

One country, two systems

Countries



One country, two systems " One country, two systems" is an idea originally proposed by Deng Xiaoping, then Paramount Leader of the People's Republic of China (PRC), for the reunification of China during the early 1980s. He suggested that there would be only one China, but areas such as Hong Kong, Macau and Taiwan could have their own capitalist economic and political systems, while the rest of China uses the " socialist" system. However, Deng rejected the proposed use of such a system for territories that are already under de facto PRC rule, such as Tibet.

In the following research paper, the topic will be discussed in two different perspectives, both Hong Kong and Macau. Hong Kong Hong Kong's stability and continued development as an international city since reunification in July 1997 have depended upon the successful implementation of the principle of 'One Country, Two Systems'. This framework ensures that Hong Kong retains its distinct identity and strengths as an international business, financial, shipping and aviation centre.

The 'four pillars' of Hong Kong's success remain as relevant and important today as they did five, 10 or 15 years ago. These are: the common law system upheld by an independent judiciary; the free and unfettered flow of information; a level playing field for business; and, a clean, respected civil service. The Basic Law, Hong Kong's constitutional document, has provided the constitutional basis upon which the Hong Kong Special Administrative Region has continued to protect its capitalist system, as well as the way of life, the rights and freedoms of its residents.

These include: equality before the law, private ownership of property, freedom of assembly, freedom of movement, freedom of religious belief,

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freedom of academic research and freedom to join trade unions. The courts continue to administer justice independently, while Hong Kong's own police, immigration, customs and excise and anti-corruption officers have remained responsible for maintaining law and order in the SAR. Hong Kong continues to maintain its previous economic system. It has maintained its renowned, business-friendly, low-tax system and its own currency, which has been linked to the US Dollar at a rate of US\$1 to HK\$7.0 since October 1983. Mainland leaders have scrupulously adhered to a 'hands off' approach, allowing Hong Kong people to administer their own affairs (except defense and foreign affairs) with the promised high degree of autonomy. As always, Hong Kong people have been quick to speak up if they have perceived that their rights and freedoms, or the systems underpinning Hong Kong society, are in any way being compromised or undermined. Hong Kong people have taken very seriously their role in shaping the SAR and the society in which they live.

This has resulted in greater demands from the public and the legislature for an open, accountable and more efficient government. Hong Kong has continued to play an important role in international affairs. It remains an active member, in its own right using the name 'Hong Kong, China', of the World Trade Organization, the World Customs Organization, the Asia-Pacific Economic Co-operation (APEC) forum and the Asian Development Bank and as an associate member of the Economic and Social Commission for Asia and the Pacific (ESCAP) of the United Nations.

Hong Kong's presidency of the Financial Action Task Force (FATF) on Money Laundering in 2001-02 allowed the SAR to take a leading role in the

international fight against terrorist financing in the wake of the September 11 terrorists attacks in the United States. At an Extraordinary Plenary Meeting, chaired by Hong Kong in Washington D. C. in late October 2001, the FATF's remit was expanded beyond money laundering to focus expertise on a world-wide effort to combat terrorist financing.

A wide range of special recommendations adopted at the meeting will deny terrorists and their supporters' access to the international financial system. Representatives of the HKSAR Government have also continued to participate, as members of delegations of the People's Republic of China, in international organizations and conferences limited to states, such as the International Monetary Fund, the World Intellectual Property Organization, the International Civil Aviation Organization and the International Telecommunications Union.

There are more than 130 binding bilateral agreements between the HKSAR and over 50 countries throughout the world. Areas covered in these agreements include air services, visa abolition, investment promotion and protection, surrender of fugitive offenders, mutual legal assistance in criminal matters, transfer of sentenced persons, customs co-operation, and co-operation on information technology and avoidance of double taxation. Hong Kong has also entered into non-binding arrangements with other foreign states, regions and international organizations.

These arrangements are often in the form of a memorandum of understanding and cover a spectrum of topics from co-operation in information and communication technology, environmental protection to cultural exchanges. More than 200 multi-lateral treaties apply to the Hong

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Kong SAR (of which more than 80 do not apply to the Mainland). They cover many areas such as international crimes, private international law, customs, marine pollution, science and technology, civil aviation, merchant shipping, intellectual property, health, investment, trade and industry, postal services, labor issues, human rights, transport and telecommunications.

Hong Kong is home to a large consular corps and several important international organizations. At the end of March 2002, there were 55 consulates general in Hong Kong, 46 honorary consuls and six semi-official missions. The United Nations High Commissioner for Refugees, the European Union, and the Bank for International Settlements, the International Monetary Fund and the International Finance Corporation/World Bank all maintain a presence in Hong Kong. Five years after 1997, 'One Country, Two Systems' is firmly in place and 'Hong Kong people running Hong Kong' is part of everyday life.

With the election of the Chief Executive by an electoral college, a fully-elected legislature and an aggressive, critical media, government operations and policies have been subjected to increasing public scrutiny and pressure. In his Policy Address in October 2001, the Chief Executive Mr. Tung Chee Hwa outlined the government's initial thinking on ways to improve the system of accountability for senior officials. Detailed plans to take effect from July 1, 2002 were subsequently unveiled by Mr. Tung on April 17, 2002.

The new system is designed to more clearly define the roles, powers and responsibilities of top government officials. It would also build on the civil service's existing strengths such as permanency, professionalism, neutrality, efficiency and freedom from corruption. Under the present government

structure, civil servants play a critical role in the governing team. Policies are formulated by Directors of Bureau (often referred to as Policy Secretaries) and endorsed by the Executive Council (ExCo).

Legislation and public expenditure relating to such policy initiatives needs to be scrutinized and passed by LegCo before being implemented by various bureau and departments. During this process, Directors of Bureau have inevitably taken on a political role, which does not gel with the traditional role of the civil service. Civil servants are generally employed on permanent terms. The question is how to improve accountability while at the same time recognize the importance of an impartial, permanent civil service. The new system of accountability announced by Mr. Tung aims to solve this conundrum. Under the new system, the Chief Secretary for Administration, the Financial Secretary, the Secretary for Justice and Directors of Bureau will no longer be civil servants but will be appointed on contract terms. They will be accountable to the Chief Executive for the success or failure of matters falling within their portfolios. Significantly, they will all be appointed to the Executive Council to play a direct role in the process of deciding on government policies as well as collectively allocating the resources within the government as a whole.

Because of this, government's work will become more streamlined and efficient. This will also provide a better co-ordination in the formulation and implementation of policies. These new Principal Officials will assist the Chief Executive in developing and shaping policies, overseeing the implementation of policies, monitoring the delivery of services by executive departments and explaining developments within their portfolios to gain public support. They

will respond to LegCo questions, introduce bills and take part in LegCo motion debates.

They will attend meetings of LegCo Panels, subcommittees and committees to participate in discussions on important policies. The new accountability system is consistent with the Basic Law under which Principal Officials are nominated by the Chief Executive for appointment by the Central People's Government. At the policy bureau level they will be supported by Permanent Secretaries, very experienced senior civil servants, in analyzing and defending policies, steering executive departments and managing human and financial resources.

Below the policy bureau level, various departments will remain responsible for implementing policies and delivering public services. With a clearer definition of roles, these Principal Officials will operate at the political level while civil servants will be loyal to the government of the day and maintain political neutrality. The merits of the new system are that the Principal Officials' roles and responsibilities are better defined and that they will need to be more accountable to enlist the support of the legislature and the public.

The new system responds to increasing public calls for a higher degree of accountability for principal officials, while maintaining the structure, role and ethos of the civil service. The civil service system will remain intact and there will continue to be a permanent, stable, meritocratic, professional and politically neutral civil service. The new group of Principal Officials will proactively gauge public opinion and strengthen communication with the

public to gain a better understanding of community needs and to devise policies fulfilling these needs.

They will work more closely with the legislature, proactively seek the views of LegCo members and strengthen communication with the LegCo to ensure a better working relationship between the Executive and Legislature. The new Principal Officials will be able to focus more attention on public demands and needs, and will be able to operate free from the restrictions imposed on civil servants. Macau The development of Macao since its return to the motherland demonstrated the strong vitality of the "one country, two systems" concept, said Edmund Ho Hau Wah, chief executive of Macao Special Administrative Region (SAR) in a special press interview.

The concept was proposed by then Chinese leader Deng Xiaoping in the early 1980s for the reunification of China. Under the mechanism, Macao retained its capitalist systems after returning to the motherland on Dec. 20, 1999. The per capita GDP of Macao residents in 2008 reached 39,000 U. S. dollars, almost three times the average before its return, according to World Bank figures. The central government adopted a series of measures to support Macao's development.

In two meetings with Edmund Ho Hau-wah in December 2008, President Hu Jintao and Premier Wen Jiabao said the central government would fully support Macao in dealing with the challenges brought about by the global financial crisis. At the end of last year, the central government launched nine measures covering finance, infrastructure, and regional cooperation, funding Macao's small-and-medium-sized enterprises, ensuring Macao's food supply, to help Macao tide over the economic downturn and promote integration of

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the Pearl River Delta region, which includes Guangdong Province, Hong Kong and Macao.

Macao's water supply is at risk of salinization due to drought upriver. The central government and Macao's neighboring province have adopted relief measures, including the construction of hydroelectric projects to ensure the long-term supply of drinking water to Macao. Government statistics show more than 33 million mainland tourists have visited Macao since 2004 and have generated an estimated revenue of more than 100 billion patacas (12.66 billion U. S. dollars) -- gambling revenue excluded.

Under the support of the central government, Macao's land area has increased from 22 square kilometers before its return to about 30 square kilometers. In June, the ninth session of the Standing Committee of China's 11th National People's Congress (NPC) passed a bill giving the Macao SAR jurisdiction over a new campus of the University of Macao on Hengqin Island, which was originally part of the southern mainland city of Zhuhai. In 2007, Macao implemented a 15-year free education system, which will run from kindergarten to senior high school. From my own experience, for the past 10 years, the central government has been strictly adhering to the principle of 'one country, two systems' and the Basic Law of the Macao SAR. The central government has not interfered the inner affairs of the SAR," said Edmund Ho Hau Wah. After its return to the motherland, Macao successfully held Ministerial Conferences of the Forum on Economic and Trade Cooperation between China and Portuguese-Speaking Countries in 2003 and 2006 and the East Asian Games in 2005.

With the support of the central government, the historic center of Macao, which is home to more than 20 unique sites demonstrating the assimilation and co-existence of Chinese and Western cultures, has been inscribed on the UNESCO World Heritage List. " Since the founding of the Legislative Assembly of Macao Special Administrative Region, Macao has enjoyed complete legislative power and has enacted and amended more than 100 laws, which was quite unimaginable when it was ruled by the Portuguese," said assembly president Lau Cheuk Va.

An election committee, responsible for electing the chief executive of Macao SAR, is composed of representatives from a wide range of sectors including industrialists, unionists, public service workers, religious figures and politicians. Dr. Leonel Alberto Alves, a legislator and " Macaense"(a Portuguese expression for Macao-born Portuguese or Macao-born person of Portuguese and Chinese or of Portuguese and another Asian ethnic group), said an estimated 20, 000 " Macaense" lived in Macao and their rights were fully safeguarded and customs respected since Macao's return to the motherland.

Overall, our view remains that the concept of 'One Country, Two Systems' is an everyday reality in Hong Kong. The rule of law and the independence of the judiciary, which are so vital to Hong Kong's success, are being upheld. Essential rights and freedoms are being protected, and challenges to them fully and freely debated. — UK Secretary of State for Foreign and Commonwealth Affairs Mr. Jack Straw, Six-monthly Report on Hong Kong, July-December 2001, presented to the British Parliament, March 2002 Most Western analysts conclude today that the 'One Country, Two Systems' has

permitted Hong Kong to maintain its unique character. Long-term success depends on preserving the quality and integrity of Hong Kong's outstanding cadre of civil servants, the rule of law and an independent judiciary.