

**Statement by the Chief Secretary for Administration on the
Report on Hong Kong's Constitutional Development by the Chief Executive
to the Standing Committee of National People's Congress
at the sitting of the Legislative Council
on 12 December 2007**

Madam President,

This morning, the Chief Executive (CE) submitted the report to the Standing Committee of the National People's Congress (NPCSC) to request confirmation that the methods for selecting the CE and for forming the Legislative Council (LegCo) in 2012 may be amended. Today the HKSAR Government also publishes the Report on Public Consultation on the Green Paper on Constitutional Development.

Green Paper Public Consultation

2. In July this year, we issued the Green paper on Constitutional Development ("the Green Paper") to consult widely the public on the models, roadmap and timetable for implementing universal suffrage for the CE and LegCo. The HKSAR Government consulted the public on Hong Kong's constitutional development through the release of a green paper – the first time such a vehicle was adopted on the issue of universal suffrage. We hope to forge consensus within the community to attain the aim of universal suffrage as early as possible in accordance with the Basic Law.

3. During the public consultation, we consulted the community widely and systematically through a variety of channels to gauge feedback on the Green Paper from among LegCo, District Councils, organizations and individuals of different sectors of society, as well as members of the public. During the public consultation, we received views reflected through about 18200 written submissions, as well as more than 150000 signatures.

4. To promote in-depth discussions on the issue of universal suffrage among various sectors of the community, the HKSAR Government organized a number of open and regional forums to listen to the views of the public and district personalities direct. We attended special meetings of the LegCo Constitutional Affairs Panel and the meetings of all 18 District Councils meetings. We also attended public hearings of the LegCo to listen to the views of over 150 organizations and individuals on the issue of universal suffrage. Moreover, we attended meetings with LegCo functional constituency sectors and Election Committee subsectors, as well as forums and meetings organized by different organizations.

5. We have paid close attention to different opinion polls conducted by various academic, non-governmental and media organizations on the issue of universal suffrage, and consider them as one of the important means in reflecting public opinion.

Report on Green Paper Public Consultation

6. In the Report on the Public Consultation on the Green Paper, we have summarized and analyzed the views received within the public consultation period. We have assessed whether differences in opinions have narrowed sufficiently to provide a basis for consensus on implementation of universal suffrage to be formed. In doing so, we have taken into account the following two objective criteria:

- (i) whether the option will stand a reasonable chance of securing the endorsement of a two-thirds majority of all the members of LegCo (i.e. not less than 40 LegCo Members). To this end, our assessment is based on the written submissions put forth by the political parties/groups in LegCo and independent Members; and
- (ii) whether the option is likely to attract majority support among Hong Kong people. To this end, we have made reference to the opinion polls conducted by various academic, non-governmental and media organizations during the public consultation period. We have also made reference to the views expressed through various means by LegCo, District Councils, as well as organizations and individuals of different sectors of society.

Summary of Views

7. Regarding the models, roadmap and timetable for implementing universal suffrage for the CE and LegCo, the views received during the Green Paper public consultation period are summarized below.

- (i) In general, the people of Hong Kong have keen expectation for attaining the aim of universal suffrage in accordance with the Basic Law. Members of the public, political parties, LegCo Members, District Councils and different sectors of the community support that the plan for implementing universal suffrage, particularly the universal suffrage timetable, should be determined at an early date. This can help minimize internal debates on constitutional development and will be conducive to the long term stability and development of Hong Kong.

Models for Electing the Chief Executive by Universal Suffrage

- (ii) Regarding the models for electing the CE by universal suffrage, there are relatively more views that the formation of the nominating committee for nominating CE candidates may make reference to the existing Election Committee for electing the CE.
- (iii) Various political parties/groups in LegCo and independent Members support the formation of CE nominating committee by 800 or more than 800 members (for example, by increasing the number of members to 1200 or 1600). Opinion polls have indicated that more respondents consider that the nominating committee should be formed by more than 800 members.
- (iv) There are relatively more views that it would be appropriate to have two to four CE candidates at most.
- (v) The community generally agrees that, after the CE candidates have been nominated in accordance with democratic procedures, the CE should be elected by universal suffrage on the basis of one-person-one-vote. As to whether one or more rounds of election should be held, and whether the election proceedings should continue if there is only one candidate, further discussions will be necessary.

Models for Forming the Legislative Council by Universal Suffrage

- (vi) As for the models, roadmap and timetable for implementing universal suffrage for LegCo, LegCo, various sectors of the community and the public hold diverse views, and no mainstream view can be formed at this stage.

Roadmap and Timetable for Implementing Universal Suffrage

- (vii) As I have just mentioned, the community generally hopes that progress can be made at an early date regarding the implementation of universal suffrage. Under the circumstances that consensus has not yet been formed on the implementation of universal suffrage for LegCo, different opinion polls have indicated that more than half of the respondents hope that universal suffrage for the CE can precede that for LegCo.
- (viii) Currently, in LegCo, less than half of the Members support the implementation of universal suffrage for the CE and LegCo in 2012. Half of all LegCo Members support that universal suffrage for the CE should be implemented first by no later than 2017, in 2017 or after 2017, and that universal suffrage for LegCo should follow thereafter.
- (ix) Also, motions have been passed in more than two-thirds of all District Councils, supporting that universal suffrage for the CE should be implemented first by no later than 2017, in 2017 or after 2017, and that universal suffrage for LegCo should follow thereafter.
- (x) Opinion polls have indicated that more than half of the respondents support implementation of universal suffrage for the CE and LegCo in 2012. Among about 18200 written submissions received, about 12600 submissions with the same content support universal suffrage in 2012.
- (xi) At the same time, about 60% of the respondents accept the implementation of universal suffrage for the CE in 2017, if this cannot be attained in 2012.

- (xii) As for the timetable for implementing universal suffrage for LegCo, different opinion polls have indicated that more than half of the respondents accept the implementation of universal suffrage for LegCo in 2016 or thereafter, if this cannot be attained in 2012.
- (xiii) More than 150000 signatures received from the public have indicated support for implementing universal suffrage for the CE by no later than 2017, in 2017 or after 2017; and among these signatures, more than 130000 have indicated support that universal suffrage for the CE should precede that for LegCo.

CE's Report to NPCSC

8. The CE's report to NPCSC is submitted together with the Report on Public Consultation on Green Paper. The views of LegCo, District Councils, organizations and individuals of various sectors of the community, as well as the opinion polls conducted by universities and think tanks are all provided in the Report, which faithfully reflects the views received from the community on the issue of universal suffrage during the public consultation period.

9. In the light of the results of the public consultation, the CE considers that the people of Hong Kong adopt a pragmatic attitude towards the issue of universal suffrage. He also notes that there is general expectation within the community that the electoral system of the HKSAR can be further democratized and that the ultimate aim of universal suffrage can be attained as early as possible in accordance with the Basic Law.

10. Having considered the views of LegCo, District Councils, organizations and individuals from various sectors, as well as members of the public in totality and, after thorough deliberation, the CE has made the following conclusion and recommendations in his Report to NPCSC.

- (i) The community generally hopes that the universal suffrage timetable can be determined early, so as to set the course for Hong Kong's constitutional development.

- (ii) Implementing universal suffrage for the CE first in 2012 is the expectation of more than half of the public, as reflected in the opinion polls; this expectation should be taken seriously and given consideration.
- (iii) At the same time, implementing universal suffrage for the CE first by no later than 2017 will stand a better chance of being accepted by the majority in our community.
- (iv) Although there are still diverse views on the models for implementing universal suffrage for the CE within the community, consensus has begun to emerge on taking forward universal suffrage towards the direction of implementing universal suffrage for the CE first, to be followed by that for LegCo.
- (v) As for the models for forming LegCo by universal suffrage and how the functional constituencies should be dealt with, views are still very diverse. However, setting the timetable for implementing universal suffrage for the CE and LegCo can help promote the ultimate resolution of the issues involved.

11. On the basis of the above conclusion, the CE considers that, in order to realize the aim of universal suffrage as provided for in the Basic Law, there is a need to amend the methods for selecting the CE and for forming LegCo in 2012. Accordingly, the CE has decided to make a report to the NPCSC in accordance with Articles 45 and 68 of the Basic Law, Annexes I and II to the Basic Law, and the NPCSC's Interpretation of Annex I and Annex II to the Basic Law adopted on 6 April 2004 to request confirmation that the methods for selecting the CE of the Hong Kong Special Administrative Region and for forming LegCo of the Hong Kong Special Administrative Region in 2012 may be amended.

12. If NPCSC confirms that the methods for selecting the CE and for forming LegCo in 2012 may be amended, the HKSAR Government will study how these two electoral methods can be amended, and the community will definitely have a further opportunity to discuss these issues.

Conclusion

13. Madam President, today marks a significant milestone for Hong Kong's constitutional development. The CE has already made a request to NPCSC, proposing to embark on the review of the methods for selecting the CE and for forming LegCo in 2012. This represents the utmost sincerity of the CE and the HKSAR Government to take forward Hong Kong's democratic development.

14. The LegCo, District Councils, organizations and individuals of various sectors of the community, as well as members of the public have all provided invaluable advice during the consultation. This has laid down a solid foundation for us to take forward our constitutional development. On behalf of the HKSAR Government, I would like to express our appreciation for their contribution. We hope that the community will continue to adopt a pragmatic approach and seek common ground with a view to reaching consensus on the early implementation of universal suffrage.

15. Thank you, Madam President.