



Written Submission for the Panel on Environmental Affairs - 28th May, 2018

Dear Members of the Panel on Environmental Affairs and Economic Development,

I write representing the views of the Hong Kong Shark Foundation (HKSF). As a globally important trade hub for sharks and rays, along with many other wildlife products, the HKSF writes to express our continued support for the Hong Kong Government's proposed Cap 586 Amendment Bill.

In 2017, Hong Kong imported approximately 5,000 metric tonnes of shark fin¹. This comprises a vast legal, illegal, and unsustainable trade. Although demand reduction campaigns in Hong Kong have seen some success, shark fin is still offered on set menus of hundreds of restaurants in Hong Kong and shark fin is still passively consumed as such throughout the city.

Recent peer reviewed research using DNA testing found that one in three species traded in Hong Kong's retail market is threatened with extinction². Out of the over 1,000 shark and ray species found globally, only 12 shark and 17 ray species are protected under CITES, despite 1 in 4 shark species alone being threatened with extinction, according to the IUCN.

With shark stocks continuing to decline globally, we welcome this discussion to draw attention to the need for increased conservation of shark and ray species, and tighter regulation of the trade in the worlds leading shark fin trade hub, Hong Kong.

We wish to highlight our concerns regarding Cap 586 provisions and its enforcement under the current legislation framework, and provide recommendations, in light of further research which assessed the adequacy of the prevailing laws in Hong Kong³.

While maximum available penalties have been increased under the Cap. 586 Amendment Ordinance, a review of 166 wildlife trafficking cases including sharks, indicate that no sentences from the past five years (for any CITES-listed species) have attracted penalties greater than 8 months imprisonment,

¹ Census and Statistics Department (2018). Hong Kong Imports and Exports Classification List (Harmonized System) 2017 Edition: Commodity Section I – X. Census and Statistics Department, Hong Kong SAR.

² Fields, A.T., Fischer, G.A., Shea, S.K.H., Zhang, H., Abercrombie, D.L., Feldheim, K.A., Babcock, E.A. and Chapman, D.D. (2017). Species composition of the international shark fin trade assessed through a retail-market survey in Hong Kong. *Conservation Biology*. 32(2), 376-389.

³ HK Shark Foundation and Global Rights Compliance (2017). *Beyond CITES: Shark Fin Trade Recommendations for Hong Kong*. HK Shark Foundation: Hong Kong.

despite the seriousness of some of these crimes.⁴ No shark fin seizures have resulted in a prosecution, despite at least 5.6 MT of shark fin seized from containers since 2014.⁵ Raising the penalties alone is thus unlikely to provide sufficient deterrence to the networks behind such trafficking. Therefore, we believe that the prosecutors and the judiciary need and would greatly benefit from better information on the impacts and seriousness of these crimes.

Additionally, there is also very little monitoring or regulation in Hong Kong of the non-CITES species outside of the purview of Cap 586, despite the threatened status of so many species and their wide availability in Hong Kong's markets. Given this, it is thus proposed that the government should consider the following suggestions:

1. Requiring importers/exporters of shark fin, to provide species details in manifest declarations, including (i) species of shark and (ii) ethical catch method
2. Launching comprehensive awareness campaigns to reduce the demand and consumption of sharks products, in line with encouraging the reduction in consumption of unsustainable biological resources.
3. Going beyond CITES, and in doing so, consider regulating shark species that are also Threatened according to the IUCN classifications. Many countries have in fact introduced such measures including the UAE and India. If this is not possible because of enforcement problems resulting from challenges in distinguishing species from just fins, then the government should consider banning the shark fin trade in Hong Kong.

Thank you for your kind attention.

Respectfully submitted,

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⁴ The maximum available until now for non-compliance under Cap 586 – regulation of Appendix I species was a fine of \$5,000,000 and imprisonment for 2 years (Section 10 of the endangered Species Ordinance).

⁵ Based on a review of Government press releases between 2013-2017