

Opinion on 2017 Universal Suffrage for Chief Executive of HKSAR

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Referring to the Preamble of Basic law of the Hong Kong Special Administrative Region ("HKSAR") is the inalienable part of PRC and shall under her rule and sovereignty.

Although people consider that the enactment of the Hong Kong Basic law is from the power of joint declaration, the joint declaration is an international treaty which is not part of law, but is an obligation for the sovereign state to transform it into local law.

The Basic law was then enacted by the National People Congress ("NPC") the highest state organ of PRC, under the PRC Constitution. Accordingly, the Hong Kong Basic law is part of the PRC law, like other PRC laws, are under the PRC Constitution and the governing of the Standing Committee of NPC ("NPCSC").

As such, the way to achieve universal suffrage in 2017 and LegCo election must be under the framework of the Hong Kong Basic law, which means that the change to the system must also be approved and abide by the decision of NPCSC.

Therefore, it is reasonable and justified that the 2017 election of the Chief Executive must comply with the decision of NPCSC within the framework of Hong Kong Basic law, and that in lieu of a civil nomination, a nomination committee shall be set up.

The nominated Chief Executive candidates shall be restricted to three to four, and if there are too many candidates, the operation cost will be great and may burden taxpayers.