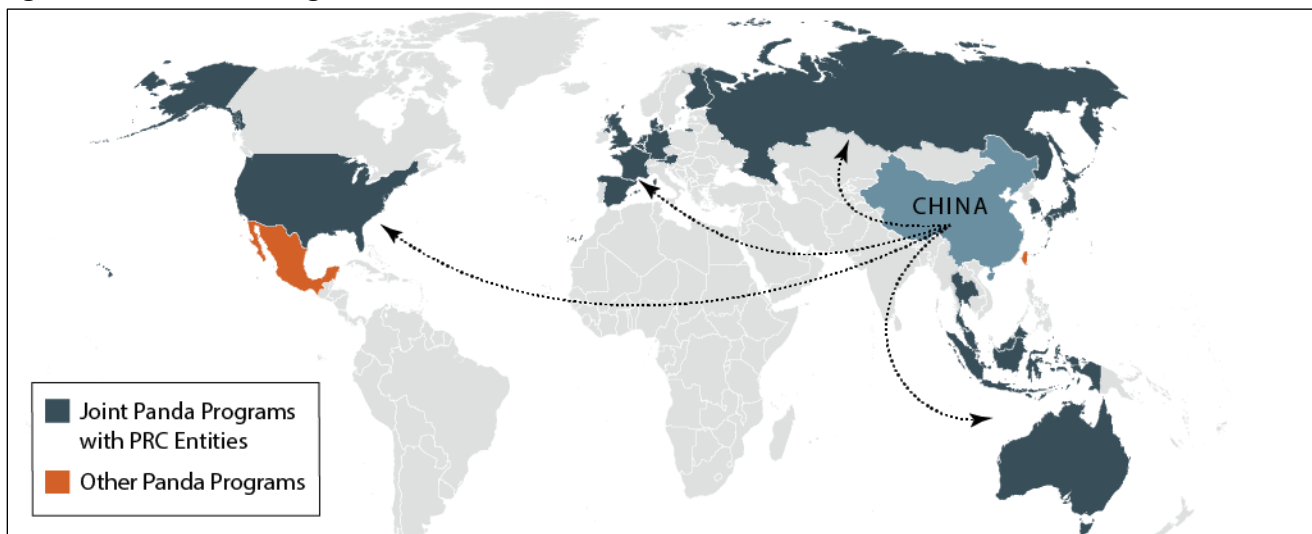
The International Union for Conservation of Nature (IUCN) changed the status of giant pandas from endangered to vulnerable in 2016, citing an increase in the population. However, IUCN noted that climate change could adversely affect pandas' habitat and cause the species to decline.

The PRC's Panda Diplomacy

China has a long tradition of offering pandas as gifts to foreign countries. Scholars assert that panda gift-giving may have started in the seventh century, when Empress Wu Zetian sent two bears, believed to be pandas, to Japan.

Starting in 1957, the PRC gifted pandas to certain countries as a symbol of diplomatic friendship and to signal a closeness in political ties, according to some scholars. The PRC gradually replaced this approach with a commercial lease model in the 1980s, as it adopted economic reforms and China became less isolated internationally. Scholars note that some panda loans to foreign countries coincided with trade deals, positing that the PRC intended the practice to support the process. Beginning in the late 1990s, China transitioned to a conservation-oriented lease model. This shift was in part driven by China's accession to CITES in 1981. The multilateral treaty restricts trade in wild animals and plants to ensure that such trade does not threaten a species' survival. CITES forbids the trade of certain species for mainly commercial purposes, but permits non-commercial loans between registered scientists or scientific institutions.

Figure 1. Giant Panda Programs Around the World



Sources: Graphic by CRS with information from the People's Republic of China's Ministry of Foreign Affairs, the Government of Mexico City, and the Taipei Zoo.

Note: PRC entities maintain panda cooperation programs with institutions in Australia, Austria, Belgium, Denmark, Finland, France, Germany, Indonesia, Japan, Malaysia, Russia, Singapore, South Korea, Spain, Thailand, the Netherlands, the United Kingdom, and the United States.

As of February 2021, the PRC maintained joint panda conservation projects with 22 zoos in 18 countries (see **Figure 1**). Under the lease agreements, pandas held by these institutions are the property of PRC entities. Two additional zoos house pandas that are not subject to ongoing agreements with PRC entities. The first is the Taipei Zoo in Taiwan, a self-governing island democracy that the PRC does not control, but over which it claims sovereignty. The PRC gifted a pair of pandas to the Taipei Zoo in 2008 in exchange for a pair of endangered sika deer. The second is the Chapultepec Zoo in Mexico City, Mexico, which houses the descendants of giant pandas originally gifted by the PRC to Mexico in 1975.

Pandas in the United States

The PRC originally gifted a pair of pandas to the Smithsonian Institution in 1972. They died in 1992 and 1999. The Smithsonian National Zoological Park's second pair of pandas arrived on loan from the PRC in 2000. As of 2022, three U.S. institutions maintain giant panda conservation programs: the Smithsonian National Zoological Park (Washington, DC), the Memphis Zoo (Tennessee), and Zoo Atlanta (Georgia). A fourth institution, the San Diego Zoo (California), ended its program in 2019. Each zoo partaking in a panda conservation program has a bilateral agreement with a PRC counterpart. The National Zoo is party to an agreement with the China Wildlife Conservation Association (CWCA); the Memphis and Atlanta Zoos are parties to agreements with the Chinese Association of Zoological Gardens (CAZG).

Host institutions typically pay an annual fee of \$1 million per panda pair. The agreements require China to direct these funds toward conservation efforts. The agreements include some provisions that address panda research (e.g., biology and reproduction), a statement of Chinese ownership of pandas, and program fees to China. Eventually, pandas and their offspring are returned to China to continue breeding and to support the captive and wild population.

Legal Framework for Panda Import and Use

FWS is responsible for protecting pandas under the ESA and CITES. Under the ESA, FWS regulates certain activities, such as importing and exporting pandas, conducting scientific studies on pandas, and breeding pandas in captivity. Under the ESA, FWS must evaluate whether a proposed activity (e.g., captive breeding in a zoo or scientific research) is likely to jeopardize the continued existence of the species and whether it would promote the conservation or enhancement of the survival of the species in the wild. Under CITES, FWS must determine whether the proposed activity involving pandas would be detrimental to the survival of the species and must confirm that it is not primarily for commercial reasons.

FWS established a panda policy clarifying what information is needed to apply for import permits under the ESA and CITES and providing guidance to FWS staff reviewing applications. The policy requires that:

- the pandas are used to conduct scientific research (i.e., not solely for display or commercial purposes);

- public display will not interfere with research activities;
- importing the pandas is not likely to jeopardize their continued existence in the wild;
- importing and studying pandas will benefit panda conservation and contribute to their survival in the wild;
- funds given to China for importing pandas are mainly used for panda conservation and monitoring; and
- the host zoo has adequate expertise and facilities to care for the pandas.

Permit holders also must have a formal loan agreement with the PRC to import and keep pandas. FWS's panda policy stipulates that "all monies used in a loan agreement or raised as a result of a panda import should fund panda conservation efforts, with a significant portion being used for priority in-situ conservation projects in China."

Issues for Congress

For some U.S. policymakers, a key question regarding panda diplomacy is whether native panda populations in China benefit from the relationship. Issues for congressional oversight might include whether permit conditions are being met and whether fees paid to Chinese entities leasing the pandas are being used for conservation efforts. Each year, permittees hosting pandas in the United States must provide FWS with a financial accounting of how the PRC used the fees they paid for the pandas, supported by documentation and by site visits to China by the permittee. To the extent panda diplomacy has benefitted pandas, Congress might consider if panda collaboration between the United States and the PRC might hold lessons for addressing other natural resources issues, such as wildlife trafficking or conserving other listed species.

Some stakeholders argue that pandas should remain in the United States and not be returned to China, based on the United States' contributions to the preservation of the species. H.Res. 897, introduced in the 117th Congress, would call for pandas born in the United States to belong to the United States and state that the United States should collaborate with allies and partners to establish a panda breeding program. Other stakeholders oppose this approach, arguing that it could diminish mutually beneficial scientific collaboration with the PRC to conserve pandas and risk ending a popular longstanding U.S. program. Opponents also contend that failing to return the pandas as required by the agreements may impair the United States' ability to enter into or maintain agreements to exchange other species. Retaining pandas in the United States after the agreements with PRC entities expire or require their return generally would violate the agreements between American zoos and PRC entities and would be at odds with ESA permits that allow the American zoos to possess the pandas.

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