

野生救援 WILDAID

Attn: The Hon. Kenneth Leung,
Chairman of the Bill Committee on Protection of Endangered Species of Animals and Plants (Amendment) Bill 2017,
Legislative Council Complex,
Hong Kong SAR.

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Dear Members of the Hong Kong Legislative Council,

Re: Legislative proposal to phase out Hong Kong's trade in elephant ivory

Thank you, Mr Chairman, for the opportunity of speaking at the next public hearing on phasing out the local trade in elephant ivory.

I would like to explain in detail why it is of critical importance that the Hong Kong government's proposed ivory ban be passed with no amendments calling for financial compensation for Hong Kong ivory traders.

Hong Kong's ivory traders have had since the international ivory ban in 1990 to clear out their old stocks. That's nearly 28 years. The Hong Kong government's plan affords the ivory traders an over-generous five more years until 31 December 2021 to sell out their last stocks, and still they are demanding compensation.

The vast majority of Hong Kong lawmakers support banning the city's runaway ivory trade. However a small minority of Hong Kong lawmakers are merely claiming to support the proposed ban, but are in fact calling for the payment of compensation to the traders for their stocks. On the surface of it, that sounds like a good idea. But here's why it's not.

The Hong Kong government have said that the aim of the ivory ban bill is to conserve elephants.

"We [...] consider that the measures of the Plan are justifiable on the grounds that such measures aim to address the international and public concerns over the survival of elephants which are under imminent threat of extinction, and are necessary in light of the latest trend of elephant poaching and ivory smuggling as well as the international call for closure of domestic markets for ivory."

<http://www.legco.gov.hk/yr16-17/english/panels/ea/papers/ea20170327cb1-705-5-e.pdf>

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Since the Hong Kong government's plan to ban the ivory trade was announced in late 2016, some wildlife conservation NGOs in Africa have expressed their concerns directly to the Hong Kong government that if they were to pay compensation to the city's ivory traders that a new wave of elephant poaching would be triggered.

Having taken this serious concern on board, the government has told the traders that they will not, under any circumstances, pay any form of compensation to them. This is good news, and the government should be congratulated for it.

The Hong Kong government has made it abundantly clear to the wider community that because the aim of the bill is to conserve elephants, they would have no choice but to withdraw the bill if lawmakers insisted on

compensation for the traders. To re-iterate, based on the counsel of well respected African NGOs, the Hong Kong government agreed that a renewed surge in the illegal killing of African elephants would very likely be a perverse consequence of paying out compensation – and that this would run counter to the original aim of the bill. Therefore, under such circumstances, the Hong Kong government would rather shelve the bill than pay ivory traders for their unsold stocks and be blamed for stimulating a new spike in elephant poaching rates.

"The Government will not consider any way of buying-out the ivory so as to avoid sending the wrong message which further stimulates the illegal poaching activities of wild elephants."

<http://www.info.gov.hk/gia/general/201706/14/P2017061400452.htm>

Some lawmakers as well as members of the ivory and jewelry trades, are well aware of this fact, and are using the issue of compensation as a way to force the government to withdraw its bill.

There are other reasons why financial compensation shouldn't be paid to the Hong Kong ivory traders.

According to Tanzania's 1989 proposal to increase protection for the African elephant, which was tabled at the seventh meeting of the Conference of the Parties (CoP7) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), it was estimated that up to 94% of ivory leaving Africa in the late 1980s was "from illegal sources".

<http://www.legco.gov.hk/yr16-17/english/panels/ea/papers/ea20170606cb1-1088-96-e.pdf>

Tanzania's proposal to uplist the African elephant from Appendix II to Appendix I, tabled at the seventh meeting of CITES in October 1989 strongly contradicts the narrative touted by the Hong Kong ivory traders today, in which they claim that their pre-1990 ivory stocks are all legal and taken from elephants that died of natural causes.

The 1989 Tanzania proposal to CITES stated that:

1. *"There has been a very spectacular increase in the total number of elephants killed to supply the ivory trade. The present offtake was considerably above the maximum sustainable yield."*
2. *"The illegal trade in ivory is massive, and often difficult to separate from the legal trade. Document falsification, and forgery are reportedly common practice, often concealing ivory's true origin."*
3. *"If one assumes that the total ivory traded outside Africa in 1987 was around 691 tonnes (771 tonnes minus 80 tonnes consumed in Africa), then approximately 94 percent of the ivory originated from illegal sources."*
4. *"CITES is in fact facilitating the continuing unsustainable offtake of elephants by allowing for very large amounts of ivory from poached elephants to enter the legal international trade."*

Up to 600,000 African elephants were slaughtered in the first ivory war which was only halted in the nick of time by the 1989 international ivory ban. Much of the ivory from over half a million illegally-killed elephants entered into a then legal international trade, and a very large proportion of it ended up right here in Hong Kong.

According to government figures there is still some 70 tonnes of stolen, yet legalized ivory, available on the market today. Given the huge percentage of illegal ivory in circulation in Hong Kong at the time of the 1990 ban, it would be immoral for the Hong Kong taxpayer to foot the bill for any ivory trade compensation scheme. At today's current low market prices, seventy tonnes is worth roughly 164 billion Hong Kong dollars, or

21 million U.S. Dollars. Ivory traders want to siphon that amount from the government's reserves. Hong Kong lawmakers, we urge you not to let that happen.

Up to 30,000 African elephants are being lost every year. Please do allow some Hong Kong lawmakers to derail a global effort to stem the poaching crisis of African elephants by moving an amendment to the government's bill calling for compensation.

The Hong Kong ivory traders have been deceiving the public since the 1980s and must not be allowed to continue doing so. Enough is enough, let's consign Hong Kong's ivory trade to the dustbin of history where it belongs.

WildAid is urgently calling on the Hong Kong government to; speed up the process of banning the city's ivory trade, pay zero compensation to ivory traders and increase the maximum penalties for wildlife crime.

Yours sincerely,



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