

# 立法會 *Legislative Council*

LC Paper No. CB(2)1713/01-02(07)

Ref : CB2/PL/SE

## **Legislative Council Panel on Security**

### **Background paper prepared by the Legislative Council Secretariat**

#### **Frontier Closed Area**

#### **Purpose**

This paper summarises the discussions so far held by Legislative Council (LegCo) Members on the Frontier Closed area (FCA).

#### **Background**

2. The FCA was first established in 1951 under the Public Order Ordinance (Cap. 245). According to the Administration, it was established in view of the considerable border activities and increasing illegal immigration problem. It provided a buffer zone to help the security forces to –

- (a) Maintain the integrity of the boundary between Hong Kong and the Mainland; and
- (b) Combat illegal immigration and other cross boundary criminal activities.

#### **Chronological account and main points of past discussions**

##### Chronological account

3. The following table gives a chronological account of past discussions/visits to the FCA -

Session	Council/Committee	Date of meeting
1997-98	Council meeting	3 December 1997
	Visit of Panel on Security to the FCA	12 February 1998
	Meeting of Panel on Security	19 February 1998
1998-99	Meeting with North Provisional District Board members	5 November 1998
	Meeting of Panel on Security	13 May 1999
	Visit of Panel on Security to the FCA	8 June 1999
2000-01	Council meeting	14 February 2001
2001-02	Meeting with North District Council members	31 January 2002
	Meeting of Panel on Planning, Lands and Works	1 February 2002
	Council meeting	6 February 2002
	Visit of LegCo Members to Sha Tau Kok Closed Area	25 April 2002

1997-98 legislative session

*Council meeting on 3 December 1997*

4. At the Council meeting on 3 December 1997, the Administration provided the following information in response to a question about reducing the size of the FCA asked by Hon LAU Kong-wah -

- (a) Since the establishment of the FCA in 1951, the Government had from time to time reviewed the need for the FCA and its coverage. All reviews had confirmed the need to retain the FCA as a buffer zone to facilitate effective operations against illegal immigration, smuggling and other cross-boundary crimes; and
- (b) The Administration had no plan to reduce the area covered by the FCA. However, it would continue to monitor the effectiveness of the FCA and review the need for its retention and its coverage from time to time, taking into account any changes in circumstances.

5. Members may wish to refer to the official record of proceedings of the Council meeting, which is available on the Research and Library Information System and the LegCo website at <http://www.legco.gov.hk/yr97-98/english/counmtg/general/yr9798.htm>, for details.

*Visit of the Panel on Security to the Frontier Closed Area on 12 February 1998*

6. Members of the Panel on Security paid a visit to the FCA on 12 February 1998 to better understand the Administration's policy on the FCA.

*Meeting of the Panel on Security on 19 February 1998*

7. The Panel on Security was briefed on the Administration's policy on the FCA at its meeting on 19 February 1998. The Administration advised that –

- (a) The boundary of the FCA had been determined with reference to the topography, road and infrastructure network within the area and access to Police support facilities;
- (b) The Administration had from time to time reviewed the need for the FCA and its coverage. A recent review indicated that there remained a need to retain the FCA and the coverage of the FCA was appropriate;
- (c) Only about 10% of the total area of North District and 2% of the total area of Yuen Long which were within the FCA were suitable for development; and
- (d) The boundary of the FCA had been determined to a large extent by reference to the topography within the area and the vantage operational points available to the Police. Moving the southern boundary of the FCA northward would negate the security advantages enjoyed by the Police.

8. Members generally considered that the coverage of the FCA should be re-examined.

9. Members may wish to refer to the Administration's paper for the meeting (PLC Paper No. CB(2)1017(02) issued vide PLC Paper No. CB(2)1025 on 17 February 1998) and minutes of meeting (PLC Paper No. CB(2) 1381 issued vide PLC Paper No. CB(2)1382 on 4 April 1998) for details. The documents are available on the Research and Library Information System and the LegCo website at <http://www.legco.gov.hk/yr97-98/english/panels/se/papers/sepapers.htm>.

1998-99 legislative session

*Meeting with North Provisional District Board members on 5 November 1998*

10. At the meeting of LegCo Members with North Provisional District Board (NPDB) members on 5 November 1998, NPDB members made the following points in respect of the FCA -

- (a) The coverage of the Sha Tau Kok Closed Area should be reduced with a view to achieving a more effective use of land resources; and
- (b) It was time to review whether the policy on the FCA should be retained, given that Hong Kong had reunified with the Mainland.

11. LegCo Members who attended the meeting generally shared the views of NPDB members.

12. Members may wish to refer to the minutes of the meeting (LC Paper No. CB(2)922/98-99 issued vide LC Paper No. CB(2)952/98-99 on 30 December 1998) for details.

*Meeting of the Panel on Security on 13 May 1999*

13. At the Panel meeting on 13 May 1999, the Administration said that the FCA policy was a part of the package of measures for ensuring effective boundary control. It was essential for the existing FCA to be retained so as to maintain an effective buffer zone for law enforcement agencies to combat illegal immigration, smuggling and other cross-boundary crimes.

14. On the question of whether package tours would be allowed to visit Chung Ying Street so as to boost the tourist industry in Hong Kong, the Administration said that given the need for vigorous anti-illegal immigration efforts, it was not an appropriate time for opening up Chung Ying Street to tourists.

15. Members may wish to refer to the Administration's paper for the meeting (LC Paper No. CB(2) 1860/98-99(01) issued vide LC Paper No. CB(2)1860/98-99 on 5 May 1999) and minutes of meeting (LC Paper No. CB(2) 2538/98-99 issued vide LC Paper No. CB(2)2539/98-99 on 15 July 1999) for details. The documents are available on the Research and Library Information System and the LegCo website at <http://www.legco.gov.hk/yr99-00/english/panels/se/general/ese.htm>.

*Visit of the Panel on Security to the Frontier Closed Area on 8 June 1999*

16. Members of the Panel on Security paid a visit to the FCA on 8 June 1999 to better understand the preventive measures adopted by the Administration against illegal immigration.

2000-01 legislative session

*Council meeting on 14 February 2001*

17. At the Council meeting on 14 February 2001, Hon CHAN Yuen-han asked a question on access control and development plans of Chung Ying Street. The Administration advised that the development of Chung Ying Street involved not only

the provision of suitable ancillary facilities but also security considerations. Any development plan might greatly increase the passenger flow and activities thereat, which would in turn undermine the Administration's effectiveness in combating illegal immigration and smuggling activities, and hence affecting the law and order. In view of these considerations, the Administration had no plans to develop Chung Ying Street.

18. Members may wish to refer to the official record of proceedings of the Council meeting, which is available on the Research and Library Information System and the LegCo website at <http://www.legco.gov.hk/general/english/counmtg/cm0004.htm>, for details.

2001-02 legislative session

*Meeting of Legislative Council Members with North District Council members on 31 January 2002*

19. At the meeting of LegCo Members with North District Council (NDC) members on 31 January 2002, NDC members expressed concern about the Administration's policy on the FCA and suggested that -

- (a) The FCA policy should be relaxed to facilitate sightseeing in the area; and
- (b) Indigenous residents of seven villages in Shataujiao Town of the Mainland should be allowed to access the FCA, as in the past.

20. LegCo Members who attended the meeting shared the views of NDC members and considered that the FCA policy might discriminate against female indigenous residents. They agreed to pay a visit to the FCA and hold a meeting with NDC members, representatives of the Security Bureau and the Police during the visit to discuss the FCA policy.

21. Members may wish to refer to the minutes of the meeting (LC Paper No. CB(3)455/01-02 issued vide LC Paper No. CB(3)449/01-02 on 5 March 2002) for details.

*Meeting of Panel on Planning, Lands and Works on 1 February 2002*

22. At the meeting of the Panel on Planning, Lands and Works on 1 February 2002, the development of the FCA was raised in the discussion of "Hong Kong 2030 : Planning Vision and Strategy", a study intended for providing a long-term planning framework to guide the development of Hong Kong over the next 30 years. Regarding the need for the FCA to continue to serve as a buffer zone to maintain the integrity of the boundary, the Administration advised that it was essential for the FCA to continue to serve this security function. It was also necessary to ensure that the opening up of the FCA would not dilute this function.

23. The Administration also advised that opportunity was taken to consult the public under the current exercise on whether the FCA should be developed. The Administration stressed that the opening up of the FCA should not dilute the status of the Hong Kong Special Administrative Region (HKSAR) under the principle of "one country, two systems". The Administration informed members that some parts of the FCA, such as the Wetland near Mai Po in the west, burial grounds and hilly area, were unsuitable for development.

24. While appreciating the need for the FCA to serve the security function, some members considered that the size of the FCA could be reduced.

25. Members may wish to refer to the Administration's paper for the meeting (LC Paper No. CB(1)907/01-02(05) issued vide LC Paper No. CB(1)907/01-02 on 24 January 2002) for details. The paper is available on the Research and Library Information System and the LegCo website at <http://www.legco.gov.hk/general/english/panels/yr00-04/plw.htm>.

*Council meeting on 6 February 2002*

26. At the Council meeting on 6 February 2002, the Administration provided the following statistics in response to a question about illegal immigrants intercepted within the FCA and other locations asked by Hon YEUNG Yiu-chung -

Year	No of illegal immigrants intercepted			
	FCA	Other land locations	HKSAR Waters	Total
1997	2 404	4 589	10 826	17 819
1998	2 264	5 815	6 534	14 613
1999	2 233	4 367	5 570	12 170
2000	1 952	2 606	3 918	8 476
2001	1 440	2 090	4 792	8 322

27. Members may wish to refer to the official record of proceedings of the Council meeting, which is available on the Research and Library Information System and the LegCo website at <http://www.legco.gov.hk/general/english/counmtg/cm0004.htm>, for details.

*Visit of Legislative Council Members to Sha Tau Kok Closed Area on 25 April 2002*

28. Members paid a visit to the Sha Tau Kok Closed Area on 25 April 2002 to better understand issues related to the FCA. The visit was also attended by NDC members, representatives of the Security Bureau and the Police.