

立法會
Legislative Council

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by the Administration)

Panel on Constitutional Affairs

**Minutes of special meeting
held on Saturday, 9 January 2010, at 9:00 am
in the Chamber of the Legislative Council Building**

- Members present** :
- Hon TAM Yiu-chung, GBS, JP (Chairman)
 - Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP (Deputy Chairman)
 - Hon Albert HO Chun-yan
 - Dr Hon Margaret NG
 - Hon CHEUNG Man-kwong
 - Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
 - Dr Hon Philip WONG Yu-hong, GBS
 - Hon LAU Kong-wah, JP
 - Hon Miriam LAU Kin-ye, GBS, JP
 - Hon Emily LAU Wai-hing, JP
 - Hon Abraham SHEK Lai-him, SBS, JP
 - Hon Audrey EU Yuet-mee, SC, JP
 - Hon WONG Kwok-hing, MH
 - Hon LEE Wing-tat
 - Hon LEUNG Kwok-hung
 - Hon CHEUNG Hok-ming, GBS, JP
 - Hon WONG Ting-kwong, BBS, JP
 - Hon Ronny TONG Ka-wah, SC
 - Prof Hon Patrick LAU Sau-shing, SBS, JP
 - Dr Hon LAM Tai-fai, BBS, JP
 - Hon CHAN Kin-por, JP
 - Dr Hon Priscilla LEUNG Mei-fun
 - Hon IP Kwok-him, GBS, JP
 - Hon Mrs Regina IP LAU Suk-ye, GBS, JP
 - Dr Hon PAN Pey-chyou
 - Hon Paul TSE Wai-chun
 - Dr Hon Samson TAM Wai-ho, JP
- Members absent** :
- Hon WONG Yung-kan, SBS, JP
 - Hon LAU Wong-fat, GBM, GBS, JP
 - Hon Timothy FOK Tsun-ting, GBS, JP
 - Hon LI Fung-ying, BBS, JP

Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon CHIM Pui-chung
Hon Cyd HO Sau-lan
Hon Tanya CHAN
Hon CHEUNG Kwok-che
Hon WONG Kwok-kin, BBS
Hon WONG Yuk-man

Public Officers attending : Mr Stephen LAM Sui-lung
Secretary for Constitutional and Mainland Affairs

Miss Adeline WONG Ching-man
Under Secretary for Constitutional and Mainland Affairs

Ms Joyce HO Kwok-shan
Principal Assistant Secretary for Constitutional and Mainland Affairs

Attendance by invitation : Session One

Mr CHONG Yiu-kan

Mr CHAN Kwok-leung

Ms LEE Yuk-kwan

Ms LAU Sau-ying

Ngau Tau Kok Teen Network

Mr CHEUNG Yiu-pan
Member

Mr MOK Kwan-chai

Hong Kong University Students' Union

Miss NGAI Sin-hang
External Vice-President (Acting)

Hong Kong Development Forum

Mr YIM Kin-ping

Ms CHEUNG Oi-king

Miss TAM Mei-po

Session Two

Shun Lee District Community Affairs Promotion Association

Ms KU Kwai-yue

Mr CHOI Ka-cheong

歷史青年聯盟

Mr LO Kin-hei

Mr CHAI Man-hon

Member of Southern District Council

Yau Tsim Mong Youths Society

Mr WONG Kwan-tat
Executive Committee

Hong Kong Human Rights Monitor

Ms Linda WONG
Vice-chairperson

Ms NG Wei-ying

Mr CHAN Yuk-lun

Mr NG Chi-pui

Chiao Yao Association

Mr LIM Ping-hiong
Vice-chairman

Hong Kong Federation of Overseas Chinese Associations Limited

Mr CHAN Kwong-ming, Johnny
Representative of the Youth Committee

Hong Kong Overseas Chinese General Association

Mr LU Liang-bi

Hong Kong All Youth Alliance

Mr CHAN Ming-kit
Vice Secretary

Neighbourhood & Worker's Service Centre

Mr LEUNG Kam-wai

Session Three

Mr FAN Kwok-wai
Member of Sai Kung District Council

Power for Democracy

Mr Richard TSOI
Convenor

The Democratic Party

Mr YIM Ka-wing

將軍澳文化藝術協會

Mr MAK Tsz-hei

Mr KO Chi-sum

Chinese General Chamber of Commerce

Mr CHEUNG Sing-hung
Vice-chairman

Ka Ying Chow Commercial Association Ltd.

Mr TSANG Heung-kwan
Vice-chairman

Mr PAK Fu-hung

Tseung Kwan O Resident's Right Association

Mr CHUNG Kam-lun
Council Member

Mr WONG Fu-wing

Hong Kong Senior Education Workers Association

Mr HO King-on

Student Christian Movement of Hong Kong

Miss WONG Yu-yu

Workshop for Ecumenism

Ms LAU Kim-ling
Executive Committee Member

Hong Kong Women Christian Council

Miss YICK Wing-wah

將軍澳社區發展協會

Mr LAM Wing-yin

Ms CHAN Shu-ying
Member of Tuen Mun District Council

- Clerk in attendance** : Miss Flora TAI
Chief Council Secretary (2)3
- Staff in attendance** : Mr Arthur CHEUNG
Senior Assistant Legal Adviser 2
- Ms Judy TING
Senior Council Secretary (2)7
- Mrs Fonny TSANG
Legislative Assistant (2)3
- Miss Lulu YEUNG
Clerical Assistant (2)3

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- I. Consultation Document on Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012**
[Consultation Document on Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012 and Statement by the Chief Secretary for Administration on "Consultation Document on Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012" at the Council meeting on 18 November 2009]

Oral presentation by deputations/individuals

A summary of the views given by deputations and individuals on the Consultation Document on Methods for Selecting the Chief Executive ("CE") and for Forming the Legislative Council ("LegCo") in 2012 ("Consultation Document") is in the **Appendix**.

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Administration's response to the views of deputations/individuals

Issues regarding universal suffrage

2. Secretary for Constitutional and Mainland Affairs ("SCMA") disagreed with the view of Mr LO Kin-hei of 歷史青年聯盟 that the Administration had been dragging its feet on the introduction of universal suffrage. SCMA stressed that the decision made by the Standing Committee of the National People's Congress ("NPCSC") on 29 December 2007 on issues relating to the methods for selecting CE and for forming LegCo in 2012 and on issues relating to universal suffrage ("the 2007 NPCSC Decision") had made clear that universal suffrage could be implemented for CE and LegCo in 2017 and 2020 respectively. The Decision was constitutional and solemn.

3. SCMA also expressed disagreement with Mr FAN Kwok-wai's view that the Administration's package of proposals for 2012 was a step backward in democratic development. He pointed out that, firstly, the Administration had succeeded in securing a universal suffrage timetable for Hong Kong. Secondly, it had also proposed to enhance the democratic elements of the two elections by proposing to exclude appointed District Councils ("DC") members' participation in the election of representatives of DCs to the Election Committee ("EC") and LegCo. These were the two obstacles which in 2005 had stood in the way of the pan-democratic camp supporting the package of proposals put forth by the Administration for the methods of selecting CE in 2007 and for forming LegCo in 2008 ("the 2005 proposed package"). The removal of these two obstacles in the present package of proposals represented progress over the 2005 proposed package.

4. Referring to the recent opinion poll conducted by the Chinese University of Hong Kong cited by Mr Richard TSOI of Power for Democracy, SCMA said that it should be noted that the opinion poll had revealed that over 50% of the respondents hoped that the Administration's proposals for 2012 could be endorsed by LegCo so that constitutional development could move forward. He further said that the Administration was well aware of Hong Kong's people's aspiration for early implementation of universal suffrage. The report submitted by CE to NPCSC on 12 December 2007 on the two electoral methods for 2012 ("the CE Report") had reflected faithfully the views of different sectors of the community on the issue of universal suffrage received during the related public consultation period, including that more than half of the public supported the implementation of universal suffrage for CE and LegCo in 2012. At the same time, about 60% of the public accepted the implementation of universal suffrage for CE in 2017, if it could not be attained in 2012. As NPCSC had already made a constitutional decision on the timetable for universal suffrage, it would not be pragmatic to

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continue to pursue the implementation of universal suffrage in 2012. Instead, the community should strive for democratic progress in the two electoral methods for 2012 to pave the way for the implementation of universal suffrage in 2017/2020. SCMA said that although the Hong Kong Special Administrative Region ("HKSAR") was not an autonomous state, it could take certain initiatives to advance Hong Kong's constitutional development. He then further explained the "five-step mechanism" for amending the two electoral methods in Hong Kong.

5. On the comments made by some deputations on the definition of universal suffrage, SCMA said that upon ratification of the International Covenant on Civil and Political Rights ("ICCPR") by the United Kingdom in 1976, a reservation was made reserving the right not to apply paragraph (b) of Article 25 of the Covenant. After the establishment of HKSAR, in accordance with the Central People's Government's notification to the United Nations Secretary-General in June 1997, such reservation continued to apply to HKSAR. Nevertheless, the Administration had made clear that in attaining the ultimate aim of universal suffrage stipulated in the Basic Law ("BL"), the principles of universality and equality must be complied with.

6. In response to Ms CHAN Shue-ying's view that the Administration should have included in the Consultation Document the roadmap and models for attaining universal suffrage for selecting CE in 2017 and for forming LegCo in 2020, SCMA said that these issues had been discussed at length when the Green Paper on Constitutional Development was published in 2007. However, there was as yet no consensus on the models to be adopted for implementing universal suffrage, in particular for LegCo. Now that NPCSC had made a constitutional decision on the timetable for the implementation of universal suffrage in 2017/2020, Hong Kong people should strive to make substantive progress for the two electoral methods in 2012 so that there would be a better basis on which further progress towards that goal could be made. SCMA further said that while the Administration had focused on dealing with the two electoral methods for 2012 in the Consultation Document, the Administration was aware that some political parties, individuals and organizations in the community hoped that discussion on universal suffrage models for 2017/2020 could commence as soon as possible. As stated in paragraph 1.30 of the Consultation Document, the current-term HKSAR Government would summarize and conclude any views relating to universal suffrage received during the current public consultation exercise for the consideration of the Fourth- and Fifth-term HKSAR Governments.

7. In response to the view of Neighbourhood & Worker's Service Centre that the Administration should put forth proposals which would enhance the democratic elements of the two elections in 2012 and the LegCo election in 2016 so as to pave the way for the implementation of universal suffrage in 2017/2020, SCMA said that the Administration recognized that not all political parties agreed to the directions put forth by the Administration in the Consultation Document.

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However, he appealed to different political parties to support the package of proposals to be put forth by the Administration for 2012 so that democracy could roll forward. After the proposed package for 2012 had been endorsed, it was still possible for different political parties to pursue what they considered to be the ideal electoral methods for selecting CE and forming LegCo in 2017 and 2020. He stressed that there was no conflict between supporting progress in 2012 and pursuing universal suffrage ideals for 2017 and 2020.

Methods for selecting CE in 2012

8. Noting Mr PAK Fu-hung's support for the Administration's proposals for increasing the membership size of EC to 1 200 and maintaining the nomination threshold for the CE election at one-eighth of the total membership of EC (i.e. 150 nominations), SCMA said that the Administration was confident that there would be sufficient competition in the 2012 CE election even if the required number of nominations was increased from 100 to 150.

9. Regarding the proposal of the Hong Kong Senior Education Workers for increasing the membership size of EC from 800 to 1 600, SCMA said that the Administration considered it more appropriate to increase the number of EC members to not more than 1 200 in 2012 so as to help transform the EC in 2012 into the nominating committee when universal suffrage for CE was implemented in 2017.

10. In response to Miss YICK Wing-wah of Hong Kong Women Christian Council, SCMA said that under the Administration's proposal for the composition of the 2012 EC, there would be an increase in the number of EC members who were returned by election. They included the 35 LegCo Members to be returned by geographical constituencies ("GCs") through direct elections, and the DC representatives to be returned through election by elected DC members from among themselves to fill the 42 existing DC seats and most of the 100 new seats in the fourth sector to be allocated to DC members. In 2017, the 2012 EC would be transformed into the nominating committee which would nominate a certain number of candidates for the office of CE who was to be elected through universal suffrage by all registered electors of Hong Kong on the basis of one-person-one-vote.

Methods for forming LegCo in 2012

11. Noting Mr MOK Kwan-chai's objection to the Administration's proposal of excluding ex-officio DC members from participating in the election to return six DC representatives to the DC Functional Constituency ("FC"), Under Secretary for Constitutional and Mainland Affairs ("USCMA") said that during the current consultation exercise, the Administration had received views that the 27 ex-officio DC members should not be excluded from participating in the elections to return

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DC representatives to LegCo and EC, as they were ex-officio members by virtue of their position as Chairmen of Rural Committees and all Chairmen of Rural Committees were returned by direct election. The Administration would consider these views together with other views received.

12. Responding to Mr CHAI Man-hon's view that the five new DC FC seats should be returned by all registered voters in Hong Kong on a one-person-one-vote basis, SCMA said that the Administration had not put forth any proposal on the electoral method for returning elected DC members to the DC FC seats. There were views that the block-voting system or the proportional representation system should be adopted. The Administration was open-minded and hoped that different political parties could reach a consensus on the issue. On the proposal of returning the six DC FC seats by all registered voters in Hong Kong on a one-person-one-vote basis, the Administration's current thinking was that its proposal of having the DC FC seats returned by elected DC members from among themselves could already significantly enhance the democratic elements of LegCo, considering that elected DC members were returned by direct election and had a broad electorate base of over 3.3 million registered voters in Hong Kong.

13. On the views expressed by Mr CHOI Ka-cheong and Mr MAK Tsz-hei of 將軍澳文化藝術協會 that all FCs should be abolished, SCMA said that according to the 2007 NPCSC Decision, the half-half ratio for Members returned by FCs and Members returned by GCs through direct elections should remain unchanged for the Fifth LegCo to be formed in 2012. The Administration had strived to enhance the democratic elements of the 2012 LegCo election by proposing to freeze the 29 "traditional" FC seats, while expanding the number of the DC FC seat which had the broadest electorate base among existing FCs, and to have all the DC FC seats returned by election from among elected DC members. If the proposal was implemented, close to 60% of the seats in LegCo in 2012 would be returned by GCs through direct or indirect election. As regards the future of FCs in the long run, broadly speaking, there were two major views, viz. abolishing all FC seats; and allowing each voter to elect LegCo Members on the basis of "one-person-two-votes", i.e. one vote to return directly elected GC Members and the other to select FC Members from candidates to be nominated by FCs. In respect of the latter, while there were views that the arrangement was consistent with the principles of universal and equal suffrage, the pan-democrats considered it unacceptable as there was no equality in the right to be nominated. Consensus had yet to be reached on the future of FCs. The CE returned by universal suffrage in 2017 would have to work with the sixth-term LegCo formed in 2016 to deal with the issue.

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Discussion

Issues regarding universal suffrage

14. Ms Emily LAU said that Members belonging to the Democratic Party supported implementation of dual universal suffrage in 2012. A recently conducted opinion poll revealed that the majority of the respondents favoured implementation of dual universal suffrage in 2012 too. If that was not possible, the Central Authorities should give an unequivocal assurance that genuine universal suffrage for CE would be implemented in 2017 and that for LegCo in 2020. With such an assurance, Members belonging to the Democratic Party were prepared to discuss the transitional electoral arrangements in 2012 and 2016.

15. Ms Emily LAU further expressed disagreement with Mr CHONG Yiu-kan's view that the divergent views on constitutional development would dissipate the community's energy. She stressed that different views should be expressed in a rational, peaceful and non-violent manner. She then asked the representative of the Hong Kong University Students' Union ("HKUSU") whether university students were concerned with constitutional development in Hong Kong and the channels through which HKUSU had ascertained students' views on the subject.

16. Miss NGAI Sin-hang of HKUSU responded that back in 2005, HKUSU had conducted a referendum on the 2005 proposed package. The results of the referendum revealed that the majority of the students were in favour of introducing dual universal suffrage in 2007/2008. Recently, the HKUSU Council had passed unanimously a motion supporting the implementation of dual universal suffrage in 2012 and the abolition of FCs. She added that forums were held in the University for students to express their views on different issues, including universal suffrage.

17. Mr Paul TSE asked Miss NGAI Sin-hang whether HKUSU Council had conducted any consultation or met with representatives of the Administration, political parties or academics to discuss issues relating to constitutional development before passing unanimously the motion supporting the implementation of dual universal suffrage in 2012 and the abolition of FCs. Miss NGAI Sin-hang responded that due to time constraints, the HKUSU Council had not invited any guests to attend the meeting. However, the motion was passed after lengthy deliberations. In addition, issues relating to constitutional development had been discussed by students of the University in many forums held on different occasions. She also informed the meeting that the HKUSU Council comprised elected representatives of each Hall/College Association, elected representatives of each Faculty, members of the HKUSU Executive Committee and representatives directly elected by students. She believed that the motion passed by HKUSU Council represented the views of HKU students and the public at large.

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18. Noting Miss TAM Mei-po's view that the Administration's proposals for the two elections for 2012 were acceptable, Ms Emily LAU said that there were different views in the community on the pace of constitutional development. Some members of the public wished to see a faster pace of constitutional development. She invited Ms TAM's view on how the community could forge a consensus so that constitutional development could roll forward. Miss TAM Mei-po responded that the 2007 NPCSC Decision had made clear that universal suffrage for CE and LegCo could be implemented in 2017 and 2020 respectively. The key issue to be dealt with in the current consultation exercise was the transitional arrangements for 2012.

19. Ms Emily LAU said that Ms Elsie LEUNG, member of the Basic Law Committee of HKSAR, had recently remarked that the universal suffrage timetable in the 2007 NPCSC Decision was not a decision, as it only stated that universal suffrage for CE and LegCo could take place in 2017 and thereafter. Ms TAM Mei-po reiterated that NPCSC had made a clear decision that universal suffrage could be implemented in 2017/2020. If no progress was made in 2012, it might not be possible to implement universal suffrage for CE in 2017, as it was stipulated in BL that constitutional development had to progress in a gradual and orderly manner and had to be appropriate to the actual situation in Hong Kong.

20. USCMA said that when Ms Elsie LEUNG's remarks on the universal suffrage timetable in the 2007 NPCSC Decision were reported in a newspaper on 5 January 2010, SCMA had explained to the media on the same day that the universal suffrage timetable set out in the 2007 NPCSC Decision was a constitutional decision with authority. If the Hong Kong community was able to reach a consensus on the electoral methods for implementing universal suffrage for CE and LegCo and succeeded in going through the "five-step mechanism" for amending the two electoral methods before 2017 and 2020, universal suffrage would be attained.

21. Referring to the view of Miss NGAI Sin-hang of HKUSU that dual universal suffrage should be implemented in 2012, Mr IP Kwok-him pointed out that NPCSC had already made certain decisions concerning the two elections in 2012, including that universal suffrage would not be implemented in 2012. He invited Miss NGAI's views on how to forge a consensus on the two electoral methods for 2012 under the framework set out in the 2007 NPCSC Decision. Miss NGAI Sin-hang responded that notwithstanding the 2007 NPCSC Decision, Hong Kong people could still fight for dual universal suffrage in 2012 as there were still a few years in the run-up to the 2012 elections and NPCSC could amend its Decision to allow implementation of universal suffrage in 2012. She added that it was the aspiration of Hong Kong people to achieve universal suffrage as early as possible.

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22. Mr Paul TSE invited Ms Linda WONG of the Hong Kong Human Rights Monitor ("HKHRM") to explain her remark that the definition of universal suffrage was stipulated in BL. Ms Linda WONG clarified that what she meant was that the definition of universal suffrage as set out in paragraph (b) of Article 25 of ICCPR applied to Hong Kong by virtue of BL 39.

23. Mr LEUNG Kwok-hung said that according to the Constitution of the People's Republic of China, the country's autonomy rested with the people. As such, the Central Authorities should not pose obstacles to the implementation of universal suffrage in HKSAR. Ms NG Wei-ying said that NPCSC had made clear that universal suffrage for CE and LegCo could be implemented in 2017 and 2020 respectively. What Hong Kong people needed to achieve between now and 2017/2020 was to reach consensus on the models for implementing universal suffrage in those two years.

24. Mr LEE Wing-tat invited Mr CHAN Yuk-lun to explain his view that conditions in Hong Kong were not yet ripe for the implementation of universal suffrage. In response, Mr CHAN Yuk-lun said that Hong Kong people did not really respect the rule of law. He further opined that there was no legal basis for implementing universal suffrage in Hong Kong, as Hong Kong people had failed to legislate for BL 23 since the handover of sovereignty in 1997. SCMA said that the rule of law was one of the cornerstones of Hong Kong society. Underpinned by BL and the common law, a well-established constitutional framework was in place to ensure the rule of law and protection of human rights. SCMA added that universal suffrage could be implemented in Hong Kong in 2017/2020 in accordance with the provisions of BL and the 2007 NPCSC Decision.

25. Mr Paul TSE said that some young people had reflected to him their view that persons aged 16 or above should be allowed to participate in dual universal suffrage in 2012. He asked Ms LAU Kim-ling of Workshop for Ecumenism whether she agreed to such a view. Ms LAU Kim-ling responded that she supported dual universal suffrage in 2012. She also agreed that a person aged 16 or above should be given the right to vote. Mr Paul TSE said that the definition of universal suffrage varied among different places, just as different places imposed different restrictions on voting rights such as the voting age. Mr Albert HO said that while there might be technical differences in the election systems in different democratic jurisdictions, the internationally recognized principles of universal and equal suffrage must be complied with. Mr CHEUNG Man-kwong said that where the line for voting age should be drawn was linked to the wider issue of when a person was considered mature enough to take on the full range of adult responsibilities and it should not be used to justify differential treatment in voting rights.

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26. Mr Albert HO said that Hong Kong people had been pursuing universal suffrage for more than twenty years. He pointed out that back in 2000, all the major political parties, including the Democratic Alliance for the Betterment and Progress of Hong Kong and the Liberal Party, had expressed support for the implementation of dual universal suffrage in 2007/2008. He sought clarification from Mr KO Chi-sum on his view that there was a high risk of failure should dual universal suffrage be implemented in 2012. Mr KO Ch-sum responded that according to his experience in performing arts, it was more effective to introduce a new product after experimentation and in a step-by-step manner, rather than in one-go. Mr Albert HO reiterated that Hong Kong people had more than twenty years of experience in democracy, dating back from the introduction of indirect elections in LegCo in 1985. Mr CHEUNG Man-kwong considered it inappropriate to view human rights in the context of performing arts. He stressed that democracy was an inherent human right which should not be subject to any experimentation. Mr KO Chi-sum clarified that he fully supported human rights, freedom and democracy. He was also fully supportive of dual universal suffrage. He was only trying to point out the risk of implementing dual universal suffrage in one-go. SCMA said that the 2007 NPCSC Decision had provided a clear timetable for the implementation of universal suffrage in 2017/2020. It was important to strive for progress for the two elections in 2012 and move Hong Kong's electoral system gradually towards universal suffrage.

Functional constituencies

27. Mr IP Kwok-him expressed disagreement with the view expressed in the submission of HKUSU that any attempt to retain FCs in the ultimate model for universal suffrage would be in total disregard of BL. He pointed out that the very existence of FCs showed that they were not in breach of BL. Miss NGAI Sin-hang of HKUSU said that it was stipulated in BL that the ultimate aim was the election of CE and all LegCo Members by universal suffrage. She stressed that universal suffrage meant one-person-one-vote. FC elections were small-circle elections which did not comply with the principles of universal and equal suffrage. She pointed out that it was unjust that while half of the LegCo seats were elected by more than three million voters on a one-person-one-vote basis, the other half were returned by some 220 000 trade-based FC electors. Mr IP Kwok-him said that the Administration had made clear that the present FC elections did not comply with the principles of universality and equality. However, BL did not stipulate that universal suffrage must be implemented on the basis of "one-person-one-vote". It could be in the form of "one-person-two-votes". Abolition of FCs was not the only means of complying with the principles of universal and equal suffrage.

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28. In response to Ms Emily LAU's invitation to elaborate his views on FCs, Mr CHOI Ka-cheong said that under the FC system, members of the public did not have equal rights to elect and be elected. As FC Members only represented the interests of individual sectors, but not the overall interests of the community, they could not help to resolve the social and livelihood problems such as the widening gap between the rich and the poor.

29. Referring to the comment of Ms Linda WONG of HKHRM that FC Members did not pay heed to the views of protesters outside the LegCo Building rallying against the funding proposal for the Hong Kong-Shenzhen-Guangzhou Express Rail Link on the day before the Panel meeting, Mr WONG Ting-kwong said that some FC Members also did not support the funding proposal, and the incident should not be used to discredit the FC system. Ms Linda WONG considered that the incident illustrated well the unfairness of the FC system. FC Members had a narrow electorate base and were not accountable to the general public. They did not represent the public interest and serve only to protect the vested interests of the privileged groups. Yet, they made up half of the Legislature and effectively wielded veto power within the Legislature.

30. SCMA did not subscribe to the view that FC Members served only the interests of individual sectors. He believed that they also acted in the overall interests of Hong Kong. He further said that FC Members were not necessarily the Administration's allies. The Administration needed to obtain the support of Members from different political background to secure passage of its legislative proposals and implementation of its policies.

Methods for selecting CE in 2012

31. Noting that some deputations such as Shun Lee District Community Affairs Promotion Association had expressed support for the Administration's proposal for maintaining the current requirement that CE should not have any political affiliation, Mrs Regina IP questioned whether the requirement was impracticable. She pointed out that while the incumbent CE, Mr Donald TSANG, did not have any political affiliation, he had openly made reference to "treating people differently according to affinity". A CE candidate needed to get the support of political parties to win the election. Likewise, a serving CE needed to secure the support of different political parties to ensure effective governance. Ms KU Kwai-yue of Shun Lee District Community Affairs Promotion Association said that the Association was of the view that the current requirement should be retained to ensure that CE would uphold fairness and maintain impartiality in his governance.

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Methods for forming LegCo in 2012

32. Noting that many deputations/individuals attending the meeting were supportive of the Administration's proposal for allocating five new seats to the DC FC, Mrs Regina IP said that the electoral method to be adopted for returning these seats would have an important bearing on the election results. She invited deputations/individuals present to give views in this regard with a view to ensuring fairness in election results and diversity in the composition of LegCo.

33. Mr YIM Kin-ping of Hong Kong Development Forum opined that to realize the spirit of democracy, each elected DC member should have six votes for returning the five new DC FC seats plus the existing DC seat. Mrs Regina IP said that should such a block-voting system be adopted, the DC FC seats would likely be monopolized by large political parties, while independent DC members and those belonging to small political parties would stand little chance of being elected. Mr MOK Kwan-chai said that in determining the electoral method to be adopted for returning DC members to the DC FC seats, it was important to avoid the situation where a small number of DC members could return a representative to LegCo. He further opined that should a block-voting system be adopted, each elected DC member should be allowed the flexibility to vote for less than six candidates.

34. Noting that both Mr YIM Kin-ping of Hong Kong Development Forum and Ms CHEUNG Oi-king did not agree to the existing arrangement of allowing Hong Kong permanent residents who were not of Chinese nationality or who had right of abode in foreign countries to stand in the LegCo elections for 12 FC seats, Dr Margaret NG said that the existing arrangement accorded with BL 67 which stipulated that Hong Kong permanent residents who were not of Chinese nationality or who had right of abode in foreign countries might also be elected as LegCo Members, provided that the proportion of such Members did not exceed 20% of the total membership of LegCo. Dr NG sought clarification from Mr YIM and Ms CHEUNG as to whether they were of the view that BL should be amended so as to abolish the existing arrangement. Mr YIM Kin-ping clarified that he supported the Administration's proposal for retaining the existing arrangement for the 2012 LegCo election. However, he considered that the arrangement should be abolished in the long-run. Ms CHEUNG Oi-king said that she would respect the wish of the majority of the public on whether the existing arrangement should be retained or abolished. In response to Dr Margaret NG, USCMA clarified that the Administration had stated in paragraph 3.23 of the Consultation Document that the existing arrangement was in accordance with BL 67. No amendment to BL would be required if the percentage was less than 20%.

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Other issues

35. Ms Emily LAU said that constitutional development did not roll forward because the Central Authorities distrusted some Hong Kong people such as the pan democrats, as evidenced by the fact that many pan-democratic Members were not issued with Home Return Permits.

36. Mr LEE Wing-tat considered it odd that while LegCo was part of the constitutional framework under BL, leaders of the Central People's Government or Provincial Governments had never met with LegCo Members during their visits to Hong Kong. He invited Mr KO Chi-sum's view on how pan-democratic Members could enhance their communication with the Central Authorities.

37. Mr KO Chi-sum said that it was his view that pan-democratic Members should be issued with Home Return Permits. The Central Authorities and the pan-democrats should not adopt a hostile attitude towards each other and should engage in dialogue with a view to resolving differences.

38. Mr LAU Kong-wah said that the past year had witnessed many incidents of radical violent and irrational behaviour within and outside LegCo. In his view, such actions violated the spirit of democracy, i.e. respect for differences in views and resolving differences through rational discussions in an accommodating non-violent manner.

39. Mrs Sophie LEUNG said that it was regrettable that some deputations were not willing to listen to views different from theirs. If Hong Kong people adopted such an attitude in discussing constitutional development, it would be very hard to forge a consensus and roll forward democracy.

40. The meeting ended at 1:12 pm.

Council Business Division 2
Legislative Council Secretariat
26 July 2010

Panel on Constitutional Affairs

Special meeting on Saturday, 9 January 2010

Consultation Document on Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012
("Consultation Document")

Summary of views of deputations/individuals

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
Session One				
1.	Mr CHONG Yiu-kan [LC Paper No. CB(2)432/09-10(23)]			<ul style="list-style-type: none"> • Expresses concern that in face of the fast growing economy on the Mainland, Hong Kong's economic development will be adversely affected if Hong Kong people continue to dissipate their energy over disputes about constitutional development. • The Hong Kong community should discuss the proposals in the Consultation Document in a rational and accommodating manner with a view to forging a consensus and advancing Hong Kong's constitutional development.

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
2.	Mr CHAN Kwok-leung [LC Paper No. CB(2)752/09-10(01)]		<ul style="list-style-type: none"> • Supports the Administration's proposal of allocating the five new functional constituency ("FC") seats to District Councils ("DCs") to enhance the democratic elements of FCs. • Objects to the Administration's proposal that appointed DC members will not vote or stand as candidates in the election to return representatives of DCs to FCs, as appointed DC members have made significant contributions to the community and it is more in line with the principle of balanced participation to retain their right to participate in the election. 	<ul style="list-style-type: none"> • Expresses support for the Consultation Document.
3.	Ms LEE Yuk-kwan [LC Paper No. CB(2)752/09-10(01)]			<ul style="list-style-type: none"> • Expresses support for the Consultation Document.
4.	Ms LAU Sau-ying [LC Paper No. CB(2)752/09-10(01)]			<ul style="list-style-type: none"> • Expresses support for the Consultation Document.
5.	Ngau Tau Kok Teen Network [LC Paper No. CB(2)678/09-10(01)]	<ul style="list-style-type: none"> • Supports the Administration's proposals of expanding the membership size of the Election Committee ("EC") to 1 200 and increasing the number of members of the four EC sectors by the same proportion. 	<ul style="list-style-type: none"> • Supports the Administration's proposal of increasing the number of LegCo seats to 70. • Supports the Administration's proposal of returning all the five new FC seats and the existing DC seat through election by elected DC members from among themselves. 	<ul style="list-style-type: none"> • The Consultation Document will roll forward constitutional development in Hong Kong.

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
		<ul style="list-style-type: none"> • Supports the Administration's proposal of increasing the proportion of elected DC members in EC. • Supports the Administration's proposal of maintaining the current requirement that CE should not have any political affiliation. 	<ul style="list-style-type: none"> • The ratio of the number of FC seats for which Hong Kong permanent residents who are not of Chinese nationality or who have right of abode in foreign countries are allowed to stand in election should be reduced gradually. 	
6.	Mr MOK Kwan-chai [LC Paper No. CB(2)678/09-10(02)]	<ul style="list-style-type: none"> • Supports the Administration's proposal of increasing the number of members of EC to 1 200. • Consideration should be given to changing the existing requirement that CE should not have any political affiliation. Without secured votes within LegCo, it is difficult for the Executive to introduce controversial policies. However, should it be decided that the existing requirement be maintained, it should be stipulated clearly that a candidate for the CE election should not be a member of any political party for a certain minimum period, say five years, before the election. 	<ul style="list-style-type: none"> • There should be more focused discussion on the electoral method for returning elected DC members to the six DC FC seats, as the electoral method to be adopted will impact on the election results. • Disagrees with the Administration's proposal of excluding appointed and ex-officio DC members from participating in the election to return DC representatives to the DC FC. 	<ul style="list-style-type: none"> • The Consultation Document complies with the decision made by the Standing Committee of the National People's Congress ("NPCSC") on 29 December 2007 on issues relating to the methods for selecting CE and for forming LegCo in the year 2012 and on issues relating to universal suffrage ("the 2007 NPCSC Decision"). Should the Administration's proposals for the 2012 elections be rejected, Hong Kong's constitutional development will be stalled again.

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
7.	Hong Kong University Students' Union [LC Paper No. CB(2)678/09-10(03)]	<ul style="list-style-type: none"> • Genuine dual universal suffrage on a one-person-one-vote basis should be implemented in 2012. • Objects to the Administration's proposal of increasing the number of FC seats which will only serve to entrench the FC system. • FCs must not be retained in any form in the ultimate model for implementing universal suffrage, as they are wholly inconsistent with the spirit of equal and universal suffrage enshrined in the Basic Law ("BL"). It is unjust that while half of the LegCo seats are elected by more than three million voters on a one-person-one-vote basis, the other half are returned by some 220 000 trade-based FC electors. 		<ul style="list-style-type: none"> • The Consultation Document is unacceptable. • Expresses disappointment at the Administration's lack of commitment in advancing democracy and its failure to provide a roadmap to universal suffrage.
8.	Hong Kong Development Forum [LC Paper No. CB(2)752/09-10(02)]	<p>The membership size of EC should be expanded to more than 1 600.</p> <ul style="list-style-type: none"> • Supports the Administration's proposal of increasing the number of members of the four EC sectors by the same proportion. • All the new seats in the fourth EC sector should be allocated to DC members. • Supports the Administration's proposal of electing all the DC representatives in EC from among elected DC members. • "Corporate votes" should be replaced with "director's/ executive's/ association's/ individual votes". 	<ul style="list-style-type: none"> • Supports the Administration's proposal of increasing the number of LegCo seats to 70. • "Corporate votes" should be replaced with "director's/ executive's/ association's/ individual votes". • Supports the Administration's proposal of returning all the five new FC seats and the existing DC seat through election by elected DC members from among themselves. • Supports the Administration's proposal of maintaining the existing arrangement of allowing Hong Kong permanent residents who are not of Chinese nationality or who have right of abode in foreign countries to stand in the election of 12 FC seats. 	

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
		<ul style="list-style-type: none"> • Supports the Administration's proposal of maintaining the current nomination threshold of one-eighth of the total membership of EC. • Disagrees with the Administration's proposal of maintaining the current arrangement of not setting an upper limit on the number of subscribers in nominating candidates for the CE election. • Supports the Administration's proposal of maintaining the current requirement that CE should not have any political affiliation. 	<p>However, the arrangement should be abolished in the long run.</p>	
9.	Ms CHEUNG Oi-king [LC Paper No. CB(2)678/09-10(04)]	<ul style="list-style-type: none"> • Supports the Administration's proposals of expanding the membership size of EC to 1 200 and increasing the number of members of the four EC sectors by the same proportion. • Supports the Administration's proposal of maintaining the current nomination threshold of one-eighth of the total membership of EC. • At least 50% of the 100 new seats in the fourth EC sector should be allocated to DC members, which should be returned through election by all DC members (including 	<ul style="list-style-type: none"> • Supports the Administration's proposal of increasing the number of LegCo seats to 70. • The five new FC seats should be returned through election by all DC members (including appointed DC members) from among themselves. • Hong Kong permanent residents who are not of Chinese nationality or who have right of abode in foreign countries should not be allowed to stand in the election of 12 FC seats. 	<ul style="list-style-type: none"> • Supports the Consultation Document which complies with the 2007 NPCSC Decision and the principles of balanced participation and gradual and orderly progress in BL, and enhances the democratic elements of the two elections.

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
		<p>appointed DC members) from among themselves.</p> <ul style="list-style-type: none"> An upper limit should be set on the number of subscribers in nominating candidates for the CE election. Supports the Administration's proposal of maintaining the current requirement that CE should not have any political affiliation. 		
10.	Miss TAM Mei-po [LC Paper No. CB(2)752/09-10(03)]	<ul style="list-style-type: none"> The Administration's proposal of increasing the number of EC members to 1 200, instead of 1 600 as proposed in 2005, will make it easier for candidates to enter the CE election. 	<ul style="list-style-type: none"> The Administration's proposal of adding 10 LegCo seats, with five seats to be returned by geographical constituencies ("GCs") and five seats by the DC FC from among elected DC members, will help nurture political talents. 	<ul style="list-style-type: none"> The Administration's proposals in the Consultation Document which will advance democracy towards the goal of universal suffrage under the framework of the 2007 NPCSC Decision are acceptable.
Session Two				
11.	Shun Lee District Community Affairs Promotion Association [LC Paper No. CB(2)678/09-10(05)]	<ul style="list-style-type: none"> Supports the Administration's proposals of expanding the membership size of EC to 1 200 and increasing the number of members of the four EC sectors by the same proportion. Supports the Administration's proposal of increasing the proportion of elected DC members in EC. 	<ul style="list-style-type: none"> Supports the Administration's proposal of increasing the number of LegCo seats to 70. Supports the Administration's proposal of returning all the five new FC seats and the existing DC seat through election by elected DC members from among themselves. 	<ul style="list-style-type: none"> The Administration's proposals for the two elections in 2012 will help bring about democratic progress in constitutional development.

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
		<ul style="list-style-type: none"> Supports the Administration's proposal of maintaining the current requirement that CE should not have any political affiliation. 	<ul style="list-style-type: none"> Hong Kong permanent residents who are not of Chinese nationality or who have right of abode in foreign countries should not be allowed to stand in the election of 12 FC seats. 	
12.	Mr CHOI Ka-cheong [LC Paper No. CB(2)707/09-10(01)]		<ul style="list-style-type: none"> The Administration's proposal of creating five new FC seats for elected DC members will distort the role of LegCo as a territory-wide legislature, having regard to the fundamental differences between the functions of LegCo and DCs. The proposal will also render it more difficult to abolish all FCs. The Administration should give an assurance of the eventual abolition of FCs. 	<ul style="list-style-type: none"> The Administration should set out clearly that the ultimate aim of implementing universal suffrage is to improve the livelihood of the public by solving such social problems as the widening wealth disparity in Hong Kong. The Administration should democratize the political system by allocating more resources to enhance public engagements and discussions on government policies.
13.	歷史青年聯盟		<ul style="list-style-type: none"> All FCs should be abolished. 	<ul style="list-style-type: none"> The small-circle nature of the CE election, the existence of FCs and the split-voting mechanism in LegCo have resulted in autocratic rule by the Executive.
14.	Mr CHAI Man-hon, Member of Southern District Council	<ul style="list-style-type: none"> Disagrees with the view that the requirement of CE not having any political affiliation can ensure that he will maintain impartiality in his governance. 	<ul style="list-style-type: none"> The five new FC seats should be returned by all registered voters in Hong Kong on a one-person-one-vote basis. 	<ul style="list-style-type: none"> All appointed DC seats should be abolished.

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
			<ul style="list-style-type: none"> Consideration should be given to amalgamating or scrapping some existing FCs as transitional measures to the eventual abolition of all FCs. 	
15.	Yau Tsim Mong Youths Society	<ul style="list-style-type: none"> Supports the Administration's proposals of expanding the membership size of EC to 1 200 and increasing the number of members of the four EC sectors by the same proportion. All the new seats in the fourth EC sector should be allocated to DC members to enhance the democratic elements of the CE election. 	<ul style="list-style-type: none"> Supports the Administration's proposal of increasing the number of LegCo seats to 70. The five new GC seats should be allocated to the existing five GCs in accordance with the population ratio. For the five new FC seats, one seat should be allocated to a newly created FC for youths, with the remaining four seats to the DC FC. 	
16.	Hong Kong Human Rights Monitor [LC Paper No. CB(2)752/09-10(04)]	<ul style="list-style-type: none"> The proposals in the Consultation Document will not bring about any substantive progress in democratisation. Apart from the absence of any concrete proposals to abolish FCs, it also fails to lower the nomination threshold for the CE election. Under the Administration's proposals, a CE candidate will be required to secure 150 nominations, as compared to the 100 nominations required in the 2007 election. 	<ul style="list-style-type: none"> FCs should be abolished, as they are incompatible with the principles of universal and equal suffrage enshrined under paragraph (b) of Article 25 of the International Covenant on Civil and Political Rights ("ICCPR") and with BL 26 which guarantees the rights of all permanent residents to vote and to stand for election. Disagrees with the Administration's view that the reservation of the right not to apply paragraph (b) of Article 25 of ICCPR continues to apply to the HKSAR. In the case of Lee Miu Ling 	

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
			<p>and another v. Attorney General (1994), the court has considered that once LegCo was to be elected, the Hong Kong Government could no longer rely on the reservation. The United Nations Human Rights Committee has reiterated a similar view.</p>	
17.	<p>Ms NG Wei-ying [LC Paper No. CB(2)707/09-10(02)]</p>	<ul style="list-style-type: none"> • Does not support the implementation of dual universal suffrage in 2012 as this is not conducive to steady progress to attainment of universal suffrage. • Supports the Administration's proposals of expanding the membership size of EC to 1 200 and increasing the number of members of the four EC sectors by the same proportion. • All the new seats in the fourth EC sector should be allocated to DC members. • Supports the Administration's proposal that appointed DC members will not vote or stand as candidates in the election to return representatives of DCs to EC. 	<ul style="list-style-type: none"> • Supports the Administration's proposal of increasing the number of LegCo seats to 70. • The five new GC seats should be allocated in accordance with the population ratio. • Supports the Administration's proposal of allocating the five new FC seats to DCs. Suggests that the block-voting system be adopted for returning all the five new FC seats and the existing DC seat. • Supports the Administration's proposal of maintaining the existing arrangement of allowing Hong Kong permanent residents who are not of Chinese nationality or who have right of abode in foreign countries to stand in the election of 12 FC seats. 	<ul style="list-style-type: none"> • Supports the Administration's proposals for the two electoral methods as they are consistent with the 2007 NPCSC Decision and the principle of gradual and orderly progress. • The 2012 EC should be transformed into the nominating committee when universal suffrage for CE was implemented in 2017. • The existing FC elections should be reformed to make them compatible with the principles of universal suffrage when universal suffrage for LegCo is implemented in 2020.

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
18.	Mr CHAN Yuk-lun [LC Paper No. CB(2)707/09-10(03)]			<ul style="list-style-type: none"> • Constitutional development should be taken forward in accordance with BL in a gradual manner. • The conditions in Hong Kong are not yet ripe for the implementation of universal suffrage.
19.	Mr NG Chi-pui [LC Paper No. CB(2)678/09-10(06)]	<ul style="list-style-type: none"> • The Administration's proposals for the two elections in 2012, such as the proposals for increasing the number of EC members to 1 200 and LegCo seats to 70, can bring about democratic progress. • FCs should be retained. 		<ul style="list-style-type: none"> • Constitutional development should accord with the principle of gradual and orderly progress stipulated in BL.
20.	Chiao Yao Association [LC Paper No. CB(2)678/09-10(07)]	<ul style="list-style-type: none"> • Supports the Administration's proposals for the two elections in 2012 put forth in the Consultation Document as they are in line with BL and the 2007 NPCSC Decision, and will enhance the democratic elements of the two elections. 		
21.	Hong Kong Federation of Overseas Chinese Associations Limited [LC Paper No. CB(2)678/09-10(08)]	<ul style="list-style-type: none"> • Supports the Administration's proposals for the two elections in 2012 put forth in the Consultation Document as they are in line with the principles of balanced participation and gradual and orderly progress, are appropriate to the actual situation in Hong Kong, and will bring about democratic progress. 		<ul style="list-style-type: none"> • Constitutional development should accord with BL and the 2007 NPCSC Decision.
22.	Hong Kong Overseas Chinese General Association [LC Paper Nos. CB(2)457/09-10(43) and CB(2)678/09-10(09)]	<ul style="list-style-type: none"> • Supports the Administration's proposals for the two elections in 2012 put forth in the Consultation Document as they are in line with the principles of balanced participation and gradual and orderly progress and the 2007 NPCSC Decision, are appropriate to the actual situation in Hong Kong, and will bring about democratic progress. 		

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
23.	Hong Kong All Youth Alliance [LC Paper No. CB(2)678/09-10(10)]	<ul style="list-style-type: none"> • Supports the Administration's proposals for the two elections in 2012 put forth in the Consultation Document as they are in line with the principle of gradual and orderly progress. • Suggests increasing the number of EC members to 1 800 and including representatives of youths in the membership of EC to open up more avenues for young people to participate in politics. 	<ul style="list-style-type: none"> • Supports the Administration's proposal of returning all the five new FC seats and the existing DC seat through election by elected DC members from among themselves. • Suggests dividing all the elected DC members into five GCs, with each GC returning one of the five new FC seats. 	
24.	Neighbourhood & Worker's Service Centre [LC Paper No. CB(2)752/09-10(05)]	<ul style="list-style-type: none"> • Hong Kong society is ripe for the implementation of universal suffrage. The Administration's proposals for the two electoral methods in 2012 have failed to respond to the community's long-standing call for early implementation of dual universal suffrage and to provide a concrete timetable and roadmap for attaining universal suffrage. • The Administration's proposals to retain FCs and corporate votes will serve to perpetuate the vested interests of the minority. • Urges the Administration to - <ul style="list-style-type: none"> (a) give assurance that universal suffrage for CE and LegCo will be implemented no later than 2017 and 2020 respectively; (b) ensure that the nomination threshold should be no higher than the existing requirement of one-eighth of the total membership of EC when universal suffrage for CE is implemented; 		

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
		<p>(c) abolish all FCs and ensure that the rights of Hong Kong people to vote, to nominate and to stand for the LegCo election must accord with the international principles of universality and equality when universal suffrage for LegCo is implemented,; and</p> <p>(d) enhance the democratic elements of the two elections in 2012 and the LegCo election in 2016 so as to pave way for the implementation of universal suffrage in 2017/2020.</p>		
Session Three				
25.	Mr FAN Kwok-wai, Member of Sai Kung District Council [LC Paper No. CB(2)432/09-10(30)]	<ul style="list-style-type: none"> • Expresses disappointment that the Consultation Document has failed to respond to the public's aspiration for dual universal suffrage in 2012. • The package of proposals in the Consultation Document is retrogressive as compared with that put forth by the Administration in 2005 for the 2007/2008 elections. For instance, the 2005 package contained proposals on abolishing appointed DC seats by phases, which are not found in the current proposals. The 2005 package proposed increasing the number of EC seats to 1 600, as compared to the current proposal of increasing the number of seats to 1 200. • Objects to the Administration's proposal of increasing FC seats as it will further entrench the FC system which is incompatible with the principles of universal and equal suffrage. • Strongly urges the Administration to provide a roadmap to universal suffrage, increase the number of seats returned by GCs through direct election, abolish all FCs and increase the number of EC members. 		
26.	Power for Democracy	<ul style="list-style-type: none"> • Hong Kong people have been demanding for the implementation of dual universal suffrage for many years. A recent opinion poll conducted by the Chinese University of Hong Kong reveals that some 52 to 53% of the respondents support the implementation of dual universal suffrage in 2012. The Administration should abolish all FCs and implement dual universal suffrage in 2012. 		

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
27.	The Democratic Party [LC Paper No. CB(2)707/09-10(04)]	<ul style="list-style-type: none"> • The Consultation Document is unacceptable as it does not provide any roadmap to universal suffrage and the proposals contained therein are retrogressive as compared with the 2005 proposed package. • Expresses regret that the Administration has not responded to the public's long-standing call for early implementation of universal suffrage, as borne out consistently by findings of opinion polls conducted in the past years. A recent opinion poll conducted by the Chinese University of Hong Kong shows that 52.7% of the respondents supported the implementation of dual universal suffrage in 2012. • Dual universal suffrage should be implemented in 2012. If this cannot be achieved, the Administration should give assurances that genuine universal suffrage for CE will be implemented in 2017, with a low nomination threshold to allow persons with different political backgrounds to participate, and that all FCs will be abolished with all legislators returned by genuine universal suffrage in 2020. 	<ul style="list-style-type: none"> • Objects to the Administration's proposal of increasing five DC FC seats as it will only serve to create another group of privileged minority. 	<ul style="list-style-type: none"> • All appointed and ex-officio DC seats should be abolished in the 2011 DC election.
28.	將軍澳文化藝術協會	<ul style="list-style-type: none"> • Expresses dissatisfaction with the Consultation Document. The Administration's proposal to increase FC seats will only serve to entrench the FC system. • The deep-rooted conflicts in Hong Kong society can only be resolved by ensuring that all Hong Kong people have equal voting rights. The Consultation Document should include proposals for electing CE by universal and equal suffrage, and abolishing FCs and appointed DC seats. 		

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
29.	Mr KO Chi-sum [LC Paper No. CB(2)752/09-10(06)]			<ul style="list-style-type: none"> • Universal suffrage should be attained in a gradual and orderly manner, and not in one go.
30.	Chinese General Chamber of Commerce [LC Paper No. CB(2)752/09-10(07)]	<ul style="list-style-type: none"> • Supports the Administration's proposals of expanding the membership size of EC to 1 200 and increasing the number of members of the four EC sectors by the same proportion. 	<ul style="list-style-type: none"> • Supports the Administration's proposals of increasing the number of LegCo seats to 70, with five seats to be allocated to GCs and five to FCs to be returned through election by elected DC members from among themselves. • FC should be retained as they can ensure balanced participation and bring the voices of the professional sectors into LegCo to assist LegCo in monitoring the Government's work. 	<ul style="list-style-type: none"> • The Administration's proposals comply with the 2007 NPCSC Decision and help realise democratic progress in a gradual and orderly manner.
31.	Ka Ying Chow Commercial Association Ltd. [LC Paper No. CB(2)752/09-10(08)]	<ul style="list-style-type: none"> • The Administration's proposals of enlarging EC to 1 200 members and LegCo to 70 Members can provide more room for members of the community to participate in the two elections. • The Administration's proposal of increasing the number of members of the four EC sectors by the same proportion can help maintain the principle of balanced participation. • The Administration's proposal of allocating most of the 100 new 	<ul style="list-style-type: none"> • FCs should be retained in the long term. 	<ul style="list-style-type: none"> • Supports the Administration's proposals in the Consultation Document as they are consistent with the requirements in BL and the 2007 NPCSC Decision, and meet the long term interests of Hong Kong and China.

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
		seats in the fourth sector to elected DC members can enhance the electorate base of EC elections.		
32.	Mr PAK Fu-hung [LC Paper No. CB(2)752/09-10(09)]	<ul style="list-style-type: none"> • Supports the Administration's proposals of expanding the membership size of EC to 1 200 and increasing the number of members of the four EC sectors by the same proportion. • Should the membership size of EC be further expanded in future, consideration can be given to creating other new subsectors, such as youths, ethnic minorities, small and medium enterprises, to enhance the electorate base of EC. • Supports the Administration's proposal of maintaining the current nomination threshold of one-eighth of the total membership of EC. 	<ul style="list-style-type: none"> • Supports the Administration's proposal of increasing the number of LegCo seats to 70, with five seats allocated to GCs and five to FCs. • Supports the Administration's proposal that appointed DC members will not vote or stand as candidates in the election to return representatives of DCs to the DC FC. • Suggests that the block-voting system be adopted for returning representatives of DCs to the DC FC. 	
33.	Tseung Kwan O Resident's Right Association [LC Paper No. CB(2)432/09-10(29)]	<ul style="list-style-type: none"> • Expresses disappointment that the Consultation Document has failed to respond to the public's aspiration for dual universal suffrage in 2012. • The FC system has deprived the majority of the members of the public of the right to universal and equal suffrage as enshrined in ICCPR and should be abolished. • Strongly urges the Administration to provide a roadmap to universal suffrage, increase the number of seats returned by GCs through direct elections, abolish all FCs and increase the number of EC members. 		

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
34.	Mr WONG Fu-wing [LC Paper No. CB(2)752/09-10(10)]			<ul style="list-style-type: none"> Hong Kong people should not continue to dissipate their energy over disputes about constitutional development. The community should engage in discussions on the Consultation Document in a rational and accommodating manner with a view to forging consensus and moving forward the electoral arrangements.
35.	Hong Kong Senior Education Workers Association	<ul style="list-style-type: none"> Generally agrees to the Administration's proposals which help to move forward Hong Kong's constitutional development. The Association, however, expresses reservations about the following proposals in the Consultation Document - <ul style="list-style-type: none"> (a) the proposal for enlarging EC to 1 200 members is retrogressive as compared with the proposal of expanding its membership to 1 600 members in the 2005 proposed package; and (b) the proposal for excluding appointed DC members from participating in the election to return representatives of DCs to FCs as the Administration has failed to recognize the contributions made by appointed DC members to the community. 		
36.	Student Christian Movement of Hong Kong	<ul style="list-style-type: none"> The Administration should implement dual universal suffrage in 2012. Strongly urges the Administration to abolish FCs and the split voting mechanism for motions, bills or amendments to government bills introduced by individual LegCo Members. Objects to any form of small-circle elections and indirect elections. The Administration's proposals of increasing the membership size of EC to 1 200 and that of LegCo to 70 will not help to advance democracy. 		

No.	Deputation/ Individual	Methods for selecting the Chief Executive ("CE") in 2012	Methods for forming the Legislative Council ("LegCo") in 2012	Other issues raised
37.	Workshop for Ecumenism	<ul style="list-style-type: none"> • Objects to the Administration's proposals put forth in the Consultation Document. • The proposed expansion of the membership size of EC from 800 to 1 200 does not change the small-circle nature of the CE election. • Universal suffrage as enshrined in ICCPR and BL is the inherent right of every person. The Administration should implement dual universal suffrage for CE and LegCo and abolish all FCs which serve narrow vested interests. The split voting mechanism for motions, bills or amendments to government bills introduced by individual LegCo Members should also be scrapped. 		
38.	Hong Kong Women Christian Council	<ul style="list-style-type: none"> • Genuine universal suffrage for CE and LegCo on a one-person-one-vote basis should be implemented in 2012. • All FCs should be abolished. • The proposed expansion of the membership of EC from 800 to 1 200 will not enhance the representativeness of the CE election. 		
39.	將軍澳社區發展協會	<ul style="list-style-type: none"> • Hong Kong people aspire for the early implementation of universal suffrage. The Administration should not further drag its feet on providing the timetable and roadmap for universal suffrage. • All FCs should be abolished. 		<ul style="list-style-type: none"> • All appointed DC seats should be abolished soon as possible.
40.	Ms CHAN Shu-ying, Member of Tuen Mun District Council	<ul style="list-style-type: none"> • Expresses grave dissatisfaction at the Consultation Document as the Administration should have included proposals on the roadmap and models for implementing universal suffrage for CE and LegCo in 2017/2020, if dual universal suffrage in 2012 cannot be realized. 		