

*Ken Bridgewater*

28 September 2004

Constitutional Development Task Force Secretariat  
Constitutional Affairs Bureau  
3/F Main Wing,  
Central Government offices,  
Lower Albert Road,  
Hong Kong.

Dear Sir,

**Comments and Proposed Amendments to Consultation Paper**

I refer to the table(I) Proposed Amendments in respect of the Method for Selecting the Chief Executive in 2007 and table (II) Forming the Legislative Council in 2008. Before I deal with the detailed comments requested, I have two general comments to make:

- a. I regard it as essential that steps are taken to prevent any future Chief Executive from misusing his power by persuading more than 700 of the election committee to nominate him for a second term, thus preventing any other candidate from standing. This should be done by increasing the number of the election committee and by placing an upper limit on the number of nominees as well as a lower limit.
- b. I am very discouraged that my comments on the third report (my letter dated 25 May 2004 and your (171) in C4/18/11 7 June refer) were apparently ignored, in particular my plea that the term "direct election" should be defined. I therefore repeat this request since the latest consultation paper generates even more confusion (possibly a contributory factor to the low response from the public). In Part (II) (ii) it says "...30 seats are to be returned by geographical constituencies through direct elections, ...". The system adopted in the recent election was that geographical voters were, in general, prohibited from voting directly for their candidate of choice but could only vote indirectly through a grouping system such that after the election they had no means of knowing which candidate had benefited from their individual vote. How can you get more indirect than that? Therefore, for the purposes of my being able to comment on the consultation paper I shall use the normal definition recognised world-wide, namely that a direct election is where every eligible voter has the right to vote directly for his candidate of choice. In fact this is what happened in most of the functional constituencies, but not in the geographical constituencies in the recent election. I assume, therefore, unless I hear from you to the contrary, that in 2008 the geographical constituencies will be returned to a system of direct election, as stated in your Part (II) (ii), in which case I have no comment as it will be more democratic than in the recent election.

- Part (I)
- (i) The election committee should be at least three times as big
  - (ii) The numbers from each sector should be proportional to the number of voters in that section
  - (iii) The number of nominees for an candidate should be not less than 100 and not more than 120.
  - (iv) No comment
  - (v) It would be far better if it were a direct election, though of course I am well aware that Beijing has removed our high degree of autonomy and disallowed it.

- Part (II)
- (i) 60 members are adequate.
  - (ii) The system used in the recent election was unfair (the BBC world news commented that Hong Kong must be the only place in the world where a group could get 60% of the votes and only 40% of the seats). In fact the system was held up to international ridicule. Furthermore, the system was subject to political games and manipulation which is no way to run a country. We want directness and simplicity so the people can understand what is going on. However, since you say that in 2008 it will be by direct election, I am satisfied that this will be a change for the better.
  - (iii) This misses the point that most of the functional constituencies have direct elections, but that some are indirect elections where the numbers of voters are so small that manipulation and moral corruption are almost inevitable. The indirect elections should be broadened so that all workers in the sector have a direct vote for their candidate of choice.
  - (iv) I believe the delineation of the functional constituencies has served us well and should not be changed, but the size of those that currently have indirect elections should be increased in accordance with (iii) above.
  - (v) The list of functional constituencies with less restrictive nationality conditions should be reviewed so that the list comprises those with the most international commitments. In particular the Information Technology constituency should have as little nationality restriction as possible because of its international commitments.
  - (vi) Much more use of computers should be made in the next elections. It is absurd that, in this day and age, ballot boxes are being filled to overflowing and opened during the voting, cardboard boxes are substituted, ballot boxes are manhandled halfway across the city for counting; while computers are used by the public every day for banking and betting where huge sums of money are involved. Lets get out of the middle ages.

I hope someone in authority can find the time to read these comments,

(Signed)