

**For discussion on
1 June 2010**

Legislative Council Panel on Security

**Security matters under the “Framework Agreement on
Guangdong/Hong Kong Co-operation”**

Purpose

This paper briefs Members on the security related matters under the “Framework Agreement on Guangdong/Hong Kong Co-operation” (Framework Agreement).

Background

2. On 7 April 2010, Hong Kong and Guangdong signed the Framework Agreement¹. The Framework Agreement consists of two parts, i.e. the main text and the list of annual major initiatives. The main text of the Framework Agreement sets out specific policies, covering a wide range of topics, including the preamble, cross-boundary infrastructural facilities, modern service industries, manufacturing industries and innovation and technology, business environment, quality living area, education and talent, major co-operation areas, regional co-operation plans, as well as mechanisms and arrangements. The list of annual major initiatives sets out specific measures for the two sides to implement the Framework Agreement during the year. The policies, measures and items set out in the Framework Agreement will be implemented jointly or respectively by Hong Kong and Guangdong depending on the circumstances.

Security Related Policy Measures

3. Specific policies concerning security related matters in the Framework Agreement include:

¹ For details of the Framework Agreement, please refer to LC Paper No. CB(1)1559/09-10(01) issued to Panel on Commerce and Industry.

- (a) Cross-boundary infrastructure facilities [Clause 1 of Chapter 2 of Main Text of the Framework Agreement]

To regularise the functional positions of various cross-boundary control points by building new ones, to improve on the public transport exchanges and to enhance various back-up services, to push forward digitalization at these control points, to expand and rebuild Huanggang arrival and departure halls and Shenzhen Wenzindu Port Passenger Terminal Building, to build control points for the Hong Kong-Zhuhai-Macao Bridge, to plan and construct those for Guangzhou-Shenzhen-Hong Kong Express Rail Link and Shenzhen-Hong Kong Western Express Line, to take forward the planning and construction of the Liantang/Heung Yuan Wai control point.

The construction of cross-boundary infrastructure facilities network as stated in the Framework Agreement involves different policy areas. We would liaise with relevant policy bureaux to follow up with the items so as to promote the development of cross-boundary logistics industry. Please refer to paragraph 10 of LC Paper No. CB(1)1559/09-10(01) for the construction of control points for the Hong Kong-Zhuhai-Macao Bridge, Guangzhou-Shenzhen-Hong Kong Express Rail Link and Shenzhen-Hong Kong Western Express Line while LC Paper No. CB(1)1919/09-10(09) on the planning and construction of the Liantang/Heung Yuan Wai control point.

- (b) Business Environment - Cross-boundary Clearance [Clause 1 of Chapter 5 of Main Text of the Framework Agreement]

(i) *To study and innovate cross-boundary clearance mode for control points, subject to effective monitoring, to put in place cross-boundary clearance arrangements for trade facilitation and security considerations, to launch quick and convenient cross-boundary clearance measures in highways, ports, aviation and rail control points for the movement of people, goods and public transport, to gradually introduce information technology in immigration control, regularization in checking procedures and digitalization in customs clearance, to further promote “self-service” clearance for people, to explore the feasibility of “single-window” clearance for goods and one-stop digital clearance for vehicles while keeping the independence of the individual tax zones.*

As regards the further promotion of self-service clearance of passengers, following the extension of e-Channel service to frequent visitors since 2008, we intend to further promote visitor e-Channels and allow more eligible visitors to enrol for the service including Mainland visitors. For details, please refer to the other paper for this meeting entitled “Enhancement of Computer Systems of the Immigration Department and the Extension of e-Channel Services”.

With respect to the cargo and goods vehicle flow, Hong Kong Customs and Excise Department (C&ED) has implemented the trial run of the Road Cargo System to facilitate the road cargo clearance process since 29 March 2010. Apart from those goods vehicles being selected for examination, drivers who select to use the system would enjoy the seamless road cargo clearance services.

- (ii) To adopt effective measures to combat smuggling activities, to maintain order in cross-boundary clearance at the control points, to build a good clearance environment.***

C&ED maintains close liaison and cooperation with the Mainland Customs. Regular meetings are held with the Guangdong Sub-administration of the General Administration of Customs and the Shenzhen Customs authorities to exchange intelligence and tackle any new trend of smuggling activities. Telephone hotlines have been set up at the land boundary and railway control points to facilitate direct contact between frontline officers of both sides. C&ED and the Shenzhen Customs authorities also mount regular joint operations to deter and clamp down on cross-boundary smuggling activities.

- (iii) To strengthen co-ordination and collaboration, to strengthen efforts to build and improve Customs premises and ancillary facilities at the control points***

C&ED and Mainland Customs has always worked together to improve the cross-boundary clearance process between the boundary. Apart from the routine business exchange, C&ED and Shenzhen Customs will continue to

explore new areas to enhance the cooperation that include building and improving Customs premises and ancillary facilities at the control points.

(c) Quality Life Circle - Law and Order [Clause 6 of Chapter 6 of the Main Text of the Framework Agreement]

- (i) *To further improve the established channels of direct communication, meeting and assistance in investigation to combat cross-boundary crimes and to enhance efficiency and capability in combating cross-boundary crimes.*

Adhering to the principle of “One Country, Two System” and complying with the Basic Law of the Hong Kong Special Administrative Region and other laws of both jurisdictions, the Hong Kong Police Force (the Police) and the Guangdong Provincial Public Security Department (GDPPSD) will continue to strengthen the cooperation between both sides in combating cross-boundary crimes under the principles of non-subordination, mutual respect, mutual communication and mutual support.

The Police and the GDPPSD will continue to meet regularly through the “Guangdong - Hong Kong - Macao Tripartite CID Heads Meeting”, the “Guangdong - Hong Kong - Macao Tripartite Technical Interface Meeting” and the “Guangdong - Hong Kong - Macao Meeting on Anti-Drug Abuse and Trafficking Operations” to formulate strategies to combat cross-boundary crimes. The Police have direct contact with the GDPPSD in co-operation on criminal matters for the purpose of combating cross-boundary criminal activities. As regards information exchange, in August 2009, the Police, the GDPPSD and the Macao Unitary Police Service signed the Memorandum of Understanding for setting up an “Electronic Communal Information Sharing Platform” (ECISP) for tripartite police from the three places.

- (ii) *To build a notification system for Hong Kong residents serving prison sentences in Guangdong and Guangdong residents serving prison sentences in Hong Kong, to start collaboration in the enquiries and visits of prisoners and to actively promote business exchange for the prison*

service.

The Correctional Services Department (CSD) will explore with its counterparts in the Guangdong Province to establish a notification system for Hong Kong residents serving prison sentences in Guangdong as well as Guangdong residents serving prison sentences in Hong Kong. Both sides will also explore the prison visit arrangements for their respective residents. In addition, CSD will conduct business exchange and experience sharing with its counterparts in the Guangdong Province.

(d) Quality Life Cycle - Emergency Response Management [Clause 7 of Chapter 6 of the Main Text of the Framework Agreement]

- (i) *To promote co-operation in dealing with contingency in the region, to build a co-operation regime for contingency management, to improve on the notification and information sharing mechanism and to enhance the capability for joint operation.*
- (ii) *To improve on the theories studies and technology development in contingency, to encourage bi-lateral visits of experts, to interconnect the contingency platforms, to enhance joint exercise for contingency response and to formulate contingency plans for joint operation.*

On emergency response management, Hong Kong and Guangdong have a range of established communication channels so as to ensure timely exchange of information on regional emergencies. They include co-operation on port emergency management between the Police and the Public Security Department in Mainland (e.g. the Alert System for Water Discharge from Shenzhen Reservoir, Serious Traffic Congestion at Land Boundary Control Points and Wind Management on Shenzhen Bay Port Bridge, etc), and the information sharing between Hong Kong Observatory and the neighbouring meteorological bureaux and the China Earthquake Administration. Further, there is mutual notification mechanism on environmental incident between Hong Kong Environmental Protection

Department and Guangdong Environmental Bureau.

Authorities on both sides also embarked on multi-agency exercises. For instance, Hong Kong Marine Department and Civil Aviation Department joined hand with their Guangdong counterparts in conducting regular maritime and aeronautical search and rescue exercises.

- (e) Education - Mobility of Talents [Clause 3 of Chapter 7 of the Main Text of the Framework Agreement]

To study means to further streamline the application procedures for professionals from Guangdong to work in Hong Kong.

The Admission Scheme for Mainland Talents and Professionals aims to allow Mainland talents and professionals who possess special skills, knowledge or experience to apply to take up employment in Hong Kong. Applicants are required to meet two key eligibility criteria: (a) they have secured a job that the employer can prove that it cannot be readily taken up by the local workforce; and (b) their remuneration is not lower than the market level. The Government will review the scheme from time to time to ensure that it will not be abused and can meet the need of the Hong Kong society.

Major Initiatives for the Implementation of the Framework Agreement in 2010 and their Details

4. Major initiatives on the security front for the implementation of the Framework Agreement in 2010 and their details are set out at **Annex**.

Security Bureau
May 2010

**Major Initiatives on Security Front
for the Implementation of the Framework Agreement in 2010 and their Details**

	Major Initiatives	Details
1.	<p>To improve existing cross-boundary control points: the improvement works of the departure hall at the Huanggang Control Point in Shenzhen is expected for completion and use in June 2010, works at the arrival hall will commence in 2010 and is expected to be completed in 2011. As regards the Shenzhen Wenjindu Port Passenger Clearance Area, the works started in late March 2010 and is expected to be completed before the end of 2012.</p>	<p>Over the years, the cross-boundary passenger and cargo increased rapidly. The cross-boundary passenger increased from 320,000 daily in 2003 to 460,000 daily in 2009 which representing an average increase of 47% in overall passenger throughput. Among them, Mainland visitors recorded 130% increases. Though throughput rate of goods vehicle decreased (from 27,245 daily in 2003 to 21,171 daily in 2009), private car and coaches recorded a constant increase. The throughput rate of private car increased from 6,500 daily in 2003 to 16,000 daily in 2009 which representing an increase of 146%. Moreover, the coaches also increased sharply by 85% from 1,492 daily in 2003 to 2,760 daily in 2009.</p> <p>To improve the handling capacity of control points and to alleviate the anticipated increase in passenger and vehicle flows resulted from the improvement work at Huanggang Control Point and Wenjindu Port Passenger Clearance Area in Shenzhen, Security Bureau is coordinating with relevant departments on the improvement works at the Lok Ma Chau Control</p>

	Major Initiatives	Details
		<p>Point and the Man Kam To Control Point which include provide addition and improvements to the e-channel, facilities of Immigration, Customs and Port Health at the passenger buildings, and consider the feasibility of increasing private car kiosks in the long-term with a view to providing enhanced and smooth clearance services.</p>
2.	<p>To construct new control points: the Hong Kong-Zhuhai-Macao Bridge (HZMB) will adopt a cross-boundary clearance model where Boundary Crossing Facilities (BCF) will be constructed and set up within the respective territories of the three governments. The construction project of BCF for Zhuhai port has already commenced in late 2009, while those for Hong Kong are planned to be started in 2010 to tie in with the commissioning of the main bridge. As regards the control points at Guangzhou-Shenzhen-Hong Kong Express Rail Link, studies will be conducted to look for an appropriate cross-boundary clearance model that allows for high customer flow capacity in a speedy and efficient manner. Efforts will be made to push forward the development of Liantang-Heung Yuen Wai boundary control point for its completion and commissioning before 2018.</p>	<p>The building of cross-boundary infrastructure facilities network as stated in the Framework Agreement involves various policy areas. We would liaise with relevant policy bureaux to follow up with the items so as to promote the development of cross-boundary logistics industry. The Transport and Housing Bureau is coordinating with the relevant departments to follow-up with the construction of control points for the Hong Kong-Zhuhai-Macao Bridge, Guangzhou-Shenzhen-Hong Kong Express Rail Link and Shenzhen-Hong Kong Western Express Line. Please refer to paragraph 10 of LC Paper No. CB(1)1559/09-10(01) for details. The Development Bureau is coordinating the planning and construction of the Liantang/Heung Yuen Wai control point. Please refer to LC Paper No. CB(1)1919/09-10(09) for details.</p>

	Major Initiatives	Details
3.	To strengthen the work meeting system of high level officers and investigation chiefs between Guangdong and Hong Kong police; to further develop the online police cooperation platform for Guangdong and Hong Kong police.	<p>Adhering to the principle of “One Country, Two System” and complying with the Basic Law of the Hong Kong Special Administrative Region and other laws of both jurisdictions, the Hong Kong Police Force (the Police) and the Guangdong Provincial Public Security Department (GDPPSD) will continue to strengthen the cooperation between both sides in combating cross-boundary crimes under the principles of non-subordination, mutual respect, mutual communication and mutual support.</p> <p>Regarding the implementation of specific measures, the Police and the GDPPSD will continue to meet regularly through the “Guangdong - Hong Kong - Macao Tripartite CID Heads Meeting”, the “Guangdong - Hong Kong - Macao Tripartite Technical Interface Meeting” and the “Guangdong - Hong Kong - Macao Meeting on Anti-Drug Abuse and Trafficking Operations” to formulate strategies to combat cross-boundary crimes and exchange experience in investigating cross-boundary crime cases as well as the latest techniques in forensic examination.</p> <p>As regards information exchange, the Police, the GDPPSD and the Macao Unitary Police Service</p>

	Major Initiatives	Details
		<p>signed the Memorandum of Understanding for setting up an “Electronic Communal Information Sharing Platform” (ECISP) for tripartite police from the three places in August last year. The platform serves to provide a channel, which is in compliance with the laws of the three jurisdictions, to facilitate exchange information about police work between the three places. In 2010, the Police would provide support to the GDPPSD in upgrading the software of the platform by phrases so as to enhance its efficiency.</p>
4.	<p>To build a direct communication system for Guangdong and Hong Kong police for criminal investigation to combat cross-border serious and violent crime, triad related crime, drug related crime, commercial crime, organized gambling, prostitution and other cross-border crimes; to expand the direct communication channel and appoint liaison officers for Hong Kong Police, Guangdong Department of Public Security and the criminal investigation departments of key cooperation cities of Hong Kong-related criminal investigations.</p>	<p>On the matter of liaison, having established a partnership relationship with the GDPPSD, the Police have direct contact with the GDPPSD in co-operation on criminal matters for the purpose of combating cross-boundary criminal activities. The liaison work is carried out by designated liaison officers from both sides. In the future, the Police will, taking into account the cross-boundary crime situation, continue to work with the GDPPSD to see whether it is necessary to establish direct contacts with individual cities within Guangdong Province where there are more cross-boundary activities.</p> <p>On combating cross-boundary drug trafficking activities, Hong Kong Police works closely with its</p>

	Major Initiatives	Details
		<p>counterparts in Guangdong and Shenzhen. Quarterly Meetings were held to exchange views on cross-boundary drug trafficking situation, and joint operations were held from time to time to combat those activities. Designated Police officers have been assigned to maintain close liaison with their counterparts in Guangdong and Shenzhen. Investigating units would hold case conferences when necessary. Secured e-links between the two sides have enhanced timely exchange of information.</p> <p>The Police will continue to cooperate with the Guangdong and Shenzhen authorities in combating cross-boundary drug trafficking through established and effective mechanism, including regular meetings and timely exchange of information.</p>