



GREENPEACE 綠色和平



Mr Tung Chee Hwa
Chief Executive
Hong Kong Special Administrative Region
13 June 2002

CB(1) 2008/01-02(01)

Dear Mr. Tung,

Re: Objection to the Proposed Subsuming of Environment under the new Environment, Transport and Works Bureau

We would like to express our concerns and objection to the proposed subsuming of environment under the new Environment, Transport and Works Bureau as the move may jeopardize government's efforts and commitment to improve the environment.

As you have stated clearly in the 1999 Policy Address, a real change in the quality of Hong Kong's environment needs more than just cleaning up litter and enforcing environmental laws, it requires a fundamental change of mindset. This is especially true in the areas of transport, planning, energy, and conservation, etc. where existing policy needed to be reviewed to approach the relevant environmental and conservation issues from the perspective of sustainable development.

Placing environment portfolio under the proposed bureau together with transport and public works portfolio, however, dampens efforts to improve the environment. The dominating pro-development tendency of the existing Transport Bureau under the existing institutional arrangement will naturally hinder the "fundamental change of mindset" and the pursuance of related environmental and conservation policies. There are numerous cases before, including the proposed Spur Line through Long Valley and the North-South Link on Lantau Island, which demonstrate how transport development has the tendency to ignore environmental issues under the present system.

Given the land use constraints of Hong Kong, development-conservation conflicts are inevitable. The role of the government as a whole is to give balanced consideration of different interests for achieving a sustainable development for Hong Kong. This is most effectively achieved by having two separate bureaux to manage environment, transport and works portfolios, as both the scrutiny of environmental impact assessments, as well as the balancing deliberations are being engaged at the highest level of decision-making, and in public. In contrast, subsuming the environment portfolio under the proposed Environment, Transport and Works Bureau will impose the potentially intensive conflict of interests on a single official. Consequently the

rigour of scrutiny and the transparency of the deliberation will likely be compromised unless an open system with clear standards that are acceptable by the public is in place for the future official to follow for making his balancing deliberation.

We hope you understand our position, share our concerns, and modify the proposed accountability system to establish an independent Environment Bureau, which we have recommended in our press statement released lately (attached herewith for your ease of reference). We truly appreciate your commitment to improve the environment, as demonstrated in the numerous works of the Environment and Food Bureau as well as the Environmental Protection Department, and would like to see the SAR government gearing up to the society's expectation. We believe that the establishment of an independent Environment Bureau is one of the many important and fundamental moves that the government needs to take to fulfil your blueprint set out in the 1999 policy address.

To further facilitate mutual understanding, we would like to propose a meeting with you at a place at your convenience before the Legislative Council's discussion of the Administration's resolutions on coming Wednesday (19 June 2002) to clarify issues and work out an administrative design that would best serve the community's interest.

Yours sincerely,

Conservancy Association
Catholic Messengers of Green Consciousness
Friends of the Earth (Hong Kong)
Greenpeace
Green China Foundation
Green Power
Green Lantau Association
Hong Kong Bird Watching Society
World Wide Fund For Nature Hong Kong

Enclosed/ Attached: Joint Press Statement on 28 April 2002
cc. Legislative Councilors, Hong Kong SAR
Media organizations

April 28, 2002

The Proposed Merger of EFB and HWB a Misguided Reform

We, the undersigned environmental organizations, would like to express our grave concerns about the merging of Environment and Food Bureau with Health and Welfare Bureau into a new Environment, Health & Welfare Bureau under the ministerial reform as proposed by Chief Executive Tung Chee Hwa on 17 April 2002. We opine that **the proposed merger is a misguided reform that will eventually undermine the importance of environmental and conservation issues in government's policy agenda.** We therefore urge the government to allow sufficient public consultation and to reconsider the proposal before implementing any restructuring in relation to the Environment and Food Bureau.

Our concerns and demands are elaborated as follows:

1. **The merger is a backward step that overwhelms environmental and conservation issues with other policy issues placed under a bureau.**

Given the wide range of areas that the new policy bureau will be responsible for, it is difficult to see how the new Principal Official and the new Permanent Secretary can effectively handle enormous workloads from different policy issues like medical reform and social welfare reform while at the same time remain fully committed to environmental and conservation issues. The merging, therefore, will set an alarming trend in which environmental and conservation issues will subside gradually in government's policy agenda.

2. **Instead, we suggest a relatively more independent Environment Bureau, dedicated to the environmental and conservation issues solely, to replace the existing Environment and Food Bureau.**

The reform is against the global trend where an independent environmental administration with direct access to the top-level decision making processes is the norm. In the United States, for example, the Environmental Protection Agency reports directly to the president for all environmentally related issues. In Germany, there is a Federal Ministry for the Environment, Nature Conservation and Nuclear Safety to look after the environment. A brief summary of environmental bureaux or ministries in foreign countries and their reporting structure is presented in **Appendix A.**

- 3. We also encourage the government to provide an open consultation that allows adequate public debate and not to implement any reform in relation to the Environment and Food Bureau in a hasty manner.**

We are also very concerned about the way the government announced and implements the new reform proposal, especially about whether there will be sufficient room for public discussion. We are of the view that the proposed implementation date of 1 July 2002 is too soon for sufficient consultation, and the government should provide avenues for the public to express their views. We believe that if public opinion should have been well taken care of before the proposed reform, it could have positive impacts on the society and achieve its stated goals.

Conservancy Association

Friends of the Earth (Hong Kong)

Green China Foundation

Hong Kong Bird Watching Society

World Wide Fund For Nature Hong Kong

- END -

For enquiry please contact Alex Chung at tel: 81070660.

Appendix A. A brief summary of {mission / responsibility} reporting lines/ structure and remit of administrative units responsible for environmental and conservation issues in various countries.

Country	Ministry /Department / Agency	Mission / responsibility	Organisation Structure
China	State Environmental Protection Administration	<ul style="list-style-type: none"> - Directly report to the State Council - Responsible for environmental policy formation and implementation 	<ul style="list-style-type: none"> - State Council is composed of 19 ministries, 5 commissions and 1 Bank (the People's Bank of China) - State Environmental Protection Administration is not a ministry or commission but directly reports to the State Council
U.S.	Environmental Protection Agency	<ul style="list-style-type: none"> - Directly report to the president - It's mission is to protect human health and to safeguard the natural environment — air, water, and land — upon which life depends. 	<ul style="list-style-type: none"> - The Cabinet includes the Vice President and, by law, the heads of 14 executive departments. - Under President George W. Bush, Cabinet-level rank also has been accorded to 3 other agencies including the EPA.
	Fish & Wildlife Service	<ul style="list-style-type: none"> - The U.S. Fish and Wildlife Service's mission is to conserve, protect and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people 	<ul style="list-style-type: none"> - Reports to the Secretary of Interior who also oversees the Bureau of Land Management, Bureau of Land Reclamation, National Parks Service and Office of Surface Mining
U.K.	Secretary of State for Environment, Food and Rural Affairs	<ul style="list-style-type: none"> - Under the Secretary of State for Environment, Food and Rural Affairs, there are two ministers, the Minister of State (Environment) and the Minister of State (Rural Affairs) - It's executive arm Department for Environment, Food, & Rural Affairs oversees environmental affairs and the regulation of the food industries in the UK, including animal welfare, safety standards. 	<ul style="list-style-type: none"> - The Cabinet has 23 members, including the Secretary of State for Environment, Food and Rural Affairs.
France	Minister of National Development and the	<ul style="list-style-type: none"> - The Ministry's mission is to monitor the quality of the environment, protect nature, prevent, 	<ul style="list-style-type: none"> - The Prime Minister's office has 15 ministers

	Environment	reduce or totally eliminate pollution and other nuisances, and enhance the quality of life	
Germany	Federal Ministry for the Environment, Nature Conservation and Nuclear Safety	<ul style="list-style-type: none"> - Areas covered included fundamental environmental policy issues, climate protection, environment and energy, nuclear supply and disposal, chemicals safety, environment and health. - Its executive arm is the Federal Environmental Agency 	- The Cabinet has 14 ministers
South Korea	Ministry of Environment	<ul style="list-style-type: none"> - The Ministry of Environment is the primary government agency responsible for the overall protection of Korea's environment. - The Ministry's activities currently focus on improving the ambient environment, harmonizing environmental and economic policymaking, and enhancing international cooperation on transnational environmental challenges. 	- Under the President there are Prime Minister and 19 ministries ·