[redacted]

FM FCO
TO TELELETTER HONG KONG
TELELETTER NFR
OF 211730Z SEPTEMBER 95
AND TO TELELETTER UKREP JLG HONG KONG, PEKING, CANBERRA, OTTAWA
AND TO TELELETTER TOKYO, WELLINGTON, WASHINGTON, EU POSTS

FROM S L Cowper-Coles, HKD

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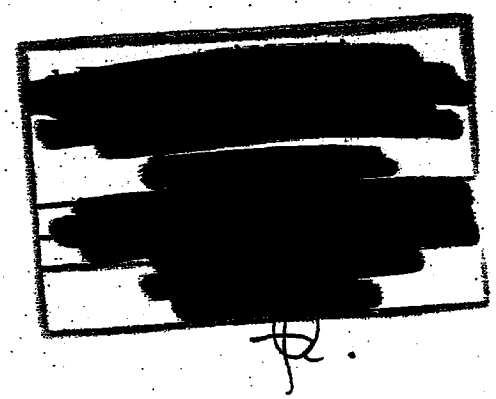

FCO telsno 796-8 to Washington

SUBJECT: HONG KONG: LEGCO ELECTIONS

1. This is just to record that, in response to requests from several London Embassies and High Commissions, on 21 and 22 September I briefed, in different groups, the Australian, Canadian and New Zealand High Commissions, the Japanese Embassy, and EU Embassies, on the LegCo elections. I told them that we would also be briefing in most capitals.

2. I stuck closely to the line to take in third TUR. The only significant respect in which I amplified that was in saying that, when the Minister of State (Mr Hanley) had passed through Hong Kong on 18 September, he had found the Governor heartened by the election results, and cautiously upbeat about his administration's ability to work with the new LegCo. [redacted] And it was much too early to go along with some of the more apocalyptic warnings of struggle between the Hong Kong Government and the new LegCo.

SIGNED SHERARD COWPER-COLES

[redacted]

[redacted]

FM HONG KONG
TO DESKBY 221300Z FCO
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PART ONE OF TWO
(AMMENDED DISTRIBUTION)
My telno 823:

SUBJECT : LegCo elections : Implications for the Administration

[redacted]

Overview

2. As the analysis in TUR makes clear, the Democratic Party has a position of considerable strength in the new LegCo. Together with the other pro-democracy parties and independents, they will form a bloc of around 30 votes; on "Livelihood" issues, on which they are likely to join forces with the DAB and pro-China unionists, they will command a clear majority. [redacted]

3. So far, perhaps because they did not expect to do quite so well, the Democrats have given little public indication of their intentions. [redacted]

[redacted]

[redacted]

We may learn more about this in the days ahead, particularly when I meet members of the party next week.

4. Another important factor in determining LegCo's approach to its work will be the approach of 1997. In 1991, the new directly-elected members- all but 3 of whom were new to LegCo- were keen to make their presence felt, [redacted]. But this will not necessarily be a reliable precedent for the 1995 LegCo. LegCo Members who are keen to continue their political careers after the transfer of sovereignty, [redacted]

[redacted]

Private Members' Bills

6. One issue that has attracted considerable media attention as a likely cause of friction between the Administration and the new LegCo is Private Members' Bills (PMBs). As little as 3 years ago, the only Bills introduced by non-official members of LegCo were Private Bills that dealt with the affairs of statutory religious or welfare bodies. However, in 1994-95, 8 PMBs relating to matters of public policy were introduced and 5 passed. Many members of the new LegCo, particularly from the pro-democracy bloc, spoke publicly during their election campaigns about their intention to introduce PMBs in the new session. There is therefore a widespread expectation that we will be faced with a plethora of PMBs in the months ahead.

[redacted]

[redacted]

9. I therefore propose to say in my Policy Address on 11 October that I look forward to establishing a good relationship between the administration and the new LegCo and that I welcome ideas on how communication between us can be improved. One of the issues I would like to discuss is the programme of legislation for the session ahead and whether it needs to be adjusted to take account of LegCo Members' own priorities. I would express the hope that we will be able to move forward by consensus wherever possible, with LegCo broadly ready to give its support to the Government's programme and the Administration taking as much account as it can of LegCo's views while ensuring that the wider interests of the people of Hong Kong are safeguarded. [redacted]

[redacted]

[redacted]

Relationship between ExCo and LegCo

12. Another issue of great interest to the media is whether I will appoint members of the new LegCo to ExCo. During the last LegCo session and the election campaign, there were a number of suggestions that this would improve communication between ExCo and LegCo and thus reduce the likelihood of conflict when legislative or financial proposals were put to LegCo.

[redacted]

[redacted]

[redacted]

14. The election results have given the Democratic Party the opportunity to press for representation on ExCo, on the grounds that they and their allies may well be able to command a majority in LegCo on key issues. [redacted] YEUNG Sum was quoted in the SCMP on 19 September as saying that the Party thought that ExCo should have representatives from different political parties and that they would not join if they were obliged to follow the rules of confidentiality and collective responsibility. Once again, their position may become clearer when I meet them next week.

[redacted]

16. There are, of course, other ways of improving communications between the executive and the legislative. In 1992, I suggested the establishment of a Government-LegCo Committee. This was rejected by LegCo largely because they could not agree on how they should be represented on it. Even now, there are mixed views from legislators on this proposal, according to media accounts. But there is a widespread feeling that communication needs to be improved. I propose in my Policy Address to make it clear that the

[redacted]

administration wants to establish a close relationship with LegCo, and that we are open to any ideas about how this can best be done.

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