

the local population. Peking however, continues to insist that sovereignty is the main issue and that discussions — which can proceed only after Britain concedes sovereignty — should only be on arrangements for the transitional period up to 1997.

There are also indications that Chinese unwillingness to consider any formula for a continuation of British administration after 1997 has reached the point where it would be useless for London or anyone else to try to impress on Peking that post-1997 British administration has little to do with colonialism or economic benefits for Britain. Peking has apparently conceded that Britain gets little out of Hongkong economically.

The Hongkong Government has been sending out its officials to stress the de facto autonomy which the territory already enjoys under London's rules. The attorney-general himself dealt with the importance of a stable and reliable legal system and an independent judiciary as cornerstones of confidence in Hongkong's official yearbook.

The British thus appear to be doing little more than taking rearguard action,

A backdoor to Britain

The fact that some Hongkong civil servants may get round the Nationality Act touches a sensitive nerve



A recent controversy started by London newspapers over future discretionary grants of British citizenship to Hongkong Government servants has awakened a sensitive issue: the obligation to protect senior Chinese officials serving an alien authority from the consequences of political change.

The reports stated that some British MPs had expressed fears of a possible massive influx of Hongkong Chinese through a loophole in the recent Nationality Act. The British papers have thus publicised, for the first time, a known reluctance on London's part to accept legal responsibility for Hongkong's population should Sino-British talks on Hongkong's future fail to reach an agreement acceptable to the local people. Formerly known as citizens of the United Kingdom and Colonies, 2.6 million Hongkong British passport holders have been reclassified as British dependent territory citizens, since the Nationality Act came into force last January.

special circumstances which the British home secretary should take into account when considering their applications for British citizenship.

Some local members of the force, as well as civil servants whose jobs bring them into contact with squatters and hawkers, are worried that a change of administration in 1997 could subject them to revenge from those groups they have arrested or seriously inconvenienced in the course of performing their duties.

The inspectors maintain publicly that they have not yet submitted any applications for citizenship. However, the REVIEW understands that some 200 middle-rank or senior civil servants have applied. Said one applicant: "I would like to know what the Home Office means by 'particularly deserving' of British citizenship."

The government refuses to disclose the number of citizenship applications, maintaining that "it is a matter between the individual and the British Government." However, an official did comment that the REVIEW's figure of 200 was "way off base." The number is such, he said, "as not to warrant the conclusion that the Hongkong Government is in a dilemma." There are about 370 Hongkong Chinese in the directorate ranks of the civil service. The other 480 directorate-level staff are expatriates.

Civil servants, like most of the middle class generally, feel that China's self-administration proposal is no guarantee of non-interference from Peking. Many have told the REVIEW that their friends in the private sector are all preparing to emigrate. "It's all very unsettling," one said.

The existence of this discretionary clause, however, has the potential of affecting morale within the civil service. A civil service union leader told the press that if qualifying for British citizenship rested on rank and loyalty, it raised questions about what loyalty meant. If only those who would not challenge any government policies were considered loyal, then the civil service machinery would be adversely affected, he said.

With London willing to grant only a few of the 40,000-strong civil service British citizenship, it is unlikely that Peking would feel threatened by a brain drain of experienced local government administrators, who Peking already has acknowledged would play a vital role in the future administration of Hongkong. Without this threat, Peking will perhaps be less willing to consider a solution to the problem of Hongkong's future which would allow a continuation of British administration after 1997.

—MARY LEE



Police on parade: worries about the takeover.

while at the same time trying to get the Chinese to put aside the sovereignty issue so that the talks can get down to working arrangements for Hongkong.

Youde's straightforward plea to the local population "to be a little patient, the discussions are complicated and the issues are important, so it will take a little time" is virtually drowned by the barrage from Peking. Whether a louder and stouter stand by Youde and his colleagues in Whitehall will follow in June is uncertain. Under British Prime Minister Margaret Thatcher's rules, confidentiality is all-encompassing.

Meanwhile, the questions concerning the integrity of the proposed self-administration — who will appoint the administrators and Hongkong's relationship with Peking — as well as the problems of freedom of movement of capital, currency and compatriots remain outstanding and are unlikely to be answered by the promulgation of the SAR details. However, Peking is already talking of local input in the drawing-up of a Hongkong constitution.

In the end, though, it is still a matter of whether Peking's plans can be digested without fatal hiccups in Hongkong.

Stringent rules of patriality disqualify virtually all such citizens from applying for British citizenship, which brings with it the right of abode in Britain. However, one clause in the act allows crown servants of the government of a dependent territory, as well as non-civil servants who were appointed by the local administration to serve on statutory bodies, to bypass the patriality rules.

During the passage of the controversial Nationality Bill last year, this discretionary clause — inserted as a result of pressure from the Hongkong Government — went almost unnoticed in London. However, Home Office Minister Timothy Raison stated then: "The intention here is to recognise the position of those who serve the crown in the dependencies in a particularly deserving way... This discretion would be exercised only sparingly."

Hongkong civil servants are now applying for such citizenship due to the prevailing uncertainty over the territory's future after 1997, when Britain's lease from China on most of the territory runs out. The police force's local inspectors' association has circulated a letter to its 1,000 members, asking them to explain their