

NATURE CONSERVATION

A new policy framework for Hong Kong



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Civic Exchange is a Hong Kong-based non-profit public policy think tank that was established in October 2000. It is an independent organization that has access to policy makers, officials, businesses, media, and NGOs – reaching across sectors and borders. Civic Exchange has solid experience in air quality, energy, water, urban planning, and climate change research, as well as economic and governance issues.

Recent work in these areas include designing and running a five-day conference on climate change (including a meeting of the C40 cities), a review of urban regeneration policy, a forum on increasing the supply of nuclear energy in Hong Kong and China, a scoping study on water supply in the Pearl River Basin, and initiating a voluntary switch to cleaner fuels by ocean-going vessels visiting Hong Kong’s port.

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A WORLD-CLASS NATURE CONSERVATION POLICY FRAMEWORK FOR HONG KONG

This paper sets out a framework and indicators for nature conservation in Hong Kong that are based on the global best practice and principles enshrined in the Convention on Biological Diversity (CBD). A new framework is urgently needed because the current policy¹ does not adequately protect Hong Kong's biodiversity. Rather, it is being used to facilitate public and private development on sites of the highest ecological value, and to justify minimal investment of public funds in conservation.

Hong Kong has an extraordinarily diverse range of species, supported by habitats of great natural beauty. Taken together, they provide a range of ecosystem services, ranging from provision of water and food to places for recreation and retreat that contribute significantly to making Hong Kong one of the most naturally beautiful and livable cities in Asia. Hong Kong also serves as a key refuge and gene pool for southern China's heavily depleted native biodiversity.

Hong Kong's own biodiversity has only remained intact because its huge ecological footprint, which requires more than 250 times the biological capacity of its land and sea area², draws on natural resources extracted far beyond its borders. As a member of the global community Hong Kong has a clear responsibility both to protect its own biodiversity, and to take active steps to reduce its impact on the species, ecosystems and countries that provide the food, water, fuel, and other resources it depends on.

Within Hong Kong, unauthorized trashing of areas of ecological and landscape value to facilitate development (especially of village houses under the Small House Policy³) is commonplace⁴, while enforcement action and habitat management has long been under-resourced and falls far short of global best practice. The marine environment has been ravaged, especially by unsustainable fishing practices. There is a growing tendency for planners to propose infrastructure and property development in areas of the highest ecological value such as Long Valley and Hoo Hook Wai. The persistent and increasing nature of these and other threats has created an urgent need for action that cannot be based on a piecemeal and reactive response. Instead a completely new approach is required.

On a more positive note, much of our terrestrial biodiversity is covered by the large (but mostly unmanaged) protected area network, and a range of laws offer protection to selected species, localities and in the management of the development process. This provides a platform on which a comprehensive

conservation policy, focusing on active nature conservation, can build.

There are recent examples of biodiversity conservation being incorporated into other policy agendas. Key examples including the Framework Agreement for Hong Kong Guangdong Co-operation (in April 2010)⁵ which sets out broad goals for cross-border collaboration, and the September 2010 Climate Change Strategy and Action Agenda⁶, which highlights the threats to biodiversity from climate change. Commitments in the 2010-2011 Policy Address proposing the extension of the CBD to Hong Kong, the banning of trawling in Hong Kong waters and the protection of the "pocket areas" in Country Parks also provide some cause for encouragement.

PURPOSE OF THIS REPORT

The key purpose of this framework is to stimulate discussion of a new approach to policy formulation and execution on nature conservation in Hong Kong that is not based on existing limitations and constraints. Rather, it aims to encourage the development of a new mindset: to emulate current global best practice in nature conservation. The key is to use an open and transparent process to develop a biodiversity strategy and action plan, and a list of performance indicators against which progress can be measured.

In particular it is hoped that a wide-ranging and, inevitably, vigorous public debate will help to reverse the perception that conservation serves as a troublesome impediment to economic development, replacing it with a recognition of the value that a thriving ecosystem provides to quality of life in Hong Kong, in terms of the physical and spiritual wellbeing of the community, and the overall sustainability of the city.

THE CONVENTION ON BIOLOGICAL DIVERSITY

The Convention on Biological Diversity⁷ (CBD) opened for signature at the Rio Earth Summit in 1992 with three main objectives: conserving biological diversity, sustainable use of the components of biological diversity, and fair and equitable sharing of the benefits arising out of the utilization of genetic resources⁸.

192 states and the European Union are currently parties to the CBD⁹. It provides not only a model for global best practice, but also a host of tools and mechanisms for making, executing, and reporting on biodiversity strategies and action plans.

Hong Kong is not currently a party to the convention, either in its own right or as a part of China. Nor is Hong Kong mentioned in China's newly released Second National Biodiversity Strategy and Action Plan¹⁰.

However, the Hong Kong SAR Government received approval from Beijing to extend the application of CBD to Hong Kong in 2003, and has been working towards signing both the CBD and the Cartagena Protocol on Biosafety¹¹. The commitment to extend the Convention was reiterated in the 2010-2011 Policy Agenda¹², and is due to take effect in early 2011¹³.

Civic Exchange has set out this framework, using the principles and practices of the CBD. One of the key elements of the CBD process is to engage the whole community in the formulation of a Biodiversity Strategy and Action Plan (BSAP). However, we have deliberately not drafted a complete plan. This would be a much larger job, and should be led by the bodies responsible for nature conservation within the Hong Kong SAR Government.

A NOTE ABOUT "SUSTAINABLE USE"

Sustainable use of biological resources is one of the pillars of the Convention: In the context of a highly developed modern city like Hong Kong there is no realistic place for sustainable use of wildlife (as opposed to domestic crops and livestock) in the sense of harvesting and consumption. Rather sustainable use should reflect the broader ecosystem services that biodiversity provides, such as clean drinking water, urban cooling, habitats for wildlife, recreational use (hiking, photography, escape from the city), flood alleviation, and food production (including agriculture and mariculture).

A COLLABORATIVE APPROACH

The CBD strongly emphasizes the importance of a collaborative and consultative approach in developing biodiversity strategy and action plans (BSAPs) – an approach we have followed in developing this framework. The detailed table below is intended to show the breadth of consultation required, for even a partial framework.

1. CONCEPT FORMULATION AND DEVELOPMENT

A six-strong steering group, with expertise in the following areas, was involved at every stage of development:

- i. Hong Kong law and international treaties
- ii. Hong Kong biodiversity
- iii. Hong Kong's ecological footprint
- iv. Biodiversity conservation and management in Hong Kong
- v. Government & administration in Hong Kong
- vi. Marketing and communications

2. EXPLORING THE ISSUES

The current status of biodiversity and biodiversity conservation in Hong Kong was thoroughly explored. A short email questionnaire was devised to seek initial views on conservation in Hong Kong. It was sent to 27 stakeholders and experts from a range of backgrounds including academia, ecological consultants, relevant government bodies, property developers, utilities, indigenous villagers and environmental NGOs. Nine replies were received. Two follow-up interviews were conducted.

3. DETERMINING CBD AS THE BLUEPRINT

Revision of the existing nature conservation policy was rejected as limiting the discussion within current local expectations, which are far below global best practice. Instead CBD was selected as the blueprint for creating nature conservation policy framework for Hong Kong and Hong Kong's status under CBD was thoroughly explored.

4. REVIEW OF CBD MATERIALS

The Convention, major decisions, manuals, National Reports and BSAPs of other countries including China, South Africa, New Zealand & the United Kingdom were extensively reviewed, and elements relevant to Hong Kong were included in the framework.

5. DRAFTING THE FRAMEWORK

Taking account of CBD and feedback from the questionnaire, a strategic framework, comprising a vision, mission, policy and strategic objectives were drafted, and headline indicators were developed.

6. STAKEHOLDER/EXPERT WORKSHOPS

Two workshops of 10 and 16 participants were organised to discuss the framework and indicators. These were attended by stakeholders and experts from academia, environmental NGOs, developers, utilities, Government departments and consultants attended.

7. FINALISING AND PUBLISHING THE DRAFT

The framework and indicators were finalised by the working group. A media briefing was held to release the new framework & indicators. The framework and indicators were posted on the Civic Exchange website and distributed to key stakeholders.

A STRATEGIC FRAMEWORK FOR NATURE CONSERVATION

The tables below, which is based on the Strategic Plan for the Convention on Biological Diversity¹⁴ sets out all of the key steps required for developing a complete BSAP for Hong Kong, parts of which lie beyond the scope of this report. However, where a stage is not fully addressed, remarks or indicative entries have been included as a guide to the content expected for this section.

| FRAMEWORK STAGE | | ACTIONS REQUIRED |
|-----------------|------------------------------|--|
| 1 | VISION | Statement of the desired state of biodiversity in, and affected by, Hong Kong |
| 2 | MISSION | Identify key ISSUES that allow goals to be defined in order to achieve vision |
| 3 | POLICIES | Establish governance policies that facilitate the adoption of measures to address key issues |
| 4 | STRATEGIC OBJECTIVES | Set short, medium and long term STRATEGIC TARGETS |
| 5 | ACTIONS | Prepare BIODIVERSITY ACTION PLANS to meet the targets and fully enact plans |
| 6 | CONSERVATION OUTCOMES | Keep a RECORD of all conservation actions and what happens as a consequence of the actions |
| 7 | MONITORING AND REVIEW | MONITOR key indicators to REVIEW effectiveness of ACTIONS & PROCESSES; revise POLICIES etc. accordingly |

1 VISION

For Hong Kong, our home, to become a world-class example of biodiversity conservation and the sustainable use of global biological resources.

2 MISSION

Protect Hong Kong's terrestrial and marine biodiversity under a comprehensive, legislated, resourced and enforced nature conservation policy that is compliant with the Convention on Biological Diversity, placing nature conservation at the core of public and private decision making and fostering a regional stewardship of biological diversity.

3 POLICIES

Article 6b of the CBD¹⁵ requires each contracting party to:

“Integrate, as far as possible and as appropriate, the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programmes and policies.”

Consequently, all government policies relating to biodiversity will have to be reviewed within a clearly articulated sustainability framework and with a view to full compliance with CDB. This duty clearly falls to the Hong Kong SAR Government and will not be addressed further in this paper.

4 STRATEGIC OBJECTIVES

Each strategic objective comprises one or more measurable strategies required to achieve the objective. It should be noted that the target dates for the strategic objectives and actions are ambitious, but are not considered to be beyond the capabilities of an appropriately resourced Environment Bureau, supported by strong leadership from the senior echelons of Government. It should also be noted that provision of sufficient resources is a key component of the CBD¹⁶. *(Please refer to table on pp8-9)*

5 ACTIONS

Actions, which are derived from the strategic objectives, enable real work to be done towards meeting the mission and, over time, approach the vision for nature conservation in Hong Kong.

The actions listed here serve as examples of what should be done. It should be noted that the list is incomplete, and requires expansion by the Government through wide-ranging and detailed consultation in order to fully achieve the strategic objectives for nature conservation in Hong Kong. Where it is not explicit in the text, a time-bound target has been added. *(Please refer to table on pp8-9)*

Objective 1

Involve all Hong Kong's communities in the conservation and sustainable use of nature, including the use of indigenous genetic resources by 2015

**Strategy 1
Community Based Conservation**

Educate and enable the community to understand and play their part in nature conservation in Hong Kong.

Objective 2

Establish (and strive to improve upon) accepted global best practices for the conservation and sustainable use of biological diversity in Hong Kong by 2012

**Strategy 2
Create a Biodiversity Strategy & Action Plan (BSAP)**

Formulate and adopt a CBD-compliant Biodiversity Strategy and Action Plan that will identify and rectify gaps and weaknesses in the current policies and legislative, administrative and enforcement processes.

**Strategy 3
Bioinformation**

Develop and maintain world-class systems to monitor and publish reports on Hong Kong's habitats, species and genetic diversity to support the development of the BSAP.

**Strategy 4
Climate Change**

Implement Hong Kong-wide strategies to monitor, mitigate and reduce adverse impacts of climate change on biodiversity.

Action 1.1

Establish and maintain conservation and sustainable use of biodiversity as part of the core curriculum in all primary and secondary school systems in Hong Kong within 2 years;

Action 1.2

Establish & maintain community-run eco-parks and hobby farms throughout Hong Kong within 3 years;

Action 1.3

Create plans to strengthen community involvement in wardening and enforcement within 12 months;

Action 1.4

Maintain & expand the educational output of environmental NGO network
Target : Establish funding digest – 12 months.

Action 1.5

Establish and maintain fora for cross-sectional discussion of biodiversity conservation issues.

Target: plan for covering all taxon groups within 12 months.

Action 1.6

Create a mechanism for the establishment of sustainable fisheries and farming.

Target: publish plans within 2 years.

Action 2.1

Conduct capacity and resource review of key implementing bodies in Government.

Target: publish report within 12 months.

Action 2.2

Review existing legislation and administrative practice relevant to CBD.

Target: review within 2 years, update existing legislation within 3 years and establish new legislation (if necessary) within 5 years.

Action 2.3

Establish and maintain government and corporate cross-sectoral communications to ensure that CBD is incorporated in government policy.

Target: publish report within 2 years.

Action 2.4

Create and publish a register of existing and potential influences (threats and opportunities) upon biodiversity in Hong Kong within 2 years

Action 2.5

Establish and maintain a conservation trust to facilitate the expansion of the existing PA network into an ecologically and economically sustainable model; establish non-in-situ development model for land exchange.

Target: publish plan for establishment within 12 months.

Action 2.6

Establish nature conservation as a legal "Public Purpose" under the Land Resumption Ordinance within 12 months.

Action 2.7

Introduce mitigation banking as a valid tool in the EIA and SEA processes within 2 years.

Action 2.8

Review legislation of pollution issues, inc. pollution, contamination and waste disposal, especially where they influence biodiversity.

Target: Publish report within 12 months.

Action 3.1

Establish publicly accessible biodiversity databases and information networks by 2012

Target: determine number of fields and depth of info within 6 months),

Action 3.2

Undertake territory-wide biodiversity surveys (not just Country Parks and other protected areas) on regular basis (minimum of 2 surveys per group every 5 years) to monitor changes in distribution and abundance of major flora and fauna groups;

Target: create and publish plans and reporting schedules within 12 months.

Action 3.3

Establish and maintain a Hong Kong repository to world class standards for fauna specimens by 2015, with specimen data available to the public via Global Biodiversity Information Facility [GBIF] (or similar);

Target: create and publish plans and reporting schedules.

Action 3.4

Raise the HK Herbarium to and maintain at world-class standards, with specimen data available to the public via GBIF (or similar) within 2 years.

Action 4.1

Establish and maintain world class networks and measures to monitor the impact of climate change on biodiversity in Hong Kong;

Target: publish climate & biodiversity impact and action plan within 2 years.

Action 4.2

Establish and maintain interdepartmental and cross-sectoral dialogue to support implementation of climate change mitigation and adaptation.

Target: publish plan outlining responsible parties and intended procedure within 12 months.

Objective 3

Reverse the decline in Hong Kong's native biodiversity by 2020

**Strategy 5
Habitat
Conservation**

Maintain, expand and improve the protected area system through re-connectivity and adoption of biodiversity action plans for habitats; restore and maintain the full range of natural habitats to a healthy functioning state. Create and promote a reserve to secure ecological connectivity with key habitats in southern China by 2020.

Action 5.1

Review existing habitat maps & create comprehensive GIS-based habitat map for Hong Kong within 12 months.

Action 5.2

Prepare habitat protection, restoration and management plans within 3 years.

Action 5.3

Identify and protect key sites for reconnecting fragmented sections of the existing PA system, and extending to China within 5 years;

Target: publish plan and identify resources and responsible party.

Action 5.4

Create and publish plans for management of the PA system within 3 years.

Action 5.5

Identify and protect key sites outside the existing PA system not covered in Action 5.3 within 2 years.

**Strategy 6
Species
Conservation**

Maintain, expand and improve mechanisms for both in-situ and (in exceptional cases) ex-situ conservation of Hong Kong's native biodiversity.

Action 6.1

Create an IUCN Red List of HK species within 2 years and review every 5 years.

Action 6.2

Undertake preparation of Species Action Plans (SAPs) for all currently IUCN Red Listed species resident in HK

Target: implement SAPs for all relevant species within 5 years;

Action 6.3

Include ex-situ conservation where necessary to maintain and restore viable populations in the existing PA network or areas identified by Actions 5.3 and 5.4, above.

Action 6.4

Publish plans to monitor and manage the threats of alien invasive species within 2 years.

**Strategy 7
Genetics
Conservation**

Set up and maintain mechanisms to investigate and publish reports on the genetic components of Hong Kong's natural resources for the identification of species at genetic risk, of threats to biosafety and the identification of genetic resources that have potential for sustainable use by 2015.

Action 7.1

Undertake control measures against genetically modified organisms (GMOs); establish and monitor degree of impact (improved risk assessment) of GMOs within 12 months.

Action 7.2

Undertake assessment of diversity and use of biodiversity resources in Hong Kong at the genetic level (including orchids, livestock breeds and traditional Chinese medicine) within 2 years.

Objective 4

Reverse Hong Kong's impact upon global biodiversity loss by 2015

**Strategy 8
Global
Ecological
Footprint**

Determine the key components of Hong Kong's ecological footprint by 2012, and establish policies and measures to reduce this footprint by 2015.

Action 8.1

Determine the key components of, and establish policies to eliminate Hong Kong's ecological footprint, especially in the key areas of marine & forest products, transportation, infrastructure development and housing.

Target: Publish plan identifying key contributors and proposed actions to reduce impacts within 18 months.

Objective 5

Secure sufficient human, financial and material resources to implement the Biodiversity Strategy & Action Plan (BSAP) by 2012

**Strategy 9
Provision of
Resources**

Ensure that implementing bodies have sufficient manpower, expertise, funding & material resources to implement, monitor and report on the BSAP by 2012.

Action 9.1

Create and execute a plan that ensures that a sufficient number of personnel with an appropriate level of training are provided with sufficient financial resources, material and administrative support to carry out the strategy in an effective, timely and accountable manner.

6 CONSERVATION OUTCOMES

Since a BSAP for Hong Kong is yet to be developed, no outcomes can be included in this report.

7 MONITORING AND REVIEW

All actions and processes under the BSAP should be monitored and regularly (usually annually) reviewed to evaluate their effectiveness. This will allow those responsible for implementing the BSAP to assess what further actions should be taken, including reviews of the mission and strategic objectives at regular medium-term intervals.

HEADLINE INDICATORS

Headline indicators are not intended to cover every species, habitat or conservation-related action, but rather to provide a broad picture of the state of biodiversity and biodiversity conservation in Hong Kong. The headline indicators listed below were derived from a review of the CBD's 2010 Biodiversity Target Headline Indicators¹⁷ conducted by participants at the second Civic Exchange workshop on Hong Kong Nature Conservation Policy.

It should be noted that data is not currently available to enable all of these indicators to be monitored. However the members of the working group and workshop agreed that these were the key indicators to provide the necessary broad picture, and have been included in this list to suggest important information gaps that need to be filled.

1

Community-based conservation

1.1

Percentage of instances of illegal/unauthorized activity (trashing, trapping, collection) reported per year by environmental NGOs where enforcement action led to a) successful prosecution, and b) restoration of ecological function

2

Establish (and strive to improve upon) accepted global best practices for the conservation and sustainable use of biological diversity in Hong Kong by 2012

2.1

Percentage of taxa on Hong Kong Red Data List covered by species action plans

3

Reversing the decline in native biodiversity

3.1

Percentage of protected areas actively managed for biodiversity conservation

3.2

Total area of ecologically sensitive habitats planned for or directly impacted by development, zoning change, or contamination that is:
a) legitimate, and
b) illegal/unauthorised

3.3

Trends in number and populations of alien invasive species

3.4

Trends in Hong Kong Common Bird Index

3.5

Trends in populations of flagship species:

- i. Chinese White Dolphin
- ii. Breeding herons and egrets
- iii. Dragonfly diversity
- iv. Horseshoe Crabs
- v. Buddha Pines
- vi. Grassland orchid: *Spathoglottis pubescens*

4

Reversing impacts on global biodiversity

4.1

Trends in imported wood, shark fin and coral reef fish

4.2

Change in greenhouse gas emissions attributable to Hong Kong

5

Plans & resources for biodiversity conservation

5.1

In how many months' time will an approved, resourced, and active BSAP that meets the principles and standards of the CBD be in place?

LOOKING FORWARD

2010 will be remembered as a landmark year for conservation in Hong Kong. Over 80,000 people joined a Facebook site to protest against the development of a private site at Tai Long Sai Wan in Sai Kung, heralding a new level of public involvement in nature conservation that social media marketing has unlocked. About the same time WWF Hong Kong and other environmental NGOs presented a catalogue of some fifty sites of high ecological value that had been deliberately trashed, mostly to facilitate small house development, over the last five years.

Chief Executive Donald Tsang responded with unusual swiftness, announcing in his 2010- 2011 Policy Address the creation of draft zoning plans for four sites, and promising to extend planning protection to some 50 others¹⁸.

Zoning to control development is an important first step, but active enforcement and management to protect and enhance ecologically-sensitive sites requires a far

greater investment in commitment and resources. It will be important to co-ordinate these and other actions strategies and policies, under a single plan, which is assessed against a set of clearly articulated performance indicators, or the full value of this worthy initiative is likely to be limited.

It is encouraging that the Government has reaffirmed its plans to extend the CBD to Hong Kong. It is very much hoped that the best practices espoused by the CBD and discussed in this report will serve as useful building blocks for the development of a comprehensive BSAP for Hong Kong in the near future.

In the meantime, environmental NGOs are encouraged to make use of these indicators to conduct regular reviews of the state of Hong Kong biodiversity – and the state of its conservation efforts – in order to highlight the value and vulnerability of the ecosystem upon which we all, ultimately, depend.

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