

# **Airport Authority's airport management and contingency measures taken to safeguard interests of passengers**

## **Investigation Report**

On 30 September 2019, the complainant made a complaint to this Office against the Airport Authority (“AA”).

### **The Complaint**

2. According to the complainant, he had joined a package tour scheduled for departure from the Hong Kong International Airport (“HKIA”) on the night of 12 August 2019, and return on 23 August 2019. However, due to demonstrations staged at HKIA in the daytime on 12 August, AA requested all airlines to suspend their check-in service, and eventually instructed all flights to remain grounded. As a result, the departure time for his package tour was delayed and his journey shortened.

3. The complainant was dissatisfied that AA had delayed in stepping up security and control measures, even though demonstrations had taken place at HKIA as early as 10 August. It was not until 14 August that AA applied to the court for an injunction order. Consequently, the situation at HKIA deteriorated on 12 August, resulting in the grounding of all flights.

4. The complainant alleged that AA might have failed to properly manage HKIA and adopt timely contingency measures for safeguarding the interests of passengers.

### **Our Findings**

5. After assessment, this Office decided to initiate a full investigation into this case. On 10 January 2020, our officers conducted a site inspection at HKIA and met with AA representatives to dig into the case details.

### ***AA's Duties and Functions***

6. AA, a statutory body wholly owned by the Government of the Hong Kong Special Administrative Region, is responsible for the operation and development of HKIA.

## *Airport Emergency Centre*

7. The Airport Emergency Centre (“AEC”) is staffed by representatives from AA, the Hong Kong Police Force (“HKPF”), the Civil Aviation Department, the Immigration Department, the Customs and Excise Department, the Aviation Security Company Limited (“AVSECO”) and airline companies. It is responsible for monitoring the situation of public assembly activities and making timely decisions to adopt corresponding measures.

## *Major Events*

### On the morning of 6 August 2019

8. From social media, AA learned that some netizens called for a public assembly event entitled “Ten thousand meeters and greeters” (“the Event”) commencing 1 pm every day for three consecutive days between 9 and 11 August at the Arrivals Hall of HKIA Terminal 1.

### 9 August 2019

9. Starting from 6 am, AA designated a control area (“the Control Area”) with mills barriers at the aisles of the check-in counters in the Departures Hall of Terminal 1. Only holders of a valid air ticket or boarding pass for a flight in the next 24 hours and a valid passport were allowed to enter the Control Area to go through the boarding procedures (“the Access Control”).

10. At 10 am, AEC was fully activated by AA.

11. In the afternoon, AA started to affix notices regarding the Access Control inside the Terminal Buildings. It also marked the designated areas for crowd management with yellow labels on the floor of the Arrivals Hall to ensure that passageways in the Arrivals Hall were unobstructed. Meanwhile, AA added conspicuous signs at multiple locations in the Arrivals Hall, advising people not to gather at passageways.

### On the night of 11 August 2019

12. After midnight, most assembly participants left HKIA, and the Event was

largely over.

13. However, the demonstrations at various urban locations had resulted in severe clashes. There were online calls for an assembly entitled “Congesting the airport by a million people” at HKIA on 12 and 13 August.

#### 12 August 2019

14. At 11 am, AEC was in full operation. Assembly participants started to gather in the Arrivals Hall of HKIA Terminal Buildings.

15. At noon, more than 300 people arrived at HKIA.

16. At 1 pm, more than 2,200 people gathered in the Arrivals Hall, while some other people gathered in the Departures Hall.

17. At around 2 pm, the assembly participants started to engage in radical acts, including storming the mills barriers of the Control Area. Disregarding the counter advice of the staff on-site, they successively obstructed the check-in aisles in the Departures Hall, and the passageways for entry from the Departures Hall into the airport’s restricted area. Airport staff had made numerous attempts to clear the obstacles on the passageways, but they were stopped by the assembly participants.

18. As the security of the airport’s restricted area might be under threat, AA, upon assessment of the situation and discussion with HKPF and AVSECO, decided at 3:16 pm to successively close the main doors of the southern and northern passageways for entry from the Departures Hall in Terminal 1 into the airport’s restricted area, in a bid to prevent the assembly participants from trespassing and interfering with the operations within the airport’s restricted area. Meanwhile, the passageways in the Departures Hall of Terminal 2 were also blocked.

19. At 3:18 pm, AEC issued a notice (“Suspension Notice I”), stating that airport operations had been seriously disrupted as a result of the public assembly. To ensure the personal safety of the staff working in the Departures Hall, the check-in service for all flights was suspended with immediate effect. Apart from those outbound flights which had completed the check-in process, and those inbound flights which were heading to Hong Kong, all remaining flights scheduled for the day were cancelled.

20. At 4 pm, it was estimated that more than 9,000 people were assembling in the Terminal Buildings of HKIA.

21. At 4:13 pm, the main door for entry from the Departures Hall in Terminal 2 into the airport's restricted area had to be closed too.

### 13 August 2019

22. In the morning, airport operations were normal.

23. Around noon, a large number of assembly participants turned up continuously, with some starting to engage in more radical acts.

24. At 2:52 pm, AA closed the main door of the northern passageway for entry from the Departures Hall in Terminal 1 into the airport's restricted area, in a bid to prevent the assembly participants from trespassing and interfering with the operations within the airport's restricted area.

25. Around 3 pm, the number of assembly participants had exceeded 3,000. Radical assembly participants stormed the mills barriers of the Control Area again and obstructed the check-in aisles in the Departures Hall. They completely ignored the staff on-site who tried to stop them, and proceeded to obstruct the passageways for entry from the Departures Hall into the airport's restricted area.

26. At 3:25 pm, AA closed the main door of the southern passageway for entry from the Departures Hall in Terminal 1 into the airport's restricted area, in a bid to prevent the assembly participants from trespassing and interfering with the operations within the airport's restricted area.

27. At 3:45 pm, the two passageways for entry from the Departures Hall in Terminal 1 into the airport's restricted area were obstructed. AA staff attempted to remove the trolleys blocking the passageways and assist some passengers to enter the airport's restricted area through Terminal 2, but they were stopped by the assembly participants. Since the passageways in Terminal 2 were also obstructed by the assembly participants, some passengers tried in vain to pass through the assembly participants for accessing the airport's restricted area.

28. At 4:18 pm, the main door for entry from the Departures Hall in Terminal 2 into

the airport's restricted area had to be closed too.

29. At 4:30 pm, AEC issued a notice ("Suspension Notice II"), stating that airport operations had been seriously disrupted as a result of the public assembly. The check-in service for all flights was suspended with immediate effect. Apart from those outbound flights which had completed the check-in process, and those inbound flights which were heading to Hong Kong, all remaining flights scheduled for the day were cancelled.

30. At 5 pm, AA announced the relevant message to the public and media.

31. At 8 pm, around 7,700 people were assembling at HKIA.

32. On the night of the same day, AA obtained an interim injunction order from the court.

#### 14 August 2019

33. In the small hours, following the steady retreat of assembly participants, HKIA Terminal Buildings resumed normal operation.

34. Starting from 2 pm, AA implemented the access control arrangements for all entrances and exits of the entire Terminal Buildings.

#### *AA's Explanation*

35. During the initial period of demonstrations throughout Hong Kong in 2019, AA had taken notice of the development of situation and started to make preparations, including drawing up corresponding measures and manpower deployment plans, and familiarising staff with crowd management procedures.

36. AA became aware of the Event on the morning of 6 August 2019 (see **para. 8**). Subsequently, in addition to conducting internal discussion and devising corresponding measures, AA held a number of meetings with HKPF and other Government departments to explore contingency measures. Moreover, AA kept HKIA stakeholders and business partners (including airline companies) abreast of the latest situation and advised them to adopt corresponding measures in tandem, so as to maintain airport operations during the Event as far as practicable.

37. Between 9 and 11 August, the acts of the assembly participants at HKIA were relatively peaceful. Most of them followed the advice given by AA staff and concentrated at the designated areas in the Arrivals Hall of the Terminal Buildings, without causing any obstruction to the passageways. While some assembly participants occasionally gathered outside the designated areas, they would return to the designated areas after being advised by AA staff and airport security officers. Airport operations were able to remain normal during those three days.

38. Between 12 and 13 August, AEC continued to monitor the public assembly activities within HKIA round the clock. AA also increased the number of on-duty staff.

39. On the afternoon of 12 August, some radical participants assembling at HKIA started to engage in a number of confrontational acts, posing significant risks to passengers and the AA staff performing duties on-site. After all passageways for accessing the airport's restricted area were blocked, AA implemented contingency measures upon urgent discussion and risk assessment jointly with HKPF and relevant business partners of HKIA. Those measures included suspension of the outbound check-in process and closure of the main doors for accessing the restricted area, in a bid to protect the personal safety of staff and passengers, and ensure the security of the restricted area. AA also issued Suspension Notice I at 3:18 pm (see **para. 19**).

40. On the afternoon of 13 August, due to the substantial number of people assembling at HKIA and the serious disruption caused to the operations of HKIA Terminal Buildings by their radical acts, including storming the mills barriers of the Control Area, obstructing the check-in aisles in the Departures Halls and obstructing the passageways for entry from the Departures Halls into the airport's restricted area, AEC issued Suspension Notice II at 4:30 pm (see **para. 29**).

41. After obtaining an interim injunction order from the court on 13 August, AA immediately implemented the access control arrangements for all entrances and exits of the entire Terminal Buildings from 2 pm the following day. Only outbound passengers holding a valid air ticket or boarding pass for a flight in the next 24 hours and a valid passport, and airport staff and cabin crew holding relevant identification documents, were allowed to enter the Terminal Buildings. After the court's interim injunction order became effective and the access control was implemented, airport operations continued to remain smooth.

42. During the period when HKIA was affected by public assembly, AA and the business partners of HKIA continued to assist passengers with their best efforts, and adopt timely measures for ensuring that operations within the airport's restricted area were not disrupted.

### *Our Comments*

43. As detailed in paragraphs 9 and 10 above, ahead of the Event, AA implemented the Access Control as early as 6 am on 9 August 2019 at the aisles of the check-in counters in the Departures Hall of Terminal 1. Moreover, AA fully activated AEC at 10 am on the same day, such that the representatives of relevant companies and Government departments could jointly monitor the situation and decide on the corresponding measures to be adopted.

44. AA has explained that the acts of assembly participants at HKIA were relatively peaceful between 9 and 11 August, and airport operations were able to remain normal during those three days (see **para. 37**).

45. In response to the online calls for an assembly entitled "Congesting the airport by a million people", AEC continued to monitor the public assembly activities within HKIA round the clock, and AA also increased the number of on-duty staff (see **para. 38**).

46. Nevertheless, due to the substantial number of assembly participants at HKIA between 12 and 13 August (with more than 9,000 participants at the peak), and the radical acts of some participants in successively obstructing the passageways for entry from the Departures Halls in Terminals 1 and 2 into the airport's restricted area, airport operations were disrupted on the afternoons of 12 and 13 August respectively. Eventually, AEC had to issue Suspension Notice I and Suspension Notice II (see **paras. 19 and 29**).

47. We consider AA was not in a position to prevent or stop the radical acts of assembly participants at HKIA on 12 and 13 August.

48. After scrutinising the sequence of events, we accept that AA had indeed adopted proper contingency measures to maintain airport operations and protect the interests and safety of passengers with its best efforts. Compelled by necessity, AEC had to issue Suspension Notice I and Suspension Notice II, and it was understandable.

49. We are pleased to learn that AA obtained an interim injunction order from the court on 13 August and implemented from 2 pm the following day the access control arrangements for all entrances and exits of the entire Terminal Buildings. It would be conducive to the smooth operation of HKIA and the protection of staff and passenger safety.

50. Based on the above analysis, The Ombudsman considers the complaint **unsubstantiated**.

**Office of The Ombudsman**  
**April 2020**