



Personal Testimony Re: Legislative proposal to phase out the local trade in Ivory

Christine Kiessling to: panel_ea@legco.gov.hk
Please respond to Christine Kiessling

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Dear Legislative Council Member Chan,

Greetings to you from San Francisco, California, where we have recently passed a law banning the trade in ivory (AB 96, signed by Governor Edmund G. Brown in October 2015).

I write to you today to ask that you support the government's ban on ivory, and to oppose any compensation proposed for those who traffic in ivory.

From the perspective of an international observer of the international trade in ivory, with the People's Republic of China exiting from its role in importing, carving, selling, and exporting ivory, Hong Kong is a now the key marketplace component in the ability of the elephant to survive as a species into the 22nd Century.

Legal ivory trade creates a "cover" for the illegal trade as well as confuses any market in antiquities, flooding it with fakes and forgeries and further increasing the criminal stakes for all levels of all markets—legal, black, and "grey" markets inclusive.

Any legal trade is problematic. It has been shown that Hong Kong's "legal" trade in pre-Convention ivory, while administered through a licensing system, has provided a front for laundering illegal ivory: it is all too simple to replace any older ivory stock with newly poached ivory because, absent scientific analysis, it is impossible to distinguish "legal" pre-Convention ivory from illegal ivory obtained via poaching (often undertaken by criminal syndicates). As a result of the ease of skirting licensing laws and the ability to acquire new ivory, the majority of the stock registered with the government in the 1990s showed an enormous percentage, 85%, coming from illegal sources. Twenty years on, with more practice in the art of avoiding apprehension by law enforcement, this already mind-boggling percentage of illegal ivory flooding the market could well be even higher today.

There is really no defense that can be made of the ivory trade given the conditions cited. And yet, those who remain engaged in the buying and selling of ivory are making demands for compensation in the event of a ban. Apart from the dubious ethics in the face of death and destruction that the trade creates for both human beings and for elephants, those who trade in ivory have been given not just ample time, but excessive amounts of notice that trade must end: 27 years to prepare and to sell their stock, and even a further grace period of five years! Even if they were unaware of this 32-year window, it must be noted that: most merchants involved in ivory are not dependent upon ivory for their business; those who have speculated require no compensation to support their speculations; no other nation has offered any kind of compensation; any promise of compensation will result in a flurry of yet more illegal trade to position the black marketeer such that he or she can make claims against the Hong Kong government for "losses;" and as there is demand there will be yet more poaching in Africa. How ironic that a government engaged in "trying" to end a destructive market would actually, by offering compensation, be further supporting criminal enterprises and annihilating the lives of animals and their protectors alike!

Ivory corrupts Hong Kong's market economy. The Legislative Council can and must shun its trade. As already noted, this market creates multiple negative conditions, from increasing criminality in Hong Kong and around the world, to outright destruction of environmental and social conditions in Africa. People's lives are ruined, not just those of elephants and animals killed for food. Many park rangers are killed by poachers every year. Communities in the vicinity of the poaching are compromised, with both lives and primary economies irrevocably altered by demand in Asia for unnecessary trinkets made out of death of elephants.

World opinion is squarely on the side of the need to end the trade in ivory in order to save elephants. At CoP17 in October of 2016, 183 countries/territories of CITES were unified in the need to close domestic markets that contribute to poaching or illegal trade in ivory.

Hong Kong, as a civilized government, needs to join the world. It needs to enact, and enforce, the strongest possible legislation preventing trade in ivory. This would entail a ban on the import, re-export, and possession of pre-Convention ivory for commercial purposes, and an increase on penalties for wildlife crime. Please do what is right for elephants, civil society, and Hong Kong itself and pass a law that not only ends the trade in ivory, but does not reward and continue it by compensating the ivory traders.

Respectfully Yours,

Christine Kiessling Wolf
San Francisco, California, USA