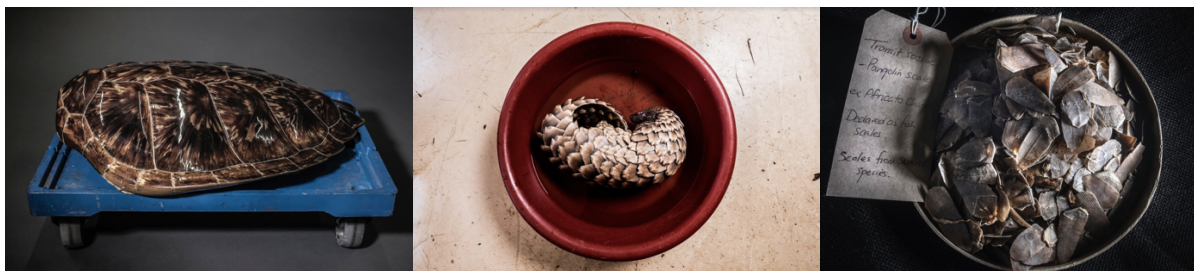


Bold Move to incorporate Wildlife Trafficking under Hong Kong's Organised and Serious Crimes Laws



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HONG KONG 2 November 2020, Legislator, law professor and NGOs join in an unprecedented move announcing the intention to submit a private members bill that will step up the fight against the illegal wildlife trade, by incorporating wildlife crime offences into the Organised and Serious Crimes Ordinance (OSCO).

While COVID-19 continues to cripple the global economy and impact public health, a crisis triggered by the illicit trade, wildlife seizures in Hong Kong show no sign of slowing down.

Five record breaking seizures have taken place in the last 18 months, valued conservatively at HK\$95.1 million according to government figures. In January 2019, 8.3MT of pangolin scales were seized along with 2.1MT of ivory. Followed by 40kg of rhino horn in February and a further 82.5kg in April. Then, within a week of one another in April and May 2020, two almost identical shipments of 13MT of shark fins from threatened species were seized.

- 53 countries have been involved in wildlife trafficked related to Hong Kong in the past two years
- Between 2013-2019 the seizure of pangolin scale and carcasses amounts to 110,000 pangolins, the equivalent of a pangolin being poached every 33 minutes

Hong Kong continues to play a disproportionate role in this transnational criminal industry, where organised criminal networks continuously exploit the city's porous borders and gaps in its criminal justice system.

"There is a tendency to believe that smuggled wildlife is "just passing through" presumably to mainland China, thereby minimising Hong Kong's culpability and responsibility. We argue that Hong Kong is a hub, and that wildlife crimes are serious and organised crimes that should be addressed as a priority," said Dr David Olson, Director of Conservation at WWF-Hong Kong.

With seizure values consistently in the region of HK\$100 million annually, Hong Kong is a significant contributor to the global extinction crisis and holds a key position when it comes to disrupting trade routes.

Prosecutions that have taken place, are predominately of "low level" carriers or mules, caught red handed at Hong Kong's international airport. No prosecutions of wildlife trafficking syndicates responsible for orchestrating these crimes are not known to have taken place since records began.

While penalties have increased since the introduction of amendments to the Protection of Endangered Species Ordinance in May 2018, seizures are still continuing in large volumes indicating that more is needed to deter wildlife criminals.

Hong Kong urgently needs to demonstrate stronger commitment to international efforts to fight wildlife crime through an enhanced enforcement strategy that goes well beyond the status quo. Wildlife crimes *must* be included as specified offences under Cap. 455 the Organised and Serious Crimes Ordinance (OSCO), so that authorities can use all the prosecution powers available under local laws. Such policy reform is necessary if the government is, in its own words, to:

provide a sufficiently strong deterrent against illicit wildlife trade, and to send a clear signal to the international and local communities that the Government is committed to the protection of endangered species and to combating endangered species smuggling.ⁱ

Made clear in a white paper released today by the University of Hong Kong and the ADM Capital Foundation, treating wildlife crime under OSCO would prioritize the illicit trade across enforcement, detection, investigation, regulatory, and intelligence agencies within Hong Kong.

“Given the significance and scale of the seizures made in Hong Kong in recent years, it is crucial that the Territory now demonstrates a strong commitment to international efforts to combat wildlife crime, using all the prosecution powers available in law to enforcement authorities by amending OSCO to include wildlife crimes” said Amanda Whitfort, Associate Professor of Law at The University of Hong Kong.

“The actions needed to disrupt and deter criminals exploiting wildlife are clear, as are the consequences of failing to act, both quickly and tactically in response to this transnational crime, and grave biodiversity threat” said the Hon Elizabeth Quat.

The proposed reform that is intended to form the basis of a private members bill by the Hon Elizabeth Quat, is an important and pioneering step in combatting the illegal wildlife trade, not only in Hong Kong, but internationally.

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