

Foreword

On 24 September 2002, the Government published a consultation document on “Proposals to implement Article 23 of the Basic Law” to solicit views from the public on the Government’s proposals. The public could make their submissions through three channels:

- ♦ by post to the Security Bureau;
- ♦ by fax to 2521 2848; or
- ♦ by e-mail to bl23@sb.gov.hk

2. The three-month consultation period ended on 24 December 2002. We determined the cut-off time as follows:

- ♦ for submission through mail, the date chop shown on the envelope as on or before 25 December 2002;
- ♦ for submission through the designated fax number and e-mail address, its receipt before mid-night of 24 December 2002.

Any submissions received after the above cut-off time are discounted.

METHODOLOGY

3. For this public consultation exercise, we have not issued a structured questionnaire because we consider it important to give free rein to the public to express their views. They are welcome to say whatever they have in mind in whatever format they choose about the proposals in the consultation document. Given the nature of the consultation exercise, the format and content of the submissions are highly diversified. In going through the voluminous submissions and compiling this analysis, we try to the best of our ability to identify and organize the views received in the submissions in as objective and comprehensive a manner as possible.

4. On format, we have classified the submissions into four categories, namely submissions from organizations, submissions from individuals, submissions in the form of standard letters/pre-printed opinion forms, and signature forms. For the purpose of clear presentation, we deal with submissions from places outside Hong

Kong as a separate category from local submissions.

5. Our classification system is further explained in the paragraphs below –

a) Organizations and Individuals

We have classified the submissions into those from organizations and those from individuals. If the writer states clearly that he/she has written on behalf of an organization, or the content shows that it represents the opinions of an organization, we will classify it as a submission from an organization. We will also take into consideration the organization seal/stamp and the letterhead when determining this. Otherwise, a submission will be treated as an individual submission. There are individual submissions that are signed by more than one person. We will take into account the number of signatures on the submissions in our analysis. Except for twelve (one from organization) submissions in which the writers requested confidentiality, all submissions will be included in the compendium.

b) Unique letters and Standard letters from individuals

If the content of the submission is different from other submissions, we will treat it as a unique letter. On the other hand, if the content of the submission is identical to some other submissions, regardless of whether it is printed or in handwritten form, we will treat it as a standard letter. We notice that standard letters usually contain an opinion pre-printed in a letter/form, and bear the signature of an individual who agrees with the opinion expressed. Standard letters also include electronic mail generated by certain web-sites at which individuals can compose their submissions by choosing the statement(s) with which they agree from a list of standard statements. We note that quite a number of submissions are in the form of standard letters, pre-printed forms or signature forms. In view of the large quantity of these submissions, we will only include samples of these submissions in the compendium. The number of copies received will however be indicated on the samples included in the compendium.

c) Submissions from places outside Hong Kong

We put a submission under this category if the content clearly shows that the writer is living outside Hong Kong, or its envelope or email address in case of electronic submission shows that it has come from a place outside Hong Kong.

d) General inclination expressed in the submissions

We have identified the general inclination expressed in the submissions into three categories.

- ♦ Category A: The content of the submission enables it to be identified as supportive of legislation to implement Article 23;
- ♦ Category B: The content of the submission enables it to be identified as opposed to introducing legislation to implement Article 23; and
- ♦ Category C: The content of the submission does not enable it to be identified as either Category A or Category B.

If the writer clearly declares that he/she supports legislation to implement Article 23 or the proposals in the consultation document, we will group the submission under Category A, i.e. “supportive”. Those submissions that clearly declare the opposite view will be grouped under Category B, i.e. “opposed”. If the writer supports in principle legislation to implement Article 23 but objects to the proposals in the consultation document, we will also group the submission under Category B. If the writer does not declare one way or the other and only expresses views, concerns, or suggestions, we will group the submission under Category C, i.e. “not identified”. The categorization index is shown at Section III of the compendium.

e) Blue Bill or White Bill

We also try to find out from the submission whether the writer explicitly supports the introduction of a blue bill or requests for the issue of a white bill.

f) Other considerations

If an individual or an organization sends different submissions with different content, we will count them as separate submissions. However, if it is found that an individual or an organization sends the

same submission more than once, we will count all the submissions as a single submission. Other copies will be treated as duplicates and will not be counted. Also, there are some submissions which are found to have nothing to do with the consultation document. Such submissions are not counted.

LIMITATIONS

6. As pointed out in the foregoing paragraphs, we have analyzed and organized the submissions received in accordance with the classification system we have adopted. We endeavour to be as open and objective as we can. There are however the following limitations which we must highlight -

- a) Having regard to the diversified content of the submissions, it is not always easy to identify and categorize the stance of each and every submission. We try to avoid any value judgement. The submissions are classified on the basis of whether there is an explicit self-declared statement of support for or opposition to legislation.
- b) There may be some degree of duplication in submissions among the four categories since a person may make more than one submission through different channels.
- c) There may be duplication in submissions since it is difficult to verify whether the same person has made more than one submission by using different names.
- d) Submissions from the four categories do not constitute a random sample/representative sample. The results of the submissions therefore represent only the views of the individual/organization concerned. They cannot be generalized to represent the views of the whole population.

ANALYSIS

7. In a public consultation exercise, the quantitative result is one useful reference. However, in the final analysis, the quality of the opinions and the substantive comments on the proposals would have a

significant bearing on how the draft bill is to be drawn up. In this section, we report on the statistics.

A) Local Submissions

We received a total of 97 097 submissions involving 340 513 signatures. These include submissions from organizations and individuals. We observe that quite a number of letters and signatures submitted to the Government are in the form of standard letters as well as signatures obtained through signature forms issued by organizations or political parties.

1) Submissions from organizations

We received 1 067 submissions from organizations. Of these, 925 come under Category A, 65 under Category B, and 77 under Category C. Our tabulation is shown at Annex A.

Of the 1 067 submissions from organizations, 115 (10.8%) support a blue bill, 60 (5.6%) request a white bill, while 892 (83.6%) have not indicated any preference for a blue bill or a white bill. Our tabulation is shown at Annex B.

2) Submissions from individuals

The bulk of the individual submissions are signed by one person, although there are some individual submissions that are signed by several persons who agree with the writer. We have received 5 157 individual submissions, involving 8 394 signatures. Of these, 2 890 (involving 4 741 signatures) come under Category A, 1 426 (1 926 signatures) under Category B and 841 (1 727 signatures) under Category C.

Of the 5 157 individual submissions, 352 (6.8%) support a blue bill, 778 (15.1%) request a white bill, and 4 027 (78.1%) have not indicated any preference in this regard.

3) Standard letters or pre-printed opinion forms

Many of the submissions received are in the format of standard letters or pre-printed opinion forms. In total, we have found more than four

hundred versions of standard letters. Many contain a paragraph or two, some only one line, and a handful several paragraphs. Some are pre-printed, while some are hand-written. Some are in the format of an opinion form with multiple-choice boxes for completion, with the same versions available at the web-sites for downloading. Though the format is diversified, there is no mistaking that they are standard letters.

We received 81 027 standard letters involving 85 987 signatures. Of these, 61 788 (involving 66 609 signatures) come under Category A, 16 229 (16 332 signatures) under Category B and 3 010 (3 046 signatures) under Category C.

Of the 81 027 submissions, 5 593 (6.9%) support a blue bill, 5 055 (6.2%) request a white bill, and 70 379 (86.9%) have not indicated any preference for a blue bill or a white bill.

4) Signature forms

Some organizations/political parties have issued signature forms to invite the public to support their view. The most common approach is for the organization to state its view on a pre-printed form, and invite the public to sign on the form to show their agreement to its statement. In total, we received more than seventy versions of such signature forms. The format of the signature form is highly diversified. Many contain only one sentence, some with a short declaration, while a few run to several paragraphs.

We noticed some irregularities among the submissions obtained through these signature forms. These include duplication copies; submissions which contain different names obviously signed by the same person; identical signatures on different pages of the same submission; and illegible signatures and dubious names found on signature forms, etc. We disregard all the duplications to avoid double counting. Other submissions that show irregularities are kept in the overall tabulation to present a complete picture.

In total, we received 9 846 submissions in the format of signature forms involving 246 132 signatures. Among these, 2 512 (involving 65 185 signatures) come under Category A, 7 112 (175 823 signatures)

under Category B and 222 (5 124 signatures) under Category C. Among the submissions under Category B, there is a computer list containing 8 102 names which may have been drawn from a certain data-base, such as a telephone list, to which the organization can access, and the list carries no signature.

Of these 9 846 submissions, 45 (0.5%) support a blue bill, 280 (2.8%) request a white bill, and 9 521 (96.4%) have not indicated any preference for a blue bill or a white bill.

B) Submissions from places outside Hong Kong

Apart from the local community, organizations and individuals from places outside Hong Kong have shown interest in making their views known. During the consultation period, a total of 3 812 submissions involving 29 099 signatures have been received from places outside Hong Kong.

1) Submissions from organizations

We received 60 submissions from organizations. These come from such groups as Amnesty International, labour unions of the travel and shipping industries of Taiwan, various groups associated with Falun Dafa, International Christian Association, etc. Of these, one submission comes under Category A, 44 under Category B and 15 under Category C. Our tabulation is shown at Annex C. Of the 60 organizations, 10 (16.7%) request a white bill, while 50 (83.3%) have not indicated any preference for a blue bill or a white bill. Our tabulation is shown at Annex D.

2) Submissions from individuals

We received 1 239 submissions from individuals, involving 1 813 signatures. Of these, 19 (involving 22 signatures) come under Category A, 1 068 (1 611 signatures) under Category B and 152 (180 signatures) under Category C. Of the 1 239 individual submissions, 54 (4.4%) request a white bill and the remaining 1 185 (95.6%) have not indicated their preference.

3) Standard letters or pre-printed opinion forms

We received 1 255 standard letters involving 1 671 signatures. Over

thirty versions of standard letters have been found and all of these come under Category B. Of these 1 255 submissions, 44 (3.5%) request a white bill, and the remaining 1 211 (95.5%) have not indicated any preference.

4) Signature forms

We received 1 258 submissions involving 25 615 signatures. Almost twenty versions of signature forms have been found. Of these, 1 241 (25 327 signatures) come under Category B and the remaining 17 (288 signatures) come under Category C. These signature forms are issued by Chinese from Australia, USA and Taiwan, etc., the Global Coalition against Article 23 Legislation, Falun Dafa, etc. Among the submissions under Category B, there is a signature list containing 7 034 names mainly from the US and Canada which may have been collected by an organization from the Internet.

Of the 1 258 submissions, 17 (1.4%) request a white bill, and the remaining 1 241 (98.6%) have not indicated their preference.

Late submissions

Over 900 submissions received after the conclusion of the consultation period are excluded from this analysis.

Tabulation on local submissions received

1) Submissions from organizations

Inclination	Quantity	Percentage
Cat A : The content of the submission enables it to be identified as supportive of legislation to implement Article 23	925	86.7%
Cat B : The content of the submission enables it to be identified as opposed to introducing legislation to implement Article 23	65	6.1%
Cat C : The content of the submission does not enable it to be identified as either supportive of or opposed to legislation to implement Article 23	77	7.2%
Total	1 067	

2) Submissions from individuals

Inclination	Quantity	Percentage	Number of signatures
Cat A : The content of the submission enables it to be identified as supportive of legislation to implement Article 23	2 890	56.0%	4 741
Cat B : The content of the submission enables it to be identified as opposed to introducing legislation to implement Article 23	1 426	27.7%	1 926
Cat C : The content of the submission does not enable it to be identified as either supportive of or opposed to legislation to implement Article 23	841	16.3%	1 727
Total	5 157		8 394

3) Standard letters/Pre-printed opinion forms

Inclination	Quantity	Percentage	Number of signatures
Cat A : The content of the submission enables it to be identified as supportive of legislation to implement Article 23	61 788	76.3%	66 609
Cat B : The content of the submission enables it to be identified as opposed to introducing legislation to implement Article 23	16 229	20.0%	16 332
Cat C : The content of the submission does not enable it to be identified as either supportive of or opposed to legislation to implement Article 23	3 010	3.7%	3 046
Total	81 027		85 987

4) Signature forms

Inclination	Quantity	Percentage	Number of signatures
Cat A : The content of the submission enables it to be identified as supportive of legislation to implement Article 23	2 512	25.5%	65 185
Cat B : The content of the submission enables it to be identified as opposed to introducing legislation to implement Article 23	7 112	72.2%	175 823
Cat C : The content of the submission does not enable it to be identified as either supportive of or opposed to legislation to implement Article 23	222	2.3%	5 124
Total	9 846		246 132

**Tabulation on Views on Issue of a Blue Bill or a White Bill
(Local Submissions)**

1) Submissions from organizations

	Quantity	Percentage
Support Blue Bill	115	10.8%
Request White Bill	60	5.6%
Preference not indicated	892	83.6%
Total	1 067	

2) Submissions from individuals

	Quantity	Percentage
Support Blue Bill	352	6.8%
Request White Bill	778	15.1%
Preference not indicated	4 027	78.1%
Total	5 157	

3) Standard letters/Pre-printed opinion forms

	Quantity	Percentage
Support Blue Bill	5 593	6.9%
Request White Bill	5 055	6.2%
Preference not indicated	70 379	86.9%
Total	81 027	

4) Signature forms

	Quantity	Percentage
Support Blue Bill	45	0.5%
Request White Bill	280	2.8%
Preference not indicated	9 521	96.4%
Total	9 846	

Tabulation on submissions received from places outside Hong Kong

1) Submissions from organizations

Inclination	Quantity	Percentage
Cat A : The content of the submission enables it to be identified as supportive of legislation to implement Article 23	1	1.7%
Cat B : The content of the submission enables it to be identified as opposed to introducing legislation to implement Article 23	44	73.3%
Cat C : The content of the submission does not enable it to be identified as either supportive of or opposed to legislation to implement Article 23	15	25.0%
Total	60	

2) Submissions from individuals

Inclination	Quantity	Percentage	Number of signatures
Cat A : The content of the submission enables it to be identified as supportive of legislation to implement Article 23	19	1.5%	22
Cat B : The content of the submission enables it to be identified as opposed to introducing legislation to implement Article 23	1 068	86.2%	1 611
Cat C : The content of the submission does not enable it to be identified as either supportive of or opposed to legislation to implement Article 23	152	12.3%	180
Total	1 239		1 813

3) Standard letters/Pre-printed opinion forms

Inclination	Quantity	Percentage	Number of signatures
Cat A : The content of the submission enables it to be identified as supportive of legislation to implement Article 23	-	-	-
Cat B : The content of the submission enables it to be identified as opposed to introducing legislation to implement Article 23	1 255	100.0%	1 671
Cat C : The content of the submission does not enable it to be identified as either supportive of or opposed to legislation to implement Article 23	-	-	-
Total	1 255		1 671

4) Signature forms

Inclination	Quantity	Percentage	Number of signatures
Cat A : The content of the submission enables it to be identified as supportive of legislation to implement Article 23	-	-	-
Cat B : The content of the submission enables it to be identified as opposed to introducing legislation to implement Article 23	1 241	98.6%	25 327
Cat C : The content of the submission does not enable it to be identified as either supportive of or opposed to legislation to implement Article 23	17	1.4%	288
Total	1 258		25 615

**Tabulation on Views on Issue of a Blue Bill or a White Bill
(Submissions from places outside Hong Kong)**

1) Submissions from organizations

	Quantity	Percentage
Support Blue Bill	-	-
Request White Bill	10	16.7%
Preference not indicated	50	83.3%
Total	60	

2) Submissions from individuals

	Quantity	Percentage
Support Blue Bill	-	-
Request White Bill	54	4.4%
Preference not indicated	1 185	95.6%
Total	1 239	

3) Standard letters/Pre-printed opinion forms

	Quantity	Percentage
Support Blue Bill	-	-
Request White Bill	44	3.5%
Preference not indicated	1 211	96.5%
Total	1 255	

4) Signature forms

	Quantity	Percentage
Support Blue Bill	-	-
Request White Bill	17	1.4%
Preference not indicated	1 241	98.6%
Total	1 258	