

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

22 May 2015

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: Ms Annette Lam)  
(Fax No.: 2978 7569)

Dear Ms Lam,

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

At the eighth meeting of the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions on 16 February 2015, the Administration was requested to provide the following –

- (a) in respect of sanctions imposed by the United Nations Security Council (UNSC),
  - (i) advise whether any non-compliance cases have been identified by the Government of the Hong Kong Special Administrative Region (HKSARG) since the implementation of the UNSC resolutions in Hong Kong;

and if yes, the number of such cases and how they were dealt with by HKSARG; and

- (ii) provide information on the reporting mechanism and collaboration between HKSARG and the Central People's Government (CPG) in relation to contravention of UNSC sanctions;
- (b) in respect of the handling of the case of Banco Delta Asia, a bank in Macao that was sanctioned by the United States under the USA Patriot Act for allegedly handling funds for the North Korean Government, provide information on the collaboration between the Macao Government and the CPG; and
- (c) in respect of Hong Kong's re-exports of "telecommunications equipment" to Somalia, provide a break-down by item.

Our responses are set out in the ensuing paragraphs –

- (a) No non-compliance case has been identified by the HKSARG since the implementation of UNSC resolutions in Hong Kong.

The implementation of UNSC resolutions in Hong Kong concerns the discharge of the People's Republic of China (PRC)'s international obligation to the United Nations (UN). The HKSARG implements UN sanctions in Hong Kong by enactment of local legislation, namely the United Nations Sanctions Ordinance (Cap. 537), and regulations made by the Chief Executive under section 3(1) of Cap. 537 upon receiving instructions from the CPG. Upon enactment of the relevant UN sanctions regulations, the law enforcement agents of the HKSARG are responsible for their enforcement.

In terms of reporting, as part of the obligation under UNSC resolutions, the PRC needs to submit national implementation reports to the UN with regard to countries subject to sanctions and such reports will cover Hong Kong. We have thus been keeping the Office of the Commissioner of the Ministry of Foreign Affairs (MFA) in the Hong Kong Special Administrative Region informed of the status of UN sanctions regulations that Hong Kong has been instructed to make.

- (b) In respect of the case of Banco Delta Asia, which was

sanctioned by the United States under the USA Patriot Act for allegedly handling funds for the North Korean Government, we have consulted the Macao Special Administrative Region Government (MSARG), which advised that the incident was handled by the Monetary Authority of Macao at that time. According to the advice of the Monetary Authority of Macao, since the case of Banco Delta Asia did not arise from any contravention of UN sanctions, the information concerned would not be of relevance to Hong Kong.

We have also made enquiries with the MSARG on the reporting arrangements between the Macao Special Administrative Region (MSAR) and CPG with regard to the implementation of UNSC sanctions. According to the MSARG, the MFA will refer relevant UN resolutions on sanctions to the Office of the Chief Executive of the MSAR via the Office of the Commissioner of the MFA in the MSAR, and the Macao Law Reform and International Law Bureau will arrange for the publication of such resolutions in the MSAR Gazette. Under Article 3 of MSAR Law No. 4/2002 on Compliance with Certain Instruments of International Law, such resolutions will have legal effect upon publication in the Gazette.

- (c) In respect of Hong Kong's re-exports of "telecommunications equipment" to Somalia, a break-down by item is at **Annex**.

Yours sincerely,



( Jerry Ji )

for Secretary for Commerce and Economic Development

## Re-exports of Somalia by 3 digit SITC of commodity, 2013

Sitc group	Description	Re-exports (HKD)	Share (%)
764	Telecommunications Equipment, N.E.S.; And Parts, N.E.S., And Accessories Of Apparatus Falling Within Division 76	86,571,903	85.4
85176290	<i>Other Machines For The Reception, Conversion And Transmission Or Regeneration Of Voice, Images Or Other Data, Including Switching And Routing Apparatus, Nesoi</i>	72,672,410	71.7
85176240	<i>Telephonic Or Telegraphic Switching Apparatus</i>	6,078,195	6.0
85176100	<i>Base Station For Transmission Or Reception Of Voice, Images Or Other Data, Including Apparatus For Communication In A Wired Or Wireless Network Parts</i>	5,257,708	5.2
85177099	<i>Of Apparatus For The Transmission Or Reception Of Voice, Images Or Data, Nesoi</i>	2,430,355	2.4
85291090	<i>Other Aerials And Aerial Reflectors Of All Kinds; Parts Suitable For Use Therewith</i>	117,000	0.1
85258030	<i>Web Cameras</i>	16,235	0.0
752	Automatic Data Processing Machines & Units Thereof; Magnetic Or Optical Readers, Machines For Transcribing Data Onto Data Media In Coded Form And For Processing Such Data, N.E.S.	8,050,998	7.9
898	Musical Instruments And Parts And Accessories Thereof; Records, Tapes And Other Sound Or Similar Recordings (Excluding Goods Of Groups 763 And 883)	2,343,654	2.3
	Others	4,410,845	4.4
	<b>Total</b>	<b>101,377,400</b>	<b>100.0</b>

**Re-exports of Somalia by 3 digit SITC of commodity, 2014 (Jan-Oct)**

<b>Site group/HS</b>	<b>Description</b>	<b>Re-exports (HKD)</b>	<b>Share (%)</b>
764	Telecommunications Equipment, N.E.S.; And Parts, N.E.S., And Accessories Of Apparatus Falling Within Division 76	18,549,020	78.7
85176290	<i>Other Machines For The Reception, Conversion And Transmission Or Regeneration Of Voice, Images Or Other Data, Including Switching And Routing Apparatus, Nesoi</i>	13,976,855	59.3
85177099	<i>Parts Of Apparatus For The Transmission Or Reception Of Voice, Images Or Data, Nesoi</i>	2,620,284	11.1
85171200	<i>Mobile Telephones</i>	981,304	4.2
85176250	<i>Modems</i>	533,320	2.3
85258011	<i>Television Cameras, Not For Special Use, Of Non-Broadcast Quality</i>	215,302	0.9
85258090	<i>Other Video Camera Recorders</i>	188,259	0.8
85299015	<i>Other Parts Of Television Cameras (Including Parts Of Still Image Video Cameras And Other Video Camera Recorders), Excluding Television Cameras Of Special Purpose</i>	33,696	0.1
752	Automatic Data Processing Machines & Units Thereof; Magnetic Or Optical Readers, Machines For Transcribing Data Onto Data Media In Coded Form And For Processing Such Data, N.E.S.	1,790,614	7.6
874	Measuring, Checking, Analysing And Controlling Instruments And Apparatus, N.E.S.	1,302,674	5.5
	Others	1,936,308	8.2
	<b>Total</b>	<b>23,578,616</b>	<b>100.0</b>