

Endangered Species Advisory Committee (ESAC)
Minutes of Meeting

Date : 13 November 2024 (Wednesday)
Time : 3 p.m.
Format : Conference Room 701, Agriculture, Fisheries and Conservation Department
(AFCD) Headquarters

Present

Chairman

Professor WONG Kam-bo

Members Attending in Person

Ms. CHAN Nga-chi, Angela

Dr. HUI Tin-yan, Tommy

Ms. KO Lai-fong, Rose

Ms. SO On-man, Cammy

Mr. WONG Cho-hang, Stanley

Mr. YANG Jianhuan

Mr. YAU Yik-chung, Henry

Mr. LAI Kin-ming, Mickey, JP Director of Agriculture, Fisheries and Conservation

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

Members Attending via Video Conferencing

Ms. SHIU Yin-ning, Elaine

Dr. SIN Yung-wa, Simon

Ms. YEUNG Shuk-fun, Fanny

Mr. CHU Pui-kit, Kenneth Assistant Commissioner of Customs and Excise (Bounda
and Ports), Customs and Excise Department (C&ED)

Ms. ZHONG Shek-wa, Sophia Assistant Secretary for Environment & Ecology (Nature
Conservation)²

Secretary

Ms. CHEUNG Man-lee, Lily Assistant Secretary (Boards)1, Agriculture, Fisheries
and Conservation Department (AFCD)

In Attendance

AFCD

Mr. LAM Fung-ngai, Timothy Senior Endangered Species Protection Officer

Mr. CHAN Hon-ki, Ken Endangered Species Protection Officer (Licensing)1

Dr. LAU Tak-chuen, Edward Endangered Species Protection Officer (Enforcement)

Dr. LAU Yuen-yung, Jenny Endangered Species Protection Officer (Licensing) 2

C&ED

Mr. WONG Kei-cheung, Alex Divisional Commander (Cargo Research)

For Agenda IV Only – Ocean Park

Mr. KEUNG Chung-fai, Eric Curator, Zoological Operations Waterfront

Ms. Kay LEE Public Affairs Manager

Absent with Apologies

Mr. CHAN Chun-pang

Ms. WONG Lai-mei, Josephine

OPENING REMARKS

1/24 The Chairman welcomed everyone to the meeting.

2/24 The Chairman stated that recording would be made during the meeting to facilitate
the taking of minutes. The recording will be destroyed after the minutes have been confirmed.

AGENDA ITEMS

I. Declaration of Interests and Measures to Enhance Transparency

3/24 Mr. Timothy LAM of the AFCD briefed Members on the guidelines on declaration of interests and measures to enhance the transparency of the Committee. Members noted.

II. Progress Report of CITES Work (Committee Paper : CP/ESAC/1/2024)

4/24 With a powerpoint presentation, Dr. Jenny LAU and Dr. Edward LAU of the AFCD gave a briefing on the progress of CITES work from October 2023 to September 2024.

5/24 A Member enquired about the charges brought against an offender in a case involving illegal possession of turtles and asked whether all charges were proven.

6/24 Dr. Edward LAU explained that the offender was prosecuted under five charges for illegal possession of endangered species, illegal sale of protected wild animals taken in Hong Kong and illegal possession of live protected wild animals taken in Hong Kong. All charges were proven by the court.

7/24 The Member followed up by asking about the handling of the seized turtles, whether they had been microchipped to identify their origin, and the arrangements for release. He also enquired whether any turtles had died during the judicial proceedings.

8/24 Dr. Edward LAU responded that the seized turtles included species such as the big-headed turtle, the Chinese three-striped box turtle, and the spotted turtle. Among these, the spotted turtle died during the judicial proceedings. Four of the nine Chinese three-striped box turtles were traced to local wild sources, though the specific locations were unknown. One big-headed turtle had already been microchipped, and the remaining big-headed turtles were confirmed to be originated from local wild populations. The AFCD would assess the suitability for local release.

9/24 The Member further enquired about the origin, current status, and handling of 58 big-headed turtles involved in a case seized in Zhuhai.

10/24 Dr. Edward LAU stated that the case was intercepted by Mainland customs, with the prosecution and handling of the turtles led by the Mainland authorities. The AFCD provided assistance and maintained communication with the Mainland CITES enforcement authorities and customs regarding the handling of the turtles, including discussions on transferring them to Hong Kong for testing. The AFCD continued to work closely with Mainland law enforcement agencies to coordinate efforts and jointly combat wildlife smuggling.

11/24 The Member recommended accelerating the process of tracing origins and returning turtles to their original habitats to reduce mortality. Noting that some people set turtle traps in the wild, he suggested that the AFCD collaborate with the Police to strengthen enforcement at the source, while also microchipping more adult turtles to facilitate investigation and tracking.

12/24 Mr. Simon CHAN of the AFCD said that the seized turtles were being cared for by Kadoorie Farm and Botanic Garden which run a Chinese three-striped box turtle conservation programme. He noted that some of the seized big-headed turtles had already been microchipped and the AFCD would microchip the remaining turtles before their release. The department had also been collaborating with Lingnan University on research to identify the turtles' origins. Once the legal proceedings were concluded, the seized freshwater turtles would be released into the wild.

13/24 The Member asked whether cases of illegal felling of incense trees involved organised crime and whether the Organised and Serious Crimes Ordinance (OSCO) was applicable.

14/24 Dr. Edward LAU explained that the OSCO allowed the AFCD to apply to the court for enhanced penalties for specified offences, even if a case did not involve organised crime. The AFCD might provide information and evidence for the court's consideration based on the prevalence of the offence or its overall harm to society.

15/24 A Member noted that some researchers microchip turtles but the coverage and number of microchipped individuals remain limited due to resource constraints. He suggested that the AFCD expand the scope of turtle microchipping across the territory. Additionally, he recommended establishing a genetic database containing genetic samples from local species such as the big-headed turtle, the Chinese three-striped box turtle and the spotted turtle, so that seized specimens could undergo genetic testing to identify their origins. He also suggested strengthening public education regarding the prohibition of the illegal capture of local turtles.

16/24 The Chairman noted that establishing a database and conducting research would take time and involve technical limitations. He recommended that the AFCD collaborate with academic and research institutions in the interim.

17/24 Mr. Simon CHAN replied that various institutions had conducted genetic traceability studies on turtles. The AFCD was developing a freshwater turtle species action plan covering conservation, research and enforcement. Regarding the illegal capture of freshwater turtles, the AFCD had stepped up enforcement and publicity and formed a dedicated patrol team to conduct daytime and nighttime patrols at illegal capture hotspots. Furthermore, the AFCD had been using technology such as infrared cameras to monitor incense trees and gather evidence to combat illegal felling, as well as collaborating with universities on genetic research to trace the origin of incense trees. The department conducted joint operations with

the Police against a syndicate involved in illegal incense tree felling. This resulted in multiple prosecutions for theft and the successful application of enhanced penalties under the OSCO, with sentences ranging from 30 to 50 months. The criminal chain had been disrupted through cross-boundary cooperation.

18/24 Dr. Edward LAU added that in the two turtle cases mentioned in the briefing, genetic analysis confirmed that some turtles originated from local wild populations, enabling convictions under the Wild Animals Protection Ordinance (Cap. 170). However, due to technical limitations, it was impossible to locate the exact locations from which the turtles were taken.

19/24 A Member asked whether prosecutions could be brought for "illegal capture" rather than only "illegal possession" if it was confirmed that turtles were illegally taken locally.

20/24 Dr. Edward LAU responded that, based on legal advice from the Department of Justice, the existing evidence could not prove beyond reasonable doubt that the defendant directly participated in the act of capture; therefore, no charges for illegal capture were brought. He added that the feasibility of such charges would be examined in future cases should sufficient evidence be available.

21/24 The Members had no further questions.

III. Serving the Community - Service Standards Committee 49th Monitoring Report (Committee Paper : CP/ESAC/2/2024)

22/24 Mr. Ken CHAN briefed Members on the performance results concerning the licensing service of endangered species from 1 October 2023 to 31 September 2024. Members noted the report.

IV. Report on the Status and Publicity Plan for Giant Pandas in Ocean Park

(Representatives of Ocean Park joined the meeting)

23/24 With a powerpoint presentation, Mr. Eric KEUNG and Ms. Kay LEE of Ocean Park reported on the status and publicity plans for Ocean Park's giant pandas.

(Ms. SO On-man, Cammy left the meeting at 4 p.m.)

24/24 A Member enquired about the proportion of social media views from Mainland China versus overseas sources. He noted that giant pandas played an important role in "telling good stories of Hong Kong" and asked about the related promotional strategies and whether educational information would be included to deepen the public's understanding of giant pandas.

25/24 Ms. Kay LEE responded that promotional efforts for the giant pandas included posting content on Xiaohongshu and Douyin, though the actual viewership figures would be provided after the meeting. She mentioned that a number of interview invitations from local and Mainland media had been received and the promotions to “tell good stories of Hong Kong” were underway. In addition to launching a dedicated Instagram account for the giant pandas, the Ocean Park was utilising Xiaohongshu and Douyin to reach Mainland audiences, with conservation and educational information integrated into all promotions and interviews.

26/24 A Member asked about the health of the giant pandas and whether intensive promotional activities might cause them stress.

27/24 Mr. Eric KEUNG stated that the giant pandas were healthy and that Ocean Park continued to work with experts from Sichuan to ensure their care. He clarified that promotional activities were conducted via live streaming and would not affect the pandas’ normal routines. Looking ahead, the pandas would be gradually guided in learning to walk and sunbath, and would be progressively introduced to new people and objects and people to help them adapt to the new environment.

28/24 A Member noted that the naming contest had closed and asked when the results would be announced. She also mentioned that Ocean Park had recently been recognised as the “Guangdong Province Research Study Tour Practice Base,” and enquired about the related giant panda programmes and the preparation arrangements for public meet-and-greet events during the Chinese New Year. She suggested providing the tourism industry with more information to facilitate advance planning.

29/24 Ms. Kay LEE responded that while the announcement date for the naming contest results had not been confirmed, it was hoped that the names would be revealed during the reopening ceremony of the Hong Kong Jockey Club Sichuan Treasures during the Chinese New Year. She added that Ocean Park’s dedicated education team designed various educational programmes and tours for visitors. The debut date for the new pandas was expected to be announced by the end of December.

30/24 The Chairman thanked Ocean Park for its care of the giant pandas and remarked that the new giant pandas would help raise public awareness of conservation, serving as an educational opportunity to promote the understanding and appreciation of environmental protection.

(Ms. SHIU Yin-ning, Elaine joined the meeting at 4:32 p.m.)

(Representatives from Ocean Park left the meeting at 4:33 p.m.)

V. Any Other Business

(a) Fee Revision for Licences and Certificates

31/24 Mr. Timothy LAM reported that the Government was preparing to review the fees prescribed in Schedule 2 of the Protection of Endangered Species of Animals and Plants Ordinance (the Ordinance) (Cap. 586). Members would be consulted once detailed adjustment proposals were available.

32/24 The Chairman asked about the actual extent of the fee adjustments.

33/24 Mr. Timothy LAM replied that the relevant fees had not been adjusted since 2006. The new fee levels would take into account changes in costs and the increase was expected to be within 50%.

(b) Ivory Destruction

34/24 Mr. Timothy LAM reported that the Committee agreed in 2014 to dispose confiscated ivory by incineration, with the exception of a portion retained for scientific research and law enforcement purposes. He said that a total of 29.5 tonnes of ivory had been disposed of since 2014. Recently, the C&ED seized approximately seven tonnes of ivory in a case and all the relevant legal proceedings had been completed. The ivory had been handed over to the AFCD for disposal. Together with existing stockpiles, the total amount of ivory awaiting disposal was around 11 tonnes. The destruction would be held at the Chemical Waste Treatment Centre in Tsing Yi. A Member would be invited to serve as a witness to oversee the process for each destruction operation. He appealed to Members to support and participate in the destruction operations.

(c) Others

35/24 A Member shared that he assisted the Hong Kong Poison Control Centre in venomous snake identification. He noted that cases of venomous snake bites had increased in recent years, most of which involved pet venomous snakes. He enquired whether the possession of venomous snakes by non-researchers constituted illegal possession or illegal importation.

36/24 Mr. Mickey LAI, JP of the AFCD responded that regulation depended on whether the snake species was listed under CITES. If it was CITES-listed, it was regulated under the Ordinance. If it was not CITES-listed, its import permit was governed by other relevant regulations. When approving imports, the AFCD comprehensively considered factors such as infectious disease risks and the dangerous nature of the animal. The department would

continue to strengthen public education and remind the public to fully consider the associated risks before keeping such pets.

VI. Date of Next Meeting

37/24 The Chairman said that Members would be informed of the date of next meeting in due course.

38/24 The meeting was adjourned at 4:41 p.m.

- End -