



Room 2006, 20th floor, Murray Building, Garden Road, Central, Hong Kong
Tel: 848 2551 Fax: 845 3489
香港中環花園道美利大廈20樓2006室 • 電話: 848 2551 傳真機: 845 3489

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Control on Trade in Endangered Species in Hong Kong

Introduction

This paper gives an account of the control on trade in endangered species in Hong Kong.

Background

2. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) seeks to protect endangered species from over-exploitation by controlling international trade in them through a permit system. Trade is allowed under a permit if the endangered species are obtained in a way not detrimental to the survival of the species.

3. In Hong Kong, CITES is implemented through the enforcement of the Animals and Plants (Protection of Endangered Species) Ordinance, Cap 187. The Ordinance provides that no person shall import, export or possess any endangered species, or parts and derivatives of such species, except under and in accordance with a licence issued by the Director of Agriculture and Fisheries. The licensing policy follows closely the spirit of CITES.

4. A statutory Endangered Species Advisory Committee is established to advise the Director of Agriculture and Fisheries on matters relating to the administration of the Ordinance. Current members comprise a legislative councillor, environmentalists, scientists, traders and representatives from Economic Services Branch, Trade Department, Customs and Excise Department and Agriculture and Fisheries Department (AFD).

Enforcement

5. In January 1995, the penalties for offences under the Ordinance were sharply increased to provide an effective deterrent against illegal trade in endangered species. The maximum penalty for illegal import, export or possession of a highly endangered species or a medicine containing or claiming to contain rhinoceros or tiger ingredients for a commercial purpose is a fine of \$5,000,000 and 2 years' imprisonment (used to be \$25,000 and 6 months' imprisonment for first-time offenders).

6. Customs officers and enforcement officers of AFD are responsible for screening and checking wildlife consignments at points of entry and departure. Consignments of endangered species items not covered by valid licences are seized and investigated. Additional controls within Hong Kong are administered by AFD to regulate internal trading and possession of endangered species items. The Police is responsible for investigating any information which suggests possible involvement of organized crime.

7. All three departments mentioned in para. 6 above are members of the Endangered Species Protection Liaison Group. The Group meets regularly to exchange information, to co-ordinate major enforcement operations and publicity campaigns relating to the enforcement of the endangered species legislation. It also meets with representatives of non-governmental organizations to discuss issues related to the control of international trade in endangered species in Hong Kong.

8. With stepped-up enforcement, the numbers of seizures and prosecutions in respect of endangered species increased from 280 seizures and 150 prosecutions in 1991 to 550 seizures and 410 prosecutions in 1995. For the first 6 months of 1996, there were 230 seizures and 250 prosecutions. These seizures involved mainly (a) tourists coming to Hong Kong or residents returning from neighbouring countries, bringing with them specimens as souvenirs, tonic cuisine or pets; and (b) local shops offering endangered species items for sale. The items seized include pangolin scales; items claimed to be tiger bone, rhinoceros horn or bear gall bladder; musk pods and grain; ivory; stuffed crocodile and sea turtle specimens; skins of pythons, monitor lizards and crocodiles; medicines claiming to contain rhinoceros or tiger ingredients; and live parrots.

9. Hong Kong Government made a contribution of US\$150,000 to the CITES Secretariat in late 1995 in response to a resolution of CITES for donations to support an "Enforcement Project" with the following priorities -

- (a) appointment of additional officers to the CITES Secretariat to work on enforcement-related matters;
- (b) assistance in the development and implementation of regional law-enforcement agreements; and
- (c) training and technical assistance to the Parties.

As requested by the Hong Kong Government, part of our donation will be used to organize training seminars in Hong Kong (see para. 12 below).

Training

10. Since January 1995, 13 enforcement officers of the AFD attended investigation and enforcement training courses organized by the Customs and the Police. Officers of the department also trained Customs Inspectors and staff of SECURAIR (the company responsible for the checking of onboard luggage at the airport) to equip them with knowledge of CITES. AFD officers also assisted in the production of teaching videos on endangered species legislation for Customs officers.

11. One officer of AFD attended a 4-week training attachment to the US Fish and Wildlife Service in USA in September/October 1995 and another officer attended a 2-week International Wildlife Investigation Seminar jointly organized by the US Fish and Wildlife Service and the CITES Secretariat in USA in November/December 1995.

12. Two enforcement training seminars will be held in November 1996 in Hong Kong by the CITES Secretariat with the assistance of AFD. One will be for CITES enforcement officials of the South East Asian region and the other will be a train-the-trainer seminar. The seminars will be funded by part of the Hong Kong contribution to the CITES Secretariat mentioned in para. 9 above.

Liaison with CITES and Overseas Government

13. Every effort is made to ensure close liaison with the CITES Secretariat and relevant overseas government departments in respect of exchange information on illegal import and export of endangered species. There are regular contacts with the Chinese CITES Management Authority at the central government and provincial government levels. A delegation from Korea will come to Hong Kong in September 1996 to study our licensing and control system on trade in bear gall bladders.

14. Regular meetings are held with relevant traders and concerned non-governmental organizations to exchange views and information to strengthen overall work in endangered species protection.

15. To keep abreast of development and to share Hong Kong's experience on CITES implementation, AFD staff attended -

- (a) a seminar on CITES implementation in Korea in March 1995;
- (b) the CITES Asian Regional meeting in Tokyo in October 1995; and
- (c) a Workshop on the Control of Wildlife Trade in Asian Region in Beijing in October 1995.

A representative from AFD will also attend a workshop on edible birdnest in Indonesia in November 1996.

Public Education

16. There is a comprehensive public education programme on the conservation of endangered species. The aims are to change public attitude towards consumption of endangered species and to increase public awareness of the relevant licensing control. The main elements of the programme include -

- (a) posters at the airport and other entry and departure points;

- (b) advisory leaflets and circulars to animal traders, tour companies and tour guides and the public in general;
 - (c) announcements on television and radio;
 - (d) press releases on successful raids and prosecutions to remind traders of the provisions of the law and the public of the need for endangered species conservation;
 - (e) displays of endangered species at the arrival and departure halls of the Hong Kong International Airport and in country park visitor centres; and
 - (f) video programmes for school teachers and students.
17. To supplement this, special events are organized from time to time. These include -
- (a) an International Symposium on Traditional Chinese Medicine and Wildlife Conservation jointly organized with TRAFFIC East Asia in October 1995 to bring traditional medicine specialists and conservationists together to discuss their roles in wildlife conservation;
 - (b) a TV documentary (by Radio Television Hong Kong) on endangered species protection work in October 1995;
 - (c) publicity through an Endangered Species Poster Design Competition jointly organized with two local newspapers in 1995/96;
 - (d) publicity through a competition on endangered species protection involving the use of a computer to be jointly organized by AFD and a local newspaper in 1996/97.

Agriculture and Fisheries Department
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