

Accountability in SAR: 'Li made a mistake'

TWO education groups yesterday took issue with the interpretation of leadership "accountability" in Hongkong after 1997 by the Secretary-General of the Basic Law Drafting Committee, Mr Li Hou.

The groups, the Professional Teachers' Union and the Education Action Group, said Mr Li may have distorted the meaning of "accountability" which could lead to a violation of the Sino-British Joint Declaration.

The groups said at a press conference that Mr Li's interpretation of the accountable relationship between the executive authorities and the legislature after 1997 was a mistaken one.

On Friday, Mr Li gave his interpretation of what is meant by "accountable", as it is mentioned, in the Joint Declaration, that the executive authorities of Hongkong after 1997 shall be accountable to the legislature.

He said it means the responsibility of the executive authorities to regularly report on government operations to the legislature, to answer queries by members of the Legislative Council, and to be impeached by the legislature if or when the Chief Executive commits mistakes or criminal offences.

But leaders of the two groups said that Mr Li's interpretation implies a parallel relationship between the executive and the legislature without one being overruled by the other, which goes contrary to the common understanding of "accountability".

Mr Anthony Ha, chairman of the Education Ac-

tion Group, said "accountability" means a superior-subordinate relationship with the latter under the supervision of the former.

"The superior institution, the legislature, would be entitled to elect and to dismiss the chief executive of the subordinate body, the executive authorities," he said.

Mr Ha quoted the use of the controversial word in both the Chinese Constitution and the British Constitution to justify their argument.

In the Chinese Constitution, he said, the State Council, the chairman of the Central Military Commission, and the Supreme People's Court are all held accountable to the National People's Council and its Standing Committee, meaning a subordinate-superior relationship.

He said the British Cabinet practice also converges on the way in which they are collectively responsible to Parliament, which could dismiss the Cabinet by a vote of no-confidence.

The Secretary-General of the Professional Teachers' Union, Mr Poon Tin-chi, said: "Accountability should be interpreted in accordance with the common legal understanding of both China and Britain at the time that they initialled the Joint Declaration."

Mr Poon warned that an arbitrary distortion of this key term, as a political expediency, would jeopardise the confidence of Hongkong people in the Joint Declaration, as well as the concept of "one-country-two-systems" espoused by Beijing.