



Clerk to Panel on Environmental Affairs
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

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Dear Sir/Madam,

Thank you for the opportunity to provide our views on the protection of endangered animals and plants.

Born Free promotes compassionate conservation to enhance the survival of threatened species in the wild, protect natural habitats and safeguard the welfare of individual animals. We seek to have a positive impact on animals in the wild and their ecosystems in perpetuity, for their own intrinsic value and for the critical roles they play within the natural world.

At both national and international levels, we work on issues impacting wildlife species, through engagement with governments, local communities and other stakeholders. Taken as a whole, this work gives us an in depth understanding of the threats facing wildlife today, from human-wildlife conflict and displacement of wildlife populations caused by human population growth and habitat loss, to the cascading impacts of invasive species on entire ecosystems.

Already threatened species are the ones most vulnerable, and it is often these species which face one of the most pernicious and catastrophic threats - the illegal trade in live animals, parts and derived products. Hong Kong has been identified as a significant hub for such trade, which can be highly organised and involve criminal syndicates operating with impunity across multiple jurisdictions, corrupting government officials in the process of moving their 'product' from source to market.

Often, these syndicates are implicated in other forms of serious criminality such as drug, small arms and human trafficking. Tragically, wildlife trafficking is seen as a low risk, high reward activity and this perception is often justified. Detection rates are low, and arrest, prosecution and conviction of upper level syndicate members is even rarer. Even when convictions are obtained, penalties are often inadequate to act as an effective deterrent.

Providing a legal framework which is fit for purpose is critical, as is its full application. We therefore urge that national legislation as well as measures agreed under international multilateral agreements are implemented robustly. Born Free also encourages the Hong Kong government to categorise wildlife trafficking as both 'serious' and as carried out by an


group', as per UN Convention Against Transnational Organised Crime (UNTOC) definition¹. This would not only increase the penalties available but also allow the Hong Kong government to freeze and forfeit the proceeds of wildlife crime. Both would act as powerful deterrents.

Tools to facilitate arrest and prosecution contained within the UNTOC and the UN Convention Against Corruption should be fully utilised. Noting Hong Kong's membership in the Asia/Pacific Group on Money Laundering, we encourage Hong Kong to apply the Financial Action Task Force Recommendations to cases of wildlife trafficking, in order to effectively cripple such illicit use of the Hong Kong's financial system.

Accompanying this must be the creation of an enforcement environment which fully supports the key roles played by interlinked multiple actors in the prevention of wildlife crime, including police, customs officials, navy and military. This co-ordinated approach should equip all relevant agencies with the capability to detect, investigate, develop and act on intelligence, and successfully prosecute significant wildlife criminals.

Born Free respectfully urges the Hong Kong government to consider the above information and take the necessary steps to enable an improved national response to wildlife trafficking, thereby adequately addressing its implication in these crimes and providing much needed support to countries impacted by the loss of their iconic wildlife.

Yours sincerely



Gabriel Fava

Associate Director, Asia and Oceania

¹ https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THEREO.pdf