

**Legislative Council Panel on Constitutional Affairs**

**2015 Policy Address**

**Policy initiatives of Constitutional and Mainland Affairs Bureau  
in relation to constitutional development, electoral arrangements,  
human rights and promotion of the Basic Law**

This paper briefs Members on the policy initiatives of the Constitutional and Mainland Affairs Bureau in relation to constitutional development, electoral arrangements, human rights and promotion of the Basic Law, some of which have been covered in the 2015 Policy Address.

**Our vision**

2. Our vision is to take forward Hong Kong's constitutional development in accordance with the Basic Law and the relevant Interpretation and Decisions of the Standing Committee of the National People's Congress ("NPCSC"), with a view to implementing the selection of the Chief Executive ("CE") by universal suffrage in 2017; ensure that public elections will continue to be conducted in a fair, open and honest manner; safeguard the fundamental rights protected by the Basic Law; and promote the Basic Law to the wider community.

3. The new initiatives we will pursue and on-going initiatives we will continue to implement are highlighted as follows -

New Initiatives

- (a) Kick start the Third Step of the "Five-Step Process" of constitutional development by introducing to the Legislative Council ("LegCo") a motion to amend Annex I to the Basic Law regarding the method for the selection of the CE of the Hong Kong Special Administrative Region ("HKSAR");
- (b) Introduce legislative amendments into the LegCo to make necessary technical amendments to the detailed

arrangements regarding the 2016 LegCo Election;

- (c) Work closely with the Electoral Affairs Commission (“EAC”) to make practical arrangements to ensure that the 2015 District Council (“DC”) Election will be conducted in a fair, open and honest manner in accordance with the relevant legislation;

#### On-going Initiatives

- (d) Strengthening publicity and checking efforts on voter registration to tie in with the 2015 DC Election. Efforts are made to encourage eligible persons to register as electors and remind electors of their civic responsibility of providing accurate information for registration and updating their registration particulars in a timely manner;
- (e) promoting elimination of discrimination on grounds of sexual orientation or gender identity through, inter alia, enhanced publicity and public education, promotion in the domain of employment; and close liaison with stakeholders to follow up on the recommendations of the Advisory Group on Eliminating Discrimination Against Sexual Minorities when they are available;
- (f) promoting children’s rights through, inter alia, publicity, the Children’s Rights Education Funding Scheme, and the Children’s Rights Forum;
- (g) promotion of racial equality; and
- (h) continuing with our work on the promotion of the Basic Law. We will organise a variety of activities on the 25th anniversary of the promulgation of the Basic Law in 2015 to promote a more comprehensive and thorough understanding of the “one country, two systems” principle and the Basic Law in the community.

## **Detailed Measures**

### Constitutional development

4. On 7 January 2015, the Government published the Consultation Document on the Method for Selecting the Chief Executive by Universal Suffrage (“Consultation Document”) to formally launch a two-month public consultation. The consultation period will end on 7 March 2015.

5. In accordance with the Basic Law and the Decision of the Standing Committee of the National People’s Congress on Issues Relating to the Selection of the Chief Executive of the Hong Kong Special Administrative Region by Universal Suffrage and on the Method for Forming the Legislative Council of the Hong Kong Special Administrative Region in the Year 2016 (“Decision”) adopted by the NPCSC on 31 August 2014, the Consultation Document sets out and consults the public on the issues which may be considered in relation to the method for selecting the CE by universal suffrage.

6. The Government hopes that different sectors of the community could, under the Basic Law and the framework laid down by the Decision, discuss in a rational and pragmatic manner and forge consensus, so that five million eligible voters could elect the next CE through “one person, one vote” universal suffrage in 2017.

7. After the conclusion of the public consultation, the Government will consolidate and summarise the views received as soon as possible, with a view to introducing to the LegCo a motion to amend Annex I to the Basic Law regarding the method for selecting the CE in the second quarter of 2015.

### Public elections

8. According to the Decision, the existing formation method for the LegCo as prescribed in Annex II to the Hong Kong Basic Law will not be amended. The formation method of the fifth term LegCo will continue to apply to the sixth term LegCo of the HKSAR in 2016. The Administration will soon consult this Panel on the necessary technical amendments at local legislation level regarding the 2016 LegCo Election

and introduce these amendments into the LegCo within this year.

9. The Administration will work closely with the EAC to make practical arrangements to ensure that the 2015 DC Election will be conducted in a fair, open and honest manner in accordance with the relevant legislation. The EAC is making preparations on the practical arrangements and will consult this Panel later.

#### Voter registration

10. A DC election will be held in 2015. In line with past practice, we will organise a large-scale voter registration campaign to encourage eligible persons to register as electors and remind registered electors to fulfil their civic responsibility to update their particulars with the Registration and Electoral Office (“REO”) in a timely manner after moving home. Besides, we will step up publicity during the 2015 voter registration campaign in collaboration with the Independent Commission Against Corruption to raise the awareness of the community about voter registration; and to remind the public of the importance of providing true and accurate information for registration, and registered electors to update their residential addresses. The REO will continue to implement checking measures and the inquiry process in the 2015 voter registration cycle to maintain the accuracy and completeness of the voter registration records.

#### Anti-discrimination on grounds of sexual orientation and gender identity

11. We established the Advisory Group on Eliminating Discrimination Against Sexual Minorities (“Advisory Group”) in June 2013 to advise on matters relating to concerns about discrimination faced by sexual minorities, with a view to nurturing a culture of diversity, tolerance and mutual respect in the community. The Advisory Group comprises sexual minorities and different stakeholders. Under the auspices of the Advisory Group, a consultant is conducting a focussed study on discrimination experienced by sexual minorities. The study report is expected to be completed by the first quarter of this year. Taking into account the findings of the study, the Advisory Group will then formulate recommendations to the Government on strategies and measures to eliminate discrimination. When the Advisory Group’s

recommendations are available, the Government will, in close liaison with different stakeholders, consider how the recommendations should be followed up.

12. We will continue to promote the message of equal opportunities for people of different sexual orientations and gender identities through public education and publicity. We have been sponsoring community projects which promote equal opportunities for sexual minorities or provide support services for them through the Equal Opportunities (Sexual Orientation) Funding Scheme, as well as promoting the message through various publicity channels and platforms. To eliminate discrimination in employment, we have been promoting the Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation (“the Code”) actively. To date, apart from the Government, more than 130 public and private sector organisations of different sizes have pledged to adopt the Code. We will continue to promote the participation of more organisations.

### Children’s Rights

13. In 2015, the CMAB will continue to promote children’s rights through, inter alia, the Children’s Rights Education Funding Scheme (“CREFS”), the Children’s Rights Forum (“the Forum”), and continued efforts in publicity and public education.

14. Since its establishment in 2006, the CREFS has supported over 200 projects implemented by non-government bodies, to enhance different stakeholders’ understanding of children’s rights as provided under the Convention on the Rights of the Child. For the 2015 round of projects, we have invited applications under the theme of “Children’s All-Round Education”. The approved projects are expected to be launched in the first quarter of 2015.

15. The Forum, in addition, has been serving as a platform for the Government, children, and children bodies to exchange views on matters that concern children. In 2015, we will continue to hold meetings for the Forum, to be held in different districts to facilitate the participation of children. The cooperation between the Family Council (“the Council”) and the Forum has been enhanced: the Forum will relay to the Council

the views of children expressed at the Forum on various Government initiatives, so as to facilitate the Council in assessing the impact of these initiatives on family. Children's views will thus be more systematically collected in policy formulation by Bureaux/Departments and the Council.

16. On publicity and public education on children's rights, in 2014, we collaborated with Radio Television Hong Kong to produce a series of television programmes to promote children's rights, with a view to enhancing the public's understanding of children's rights. In 2015, we would continue to promote children's rights through producing television programmes and other suitable means.

#### Promotion of racial equality

17. The Administrative Guidelines on Promotion of Racial Equality ("the Guidelines") provide guidance to relevant Government bureaux and departments and public authorities to promote racial equality and ensure equal access by ethnic minorities ("EMs") to public services in key areas concerned. Application of the Guidelines has been extended from 14 departments and public authorities<sup>1</sup> in 2010 to 21<sup>2</sup>. The implementation of the Guidelines has been smooth so far and positive feedback from EMs on the relevant measures has been received. We will continue to monitor the implementation of the Guidelines and consider further extending the coverage of the Guidelines as necessary.

#### Promotion of the Basic Law

18. We have continued to set aside resources for organising various Basic Law promotion activities. The 4th of April 2015 marks the 25th anniversary of the promulgation of the Basic Law. The HKSAR Government will ride on this important milestone to promote a more in-depth understanding of the "one country, two systems" principle and

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<sup>1</sup> The 14 departments and public authorities are the Education Bureau, Social Welfare Department, Labour Department, Home Affairs Department, Employees Retraining Board, Vocational Training Council, Food and Health Bureau, Department of Health, Hospital Authority, Construction Industry Council, Office of the Government Chief Information Officer, Innovation and Technology Commission, former Office of the Telecommunications Authority and former Television and Entertainment Licensing Authority (now merged to form the Office of the Communications Authority).

<sup>2</sup> The eight additional departments are the Housing Department, Hong Kong Observatory, Post Office, Legal Aid Department, Hong Kong Police Force, Correctional Services Department, Customs and Excise Department and Immigration Department.

the Basic Law in the community in 2015. Proposed activities include seminars, large-scale exhibition, roving exhibitions, mass media promotion (such as television and radio Announcements of Public Interest and dedicated web page, etc.) and various forms of competitions (for instance, quizzes and design competition).

## **Conclusion**

19. Members are invited to note the content of this paper.

Constitutional and Mainland Affairs Bureau  
19 January 2015