



立法會  
環境事務委員會  
主席陳淑莊議員

立法會CB(1)1018/16-17(48)號文件

致：尊敬的陳主席鈞鑒

**有關：反對“逐步淘汰本地象牙貿易修訂條例”之意見書**

行政長官梁振英於 2016 年《施政報告》中公佈，政府有意逐步淘汰本地象牙貿易。本會亦於 2016 年 4 月起多次去信行政長官反對禁止本地象牙貿易並提出規管建議及重新諮詢業界要求，唯一不獲正視。更令人遺憾是在 2016 年 12 月 21 日，特區政府倉促向外宣佈行政會議已通過落實建議，準備一次性修訂《保護瀕危動植物物種條例》，分三階段於 2021 年全面禁止商業管有象牙，預期今年內提交立法會考慮通過。本會特此提交反對修訂法例，理由如下：

(一) 《瀕危野生動植物物種國際貿易公約》(簡稱《公約》)於 1973 年締結，並於 1975 年正式生效，至今共有 183 個締約國；而香港亦自 1976 年開始履行《公約》，雖然《公約》組織鼓吹禁止象牙貿易，但同時亦因應情況彈性處理，譬如目前仍有部分地區的非洲象列作附錄 II，即容許有嚴格限制的象牙貿易活動，當中包括納米比亞、南非、津巴布韋及博茨瓦納等四個國家，可見《公約》本身並非一面倒禁止象牙貿易。

(二) 去年九月，世界自然保護聯盟(IUCN)在南非約翰內斯堡舉行的《公約》大會，當中秘書處節錄及綜合了上述非洲四國大象數字在過去二十年一直穩定上升的情況(見附件一)。

多年來，保育團體宣稱大象瀕於滅絕，提出“沒有買賣，就沒有殺害”，與非洲實際情況並不相符。香港境內沒有野生大象，有的只是多年前合法進口的象牙，美國及歐盟均未對全面禁止象牙貿易達成共識，不明特區政府為何執意趕急修例禁貿。針對非法走私象牙的行為，本會認為治本之道是政府應該加強執法力度而非禁貿。

最後，本會懇請議員們瞭解象牙是我國歷史悠久的工藝，除具藝術性及收藏觀賞外，亦值得承傳和發展其自身價值。本會促請政府從速成立更全面的「象牙諮詢委員會」，以便重新檢視「中央庫存規管」的可行性，同時協助象牙行業澄清負面的資訊，合法持證人士並非從事走私濫殺大象。大家支持保育大象同時，應清楚大象數字上升和面對真正的危機是棲息地不斷減少；期望全體立法會議員們更理性地處理行業存在的工藝文化，建立保育和商業和諧共存發展機制！



**HKJMA**  
香港珠寶製造業廠商會

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謝謝您閱讀的寶貴時間。如對上述事宜有任何查詢，歡迎與本人【電話：2122 5085】聯絡。

香港珠寶製造業廠商會

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2017年5月11日

抄送：立法會全體議員

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Higher taxa	Species covered by the Proposal (and common name - for information only) <sup>1</sup>	Proposal and proponents	Secretariat Recommendation
			<p>details on the provenance of ivory for to be auctioned, other than from its current stockpile of approximately 70 tonnes. It also does not propose any quotas or control mechanisms. The proposal is silent on whether Zimbabwe complies, or intends to comply, with the additional safeguards provided for in Resolution Conf. 10.10 (Rev. CoP16). Trade in African elephant specimens, and raw or worked ivory in particular, remain the subject of comprehensive and difficult discussions in CITES (see for example agenda item 84 of CoP17).</p> <p><i>Recommendation</i></p> <p>The proposed amendment to the existing annotation for the population of <i>Loxodonta africana</i> from Zimbabwe does not meet the precautionary measures set out in Annex 4 of Resolution Conf. 9.24 (Rev. CoP16).</p> <p>The Secretariat recommends that this proposal be <b>rejected</b>.</p>
	 <p><i>Loxodonta africana</i> (African elephant)</p>	<p>CoP17 Prop. 16</p> <p>Include all populations of <i>Loxodonta africana</i> (African elephant) in Appendix I through the transfer from Appendix II to Appendix I of the populations of Botswana, Namibia, South Africa and Zimbabwe</p> <p>Benin, Burkina Faso, Central African Republic, Chad, Ethiopia, Kenya, Liberia, Mali, Niger, Nigeria, Senegal, Sri Lanka and Uganda</p>	<p><u>Conclusions and recommendations</u></p> <p>The wild populations of <i>Loxodonta africana</i> of Botswana, Namibia, South Africa or Zimbabwe are not small as defined in the guideline in Annex 5 of Resolution Conf. 9.24 (Rev. CoP16). Estimated at over 130,000 animals, Botswana has the largest elephant population in Africa. Zimbabwe, with an estimate of over 82,000 elephants, has the second largest. The population of South Africa currently stands at around 19,000 elephants, and Namibia at 23,000 (the highest estimate ever). The area of distribution of the species in the four range States is not small or restricted, with large tracts of habitat available and several important populations that are contiguous with other conservation areas and across international borders. Criteria A or B in Annex 1 of Resolution Conf. 9.24 (Rev. CoP16) does not apply to any of the range States.</p> <p>The elephant populations of Botswana, Namibia and South Africa have increased considerably in the last 20 years. So has the population of Zimbabwe, although the growth appears to have stalled in recent years. As there has been no marked decline in the wild populations in any of the four range States, criterion C in Annex 1 of Resolution Conf. 9.24 (Rev. CoP16) does not apply.</p> <p>The stated objective of the proposal is to "unify African elephants and their range States in one listing [...], so that all range States come together in strategies to remove threats to their survival and send a clear message to the world [...] [by] extending our hands to our brothers and sisters in the Southern African range States to join the rest of the continent in a united, cohesive mission to fight against the extinction of elephants." However, the supporting statement indicates that when consulted, Namibia, South Africa and Zimbabwe did not support the proposal.</p>