



Hong Kong General Chamber of Commerce
香港總商會 1861

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Helping Business since 1861

6 March 2015

Mrs Carrie Lam, GBS, JP
Chief Secretary for Administration
25/F, Central Government Offices
2 Tim Mei Avenue, Tamar
Hong Kong

Dear Carrie,

Consultation on Method for Selecting the Chief Executive by Universal Suffrage

The Hong Kong General Chamber of Commerce, in consultation with our members, would like to present our suggestions for the Government to consider in amending the selection method for the Chief Executive in 2017. The Chamber truly believes that we should not lose the opportunity to move forward.

In accordance with the principles of gradual and orderly progress, broad representation and balanced participation, we propose a “through train” from the Election Committee to the Nominating Committee as much as possible, based upon the experience of the previous elections. To encourage more candidates participating in the election, the threshold for Nominating Committee members’ endorsement should be lowered from 150 to 100, and there should be a cap of 250-300 on the number of nominations a potential candidate could receive. Either the “one person, maximum three votes” procedure or the “voting on each person seeking nomination” procedure should be adopted to select two to three candidates.

I sincerely hope that you and your colleagues find our proposal useful and conducive to maintaining the long-term sustainable prosperity of Hong Kong as well as building consensus within the community. You can always count on the Chamber’s support for policies aiming to maintain a stable business environment for the continued economic growth of Hong Kong.

Yours sincerely,


Y K Pang
Chairman

Att.

c.c. Mr Rimsky Yuen, Secretary for Justice
Mr Raymond Tam, Secretary for Constitutional & Mainland Affairs

HKGCC submission on Method for Selecting the Chief Executive by Universal Suffrage

From the book, *The Spirit of Compromise*, “If politics is the art of the possible, then compromise is the artistry of democracy.” What Hong Kong lacks currently is the will to compromise, and both the political scene and the society at large are heavily polarized. In the event that the Government’s proposal on constitutional reform is rejected at the Legislative Council, the biggest loser would be Hong Kong citizens, and the resulting political disaster and worsened executive-legislative relationship would no doubt seriously affect our economic development and long-term prosperity. In particular, with government policies and proposed initiatives being expected to be dragged back by escalating Legislative Council filibustering, our competitiveness will be further eroded. Therefore, it is important that various sectors of society should work together and respond to the Consultation Document so that the final proposal can reflect the views of the majority population.

2. It is against this backdrop that the Chamber contributes the business community’s views on the method for selecting the Chief Executive in 2017 by universal suffrage. The current election arrangements have their roots in the Basic Law, which is the product of time and efforts spent by both Hong Kong and Mainland experts as well as reflecting views of Hong Kong people during many rounds of consultation. As stated in Article 45 of the Basic Law, “the method for selecting the Chief Executive shall be specified in the light of the actual situation in the Hong Kong Special Administrative Region and in accordance with the principle of gradual and orderly progress.” The composition of the Election Committee is designed to be “broadly representative” and reflect “balanced participation”. To avoid complicating the process and inviting arguments, we propose “through train” from the Election Committee to the Nominating Committee as much as possible, and thus we do not recommend adding any new subsectors or adjusting the membership of each subsector in the formulation of the new Nominating Committee.

3. Whether the requirement for a potential Chief Executive candidate to obtain Nominating Committee members’ endorsement stays at the current 150 threshold or be lowered to 100 does not matter. More crucial is for the threshold not to be prohibitively restrictive so that aspiring potential candidates cannot put themselves forward for the election. To encourage more people participating in the election, the Chamber proposes that the threshold be lowered to 100. And each Nominating Committee member should nominate only one potential candidate. Nonetheless, there should be a cap of 250-300 on the number of nominations a potential candidate could receive to prevent only one person being nominated and again to allow more candidates to join the race. Once the list of potential candidates is finalized, the Nominating Committee should cast secret ballot votes and adopt either the “one person, maximum three votes” procedure or the “voting on each person seeking nomination” procedure to select two to three candidates. Consistent with the decision of the Standing Committee of the National People’s Congress, the two to three candidates obtaining the highest number of endorsement from more than half of all the Nominating Committee members will formally become candidates running for the Chief Executive election.

4. Since the Chief Executive is elected by universal suffrage, all eligible electors can vote for one of the candidates nominated by the Nominating Committee following the “one

person, one vote” procedure. In line with the practice adopted in most other places, the voting arrangement should be based upon the “first-past-the-post” system, i.e. only a single round of voting will be held.

5. There is no single voting system which is universally accepted to be the model universal suffrage system in the world. Each jurisdiction has its own political development heritage and particular characteristics, thus requiring modifications to address its specific concerns. In this regard, we do not see that Hong Kong is in any way different from others. Moreover, as repeatedly emphasized by the Chief Secretary and other senior government officials, the system adopted in the 2017 Chief Executive election is not necessarily the final model and there is room to enhance and modify in the years to come. Also, it would pave the way for universal suffrage in the Legislative Council.

6. No one can disagree that it is a big step forward for the 5 million plus eligible voters to be able to select the Chief Executive instead of relying on the 1,200-member Election Committee to make the decision. In addition, the Chief Executive elected through universal suffrage will have clear support from the public and should face fewer objections from the Legislative Council when pushing forward government policies and initiatives in response to voters’ aspirations, which should enhance the Administration’s governance.

7. Hong Kong is a free, open and pluralistic society where we uphold the rule of law, cherish social order and respect the rights of others. Every one of us has the right to express our views, and work towards what we each believe to be the best possible solution as long as these rights are exercised without impinging on the legitimate rights of fellow citizens. And, we must realistically accept that there are parameters within which we must work. More importantly, we do our community a great disservice if we reject the proposed election by universal suffrage in 2017 and refuse to get on the path of constitutional development, thus denying the opportunity to progressively move forward.

HKGCC Secretariat

6 March 2015