

**Endangered Species Advisory Committee (ESAC)**  
**Minutes of Meeting**

Date : 17 June 2021 (Thursday)  
Time : 10:00 a.m.  
Venue : Room 701, Agriculture, Fisheries and Conservation Department (AFCD)  
Headquarters

**Present**

Chairman

Professor WONG Kam-bo

Members

Ms CHAN Nga-chi, Angela

Ms CHIU Yuk-lin, Colleen

Ms KO Lai-fong, Rose

Dr LAU Tai-wai, David

Mr LEUNG Lak-kee, Ricky

Dr MA Kwan-ki, Xoni

Dr SIN Yung-wa, Simon

Professor SO Wing-mui, Winnie

Dr SUNG Yik-hei

Mr WONG Yin-shun, Matthew

Dr LEUNG Siu-fai, JP Director of Agriculture, Fisheries and Conservation

Mr CHAN Kin-fung, Simon Assistant Director of Agriculture, Fisheries and  
Conservation (Conservation)

Ms Thebe NG Senior Administrative Officer (Nature Conservation),  
Environmental Protection Department

Ms NG Kit-ching, Ida Assistant Commissioner of Customs and Excise  
(Boundary and Ports), Customs and Excise Department  
(C&ED)

Secretary

Ms Phyllis CHAN

Assistant Secretary (Boards)1, AFCD

**In Attendance**

AFCD

Mr Boris KWAN

Senior Endangered Species Protection Officer

Mr Timothy LAM

Endangered Species Protection Officer (Enforcement)

Mr Ken CHAN

Endangered Species Protection Officer (Licensing)1

Dr Edward LAU

Endangered Species Protection Officer (Licensing)2

Dr Flora LEUNG

Endangered Species Protection Officer (Inspection)

C&ED

Ms MAN King-foon, Harriet

Group Head (Ports Control)

**Absent with Apologies**

Mr CHANG Kin-ming, Ken

Ms CHIANG Mei-ling

**OPENING REMARKS**

1/21 The Chairman welcomed everyone to the meeting.

2/21 The Chairman introduced members and government representatives to each other. He also took the opportunity to thank the retired Chairman, Professor SHAW Pang-chui, and retired members, Dr CHEUNG Siu-gin, Ms TANG Mui-fun, Karen and Ms TSANG

Wing-wing, for their contribution to the Committee in the past years.

3/21 The Chairman informed members that, as an established practice, to facilitate the taking of minutes of meeting, sound recording would be made during the meeting. The audio records would be destroyed after the meeting minutes had been confirmed.

## **AGENDA ITEMS**

### **I. Declaration of Interests, Transparency Measures and Anti-bribery Guidelines**

4/21 Mr Boris KWAN briefed members on the guidelines on declaration of interests, transparency measures and anti-bribery. Members noted the guidelines.

### **II. Matters Arising from the Last Meeting held on 12 November 2019**

#### **(a) Disposal of Timber Forfeited under the Protection of Endangered Species of Animals and Plants Ordinance, Cap. 586 (Para. 48/19 to 50/19)**

5/21 With the aid of a PowerPoint presentation, Dr Flora LEUNG briefed members on the background of the disposal of forfeited timber under the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) and reported on the latest situation. She reported that about 1,389,000 kg of seized timber were kept under the custody of AFCD at present. In July 2020, AFCD was granted a government site by the way of temporary government land allocation (TGLA site). The seized timber specimens, which had previously been stored in container storage areas, were moved to the TGLA site. It significantly relieved the financial burden of timber storage.

6/21 Moreover, Dr Flora LEUNG reported that AFCD had continued to actively explore possible non-commercial uses of the forfeited timber and had so far contacted 170 groups and organisations in this regard. From 2017 to 2021 (as at 31 March 2021), 65% of the timber donations went to government departments, 17% to museums, 15% to non-profit-making organisations and 3% to institutes. The largest amount of timber donation went to the Palace Museum in 2020 for the repair and restoration of cultural relics and historic buildings. She said that donations of the forfeited timber to works departments for construction or facility enhancement and to museums for repair and restoration of cultural relics appeared to be the

most feasible options to dispose of a large volume of timber. AFCD would continue to explore the disposal of forfeited timber in these possible directions.

7/21 Dr LEUNG Siu-fai, JP supplemented that following the increase in the number of timber species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in recent years, it was expected that more illegally traded timber would be confiscated and more resources would be required to handle the seized timber stock. He said that if the timber was in good condition and usable, AFCD would try to identify opportunities to dispose of it through non-commercial uses as far as possible. He welcomed any suggestions from members on the possible uses of the forfeited timber in accordance with the principles of the CITES guidelines.

8/21 A member enquired whether AFCD set limits on how much and how long the forfeited timber could be stored on the allocated government land, and if positive, the disposal plan when the stockpile reached the specified levels. Mr Boris KWAN responded that the timber should not be stored for a long period of time as it was susceptible to pest attack. Instead of setting a limit for timber accumulation, AFCD intended to explore opportunities to dispose of the forfeited timber through non-commercial uses as soon as possible, even if the TGLA site still had storage capacity. To this end, the Department endeavored to contact different government departments and organisations, especially works departments and museums which might need a large amount of timber in their works and restoration projects. He said that AFCD was preparing to donate some of the forfeited timber to the Shanghai Museum for the repair and restoration of cultural relics and historic buildings.

9/21 Pointing out that cargo throughputs had decreased due to the COVID-19 epidemic, a member asked if seizure of illegally imported / re-exported timber had dropped as well. Mr Timothy LAM responded that although the number of seizure was not high, the amount of timber seized in each case was quite large.

10/21 A member suggested that AFCD could try to contact the Hong Kong Institute of Architects which might be able to suggest construction or restoration projects in Hong Kong and the Mainland that could make use of the forfeited timber. He believed that there were many temples in the Mainland, which could be potential recipient organisations of the timber.

11/21 The Chairman considered that disposal of the forfeited timber by dumping in landfill sites would be a waste of natural resources and other feasible disposal methods should be used as far as possible.

12/21 A member suggested that the forfeited timber could be donated to primary and secondary schools for display and education activities with a view to raising awareness of the protection of endangered species and CITES regulations. The forfeited timber could also be used to make school furniture.

13/21 In response to the suggestions of donating the forfeited timber to temples in the Mainland and schools, Mr Boris KWAN remarked that AFCD would follow up. He said that AFCD had donated various endangered species specimens, such as ivory, tortoises/turtles and reptile leather products, to schools for educational purpose. The Department would highlight to schools interested in receiving the specimens for their education programmes that specimens of forfeited timber were also available. In response to another member's enquiry, Mr KWAN indicated that the disposal of the forfeited timber should follow the CITES guidelines. It was required to ensure that the person responsible for the illegal trade would not receive financial or other gain from the disposal, and that such disposal would not stimulate further illegal trade. Besides, the import, export and re-export of the specimens was subject to licensing control. He said that these rules had been strictly followed by AFCD in the donation of forfeited timber specimens to other parties.

14/21 A member suggested that AFCD could consider donating some timber specimens to the Hong Kong Biodiversity Museum of the University of Hong Kong, which was open to the public, for educational purpose. Besides, he asked whether frontline staff had any difficulties in distinguishing CITES-listed species from others. Mr Boris KWAN noted the suggestion. In response to the question, he said that identification of CITES-listed species was a challenging task to frontline staff and even experts. Most timber species listed under CITES were included in Appendix II, i.e. species that are not threatened with extinction at present, but may become so unless trade is closely controlled. Appendix II may also include so-called "look-alike species", i.e. species whose specimens in trade look like those of species listed for conservation reasons, it resulted in the inclusion of the whole genus in Appendix II, which facilitated the implementation of CITES regulations. He added that AFCD frontline staff received adequate training and experts were available to provide advice if they had any doubts.

15/21 Dr LEUNG Siu-fai, JP supplemented that as the number of timber species listed under CITES was increasing, AFCD would continue to strengthen relevant training courses for frontline staff. AFCD would also devote more resources to advanced technology which had growing importance in assisting law enforcement. The Department was cooperating with tertiary institutes to develop DNA fingerprinting technology to help in the identification of CITES-listed species and expedite the process.

16/21 A member enquired about the possible options for the disposal of forfeited timber and whether donation to private organisations, such as private museums, was feasible. Mr Boris KWAN responded that details of the possible disposal options were given to members in previous meetings. In brief, CITES guidelines required that the person responsible for the illegal trade would not receive financial or other gain from the disposal, and that such disposal would not stimulate further illegal trade. In addition, destruction should be considered as a last resort when all other options for its disposal were exhausted. After careful consideration, donation of forfeited timber for non-commercial uses was deemed to be the most feasible disposal option. Such uses might include construction, restoration of historical buildings and temples, and education activities. Donation to private organisations was feasible as long as the proposed usage of the forfeited timber complied with the CITES guidelines.

### **III. Review on Placement Scheme for Pet Animals of Endangered Species (Committee Paper: CP/ESAC/1/2021)**

17/21 With the aid of a PowerPoint presentation, Dr Flora LEUNG briefed members on the review of the placement scheme of endangered pet species through the Society for the Prevention of Cruelty to Animals (SPCA) and Hong Kong Society of Herpetology Foundation (HKHERP) (Committee Paper CP/ESAC/1/2021).

18/21 A member enquired if there were any follow-ups after the animals were adopted. Dr Flora LEUNG responded that under the agreements of the adoption programmes of SPCA and HKHERP, authorised representatives of the organisations could conduct follow-up visits to the adopters' home to check the animals. In addition, the adopters were required to report to the organisation if the animals died after adoption. Besides, HKHERP required the adopters to report the updated condition along with recent photos of the animals they adopted to the organisation from time to time. The two organisations would submit monthly reports to AFCD on the adoption situation for monitoring.

19/21 Dr SUNG Yik-hei declared that he was a member of the Board of Directors of HKHERP. He enquired whether the review had assessed the capacity of the two organisations in receiving and taking care of the seized animals handed over by AFCD and whether AFCD would consider inviting other organisations to join the placement scheme. Besides, he asked if AFCD had examined the survival rate of different species under the custody of the two organisations for adoption. He suggested that given the limited capacity of the two organisations, priority should be given to species which had higher survival rate. Regarding the enhanced security of HKHERP in response to the loss of turtles, the member pointed out that volunteers who had worked in the organisation for some time might be familiar with the office setting and locations of CCTVs. Therefore, CCTVs might not be absolutely effective in preventing similar incidents from happening. He suggested that AFCD should consider requesting the two organisations to keep a register of all volunteers so as to facilitate follow-up actions in case of any irregularities. Moreover, the member noted from the presentation that 24.6% of the seized animals were disposed of through repatriation. He asked about the species in this category.

20/21 In response to the questions, Dr Flora LEUNG indicated that before proceeding with the donation, AFCD would communicate with the two organisations to ensure that they were capable of receiving the animals. Besides, she said that pig-nosed turtles and Ryukyu black-breasted leaf turtles had been disposed of through repatriation to Indonesia and Japan respectively. Regarding the suggestion of keeping a register of all volunteers who worked in SPCA and HKHERP, she said that it would be conveyed to the two organisations for their consideration.

21/21 In response to the Chairman's enquiry, Mr Boris KWAN said that after the lost turtles were suspected to be swapped or stolen by a volunteer, it was reported immediately to the police by HKHERP for follow up investigation. To his knowledge, the case had not resulted in successful prosecution yet.

22/21 A member asked what kind of support SPCA and HKHERP received from joining the placement scheme. Dr LEUNG Siu-fai, JP responded that SPCA and HKHERP were registered charitable animal welfare organisations (AWOs) and rehoming partners of AFCD. Although they did not receive any financial assistance from AFCD under the placement scheme in question, they received financial assistance under a subvention scheme for AWOs to support their rehoming programmes.

23/21 Another member asked whether the pet animals of endangered species were usually seized in large quantities. She also asked about the reasons for cooperating with SPCA and HKHERP in rehoming the seized endangered pet species. Mr Boris KWAN responded that the seizure quantity varied from case to case, ranging from a few to a few hundreds. Regarding the reasons for cooperation with the two organisations, he explained that SPCA and HKHERP were registered charitable animal welfare organisations which received live animals surrendered by members of the public voluntarily or found abandoned / rescued in public places and arranged rehoming of the animals through adoption programmes. Considering their rich experience in arranging rehoming of animals, the two organisations were invited to cooperate with AFCD in arranging rehoming of the seized endangered pet species. He added that AFCD also cooperated with other non-governmental organisations (NGOs). For example, Kadoorie Farm and Botanic Garden had helped facilitate the repatriation of pig-nosed turtles to Indonesia for releasing to the wild.

24/21 A member asked about the death rate of the animals of endangered species that were rehomed through SPCA and HKHERP as compared to those of the same species kept under captive breeding programmes. He believed that such data was essential for evaluating whether the placement scheme was in the best interests of the animals. Besides, he suggested that guides for taking care of the animals, such as the temperature, space and food requirements, should be provided to the adopters to ensure their well-being. Mr Boris KWAN responded that AFCD would ask SPCA and HKHERP for the relevant figures and report them in the next ESAC meeting. According to the Department's observation, some of the seized animals were already in poor health condition at the time of seizure, particularly those found in smuggling activities. The death rate of these animals was generally higher. It was certainly an improvement in the living environment for the seized animals if they were adopted. He also said that the two organisations had their own mechanism to assess the suitability of the animals under their custody for adoption and the suitability of adopters in terms of knowledge and resources to take care of the animals. They would also provide necessary information to the adopters for taking care of the animals.

25/21 The Chairman considered that it might be difficult to objectively assess the lifespan of the animals of endangered species that were rehomed through SPCA and HKHERP, because they might be traumatised by the smuggling process. Nevertheless, he agreed with the above member that it was very important to educate the adopters on the requirements for the care of the animals.



26/21 A member asked about the sources of the parrot species that came under the custody of AFCD and whether the inspection and quarantine of the parrots were conducted in AFCD or SPCA. Regarding repatriation, he asked what measures were taken to make sure that the pet animals of endangered species were released to the correct population. In response to the first question, Mr Boris KWAN said that the parrot species that came under the custody of AFCD were either seized in enforcement actions or collected from stray cases. Before handing over to SPCA, the parrots were first sent to Animal Management Centres (AMCs), where the Department's veterinarians assessed their health and decided whether they were suitable for adoption. SPCA also had their own veterinarian team to inspect the animals. He said that if the seizure amount was so large that it was beyond the capacity of the AMCs, the receiving organisation might be invited to receive the animals directly for veterinary diagnostic services. In answering the question regarding repatriation, Mr KWAN said that AFCD would contact the management authority of the source country to confirm the source of the animal of endangered species, and then the two authorities and the NGOs of both sides would work on the follow-up matters, such as licence application and deciding on how and where to release the animals. DNA testing would be conducted as needed to determine the source country.

27/21 Dr LEUNG Siu-fai, JP supplemented that repatriation was a difficult disposal option, because it hinged on whether the management authority of the source country accepted that the animals concerned came from their country and whether they were willing to receive the animals back. Among the few options, disposal of pet species through adoption was considered the most feasible approach. He said that AFCD currently worked with 17 partnering AWOs, which had experience in rehoming of different types of pets. In considering the partnerships, AFCD had assessed the pet adoption programmes of the AWOs. The partnering AWOs showed sufficient knowledge and experience in relevant pet adoption and provided guidelines to adopters. In addition, some of the AWOs would conduct home inspections to make sure the adopters had suitable living environment and capability to take care of the pet animal they had applied for adoption. They also had existing mechanism for follow-ups after adoption. These procedures involved in pet adoption were in place to ensure the welfare of the animals.

28/21 A member suggested that AFCD could consider donating the seized animals to Hong Kong Park, Hong Kong Zoological and Botanical Gardens, and Ocean Park Hong Kong. Mr Boris KWAN responded that some of the seized animals, including birds and reptiles, had been donated to those parks for education purposes.

29/21 In response to another member's enquiry, Dr LEUNG Siu-fai, JP indicated that adopters should not be charged any fees for adopting endangered pet species under the placement scheme. The organisations could only make reasonable charges for the expenses, such as veterinary treatment expenses.

#### **IV. Progress Report of CITES Work (Committee Paper: CP/ESAC/2/2021)**

30/21 With the aid of a PowerPoint presentation, Mr Timothy LAM briefed members on the summary progress report of CITES work (Committee Paper CP/ESAC/2/2021).

31/21 A member thanked AFCD for the education talk for the volunteers of Fung Yuen Butterfly Reserve, which received a lot of positive feedback. She suggested that AFCD should organise train-the-trainer courses for volunteers of various organisations with a view to enhancing their knowledge of endangered species protection and trade regulation in Hong Kong. The volunteers would then be able to help promote such knowledge to members of the public.

32/21 In response to a member's enquiry about the licensing control over the import of American ginseng, Mr Timothy LAM indicated that according to the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586), the import of both wild and artificially propagated American ginseng, including their parts and derivatives, required a CITES export permit issued by the authority of the exporting place. Nevertheless, import of American ginseng into Hong Kong as personal or household effects was exempted from the licensing requirement. The specimens, which were legally acquired, might be treated as part of the personal or household effects of a person if they were carried by a person or included in personal luggage for personal use.

33/21 In response to the Chairman's enquiry about the measures that AFCD had taken to increase public knowledge about the regulations of CITES, Mr Boris KWAN indicated that over thirty thousand species were listed under CITES at present, including species that could be easily found in the market. To enhance public knowledge of the control over endangered species, there were targeted publicity activities and leaflets for different groups of people, including travellers, pharmacies, pet owners and so on. In addition, publicity measures were stepped up during Chinese New Year to remind cross-boundary travellers not to bring orchids into Hong Kong without a required licence. Moreover, AFCD cooperated with the Travel

Industry Council of Hong Kong in providing training to familiarise tourist guides with the laws governing the importation and exportation of controlled items by passengers.

34/21 A member took the view that in addition to the traditional publicity channels, AFCD should consider promoting through social media so as to reach out to more people.

35/21 A member appreciated AFCD's enforcement efforts, particularly in the case in which AFCD officers had disguised as buyers. He considered that as many illegal trade in pet animals of endangered species were conducted online these days, such enforcement strategy should be increasingly useful in combating the crime. He asked if this kind of enforcement strategy was supported by the Police. Mr Timothy LAM responded that there were joint operations with the Police in some previous cases. Involvement of the Police was considered on a case-by-case basis. He also explained the challenges of combating illegal online trade of endangered species.

36/21 Ms NG Kit-ching, Ida of Customs and Excise Department (C&ED) remarked that AFCD and C&ED had joint enforcement operations against smuggling of endangered species, including controlled delivery operation. This enforcement strategy had resulted in successful prosecutions in the past.

**V. Serving the Community - Service Standards Committee 46<sup>th</sup> Monitoring Report**  
**(Committee Paper : CP/ESAC/3/2021)**

37/21 Mr Ken CHAN briefed members on the performance results with respect to the licensing of endangered animals and plants during the period from 1 July 2019 to 31 March 2021 (Committee Paper CP/ESAC/3/2021). Members noted the report.

**VI. Any Other Business**

38/21 Members did not raise any other business for discussion.

**VII. Date of Next Meeting**

39/21 The Chairman said that members would be informed of the date of next meeting in due course.

40/21 The meeting was adjourned at 12:26 p.m.

- End -