

LCQ2: Implementation of sanctions imposed by United Nations Security Council

Following is a question by the Hon Dennis Kwok and a written reply by the Secretary for Commerce and Economic Development, Mr Edward Yau, in the Legislative Council today (February 27):

Question:

The Chief Executive has made separate regulations under section 3 of the United Nations Sanctions Ordinance (Cap. 537) to implement the respective sanctions decided by the Security Council of the United Nations against (i) Democratic People's Republic of Korea (i.e. North Korea), (ii) Iran and (iii) Yemen. In this connection, will the Government inform this Council of the respective numbers and details of the law enforcement actions taken in each of the past five years by the law enforcement agencies under those regulations, and the respective numbers of prosecutions and convictions arising from such actions?

Reply:

President,

According to the Charter of the United Nations (UN), Member States of the UN (including the People's Republic of China (PRC)) should apply measures decided by the UN Security Council (UNSC) to maintain or restore international peace and security. As part of the PRC, the Hong Kong Special Administrative Region (HKSAR) implements UNSC sanctions pursuant to the instructions of the Ministry of Foreign Affairs to fulfil our international obligation.

Currently, the UNSC imposes sanctions or restrictions against 14 places (Note 1) (including the Democratic People's Republic of Korea (DPRK), Iran and Yemen) and two organisations (Note 2). The HKSAR Government has fully implemented sanctions or restrictions imposed by the UNSC against the 14 places and two organisations through the United Nations Sanctions Ordinance (Cap. 537) (the Ordinance) and the regulations made under the Ordinance by the Chief Executive. Relevant law enforcement agencies have been acting in accordance with the law, without fear or favour, to follow up on suspected violations of the Ordinance.

The Hong Kong Police Force (HKPF) and the Customs and Excise Department (C&ED) are the law enforcement agencies of the Ordinance. The breakdowns by year of suspected cases of sanctions violations investigated by the HKPF and the C&ED in the past five years are as follows:

Year	Number of cases
2014	13
2015	5
2016	14
2017	86
2018	182
Total	300

Note: A suspected case involving different sanction measures will be followed up and investigated by the two departments separately. The above figures represent the aggregate of the number of cases handled by the two departments. To ensure confidentiality of investigation work, we will not disclose details of the cases (including the place or organisation involved in the cases).

Hong Kong has a robust system to implement sanctions imposed by the UNSC. Coupled with the investigation efforts of our law enforcement agencies which are vigilant and with deterrent effect, a number of alleged Hong Kong-registered companies have been struck off, and suspicious vessels have been denied entry into Hong Kong waters. All these are conducive to preventing attempts to make use of Hong Kong as a base to violate UNSC sanctions, and hence safeguarding the international reputation of Hong Kong.

There are currently no prosecution or conviction cases under the Ordinance. Hong Kong 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.

Note 1: These 14 places are Afghanistan, Central African Republic, Democratic Republic of the Congo, DPRK, Guinea-Bissau, Iran, Iraq, Lebanon, Libya, Mali, Somalia, South Sudan, Sudan and Yemen.

Note 2: The two organisations are Islamic State in Iraq and the Levant and Al-Qaida.