

**Summary of the views expressed in
the First Meeting of
the Committee on Governance and Political Development
of the Commission on Strategic Development
held on 29 November 2005**

Universal suffrage should be achieved as soon as possible in accordance with the Basic Law, the “One Country, Two Systems” principle and other basic policies towards the Hong Kong Special Administrative Region. The Chief Executive’s plan to have the Committee discuss the principles and concepts of universal suffrage first, and then the electoral systems for the Chief Executive and the Legislative Council elections, with a view to concluding discussion by early 2007 i.e. within his term of office, was generally positively received but the timeframe should be shortened as far as possible.

2. Selection of the Chief Executive by universal suffrage should be less complicated and have a higher chance of the community reaching agreement on the way forward than the formation of the Legislative Council by universal suffrage, and should therefore be discussed and taken forward first. When the Chief Executive was selected by universal suffrage, the incumbent would have a stronger mandate to command the support of the community. This would enhance governance and be conducive to other political developments in an “executive-led” political system such as the political appointment of positions in the Government and development of political parties. The most important issue was how to ensure that composition of the broadly representative nominating committee meets the interests of different sectors of society.

3. For the election of all the members of the Legislative Council by universal suffrage, there was concern that a bicameral system might not be in compliance with the stipulations in the Basic Law (BL) for forming the legislature. The legal aspects of this issue should be clarified. There were also views that as the bicameral system was studied thoroughly when the Basic Law was being drafted and that the idea was not pursued, we should not waste time to look at it again. The business sector was concerned that they would not get enough representation in the legislature, if universal suffrage was implemented too quickly as they would need time to build up their own electoral base. They preferred a gradual and orderly process and believed that functional constituencies could ensure that the interests of all sectors of the community were represented and could provide checks and balance.

4. Specific views on the roadmap for universal suffrage:

- Proposals for universal suffrage should be premised on Hong Kong's constitutional order prescribed in the Basic Law, the Sino-British Joint Declaration and the Constitution of the People's Republic of China. The definition of a roadmap should be clearly articulated to avoid misunderstanding and undue expectations.
- Except for a few dissenting voices, the discussion of roadmap should precede that of timetable. It was premature to set out a timetable before the legal framework and institutional mechanism were worked out. Community consensus on these issues had yet to emerge and consultation with the central authorities was necessary.
- The future role and composition of functional constituencies should be carefully considered in the light of their contributions to the community and to ensure that the interests of different sectors of our society were met. Transitional arrangements before universal suffrage could include the enlargement of the electoral base of the functional constituencies, the reduction of functional constituencies, the introduction of a bicameral system whereby the lower chamber was returned by universal suffrage while the upper chamber was formed by functionally elected members.
- More frequent meetings were required to discuss the roadmap and the timetable within the term of this Committee. Early conclusion of discussion by this Committee could help forge an agreement on the way forward.
- Apart from principles and concepts, the Committee should also discuss specific proposal(s). It would be useful for the Chief Executive and the community if a roadmap and timetable could be put forth within his term of office.

5. Specific views on adopting a bicameral system for the legislature:

- It could address the interests of different sectors of the community, including the minority and disadvantaged groups, etc. The experience of the bicameral systems adopted by non-federal type of governments could be considered.

- It might be inconsistent with the Basic Law, e.g. BL 68, unless it was just an interim measure before universal suffrage was attained. This constitutional issue should be clarified first to facilitate further deliberation.
 - It would lower the efficiency of the government and create “second-class” members in the legislature, which would be divisive.
 - Members of the second chamber could be elected based on their personal social status such as housewife, white-collar worker, etc.
 - The system had been dropped as a model for forming the Hong Kong Special Administrative Region’s legislature during the drafting of the Basic Law. The legislatures in the Mainland and Hong Kong were basically unicameral.
6. Specific views on topics that the Committee should discuss:
- Review of the roles and functions of District Councils in the light of the latest constitutional development proposals, including the electoral mechanism for the District Councils in 2007.
 - The coordinating function of bureaux and the capability of the Administration to implement policies effectively.
 - Roles and functions of advisory bodies, including their role in nurturing political talent, and their appointment systems; and other means to increase opportunities for participation in politics.
 - Relationship between Hong Kong and the Mainland under “One Country, Two Systems”.
7. Specific views on the mode of operation of the Committee:
- There should be more frequent meetings to enable in-depth discussion of specific topics.
 - The Secretariat should identify priority topics and set up working groups to study and discuss them, and then report to the

Committee for plenary discussion. Members should be free to join whichever working groups they wished.

- More should be done to encourage young people to better understand and participate in the discussions about constitutional development, e.g. by using existing set-ups and mechanisms, and setting up a website to provide them with relevant information and to allow them to express their views.

8. The Secretary for Constitutional Affairs made the following comments:

- The Administration had no pre-determined position on the adoption of a bicameral system for the legislature. Even if this model were to be pursued, we should maintain the provision in Article 68 of the Basic Law that the ultimate aim was the election of all the members of the Legislative Council by universal suffrage.
- On nurturing political talent, actions were being taken to deliver the Chief Executive's pledges made in his Policy Address, e.g. to propose enlarging the Election Committee to include all District Council members and increasing the number of functional constituency seats in the Legislative Council to be filled by District Council members (proposals in Report No. 5 of the Constitutional Development Task Force); to create a small number of politically appointed positions in the Government; and to make available more channels for the District Councils and the public to participate in the management of district affairs.

9. The Chief Executive made the following comments:

- The Committee should have a realistic work plan to focus on our constitutional development, particularly the arrangements that should be adopted to select the Chief Executive and form the Legislative Council by universal suffrage, and to come up with some sort of conclusion upon which the Administration could draw up specific proposals for further public discussion. It would not be possible to discuss a timetable for universal suffrage before the principles, concepts and the design of the electoral systems were dealt with.
- He would like the Committee to tackle the important subject of

universal suffrage in two stages during his term of office. The first stage would focus on principles and concepts between now and summer next year, with a view to concluding discussions then. The second stage would be to discuss the design of the universal suffrage system for both the Chief Executive and the Legislative Council with a conclusion of the discussions by early 2007.

- It would be difficult for the Committee to arrive at a consensus on the issues discussed, but hopefully a broad direction could emerge to help the Administration consider and formulate policies and proposals.
- Apart from universal suffrage, the Committee should also look at other topics related to governance. The proposals to encourage young people's discussion of constitutional development matters would be considered.
- Issues relating to the District Councils could be considered by the Constitutional Affairs Bureau in the first instance.
- He would consider appointing another member to the Committee following Hon Albert Cheng's resignation.
- Members should not be bound by meeting arrangements and should freely offer their opinions outside the meetings by mail or email to the Secretariat, which would circulate the views received to enable continued exchanges of views among Members. Members were also encouraged to articulate their views openly to stimulate public discussion.
- The frequency of meetings would be reviewed in the light of progress of work.
- The Secretariat would consolidate Members' views and prepare a paper with a list of priority issues that should be tackled and how discussions should be organized, for Members' consideration at the next meeting scheduled for 20 January 2006.

10. An attendance list is attached.

Secretariat to the Commission on Strategic Development
December 2005

策略發展委員會
管治及政治發展委員會第一次會議
二零零五年十一月二十九日

**First Meeting of
the Committee on Governance and Political Development
of the Commission on Strategic Development
29 November 2005**

出席人士

Attendance List

主席 :

Chairman :

The Chief Executive

行政長官

官方委員 :

Official Members :

Head, Central Policy Unit

中央政策組首席顧問

Director, Chief Executive's Office

行政長官辦公室主任

非官方委員 :

Non-Official Members :

Mr CHAN Chung-bun, Bunny, B.B.S., J.P.

陳振彬先生, B.B.S., J.P.

Mr CHAN Tak-lam, Norman, S.B.S., J.P.

陳德霖先生, S.B.S., J.P.

Prof CHEN Hung-ye, Albert, J.P.

陳弘毅教授, J.P.

Mr CHEN Nan-lok, Philip, S.B.S., J.P.

陳南祿先生, S.B.S., J.P.

Prof CHENG Kwok-hon, Leonard

鄭國漢教授

Mr CHEUNG Chi-kong

張志剛先生

The Hon CHEUNG Hok-ming, S.B.S., J.P.

張學明議員, S.B.S., J.P.

Mr CHOW Charn-ki, Kenneth

鄒燦基先生

Ms CHOW, Wendy

周君倩女士

Mr CHOW Yick-hay, B.B.S., J.P.

周奕希先生, B.B.S., J.P.

Mr CHOW Yung, Robert

周融先生

Ms FONG, Janie

方文靜女士

Mr FUNG, Daniel R., S.B.S., J.P.

馮華健先生, S.B.S., J.P.

Mr HO On-tat, Andy

何安達先生

Mr HOO, Alan, S.B.S., J.P.
Ms KO Po-ling, M.H.
Mr LAU Nai-keung
The Hon LEE Cheuk-yan
The Hon LEE Wing-tat
Dr LEUNG Mei-fun, Priscilla
Mr LIE-A-CHEONG Tai-chong, David
Dr LO Chi-kin, J.P.
The Hon MA Lik, G.B.S., J.P.
Mr MOK Hon-fai
Mr NG Sze-fuk, George, B.B.S., J.P.
The Hon SHEK Lai-him, Abraham, J.P.
Mr SZE Chin-hung, Jerome, J.P.
Mr TAM Kwok-kiu, M.H.
The Hon TIEN Pei-chun, James, G.B.S., J.P.
Mr WANG Xiao-qiang
Mr WONG Kong-hon, S.B.S., J.P.
Mr WONG Wai-yin, Zachary
Mr WONG Ying-ho, Kennedy, B.B.S., J.P.
Mr YU Kwok-chun, S.B.S., J.P.
Dr ZHOU Ba-jun

胡漢清先生, S.B.S., J.P.
高寶齡女士, M.H.
劉迺強先生
李卓人議員
李永達議員
梁美芬博士
李大壯先生
盧子健博士, J.P.
馬力議員, G.B.S., J.P.
莫漢輝先生
吳仕福先生, B.B.S., J.P.
石禮謙議員, J.P.
施展熊先生, J.P.
譚國僑先生, M.H.
田北俊議員, G.B.S., J.P.
王小強先生
黃光漢先生, S.B.S., J.P.
黃偉賢先生
黃英豪先生, B.B.S., J.P.
余國春先生, S.B.S., J.P.
周八駿博士

列席

In Attendance

Secretary for Constitutional Affairs

政制事務局局長

因事未能出席

Apologies

非官方委員 :

Non-Official Members :

Mr CHAU How-chen, S.B.S., J.P.
Prof KUAN Hsin-chi
Miss TAM Wai-chu, Maria, G.B.S., J.P.

周厚澄先生, S.B.S., J.P.
關信基教授
譚惠珠女士, G.B.S., J.P.