

Legislative Council Panel on Security

Policy on Frontier Closed Area

Purpose

This paper briefs Members on the Government's policy on the Frontier Closed Area (FCA), how the coverage of FCA was delineated, the reasons for the retention of the policy on FCA and its coverage.

The FCA Policy

2. In view of the considerable border activities and the increasing number of illegal immigrants from the Mainland after the Second World War, the Government introduced the FCA policy in 1951. Under the FCA policy, certain area between the populated territory of Hong Kong and the then Sino-British border was declared to be the FCA to provide a buffer zone to help the security forces to maintain the integrity of the boundary between Hong Kong and the Mainland and to combat illegal immigration and other cross boundary criminal activities. Access to the FCA was controlled by the Police through the issue of the FCA Permits based on need.

Coverage of the FCA

3. FCA was first statutorily defined in June 1951 by way of a Government Gazette Notice. The FCA was extended to its present boundary in May 1962. The total area of the FCA is about 28 sq. kilometres which covers North District and northeast part of Yuen Long. The northern boundary of the FCA runs along the 35km-long land boundary between HKSAR and the Mainland and is demarcated by a perimeter fence and a boundary road. The southern boundary of the FCA runs roughly parallel to the land boundary and includes all the waters of Starling Inlet. The area contains 3 main ranges of hills (namely, Hung Fa Leng/ Wong Mau Hang Shan in Sha Tau Kok/Ta Kwu Leng area, Lo Shue Ling/Shu Ling in Man Lam To, and Tai Shek Mo/Ma Tso Lung/Ping Hang in Lok Mau Chau) which are generally barren and uninhabited, with the valleys in between being mainly rural area with vegetable and chicken farms. There are 5 vehicular access routes with Police Check Points to the FCA at Shek

Chung Au, Ping Che, Sha Leng, Lok Ma Chau and Pak Hok Chau. Other than the above check points, there are no physical barriers to indicate the southern boundary of the FCA.

4. The current delineation of the southern boundary of the FCA has been determined to a large extent by reference to the topography, road network and the access to police support facilities. The FCA boundary cuts across major road public roads at strategic positions which enable the Police to exercise effective control at the most vulnerable points which could be exploited by illegal immigrants and criminals. A map showing the coverage of the FCA is attached.

5. Almost 98% of the FCA in Yuen Long is currently zoned "Conservation Area" under statutory plans and the remaining 2% is taken up by scattered rural settlements with only one village in Lok Ma Chau. The FCA in North District is characterized by rural setting and hilly terrain with scattered local villages. About 10% of the FCA in the North District are lowlands areas comprising mainly cultivated land, vacant land and scattered villages. About 50% of the FCA in Yuen Long and 20% of that in North District is prone to flooding. There is a severe lack of infrastructure in the FCA to support intensive development.

The Need for Retention of the FCA and Its Coverage

6. Since the establishment of the FCA and the extension of the area to its present boundary in 1962, the Government has from time to time reviewed its need and coverage. Except for some minor adjustments to the boundary of the FCA, (inclusion of Lok Ma Chau Boundary Crossing Point in 1989 and exclusion of the North East New Territories landfill in 1991), the coverage has been found to be appropriate.

7. Following the reunification, there remains a need to maintain the integrity of the land boundary between the HKSAR and the Mainland, in line with the provisions under the Basic Law which stipulate that entry of people from other parts of China into the HKSAR will be subject to approval (BL22) and that the HKSAR shall be a separate customs territory (BL116).

8. The last review of the FCA was conducted in 1998. It confirmed the need for the FCA as an integral part of the package of co-ordinated tactics for an effective boundary control, which include the physical boundary fence, barbed wire, sensor cable, use of technical aids, frequent

patrols, ambushes and the land use control in the FCA by way of restricted access and development. To enhance the Police's efficiency in maintaining boundary control, the Government has spent \$41 million to upgrade the boundary fence protection system. The upgrading works have just been completed. The upgraded system is now equipped with high-tech devices including advanced sensor cable system, closed circuit televisions and Video Motion Detection System.

9. Past experience shows that the physical, legal and administrative controls embodied under the FCA policy have greatly facilitated Police operations for intercepting illegal immigrants and have facilitated Customs' efforts in combating smuggling. Abolition of the FCA would make it more difficult for illegal immigration, smuggling and cross-boundary crimes to be detected. This would hamper the efficiency of our law enforcement agencies and jeopardise our boundary control.

10. While the problem of illegal immigration has been under control in recent years, the number of illegal immigrants intercepted in the FCA still stands at about 200 every month. Illegal immigration is therefore still a security concern to us and we have to maintain vigorous efforts against this crime.

11. The Police currently deploys a 3-tier anti-illegal immigration strategy within the FCA :

- (a) fence duties;
- (b) ambushes and patrols; and
- (c) road blocks and snap checks on roads leading to the FCA.

The effectiveness of such deployment will be influenced by the width and size of the FCA. The smaller the FCA, the easier it would be for the illegal immigrants to merge with the population, and hence the more difficult it would be for interdicting and seeking out illegal immigrants. The Police's overall assessment is that moving the southern boundary of the FCA northward would negate the security advantages they now enjoy with the vantage points along the current southern boundary. Similarly, there would be more opportunities for smuggling and other cross boundary criminal activities.

12. The likely increase in developments and traffic in the boundary areas arising from the reduction of the FCA coverage would provide more hiding places for illegal immigrants and smugglers to escape out of the FCA after crossing the boundary. It will also be more difficult to deploy other anti-illegal immigration tactics, such as patrols and ambushes.

Review of the FCA

13. The Government will continue to monitor the effectiveness of the FCA and review the need for its retention and coverage at appropriate time, taking into account any changes in circumstances.

Security Bureau
April 2002

