

Transcript of remarks at press conference on release of constitutional development public consultation reports

\*\*\*\*\*

The Chief Executive, Mr C Y Leung; the Chief Secretary for Administration, Mrs Carrie Lam; the Secretary for Justice, Mr Rimsky Yuen, SC; the Secretary for Constitutional and Mainland Affairs, Mr Raymond Tam; and the Under Secretary for Constitutional and Mainland Affairs, Mr Lau Kong-wah, today (July 15) held a press conference on the Report by the Chief Executive of the Hong Kong Special Administrative Region to the Standing Committee of the National People's Congress on whether there is a need to amend the methods for selecting the Chief Executive of the Hong Kong Special Administrative Region in 2017 and for forming the Legislative Council of the Hong Kong Special Administrative Region in 2016 and the Report on the Public Consultation on the Methods for Selecting the Chief Executive in 2017 and for Forming the Legislative Council in 2016 at the Auditorium, Central Government Offices, Tamar. Following is the transcript of the question-and-answer session at the press conference:

Reporter: Mr Chief Executive, you described this proposal as an invitation for the Chinese Government to create a new policy for the election, but in recent months we've seen quite a bit of consternation from Beijing regarding the pulse of democracy in Hong Kong, most recently the White Paper. While the document we have in front of us is all good and well and does, as you've said, reflect the views of those in Hong Kong, what makes you believe that authorities in Beijing are in fact going to say "OK, we endorse this push for democracy", given the recent hostility we've heard?

Chief Executive: Thank you for your question. Let me take you back a little bit into history. In the Joint Declaration signed between the Chinese Government and the United Kingdom Government in 1984 on the question of Hong Kong, the provision regarding the appointment of the Hong Kong SAR Chief Executive - this was 1984 - was this: the Chief Executive shall be appointed on the basis of consultation or election held locally. The keywords: "consultation or election held locally". It didn't say anywhere in the Joint Declaration between the two governments that election of the Chief Executive shall be by way of universal suffrage. And that's why, for the past four elections of the Chief Executive, we had electoral college elections, and these elections were in compliance with this provision in the Joint

Declaration. And this was 1984. But then, in 1990, the Basic Law, and the Basic Law is a Chinese national law and the law of the Hong Kong SAR, said that the universal suffrage was our ultimate aim, so it wasn't by way of agreement between the Chinese Government and the United Kingdom Government that we have a promise of universal suffrage. It was actually in the 1990 Basic Law that we have a promise of universal suffrage, and that's why we are here and that's why we are moving towards this ultimate goal. And this will be, as I have said in my opening remarks, this will be historic for Hong Kong: the fact that Hong Kong, after 150, 160 years, will have the first Chief Executive appointed on the basis of universal suffrage or direct election held in Hong Kong. It has been all along a Chinese Government undertaking and not by way of international agreement or international arrangement.

So I have no doubt in my mind, and the Chinese Central Authorities have repeatedly said in the past year or so that they are fully committed. They are as fully committed as I am, as head of the Hong Kong SAR Government, as the Hong Kong SAR Government at large and also as the entire Hong Kong community are, committed to this goal. And this is why we need to seize this historical opportunity, and that's why I said if we could set aside some of our differences and if we could all take this big stride towards the common goal of universal suffrage, it would be a great thing for Hong Kong.

Reporter: Mr Chief Executive, in your report you didn't mention anything ... but you pretty much ruled out "civil nomination" and amending the 2016 LegCo election. Are you disregarding the huge numbers of people who came out specifically to demand this? Thank you.

Chief Executive: Well, we haven't ruled out anything in the two reports. The essence of my report as Chief Executive of Hong Kong SAR to the NPCSC (Standing Committee of the National People's Congress) is to say that I believe that the method for electing the Chief Executive in 2017 should be amended, and that's the essence of my report. And the purpose of the other report, and this is the consultation report, is to collect and reflect comprehensively and truthfully all the views and proposals expressed in Hong Kong during the consultation period. So while we have views about whether "civic nomination" is in compliance with the provision of the Basic Law, and the Secretary for Justice has elaborated on that, we do not make choices in this exercise.

Chief Executive: Let's have the last question in English, shall we?

Reporter: Mr Leung, in paragraph 14 of your report, you said that some legal professionals have pointed out that the "civic nomination" did not comply with the Basic Law. But the Bar Association last week also said that the Government should not reject popular proposals outright and should try to explore if the proposals' rationale could be accommodated by alternative methods that are compatible with the Basic Law. You said just now that you have reflected the views expressed in the unofficial "referendum" and the July 1st rally to Beijing. But why are these views actually not included in your report submitted to the Central Authorities? Thank you.

Chief Executive: What's the relationship between your question and what you said about the Bar Association?

Reporter: The point being that you actually did not put the recommendations and the views expressed by the Bar Association and the referendum in your report submitted. Why did you actually ...?

Chief Executive: I am getting a bit confused. Let me try to surmise what you wanted to ask. The consultation report is actually very comprehensive and it truthfully reflects the views collected in the community during the consultation period. The two legal professions' views are also included. They are actually in the consultation report. On the question of the views expressed by people who took part in the rally and also the so-called "civic poll", the "referendum", I said in my opening address that I did reflect the views expressed by these people to the Central Authorities there and then.

Reporter: Regarding the formation of the Legislative Council, how do you expect Legislature and Administration's relationship to improve if you don't make any changes? Is this your way of controlling the future development of constitutional reform in Hong Kong by not amending the formation of the Legislative Council?

Chief Executive: Amending the formation of the Legislative Council? Could I ask the Secretary ...?

Chief Secretary for Administration: As far as Annex II to Basic Law is concerned, in so far as the formation of Legislative Council, there are only two main ingredients. One is the total number of Legislative

Council Members; the other is the split between the geographically directly elected members and the functional constituency members. I doubt very much that in the current situation by increasing the number of Legislative Council Members or by sort of changing the split between the geographically elected members as well as the functional constituency members could guarantee an improvement in the working relationship between the Executive and Legislature. And, to be very fair to the Executive, some of the problems that we have seen recently arise from the so-called Rules of Procedures of the Legislative Council in terms of filibustering, in terms of calling for quorum and so on. But having said that, I, on behalf of the Administration, will try to engage and discuss with the Legislative Council Members so that when the session resumes later this year, we will be able to find better arrangements to serve the people of Hong Kong.

Chief Executive: First of all, I said when I was in the Legislative Council a couple of weeks ago, answering the question posed to me by the Honourable Tommy Cheung, I said there and then that I very much welcome any suggestion as to how we could improve on the relationship between the Executive, which is the Government, and the Legislative Council. And straight after that session, I asked my office to get in touch with the Honourable Tommy Cheung, and my colleagues, my senior colleagues, had a meeting with him. So, we are open to suggestions. But if I could fold your question into the subject today, which is the amendment of the method of electing the Chief Executive, let me just remind everyone in Hong Kong that we have a very high threshold. We need two-thirds majority of LegCo. Now whether it is this Legislature in Hong Kong or Legislatures in other jurisdictions, requiring a two-thirds majority, particularly when you do not have a majority party, a single majority party, is a very high threshold. So it is going to be a challenge. But I, myself, my colleagues in the SAR Government and the leaders of the country, including the NPCSC, are all committed to achieving this goal on time, so that we have "one man, one vote" universal suffrage election of the Chief Executive in 2017, and we are committed. Thank you.

(Please also refer to the Chinese portion of the transcript.)

Ends/Tuesday, July 15, 2014