

## **‘One Country, Two Systems’ and Constitutional Development**

Hong Kong is a Special Administrative Region of China that enjoys a high degree of autonomy under the “One Country, Two Systems” principle.

### **One Country, Two Systems**

- Basic Law protects Hong Kong’s way of life, rights and freedoms.
- Free and open society where rule of law prevails. Freedom of expression and freedom of the press guaranteed.
- Pluralistic society where issues are debated vigorously on a daily basis.
- Hong Kong has its own legal and tax systems and separate customs, immigration, police and anti-corruption jurisdictions.
- Hong Kong maintains its own economic and financial system. Hong Kong dollar freely convertible. No limits on capital flows.

### **High degree of autonomy**

- Hong Kong people running Hong Kong with a high degree of autonomy.
- Laws passed by own Legislative Council (LegCo).
- Common law system, upheld by an independent judiciary, with Court of Final Appeal in Hong Kong.
- Clean, transparent and efficient civil service.
- Full and active role in its own right in international forums such as the Asia-Pacific Economic Co-operation forum (APEC) and the World Trade Organization (WTO).
- Closer Economic Partnership Arrangement (CEPA) possible because HK and China remain separate members of WTO.

### **Constitutional development**

- Steady and progressive development since reunification in 1997 in accordance with Basic Law.
- Open, clean LegCo elections in 1998, 2000, 2004. Record voter turnout in 2004.
- Directly elected seats increased to 30 – half of LegCo – in 2004.
- Remaining 30 Legco seats returned by functional constituencies representing interests of business community, professional groups, grassroots and other sectors.
- Election Committee responsible for electing Chief Executive (CE) expanded from 400 in 1996 to 800 in 2002.

- Government put forth, in October 2005, a proposed package on amendments to methods to select CE in 2007 and form LegCo in 2008.
- Package would have enhanced democratic element in both electoral methods.
- Despite majority support in the community and LegCo, package failed to gain the required two-thirds support in LegCo vote in December 2005.
- Next LegCo elections will be held in September 2008 on the basis of existing arrangements.
- Green Paper on Constitutional Development was published in July 2007 to consult the public on the models, roadmap and timetable for implementing universal suffrage for the CE and LegCo for three months.

### **Timetable set for universal suffrage**

- Responding to the CE's report reflecting the views gathered during the public consultation, the Standing Committee of the National People's Congress (NPCSC) in December 2007 made a decision making it clear that the CE may be elected by universal suffrage in 2017 and that LegCo may be formed by universal suffrage in 2020.
- The decision also determined that appropriate amendments conforming to the principle of gradual and orderly progress may be made to the two electoral methods in 2012.
- The CE has appointed the Task Group on Constitutional Development under the Commission on Strategic Development to discuss specifically the two electoral methods for 2012 within the framework set out by NPCSC's decision.
- The Task Group is expected to complete discussions around mid-2008, so that the HKSAR Government may consolidate options which may be considered for amending the two electoral methods for 2012 in the fourth quarter of the year, and conduct another round of public consultation as early as possible.
- CE has pledged to settle the two electoral methods for 2012 within the tenure of the third term HKSARG, i.e. by mid-2012.
- Now that the timetable for universal suffrage has been set, it is up to the HKSAR to arrive at a consensus on the electoral models to roll forward democracy in 2012 and to pave the way for universal suffrage to be attained in 2017 and 2020.