

# 立法會

## *Legislative Council*

LC Paper No. CB(2)1139/11-12  
(These minutes have been cleared  
with the Deputy Chairman)

Ref : CB2/PL/SE

### **Panel on Security**

**Minutes of special meeting  
held on Friday, 7 October 2011, at 4:00 pm  
in Conference Room 1 of the Legislative Council Complex**

- Members present** : Hon LAU Kong-wah, JP (Deputy Chairman)  
Hon Albert HO Chun-yan  
Dr Hon Margaret NG  
Hon CHEUNG Man-kwong  
Hon WONG Yung-kan, SBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon Andrew LEUNG Kwan-yuen, GBS, JP  
Hon CHIM Pui-chung  
Hon Cyd HO Sau-lan  
Dr Hon LAM Tai-fai, BBS, JP  
Hon CHAN Hak-kan  
Hon WONG Kwok-kin, BBS  
Hon IP Kwok-him, GBS, JP  
Dr Hon PAN Pey-chyou  
Hon Paul TSE Wai-chun, JP
- Member attending** : Hon Ronny TONG Ka-wah, SC
- Members absent** : Hon James TO Kun-sun (Chairman)  
Dr Hon Philip WONG Yu-hong, GBS  
Hon Timothy FOK Tsun-ting, GBS, JP  
Hon Abraham SHEK Lai-him, SBS, JP  
Hon LEUNG Kwok-hung  
Hon WONG Yuk-man

**Clerk in attendance** : Mr Raymond LAM  
Chief Council Secretary (2) 1

**Staff in attendance** : Ms Connie FUNG  
Senior Assistant Legal Adviser 1

Ms Rita LAI  
Senior Council Secretary (2) 1

Ms Kiwi NG  
Legislative Assistant (2) 1

Miss Lulu YEUNG  
Clerical Assistant (2) 1

---

Action

As the Chairman was engaged in some urgent business, the Deputy Chairman took the chair of the meeting.

**I. Security arrangements and handling of public meetings and public processions during visits of political dignitaries to Hong Kong**

(LC Paper Nos. CB(2)2545/10-11(01), (03) to (05), CB(2)2562/10-11(01) to (03) and (05), CB(2)2590/10-11(01), CB(2)2599/10-11, CB(2)2601/10-11(01) to (03), CB(2)2610/10-11(01), CB(2)2619/10-11(01) to (06), CB(2)2685/10-11, CB(2)2687/10-11(01) and CB(2)2691/10-11(01))

2. The Deputy Chairman advised that the purpose of the meeting was to deal with the motions proposed by Hon Emily LAU, Hon Audrey EU, Hon LAU Kong-wah and Hon LEUNG Kwok-hung at the special meeting held on 12 September 2011 under the agenda item "Security arrangements and handling of public meetings and public processions at the Central Government Complex and during visits of political dignitaries to Hong Kong".

3. Ms Audrey EU referred to the motion proposed by Hon LAU Kong-wah and said that she supported the middle part of the motion which urged the Independent Police Complaints Council to release to the public and submit to the Legislative Council the report on the investigation of the complaints about the security arrangements by the

Action

Police upon its completion. However, she did not support the part of the motion which expressed support for the Hong Kong Police Force in their protection of safety of political dignitaries visiting Hong Kong and maintenance of public order. She considered that most members of the public had a different view on the Police's practice during the visit of the Vice-Premier, Mr LI Keqiang, in Hong Kong. She did not support the motion.

4. Mr Ronny TONG said that while violence during the expression of views should be condemned, any violence or breach of the law by law enforcement officers should also be condemned. Being a non-Panel Member, he was aware that he had no voting right in respect of the motions.

5. The Deputy Chairman put the following motion proposed by Ms Emily LAU and seconded by Mr Albert HO to vote -

"就國務院副總理李克強先生於今年8月訪港期間，警方濫用權力及使用武力，阻撓市民表達意見和示威等活動，更妨礙傳媒的採訪工作，侵犯表達自由及新聞自由，本委員會對此深表遺憾，對政府予以強烈譴責，並促請政務司司長唐英年收回'垃圾論'，並確保警隊濫權和妨礙傳媒採訪的問題不會再出現。"

(Translation)

"This Panel expresses deep regret and strongly condemns the Government that the Police abused power and used force to obstruct public activities such as expression of views and demonstrations, and even hindered media coverage in violation of freedom of expression and freedom of the press during the visit of the Vice Premier of the State Council, Mr LI Keqiang, to Hong Kong in August this year, and urges the Chief Secretary for Administration Henry TANG to withdraw his notion of 'rubbish' and ensure that the Police will not abuse power and hinder media coverage again."

Five members voted in favour of the motion and eight members voted against. The Deputy Chairman declared that the motion was negatived.

Action

6. The Deputy Chairman then put the first motion proposed by Ms Audrey EU and seconded by Dr Margaret NG to vote -

"本委員會促請行政長官根據香港法例第86章《調查委員會條例》，成立獨立調查委員會，調查國務院副總理李克強先生訪港期間，警方的保安安排有否不適當地運用權力、是否有違反市民的基本權利及新聞自由。"

(Translation)

"That this Panel urges the Chief Executive to set up an independent commission of inquiry in accordance with the Commissions of Inquiry Ordinance (Cap. 86) to investigate whether the Police had exercised its power improperly and infringed the basic rights of members of the public and freedom of the press in the security arrangements during the visit of the Vice Premier of the State Council, Mr LI Keqiang, to Hong Kong."

Five members voted in favour of the motion and nine members voted against. The Deputy Chairman declared that the motion was negatived.

7. The Deputy Chairman then put the second motion proposed by Ms Audrey EU and seconded by Dr Margaret NG to vote -

"本委員會建議立法會成立專責委員會，調查國務院副總理李克強先生訪港期間，警方的保安安排有否不適當地運用權力、是否有違反市民的基本權利及新聞自由。"

(Translation)

"That this Panel proposes that a select committee be set up by the Legislative Council to investigate whether the Police had exercised its power improperly and infringed the basic rights of members of the public and freedom of the press in the security arrangements during the visit of the Vice Premier of the State Council, Mr LI Keqiang, to Hong Kong."

Five members voted in favour of the motion and nine members voted against. The Deputy Chairman declared that the motion was negatived.

Action

8. The Deputy Chairman then put the following motion proposed by Mr LAU Kong-wah and seconded by Dr Philip WONG to vote -

"本委員會支持香港警方按照國際慣例的做法，以專業的判斷、恰當的安排及必要的措施，保護任何訪港政要的安全，維護公眾秩序，並同時兼顧維護言論自由及新聞採訪的權利；本委員會促請獨立監察警方處理投訴委員會在完成警方保安安排的投訴的調查報告後，公開交代及提交立法會省覽。另外，本委員會關注到近年有激烈示威者採用偏激及暴力手段損害他人及公眾利益，而且暴力程度有升級趨勢，本委員會予以強烈譴責，並促請警方依法辦事。"

(Translation)

"That this Panel supports the Hong Kong Police in their protection of the safety of any political dignitaries visiting Hong Kong and maintenance of public order through professional judgments, appropriate arrangements and necessary measures in line with usual practices adopted internationally while safeguarding the freedom of speech and the right to press coverage. This Panel urges the Independent Police Complaints Council to release to the public and submit to the Legislative Council the report on the investigation of the complaints about the security arrangements by the Police upon its completion. Moreover, this Panel expresses concern about and strongly condemns the adoption of extreme and violent tactics by radical protesters to harm the interests of others and the public in recent years, as well as the trend of escalation in the degree of violence, and urges the Police to act in accordance with law against it."

Nine members voted in favour of the motion and five members voted against. The Deputy Chairman declared that the motion was carried.

9. The Deputy Chairman then put the following motion proposed by Mr LEUNG Kwok-hung and seconded by Ms Cyd HO to vote -

"本委員會要求立法會引用《立法會(權力及特權)條例》成立專責委員會，徹查警方涉嫌違反《基本法》，於李克強副總理於今年8月訪港期間，遏制港人和平示威、表達意

Action

見的權利，及妨礙新聞自由。本委員會並譴責警務處處長曾偉雄在保安事務委員會就李克強副總理訪港期間的保安安排而召開的會議上作出與事實不符的陳述，並促請特首予以停職調查。"

(Translation)

"That this Panel requests the Legislative Council to, by invoking the Legislative Council (Powers and Privileges) Ordinance, set up a select committee to inquire thoroughly into the suspected violation of the Basic Law by the Police in suppressing the rights of Hong Kong people to peaceful demonstrations and expression of views, as well as hampering press freedom, during the visit of Vice Premier LI Keqiang to Hong Kong in August this year. This Panel also condemns Commissioner of Police TSANG Wai-hung for having made untruthful representations at the meeting convened by the Panel on Security in connection with the security arrangements during the visit of Vice Premier LI Keqiang to Hong Kong, and urges the Chief Executive to interdict him from duty for investigation."

Five members voted in favour of the motion and nine members voted against. The Deputy Chairman declared that the motion was negatived.

10. The meeting ended at 4:09 pm.

Council Business Division 2  
Legislative Council Secretariat  
24 February 2012