

**Statement by Mr. CK Chan,
the Head of Trade Controls of Customs and Excise Department,
the Hong Kong Special Administrative Region of
the People's Republic of China
At the 17th Session of the Conference of the States Parties
To the Chemical Weapons Convention
(the Hague, the Netherlands, 26-30 November 2012)**

Chairman/Chairlady, Distinguished Delegates, Ladies and Gentlemen,

I am CK Chan, the Head of Trade Controls of the Customs and Excise Department of the Hong Kong Special Administrative Region of the People's Republic of China. It is my great honour to be here today to attend the seventeenth session of the Conference of the States Parties to the Chemical Weapons Convention.

Hong Kong has been a Special Administrative Region of the People's Republic of China since 1997. In accordance with the "One Country, Two Systems" principle enshrined in the Basic Law, the Central People's Government has extended the application of the Chemical Weapons Convention to the Hong Kong Special Administrative Region.

The Government of the Hong Kong Special Administrative Region is fully committed to fulfilling the obligations of the Chemical Weapons Convention. I am pleased today to brief the Conference on the background and development of our implementation of the Convention.

The Hong Kong Special Administrative Region Government passed the Chemical Weapons (Convention) Ordinance in 2003. The Ordinance came into effect in 2004. It prohibits the use, development, production, acquisition, stockpiling, retaining and participating in the transfer of a

chemical weapon. Infringement of the provisions in the Ordinance is a criminal offence. The maximum penalty is life imprisonment upon conviction on indictment.

The Ordinance provides Hong Kong Customs with extensive enforcement powers, including the powers to investigate suspicious cases; enter and search premises, vehicles, vessels or aircrafts; seize and forfeit offending articles; and arrest and prosecute persons who violate the Ordinance. They are authorised to inspect chemical facilities subject to the permit and notification system. The Ordinance also empowers Hong Kong Customs to grant the necessary rights to the OPCW Secretariat's inspection teams to conduct inspections at relevant facilities in Hong Kong pursuant to the Convention.

In order to control and monitor the production and related activities pertinent to scheduled chemicals as well as unscheduled discrete organic chemicals under the Ordinance, the Trade and Industry Department of the Hong Kong Special Administrative Region administers a comprehensive permit and notification system. Under the system, no person shall produce, acquire, retain, use, transfer or consume a scheduled chemical more than the prescribed amount unless a permit has been obtained from the Trade and Industry Department. All permit holders are required to provide periodic reports of the relevant production activities to the Trade and Industry Department. An operator of chemical facilities is also required to notify the Trade and Industry Department if the production of unscheduled discrete organic chemicals exceeds the relevant threshold.

Moreover, the Government of the Hong Kong Special Administrative Region forwards relevant information to the Central People's Government

regularly for making annual declaration to the OPCW. Our latest position is that there is no production or storage of chemical weapons and no declarable chemical facilities in Hong Kong. We only have a small amount of trade activities involving scheduled chemicals, which are imported mainly for local research or industrial uses.

Our comprehensive control system and vigorous enforcement on chemicals under the scope of the Chemical Weapons Convention underline our commitment to the effective implementation of the Convention in Hong Kong. We also attach great importance to close cooperation with the international community to combat chemical weapons proliferation. We will continue to make every effort to help curb proliferation of chemical weapons and related materials.

Thank you.

中華人民共和國香港特別行政區
香港海關貿易管制處處長陳志強先生
在《禁止化學武器公約》第十七屆締約國大會上的發言
(2012年11月26日至30日，荷蘭海牙)

主席先生／女士、各位代表團成員、女士們、先生們：

我是中華人民共和國香港特別行政區海關貿易管制處處長陳志強。我非常榮幸能夠出席今天的《禁止化學武器公約》第十七屆締約國大會。

自1997年開始，香港成為中華人民共和國特別行政區。按照《基本法》的「一國兩制」原則，中央人民政府已將《禁止化學武器公約》的適用範圍延伸到香港特別行政區。

香港特別行政區政府致力履行《禁止化學武器公約》的義務。今天很高興向大會簡報我們實施《公約》的背景和發展。

香港特別行政區政府於2003年通過《化學武器(公約)條例》。《條例》於2004年起生效，嚴禁使用、發展、生產、獲取、儲存、保有和參與轉讓化學武器。違反《條例》的規定，即屬干犯刑事罪行，經公訴程序定罪後，最高刑罰為終身監禁。《條例》賦予香港海關人員全面的執法權力，包括調查可疑

案件；進入並搜查有關處所、車輛、船隻或飛機；檢取和沒收違法物品；以及逮捕與檢控違法人士。海關人員可視察受許可證和呈報制度所監管的化學品設施。《條例》亦授權香港海關容許『禁化武組織』秘書處根據《公約》派遣的視察組視察香港的有關設施。

為管制和監察涉及《公約》附表所列化學品和非附表所列特定有機化學品的生產和相關活動，香港特別行政區政府工業貿易署根據《條例》執行一套完備的許可證和呈報制度。根據有關制度，除非取得工業貿易署簽發的許可證，任何人均嚴禁生產、獲取、保有、使用、轉讓或消耗超過規定數量的表列化學品。所有許可證持有人須定期向工業貿易署呈報其有關的生產活動。如非附表所列特定有機化學品的生產超過規定數量，有關化學品設施的營運人亦必須向工業貿易署呈報。

此外，香港特別行政區政府定期把有關資料呈報中央人民政府，以向『禁化武組織』提交年度宣布。我們的最新情況為香港並沒有生產或儲存化學武器，亦沒有需按《公約》規定而作宣布的化學品設施。我們只有少量涉及《公約》附表所

列化學品的貿易活動，主要是進口作本地科研或工業用途。

我們對《公約》規管的化學品，實施完善的管制制度及嚴厲的執法，顯示了香港對有效執行《公約》的決心。我們非常重視與國際社會的緊密合作，以打擊化學武器的擴散。我們會繼續盡力協助遏止化學武器及相關物料的擴散。

謝謝。