



世界自然基金會
香港分會

WWF-Hong Kong

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Chairman and Members of Panel on Environmental Affairs, Legislative Council

(c/o Clerk to Panel on Environmental Affairs)

Legislative Council Complex,

1 Legislative Council Road, Central, Hong Kong

28 October 2019

(By post and e-mail)

Dear Sir/Madam,

Re: Panel on Environmental Affairs Meeting on 28 October 2019, agenda item #II and #III
“Items for discussion at the next meeting and Briefing by the Secretary for the
Environment on the Chief Executive's 2019 Policy Address”

We understand the above captioned will be discussed during the meeting of the Panel on Environmental Affairs on 28 October 2019. WWF-Hong Kong strongly suggests that Chinese white dolphin (CWD) conservation should be placed on the priority list for discussion.

Currently, just 32 individuals are estimated by AFCD to remain in Hong Kong waters, a decline of more than 80 per cent in the last 15 years. The record-low figures highlight the urgent need for immediate action to keep dolphins in our coastal waters. CWDs were once common in waters off north and northeast Lantau. But with ongoing and proposed construction developments and reclamation works, including the third airport runway project, Tung Chung New Town Extension, and Siu Ho Wan Reclamation, they now rarely frequent this area. Some individuals were found shifting their home range southwards to west and south Lantau waters, which are likely the few remaining favourable habitats in Hong Kong waters.

In this year's policy address, WWF suggested the Government to take immediate action to save Hong Kong's dolphin by managing the western and southern waters off Lantau Island as a dolphin conservation management area, with critical foraging and resting habitats strictly managed for vessel traffic and speed and ecotourism well-managed. Existing marine parks should be expanded and connected to establish a science-based, well-connected, and well-managed network of critical habitats to help stabilise and recover the remaining dolphin population. Critically, vessel traffic and noise, as well as dolphin ecotourism activities, must be stringently managed in these waters in order to give the remaining dolphins a chance for survival.

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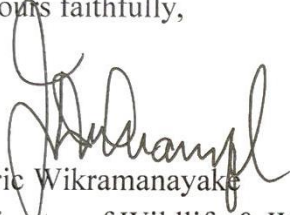
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The Policy Address launched on 16 October 2019 mentioned “*Regional co-operation: Press ahead with the ecological civilisation construction in the GBA, in accordance with the strategic policy of the Outline Development Plan for the GBA.*” However, there is no concrete plan being laid out in the document regarding CWD conservation. We understand that the Agriculture, Fisheries and Conservation Department is currently working on Hong Kong’s Biodiversity Strategy and Action Plan, reviewing and strengthening existing species action plans for CWD but there is no solid conservation plan as yet.

Scientists have suggested that if there are no constructive measures immediately, there would be no CWD remaining in HK waters in the coming years. There is still a chance to save our dolphins but that window is closing rapidly. The future of the dolphins requires the urgent attention of the policy makers. WWF requests that dolphin conservation is placed as a priority in the discussions in the Panel on Environmental Affairs.

WWF recently convened a CWD urgent action workshop with specialists from across the GBA to identify some critical habitats and management recommendations requiring urgent action to help give the CWD a viable future in the GBA, including the coastal waters of Hong Kong. We, collectively, stand ready to work with the Government to help secure a future for Hong Kong’s dolphins.

Yours faithfully,



Eric Wikramanayake
Director of Wildlife & Wetlands
WWF-Hong Kong

Encl.

WWF-Hong Kong
Recommendations for 2019-2020 Policy Address





Transform Hong Kong into Asia's Most Sustainable City

WWF-Hong Kong urges the Government to review, further consider, and implement the 2018-2019 Policy recommendations that were submitted last year. These remain important and deserve further consideration. For the 2019-2020 Policy Address, WWF-Hong Kong recommends the following policies for consideration and adoption by the Chief Executive:

1. Expanding Marine Protected Areas: Critical for our Coastal Waters

WWF-Hong Kong continues to stress the importance for Government to designate and expand marine protected areas (MPA), in particular West and South Lantau waters, with strict smaller no-take zones embedded within the MPA as they have enormous biodiversity and fisheries benefits when properly configured and enforced. MPAs are essential for restoring the health and resilience of coastal waters. We look forward to a true no-take zone in Hoi Ha Wan Marine Park in the near future.

MPA networks need to be developed and managed within a broader program of marine spatial planning and watershed management. A robust MPA network helps fulfil Hong Kong's obligation under the Convention of Biological Diversity and its own actions planned for dolphins and other marine species under the Government's Biodiversity Strategy and Action Plan. WWF Hong Kong considers active measures will be needed by the Government to:

- i. Allocate budget to conduct feasibility studies for the establishment of MPA more broadly in 30% of waters in Hong Kong, to identify a network of science-based strict no-take reserves, fisheries management zones, community-based fisheries reserves, and other marine protected area designations;
- ii. Designate an expanded network of strict no-take zones embedded within the MPA system as they have enormous biodiversity and fisheries benefits when properly configured and enforced.

This Year is probably the last chance for Hong Kong to Save its Iconic Chinese White Dolphins

The decreasing dolphin population in Hong Kong is an urgent call for Western and Southern Lantau waters be managed as Hong Kong's Dolphin Conservation

Management Zone with several nearshore critical habitat zones where the speed and use of vessels will be strictly managed. The Lantau Dolphin Conservation Management Zone can contribute to Hong Kong's ongoing efforts to expand the marine protected area system to cover 30% of Hong Kong's marine environment by 2030, through gazettement of a network of science-based strict no-take reserves, fisheries management zones, community-based fishery reserves, and other MPA designations benefitting from well-enforced and science-based management.

The dolphins have been found shifting their favored habitat southwards since 2015, likely in response to disturbance associated with multiple coastal development projects underway in North and Northeast Lantau waters. On top of the challenging conditions off South Lantau stemming from boat and ship noise disturbance and potential collisions with vessels, a sound propagation modelling study conducted by WWF Hong Kong last year estimated that the soon-commencing pile-driving for the construction of liquefied natural gas terminal off Southeast Soko Islands is likely to significantly disturb dolphins in the area, including those found in the proposed South Lantau Marine Park. This activity further threatens the shrinking local dolphin population. Much of the critical dolphin habitats that have been identified by both Agriculture, Fisheries and Conservation Department's monitoring report and WWF's underwater sound studies are not within any currently committed marine parks. The existing and proposed marine park as a mitigation area for the third runway construction does not meaningfully address the needs of the dolphins. They are not utilizing the reserve habitat as they did before the construction and there is no sign of their return. To stabilize and recover the remaining dolphin population, WWF Hong Kong proposes the following measures be adopted by the Government as a matter of urgency:

- i. Expand and connect the existing marine parks to establish a science-based, well-connected, and well-managed network of critical foraging, socializing, and resting habitats. By 2020, establish Dolphin Conservation Management Zone across the Western and Southern Lantau waters, with critical foraging and resting habitats strictly managed in terms of vessel traffic and speed;
- ii. Set up a community-based working group that includes relevant government authorities, academics, NGOs, local community, dolphin-tourism companies, fishers, and village leaders to co-manage the Dolphin Conservation Management Zone;
- iii. Require development projects to robustly assess the impacts of construction, especially noise impacts associated with piling placement, on local Chinese White Dolphin (CWD) populations in the Environmental Impact Assessment.

WWF-Hong Kong reiterates that reclamation of marine areas should be avoided as it destroys important coastal habitats that are important for the survival of the CWD, finless porpoise, and many other marine species. Putting rocks in the ocean is not a good way to treat our planet.

2. Treat wildlife crime as a serious crime to comply with Hong Kong's international obligations

Hong Kong is now being recognized as an illegal wildlife trading hub globally which is a very poor image for the city. To address the issue effectively, fundamental change in our approach will be needed to include wildlife crime offences under Schedule 1 of the Organized and Serious Crimes Ordinance (OSCO) to further deter transnational criminal enterprises who use Hong Kong as a major port and transportation hub for wildlife smuggling. We must do more by treating wildlife crime as a predicate offence for money laundering and use Anti-Money Laundering (AML) tools in the prosecution of wildlife crime offences, in compliance with the Financial Action Task Force (FATF) Recommendation 30.

Between 2013 and 2017, a total of HK\$560 million worth of wildlife products were seized. These included illegal ivory, pangolin scales and rhino horns, potentially equal to what would be found on 3,000 dead elephants, 65,000 dead pangolins and 51 dead rhinoceros. The January 2019 container seizure had 1,000 tusks and 8 tonnes of pangolin scale alone in a single shipment from Nigeria. Among the 379 seizures from 2013 to 2017 revealed in a recent report, most came from shipping containers arriving from at least 45 countries, with about 70% from East Africa. However, only **1%** of the cases led to prosecution.

The ivory and pangolin trade in Africa meets the definitions of organized crime of United Nations Office on Drugs and Crime (UNODC) and the Hong Kong Government. This high volume and high value trade network does not change from a highly organized criminal network to unorganized crime when it arrives in Hong Kong or other Asian ports. Upgrading of wildlife crime offences in Hong Kong will not only facilitate prosecution, but also enable investigations into money laundering. In compliance with FATF and Convention on International Trade in Endangered Species of Wild (CITES) recommendations, AML tools can be used in the prosecution of wildlife crime offences. This would enable compliance with FATF Recommendation 30 and generally accrue three operational benefits including: identifying additional evidence to support the prosecution of the predicate offence; identifying others involved in the wider criminal network; and identifying the profit from the crime, enabling successful restraint and eventual confiscation of the proceeds.

With Hong Kong vigorously pursuing free trade policy and firmly believing in multilateral trading system, the OSCO upgrading will ensure that Hong Kong fulfills its commitments to Asia-Pacific Economic Cooperation (APEC) on illegal wildlife trade (IWT). Strengthening actions on IWT is also in line with Hong Kong's commitments outlined in APEC agreements: 26th APEC Ministerial Meeting, and the APEC 2015 Leaders' Declaration to take actions to combat wildlife trafficking and related corruption. WWF urges Government to:

- i. Include wildlife crime offences under Schedule 1 of the OSCO to further deter transnational criminal enterprises who use Hong Kong as a route for wildlife smuggling so that our enforcement agency can tackle criminal enterprises with a holistic view as a whole, from source to buyer and smuggler to kingpin, instead of focusing solely on smugglers, who have less influence in the criminal enterprises;
- ii. Further strengthen communications with source countries of wildlife products through Hong Kong Police Force's Crime and Security Department and its Liaison Bureau to develop criminal intelligence on wildlife transnational crime syndicates;
- iii. Further strengthen Government's Wildlife Crime Task Force and work more closely with China's National Inter-agency CITES Enforcement Coordination Group, the International Consortium on Combating Wildlife Crime and other regional Wildlife Enforcement Networks. This will help intelligence analysis and resources tasking, which are needed to identify and tackle illegally sourced, exported, or re-exported wildlife products.

Time is running out for African elephants, rhinoceros, tigers, and several marine species, plus thousands of other species, many of which are specifically threatened by trade into and through Hong Kong. Their extinction in the wild looms within years, not decades, and the time to act is now.

3. Decarbonisation with a clear & regulated target to limit global warming to 1.5°C

Business as usual (BAU) is not an option anymore, it is inevitable for all governments to deal with the Climate Crisis. Time is running out for effective action to address the climate emergency and global heating, as stridently conveyed in the IPCC's latest Special Report. Effective action requires participation from all stakeholders, especially government in policy making or enactment of law and regulations, and to bring about transformative change away from BAU.

Government's continued support is important to the city's decarbonization. We urge the Government to introduce a decarbonisation financing scheme that replicates the success of energy efficiency and renewable energy projects within government properties to all open spaces, government infrastructure, such as highway noise enclosures and privately-owned buildings. We also urge the Government to set a 50% energy saving improvement target by 2050 with a mandatory climate change mitigation and adaptation building scheme for all new and existing buildings; to set a 10% renewable energy target by 2030 and implement low-carbon pilot villages in local communities; and to establish an extensive native-species reforestation program for extant grassland areas to contribute to carbon sequestration and make Hong Kong more carbon neutral.

To reach the ambitious 10% renewable energy goal by 2030, one of the solutions will be for Hong Kong to diversify and magnify solar PV technology, by placing solar PV systems on government and community buildings, in open spaces, along vertical faces of buildings, and on highway infrastructure with large surface areas, such as noise enclosures. In this connection, the Government can leverage available and particularly solar energy innovations in vertical solar panels and curtain walls that suit the unique skyscraper city design in Hong Kong. For a long-term decarbonisation strategy, building energy efficiency is a key focus area to reduce electricity consumption across the city. To help achieve this, the Hong Kong green building model should be made mandatory and add a focus on climate change. One can incentivize decarbonisation locally and regionally via financing by HKSAR-based institutions. WWF advocates the following actions from the Government:

- i. The Chief Executive to lead all government departments, public bodies, and agencies to develop and commit to science-based targets in line with limiting global warming to 1.5°C;
- ii. Set up a policy framework by exploring all options available including through legally binding carbon budget as appropriate to contribute to limiting global warming to 1.5°C with a 50% energy saving improvement target by 2050;
- iii. Formulate a central procurement policy in line with limiting global warming to 1.5°C;
- iv. Introduce a decarbonisation financing scheme that replicates the success of energy efficiency and renewable energy projects within government properties to all open spaces and privately-owned buildings;
- v. Establish a mandatory climate change mitigation and adaptation building scheme to all new and existing buildings;
- vi. Set a 10% renewable energy target by 2030 and implement low-carbon pilot villages in local communities powered by solar energy;
- vii. Establish an extensive, whole landscape-scale native-species reforestation program for extant grassland areas to contribute to carbon sequestration with a view to making Hong Kong more carbon neutral.

4. Increase Hong Kong's Integration of Sustainably Produced/Marketed Natural Resources and Decrease its Ecological Footprint

Awareness on sustainable lifestyles has risen in Hong Kong in the past few years on the use of biological resources such as shark fin, seafood, paper and non-biological resources such as plastic. However, a gap between awareness and action still exists in Hong Kong. Hong Kong's ecological footprint is the second worst per-capita in the Asia-Pacific region and tenth worst globally. If everyone led the lifestyle of Hong Kongers, 4.2 Earths would be required to fulfil our resource needs in 2019, a significant increase from the 2016 figure of 3.9 Earths. Consumption and trade in some of these species is even leading to listings as threatened species.

We urge the Government to effectively regulate labelling to increase transparency on wildlife food products and their provenance and means of production; and to promote the use and importance of moving to natural resources that are being produced in ways that are biologically sustainable with a pilot project focused on pre-packaged marine species. To change market practice, motivation will be useful. We suggest the Government to develop a city-wide credit rebate system to provide incentives to businesses and consumers for promoting sustainable products.

Hong Kong is not only a leading international city, but also a trading hub and consumption center for different products around the world. Incentivizing businesses and consumers toward practicing sustainable consumption can help reduce Hong Kong's negative impact on the world's natural resources and, also, act as a driver for a growing green economy — an important step towards Hong Kong becoming the most sustainable city in Asia. WWF Hong Kong recommends the Government to implement the below strategies:

- i. Regulate labelling and increase transparency on wildlife food products with a pilot project focused on pre-packaged marine species;
- ii. Lead the society towards sustainable consumption through the launch of a 'credit-rebate system', to encourage businesses to trade more sustainable products and reward consumers and retailers for practicing sustainable trade and consumption;
- iii. Ban all polystyrene tableware by 2022;
- iv. Provide a clear timeline on phasing out all single-use plastic tableware upon completion of the Government's consultancy in 2021;
- v. Establish an aid fund for the food and beverage industry to roll out incentive schemes for customers to bring their own cutlery and container;
- vi. Implement the Pilot Scheme on Collection and Recycling Services of Plastic Recyclable Materials in Sai Kung and Central piers;
- vii. Develop a regulated Extended Producer Responsibility (EPR) system for plastic packaging and tableware in supermarket and food and beverage industry.

5. Securing the future for land of ecological importance

One-third of land in Hong Kong is not regulated by any statutory land use planning and control system (Fig. 1). In particular, private land with ecological value is vulnerable to unauthorized habitat destruction activities, modification of land use and development pressure. Our precious local biodiversity is at risk and WWF Hong Kong supports a Conservation Trust Initiative that resolves the current land rights deadlock to provide feasible alternatives for landowners to release land for biodiversity conservation by the Trust. This can assure the best outcome for use of

ecologically important land by the Trust working with communities on areas set aside for eco experiences and habitat management.

We consider it extremely important for the Government to improve land use planning and to enable the Planning Department to take enforcement action against unauthorized development in both areas that are solely covered by Outline Zoning Plans (OZPs) without any Development Permission Area (DPA) Plans and areas that have no statutory land use plans. For example, the South Lantau area (indicated in the inset map in Fig. 1) with high conservation value, is covered by OZPs only and without any DPA Plan. This key biodiversity and ecosystem service coastline needs protection from unauthorized development. We urge the Government to consider these measures:

- i. Cover all land by statutory land use planning with DPA Plans and regulate land uses under OZPs;
- ii. Establish a regulated Conservation Trust to provide feasible alternatives to the landowners, such as land swaps, to resolve the current land rights deadlock, while securing land for biodiversity conservation through negotiation and long-term financing.

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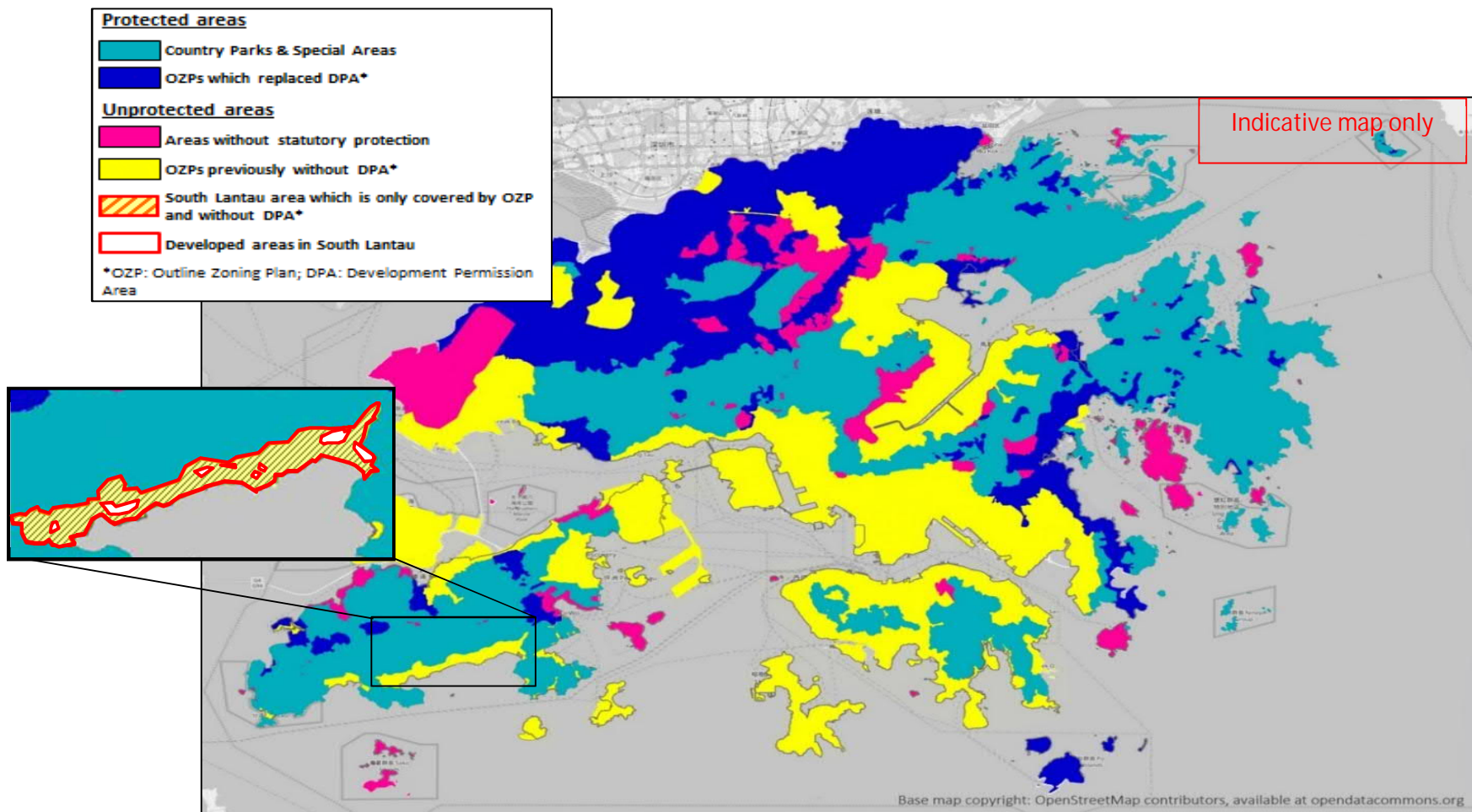


Figure 1. Location of statutorily protected and unprotected areas in Hong Kong (Adapted from Hong Kong Bird Watching Society¹ with revised legend and additional information added by WWF-Hong Kong in July 2019)

¹ Hong Kong Bird Watching Society. 2018. Hong Kong Headline Indicators for Biodiversity & Conservation 2015-2017 Report. Hong Kong Bird Watching Society, Hong Kong SAR. 48 pp.