

(English Translation)

**Speech by the Secretary for Justice, Ms. Elsie Leung,  
at the Guangzhou-Hong Kong Women's Grand Celebration  
of the 94th International Women's Day on 29 February 2004**

Madam Huang Qingyi, Vice President of the All-China Women's Federation, Madam Guo Li, Deputy Director of the Liaison Office of the Central People's Government in the HKSAR, leaders of the Guangzhou Municipal Committee and the Municipal Government, leaders of the Guangdong Provincial and Municipal Women's Federations, distinguished guests, sisters of Guangzhou and Hong Kong, ladies and gentlemen,

It is a great pleasure and honour for me, together with more than 300 women from Hong Kong, to attend the Guangzhou-Hong Kong Women's "March 8" Celebration Activity jointly organized by the Liaison Office of the Central People's Government in the HKSAR and the Guangzhou Women's Federation. We are delighted to gather here on this fine day with more than 3,000 women in celebration of the International Women's Day. Hong Kong women have much to learn from you, in particular the systematic and efficient manner in which women's rights have been advanced at the national and local level as reported by the All-China Women's Federation and the Guangzhou Municipal Women's Federation this morning.

Those women from Hong Kong who participate in this event come from various fields including commerce and industry, labour, professional, technology, education, administration and community work. Many of them hold key positions in women's organizations. They are good citizens who are concerned about the country, Hong Kong and women in general. Apart from their daily work, they also actively participate in the activities of the All-China Women's Federation in the Mainland. They give a helping hand to victims of disasters and the poor, and contribute to the development of our motherland and the well-being of our compatriots in the Mainland. They love Hong Kong as their home. They support the rule of law. They also give suggestions, advice and comments to the Government when they see any inadequacies in our governance. This is especially true when it comes to advocating women's rights.

There have been heated discussions on the issue of who is or is not patriotic. There is no doubt that those who govern Hong Kong should love the country and Hong Kong. The question is: what is the definition of a patriot who loves the country and Hong Kong? Mr. Deng Xiaoping said, "a patriot is one who respects the Chinese nation, sincerely supports the motherland's resumption of the exercise of sovereignty over Hong Kong and wishes not to

impair its prosperity and stability. They must not do anything that is detrimental to the interests of the motherland or of the compatriots in Hong Kong.” This is not too high a standard. Just like any unlawful act which is detrimental to the interests of Hong Kong, any such act detrimental to the interests of the motherland shall not be tolerated under our justice system. We must prosecute such acts in accordance with the law. But patriotism is not just a legal issue. It is also a political and moral one. A political and moral issue should be dealt with through education and other means, just as marriage has to be sustained by love, not just bound by law. Before the reunification, it was no surprise for a Chinese under British colonial rule to resist, either through personal experience or one’s own subconsciousness, against the sovereignty of a country which was not his own. After the reunification, we are now a Chinese under the sovereignty of China. We should therefore adjust our mindset and be proud of our national identity. If any Chinese who still does not recognize the sovereignty of the motherland and is hostile towards the Central People’s Government, he is unworthy of being a part of China. I hope that such people could clearly understand their own national identity and do not dwell on their colonial mindset. For this reason, it is an opportune time and indeed the responsibility of the HKSAR Government to promote patriotic education so that our citizens would clearly understand their own national identity and the obligations that come with it.

The democratic development of the political structure of Hong Kong is in fact one of the basic policies of the Central Authorities for Hong Kong. Hence, the *Basic Law* stipulates that the ultimate aim of having the Chief Executive and the Legislative Council elected through universal suffrage. When we talk about the election methods, we don’t just talk about an ideal but a system which will safeguard our democracy. A mature democratic system must be backed up by supporting measures which would also reflect the expectations of the general public towards the democratic system. These expectations include balanced participation, adequate reflection and respect of the minority’s views, effective governance, healthy financial position, social stability, rule of law, human rights, freedom, civic awareness, political participation, clean and fair elections and so on. Effective governance involves social consensus, complementarity as well as checks and balances between the executive authorities and the legislature, public acceptance of policy direction and governance and so forth. Hence, an election method which leads to the establishment of a democratic system must take into account the entire political structure instead of just the public demand for one-person-one-vote. As regards the political structure of Hong Kong, we also have to take into account the legal status of Hong Kong as a Special Administrative Region of the People’s Republic of China, the basic policies of the Central Authorities for Hong Kong as manifested in the *Basic Law* including the principle of “One Country, Two Systems” and the aim to maintain

prosperity and stability of Hong Kong. Consideration must also be given to the interests of the different sectors of society and the structure must facilitate the development of the capitalist economy in Hong Kong. While retaining that part of the political structure (e.g. the executive-led government) which had proven to be effective, a democratic system that suits Hong Kong's situation should be introduced. The design of the political structure as enshrined in the *Basic Law* is based on these principles. The constitutional development of Hong Kong should not deviate from them. Under Articles 45 and 68 of the *Basic Law*, consideration must be given to the actual situation in Hong Kong and the principle of gradual and orderly progress in achieving the ultimate aim of universal suffrage. The actual social, economic, political and cultural circumstances mentioned above should be properly assessed. We need to seriously examine the question of whether the current situation of Hong Kong is suitable for universal suffrage, and if not, what steps should be taken to achieve that ultimate aim?

For this reason, the Chief Executive appointed the Task Force on Constitutional Development to consult the Central Authorities on the one hand, and to canvass the views of Hong Kong people on the other, so that the proposals ultimately formulated will be able to win the support of the Central People's Government and the general public. The HKSAR, which comes directly under the Central People's Government, is established by the National People's Congress in accordance with the provisions of Article 62(13) of the Constitution of the People's Republic of China. Since the election methods will affect the political structure and any change will involve the entire political system of the HKSAR, the general public accepts that the Central Authorities must be consulted on the development of the political structure. We agree with the Central Authorities that in pursuing our constitutional development, the main principles should be clearly understood so as to ensure that the proposals to be formulated will be consistent with "One Country, Two Systems", the *Basic Law* and its principles. The Task Force is working hard in this respect and the general public has been invited to give their views so that we can do the job properly.

Ladies and gentlemen, the HKSAR Government has been established for six years and eight months. With the whole-hearted support of the Central People's Government, the successful implementation of "One Country, Two Systems" is internationally recognized. As "One Country, Two Systems" is a new concept, problems will inevitably arise in the course of its implementation. We should not, therefore, belittle the achievements that have been made. When problems arise, we should deal with them in a reasonable and sensible manner. The work on constitutional development in fact offers us a good opportunity to review our success and failure over the past few years, to identify shortcomings of the system, and to find out how we can improve our

governance as we strive for universal suffrage, so as to achieve gradual perfection of “One Country, Two Systems”.

Lastly, on behalf of the Hong Kong delegation, I would like to extend our heartfelt gratitude to the Liaison Office of the Central People’s Government in the HKSAR and the Guangzhou Women’s Federation for their joint efforts in organizing this event. My thanks also go to the Guangzhou Municipal Government and the Municipal Committee for their hospitality. Apart from enjoying the wonderful cultural programmes and the delicious cuisine, we are much delighted to see that Guangzhou is thriving with life and vigor. With the full support of our motherland and led by the economic development of the Guangdong Province and other provinces, Hong Kong has gradually found its way out of the difficulties of the past few years. I hope that the co-operation between Guangzhou and Hong Kong will facilitate further development and greater success for both places. May I wish you all the best.

Thank you.