

LCQ11: Regulating trading of shark fin products

Following is a question by the Hon Martin Liao and a written reply by the Secretary for the Environment, Mr Wong Kam-sing, in the Legislative Council today (July 11):

Question:

Hong Kong is the world's largest trading centre for shark fins. Food products of as many as 76 shark species are on sale in the local market, with nearly one-third of them belonging to endangered or vulnerable shark species. Although the quantity of imported shark fin products declined by 50 per cent in the past decade, the number of cases of seizure of controlled shark fin products by the Customs and Excise Department (C&ED) surged by 4.5 times in the past four years. While there were a total of 23 such cases in the past four years, the C&ED did not institute prosecution in respect of any of such cases on grounds of insufficient evidence. In this connection, will the Government inform this Council:

(1) in respect of the shark fin products involved in the aforesaid 23 cases, of their weights, species, places of origin, destinations and modes of import; the concrete evidence the lack of which has rendered the authorities unable to institute prosecutions in respect of those cases; how the C&ED will step up evidence gathering efforts in future to enable instituting prosecutions;

(2) given that some unscrupulous merchants use misleading labels in consignments of shark fins (such as seafood, dried seafood products and fishery products), or mix the fins of endangered shark species with those of shark species that are not subject to control, of the number of training courses organised for their staff in the past three years by the law enforcement departments on the identification of shark species, and the number of staff members trained; and

(3) as the findings of a questionnaire survey conducted by a concern group on endangered shark species have revealed that with no resemblance between the names of the shark fins sold in the retail market and the official names of the controlled shark species, it is difficult for consumers to identify shark fins belonging to controlled shark species, whether the Government will step up publicity in order that consumers can tell, among the names of shark fins sold in the retail market and those used in shark fin dishes, the ones related to controlled shark species; whether, apart from stepping up publicity, the Government will consider putting in place a mechanism to assist consumers in identifying shark fins belonging to controlled shark species?

Reply:

President,

Our reply to the question raised by the Hon Martin Liao is as follows:

(1) The Customs and Excise Department (C&ED) is responsible for combating illegal importation and exportation of controlled articles (including shark fins of species listed in the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)). The Agriculture, Fisheries and Conservation Department (AFCD) has been working closely with the C&ED, including provision of assistance to the C&ED in identifying controlled shark fins and other endangered species during the process of passenger and cargo clearance.

Between 2014 and 2017, the C&ED made 23 seizures of illegal import of controlled shark fins from overseas. Details are set out at the Annex. To successfully prosecute a person for violating the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) (the Ordinance), the prosecution must provide sufficient evidence to prove that someone has imported or arranged to import the controlled species to Hong Kong. Despite the relevant documents collected in the above cases, such as bills of lading and waybills, contained the consignee's information, they do not sufficiently prove that the consignee knowingly import or arrange the import of the controlled specimens. Therefore, there may not be sufficient evidence to institute prosecution against the consignee shown on the relevant documents. Despite this, the AFCD will forfeit the seized controlled shark fins in accordance with section 42 of the Ordinance to combat the relevant illegal act.

The C&ED will continue to strengthen co-operation and intelligence exchange with the AFCD and agencies outside territory. Front-line officers' knowledge in identification of shark species will also be strengthened to further enhance their ability in evidence collection.

(2) The AFCD has been organising training courses on the identification of shark species from time to time for front-line officers of the AFCD and the C&ED to better prepare them for duties related to the implementation and control of scheduled shark species. In the past three years, the AFCD organised a total of six classes for the identification of shark species. A total of 188 front-line officers of the AFCD and the C&ED received the training. The AFCD will continue to work closely with the C&ED to combat illegal import and export of endangered species.

(3) Hong Kong has been strictly following the relevant provisions of CITES and the Ordinance. According to CITES, the export of Appendix II specimens, including shark fins of scheduled species, must be accompanied by a valid export permit issued by the exporting country. The export permit is issued only if the authorities of the exporting country ensure the export will not be detrimental to the survival of the species in the wild and has met the requirements for sustainable capture. CITES does not ban the trade in Appendix II species but regulates its international trade through a licensing system, thereby avoiding the threat of the species being over-exploited and threatening its survival. The AFCD ensures that the shark fins purchased by

the public are captured in a sustainable manner through the implementation of CITES.

On the other hand, the Government strives to raise public awareness on sustainable use and conservation of endangered species through various channels, including the internet, advertisements, leaflets and posters, as well as conducting exhibitions and seminars. The relevant education and publicity programmes include the operation of the Endangered Species Resource Centre, distribution of video announcement through the media and the Internet, public exhibitions, and the distribution of leaflets to traders, tourists and the public. The AFCD has also been in contact with relevant key stakeholders, including shipping and logistics companies, reminding them to observe the requirements of CITES and the Ordinance. In addition, the Government has taken the lead in adopting conservation-conscious menus that conform to the concept of sustainable development, which include no shark fins, in official entertainment functions. Compared with the establishment of a mechanism to distinguish different types of shark fins, we believe that implementing the above measures are more effective.