

TRAFFIC EAST ASIA

東亞野生物貿易研究委員會

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3 October 2005

Dear Chair,

Protection of Endangered Species of Animals and Plants Bill

TRAFFIC East Asia welcomes the proposed captioned Bill.

TRAFFIC (www.traffic.org) is the wildlife trade monitoring program of WWF and IUCN. Our specialization is in CITES, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and our regional office for East Asia has been in Hong Kong since 1994.

TRAFFIC believes that, on the whole, the proposed Protection of Endangered Species of Animals and Plants Bill meets the requirements as stipulated under CITES.

Specifically, TRAFFIC considers empowering the Secretariat for the Environment, Transport and Works to amend, through gazette, the Scheduled Species, as specified in the Schedule 1 (Part 8, Section 48) as appropriate since this arrangement will allow a timely amendment of the Scheduled Species in response to amendments made to the Appendices of CITES every two years at each Conference of the Parties to CITES.

In addition, we welcome the strengthening of statutory power of authorized officers to carry out their duties, including searching non-residential premises, detention and arrest of suspects, and seizure of specimens involved (Part 6, Section 28-37). We also note that the penalty of violating the proposed Bill is maintained at the current level, which is an essential deterrent to illegal wildlife trade.

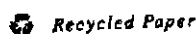
With reference to the control of Appendix-II-listed specimens (Part 4, Section 15), live specimens of all CITES-listed species of wild origin would remain subject to permitting control over possession, while non-live specimens would no longer be subject to permitting control. TRAFFIC agrees that possession of non-live specimens should not necessarily require a formal permit, although we believe that a certain level of control, such as documentation by appropriate authorities, is appropriate and necessary.

Hong Kong has one of the busiest ports and airports in the world, as well as heavy cross-border traffic throughout the year. Contraband involving specimens of CITES-listed species could be easily smuggled into and through Hong Kong. Fortunately, Hong Kong has been a role model for CITES implementation in the region. Despite the constraints of the existing Ordinance (to be replaced by the captioned one), Hong Kong has worked hard to fulfill its obligation under CITES. Hong Kong's dedication has been awarded recognition by the CITES Secretariat with regard to intercepting illicit wildlife trade.

TRAFFIC East Asia is part of the worldwide TRAFFIC Network, which is a joint programme of WWF-World Wide Fund For Nature and IUCN-The World Conservation Union, established to monitor trade in wild plants and animals. TRAFFIC works in co-operation with the CITES Secretariat.

東亞野生物貿易研究委員會隸屬野生物貿易研究組織。

後者乃世界自然基金會、世界自然保護聯盟之附屬組織，負責監察野生動植物貿易，並與瀕危野生動植物物種國際貿易公約秘書處緊密合作。

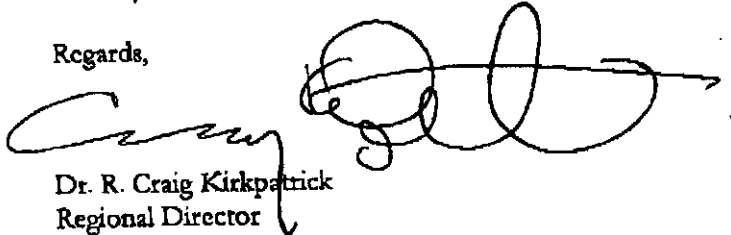


TRAFFIC believes that the proposed Bill, if passed, will provide a solid foundation for the authorities to implement CITES, effectively regulating the trade of endangered species through a more streamlined operation that benefits both enforcement agencies and permit applicants, thereby facilitating relevant legal trade. With the proposed new and improved Bill, we believe that Hong Kong will continue to play a leading role in CITES implementation in the region.

Should you require further explanation or clarification, please feel free to contact Mr. Samuel K.H. Lee, Senior Program Officer of our office at 2973-9494 or via email: samucllee@biznetvigator.com

Thank you.

Regards,

A handwritten signature in black ink, appearing to read "Dr. R. Craig Kirkpatrick". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Dr. R. Craig Kirkpatrick
Regional Director

Cc. Director of AFCD (fax: 2199-7041)