

# Navigating uncharted waters

## INTERVIEW WITH THE HON CARRIE LAM, GBS, JP

CHIEF SECRETARY FOR ADMINISTRATION, GOVERNMENT OF THE HONG KONG SAR



**CARRIE LAM** has held numerous senior government positions, including Permanent Secretary for Planning and Lands, Permanent Secretary for Home Affairs and Director-General of the Hong Kong economic and Trade Office in London. She was appointed Secretary for Development in 2007 and became Chief Secretary for Administration in 2012.

Open door policy:  
the Central Government  
Offices at Tamar

### **How serious a distraction has the debate and subsequent protests over constitutional reform been to the day-to-day running of government in Hong Kong?**

Well, constitutional development is one of the major policy priorities of this term of government, and in addition to my usual portfolio as Chief Secretary for Administration I'm leading a three-person task force to take forward constitutional development in the SAR. So, until very recently, when the so-called Occupy Central protests began, on 28th September, I would say that the discussion on constitutional development has not affected other day-to-day business. As far as the impact of the recent protests goes, it is too early to tell. Of course, the blockage of major trunk roads in Admiralty, Wan Chai, Causeway Bay and Mong Kok has affected the normal commuting by people but, generally speaking, we are still keeping the city running, although inconvenience has certainly been caused. That's why we are monitoring the situation around the clock, especially at the very senior level.

Personally, I am expecting this protest to last for a while because we will be taking a more tolerant attitude, in recognition of the sensitivities involved. So, a prolonged period of public protest, depending on the scale of magnitude, might cause disruptions to normal businesses, particularly to shops in the vicinity of the protest areas and in some cases, to the operation of schools.

### **How concerned are you about the international perceptions of Hong Kong arising from these protests?**

I am quite worried about the perception of Hong Kong because we have been monitoring the overseas media reports on these incidents very closely and generally speaking there is quite a degree of misunderstanding and the reporting is rather negative. I think that most people who are in Hong Kong feel that this place is still very calm and orderly, but for people who are far away and reading the news it can present a very different impression. So, we are doing a lot of outreach work in order to dispel some of the misunderstandings among our overseas friends.

### **Are you worried that the protests may have an adverse effect on Hong Kong's relations with the Mainland?**

As far as relations with the Mainland are concerned, prior to the current protest there had been certain local livelihood issues that had given rise to tension between Hong Kong people and Mainlanders, such as the bulk buying of baby milk powder, buying flats in Hong Kong, using private hospital maternity services and so on. The relationship is a bit strained at the moment but I certainly hope that this will be of a short-term nature, because Hong Kong is now an integral part of the Mainland economy and we are seeing all sorts of economic benefits arising from that closer partnership.

### **A recent poll suggested that as many as one in five Hongkongers would consider leaving the city if universal suffrage were denied to them. Is Hong Kong in danger of losing many of its brightest and best over what many see as an unnecessary confrontation?**

I think whenever there is a major incident you will have those sorts of poll findings. I'm not surprised by them and I'm not particularly worried, because Hong Kong remains a very attractive place in which to live and work. Yes, we may lose some of our talents due to globalisation and regional competition, but at the same time we are competing for talent in a global marketplace. So, while we may lose some we will gain others. The most important thing is that we continue to make every effort to improve the quality of life in Hong Kong, in order to maintain our competitive edge.



**You told the Occupy Central organisers back in July that democracy would never be achieved through civil disobedience, yet a cursory glance through the history books suggests otherwise. Do you think that the second round of consultation, scheduled for later this year, offers a potential way out of the current impasse?**

We have to acknowledge and recognise that Hong Kong is not an independent political entity. Of course, as citizens of Hong Kong we aspire for more democracy – I aspire for more democracy – but that has to be undertaken in the context of One Country, Two Systems. And that makes Hong Kong unique in her search for greater democracy. Unlike other places, we have this relationship between the Central Authorities and the Hong Kong Special Administrative Region – and in terms of constitutional development, the Central Authorities have the final say in how we are going to change our political structure. In what we call a five-step process to press ahead with constitutional development, two of these steps involve approval by the Central Authorities.

After studying a report submitted by the Chief Executive (CE), and taking account of opinions expressed by various sectors in Hong Kong, the National People’s Congress Standing Committee (NPCSC) has to make a decision on whether we could make changes to the electoral system. We have now received this decision, that we could introduce changes to the selection process for the CE, so that in the next round of election, in 2017 we could have one-person-one-vote. Imagine that: five million eligible voters in Hong Kong will be able, for the first time, to select the CE by universal suffrage. And that arises from a decision made by the NPCSC. But in the subsequent steps, even if we manage to get a two-thirds majority of support in the Legislative Council (LegCo), that package still has to go back to the NPCSC for approval. In other words, we could only succeed in delivering universal suffrage by following exactly the statutory, legal and constitutional framework laid down in the Basic Law, as well as in the decision made by the NPCSC on 31st August.

Coming back to your question about the second round consultations, in terms of filling in the details of the electoral arrangements for the selection of the CE, these could not go beyond the existing legal and constitutional framework. So if people, including many of the protestors, dislike the statutory and constitutional framework as laid down by the 31st August 2014 decision of the NPCSC, then there’s very little that the second round public consultations could offer, because we could only work within that framework. But I am confident that some of the details in the electoral arrangements, which we are going to consult the public on in the second round

consultations, will impress upon people that this is going to be a fair, open, transparent, and competitive process in selecting the Chief Executive.

**What kind of details might satisfy them?**

Well, firstly, the NPCSC has said that we need to form a “broadly representative” Nominating Committee. So, one of the areas for discussion is how we form that committee. At present, we have four main sectors forming the nominating committee; these four main sectors cannot be changed according to the NPCSC decision. But beneath the four main sectors there are 38 sub-sectors, made up of 1,200 members. Whether we could broaden the electorate of these sub-sectors is one of the issues that we could address.

Secondly, the NPCSC has decided that the Nominating Committee could nominate two or three candidates. So, we need to produce a pool of potential candidates for the committee to pick and choose from. There is a lot of room to devise arrangements for coming up with this pool of candidates because the NPCSC decision has said absolutely nothing about that part of the process. So, for example, if we could devise a much lower threshold for anybody wishing to seek nomination to become a candidate for Chief Executive, then we could have a sufficiently good pool of possible candidates or contenders. These contenders would then go through a very open and transparent process in order to gain the support of the 1,200 members on the Nominating Committee to put forward their names as candidates for the Chief Executive for universal suffrage. So, there are still quite a lot of details to be devised and I do feel that when we come to the second round of public consultations, when people actually see the concrete details of the electoral arrangements, that

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Hong Kong’s Chief Secretary for Administration, Carrie Lam in conversation with Alastair Harris, Executive Publisher and Editor of FIRST



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they would realise that this is going to be a genuinely competitive process.

The competition lies in three main aspects: one is the formation of the Nominating Committee, which has to be formed afresh towards the end of 2016. Whilst it is true that at the moment there are only about 300,000 voters electing these 1,200 members, I do believe it would be a very competitive process. Nobody can say right now that it is going to be a Beijing-dominated committee. For example, take the sector of engineers: all the registered engineers in Hong Kong could select 30 engineers to sit on the Nominating Committee. So, who can say at this moment in time that these 30 engineer Nominating Committee members would all be Beijing-appointed or dominated engineers?

The second aspect of the competition lies in what I've just mentioned: that we aim to devise an arrangement for more people to join the pool to contend for the two or three CE candidates. And the third area of competition lies, of course, in the universal suffrage. When these two or three candidates are put forward for universal suffrage then the five million eligible voters will have a chance to listen to what these candidates have to say in terms of their manifestos, to look at their track records, and to examine the promises they make to the people of Hong Kong.

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**One of the reasons passions are running so high is that people fear it is now or never – that this is their one chance to change the system that they will have to live with. Are their fears justified?**

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Within the Basic Law, the method for selection of the Chief Executive is laid down in Annex I. And in Annex I there is a very explicit provision, under Paragraph 7, which says that if there is a need to amend the method for selecting the Chief Executive then certain rules and procedures need to be followed. So, as long as this Paragraph 7 in Annex I is retained – and the NPCSC has not struck it out – it means that the arrangements that we are going to put in place in 2017 could be changed in the future, particularly because in Article 45 (of the Basic Law), which governs the selection for the Chief Executive, there is a reference to such arrangements being undertaken “in accordance with the actual situation in the Hong Kong Special Administrative Region and in accordance with the principle of gradual and orderly progress”. Thus, if Hong Kong's actual situation changes in the future, then there will be a demand from the people for changes to be made to the method for selecting the Chief Executive – and Annex I of the Basic Law does provide for that situation.

In short, all these arrangements or instruments remain in force to enable Hong Kong to move forward in her democratic development.

For the people of Hong Kong to be able to select our Chief Executive on a one-person-one-vote basis represents historic progress in Hong Kong's democratic development, and it would be a great pity to forego this opportunity. That's why we have been working so hard to try to explain and convince the people, including the Pan-Democratic members in the Legislative Council, that we really hope that we could take this first step, so that we could then continue to work together to refine, improve, and perfect the system for selecting the Chief Executive.

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**Do you sympathise at all with the view held by many people in Hong Kong that the current Chief Executive's report to the NPCSC undersold the appetite for greater democracy and reform?**

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Not really. If you have the time to read through the report on the public consultation, you will find that we have been very honest in presenting the views that we have collated during the five-month consultation. We did not say that there is consensus on every issue. There are certain major issues, what we call the core issues, on which we were not able to get a consensus. What we have done is to reflect all the different views on that particular issue so the NPCSC has the full benefit of the different views expressed in Hong Kong. And it is precisely these differing views on certain core issues which might make the second round consultation very difficult, because if you can't get a consensus in the first round, you will continue to get very diverse opinions in the second. So, it's not as if we told NPCSC that these are the consensus views in Hong Kong. We did not. We said that there is a diverse range of opinions, and having considered those diverse opinions, the NPCSC made certain decisions which are entirely within its constitutional duty and power to promulgate.

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**What do you think is a reasonable timeframe for revisiting this question and looking at further stages of constitutional development?**

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It is difficult to say, but in practice once the Chief Executive is selected on the basis of universal suffrage it means that he or she would be accountable to the seven million people of Hong Kong. So, if at a certain point in time the people in Hong Kong decide that certain changes have to be made to the method for selecting the Chief Executive – for example, taking into account new industries or economic activities which have not been represented previously in the Nominating Committee – then there will be a strong demand that the committee should be changed in order to accommodate them. I think then the situation will be a very interactive one: the people demand and the Chief Executive has to respond. And the Basic Law provides the necessary instruments to take that forward. **F**