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Press Statement of the Article 45 Concern Group
13 January 2004

1. With the vast majority of the Hong Kong public, Article 45 Concern Group is disappointed in Mr Tung Chee-hwa's failure to announce a timetable on constitutional development in his policy address. The wishes of the public has already been made clear beyond doubt in the march of over 500,000 people on 1 July and in the district elections in November last year, and reaffirmed on New Year's Day 2004 when 100,000 took part in the march for democracy. The evidence is overwhelming that the community wants to see the CE and all LegCo members elected by universal suffrage in 2007 and 2008 respectively.
2. The Concern Group is disturbed by the announcement that, Mr Tung is sending a "Task Force" to Beijing to hear the concerns of CPG and to consult CPG on the principles and procedure on constitutional development under the Basic Law, before any arrangements for the consultation exercise can be made. It is difficult to envisage what the nature of these concerns may be which would require the process Mr Tung proposes to follow. The principles stipulated in the Basic Law on constitutional development are well-known and perfectly plain for all to see.
3. In these circumstances, there is justification for the concern in Hong Kong that the proposed process might be a prelude to delays and obstacles for the long-awaited constitutional reform. In particular, the deep concern is that the process might be used to put in additional restrictions which are not in the Basic Law, or to deny the people's wish for universal suffrage in 2007 and 2008.
4. The election of the CE and LegCo by universal suffrage in 2007 and 2008 respectively are entirely consistent with the Basic Law. The Basic Law has provided a framework for development and should not be derogated from.
5. Universal suffrage is expressly permitted by Articles 45 and 68. The only conditions stipulated are that the method of selecting the CE and the method of formation of LegCo must be "specified in the light of the actual situation" in Hong Kong, and "in accordance with the principle of gradual and orderly progress". We believe that the actual situation in Hong Kong justifies universal suffrage; but in any event, whether the election of the CE by universal suffrage in 2007 is justified in the actual situation in Hong Kong is a matter for determination through consultation. We believe that the sample models provided in our pamphlet

Opinion No.1 conform with the principle of gradual and orderly progress, in that converting the present Election Committee into the Nomination Committee improve on the present system while leaving the attainment of a fully democratic election of the CE to future development. In any event, it should be left to be determined in the light of consultation what the stages of future development should be until the ultimate goal provided in Article 45 is fully attained.

6. We are sure that the CPG has a role to play in the constitutional development here in Hong Kong. However, the Basic Law has never suggested anywhere that such constitutional development could only be contemplated with the CPG's prior consent. This is to be gleaned from the way in which political change is envisaged in Annex I and Annex II and in particular, the marked difference in the role played by the NPCSC in relation to the selection of CE and the election of LegCo. It is our respectful view that this is the very essence of the grand concept of "One Country, Two Systems" and a "High Degree of Autonomy" promised to Hong Kong.
7. We believe that it is of the utmost importance that the principles provided in the Basic Law, including the above, are rigorously maintained.
8. We urge the HKSAR Government to undertake that and the views of Hong Kong residents are fully represented in any discussion with CPG. HKSARG should also undertake to consult Hong Kong residents on views expressed by CPG during the process. We will seek an early opportunity to meet with members of the "Task Force" for this purpose.
9. We pledge to do our best to facilitate the expression and collation of views from members of the public in Hong Kong, including by means of a new website to be set up shortly by Article 45 Concern Group