

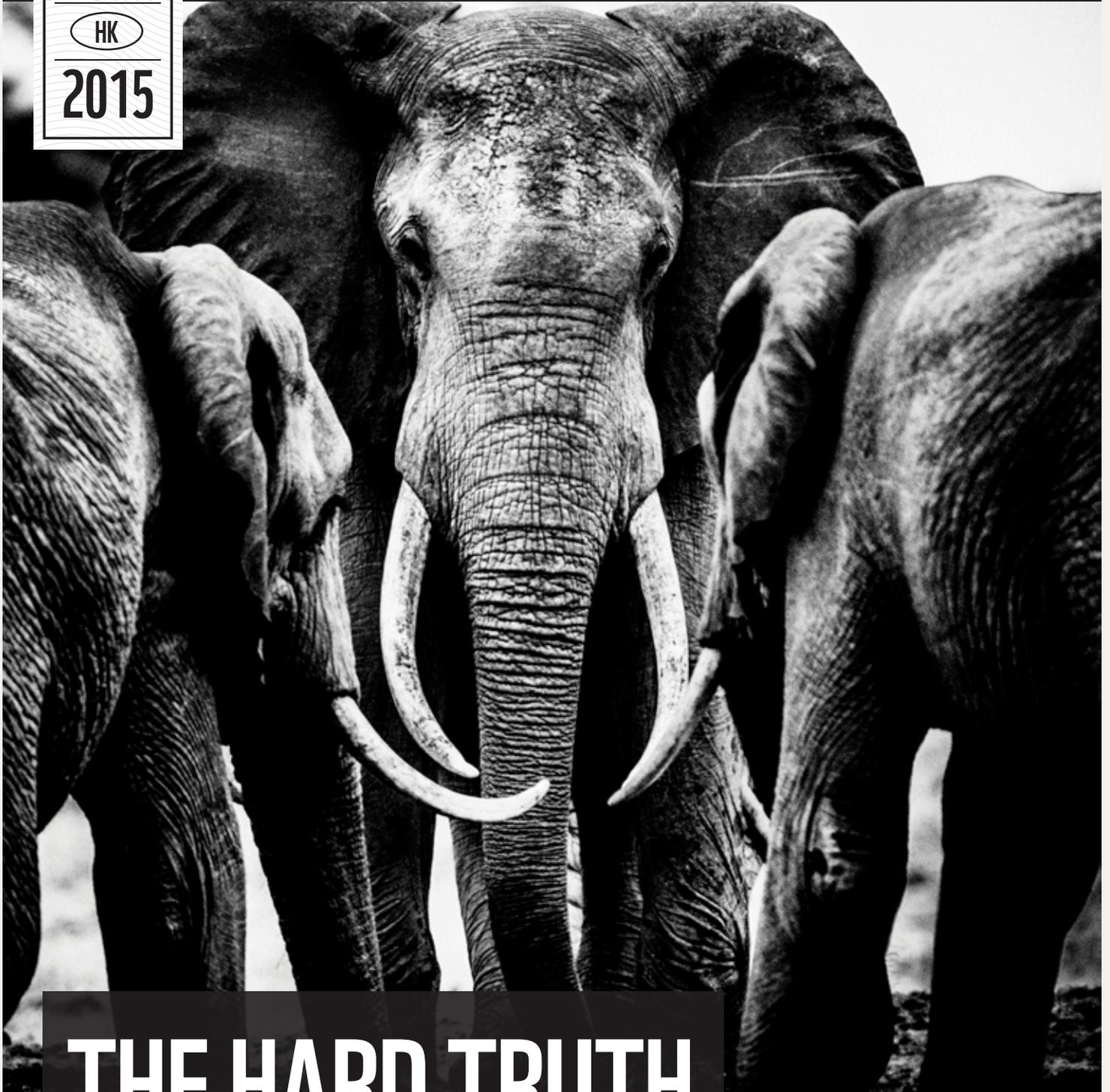


WWF

REPORT

HK

2015



THE HARD TRUTH

How Hong Kong's Ivory Trade is
Fuelling Africa's Elephant Poaching Crisis

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WWF STATEMENT

WWF is one of the world's largest and most experienced independent conservation organizations, with over 5 million supporters and a global network active in more than 100 countries.

WWF's mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature, by conserving the world's biological diversity, ensuring that the use of renewable natural resources is sustainable, and promoting the reduction of pollution and wasteful consumption.

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EXECUTIVE SUMMARY

In recent years, the global illegal wildlife trade has exploded, expanding to meet vastly increased demand for wild animal products. Underpinned by crime syndicates, wildlife is trafficked in the same way as drugs or weapons: it is now the fourth-largest illicit trade, valued at over US\$ 19 billion annually.

Of grave concern to WWF is the effect of this trade on elephants – over 30,000 are killed every year in Africa, primarily for their tusks. The majority of the illegal ivory harvested is sent to Asian markets, particularly China and Thailand, with Hong Kong playing a key role in this trade.

Hong Kong currently has a legal stockpile of ivory taken from wild elephants, amassed before African elephants were listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and enacted in local legislation in 1990. Today, Hong Kong ivory traders claim to conduct their business by using this stockpile from 25 years ago. The current size of this stockpile is 111.3 tonnes and it lies in the possession of over 400 license holders.

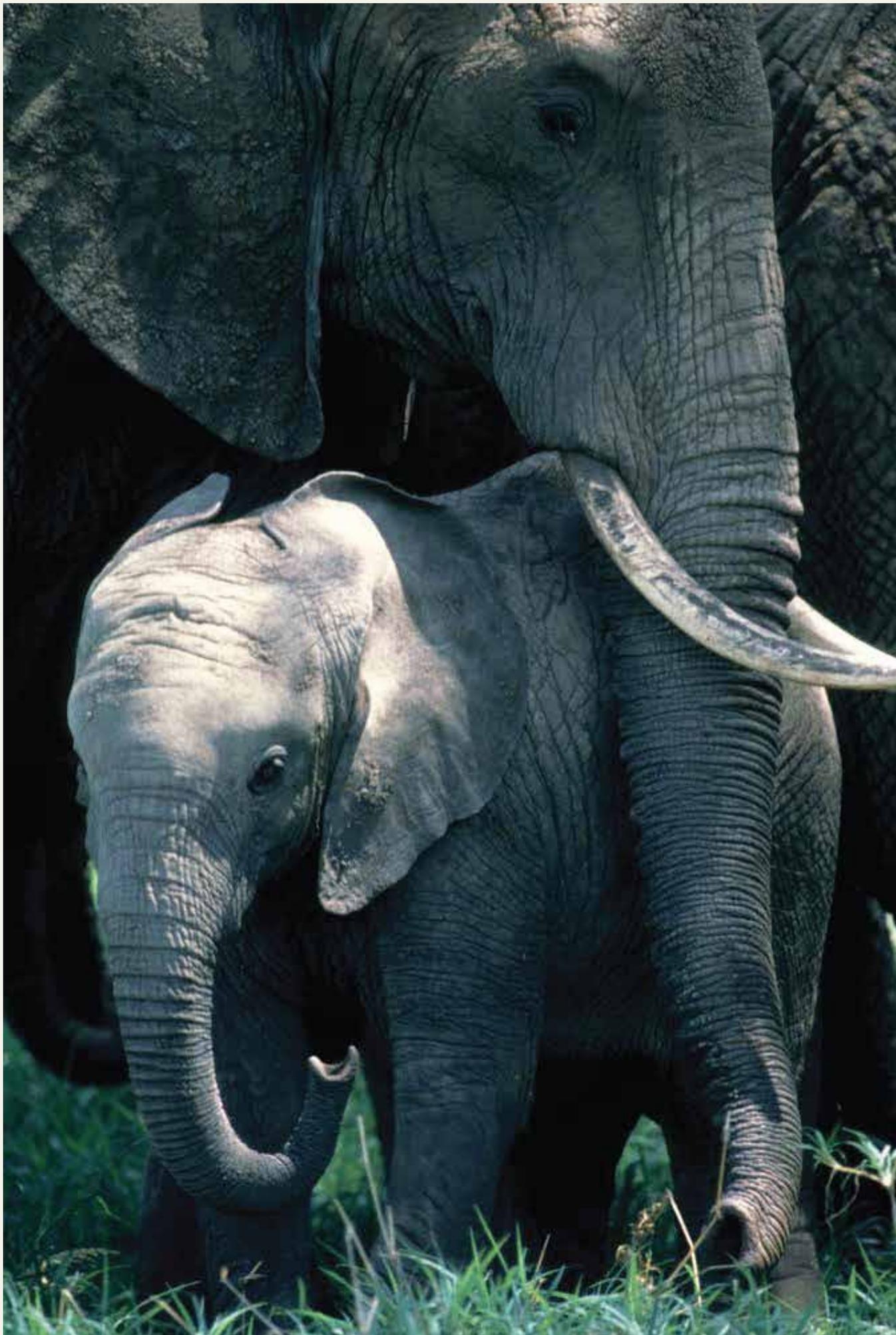
WWF's detailed study of the ivory trade in Hong Kong assesses the effectiveness of the existing regulatory system through an analysis of government data and information from other specialist organizations in the field, supplemented by information collected by field investigators who posed as authentic ivory buyers to conduct interviews with ivory traders. The research has included conversations with three traders, who claimed to have access to at least 15 to 20 tonnes of ivory between them. This is a large sum compared with the 111.3 tonnes of legal ivory stockpile held by all businesses in Hong Kong. All three traders pointed to a number of irregularities in the Hong Kong ivory trade.

The study has uncovered several fundamental flaws in the current regulatory system and evidence of widespread illegality relating to the ivory trade. The evidence in this report demonstrates the systemic flaws in Hong Kong's illegal and under-regulated trade, which is directly fuelling present-day poaching activities in Africa. The study identifies seven major weaknesses in the current system of regulation.

1. Illegal ivory is accessible in Hong Kong. The city ranks fifth globally in terms of the quantity of ivory seized – over 33 tonnes have been confiscated since 2000. A recorded conversation with an ivory trader revealed that a buyer in Hong Kong can make a “purchase order” for ivory directly from Africa, thus fuelling the ongoing poaching crisis.
2. Legal ivory is used as a front for the illegal ivory trade. Traders claim to the government that they are selling very little ivory, yet Hong Kong has an extensive ivory business. One major ivory trader explained that “laundering” is easy, whereby traders use the stockpile of legal ivory as a front while they instead sell smuggled, illegal ivory to unsuspecting buyers.
3. Loopholes exist in the licensing system. These enable the system to be exploited by unscrupulous businesses, perpetuating the illegal ivory trade and driving the rapid decline in elephant populations. A major ivory trader suggested best licensing practices to the government, but this proposal was not adopted. Also, the government does not perform forensic testing to confirm the age of ivory being displayed, stored or sold.
4. The re-export of ivory from Hong Kong without permits is illegal, but rampant. Over 90 per cent of ivory buyers are mainland Chinese tourists, yet it is illegal to take ivory across Hong Kong's borders without a permit. An ivory trader described how buyers can simply smuggle their purchases across the border. This presents a huge challenge to Hong Kong Customs, as the city welcomes 60 million visitors every year.
5. Inadequate deterrents and prosecution. The maximum penalties for smuggling and selling illegal ivory under Hong Kong Law are harsh, but often only low penalties are given. Between 2011 and 2013, most prosecutions resulted in relatively small fines, with only about 10 cases resulting in short prison sentences.
6. Agriculture, Fisheries and Conservation Department (AFCD) has limited resources to inspect ivory traders. There are only eight inspectors who are tasked with checking all the shops selling items derived from rare and threatened species in Hong Kong.
7. The regulatory system lacks transparency. Most key information relating to the ivory trade is not publicly available.

In view of the lack of effectiveness in regulating ivory trafficking and trade and the toll it is taking on elephant populations, it's time to re-write the future of elephants by banning ivory sales in Hong Kong. WWF calls for **the Hong Kong government to rapidly phase out the commercial processing and sale of ivory, based on a firm plan and a short timeline.**

Hong Kong has earned an international reputation as a law-abiding society, and must ensure that this reputation is maintained. The threats posed by global crime syndicates and the legal loopholes in local regulations are a serious challenge to our rule of law, therefore WWF calls the Hong Kong government to take all available measures to disrupt and prosecute those who prey on and profit from the illegal trade. Only firm, robust and immediate action can halt the trade in ivory and save the elephants.



THE ELEPHANT A MAJESTIC ANIMAL



It is the task of the eldest elephant to lead the herd along these routes.

Scientists often discuss the degree to which elephants experience deep emotions, as they have been observed expressing a wide variety of behaviours. These include grief, rituals of mourning their dead, compassion, self-awareness and cooperation (Plotnik et al., 2006, 2011).

CHARACTERISTICS

Elephants are the largest land mammals on Earth. A single calf is born to a female once every four to five years following a gestation period of 22 months. Baby calves can walk within 20 minutes of birth.

Healthy adult elephants have no natural predators. But they require a large amount of food – approximately 150 kg per day (Vancuylenberg, 1977). On average, elephants have a lifespan of around 70 years.

BEHAVIOUR

Elephants are highly intelligent and sociable creatures.

Most elephants live in herds that follow ancient seasonal migration routes. It

THE IMPORTANCE OF ELEPHANTS

THE KEY TO AFRICA'S ECOSYSTEMS

Elephants play a vital role in helping maintain forest and savannah ecosystems for other species. They are also integrally tied to rich biodiversity: they directly influence forest composition and density and can alter the broader landscape. For example in tropical forests, elephants create clearings and gaps in the forest canopy that expose the forest floor to light and

encourage new tree saplings to grow. In drier open savannah areas, they reduce bush cover which creates an environment favoured by a mix of browsing and grazing animals (Engel, 2000).

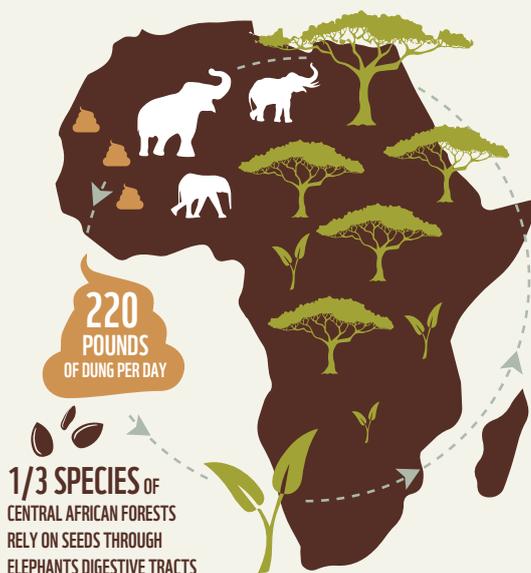
As they graze on vegetation, elephants ingest a variety of seeds which pass through their digestive tracts before being dispersed and eventually germinating. It has been calculated that at least one-third of all tree species in central African forests rely on elephants to distribute their seeds in this way (Redmond, 1996). Meanwhile, Indian elephants can spend up to 19 hours a day feeding and can produce about 220 pounds of dung per day (Vancuylenberg, 1977) while wandering over an area that can be as large as 325 square kilometres. This also aids in the dispersal and germination of seeds.

CONTRIBUTING TO AFRICA'S DEVELOPMENT

Elephants also play a role in human socioeconomic development, in particular in sub-Saharan Africa.

Africa's natural heritage of forests, savannahs and large wild animals, including elephants, is a major driver of tourism – creating jobs and economic development.

In 2014 alone, about 56 million international tourists visited Africa, and arrivals are expected to increase by three to five per cent in the next year (UN World Tourism Organization, 2015). Witnessing a herd of wild elephants on the Serengeti plains of Kenya and Tanzania, or catching a glimpse of a forest elephant in Uganda are just two examples of what draws tourists to Africa.



THREATS FACED BY ELEPHANTS

Once common throughout Africa and Asia, elephant numbers became severely depleted during the 20th century, largely due to poaching and habitat loss.

In Africa the problem is particularly acute. The continent's elephant population numbered between three and five million at the beginning of the last century, but has been severely reduced: today it stands less than 470,000 and is falling rapidly.

This report focuses on African elephants, the survival of which is imminently threatened by illegal poaching and the ivory trade.

ELEPHANT POACHING

More than 30,000 elephants are killed every year primarily for their tusks to satisfy the demand for ivory products in Asia.

There is a human cost involved as well: park rangers, who work to protect nature and wildlife, are often targeted by poachers. According to the Green Line Foundation, 1,000 rangers have been killed in the line of duty in the last 10 years, an average of almost two rangers killed every week.



HABITAT LOSS

As Africa's human population grows and settlements expand, elephants are losing their habitats and ancient migratory routes. Development and the construction of infrastructure have had a devastating effect – for example, the range of elephants in West Africa has shrunk by nearly 95 per cent.



CONFLICT WITH HUMANS

As a result of this habitat loss, elephants are forced into close quarters with humans. When elephants follow their traditional migration corridors through what was once forest or savannah, they are now confronted by roads, field and villages.

Elephants walk into fields without realizing that the fruits and crops they hold are not for them. This leads to a vicious cycle of conflict – local people kill elephants in retaliation for crop losses, and elephants also accidentally kill people in self-defense, then wildlife authorities shoot elephants to protect humans and their property.





An elephant poached in the Democratic Republic of the Congo. The elephant was shot eight times, and has its head removed. The poachers left with the Ivory.



Elephant bones and carcasses litter the ground after the mass slaughter of elephants in northern Cameroon during cross border raids by heavily armed poaching gangs. Estimates of the number of elephants killed in Bouba Ndjida National Park by a gang crossing the border from Chad exceed 200. Their tusks are believed to be supplying Sudan ivory markets that service ivory trafficking to Asia.

THE GLOBAL IVORY TRADE

THE 1989 GLOBAL TRADE BAN

During the 1980s, an estimated 100,000 elephants were killed each year and up to 80 per cent of herds were lost in some regions of Africa. This drastic decline in elephant populations led to an almost complete ban on the international trade of ivory through a listing under CITES in 1989. While the listing outlawed the international trade of ivory, the selling of ivory imported before the ban remained legal.

The ban was successful in eliminating some major global ivory markets, leading to reduced poaching and allowing some elephant populations to begin to make a recovery.

THE 2000'S: RE-EMERGENCE OF ORGANIZED CRIME AND THE POACHING CRISIS

In recent years, a growing demand for ivory, particularly in Asia, has led to a surge in ivory poaching and trafficking. Populations of elephants – mainly in southern and eastern Africa – that had showed signs of recovery have once again been placed at imminent risk (Wittemyer et al., 2014; Wasser et al., 2015).

Recent data also indicates that criminal syndicates are increasingly becoming involved in the ivory trade. 2011 and 2012 marked the highest levels of poaching and illegal trading in rhino horn and elephant ivory (CITES, 2012). While many of the region's poachers are crudely armed (Russo, 2012), there is also evidence of the presence of criminal gangs using sophisticated weapons, as well as cross-border incursions by military helicopters (African Park, 2012).

In more than 50 years of conservation work, WWF has never seen wildlife crime on such a scale. Wildlife crime is now the most serious threat to many species – especially elephants, rhinos and tigers.

As a transnational crime, wildlife trafficking has broad and terrible consequences. The severity and the extent of violence perpetrated by wildlife poachers and traffickers is now threatening peace, security and the rule of law in a number of nations.

Large-scale organized criminal groups are not only involved in the illegal trafficking of wildlife, but also in the trafficking of drugs, arms and people. They have been found to engage in fraud, tax evasion, extortion, corruption, money laundering and murder (Interpol, 2015; UNODC, 2015). There are indications that the proceeds from wildlife trafficking also finance groups of militants and rebels, funding weapons purchases or even terrorist activities (USGPO, 2012; Interpol, n.d.; UNODC, n.d.).



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THE HONG KONG IVORY TRADE

THE LINK BETWEEN AFRICAN ELEPHANTS AND THE HONG KONG IVORY TRADE

HONG KONG IS A MAJOR TRADE HUB FOR ILLEGAL WILDLIFE PRODUCTS

As Hong Kong is situated at the heart of Asia and is widely regarded as a gateway to China, large amounts of illegal ivory extracted from recently-slaughtered elephants in Africa are transited through Hong Kong's ports. Approximately 33 tonnes of illegal ivory was seized in Hong Kong between 2000 and 2013. (TRAFFIC, 2014)



HONG KONG CUSTOMS INTERCEPTED NEARLY 8 TONNES OF IVORY IN 2013, WORTH MORE THAN HK\$80 MILLION



© Alex Hafford



HONG KONG IS THE WORLD'S LARGEST RETAIL MARKET FOR IVORY

Hong Kong is also the city with the world's largest ivory retail market. A 2014-2015 survey determined that 72 retail shops in Hong Kong carried 30,856 elephant ivory items. The number of items for sale was far more than any other surveyed city in the world, including Bangkok, Shanghai and Beijing (Martin, 2015).



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30,856
ELEPHANT IVORY ITEMS

72 RETAIL SHOPS

THE SEVEN WEAKNESSES OF HONG KONG'S CURRENT REGULATORY SYSTEM

The global ban by CITES in 1989 outlawed the international trade in ivory. However any ivory in the possession of traders before 1990 (the listing came into effect on January 18, 1990 (CITES, 2015)) remains legal to sell. The approach of the Hong Kong government has been to regulate the trade of the remaining legal stockpile through a system of licensing, and to monitor this stockpile until it becomes exhausted.

While this strategy may have been practical back in the 1990s, as the legal stockpile dwindles and the demand for ivory grows, there is an increasingly greater financial incentive to prolong the trade – legally or even illegally. Therefore, the Hong Kong government's AFCD is facing mounting challenges in terms of both regulation and enforcement.

WWF embarked on this study of the ivory trade in Hong Kong in order to assess the effectiveness of the existing strategy and to determine whether it is succeeding. The study is based on an analysis of AFCD data and information made available by other specialist organizations in this field such as TRAFFIC, and is supplemented by information provided by field investigators who conducted interviews with ivory traders. The research has included conversations with three traders, who claimed to have access to at least 15 to 20 tonnes of ivory between them. This is a large sum compared with the 111.3 tonnes of legal ivory stockpile held by all businesses in Hong Kong. All three traders pointed to a number of irregularities in the Hong Kong ivory trade.

The study has uncovered several fundamental flaws in the current regulatory system and evidence of widespread illegality related to the ivory trade. Furthermore, the evidence in this report demonstrates that a buyer in Hong Kong can make a “purchase order” for ivory directly from Africa, thus fuelling the on-going poaching crisis. Seven major weaknesses have been identified in the current system of regulation, leading to the conclusion that a rapid phase-out of the trade is both the preferred and the most effective option for government to implement.

WEAKNESS #1 - ILLEGAL IVORY IS ACCESSIBLE IN HONG KONG

HONG KONG RANKS FIFTH GLOBALLY IN TERMS OF THE QUANTITY OF IVORY SEIZED

Between 2000 and 2013, Hong Kong customs seized approximately 33 tonnes of illegal ivory (TRAFFIC, 2014), giving the city a global rank of fifth in terms of the quantity of ivory contraband confiscated. These on-going seizures highlight the city's importance as a major transit hub.

However, the port of Hong Kong handles more than 20 million TEUs (twenty-foot equivalent units) every year and it is only possible to inspect less than one per cent of all incoming cargo and detect only one out of ten illegal wildlife shipments (Cordon & Mulqueeny, 2014). One impact of this is the 2.87 tonnes of ivory that have been seized in China, Singapore and other overseas countries after the contraband had already passed through Hong Kong. (TRAFFIC 2014)

As customs takes a risk-based approach, it is safe to assume that significant quantities of ivory enter the city undetected some of which can then be made available to local traders.



IS THERE PROOF THAT THE LOCAL IVORY TRADE IS DRIVING THE ONGOING POACHING OF ELEPHANTS IN AFRICA?



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Posing as ivory buyers, field investigators were able to visit the warehouse of the ivory wholesalers. Once inside, the trader discussed the smuggling supply chain from Africa to Hong Kong:

可以呀，
有辦法走私的。
Yes, we can do illegal
trafficking ...
Trader C, February 2015



This conversation reveals that this particular Hong Kong ivory trader has a network and supply chain stretching all the way back to Africa. This shows how a purchase order for ivory made by a person in Hong Kong can directly fuel the poaching of elephants in Africa.



TRADER C

走私的我隨便買得到，但是你敢收嗎？你敢收，我敢寄。我在非洲給你寄。

I can buy smuggled ivory anytime, but do you dare to receive them? If you dare, then I can send them to you from Africa.

直接從非洲寄？
Directly from Africa?



INVESTIGATOR

可以呀，有辦法走私的。但是你敢收嗎？反正我是敢發貨。你不敢收貨是你自己的事。
Yes, we can do illegal trafficking, but do you dare to buy? We have no problem in selling, but whether you dare to receive the items is another issue.

你從非洲那裡？
Which country of Africa?

都成啦！
Anywhere!



犀牛我們也攞，現在還在攞不過也是越來越難的啦。

We also sell rhino horn. We are still selling it but it is also getting more and more difficult.

你從非洲進嗎？
Do you import from Africa?



我們以前進口犀牛的時候都是走私的，沒有管制的時候。總之犀牛角就從沒有見過天。
In the past when there was still no control, we import rhino horns by trafficking. Anyway, rhino horn has never been legal.



一般來講，10噸以下的(象牙)我可以隨時接你單子。香港有一些人也有跟我們買，但是他們也有自己進口。

In general, if you are ordering (ivory) of less than 10 tonnes, I can sell it to you anytime. Some Hong Kong traders also buy ivory from us or they may import it themselves.

(The original conversation was conducted in Mandarin and translated approximately into English)

WEAKNESS #2 - LEGAL IVORY IS USED AS A FRONT FOR THE ILLEGAL IVORY TRADE

An extensive ivory business...

Hong Kong has a conspicuous ivory retail industry with over 400 licensed businesses. These ivory shops are mainly located in high-rent tourist areas of the city, and currently display more than 30,000 pieces of ivory items for sale, far more than any other surveyed city in the world (Martin & Vigne, 2015).

CITY	NO. OF ITEMS	NO. OF OUTLETSS	DATE
Hong Kong	30,856	72	2014/2015
Bangkok	14,512	105	2013/2014
New York City	11,376	124	2008
Cairo	8,343	71	2005
Guangzhou	6,437	80	2010
Beijing	6,272	156	2013/2014
San Francisco	2,777	49	2008
Los Angeles	2,605	170	2008
Shanghai	2,172	119	2013/2014
Honolulu	1,867	23	2008
Luxor	918	23	2005
Miami	865	11	2008

(Martin & Milliken 2005, Martin& Stiles 2008, Doak 2014, Martin & Vigne 2011, 2014, 2015)

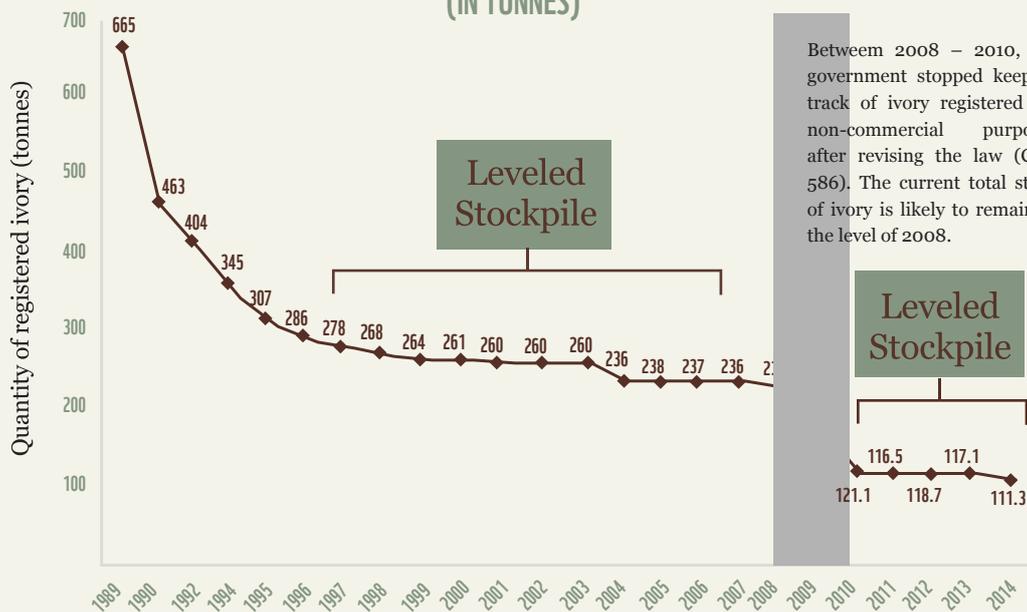


... despite the fact that traders claim to the government that they are selling very little ivory

Hong Kong traders claim that their ivory sales are legal as they are drawn from a stockpile of ivory which was imported into the city before 1990, i.e. when such imports were still legal. According to the AFCD, the size of the commercial stockpile is currently 111.3 tonnes. Curiously, this commercial stockpile has not declined significantly over the past four years, yet Hong Kong is home to an on-going and thriving ivory business.

The paradox naturally begs the question of whether traders are using the stockpile of legal ivory as a front while they instead sell illegal ivory to unsuspecting buyers.

QUANTITY OF IVORY REGISTERED WITH THE AFCD (IN TONNES)



Between 2008 – 2010, the government stopped keeping track of ivory registered for non-commercial purposes after revising the law (Cap. 586). The current total stock of ivory is likely to remain at the level of 2008.

Leveled Stockpile

Sources from Hong Kong Government (2015)



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賣出去了，又用了一個非法的原料做了一個放上去，就隨便一個東西都可以登記...所以他們根本不懂得管，當官的人啊。

After I sell an [ivory] item, I can use illegal ivory to make another item to top up my stock again. The Government officials have no idea on how to govern.

Trader A, February 2015



TRADER A

我們所有的東西都是合法的...因為香港...我們是以前，1989年象牙禁市的時候我們東西都跟香港政府備案（註冊）...多少料多少料都有（註冊）嘛，但是它沒一個 DETAILS（詳細的）那個資料...只是說，原料多少、製品多少，按重量...你拿你的，這樣偷龍轉來轉去嘛，對不對？對不對？我這個東西當年登記了，賣出去了，又用了一個非法的原料做了一個放上去，就隨便一個東西都可以登記...所以他們根本不懂得管，當官的人啊。

All my things are legal. When ivory was outlawed in 1989, we registered our stocks with the Hong Kong government...all materials were registered, but the record was not in detail. They only record the weight (quantity) of my raw materials and finished products. So I can simply exchange with anything. After I sell an [ivory] item, I can use illegal ivory to make another item to top up my stock again. The Government officials have no idea on how to govern.

你們做的東西(象牙)都是合法嗎？
Is all your stock legal?



INVESTIGATOR

(The original conversation was conducted in Mandarin and translated approximately into English)

WEAKNESS #3 - LOOPHOLES EXIST IN THE LICENSING SYSTEM

A licensing system is in place...

Following the ban on the ivory trade imposed by CITES in 1990, which outlawed the international trade of ivory acquired after the listing, the Hong Kong government put in place a licensing system to register the commercial stock of ivory acquired legally before the listing.



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Traceable:
Raw tusks are registered

Not Traceable:
Carved ivory are not registered

...but there are numerous loopholes which enable this system to be exploited

In mainland China, the government requires that traders provide more information on their legal stockpile of ivory, such as photographs of individual pieces of ivory. In Hong Kong there are no such requirements (Martin & Vigne, 2015). Currently, the only requirement in place involves marking whole tusks and the larger cut pieces of ivory with a serial number.

Trader A explained to field investigators how the current regulatory system is flawed and open to exploitation:



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TRADER A

只是說我進口的原料，政府知道這是什麼原料 - 因為那個原料都有編號的，來源的，什麼地方都有。然後呢，去政府，他申請的時候已經備案（註冊）了，然後了，他拿去做東西的時候呢，最好跟政府做一個communication（聯絡），我這個料進來了，那你知道了，我現在把它切了來做這個觀音，讓他（政府）知道... 做好之後，這個東西最好叫政府issue（發給）我一個證件... 假如能夠做到這個地步的話，你這個東西肯定將來（有市場）...

When we import raw ivory, each item and its origin is recorded by the Government with a serial number. The best practice is to notify the government after you have carved the ivory into smaller products, then ask Government to issue a certificate for each carved product. If this could be done, the carved product will become valuable in the future.

香港政府有給這個證嗎？因為我大陸買的都有一個證、有一張照片。

Does the Hong Kong government issue such certificates? If we purchase [ivory products] in China, certificates with photo IDs are issued.



INVESTIGATOR

...幾十年之前，我已經跟政府就這個提出意見，象牙被禁止那個時候嘛。但這個政府嫌麻煩。

Many years ago when ivory was banned, I made this suggestion to the Hong Kong Government. But the Government thought it was too much trouble.

我已經跟政府就這個提出意見...但這個政府嫌麻煩。

... I made this suggestion to the Hong Kong government. But the government thought it was too much trouble.

Trader A, February 2015

(The original conversation was conducted in Mandarin and translated approximately into English)

THE GOVERNMENT DOES NOT PERFORM REGULAR CHECKS TO CONFIRM THE DATES OF IVORY BEING DISPLAYED, STORED OR SOLD

It is possible to confirm the age of a piece of ivory using radio-carbon dating technology. This means that a laboratory test is able to determine whether an ivory item is part of the legal pre-1990 stockpile, or if it has been illegally extracted from an elephant poached after 1990.

However, in Hong Kong there is no local laboratory that can undertake this kind of testing. Ivory samples are also not regularly tested to check whether they are from pre-1990 (legal) or post-1990 (almost exclusively illegal) stocks. This fact provides opportunities for local traders to run seemingly legitimate businesses based on legal ivory, but which actually act as fronts for illegal ivory laundering.

Also, the government relies on a system whereby ivory traders only self-report on their stockpiles every five years, when it is time to renew their licenses.

An ineffective system of identification and the lack of age verification combine to create a loophole for illegal ivory laundering. This fact is recognized by Trader A.

香港政府對這件事情（象牙貿易）的處理如何？
How does the Hong Kong government handle ivory trade?



© WWF-Hong Kong



香港政府只是根據那個CITES制定的法律和規格制度去做嘛，他們只是紙上談兵，但是沒有去跟進，你既然控制了原料，那個成品怎麼去做呢，你就要跟那個工廠、製造商跟下去嘛，做好的東西就給我們一個'passport'，不要（沿用）登記（方式）。他們（現在）每年都要登記，（但是）現在這個市場根本就沒市場！

The Hong Kong Government is not handling the system well. They are only following the system of CITES to register the raw materials, but they should also follow up with the factories and traders on where has the stock gone. The best practice is to issue an ID (certificate) for our carved products. But now they are only registering the stockpile every year!

(The original conversation was conducted in Mandarin and translated approximately into English)



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WEAKNESS #4 - THE RE-EXPORT OF IVORY FROM HONG KONG WITHOUT PERMITS IS ILLEGAL, BUT RAMPANT

While the ivory retail business is thriving in Hong Kong, the majority of the products are not purchased by local residents. Instead, well over 90 per cent of ivory objects in Hong Kong are bought by mainland Chinese visitors. (Martin & Vigne, 2015)

In conversation with field investigators, Trader C also confirms that “Most of our stock goes to China”.



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我們大部分也是進大陸
Most of our stock goes to
China

Trader C, February 2015



OVER 90% OF
BUYERS ARE MAINLAND
CHINESE TOURISTS...



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以正途的方法
(把象牙帶入中國)
要半年, 很長時間...
Taking ivory to China through
legal way takes a long time,
around half a year

Trader B, February 2015

It is illegal to export ivory to mainland China without a valid set of permits, but very few are issued. These include a re-export permit from the AFCD which takes two working days, assuming that the applicant has prepared the application form and has all valid supporting documents; plus an import permit from the China State Forestry Administration. This process can take several months. According to Trader B, “it takes half a year to obtain a permit”, while Trader C states that “...the longest time it took me to send the ivory there was nine months.

...YET IT IS
ILLEGAL TO
TAKE THE IVORY ACROSS
HONG KONG'S BORDERS
WITHOUT A PERMIT



SO HOW DOES THE IVORY LEAVE HONG KONG?

Trader C described to field investigators how ivory buyers can smuggle their purchases into China.



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TRADER C

大部份(象牙)都是往國內跑,分兩條路,有些是去私進去的,我們不管,反正我在香港買賣,我有証給你。以前我們是國內的客人買了,他自己沒辦法辦批文進口,我們幫他送到北京去;但現在搞得怕了,因為他可以給你擔誤兩個月、三個月、四個月、五個月……現在不同了,國內的客人跑過來這邊開個公司,我連証給你,在香港合法的。你自己去申請到北京去,到福州廣州,是你的事,那我們這邊買賣完成就你付錢給我,就是這樣子。他們有些是買回去,然後逃到澳門,澳門再過珠海,太簡單啦,都是這樣搞。

Most of it [the ivory] goes to mainland China through two routes, some are smuggled into China. We don't care, as long as the transactions are conducted in Hong Kong, and I can prepare the license for you. In the past, our customers from mainland China did not have the import permits, so we had to help send their purchases to Beijing. But now I am scared of going through this process, as it takes months. Now that the operations have changed, they [mainland customers] set up their companies in Hong Kong, and I sell them [the ivory] with the license. These stocks are legal in Hong Kong. If you want to send it to Beijing, Fuzhou or Guangzhou, that's your business. We trade in Hong Kong and you pay me here. Sometimes, they [mainland customers] buy the ivory, then 'escape' to Zhuhai through Macau – so simple.

(The original conversation was conducted in Mandarin and translated approximately into English)

有些是走私進去的,
我們不管,
反正我在香港買賣...

Some of it is smuggled into
China. We don't care, as long
as the transactions are
conducted in Hong Kong...

Trader C, February 2015

This rampant illegality in terms of re-export is consistent with data from AFCD, which shows that, while the main customers of ivory are from mainland China, only few consignments were re-exported out of Hong Kong to China: 22 in 2014, 14 in 2013 and only seven in 2012 (AFCD, 2015). As trader B states "We sell you the ivory, then we don't care where it goes."

IDENTIFYING AND SEIZING IVORY LEAVING HONG KONG IS A HUGE CHALLENGE

Local ivory traders are not required to ensure that their customers are residents of Hong Kong, and there are no regulations in place to confirm that tourists have fulfilled their customs duty by obtaining an export permit before completing a transaction.

The result is that Hong Kong customs authorities are then faced with the challenging task of ensuring that none of the 60 million annual visitors to Hong Kong, including 47 million from mainland China, are taking ivory over the border illegally.

X-Ray machines and sniffer dogs are highly effective in supporting security checks; however, the government only has a handful of these dogs, and they must also be trained to identify other illegal wildlife products.



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反正我只賣給你,你去
哪裡是你的事情。我只
賣給你,你要去哪裡是
你的問題。

...we sell you the ivory, then
we don't care where it goes

Trader B, February 2015

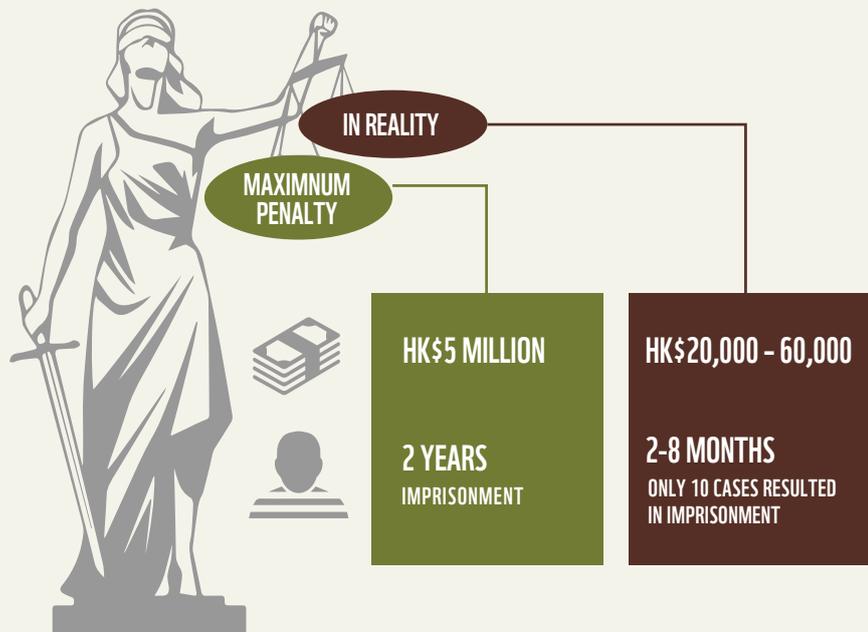


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WEAKNESS #5 - INADEQUATE DETERRENDS AND PROSECUTION

The maximum penalties under Hong Kong Law are harsh...

The Protection of Endangered Species of Animals and Plants Ordinance, Cap. 586, is the local legislation which enforces CITES in Hong Kong. Under this ordinance, the maximum fine for illegal import, export or possession of ivory for commercial purpose is a HK\$5 million fine and two years imprisonment.



...but in court, low penalties are sentenced

Between 2011 and 2013, most prosecutions made under this ordinance resulted in fines which ranged between HK\$ 20,000 and 60,000. Only about 10 cases resulted in imprisonment (excluding imprisonment due to defaulting on paying penalties). The period of imprisonment ranged between two and eight months.

These penalties are in stark contrast to China's criminal laws on the illegal trading of wildlife, which are known to be some of the strictest in the world. According to China's Supreme Court, nearly 700 individuals were prosecuted between 2003 and 2013. In recent years, ivory-related offences have represented more than half of these cases, and the subsequent sentences for involvement in wildlife crime ranged from three years to life imprisonment (CITES, 2013).

Enforcement only covers part of the trade

During the same period, 42 people were convicted in Hong Kong under our ordinance, but prosecutions were confined to smuggling only. As of July 2015, no ivory traders have ever been convicted of disregarding the legal requirements to "display a valid license in a conspicuous position".

This results in a weak deterrent to illegal trade

The penalties given out result in a weaker deterrent effect compared with other countries, according to Trader A.



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進口商去申請進口...這個美國英國...就是這兩個國家把這個象牙好好一個行業變成死行業。犯什麼罪都沒有犯這個買賣(象牙)的罪那麼重,尤其是大陸。賣白粉還沒有比這個那麼重...一點點都要坐牢坐十幾年。

Importers need to apply for licenses to legally import (ivory)...these two countries, the US and UK, have turned the ivory industry into a dead end. They have imposed very high penalties on the illegal trade of ivory. Especially in Mainland China, the penalty for illegal ivory trade is even harsher than drug trafficking. Getting caught with a small quantity of ivory can result in jail for over 10 years.

(The original conversation was conducted in Mandarin and translated approximately into English)

WEAKNESS #6 - AFCD HAS LIMITED RESOURCES TO INSPECT IVORY TRADERS

While the government does not share key information which would enable greater public scrutiny, available information points to the fact that the government does not allocate enough resources to allow the relevant departments to effectively inspect the ivory trade.

As of January 2015, AFCD had only eight full-time inspectors to inspect local shops licensed to carry elephant ivory and items from many other endangered species (Martin & Vigne, 2015).

With limited manpower, AFCD and Hong Kong Customs have conducted joint inspections of local ivory and arts and crafts shops since 2013 and 2014 respectively (Martin & Vigne, 2015), the lack of resources in both departments has weakened the government's ability to effectively police the market.

THERE ARE ONLY EIGHT INSPECTORS CHECKING ALL THE SHOPS SELLING ITEMS RELATED TO RARE AND THREATENED SPECIES IN HONG KONG



WEAKNESS #7 - THE SYSTEM LACKS TRANSPARENCY

Most key information relating to the ivory trade is not publicly available or cannot be easily obtained. Below are two typical examples.

First, the list of legal ivory businesses operating in Hong Kong is not shared. This makes it harder for consumers to purchase legal ivory. In January 2015, the Hong Kong government ruled out making public a list of licensed ivory traders. The AFCD reasoned that this "would involve disclosure of personal information and information related to the business of the licensees, which is considered inappropriate". In contrast, the names and addresses of licensed ivory retailers and carvers are publicly available for inspection in Mainland, so the general public can also monitor the ivory trade (SCMP, 2015).

Secondly, the law of Hong Kong requires ivory licenses "must be displayed at a conspicuous position" (AFCD, 2014) at their place of business. The license contains information, such as details of the amount of ivory each licensee possesses. However, not all ivory stores are displaying a license, while some of the licenses displayed have key information whited-out.

As a result, consumers do not have adequate information to ensure a legal transaction from a trustable source.

KEY INFORMATION IS NOT SHARED WITH THE PUBLIC



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ACTIONS TAKEN SO FAR

CITES was adopted to ensure that the international trade in specimens of wild animals and plants does not threaten the survival of species in the wild. The most notable action taken in terms of elephant conservation is the ban on the international trade of ivory and continuous monitoring of the trade. As of August 2015, CITES had the support of 180 states and the European Union (CITES, 2015).

In July 2015, Gabon and Germany initiated the first-ever **United Nations General Assembly** resolution focusing on combating illicit wildlife trafficking. This resolution was co-sponsored by 84 other countries including the Democratic Republic of Congo, Thailand and China. All UN member states agreed to enhance regional and international cooperation along the entire illegal wildlife trade chain. The resolution also highlighted the transnational and organized nature of crimes that impact the environment and stressed the need for countries to counter corruption and address money laundering linked to wildlife crime. (United Nations, 2015)

INTERPOL facilitates international police cooperation and leads global and regional operations to dismantle the criminal networks behind environmental crime using intelligence-driven investigations. (Interpol, n.d.)

INTER-GOVERNMENTAL

Coordinated inter-governmental efforts are vital as these efforts underline the seriousness of the issue and unite countries to fight wildlife crime together.



THE US GOVERNMENT

US President Barack Obama issued an executive order in 2013 making wildlife crime a national priority and setting up a Presidential Task Force to combat wildlife crime (The White House, 2013).

In addition, the U.S. Agency for International Development (USAID) launched the Wildlife Crime Tech Challenge in April this year to raise awareness and generate new ideas for solutions from around the world (USAID, 2015).

The US has also allocated millions of dollars in new funding to tackle wildlife crime and proposed new regulations that would prohibit most interstate commerce in African elephant ivory and further restrict commercial exports in July 2015. This action, combined with others measures already taken by U.S. Fish and Wildlife Service (USFWS), will result in a near-total ban on the domestic commercial trade of African elephant ivory (USFWS, 2015).



US President Barack Obama, left, and Kenyan President Uhuru Kenyatta

© US Embassy Nairobi Flickr page

GOVERNMENTS

Governments around the world are increasing their efforts to stop the trade of elephant ivory.

One notable step has been the destruction of confiscated ivory, which demonstrates a country's intolerance of wildlife crime,

elevates the issue and also ensures that stockpiles of seized ivory will never again be sold.

Between 1989 and July 2015, 14 countries including China and the US destroyed over 130 tonnes of ivory.



THE CHINESE GOVERNMENT

The Chinese government has also implemented a wide range of measures to combat wildlife crime.

For example, in 2015, the Chinese government announced a one-year ban on carved ivory imports from Africa, in a bid to curb the ivory trade (Xinhua, 2015). Notably, China also announced that it will "strictly control ivory processing and trade until the commercial processing and sale of ivory and its products are eventually halted" (State Forestry Administration, 2015).



Chinese President Xi Jinping

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To help protect Africa's wildlife, last year Chinese Premier Li Keqiang pledged a grant of US\$10 million to support closer technical cooperation and experience sharing between China and African countries (The State Council of the People's Republic of China, 2014). And in July 2015, the Chinese government donated 50 special vehicles to Tanzania to support anti-poaching efforts (Xinhua, 2015).

To raise public awareness, since 2013, China's Ministry of Foreign Affairs and its embassies have implemented an SMS text alert for visitors to several African countries to avoid buying ivory, rhino horn or any other wildlife products during their stay (Save the Elephants, 2013).



THE HONG KONG GOVERNMENT

In 2014, Hong Kong decided to destroy 28 tonnes of its stockpile of confiscated ivory. This is the largest amount of illegal ivory ever destroyed, equivalent to the tusks of about 11,000 elephants.

Amid urgent calls from conservation groups to curb the illegal ivory trade, the Hong Kong government reiterated that "a stringent licensing system to register commercial stock" is in place (SCMP, 2014), and that there is no evidence showing that Hong Kong's legal ivory trade contributes to the poaching of elephants in Africa or provides a cover for the laundering of smuggled illegal ivory (SCMP, 2015).

In July 2015, the AFCD stated that a feasibility study is underway, looking at the deployment of specially-trained dogs that will detect illegal imports at Hong Kong International Airport and land border checkpoints in a bid to strengthen enforcement (SCMP, 2015).



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WWF GLOBAL WILDLIFE CRIME INITIATIVE

Building on the organization's 50 years of experience, WWF works to address the illegal poaching of elephants, habitat loss and human-elephant conflicts to protect African elephant populations by:



STRENGTHENING ANTI-POACHING INITIATIVES:

WWF works to improve the frontline rangers' welfare and trains them in elephant monitoring and anti-poaching techniques.



REDUCING CONFLICTS BETWEEN PEOPLE AND ELEPHANTS:

WWF works to mitigate human-elephant conflicts with innovative solutions, better land-use planning and build wildlife conservation into rural economies, such as through wildlife tourism.



STOPPING THE ILLEGAL IVORY TRADE:

WWF works with TRAFFIC, the international wildlife trade monitoring network, to help identify the routes and countries of particular importance to the illegal trade.



PROTECTING ELEPHANT HABITATS:

WWF works with elephant range state governments, local people and non-governmental partners to conserve migration corridors and large conservation landscapes like the Kavango Zambezi Transfrontier Conservation Area (KAZA), the largest trans-boundary conservation area in the world and home to almost 250,000 elephants.



CONDUCTING RESEARCH AND MONITORING:

WWF works to ensure our conservation projects are effective by studying the population status of elephants, identifying hotspots and areas of poaching activities, tracing elephants to study their biology and natural history.

WWF'S PROPOSED SOLUTION

The evidence presented in this report reveals that the success – indeed the very survival – of the Hong Kong ivory trade depends on widespread illegality throughout its operations. The vast majority of customers break the law in order to take their purchases out of the city. Worse still is the fact that the trade does not merely involve selling ivory stockpiles which are more than 25 years old: the trade is directly fuelling the poaching of elephants and rhinos in Africa today.

With some 30,000 elephants are lost to poaching every year, the fate of Africa's majestic mammals hangs in the balance. Fortunately, more and more governments around the world are realizing that their efforts to date have been inadequate and have not averted this crisis.

They are now beginning to adopt much more robust approaches to tackling today's rampant wildlife crime.

It is time for the Hong Kong government to take a stand and intensify its efforts by banning ivory sales in Hong Kong and re-writing the future of elephants, **WWF-Hong Kong calls on the Hong Kong government to rapidly phase out the commercial processing and sale of ivory, based on a firm plan and a short timeline.**

While this rapid phase-out is being planned and implemented, the government can concurrently and immediately adopt the following steps to wind down the ivory trade across the city:

- **Closing the loopholes in the licensing system**

Closely monitor the legal ivory stockpile by ensuring that each individual ivory product is legal, is identified with a tamper-proof sticker and serial number, and there is a system in place to report and track transactions for each piece; ensure that frequent random checks are undertaken; require that ivory traders ensure they do not encourage illegal cross-border smuggling of their sales, such as through selling only to Hong Kong nationals, or ensuring traders verify that their customers have a valid set of re-export and import permits.

- **Strengthen the policing of the ivory trade** by increasing the resources available to frontline enforcement staff at Customs and the AFCD to monitor domestic markets, and increasing the penalties when prosecutions take place.

- **Ensure frequent inspections at borders** by expanding the use of law enforcement techniques such as sniffer dogs, forensics and controlled deliveries; continue monitoring boundary control points to intercept shipments of illegal ivory.

- **Increase the transparency of the ivory trade**

Properly enforce the legal requirement for ivory dealers to display their licenses to possess ivory in a public and conspicuous manner, including the amount of ivory in their possession.

- **Educate the public and demand reduction**

Produce educational materials and notices that can be displayed at retail outlets and other key public areas such as airports and boundary control points. The educational materials should raise awareness of wildlife crime and remind consumers that ivory purchased in Hong Kong cannot be brought into China or other countries without valid permits.

- **Support international governance** by reporting on the above phase out and tightening of regulation to the CITES National Ivory Action Plan, in order to demonstrate Hong Kong's commitment to tackling wildlife crime.



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Hong Kong and Elephant Conservation

100%
RECYCLED



WWF • THE HARD TRUTH

470,000

elephants are left in Africa

30,000

African elephants are killed every year for their tusks, primarily to satisfy the demand for ivory



1/3

of tree species in central Africa forests rely on elephants to distribute their seeds

33

tonnes of illegal ivory has been seized in Hong Kong ports since 2000



Why we are here

To stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature.

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