

The Honorable Le Clerk to the Legislative Council HK  
Panel on Constitutional Affairs  
Jackson Square of the Hong Kong

Dear Sir/Madam,

By now every constitutionally aware man/woman of Hong Kong at home and abroad are enthralled with CEO Tung Chee[Kien] Hwa's public announcement that Executive Appointments [known here in State Government as Constitutional Officers] are to be "public servants not civil servants" with all implications as to what is exactly Hong Kong's present and future governance? Does it follow that public servants are hitherto not to be civil to members of the public seeking assistance and information from such public servants? Surely it has a higher meaning than that. If the Treaty is still to govern this matter civil service appointments mean a pre-existing foundation of law and governance that they adhere to in the discharge of their duties, regardless of who appointed them personally and officially, in summary they as civil servants are duty bound to the rule of law promulgated by the Legislature and assented to by the Chief Executive, and legislatively the CEO Governor must assent if Democracy [however guided it maybe by the PRC] is the chosen form of governance as agreed to by the Treaty of 1984 signed by Premier Margaret Thatcher and Premier Zhao Ziyang of China prior to Hong Kong's Return. If CEO's statement is intended to say that Public Servants are solely responsible to him by virtue of appointment by him and thus his inner cabinet, why aren't they put to the Election Process to be fully eligible as "Public Servants" accountable by virtue of the election guillotine axe!

With respect therefore I strongly feel and thought it unfortunate that Executive Officers of Government shouldn't be Civil Servants but Public servants yet are not checked and balanced on the Election Process! It's surely a departure from the spirit and letter of the 1984 Treaty of the Return of Hong Kong [sweet smelling canal] There is already too much guided democracy from Beijing at the Legislative and Executive Levels, why tamper with a Civil Service that has done its work well for so many years and at the Negotiations on the Treaty it was never a question that it should hitherto continue! Yet the Public Servants of the Constitutional Offices as currently envisaged by CEO Tung are not answerable by the test of the electoral process? where is the public of this type of servant? in Beijing or Shanghai but not in Hong Kong?

very truly yours,  
Gerald c-w Heng of Framingham, MA, USA