

Constitutional Development Review

Doc 2523/3207 (3 pages)

HKSAR

4 Mar 2004

3-member Panel

on Constitutional Development Review

re HKSAR

Dear Sir,

I last wrote on the subject with 3 pages on 29.02.2004, and then, I came across your advertisement to seek public views on the subject in SCN Post on 1.3.2004.

You have classified 3 principles + 5 issues for comments and you have also built in specific questions on such. Obviously this is a systematic way to collect views for your finalising your work for the constitution of CPG & HKSAR.

I intend to repeat my views following your format.

A1. Any constitutional review must be a matter relating to the relationship between the Central Authorities & HKSAR. There is no room for compromise in that as HK is an inalienable part of China & ii. that HKSAR derives its authority from CPG. The CE therefore has to answer to two masters of CPG & HKSAR. He has to balance the interests of the two but in my view, the interest of the CPG takes priority over that of the HKSAR.

A2. Indeed, Mr Ji Pengfei's statement in A3 gave adequate clues to (i) actual situation & (ii) gradual and orderly programs. In other words, the 'actual situation' is linked to the current state of the whether or not it is stable & prosperous; and 'gradual and orderly program' is virtually a mathematical calculation. To start from 1997, we have 50 years to go; and 1997-2007 is of the initial 10 years = the 50 years period. We still have to go to the second, third & fourth & final stage of development.

A3 Any future political set-up, if developed, must be able to achieve stability & prosperity; must safeguard the interests of different sectors of society: capitalists who run businesses and offer employment; professional class who are the learned class of people; the middle class being the backbone of workers in different trades & the underprivileged who may need a little extra bit of help to maintain a living.

HKSAR's duty is therefore to create an environment for investment & business; for people to pursue professional growth; for middle class to work confidently and for the underprivileged to feel secured & supported.

B1. Questions have arisen matters for the lawyers; not all those being hostile to China & HKSAR but those friendly with China & HKSAR & those in Mainland.

Terms like "subject to 10 year 2007 and 'after 2007' go into that saying" p2

they must be taken to mean anything
after & beyond 2007. '2007' itself is not
included.

B2 This is clearly a question for NPC
Ming Hsiao may be consulted by NPC
members.

In this context, I think the Committee
for the BL of HKSAR must be involved
for its contribution should flow in any
proposals for amendments.

I also think PRC should adopt
a strict census of such amendments will
go against the interests of the basic
policies of China.

B3 There is no need to consider this
unless all the above questions are
adequately considered & answered.

B4 The simple answer is Yes to the
question.

B5 My view is it does not include 2007.

I welcome any need to clarify
my points if you care to write to me.

Yours sincerely

KK Liu