

# LCQ7: Combating Mainland fishermen's illegal fishing activities in Hong Kong

Following is a question by the Hon Chan Chi-chuen and a written reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (December 5):

Question:

It has been reported that a large number of Mainland fishermen entering Hong Kong waters for illegal fishing has often been seen in recent months. By using serpentine traps for fishing, they have not only contravened the law but also caused serious damage to the ecology of Hong Kong waters. Despite repeated complaints lodged by some villagers to the Police and the Agriculture, Fisheries and Conservation Department, the situation has shown no improvement. In this connection, will the Government inform this Council:

(1) of the manning scale of Marine Police officers responsible for patrolling the boundary of Hong Kong waters in the past three years;

(2) of (i) the number of cases of Mainland fishing vessels suspected of illegal fishing in Hong Kong which were dealt with by the various law enforcement departments, and (ii) the respective numbers of cases in which Mainland fishermen were prosecuted and convicted for illegal fishing, in each of the past seven years;

(3) whether the authorities have, since 2016, allocated additional resources for combating illegal fishing activities; if so, of the details; if not, the reasons for that; and

(4) whether it will (i) allocate additional resources for law enforcement, (ii) improve the prosecution mechanism, (iii) raise the penalty, and (iv) take other measures, to curb Mainland fishermen's illegal fishing activities in Hong Kong, so as to safeguard the rights and interests of local fishermen and conserving the ecology of Hong Kong waters; if so, of the details of the measures to be taken; if not, the reasons for that?

Reply:

President,

Having consulted the Security Bureau, we provide a consolidated reply to the various parts of the question raised by the Hon Chan Chi-chuen as follows:

(1) The divisions under the Police's Marine Region are responsible for the

daily patrol and enforcement actions within Hong Kong waters, providing round-the-clock service for the general public. The staff establishment of the Marine Region was 2 281 in the past three years. The Police does not maintain a separate breakdown of the number of officers responsible for patrolling the boundary of Hong Kong waters.

(2) In tackling the cross-boundary illegal fishing activities of Mainland fishing vessels, the Marine Region has drawn up a standing action plan and has been actively carrying out joint enforcement operations against illegal fishing with the Agriculture, Fisheries and Conservation Department (AFCD). 491 joint operations were carried out from 2012 to October 2018. The Marine Region has arrested 108 illegal immigrants and intercepted 188 fishing vessels suspected of illegal fishing, and referred the relevant cases to AFCD for follow-up having regard to the circumstances. Apart from the joint operations, AFCD also conducts daily patrols in Hong Kong waters. Together with the aforementioned cases as referred from the Marine Region, AFCD made prosecution in 35 cases involving 78 Mainland fishermen in total for illegal fishing activities under the Fisheries Protection Ordinance (Cap. 171) and the Marine Parks and Marine Reserves Regulation (Cap. 476A) in the same period.

(3) and (4) The Government considers that the existing statutory provisions are already effective in combating the illegal entry of Mainland fishing vessels into Hong Kong waters for fishing activities, and that the penalties imposed by the court, including fines and imprisonment, provide certain deterrent. Out of the 78 Mainland fishermen prosecuted as mentioned above, 24 were fined up to \$10,000, and the remaining 54 were sentenced for imprisonment up to two months.

The Government has been flexibly deploying resources to take enforcement actions against illegal fishing activities. As pointed out above, besides patrolling in Hong Kong waters, AFCD conducts joint operations with the Police's Marine Region to target blackspots for illegal fishing such as Soko Islands and the waters south of Cheung Chau, striving to curb illegal fishing activities of Mainland fishing vessels in Hong Kong. Since July 2016, AFCD has been seizing fishing gears deployed by Mainland fishermen in Hong Kong waters during regular patrols, so as to further safeguard the interests of local fishermen.

In addition, AFCD will exchange intelligence with Mainland law enforcement agencies. If Mainland fishing vessels are found illegally fishing in Hong Kong waters but they could not be successfully intercepted within Hong Kong waters, AFCD will, having regard to the circumstances, refer these cases to Mainland law enforcement agencies for follow-up.