

Civil Society Index

Report

Hong Kong Special Administrative Region,
The People's Republic of China

May 2006

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ACKNOWLEDGEMENT

The Civil Society Research Team would like to acknowledge the Committee on the Promotion of Civic Education of the Home Affairs Bureau, The Government of the Hong Kong Special Administrative Region of the People's Republic of China; the Faculty of Social Sciences, The University of Hong Kong; as well as the Faculty of Health and Social Sciences, The Hong Kong Polytechnic University, for partially funding the research. We would also like to thank the following individuals who worked conscientiously and capably on various research projects:

Corporate social responsibility study, Mr. Choi Wai Hong of the Hong Kong Council of Social Service;

CSOs study, Dr. Amy Ho, Dr. Ho Kit Wan, Mr. Alan Sze, and Miss Jasmine Sit of The Hong Kong Polytechnic University;

Stakeholder consultations, Mr. Chen Hon-fai of the Hong Kong Polytechnic University;

Media review, Mr. Tse Kar Son, Miss Ng King Sau, Zhang Yanan, and Lee Tse Lok of the Chinese University of Hong Kong;

Impact case studies; Dr. Rikkie Au, Mr. Benny To and Mr. Cliff Ip of the University of Hong Kong; and Mr. Rigo Tang of the Polytechnic University of Hong Kong.

Most of all, we would like to thank our advisors, who have dutifully carried out their responsibilities despite their busy schedules. Many of them have given us advice, took part in the scoring exercise and the stakeholder workshop, as well as assisted us in various phases of the project. Their support of the CSI project and enthusiasm of seeing the growth of the civil society have been great inspiration to the research team. Therefore, our most sincere appreciations are due to the following advisors: Mr. Darwin Chen (Agency for Volunteer Service), Mr. Albert Lai (Hong Kong People's Council for Sustainable Development), Mr. Michael Lai (St. James' Settlement), Dr. Lam Wai-man (University of Hong Kong), Ms. Esther Leung (The Government of the Hong Kong Special Administrative Region), Mrs. Jusina Leung (The Boys' and Girls' Clubs Association of Hong Kong), Mr. Lau Kai Wah (Hong Kong People's Council on Housing Policy), Professor Lui Tai-lok (The Chinese University of Hong Kong), Ms. Mak Yin-ting (The Hong Kong Journalists Association), Mr. Charles Mok (Internet Society, Hong Kong Chapter), Mr. Eric So (Hong Kong Christian Council), Mr. Peter Wong (Deloitte Touche Tohmatsu), Mr. Mathias Woo (Zuni Icosahedron), Ms. Wu Mei-lin (Hong Kong Women Workers' Association), and Mr. Danny Yung (Zuni Icosahedron).

EXECUTIVE SUMMARY

1. This section presents the main findings and highlights important implications of the CIVICUS Civil Society Index (CSI) project that was carried out between 2004 and 2005 in Hong Kong. The project was a collaborated effort among the Hong Kong Council of Social Service, the University of Hong Kong, the Hong Kong Polytechnic University, and The Chinese University of Hong Kong. The purpose is to provide a clearer picture of the state of civil society, to identify its strengths and weaknesses, to promote its further development, and to increase its impact with regard to governance and social development.

2. It is hoped that by carrying out the CSI project, interaction and networking among civil society stakeholders can be strengthened, a common understanding of the state of civil society can be reached, and the research ability of supporting organizations can be enhanced. Furthermore, submission of the Hong Kong Civil Society Index Report to CIVICUS makes it publicly accessible to interested parties around the globe, thereby raising international understanding of the state of civil society in Hong Kong.

3. Following CIVICUS, civil society is defined as “the arena, outside of the family, the government, and the market, where people associate to advance common interests.” CSI examines civil society from four dimensions: structure, environment, values, and impact. The structure dimension is concerned with the internal structure of civil society. The environment dimension evaluates the political, socio-economic, socio-cultural and legal surroundings in which civil society exists and functions. The value dimension analyzes the extent to which civil society practices and promotes values conducive to the growth of civil society. The impact dimension weighs up how energetic and influential the civil society is with regard to governance and meeting social needs. Together these four dimensions make up the Civil Society Diamond.

4. To gauge the four dimensions, the CSI research team engaged in both primary and secondary research. The following researches have been carried out: a civil society organization questionnaire survey of over 800 organizations, 28 stakeholder consultations with individuals from fourteen sectors, media review of two newspapers and one TV news reporting, 3 policy impact case studies, a corporate social responsibility study involving ten largest listed companies in Hong Kong, and drawing on the results of two territory-wide questionnaire surveys.

5. On the bases of the research results, twelve advisors gathered on 25 March 2006 to score the four dimensions. The shape of the civil society diamond is depicted in following figure:

HONG KONG's Civil Society Diamond 2006

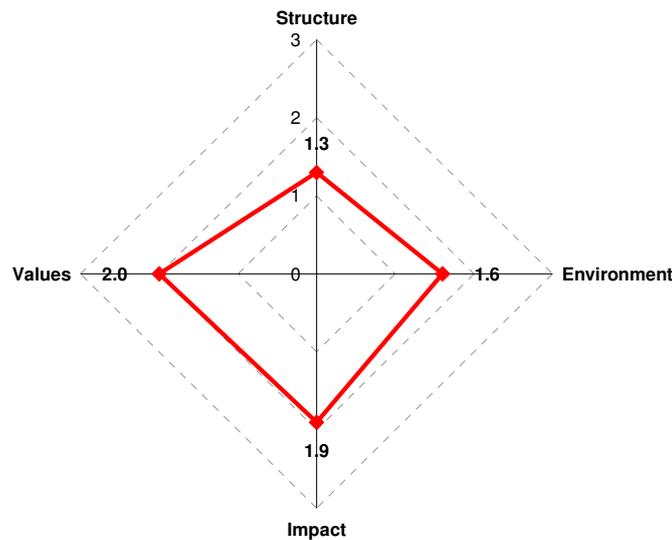


Figure 1: The Hong Kong Civil Society Diamond, 2006

6. Of the four dimensions of the Civil Society Diamond, “Values” (2.0) and “Impact” (1.9) received higher scores than “Structure” (1.3) and “Environment” (1.6).
7. The strengths of Hong Kong civil society lie in its
 - Enthusiasm in advocating ideas and values
 - Ability to shape public agenda and challenge public policy, and
 - Robustness in responding to societal needs and providing services.
8. Major weaknesses of Hong Kong’s civil society can be summed up as follows:
 - 8.1 Internal to CSOs:
 - Low level of donation and volunteering
 - Low level of participation in CSOs
 - Under-developed institutional structure such as internal democracy and transparency
 - Insufficient resources including human, financial, technical and infrastructural
 - 8.2 Inter-relations among CSOs:
 - Few federations or umbrella organizations representing individual CSOs
 - Few platform to promote dialogue among CSOs
 - Few civil society support organizations
 - 8.3 External to CSOs:
 - Limited dialogue with the government and erratic participation in policy-making
 - Financial dependency of some CSOs on the government
 - Very limited dialogue or cooperation with the business sector

- Society in general and the business sector in particular lacks a strong sense of corporate social responsibility
- Lacking an up-to-date set of non-profit or charity laws

9. Overall, the Hong Kong civil society can be described as **loose but vibrant**. It is loose because of the low levels of structure as well as communication among CSOs. It is vibrant because it actively strives to respond to social needs and empower minority groups and in the process, it enjoys various degrees of success. In addition, it is rather committed in promoting certain social values.

10. Looking ahead, the near future does not seem to be very promising for it appears that various factors would restrain the further development of civil society. At the individual level, the depth of participation is worrying. At the organizational level, there is a low level of internal democracy, over-dependence on public funding, and inter-organizational cooperation is infrequent. At the sectoral level, mistrust between CSOs on the one hand, and the government as well as the business sector on the other hand, is prevalent. Also, there lacks an up-to-date set of non-profit laws. It is possible to improve all of the above inhibiting factors, but it will take time and deliberate effort to cultivate an ambience and nurture a habit that enable civil society to grow.

11. In the afternoon of 29 April 2006, over sixty civil society actors took part in the Hong Kong Civil Society Workshop. Many suggestions and recommendations were made in the Workshop, they basically centred around five areas:

- *Resources*: Finding of funding resources other than the government
- *Common platform*: Establishment and maintenance of dialogue among CSOs
- *Training and retaining CS actors*: Identification of ways to train and motivate CS actors
- *Research and Advocacy*: Strengthening research power and formation of advocacy alliances
- *Civic education*: Cultivation of an enabling socio-cultural environment for effective functioning of civil society

12. The CSI project is arguably the most comprehensive study of the present day civil society in Hong Kong. It affords us a thorough view of the state of our civil society. Hopefully, the Civil Society Workshop represents a first step to engage civil society actors in a common platform and many more dialogues both within the civil society and between the civil society and other sectors will follow.

I/ THE CSI PROJECT AND ITS METHODOLOGY

I.1 The CIVICUS Civil Society Index

Civil Society Index (CSI) is a program designed by CIVICUS, an international alliance of civil society organizations established in 1993. CSI is a participatory action-research aiming to assess the state of civil society in countries around the world. CSI originated from the *New Civic Atlas*, a publication of CIVICUS that contains profile of civil society in 60 countries. To improve the cross-countries comparability of the state of civil society in the *New Civic Atlas*, Professor Helmut Anheier, the then director of the Centre for Civil Society at the London School of Economics, helped develop the concept CSI in 1999. The concept was first tested in 14 countries between 2000 and 2002, and refined subsequently. Since 2003, the project has been carried out in more than 50 countries and cities, including the PRC and Taiwan.

The objectives of CSI is to identify the strengths and weaknesses of a country's civil society and to make out the kinds of action needed to further strengthen civil society and its contribution to social change. CSI is composed of measures of civil society along four dimensions: the *structure* of civil society, the external *environment* in which civil society operates, the *values* upheld by civil society actors, and *impact* of activities pursued by civil society actors. Each dimension is further represented by sub-dimensions and indicators. Together these four dimensions make up the civil society diamond (see Figure 1).

A distinguishing feature of the CSI project is the involvement of civil society stakeholders in the determination of the extent of the civil society diamond. In the case of Hong Kong, 12 civil society actors in various fields were invited to join the CSI Advisory Group.¹ The Advisory Group gathered on March 25, 2006 to assign scores to the civil society diamond based on the information that the CSI research team had collected. The scoring procedure adhered to the prescription of CIVICUS. For each indicator, advisors gave marks after they had considered the information provided by the research team. They were then given time to deliberate in cases where there were considerable discrepancies among the scores. Advisors were then given a second chance to indicate their scores to allow for change of minds. The closest whole number score of each indicator was recorded. Each sub-dimension was calculated by averaging the scores of all its indicators, allowing one decimal place. Each of the four dimensions of the diamond was in turn calculated by averaging all the sub-dimension scores representing the particular dimension. Together, the four overall scores of the diamond depict the state of civil society of Hong Kong.

As an action research, the CSI project aims to involve a wide range of civil society actors to discuss ways for civil society to develop. A territory-wide workshop of civil society actors, as well as non-civil society actors from the government and the business sector was convened on April 29, 2006 to examine the strengths and

¹ See Appendix 1 for the list of advisors and the CSOs they represent.

weaknesses of the current state of civil society and to identify methods to strengthen civil society.

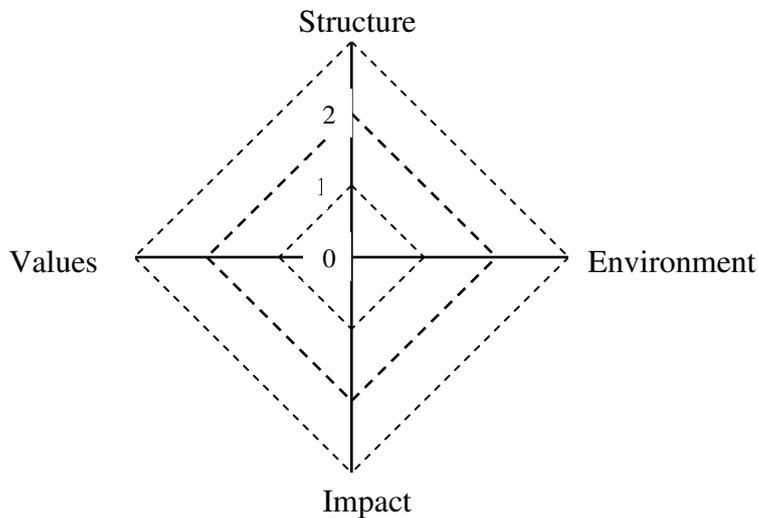


Figure I.1 The Civil Society Diamond

I.2 The Research Team and Project Methodology

In 2003, the Hong Kong Council of Social Service successfully applied to carry out the CSI project in Hong Kong. It invited scholars from three local universities to work on the project. The CSI research team is made up of:

Mr. Chua Hoi-wai, the Hong Kong Council of Social Service (Project coordinator)
 Dr. Joseph Chan, Centre for Civil Society and Governance, the University of Hong Kong (Research coordinator)
 Dr. Elaine Chan, Centre for Civil Society and Governance, the University of Hong Kong
 Dr. Chan Kam-tong, The Hong Kong Polytechnic University, and
 Dr. Chan Kin-man, The Chinese University of Hong Kong.

Since the commencement of the project, a few major researches have been carried out. These include:

1. *Civil society organizations survey* (hereafter referred to as the CSO survey). The survey was conducted in the period from February 2 to June 6, 2005, using a multi-wave, multi-contact approach. Organizations were selected using a stratified sampling method. Of the 1,132 organizations selected, 802 responded, giving a response rate of 70.85%.

2. *Civil society stakeholder consultations*

Representatives of 28 organizations from all 14 categories of CSOs were interviewed either individually or in group, depending on the availability of the interviewees.

3. *Media review*

Two newspapers and one broadcast media were monitored from the periods May 1 to June 30, 2004; and November 1 to December 30, 2004. The two newspapers being reviewed are *Oriental Daily*, which claims to have the biggest circulation and is particularly popular among the working class, as well as *Ming Pao*, which is regarded as the most creditable newspaper and is popular among the middle class. The broadcast media being reviewed is the prime time news bulletin of TVB shown between 18:30 to 19:00 each evening.

4. *Three case studies*

Three case studies were carried out: the budgetary process, youth unemployment (a social issue), and the legislation of Article 23 (a human right issue). In all three cases, both documentary research and interviews were conducted. A total of twenty-one individuals have been interviewed.

5. *Corporate social responsibility study*

It contains a study of the activities of corporate social responsibility of 10 largest listed companies in Hong Kong through reviewing their annual reports and related documents.

Apart from these primary researches, the CSI project also utilizes results from two door-to-door territory wide questionnaire surveys. The survey on the state of social cohesion (hereafter referred to as the SC survey) in Hong Kong was carried out in 2003 by the Centre for Civil Society and Governance, the University of Hong Kong, as well as the Biennial Opinion Survey on Civic Education, 2004 (hereafter referred to as the CE survey), conducted by Policy 21 Ltd., and the Centre for Civil Society and Governance, both at the University of Hong Kong.

This report has three other sections. In the next section, overviews of historical and conceptual developments of civil society in Hong Kong, as well as its key features will be discussed. Section 3 contains the main analysis of civil society, it presents the information and research results of the four dimensions of the civil society diamond. The last section summarizes the results of the media review of the image of civil society organizations.

II/ CIVIL SOCIETY IN HONG KONG

II.1 Historical Overview of Hong Kong Civil Society²

Hong Kong CSOs have been vital in the development of the community ever since it was ceded to Britain in 1842. Even in the early period of the colony, CSOs were active in the forms of welfare organizations and guilds. At the time, basic welfare provision in this small fishing village was chiefly left to Chinese civic groups and religious organizations. Neighborhood leaders and merchants built temples and shrines; neighborhood associations (*kaifong*), which were formed to take care of common problems, mushroomed. The opening of the Tung Wah Hospital in 1870 represented a significant step in Chinese civic groups' role in welfare provision, for it would later become the *de facto* center where key issues of the Chinese community were discussed. The founding of Po Leung Kuk in 1878 was another milestone. Like the Tung Wah Hospital, it was set up and funded by wealthy Chinese merchants. Its mission was to protect and give shelter to women who were abducted and sold into prostitution.

Apart from local groups, religious organizations have also been central welfare providers since the beginning of the colony. It was foreign missionaries who opened the Morrison Education Society School in 1842 and the Ying Wa College in 1843. They also provided medical services to the local community. The Medical Missionary Hospital of Hong Kong was opened in 1843 and was the first hospital to provide Western medicine to local Chinese. The Sisters of St. Paul de Chartres arrived in 1848 and helped take care of foundlings, the sick, and the elderly.

In addition to welfare associations and religious organizations, guilds of various trades were set up. Some of them were formed to establish proper business regulations and codes of conduct, others to fight for members' rights and had features of modern trade unions; and there were also those that operated like mutual benefit societies.³ Guilds were active in promoting and defending members' interests, and would even stage strike in their pursuit.⁴

Supported by wealthy businessmen and foreign missionaries, the job of welfare provision was mainly left to CSOs until early 50s. The end of the civil war in China in 1949 triggered an influx of refugees. The number of refugees was so big that it was almost beyond the means of local CSOs to cater to the needs of these refugees. Funding was therefore sought from developed countries, overseas relief organizations and humanitarian aid agencies.

² For a comprehensive review and study of CSOs in Hong Kong, see a report commissioned by the Central Policy Unit, the HKSAR government, *Study on the Third Sector Landscape in Hong Kong*, http://www.cpu.gov.hk/english/documents/new/press/3rd_content.pdf.

³ Faure, David (ed.) *Society: A Documentary History of Hong Kong* (Hong Kong: The University of Hong Kong Press, 1997), p. 78. A list of guilds and the objects of their formation can be found in Table 2.1, p. 80.

⁴ *ibid.*, pp. 82-3.

Rapid urbanization and industrialization in the 1970s resulted in an expansion in social welfare provision. The government had not only put in more resources, it had actually become the major financier of housing, health care, education, and social services. Although the number of CSOs has ceased to grow, it has not shrunk either. It has remained relatively stable at around 1,600 to 1,700 from the mid-70s to the early 90s, thus “the expansion of the state sector has not replaced, or crowded out, the nonprofit sector.”⁵ In fact, the government regarded CSOs as partners in service provision in which one provided fund and the other, services. It was largely owing to this partnership that the government was able to institute free education to all children aged 6 to 15 in 1970s.

Hong Kong became a relatively prosperous city in 1980s, so much so that instead of being recipients of overseas aid, as was the case in the 40s and 50s, it became a funding source for international CSOs. Amnesty International, Oxfam, the United Nations Children’s Fund and others have raised money in Hong Kong for operations elsewhere in the world.

CSOs of sectors other than welfare continued to be dynamic. Social activism was very much alive since the 50s.⁶ For example, the campaign for rent control in early 1950s sparked widespread opposition across different political spectrum from over 700 organizations and companies, as well as the press. The first campaign for Chinese as an official language that took place from 1964-1971 involved over 330 organizations of a wide variety of backgrounds. In the 70s, issues such as equal pay for nurses, opposition to telephone rate increases, anti-corruption and many others have also involved a considerable number of civil society groups.

Meanwhile, a sense of belonging to Hong Kong was beginning to take root. Local residents became more conscious of social and environmental issues. CSOs concerning with human rights, sustainable development, environmental protection, women’s rights, minorities’ rights, consumer rights, and many other self-help groups were established. Most of these groups see their role as educators and service providers, but many of them are also vocal and engage in policy advocacy and stakeholder empowerment.

The political landscape of Hong Kong since the mid-1980s has been rather colourful and vibrant. The Joint Declaration between the PRC and the UK on December 19, 1984 made Hong Kong’s reunification with the PRC on July 1, 1997 official. The signing of the Joint Declaration signalled the beginning of the period of political transition. During this period, political groups such as the Meeting Point, the Association of Democracy and People’s Livelihood, and the Hong Kong Affairs Society were formed. The year 1991 was the first time in the history of Hong Kong for direct election to take place in the Legislative Council. In that year, 18 out of a total of 59 seats of the Legislative Council were returned by direct elections. This event has prompted the establishment of political parties

⁵ Lam, Wai-Fung and Perry, James. “The Role of the Nonprofit Sector in Hong Kong’s Development.” *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, vol. 11, no. 5, 2000, p.368.

⁶ The examples are drawn from a historical account of social and political activism from 1949-1979 given in Lam, Wai-man. *Understanding the Political Culture of Hong Kong: The Paradox of Activism and Depoliticization* (Armonk, New York and London: England: M.E. Sharpe, 2004).

such as the United Democrats of Hong Kong (became the Democratic Party of Hong Kong), the Democratic Alliance for the Betterment of Hong Kong, and the Liberal Party. At the same time, the crackdown of the Chinese student movement in Tiananmen Square in 1989 has also had great repercussion on Hong Kong. People came to see the urgent need to protect basic rights and the rule of law, hence giving rise to CSOs such as the Hong Kong Human Rights Monitor and the Hong Kong Human Rights Commission.

On July 1, 1997, Hong Kong came under Chinese sovereign and became the Hong Kong Special Administrative Region (HKSAR). Political reunification unfortunately coincided with the Asian financial crisis, from which the Hong Kong community dreadfully suffered. Faced with decreased revenue, the HKSAR government was forced to reduce its funding of various services. In 1999 the government changed its welfare funding policy and formula. The operation of the new system is akin to the market mechanism that emphasizes efficiency and flexibility. It also allows profit-making companies to compete with non-profit making organizations in bidding for provision of public services. This new system encountered considerable opposition from traditional welfare NGOs and as a result, has gravely strained the relationship between NGOs and the government.

Like the welfare sector, the government had to deal with increasing challenges from society on the political front. Political awareness of Hong Kong society rose as Hong Kong entered the transition period in the mid 80s. By the time of the reunification with the PRC, the people of Hong Kong were already rather conscious of their rights and freedoms. Moreover, on various occasions society has shown its willingness to take action to protect such rights and freedoms were they under threat. After 1997 as society was enduring the pains of economic downturn, the government stumbled over a series of policy blunders. The government was thus widely perceived to be ineffective and clueless in leading society. Demand for political accountability and universal suffrage⁷ increased. Many CSOs became active in the quest for universal suffrage and political accountability. The mass media, professional organizations, human rights groups, political parties, and even organisations with religious background (mainly the Catholic and Protestant churches) have all been instrumental and provided leadership in this endeavour. A by-product of this enterprise is the bringing together of CSOs as they collaborated in various actions.

Heightened political consciousness spread to concern of other issues as well. In recent years, CSOs individually and collectively worked on environmental sustainability, harbour protection as well as cultural preservation and development. CSOs might only have been successful in various degrees in the attainment of their objectives, but they have unmistakably been successful in public education and rising consciousness.

In short, CSOs continue to play an essential part in social service provision from the colonial time up until the present day. The role of the government has, however, changed from being marginal to being the main financier of social

⁷ The chief executive of HKSAR (the head of the HKSAR government) is not elected by universal suffrage and only half of the legislative council members are returned by universal suffrage.

services as Hong Kong's economy developed. Unfortunately, greater governmental involvement was accompanied by deterioration in the government's relation with CSOs. The once partnership relationship that was developed in the 70s and 80s has given way to an uneasy, if not distrustful, relationship after 1997. Nevertheless, it should be noted that the government has been friendly to some other CSOs, especially those that it deems to be contributing to the economy of Hong Kong such as the Chamber of Commerce.

II.2 Overview of the Concept of Civil Society

The term "civil society" is only beginning to establish itself in the language repertoire of Hong Kong society. Until recently the term was foreign even to most civil society actors. In the past, CSOs were synonymous with voluntary agencies or associations, and then in the 80s and 90s, the term non-governmental organization (NGO) gained currency. The term CSO is only gradually finding its way into the public discourse recently. It appears that newspaper commentaries are using the term more frequently nowadays. Nonetheless, when the term is used it refers predominantly to welfare NGOs and advocacy groups, other CSOs such as professional organizations, religious groups, cultural and recreational clubs, organizations of different trades, and neighbourhood associations, etc. are to a large extent excluded from the common understanding of the term.

There is an encouraging development of civil society in Hong Kong lately, for a new political party, the Civic Party, is recently formed. It hails the promotion of civil society. It claims to be committed to building strong partnership with civil society groups and support civic participation at the community level. This new party is the first party in Hong Kong that makes the promotion of civil society its chief goal. Whether or not this goal will be achieved remains to be seen.

The Civil Society Index research team decided to adopt the broader definition of civil society used by CIVICUS, namely "the arena, outside of the family, the government, and the market where people associate to advance common interests." The research team believed that the broader definition is a more accurate portrayal of the situation of civil society in Hong Kong.

II.3 Key Distinguishing Features of the Hong Kong Context

There are a few distinguishing features of Hong Kong that have particular impact on civil society. First and foremost, Hong Kong is quite often described as a

“residual welfare state.”⁸ The government began to get more and more involved in social service provision in the 70s in the wake of two riots that took place in 1966 and 1967, and as economic growth and industrialization brought in bigger revenue. It is “residual” in the sense that funding for social services is contingent upon the amount of revenue collected each year, the government has not developed a plan to institutionalize welfare provision through a more regular income generating system such as social insurance. Funding for social welfare usually decreases when there is a downturn in the economy, thus greatly affecting the work of welfare CSOs. This may have a destabilizing effect on society because welfare provision shrinks just when the need is keen.

Secondly, as the government is the major financier of social service (the majority of education and welfare CSOs receive funding from the government), it is able to exert certain level of control over CSOs. Nonetheless, since the government has neither the expertise nor the institutional capacity to provide all services, it depends on CSOs to continue their services. CSOs are therefore able to maintain a rather high degree of autonomy.

Thirdly, the development of a sense of community and belonging to Hong Kong gave rise to the vision of a just society in the 70s. Some social workers and activists of CSOs began to lead in the empowerment of workers and minority groups in order to advance social justice. This turns out to be training ground for future political leaders, for quite a few of the activists went on to become elected legislative councillors. The sense of community and belonging also helped cultivate a vision of good community, thus facilitating the emergence of CSOs focusing on the environment and culture.

Fourthly, the quest for universal suffrage in the election of the chief executive and the entire legislature has grown to be a hotly contested ground that gave rise to the formation of new CSOs and fostered collaboration among CSOs across different fields. The Basic Law of Hong Kong prescribes gradual implementation of universal suffrage. Increased political consciousness coupled with declining confidence in the government has intensified the quest for a faster pace of democratization. The quest has proved to be strong enough for CSOs to mobilize a number of massive political marches.

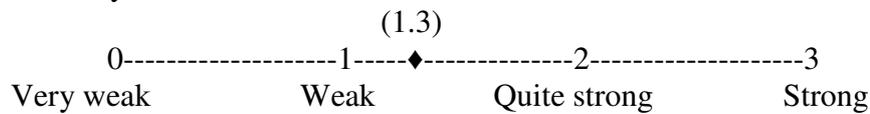
⁸ Lee, Eliza W.Y. “Nonprofit development in Hong Kong: The case of a statist-corporatist regime.” *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, vol. 16, no. 1 (March, 2005), p. 60.

III/ ANALYSIS OF CIVIL SOCIETY

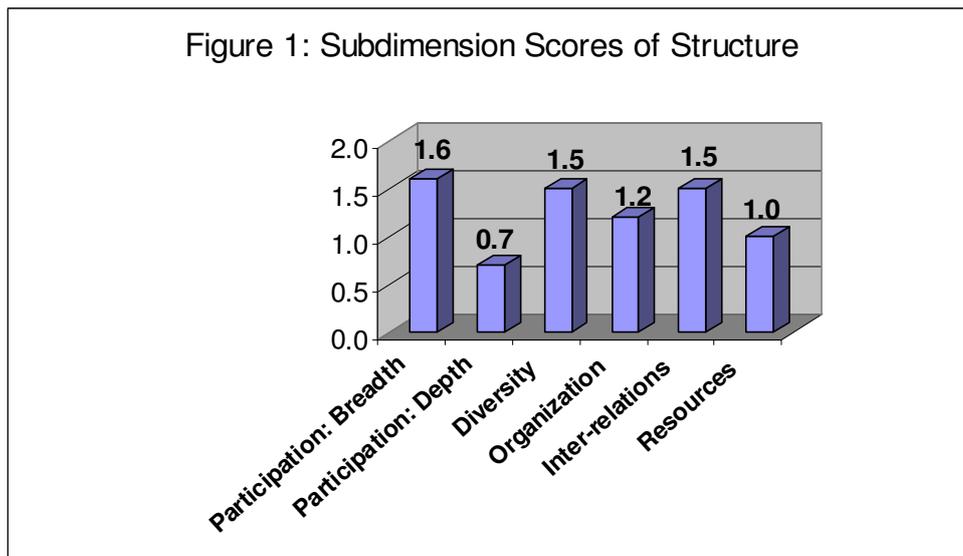
III.1 STRUCTURE

This section aims to analyze the extent and the depth of citizen participation in civil society, the diversity of civil society participants, as well as the structure, effectiveness, cooperation, and resources of civil society organization. The score for the Structure dimension is 1.3, indicating that the structure of Hong Kong’s civil society is weak.

Civil society’s structure is:



There are five subdimensions under Structure. The subdimension scores are summarized in Figure 1.



III.1.1 Breath of citizen participation

1.1. Breadth of citizen participation	Scores
1.1.1 Non-partisan political action	2
1.1.2 Charitable giving	3
1.1.3 CSO membership	1
1.1.4 Volunteering	1
1.1.5 Collective community action	1
<i>Extremely limited(0)---limited(1)---medium(2)---large(3)</i>	1.6

Table 1.1 Indicator scores of subdimension “Breadth of citizen participation”

1.1.1 Non-partisan political action

Non-partisan form of political action is not new to the people of Hong Kong. Signing petitions and joining demonstrations are common means of public expression. Large-scale demonstrations are not frequent, although on July 1, 2003, over half-a-million individuals were reported to have taken to the streets in a peaceful demonstration against the government's decision on the legislation of Article 23 of the Basic Law, Hong Kong's mini-constitution (please refer to para. 3.2.2.1 for details of this Article). Two other rallies calling for universal suffrage in the selection of the Chief Executive (the head of the Hong Kong government) took place later in the same year; each consisted of tens of thousands of people. On December 4, 2005, it was reported that between 81,000 and 98,000 individuals marched in the name of democracy (HKUPOP).

The Social Cohesion survey (hereafter referred to as SC survey) found that 34.2 % of respondents claimed to have taken part in demonstrations, rallies, or have signed petitions in the previous year. Among them, 85.6% have participated in one to three events.

1.1.2 Charitable giving

A survey carried out by the Hong Kong Federation of Youth Groups⁹ (HKFYG) revealed that 92.7% of the sample (aged 15 or above) had made monetary donation at least one time during the one-year period preceding the survey. Of this figure, 30.0% donated to charities as well as directly to the needy, and 62.7% donated only through charitable organizations but not directly. The survey also studied donations of other items; in particular, 92.9% of the same sample had donated clothes during the year, while the figure for blood donation was 8.2%.

In terms of monetary donations to charitable organizations, the figure reported by the SC survey and the CE survey was similar; about 60% of respondents aged 18 and above said they had donated money in the past year.¹⁰

1.1.3 CSO membership

The SC survey found that 42.4% of respondents aged 18 and above belonged to at least one organization, and 14.1% belonged to two or more organizations.

⁹ The Hongkong Federation of Youth Groups, *A Study on Social Capital with regard to Giving, Volunteering and Participation* (HongKong Federation of Youth Groups: Youth Study Series no. 26, 2002), p. 20 (in Chinese)

¹⁰ The discrepancy between the findings of the two surveys and that of the HKFYG (92.7%) may be due to a narrower definition of donations adopted by the SC and CE surveys. The two surveys excluded the 15 to 17 age group, people who made direct donations, as well as people who donated causally through the sale of "flags" on the streets.

1.1.4 Volunteering

According to a survey conducted by Chung et al.,¹¹ 22.4% of the sample aged 15 or above had participated in **organized volunteering** (donation excluded); the figure for **mutual aid** (i.e. non-organized volunteering) was 55.3%. Overall, 62% of the sample had participated in at least one of the two forms of volunteering.

The SC survey found that one out of five respondents (20.4%) purported to have taken part in organized volunteering in the past year.¹² As to mutual aid concerning friends and neighbours, 70.8% lent emotional support, 40.6% helped with domestic work, and 26.9% offered financial assistance.

NAG adopted a narrow definition of volunteering and considered data of organized volunteering only because they felt that definition of mutual aid activities was too loose and such activities involved lending help to people that one knows, thus the nature deviated somewhat from organized volunteering. On the basis of this understanding, a score of “1” was awarded.

1.1.5 Collective community action

The CE survey revealed that 42.7% of respondents have, in the last year, participated in at least one of the events organized by groups such as mutual-aid committee, neighbourhood associations, labour unions, professional associations, business chambers, religious organizations, parent-teacher associations, alumni or education related groups, cultural and recreational associations, social services organizations, pressure groups, and political parties.

III.1.2 Depth of citizen participation

1.2. Depth of citizen participation	Scores
1.2.1 Charitable giving	0
1.2.2 Volunteering	1
1.2.3 CSO membership	1
<i>Insignificant(0)---limited(1)---moderate(2)---significant(36)</i>	0.7

Table 1.2 Indicator scores of subdimension “Depth of citizen participation”

1.2.1 Charitable giving

We do not have the figure on charitable giving as a percentage of an individual’s income. However, judging from the information as well as estimates calculated from the information, the percentage would be quite minimal (less than 1% of

¹¹ Chung, Robert Ting-yiu; Pang Ka-lai Karie and Law, Wai-yan Candy. *Study on Public’s Reception and Perception of Volunteer Services* (Public Opinion Programme, The University of Hong Kong, 2002).

¹² The CE survey reported that 24.6% of respondents had volunteered in the past.

monthly personal income). The HKFYG survey¹³ revealed that, among those (aged 15 or above) who had made donations during the year, the average amount of contribution was \$827 per person per year. (Note: only “indirect donations” were included, i.e. donations made through some organizations or charities.) However, upon further analysis, the median contribution is \$297, indicating that there is heavy concentration on “small” donations, making the median skewed towards a figure lower than the mean. In fact, 78.4% of all the donations were made by 25% of the respondents. This finding is supported by the SC survey, which shows that among those who made indirect donations, 40.5% had contributed less than \$100.

Given that the median monthly income in 2001 is \$10,000,¹⁴ the estimated charitable donations as a percentage of one’s income is 0.25% per year.¹⁵ According to the Inland Revenue Department, the amounts of charitable donations that were exempted from Profits Tax and Salaries Tax in 2002/03 were HK\$0.64 billion and HK\$2.35 billion respectively.¹⁶

We do not know the percentage of the population that gives regularly, but the amount of recognised charitable donations exempted from salaries tax as a percentage of GDP actually increased from about 0.12% in 1997/98 to about 0.18% in 2002/03. The figures reported by international CSOs are quite consistent with the above. Oxfam Hong Kong reported that in the year 2004-5, regular donations amounted to HK\$80,551,000, making up 63% of the donations from the local community or 58.8% of the organizations’ annual income. It is a rather respectable increase from the previous year in which total regular donations added up to HK\$70,079,000, representing 50.9% of its total annual income.¹⁷

1.2.2 Volunteering

We do not have the figure on the average number of hours volunteers devote to volunteer work each month. From the information that we do have, it is estimated that it would be around 3-5 hours per month. According to the HKFYG survey,¹⁸ the **average (mean) amount** of time devoted to volunteering (among those who had participated in organized voluntary work) was 60 hours in a year or 5 hours per month. Out of these 60 hours, 51 hours were coordinated through the social service groups/organizations. The **median** was 20 hours. It is also noteworthy that 79.8% of the total hours were contributed by the most active quartile (25%) of the volunteers. Hence participation, even among the volunteers, was rather uneven.

¹³ The Hong Kong Federation of Youth Groups, *A Study on Social Capital with Regard to Giving, Volunteering and Participation*, *op. cit.* p. 25

¹⁴

http://www.censtatd.gov.hk/major_projects/2001_population_census/key_statistics_of_the_2001_population_census/index.jsp

¹⁵ The figure is arrived at by: $(\$297/\$120,000)*100\%$

¹⁶ http://www.ird.gov.hk/eng/pdf/a04_mis.pdf

¹⁷ Regular donations is worked out by adding regular monthly donations to Oxfam partners, Oxfam China partners, Oxfam Education partners, and Oxfam Africa partners. Figures can be obtained from <http://www.oxfam.org.hk/fs/view/downloadables/pdf/annual-review/2004AR27-32.pdf>.

¹⁸ The Hongkong Federation of Youth Groups, *A Study on Social Capital with Regard to Giving, Volunteering and Participation*, *op. cit.* pp. 40-41.

The survey by Chung et al.¹⁹ found that the average (mean) amount of time spent on **organized volunteering** was 34.8 hours per year (median: 12 hours per year). The figure for **mutual aid** was 21.9 hours per year (median: 3 hours per year).

The Social Welfare Department of the HKSAR government reported that by the end of March 2005, there were 474,088 individuals and 1,270 organizations signing up for volunteer services and together they have delivered over 10 million hours of volunteer service a year.²⁰

1.2.3 CSO membership

Based on the data provided by the SC survey, it is estimated that 33.3% of CSO members belong to more than one CSO.²¹

III.1.3 Diversity of civil society participants

1.3. Diversity of civil society participants ²²	Scores
1.3.1 CSO membership	2
1.3.2 CSO leadership	1
<i>Very narrow range of soc groups(0)—some group(1)---almost all groups but not equitable(2)---all groups quite equitable(3)</i>	1.5

Table 1.3 Indicator scores of subdimension “Diversity of civil society participants”

1.3.1 CSO membership

According to a study of the landscape of CSO,²³ non-profit organizations in Hong Kong can basically be classified into the following 14 categories:

1. Arts and culture
2. Sports
3. Education and research
4. Health services

¹⁹ Chung Ting-yiu Robert et al. *Study on Public’s Reception and Perception of Volunteer Services, op. cit.* p. 59 and p. 63 respectively.

²⁰ <http://www.swd.gov.hk/doc.annreport/0304annrepe.pdf>

²¹ The SC survey reported that 42.4% of the respondents aged 18 and above belonged to at least one organization and 14.1% belonged to two or more organizations. Thus, the percentage of CSO members belonging to two or more organizations is calculated from dividing 14.1% by 42.4%, i.e. 33.3%.

²² Indicator 1.3.3 “Distribution of CSOs” is not scored because the indicator mainly concerns with the geographical distribution/concentration of CSOs. As Hong Kong is a small city, this aspect is irrelevant.

²³ The study was commissioned by the Central Policy Unit of the Hong Kong government. The classification of non-profit organizations of the study was based on the John Hopkins University scheme, but adapted to suit the local situation. See *Study of the Third Sector Landscape in Hong Kong* (http://www.cpu.gov.hk/english/documents/new/press/3rd_content.pdf). Our CSO study adopted the scheme used by the Central Policy Unit.

5. Welfare services
6. Environment
7. Civic and advocacy
8. Politics
9. Law and legal services
10. Philanthropic and intermediaries
11. International and cross-boundary
12. Religion
13. District and community-based
14. Professional, industry, business and trade unions.

Roughly speaking, the missions and core values championed by these organizations can be grouped as: charity and/or service oriented; ideological, community-based; interest-based or issue-based; trade/industry oriented; as well as faith-based.

Participants in the NAG meeting basically agreed that CSOs represent most social groups in society. However, they did not think that CSOs “equitably” represent all social groups, which is the criterion of CSI to achieve a score of 3.

1.3.2 CSO leadership

The background of CSO leaders appears to vary little. According to a study,²⁴ most of the members of the Board of Directors in subvented NGOs (NGOs funded by the government) in Hong Kong are professionals and college educated.

It appears that even civil society stakeholders are uncertain about the representation of social groups in various CSO leadership position. Consistently between 31% and 43% of the respondents in the CSO survey said they were uncertain or they did not know.²⁵ In general, close to six out of ten respondents of the survey believed that the “upper class/elite” (61.4%) and “women” (56.7%) were equitably represented as leaders of CSO, but only about one in four thought that “ethnic/linguistic minorities” (28.8%) and the rural population (25.8%) were equitably represented as leaders. Similarly, less than half of the respondents saw religious minority groups (44.0%) and the poor (39.8%) as equitable represented as leaders.

III.1.4 Level of organisation

1.4. Level of organization	Scores
1.4.1 Existence of CSO umbrella bodies	0
1.4.2 Effectiveness of CSO umbrella bodies	2

²⁴ Chan, Kam-tong, et al., “Survey of the Board of Directors of Subvented Non-governmental Organizations in Hong Kong. Hong Kong Social Welfare Department, 2002.

²⁵ The only exception was views about women’s representation in CSO’s leadership position, but still, 24.2% offered the “Uncertain/Don’t know” answer.

1.4.3 Self-regulation	1
1.4.4 Support infrastructure	1
1.4.5 International linkages	2
<i>Unorganized(0)---not very organized(1)---quite organized(2)---highly organized(3)</i>	1.2

Table 1.4 Indicator scores of subdimension “Level of organization”

1.4.1 Existence of CSO federations

The percentage of CSOs being members of federations or umbrella bodies of related organizations is not available. There are a few such federations of respectable size, such as the Hong Kong Council of Social Service (consisting of 314 organizations),²⁶ and the Hong Kong Federation of Trade Union (claiming about 200 member organizations and 300,000 individual members).²⁷ There are others of smaller sizes, like the Hong Kong Women’s Coalition on Equal Opportunities (making up of 12 women’s CSOs),²⁸ and the Global Network, comprising of over 20 trade unions, grass root groups, youth groups, etc.²⁹

These federations or umbrella bodies do not seem to play a very significant role in the operation of CSOs in Hong Kong. Over half of the respondents (55%) in the CSO survey were unable to tell the percentage of organizations being members of federations or umbrella bodies in the section they claimed to know best. Only 19.1% of the respondents in the survey estimated that at least 40% of the sector of civil society they knew best belonged to a federation or umbrella body. Furthermore, 7.8% of the respondents estimated that less than 20% of organizations were members of a federation and 18.0% reckoned that the portion was between 20% and 40%.

1.4.2 Effectiveness of CSO federations

About a quarter (23.4%) of the respondents in the CSO survey considered CSO federations or umbrella bodies to be generally effective in achieving their defined goals, only a very small minority thought that they were largely ineffective (4.3%) or completely ineffective (1.4%). However, it should be noted that almost half the respondents were uncertain of the effectiveness of these bodies (47.1%).

²⁶ As of October 2005 (<http://www.hkcss.org.hk/>). Its member organizations cover 90% of social service offered by social welfare NGOs in Hong Kong.

²⁷ See the website of the Hong Kong Federation of Trade Unions at <http://www.ftu.org.hk/index1.htm>

²⁸ The group advocates gender mainstreaming and works closely with the Equal Opportunities Commission, which is a statutory body that promotes equal opportunities in society. See <http://www.aaf.org.hk>.

²⁹ It advocates the legislation of minimum wage and maximum work hours, as well as a reduction of public expenditure and contracting-out of public services. See <http://www.globalnetwork.org.hk>.

1.4.3 Self-regulation

A substantial portion of CSOs has already had a system of self-regulation or a collective code of conduct in place. Only 3.5% of the respondents in the CSO survey maintained that there had not been any attempt to devise such regulations. Among the 41.5% who asserted the existence of self-regulation mechanisms, 14.3% opined that the mechanism was functioning effectively. However, half of the respondents (49.1%) were unsure about the existence of self-regulation mechanism in CSOs.

CSOs belonging to the welfare sector and the education sector are abided by their sectors' codes of conduct. Most professional organizations have instituted their own codes of conduct. Examples of these organizations include the Hong Kong Institute of Certified Public Accountants, the Hong Kong Medical Association, the Hong Kong Bar Association, the Hong Kong Institute of Architects, the Hong Kong Institute of Planners, and the Hong Kong Institute of Surveyors. Furthermore, the Hong Kong Council of Social Service has recently launched the Pledge on Donor's Right, with around 100 CSOs already signed up or about to sign up.

This indicator receives a score of 1 from the advisors in the NAG meeting primarily because it was pointed that welfare, education and professional CSOs make up only a portion of all CSOs and that small CSOs usually are not conscious of self regulation and even when they do, they are loosely enforced.

1.4.4 Support infrastructure

Most of the respondents of the CSO survey believed that CSO supporting infrastructure was only limited (44.6%) or even close to none (14.3%). Respondents who thought support was plenty (2.3%), or adequate (22.1%) were in the minority.

CSO infrastructural support organizations per se are neither common nor popular in Hong Kong. A few support organizations used to be active (e.g. the Creative Initiative whose aim was to provide a platform for CSOs to cooperate and carry out research) but for various reasons have ceased to operate in recent years.

Instead, the provision of infrastructural support for civil society is taken up by large CSOs. Umbrella organizations such as the Hong Kong Council of Social Services and the Federation of Trade Unions provide training and sharing sessions to members and the community. Likewise, CSOs of respectable size like the Oxfam also provide infrastructural support. In addition, there are foundations that provide monetary support to a wide spectrum of CSOs; the most well known of them include the Community Chest, and the Hong Kong Jockey Club.

1.4.5 International linkages

In spite of the lack of official figures, international linkage of local CSOs appears quite prominent. The respondents of the CSO survey estimated that some (43.4%) or many (6.3%) CSOs in the sector they were most familiar with were members of certain kind of international CSO network. A similar proportion of these CSOs were thought to participate in some (42.7%) or quite a lot of (6.0%) in events organized by international CSOs.

III.1.5 Inter-relations within civil society

1.5. Inter-relations	Scores
1.5.1 Communication	1
1.5.2 Cooperation	2
<i>Weak(0)---quite weak(1)---quite strong(2)---strong(3)</i>	1.5

Table 1.5 Indicator scores of subdimension “Inter-relations”

1.5.1 Communication

Nearly half of the respondents in the CSO survey indicated that the level of communication (including the exchange of information) among civil society actors in the sector of civil society they knew best was moderate (46.4%), and 9.1% of respondents put the level of communication at a significant level. About one out of four respondents (26.1%) rated the level of communication to be limited and a considerable portion (7.1%) thought that communication was minimal. A further 11.3% of the respondents were unable to assess the extent of communications.

Despite the findings of the CSO survey, NAG members thought that across sectors communication among CS actors should also be considered. It was generally thought that such cross-sectoral communication was only limited.

1.5.2 Cooperation

Over three-quarters of the respondents in the CSO survey (77.4%) indicated that CSOs from different sectors did form alliances or coalition on issues of common concern. Among them, 5.3% thought such kind of cooperation to be frequent, 45.1%, sometimes, and 27.0%, once in a while. The respondents listed over 180 events involving cooperation among different CSOs.

The case study of the legislation of Article 23 documents a concerted effort among various CSOs in opposing the legislation.³⁰ An alliance that consists of

³⁰ Please refer to the section on human rights policy (para 4.1.1, p. 44-45) under the Impact section for a more detail discussion of the Article 23 case.

about 50 CSOs, the Civil Human Right Front (CHRF), was formed. However, the case study also reveals that cooperation of CSOs was rather loose, and that CHRF, despite being the organizer of the massive July 1 demonstrations, was more an administrator than a mobiliser of the demonstration. The sustainability of CHRF remains to be seen. There are a few other alliances formed recently by CSOs. The Citizen Envisioning @ Harbour stands out in particular because it claims to be the first ever attempt in Hong Kong to foster civil society partnership in the building of the Victoria Harbour.

III.1 6 Civil society resources

1.6. Resources	Scores
1.6.1 Organizational resources	1
1.6.2 Human resources	1
1.6.3 Technological & infrastructural resources	1
<i>Poorly resourced(0)---quite poorly(1)---quite well(2)---well resourced(3)</i>	1.0

Table 1.6 Indicator scores of subdimension “Resources”

1.6.1 Financial resources

Respondents of the CSO survey named a total of 2,147 organizations they purported to know best. However, they were only able to identify the source of revenue of less than half of these organizations (47%). Among these organizations in which revenue sources could be made out, individual donations constituted the biggest share of income (35.6%), followed by membership fees (20.4%), government subsidies (14.5%), and service/sales (13.0%). Comparatively, foreign donations (7.2%) and commercial sponsorship (5.2%) played a lesser role.

Furthermore, 47.0% of the respondents believed that CSOs had sufficient financial resources to accomplish their goals, as opposed to 21.6% who thought otherwise and 31.4% who simply did not know.

The picture looks rather ambiguous, for income sources of over half (53%) of these organizations in the CSO survey could not be identified, and a rather substantial portion of the respondents (31.4%) were not sure if these organizations had sufficient financial resources to achieve their goals.

It has been pointed out in the NAG meeting that resources vary greatly across different sectors of CSO. While professional groups may have sufficient resources to achieve their goals, welfare organizations may just manage to accomplish their tasks, and arts and culture groups struggle to make means meet. Cutting resources and changing public funding formula in recent years make situation even harder for many CSOs.

1.6.2 Human resources

Most respondents of the CSO survey were confident that CSO staffs were equipped with the skills (58.3%), 3.9 % thought that the skills were inadequate and 37.9% were not certain about the situation.

Despite the positive result from the CSO survey, the advisor group thought that CSOs have inadequate human resources. Many CSOs are facing difficult times in the past few years due to the Asian financial crisis and cutting of government funding. Employees of many CSOs felt over-burdened because they had to take up the work of ex-colleague who vacated the job. Moreover, the advisors believed that the CSO survey result might have been biased because the person who supplied the information (usually in management position) was asked to evaluate his/her own organization.

1.6.3 Technological and infrastructural resources

As far as organizations’ facilities and infra-structures were concerned, over half of the respondents (54.1%) believed that they were adequate to allow the organizations to achieve their goals, while 8.7% thought that they were inadequate and 37.2% were not sure.

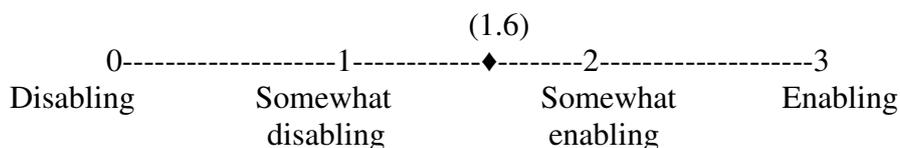
Similar to the reason given to the adequacy of human resources, the NAG thought that CSOs do not have adequate technological and infrastructural resources.

III.2 ENVIRONMENT

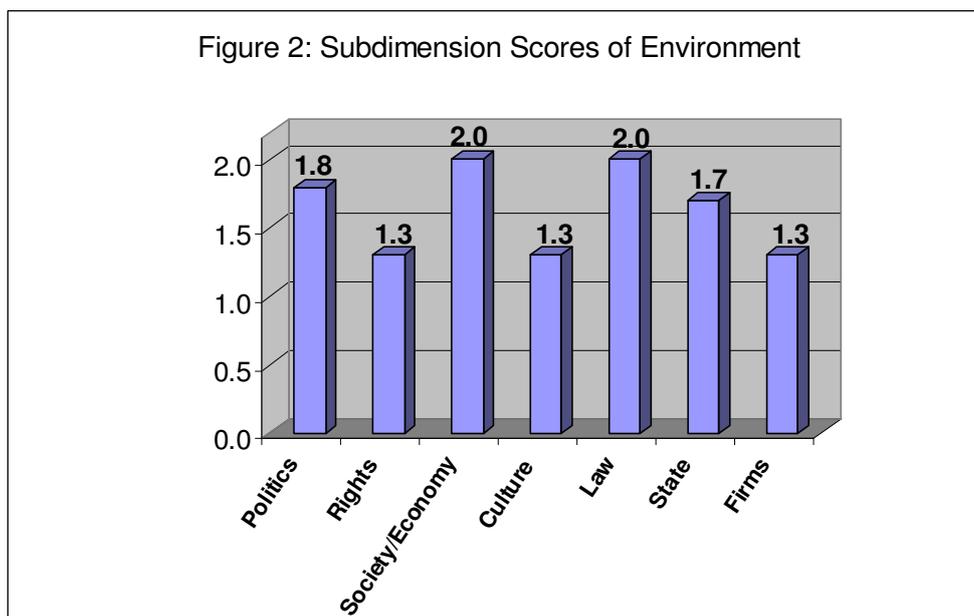
The “Environment” dimension of the Civil Society Index captures the extent to which the environment facilitates the operation and development of civil society. It has seven subdimensions representing the political context, basic freedoms and rights, the socio-economic context, the socio-cultural context, the legal environment, state-civil society relations, and private sector-civil society relations.

The score given to the “Environment” dimension is 1.6, indicating that the context under which the Hong Kong civil society exists and functions is neutral.

The external environment in which civil society exists and functions is:



The subdimension scores of “Environment” are presented in Figure 2.



III.2.1 Political context

2.1. Political context	Scores
2.1.1 Political rights	1
2.1.2 Political competition	2
2.1.3 Rule of law	3
2.1.4 Corruption (public sector)	3
2.1.5 State effectiveness	2
2.1.6 Decentralization	0
<i>Disabling(0)---somewhat disabling(1)---somewhat enabling(2)---enabling(3)</i>	1.8

Table 2.1 Indicator scores of subdimension “Political context”

2.1.1 Political rights

Freedom House (2005) gives Hong Kong a score of 5 for political rights (from a scale ranging from 1, most free, to 7, least free), which equates to “partially free”.³¹ The lack of full democracy is the biggest restriction on people’s political rights. The election the Chief Executive is done by an 800-member Election Committee, which is not popularly elected and its membership is largely confined to the local elites and business tycoons. At present, half of the seats of the

³¹ <http://www.freedomhouse.org/template.cfm?page=22&country=6876&year=2005&view=mof>

Legislative Council are popularly elected. According to the Basic Law, both the Chief Executive and the Legislative Council are, ultimately, to be popularly elected; however, no government proposal has yet been made as to when to materialize these goals.

The aforesaid qualifications aside, restrictions on people's political rights in Hong Kong are (relatively) limited. Elections at both legislative and district levels are generally fair and open; government proposals have also been made to provide subsidies to candidates (subject to some threshold requirements) in the elections. The formation of political parties has so far been relatively free.

2.1.2 Political competition

The rise of political parties in Hong Kong is a rather recent phenomenon, as most parties were formed only in the 1990s. While the traditional "left-right" distinction can be meaningfully identified in Hong Kong, other dimensions of ideological division particularly that between the "pro-Beijing" groups and the "democrats", matters as much, if not more, in Hong Kong politics. While the actual number of parties in the Legislature depends largely on how a party is defined, the three largest ones are: the Democratic Party (the democrats), the Liberal Party (representing largely the business interests) and the Democratic Alliance for the Betterment of Hong Kong (the key pro-Beijing party). In District Council elections, local politics is also an important variable in party competition.

Any meaningful discussion on the "party system" in Hong Kong must also make reference to the absence of a popularly elected Chief Executive or Legislature; the "government of the day" is, therefore, largely out of the hands of the people in Hong Kong. In fact, the political environment was thought to have impeded the growth of political parties.³² This lack of opportunity to compete for government power, together with their relatively young age, means that resources and the level of maturity of political parties in Hong Kong are in no way comparable with the Western counterparts. Nonetheless, political parties in Hong Kong are largely institutionalized; party platforms, party discipline, and systems of leader selection are all in place.

Party membership varies: the Democratic Party has about 650 members in October 2005;³³ and The Democratic Alliance for the Betterment of Hong Kong has around 5,500 members in December 2005.³⁴

2.1.3 Rule of law

After the resumption of sovereignty by the Chinese government, Hong Kong's legal system remains separate from Mainland China's. The common law legal

³² Lau, Siu-kai and Kuan, Hsin-chi. "Hong Kong's Stunted Political Party System," *The China Quarterly*, vol. 172 (Dec 2002), pp. 1010-1028.

³³ <http://www.dphk.org/2003/basicinfo/index.asp?iCommentID=146>

³⁴ <http://www.dab.org.hk/tr/main.jsp?content=category-content.jsp&categoryId=1038>

system prevails, as provided by Article 8 of the Basic Law. The Basic Law sets out the political, social and economic structures of Hong Kong after 1997. Its Preamble envisages the practice of “One Country, Two Systems”, and socialist policies are inapplicable here. As such, the rule of law continues to be the most important distinguishing feature of Hong Kong, evidencing the successful functioning of “One Country, Two Systems”. There is separation of powers between the Executive, Legislative and Judiciary. The Judiciary is highly independent, with the Court of Appeal operating in Hong Kong as the final arbiter on all matters except foreign affairs and defence.

According to the World Bank Governance Research Indicators (2002, thereafter the World Bank Indicators), Hong Kong is placed at 86.6 percentile on the rule of law, meaning that Hong Kong’s score on the rule of law indicators is higher than 86.6% of all those countries surveyed. Hong Kong’s score is much higher than the regional average (54.5), but is slightly lower than the average of the countries in the same high-income category (88.3).³⁵

More recently, Hong Kong scored 75 out of 100 on the Rule of Law Index, indicating that the city has a high degree of rule of law.³⁶ The index is devised by The Hong Kong Council of Social Service and scored by individuals in professions relating to upholding the rule of law in Hong Kong.

2.1.4 Corruption

With the creation of the Independent Commission Against Corruption (ICAC) in 1974, the effort, as well as the effectiveness, of the Hong Kong government in combating corruption has become internationally renowned. Increasing complaints reported to the ICAC in the last few years has raised concern about raising level of corruption since the handover, though the increase in figures may well be a result of increasing citizens’ awareness and advocacy. International evaluations continue to be much positive. According to the World Bank Indicators (2002), Hong Kong’s percentile ranking of “Control of corruption” is 90.2. It is higher than the regional average (44.4) and the average of the same income category (87.7).³⁷ Hong Kong received a score of 8.3 out of 10 on Transparency International’s Corruption Perception Index in 2005.³⁸ Among the 159 countries being assessed, Hong Kong ranked 15th, which is the second highest in the Asia region.³⁹

³⁵ http://info.worldbank.org/governance/kkz2002/mc_table.asp

³⁶ The Index comprises 7 dimensions: basic requirement of laws, government under the law, rule against arbitrary powers, equality before the Law, impartial enforcement of the Law, accessibility to justice, and procedural fairness. Nineteen individuals were randomly selected from their respective professions to score the index; these individuals included 4 judges, 4 legislative councilors, 2 officials from the Department of Justice, 2 senior law enforcement agents, 3 barristers, and 4 solicitors (see Ming Pao, January 8, 2006).

³⁷ http://info.worldbank.org/governance/kkz2002/mc_table.asp

³⁸ Hong Kong’s scores on the Corruption Perceptions Index (CPI) have improved slightly over the last few years. In 2001, CPI was 7.9; 2002, 8.2; 2003, 8.0; and 2004, 8.0.

³⁹ http://www.transparency.org/policy_and_research/surveys_indices/cpi/2005

In July 2003, the Transparency International released the results of the Global Corruption Barometer. It is found that Hong Kong respondents were not too optimistic about the state of corruption in the near future, for about half of the respondents (49.6%) expected corruption to increase in the next three years. A little over one-third of the respondents (35.4%) chose the police over other public institutions as their first choice in eliminating corruption.⁴⁰

Despite Hong Kong's relatively impressive scores on various international indexes of control of corruption, the NAG pointed out an aspect of society which they called for caution. Some members of NAG alerted to certain forms of corruption that might have been institutionalized in such a way that they were no longer seen as corruption. Examples of these institutionalized forms of corruption include government's outsourcing system, and the alleged corroboration between the government and mega real estate developers that has attracted much public attention in recent years. Although monetary exchange may not have taken place, it was argued that such practices could still be considered as corruption, or favouritism. In the first instance, certain players are excluded from the system. In the second instance, the medium of exchange may, in lieu of money, be in the forms of power and influence.

2.1.5 State effectiveness

The World Bank has constructed a "Government Effectiveness" indicator, which combines responses on the quality of public service provision, the quality of the bureaucracy, the competence of civil servants, the independence of the civil service from political pressures, and the credibility of the government's commitment to policies. In 2004, Hong Kong scored 1.49 (the scale ranges from -2.5 to +2.5, with 0 being the mean). Hong Kong compares favourably against most Asian countries, and its score is higher than the high income country category average of 1.34.⁴¹

Nonetheless, Hong Kong society was not too happy with the government's performance. Between the last half of 1997 and the first half of 2003, dissatisfaction with the economic performance of the government rose from 16.8% to a high of 67.2%; and dissatisfaction with the government work on improving the livelihood of people rose from 24.7% to 59.8%.⁴² The situation seems to have improved after the first chief executive, Mr. Tung Chee-hwa, stepped down in early 2005. Nonetheless, there are still a few areas, such as the lack of a cultural policy and a half-hearted effort in democratization, in which the government comes under heavy criticism.

2.1.6 Decentralisation

⁴⁰ <http://www.transparency.org/surveys/barometer/dnld/barometer2003.en.pfd>

⁴¹ Higher scores correspond to better outcomes.

http://info.worldbank.org/governance/kkz2004/mc_chart.asp

⁴² See University of Hong Kong, Public Opinion Programme, POP polls, Popularity of HKSAR government, <http://hkupop.hku.hk/>

There is no regional government in Hong Kong and thus decentralization of decision-making to sub-national government is irrelevant in this context. The decision making power have always been rather centralized in Hong Kong. During the British rule there was some degree of decentralization (limited mainly to hygienic and cultural affairs) through the Municipal Councils and the District Boards (renamed District Councils after Hong Kong's reunion with the PRC). The abolition of the (popularly elected) Municipal Councils in 2000, however, signified a further setback of power decentralization; government promises to "empower" the District Councils have yet to be honored.

III.2.2 Basic rights and freedoms

2.2. Basic freedoms & rights	Scores
2.2.1 Civil liberties	2
2.2.2 Information rights	1
2.2.3 Press freedoms	1
<i>Not guaranteed by law(0)---recognized by law but frequently violated(1)---recognized by law but occasionally violated(2)---guaranteed by law and in practice(3)</i>	1.3

Table 2.2 Indicator scores of subdimension "Basic freedoms and rights"

2.2.1 Civil liberties

The protection of Hong Kong people's basic rights and freedoms is guaranteed by the Basic Law, the mini-constitution of Hong Kong. For example, equality before the law (Art 25), freedom of speech, freedom of association and freedom of assembly (Art 27) are all entrenched by the Basic Law. Constitutional provisions on these rights are quite detailed and comparable to other common law jurisdictions. Certain international covenants also continue to be in force in Hong Kong, including the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), International Covenant on Economic, Social and Cultural Rights (ICESCR). To a very large extent, civil liberties of the people are protected both in theory and in practice. For example, Falun Gong, a religious sect outlawed by an Anti-cult Law in China in 1999, continues to operate freely in Hong Kong.

Nevertheless, concerns have also been expressed over the regression in civil liberties protection in Hong Kong since the handover in 1997. The question of the independence of the judiciary has been highlighted by the non-prosecution of prominent public figures. Although freedoms of expression and assembly are by and large honoured, certain political demonstrations have to face increased (oppressive) policing, such as having police officers outnumbering demonstrators, or requiring demonstrators to stay in designated demonstration areas far away from protest targets. In 2003, legislation relating to Article 23 of the Basic Law has also come under international spotlight. Article 23 requires Hong Kong to enact laws to prohibit treason, sedition, subversion, secession and theft of state

secrets. The proposed legislation is seen as posing serious threats to the basic rights and freedoms of the people. The discontent of the community culminated to a half-a-million strong protest on 1 July 2003, causing the government to delay the implementation of this controversial law, and ultimately, to scrape legislation altogether for the time being. Nonetheless, damages to the image of Hong Kong as a free society have already been done.⁴³

Since then, the key issue has been on the denial of universal suffrage in the election of the chief executive in 2007 and the legislative council in 2008 by the central government of the PRC. The decision effectively ruled out universal suffrage in the two elections until 2012 at the earliest.⁴⁴

On the whole, Hong Kong society enjoys a relatively high degree of civil liberties. The Freedom House awarded a score of 2 (range from 1, the most free, to 7, the least free) to Hong Kong in its 2005 report. The report criticizes the inability of voters to change the government and the circumscribed power of legislators to introduce bills. It, however, praises Hong Kong's press freedom, unrestricted access to the internet, religious freedom, freedom of assembly and association, independence of trade unions, independence of the judiciary, an incorrupt and law abiding police force, as well as other types of freedom.⁴⁵

2.2.2 Information rights

There is *not* a piece of legislation in Hong Kong that guarantees public access to information. Instead, in 1995 the Hong Kong Government introduced the *Code on Access to Information* to serve as a formal framework for the provision of information by government departments. The Code applies to most government departments. It sets out information to be made publicly available and the rules for dealing with requests for access to government information. Each department has its Access to Information Officer to deal with specific requests for access to government information. Only a nominal charge reflecting the cost of reproducing the information will be levied. More importantly, a great deal of government information is available through the Government Information Centre (www.info.gov.hk). Furthermore, members of the public are allowed to sit in the courtroom during most proceedings heard in open court.

Although a substantial amount of information could be obtained from the government website, it has been pointed out in the NAG meeting that information has become harder to get hold of after Hong Kong's reunion with the PRC. The pledge of government departments to supply requested information within a certain period of time has been removed after 1997. Requests for information are not entertained at times. Furthermore, the difficulty for individuals and small CSOs to secure the information they ask for is even higher.

⁴³ Both the Amnesty International and Human Rights Watch have expressed grave concern over the potential danger to civil liberties and human rights that Art. 23 might have done to Hong Kong in their annual reports. See <http://web.amnesty.org/report2003/Chn-summary-eng> for the Amnesty International report, and <http://hrw.org/wr2k3/asia4.html> for Human Rights Watch report.

⁴⁴ http://htw.org/english/docs/2005/01/13/china9809_txt.htm

⁴⁵ <http://www.freedomhouse.org/template.cfm?page=22&year=2005&country=6876>

2.2.3 Press freedom

Article 27 of the Basic Law provides for, among other freedoms, the freedom of speech, and of the press and publication. Freedom House has given a very positive assessment of press freedom in Hong Kong. Its 2005 report comments that mass media in Hong Kong “all operate virtually free from government control. No restrictions impede the international media.”⁴⁶ At the same time, however, it alerts to self-censorship in some media, especially regarding powerful business interests and political issues sensitive to the Central Government. The concern of self-censorship has also been expressed in the NAG meeting. Indeed, survey data in 2005 showed that on the average 42.5% of respondents believed that the mass media practiced self-censorship. Moreover, 58.0% thought that when the mass media criticized the Central Government, it was done with misgivings; the corresponding figure about the Hong Kong government was 28.8%.⁴⁷

III.2.3 Socioeconomic context

2.3. Socio-economic context	Scores
(poverty, ethnic/religious conflict, social crisis, economic crisis, adult illiteracy, IT infrastructure)	2
<i>Disabling(0)---somewhat disabling(1)---somewhat enabling(2)---enabling(3)</i>	2.0

Table 2.3 Indicator scores of subdimension “Socio-economic context”

Poverty: Hong Kong is by no means a poor society. The latest figure (2005) shows that Hong Kong scored 0.916 on UN’s Human Development Index, which takes into account life expectancy, educational attainment and adjusted real income. Hong Kong ranks 22 on the list of countries/societies being assessed, and is only surpassed by Japan in the Asia region.⁴⁸ However, it is estimated that in the first quarter of 2005, 18.3% of the population lived with a monthly income of less than or equal to half of the median income of other households of equal size.⁴⁹

Civil war: Hong Kong does not have any civil war or violent social unrest in the last five years.

Recent severe ethnic or religious conflict: There was none in the last five years.

Severe economic crisis: In 2002, Hong Kong had a deficit of HK\$18,541 million in its Balance of Payment account, which accounted for 1.5% of GDP. Since then,

⁴⁶ <http://www.freedomhouse.org/template.cfm?page=22&year=2005&country=6876>

⁴⁷ See University of Hong Kong, Public Opinion Programme, POP Polls, Appraisals of Current Conditions, <http://hkupop.hku.hk/>

⁴⁸ http://hdr.undp.org/reports/global/2005/pdf/HDR05_HDI.pdf

⁴⁹ http://www.hkcss.org.hk/cb4/ecp/factsheet_povertyHK.pdf

the economy has gradually improved and in 2003 the balance of payments recorded a surplus of \$7,589 millions, representing 0.6% of GDP.⁵⁰ In 2004, the surplus rose to HK\$25,486 millions, or 2.0% of GDP.⁵¹ The Hong Kong Government does not have a debt problem. It has issued a small amount of bonds which is only equivalent to less than 2% of GDP, or less than 10% of the Government’s fiscal reserve.

Severe social crisis: The most pronounced social crisis experienced by Hong Kong society recently is the outbreak of the Severe Acute Respiratory Syndrome in the spring of 2003. The outbreak claimed about 300 lives, caused public fear and induced heavy economic loss to society.

Severe socio-economic inequities: The Gini index of inequality shows an increase in the gap between the rich and the poor over the last two decades. The Gini coefficient was .451 in 1981; .476 in 1991; and .525 in 2001.⁵² Fortunately, the threat of social unrest is relatively small in light of the availability of free universal education, public health care, public housing, and a safety net.

Pervasive adult illiteracy: According to Human Development Report 2005, adult literacy rate (age 15 and above) is 93.5.⁵³

Lack of IT infrastructure: The Census and Statistics Department found that in 2004, 70.1% of all households in Hong Kong are equipped with personal computer. Among those households who have computers, 92.2% are connected to the Internet.⁵⁴

Because of severe socio-economic inequality (Gini index of 0.525) and a considerable portion of the population living in poverty (18.3% living in households with income not higher than half of the median income of households of the same size), NAG awarded this indicator a score of “2”.

III. 2.4 *Socio-cultural context*

2.4. Socio-cultural context	Scores
2.4.1 Trust	1
2.4.2 Tolerance	2
2.4.3 Public spiritedness	1
<i>Disabling(0)---somewhat disabling(1)---somewhat enabling(2)---enabling(3)</i>	1.3

⁵⁰http://www.censtatd.gov.hk/hong_kong_statistics/statistical_tables/index.jsp?charsetID=1&subjectID=12&tableID=041

⁵¹http://www.censtatd.gov.hk/hong_kong_statistics/statistical_tables/index.jsp?tableID=041

⁵² The index ranges from 0 to 1, the higher the coefficient, the higher the inequality. Hong Kong’s Gini coefficient in 2001 was higher than most Asian and Western countries (e.g. Japan had a score of .249 in 1993; Korea, .316 in 1998; the Philippines, .461 in 2000; Canada, .331 in 1998; UK, .360 in 1999; and USA, .408 in 2000). See http://www.hkcss.org.hk/cb4/ecp/factsheet_povertyHK.pdf.

⁵³ http://hdr.undp.org/statistics/data/pdf/hdr05_table_1.pdf

⁵⁴ http://www.censtatd.gov.hk/FileManager/EN/Content_631/th23-it.pdf

Table 2.4 Indicator scores of subdimension “Socio-cultural context”

2.4.1 Trust

The level of general trust is rather low in Hong Kong. The SC survey in 2003 revealed that only 25.2% of the respondents disagreed or strongly disagreed with the statement “Don’t trust people so easily in Hong Kong.” In addition, more than half of the respondents (57.0%) agreed or strongly agreed that people of Hong Kong liked to take advantage of others. However, when it comes to particularized trust, the results showed that in general, people were willing to trust others from lower social stratum, higher social stratum, former welfare recipients, new immigrants from mainland China, and Europeans/Americans. But, they tended not to trust people embracing different ideologies, homosexuals, and Indians/Pakistanis.

2.4.2 Tolerance

The SC respondents were asked to show the extent to which they were willing to be neighbour of groups of different backgrounds. On a scale of 1 to 10, with 1 indicating extremely unwilling and 5.5 being the mid-point, respondents tended to express tolerance. They were willing to be a neighbour of former welfare recipients (6.99), new immigrants from mainland China (6.71), and homosexuals (5.71). The respondents were ambivalent with regard to Indians and Pakistanis (5.49). According to a telephone survey conducted by the Public Opinion Programme, the University of Hong Kong, over 80% of the respondents were willing to make friend with homosexuals.⁵⁵

2.4.3 Public spiritedness

Using tax payment as a proxy of public spiritedness, the majority of tax payers settled their tax payment on time. In 2003-4, late payment involved 4.6% of overall tax revenue collected.⁵⁶ Late payments that resulted in court action accounted for 0.8% of overall tax revenue collected,⁵⁷ and tax avoidance, 0.6%.⁵⁸

In addition, a few questions in the CE survey are related to public spiritedness. The percentages of the respondents who claimed to have encountered the following situations a lot of times or very often are: jumping queues when using public transport (25.7%), smoking in non-smoking area (24.5%), talking on the phone during concerts or movie shows (24.9%), polluting public places (26.6%),

⁵⁵ It was reported in Ming Pao January 23, 2006.

⁵⁶ The figure is calculated by dividing “late payment” (4,857 million) by total revenue collected (106,199.8 million). Information obtained from www.ird.gov.hk/eng/ppr/are03_04.htm

⁵⁷ The figure is calculated by dividing tax involved in “Recovery action in the District Court” (875 millions) by total revenue collected (106,199 millions).

⁵⁸ The figure is calculated by dividing “Back tax and penalties assessed” (636.2 millions) by total revenue collected (106,199 millions).

using foul language publicly (31.2%), and making loud noises late at night (11.5%).

III.2.5 Legal environment

2.5. Legal environment	Scores
2.5.1 CSO registration	2
2.5.2 Allowable advocacy activities	3
2.5.3 Tax laws favourable to CSOs	2
2.5.4 Tax benefits for philanthropy	1
<i>Disabling(0)---somewhat disabling(1)---somewhat enabling(2)---enabling(3)</i>	2.0

Table 2.5 Indicator scores of subdimension “Legal environment”

2.5.1 CSO Registration

At present, there are 3 common legal forms for setting up a CSO. The process of registration varies according to the legal form chosen.

a. Charitable trusts

A charitable trust is an equitable obligation imposing on the trustee, as the legal owner of some property, to manage that property for the advancement of charitable purposes. A trust is not an incorporated body, but the trustee may take a corporate form whose incorporation is facilitated by the Registered Trustees Incorporation Ordinance (Cap 306). Although certain formalities have to be complied with in order to create a valid charitable trust, it is not required to register with any government authority.

b. Companies limited by guarantee

The Companies Ordinance makes no special provision for CSOs. But CSOs can be established as incorporated bodies. If so, they will often be registered as companies limited by guarantee under the Companies Ordinance. Unlike a company limited by shares, members do not purchase shares in the company, but undertake to contribute a fixed amount as specified in the memorandum upon the company’s liquidation (s4(2)(b)).

A company limited by guarantee is created by applying to the Companies Registry. There must be at least 2 members, a unique name, a constitution and a registered office. In order to register as a company limited by guarantee, assent of majority of members must be obtained at a general meeting summoned for the purpose. This assent must also be accompanied by a resolution declaring that each member undertakes to contribute to the assets of the company in the event of its being wound up while he is a member, or within 1 year after he ceases to be a member,

for payment of debts and liabilities of the company contracted before he ceased to be a member and the costs and expenses, not exceeding a specified amount: s310(1) proviso (g). A registration fee ranging from HK\$170 to HK\$1,025 (depending on the number of members as stated in the articles) has to be paid: Part II, Eighth Schedule, CO.

c. Unincorporated associations

An unincorporated association refers to a group of people defined and bound together by rules to attain a common objective. The members are free to determine the nature, extent and constitutional structure of their association. Because of its unincorporated status, an unincorporated association is not required to register. However, an unincorporated association usually falls within the definition of 'local society' in the Societies Ordinance (Cap 151) – any society organised and established in Hong Kong or having its headquarters or chief place of business in Hong Kong (s2). As such, it must apply for registration or exemption from registration within 1 month of its establishment with the Societies Officer, a role historically played by the Commissioner of Police. However, the Societies Officer may exempt a society from registration if satisfied that the society is established solely for religious, charitable, social, or recreational purposes. The Societies Officer has to keep a list of societies that have been registered or exempted which is open to inspection.

Therefore, the requirements, if any, of registering a CSO is not cumbersome. Indeed, it is only if the CSO wishes to apply to the Inland Revenue Department for recognition as approved charitable institutions or trusts of a public character (as opposed to registration of charities) that there are more exacting requirements. For example, the trust instrument / constitution should contain a clause stating that the funds are to be applied towards attainment of charitable objects, a non-distribution of profits clause etc.

The CSOs survey revealed that a fair portion of the respondents (about one-third of each of the five aspects surveyed) did not have much knowledge about CSO registration process. For those who knew, results indicated that most respondents judged the registration process to be quick (58.8%), simple (60.4%), inexpensive (59.0%), fairly applied (63.7%), and consistent (60.0%).

2.5.2 Allowable advocacy activities

CSOs are free to engage to advocacy / criticise the government. Notable examples include the Hong Kong Human Rights Commission and Hong Kong Human Rights Monitor which aim at promoting and protecting human rights of the community. The campaigning efforts of various non-governmental organisations saw the enactment of a number of important ordinances in Hong Kong, including the Bill of Rights Ordinance (Cap 383, 1981), Sex Discrimination Ordinance (Cap 480, 1995), Disability Discrimination Ordinance (Cap 487, 1995), and Family Status Discrimination Ordinance (Cap 527, 1997).

There are also numerous political organisations advocating for democracy or other social causes, the major ones including the Democratic Party, the Frontier, the Liberal Party and the Democratic Alliance for the Betterment of Hong Kong. However, an organisation formed for the purpose of attainment of a political object has been held by the court to be non-charitable. Hence, no tax-exempt charity status would be accorded to it. The sharp dividing line between charitable and political purposes has been justified on the ground that it is not the function of the judiciary, but that of the Legislature, to decide whether there should be changes in law. For example, Amnesty International was refused charitable status because its objectives of ‘release of prisoners of conscience’ and ‘procure abolition of torture or other degrading treatment’ were ‘substantially political’ and could only be achieved by changes in law: *McGovern v AG* [1982] Ch 321. But where the promotion of change in the law is only ancillary to the main charitable objects, the organisation would not cease to be ‘exclusively charitable’.

2.5.3 Tax laws favourable to CSOs

The Inland Revenue Ordinance does not contain any provision of tax exemption for ‘non-profit-making’ or ‘voluntary’ organisations. Rather, since the legal framework within which CSOs in Hong Kong operate is largely drawn from the United Kingdom, the Inland Revenue Department followed the English law of charitable trusts in deciding whether a ‘charity’ is entitled to tax exemptions.

To be eligible for tax exemptions, the charity must be established exclusively for charitable purposes conferring a public benefit to a broader community rather than to a narrowly defined group of individuals within one of the following 4 specified heads (see *IRC v Pemsel* (1891) AC 531):

- (1) relief of poverty;
- (2) advancement of education;
- (3) advancement of religion; or
- (4) other purposes beneficial to the Hong Kong community not falling within one of the preceding purposes.

As at July 2003, there are over 4,000 tax-exempt charities⁵⁹ in Hong Kong according to the list of Approved Charitable Institutions and Trusts of a Public Character prepared by the Inland Revenue Department,⁶⁰ most of which are organizations concerned with religious, educational, and welfare activities.

Once qualified as a tax-exempt charity, the following tax advantages would be accorded:

Tax Exemptions

⁵⁹ We do not know the exact number of CSOs in Hong Kong and therefore are unable to estimate what percentages of CSOs have applied for tax exemption.

⁶⁰ http://www.info.gov.hk/ird/eng/pdf/e_s88list_emb.pdf

(a) *Profits tax*: if a charitable institution or trust of a public character carries on a trade or business, the profits from such trade or business are exempted only if (1) the profits are applied solely for charitable purposes, (2) the profits are not expended substantially outside Hong Kong, and (3) the trade or business is exercised in the course of the actual carrying out of the expressed objects of the institution or trust, or the work in connection with the trade or business is mainly carried on by persons for whose benefit such institution or trust is established (proviso to s88 IRO).

(b) *Stamp duty*: stamp duty not chargeable on conveyance of immovable property or any transfer of Hong Kong stock operating as a voluntary disposition inter vivos if it is a gift to a charitable institution or trust of a public character.

(c) *Business registration tax*: a charitable, ecclesiastical, or educational institution of a public character may also be exempted from the obligation of business registration: s16 Business Registration Ordinance (Cap 310 Laws of Hong Kong)

2.5.4 Tax benefits for philanthropy:

Individuals and companies subject to salaries tax and / or profits tax may claim tax deductions for approved charitable donations over HK\$100 from his net assessable income / net assessable profits, subject to a max of 25% of his net assessable income / profits: s16D and s26B IRO.

Once a non-profit organization receives tax-exempt charity status, the organisation must then submit accounts, audits, or annual reports to the Inland Revenue Department as per their request. Owing to the relatively low rates of both personal income and profits tax in Hong Kong, the government has only a limited budget for social service provision. Individuals and companies should bear a greater responsibility for supporting CSOs. With proper donation receipts, individuals and companies can apply for tax deductions. Apart from this, however, the tax laws provide little incentive for individuals and companies to make purely philanthropic donations.

As personal income tax and profits tax are both rather low in Hong Kong, tax benefits play a small part in encouraging philanthropy. The abolition of estate duty in 2005 further reduces tax benefits as an incentive.

III.2.6 State-civil society relations

2.6. State-civil society relations	Scores
2.6.1 Autonomy	2
2.6.2 Dialogue	1
2.6.3 Cooperation/support	2

<i>Unproductive(0)---mostly unproductive(1)---mostly productive(2)---productive(3)</i>	1.7
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Table 2.6 Indicator scores of subdimension “State-civil society relations”

2.6.1 Autonomy

In terms of CSO registration and application to organize activities in public places, government interference is quite minimal. CSO autonomy with regard to governance structure, however, varies with the nature of the CSO. While social service organizations usually have a rather high degree of autonomy from the government, government subsidized hospitals and schools have to follow government decree closely.

The majority of the respondents of the CSO survey (69.2%) did not think that the government had exerted undue interference in CSO activities. The 2005 Freedom House Country Report concurs for it states that “[a] wide range of NGOs, including human rights groups, operate in Hong Kong without restrictions.”⁶¹

Nonetheless, it was pointed out in the NAG meeting, and confirmed in the Stakeholders consultations as well as the HKCSI stakeholder workshop, that heavy dependence of CSOs on government funding has limited CSOs’ autonomy. For fear of unfavourable treatment by the government, these CSOs tend to stay within the acceptable confines of the government.

2.6.2 Dialogue

Advisory committees and consultative bodies have been part of Hong Kong’s governance structure for a long time. In the years preceding Hong Kong’s reunification with the PRC in 1997, the government began to step up its engagement policy by inviting a wider segment of society to join committees that were invested with certain power, such as the Town Planning Board, the Equal Opportunities Commission, and the Arts Development Council.⁶² After 1997, the engagement process appeared to continue and the platform of engagement was widened as more advisory committees covering different areas were set up; issues such as sustainable development⁶³ and the well being of women⁶⁴ were examples of the engagement process. However, the relationship between the government and CSOs has not improved despite heightened engagement. There is a common suspicion about the sincerity of engagement and confusion about the purpose and the role of these advisory committees.

This distrustful feeling between the government and civil society is reflected in the CSO survey. Two-thirds of the respondents (66.3%) in the CSO survey

⁶¹ <http://www.freedomhouse.org/template.cfm?page=22&year=2005&country=6876>

⁶² All are statutory bodies.

⁶³ The Council for Sustainable Development is an advisory body set up to assist the government to devise strategies, raise public awareness and encourage community participation in promoting sustainable development.

⁶⁴ The Women’s Commission is an advisory body set up in 2001 to promote the interests and well-being of women.

deemed dialogue between the government and civil society to be non-existent or limited. About one-fourth (23.1%) thought there was moderate level of dialogue and only 2.9% saw dialogue to be effective.

2.6.3 Cooperation/support

Allocation of government resources for CSOs is usually done on programme basis, which mainly falls on the following categories: education, health, welfare, environmental protection, sports, and arts & culture. There is also some support for community-based organisations. Government resources for primary and secondary schools as well as subsidized hospitals account for a very high percentage of their income. Such resources are also significant for welfare CSOs.

In 2003-2004, the HKSAR government spent HK\$6.9 billion, i.e. 21% of the budget allocated to the Social Welfare Department, to fund NGOs in Hong Kong.⁶⁵ Indeed, the government heavily funds a majority of social welfare CSOs. It was estimated that 70% of the income of 346 non-profit social service organizations came from the government, which accounted for 2.4% of the total public expenditure, or 0.5% of the GDP.⁶⁶

According to the CSO survey, 15% of the CSOs identified by the respondents were said to have Government funding as their major source of income.

III.2.7 Private sector-civil society relations

2.7 Private sector-civil society relations	Scores
2.7.1 Private sector attitude	2
2.7.2 Corporate social responsibility	1
2.7.3 Corporate philanthropy	1
<i>Unproductive(0)---mostly unproductive(1)---mostly productive(2)---productive(3)</i>	1.3

Table 2.7 Indicator scores of subdimension “Private sector-civil society relations”

2.7.1 Private sector attitude

Over half of the respondents in the CSO survey (55.5%) thought that the business sector had a positive view of CSOs. At the same time, 21.7% thought that the business sector was indifferent, and 4.0% even believed it to be suspicious or antagonistic of CSOs (don’t know: 18.8%). Stakeholder consultations revealed that growing awareness of the concept of corporate social responsibility helped improve the relationship between CSOs and the private sector. However, it has also been pointed out that the business sector was receptive to particular topics

⁶⁵ <http://www.swd.gov.hk/doc/annreport/0304annrepe.pdf>

⁶⁶ Lee, Eliza W.Y. “Nonprofit Development in Hong Kong: The Case of a Statist-Corporatist Regime.” *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, vol. 16, no. 1 (March 2005), pp. 51-68.

and therefore only certain types of CSOs such as those caring for the needy and the young are likely candidates of business sector sponsorship.

The view that big corporations are now becoming more concerned with the civil society has been expressed in the NAG meeting. At the same time there existed the suspicion of image management being the underlying intention of these corporations. It has also been pointed out that small and medium sized companies are rather indifferent to civil society.

2.7.2 Corporate social responsibility

The CSR study, which covered the ten largest public companies in Hong Kong,⁶⁷ showed that the concept of corporate social responsibility was rather underdeveloped. Only two of the ten companies have a separate report on CSR detailing their policies, practices and performance measurements. A study of these ten companies revealed that the idea of CSR was mainly limited to corporate philanthropy, volunteering, and commitment to environmental protection. The issue of corporate governance referred predominantly to the responsibilities of these companies to their investors and shareholders with respect to accountability and transparency. Corporate governance was concerned neither with communities as stakeholders, nor the need to engage stakeholders. Furthermore, the concept of monitoring and promoting corporate social responsibility of business partners was also absent from these ten companies.

The respondents of the CSO survey would concur with the conclusions reached by the CSR study. Most of the respondents (57.9%) held that major companies in HK only paid limited or insufficient consideration to CSR, as opposed to 23.8% who thought that the level of consideration was moderate and 3.4% who said that CSR had been sufficiently attended to (don't know:14.9%).

In recent years, both the government and certain CSOs have mounted their effort to foster a sense of corporate social responsibility. The Caring Company program run by the Hong Kong Council of Social Service aims to cultivate corporate citizenship and partnership between the business sector and NGOs. In 2005, 881 companies qualified as caring companies, representing a 30% increase over the previous year.

2.7.3 Corporate philanthropy

According to the Inland Revenue Department, the total amount of corporate giving (measured in terms of profit tax exempted for charitable donation) in 1999

⁶⁷ CIVICUS suggests a study of CSR commitments of the ten largest public companies. In the case of Hong Kong in 2003, the ten companies covered in the study are: CLP Holdings Ltd, Wharf (Holdings) Ltd., HSBC Holdings Plc., Hongkong Electric Holdings Ltd., Pacific Century CyberWorks Ltd., Hutchison Whampoa Ltd., Sun Hung Kai Properties Ltd., China Resources Enterprise Ltd., Cathay Pacific Airways Ltd., and BOC Hong Kong (Holdings) Ltd.

was about HK\$850 million.⁶⁸ This, however, probably underestimates the total amount of corporate donations, which are not always recorded in the official taxation data. A survey commissioned by the Central Policy Unit of the HKSAR government estimated that the total amount of company giving in the year 2000 ranged from \$1.4 billion to \$2.6 billion (giving in kind excluded). Overall, company giving (in cash terms) was believed to account for around 10% of all giving.⁶⁹

The CSOs survey indicated that the business sector was not a major donor. Respondents estimated that a mere 5.3% of the total income of the organizations they knew best came from the business sector, which was much lower than those coming from individual donations (35.6%), membership fees (20.4%), the government (14.5%), service charge or sales (13.0%), and overseas donations (7.2%).

While the amount of company giving is not small (10% of all giving), it appears to constitute only a minor portion of CSOs' total income (5.3%). This discrepancy may reflect the situation that only a limited range of CSOs received corporate support. Advisors in the NAG further pointed out that usually reputable welfare, education, and health organizations received corporate support, while advocacy and small community organizations were less likely to receive private donations.

III.3 VALUES

The Value dimension of CSI aims to find out the extent to which civil society practices and promotes important values. The values being assessed include democracy, transparency, tolerance, non-violence, gender equity, poverty eradication, and environmental protection. Hong Kong receives a score of 2.0, indicating that Hong Kong civil society's effort in practising and promoting positive social values is moderate.

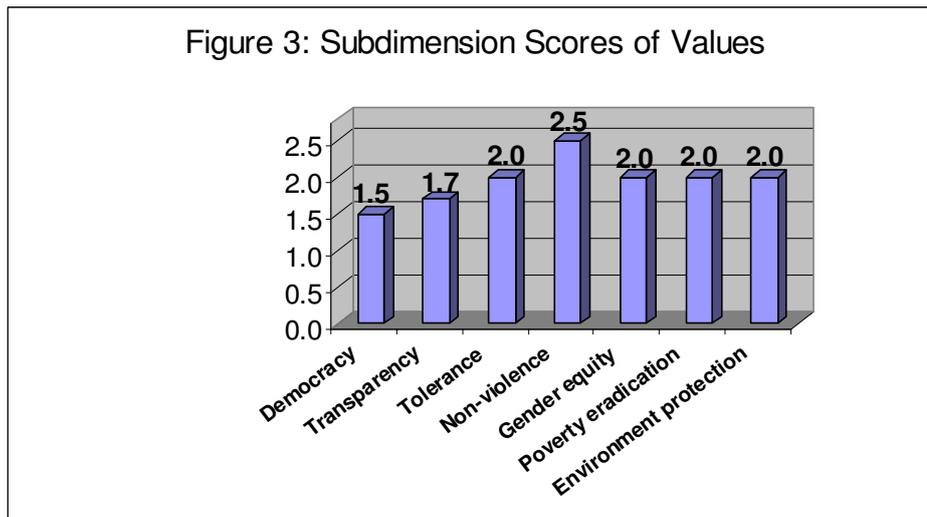
⁶⁸ The corresponding figure for the 2003-4 assessment year is HK\$0.64 billion (http://www.ird.gov.hk/eng/pdf/a04_mis.pdf).

⁶⁹ Golin/Harris Forrest 2001. *The Role of Companies in the Development of a Vibrant Third Sector in Hong Kong*. The report can be accessed through: <http://www.cpu.gov.hk/english/documents/new/press/3rd-fullrep.rtf>

The extent to which civil society practices and promotes positive social values is:



There are seven subdimensions under “Values” and all the subdimension scores are summarized in Figure 3.



III.3.1 Democracy

3.1. Democracy	Scores
3.1.1 Democratic practices within COSs	1
3.1.2 CS actions to promote democracy	2
<i>Very low(0)---limited(1)---moderate(2)---significant(3)</i>	1.5

Table 3.1 Indicator scores of subdimension “Democracy”

3.1.1 Democratic practices within CSOs

It appears that democratic method of leader selection is not a common procedure among CSOs. Just over one-third of the respondents (36.5%) of the CSO survey reported that the leaders of the CSO they were most familiar with were elected by members, while two types of non-democratic leader selection method (self selection, 21.3%; appointment, 13.3%) together constituted a similar portion. A rather high percentage of the respondents (26.9%) were not certain about the

leader selection method of their most familiar CSO.⁷⁰ Less than half of the respondents believed that members of CSOs had substantial (20.1%) or moderate (25.2%) influence on policy making, while 20.5% thought that the influence of members was only limited or close to none.⁷¹

Although democratic leader selection was not a mainstream among CSOs, a participant of the Stakeholder Consultations suggested that CSOs had done quite well in promoting pluralistic participation. It was felt that despite differences in opinions, every social sector could freely express its concerns and coordinate with each other.

3.1.2 CS actions to promote democracy

In the context of Hong Kong, promoting democracy is mainly about the quest for universal suffrage in the selection of the chief executive and legislative councillors. It is one of the foremost items on Hong Kong's public agenda.⁷² The results of the CSO survey confirmed this view. When the respondents were asked to name civil society activities to promote certain values, most respondents identified "promoting democracy" in a list of eight values.⁷³

Stakeholder Consultations, however, unveiled that democracy had taken on different meanings. For democratically oriented groups, "democracy" essentially referred to the adoption of universal suffrage in the selection of political leadership. For more conservative groups such as ethnic associations or trade unions, democracy could be equivalent to social welfare, equality, inclusion, or even, in a rare case, support for the government.

Many activities have been organized to promote democracy; they are mainly in the form of marches, petitions, and public forums. Two most participated marches organized for this purpose in 2005 took place on July 1 and December 4. In both cases, tens of thousands of individuals were involved. There are also CSOs whose mandate is to advance the value and practice of democracy; the Democratic Development Network, Power for Democracy, and Civil Human Right Front are just a few of these examples. The media review found that of the values the civil society pursued, its action to promote democracy got reported most by both the print (22.6%) and the broadcast (38.2%) media.

⁷⁰ The respondents were asked to report the leader selection method of each of the three CSO they were most familiar with. Since the percentages of "don't know/not sure" answer were even higher for the second (54.1%) and third (57.2) CSO, we only included the results of the first CSO in the text. The pattern, however, for the selection methods of the three CSOs, is the same.

⁷¹ The results reported again referred to the CSO the respondents were most familiar with. Here, 13.1% of the respondents opted for the "don't know/not sure" answer, and 21.1% "not applicable".

⁷² The most recent large scale activity took place on December 4, 2005 during which close to 100,000 individuals have reportedly taken part in a peaceful march in a call for faster pace of democratization. The march was organized by a coalition of different CSOs.

⁷³ 71.5% of the respondents were able to name at least one event organized by CSOs in the past year for the purpose of promoting democracy in HK. It was closely followed by environmental protection (69.9%), and poverty eradication (67.1%).

Half of the respondents (49.7%) in the CSO survey thought that civil society had very little or limited role in promoting democracy, while 37.9% thought that its role was moderate or significant. Since the pace and degree of democratization of Hong Kong's political system, especially with regard to the implementation of universal suffrage, requires the approval of the People's Republic of China, the influence of Hong Kong civil society is actually restricted. Despite this limitation, the fact that over one-third of the respondents still accorded civil society a role in the promotion of democracy could be regarded as a compliment to the CSOs that champion such a cause.

III.3.2 Transparency

3.2 Transparency	Scores
3.2.1 Corruption within civil society	3
3.2.2 Financial transparency of CSOs	1
3.2.3 CS actions to promote transparency	1
<i>Very low(0)---limited(1)---moderate(2)---significant(3)</i>	1.7

Table 3.2 Indicator scores of subdimension "Transparency"

3.2.1 Corruption within civil society

Corruption is not considered serious in Hong Kong. The CSO survey provided some evidence. Only 5.2% of the respondents were of the view that corruption was common or very common within civil society.

3.2.2 Financial transparency of CSOs

Government-subsidized social welfare CSOs are required to make their financial statement public. The CSO survey reported that 44.6% of the organization that the respondent knew best has made their financial statement public, compared to 34.2% which have not.

Doubts about the availability of CSOs' financial statements were raised in the NAG meeting. It was pointed out that CSOs receiving government funding are required to submit a publicly audited financial statement to the government. However, the financial statement may not be available to the general public. Moreover, some CSOs refrain from disclosing their full financial statements. Small CSOs and CSOs which do not receive public funding may not even have their financial statements audited by certified accountants.

3.2.3 CS actions to promote transparency

Government transparency is usually promoted part and parcel of democracy. This value was particularly heightened in recent years when the government stumbled on a series of policy blunders. As such, there has been little activity organized, or CSO that was set up, for the sole purpose of promoting transparency, rather transparency is promoted along with democracy. With this background in mind, it is not surprising that only 55.4% of the respondents in the CSO survey could identify at least one activity in this purpose. Furthermore, 30.9% of the respondents rendered civil society's role as moderate or important. The effort to advance transparency has been captured by the media as well, for 16.5% of the print and 14.7% of the broadcast media have reported news on CSO's efforts in promoting transparency.

Corporate transparency is rather new to Hong Kong. This concept is not usually understood as part of Corporate Social Responsibility. As the study on Corporate Social Responsibility shows, only two among the ten biggest public companies had mentioned transparency, but their focus was on transparency and accountability towards shareholders and investors. The percentage of the CSO survey respondents being able to name at least one activity organized by the civil society for this effect was 43.2%. Only 22.9% of the respondents accorded any significance to the role of civil society in this regard. Some of the participants of the Stakeholder Consultations blamed CSOs for paying too much attention to welfare or their own services to the exclusion of promoting government and corporate transparency.

III.3.3 Tolerance

3.3. Tolerance	Scores
3.3.1 Tolerance within the CS arena	2
3.3.2 CS actions to promote tolerance	2
<i>V. low(0)---limited(1)---moderate(2)---significant(3)</i>	2.0

Table 3.3 Indicator scores of subdimension "Tolerance"

3.3.1 Tolerance within the CS arena

In terms of ethnic composition, Hong Kong society is highly homogeneous in that the 2001 population census shows that over 94.9% of the population is Chinese.⁷⁴ There is, however, a large population of sojourn workers, composed mainly of Filipinos (2.1%) and Indonesians (0.8%) serving as domestic helpers. There has not been much overt racial discrimination reported. When discrimination takes place, they are carried out in a subtle manner. Discrimination against new immigrants from Mainland China used to be quite rampant. However, with a more balanced portrayal in the media, and with a higher degree of interaction between

⁷⁴http://www.censtatd.gov.hk/major_projects/2001_population_census/main_tables/population_by_ethnicity_2001/index.jsp

the local population and new immigrants, discrimination appears to have subsided to a certain extent.

There does not appear to have many groups or forces within the civil society that are explicitly racist, discriminatory or intolerant. The CSOs survey shows that the influence of these forces to be insignificant (17.9%) or limited (34.9%), while 13.9% regarded these forces to have moderate influence and 4.9%, significant influence. A further 28.4% of the respondents were not sure.

3.3.2 CS actions to promote tolerance

As intolerance is neither severe nor widespread, CSOs whose mission is to promote tolerance are not great in number. There are still CSOs that serve a variety of minority groups. For example, Unison Hong Kong⁷⁵ promotes racial equality, particularly in the areas of education and employment; The Society of Rehabilitation and Crime Prevention,⁷⁶ Hong Kong assists ex-offenders to re-establish themselves in society; the Rehabilitation Alliance Hong Kong⁷⁷ campaigns for the rights of the disabled; the Chi Heng Foundation⁷⁸ and the Civil Rights for Sexual Diversities⁷⁹ canvass for rights and equal opportunities for people of different sexual orientations.

Probably because intolerance is not a serious social issue, only 39.7% of the respondents of the CSOs survey were able to name one or more civil society activities aiming to promote tolerance that took place in the year before, which is the lowest among a list of questions relating to activities to promote certain civil society values. Furthermore, 31.7% of the respondents judged these efforts to be important or significant.

III.3.4 Non-violence

3.4. Non-violence	Scores
3.4.1 Non-violence within the CS arena	3
3.4.2 CS actions to promote non-violence and peace	2
<i>Very low(0)---limited(1)---moderate(2)---significant(3)</i>	2.5

Table 3.4 Indicator scores of subdimension “Non-violence”

3.4.1 Non-violence within the CS arena

In general, the use of violent means is uncommon among CS actors in Hong Kong. This can be demonstrated in a number of large-scale demonstrations and marches

⁷⁵ <http://www.unison.org.hk>

⁷⁶ <http://www.sracp.org.hk>

⁷⁷ <http://www.rahk.org.hk>

⁷⁸ <http://www.chihengfoundation.com>

⁷⁹ <http://www.cr4sd.org>

that took place since the summer of 2003. There has not been a single violent outbreak in all these incidents. There are only (arguable) two exceptions to this in recent years. The first case involves a small group of people from Mainland China who have been campaigning for their right of abode in Hong Kong. In one incident in 2000, their action had caused two deaths and some 40 injuries. The second case concerns the “indigenous” groups/villagers in the New Territories (descendants of Chinese who had been living in Hong Kong well before the coming of the British colonialists). In several occasions in the 1990s (for example, campaigns against proposed legislations that may threaten their traditional privileges) they used relatively violent actions and languages in defending their interests. These actions provoked public outcry and were strongly condemned. Other than these possible exceptions, CS in Hong Kong is largely a peaceful one.

3.4.2 CS actions to promote non-violence and peace

At the society level, Hong Kong is basically a non-violent society. The use of violence as a means of conflict resolution is rather rare. Activities to promote a non-violent society are therefore not many. However, the use of violence at the group level is causing some concern. The number of domestic violence, for example, has been rising in recent years. There are CSOs that are formed specifically to address the issues of child or women abuse, the more prominent ones include Against Child Abuse, and Association Concerning Sexual Violence Against Women. They usually provide direct support services to victims of sexual or domestic violence, conduct community or school educational programmes and occasionally carry out larger-scale public education campaigns.

Probably because violence is not a serious issue, CS actions to promote non-violence are not very visible. Less than half of the respondents (43.2%) in the CSO survey were able to name one or more activities organized with the objective to promote non-violence or peaceful conflict resolution. About one in five of the respondents were unable to name an event of this nature, and a further 37.1% did not know. Three out of ten respondents thought civil society’s role was moderate or important in this endeavour.

In view of the fact that Hong Kong is basically a non-violent city and therefore not much action is needed to promote non-violence and peace, NAG gave a score of “2” to this indicator.

III.3.5 Gender equity

3.5. Gender equity	Scores
3.5.1 Gender equity within the CS arena	2
3.5.2 Gender equitable practices within CSOs	2
3.5.3 CS actions to promote gender equity	2
<i>Very low(0)---limited(1)---moderate(2)---significant(3)</i>	2.0

Table 3.5 Indicator scores of subdimension “Gender equity”

3.5.1 Gender equity within the civil society arena

Gender equity is not a central issue in civil society. There are on one hand rarely any complaints about women being treated unfairly by civil society actors, while on the other hand not many major and influential efforts have been put in by CSOs to oppose or condemn sexual discrimination / inequity in recent years.

According to Human Development Reports (2003), the Gender-related development index (GDI) of Hong Kong was 0.886 and ranked 26 in 2001. Female adult literacy rate (% age 15 and above) is 89.6 in 2001, compared to 96.9 of males'. Females' estimated earned income is US\$18,028, while that of males' is US\$31,883. Female comprises of 25% of total legislators, senior officials and managers, and 38% of professional and technical workers. We do not have data on the percentage of women in civil society leadership roles.⁸⁰

Most of the respondents of the CSO survey (57.5%) felt that discriminatory civil society forces (particularly those against women) had limited impact; only a minority felt that the impact was moderate (11.3%) or significant (3.1%).

The CSOs survey reported that 39.8% of the respondents said gender discriminatory practices would always or usually be denounced by other CSOs. However, 36.9% held that censure was rare. At the same time, 23.4% of the respondents did not know whether such behaviour would be condemned.

3.5.2 Gender equitable practices within CSOs

Hong Kong's law prohibits gender discriminatory practices. The Equal Opportunities Commission is a statutory body set up to, among others, implement the Sex Discrimination Ordinance.⁸¹ It is therefore unlawful for a company's hiring policy, promotion decision, or pay structure to be gender based.

Despite the guarantee of sexual equality by law, the extent to which gender equity is practised within CSOs is contestable, as both sides were articulated in the Stakeholder Consultations. The view that gender equity was a serious problem in CSOs co-existed with the opinion that it constituted no issue at all. Similar view was articulated in the NAG meeting.

⁸⁰ Women tend to be under-represented in non-civil society leadership positions. In tertiary education women only constituted 8% of the ranks of professor and 15% of senior lecturer in the 2001-2 academic year. In the business world, women workers have increased 38% between 1993 and 2004, but there was only 1.1% increase in the management level. In 2004, female managers made up 4.9% of all female workers, while the corresponding figure for male was 11%. Furthermore, in 2004-5 female constituted 19% of all Executive Council members, and 10.5% of all bureau heads in the government. See *Ming Pao*, March 5, 2006.

⁸¹ The Equal Opportunities Commission is also responsible for implementing the Disability Discrimination Ordinance, and the Family Status Discrimination Ordinance.

3.5.3 CS actions to promote gender equity

Most of the respondents of the CSOs survey (58.9%) could name at least one activity organized in the past year to promote gender equity. However, half of them (49.5%) felt that civil society's role in promoting gender equity was limited or insignificant.

There are CSOs working to promote gender equity, a more vocal group being the Association for the Advancement of Feminism, which is rather critical of the gender stereotypical portrayal of women in the media, and the government's lack of a "zero-tolerance-against-domestic-violence" policy.⁸²

III.3.6 Poverty eradication

3.6. Poverty eradication	Scores
3.6.1 CS actions to eradicate poverty	2
<i>Very low(0)---limited(1)---moderate(2)---significant(3)</i>	2.0

Table 3.6 Indicator scores of subdimension "Poverty eradication"

3.6.1 CS actions to eradicate poverty

Probably because of the down turn of the economy since 1998, poverty eradication has been prominent on the public agenda. Most of the participants in the Stakeholder Consultations recognized the importance of poverty eradication. Similarly, the CSOs survey reported that 67.1% of the respondents were able to recall at least one public event aiming to alleviate poverty in the year before. As to the role of civil society in addressing this issue, 36.9% believed it to be important and moderately important, 43.0%, limited, and 9.1%, of no consequence at all. The remaining 11.0% were uncertain about how effective was the work of civil society.

Many CSOs have programs to help the poor. Both the St. James' Settlement⁸³ and the Kwun Tong Methodist Church⁸⁴ organize food bank to collect public's food donations and distribute them to the needy. St. James' Settlement is the first CSO to introduce the LETS (local exchange trading system) in which residents in the neighbourhood use products or services instead of money as the medium of exchange. Moreover, alliances are formed to alleviate poverty; Livelihood 21 is made up of over 20 groups to, among other aims, push for government action to narrow the widening gap between the rich and the poor;⁸⁵ and the End Child Poverty project, a cross sectoral effort of business, professional and social services groups, aims to identify the causes to child poverty and make policy

⁸² <http://www.aaf.org.hk>

⁸³ <http://www.sjs.org.hk>

⁸⁴ <http://www.ktmc.org.hk>

⁸⁵ <http://www.hkccla.org.hk/text/index.asp>

recommendation to combat child poverty⁸⁶. The Hong Kong Council of Social Service and the Society for Community Organisation have conducted many advocacy and public education programmes aiming at promoting public understanding and acceptance of the problem. Through the joint efforts of CSOs as well as political parties, the Government finally set up a Commission on Poverty in 2005.

III.3.7 *Environmental sustainability*

3.7. Environmental sustainability	Scores
3.7.1 CS actions to sustain the environment	2
<i>Very low(0)---limited(1)---moderate(2)---significant(3)</i>	2.0

Table 3.7 Indicator scores of subdimension “Environmental sustainability”

3.7.1 CS actions to sustain the environment

Civil society’s effort in environment protection is generally recognized, as 69.9% of the respondents of the CSOs survey were able to recall at least one public event of environment protection in the last year. As to the effectiveness of civil society’s effort, the respondents’ views were, however, divided. While 41.8% judged civil society’s work to be moderately or very important, 43.0% thought it had only limited effect, and 4.0% believed it to be inconsequential.

Representatives of environmental groups in the Stakeholder Consultations have a few grievances. They pointed out that environmental sustainability had not been accorded high priority in society in general, and CSOs in particular. Among CSOs, there was a misconception that promotion of the value of environmental sustainability was to be reserved for environmental groups only, and there existed a common failure to see the linkage between environmental sustainability and equal rights to life. That environmental protection is not highly valued in society is supported by the findings of the SC survey. The proportions of respondents agreeing (48.2%) and disagreeing (49.7%) to the statement “Environmental protection is more important than economic development” are practically the same.

There are quite a few environmental CSOs in Hong Kong. International environmental groups such as WWF and Greenpeace are active in Hong Kong. In addition, there are also local groups, the oldest one being the Conservancy Association, which is concerned with sustainable development and the conservation of both natural and cultural heritage.⁸⁷ There is also Green Power, a local group concerns with environmental education and natural conservation in particular.⁸⁸ Furthermore, the Business Environment Council, which was established in 1989 by 17 big corporations, has grown to a network of over 20,000

⁸⁶ <http://www.hkcss.org.hk/cb4/ecp/index.htm>

⁸⁷ It was established in 1968. In addition to environmental protection and education, it is also very active in monitoring the government with regard to environmental sustainability and cultural heritage issues (http://www.conservancy.org.hk/index_E.html).

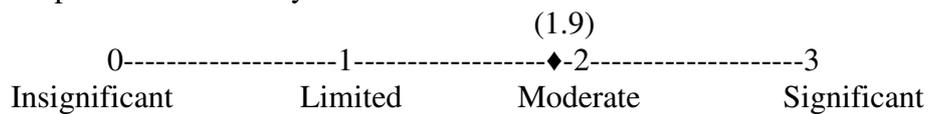
⁸⁸ http://www.greenpower.org.hk/index_e.html

companies today. It advocates sustainable development while remaining commercially competitive. Recently, the government’s continual action to reclaim land from the Victoria Harbour⁸⁹ has prompted the formation of new groups such as the Citizen Envisioning @ Harbour,⁹⁰ a cross-sectoral alliance, and the Harbour Business Forum,⁹¹ an off-shoot of the Business Environment Council. Both groups promote a holistic approach and a public engagement model in the development of the Victoria Harbour.

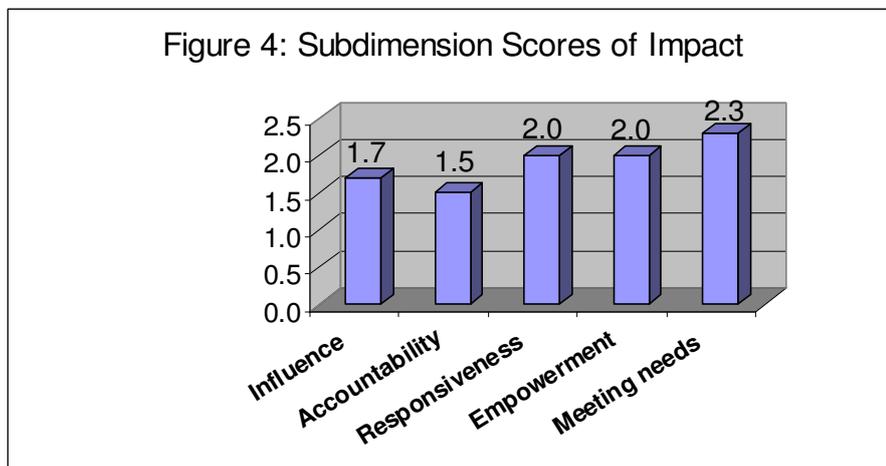
III.4 IMPACT

The Impact dimension of CSI aims to evaluate how active and successful is the civil society in achieving certain goals. These goals include influencing public policy, holding the state and private corporations accountable, responding to social interests, empowering citizens, and meeting societal needs. The Impact dimension of Hong Kong’s civil society gets a score of 1.9, indicating that its impact is moderate.

The impact of civil society is:



The scores of the five subdimensions of Impact are presented in Figure 4.



⁸⁹ The Victoria Harbour separates the Hong Kong island from the Kowloon peninsula and is considered a landmark of Hong Kong.

⁹⁰ <http://www.arch.cuhk.edu.hk/serverb/resch/livearch/main.html>. One of its convenors, Albert Lai, has successfully persuaded the government to establish the Harbourfront Enhancement Committee and to engage the public on issues about Victoria Harbour’s development. Seven members of Citizen Envisioning @ Harbour have been appointed to serve in the Harbourfront Enhancement Committee.

⁹¹ It seeks to engage relevant stakeholders and the government to come to an agreed upon plan for the development of the harbour. See <http://www.harbourbusinessforum.com/eng/welcome.asp>.

III.4.1 Influencing public policy

4.1. Influencing public policy	Scores
4.1.1 Human rights policy (Art 23 legislation)	3
4.1.2 Social policy (Youth unemployment)	1
4.1.3 Budgetary process	1
<i>Insignificant(0)---limited(1)---moderate(2)---significant(3)</i>	1.7

Table 4.1 Indicator scores of subdimension “Influencing public policy”

Doing a case study each on the budgetary process, social policy and human rights is required by the Civil Society Index. Accordingly, three policy case studies have been undertaken: The budgetary process, youth unemployment,⁹² and the Article 23 legislation, which is considered a human rights issue.⁹³

The three cases indicate that CSOs are to various extents active in their attempt to influence government policy. However, their efforts may not be concerted, and their plan, haphazard. Institutionalized channel of communication between the government and CSOs is weak, if not entirely missing. As such, the mass media is regarded by some CSOs as the most effective channel to have their voice heeded. The feeling of powerlessness is pervasive among CSOs, including those which have access to top government officials. At the same time, though CSOs may only have limited impact on policy making, they are rather successful in sensitizing society to important issues and play an important role in public education.

4.1.1 Human rights policy

Article 23 of the Basic Law requires Hong Kong to enact laws to prohibit treason, sedition, subversion, secession and theft of state secrets. In September 2002, the government released proposals for legislating Article 23. Eventually, the proposed legislation was seen as posing serious threats to the basic rights and freedoms of the people. Half-a-million of individuals had reportedly taken to the streets on July 1, 2003 to oppose the proposed bill (and the government). At the end the government withdrew the bill from the Legislative Council.

CSOs played an important role in influencing the development of the Article 23 case. CSO leaders and activists reshaped public discourse, provided alternative

⁹² Youth unemployment rate peaked in 1997 and continued to stay very high by local standard. Based on statistics released in August 2005, the unemployment rate of youth aged 15 to 19 was 29% between May and July 2005.

⁹³ Article 23 of the Basic Law, the mini constitution of HKSAR, states that the HKSAR government shall enact local laws to prohibit national security offences, some of which are novel to the common law tradition in Hong Kong, and some are even more stringent than comparable laws in the PRC. The people of Hong Kong feared that Article 23, if passed, would curtail the degree of freedom that society was enjoying at the time.

source of public trust, and highlighted certain societal core values. However, the significant of CSOs cannot be overstated.

Sensitizing the public to the implications of the proposed legislation and reframing public discourse were arguably CSOs' most significant impact on this case. When the government released the proposals in September 2002, public sentiment was that of aloofness or general acceptance. Government officials emphasized the necessity and the leniency of the proposals. It was CSO leaders (particularly barristers, journalists, and individuals from religious and human rights groups) who successfully convinced the public that the devil was in the details and that the proposals warranted a more thorough consultation than that offered by the government at the time. By reframing public discourse from general acceptance to the need for further consultation (because the proposed bill posed greater threat to human rights than the government led society to believe), CSO leaders provided an alternative source of public trust and effectively challenged the authority of the government.

The government did in the end stop the legislative process; the influence of CSOs to this end was, however, only *indirect*. Even after the July 1 2003 rally, the government insisted to go on with the legislative process. The government decided to withdraw the bill only after it realized that it would not be able to secure sufficient votes to pass the bill. The government had not yielded to public pressure and thus CSOs' impact on the decision of the government to shelf the bill was at best indirect.

Throughout the anti-Article 23 movement, CSOs highlighted several key societal values: freedoms (especially of speech and information), due process, genuine public consultation, and respect for public views by those in power.

There were certain new developments in the civil society structure arising from the anti-Article 23 campaign. New political groups (such as the Article 23 Concern Group) and CSO alliances (such as the Civil Human Rights Front (CHRF)) were formed. Hong Kong also saw the emergence of loose cyber networks of activists, youth groups and public affairs concern groups. The sustainability of these new groups and networks remains to be observed. Actually, the role of CHRF (the chief organizer of the July 1 demonstration) in the July 1 2003 demonstration could not be overstated, for it claimed to have been more administrative than mobilizing. As far as existing human rights and democracy groups are concerned, there is no evidence that they have grown much in resources, size and influences. The influence of religious groups and professional groups (such as journalists and medical doctors) call for further attention because they used to be less vocal on political issues.

4.1.2 Social policy

Youth unemployment has been rather serious in Hong Kong. The unemployment rate of youth between the age of 15 and 19 was 29% in the period from May to July 2005. The extent of the problem prompted the government to allocate extra resources to this area, as such, with the help of CSOs, the Youth Pre-employment

Training Programme (YPTP) and the Youth Work Experience and Training Scheme (YWETS) are being set up.

CSOs' effort to alleviate youth unemployment was uncoordinated, and at times, CSOs even found themselves competing with each other for a common pool of resources. CSOs have both formal and informal channels of communicating their ideas with government officials. However, they were not sure the extent to which their views or suggestions were taken up by the government.

CSOs that concern with youth unemployment commonly define their roles as service providers and seldom engage in policy advocacy. To provide service, CSOs usually turn to the government for resources, and in this case to YPTP and YWETS. As such, the work of CSOs is limited in some ways so as to maintain a good relationship with the government. Their work is also confined by the specifications of YPTP and YWETS, leading them to be seen as an executive arm of the government.

CSOs appeared to be able to stimulate public concern of the seriousness of youth unemployment. Their work to train and provide job opportunities to youth can be seen as a form of capacity building. Apart from providing services, the idea of organizing a "youth council" to declare the needs and articulate the opinions of youth has been suggested, but has yet to be materialized.

The study of CSOs in the issue of youth unemployment typifies the situation of many welfare CSOs in Hong Kong. They see themselves as service providers, they rely heavily on government funding, and thus submitted to maintaining a reasonably well relationship with the government. Competing for a common pool of resources creates a sense of distrust among CSOs. They usually have channels of communication with the government, some of them institutionalized and others, informal. Very often, they are uncertain about whether their suggestions are being taken up by the government and thus the feeling of powerlessness is rather pervasive.

4.1.3 Budgetary process

The budgetary process in Hong Kong has a few characteristics. First and foremost, the Basic Law stipulates that the government shall maintain a balanced budget. This may provide the government with a powerful shield against demands from various CSOs, many of which are concerned with the expenditure side of the budget. Secondly, Hong Kong has a narrow tax base with structural deficits. Hong Kong government's major sources of revenue are profits tax, salaries tax and land sales, all of them being highly contingent on the overall economic conditions. The reliance on such sources also means that the tax burden is concentrated on a small group in society.

The study of the budgetary process shows that not all CSOs have well developed working plans targeted to the budget per se. The existence of such plans depends on the nature and resources of the CSOs concerned. There exists remarkable variation among CSOs in the level of access to officials with regard to whom they

meet and how often the meetings take place. Professional groups such as the Taxation Institute and the Hong Kong Institute of Certified Public Accountants tend to hold regular meetings with government technocrats. Their work may contribute to the refinement of the taxation arrangement, but it is unlikely that they will bring any impact to the budget or any government policies. Welfare organizations may have relatively more opportunity to reach higher echelons of the government, and even the Chief Executive. In contrast to these CSOs, the Hong Kong Chamber of Commerce has regular and frequent access to high government officials such as the Financial Secretary.

CSOs tend to use a similar set of advocacy and lobbying strategies: written submissions, approaching political parties and Legislative Councillors, lobbying officials, and appealing to the media and the public. While CSOs are sometimes able to shape public agenda, this power should not be exaggerated. In particular, the media and public opinion may at times be unfavourable to the work of welfare groups because of the prevalence of *laissez-faire* ideology.

The study of budgetary process shows that CSOs engage in some form of collaboration with other CSOs and with political parties as well. However, this kind of collaboration is neither strong nor significant. Collaboration with CSOs from different sectors is not common for reasons that it may be hard to identify common interest and coordination may be very time-consuming.

Most CSOs in the study agree that they have very little impact on the budget. They believe that the government already has clear views by the time it approaches them, and that any of their comments can at most lead to minor amendments. The Hong Kong General Chamber of Commerce may be an exception, for it is rather confident of its role in influencing the budget.

In conclusion, the budgetary case shows that CSO participation is largely formal and not substantive. There is apparent inequality within civil society in terms of access to government officials. Collaboration among CSOs both within sector and across sectors is not strong. Impact of CSOs is rather weak.

III.4.2 Holding state & private corporations accountable

4.2. Holding state & private corporations accountable	Scores
4.2.1 Holding state accountable	2
4.2.2 Holding private corporations accountable	1
<i>Insignificant(0)---limited(1)---moderate(2)---significant(3)</i>	1.5

Table 4.2 Indicator scores of subdimension “Holding state and private corporations accountable”

4.2.1 Holding state accountable

The majority of the respondents of the CSOs survey believed that the Hong Kong civil society was to various degrees active in holding the state accountable (quite active—41.4%, active—23.2%, very active—3.7%). About half of the respondents (50.1%) deemed those efforts to be successful. However, newspaper reports of actions taken by CSOs about holding the state accountable were minimal; these reports only made up 1.3% of all reports concerning the impact of CSOs.

There are quite a number of CSOs keeping the government in check. CSOs whose concerns are to advance democracy and uphold human rights are particularly vocal. The Hong Kong Human Rights Monitor and the Hong Kong Journalists Association, Justice and Peace Commission of the Hong Kong Catholic Diocese are just a few examples in this regard. The Hong Kong Human Rights Monitor makes regular submissions or presentations to the UN on Hong Kong’s human rights situation. Allegations of violation of human rights will often draw public attention and responses from the government.

4.2.2 Holding private corporations accountable

The idea of civil society holding private corporations accountable is only recently beginning to take root in Hong Kong. As shown in the media review of newspapers, holding private corporations accountable constituted only 2.4% of all entries relating to CSOs’ impact. Although not as many respondents in the CSOs survey thought that the civil society was actively holding private corporations accountable, the figure still stood at a respectable 52.3%. However, only 32.8% of the respondents regarded these efforts as successful, whereas 42.1% saw them as unsuccessful, and 25.1% were uncertain.

It is understandable that there are not as many CSOs taking actions to hold private corporations accountable. As a participant in the Stakeholder Consultations suggested, it was difficult to hold corporations accountable for the simple fact that CSOs lacked legitimate access to business information. It appears that in instances where the private sector is held accountable, they are mostly related to consumer interests. Green Peace (Hong Kong) has protested about genetically engineered (GE) food and advocated for GE labels. The media have also exposed shops

selling food which contain excessive substance that is damaging to the human body, mechanical devices that are not safe, and or outdated or over-priced items.

As far as corporate transparency or the monitoring of corporate activities’ social and environmental impacts is concerned, the Hong Kong civil society seems to be lacking behind. An exception can be found in civil society’s collective effort in the opposition to two property developers’ plan to demolish the Hunghom Peninsula, seven brand new, unoccupied residential towers, in 2004.⁹⁴ In this rare case, not only had the civil society got together in their action; it was successful in stopping the building from being torn down. This is, however, unusual. There are calls from CSOs for more environmentally sustainable practices, such as simple packaging, using recycled materials, reducing plastic bags, adjusting temperature in air-conditioned places, etc, but they have not been very successful thus far.

III. 4.3 *Responding to social interests*

4.3. Responding to social interests	Scores
4.3.1 Responsiveness (CS actors responding to concerns)	2
4.3.2 Public trust	2
<i>Insignificant(0)---limited(1)---moderate(2)---significant(3)</i>	2.0

Table 4.3 Indicator scores of subdimension “Responding to social interests”

4.3.1 Responsiveness

Participants of the Stakeholder Consultations have positive assessment regarding CSOs in meeting social needs, empowering citizens and responding to social interests. With a predominantly service orientation, CSOs could better understand the needs of their clients and devise innovative modes of service delivery to meet those needs.

Over half of the respondents in the CSOs survey (55.0%) were able to give an example in which civil society provided service to the community. Among those examples, the targets of the service provided were mostly the general public (46.1%) and the poor (23.2%).⁹⁵ CSOs’ work to respond to social interests was captured by the media as well. The media review shows that among various aspects of impacts of CSOs, responding to social interests accounted for 24.7% and 19.0% of the print and broadcast media.

⁹⁴ Due to a change in public housing policy, the government sold the Hunghom Peninsula housing estate to two property consortia at below market price. The developers planned to tear down the newly completed buildings for luxurious apartments. The plan was considered an environmental disaster and an example of greed and wastage for the young, thus gathered intense civil society opposition.

⁹⁵ Women as a target of service constituted only 1.2%, while other groups made up another 26.4%.

4.3.2 Public trust

The Global Barometer Governance Indicators (2001-2) have not tapped people's general trust of each other; instead it surveyed people's trust in particular institutions. Table 4.3.2 contains information on Hong Kong and how Hong Kong differs from the average of some East Asian countries:⁹⁶

	<i>% positive (i.e. "a great deal of trust" + "quite a lot of trust")</i>	<i>Difference from East Asian mean</i>
<i>Parliament/Congress</i>	52	9
<i>Political parties</i>	22	-13
<i>Courts</i>	70	14
<i>Army, military</i>	62	-3
<i>Television</i>	61	-6

Table 4.3.2 Trust in selected institutions

The court commanded trust of the greatest percentage of people of Hong Kong (70%) among the five institutions surveyed, followed by the army/military, television, and the parliament/congress. Political parties gained the trust of only 22% of the respondents. If comparison is drawn with other East Asian countries including Japan, Korea, Mongolia, People's Republic of China, Philippines, Taiwan and Thailand, the people of Hong Kong had less trust in the political parties, television, and the military, while they had higher trust in the courts and the parliament (the legislature in the local context).⁹⁷ Although the information contained in Table 4.3.2 is not directly related to trust in civil society actors, they serve as a basis for comparison.

III. 4.4 Empowering citizens

4.4. Empowering citizens	Scores
4.4.1 Informing/educating citizens	3
4.4.2 Building capacity for collective action	2
4.4.3 Empowering marginalized people	1
4.4.4 Empowering women	2
4.4.5 Building social capital	2
4.4.6 Supporting livelihoods	2
<i>Insignificant(0)---limited(1)---moderate(2)---significant(3)</i>	2.0

Table 4.4 Indicator scores of subdimension "Empowering citizens"

⁹⁶ <http://www.globalbarometer.org/governanceindicators/>

⁹⁷ For the institutions that were also included in the SC survey, the results were similar. However, the respondents of the SC survey accorded even higher levels of trust to the Independent Commission Against Corruption (8.15 in a scale ranging from 1 to 10, with 10 indicating complete trust), and the Ombudsman (7.47) than the police (7.08), the judicial system (6.75), the media (5.37) and political parties (4.80).

4.4.1 Informing/educating citizen

CSOs are doing well in keeping citizens informed and educating citizens. The CSOs survey reported that 65.0% of respondents thought that civil society has been keeping the public informed or engaging in public education. Over half of the respondents (52.7%) felt positive about these efforts. Furthermore, as this report has mentioned earlier, the Article 23 case is exemplary with regard to public education on democracy, civil rights and liberty. Other issues such as environmental protection and sustainability, consumer rights as well as globalization are part of the public discourse.

The media review confirmed this observation. Among all entries on CSOs' impact, Informing and educating citizens topped all entries of CSOs' impact. They constituted 41.2% and 57.0% of the print and the broadcast media respectively.

4.4.2 Building capacity for collective action

There is a long history of welfare CSOs engaging in self-help movement. Many self-help / mutual-help groups had been formed through the deliberate effort of such CSOs. Examples include groups composed of parents of mentally handicapped children, ex- mentally handicapped persons, people suffering from chronic diseases, elderly people or women. Many of such self-help groups later become service providers, they advocate and provide a platform for mutual support and self-empowerment.

Despite the efforts of CSOs, only less than half of the respondents in the CSOs survey (47.4%) felt that the civil society was active in building capacity for collective action, but at the same time, 35.5% of the respondents were not sure. A full 22.0% of the respondents said the civil society failed in this exercise of capacity building, and 40.5% said they did not know. This is not surprising for this aspect did not get reported in the newspaper very often, it only made up 5.9% of all entries of CSOs' impact in the print medium.

Also, according to participants of the Stakeholder Consultations, there was a certain dynamic at play. On the one hand, CSOs realized the need to seek strategic alliance with other CSOs bearing similar missions in order to increase bargaining power with the government. On the other hand, CSOs of similar nature often compete with each other for resources. As the government has reduced its budget and changed the funding formula in recent years, such competition was keen, thereby somewhat undercutting CSOs' motivation to cooperate.

4.4.3 Empowering marginalized people

Most CSOs in Hong Kong work primarily in the area of service provision. With a rather keen competition for resources, CSOs are, to a great extent, responsive to the needs and interests of marginalized people such as the poor, the handicapped and others. Furthermore, there are a number of CSOs which not only provide

services, but also aim to empower minorities or marginalized groups. Society for Community Organization is very active in helping and fighting for the rights of minorities such as new immigrants, the unemployed, and the elderly.⁹⁸ The Hong Chi Association⁹⁹ and Fu Hong Society¹⁰⁰ are both working to provide mentally handicap individuals with education, job training and job opportunities. They promote community understanding and acceptance, as well as the rights of the mentally handicap. The Rehabilitation Alliance Hong Kong co-ordinates all categories of the disabled and it fights for “full participation and equal opportunity” in social affairs. The Chi Heng Foundation and the Civil Rights for Sexual Diversities both champion equal opportunities and rights for people with different sexual orientations. Unison Hong Kong campaigns for curriculum that better suit ethnic minorities and an anti-racial discrimination law.

4.4.4 Empowering women

Empowering women has not been a top priority of Hong Kong society in the last two decades or so. Since the implementation of universal education in the seventies, girls have the same opportunity as boys to receive education. By 2001, the percentage of female (15.1%) with tertiary education was only slightly below that of male (17.8%). In 2001, women students in tertiary institutions made up more than half of the enrolment.¹⁰¹ Furthermore, Hong Kong’s law prohibits gender discriminatory practices. The Hong Kong civil society has therefore not been very active in empowering women¹⁰² and there are only a few CSOs that continue to work in this endeavour. The Hong Kong Women Workers’ Association speaks up for underpaid female workers who are often employed in contract-out jobs, and marginalized female workers.¹⁰³ The Hong Kong Federation of Women’s Centres works on various issues, its main focus is to enhance women’s well being, and to promote women’s independence, and confidence, as well as gender equality.¹⁰⁴ Also, Ziteng promotes the interest of female sex workers. It provides legal and educational assistance to them and advocates the mainstreaming of sexual workers.¹⁰⁵

Recently, there is a rising trend in family violence, and women are the victims in the majority of these cases. The number in 2005 was 2,784, representing a 21.5% increase from the year before.¹⁰⁶ A few bloody cases of family violence have attracted heavy media coverage and aroused societal concern. There are CSOs or

⁹⁸ It is also well known for its work in fighting for the right of abode of mainland Chinese who have families in Hong Kong. See <http://www.soco.org.hk>.

⁹⁹ It is currently serving 6,000 individuals with different levels of mental disability and provides support to their families. It has 64 service units and claims to be the largest NGO in Hong Kong. See <http://www/hongchi.org.hk>.

¹⁰⁰ Fu Hong Society also helps people with physical disabilities. See <http://www/fuhong.org>.

¹⁰¹ Census and Statistics Department, HKSAR, PRC. *Population Census 2001, Main Report – Volume I* (HK: HKSAR Government, 2002), p. 92.

¹⁰² This is reflected in the media review, for only 0.7% of all newspaper reports and none in the broadcast medium of CSO impact was about empowering women.

¹⁰³ <http://www.hkwwa.org.hk>.

¹⁰⁴ <http://www.womencentre.org.hk>

¹⁰⁵ <http://www.ziteng.org.hk>

¹⁰⁶ The figure is reported by the police. See *Ming Pao*, January 25, 2005

branches of CSOs which are concerned specifically with this issue. Kwanfook is a good example. It is a self-help and mutual aid group formed by about 130 women who suffered from domestic violence. It aims to raise abused women's awareness of gender issues and to advance gender equality. The Association for the Advancement of Feminism has also been vocal on this issue.

4.4.5 Building social capital

There is a list of questions in the SC survey asking the respondents to judge whether a certain group contributed or undermined social cohesion in Hong Kong. These questions could be taken as a proxy of the extent of social capital. The results show that civil society actors (academics, professional associations, the mass media, religious organizations/leaders, labour unions/leaders, business chambers) have in general gained a respectable level of trust which was even higher than that of principle officials in the government. The result is summarized in the following table:

Civil Society Actors	Mean scores*
Academics	6.59
Professional associations	6.28
Mass media	5.89
Religious organizations/leaders	5.83
Labour unions/leaders	5.74
Business tycoons/chambers	5.26
Other Forces/Groups	
Police	6.73
Pro-democracy groups	5.26
Government principle officials	4.90
Pro-China groups	4.70

* Scores range from 1-10, scores above the mid-point 5.5 indicate tendency towards the building of social cohesion, below 5.5, undermining social cohesion.

Table 4.4.5 Perceived effects of various groups/forces on social cohesion

In addition, CSOs have begun investing efforts in building and sustaining different forms of social capital. The Hong Kong Council of Social Service, for instance, is itself an umbrella organisation composed of over 300 social welfare CSOs and has hence contributed to the building of social capital among member CSOs. It has in recent years invested in building bridging social capital through developing partnership with other professional and environmental protection organisations. Moreover, it launched the "Caring Company" scheme in 2002. The scheme encourages private companies to participate in philanthropic activities and social services. It has been favourably received since its inception and is still gathering momentum.

4.4.6 Supporting livelihoods

Unemployment rate in Hong Kong before early 90s was at a low level for more than a decade, and hence CSOs' efforts in creating employment mainly focused on helping people with disabilities. Sheltered workshop and supported employment programmes were the most common types of services. After mid-90s, more and more CSOs including welfare, labour and self-help organisations have developed new projects and new modes of services with a focus on addressing income generation issues. Social enterprises, including social co-operatives, have since then gained much attention. In a survey conducted by the Hong Kong Council of Social Service in early 2006, there were 43 CSOs operating or providing support to 172 social enterprises projects, which did not only target at creating jobs and income-generating operations for vulnerable groups, but also at the promotion of mutual-help and capacity building.¹⁰⁷

III.4.5 Meeting societal needs

4.5. Meeting societal needs	Scores
4.5.1 Lobbying for state service provision	2
4.5.2 Meeting pressing societal needs directly	2
4.5.3 Meeting needs of marginalized groups	3
<i>Insignificant(0)---limited(1)---moderate(2)---significant(3)</i>	2.3

Table 4.5 Indicator scores of subdimension "Meeting societal needs"

4.5.1 Lobbying for state service provision

Welfare CSOs used to be active in major welfare planning and policy making mechanisms of the Government. They were able to raise issues of major social concern and work with the Government to identify measures in response. However, the Government has suspended all such formal and regular planning exercises after 1998, probably as a result of budget deficit. Since then, the involvement and influence of CSOs has become sporadic and informal. Some CSO impact on government policy, however, can be detected. An example will be the setting up of the Commission on Poverty in early 2005 to enhance policy coordination and integration among government departments. The idea of setting up such a commission was put forward to the government by the Hong Kong Council of Social Services.

Since most work on lobbying for government service provision was carried out by social welfare CSOs, not many respondents (21.6%) of the CSO survey were able to give an example of civil society's effort in lobbying the government to address societal needs. Over half of them (53.7%) were unable to give an example and one-fourth (24.7%) simply did not know. Nonetheless, among those who were able to cite an example, most of them thought that the effort was successful

¹⁰⁷ <http://www.socialenterprise.org.hk/>

(78.2%). Of all newspaper reports on CSO impacts, only 4.4% were related to lobbying the government for service provision. It has received higher attention in the broadcast medium, for it carried 13.9% of all reports on civil society's impact.

Since the last decade, there has been an active discussion of division of labour in the health care services. As the government provides more than 90% of in-patient health care, the private market is lobbying for a major change in the mode of health care financing. The participation of CSOs in this debate is, however, not on market share issues but whether patients, especially those with chronic diseases or from lower classes, would be denied access to quality services. There were also some discussions on the share of the government and CSOs in the provision of education and welfare services, which are mainly funded by the Government, but they have not become key social issues.

4.5.2 Meeting needs directly

Most respondents of the CSO survey (62.7%) felt that CSOs were significant or rather significant in directly meeting societal needs. Nonetheless, these efforts escaped the media for only 6.4% of all CSO impact reports in this regard appeared in the press.

CSOs contribute significantly to the delivery of essential services in Hong Kong. As a matter of fact, more than 90% of social welfare services are provided by CSOs.

4.5.3 Meeting needs of marginalized groups

In the past as it is now, CSOs have been active in initiating new and innovative projects to meet the needs of marginal groups. The nature and types of services offered by CSOs have always reflected the socio-economic conditions or the social needs of society at the time. In the mid 50s, Hong Kong was faced with a huge influx of refugees and CSOs were active in relief services. In the 70s, due to improved economic environment and growing involvement of the government, CSOs were able to assume a pioneer and innovative role in providing health, education and social welfare services. In the late 90s and early 2000s, due to the economic downturn, an increased portion of the population is being marginalized as a result of poverty and its related problems such as family violence, youth unemployment and so on. Despite economic constraints, CSOs are still striving to meet the needs of marginal groups.

IV/ CIVIL SOCIETY MEDIA IMAGE

CSOs are frequently portrayed in a neutral manner in both the print and broadcast media. Analyzing the image of CSOs each *time* they were reported in the print media showed that CSOs were represented in a neutral way more than half of the times (55.8%) and in a positive way a little under half of the times (43.4%). While in the broadcast media, the ratio of CSOs being reported neutrally (63.6%) to positively (35.1%) was about 2:1. Out of all *positive representations* of CSOs, “Professional, industry and trade unions” (29.9%) led other CSOs in the print media. They were followed by CSOs in “welfare services” (11.4%), “education and research” (10.7%) and “environment” (9.8%). In the broadcast media, it was again “professional, industry and trade unions” (39.6%) that were more likely to be represented positively than CSOs concerning with the “environment” (15.1%) and “welfare services” (11.3%). However, out of all *types* of CSOs that were reported in a positive way, environmental groups topped other CSOs in both the print (66.7%) and broadcast media (72.7%).

Reports involving CSOs do not usually appear in prominent pages in the media. The vast majority of reports involving CSOs (84.6%) were not printed on the first three pages of the newspaper. The situation was similar with regard to the broadcast media (72.3%) If we look at the *number of reports* involving CSOs that appeared in prominent pages, “professional, industry and trade unions” out-did other types of CSOs in both the print and broadcast media, followed by CSOs involving “politics”. However, of all different *types of CSOs* that appeared in prominent media places, “civic and advocacy” (33.3%) and “law and legal services” (33.3%) came first in the print media. In the broadcast media, it was also “civic and advocacy group” (50.0%) that came out on top, followed by “professional, industry and trade unions” (35.1%) and “district and community based” CSOs (33.3%).

The range of primary topic of reports involving CSOs in the print media was more diverse than the broadcast media. It covered issues about “local government”¹⁰⁸ (13.5%), “business” (11.7%), “labor and unemployment” (11.5%), “education or training” (11.2%) and “health” (9.1%). The primary topic of TV news were more concentrated, in which “business” (21.1%), “local government” (18.5%), and “sustainable development” (10.6%) constituted half of all entries. “Advocacy” was the top secondary topic in both the print and broadcast media. As to the content of advocacy, “local government” (22.5% and 44.1% respectively of print and broadcast media) and “environmental sustainability” (13.5% and 8.8% respectively) were the most popular in both the print and broadcast media.¹⁰⁹

It appears that the print and broadcast media were rather uniform with regard to the four dimensions of the civil society diamond. Along the “structure” dimension of the diamond, “cooperation”, “non-partisan political actions” and “resources”

¹⁰⁸ Since Hong Kong is a special administrative region of the PRC, all Hong Kong news were regarded as local news whereas news relating to the PRC were treated as “national” news.

¹⁰⁹ In the case of the print media, “labor and unemployment” issue shared the same popularity with “environmental sustainability” (13.5%). In the broadcast media, “national politics” (11.8%) was the third most popular content of advocacy.

were the most frequently reported indicators that appeared in both types of media. Along the “environment” dimension, the three top indicators in both media were “civil liberties”, “dialogue”, and “state effectiveness”. The three top “values” that civil society pursues were, according to the two types of media, “democracy”, “transparency”, and “environmental sustainability”. As to the “impacts” of CSOs, both media agreed on “responding to social interests” and “empowering citizens: informing and educating citizens”.

The media review appears to be a rather accurate portrayal of the state of civil society in Hong Kong. The vibrancy of the Hong Kong economic system is accompanied by CSOs’ effort in promoting labor protection and in dealing with issues of unemployment. At the same time, many CSOs have been actively participating in democratic movement in terms of advocacy and mass mobilization; and in empowering the citizenry. The rise of middle class has probably led to the increased number of environmental CSOs and CSOs of other public concerns. In light of this, most topics of news reports related to CSOs were about politics, business, labor, education and sustainable development.

Most reports involving CSOs were not accorded prominent space. Nonetheless, CSOs were generally reported either positively or neutrally.

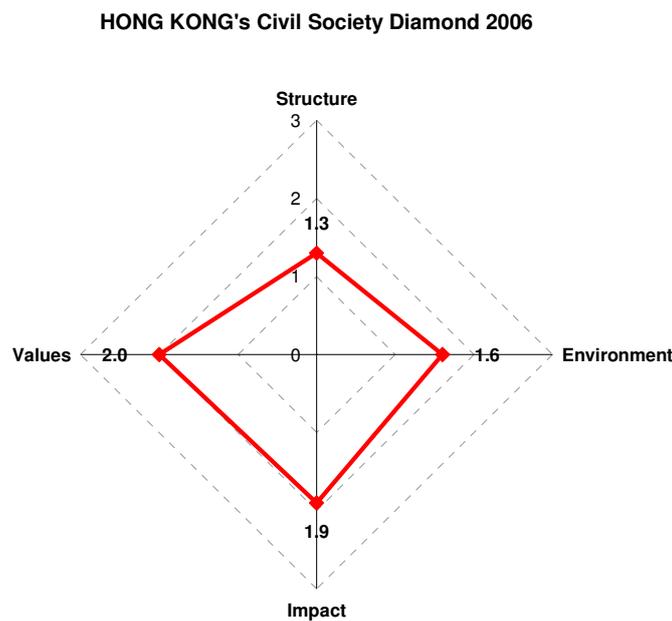
The indicators of the four dimensions of the civil society diamond pointed towards a rather encouraging state of civil society in Hong Kong. They suggested that many CSOs were willing to cooperate with others in pursue of common goals. They also reflected that CSOs were discontent with the government and lamented the inadequacy of dialogue with the government. The values that CSOs sought to promote were democracy, transparency, and environmental sustainability. Lastly, CSOs were considered to be able to respond to social interests and effective in public education.

V/ CONCLUSION

-- HKSAR: A LOOSE BUT VIBRANT CIVIL SOCIETY--

Conclusion

Of the four dimensions of the Civil Society Diamond, “Values” (2.0) and “Impact” (1.9) received higher scores than “Structure” (1.3) and “Environment” (1.6). Before presenting the recommendations of ways to promote civil society in Hong Kong, we will try give a general picture of the state of civil society on the basis of the scores of the diamond.



The Structure Dimension:

	Scores
Breadth of citizen participation	1.6
Depth of citizen participation	0.7
Diversity of civil society participants	1.5
Level of organization	1.2
Inter-relations	1.5
Resources	1.0

Table V.1 Sub-dimension scores of the “Structure” dimension

“Structure” is the weakest of the four dimensions of the Hong Kong civil society diamond. To be sure, quite a substantial portion of the population purported to have taken part in civil society activities, especially in charitable giving and non-partisan political action. However, most citizen participation lacks both breadth and depth. Not too many citizens join organizations, volunteer, or take part in collective community

action. Even when they do, their involvement is scant as shown in the number of hours they do volunteering services, as well as the amount of donations they contribute to charities.

At the organizational level, it appears that CSOs are rather unstructured; in particular, there are not many CSOs belonging to umbrella bodies and there lacks support infrastructure. Moreover, CSOs are quite poorly resourced in general, be it organizational, human, or technological and infrastructural.

The Environment Dimension

	Scores
Political context	1.8
Basic freedoms and rights	1.3
Socio-economic context	2.0
Socio-structural context	1.3
Legal environment	2.0
State-civil society relations	1.7
Private sector-civil society relations	1.3

Table V.2 Sub-dimension scores of the “Environment” dimension

Overall, the external environment within which civil society exists and functions is neutral; it is neither disabling nor is it enabling. This score should be examined more closely because the apparent neutrality actually blurs the variation among the seven sub-dimensions. The socio-economic context and the legal environment, apart from limited tax benefits for philanthropy, rather encourage the growth and operation of civil society. The political context is quite favorable save the restrictions placed on citizens’ political rights and the low degree of decentralization.

The “socio-cultural context” and the “private sector-civil society” sub-dimensions are regarded as the weakest parts of the Environment dimension. It is thought that socio-culturally, the levels of trust, tolerance, and public spiritedness are rather low among members of society and hence somewhat disables the functioning of civil society. Private sector-civil society relations are mostly unproductive because of the indifference of the private sector towards CS actors, the unfamiliarity with the idea of corporate social responsibility, and the limited support that the private sector renders CSOs. Furthermore, basic rights and freedom are not too favorable to civil society for information rights are not guaranteed by law and self censorship appears to be threatening press freedom. State-civil society relations are hampered by uneven and under-institutionalized dialogue of the government with CSOs.

The Values Dimension

	Scores
Democracy	1.5
Transparency	1.7

Tolerance	2.0
Non-violence	2.5
Gender equity	2.0
Poverty eradication	2.0
Environmental sustainability	2.0

Table V.3 Sub-dimension scores of the “Value” dimension

The “Values” dimension is a stronger aspect of Hong Kong civil society. It shows that Hong Kong civil society moderately practices and promotes positive social values. Among the seven values making up this dimension, non-violence is basically practiced and upheld, and to a large extent, as are the values of tolerance, poverty eradication, environmental sustainability and gender equity. It is also rather honest in that instances of corruption within civil society are rare.

However, civil society is still lacking behind in practicing and promoting several values, including democratic practices within CSOs, financial transparency of CSOs, as well as action to promote transparency.

The Impact Dimension

	Scores
Influencing public policy	1.7
Holding state & private corporation accountable	1.5
Responding to social interests	2.0
Empowering citizens	2.0
Meeting societal needs	2.3

Table V.4 Sub-dimension scores of the “Impact” dimension

The Impact dimension is given a score of 1.9 and is considered a stronger feature of the Hong Kong civil society. The civil society has been effective in meeting societal needs, particularly those of marginalized groups. It has also done well in responding to social interests and empowering citizens. In fact, it plays a very important role in informing and educating citizens.

Such a positive impact is compromised by CS’s limited effort and ineffectiveness in holding private corporations accountable. In addition, CSOs’ attempt to influence social policy and the budget can only be described as partial and almost non-discernible.

Overall: A Loose but Vibrant Civil Society

The Hong Kong civil society can be described as loose but vibrant. It is loose because of the low levels of structure as well as communication among CSOs. It is vibrant because it actively strives to respond to social needs and empower minority groups and in the process, it enjoys various degrees of success. In addition, it is rather committed in promoting certain social values.

VI/ STRENGTHS AND WEAKNESSES OF HKSAR CIVIL SOCIETY AND RECOMMENDATIONS FOR THE FUTURE

VI.1 Strengths of Hong Kong civil society

On the bases of our findings and the scores awarded by the advisory group, we recognize that the strengths of Hong Kong civil society lie in its

1. Enthusiasm in advocating ideas and values
2. Ability to shape public agenda and challenge public policy, and
3. Robustness in responding to societal needs and providing services.

CSOs in Hong Kong have a long history of service provision; many of them actually started as charitable organizations or mutual aid groups. This tradition has continued into the present. In addition to service provision, CSOs have taken on new roles. As shown in the policy case studies, especially the legislation of Article 23, the Hong Kong civil society is effective in public education and agenda setting. In the absence of a fully democratic government, CSOs' efforts in overseeing the government contributes significantly to upholding civil rights and freedoms in society, and to making certain that the government is responsive to societal needs and demands. Moreover, in the course of policy advocacy and information dissemination, values are reaffirmed and sometimes, even created. This is an important process because values get to be publicly deliberated before they are accepted, hence facilitating a common understanding among citizens.

VI.2 Weaknesses of Hong Kong civil society

Major weaknesses of Hong Kong's civil society can be summed up as follows:

1. Low level of donation and volunteering
2. Low level of participation in CSOs
3. Under-developed institutional structure such as internal democracy and transparency
4. Insufficient resources including human, financial, technical and infrastructural
5. Few federations or umbrella organizations representing individual CSOs
6. Few platform to promote meaningful dialogue among CSOs
7. Few civil society support organizations
8. Limited dialogue with the government and erratic participation in policy-making
9. Financial dependency of some CSOs on the government
10. Very limited dialogue or cooperation with the business sector
11. Society in general and the business sector in particular lacks a strong sense of corporate social responsibility
12. Lacking an up-to-date set of nonprofit or charity laws

Internal Weaknesses:

Roughly speaking, items 1 to 4 are problems internal to CSOs. It has been suggested in the NAG meeting that low level of donations could be related to the dependency of society on the government to fund CSOs. Since the 70s, the government has expanded its responsibility over the welfare of the population and from then on, it has been the main provider of a vast majority of welfare CSOs. As the finance of these CSOs was taken care of, there has not been a serious effort to cultivate a habit of donations in the last three decades or so, for neither the need nor the urgency was there.

It is true that volunteering and membership in CSOs are both low when they are evaluated against figures from countries with similar levels of economic development. However, when compared longitudinally with data from the last three decades, a rising trend on both volunteering and CSO membership have been recorded.¹¹⁰ The Hong Kong government has also been putting more effort in promoting volunteering in recent years. Coupled with the maturing of Hong Kong society and the development of local identity, participation in civil society is expected to increase.

CSO democracy and transparency may be a problem. Although large CSOs are likely to have clearly stated leadership selection methods and most of which have certain degree of democracy; smaller CSOs may not have explicit rules and even when they have, they may not be strictly adhered to. It has been pointed out in the NAG meeting that this problem could partly be a result of the low degree of CSO participation. There are not enough CS participants in the first place, and secondly, there are not enough motivation and interest for CS participants to take an active role.

Relational Weaknesses:

Items 5 to 7 are problems about relations among CSOs. They reflect that CSOs in Hong Kong are only loosely connected. There are not many umbrella organizations of decent size and CSOs do not see a common platform to work together. The fact that CSOs largely work individually can be partly attributed to the funding situation in Hong Kong. As mentioned in the NAG meeting, more often than not CSOs compete against each other for a common pool of resources. Since the number of funding sources, be it government or private foundations, is limited, CSOs often find themselves competing with CSOs of similar nature. The competitive aspect is sometimes a disincentive for CSOs to work together.

The socio-economic situations in Hong Kong in the past few years have, however, given rise to the formation of CSO alliances both within and across sectors. The economy of Hong Kong suffered two serious setbacks at the turn of the millennium. First, Hong Kong was hard hit by the Asian financial crisis beginning from 1998 and then the outbreak of the Severe Acute Respiratory Syndrome (SARS) in 2003.¹¹¹ The economy was so bad that unemployment rate reached an unprecedented high of 8.8%

¹¹⁰ Holliday, Ian and Tam, Waikung. "Social Capital in Hong Kong," *East Asia: An International Quarterly*, vol. 19 (Spring 2001), pp. 144-170.

¹¹¹ In the short period from the onset of the epidemic in mid-March 2003 to the end of May 2003 when it was being brought under control, over 1,700 individuals contracted the disease and it claimed a total of 299 lives.

between May and August, 2003. Economic woe and dissatisfaction with the government emerged as common platforms of CSOs. Alliances have been formed to urge the government to alleviate economic agony and to pressure the government for accountability, transparency and democracy in general. Whether such alliances are sustainable and whether such experience fosters the formation of new alliances in the future remain to be seen.

External Weaknesses:

Items 8 to 12 are concerned with problems external to CSOs. They show that relation between CSOs on the one hand, and the government and the business sector on the other hand is far from desirable. The lack of dialogue between CSOs and the government often jeopardizes the policy process and results in unsatisfactory policies. This problem is especially acute in the welfare sector. The heavy dependence of welfare CSOs on public funding makes their relationship with the government more in the form of superordinate and subordinates than of partners. As the government depends heavily on welfare CSOs for service provision, an unequal relationship is unhealthy for it brings grievances and impedes cooperation.

Hong Kong is a commercial city; businesses are a substantial part of society. However, relationship between CSOs and the business sector is aloof at best. In fact, it is not unusual for CSOs to be distrustful of businesses. Considering all CSO activities taking place day in and day out, rarely are there events involving cooperation between CSOs and businesses, big corporations included. CSOs often see businesses as unsympathetic to CSOs. Furthermore, even when businesses collaborate with CSOs or sponsor their activities, they are seen to have been done for company image rather than for the promotion of the good cause. Recognizing the potential contribution of the business sector on civil society, efforts to improve the relationship between CSOs and the business sector to achieve a win-win situation have been made in recent years. At the same time, the idea of corporate social responsibility is gradually emerging, which could signal the beginning of a bigger interaction between the business sector and civil society. Nonetheless, it is still too early to assess whether or not the effort to promote cross sectoral understanding and cooperation will bear fruit.

Looking Ahead:

Based on the research and the scores awarded by the Advisory Group, it can be said that the Hong Kong civil society is active but loose. However, the near future does not seem to be very promising for it appears that various factors would restrain the further development of civil society. At the individual level, the depth of participation is worrying. At the organizational level, there is a low level of internal democracy, over-dependence on public funding, and inter-organizational cooperation is infrequent. At the sectoral level, mistrust between CSOs on the one hand, and the government as well as the business sector on the other hand, is prevalent. Also, there lacks an up-to-date set of non-profit laws. It is possible to improve all of the above inhibiting factors, but it will take time and deliberate effort to cultivate an ambience and nurture a habit that enable civil society to grow.

VI.3 Recommendations for the Future

In the afternoon of 29 April 2006, over sixty civil society actors took part in the Hong Kong Civil Society Workshop. Participants come from a wide variety of groups including, for example, minority, arts and culture, religious, advocacy, professional, environmental, educational, political, uniform, and the mass media. There had been a lively discussion in the workshop. Suggestions and recommendations are many and various; basically, they center around five areas:

1. Resources

Heavy dependence of CSOs on government funding has often been cited as a factor slowing down the growth of civil society. The government prescribes *what* need to be done and *how* they are to be done, which may hamper CSOs' responsiveness to societal needs and discourage creativity in meeting those needs. It is therefore suggested that CSOs ought to find funding sources other than the government, and in this endeavor, CSOs are advised to explore

- The feasibility of setting up community foundations and seeking more support from private foundations
- The possibility of setting up common mechanisms, like the BBB Wise Giving Alliance, to help solicit donations from the general public
- Establishment of a directory of potential donors
- The opportunity to generate wealth, making use of ideas such as social enterprise, which can create jobs for disadvantaged groups and bring in income for CSOs at the same time

2. Common platform

CSOs often work all on their own. Given the lack of resources, it is advisable for them to establish and maintain a dialogue with one another. It is suggested that CSOs create common platforms so they can

- Share information
- Pool resources
- Devise division of labour
- Put pressure on the government or other relevant bodies

3. Training and retaining CS actors

The unwillingness of individuals to be involved in civil society is a major weakness. CSO leaders also express the concern of retaining and motivating new CS actors. To both ends, it has been proposed that

- CSO leaders be equipped with basic skills set through training courses
- There should be a close fit between volunteers' work and their personal interests and abilities
- Internal democracy should be promoted to motivate aspired CS actors to step up their involvement
- Incentives should be given to bigger or more experienced CSOs to help their counterparts
- Orientations should be given to CSO leaders and volunteers to ascertain reasonable expectations on both sides

4. Research and Advocacy

To increase the capacity of CSOs and their bargaining power against the government and other relevant bodies, it is recommended that CSOs

- Strengthen research power
- Engage stakeholders in dialogue
- Form advocacy alliances

5. Civic education

It has been found that the socio-cultural environment does not facilitate the growth of civil society. To alter this situation, civic education is deemed necessary in the long run. The following ideas have been put forward

- Instil the value of volunteering
- Inculcate the idea of social responsibility
- Discourage dominant emphasis on pragmatism
- Disassociate advocacy from negative images of chaos, protests, and hooliganism
- Encourage students to take part in volunteering
- Explore the possibility of awarding credits to college students for volunteering work

The above list consists of recommendations of civil society stakeholders to overcome the weaknesses of the Hong Kong civil society. Some of these suggestions are easier to take up than others, some involve longer term and others entail the work and cooperation of forces external to the civil society. These suggestions represent the synergy stemming from the experiences of active civil society actors from various fields. They are indeed valuable starting points for the Hong Kong society to move forward.

APPENDIX 1

Composition of the scoring advisory group

Mr. Darwin Chen	Agency for Volunteer Service
Mr. Albert Lai	Hong Kong People's Council for Sustainable Development
Mr. Michael Lai	St. James' Settlement
Dr. Lam Wai-man	The University of Hong Kong
Ms. Esther Leung	The Government of the Hong Kong Special Administrative Region
Mrs. Justina Leung	The Boys' and Girls' Clubs Association of Hong Kong
Mr. Lau Kar Wah	Hong Kong People's Council on Housing Policy
Ms. Mak Yin-ting	The Hong Kong Journalists Association
Mr. Charles Mok	Internet Society Hong Kong Chapter
Mr. Peter Wong	Deloitte Touche Tohmatsu
Mr. Mathias Woo	Zuni Icosahedron
Ms. Wu Mei-lin	Hong Kong Women Workers' Association