

## **Chapter X**

### **CROSS BOUNDARY DRUG ABUSE AND EXTERNAL COOPERATION**

#### **CROSS BOUNDARY DRUG ABUSE**

##### **(A) Overview**

10.1 In recent years, the cross boundary drug abuse problem has been perceived to be serious in the community. Some suggest that the proximity of Hong Kong to Shenzhen, together with the increased convenience of travelling between Hong Kong and cities in the Pearl River Delta Region, has exacerbated the problem. Some express worries about the situation as Hong Kong people now choose to abuse drugs in Shenzhen when many local problematic entertainment venues have closed down following stringent enforcement action by the Police.

10.2 According to CRDA, around 11% (or 1 451) of all reported drug abusers had taken drugs in the Mainland (mostly Shenzhen) in 2007. The average age was 29. As regards those aged under 21, some 17% (or 490) of the total had taken drugs in the Mainland. About half of them came from the North, Yuen Long and Tuen Mun Districts. The average age was 17.

10.3 According to the Shenzhen authorities, in 2007, they arrested 166 Hong Kong residents for abusing drugs. 148 of them were aged 21 or over, and 16 were aged below 21<sup>1</sup>. The numbers in the past three years and the penalties imposed are set out in Chart 1 below.

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<sup>1</sup> The age was unknown for two persons.

**Chart 1 Number of persons arrested for abusing drugs in Shenzhen according to the penalties imposed**

|                          | 2005 | 2006             | 2007 |
|--------------------------|------|------------------|------|
| Administrative detention | 290  | 458              | 114  |
| Addiction treatment      | 60   | 82               | 51   |
| Fine                     | 0    | 36               | 1    |
| Total                    | 350  | 550 <sup>2</sup> | 166  |

10.4 Some social workers observe that many youngsters cross the boundary to Shenzhen to abuse drugs and return to Hong Kong in the small hours. It is very difficult to estimate the number of such youngsters. As background reference, we have compiled some passenger departure statistics after midnight at the land boundary control point of Lok Ma Chau which operates round the clock. Care must be taken to read the statistics as youngsters may be travelling for legitimate reasons with their families.

**Chart 2 Daily average number of passenger departure between 0000 and 0600 hours at the land boundary control point of Lok Ma Chau, 2007**

| Age          | Weekday<br>(Tue - Fri) | Weekend<br>(Sat + Sun+ Mon) | Long Holiday<br>(six periods) | Whole Year |
|--------------|------------------------|-----------------------------|-------------------------------|------------|
| Below 11     | 56                     | 83                          | 112                           | 67         |
| 11 to 14     | 8                      | 19                          | 30                            | 13         |
| 15 to 16     | 32                     | 61                          | 59                            | 44         |
| 17 to 18     | 122                    | 190                         | 187                           | 151        |
| 19 to 20     | 234                    | 308                         | 325                           | 266        |
| 21 and above | 6 308                  | 7 153                       | 7 202                         | 6 671      |
| All ages     | 6 759                  | 7 813                       | 7 915                         | 7 212      |

## **(B) Hong Kong Efforts**

10.5 The Administration is very concerned about the cross boundary drug abuse situation and has, over the years, taken various measures in consultation with ACAN.

<sup>2</sup> The 2006 figures do not add up to a total of 550 because some people were both treated and fined.

10.6 On the preventive education and publicity front, tackling cross boundary drug abuse is one of the key focus areas. With an outside donation of \$5 million to this area received in 2004, a series of TV docu-drama “Anti-Drug Files” featuring real life cases and a TV programme of ten one-minute episodes targeting parents were produced, and 18 educational and publicity projects targeting young people were sponsored. The donation also funded the production of an education kit for primary and secondary schools to disseminate anti-drug messages and consequences of cross boundary drug abuse. In the Beat Drugs Fund funding exercises in 2004, 2007 and 2008, tackling cross boundary drug abuse was included as one of the priority areas for support.

10.7 The Police and Customs also regularly conduct educational and publicity activities at boundary control points like distributing leaflets, often in collaboration with community leaders, District Councils, District Fight Crime Committees as well as NGOs. Prior to and during long holidays, such efforts are stepped up, in tandem with dedicated publicity measures, such as broadcasting of APIs through the mass media and on trains, displaying huge panel posters and banners at the Lo Wu Station, and featured media interviews to issue warning messages. Other publicity campaigns against cross boundary drug abuse conducted by the Police include distributing leaflets during seminars to students in the New Territories and to youngsters in amusement game centres and cyber cafes. Similar messages are also circulated through the New Territories North School Crime Prevention Network.

10.8 As regards law enforcement, the Police and Customs work closely together to combat and prevent cross boundary youth drug abuse. They maintain close liaison with their Mainland counterparts to formulate strategies and cooperation arrangements, exchange information and intelligence, and undertake joint or coordinated operations to tackle cross boundary crimes.

10.9 The Police have also agreed with the Shenzhen authorities on a mechanism for receiving Hong Kong residents arrested within the Guangdong Province for abusing drugs and repatriated by the Mainland authorities to Hong Kong (in batches, subject to the Mainland authorities’

resources and arrangements). Social workers are invited to receive the drug abusers on the Hong Kong side together with the Police, and to provide counselling and follow-up services on a voluntary basis. Since 2004, the Police have received 166 Hong Kong residents under this mechanism. 16 of them were aged under 21.

10.10 ND has developed a tripartite cooperation framework with our Guangdong and Macao counterparts to promote exchanges and cooperation in anti-drug efforts among the three places. Starting from 2001, the three places have been, on a rotation basis, hosting annual tripartite conferences or functions. Information is exchanged, and experiences shared on various fronts covering law enforcement, research, treatment and rehabilitation as well as preventive education.

### **(C) Mainland Efforts**

10.11 The Task Force notes that, following proactive liaison between our law enforcement agencies and their Mainland counterparts, the Mainland side has been stepping up law enforcement efforts against drug abuse, particularly in entertainment venues. From September to December 2007, the Shenzhen authorities conducted a special operation against entertainment venues involved in drug offences. To complement such efforts, the Hong Kong Police also conducted a major operation against drug trafficking and abuse through publicity, education and law enforcement during the same period, resulting in the arrest of over 300 persons and seizure of a significant amount of drugs. In a similar vein, Hong Kong Customs and the Mainland Customs also conducted a major joint operation at boundary control points to intercept suspicious drug couriers between November and December 2007 and another one between July and August 2008, both resulting in significant seizures and arrests.

10.12 In the Mainland, the act of taking drugs is regarded as an act against the administration of public security under the Law on Penalties for Administration of Public Security<sup>3</sup>. Those caught for such an act are normally subject to a fine of 2,000 yuan and administrative detention for 10 to 15 days. Following the coming into force of the new Anti-drug Law in June 2008, three types of detoxification measures are meted out to drug addicts (i.e. voluntary detoxification, detoxification in community, and compulsory detoxification in isolation).

#### **(D) Issues**

10.13 In tackling cross boundary drug abuse, the Task Force reckons that the risk of Hong Kong youngsters being caught and sanctioned by the authorities for abusing drugs in the Mainland is relatively small. It has the following observations -

- (a) Hong Kong residents caught abusing drugs across the boundary and repatriated by the Shenzhen authorities are mainly adults. Relatively few youngsters are repatriated to Hong Kong under the present mechanism.
- (b) Law enforcement against drug abuse is often subject to what is described as a “balloon effect”. Enhanced efforts in one geographical area may result in greater illegal activities in neighbouring areas if not checked by comparable action at the same time, as observed between Shenzhen and Hong Kong (especially in areas like Yuen Long and North District given the proximity).
- (c) Youngsters have a perception that their chances of being caught abusing drugs in the Mainland are small and the general price level there is lower than that in Hong Kong.
- (d) While parents should be primarily responsible for taking care of their own children, some may simply be unaware that their

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<sup>3</sup> The Criminal Law of the People’s Republic of China does not provide that the taking of illicit drugs is a criminal offence.

children may have travelled outside Hong Kong, not to mention their drug abuse behaviour across the boundary.

10.14 It is not feasible to seek to restrict vulnerable young people from crossing the boundary as freedom of movement is a fundamental right of Hong Kong residents including minors. Currently, a Hong Kong resident who abuses drugs outside Hong Kong does not commit an offence under Hong Kong law; nor is his or her conduct outside Hong Kong punishable in Hong Kong. Accordingly, the Task Force sees a strong need for collaborative efforts with the Mainland side (particularly Shenzhen) to combat such illegal activities in its jurisdiction. Hong Kong authorities can take parallel action against drug abuse in Hong Kong to maximise the effect of law enforcement.

10.15 More importantly, the Task Force believes parents should have greater awareness to this problem and any suspicious behaviour of their children, and assume greater responsibility in preventing their children from abusing drugs whether in Hong Kong or in the Mainland. The Administration should consider providing information and assistance to parents where appropriate.

## **(E) Strategy and Measures**

### **(a) Collaborative and complementary law enforcement actions by Hong Kong and Mainland authorities**

10.16 Having regard to the “balloon effect”, enhancement of law enforcement efforts in tackling youth drug abuse will be most effective when synchronised between the authorities in the two places. The parallel operations of Shenzhen and Hong Kong from September to December last year proved to be very effective (paragraph 10.11 above).

10.17 In this regard, stringent law enforcement action against entertainment venues by the Shenzhen authorities in tandem with heightened efforts by the Police and Customs in Hong Kong would be essential to deter Hong Kong youngsters from abusing drugs in Shenzhen.

The Task Force endorses the on-going close liaison and cooperation between our law enforcement agencies and their Mainland counterparts, including efforts to strengthen parallel local action, exchange intelligence for mutual enforcement benefits, and plan for appropriate joint operations with their Shenzhen counterparts. The Task Force has reviewed specific aspects of collaboration and makes recommendations in the following paragraphs.

**(b) Sharing of information**

10.18 At present, the Mainland authorities provide information about Hong Kong residents arrested in the Mainland to the Hong Kong Police for the purpose of prevention and detection of crime. This covers Hong Kong residents caught abusing drugs. Such information is currently not further shared with other Government departments or parties outside the Government.

10.19 The Task Force considers that information of an individual young person having been caught abusing drugs in the Mainland should, as far as possible, be made available to the person's parents so as to enable the parents to take remedial measures including seeking help and assistance from appropriate bodies. Further and with the view to providing follow-up rehabilitative services, the said information may also be made available to other Government departments or suitable supportive bodies, subject to consideration of privacy and personal data issues. This is in line with the Administration's view that parents should pay greater attention to their children regarding any drug abuse behaviour, whether it takes place in or outside Hong Kong, and be provided with appropriate assistance.

10.20 In order to establish such a system, the Administration is discussing with the Mainland authorities regarding the provision of such information, as a further development of the existing arrangement on repatriation of drug abusers.

### **Recommendation 10.1**

The Task Force recommends that the Administration should step up cooperation with the relevant Mainland authorities to tackle the problem of cross boundary drug abuse, including the Hong Kong Police obtaining from the Mainland authorities information of youngsters caught abusing drugs in the Mainland. The said information can then be made available to the parents of the young persons concerned and for the purpose of the provision of suitable rehabilitative services.

#### **Measures taken thus far**

Constructive discussions have been held with the Mainland authorities regarding the provision of such information. Detailed arrangements are being made to implement the new measures.

### **(c) Repatriating Hong Kong youngsters caught abusing drugs in the Mainland**

10.21 As noted in paragraph 10.9 above, the number of young people repatriated by the Mainland authorities and received by the Police under the present mechanism has been relatively small over the years.

10.22 Following the tightening up of law enforcement action and more robust application of the law and penalties by the Mainland authorities, the Task Force envisages the number of Hong Kong youngsters caught abusing drugs in the Mainland will increase. The Task Force recommends that whenever a young drug abuser is caught and administratively detained in the Mainland, he or she will be repatriated to Hong Kong and received by the Hong Kong Police.



10.23 The Task Force also sees a need to enhance assistance for the repatriated youngsters. The health and well being of these young persons are likely to be matters of concern as they have been caught abusing drugs and administratively detained. The Police upon receiving these young persons may make enquiries of them and contact their parents or guardians to collect them at a police station or at a boundary control point<sup>4</sup>. Social workers can also be invited to the point of collection to offer possible service. Where their parents or guardians fail to present themselves, the Protection of Children and Juveniles Ordinance (Cap. 213) may be invoked, where the criteria are met, by any Police officer or any person authorised by the Director of Social Welfare as and when necessary.

### **Recommendation 10.2**

The Task Force recommends further discussion with the Mainland authorities so that whenever a young drug abuser is caught and administratively detained in the Mainland, he or she will be repatriated to Hong Kong and received by the Hong Kong Police. The Police may then make appropriate enquiries of the young persons received, contact their parents or guardians to collect them, and/or facilitate social workers support where appropriate.

### **Measures taken thus far**

Constructive discussions have been held with the Mainland authorities who are prepared to enhance their efforts in this regard. Detailed arrangements are being made to implement the new measures.

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<sup>4</sup> Under Section 10 of the Police Force Ordinance (Cap. 232), a police officer is required to take lawful measures for (amongst other things) preventing injury to life and property. Accordingly, a Police officer who is concerned about the health and well being of a young person or concerned that he is at risk can make enquiries of him to ascertain whether he is capable of looking after himself. Such enquiries could extend, where necessary, to contacting the young person's parents/guardian so that the young person may be released to them from a place of safety.

**(d) Police enquiries of youngsters apparently under the influence of drugs**

10.24 There have been repeated reports that some Hong Kong youngsters returning from Shenzhen are arriving in Hong Kong under the influence of drugs, especially among those coming back in the small hours through Lok Ma Chau. Their entry is usually uneventful, unless subject to customs search, as consumption of drugs outside Hong Kong is not an offence in Hong Kong.

10.25 Where it is obvious that a young person is under the influence of drugs at boundary control points and his health and well being give rise to concern, the Police can intervene by making enquiries with a view to contacting their parents if necessary.

10.26 Apart from the Police's own operations, officers of the other disciplined services at boundary control points may also be vigilant about suspicious or vulnerable youngsters during the course of their normal duties (in line with their own profiling and monitoring efforts), and alert Police colleagues. Appropriate enforcement and deployment strategies may be worked out to strengthen the deterrent effect, for example through special assignments during weekends or long holidays.

**Recommendation 10.3**

The Task Force recommends that where it is obvious that a young person is intoxicated or otherwise incapacitated upon his return from the Mainland via a boundary control point, and that his health and well being give rise to concern, the Police should make enquiries of this person and contact his or her parents if necessary.

**(e) Detection capability at boundary control points**

10.27 Hong Kong young people abusing drugs in the Mainland may easily be tempted to bring back drugs to Hong Kong for later consumption, or be lured by drug dealers to become couriers. Strengthening the detection capability at boundary control points can contribute to tackling the cross boundary drug abuse problem. As detailed in Chapter IX and set out in Recommendations 9.8 and 9.9, the Customs detector dog services and plainclothes operations should be enhanced to strengthen enforcement actions and the deterrent effect against drug abusers and traffickers.

**(f) Facilitating the parental role**

10.28 One reason why some youngsters may abuse drugs in the Mainland unchecked is that parents are not aware of the whereabouts of their own children, not to mention their travelling outside Hong Kong. By being informed of and reasonably restricting their children's movements, parents may be better able to exercise their responsibility over them.

10.29 In the first place, parents may consider keeping their children's home visit permits so that their children cannot cross the boundary without their notice. Secondly, parents can apply to the Immigration Department for a statement of travel records on behalf of their children under 18 at a fee of \$140. The Task Force sees merit in advising parents of these respects.

**Recommendation 10.4**

The Task Force recommends that the Administration should advise parents to keep their under-age children's home visit permits, and inform them of the availability of a statement of travel records in respect of their children at the Immigration Department.

**(g) Preventive education and publicity**

10.30 As referred to in paragraphs 10.6 and 10.7 above, the Administration has all along placed emphasis on preventive education and publicity measures against cross boundary drug abuse. We are stepping up such efforts, and are riding on the momentum of the Territory-wide Campaign against Youth Drug Abuse to educate the public about the legal consequences of abusing drugs in the Mainland. The preparation of a set of new resource kits for school personnel and parents will also incorporate elements in relation to cross boundary drug abuse, including the implementation of any of the measures recommended above.

**Recommendation 10.5**

The Task Force recommends that the Administration should continue to step up preventive education and publicity against cross boundary drug abuse, including the implementation of any of the relevant measures recommended by the Task Force in that connection.

**EXTERNAL COOPERATION**

**(A) Overview**

10.31 The drug problem knows no boundary. Its transnational nature makes it difficult for jurisdictions to tackle the problem in isolation but requires close cooperation and coordination among countries and places. Hong Kong has all along been a committed partner in international and regional efforts to combat drug trafficking and abuse.

10.32 At the global level, Hong Kong strictly complies with the United Nations (UN) drug conventions<sup>5</sup>, putting in place and enforcing a regulatory regime over substances and precursors under convention control. Notably, the Administration introduces legislative measures to implement decisions of the UN Commission on Narcotic Drugs<sup>6</sup> (CND) from time to time, and compiles drug-related returns and statistical reports to the International Narcotics Control Board<sup>7</sup> (INCB).

10.33 To keep abreast of the global drug scene, international standards and requirements, Hong Kong participates in the annual meeting of the CND as part of the Chinese delegation. As a token of our commitment, Hong Kong makes an annual contribution of HK\$120,000 to the UN Drug Control Programme. There are also other international meetings and seminars like International Drug Enforcement Conference which Hong Kong actively participates to share experience and exchange views with counterparts around the world.

10.34 Hong Kong itself organises events aiming at enhancing cooperation and the sharing of experience and expertise. For instance, in 2005, ND and ACAN jointly organised an “International Conference on Tackling Drug Abuse”<sup>8</sup> with the participation of some 400 delegates from the Mainland, Macao and overseas countries.

10.35 At the regional level, we have attached great importance to the communication and coordination among Guangdong, Macao and Hong Kong in respect of combating drug abuse and trafficking. A tripartite cooperation framework has been developed with our Guangdong and Macao counterparts as noted in paragraph 10.10 above.

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<sup>5</sup> The Single Convention on Narcotic Drugs 1961, as amended by the Protocol of 1972 was applied to Hong Kong in January 1965 and the protocol in July 1978. The Convention on Psychotropic Substances 1971 was applied to Hong Kong in January 1991. The UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988 was applied to Hong Kong in May 1997.

<sup>6</sup> The Commission on Narcotic Drugs is the central policy making body of the UN on drug-related matters. It is empowered to consider all matters pertaining to the aim of the conventions, including the scheduling of substances to be brought under international control.

<sup>7</sup> The International Narcotics Control Board is the independent and quasi-judicial monitoring body for the implementation of the UN international drug control conventions.

<sup>8</sup> The theme was “Recent Advances in Anti-substance Abuse Initiatives in the Global Context”.

10.36 Under an arrangement of reciprocal appointments to advisory committees between Singapore and Hong Kong, the Commissioner for Narcotics is a member of the National Council Against Drug Abuse in Singapore which advises the Singaporean Government on anti-drug work and policy, whereas the Director of Singapore's Central Narcotics Bureau is a member of ACAN.

10.37 Law enforcement is also an area that external cooperation is of vital importance to reduce the supply of drugs. Since Hong Kong is conveniently located in the region and has excellent international transport links, it is inevitable that drug trafficking syndicates may attempt to traffic drugs to and through Hong Kong. But law enforcement efforts made by the Police and Customs have yielded good outcome, as the numerous reports on interception of drug trafficking clearly illustrate.

10.38 Law enforcement departments maintain close cooperation with their Mainland and overseas counterparts, as well as with regional and international organisations. Specifically, intelligence is shared, and operational directions for joint enforcement actions have been drawn up to interdict drug trafficking activities. Regular meetings are also held with their counterparts to update each other on the latest drug abuse and drug trafficking situation in the region.

10.39 Given the close relationship between the drug problem and many transnational crimes, external cooperation efforts naturally go beyond the strict confines of drug controls and extend into countering money laundering, sharing confiscated criminal proceeds, and promoting mutual legal assistance in criminal matters. Hong Kong has since 1990 been an active member of the Financial Action Task Force on Money Laundering. We have signed Mutual Legal Assistance in Criminal Matters Agreements with 25 countries<sup>9</sup> and Surrender of Fugitive Offenders Agreements with  
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<sup>9</sup> Australia, Belgium, Canada, Denmark, Finland, France, Germany, Indonesia, Ireland, Israel, Italy, Japan, Malaysia, the Netherlands, New Zealand, the Philippines, Portugal, Poland, Singapore, South Korea, Sri Lanka, Switzerland, the UK, Ukraine and the US.

countries<sup>10</sup>. We have also put in place a policy to share with overseas jurisdictions confiscated drug trafficking proceeds exceeding \$10 million.

## **(B) Issues**

10.40 The Task Force recognises that Hong Kong has already established extensive networks with its external counterparts and authorities in dealing with the drug problem as a world problem. There are a few pertinent issues on which Hong Kong may focus attention.

### **(a) UN development**

10.41 In 1998, the 20<sup>th</sup> United Nations General Assembly Special Session (UNGASS) adopted a package of resolutions to counter the world drug problem, namely Political Declaration, Declaration of the Guiding Principles of Drug Demand Reduction and Measures to Enhance International Cooperation to Counter the World Drug Problem. One fundamental premise is that countering the world drug problem is a common and shared responsibility that must be addressed in a multilateral setting and that required an integrated and balanced approach.

10.42 The 51<sup>st</sup> CND session held in March 2008 had a general overview of the subject and discussed progress achieved by governments in meeting the goals and targets set by UNGASS. In its report to the CND, the UN Office on Drug and Crime (UNODC) described the world drug problem as “contained” but not “solved”.

10.43 One issue that has generated a lot of debate in the 51<sup>st</sup> CND session is the progress of developing drug demand reduction strategies and measures to tackle the drug problem. Some recalled the inherent bias of the international drug control system towards criminal justice and supply reduction. Some highlighted the importance of comprehensive measures for drug demand reduction, emphasising the need for a balanced approach

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<sup>10</sup> Australia, Canada, Finland, Germany, India, Indonesia, Ireland, Malaysia, the Netherlands, New Zealand, the Philippines, Portugal, Singapore, South Korea, Sri Lanka, the UK, and the US.

to supply and demand reduction measures and to resource allocation, which must be driven by an evidence-based approach to evaluate effectiveness. This is an area in which Hong Kong should keep an active interest.

### **(b) Global drug scene and control**

10.44 The international community is now recognising amphetamine-type stimulants (ATS) as a new threat, with its abuse being more prevalent than that of cocaine and heroin combined. Unlike heroin and cocaine, which are made from plants that are grown only in a few countries, ATS are synthetic drugs which can be manufactured in any country and are principally synthesised in clandestine laboratories from precursor chemicals and are more difficult to control.

10.45 In this regard, UNODC is undertaking a global monitoring programme, aimed at the development of a global information and evidence base for effective operational responses and interventions to the problem of illicit synthetic drugs. In Hong Kong, as far as our young people are concerned, abuse of opiates is insignificant. The most commonly abused drugs in 2007 are ketamine (80%), ecstasy (21%) and ice (14%), the latter two both belong to the category of ATS. Naturally, Hong Kong should have a keen interest in international development in monitoring ATS.

10.46 While ketamine is the most commonly abused drug among young people in Hong Kong, it is not scheduled for control under the international drug control treaties. But widespread abuse of ketamine in certain regions, especially in East and South-east Asia, the trafficking of ketamine in that region and other regions, including Oceania and South America, has fuelled support from some countries for the possible addition of ketamine to the list of internationally controlled substances.

10.47 In the 49th CND session in 2006, a resolution was passed to call upon Member States to put ketamine under national control<sup>11</sup>. In the

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<sup>11</sup> Currently, ketamine is a controlled drug in Hong Kong, Mainland, many Asian countries (including Singapore, Thailand, Malaysia and the Philippines), almost half of the EU member states (including the UK), the US and Canada, etc. However, the degree of control varies from place to place (e.g. being less stringent in the US and the UK).



50th CND session in 2007, another resolution was passed to convey the concern of the CND about ketamine abuse to the Expert Committee on Drug Dependence (Expert Committee) of the World Health Organisation<sup>12</sup> (WHO) which is undertaking a critical review of ketamine. In the 2007 INCB Report presented to the 51<sup>st</sup> CND session this year, it was noted that abuse and trafficking of ketamine was a matter of concern to the Governments of several countries in East and South-east Asia, including China and Japan.

10.48 Although ketamine is already controlled under the Dangerous Drugs Ordinance (Cap.134) in Hong Kong beyond the international requirement, tighter global control of the drug would help reduce our supply and abuse situation.

**(c) Regional cooperation**

10.49 The tripartite cooperation framework among Hong Kong, Guaugdong and Macao has, over the years, strengthened our ties in anti-drug work and facilitated our exchange and cooperation on drug issues of mutual concern. While past activities were organised mainly in the form of conferences, workshops and seminars, the latest function hosted by Hong Kong in 2006-07 enabled participants from the three places to visit government departments and anti-drug organisations to see them in action, so that participants were able to understand the underlying philosophies, monitoring mechanism, daily operations and services of the departments or centres concerned, and to focus on practical cooperation where appropriate. This has built a strong basis for opening up more opportunities for further collaboration in future.

10.50 Closer liaison and partnership on areas relating to law enforcement, research, treatment and rehabilitation, and preventive education and publicity is worth pursuing. More in-depth exchange sessions and cross-training programmes among the three places to enhance

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<sup>12</sup> Under the Convention on Psychotropic Substances 1971, WHO is the only organisation recognised for making recommendation to schedule a substance as a controlled drug, and the CND may make a decision based on a recommendation of WHO.

understanding of each other's drug control systems, latest regulatory, legislative and rehabilitation measures, etc will be valuable. Collaborative research projects on specific subjects may also be promoted.

10.51 Rapid developments and progress have also been observed in the anti-drug work in other places of the Mainland. There should be merit in exploring more exchange and collaboration opportunities with other places in the Mainland, making reference to the successful experience of the tripartite cooperation framework.

#### **(d) Illicit drug trafficking**

10.52 Increasingly drug traffickers are taking advantage of the sophisticated means of communication and transport to move drugs around the world. They would constantly shift their mode of operation and transportation route to conceal the drugs and evade detection. Experience has shown that when the syndicates detect that strong enforcement is being taken by one enforcement agency they would immediately explore new routes or new modes of transport and look for an alternative port of entry to import or export their drugs.

10.53 Recent trends observe that there is a growing tendency for drug syndicates to manufacture and stockpile drugs in the Mainland and transport them in small quantities to Hong Kong for local or other markets.

10.54 There is a strong need for law enforcement agencies to remain vigilant, establish closer cooperation and regular intelligence exchange with Mainland, Macao and overseas counterparts.

### **(C) Strategy and Measures**

#### **(a) International standards and programmes**

10.55 The three UN drug conventions and the related UN programmes provide an anchor for the world community to tackle the drug problem as a world problem under the principle of common and shared responsibility. Global resources and expertise are pooled to set

international standards and requirements, to promulgate best practices and to spearhead programmes to deal with specific issues.

10.56 The Task Force notes that the next major development on this front is the 52<sup>nd</sup> session of the CND to be held in March 2009. Ministers will attend a High Level Segment to formally review the UNGASS achievements since 1998 and to discuss future action priorities and goals in countering the world drug problem, with a possible view to preparing a new political declaration. One major area of focus is likely development of drug demand reduction strategies following the Guiding Principles promulgated in 1998. Another area of focus is possibly the new threat of ATS.

10.57 While Hong Kong adopts a multi-pronged anti-drug strategy with emphasis on both supply control and demand reduction, many of our stakeholders have advocated further investment into preventive education and publicity and treatment and rehabilitation. Synthetic drugs are also the major threat to our younger generation, much more so than opiates and cannabis.

#### **Recommendation 10.6**

The Task Force recommends that in the short term, the Administration should keep a close watch over the UN developments over the UNGASS evaluation in March 2009 to see what useful lessons Hong Kong could draw from them and what follow-up action or study is appropriate. As a long term commitment, Hong Kong should keep our anti-drug policy, measures and legislation under review to follow international standards and best practices and contribute our part to the international efforts.

## **(b) International control of ketamine**

10.58 The Task Force recognises that the absence of international control over ketamine is a concern to both the Mainland and Hong Kong. In Hong Kong, almost all reported young drug abusers abuse psychotropic substances and ketamine is the most common among them (80%). In Mainland China, the abuse of ketamine ranked number five and accounted for some 3% of all abusers. In terms of seizure, Mainland China and Hong Kong together accounted for about 89% of all ketamine seized in the Asia Pacific Region in 2006.

10.59 So far WHO's position is that the present information is not sufficient to warrant scheduling of ketamine under the 1971 Convention. As set out in the report of WHO's Expert Committee of 2006 and stated by the WHO representative in the 51<sup>st</sup> CND session in March 2008, ketamine is an important anesthetic in human and veterinary medicine (notably in developing countries). Any pre-mature measures to tighten control of ketamine would make ketamine-based medicines inaccessible and render surgery impossible in many developing countries.

10.60 WHO's Expert Committee will have its next meeting possibly in 2009 and is collecting more information on ketamine from Member States. In Hong Kong we have collected information on the serious harm of ketamine and are prepared to provide such information to appropriate authorities.

### **Recommendation 10.7**

The Task Force recommends that the Administration should liaise closely with the Mainland authorities and consider whether and how best we can contribute our part to Mainland's efforts in advocating international control over ketamine.

**(c) Strengthening cooperation with the Mainland and Macao**

10.61 The Task Force notes that given Hong Kong's proximity to Guangdong and Macao and the movement of people and goods among the three places, the drug problems Hong Kong is facing are very similar to those being faced by our Guangdong and Macao counterparts. Notably abuse of ketamine and other psychotropic substances among young people is a key concern among all three places. The standing tripartite cooperation framework provides an important platform for Hong Kong to forge closer partnership with Guangdong and Macao counterparts in the anti-drug work.

10.62 Separately, the Administration and ACAN also promote contacts with other places in the Mainland. With an ever increasingly close relationship between Hong Kong, Macao and the Mainland, the Task Force sees clear merits in enhancing exchanges to foster deeper cooperation and cross-fertilisation of ideas, knowledge and skills in the anti-drug cause.

**Recommendation 10.8**

The Task Force recommends that the Administration should continue to enhance the communication and collaboration in anti-drug work under the tripartite cooperation framework among Hong Kong, Guangdong and Macao, and explore new cooperation opportunities, where appropriate, with other Mainland counterparts.

**(d) Enhancing collaborative law enforcement efforts**

10.63 On the law enforcement front, the Task Force commends the law enforcement agencies for their continuous efforts in strengthening ties and cooperation with the Mainland, Macao and overseas counterparts in the sharing of information, intelligence exchange and joint operations for suppressing illicit drug production and trafficking activities.

10.64 Notably, to tackle the problem of cross boundary drug trafficking in the region, joint intelligence analysis with the Mainland counterparts has been stepped up to enhance the accuracy of passenger profiling, with the introduction of a unified case notification template to examine the latest drug trafficking trend and smuggling modus operandi. Joint operations have also been initiated with the Mainland authorities targeting suspicious youths, particularly during festive seasons. Regular meetings are held with counterparts of the Mainland and Macao to formulate strategies, exchange intelligence and coordinate joint operations. The Task Force sees merit in seeking some embracive cooperation arrangements among various law enforcement agencies in the region.

**Recommendation 10.9**

The Task Force recommends closer cooperation among Police and Customs services of the Mainland, Hong Kong and Macao. This should include the streamlining of procedures for the sharing of intelligence relating to cross boundary drug trafficking and information regarding contemporary drug trafficking methods.