

**Publication of the Report of the Independent Committee of Experts
Translation of the Statement made by
the Secretary for Constitutional Affairs on 6 May 2005**

In view of the problems which occurred on the polling day of the Legislative Council (LegCo) election last year, the Chief Executive has appointed an Independent Committee of Experts to review the management, planning and conduct of elections and to make recommendations on improvement measures. The Independent Committee of Experts commenced operation in early January, and submitted its report to the Acting Chief Executive today.

2. We would like to express our sincere gratitude to the Independent Committee of Experts, including the Chairman Dr Daniel Tse Chi Wai and other members Mr Philip Chen Nan Lok, Mr Daniel Lai and Mr Herbert Choi Hak Kong. During the past few months, they have devoted much time and effort to the work of the Committee. They have met relevant individuals and organizations, and compiled a comprehensive report.

3. We agree to the conclusions made by the Independent Committee of Experts in its report, in particular the following aspects:

- First, the integrity, fairness and impartiality of the 2004 LegCo election had not been compromised.
- Second, the working staff had tried their best to tackle the problems on the polling day. Their efforts should still be recognized notwithstanding the chaos on the polling day.
- Third, the importance of independence of the electoral process should continue to be recognized. The existing structure of having an Electoral Affairs Commission (EAC) which is independent of the Government to be responsible for the conduct and supervision of elections helps to ensure the independence of the electoral process.

4. Further, we note that the Independent Committee of Experts has indicated in its report that the Committee had not found any fundamental or major problems with the existing electoral system and procedure. The chaos on the polling day was the result of a number of implementational problems.

5. In its report, the Independent Committee of Experts has put forth over ten recommendations regarding the management, planning and conduct of elections. These recommendations are valuable and will be of much assistance to us in seeking to improve future electoral arrangements. Some of the recommendations are in fact similar to the improvement measures implemented by EAC and the Registration and Electoral Office (REO) in the Election Committee Subsector By-elections conducted earlier. For example, a more detailed contingency plan was drawn up, and basic training on crisis management was provided to staff.

6. We will work closely with EAC and REO to follow up on the recommendations proposed by the Independent Committee of Experts. For example,

- we will consider how better support could be given to EAC to strengthen its set up so that it could co-opt more people with relevant expertise, for example, IT experts, etc, to enable the EAC to discharge its statutory functions more effectively;
- we will consider, together with EAC and REO, how training for REO staff as well as polling and counting staff could be enhanced so that the Government will have a team of staff who are well-trained in discharging electoral related duties; and
- we will consider, together with EAC and REO, how the electoral arrangements on polling day could be improved. For example, consideration may be given to further improving the logistical arrangements for the delivery of election-related materials. We will also explore the feasibility of wider use of information technology in the polling and counting processes.

7. Further, EAC and REO will continue to follow up on the proposed improvement measures put forth in the reports on the 2004 LegCo election issued last year.

8. We will learn from the experience of 2004 LegCo election and make best endeavours to improve the electoral arrangements in future. We are committed to ensuring that public elections in Hong Kong will continue to be held in an open, fair and honest manner.