



**Support for HK Ivory Ban - with an article of the Hong Kong General Chamber of Commerce**

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1 attachment



Special Report Ivory Ban\_HKGCC\_August\_2017.pdf

Dear Hon Kenneth Leung,

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

I am writing to you in my capacity as a member of the Hong Kong General Chamber of Commerce (HKGCC) 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 the awful practice of poaching elephants 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.

I wrote the attached article for the HKGCC magazine, which was published in August 2017 – please read this, stating the arguments for the Ivory Ban. It would be great if Hong Kong would quickly follow China's example and 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) and the article attached outlines the proposition to compensate traders or buy out their stocks.

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,

Wander Meijer



The Need

禁止象牙貿易

# For an Ivory Trade Ban

Mainland China will ban the ivory trade by the end of 2017, one of the outcomes of a historic meeting between Presidents Xi Jinping and Barack Obama in September 2015, where they also agreed to collaborate on the battle against climate change.

Since then, Mainland China has powered on with initiatives on reducing pollution and reversing climate change. The country is now leading in several types of environmental businesses, from OFO, the world's biggest bike sharing platform, to a booming green bonds market. Mainland China's speed of change is remarkable and is both an inspiration and an opportunity for Hong Kong.

Following suit, in January 2016, the Hong Kong government also announced a ban on the ivory trade, and the bill is currently before the Legislative Council waiting to be passed. Unfortunately, legislative changes take a long time to implement in Hong Kong and time is running out for elephants.

## Save the elephants and human lives

The main reason for banning the ivory trade is that it is driving elephants to extinction. Each year, at least 20,000 elephants are poached and killed, and with just over 400,000 elephants left in the wild, the species might be extinct in a couple of decades. In addition, more than 1,000 rangers have been killed in the last decade protecting elephants and other wildlife. The ivory trade is not just driving elephants to extinction, it is killing people too.

Popular support for a ban on the ivory trade is widespread, including over 70% of people in Mainland China according to research by National Geographic and GlobeScan. WWF research also shows that a large number of Hong Kong people supports the ban. This could be seen in the 91,643 signatures collected by the WWF on a petition supporting the ban delivered to then Chief Executive CY Leung last year. In general, Hong Kong people do not buy ivory anymore. Purchases are made instead by tourists who cannot legally transport the ivory back to their own country.

## Save Hong Kong too!

The ivory trade is bad for Hong Kong's reputation. Our city is known for boasting an efficient, forward-looking and clean business environment. Sadly, it is also the global center of the partly illegal and illicit ivory trade.

This was proven again by a seizure on 6 July by the Customs department of a record 7.2 tons of illegal ivory at the Hong Kong harbor, which was 1.5 times more than the total illicit ivory seized in the past three and a half years combined.

The ivory ban has been supported by the vast majority of countries, and in recent years the U.S. and Mainland China have agreed to implement the ban. The HKSAR Government has not yet been able to do the same. Hong Kong has approximately 350 licensed ivory traders that sell ivory, often along with Chinese antiques. These traders are demanding compensation for the ban on ivory, which the Government is refusing for the following reasons:

- As early as 1990, the Government announced that the ivory trade would be banned in due time, but would allow the traders to finish selling their existing stock-piles of ivory domestically. During this 27-year period, their stock has remained level for a long time, suggesting that illegal importing of ivory has been taking place.
- The 2016 announcement of the legislation that allows for a phasing-out period of five years will only go into effect in 2021.
- The Government is offering a retraining program for ivory carving craftsmen. It is important to note that Mainland China is encouraging carvers to use other materials following the ivory ban, and also invited some carvers to keep their craftsmanship alive via written, audio and video records.

Nowhere in the world have governments provided compensation for ivory traders when a ban was implemented, as there is sufficient time to adapt to a changing business reality. Examples of compensation in other places have showed that it incentivizes the trade and would lead to more killing of elephants. Experts from organizations like the WWF argue that compensation is neither fair nor effective. Therefore, the HKSAR Government refuses to appropriate taxpayers' money for compensation and has told LegCo that it will withdraw the law if compensation is required.

Therefore, banning the ivory trade is a topic which aligns the interests of Hong Kong society, its business community and its Government with Mainland China's wildlife laws. It is good for business, it is better for society and above all, its purpose is to save the elephants. 🌿





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## 中

國內地將於2017年底禁止象牙貿易，這是習近平主席與奧巴馬總統於2015年9月進行歷史性會面後的其中一個結果，而兩國亦同意合力對抗氣候變化。

從那時起，中國內地先後推出連串措施，以期減少污染和扭轉氣候變化。國家現正牽頭推動環保業務的發展，從全球最大的共享單車平台——OFO小黃車，以至發展蓬勃的綠色債券市場，可見一斑。中國內地改變之快實在令人驚訝，並為香港帶來了啟示和機遇。

2016年1月，香港政府亦效法內地，宣布禁止象牙貿易，而有關法案現時有待立法會通過。然而，立法修訂在港落實需時，大象的性命正危在旦夕。

### 救救大象和人類

禁止象牙貿易的主要原因，是有關貿易正把大象推向絕種。每年至少有20,000隻大象被盜獵和殺害，現僅餘下40多萬隻野生大象，可能在數十年內滅絕。另外，過去十年有超過1,000名護林員因保護大象和其他野生動物而被殺。象牙貿易不但把大象推向滅亡，更造成人命損失。

根據國家地理和GlobeScan的研究，禁止象牙貿易已獲得廣泛民眾的支持，包括逾七成內地人。世界自然基金會（WWF）的研究亦顯示，許多港人支持禁令，這可見於去年WWF發起聯署支持禁令而向時任行政長官梁振英提交的91,643個簽名。一般來說，港人都不會再購買象牙，買家往往是無法合法地把象牙運回本國的遊客。

### 救救香港！

象牙貿易損害香港的名聲。我們的城市素以高效、前瞻和廉潔的商業環境而自豪。不過，從海關於7月6日在港口檢獲破紀錄的7.2噸走私象牙為過去三年半所檢獲走私象牙總數的1.5倍，足以證明本港亦是半非法象牙貿易的全球樞紐。

象牙禁令受到大多數國家的支持。近年，美國和中國內地已同意實施禁令，惟香港特區政府仍未能採取同樣的措施。現時

本港約有350個持牌象牙商，他們售賣象牙之餘，通常亦會兼售中國古董。這些商人正就象牙禁令提出索償，而政府的拒絕理由如下：

- 早於1990年，政府已宣布將於適當時候禁止象牙貿易，但會容許商人繼續在港出售現有的象牙庫存。在這27年間，他們的庫存長期維持不變，顯示有非法象牙流入本港。
- 2016年，當局宣布啟動立法程序，逐步淘汰象牙貿易，而有關的五年寬限期將要到2021年才屆滿。
- 政府現正為象牙工匠提供再培訓。值得注意的是，中國內地正鼓勵工匠於象牙禁令生效後轉用其他材料，並邀請部分工匠透過文字、聲音和影像紀錄，把他們的手藝保存下來。

各地政府均未有就實施禁令而向象牙商人作出賠償，因為他們已有充分時間適應現實商業環境轉變。其他地方的個案已顯示，賠償只會鼓吹象牙貿易，導致更多大象被獵殺。來自WWF等機構的專家認為，賠償既不公平，亦無效用。因此，香港特區政府拒絕用納稅人的錢賠償象牙商人，並已向立法會表明，如需作出賠償，則會撤回立法。

因此，禁止象牙貿易這一議題使香港社會、商界及政府的利益，與中國內地的野生動物保護法例配合一致，對商界和社會皆有好處，最重要的還是能夠拯救大象。✿

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