

**Summary of views expressed at the Workshop
of the Committee on Governance and Political Development
of the Commission on Strategic Development
held on 10 May 2007**

(Translation)

The Head of the Central Policy Unit welcomed members and guest speakers to the workshop jointly organised by the Secretariat to the Commission on Strategic Development and the Constitutional Affairs Bureau. He hoped that the workshop would help members explore in greater detail possible models for electing the Chief Executive (CE) and forming the Legislative Council (LegCo) by universal suffrage before the next meeting of the Committee.

Presentation by guest speakers

2. The following guest speakers expressed their views on possible models for electing the CE and forming LegCo by universal suffrage at the workshop:

- (a) Mrs Anson Chan and her Core Group;
- (b) Professor Chang Chak-yan;
- (c) Mr Chiu Kwok-wai of the Kowloon Federation of Associations;
- (d) Mr Shih Wing-ching;
- (e) Dr the Hon Yeung Sum and the Hon Eu Yuet-mee, Audrey, Members of the Legislative Council;
- (f) Messrs Chan Tak-ming and Chan Chi-fai of the New Century Forum;
- (g) Mr Cheong-leen, Hilton of the Hong Kong Civic Association; and
- (h) Ms Carol Tsang of the Hong Kong Policy Research Institute.

3. Main points made by Mrs Anson Chan were as follow:

- (a) Members of the Committee on Governance and Political Development would play an important role in the consultation process for the Green Paper on constitutional development (Green Paper). She considered that the

consultation process should be open and transparent, and that the options set out in the Green Paper should reflect the mainstream views submitted to the Committee by various sectors of the community. As to the Government evaluation of the public views collected, she maintained that the process should be transparent to avoid challenges and criticisms.

- (b) She suggested that the Green Paper should clearly set out the definition of universal suffrage. The model to be adopted for universal suffrage in Hong Kong should be formulated in accordance with the Basic Law, and the options set out in the Green Paper should meet the requirements of Article 39 of the Basic Law. She cited Article 39 of the Basic Law which stipulated that the provisions of the International Covenant on Civil and Political Rights as applied to Hong Kong should remain in force. Article 25 of the Covenant defined elections by universal suffrage as elections by universal and equal suffrage.
- (c) She opined that the existing Functional Constituency (FC) electoral system did not conform to the principle of universal suffrage, and suggested that the FCs should be phased out. Her preferred option was to implement universal suffrage for the whole LegCo in 2012. If universal suffrage for LegCo could not be introduced in 2012, it should be attained no later than 2016.
- (d) Articles 45 and 68 of the Basic Law stipulated that the method for electing the CE and forming LegCo should be specified in accordance with the principle of gradual and orderly progress. Having regard to the principle of gradual and orderly progress under the Basic Law, she considered that it would be particularly important to introduce reform to the FC electoral arrangements in the 2008 LegCo elections. She proposed redefining the definition of corporate voting and expanding the electorate base of the FCs. Besides, she proposed reorganising the existing 28 FCs (30 seats) into 10 groups, so as to enhance the legitimacy of the FC members.
- (e) She was of the view that it would be difficult to achieve universal suffrage in 2012 if there was no change to the

electoral system for LegCo elections in 2008. Pointing out that the recommendations made by her Core Group in “The Road to Universal Suffrage” were feasible and could be implemented in time for LegCo elections in 2008, she hoped that members of the Committee would carefully consider and support the recommendations.

- (f) The reform proposals for the 2008 LegCo elections could provide a basis to take forward the CE Election Committee, enhance the representativeness of the Election Committee and also prepare for its future transformation into a nominating committee for the implementation of universal suffrage.
- (g) She expressed concern over a suggestion in the community to change the nomination mechanism for the CE election, which if adopted, would make it more difficult for contenders to obtain the minimum nominations required. She considered that the electoral arrangements set out in the Green Paper should not be more conservative or restrictive than the existing requirements stipulated in the Basic Law.
- (h) In response to a recent suggestion in the community that electing the CE by universal suffrage should precede that for forming LegCo, she considered that there should not be any difficulty in implementing universal suffrage for both the CE and all LegCo seats in 2012. Her preferred option was to implement universal suffrage for both of the elections in 2012.
- (i) She opined that implementing universal suffrage in accordance with the Basic Law was both a challenge and an opportunity. It would lay a solid foundation for good governance, stability and prosperity of Hong Kong in the future if suitable models for electing the CE and forming LegCo could be identified. In her view, it was the most important task for the Government and Hong Kong residents to implement universal suffrage in accordance with the Basic Law.

4. Main points made by Professor Chang Chak-yan were as follow:

- (a) Professor Chang analysed and compared the constitutional models of foreign countries with that of Hong Kong in order to explore the features of the existing constitutional model in Hong Kong. Quoting the UK as an example, where a party would become the ruling party and form the cabinet if it won a majority of seats in a parliamentary election, he explained that the cabinet of the British Government was not directly returned on a “one-person-one vote” basis.
- (b) Professor Chang opined that the constitutional model of Hong Kong was different from that of the UK and the US. Under the Basic Law, the executive and the legislature were two political entities formed through different channels. This was the fundamental issue of the existing political structure of Hong Kong. He considered that under the existing political structure, it was very difficult to implement the “executive-led” principle in accordance with the spirit of the Basic Law.

5. Main points made by Mr Chiu Kwok-wai were as follow:

- (a) Given the great controversy over the model for forming LegCo by universal suffrage, it would be very difficult for all parties to reach consensus on this issue shortly. The Kowloon Federation of Associations proposed to first deal with the selection of CE by universal suffrage, using the principle of “resolving the simple issues before the difficult ones”. As regards the timetable for universal suffrage, he considered that it would be very difficult for the community to come to consensus shortly. He suggested following the direction of “formulating a roadmap before a timetable”, and formulating a roadmap for universal suffrage first. This would prevent the work over universal suffrage from becoming a standstill again because of the dispute over the timetable.
- (b) Selection of the CE by universal suffrage should comply with the requirements of the Basic Law and be consistent with the following principles: (i) ensuring the stability and prosperity of Hong Kong, and not undermining the relationship between the Central Authorities and Hong Kong; (ii) pursuing universal suffrage in the light of the actual situation and in

accordance with the principle of gradual and orderly progress; and (iii) building up the political system of Hong Kong on the basis of balanced participation and through a pragmatic approach. Every effort should be made to create conditions that are conducive to the implementation of universal suffrage.

- (c) He suggested transforming the Election Committee to the nominating committee directly and increasing the membership to 1600. The nominating committee would be responsible for nominating CE candidates. The CE would then be elected by Hong Kong residents by universal suffrage on the basis of “one-person-one-vote”.
- (d) As for the nomination threshold, he proposed that a candidate should obtain a minimum of 100 nominations (i.e. nominations from 1/16 of the nominating committee members). A candidate should also obtain at least 10 nominations from each of the four sectors of the nominating committee which should include at least five LegCo Members and five Hong Kong deputies to the National People’s Congress.
- (e) A CE candidate should be required to secure more than 50% of the valid votes cast based on a universal suffrage by “one-person-one-vote” in order to be successfully elected as CE. If no candidate obtained more than 50% of the valid votes cast in the first round of voting, a second round should be held to elect the CE among the two candidates who had received the highest votes in the first round.
- (f) On the formation of LegCo by universal suffrage, the election should realise the Basic Law principles of balanced participation and gradual and orderly progress. The forming of LegCo by universal suffrage should ensure the prosperity and stability of Hong Kong and not undermining the relationship between the Central Authorities and Hong Kong.
- (g) He proposed to expand the electorate base of the FCs by gradually replacing the corporate votes of the professional sectors of the FCs with individual votes. In addition, he

proposed to expand the size of the existing FCs by merging them into about 10 larger groups. Those of similar nature and with similar number of electors could be grouped together. If the merger was satisfactory, consideration might be given to forming even larger FCs by further merging, with a view to expanding the electorate base of individual FCs. However, the number of FC seats in LegCo should remain unchanged.

- (h) He proposed to adopt a proportional representation system for the FC elections as this could realise the principle of balanced participation and avoid the monopolisation of seats in the restructured FCs by those professional bodies with larger number of electors.

6. Main points made by Mr Shih Wing-ching were as follow:

- (a) In taking forward constitutional development in Hong Kong, we need to achieve two points: first, to understand the stance of the Central Authorities towards Hong Kong's constitutional development and propose an option for universal suffrage which might be acceptable to them; and second, not to aim at achieving universal suffrage in one go, but take constitutional development forward step by step.
- (b) Regarding possible models for electing the CE by universal suffrage, he proposed that the composition of the nominating committee could be similar to that of the existing Election Committee. Aspiring contenders should only be required to obtain 50 nominations from members of the public to become a candidate for the CE election. The nominating committee should return three candidates in the first round of election. The CE would then be elected by universal suffrage on the basis of "one-person-one-vote" and appointed by the Central Authorities. This option had the merit of allowing full public participation and at the same time enhancing the legitimacy of the CE elected. It also addressed the concerns and interests of the Central Authorities. He proposed to implement this proposal in 2012.

- (c) He was of the view that any reform in the political system should not lose sight of the vested interests, otherwise the reform might not succeed because of the strong resistance it would face. Taking the example of the British Parliament, he said that it still retained the Upper House despite years of reform. He took the view that political reform was a lengthy process that should not be handled hastily.
- (d) He supported abolishing all FC seats in the long run. He proposed that universal suffrage for LegCo could be implemented in three phases. First, all sectors should be allowed to give up their FC seats voluntarily, with the seats converted into directly elected seats in 2008. Second, the sectors should be encouraged to give up their FC seats in 2012. Third, either the Election Committee or the nominating committee should elect and abolish five FC seats each term until all FC seats were abolished.

7. Main points made by Dr the Hon Yeung Sum were as follow:

- (a) The pro-democracy camp in LegCo was positive towards the proposal of Mrs Anson Chan and her Core Group that prior to the implementation of universal suffrage, reform should be introduced to LegCo FC elections in 2008. They welcomed the proposal of replacing corporate votes with director's votes and expanding the electorate base of the FCs, before the implementation of universal suffrage. Regarding the proposal to restructure the FCs, they had not carried out any in-depth discussion.
- (b) The proposal put forward by 22 LegCo Members for electing the CE and forming LegCo by universal suffrage in 2012 had brought forth a direction, timetable and roadmap and could attain universal suffrage for the two elections in 2012. He hoped that the Government would include their proposal in the Green Paper.
- (c) After reconciliation among the pro-democracy camp, 22 LegCo Members accepted the requirement about the nominating committee stipulated in Article 45 of the Basic

Law. However, they supported abolishing the nominating committee by amending the Basic Law in the long run.

- (d) In the proposal put forward by 22 LegCo Members, it was suggested that the current 800-member Election Committee should be transformed into the nominating committee, with the addition of 400 elected District Council members to further expand its electorate base. A lower nomination threshold was proposed. Contenders should only be required to secure a minimum of 50 nominations to become a CE candidate and Hong Kong residents would elect the CE by universal suffrage on a “one-person-one-vote” basis.
- (e) Regarding possible models on forming LegCo by universal suffrage, he pointed out that if all the existing 60 seats were returned by a “single-seat-single-vote” system, the resulting constituencies would be unduly small and not appropriate. They suggested that 30 seats should be returned through geographical constituency (GC) elections on a “single-seat-single-vote” basis. Candidates obtaining a simple majority of the votes would be elected. The remaining 30 seats should be returned through elections by a “proportional representation” system whereby the whole of Hong Kong would form a single constituency. The latter method would be in the favour of independent contenders and small groups and parties as it would provide them with a better chance of getting elected.
- (f) He remarked that the proposal put forward by 22 LegCo Members for electing the CE and forming the LegCo by universal suffrage in 2012 was a gradual approach and not attaining the ultimate aim at one go. They considered it an optimal timing to implement universal suffrage for the two elections in 2012.
- (g) The opinion polls conducted by the pro-democracy camp indicated that more than 60% of the residents supported the implementation of universal suffrage for the two elections in 2012. Therefore, he considered that the mainstream public opinion was in favour of the implementation of universal suffrage for the two elections in 2012.

- (h) He suggested that the CE should be allowed to have political affiliation. This could improve the relationship between the executive and the legislature. The incumbent CE could not have any political affiliation. Without the support of political parties in the LegCo, it was difficult to implement the “executive-led” principle.

8. Main points made by the Hon Eu Yuet-mee Audrey were as follows:

- (a) 22 LegCo Members launched a website (www.2012us.com) to advocate the implementation of universal suffrage for the two elections in 2012. Some members of the public had signed up in support of the proposal on the website.
- (b) The existing LegCo FC elections did not conform to Articles 2(1), 25 and 26 of the International Covenant on Civil and Political Rights. Article 25 of the Covenant laid down the definition of universal suffrage as encompassing the right to vote and to be elected by universal and equal suffrage. As regards the suggestion to retain the existing FCs or the nominating committee to have a screening function, she considered these suggestions not complying with the principles of the Covenant.
- (c) Although universal suffrage might not be a solution to all governance issues, it would be conducive to social harmony and more effective governance by the Administration if universal suffrage for the two elections could be implemented in 2012.
- (d) She agreed that we should abide by the Basic Law. Nevertheless, she opined that we should also give serious consideration to a view in the community that the Basic Law should be amended.

9. Main points made by Mr Chan Tak-ming were as follows:

- (a) Any proposal regarding universal suffrage should take into account the following factors: (i) the proposal should be in

line with the principles of balanced participation and gradual and orderly progress so as to secure the support of different sectors and LegCo FC Members; (ii) it was important for stakeholders to realise the authority of the Central Authorities had on the constitutional development of Hong Kong, and the proposal should avoid creating a constitutional crisis where the CE elected by universal suffrage was not appointed by the Central Authorities; (iii) the proposal should be conducive to the grooming of political talent and help enhance the quality of governance in Hong Kong; and (iv) the proposal should adhere to the principle of Hong Kong people ruling Hong Kong, with all principal public offices, including seats of the nominating committee, the LegCo and the Executive Council held by Chinese Hong Kong permanent residents.

- (b) He suggested electing the CE by universal suffrage in 2012, with the existing Election Committee transformed into a nominating committee. The election mechanism and composition of the nominating committee should be the same as those of the Election Committee. A contender should be required to secure nominations from at least 40 (i.e. 20%) but not more than 50 (i.e. 25%) members in each of the four sectors of the nominating committee to become a CE candidate.
- (c) After nomination of CE candidates, the CE should be elected by universal suffrage on the basis of “one-person-one-vote”. A candidate should receive more than half of the valid votes cast to get elected. If no candidate obtained more than half of the valid votes cast in the first round of voting, a second round should be held to elect the CE between the two candidates who had received the highest votes in the first round.
- (d) As for forming the LegCo by universal suffrage, he suggested that the respective numbers of GC and FC seats should be increased by five in 2008, thus bringing the total number of LegCo seats to 70. All the five new FC seats should be returned by the District Council FC. In 2012, the respective numbers of GC and FC seats should be further increased by five, thus bringing the total number of LegCo seats to 80.

All the five new FC seats should also be returned by the District Council FC. At the same time, the separate voting arrangement for LegCo elections should be abolished. In 2016, all FC seats should be abolished, while the number of LegCo seats should be maintained at 80 and all of them returned through GC direct elections.

10. Main points made by Mr Cheong-leen, Hilton were as follow:

- (a) The Hong Kong Civic Association suggested transforming the existing 800-member Election Committee to a 800-member nominating committee and recommended for consideration, the proposal on “2012 Nomination and Election of the Chief Executive” put forth by the Business and Professionals Federation of Hong Kong.
- (b) As regards the universal suffrage of the LegCo, the Association proposed to consider the option proposed by Mrs Anson Chan and her Core Group, that is, to redefine corporate voting in 2008. The Association also suggested that in 2012, an additional seat returned by direct election and a new FC seat returned by District Councils should be introduced for each of the five GCs of LegCo. In other words, the respective number of seats returned by GCs through direct elections and by FCs would be increased by five, bringing the total number of LegCo seats to 70. Moreover, the existing FCs should be reorganised into not more than 15 groups with an expanded electorate base. The Association also proposed that a nominating committee should be set up for each of the reorganised FCs to nominate FC candidates. Each elector should elect LegCo members on the basis of “one-person-two-votes”: one vote to return directly elected GC members, and the other to return members of the FC for which he/she had registered.
- (c) The Association suggested that in 2016, (i) consideration could be given to adopt the bicameral system as recommended by the Business and Professionals Federation of Hong Kong, which was consistent with the principle of balanced participation; or (ii) a review be carried out to

determine the way forward for a further reform and to abolish FC seats in the LegCo.

11. Main points made by Ms Carol Tsang were as follow:

- (a) It was the aspiration and basic position of the Hong Kong Policy Research Institute that: (i) the CE should be elected by universal suffrage in 2012, and (ii) the LegCo should be formed by universal suffrage in 2012, with all FC seats abolished.
- (b) The CE should be elected by universal suffrage after nomination by a broadly representative nominating committee. The composition of the nominating committee could be roughly the same as that of the Election Committee with the members returned by democratic election. The nomination threshold should be set at 10% of the size of the nominating committee.
- (c) As regards the universal suffrage for the LegCo, it was proposed that in 2012, all FC seats should be abolished and all LegCo members returned by universal suffrage. If the FC seats had to be retained in 2012 for any reasons, the FC members should be returned by democratic election as far as possible so as enhance their representativeness and credibility.
- (d) However, any elector should not have more than one vote in LegCo election. Hence, electors eligible to vote in FC elections should be required to give up their right to vote in GC elections if they chose to exercise their voting rights in respect of FCs.
- (e) She opined that Hong Kong should develop party politics and made a number of recommendations including: (i) nurturing political leaders and talent in governance, and building up governing teams; (ii) promoting participation in politics by residents; (iii) consolidating public opinions and harmonising the relationship between the executive and the legislature; (iv) providing opportunities to govern by gradually delegating authorities at district level; (v) providing financial support such as subsidising election expenses proportionate to the

number of votes obtained, financing policy research work undertaken by political parties, and offering tax exemptions for political donations, etc.; (vi) setting election rules that were favourable to political parties with a view to facilitating the participation of political parties; and (vii) enacting a political party law to give recognition to political parties and offering more room for their further development.

Discussion session

Possible models, roadmap and timetable for universal suffrage

12. A member opined that universal suffrage should be implemented from a pragmatic point of view and in accordance with the principle of gradual and orderly progress. He considered that the community was by now quite close to reaching consensus on the possible model for electing the CE by universal suffrage. In addition, he was of the view that the qualification of voters for the nominating committee was an important issue that required careful consideration. He suggested that a higher nomination threshold should be set for the CE election, to avoid having too many candidates and thus incurring significant resources for conducting multiple rounds of voting.

13. A member remarked that it had been more than 20 years since FCs were introduced for LegCo elections in 1985. In his opinion, FCs had attained a certain degree of legitimacy in the Hong Kong society and had definitely been playing a role in meeting the interests of different sectors as required by the Basic Law. Apart from the interests of their respective sectors, FC members had also been taking care of the overall interests of the Hong Kong society. He opined that one should look at the “functions” of FCs to examine whether FC was in line with the spirit of universal suffrage. The value of FCs should not be solely determined by comparing the differences in the electoral arrangements between FC and GC elections.

14. Professor Chang Chak-yan pointed out that universal suffrage was not limited to direct election through “one-person-one-vote”. Taking the United States as an example, its Presidential election was conducted by the method of indirect election based on “electoral votes”.

15. Considering that a time limit should not be set for the implementation of universal suffrage, a member proposed that the approach

of formulating a roadmap before a timetable should be adopted in taking the way forward.

16. A member pointed out that the Basic Law emphasized the importance of maintaining the prosperity and stability of Hong Kong, which was also the basic policy of the State regarding Hong Kong. He opined that any proposed models for electing CE and forming the LegCo should be in line with the principle of maintaining the prosperity and stability of Hong Kong.

17. Some members opined that in discussing possible models for universal suffrage, people from different sectors and background in the community should adopt a rational and open attitude to listen to others' views and try to understand different needs and concerns. Apart from rational discussions, it was important for different sectors to make appropriate compromise in order to have the chance of reaching consensus on constitutional development.

18. The Hon Eu Yuet-mee, Audrey indicated that she was willing to discuss and consult with the Government and other political parties and groups on the issue of universal suffrage. While she agreed that various parties might have to compromise during the process, she opined that it was not possible to make concession by one side only. As every party had its own baseline regarding the issues of universal suffrage, she considered that all parties should make compromise in the matter.

19. Dr the Hon Yeung Sum maintained that any package drawn up for the implementation of universal suffrage should be based on the Basic Law and the International Covenant on Civil and Political Rights. He agreed that communication and dialogues among political parties were essential and hoped that the Government would enhance its communication with various political parties.

20. Mr Chan Tak-ming took the view that participation of the Central Authorities should not be avoided during the discussions on issues of universal suffrage. Mr Shih Wing-ching agreed that we should convince the Central Authorities that the CE returned by universal suffrage would be patriotic and love Hong Kong.

21. Ms Carol Tsang considered that instead of the Central Authorities, the greatest hurdle in implementing universal suffrage came from parties

with vested interests, i.e. the business and professional sectors that were occupying FC seats in the LegCo.

Related issues

(i) Conditions for universal suffrage

22. A member opined that with a robust rule of law, high-level economic development and a relatively well educated population, Hong Kong already possessed some of the conditions necessary for implementing universal suffrage. However, he considered that recognition of national identity by Hong Kong people was another basic condition for universal suffrage. In his view, the sense of national identity of some Hong Kong people was still inadequate.

23. A member considered that the development of political parties, nurturing of political talent, recognition of national identity and civic responsibilities were relevant factors in considering whether Hong Kong possessed the conditions for implementing universal suffrage. She suggested that these issues should be examined in depth.

24. Mr Cheong-leen, Hilton agreed that constitutional development should be complemented by training of talent.

(ii) Relationship between the executive and the legislature

25. Dr the Hon Yeung Sum remarked that social prosperity and stability was related to the quality of governance. If the future CE could have political affiliation and support of political parties in the LegCo, the quality of governance and efficiency of the Government would be enhanced. He also believed that the implementation of universal suffrage could help improve the relationship between the executive and the legislature.

26. Mr Chan Tak-ming opined that universal suffrage should be introduced for Hong Kong people as soon as possible. He believed that universal suffrage was conducive to the prosperity and stability of Hong Kong as well as the governance and operation of the Government. Nevertheless, he considered that universal suffrage might not resolve issues regarding the relationship between the executive and the legislature.

Preparation of the Green Paper on constitutional development and public consultation

27. Some guest speakers and members expressed that they would like to have more details about the preparation of the Green Paper and the scope of the public consultation. The Secretary for Constitutional Affairs responded as follows:

- (a) The Committee on Governance and Political Development was discussing in depth possible models for electing the CE and forming the LegCo by universal suffrage. The Government was still gauging the views of members and various sectors of the community. As regards which three types of models would be included in the Green Paper, the Government had not yet come to a view.
- (b) The Government would aim to cover a wider scope of coverage in preparing the Green Paper, so as to facilitate extensive discussion by members of the public. The Green Paper would set out different models for universal suffrage, as well as views raised on the roadmap and timetable. Options to be included in the Green Paper should be consistent with the principles on the design of the political structure of Hong Kong and other relevant provisions of the Basic Law. In addition, the options should not entail amendments to the main provisions of the Basic Law. The Committee had, for instance, agreed earlier to set aside for the time being any further discussion on a bicameral system, because it would not only involve amendments to Annex II to the Basic Law, but also the main provisions of the Basic Law.
- (c) During the public consultation period, the Government would visit different districts to collect and consult public views. After the public consultation, the Government would study the views collected in depth and would reflect faithfully to the Central Authorities any mainstream views formed by the community and the other views expressed.

28. Mrs Anson Chan opined that before examining details of the various proposals regarding the models for universal suffrage, it was important to fully understand the guiding principles of the Basic Law and

clarify the meaning of universal suffrage. She proposed that the guiding principles of the Basic Law and the definition of universal suffrage should be set out in the Green Paper. She added that the definition of universal suffrage should be in line with the Basic Law.

29. Mr Chan Tak-ming urged the Government not to exclude certain proposed models from the Green Paper even though they might involve amendments to the Basic Law.

30. As the Government was still collecting proposals from members and various sectors on possible models for electing the CE and forming the LegCo by universal suffrage and decision had yet to be made on which three types of options to be set out in the Green Paper, a member suggested that the Government should not insist in adopting the three-option approach. Instead, the Government could consider determining the most suitable format for the Green Paper after reviewing the views collected. Another member suggested that the Government should not over-simplify various proposals when preparing the Green Paper.

31. On the other hand, a member did not consider it an issue as to how many types of options were set out in the Green Paper. It was more important to include the views raised by different sectors of the community to facilitate extensive public discussion and help form mainstream opinions and consensus on the constitutional development.

32. A member considered a three-month consultation period for the Green Paper inadequate. He suggested extending the consultation period so that the community could have adequate discussion on possible models, roadmap and timetable for electing the CE and forming the LegCo by universal suffrage. Furthermore, a member considered that the Government should strengthen its publicity and promotion efforts to encourage more members of the public to discuss issues concerning universal suffrage.

Concluding remarks

33. The Secretary for Constitutional Affairs made the following concluding remarks:

- (a) Since Hong Kong's reunification, Hong Kong people had been building up a stronger sense of national identity.

Cooperation and ties between the Mainland and Hong Kong were getting increasingly closer. These helped foster the implementation of “One country, Two systems” in Hong Kong and the development of the two places in tandem.

- (b) During his election campaign, the CE had undertaken that after the third-term HKSAR Government had been formed in July, the Government would publish a Green Paper in mid-2007 to consult members of the public on the models, roadmap and timetable for universal suffrage. To facilitate discussion in the community, the Green Paper would set out three types of options. He hoped that members of the public would come forward to give their views during the consultation period so that a broad consensus could be forged on constitutional development.
- (c) The Committee had carried out many rounds of in-depth discussions on the principles of universal suffrage at previous meetings. Relevant details of the discussions were recorded in the papers of the Commission. The implementation of universal suffrage consistent with the principle of equal and universal suffrage was basically in line with the international interpretation of democracy. When the International Covenant on Civil and Political Rights was applied to Hong Kong in 1976, a reservation was made not to apply Article 25(b) of the Covenant in so far as it might require the establishment of an elected Executive Council and an elected LegCo in Hong Kong. But the Basic Law stated the ultimate aim of attaining universal suffrage, and it was beyond doubt that the models for electing the CE and forming LegCo by universal suffrage should be in compliance with the principle of equal and universal rights.
- (d) On the models for universal suffrage, the following three issues had yet to be resolved:
 - (i) Regarding possible models for electing the CE, what should be the composition and size of the nominating committee?

- (ii) Under Article 45 of the Basic Law, how should CE candidates be nominated in accordance with democratic procedures?
- (iii) What should be the way forward for the FC seats of LegCo?
- (e) In response to a member's written submission suggesting the Government to promptly legislate on Article 23 of the Basic Law, the HKSAR Government had the responsibility to legislate on national security in accordance with the Basic Law, but this was not the priority of the HKSAR Government at the moment.

34. The Head of the Central Policy Unit expressed gratitude to the guest speakers and members for attending the workshop and putting forward their invaluable views. The Secretariat would prepare a summary of the views raised at the workshop and upload it onto the Commission's webpage.

35. The attendance list is attached at the Annex.

Secretariat to the Commission on Strategic Development
June 2007

策略發展委員會
管治及政治發展委員會工作坊
2007 年 5 月 10 日

Workshop for
the Committee on Governance and Political Development
of the Commission on Strategic Development
10 May 2007

召集人

Convenor

Prof LAU Siu-kai, J.P.
Head, Central Policy Unit

中央政策組首席顧問
劉兆佳教授, J.P.

列席

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Mr LAM Sui-lung, Stephen, J.P.
Secretary for Constitutional Affairs
Mr HO Kin-wah, Arthur, J.P.
Deputy Secretary for Constitutional Affairs (1)

政制事務局局長
林瑞麟先生, J.P.
政制事務局副秘書長 (1)
何健華先生, J.P.

嘉賓講者

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Dr LEE, Allen, J.P.
Mrs YAM, Lily, G.B.S., J.P.
Mrs BOSHER, Elizabeth
Prof CHANG Chak-yan
Kowloon Federation of Associations
Mr CHIU Kwok-wai
Mr SHIH Wing-ching, J.P.

陳方安生女士及其核心小組
陳方安生女士, G.B.M, J.P.
李鵬飛博士, J.P.
任關佩英女士, G.B.S., J.P.
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Members of the Legislative Council

Dr the Hon YEUNG Sum

The Hon EU Yuet-mee, Audrey, S.C., J.P.

New Century Forum

Mr CHAN Tak-ming

Mr CHAN Chi-fai

Hong Kong Civic Association

Mr CHEONG-LEEN, Hilton, J.P.

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