



Support for HK Ivory Ban
Ellen Tops to: bc_06_16

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Dear Hon Kenneth Leung,

Public Hearing on September 6th 2017: Cap 586 Amendment Bill.

My name is Ellen Tops and I have been living in Hong Kong since 1999. I am writing to express my support for the Hong Kong Government's proposed Cap 586 Amendment Bill because Hong Kong has to take a lead in stopping this awful practice which is rapidly decreasing the number of elephants living in the wild on such a scale that they may be extinct in the coming years. Other than poachers and traders, nobody gains from brutally killing these wonderful and majestic animals for their ivory. There is no pride in selling and owning ivory, there is only shame.

Therefore, Hong Kong should go abreast with international law concerning to combat the illegal ivory trade, and show our neighbouring countries, other Asian countries and the rest of the world that we take ending the ivory trade serious. Hong Kong has the obligation and duty to be a gatekeeper, and the responsibility to show our loved ones and the rest of the world that it deeply cares for safeguarding these beautiful animals for many more generations to come. The only effective way is through using Cap 586.

I fully support the government's three-step plan to ban the Hong Kong ivory trade; and its proposals to increase maximum penalties under the Protection of Endangered Species Ordinance (Cap 586). However, I am strongly against any proposition to compensate traders or buy out their stocks. My reasons are as stated:

- Providing any form of compensation will signal that Hong Kong is 'buying' ivory, likely triggering a surge of poaching in Africa.
- Compensation would establish a dangerous global precedent for other countries working to ban the trade.
- The Hong Kong Government is not depriving ivory owners of all use of property.
- Traders and others who have speculated on ivory have done so, knowing the risks of a shrinking legal market.
- The heritage value and traditional skills of carvers are not a reason to continue the trade.
- Carvers and traders have had over two decades since the international ban, to diversify and/or switch trades. Most have done so and the Hong Kong government has already provided financial subsidies and re-training programs for them in the 1990s.
- The proposed draft law does not infringe the traders' "right to compensation of...

property" as protected by Article 105 of the Basic Law of the Hong Kong SAR (Appendix B: Legal study on an ivory ban)

Compensation will send the wrong educational message to society if it is granted to an industry where there are known elements of illegality. This includes the poaching crisis in Africa, smuggling via criminal gangs, laundering, and illegal selling in Asia.

The Hong Kong Government had developed a licensing control system for the local ivory trade, with the intention being that ivory traders could liquidate their remaining stocks. It never suggested that the trade and the licenses should be sustained indefinitely. Hong Kong ivory traders LC Paper No. CB(1)1409/16-17(41) should know full well that remaining in the ivory industry during these 27 years bears greater risk over time. Furthermore, statistics show that Hong Kong traders had been purchasing and importing small amounts of pre-Convention ivory in recent years. They took an ill-fated business risk to build up their stocks in this way, at a time when ivory prices were high, hoping that this was a good investment. It was not a wise business strategy, and should certainly not be compensated now with taxpayers' money for having taken this business.

Thank you for your attention.

Kind regards,

Ellen Tops