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22 May 2007

Clerk to Panel on Constitutional Affairs
Legislative Council Secretariat
3/F Citibank Tower
3 Garden Road
Hong Kong

Panel on Constitutional Affairs Meetings
on 18 May 2007 and 22 May 2007: The proposed re-organisation of
the Government Secretariat

Dear Sir/Madam,

I refer to the captioned Panel meeting scheduled on 18 and 22 May 2007 and would like to submit WWF's views in relation to the proposed re-organisation of the Government Secretariat. Please help table WWF's submission to the Panel Chairperson and the honourable members for their reference.

Thank you for your kind assistance.

Please feel free to contact the undersigned at 2161 9664 or cchu@wwf.org.hk with any enquiry.

Yours faithfully

Clarus Chu
Conservation Officer – Marine
WWF Hong Kong



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SUSTAINABLE DEVELOPMENT SHOULD BE ADOPTED AS THE TOP PRIORITY AMONG ALL GOVERNMENT BUREAUS, NOT AN ISOLATED DEVELOPMENT POLICY OBJECTIVE UNDER THE ENVIRONMENT BUREAU

WWF is of the view that a separate unit (such as the existing sustainable development unit) with executive power should be directly led by the Chief Executive, with powers allocated to:

- overseeing the comprehensive sustainable development policy objectives for Hong Kong and
- actively coordinating various policy bureaus to strike a proper balance with regard to the environmental, social and economic aspects of development in Hong Kong

WWF has serious doubts if sustainable development will be achieved under the new government structure. Under the new structure, the Environment Bureau is established to be responsible for environmental protection and energy issues, and a new Development Bureau is to be responsible for infrastructure development. The role of ensuring holistic sustainable development is regrettably restricted to the Environment Bureau. What is particularly alarming is that all the works departments (including but not limited to Drainage Services Department and Civil Engineering and Development Department) are now under direct supervision of the Development Bureau amidst the government's determination to speed up development for economic reasons. Our question is – How will environmental impact have precedence to uncontrolled development?

WWF considers that the new government structure reflects a lack of real commitment to achieving the policy objectives for sustainable development for Hong Kong since the new Environment Bureau is not structurally empowered to oversee other aspects of sustainable development, such as social and economic developments, as a whole for Hong Kong. The Environment Bureau will have very limited power to ensure the sustainability of Hong Kong's overall development.

WWF also believes that if sustainable development is only confined under the Environment Bureau, there will be no checks and balances on infrastructure developments in Hong Kong. It is not clear how development policies will be formed in harmony with natural environment and how encroachment of our nature by inappropriate developments will be monitored and curbed.

WWF CALLS FOR STRONGER COMMITMENT TO NATURE CONSERVATION UNDER THE NEW ENVIRONMENT BUREAU

With a new Environment Bureau to be established addressing environment protection and energy issues, WWF would like to stress that higher priority should be given to nature conservation. The Hong Kong Government currently lacks a comprehensive conservation policy to conserve our natural environment with a long-term vision.

Under the current and the proposed government structure, the responsibility of formulating conservation policies and the relevant executive functions rest respectively with the Conservation Division of the Environmental Protection Department (EPD) and the Agriculture, Fisheries and Conservation Department (AFCD).

WWF is of the view that the level of importance for nature conservation in Hong Kong should be brought up to the bureau decision making level and a comprehensive conservation policy or strategy be formulated by the Environment Bureau. Currently government policies in relation to nature conservation are in piece-meal fashion, lacking a far-sighted vision in the protection of natural habitats and species.

ROLES OF AFCD and EPD IN RELATION TO NATURE CONSERVATION

Between late 2005 and early 2006, the Government attempted to merge the "*Country/Marine Parks and Conservation Branches*" of AFCD with Environmental Protection Department (EPD) in order to "*increase efficiency and effectiveness in policy formulation and implementation*" as part of the "*reorganization plan for the food safety regulatory framework*".

However the government announced on 17 January 2006 at the

Environmental Affairs Panel of the Legislative Council that the possible merger will be held in abeyance (暫時擱置). In view of the new government structure, WWF considers that the Government should explain to the public:

- If the proposal of merging of “*Country/Marine Parks and Conservation Branches*” of AFCD with EPD has been abandoned
- If the proposal is still being investigated and if so, the progress to date

RESPONSIBILITIES OF “AGRICULTURE AND FISHERIES” NOT SPECIFIED

Review of the Legislative Council Brief (File Ref. CB(2)1813/06-07(01)), identified no responsibilities or roles mentioned for AFCD under the Food and Health Bureau. Under the existing structure, The Director of AFCD reports to both the Secretary for Health, Welfare and Food Bureau (HWFB) and the Secretary for Environment, Transport and Works Bureau (ETWB) depending on the issues in focus.

In the government brief provided to legislators, there is no mention of AFCD and its roles and responsibilities in relation to agriculture and fisheries under the new Food and Health Bureau. WWF doubts that the government sees any importance or priority to be given to managing fisheries and agricultural developments in Hong Kong. We therefore expect the government to clarify such roles and responsibilities in relation to this department under the new Food and Health Bureau in a bid to dismiss worries from the fishing community and concern groups. The basic questions we raise are:

1. How will conservation and environmental protection achieve a priority status?
2. How will the Environment Bureau take responsibility for environmental protection when the contradiction of conservation versus fisheries remains in AFCD?
3. When will the government seriously address the issue of marine conservation?