

# Wildlife Crime: Knowledge Transfer for Informed Prosecution and Sentencing in Asia

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Strategic Theme

Community Engagement for Governance and Law



**HKU SPECIES VICTIM**  
IMPACT STATEMENTS INITIATIVE

# Judicial training

The HKU SPECIES VICTIM IMPACT STATEMENT INITIATIVE (SVIS) is a global success story, ensuring the ecological harms caused by wildlife trafficking are properly described to judges through reliable scientific evidence. Armed with SVIS data, judges are empowered to impose deterrent sentences for organised transnational wildlife crime.

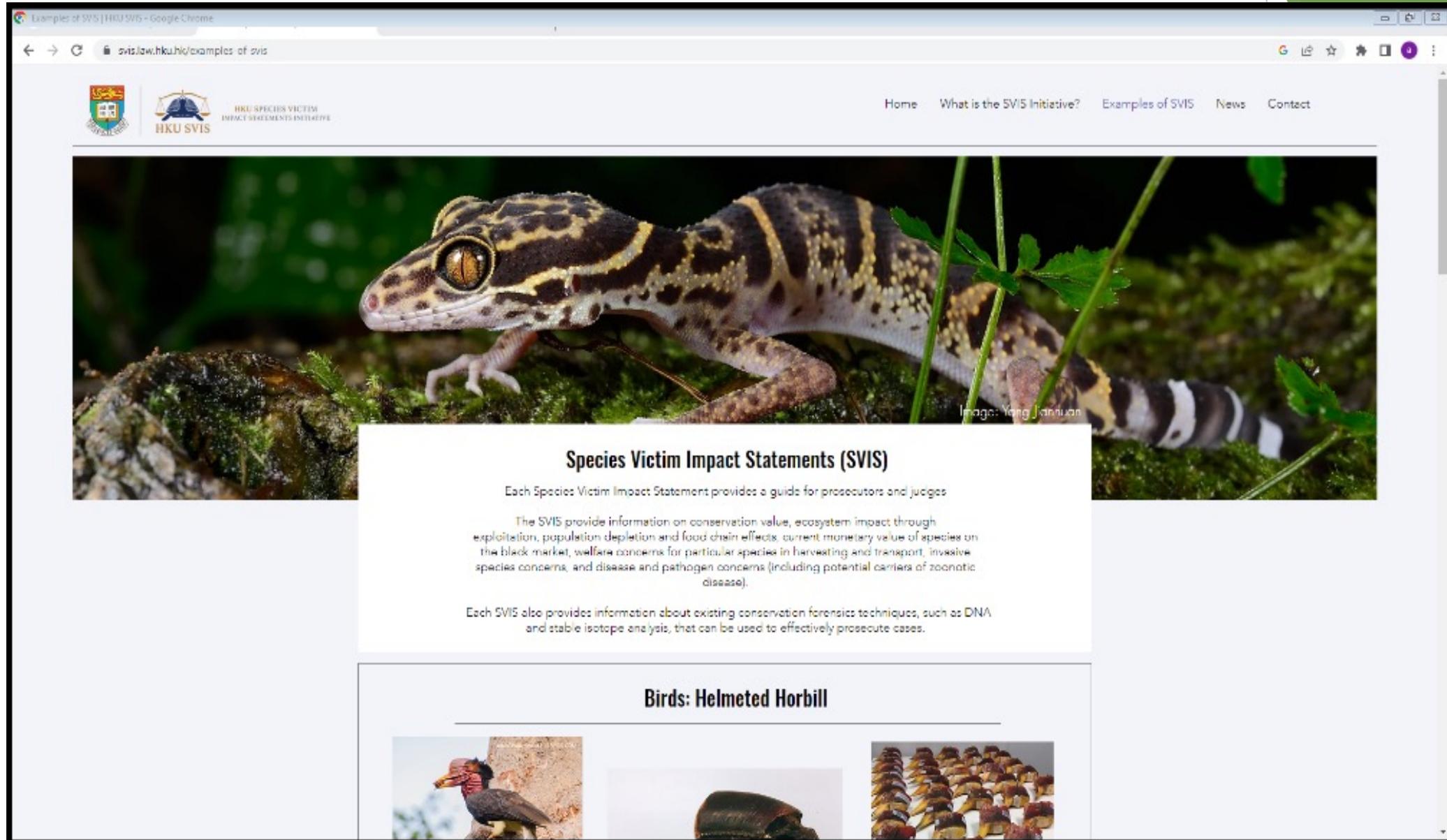
In 2018 with new maximum penalties for wildlife smuggling, the Hong Kong Judicial Institute sought guidance on the laws relating to wildlife crimes and the impact of those crimes. Whitfort's research is repeatedly used to train the judiciary of Hong Kong.

Across Asia, Whitfort's research it is used to train prosecutors, judges and police in ten countries and is endorsed for use by the United Nations Office on Drugs and Crime.



HKU SVIS

<https://www.svis.law.hku.hk/>



Examples of SVIS | HKU SVIS - Google Chrome

svis.law.hku.hk/examples-of-svis

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HKU SPECIES VICTIM IMPACT STATEMENTS INITIATIVE

Image: Yang Jianjun

### Species Victim Impact Statements (SVIS)

Each Species Victim Impact Statement provides a guide for prosecutors and judges

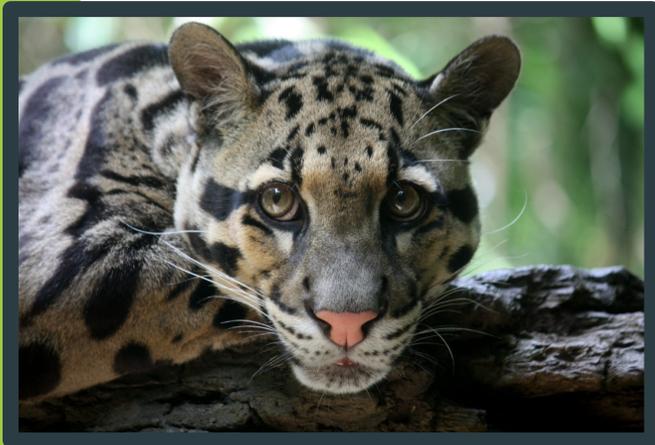
The SVIS provide information on conservation value, ecosystem impact through exploitation, population depletion and food chain effects, current monetary value of species on the black market, welfare concerns for particular species in herowaxing and transport, invasive species concerns, and disease and pathogen concerns (including potential carriers of zoonotic disease).

Each SVIS also provides information about existing conservation forensics techniques, such as DNA and stable isotope analysis, that can be used to effectively prosecute cases.

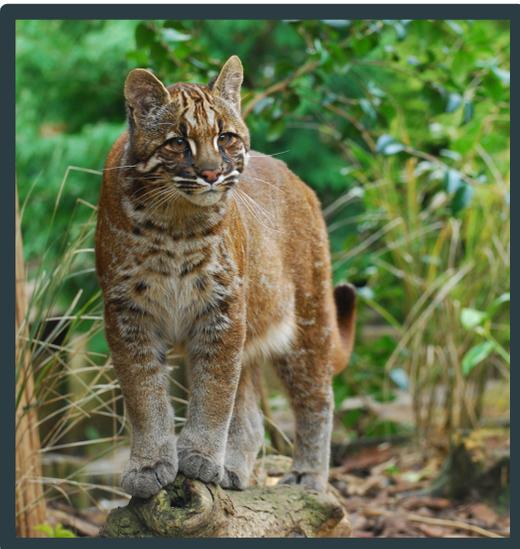
### Birds: Helmeted Horbill



Clouded leopard



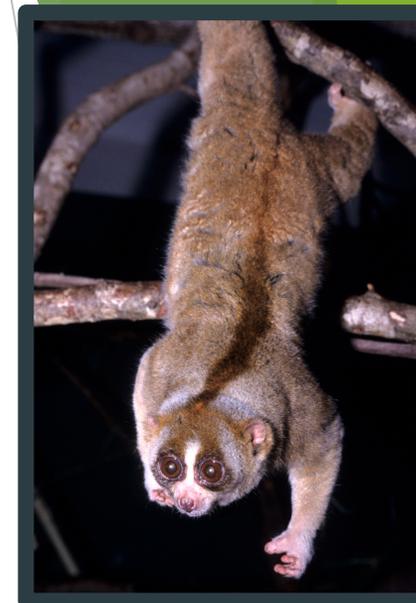
Asian golden cat



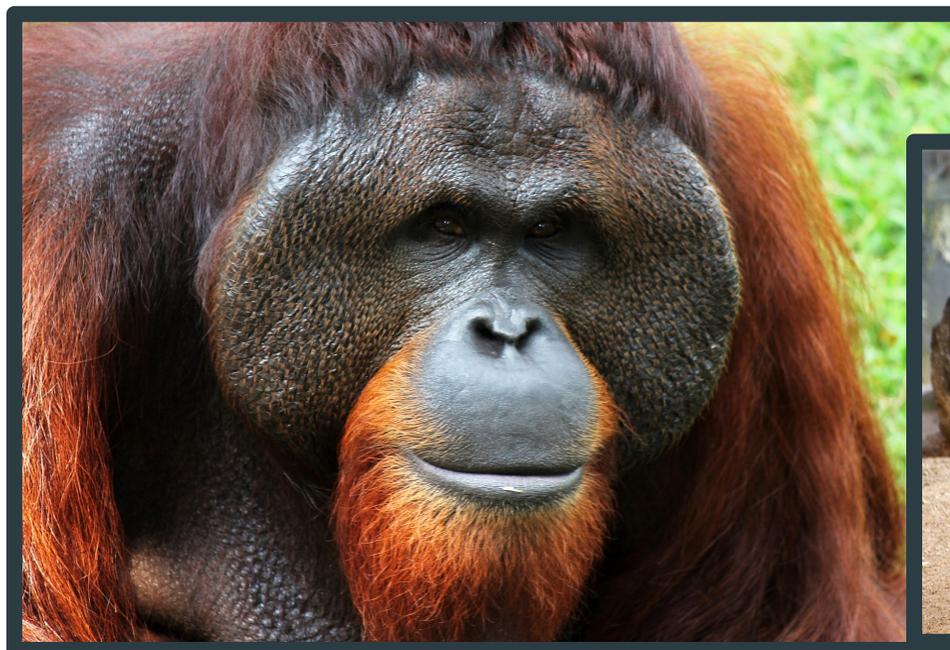
Leopard cat



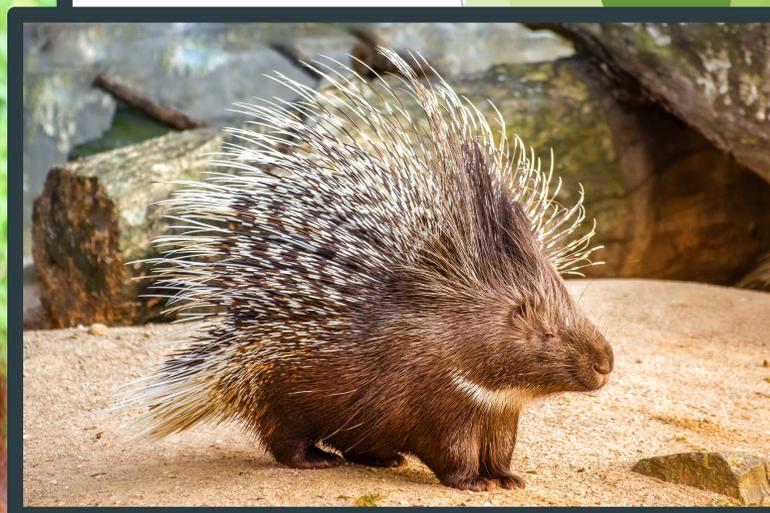
Slow loris



Small-clawed otter



Borneo orangutan



Porcupines

## **Illegal wildlife trade harms animals, species and ecosystems**

Harms caused go beyond the physical suffering of individual animals; by driving species to extinction, illegal wildlife trade is undermining the stability of the world's ecosystems.

### **Wildlife crime is not 'victimless'**

Historically, judges have regarded wildlife crime as less serious than other crimes as it has no human victim (the harm is done to animals and plants). A smuggler caught with a shipment of tortoises for the reptile trade or a restaurant owner found to be selling endangered reef fish may receive a light sentence because a judge thinks 'it's just a few tortoises' or 'not a lot of harm was done- the animals are still alive'. But many animals die in wildlife smuggling and those that survive may never be able to be returned to the wild, threatening their species survival.

Wildlife crime is the fourth most lucrative black market in the world today. Lenient sentences fail to act as deterrents to criminals and wildlife crime continues.

**Since HKU SVIS initiative started, sentences for wildlife crime in Hong Kong have increased by up to 2000%.**

The tariff sentence for smuggling rhino horns has increased from 2 to 12 months' imprisonment, after information provided by HKU SVIS was included in the prosecutor's submissions to the court (HKSAR v Wei Bin DCCC 680/2018).



In 2021, Hong Kong's Court of Appeal used information provided by HKU SVIS to the Department of Justice to assess threats to saiga antelope from poaching and smuggling for their horn. (HKSAR v Xiao Rongqiang CACC 79/2020)



Courts now also recognise that non-target species may be significantly affected by capture methods.

From the Humphead wrasse HKU SVIS provided to the courts:

*Illegal cyanide, commonly used for fishing this species can have a negative impact on the ecosystem. Non-target species such as smaller fish and corals often die as a result of cyanide poisoning. This species is slow growing and late to reproduce. The heavy focus on juvenile fish for trade means that few fish are likely survive to adulthood to replenish populations.*

From the African pangolin HKU SVIS provided to the courts:

*Snares are one of the most common methods in catching pangolins, despite being illegal in all range states and causing causalities to other species. Traps are employed along known mammal highways to trap pangolins and other wild animals. The traps may leave the pangolins maimed during transportation to traders and markets. Often rescued pangolins do not live long after suffering confined transport conditions and long periods of dehydration and starvation before reaching de-scaling facilities, restaurants and markets.*

These kinds of harms are unlikely to be made visible to sentencing courts without access to the kind of specialized research provided by the HKU SVIS initiative.

The HKU SVIS for African pangolin and elephant species have been included in the *Nigeria Wildlife Crime Rapid Reference Guide* launched by the UN Office on Drugs and Crime on World Wildlife Day 2023.



**WhatsOn**  
Fostering partnership  
against organized crime





environmental  
investigation  
agency



HKU SVIS



Wildlife Justice  
Commission



# Map Of Asia



HKU SVIS

This project has grown from a Hong Kong initiative to assist prosecutors and judges to understand the ecological impacts of wildlife crime to an internationally recognized tool to combat wildlife crime.

The SVIS initiative partners with NGOs across Asia and Africa to provide reliable and up to date science to police, prosecutors and judges.

Since prosecutors began referring judges to data in the species victim impact statements, sentences for wildlife crimes in Hong Kong have risen by up to 2000%.

The team, comprised of Associate Professor Amanda Whitfort from the Law Faculty, ecologists from the School of Biological Sciences Conservation Forensics Laboratory and Dr Gary Ades of the Kadoorie Farm and Botanic Gardens have now drafted over 150 species victim impact statements for the world's most endangered species.

The species victim impact statements for the African pangolin species and the African elephant species were endorsed by the UNODC and, in 2023, were included in the Nigerian government's first Wildlife Crime Rapid Reference Guide for prosecutors use at court.

這項目起源於香港，從一項旨在協助檢察官和法官了解野生動物罪行的生態影響的倡議，發展成為國際認可的打擊野生動物罪行的工具。

物種受害者影響陳述倡議與亞洲和非洲的非政府組織合作，為警察、檢察官和法官提供可靠和最新的科學知識。

自從檢察官開始向法官提供物種受害者影響陳述中的數據，香港的野生動物罪行判決已經上升了2000%。

該團隊由法律學院韋凱雯副教授、生物科學學院鑑識保育實驗室的生態學家和嘉道理農場暨植物園的艾加里博士組成，現已為世界上最瀕危的物種起草了150多個物種受害者影響陳述。

非洲穿山甲物種和非洲象的物種受害影響陳述已得到聯合國毒品和犯罪問題辦公室的認可，並於2023年被納入尼日利亞政府的第一份野生動物罪行快速參考指南，供檢察官在法庭上使用。



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# Selected Training Sessions



## Activity 2

Indonesian Attorney Generals' Office, Wildlife Crime Training and Sentencing, Kalimantan



## Activity 1

Organized Transnational Crime Workshop for Investigators and Prosecutors, Laos PDR



## Activity 3

Digital Evidence and Wildlife Trafficking Workshop  
Mongolia Prosecutor General's Office, Ulaan Baatar



## Activity 4

Presentation to Regional Meeting of Law Enforcement Agencies Supporting Counter Wildlife Trafficking in Southeast Asia, Bangkok, Thailand



## Activity 6

Presentation to Counter-Transnational Organized Crime Conference, Sabah, Malaysia



## Activity 5

Presentation to WWF supported Justice for Wildlife Conference for the Judiciary of SE Asia held in Bangkok, Thailand

