

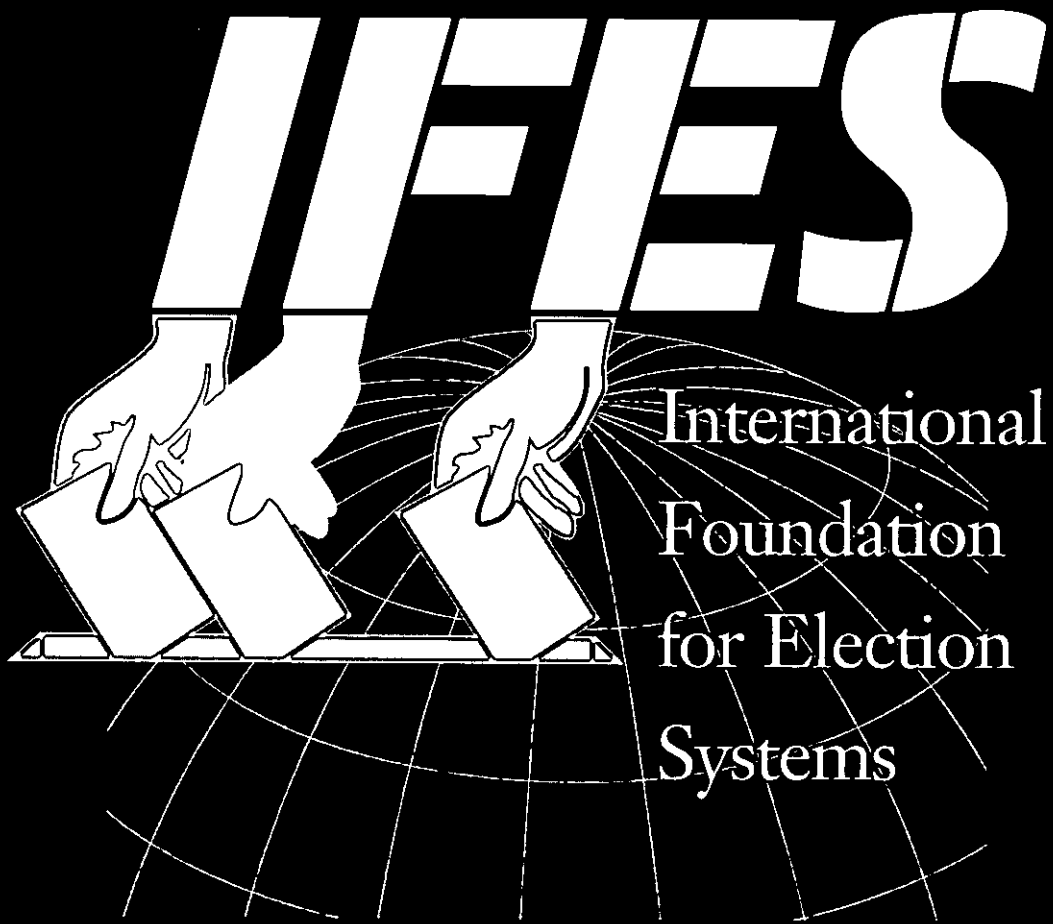
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International  
Foundation  
for Election  
Systems

**Hong Kong Elections  
Transition to Autonomy**

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June 25, 1997**



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## **I. Introduction**

The features of the electoral system of Hong Kong under Chinese governance will be products of a network of newly established committees, elected and selected legislatures, and election precedents from the 1991 and 1995 events. This transition is occurring in parallel with an initiative by the International Foundation for Election Systems (IFES) to establish an association of election officials in the Asian region. On April 28 - April 30, a Working Advisory Group in Manila drafted a charter proposal for the establishment of an Association of Asian Election Authorities. This Working Advisory Group was mandated by the participants of a January 1997 conference of Asian election officials and was composed of representatives from Australia, Bangladesh, Malaysia, the Philippines, and Taiwan. In order to both inform the election authorities in Hong Kong about this initiative (Hong Kong representatives had been present at the January conference) and ascertain if the Association or its Secretariat (IFES) could play a useful and constructive role in the transition of the Hong Kong electoral system, a two-day assessment was conducted on May 1 - 2, 1997.

For the Hong Kong-based assessment, consultations were held with transitional government authorities, an opposition political party, and a non-governmental organization (Attachment I, page 17). Generally speaking, there was a divergence of opinion from those interviewed about the usefulness of Hong Kong's involvement in the Association or its Secretariat. Viewpoints ranged from a request for the Secretariat to be an advisor to the Preparatory Committee on drafting the election law to no interest whatsoever in any Secretariat involvement.

This paper is a report on those consultations as described by the following components: 1) the institutions involved with the election process; 2) the issues currently under debate; and 3) the potential avenues of participation by the Secretariat in the transitional election process.

## **II. Institutions**

The originating document governing elections in post-British Hong Kong is the Sino-British Joint Declaration, signed by Sino-British negotiators in September, 1984. This document establishes the Hong Kong Special Administrative Region (SAR) and the People's Republic of China's (PRC) sovereignty over it. This SAR will continue to exist until the year 2047, when Hong Kong becomes fully integrated into the PRC. As the preamble of the Basic Law states, "Upholding national unity and territorial integrity, maintaining the prosperity and stability of Hong Kong, and taking account of its history and realities, the People's Republic of China has decided that upon China's resumption of the exercise of sovereignty over Hong Kong, a Hong Kong Special Administrative Region will be established in accordance with the provisions of Article 31 of the Constitution of the People's Republic of China, and that under the principle of 'one country, two systems', the socialist system and policies will not be practiced in Hong Kong...".

The Basic Law is a nine-chapter, three-annex document which codifies the framework of Hong Kong government authorities, and defines the rights and duties of residents, the political structure, the economy, education, and external affairs. The law states that the Hong Kong executive authorities, the legislature, and the judiciary will have a "high degree of autonomy and enjoy executive, legislative, and independent judicial power" (Chapter I, Article 2). However, the Central People's Government retains responsibility for several areas of Hong Kong governance including foreign affairs and defense.

The Basic Law, Hong Kong common law, and actions by the Central People's Government have established a number of institutions which possess some level of involvement in the electoral process in Hong Kong during this transitional phase. It is unclear at this point when the transitional phase will officially end. There may be a transition to full democracy in 2007 if and only if the legislature formed in 2003 votes for such a transition. Article 15 establishes the Office of the Chief Executive and Tung Chee-hwa has been named the Chief Executive - Designate. This post, whose authority is elaborated in the Basic Law's Chapter IV, is a five-year term with a two consecutive term limitation. The position is the principal executive office in the SAR responsible to lead the regional government in accordance with the Basic Law; to sign bills and budgets passed by the Legislative Council; to issue executive orders and appointments; to pardon persons convicted of criminal offenses; and to implement other directives issued by the Central People's Government. Chapter IV also calls for the Chief Executive to establish an Executive Council which will be the principle policy-making body assisting the office. The Basic Law calls for the establishment of two independent commissions which report directly to the Chief Executive: the Commission Against Corruption and the Commission of Audit. Other executive authorities constituting the government, such as a Department of Finance and a Department of Justice, will be established and report to the Chief Executive.

In addition to the executive branch of the SAR, listed below are other institutions which play specific roles in the transition of the electoral process and its administration after July 1, 1997.

#### **A. Preparatory Committee**

The Preparatory Committee was appointed by the Central People's Government following consultations in Hong Kong. Two-thirds of its 150 members are from Hong Kong with the remainder from the mainland. The Committee shall be responsible for preparing the establishment of the Region and shall prescribe the specific method for forming the first Government and the first Legislative Council in accordance with the "decision" attached to the Basic Law. The Committee will help identify key people for advisory and government positions and it is reported that the Committee will soon issue recommendations for a new election law. This law will cover the system of representation, methods of voting, and the administrative mechanism for governing elections. The Preparatory Committee is chaired by China's foreign Minister, Qian Qichen.

## **B. Selection Committee**

The Preparatory Committee chose the 400 member Selection Committee from approximately 6,000 self-nominated Hong Kong residents. The Committee is composed of 100 members in each of the four sectors, including (1) the industrial, commercial, and financial sectors; (2) the professions; (3) labor, grassroots, religious, and other sectors; and (4) Hong Kong's deputies to the NPC and representatives of Hong Kong membership in the National Committee of the Chinese People's Political Consultative Conference (CPPCC). All Preparatory Committee members were entitled to 400 nominations each. The 400 people ultimately chosen for Selection Committee service in turn selected the Chief Executive-Designate through a preliminary and final run-off process. The second and subsequent chief executives will be elected by an Election Committee of 800 members with 200 members from each sector and the divisions of the sectors will be the same as in the first Election Committee. The Selection Committee also chose the members of the Provisional Legislature.

## **C. Election Committee**

The Election Committee shall choose 10 legislators for the first Special Administrative Region (SAR) legislature. The election for this [first] legislature must occur before July 1, 1998. This election is a result of the Chinese government's decision to scrap the "through-train" arrangement. The Election Committee shall serve for five years. Corporate bodies in various sectors shall elect members to the Election Committee in accordance with the number of seats allocated and the election method prescribed by the electoral law.

## **D. Legislatures**

There are two legislatures operating concurrently: the Legislative Council which meets in Hong Kong and the Provisional Legislative Council which meets across the Chinese border in Shenzhen. The Legislative Council (Legco) will dissolve at midnight on June 30, 1997. The Provisional Legco will become the SAR Legco on July 1, 1997. Elections for the SAR Legco will be held within a year of the July 1 handover. The Legco is composed of 60 members selected by both functional and geographic constituencies. Until 1985, the Legco was appointed by the Hong Kong Governor. In the election of 1985, the first constituencies were functional groups. The Legislative Council elections of 1995 were the first with political parties and geographical constituencies. The current membership is divided among 20 geographical constituencies, 30 functional constituencies, and 10 members chosen by the election committee. Other levels of elections are held at the District Board and Municipal Council levels, but after June 30 these bodies will cease to exist.

On electoral issues, the Provisional Legislature is considering measures dealing with boundaries, campaign rules, and campaign finance/expenses. The Provisional Legislature was chosen on December 21, 1996, in China by the Selection Committee from 160 candidates who had 20 nominations from Selection Committee members. Thirty-three persons are sitting on both legislatures. The first Legislature has a two-year term only because China decided to scrap the

current legislature which was elected in 1995 and which should have lasted until 1999 under the "through-train" arrangement as stipulated in a "decision" attached to the Basic Law.

The SAR Legislative Council is required to be constituted by election. The term of office for the first legislators is two years, after which the terms become four years in length. The Council members elect a President of the Council from their numbers. The authority of the Legislative Council includes the following areas: 1) to examine and approve budgets; 2) to approve taxation and public expenditure; 3) to debate the policies of the Chief Executive and government; 4) to endorse the appointment or removal of judges; 5) to debate any issue of public interest; and 6) other responsibilities. The authority of the SAR Legislative Council will exceed that of the current one, but the number of seats will remain the same. The formula for determining the composition will change two times before becoming permanent. The Legislative Council will be composed of 60 members for each term. In the first term (1997-1999), the composition of the Council shall be determined by the National People's Congress and is expected to include 20 members elected from geographical constituencies, 30 members drawn from functional groups, and 10 chosen by the Election Committee. The second term (1999-2003) composition will be formed as follows: functional constituencies (30); returned by Election Committee (6); returned through geographical constituencies (24). The formula for composition will be settled in the third term (2003-2007) consisting of functional constituencies (30); and geographical constituencies (30).

District organizations may also be elected under the Hong Kong SAR to consult with the Regional government on issues of district importance and to provide services in the field of culture, recreation, and environmental sanitation.

#### **E. Elections and Boundaries Commission/Registration and Electoral Office**

A three-person Elections and Boundaries Commission (EBC), established in July 1993, currently determines election policy under the statutes. One member is a High Court Judge, one is appointed by the President of the Legislature, and one is appointed by the Governor. It is anticipated that the new law will outline both the composition and responsibilities of a new election commission. At present, the responsibility of the EBC is to administer elections at the Legislative Council, Regional Council and District Council levels. At the middle level, there are both the Regional Council for the New Territories and the Urban Council for Hong Kong Island and the Kowloon Peninsula. If a new election commission is constituted, the nature or results of the appointment process would remain elusive until at least later this calendar year. The policies of the current EBC are administered by the Registration and Electoral Office.



## **F. Judiciary**

Election disputes may be adjudicated by a Complaints Committee of the Election Commission. If this process does not adequately resolve the issue, however, the High Court, which replaces London's Privy Council as Hong Kong's top legal arbiter after the handover, is the final arbiter. Andrew Li kwok-nang has been named as the Chief Justice. Three more nominations for the Court of Final Appeal were made on June 13, 1997. They include Henry Litton, Charles Ching, and Kemal Bohary. Formation of the court was one of more controversial decisions of the Sino-British Liaison Group (JLG). Both the Joint Declaration and the Basic Law stipulate that the SAR may, as required, invite judges from other common law jurisdictions to sit on the court of final appeal.

## **G. Secretary for Constitutional Affairs**

At present, the Secretary for Constitutional Affairs is responsible for, inter alia, election policies and arrangements. This function will continue after June 30.

## **H. Political Parties**

Political parties play advocacy roles and sponsor candidates. But they have few resources and are small in membership. For example, Martin Lee's Democratic Party (DP) has 600 members and the pro-China party that is called the Democratic Alliance for the Betterment of Hong Kong (DAB) has approximately 1,000 members. Political parties have only been permitted to contest since 1992. There are no laws banning political parties or permitting them. The government position is one of non-action. As a result, there is no law regulating political parties and all existing parties are registered under the Societies Ordinance. The philosophical spectrum of political parties in Honk Kong lies in two dimensions. In the political dimension, parties range from being pro-democracy to pro-China and conservative. On the socio-economic dimension, they range from being pro-union and liberal-democratic to pro-business and conservative. For a comprehensive list of the major political players and parties, see Attachment II, page 18.

## **I. Independent Commission Against Corruption**

The Independent Commission Against Corruption maintains a role in campaign regulation. It was originally established to fight government corruption, but was given the poorly defined task of combating campaign fraud in the 1995 elections. Some have argued that this 1995 change in scope has relegated the Commission from the position of a corruption fighter to that of a campaign monitor. Its priorities, capacity to conduct investigations, and range of responsibilities have not been publicly defined.

#### **J. Commissioner of Police**

Under an order proposed by the Office of the Chief Executive, "public processions" would have to obtain a permit from the Commissioner of Police. Local police are also to continue to provide security at polling stations.

#### **K. China - British Joint Liaison Council**

The Sino-British Joint Liaison Group has determined the rules regarding Hong Kong citizenship and consequent voting rights.

#### **L. Immigration Office**

There is a role for the Immigration Office in the issuance of identity documents to returning or newly instated citizens. Without these documents, the franchise is not recognized.

#### **M. PRC Government Institutions**

Ultimately, the Central People's Government, the National People's Congress, and/or its Standing Committee will determine the course of electoral policy in Hong Kong. Any rule-making authority will be delegated from Beijing. Beijing also appointed Ma Yuzhen to head the PRC Foreign Office in Hong Kong effective July 1. Another institutional player may include the New China News Agency (Xinhua). It has been speculated that Xinhua will be used to mobilize support for the pro-China camp of political parties in the legislative elections.

### **III. Issues**

There are a number of issues which are under current debate or of long term concern to the electoral process.

#### **A. Multi-member/Single-Vote District**

In the 1995 election, there were 20 geographical constituencies from which 20 members of the Legislative Council were elected. Those districts are explained below.

The system of representation is an issue which the Preparatory Committee must address. One option receiving strong consideration would involve the establishment of six to ten geographical constituencies with two to three seats per district. (A total of 20 seats would be elected from geographical constituencies). Under a multi-seat system, smaller parties would have an opportunity to be elected in constituencies where they would lose in a first past the post system. Conventional wisdom suggests that the pro-democracy parties would be disadvantaged by this arrangement. Another proposal which has been advanced advocates a single-member/single-vote

system. In any system drawn, the actual constituency lines will be significant determinants of the relative fairness of the process to all political interests.

The Preparatory Committee has been urged by some to present at least two options in their report to the NPC. However, Committee leadership at first professed that such an arrangement would imply that the Committee does not have confidence in its findings and would not fulfill the directive of the NPC to "prescribe the specific method" of forming the legislature. However, it now states that more than one option will be considered, allowing the Committee more time to study the issue. Pro-democracy parties have threatened to boycott if the multi-member/single-vote option is adopted.

#### **B. Functional Constituencies**

Under the system of representation, 15 functional constituencies would be represented in the Legislative Council as stated in Chapter 381 of the Legislative Council Ordinance, Second Schedule, Section 2,4, 13, 15, and 46. These functional constituencies are listed in Table III on page 17. The Preparatory Committee is reviewing these constituencies. For example, at one point in April, the Committee had decided to add the Employer's Federation of Hong Kong to a list of 14 options being considered for the functional constituency question. Equity issues have been raised about the current groupings. For example, a relatively small number of real estate agents have representation while senior citizens and pensioners are not even recognized as a functional constituency.

#### **C. Voter Turnout**

The Election and Boundaries Commission cites a turnout rate of 35.79% for the 1995 legislative elections. That rate reflects a voter turnout of 920,000 persons, out of 2.57 million on the voter rolls. It is estimated that the voting population of Hong Kong is 3.97 million. For the voter turnout figures of the 1995 elections by geographical and functional constituencies, see Tables I and II, page 14- 15.

Opinions vary about the significance of this figure. Both the Election and Boundaries Commission and the Office of the Chief Executive were satisfied with the turnout figures. Since elections under this new structure commenced in 1992, the turnout figures have increased twice. Since votes for the Legislative Council do not go to constitute a government, the motivation for the voter to cast a ballot is somewhat vague.

#### **D. Political Party Development**

The influence of political parties is limited by law, finance, history, and membership. There are currently five major political parties that dominate in Hong Kong. As mentioned earlier, the environment is not very supportive of political parties. One perspective reported was that both the Hong Kong business community and the Chinese government would not see the promotion of

political parties as in their best interests. If this were true, the accompanying strategy would seek to support legal structures designed to weaken political parties over time.

In the 1995 Legislative Council elections, the parties fielded 29 candidates out of a total 50 and won 17 seats out of the 20 seats open.

#### **E. Transparency and the Election Law**

The Preparatory Committee is developing the election law in an environment largely devoid of transparency. Although a month-long public consultation was conducted in March, the use of this input remains elusive. Furthermore, in a survey conducted by the Tsing Yi Action Group of 500 people, 94 per cent of those interviewed were unaware that the Preparatory Committee has conducted any public consultations on election issues.

Professor Lau Siu-kai suggested that this closeted posture for the Preparatory Committee is intended. He has responded to concerns over the transparency of the decision-making process by stating that the Committee hoped to be "low-key" and that electoral issues were "difficult and technical topics for ordinary people." More than 600 proposals were submitted to the Secretariat for the Committee's consideration.

The scheduling of the post-July legislative elections is currently a matter of speculation. Deputy to the Governor, Anson Chan Fang On-sang, has publicly remarked that elections should be held as soon as possible so that the new SAR government can fully function. A Preparatory Committee plenum was held during the week of May 22 in Beijing to endorse the electoral arrangements for the first legislative elections.

#### **F. Permanent Residency and Voting Rights**

Permanent residents and persons who have lived in Hong Kong for at least seven years will be permitted to vote. No special voting provisions currently exist nor are they expected to be part of the new law. These include absentee voting or compulsory voting. There is continued discussion about automating the voting process through electronic balloting.

#### **G. Election Monitoring**

Over the last 15 years, international election monitoring has been portrayed paradoxically as both an inherent transparency mechanism required by every electoral process and at the same time an intrusion into the sovereign affairs of another nation. These diverging viewpoints can be anticipated in the forthcoming debate on international election monitoring. Although the usefulness of international monitoring is recognized by pro-democracy interests, the limitations of international monitoring are also noted. Specifically, election violations may be detected too late in the process to correct. A domestic monitoring organization such as NAMFREL from the Philippines has been the object of some interest. Election monitoring by an international NGO

may help to ensure the fairness and openness of the electoral process in post-1997 Hong Kong, thereby enhancing the legitimacy of the SAR government. The establishment of an Election Information Bureau could also facilitate this monitoring function.

#### **H. Chief Executive and Legislative Council (SAR Government)**

Under the new arrangement, the authority of the Chief Executive and Legislative Council will require refinements and definitions over the first year or so of existence. An operational legislature may have the opportunity to develop a more substantive role.

#### **I. Civil Liberties and Social Order Ordinances**

Under proposed ordinances, "public processions," which are defined to include many political activities, would require a permit from the Commissioner of Police in order to take place. Aside from the potential threat to free assembly that such a law would bring, it would also serve as a further obstacle which political parties must overcome to make their organizations effective, and to motivate their members.

Subsequent to the assessment visit, the future government modified its position on the issues of public demonstrations and the notification period after consultations with Vice Premier Qian Qichen and Lu Ping, Hong Kong and Macau Affairs Office director. The exceptional cases are those involving "national security." While the Office of the Chief Executive has insisted on a legal definition of national security for enforcement purposes foes of the ordinances express concern that the specter of national security is even evoked.

The level of political expression which will be permissible under Chinese governance, with or without amendments to the civil liberties ordinances, remains to be seen. One flashpoint may be continued permission for the annual June 4 rallies commemorating the Tiananmen Square massacre.

#### **J. Article 23 of the Basic Law**

Under this provision, "political organizations" can be broadly defined to exclude involvement in the electoral process by a variety of international nongovernmental organizations which have an interest in Hong Kong. International presence will be determined by the interpretation which the Office of the Chief Executive uses in its application.

## **K. Independent Election Commission**

Current speculation suggests that the Preparatory Committee is considering the reconstituting of an election commission under the new law, but its composition and authority have not been revealed.

## **L. Judiciary**

The High Court's role in the election process is to adjudicate complaints that the Complaints Committee of the EBC cannot resolve to the satisfaction of the complainants. The newly formed Court of Final Appeal will remain the final arbiter of challenges to the election results, registration of voters, and qualification of candidates. Although the announcement that Andrew Li Kwok-nang will become the Chief Justice of the Court of Final Appeal has been positively received in all quarters, the exact role of the judiciary in electoral litigation is still undefined. Other issues concerning the judiciary include the future relationship between the judiciary and the NPC; the Basic Law and the existing legal system of Hong Kong; and judicial independence from Beijing.

Mr. Li will be charged in concert with the Judicial Officers Recommendation Commission with appointing the Court's permanent members. With the establishment of this new judicial institution, a shift in the base of experience for Hong Kong judges can be expected. The handover has already depleted the ranks of the judiciary, and the further requirement that judges read and speak Chinese further disqualifies other barristers. In all probability, judges from lower courts will be requested by Mr. Li to serve on the high body. To the extent that these events affect judicial staffing, new and inexperienced talent will emerge at the entry level to the judiciary.

## **M. Voter Information and Civic Education**

Although the charter of the Elections and Boundaries Commission mandates that voting-specific information be disseminated (how to vote, where to vote), more thorough representations of issues, candidates, and parties are left to other organizations. The media plays a responsible role in getting out information as news. Television advertising time purchases are another matter, generally regarded as outside the financial reach of political parties. The Hong Kong \$200,000 limit on campaign expenditures makes it extremely difficult for any candidate to purchase TV advertising time. However, all broadcast stations organize various forms of debate forums which, in effect, give the candidates a certain level of "equal access." Nevertheless, with such indicators as voter turnout and limited political party resources to cite, one can speculate that information gaps exist.

The new government may take this opportunity to conduct civic education programs which could be designed to promote a narrow range of ideological options.

#### **IV. Project Objectives**

Electoral project activity in Hong Kong should promote resolution of these transitional issues guided by three underlying objectives.

##### **A. Increase Voter Turnout**

A turnout rate of 35% should be considered low. An increase in voter turnout provides a more pronounced mandate for the legislature and a more substantial voice for the under-represented. It also sends a signal that the population remains interested in shaping the policy of its government institutions.

##### **B. Encourage Transparency in the Process**

The Preparatory Committee is developing the new election law without the level of debate and public input that would be desirable for many. The complex network of organizations involved in the process creates a set of structures that makes it difficult to ascertain responsibility for many electoral tasks.

##### **C. Support an Informed Electorate**

There are limitations on the means available to communicate information to the electorate. Informing the public about the election system is a fundamental part of an electoral process. The information gaps which exist because of the limited reach of political parties, the EBC, and the media can be supplemented through the efforts of nongovernment organizations.

#### **V. Project Overview**

These three objectives could be fulfilled and the above-cited issues addressed through the establishment of a Hong Kong Election Information Bureau. The Secretariat to the Association for Asian Election Authorities, IFES, could be tasked with providing Secretariat services for the development of the Bureau. The policy direction of the Bureau would be guided by an advisory board of representatives from each of the political parties in Hong Kong. These parties would be asked to sign a charter setting forth the principles of organization and mission for the Bureau.

##### **A. Mission**

1. The mission of the Hong Kong Election Information Bureau would be to collect and archive data, literature, regulations, and other relevant research information about the electoral process of Hong Kong. The Election Information Bureau would organize and disseminate this information so that it could be referenced by the government, scholars, experts, political parties and nongovernment organizations, international organizations, media, and the public in general.

2. The Election Information Bureau would develop information materials on elections and the electoral process for dissemination by the government, academics, political parties and nongovernmental organizations, international organizations, media, and the public in general.

3. The Election Information Bureau would provide opportunities for government officials, academics, political parties, nongovernment organizations, international organizations, media, and the public in general, to meet and discuss electoral events and activities. The Bureau would not take an advocacy viewpoint on any issue outside those specifically mentioned to be upheld in its charter.

#### **B. Program**

1. The Election Information Bureau would serve as the depository for a collection of election laws, regulations, and other publicly available documents from the current Election and Boundaries Commission and the newly constituted body after July 1. The collection would also include political party platforms and campaign information, news articles, texts, and other research on electoral processes in the region.

2. The Bureau would develop hard copy (brochures, posters, booklets) and electronic (web site, videos, audio) summaries of the information from the collection into such documents as voters guides, maps, and election system descriptions.

3. The Bureau would encourage and assist public debate and the coverage of these debates by the news media. This activity would include the organization of debates, roundtables, and other nonpartisan discussion formats which provide for equal participation by all political parties.

4. The Bureau may also offer assist in organizing domestic monitoring activities by providing training and coordination services.

#### **C. Obstacles**

There are four obstacles which must be overcome in order for the proposed Election Information Bureau to be feasible. First, the state of the law governing electoral activity outside of direct campaign work is uncertain. Article 23 of the Basic Law may be cited to prevent any international nongovernment organization from visiting, monitoring, or otherwise participating in the Hong Kong election process. If not prevented from existing outright, the application of the law may significantly shape the structure and scope of an Election Information Bureau. Any Bureau must be properly scoped to remain non-partisan, devoted primarily to conducting information and



research activities so that it could be considered an educational institution. As a 501(C)(3) education institution, the IFES corporation charter is consistent with this type of activity. Second, the attitude of the business community has not been surveyed. The collective position taken by this interest group will have an impact on the acceptance of such a Bureau in Hong Kong. Third, the ability of political parties to assemble, agree, and sign a charter for the establishment of the Bureau is unknown. Fourth, funding sources for such an operation have not been identified.

**Table I**  
**Results of the 1995 Legislative Council Elections**  
**Geographical Constituencies**

<b>Number</b>	<b>Constituencies</b>	<b>Number of Registered Voters</b>	<b>Voter Turnout</b>
1	Hong Kong Island Central	119,771	41,907
2	Hong Kong Island East	144,468	52,045
3	Hong Kong Island South	146,240	63,230
4	Hong Kong Island West	143,030	47,638
5	Kowloon Central	106,296	39,466
6	Kowloon Northeast	134,159	49,565
7	Kowloon East	129,955	53,832
8	Kowloon Southeast	134,826	58,726
9	Kowloon South	105,597	38,654
10	Kowloon Southwest	100,314	27,087
11	Kowloon West	143,568	44,081
12	North Territories Central	116,851	34,312
13	North Territories Northwest	113,799	43,346
14	North Territories North	99,352	34,372
15	North Territories Northeast	112,444	44,180
16	North Territories Southeast	146,995	50,236
17	North Territories East	165,127	67,538
18	North Territories South	137,318	37,388
19	North Territories Southwest	131,698	46,049
20	North Territories Southwest	137,316	46,915
	<b>TOTAL</b>	<b>2,572,124</b>	<b>920,567</b>

**TABLE II**  
**Voter Turnout in the 1995 Legislative Council Elections**  
**Functional Constituencies**

Constituency and Code Name	Registered Voters	Voter Turnout
Primary Production, Power & Construction	75, 174	30, 638
Textiles & Garments	60, 568	23, 124
Manufacturing	113, 957	45, 636
Import & Export	113, 241	43, 246
Wholesale and Retail	101, 988	37, 046
Hotels & Catering	69, 592	19, 790
Transport & Communication	109, 716	45, 384
Finance, Insurance, Real Estate, & Business Services	171, 534	68, 806
Community, Social, & Personal Services	248, 987	103, 788
Commercial (first)	1, 273	uncontested
Commercial (second)	1, 785	uncontested
Industrial (first)	781	uncontested
Industrial (second)	753	uncontested
Finance	246	uncontested
Labor (2 seats)	1, 179	1, 080
Social Welfare	2, 082	612
Tourism	852	596
Real Estate & Construction	371	uncontested
Financial Services	889	612
Medical	4, 753	2, 537
Educational	42, 404	24, 351
Legal	1, 942	1, 359
Engineering	3, 458	2, 242
Health Services	13, 779	6, 277
Accountancy	3, 722	2, 190
Architectural, Surveying & Planning	1, 878	uncontested
Urban Council	41	uncontested
Regional Council	39	39
Rural	125	uncontested

**Table III**  
**Current Functional Constituencies and their Representation**

<b>Number</b>	<b>Description</b>	<b>Division</b>	<b>Representation</b>
1	Commercial Functional Constituency	First Electoral Division Second Electoral Division	1 Representative 1 Representative
2	Industrial Functional Constituency	First Electoral Division Second Electoral Division	1 Representative 1 Representative
3	Finance and Financial Services	Finance Electoral Division Financial Services	1 Representative 1 Representative
4	Labor Functional Constituency		2 Representatives
5	Social Services Functional Constituency		1 Representative
6	Medical Care Functional Constituency	Medical Electoral Division Health Care Division	1 Representative 1 Representative
7	Teaching Functional Constituency		1 Representative
8	Legal Functional Constituency		1 Representative
9	Engineering, Architectural, Surveying, & Planning Functional Constituency	Engineering Division Architectural Division	1 Representative 1 Representative
10	Accountancy Functional Constituency		1 Representative
11	Real Estate and Construction		1 Representative
12	Tourism Functional Constituency		1 Representative
13	Urban Council Constituency		1 Representative
14	Regional Council Constituency		1 Representative
15	Rural Functional Constituency		1 Representative

## Attachment I

### Contact List May 1-2, 1997 Visit to Hong Kong

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## Attachment II

### Current Political Participants

#### Executive Committee Members

##### **Tung Chee-hwa**

Mr. Tung became the first chief executive with a landslide victory of 80 per cent of the votes of the Selection Committee on December 11. He shot to favorite for the job when Chinese President and Communist Party General Secretary Jiang Zemin seemingly singled him out for a warm handshake. He has come under strong criticism for supporting the recommendations of the legal sub-group of the Preparatory Committee to restore draconian laws, raising concern that freedom of expression could be impaired after the handover. Mr. Tung has been a high-level adviser of the Chinese government as vice-chairman of the Preparatory Committee and a member of the Chinese People's Political Consultative Committee.

##### **Sir Sze-yuen Chung**

Convenor. Once tipped to be candidate for chief executive, Sir Sze-yuen has been a top adviser to both the colonial Hong Kong Government and the Chinese Government. He was appointed to the Legislative Council in 1965 and was senior member between 1974 and 1978. He was an appointed Executive Councillor between 1972 and 1980 and then senior member until he stepped down in 1988. China appointed him a Hong Kong Affairs Adviser, and then he was invited to join the Preliminary Working Committee, the Preparatory Committee and the Selection Committee which chose Mr. Tung and the provisional legislature.

##### **Dr. Raymond Ch'ien Kuo-fung**

Appointed Executive Councillor since 1992. He was also a Hong Kong Affairs Adviser to the Chinese Government and a member of the Selection Committee. He has been active in the business sector as ex-chairman of the Federation of Hong Kong Industries. He sits on a number of statutory bodies, such as the Hong Kong Industrial Technology Centre Corporation, of which he is chairman. Born in Japan, he was also the chairman of the Hong Kong/Japan Business Cooperation Committee, Lam Soon (Hong Kong) Limited.

##### **Chung Shui-ming**

Chief Executive of the Special Administrative Region Government Land Fund and youngest member to join the Chinese team in the Sino-British Land Commission. He was a leader of a pro-Beijing group when he studied at the Hong Kong University. He has been a senior researcher of the Economics Affairs of the Xinhua News Agency, a director of the Nanyang Commercial Bank and also a Hong Kong Affairs Adviser.

##### **Charles Lee Yeh-kwong**

Hong Kong Affairs Adviser and was chairman of Hong Kong Stock Exchange in 1992.

##### **Nellie Fong Wong Kut-man**

Was seen as a high-flier in the pro-China camp when he became convenor of the economic sub-group of the Preliminary Working Committee in mid-1993. An executive of Arthur Andersen & Co, she was an appointed legislator between 1988-91. She was appointed Hong Kong Affairs Adviser, a member of the Preparatory Committee and Selection Committee.

**Leung Chun-ying**

Has long been involved in the shaping of the Basic Law as he has been the Chairman of the Basic Law Consultative Committee and a vice-chairman of the Preparatory Committee. He was one of the founders of the One Country, Two Systems Economic Research Institute, which is regarded as being an important think tank of the Chinese Government.

**Rosanna Wong Yick-ming**

Was appointed to the Exco in 1988. She is now its convenor and Housing Authority chairman. She was appointed as a non-executive director of the Hong Kong and Shanghai Banking Corporation Limited. She was recently named by the Queen as Dame Commander of the Most Excellent Order of the British Empire.

**Tam Yiu-chung**

Served on Legco in the labour functional constituency seat for 10 years from 1985 until his defeat by Democrat Fred Li Wah-ming in direct polls in 1995. A founding member and vice-chairman of the Democratic Alliance for the Betterment of Hong Kong, he returned to governing mechanism when appointed chairman of the Employee Retraining Board in October 1995. Voted on to the provisional legislature with the most number of votes for any candidate, 345 out of 400. A labor activist who was vice-secretary general of the pro-China branch of the Hong Kong Federation of Trade Unions.

**Antony Leung Kam-chung**

Hong Kong managing director of Chase Manhattan Bank. Former chairman of University and Polytechnic Grants Committee.

**Henry Tang Ying-yen**

Liberal Party Legislative Councillor of the Import and Export sector and chairman of the Federation of Hong Kong Industries. His father is a member of the Chinese People's Political Consultative Conference.

**Yang Ti Liang**

Was the first Chinese to attain the post of Chief Justice in 1988, nearly three decades after he first became a magistrate in 1956. Born in Shanghai, Mr. Yang was knighted in 1988. However, he gave up his knighthood last year when he decided to run for the post of chief executive. The reputation of Mr. Yang was slightly tarnished, however, when it was revealed that he described the Bill of Rights as creating social disorder early last year when he was still Chief Justice. Mr. Yang has been chairman of the Hong Kong University Council since 1987.

**Michael Suen Ming-yueng**

Secretary for Policy Coordination

**Anson Chan Fang On-sang**

Deputy to Governor Patten, will serve in similar position for Tung Chee-hwa

**Parties and Representatives  
in the Provisional Legislature**

**The Chinese Rights Party**

David Ma Dawei                      Chairman

**Citizen's Party**

Christine Loh Kung-wai              Chairman

**Democratic Alliance for the Betterment of Hong Kong**

Tsang Yok-sing                      Selection Committee, Preparatory Committee, DAB Chairman, Pui Kiu Middle School headmaster

Cheng Kai-nang                      Selection Committee, DAB secretary general, public relations company executive

Chan Kam-lam                        Selection Committee, Legislative Councillor, DAB

Chan Wing-chan                      Selection Committee, DAB, FTU unionist

Chan Yuen-han                        Selection Committee, Legislative Councillor, FTU, DAB, Hong Kong affairs adviser

Cheung Hon-chung                    Selection Committee, Legislative Councillor, DAB

Ip Kwok-him                         Selection Committee, Legislative Councillor, DAB

Ngan Kam-chuen                      Selection Committee, Legislative Councillor, DAB, Kwangtung Provincial Bank senior manager

Tam Yiu-chung                        Selection Committee, Preparatory Committee, former Legislative Councillor, FTU vice-chairman, DAB

Yeung Yiu-chung                      Selection Committee, Federation of Education Workers chairman, DAB, Hong Kong affairs adviser

**Democratic Party**

Martin Lee Chu-ming                 DP Chairman

Anthony Cheung Bing-leung         DP Vice-chairman

Dr. Huang Chun-ya



Dr. Yeung Sum	DP vice-chairman
Tsang Kin-sheng	
James To Kun-sun	LEGCO member
Fred Li	LEGCO member, former teacher
Lee Wing-tat	LEGCO member
Albert Ho Chun-yan	LEGCO member
<b>The Frontier</b> Lau Chin-shek	
Emily Lau Wai-hing	Legco member
<b>HK Alliance in Support of the Patriotic Democratic Movement in China</b> Szeto Wah	Chairman
Cheung Man-kwong	Spokesman
<b>Hong Kong Association For Democracy and People's Livelihood</b> Frederick Fung Kin-kee	Selection Committee, Preparatory Committee, Legislative Councillor, ADPL Chairman
Law Cheung-kwok	Legislative Councillor, Chinese People's Political Consultative Conference, ADPL
Bruce Liu Sing-lee	Legislative Councillor, ADPL vice-chairman
Mok Ying-fan	Selection Committee, Legislative Councillor, ADPL
Yim Tin-sang	ADPL vice-chairman Democratic Alliance for the Betterment of Hong Kong
<b>Hong Kong Progressive Alliance</b> Ambrose Lau Hon-chuen	Selection Committee, Preparatory Committee, Legislative Councillor, HKPA Chairman
Choy Kan-pui	Selection Committee, Legislative Councillor, Heung Yee Kuk, HKPA
Tso Wong Man-yin	PA, lecturer of Hong Kong University
Henry Wu King-cheong	Selection Committee, Preparatory Committee, HKPA, Lee Cheong Gold Dealers executive director, Hong Kong affairs adviser
Yeung Chun-kam	Selection Committee, HKPA vice-chairman

**Liberal Democratic Federation**

Maria Tam Wai-chu Selection Committee, Preparatory Committee, former Executive and Legislative Councillor, LDF chairman

David Chu Yu-lin Selection Committee, Preparatory Committee, Legislative Councillor, LDF vice-chairman

Wong Siu-yeec Selection Committee, district board member, Hong Kong affairs adviser

**Liberal Party**

Allen Lee Peng-fei Selection Committee, Preparatory Committee, Legislative Councillor, LP Chairman, Hong Kong affairs adviser

Ronald Arculli Selection Committee, Legislature Councillor, LP Vice-chairman, solicitor

Selina Chow Liang Shuk-yeec Selection Committee, Legislative Councillor, LP

Edward Ho Sing-tin Selection Committee, Legislative Councillor, LP, architect

Miriam Lau Kin-yeec Selection Committee, Legislative Councillor, LP, solicitor

Lau Wong-fat Selection Committee, Preparatory Committee, Legislative Councillor, Heung Yee Kuk chairman, LP, Hong Kong affairs adviser

Ngai Shiu-kit Selection Committee, Preparatory Committee, Legislative Councillor, LP, Hong Kong affairs adviser

Henry Tang Ying-yen Selection Committee, Legislative Councillor, Hong Kong affairs adviser, LP, Federation of Hong Kong Industries chairman

James Tien Pei-chun Selection Committee, Legislative Councillor, LP, HK General Chamber of Commerce chairman, Hong Kong affairs adviser. (Annointed successor to Allen Lee as Chairman of LP)

Howard Young Selection Committee, Preparatory Committee, Legislative Councillor, Cathay Pacific Airways senior executive

**Social Democratic Front**

Grace Au Yuk-har SDF, left ADPL when it decided to join the Provisional Legislature

Eric Wong Chung-ki SDF, left ADPL when it decided to join the Provisional Legislature

**Society for Community Organization (SOCO)**

Ho Hei-wah SOCO director - veteran social activist

**Others**

Dominic Chan Choi-hi	Former Democratic Party member, Urban Councillor, district board, company executive
Paul Cheng Ming-fun	Selection Committee, Preparatory Committee, Legislative Councillor, Inchape Pacific Ltd chairman, Hong Kong affairs adviser
Cheng Yiu-tong	Selection Committee, Preparatory Committee, National People's Congress deputy, Legislative Councillor, FTU chairman
Chim Pui-chung	Selection Committee, Legislative Councillor, company director.
Rita Fan Hsu Lai-tai	Selection Committee, Preparatory Committee, former Executive and Legislative Councillor, Hong Kong Federation of Women
Timothy Fok Tsun-ting	Selection Committee, H.Y.T. Fok Group of Companies managing director
Raymond Ho Chung-tai	Selection Committee, Transport Advisory Committee chairman, Hong Kong affairs adviser, engineer
Ho Sai-chu	Selection Committee, Chinese People's Political Consultative Conference Deputy, construction company owner
Hui Yin-fat	Selection Committee, former Legislative Councillor, Council of Social Service chairman, Hong Kong affairs adviser
Kan Fook-yeec	Selection Committee, Preparatory Committee, National People's Congress Deputy, New Hong Kong Alliance member, chartered surveyor
Peggy Lam Pei Yu-dja	Selection Committee, Preparatory Committee, HK Federation of Women Chairman, Chinese People's Political Consultative Conference Deputy, Wan Chai district board chairman
Lau Kong-wah	Selection Committee, Civic Force, district board member
Lee Kai-ming	Selection Committee, Preparatory Committee, Legislative Councillor, Federation of Hong Kong and Kowloon Labour Union's General Secretary
Leong Che-hung	Legislative Councillor, doctor
Leung Chun-ying	Preparatory Committee vice-chairman, Hong Kong affairs adviser, chartered surveyor, Basic Law Consultative Committee chairman
Leung Lau Yau-fun	Former adviser of the Government's Central Policy Unit, council member of Hong Kong Baptist University

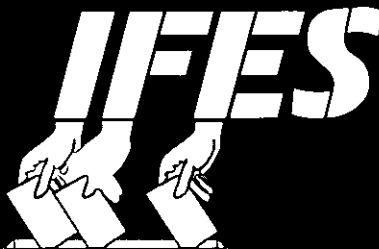
Eric Li Ka-cheung	Selection Committee, Preparatory Committee, Legislative Councillor, Hong Kong affairs adviser, accountant
David Li Kwok-po	Selection Committee, Preparatory Committee, Legislative Councillor, Hong Kong affairs adviser, Bank of East Asia chief executive
Lo Suk-ching	Selection Committee, Preparatory Committee, Legislative Councillor, NTAS Secretary-General
Ma Fung-kwok	Selection Committee, Media Asia executive director
Ng Ching-fai	Selection Committee, Preparatory Committee, Hong Kong affairs adviser, Dean of Science Faculty of Baptist University
Ng Leung-sing	Selection Committee, trustee of Sino-British Land Fund, China and South Sea Bank executive director
Tang Siu-tong	Selection Committee, former Legislative Councillor, Hong Kong affairs adviser, doctor
Elsie Tu	Selection Committee, former Legislative Councillor, Hong Kong affairs adviser
Andrew Wong Wang-fat	Legco President, lecturer in Government and Public Administration at Chinese University
Wong Ying-ho	Hong Kong United Youth Federation vice-chairman, lawyer
Philip Wong Yu-hong	Selection Committee, Preparatory Committee, Legislative Councillor, Hong Kong affairs adviser
Yuan Wu	Selection Committee, Preparatory Committee, China Merchant Shipping Corporation vice-president.
Prof. Lau Siu-kai	Co-convenor of Preparatory sub-group on first SAR legislature
Xu Chongde	Mainland Co-convenor of Preparatory sub-group on first SAR legislature
Qin Wenjun	Deputy Director of Xinhua
Wang Fengchao	Hong Kong and Macao Affairs Office
Lu Ping	Director, Hong Kong and Macao Affairs Office

**SAR Government**  
Elsie Leung Oi-sie

Secretary of Justice-designate

Andrew Li Kwok-nang

SAR Chief Justice



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