

Response Paper

- **“Package of Proposals for the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012”**

Democracy and Reform Resources Centre

14th May 2010

1. Hong Kong citizens had received fake promises of democracy in 1997 and they thought they can have democracy in 2007/8, and yet it was postponed. The current situation is the government has once again evaded its promises of a great leap in democracy. Given its credentials, Hong Kong citizens can hardly believe the government to have any sincerity in granting the citizens a true democracy in the near future.
2. The pace of democratization is slow. We would like to see direct election of the Chief Executive and all the Legislative Council (LegCo) members in 2012. However, given the current proposal, we are willing to accept 2017 and 2020, the latest, if a concrete guarantee about the elections can be secured.
3. The democracy we are striving for is a “one man one vote” universal suffrage which is competitive, open, free, and fair. Any kind of indirect election or power bias within the system should be discouraged. The election has to be run in a liberal environment so everyone is empowered with the right to broadcast different political messages, and everyone has the “right to know”. By acquiring such international standard of democracy, Hong Kong can become a truly civilized society by world standard. We believe this is what Hong Kong people are striving for. It is what most suitable to Hong Kong and how the future political development should follow.

4. The composition of Legco should be based on equal and universal principles, which means all citizens should have equal voting right in elections. No one should have more political power in the election system.
5. Therefore, Functional Constituencies (FCs) have to be completely abolished in 2020. This is the ultimate bottom-line. All the LegCo seats have to be directly elected by 2020, and there is no compromise.
6. We demand a roadmap of how the power of FCs shall be eliminated over the years. One suggestion is diminishing the number of FC by 10 in every election. In order to encourage wide representation, according to the government, the FCs with the least number of registered voters should be removed first. All the seats should be shifted to directly elected Geographical Constituencies (GC) in these elections. Constituencies resulting from indirect election are not acceptable.
7. Another acceptable way to gradually remove FC is to widen the electorate base. Corporate voting has to be abolished. Instead the FC is opened to all the individuals working within the industries. Since some FCs have their own professional organizations, membership in recognized organizations means right to vote in the FCs. This method is feasible and easy to implement as a transitional step to universal suffrage.
8. We urge the government to change the separate voting system in the LegCo. Under current system, bills proposed by the government only need half of the LegCo members to approve in order to pass. However, any bills or amendments proposed by the legislators have to get support from half of the FCs and half of the GCs in order to pass their bills. It creates an unfair leverage for the government to impose its policies without listening to the citizens' preferences. It also allows the FCs with very little electorate base to veto the policies proposed by GCs, in which GCs do not have such power to veto government's policy in return. The separate voting system should be cancelled from now until FCs are completely removed to lay a fair ground for policy making.
9. There is no need for establishing the 5 more District Councilor (DC) seats in LegCo. The duties of DCs only concern district level matter. Instead, GCs are elected base on geographical region, and have a wider electorate

base. They cater and look after overall policy direction instead of district matter. There is no reason why DCs are needed or DCs can do a better job than GCs in LegCo. Hence the 5 seats of DC should be shifted to GCs. Besides, DC voters did not grant the right to DCs to elect GCs among themselves.

10. The appointed DCs should be cancelled and replaced by directly elected DCs. They fail to represent any citizens, which is against the wide representation democratic principle.
11. Widening the electorate base of CE election from 800 members to 1,200 is of limited value as most of them are not directly elected and hence cannot represent citizens in Hong Kong. The government can consider including all the LegCo members and all the DCs(excluding appointed DCs) into the Election Committee, without increasing the number of other appointed members. This will at least increase the democratic element in the Committee, and can be described as a “forward” plan.
12. In 2017, when universal suffrage of CE is implemented, every citizen should have equal right to vote and equal right to be nominated. Election of CE from those candidates who have received the requisite number of nominations (nomination from 8% of members) from the Nomination Committee. There should be no requirement to achieve any quota of nominations from any specific sector of the Nomination Committee. No additional barrier should be placed to harm the equality or the rights.