

香港特別行政區政府
商務及經濟發展局
工商及旅遊科



香港添馬添美道二號
政府總部西翼二十三樓

COMMERCE, INDUSTRY AND TOURISM BRANCH
**COMMERCE AND ECONOMIC
DEVELOPMENT BUREAU**
GOVERNMENT OF THE HONG KONG
SPECIAL ADMINISTRATIVE REGION

23/F, WEST WING
CENTRAL GOVERNMENT OFFICES
2 TIM MEI AVENUE
TAMAR, HONG KONG

Tel. No.: (852) 2810 3029
Fax No.: (852) 2918 1273

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Clerk to the Subcommittee
to Examine the Implementation in Hong Kong of Resolutions
of the United Nations Security Council in relation to Sanctions
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn: Mr Desmond Lam)
(Fax No.: 2978 7569)

Dear Mr Lam,

**Subcommittee to Examine the Implementation in Hong Kong of
Resolutions of the United Nations Security Council in relation to Sanctions**

At the meeting of the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions on 12 December 2018, the Government was requested to provide information on –

- (a) the annual number of investigations undertaken by the relevant law enforcement agencies (such as the Customs and Excise Department) on suspected contraventions of the regulations made under section 3 of the United Nations Sanctions Ordinance (Cap. 537) since 1997; and
- (b) the manpower establishment in the relevant law enforcement agencies responsible for the investigations mentioned in (a), and whether the staff responsible for such investigations had undergone any special training for the purpose; if yes, details of such special training.

Regarding the above matters, our responses are set out below –

Law Enforcement Agencies

The Hong Kong Police Force (“HKPF”) and the Customs and Excise Department (“C&ED”) are the law enforcement agencies of the United Nations Sanctions Ordinance (“the Ordinance”). Generally speaking, the HKPF is mainly responsible for enforcement work related to the financial sanction and sanctions on financial transactions or transfer of funds, while the C&ED is mainly responsible for enforcement against the supply, sale or transfer of arms and other items under sanction.

The law enforcement agencies stay highly vigilant against suspected violations of the regulations made under section 3 of the Ordinance. They also closely monitor reports published by relevant United Nations Security Council (“UNSC”) committees or panels of experts and other organisations, and actively investigate suspected cases allegedly involving Hong Kong. The law enforcement agencies have been acting in accordance with the law, without fear or favour, to follow up on suspected violations of the regulations.

Investigation Figures

In the past five years¹, the HKPF and the C&ED investigated 201 and 99 suspected cases of sanctions violations respectively. Breakdowns by year are as follows²:

Year	Number of cases investigated by the HKPF	Number of cases investigated by the C&ED
2014	3	10
2015	2	3
2016	7	7
2017	58	28
2018	131	51
Total	201	99

¹ The HKPF and the C&ED do not compile statistics on their investigation of suspected cases of sanctions violations. Searching for records starting from 1997 would require a large amount of resources, manpower and time.

² A suspected case involving different sanction measures at the same time will be followed up and investigated by both departments. Therefore, some cases may have overlapped.

We will continue to maintain a stringent system of implementing UNSC sanctions in accordance with the law. Exercising their statutory authorities, the law enforcement agencies will continue to follow up on all suspected violations of UNSC sanctions, and will institute prosecution when there is sufficient evidence.

Staffing Establishment and Training

As regards staffing establishment, the Financial Investigation Division of the Narcotics Bureau of the HKPF, with 69 staff members, is mainly responsible for investigating money laundering cases, including suspected violations of the Ordinance. As for the C&ED, apart from the staff responsible for physical examination of cargoes at boundary control points, the Trade Controls Branch, with 47 staff members, is dedicated to the enforcement of strategic trade controls, the control of the provision of services to assist in the development of weapons of mass destruction, and the enforcement of the Ordinance.

The Government has been closely monitoring the latest information regarding the UNSC, such as new resolutions adopted, updates to sanctions lists, and reports or announcements of the relevant committees or panels of experts under the UNSC. Such information will be disseminated in a timely manner within the Government to keep officers of relevant bureaux, law enforcement agencies and other departments abreast of the latest information for follow-up actions. Besides, the HKPF and C&ED organise in-house training and workshops, arrange overseas training programmes for their officers, and engage in exchanges with their overseas counterparts.

Yours sincerely,



(Eileen YUE)

for Secretary for Commerce and Economic Development