

Submission to the 2014 Political Reform Consultation

1. Background of Submission

1.1 In December 2013, the Hong Kong SAR Government released a consultation document seeking views on the political reforms in 2016 and 2017. We therefore submit our response to the consultation related to the selection of the Chief Executive in 2017, and on the issues of the electorate base of the Nomination Committee.

1.2 The Professional Commons is a member of the Alliance for True Democracy (ATD). We support the “Three Tracks Nomination System” for the selection of the Chief Executive in 2017 as proposed by the ATD (see <http://www.atd.hk/en/>).

1.3 The Professional Commons has conducted an opinion survey among Pan Democrats’ Election Committee members, professionals, and our members early this year. We opine that professionals overwhelmingly support early full democracy of Hong Kong with a fair election system that comply with international standards and does not screen any candidate from major political camps from running Chief Executive election. Respondents also overwhelmingly support to negotiate with the representative(s) of Beijing. And majority of respondents support civic nomination, political party nomination and the democratization of Nomination Committee. Detailed report and Press Release (in Chinese) of the opinion survey is attached.

1.4 Based on the principle of gradual and orderly progress (循序漸進) and broad representation (廣泛代表), we believe that reform should be carried out at this important stage in order to expand the electoral base of the Nomination Committee.

2. The Recommendations

2.1 Overall, the Government should develop a detailed proposal to enhance the representation of the Nomination Committee as part of the democratization process. We strongly opine that screening of candidate sitting for Chief Executive election is not acceptable for Hong Kong which is a developed open society, an international financial centre and business hub.

2.2 There are several reform proposals are in-line with our views and acceptable, namely, the reform packages being proposed by Hong Kong 2020, the Hon. Ronnie Tong, the 18 scholars, and, of course, the Three Tracks Proposal of ATD. We also made the following suggestions:-

2.3 Expand the electorate of the First Sector (Industrial, Commercial and Financial) to include the full time employees of all industrial, commercial and financial establishments stated in the Sector. For example, the Finance Subsector representatives in the First Sector should be elected by all the full time employees (those who contributed to the Mandatory Provident Fund, MPF) in banks licensed under the Banking Ordinance. The Hotel Subsector representatives in the First Sector should be elected by all the full time employees (those who contributed to the MPF) in hotels and guesthouses licensed under the Hotel and Guesthouse Accommodation Ordinance. Another example is that the Financial Services Subsector representatives should be elected by all the full time employees (those who contributed to the MPF) of all entities (corporations and individuals) engaged in RA1 to RA10 activities licensed under the Securities and Futures Ordinance. There should be the same expansion for other subsectors.

2.4 Expand the electorate of the Second Sector (The Professions) to include more qualified and para-professional persons in each profession.

2.5 We support the district direct election of Nomination Committee members by proportional representative model, like the LegCo election, from the 18 districts.

2.6 The Government may consider adding a Sub-sector of “housework, retired and other” in the Third Sector (Labor, Social Services, Religious and Other), and expand the size of the Nomination Committee accordingly. This can be achieved by, say self-initiated registration by those who are not included in any of the other Sectors.

2.6 We opine that one-tenth of the members of the Nomination Committee could be allowed to propose a potential candidate for Chief Executive to the Nomination Committee, and one-eighth of the members of the Nomination Committee would constitute the collective deliberation (集體意志) of the Nomination Committee for nomination purpose.

2.7 In accordance with the principle of balanced participation (均衡參與), we recommend that the number of representatives of the Agriculture and Fisheries Subsector in the Nomination Committee be reduced from 60 to 20, and the forty seats are to be shared by subsectors who contribute more to GDP or more important for the long term development of Hong Kong like subsectors representing finance, information technology, education etc. We do not, in general, support further increase seats of subsectors and/or increase subsectors.

2.8 We also urge for the early abolition of company vote and organization vote.

2.9 Chief Executive is allowed to have affiliation with political party.

2.10 Abolition of split counting of district votes and functional votes in LegCo.

2.11 Progressively increase of district elected seats in LegCo.

3. Conclusion

In accordance with the Basic Law, the Nomination Committee of the Chief Executive should have a broad representation (廣泛代表) of members of the community. In addition, we believe that there should not be any unreasonable pre-screening at the nomination stage before the one-person, one-vote universal suffrage election process. It is because the universal suffrage election process itself is the political screening and selection mechanism.

Our recommendations meet the requirements of the Basic Law and the only remaining question is whether Beijing is willing to honour the spirit of “One Country Two System” of the Basic Law, which is to grant high level of autonomy to the people of Hong Kong in administering our internal affairs.

The Professional Commons
3 May, 2014

回應 2013-14 年政制改革諮詢

1 背景

1.1 在 2013 年 12 月，香港特區政府發表諮詢文件，就 2016 年和 2017 年的政制改革諮詢意見。我們就此提交我們就行政長官在 2017 年選舉的回應，及建議擴大提名委員會的選民基礎。

1.2 公共專業聯盟是真普選聯盟（ATD）的成員，我們支持“三軌提名”行政長官的產生方法，在 2017 年普選行政長官（見 <http://www.atd.hk>）。

1.3 公共專業聯盟在年初進行了一項民意調查，對象是泛民主派的選舉委員會委員、專業人士、以及我們的成員。我們認為，絕大多數的專業人士支持香港盡早落實符合國際標準的民主，並且不可對主要的政治陣營提出的行政長官選舉候選人進行篩選，以建立一個公平的選舉制度。受訪者還以壓倒多數支持與北京的代表進行談判。大部分受訪者支持公民提名，政黨提名及提名委員會的民主化。該民意調查的詳細報告和新聞稿刊於附件。

1.4 基於循序漸進的原則和廣泛的代表性，我們認為應在這一重要階段進行改革，以擴展提名委員會的選民基礎。

2 建議

2.1 總的而言，政府應制定詳細的改革建議，增加提名委員會的代表性以作為民主化進程的重要部分。香港作為一個發達的開放社會，國際金融中心和商業中心，我們強烈認為篩選行政長官選舉的候選人是不能接受的。

2.2 我們認為有一些與我們的觀點接近的方案都是可以接受的，當中包括香港 2020、湯家鏞、和 18 學者方案等。當然，我們接受和推薦真普聯的三軌方案。我們以下還提出了一些建議： -

2.3 擴大第一界別（工業、商業和金融）的選民基礎，包括至所有的工業、商業和金融機構的全職僱員。例如，金融界別代表應該由所有持牌銀行全職僱員（即強制性公積金計劃下的全職僱員）產生。酒店界則由持牌酒店及賓館的所有全職僱員（即強制性公積金計劃下的全職僱員）。另一個例子是，金融服務界別代表應該由相關條例註冊(RA1-RA10)的持牌活動的所有持牌人（企業和個人）的所有全職僱員（即強制性公積金計劃下的全職僱員）選舉產生。而且應該對其他界別分組有相同的擴展。

2.4 擴大第二界別（專業界）的選民，以包括在各個行業更多的合格和準專業人士。

2.5 我們支持提名委員會的成員直接由 18 個區採用比例代表制選舉產生。

2.6 政府可以考慮於第三界別（勞工、社會服務、宗教界等）添加“家務、退休和其他”，並擴大提名委員會的大小。這樣，可以包含那些並不在任何其它部門的選民。

2.6 我們認為十分之一的提名委員會成員可以提出一個行政長官的準候選人，八分之一的提名委員會成員將可以稱為『集體意志』以提名行政長官的候選人。

2.7 按照均衡參與的原則，我們建議漁農界別的提名委員會代表人數由 60 減至 20，且有關係的 40 席應該分予對國內生產總值有較多貢獻的或對香港長遠發展有利的代表行業如金融、資訊技術、教育等。我們一般而言不支持增加界別分組的議席或增加界別分組。

2.8 我們也呼籲早日取消公司票和團體票。

2.9 我們建議容許特首可以與政黨有政治聯繫。

2.10 取消立法會的分組點票。

2.11 我們也呼籲逐步增加立法會的地區選舉議席。

3 結論

按照基本法，行政長官提名委員會應該有廣泛代表性。我們認為，不應該在提名階段有任何不合理的預先篩選。而一人一票的普選過程本身就是政治甄別與選拔機制。

我們的建議符合基本法，剩下的唯一問題是北京是否願意兌現基本法內的“一國兩制”承諾，給予高度自治，讓香港人管理我們的內部事務。

公共專業聯盟

2014年5月3日