

2 June, 2017

Dear Members of the Legislative Council,

Re: Legislative Proposal to Phase Out Hong Kong's Ivory Trade

Vegetarian Society (Singapore) wishes to express its support for the proposed ban on the commercial use of ivory in Hong Kong, the proposed increase of the maximum penalty for wildlife crimes, and the denial of compensation to ivory traders.

There are several reasons to ban the sale of ivory in Hong Kong. First among them, the ivory trade is directly responsible for fueling the current poaching crisis in Africa. An estimated 100 African elephants are killed every day, as well as approximately 100 park rangers have been killed every year since 2007.¹ In addition to the direct loss of life attributable to the poaching of African elephants, the illegal wildlife trade is the fourth largest global illegal activity, contributing to organized crime and corruption.²

As countries, such as China, Singapore and the United States, have successfully implemented their own bans on the domestic sale of ivory, Vegetarian Society (Singapore) hopes that Hong Kong will follow suit.

Until then, Hong Kong will have the dubious notoriety of attracting those who wish to trade illegal ivory by exploiting the loopholes in current regulations. These loopholes have been exposed in great detail by the World Wildlife Fund's Hard Truth Report. The report concludes that, given the dependence of any regulatory system on corrupt officials overseas, the only viable solution to prevent the trade of illegal ivory is to ban the market completely.³

Vegetarian Society (Singapore) supports the increase in the maximum penalty for wildlife crimes to ten years imprisonment. This degree of punishment is consistent with what other countries, such as Australia, China and India, have implemented. Increasing Hong Kong's criminal penalties for wildlife crimes to international standards would deter criminals from choosing to operate in Hong Kong over places with higher penalties.

Compensation should not be included in the proposed ban. No other country has compensated ivory traders, and in fact, doing so would set a dangerous precedent. Establishing a precedent of compensation would not only make it more difficult to pass the proposed ban on the ivory trade in Hong Kong, but could potentially hinder similar efforts abroad, and future restrictions on the trade of other endangered species of flora and fauna as well.

Furthermore, ivory traders' claims to compensation are not justified by the law. The law regarding the right to compensation is stated in Article 105 of the Basic Law of Hong Kong SAR.⁴ As the government is not confiscating ivory, the government is not required to compensate ivory traders.

The ban on ivory has been in the works for years, and ivory traders have been well aware of the risk. Despite this, they have irresponsibly stockpiled ivory for the past 27 years, despite high prices and speculation, and the Hong Kong government should not be responsible for

¹George Wittemyer, et al., "Illegal Killing for Ivory Drives Global Decline in African Elephants," *Proceedings of the National Academy of Sciences of the United States* 111, no. 36 (2014).

United Nations Environmental Program and Interpol, "The Rise of Environmental Crime."

<http://www.unep.org/environmentalgovernance/erl/resources/publications/rise-environmental-crime>.

³World Wildlife Fund for Nature, "The Hard Truth,"

https://c402277.ssl.cf1.rackcdn.com/publications/816/files/original/wwf_ivorytrade_eng_eversion.pdf?1442844784.

⁴Basic Law of Hong Kong SAR, Chapter V, Art. 105.

http://www.basiclaw.gov.hk/en/basiclawtext/chapter_5.html.

the traders' ill-informed and unscrupulous business decisions. While the risk may have been high to stockpile ivory, the risk of these traders going out of business as a result of the proposed ban is quite low. According to a government survey of ivory traders and carvers, ivory traders have diversified their businesses.⁵ The vast majority of carvers opted to enter the reemployment program offered by the government after 1990, and thus chose to leave the business as soon as the trade became restricted.

At the CITES conference in September-October 2016, a recommendation was adopted that measures to close ivory markets should be taken as a matter of urgency.⁶ The ivory trade is driving the extinction of an entire species within less than a lifetime. Fortunately, as members of the Hong Kong SAR Legislative Council, you have the power to mitigate this shameful practice.

Sincerely,



George Jacobs, President, Vegetarian Society (Singapore)

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<https://www.facebook.com/VegetarianSocietySingapore/>

⁵ Legislative Council Panel on Environmental Affairs, CB(1)1054/15-16(06). <http://www.legco.gov.hk/yr15-16/english/panels/ea/papers/ea20160627cb1-1054-6-e.pdf>.

⁶ Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES), DRAFT DECISIONS AND AMENDMENT TO RESOLUTION CONF. 10.10 (REV. COP16) ON TRADE IN ELEPHANT SPECIMENS. https://cites.org/sites/default/files/eng/cop/17/Com_II/E-CoP17-Com-II-06.pdf.