



## CITES SC67 NATIONAL IVORY ACTION PLAN PROGRESS REPORT

Prepared for the 67th meeting of the CITES Standing Committee

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Party: Hong Kong SAR, China

Reporting period: September 2015 – June 2016

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### **PART A: Synopsis of NIAP implementation**

The Hong Kong SAR government maintained its momentum in carrying out the National Ivory Action Plan (NIAP). All the major actions reported in the last progress report including comprehensive stock checks to the licensees that possess ivory for commercial purposes, monitoring the local ivory market, deploying sniffer dogs at various control points to assist inspection and enforcement operation, application of tamper-proof hologram to pre-Convention tusk and large cut piece imported to Hong Kong, publicity and education programmes of elephant conservation and disposal of ivory by incineration were all assessed to be substantially achieved by the CITES Standing Committee at the SC66 meeting. While these actions are continued to be carried out in Hong Kong, the focus of the current progress report is to present the further measures taken to implement the NIAP and the new policy to strengthen control of trade in elephant ivory and the phasing out of the local trade in elephant ivory.

### **Progress to date**

Further measures to tighten the domestic ivory trade were implemented through extending individual markings to worked ivory over 0.1 kg by providing tamper-proof

holograms to all the worked ivory that were registered with the Government. Individual photo records are also taken for each ivory item labeled with hologram. So far, about 50 of the licensees have their ivory stock labeled with hologram

To strengthen the inter-departmental collaboration on combating wildlife crime, a “Wildlife Crime Task Force” comprising representatives from Agriculture, Fisheries and Conservation Department (CITES Management Authority of HKSAR), the Environment Bureau, Hong Kong Customs and Hong Kong Police was formed recently to develop strategies and protocols for enforcement operations and co-ordinate liaison with other national and international agencies.

To further contribute to the conservation of African elephants, the Chief Executive of Hong Kong Special Administrative Region announced in his 2016 Policy Address in January 2016 that the Government will initiate the legislative procedures as soon as possible to ban the import and export of elephant hunting trophies and actively explore other appropriate measures including enacting legislation to further ban the import and export of ivory and phase out local ivory trade, and imposing heavier penalties on smuggling and illegal trading of endangered species.

The Government has formulated the proposed strategy to ban the import and re-export of elephant hunting trophies, to ban the import and re-export of pre-Convention ivory and eventually to phase out the local ivory. It is proposed to amend the local legislation to effect this three-step plan to phase out the local trade in ivory. Penalties under the same legislation will also be reviewed for the purpose to impose a stronger deterrent effect to illegal trade of endangered species. The proposal has been in consultation with trade and legislative council members of HKSAR Government.

#### **Future outlook**

The HKSAR Government is committed to the protection of endangered species including elephants, and abides by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in regulation of trade in endangered species including elephants.

The Hong Kong SAR CITES Management Authority continues to apply the hologram on worked ivory that was registered with the Government to minimize the opportunity of laundering of illegal ivory into domestic market.

With the setup of Wildlife Crime Task Force, it is anticipated that more complicated wildlife crime could be handled more effectively. Also, more joint operations among the enforcement departments could be mounted to detect and deter illegal wildlife trade including ivory.

For the legislation amendment, after taking into account the comments received from various stakeholders, the proposed legislative framework will be further developed. It is aimed to submit a bill to implement the three-step plan to the legislative council in the first half of 2017.

**PART B: Summary evaluation of actions (assigned progress ratings)**

CATEGORY/PILLAR	PROGRESS RATING					
	Substantially achieved	On track	Limited progress	Pending completion of another action	Not commenced	Unclear
1. [Regulation of domestic trade]	1.1 Tighten control of domestic ivory trade					
2. [Enforcement]	2.1 enhanced enforcement collaboration					
3. [Policy to combat illegal ivory trade ]		3.1 Legislation amendment				

**PART C: Detailed evaluation of actions**

ACTION	EVALUATION	SUMMARY OF PROGRESS (and <i>comments</i> )
<b>CATEGORY 1: [Regulation of domestic trade]</b>		
1.1 [Tighten control of domestic ivory trade]	<b>[Substantially achieved]</b>	<ul style="list-style-type: none"> <li>• Further to the measures reported in the last progress report in monitoring the domestic ivory trade, to prevent potential laundering of illegal ivory, individual markings are extended to worked ivory over 0.1 kg by providing tamper-proof holograms to all the pre-ban worked ivory. Individual photo records are also taken for each ivory items labeled with hologram.</li> <li>• So far, about 50 of the licensees have their ivory stock labeled with hologram.</li> </ul>
<b>CATEGORY 2: [Enforcement]</b>		
2.1 [Enhanced enforcement collaboration]	<b>[Substantially achieved]</b>	<ul style="list-style-type: none"> <li>• To further strengthen the inter-departmental collaboration on combating wildlife crime, a “Wildlife Crime Task Force” was formed recently</li> <li>• The Task Force comprising representatives from Agriculture, Fisheries and Conservation Department (CITES MA of HKSAR), the Environment Bureau, Hong Kong Customs and Hong Kong Police will develop strategies and protocols for enforcement operations as well as gather, analyze, exchange and review intelligence for more effective and targeted actions.</li> <li>• The Task Force will also plan and coordinate major joint enforcement operations and co-ordinate liaison with other national and international agencies, including overseas CITES Management Authorities, Interpol, the World Customs Organisation and non-governmental organisations in relation to wildlife crimes.</li> </ul>
<b>CATEGORY 3: [Policy to combat illegal ivory trade]</b>		
3.1 [Legislation Amendment]	<b>[on track]</b>	<ul style="list-style-type: none"> <li>• It is proposed to amend the Protection of Endangered Species of Animals and Plants Ordinance (the Ordinance), the local legislation that gives effect to CITES implementation in Hong Kong, to effect a three –step plan to phase out the local trade in ivory, brief account of the three steps approach as follows: <ul style="list-style-type: none"> <li><b>Step 1:</b> Ban the import and re-export of hunting trophies, ekipa and certain ivory carvings which are currently treated as specimens of CITES Appendix II under the “split listing” arrangement of CITES for African elephants;</li> <li><b>Step 2:</b> Ban the import and re-export of pre-Convention<sup>1</sup> ivory except “antique ivory” after an appropriate grace period and subject pre-Convention ivory in the local market to licensing control similar to the existing control of pre-ban<sup>2</sup> ivory; and</li> </ul> </li> </ul>

<sup>1</sup> Pre-Convention ivory refers to ivory products which were acquired before 1975 for Asian elephants and 1976 for African elephants. Import and re-export of pre-Convention ivory for commercial purpose are currently allowed subject to the production of a pre-Convention certificate or meeting the relevant licensing requirement.

ACTION	EVALUATION	SUMMARY OF PROGRESS (and <i>comments</i> )
		<p><b>Step 3:</b> Ban the local sale of pre-ban and pre-Convention ivory after a grace period for the traders / owners to dispose of their commercial stock and/or undergo business transformation.</p> <ul style="list-style-type: none"> <li>● Penalties under the Ordinance will also be reviewed for the purpose of providing a much stronger deterrent effect. It is proposed to make the offence under the Ordinance an indictable offence and to increase the maximum fine and imprisonment term.</li> <li>● The initial proposal of the legislation amendment was formed and has been in consultation with traders and legislative council members of HKSAR government.</li> <li>● After taking into account the comments received from various stakeholders, the proposed legislative framework will be further developed. It is aimed to submit a bill to implement the three-step plan to the legislative council in the first half of 2017.</li> </ul>

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The requirement of a Licence to Possess for pre-Convention ivory, no matter for personal or commercial purposes, is exempted under the Ordinance.

<sup>2</sup> Pre-ban ivory refers to those acquired before Hong Kong implemented the international trade ban in 1990 and have been registered by AFCD.

**Part D: Indicators (OPTIONAL)**

[Any indicators included in the NIAP can be shown in this section. Please detail the current state of progress against these indicators, where known. Please specify where monitoring for a particular indicator has not yet occurred and note when this monitoring will take place. Please include any narrative text as required.]

NIAP CATEGORY		Indicator	Performance
[category/pillar name]	1	[List indicator]	[progress against indicator]
	2	[List indicator]	[progress against indicator]

[Text]

**Part E: Annex (supporting information) (OPTIONAL)**

[You may choose to include supporting or more detailed information (e.g. photographs, press releases) in the Annex to help detail the progress that has been achieved and the activities that have been completed. Please group information under the relevant category/action of the plan, and provide links in the text in Parts A and/or C as required (e.g. "See Annex"). Please specify briefly what each piece of supporting material is. Where materials cannot be included in the Annex, please submit them as separate files alongside the progress report, and reference these additional materials within the Annex noting that they have been submitted separately.]

***CATEGORY 1: [name]***

[Description of information provided]

***CATEGORY 2: [name]***

[Description of information provided]

Etc...