

31 May 2017

Hon Tanya Chan
Room 814, Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Hon Tanya Chan,

Public Hearing on June 6th 2017: Supporting the Hong Kong Government's Ivory Trade Ban

I write to express my support for the Hong Kong Government's upcoming legislative proposal concerning the ivory trade. I fully support the government's plan to ban the Hong Kong ivory trade; as well as its proposals to increase maximum penalties under the Protection of Endangered Species Ordinance Cap 586. However, I do not support any proposition to compensate traders or buy out their stocks.

i) Reasons That I Support the Ivory Trade Ban in Hong Kong and Raising Penalties

- Hong Kong's 'legal' trade in pre-Convention ivory has been administered through a licensing system that has provided a front for laundering illegal ivory.
- Traders have been found to replenish old ivory stocks with newly poached ivory. Without expensive scientific analysis it is impossible to distinguish 'legal' Pre-Convention ivory from 'illegal' ivory from poaching.
- The majority of stock registered with the government in the 1990s (85%) was from illegal sources.
- Today, ivory poaching has reached unprecedented levels driven by demand in Asia. If nothing is done, the African elephant populations in the wild will become extinct in our lifetime.
- The illegal ivory trade impacts wildlife tourism economically, not to mention the tragic deaths of park rangers annually.
- The global support for closing ivory markets is clear, 183 countries/territories of CITES are unified in closing domestic markets that contribute to poaching or illegal trade in ivory.
- There is no deterrent sentencing in Hong Kong with respect to wildlife crime and penalties are minimal.

ii) Reasons Why I Do Not Support Compensation for Traders or Any Government Buying of Ivory Stocks

- The ivory traders have been forewarned for 27 years to prepare and sell their ivory and they have an additional 5-year grace period once the legislation comes into force.
- Most traders do not rely on just ivory for their income.
- People who have speculated and stored ivory, can sell this ivory now, they do not need to be compensated (the proposed ban was announced 15 months ago and is not envisaged to be fully in place until December 2021).
- No other country has provided compensation and China will not do so when their ban comes into force at the end of this year.
- Compensation can motivate dishonest traders in Hong Kong to increase their ivory stock in the short term from illegal sources, before the ban becomes effective. Thus increasing future compensation payments and having a perverse impact i.e. fuelling poaching.
- This will also immediately send a signal to the illegal ivory trade that there is a finite period between the legislation passing and coming in to force, where they can poach ivory to supply the Hong Kong trade - thus again fuelling poaching.
- Public funds, should not be made available to any industries or trades which are adversely affected by changes in economic or commercial circumstances when they have been repeatedly forewarned over decades.

While I do not support compensation for these reasons, I do support investment in non-financial assistance programmes e.g. retraining for industry workers.

Yours sincerely,



Darcy Novoa-McGirr