

運貨報關資料不準被海關扣留 港司機大陸繫獄半年

【本報專案組報道】一名中港貨櫃車司機去年底運載一批清潔用品返回大陸時，被指報關資料不準確，遭大陸海關拘留近半年，期間一直不准事主與家人見面，只靠一封書信家人才知其近況，而歸家之期更一直未能落實。

事主何自揚（四十八歲）任職中港貨櫃車司機十多年。據其妻表示，何於去年十二月十六日替公司運送一批清潔用品往大陸途中，在文錦渡關卡被大陸海關查貨時，指其報關資料指稱貨物只值三十多萬元，但其實貨價實際高達一百八十萬元，大陸海關人員懷疑有人虛報資料，立即將其拘留。

貨主一直失蹤

何妻表示，事件發生至今近半年，丈夫一直被囚在深圳市上梅林第一看守所內，期間丈夫只寄出過一封信，要求索取一些衣物及現金，她本人亦曾親到看守所探望丈夫。不過有關人員在收取她兩百元「手續費」後，將其帶給丈夫的衣物收起便着她離去。

何妻質疑丈夫受僱的運輸公司，有關報關事宜並非其丈夫負責，現時無理被扣查達半年之久，除了家人飽受憂慮之餘，更令家中經濟陷入困境。

運輸公司僱主葉先生承認，該名僱員

確實於去年底於大陸被扣，但同日貨主一名在大陸負責報關工作的員工亦被拘留。

他表示，該批貨品是一名大陸商人委託他們的運輸公司託運，而有關報關程序，亦由貨主一手包辦，不過事發後，他們已經盡一切能力拯救何，期間更利用某些渠道，花了一筆為數不少的金錢，希望將何救出，不過未能成功。

他強調，事發後大陸海關一直要求尋找貨主，但貨主一直失蹤，海關人員基於未能尋找到貨主，不能釋放司機，於是一直將其拘留，不獲釋放。



●何自揚（左）被大陸海關扣留近半年。

屏慶鄉事選舉「大晒馬」

一名村代表在皇崗遭軍人持槍帶走



【本報訊】

元朗屏山、廈村鄉事委員會昨日及今日選舉主席一波三折。昨在屏山鄉事會選舉中，出現數百名穿風樓青年「大晒馬」場面，一名村民被打傷面部，而今日準備在廈村鄉事會出席的一名村代表，昨午在皇崗口岸疑遭內地軍人持槍挾持禁錮，今日將無法投票，使選舉蒙上恐怖色彩。

元朗區警民關係科總督察顏蔚良表示，警方調來快速應變部隊、反黑組、機動部隊警員百人支援，控制場面。

消息

息稱，錫降圍村代表鄧家良（四十五歲），且為屯門區軍裝警長，疑恐別人滋擾影響投票意向，日前與四名村民返內地躲避，至昨午二時半，一行五人乘房車經皇崗口岸過境，在通道中被兩軍車攔截，一批軍人持槍挾持車主離車，並繳去車上四人的回鄉證。

眾人到口岸公安分局報警，並致電家人向落馬洲警署報案，事主兄

無法投票影響結果

事主的胞兄透露，其弟今日將參加廈村鄉事會選舉，若投不到票，可能影響到整個選舉結果，疑有敵對派系施橫手，使胞弟無法投票。

不僅廈村鄉事會選舉主席出現在內地被扣查事件，在屏山鄉事會的選舉主席中，亦出現類似怪事，支持上屆主席鄧錫洪的賴井村代表李清樞，上月疑遭人在貨車上插槍嫁禍，被內地公安扣押，昨日已無法返港投票。不過鄧錫洪昨日終於仍能以二十二票比二十一票險勝，連任第十六屆屏山鄉事會主席。

鄧家良疑被擄走同時，元朗安信街民政事務處四樓昨午二時許展開屏山鄉事會主席、副主席選舉，突有兩百名穿黃色風樓、一百名橙色風樓、一百名便服的兩派派系支持者出現，抵埗的村代表通知警員增援。

奪警員對講機傷人

元朗區警民關係科總督察顏蔚良表示，警方調來快速應變部隊、反黑組、機動部隊警員百人支援，控制場面。

其中百多名穿風樓青年擁上四樓，與支持鄧錫洪的村民衝突，一人更奪去警員對講機將姓陳二十二歲鄧派支持者面部打傷，入院縫針治理，百名滋事男子迅速逃去。

警方登記徘徊不去風樓男子的資料，並拍下他們面孔的影帶，選舉才得以順利進行，有消息指前晚已有百名金髮青年在酒店集合，昨日出動滋擾選舉，警方正展開調查。

長視往警署備案。

Mainland factory locks up HK man

Cynthia Wan

A HONG KONG man has been seized and held by a mainland ceramics manufacturer using four privately hired security guards in Henan over his former employer's business debts.

The wife of 42-year-old Peter Leung Wing-sum has not been allowed to see her husband who has been confined at an undisclosed location in Jiyuan, Henan province, since April 3.

The state-run ceramics factory locked up Mr Leung after failing to secure a debt of more than \$4 million from his former employer whose company is believed to have collapsed amid the financial turmoil, according to Mr Leung's younger brother Leung Wing-lok.

In the most recent phone call last Tuesday, Mr Leung told his brother he was not being given any food or

water. The phone was then snatched by a Mandarin-speaking guard who asked for \$2 million for his brother's release, Leung Wing-lok said.

"I suppose it's just a threat. He couldn't have lasted until now with no food and water," he said.

"I haven't told the whole truth to my mother, but she kind of knows about it when the family discusses how to raise the money.

"My brother is basically fit but he has asthma and he would have run out of medicine by now even if he did bring some with him which I'm not sure."

Leung Wing-lok has reported the case to the Hong Kong police, who have promised to alert the mainland's Interpol.

Mr Leung had been with the company, an agent for houseware, for 10 years before quitting recently when he did not receive wages for three months.

He was supposed to start his own business with the Jiyuan factory when he was seized by four uniformed security guards on April 3.

He was taken to a house about a 10-minute drive from the factory, according to Leung Wing-lok.

He also managed to contact his former boss who promised to rescue him but has since lost touch with him.

His wife, Tam Sau-wah, has hired a Jiyuan lawyer and is expected to be back in Hong Kong this weekend after failing to see her husband. The couple have no children.

The Security Bureau said it had not received any information about the case.

Democrat James To Kun-sun, chairman of the Legislative Council Panel on Security, urged Chief Executive Tung Chee-hwa to be prepared to step in if the mainland's Interpol failed to make a breakthrough in the case.

老闆涉商業糾紛 僱員變代罪羔羊 三港客扣大陸斥特區坐視



求救無門

三名港人由於受僱的公司與內地廠商發生業務糾紛，公司負責人又逃之夭夭，三人分別成了代罪羔羊被內地公安機關或廠家拘留禁錮，要求在港家屬付清債務後才釋放；三人的家屬斥責特區政府對事件袖手旁觀，要求當局主動向內地部門了解事件及提供協助。

保安局指出，就港人在內地被扣留或入獄事宜，港府與內地有關當局已成立一個申報機制，使被扣人士的親屬可盡早獲悉有關人士的情況，並尋求援助。

一老闆為汪明荃前夫

六十三歲港人陸鈺成於去年六月在廣東常平與友人見面時，被來自內蒙公安人員帶走，拘留至今近十一個月。

陸某於九五年起受僱於林百欣麗新集團屬下的惠通國際有限公司。陸的老闆為全國政協兼影視紅星汪明荃的前夫劉昌華。至九七年，惠通拖欠該內蒙一製衣廠貨款四百多萬港元，一直未有清還。

陸的女兒陸穎詩於記者會上指出，其父只是惠通僱員，內地公安實無理由拘押他。他們去年六月曾到內蒙公安局查問，債權人表示只要付清四百多萬元便會放人，家人無力支付，債主再降價至一百萬元。

陸的家人先後九次去信特首董建華及致函保安局局長葉劉淑儀，要求協助。甚至去信國務院總理朱鎔基、港澳辦公室主任廖暉等。至上周五保安局回覆，指國際刑警組織中國國家中心局已於二月四日正式起訴陸鈺成，現

安排將案件審理。

另一名四十二歲港人梁先生亦由於老闆欠下內地河南一陶瓷廠四百多萬元貨款，於本月三日起被拘押，只透過手提電話與妻子聯絡盡快籌錢救人。

另一港人姚潤輝，四十九歲，亦是由於其任職的一間澳門服裝公司欠下內地廠商貨款，被滄州市公安於今年三月九日拘押至今。

三名港人的家屬又批評特區政府每每以「一國兩制」為藉口，漠視本港居民的生命安全。

13宗獲內地當局回應

立法會保安事務委員會成員涂謹申批評特區連過往殖民地政府亦不如，將要求保安事務委員會就此進行討論。

保安局發言人並無正面回應港人被內地公安拘押事件，只表示其親屬可向入境處求助，申請緊急「再入境」許可證或其他香港旅遊證件。由九七年七月至今年四月廿日為止，廿七個由港府轉介至內地部門的港人被扣案件中，一共有十三宗涉及十八名人士的個案獲內地當局正面回應，其中十七人已回港，一人則獲保釋外出，其餘正服刑、等候審訊或需作進一步調查。

立會要求港府內地設援助港人機制

運作，只能透過官方渠道反映家屬的意願。

港人陸鈺成被內蒙公安扣留事件，引發議員關注港人在內地惹上官非時求助無門的問題。立法會內務委員會將於五月二十八日召開特別會議，討論在內地設立援助港人機制，內會又同意致函昨天飛赴昆明出席花卉博覽的特首董建華，要求他向國家主席江澤民反映立法會意見，促請中國當局盡快及公正處理陸鈺成及其他類似個案。

據陸鈺成的家人表示，陸工作的公司因欠債倒閉後，去年六月他在廣東常平遭內蒙公安押往內蒙伊盟東勝市拘禁，公安並多次要求陸的家人繳付一至四百萬元贖金。陸鈺成的家人曾向特區政府求助，惟保安局表示本港不能夠干涉國內司法制度

民主黨涂謹申昨天在內會會議中提出討論這次事件，前綫、自由黨及其他工商界議員皆認為，政府對事件不能袖手旁觀，至少要給予陸人道的援助。工業界議員呂明華指出，外國商人在內地遇上困難時，其所屬國家的領事館多立即提供協助，港商卻像「孤兒」一樣，出事時求助無門，陸鈺成的遭遇不過是冰山一角，類似事件在國內時有發生。無黨派議員黃宏發透露，他亦接獲不少類似求助個案。

梁耀忠指出，除了商人，其他在內地工作港人亦可能有類似遭遇，他最近便接獲一個貨車司機個案，該案件一直未進行任何司法程序，家人聘請了律師亦無濟於事，公安不肯解釋扣留的原因，最慘的是「坐監之餘仲要向當地政府畀錢」！

內會最後同意即時致函，電傳已啟程前往雲南的董建華，要求他向江澤民表達立法會的意見，促請中國當局盡快及依法處理陸鈺成及其他港人被拘禁個案，並予公平對待。內會亦會在本月二十八日召開特別會議，要求政府盡快在內地設立機制。

立法會秘書處昨天會後即時聯絡政制事務局，要求提交在內地被拘禁港人的清單，讓特首轉達立法會要求時一併提交江澤民。目前港人在內地被拘禁，是由政制事務局向內地當局轉達家屬的訴求*

Legal aid

If the Government has been trying quiet diplomacy to aid citizens held in detention across the border, its efforts do not seem to amount to much.

It has taken more than 10 months for 63-year-old Lok Yuk-shing, allegedly held in illegal detention in Inner Mongolia, to be notified that he will face trial on deception charges.

Mr Lok's plight highlights a common situation on the mainland, where up to 30,000 cases of reported illegal detention take place annually.

Of the 24 Hong Kong people who have undergone the same ordeal in recent years, two were held for more than nine months. Most had to buy their way to freedom. Is it any wonder that as commercial contacts multiply, and while economic uncertainties remain, business people are becoming uneasy at the prospect of falling foul of the mainland authorities if their firm runs into financial trouble, as happened in Mr Lok's case?

It will be surprising if the Human Rights Commission succeeds in finding a mainland lawyer bold enough to sue the relevant provincial authorities over their actions. But its move is a measure of the frustration felt by Hong Kong people over their own government's inaction. The policy of non-interference and the sanctity of the "one

country" arrangement are not at risk. The heart of the matter is the failure of local police chiefs to observe mainland law and follow proper procedures.

Beijing has been reforming its legal system. It has pursued the "strike hard" campaign against corruption at all levels in society, so it is unlikely to take offence if the SAR speaks out against abuses of the law there. If Hong Kong citizens cannot expect protection from their government, where are they to go?

The only avenue left to them is to publicise their difficulties to the widest possible audience, and in an international city that is not difficult to do.

This will not embellish the mainland's reputation as a place to do business. But when the SAR's Security Bureau reports that it deals with one or two of these cases each month, perhaps a little adverse publicity is needed to get the powers-that-be to act.

Mr Lok is just an employee and cannot find the \$4 million his defunct company owes a cashmere supplier.

The \$2 million allegedly owed by 49-year-old Yiu Yun-fai's firm is equally beyond his means. He has been held in a tin hut in Hubei province for more than a month. Both men should be able to count on government assistance. But, it seems, they are on their own.

港人押內蒙近年 迫替老闆還400萬

家屬向特首保安局長及人大求助 都表示無能為力

社會實錄



香港商人在內地因錢債糾紛而被拘留的新聞時有聽聞，原來，即使打工仔，分鐘亦會被內地拘押，替「走路」的老闆做替死鬼還債。社區組織協會幹事何喜華說，迄今他已經接獲五宗同類個案。

在大陸求助無門之時，受害人家屬一心以為香港政府可以幫他們申訴，但港府在「一國兩制」下卻是一副「管不了」的態度，家屬不禁質疑：「為何港人在菲律賓遇到糾紛區永祥和黃銓明事件，港府就肯出面幫？就算林百欣返到香港都說聲「多謝董先生寫信」啦！」

本報記者 黎佩盈

時為去年六月十二日，當六十三歲的陸鈺成正在東莞常平與友人會面時，做夢也想不到會無辜地做了老闆的「替死鬼」，而且還被公安及債主從東莞帶到內蒙拘留，一去便是十一個月。

公安債主後來告訴陸鈺成的家屬，指稱因他受僱的公司欠下內蒙一間羊絨製品公司四百四十萬元人民幣貸款，而負責的總經理又不見踪影，如果他們可以交出欠債，馬上可以放

聲稱追債 實似勒索

陸之家屬一再強調四百萬元的金額實在太大，他們無能為力。「但奇怪的是，想不到債款竟然可以議價，由最初的四百萬，到上星期他們說即使是一百萬也可以放人了。」

話雖如此，但陸太太仍堅拒就範：「如果俾錢他們，豈非默認我丈夫有欠債？今次香港人肯俾錢，日後這種事陸續有來，到時就會是無止境的俾錢。」她指情況似擄人勒索多過追債。

為了營救陸鈺成，他的家人十一個月來想盡辦法，向北京和內蒙的公安、人大和最高人民法院申訴，又上書國家主席江澤民、國務院港澳辦主任廖暉等人，卻是一次又一次的失望和氣憤。

即使在香港，情況亦不見得好過。由去年十月至今，陸先生一家已九次去信行政長官董建華，一次去信保安局長葉劉淑儀，甚至是多名港區人大，但都全表示無能為力。

「政府最初回覆我們，說基於「一國兩制」，特區並不方便干涉國家內政，故只建議我們找內地律師上訴。而董建華更只回覆稱事情正在查詢中，但一直都未有消息。」坦言已經心力交瘁的陸太太說

港人在內地被扣押個案

| 事主 | 被扣留日期 | 地點 | 事由 | 最後議價還款金額(人民幣) |
|-----------|---------|---------|--|---------------|
| 陸鈺成 (63歲) | 12-6-98 | 內蒙伊盟東勝市 | 前僱主欠債440萬人民幣，被公安及債主由東莞帶至內蒙拘押，要還款才肯放人 | 100萬 |
| 梁先生 (42歲) | 3-4-99 | 不詳 | 前僱主欠債400多萬人民幣，被人拘禁。後來一名自稱「某政府部門處長」的內地男子，向家屬索款400萬人民幣 | 100萬 |
| 姚先生 (49歲) | 2-2-99 | 河北省滄州 | 替一澳門洋行做介紹人給倉州一間製衣廠，兼做跟貨從中賺佣，不料洋行倒閉，姚被指合夥詐騙而被公安扣押 | 50萬 |

Fraud charge laid 10 months after Inner Mongolia arrest

BEHIND BARS

SAR residents detained on mainland:

| | |
|--|--|
| <p>1 Man, 52 Where: Hanjin When: detained before handover Allegation: fraud involving insurance Status: unknown</p> | <p>4 Woman, 40s Where: Changsha, Hunan When: detained October 1998 Allegation: failed to repay debt after losing business during flooding along Yangtze River Status: unknown</p> |
| <p>2 Man, 40s Where: Shuozhou, Shanxi When: detained May 1998 Allegation: fraud Status: trial scheduled in one week</p> | <p>5 Man, 40s Where: Linyi, Shandong When: detained December 1998 Allegation: unknown Status: case referred to authorities</p> |
| <p>3 Lok Yuk-shing, 63 Where: Dongsheng, Inner Mongolia When: detained June 1998 Allegation: deception Status: no trial scheduled</p> | <p>6 Yiu Yun-fai, 50 Where: Cangzhou, Hebei When: detained February 1999 Allegation: fraud Status: being transferred from Cangzhou to Langfang, Hebei</p> |

SMP Graphic

A HONG KONG man held in Inner Mongolia for more than 10 months has been charged with deception.

The Security Bureau received a letter on Friday which claims that a court has decided to try Lok Yuk-shing, 63, for deception. It did not give a trial date.

The grandfather has been held in a detention centre in Dongsheng since his former employer, Lau Cheung-wah, went missing owing an Inner Mongolian cashmere supplier \$4 million.

Lok was seized by Inner Mongolian police in Dongguan, Guangdong, on June 12 last year while he was there for a job interview.

His family members have been trying to rescue him through various channels within the SAR, Inner Mongolia and Beijing but to no avail.

The *Sunday Morning Post* visited Lok last week. He appeared to be optimistic about his chances of being released and pleaded for international help.

Lok's son-in-law John Wong Tak-ming appealed on radio phone-in programme *Teacup in a Storm*, hosted by Albert Cheng King-hon, for families in similar situations to band together to press the SAR Government to take a more active role in assisting them.

Local delegate to the National People's Congress Cheng Yiu-tong has agreed to take up the case.

Assistant secretary for Security David Chiu Wai-kai said of 27 SAR residents detained on the mainland, 17 had returned to Hong Kong with one bailed in Shenzhen since the handover.

But Democrat James To Kun-sun hit out at the Government for its reluctance to stand up for its citizens.

"Even the British were more concerned when Hong Kong people were in trouble on the mainland before the handover," Mr To said.

"Mr Tung has such a good relationship with the mainland. Why can't he be more in touch with these incidents? The SAR Government is offering no protection to its own people."

Director for human rights group Society for Community Organisation, Ho Hei-wah, who is assisting the Lok family, said he feared the mainland court would go ahead and prosecute Lok.

CYNTHIA WAN