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ADHERE TO RIGHTEOUSNESS

20 Years of
Human Rights Press Awards

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PREFACE

The Human Rights Press Awards, co-organized by Amnesty International Hong Kong, the Foreign Correspondents' Club Hong Kong and the Hong Kong Journalists Association, marks its 20th anniversary this year. The Awards was founded in 1996, the eve of China's resumption of sovereignty of Hong Kong. At that time, there were concerns over whether the freedoms enjoyed in Hong Kong and the rule of law would be affected under Chinese rule. Politically, China is a one-party dictatorship. Economically, China was lagging Hong Kong at the time of the handover. Culturally, China was far behind civilized societies in terms of people's moral standards after being ravaged by a decade of the devastating Cultural Revolution. As such, it was reasonable for Hongkongers to be worried about Hong Kong's return to the rule of such a country.

Over the past 20 years, the Human Rights Press Awards, especially the winning entries that touched on Hong Kong, have witnessed the gradual deterioration of human rights in Hong Kong. However, the Awards have also shown how frontline journalists have tirelessly tried to turn the tide despite this growing social destruction. Thanks to their efforts, there is better public awareness on issues that matter to us all, and their work have also helped safeguard our core values. Today, Hongkongers from every step of life have the courage to stand up to unreasonable policies; this can be attributed to the public being enlightened by reports from members of the media who fearlessly uncover incidents that violate social justice and human conscience. Throughout this process, the long-term, seemingly imperceptible effect of the efforts by these journalists must not go unnoticed.

It is because of this that I wholeheartedly recommend this record of how we have safeguarded the place we all call home.

Ching Cheong
8 July 2016

Cover Photo: 封面圖片
Rennie's Mill Protest 駁中國毒潮
Stephen Shaver
1996 Photjournalism Prize 新聞攝影大獎

- Collaborators**
- Mabel Au
 - Joyce Chiang
 - Hannah Yip
 - Darren Tang
- Collations**
- Jude Hui
 - Jennifer Wang
 - Joyce Lau
- Translators**
- Shirley Wong
 - Jaycee Man
 - Kwan Ching Ying, Crystal
 - Christina Sin
 - Vivian Kwok
 - Cherry Ng
 - Louise Yu
 - Wong Nga Kwan
 - Kwan Wing Yee Wendy
 - Chung Chun Wai, Gordon
- Advisors**
- Leung Yan Wing
 - Chong Yiu Kwong

- Photo Credits (By Chapter)**
- Stephen Shaver
 - Elson Li
 - Richard Jones
 - Felix Wong
 - Lo Kwan Ho
 - Robert Ng
 - Philippe Lopez
 - Lee Shiu Cheong
 - Dickson Lee
 - Wong Tak Kin
 - Law Lan Yung
 - Luk Yu Shing
 - Yu Chun Leung
 - Fu Chun-Wai
 - AFP
 - Apple Daily
 - Eastweek Magazine
 - Ming Pao
 - Sing Tao Daily
 - South China Morning Post

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CHAPTER 1

20 YEARS OF HUMAN RIGHTS PRESS AWARDS



Lost Boys / The Vanishing 失蹤的男孩 / 神秘失蹤
Richard Jones - Post Magazine 花邊中環雜誌
2007 Freedom Journalism Prize 特寫新聞攝影大獎

HUMAN RIGHTS PRESS AWARDS – AN INTRODUCTION

Now in their 20th year, the Human Rights Press Awards were the first press awards held in Hong Kong. Founded by the Foreign Correspondents’ Club Hong Kong, the Hong Kong Journalists Association and Amnesty International Hong Kong, the awards were first held in 1996. Every year, the awards attract hundreds of entries from Chinese and English print media, broadcast media and professional news photographers. The categories cover a wide range of topics, including civil rights, freedom of expression, freedom of assembly, economic rights, the rights of migrant domestic workers, sex equality issues, sexual minority rights, the power of law enforcement, ethnic minority and refugee issues, children’s rights, and the rights of disabled persons.

Over the past two decades, the Human Rights Press Awards have witnessed changes in different dimensions of human rights across Asia. What then has changed in Hong Kong? This book compiles a select number of award-winning works into different categories in accordance with their related articles in the United Nations’ Universal Declaration of Human Rights, with the purpose of giving readers a deeper understanding of the human rights situation in Hong Kong.

The Human Rights Press Awards not only cover local media professionals and their work; they also serve to encourage professionals in the field to widen their horizons to the whole of Asia, thus inspiring readers on even more issues. The Awards allow media professionals working in or on Asia to participate in the

competition as well. Every year, organizers invite human rights workers and award winners to share their views and experiences, including Gao Yu, a veteran reporter who has repeatedly been arrested by the Chinese government; and Kelvin Lau, the former Chief Editor of Ming Pao.

Given its limited length, the book focuses on the changes in Hong Kong over the past 20 years. Countless other award-winning works also come from the rest of greater China. These include the string of suicides at Foxconn in Shenzhen that captured international attention. Foxconn, a Taiwanese electronics contract manufacturer, set up large plants in the area and had initially attracted many workers because wages were relatively high. The multiple suicides led to great public interest in the conditions at Foxconn. In order to understand the deeper reasons behind the incidents, a winner of the 2010 English-Language General News Merit, “Foxconn Stories” (Minnie Chan, *South China Morning Post*), investigated the Foxconn plants and interviewed the managers and workers on the production line. The reporter discovered that the only ‘life’ in that industrial park was work and work and work. Human beings were seen as a production machine in the factories.

A winner of the 2008 English-Language General News Merit, “Months Later, Xinjiang ‘Terror’ Raid Remains a Mystery” (Dan Martin, *Agence France-Presse*), mentioned a series of rumours about terrorism that circulated in March 2008. At that time, the Chinese government told the public that a planned terrorist attack at a housing estate in Ürümqi was foiled. Nevertheless, the reporter investigated and found out that residents of the housing estate were not aware of the incident. Was the attack real or was it created by the government to

suppress the Uyghur people in the name of anti-terrorism?

A 2004 merit winner of English-Language Newspaper – Feature, “Dr Jiang” (Matt Pottinger, *The Asian Wall Street Journal*), was an example of how freedom of expression could save lives. The piece profiled Dr. Jiang Yanyong, who made public the cover-up of SARS to the international community.

Apart from China, the Human Rights Press Awards also cover situations in other parts of Asia. The 2006 winner of the English-Language Magazine Prize “Singapore’s ‘Martyr,’ Chee Soon Juan” (Hugo Restall, *Far Eastern Economic Review*) interviewed the secretariat of Singapore’s Democratic Party Chee Soon Juan. Chee had been arrested repeatedly for criticizing the ruling party, the People’s Action Party. He was fined for giving a speech without permission in 2006 and was imprisoned because he could not pay the fine. The Singaporean government claimed that he was guilty for his crimes. Reporters lamented that there was a heavy cost in speaking the truth in Singapore, but Chee has expressed that he had no regrets.

Burma, a country that has experienced prolonged political turmoil in the past 20 years, is also regularly featured in the Human Rights Press Awards. These included the 2008 English-Language Magazines Merit winner, “Saving Burma” (Hannah Beech, *TIME Asia*), which revealed how Burma’s military government ignored the life and death of its people, causing more than 100,000 people to die from natural disasters. International aid could hardly reach the survivors because of corruption. Therefore, student organizations and



monks urged the international community to help change this situation in order to assist those who were really in need. The 2011 English-Language General News Merit winner “Myanmar’s New Dawn” (Greg Torode, *South China Morning Post*) reported the situation in Burma after Aung San Suu Kyi was released from prison, where Burmese society began to open up and people also had a greater hope for the future. It analysed the possible challenges that Aung San Suu Kyi and her National League for Democracy may face in the future.

The winner of the 2013 English-Language Online Merit “Four Years After War, Sri Lanka’s Widows Fear Rape” (Charlotte Turner, *Agence France-Presse*) discussed how women who lived in the eastern and northern parts of a conflict region still had to face the risk of sexual harassment and assault. The 2012 English-Language Magazine Merit winner “The Fighter: Malala Yousafzai” (Aryn Baker, *TIME*) was an interview with Malala Yousafzai, a Pakistani girl who was attacked by the Taliban because of her support for female education rights. It described her path to human rights protection as well as her determination to continue fighting for human rights.

This determination is also in the heart of many media professionals, as well as the Human Rights Press Awards.

Establishing a Unique Press Award for Hong Kong – Robyn Kilpatrick

Robyn Kilpatrick, former chairperson of Amnesty International Hong Kong (AIHK), came to Hong Kong in 1980 and joined AIHK in 1984. Originally from Australia, Kilpatrick first proposed the idea of establishing the Human



Robyn and Angela worked together and invited FCC and the HKJA to jointly establish the HRP.

Rights Press Awards (HRPA) in the 1990s, which successfully held its first awards ceremony in 1996 in Hong Kong. She returned to Australia in 1998 and came to Hong Kong to attend the 20th anniversary of the HRP in 2016.

The Origins of the Human Rights Press Awards

The idea of establishing a media awards in Hong Kong first came to Kilpatrick when she read some news articles about the role the media plays in educating the public about human rights. She said, 'To deliver human rights education to the public, the media plays a very important part in reporting the news and truth from the frontlines; AIHK's profile would also affect the influence of such education and hence the relationship with the media'. Through setting up the HRP, she also wished to deepen the media's understanding about AIHK's work as well as to increase the profile of AIHK in Hong Kong.

Kilpatrick then discussed the idea with Amnesty International UK and also some other local sections organizing similar media awards on human rights to learn about their experiences. She has emphasized that the HRP was inspired by similar awards in the United Kingdom, but a unique press award for Hong Kong. In fact, local partnership was crucial in establishing the awards, and Kilpatrick felt that two obvious organisations to partner with were the Hong Kong Journalists Association (HKJA) and the Foreign Correspondents' Club, Hong Kong (FCC). She sought the strength of the HKJA's local insight and the FCC's international insight from the

partnership, and along with then AIHK education officer Angela Lee invited Francis Moriarty, a board member of the FCC, and Daisy Lee, then chairperson of the HKJA, to jointly establish the Awards.

Kilpatrick deliberately timed the year of the launch before 1997, with a hope that the HRP would draw media attention to the Universal Declaration of Human Rights as the handover approached and that the media could learn to relate the situation of Hong Kong to international standards. The media in Hong Kong did so, and continue to do so.

Once the partnership was formed with the FCC and HKJA, the immediate challenge was to raise funds to set up the HRP. After discussing with Amnesty International Norway, Kilpatrick and Lee successfully obtained funding from the Norwegian educational organization Teaching For Freedom to support the operating costs of the first HRP. Kilpatrick is grateful to see that the HRP has remained sustainable for 20 years, thanks not only to endeavours by the founders and staff, but also the continued funding and support of philanthropist Anne Marden and support from all AIHK donors and volunteers every year.

The 20th Human Rights Press Awards: Promoting Justice Over the Years

And so the HRP was launched in 1996. Kilpatrick said, 'we are overwhelmed by the support from a wide range of English and Chinese media. Journalists with great understanding of human rights have participated in these awards and we have received many high quality submissions.' From Kilpatrick's perspective, the

quality of the winning entries is a key part of press freedom. 'Throughout the years, journalists in Hong Kong have done their very best to cover the news fairly despite considerable constraints. They often have to contend with deadlines and have also found it difficult to carry out in-depth reporting because of the lack of resources or other various reasons. Nevertheless, they have been able to produce balanced reporting even in a restrictive environment'.

Though Kilpatrick moved back to Australia in 1998, she remains concerned about Hong Kong and keeps abreast of news about the city, in particular recent challenges to press freedom when Ming Pao's former chief executive editor Keung Kwok-yuen was abruptly fired. 'The 20th anniversary of the handover (2017) will be a critical time', she commented. But Kilpatrick is still optimistic towards the future of Hong Kong's human rights and press freedom as there are still many people, including journalists, who are willing to speak out, 'Good to keep speaking out'. She is heartened that the HRPFA has sustained for 20 years, and she believes that speaking out through the Awards is important for press freedom in Hong Kong. Its longevity has given credibility to the HRPFA, and it has played a role in ensuring that Hong Kong has a vibrant free press. Kilpatrick stressed, 'The role [of the HRPFA] in press freedom cannot be underestimated.'

To Kilpatrick, the HRPFA is also an encouragement. 'It has been encouraging journalists who defend press freedom, and also promotes the exchanges between local journalists and journalists from other parts of the world. Besides, the HRPFA had also become a catalyst of improvement. In the past 20 years, the HRPFA and the



media achieved in making human rights accessible. More people talk and know about the concept of human rights and hence people want AIHK and media outlets to keep raising human rights concerns'. Human rights are intangible, yet the HRPFA have had a tangible effect, Kilpatrick believes that 'the tangible effect is one of the reasons that the HRPFA has lasted for 20 years.'

The Intricate Relationship between the Human Rights Press Awards and Human Rights Education – Angela Lee

Angela Lee, the first human rights education officer of Amnesty International Hong Kong, frequented various primary and secondary schools as well as the community during her tenure, actively sharing the importance of human rights with people of different professions. She is a co-founder of the Human Rights Press Awards, and since leaving AIHK, she has continued in the education field and is currently a school administrator. Since the first year of the Awards, she has been an organizer and judge in the photography categories.

The Human Rights Press Awards Sparks Awareness

This is a question we're often asked: Why did Amnesty International feel the need to set up a press award? Angela Lee would always answer, 'Human rights education and the Human Rights Press Awards are actually complementary. Reporters report at the frontline, while teachers teach students according to what is displayed in the media. This is the most direct example of media in education'.

To Lee, the mission of the media is to report the facts and to reveal injustices, 'It checks the power of the government and is an important safeguard of human rights'. Its criticism of the government and exposure of social problems can in addition help citizens understand social issues. Lee continued, 'Without reporters, the public would not have known the violence that the seven police officers exerted upon the protestor; protestors arrested during the Umbrella Movement would not have been able to wash off their allegations without the media to provide evidence; without reports on the homeless, the Social Welfare Department may not have implemented policies, such as opening shelters, to improve the plight of the homeless; without reporters, the public would not have known that there are still children in Hong Kong who have no identity cards and access to education'.

Lee thinks that, by encouraging and assisting media professionals to equip themselves with human rights knowledge, they can be more sensitive to the different dimensions of human rights in society, 'When reporters have a higher awareness of the importance of human rights, their report would also include a human rights perspective, thus deepening the public's understanding of social issues and human rights'. And the purpose of setting up the Human Rights Press Awards is to encourage reporters to report more from a human rights perspective, 'The Human Rights Press Awards is the yeast, making the awareness of human rights ferment in the minds of reporters, and ultimately in the public through the reports they make'. Hence, the Human Rights Press Awards is a crucial part of human rights education.

1996 was a critical time to many human rights workers; in face of Hong Kong's handover to China, public opinion saw it crucial to enhance civil awareness. The government at that time even released the 'Guidelines on Civic Education in Schools', with one part dedicated to human rights. Although some thought that the guidelines were too general, it was a good 'starting point' for human rights education. Who would know that today, after 20 years, the government has made little progress in the promotion of human rights education? Even the Hong Kong Curriculum Development Institute's 'Updating the Personal, Social and Humanities Education Key Learning Area Curriculum (Primary 1 to Secondary 6) Consultation Brief' suggested a reduction of content related to 'the development of civil competence in participating in local governance', which may adversely affect student's civic participation capacity.

Human Rights in Everyday Life

Lee observed the changes that the Awards have been through for the past 20 years, 'When the Human Rights Press Awards were first established, the public did not really understand what human rights were. The works submitted were usually more explicitly related to civic and political rights, such as Vietnamese refugees, the handover, the freedom of speech, and the freedom of assembly.' Many human rights issues are actually in our everyday lives, but there was no atmosphere for discussion and many people overlooked them at first, 'For example if a reporter at that time saw an elderly person die from hunger and freezing weather, one would only see the tragedy, but not how the safeguard of human rights according to international conventions could

reduce these tragedies from happening. But now the public has gained a better understanding of human rights’.

Lee thinks that human rights education is not about superficially reciting the Universal Declaration of Human Rights and other related covenants. It is about everyday lives. Even issues as simple as whether Hong Kong people have clean water to drink everyday are imminently linked to human rights (whether the government is protecting public health). By bringing out the theme of human rights in different cases, the public can have a more comprehensive understanding of human rights.

She noticed in the latter part of the 2000s that more and more submitted works revealed and analysed poverty in the city, which showed that society’s understanding of human rights has increased. Even when reporting the same issue, there has been stronger emphasis of human rights in the perspective and approach. Lee thinks that human rights education and the positive influence of the media in the early years have successfully enhanced human rights awareness of the public in general. ‘So when the new-generation journalists report, they do not only see fractions of stories, they can also see through the stories and understand the social issues behind. They may know that according to the International Covenant on Economic, Social and Cultural Rights, the government has the responsibility to care for the underprivileged such as the elderly, and also look into the core of the issue from a human rights perspective. And they may report according to this perspective, indirectly enhancing the human rights awareness of the public.’

Independence of the Media is the Key

Looking back over the past 20 years, has this award provided reporters a shield of protection? ‘Our award is very small’, Angela smiled bitterly, ‘in fact we are not the ones protecting the freedom of press and the reporters. The reporters are the one who protect our freedom of information’. The least the Human Rights Press Awards can do is to recognize the reporters and to encourage social attention and discussion of human rights issues. ‘The Human Rights Press Awards and human rights education may not be able to affect the seven million people in Hong Kong, but they are still valuable in spreading and deepening human rights awareness, thus gradually affecting the public in general’.

Hence, even though there is only a spark of light, we still have to pass it on. Lee thinks that in order for a society to improve, it is crucial to have reporters report from a human rights perspective. ‘Local human rights organizations act in response to the news. If media professionals can work independently without fear to reveal the truth, then society can not only push the government for systemic and policy changes, the media can also play an important role to deepen the public’s understanding and awareness of human rights’.



Human Rights and the Press over 20 years - Francis Moriarty

Originally from the United States, Francis Moriarty came to Hong Kong in 1989 to work at the Hong Kong bureau of Agence France-Presse. He then joined RTHK's news department as a journalist from 1995 to 2014, and is now a freelance journalist. He was on the board of the Foreign Correspondents' Club, Hong Kong, for 21 years holding various key roles, and is also one of the founders of the Human Rights Press Awards.

Based in Hong Kong, Eyes over Asia

Moriarty has been an organizer of the HRPA since the very beginning. He can recall details of different events, be they small or large. An example is the design concept behind the first logo of the HRPA, a chain encircling the map of Hong Kong with "Human Rights Press Awards" rendered in English and Chinese text breaking through the chain. He remembered the reason to change the logo, "We consider that the HRPA is not only about Hong Kong but the whole of Asia. The decision to not use the Hong Kong map reflects that these Awards are not subject to regional constraint. We should take a broader view over more places". In fact, over the past 20 years, many awards have been given to entries related to the rest of Asia. This can also encourage more readers and journalists to learn about the human right situation in the entire region.

Changes in the logo of HRPA over the past 20 years.



The Human Rights Press Awards: The Professional Press Award

Although the HRPA's theme is human rights, it also emphasizes professional reportage. Moriarty pointed out, 'The HRPA is a press award with perspectives on human rights. In other words, it requires good reportage with human right perspectives'. He insisted that all the journalism has to be done well and comprehensively, 'The judges are well chosen. They have to be equipped with elements of professionalism, reportage, and human rights'. As a result, judges over the past years include leading journalists, academics, lawyers, and human right defenders. The list includes barrister Jacqueline Leong, S.C., who has been on the judges' panel since the inaugural year. Other judges in the first year included Ronnie Tong, Audrey Yu, Alan Leong, and Anna Wu.

Apart from making the Awards more legitimate and attracting more journalists, the guest speakers at the awards ceremony each year have also been an important focus, 'Previous guest speakers include Anna Wu, the former chairperson of the Equal Opportunities Council; Irene Fernandez, the prominent Malaysian human rights activist; and Gao Yu, a prominent human rights journalist'. Sometimes, speakers could not come to Hong Kong due to their sensitive identities, so their speech could only be broadcasted. Nevertheless, their experience and their courage to reveal the truth without fear have inspired lots of journalists to be involved in human right journalism work.

Empowerment of Journalists

When asked about the meaning of the HRPFA to press freedom in Hong Kong, Moriarty answered without hesitation, 'Empowerment of frontline journalists'.

'Awards are given to journalists but not any organizations. We hope to praise the journalists.' However, although the HRPFA's goal is to award journalists, there had been problems in upholding this spirit. 'An example is TVB, which had refused to offer video copies to journalists for participating in the award, as TVB claimed that the videos are their properties,' Moriarty said. 'I consider that the work is from the journalist, so it belongs to the journalist!' After this incident, Moriarty reminded other journalists to save copies of their work, 'So they will not be blocked from submitting entries'. Also, since then, the HRPFA's trophies and certificates would only be given to journalists but not the news organizations.

When journalists are empowered, the public become more concerned about the reported issues. Journalists desire such recognition, and this is also a kind of empowerment. Moriarty remembered an incident during the ceremony in the first year, 'After the ceremony, Chau King-chun from Sing Pao, who won the merit award for Chinese-Language Newspapers with her report "Is Banning Prisoners from Voting Reasonable?" asked me "Do you know what does this award means?" Actually the award was the answer. At that time in Hong Kong,

no one cared about the political rights of prisoners. Her boss asked her to stop reporting on the issue for this reason. However, after a series of efforts, her work came to light. Because of this award, Chau could tell her boss confidently, 'People care about the situation. I can do more!' In 2008, the High Court finally ruled that prisoners and detained persons should have the right to vote.

Stand Firm Together, Report the Truth

Apart from recognizing the work of journalists, the HRPFA also provides a platform for works that cannot be published or broadcasted, 'letting more people know their work is also a kind of recognition, and also a kind of empowerment of journalists'.

To Moriarty, the story of "Crying Wolf" illustrated this spirit. In this piece, Xinjing Uyghur militants were considered the culprit of a vehicle bombing in Beijing in 1997. Leung Tung and his colleagues visited Xinjiang for CTN to interview Uyghurs who had participated in the independence movement in order to understand their pressures and lives. However, Beijing considered the work to be too sensitive and the broadcast was shortened from one hour to zero, but Leung still insisted on submitting his work to the HRPFA to let more journalists learn of his experience.

Although Leung's work did not meet the HRPFA's requirement of having been broadcasted, the judges still

decided to give Leung the award. At the same time, the judges had criticized CTN's apparent self-censorship and for hindering press freedom. 'I still remember he was receiving the award with tears. He told me his experience was like sexual harassment. The humiliation has burdened him for long time. The HRPFA wished to tell journalists that justice still existed in this world'.

A Rapidly Changing Media

"When you learn to observe what is "missing", you will discover what is changing. A parameter for observable change is which organizations would participate, and which would not; which organizations would encourage journalists to participate, and which would not." Moriarty explained, 'If an organization does not submit entries anymore, it may be because there is no suitable work, or because they do not care about the HRPFA anymore, or they do not and cannot be known to be concerned about human rights'.

Moriarty considered another change to be the homogenization of the media. To him, government should have played a more active role to maintain media diversity. However, he is not optimistic due to the drastic socio-political changes in Hong Kong. The homogenization of the media is not new, as it has been apparent for some time. Moriarty knew that the closing down of Overseas Chinese Daily News was due to pressures of different kinds, and for many years he was worried, 'Now we see homogenization even within the leftist camp. Take Ta Kung Pao as an example, it was always allowed a little bit of room between its point of view and Wen Wei Po's

before the merger with Wen Wei Po, but now that little room has disappeared, leaving no separate voice for Ta Kung Pao. Beijing is reducing the space for all external voices'.

However, Moriarty still manages to find hope through the HRPFA, "In recent years, more journalists can spot the related human right issues and write with a more human rights perspectives for their submissions". He hopes that the HRPFA can continue its role in empowering journalists and encouraging journalists to insist on reporting human right issues even during times of diminished space for diversity.

CHAPTER 2

FREEDOM OF EXPRESSION



HKTV Staff and 100,000 Citizens Light up the Night
海視員工與十萬市民點亮黑夜
Lo Kwan Ho 陸冠華 - Apple Daily 蘋果日報
2013 Spot News Photography Prize 突發新聞圖片大獎

INTRODUCTION

This chapter covering situation of freedom of expression in Hong Kong, including freedom of the press and freedom of assembly, which are protected under The International Covenant on Civil and Political Rights (ICCPR) of the United Nations (UN).

Freedom of the Press

Article 19 of the ICCPR states: 1. Everyone shall have the right to hold opinions without interference. 2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. 3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (ordre public), or of public health or morals.

Freedom of Assembly

Article 21 of the ICCPR states: The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

FREEDOM OF EXPRESSION IN HONG KONG

In 1976, the United Kingdom became a signatory to the Contracting States of the ICCPR, and approved application of the Covenant in Hong Kong. In 1991, the Legislative Council passed the Hong Kong Bill of Rights Ordinance (Chapter 383), which was an overriding excerpt of the Covenant. After the transfer of sovereignty in 1997, the Basic Law stated the continued validity of the Covenant. On the other hand, Article 27 of the Basic Law states that Hong Kong residents shall have freedom of speech, the press and publication; freedom of association, assembly, procession and demonstration; and the right and freedom to form and join trade unions, and to strike.

Freedom of the Press

The UN Human Rights Committee (UNHRC) published its concluding observations on the implementation status of the Covenant in Hong Kong in 1999, 2006, and 2013. The Committee did not express their concern on freedom of the press in 1999, yet in its 2006 concluding observations, expressed concerns on intimidation and harassment against journalists and requested the Hong Kong government to assure that the media may operate independently: ‘The Committee is concerned about reports of cases where journalists and media personnel have been intimidated and harassed, all in connection with debates on political issues....The Hong Kong Special Administrative Region (HKSAR) should take vigorous measures to prevent the harassment of media personnel and prosecute offenders to ensure that the media can operate independently and free from government intervention’ (Item 13). In 2013, regarding the entry related to freedom of the press, the Committee expressed a greater concern, using the words ‘arrest’ and ‘assault’ in addition to harassment: ‘The Committee is concerned about reports that there has been a deterioration in press and academic freedom in

Hong Kong, China, with incidents of arrests, assault and harassment of journalists and academics' (Item 13).

Apart from concerns from UN human rights authorities, has there been any other information revealing the situation of freedom of the press in Hong Kong over the past two decades? Reporters without Borders has published its World Press Freedom Index since 2002, and Hong Kong dropped from 18th in 2002 (out of 134 nations) to 70th in 2015 (out of 180 nations).

A number of Human Rights Press Award winners in the last 20 years have been reports about the freedom of the press; and those about incidences of infringement on the freedom of the press have revealed an escalation in severity. The majority of winning reports in the 1990's expressed concerns over the freedom of the press after the transfer of sovereignty, including a winner of the 1997 Chinese-Language Commentary Analysis Merit, "Limited Drawn for the Press after 1997: Promoting Separatism and other Controversial Issues" (Yau Shing-mu, *Hong Kong Economic Times*), as well as a winner of the Cartoon Prize, "Do you think Hong Kong will have press censorship after the handover?" (Larry Feig, *The Independent*). In his 1998 award-winning piece for The Asian Wall Street Journal, "Hong Kong Journalists? Lonely Battle?" (English-Language Commentary and Analysis), Liu Kin-ming pointed out the change in terminologies used by the Hong Kong media after the handover. For example, the word 'massacre' when referring to the 'June 4th massacre' or 'Tiananmen massacre' were replaced by 'event' after 1997. 1998 also saw the violent attack of Albert Cheng, the host of a Commercial Radio Hong Kong current affairs programme.

More reports since 2000 revealed obstructions faced by the media in daily operations. These included a recipient of the 2000 Certificate of Special Merit in the Chinese Magazines category, "Media suing media

for libel, the effect on media freedom" (Sin Wan Kei, *Sanpoyan*), and the 2002 Photography Prize winner "Excessive force used towards journalists" (Lee Shiu Cheong, *Ming Pao*). In fact, since 2002 there has been a worsening trend in the threat to press freedom. On 25 April 2002, while dispersing demonstrators at a right of abode protest in Chater Garden, police arrested and handcuffed two journalists, who refused to move to the designated press area, for obstructing police in the due execution of duty. The police were accused of not following the Force Procedures Manual and restricting the freedom of the press and the right of newsgathering. At the end of that year, the government released its proposals and consultation paper on Article 23, which set out laws against treason, secession, subversion, and other offenses. The Secretary for Justice at the time, Elsie Leung Oi Sie, had said, 'Article 23 is like a knife being hung over your head', which caused many to worry that if passed, the legislation would allow the government to restrict human rights and freedoms of the people of Hong Kong in the name of 'national security', including freedom of speech and the press. One of the winners of the 2003 Chinese-Language General News Merit, "Series on Article 23" (Interview Department, *Apple Daily*), and co-winner of the Chinese-Language Broadcast – Television Prize, "News Magazine: Article 23" (Li Tuk Shing, Yung Chun Fai, Li Kwok Chung, *TVB*), also gave detailed reports on the disputes and public concerns over Article 23.

In 2004, well-known radio talk-show hosts such as Albert Cheng, Raymond Wong Yuk-man and Allen Lee Peng-fei were successively forced to stop hosting their programmes. Allen Lee even revealed that he had received a call from a Mr. Chan, someone who claimed to be a former Chinese official. This person brought up Lee's family, saying that Lee 'has a good wife and a pretty daughter'. Worried that his family would be affected, Lee resigned from his post at the radio broadcaster. One of the winners of the Chinese-Language Broadcast – Television Prize in 2005, "Hong Kong Connection: Freedom from fear" (Poon Tat-pui, *Radio Television Hong*

Kong) explored the increasing restrictions on the freedom of the press after 1997. When interviewed for the programme, Leung Man-tao, an adviser and host of a show on Commercial Radio, pointed out, 'Behind the freedom of speech is a more fundamental freedom from fear. We are now not directly losing the freedom of speech, but the freedom from fear.' Chan Sze Kwok, chairman of the Hong Kong Federation of Journalists at the time, was also interviewed in the programme and said, 'The media right now is a little oversensitive and even a little neurotic'. On the other hand, the Chinese-Language Broadcast – Television Merit winner of that year, "Hong Kong Connection: The courage to stand out" (Danny Sit, *Radio Television Hong Kong*), noted that some scholars and cultural workers had established online media outlets to promote the notion of citizen journalism in an effort to encourage members of the public to report on important social issues in order to stimulate rational discussions.

The change in the way the government disseminates information was also criticised by the media. A winner of the Chinese-Language General News Merit in 2012, "The Hong Kong Government Holds its Lowest Number of Press Conferences Since the Handover" (Sin Wan-Kei, *Ming Pao*), pointed out that the total number of press conferences and briefings held by the government in 2011 was 1,073, the lowest since 1997. The Hong Kong Journalists Association Annual Report 2014 stated that government officials seemed to avoid reporters on purpose, and even when they were promoting electoral reform in the local districts, the government did not actively inform reporters. Furthermore, there was a growing trend of officials publishing one-sided commentaries on policy issues on official websites. In another matter, following the implementation of the Interception of Communications and Surveillance Ordinance, Woo Kwok Hing, Commissioner on Interception of Communications and Surveillance, disclosed for the first time in the Commission's 2010 Annual Report that some law enforcement personnel have intercepted journalists' phone calls when investigating other individuals (Hong Kong Journalists Association, *Annual Report 2011*).

Press freedom seemed to worsen further after Andy Tsang Wai-hung took office as Commissioner of Police in 2011. One of the winners of the Chinese-Language Commentary and Analysis Merit in 2011, "Tsang Wai-hung Oppresses the Freedom of Press – Escalating Control on the Power of the Hong Kong Police" (Chan Long-sing, Chan Yuk-min, *Hong Kong Economic Journal*), pointed out that the power of the police seemed to be growing steadily and even more obviously after the new Commissioner had taken office. The way the police treat reporters who cover demonstrations in recent years may be seen as violating the Police General Order. The commentary also warned that when police power becomes so strong that it overrides the bottom line of press freedom, which is one of Hong Kong's core values, the police are pushing themselves to a position that is against the people and the masses, thereby take its relationship with the community to a breaking point.

2014 saw successive fights and challenges in the sphere of press freedom while the occupy movement was in the limelight. The attack of Ming Pao editor-in-chief Kevin Lau Chun-to enraged the press. Winner of the Spot News Photography Merit in 2014, "They Can't Kill Us All! Press Freedom Demonstration" (Li Chat Tung, *Ming Pao*), documented journalists protesting over this incident. Some online media agencies suddenly stopped operating right before the occupation movement, and a number of journalists who were covering the occupy movement were alleged to have assaulted police while others were attacked when they were working. The way the police handled these incidents was scrutinized. A frontline reporter who reported the incident of seven police officers beating up Ken Tsang Kin-chiu found later that the words, 'punched and kicked' (in Chinese) were removed from his story. The same reporter was later transferred to another position. In 2015, there was public controversy over The University of Hong Kong Council's rejection of the recommended appointment of Johannes Chan Man-mun's to the post of pro-vice-chancellor. This led to the University's application for a broad injunction of Council meetings that included limiting reporting of university affairs, raising concerns among the media and public of its effect on press freedom.

Freedom of Assembly

The UNHRC when issuing its concluding observations in 1999 and 2013 with regards to the implementation of the ICCPR in Hong Kong expressed concern over Hong Kong's Public Order Ordinance: "With regard to freedom of assembly, the Committee is aware that there are very frequent public demonstrations in HKSAR and takes note of the delegation's statement that permission to hold demonstrations is never denied. Nevertheless, the Committee is concerned that the Public Order Ordinance could be applied to restrict unduly enjoyment of the rights guaranteed in article 21 of the Covenant. The HKSAR should review this Ordinance and bring its terms into compliance with article 21 of the Covenant" (Item 19, 1999); "The Committee is concerned about (a) the application in practice of certain terms contained in the Public Order Ordinance, inter alia, "disorder in public places" or "unlawful assembly", which may facilitate excessive restriction to the Covenant rights, (b) the increasing number of arrests of, and prosecutions against, demonstrators, and (c) the use of camera and video-recording by police during demonstrations (arts. 17 and 21). Hong Kong, China, should ensure that the implementation of the Public Order Ordinance is in conformity with the Covenant. It should also establish clear guidelines for police and for records for the use of video-recording devices and make such guidelines accessible to the public" (Item 10, 2013).

Shortly after the handover, there was already public controversy over the Public Order Ordinance: in 1995, some clauses in the Public Order Ordinance were ruled to be inconsistent with the ICCPR and were repealed. These included changing from a licensing system to notification system for processions with over 30 people and meetings with over 50 people, and organizers being required to inform the Police seven days prior to the activity. However, the Standing Committee of the National People's Congress of PRC stated that the 1995 version of Public Order Ordinance violates the Basic Law. Nevertheless, in 1997, the Provisional Legislative

Council re-enacted some abolished terms, including changing the notification system of procession and meeting to 'No Objection Letter'.

A winner of the Newspaper, General News Merit in 2001, "Arrest student protesters, challenge to the Public Order Ordinance" (Lui Tsz Lok, *Hong Kong Economic Times*), mentioned the amendments to the Public Order Ordinance and the challenges faced at that time. The Court of Final Appeal eventually ruled in 2005 that some terms introduced by the Provisional Legislative Council violated the Basic Law because the added terms would have given the police too much discretionary power. The Legislative Council passed the bill in 2008 and deleted the part added by the Provisional Legislative Council.

However, as the UNHRC's concluding observations pointed out, some terms in the Public Order Ordinance, such as 'disorder in public places' and 'unauthorized assembly', may impose excessive limitation on the right of the Covenant. In fact, over the past 20 years, many large-scale assemblies and demonstrations have been held in Hong Kong, including the July 1st march in 2003 that successfully made the government withdraw the legislation of Article 23 of the Basic Law. Many award-winning news reports in 2004 documented the victory of the power of the people, including the winner of the Chinese-Language General News prize "Long live Hong Kong people" (Apple Daily editorial team, *Apple Daily*); Chinese-Language General News Merit winners "Draconian Article 23 withdrawn" (Mok Kim-yuen, Chan Kwong-wai, Law Wai-kwong, Choi Toi-in, *Apple Daily*) and "Body of work on July 1 demonstration" (Ming Pao editorial, *Ming Pao*); and Chinese-Language Broadcast – Television Merit winner "Hong Kong Connection: people's power series" (Poon Tat-pui and Echo Wong, *Radio Television Hong Kong*).

Yet, in 2004 the Chinese-Language General News Merit winner “Government applies viperous means to suppress protesters” (Mok Kim-yuen, Ho Man-man, Chan Pui-man, Choy Yuen-kwei, *Apple Daily*) reported that the Hong Kong government threatens the poor through ‘violence of justice’. The report stated that the frequent demonstrator ‘Female Long Hair’ Lui Yuk-lin, who participated in a 2003 protest, received a letter one year later from the Department of Justice that proposed two settlement terms: a permanent prohibition on entering the Hong Kong Immigration Department in Wan Chai and a fine of \$10,000 or be subject to a claim of \$150,000. The report also stated that the legal community, human rights organizations and advocacy groups all criticised the government’s attempt to threaten poor objectors through ‘violence of justice’.

Later, many other processions and assemblies in Hong Kong were suppressed or obstructed at different levels. In the anti-WTO demonstration in 2005 where at least three protesters were injured, Hong Kong riot police fired 34 canisters of tear gas, six beanbags and used pepper spray to disperse protestors. Some protestors questioned if the use of tear gas by police was unnecessary under the circumstances. Also, some individuals who were arrested were unable to meet with a lawyer. The 2006 Photojournalism Prize winner, “WTO” (Martin Chan, *South China Morning Post*), documented scenes from the demonstration.

2008 was the year Beijing hosted the Olympic Games, and many groups took the opportunity to stage demonstrations to shed light on the human rights situation in China while activities related to the Games were held. However, a 2008 winner of the Chinese-Language Newspaper Feature Merit, “Violence against human rights protest” (Lui Tsz Lok, Wong Wai Chun, Lo Man Lit, Kan Ming Yan, *Apple Daily*), reported that organizations like the Hong Kong Alliance in Support of Patriotic Democratic Movements of China and Civil Human Rights Front, while protesting when the Olympic flame arrived in Hong Kong, were besieged by anti-

protesters who were generally Mainland Chinese and claimed to be patriotic. The protestors were insulted with foul language and attacked with flagpoles flying the Chinese flag and even punched. Some protestors criticised that the behaviour of these anti-protestors was barbarous and threatened the freedom of speech and expression in Hong Kong.

Some say that the annual candlelight vigil and activities that demand for the vindication of the June 4th incident are very peaceful, rational and non-violent, but even such commemorative activities are suppressed. “The Pulse: Confrontation at Times Square” (Luther Ng, *Radio Television Hong Kong*), winner of Broadcast – Television Merit in 2010, documented the situation at the time. When the Hong Kong Alliance in Support of Patriotic Democratic Movements of China planned to display a new statue of the ‘Goddess of Democracy’ in Causeway Bay, they were obstructed by the police; The Chinese University of Hong Kong used the reason of ‘remaining politically neutral’ to object to an application by the school’s student union to install the statue. However, owing to efforts by the students, the statue was finally installed at the entrance of the university. The scene was documented in “Chinese University teachers, students welcome the ‘Goddess of Democracy’ in an upsurge of emotion” (Yu Chun Leung, *Ming Pao*), a winner of the 2010 Photojournalism Spot News Merit.

In 2011, during the visit of Li Keqiang, the Vice Premier of the State Council of China, a man wearing a T-shirt with the words ‘Vindication of June 4th’ was taken away by an unidentified man without reason in Laguna City. When Li attended The University of Hong Kong Centenary Ceremony on 18 August, a large number of police officers entered the campus that day and even confined a student in the rear staircase of a building for an hour. University authorities were questioned over why they allowed such actions by the police. A winner of the Commentary and Analysis Merit of that year, “HKU August 18th Incident – Responsibility of the Police

Commission Series" (Chan Long Sing, Chan Kok Ming, *Hong Kong Economic Journal*) included an article, "Understanding Sun Yat-sen's Teachings Through HKU's Centenary Ceremony" (*Hong Kong Economic Journal*, 19 August 2011). The article pointed out that 'Nowadays, Sun Yat-sen's much younger schoolmates are actually not radicals. Many of them are moderate. What they ask for is just a good government. Yet they were "surrounded", "blocked", "pushed", "hit" by the police who even "shut the gate". How can this be endured?' The Photography Spot News Merit winner of that year "Executive Vice-Premier Li Keqiang Visited the University of Hong Kong, Police Suppressed Student's Demonstration" (Ling Shu-fai, *Apple Daily*) also documented the scene when HKU students expressed their grief and indignation after being pushed to the stairwells by police.

The Hong Kong government was criticized that it did not fully ensure that members of the public could safely exercise freedom of expression during the occupy movement in 2014. Some female protestors were sexually harassed and even received threats of sexual assault. There were also reports that gang members attacked participants in the occupied areas, but police did not intervene. Although these do not constitute direct obstruction by the authorities, when a 'third party' attempts to prevent people from exercising freedom of expression by violence or sexual violence, the government is responsible to prevent such actions and to ensure 'everyone shall have the right to hold opinions without interference', as Hong Kong is among the signatories of the ICCPR. Furthermore, other examples of incidents during the occupy movement were at odds with Article 21 of the ICCPR, "The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right"—Seven police carried a protester to a 'dark corner' and beat him, a girl was arrested after drawing flowers on the 'Lennon Wall' at Occupy Central, over 900 people were arrested in the movement, student leaders were charged with 'inciting other people to join an unlawful assembly and joining an unlawful assembly', and so on.

Many of the awarding-winning news reports and pictures documented the occupation movement in detail, including the winner of the English Online Coverage – Special Recognition Prize, "Occupy Central Reportage" (The City and Online Desks, *South China Morning Post*); English Television Merit winner "Muzzling the Messenger?" (Lynn Lee and James Leong, *Al Jazeera*); Chinese Television Merit winner "Series: The Occupy Movement" (Li Xianzhe, Gillian Yau, Dora Choi, Choi Yuk Ling, Yeung Yuet Fun and Chen Caixia, *Radio Television Hong Kong*); Photography Grand Prize winner "Series: Occupy Hong Kong" (Alex Ogle, *Agence France-Presse*); Photography Prize winner "Benny Tai Collapses" (Yu Chun Leung, *Ming Pao*); Spot News Photography Merit winners "Paul Zimmerman's Yellow Umbrella" (Cheng Kok Yin, *South China Morning Post*), "Lightning over Government Headquarters" (Ho Ka Tat, *Apple Daily*), "The Umbrella Man" (Xaume Ollerós, *Agence France-Presse*), "'Open the Door': 1,500 High School Students Strike" (Lo Kwan Ho, *Apple Daily*), "Series: Democracy Protests in Hong Kong" (Philippe Lopez, *Agence France-Presse*); and Student English Grand Prize winner "The Umbrella Movement: Epilogue" (Lukas Messmer, Joyce Liu, Jane Li, Amel Semmache, Filippo Ortona, Cal Wong, Vanessa Ma, Vicky Wong and Hiram Liu, *The University of Hong Kong/MSNBC*).

QUESTIONS FOR DISCUSSION

Freedom of the Press

- What is freedom of press? How is press freedom protected by international human rights conventions?
- Which countries / regions enjoy a high level of freedom of the press? What are their characteristics?
- What would be the impact to you/society if there were no press freedom? Why?
- What is the impact of freedom of the press on the development of a society? Why?
- Sum up the discussions above and explain why press freedom is so important.

Freedom of Assembly

- What is freedom of assembly? How is freedom of assembly protected by international human rights conventions?
- What would be the impact to you, as well as society, if freedom of assembly were not adequately safeguarded? Why?
- According to the discussions above, do you think the rights to freedom of assembly of the people of Hong Kong are sufficiently protected? What are the inadequacies? Why?
- What is the importance of freedom of assembly for the development of a society? Why?
- Sum up the discussions above and explain why freedom of assembly is so important.

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CHAPTER 3

LAW ENFORCEMENT POWERS



Series: Democracy in Hong Kong 香港的民主抗爭
Philippe Lopez - AFP 法新社
2014 Spot News Photography Market 突發新聞圖片展真賞

INTRODUCTION

Police officers enforce the law, a responsibility entrusted to them by law; however, to protect the interests of ordinary citizens, the powers of law enforcement must also be subjected to certain limitations to avoid abuse of power. The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture) and the International Covenant on Civil and Political Rights (ICCPR) set reasonable limitations to the power of law enforcement bodies.

Article 7 of the ICCPR also states that, 'no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment'.

Article 1 of the Convention against Torture defines the term 'torture' as 'any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions'.

Whereas Article 16 of the Convention specifies that 'Cruel, inhuman or degrading treatment and punishment' is defined as 'each States Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture as defined in article

1, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity'.

Articles 12 and 13 state that 'each States Party shall ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction. In addition, each State Party shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities. Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given'.

The UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials provide guidelines for the use of force and firearms by law enforcement officials. Article 4 states that 'law enforcement officials, in carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force and firearms'; and Article 9 elaborates that officials may use force and firearms only if other means remain ineffective or without any promise of achieving the intended result.

Article 37 of the UN Convention on the Rights of the Child also specifies safeguards for children: 'States Parties shall ensure that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age.'

LAW ENFORCEMENT POWER IN HONG KONG

The Convention against Torture has been extended to and made applicable to Hong Kong since 1992. The Chinese government had also notified and stated clear to the UN Secretary General on 10 June 1997 that the Convention would still apply to Hong Kong after the handover.

Under the current police monitoring system, the two bodies responsible include the Independent Police Complaints Council (IPCC) and the Complaints Against Police Office (CAPO), a branch of the Hong Kong Police Force. Members of the general public can file a complaint with the CAPO if they believe that the police are not enforcing the law appropriately. The CAPO will first complete its investigation, and then submit a reportable complaint to the IPCC. The IPCC will conduct a review and decide whether to accept the complaint. If the IPCC accepts the complaint, the case would be passed back to the police to determine the punishment.

This system has long been criticized because the IPCC can only review and monitor the process, but has no power to carry out investigations and determine punishment. Only the CAPO, a branch under the Hong Kong Police Force, and the Commissioner of Police, has the authority to do so. In other words, the police are investigating themselves. The UN Committee Against Torture (CAT) has repeatedly expressed concerns over the current police monitoring system in its concluding observations in 2000, 2009, and 2015.

In the 2000 concluding observations of the CAT, the Committee was concerned that the ‘reference to “lawful authority, justification or excuse” as a defence for a person charged with torture, as well as the definition of a public official in the Crimes (Torture) Ordinance, Chapter 427, are not in full conformity with Article 1 of the

Convention and the Committee recommends that continued efforts be made to ensure that the Independent Police Complaints Council becomes a statutory body, with increased competence’ (Item 138).

On the recommendation of the CAT, the Hong Kong government enacted the Independent Police Complaints Council Ordinance on 12 July 2008, whereby the IPCC became a statutory body. In the 2009 concluding observations of the CAT, the Committee expressed concerns that the IPCC only has the right to provide opinion and monitor, ‘while the statutory framework has reinforced the independent role of the IPCC, the latter only has advisory and oversight functions to monitor and review the activity of the CAPO, which is still—in fact—the body responsible for handling and investigating complaints of police misconduct’. In addition, ‘the Committee also notes with concern the information that—despite the considerable number of reportable complaints filed with the CAPO—a small percentage of them were considered as substantiated and only in one case an officer has been prosecuted and convicted of a criminal offence’. The Committee recommended the government ‘continue to take steps to establish a fully independent mechanism mandated to receive and investigate complaints on police misconduct. This body should be equipped with the necessary human and financial resources and have the executive authority to formulate binding recommendations in respect of investigations conducted and findings regarding such complaints’ (Item 12).

In the concluding observations of the CAT published in December 2015, the Committee expressed concerns over ‘consistent reports of excessive use of tear gas, batons, and sprays against protesters during the 79-day protest of the so-called “Umbrella or Occupy Movement” in 2014. It is also concerned at consistent reports that police resorted to violence against more than 1,300 people, and around 500 were subsequently admitted to hospitals. The Committee also expresses concern at allegations of threats of sexual violence and assaults

by the police to demonstrators while they were following the instructions of leaving the scene. Furthermore it takes note with concern of various instances of violence perpetrated by counter-demonstrators. As regards the complaints received by CAPO during the protest and their investigation, the Committee is concerned that amongst 527 complaints made by a total of 2,078 complainants, only 172 complaints were considered "reportable". Of those 172 reportable complaints, CAPO has submitted investigation reports to the IPCC for 151 cases, which were not considered substantiated by CAPO. IPCC has endorsed CAPO's investigation findings on 104 cases. The Committee is also concerned over the lack of information with regard to the outcome of the 47 complaints not endorsed by IPCC' (Item 14).

Furthermore, the Committee was concerned about the current police monitoring system and has mentioned that the 'Independent Police Complaints Council remains an advisory and oversight body of CAPO's investigations, with no power to conduct investigations on its own' (Item 8). The Committee also reiterated its previous recommendation that the Hong Kong government should 'consider establishing a fully independent mechanism mandated to receive and investigate complaints against all officials and ensure that there is no institutional or hierarchical relationship between that body's investigators and suspected perpetrators of such acts' (Item 9).

In addition, in the 2013 concluding observations of the UN Human Rights Committee (UNHRC), the Committee was concerned about the excessive use of force by members of law enforcement during demonstrations, 'The Committee expresses concerns about reports of excessive use of force by members of the police force, not compatible with the United Nations Principles on the Use of Force and Firearms by Law Enforcement Officials, in particular by the inappropriate use of pepper spray to break up demonstrations to restore order, notably with regard to demonstrations surrounding the annual Hong Kong march on 1 July 2011, the visits of Vice-Premier and President of China, respectively in August 2011 and July 2012' (Item 11).

A substantial number of winning entries in the Human Rights Press Awards over the years have been about police power. "The incident of the police broadcasting Beethoven's music to drown out the sounds of public protest. Seven out of nine members of the Complaints Against the Police Office proved that the police had abused their authority" (*Hong Kong Economic Journal*) received the merit for Chinese-Language Newspaper in 1999. The incident occurred on 1 July 1996 outside the venue of the handover ceremony where police played music by Beethoven at very high volumes in an attempt to drown out protestors. Thereafter, a member of the public lodged a complaint. The CAPO accepted the explanation provided by the police officer involved, that the music was played to relieve stress, and therefore did not uphold the complaint. However, the IPCC disagreed and voted by majority that there was abuse of police power. Nevertheless, the case was eventually dropped since the Commissioner of Police had the final say on punishment.

In the first years following the handover, police treatment of protestors and the police monitoring system were called into question. In a clash between police and protestors in 2000, the police used pepper spray and was accused of using violence against protestors. The police claimed that following investigation, the police officer involved had no criminal liability. However, based on news photos and interviews with protestors, Frankie Wong and Phyllis Tsang of Ming Pao reported in their article "The Police Misuse Pepper Spray", which won the 2001 Chinese-Language Newspaper – General News, that the police did not follow guidelines when using pepper spray, which was contrary to what the police had claimed. The winner of the 2003 Chinese-Language Newspaper – Feature merit, "Police blasted for not disclosing Code of Conduct" (Phyllis Tsang, *Ming Pao*), accused the police for not keeping the promise made by then Secretary for Security Peter Lai in 1997 to keep a copy of the 'Police General Orders' in every report room. Members of the public were even refused access to the document by the police citing 'internal regulations', and both members of the public

and human rights organisations had trouble knowing the criteria of police power and determining whether the police were following guidelines when they were enforcing the law. The article "Eight Instances of Power Abuse; Li's Mother: Police will always side with Police" (Lui Tsz Lok, *Apple Daily*), which received the merit award for Chinese-Language Newspaper – General News in 2009, illustrated the problem with the current police monitoring system, which was simply 'police investigating themselves'.

The case of Li Yuen-yi revealed that police often abused their power in cases involving sex workers. Abuses included enjoying sex services like oral sex and masturbation during undercover operations, which violated the guidelines for undercover operations, and beating up sex workers and making false accusations. Li committed suicide by jumping off a building in October 2005. According to what Li had told her family and written in her diary, she had been falsely accused, beaten up and had evidence destroyed by police a few days before her death. The police involved in the undercover operation had even received oral sex from her. She committed suicide because she was unwilling to be falsely accused. The improper conduct of the undercover officers was made public during the inquest into Li's death in the Coroner's Court. Li's family filed a complaint to the CAPO, but the office responded to the allegations by saying 'owing to the lack of independent witness or other evidences, which supports or denies evidence from either sides, this complaint cannot be verified'. Dr. Fernando Cheung Chiu Hung, a lecturer at the Department of Applied Social Sciences of The Hong Kong Polytechnic University, criticized the CAPO for conducting investigations without due care and in an unprofessional manner. Li's family lamented that the 'police will always help police'. In the 2009 concluding observations of the CAT, the Committee was 'concerned at the allegations of routine police abuses of persons' during police operations in the context of prostitution-related offences and recommended that the government 'thoroughly investigate all allegations of abuses committed during police operations in the context

of prostitution-related offences' and to 'tackle, including through training and awareness-raising activities, all existing attitudes suggesting that such abuses may be condoned'(Item 11).

The 2008 Apple Daily article "Police bring heavy charges" by Lui Tsz Lok, winner of the Chinese-Language Newspaper – General News merit that year, focused on the issue of police power. The article reported that the police had begun to adopt a more organized approach when dealing with protestors, and it turned out to be a foretelling of what was to come. After Andy Tsang Wai Hung was appointed Commissioner of Police at the end of 2010, police suppression of protest activities became more obvious. Since then, there was an increase in award-winning reports about police power. The programme "The Pulse: Police Powers I & II" (Luther Ng, *Radio Television Hong Kong*), which received the 2010 merit award for English-Language Broadcast – Television, investigated the growing use of video cameras by police to film protestors at demonstrations. Some interviewees believed that it was a move by police to generate fear. Director of Hong Kong Human Rights Monitor Law Yuk Kai when interviewed said that the use of digital equipment by law enforcement officials for recording purposes was a form of electronic monitoring, which differed from the use of such devices by individuals and the press. The privacy of individuals should therefore be respected and permission obtained before such action.

The question of police power was raised in two winning entries about the 2011 visit of then Chinese Vice-Premier Li Keqiang—"HKU August 18th Incident – Responsibility of the Police Commission Series" (Chan Long Sing, Chan Yuk Ming, *Hong Kong Economic Journal*), Chinese-Language Commentary and Analysis merit winner, and the "Executive Vice-Premier Li Keqiang Visited the University of Hong Kong, Police Suppressed Student's Demonstration" (Ling Shu Fai, *Apple Daily*), merit winner for Photojournalism – Spot News (refer to Chapter 2 for details). The programme "Police Suppresses Freedom of the Press" (Choi Yuk Ling, Pang

Kai Kong, *Radio Television Hong Kong*), which received the merit award for Chinese-Language Broadcast – Television in 2012, also highlighted the increasing restrictions imposed by the police on the press, including restricting the media to designated press areas at more and more public activities and demonstrations. The most obvious example of such restrictions was during a protest outside the Liaison Office of the Central People's Government where only four broadcast companies were given permission to film outside the main entrance behind planters and restricting all other reporters to stand afar. Incidents like that demonstrate how police power has increasingly diminished the media's right to reporting.

A number of winning photo work in 2014, including the Photography Grand Prize winner “Series: Occupy Hong Kong” (Alex Ogle, *Agence France-Presse*) and Spot News Photography Merit winners “The Umbrella Man” (Xauma Olleros, *Agence France-Presse*) and “Series: Democracy Protests in Hong Kong” (Philippe Lopez, *Agence France-Presse*) all documented how the police dealt with peaceful protestors. History will determine whether such acts were appropriate.

Apart from the police, there have been instances where other law enforcement authorities, which include the Immigration Department, the Customs and Excise Department and the Hong Kong Correctional Services, have carried out their work inappropriately. In 2013, Eliana, a transgender woman from Columbia, was subjected to inhumane treatment while in custody at the airport when she was denied entry into Hong Kong. Owing to her feminine appearance, Eliana was under threat of death twice in Columbia. Already awarded a doctorate, she received scholarship to further her academic research in Taiwan and also receive hormone replacement therapy. In order to renew her scholarship and visa, she had to travel to the Colombian Consulate General in Hong Kong. As soon as Eliana arrived in Hong Kong, she was denied entry and detained by Immigration

Department staff. She later lodged a complaint and revealed that she was kept in the male dormitory in the airport, and was even strip-searched by two male Custom & Excise officers who touched her breasts and buttocks and fondled her genitals, humiliating her. During her detention, she was not informed that there were gender-neutral washrooms, and Immigration officers also did not allow Eliana to use the female washroom, causing her to become incontinent because she was unable to use the toilet. The Customs and Excise Department responded to media enquiries by saying that since Eliana's passport showed her gender as 'male', officers of the same gender as per guidelines would perform body searches. This incident illustrated the lack of knowledge of both the Immigration Department and Customs and Excise Department about gender identity, thereby making decisions based solely on biological sex, which led to Eliana being inhumanly treated. In the 2015 List of Issues of the CAT submitted to the Hong Kong government, the Committee requested that the government 'provide information on the policies of the Correctional Services Department, Immigration Department and the police in relation to body search and detention of transgender persons' (Item 20). In its concluding observations released shortly after, the Committee also requested the government to improve and enhance training for law enforcement officials of the Immigration Department.

In 2012, there was a case where an African woman detained at the Tai Lam Centre for Women was pepper-sprayed in close proximity twice in one day by Correctional Services officers for keeping bread. In one instance, an officer lifted the woman's eyelids and sprayed the pepper spray directly into her eyes. The victim believed that what had happened to her was because of racial discrimination. In the 2015 concluding observations of the CAT, the Committee recommended that the Hong Kong government 'take necessary actions to ensure all inmates in correctional services should be free from torture and inhumane treatment' and that 'all victims should benefit from redress without discrimination' (Item 27).

QUESTIONS FOR DISCUSSION

- Outline the current police complaint system.
- Do you think it is necessary to establish a police complaint system? Why?
- What are the strengths of the current police complaint system? Please provide justifications for these strengths. How do these strengths help enhance the protection of civil rights?
- What are the limitations of the current police complaint system? Please provide justifications for the limitations.
- What types of problems may arise as a result of such limitations? Why?
- Would limitations of the current police complaint system affect you/any citizen and your/any citizen's ability to exercise the following rights? How would you/any citizen be affected?
 - Right to freedom of assembly
 - Right to freedom of opinion and expression
 - Right to association
 - Right to life
 - Right to participate in social and cultural life of the community
 - Right to receive housing, medical and other necessary social services
 - Right to be free from torture and inhuman treatment

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ECONOMIC RIGHTS



Window on the Rooftop 天台上的天窗
Eason Li 李源熙 - Ming Pao 明報
2013 Feature Photography Month 圖片特寫展賞展

INTRODUCTION

The UN International Covenant on Economic, Social and Cultural Rights (ICESCR) protects the economic rights of every individual, including the eradication of poverty and labour rights.

Urban Poverty

Article 9 of the ICESCR stipulates that ‘The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance’. Article 11 also requires signatories to the Covenant to protect the basic living rights of their citizens. ‘The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.’ and ‘Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures’.

Other covenants also cover the economic rights of their targeted groups. For example, Article 3 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) declares: ‘States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose

of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.’ Article 11 of CEDAW also stipulates the need to protect women and men from being discriminated against in their exercise of family roles and responsibilities; ‘States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights; To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status’; and ‘To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities’.

Furthermore, Article 2 of the International Convention on the Elimination of all forms of Racial Discrimination (ICERD) stipulates ‘States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms’. While Article 27 of the Convention on the Rights of Persons with Disabilities (CRPD) also requires States Parties to recognize the right of persons with disabilities to work on an equal basis with others, and Article 28 also requests States Parties to ‘recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability’ and to ‘recognize the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability’.

Rights of Migrant Domestic Workers (MDWs)

There are currently about 330,000 MDWs in Hong Kong, and both their labour and economic rights are protected by international standards. Article 7 of ICESCR provides that ‘the States Parties to the present Covenant recognise the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular, remuneration which provides all workers, as a minimum, with fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work; a decent living for themselves and their families in accordance with the provisions of the present Covenant; safe and healthy working conditions; equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence; as well as rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays.’

ECONOMIC RIGHTS IN HONG KONG

Urban Poverty

Article 39 of the Basic Law stipulates that the ICESCR is applicable in Hong Kong. And the Committee on Economic, Social and Cultural Rights (CESCR) has issued concluding observations in 2001, 2005 and 2014 on Hong Kong’s implementation of the ICESCR. Even though Hong Kong has always proudly called itself a prosperous metropolitan city, when looking at the Committee’s concluding observations in recent years, the city’s urban poverty problems remain very serious and have not seen significant improvement for many years: ‘The Committee is gravely concerned about the widespread and unacceptable incidence of poverty in HKSAR.

It is especially concerned that a large number of older persons continue to live in poverty without effective access to social services...The Committee is deeply concerned that HKSAR lacks adequate institutional arrangements to ensure the formulation and implementation of comprehensive, integrated, consistent and effective anti-poverty strategies’ (2001, Items 18 and 19). In its 2005 concluding observations, the Committee expressed concern that at ‘The continued spread of poverty and lack of effective access to social services, which affects the disadvantaged and marginalized groups’ (Item 78 (d)). It also noted with regret ‘that the information provided on the extent of poverty and social exclusion in HKSAR was insufficient. The Committee is also concerned about reports of increasing poverty among older persons, the more so as HKSAR is facing the problem of a rapidly ageing society’ (2005, Item 86).

And in its past concluding observations, the Committee also expressed concern about Hong Kong’s retirement protection and social protection systems. For instance the 2001 and 2005 concluding observations respectively pointed out that the current Mandatory Provident Fund Scheme excluded ‘many individuals, including women who are homemakers, persons with disabilities and older persons’ (2001, Item 21), and the 2001 concluding observations even urged the government ‘to adopt a comprehensive pension system that provides adequate retirement protection for the entire population, in particular for housewives, self-employed persons, older persons and persons with disabilities’ (Item 36). Further, the Committee urged ‘the HKSAR to review the eligibility criteria for the CSSA (Comprehensive Social Security Assistance) so as to ensure that all those in need, including low-income persons and families, older persons and new migrants are adequately covered by the scheme to enable them to enjoy a decent standard of living’ (2005, Item 96). The Committee also expressed concern that the social security system in Hong Kong did not cover unemployment benefits (2005, Item 82).

The Human Rights Press Awards since 1999 have recognized work that covered Hong Kong’s urban poverty phenomenon. The winner of the 2003 Chinese-Language Newspaper – Feature Prize, “Elegy of a poor household, a meal is ketchup from a fast food restaurant mixed with rice” (Lui Tze Lok, *Hong Kong Economic Times*), pointed out that at the time nearly 30% of Hong Kong residents lived below the poverty line, a 120% increase from 1994. The piece described in detail the lives of families living in abject poverty, including collecting water from dripping taps to save on water costs, delaying turning on lights well after dark, and walking instead of taking the bus to work or school. In order to keep food expenses in check, impoverished families could only afford salty preserved eggs, preserved vegetables and fermented bean curd to go with rice, or even go to McDonald’s to take free ketchup home to mix with rice. The report also cited academics who recommended that the government set up minimum wage and minimum standard of living to protect low-income workers.

The CESCR had in fact as early as 2001 in their concluding observations pointed out that in Hong Kong there was “The absence of protection against unfair dismissal and the lack of adequate regulations on statutory minimum wage, working hours, paid weekly rest, rest breaks and compulsory overtime pay” (Item 15). The winner of the 2006 Chinese-Language Newspaper – Feature Prize, “New contract terms at Food & Health Department: lower wages and more hardship for cleaners” (Wai Ka-yari, *Sing Tao Daily*), reported on the further exploitation of outsourced cleaners who had signed new contracts with the Food and Environmental Hygiene Department (FEHD). The new contract terms stipulated 10-hour day shifts (including one hour of unpaid meal break), but a salary reduction from \$4,760 to \$4,655; and the hours of night shift cleaners were reduced to six hours and salary lowered to \$3,100 with no meal break. The cleaners who were interviewed said even though conditions were harsh, they were afraid they would lose this meagre wage if they stood

up for themselves. Public debate over setting a minimum wage had begun at the time, and academics interviewed suggested that the government could refer to systems in Europe and the United States and draw up a minimum wage standard according to a ‘living wage’ to ensure low-income workers could support themselves. A legislator also pointed out that it was incomprehensible that a department with no financial pressure such as the FEHD had set a bad example by taking the lead in exploiting workers. Under conflicting public opinion about the issue, the government implemented a minimum wage in 2011; however, the level of minimum wage remains controversial.

With the exploitation of grassroots workers, some tried other ways of earning a living, which is to be a hawker. Aside from earning a living for themselves, street hawkers also offered an alternative to shopping malls for the people of Hong Kong. But is being a hawker in Hong Kong an easy feat? In “Troubled Livelihood of Hawkers – FEHD Abusive Power, Suppression by Link REIT” (Lui Tze Lok, Cheung Ka Man, *Apple Daily*), merit winner of the 2011 Chinese-Language Newspaper – Feature category, interviews with a number of hawkers revealed the various issues they faced. These included the problems faced by hawkers with and without licences: They found hawkers who were popular in the neighbourhood that opened shop after midnight and were also careful with cleanliness and hygiene, yet Link REIT security would report them to police every day to chase them off. There were even cases where hawkers were pushed to the ground by security guards and later accused of ‘intimidating with a knife’. Licensed hawkers also could not escape from troubles with the law, for they were only given a 4x3 feet legal operating space, which does not leave much room after seating one customer. Even if they placed their goods around their stalls without blocking the street, they would still be charged with obstruction. One hawker who was interviewed sighed, ‘in 1997 the Urban Council was much more relaxed’. Aside from hawkers, consumers also hoped the government would start issuing hawker licences to give the

general public more choices, and they also questioned the enforcement methods of the current FEHD, 'Does the FEHD have to take this stance against a group of people who are just trying to be self-reliant?'

One of the articles in "Series on 'Below the Poverty Line'" (Kwok Tsang Lung, Lee Kin Yan, Tsoi Suk Yee, *Sing Tao Daily*), the 2012 merit winner in the 2012 Chinese-Language Newspapers – Feature category, tells the story of an elderly man in his sixties living in Oi Tung Estate in Shau Kei Wan. In "'City Tarzan' fishes and burns firewood to cook meals; collects cardboard boxes to buy rice; can't afford water and electricity", the reporters interviewed a man who had been a hawker selling fish near the Shau Kei Wan Wholesale Fish Market until about 10 years ago (from the time the article was published). He had to stop running his stall because of multiple prosecutions by the FEHD and turned to foraging to survive. However, at the time of the report, his income had dropped significantly because more and more impoverished elderlies were competing for discarded cardboard boxes, and he was only able to make enough to pay rent and buy rice. Therefore, each day he would go to the hillside to collect water, fish, and chop firewood to cook outdoors.

Although the Hong Kong government established the Committee on Poverty in 2012, and set in place an official poverty line and provided subsidies to low income working families, does this mean the problem of poverty has been resolved in Hong Kong? The 2014 Chinese-Language Television merit awardee, "Why Do the Elderly 'Love' Queuing?" (Lo King Wah, *Cable TV*), revealed that many elderlies would go queuing in the early hours even in freezing weather for up to 5-6 hours so that they could see a dentist, have their blood drawn for testing, get free newspapers, watch Cantonese opera for free, and receive free packed meals and cooked dishes. An 86-year-old woman who was interviewed had to look after herself because, even though she raised three daughters and two sons, they have all gone off on their own. The long queues of elderly

people clearly reflect the inadequacy of government support for the impoverished elderly. The CESCR, in its 2014 concluding observations, continued to express 'regrets that Hong Kong, China, has not adopted a comprehensive strategy or specific targets for poverty alleviation. The Committee is also concerned about the unequal distribution of wealth in Hong Kong, China'. It was also concerned that the Hong Kong government did 'not provide adequate protection to low-income families and persons with disabilities' and recommended the government to 'formulate and implement effective policies and specific targets to reduce poverty, including by reducing inequalities in the distribution of wealth' (Item 48).

The Hong Kong government's protection of the public's right to housing has also been of continued concern to the CESCR. In its 2001 concluding observations, the Committee called for the government 'to give urgent attention to the housing rights of all Hong Kong residents, including squatters and those living in roof-top structures and bed-space apartments or cage homes' (Item 44). The 1990's were the heyday of cage homes, but their narrow space and poor environment led the UN to urge the Hong Kong government to ban them. The Hong Kong government finally implemented the Bedspace Apartments Ordinance (Chapter 447) to regulate that cage homes (and bed-space apartments) meet the building structures, fire safety and hygiene standards set out in the Ordinance in order to be granted operating licences. The relevant ordinance went into effect on 1 July 1998. In 1999, the Chinese Television merit awardee "Hong Kong Connection – Without Face" (Florence Chan, *Radio Television Hong Kong*) explored problems arising from cage homes and whether the Bedspace Apartments Ordinance was able to resolve them.

Problems remained, and the Committee in its 2005 concluding observations also pointed out 'The persistence of inadequate housing in the form of cage-homes and bedspace apartments, despite measures taken by

HKSAR to provide alternative housing to residents who choose to remain in such homes' (Item 78). The term cage homes seemed to slowly fade away in the new millennium, but was replaced by partitioned flats and coffin homes. In one of the pieces of the 2012 Chinese-Language Newspaper – Feature merit awardee, "Series on 'Below the Poverty Line'" (Kwok Tsang Lung, Lee Kin Yan, Tsoi Suk Yee, *Sing Tao Daily*), one of the reporters experienced living in one of these 'coffin homes'. "Difficult for the poor to turn over a new leaf when living in crowded coffin homes. Living without dignity in a 200-square-feet space with 18 beds" saw a reporter staying in a 200-square-feet unit that was partitioned into 18 'coffin homes'. Each compartment measured only 2x6 feet, with the smallest one only 2.3 feet high and no different from a coffin. The common hallways were narrow and very difficult for inhabitants to escape if a fire broke out. The inhabitants were usually working-class labourers, and even if the government had set a minimum wage it was still difficult for them to afford the rent of regular apartments. They could only live in these 'coffin homes', and have their meals while sitting in the narrow hallways with their coffin home as dining tables and eating the cheapest \$16 meal boxes. A resident said in resignation, 'this is not a place for humans to live. The government does not help grassroots citizens, so we can only hope for god to save us.' The 18 people who lived in the 200-square-feet space all hoped to move into more expensive partitioned flats as quickly as possible to leave the ranks of 'coffin dwellers'. However, some interviewed residents pointed out that the current government was not helping grassroots citizens solve their livelihood problems, and they were afraid that even this small wish could not be fulfilled.

Residents of these 'coffin homes' hoped to someday move into 'partitioned flats', but these too came with a host of problems. The fatal fires in June and November 2011, respectively, that broke out in partitioned flats in tenement buildings at Ma Tau Wai Road in To Kwa Wan and Fa Yuen Street in Mong Kok led many to question

the safety of partitioned flats. It also raised public concern that in such a prosperous society as Hong Kong, partitioned flats with such poor living and safety conditions still existed. However, according to the article "Two Apartments Divided into 13 Despite the Ma Tau Wai Tragedy" (Wong Ka-Man, *Apple Daily*), merit winner of the 2012 Chinese-Language Newspaper – Feature category, a year on after the fires there was no drop in the number of partitioned flats, but even an increase. A landlord partitioned two units on one floor into 13 flats of approximately 100 square feet each. To make better use of space, fire escape routes were also blocked, so if a fire broke out it would be difficult for residents to escape. But because rent was cheap, no matter how bad the conditions residents would put up with it. It was precisely because of soaring rents and also because public housing supply could not catch up with demand that partitioned flats were in demand and could fetch good rent. In the 2012 Chinese-Language Newspaper – General News merit-winning piece, "Series on Secretary of Development Paul Chan Mo-Po's Subdivided Apartment" (Lam Wai-Chung, Hong Yiu-Ting, Choi Kin-Ho, Cheung Ngok-To, Ng Tsz-Kwai, *Apple Daily*) revealed the wife of then newly appointed Secretary of Development Chan Mo Po also joined the ranks of partitioned flats landlords and operated such flats.

The CESCR in its 2014 concluding observations mentioned that 'The Committee is concerned about the inadequate investment of Hong Kong, China, in providing affordable and adequate housing, resulting in a high percentage of the population living in informal settlements, industrial buildings, cage-homes and bed-space apartments, which do not have adequate services and utilities' (Item 49). Apart from coffin homes and partitioned flats, there were also the homeless. In "Homeless people in Sham Shui Po speak 'human language'", winner of the 2012 Chinese-Language Newspaper – Feature Prize, Vivian Tam Wai-Wan of Ming Pao interviewed a number of homeless people and wrote about their lives from a humanistic perspective—even if they were poor, they wished to have a few 'presentable' pieces of clothing to go out in, saying 'people

want face, trees want bark'; and will also tidy up, hoping they could maintain the cleanliness of the space they occupy. Each of the homeless people interviewed had his or her own likes and habits. Besides showing readers that the homeless were also human, the story also revealed the difficulties they faced; for example, how the money they toiled to raise would be confiscated by the FEHD during raids and they would be reduced to nothing.

Expensive rent and housing prices do not only affect the poor, for even young people of middle-class families found them hard to afford and have had to find different ways to become home owners. The 2012 Chinese-Language Magazines merit awardee "The Middle Class and University Students Vie for Public Housing as Home Prices Rocket" (Kwok Lai On, *iMoney*) revealed that some from the middle class and new university graduates chose to apply to public housing because they could not afford high property prices, and hoped they would be eligible for the Home Ownership Scheme.

The public healthcare system also has considerable impact on the poor; the abovementioned "Why Do the Elderly 'Love' Queuing?" (Lo King Wah, *Cable TV*) pointed out that the elderly would queue in the cold all night long just to see a dentist or have their blood drawn. The CESCR in its 2005 concluding observations mentioned the problems of long waiting times at public hospitals: 'The Committee, while noting the generally high level of enjoyment to health in HKSAR, remains concerned that spending on public hospitals has been on the decline, resulting in longer waiting lists for patients' (Item 87). And the 2014 concluding observations also mentioned the lack of staff at public hospitals: 'The Committee is also concerned that, despite the expansion of hospitals, there is a lack of doctors, who are absorbed into the higher-paying private health sector' (Item 50).

In 2007, a mother suffering from mental illness tied up her two young children in their Tin Shui Wai home and threw them out of the window before leaping to her death, resulting in a tragedy of three deaths and leaving behind a Mr. Chan who suffered from nasopharynx cancer. A year later, Mr. Chan's health condition improved but his emotional trauma could hardly be healed. In his 2008 Chinese-Language Newspaper – Feature Prize winning piece, "Series: Remembering Tin Shui Wai tragedy", Lui Tsz Lok of Apple Daily, through this case, looked into the public healthcare system's lack of social support for low-income families. Even though this family had public healthcare and support from medical social workers, the incident occurred when the husband had to be hospitalized and the wife, who was also hospitalized, requested to be discharged to take care of her children. Fernando Cheung, a legislator who had provided support for the family, questioned if there was sufficient communication between medical social workers and the social workers at the children's school. He also said adequate childcare services in the community were not sufficient enough to prevent cases like this from happening. Fernando Cheung also raised further doubts over whether the workload of medical social workers at the time were too heavy, leading to decreased sensitivity to cases.

Rights of Migrant Domestic Workers (MDWs)

At present, there are over 300,000 MDWs in Hong Kong who share the household duties of families with working parents. To us, the MDWs we see every day are simply people who help their employing families with household chores; but most people in Hong Kong probably do not really understand their plight.

From its early years, the Human Rights Press Awards have included prize-winners that reported on the exploitation of MDWs in Hong Kong. The 2004 English-Language Newspaper – Feature merit winner "Asia's Maid Culture" (Rebecca Buckham and Trish Saywell, *The Asian Wall Street Journal*) probed into the

exploitations of MDWs in Hong Kong and brought up an abuse case at the time of an Indonesian migrant domestic worker, Rusmini. Rusmini worked 18 hours a day without getting enough sleep. When she would ask her employer what to prepare for lunch, the response she got was 'I don't want to plan ahead' coupled with punches and kicks. Finally, Rusmini could not bear this anymore and fled to seek help, but passed out after vomiting blood outside a train station. Besides Rusmini, the reporters also interviewed several other migrant domestic workers and found that in addition to being beaten, some were only allowed to eat their employers' leftovers, but if there were no food left, they would have to go hungry. Groups that provided assistance to MDWs pointed out, 'Many employers are faced with problems of their own, and it's easy to take their frustrations out on their domestic worker'. The report also revealed that because of the 'two-week rule' that is required of MDWs in Hong Kong (that is, upon termination of the employment contract, a domestic worker has to find a new job and apply for a work visa within two weeks, otherwise she will have to leave the territory), a domestic worker, even when facing abuse, would choose to remain silent in order to keep her job.

In fact, the 'two-week rule' in Hong Kong has long been criticized by a number of UN treaty bodies. The CESCR pointed out in its 2015 concluding observations that there was 'the lack of effective protection from discrimination and abuse, of foreign domestic helpers, affected by the two-week rule, upon expiration of their contract' (Item 78). In 2006, the UN Committee on the Elimination of Discrimination against Women also indicated in its concluding observations on Hong Kong's implementation of the Convention that, 'The Committee is concerned about the situation of female foreign domestic workers who may be subject to double discrimination on the basis of their sex and ethnic background. The Committee is also concerned about the Two Week Rule, which requires foreign domestic workers to leave Hong Kong within two weeks after the expiration of their employment contract or premature termination, thus pushing foreign domestic workers to

accept new employment, which may have unfair or abusive terms and conditions in order to be able to stay in Hong Kong. It further raises concern at the reported abuse perpetrated by employment agencies against domestic workers, such as lower wages, fewer holidays and longer working hours than what is prescribed by law.' The Committee also urged the Hong Kong government 'to repeal the Two Week Rule' and 'to strengthen its control of employment agencies and to provide migrant workers with easily accessible avenues of redress against abuse by employers and permit them to stay in the country while seeking redress. The Committee further urges the State party to make migrant workers aware of their rights so that they have access to justice and can claim their rights' (Items 41 and 42).

The case in early 2014 of Indonesian migrant domestic worker Eriwana, who had suffered serious injuries from being abused by her employer, raised concerns among the public about the treatment of MDWs. In the same year, several winners of the Human Rights Press Awards featured interviews with MDWs about the difficulties they faced. These included the Chinese Television Merit winner, "Domestic Helpers Away from their Homes" (Dora Choi, *Radio Television Hong Kong*); Chinese-Language Features Merit winner, "Series: Violations of Domestic Workers' Rights" (Wong Tung Leung, Lao Xian Liang, Tung Kit and Lau Oil Ting, *Sing Tao Daily*); and English Online Merit winner, "No Good Choices" (Deb Price, Chester Yung and Sara Schonhardt, *The Wall Street Journal*). A migrant domestic worker who is sexually harassed and unfairly treated by her employer often does not dare to report such incidents and thus falls into a dilemma: if she flees from her employer and returns home, her husband will give her the cold shoulder, and at the same time, she will find it difficult to repay the huge debt to the employment agency. If she tries to look for a new employer, she only has two weeks to do so under the 'two-week rule', and it is generally the case that she is unable to find one within such a short period of time and therefore has to return to her home country but yet, she cannot afford the cost. Reporting to the police is also impracticable, as she is unfamiliar with Hong Kong. In fact, even if she reports

to the police, she will not be able to continue working before the issue is resolved. The most feasible option, it seems, is to continue working for her original employer. However, according to the 'live-in rule', she can only stay in her employer's home and continue to be harassed. The 'live-in requirement', which came into effect after the revision of the Immigration Ordinance in 2003, has subjected MDWs to harassment and frequent overtime work. Nevertheless, in response to an inquiry from The Wall Street Journal, Labour Department staff claimed that the 'live-in requirement' was in place to protect the livelihood of local domestic workers, ensuring that families who recruited MDWs were indeed employers who required live-in domestic workers.

Exorbitant agency fees are also one of the reasons why MDWs are easily abused and exploited. One of the articles in the Chinese Features Merit winner, "Series: Violations of Domestic Workers' Rights" (Wong Tung Leung, Lao Xian Liang, Tung Kit and Lau Oi Ting, *Sing Tao Daily*), revealed how Indonesian MDWs were exploited by employment agencies in both Indonesia and Hong Kong through interviews in both places. The reporters also obtained a loan agreement drafted by an Indonesian agency in the name of an Indonesian MDW, for a loan of \$21,000 from a finance company. The clauses stated that, 'At the time of signing the contract, the loan has been handed to the Indonesian maid and the contract is the official receipt'; and that 'the Indonesian maid, after arriving in Hong Kong, has to repay eight months' wages plus interest'. The Indonesian MDW had to surrender her wages to the Hong Kong employment agency every month for eight months. However, according to the Indonesian MDW who was interviewed, she was completely in the dark about the contract she signed and had never received the \$21,000. Nevertheless, she was stuck with the debt, and even if she were dismissed from her job she would have to repay it. Another Indonesian MDW interviewed also told of being sent for 'practical training' when in fact she was deceived by the employment agency to work for free, and the family who received her services had paid the agency directly.

In fact, there is not much difference between the cases covered in these stories and those from winning entries 10 years ago. Moreover, the items of concern relating to MDWs in the concluding observations of various UN monitoring bodies have been on the rise. Besides the repeated concern about the 'two-week rule', much attention has been given to the 'live-in requirement' as well as the inadequate labour protection for MDWs. For instance, in its 2014 concluding observations reviewing Hong Kong's implementation of the Convention, the CESCR noted, 'The Committee is concerned about the unfavourable working conditions faced by migrant domestic workers in Hong Kong, China, particularly due to the "two-week rule" ... as well as the requirement for migrant domestic workers to live in the employing household. The Committee regrets that Hong Kong, China, has not taken any concrete measures to repeal these rules, and those migrant domestic workers are therefore exposed to abuse and exploitation. Furthermore, the Committee is concerned about the exclusion of migrant domestic workers from the Minimum Wage Ordinance, social security and maternity leave protection (Articles 7 and 10) (Item 43). Similarly, the Committee on the Elimination of Discrimination against Women commented in its concluding observations of the 2014 report on Hong Kong's implementation of the Convention that, 'The Committee remains concerned about consistent reports that foreign women domestic workers continue to experience discrimination on the basis of sex and/or gender and ethnic background. The Committee is further concerned that foreign women domestic workers continue to be subjected to: (a) Abuse and unfavourable working conditions, such as lower wages, fewer holidays and longer working hours than what is prescribed by law; (b) Abuse by recruitment and placement agencies, which charge exorbitant fees and sometimes confiscate travel documents; (c) The two-week rule, which requires them to leave Hong Kong, China, within two weeks upon termination of their contract; and (d) The live-in rule, which requires them to live with their employers' (Item 64).

Even the Committee against Torture, when commenting in its 2015 concluding observations on Hong Kong's implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, expressed their regrets about the government's current 'live-in requirement' and 'two-week rule', which 'could contribute to the risk of forced labour' for MDWs. Besides recommending the Hong Kong government abolish these two rules, the Committee also urged the government to 'amend legislation to prohibit financial arrangements related to debt bondage with employment agencies and finance companies, eliminate the mandatory requirement of using employment agencies as intermediaries and reduce the excessive fees charged' (Items 20 and 21). And in its 2014 concluding observations, the CESCR did not only recommended the government 'repeal the two-week rule and the live-in requirement', but also recommended the government 'adopt a comprehensive law to regulate domestic work and ensure that migrant domestic workers enjoy the same conditions as other workers regarding remuneration, protection against unfair dismissal, rest and leisure, limitation of working hours, social security and maternity leave protection'; and to 'provide effective mechanisms for reporting abuse and exploitation' as well as to 'establish an inspection mechanism for monitoring the conditions of work of domestic workers, in particular migrant workers' (Item 43).

QUESTIONS FOR DISCUSSION

Urban Poverty

- What relationship do the right to housing and the right to enjoy medical services have with economic rights? Please illustrate with examples.
- Do you think the right to employment is adequately protected in Hong Kong? Please illustrate with examples.
- Which social groups in Hong Kong do you think are most vulnerable to not having their economic rights protected? Please explain in detail.

Rights of Migrant Domestic Workers (MDWs)

- Why do you think MDWs do not currently have maternity leave protection?
- What will employers gain/lose if the 'live-in requirement' and 'two-week rule' are no longer valid? Why? How does the cancellation of these two requirements protect the rights of MDWs? Why? Comparing the advantages/disadvantages for these two parties, do you think these requirements should be cancelled or retained? Please provide an explanation for your answer.
- Is there any relationship between the exploitation of MDWs and the lack of childcare services and support in the community? Please provide an explanation for your answer.

FURTHER READING

Urban Poverty

- United Nations. *International Covenant on Economic, Social and Cultural Rights*. 16 December 1966.
- United Nations. *International Convention on the Elimination of All Forms of Racial Discrimination*. 21 December 1965.
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Rights of Migrant Domestic Workers (MDWs)

- United Nations. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. 10 December 1984.
- United Nations. *Convention on the Elimination of All Forms of Discrimination against Women*. 18 December 1979.
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- United Nations Committee on the Elimination of Discrimination against Women. *Concluding observations on the combined seventh and eighth periodic reports of China*. 7 November 2014.
- United Nations Committee Against Torture. *Concluding observations on the fifth periodic report of China with respect to Hong Kong Special Administrative Region*. 3 December 2015.

GENDER
EQUALITY



INTRODUCTION

The UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) requires all signatory states to defend the rights for women and to ensure all women are given equal opportunities to develop in a gender-equal environment; Article 3 of the CEDAW states that ‘States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men’.

In addition, the CEDAW requires all signatory states to devote their efforts to improve the current situation of gender inequality; Article 5 states that ‘States Parties shall take all appropriate measures, to modify the social and cultural patterns of conduct of men and women, with a view of achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women’; Article 11 also states that ‘States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights; to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work’ and ‘to encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities.’

Furthermore, the International Covenant on Economic, Social and Cultural Rights (ICESCR) also protects the rights of women and other genders in economic, social, and cultural aspects. Articles 2 and 3 state, respectively, that ‘the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status’ and ‘the States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights’.

In relation to the equal economic opportunities provided to both genders, Articles 7 and 10 of the ICESCR state in detail that ‘the States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular, fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work’ and ‘special protection should be accorded to mothers during a reasonable period before and after childbirth. During such period working mothers should be accorded paid leave or leave with adequate social security benefits’.

Articles 2 and 3 of the International Covenant on Civil and Political Rights (ICCPR) require signatory states to ensure all genders enjoy equal civil and politic rights: ‘Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political and other opinion, national or social origin, property, birth or other status’ and ‘The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant’.

GENDER EQUALITY IN HONG KONG

Women's Rights

In the 1980s, the United Kingdom became one of the signatory states of the CEDAW. Since then, women in Hong Kong had repeatedly requested that the Convention be extended to Hong Kong, and in 1992 they succeeded in doing so. Thereafter, in response to the Convention, the government published "The Green Paper on Equal Opportunities for Women and Men". Christine Loh Kung Wai, a member of the Legislative Council at the time, also suggested revising The New Territories Ordinance, requesting that female indigenous inhabitants be given the right to inherit land in the New Territories; this incident set off controversy in society and brought attention to the issue of gender equality.

It was under such social circumstances that then Legislative Council member Anna Wu Hung Yuk introduced in 1994 a private member's bill, the Equal Opportunities Bill, which included aspects of gender, familial role, age, sexual orientation, race, disability, politics, and religious beliefs. Under pressure from the public, the government drafted and issued the Sex Discrimination Ordinance, which was narrower in scope (discrimination ordinance regarding familial role and disability were added when the Ordinance was passed), and the issue of gender inequality regarding the right to inherit land in the New Territories was also included in the Ordinance. In the end, the Legislative Council rejected the draft by Anna Wu, and in 1995 the government passed the Sex Discrimination Ordinance (Chapter 480), which was the first anti-discrimination ordinance in Hong Kong.

After the transfer of sovereignty to China in 1997, the CEDAW remained applicable to Hong Kong as the government of the PRC is a signatory state. For more information on the actual situation of how both the ICCPR and the ICESCR were implemented in Hong Kong, please refer to chapters 2 and 4 of this book.

The UN Committee on the Elimination of Discrimination Against Women issued concluding observations in 1999, 2006 and 2014 with regards to how the CEDAW have been implemented in Hong Kong. In its 1999 concluding observations, the Committee expressed concern towards 'the absence of a governmental mechanism for the advancement of women in Hong Kong charged with the pro-active development of policy and long-term strategies on gender equality' (Item 317). The Hong Kong government set up the Women's Commission in 2001, and according to its official website, the Commission is a 'high-level central body' responsible for making recommendations on macro strategies on women's affairs and setting long-term goals and strategies.

However, in the 2001 concluding observations of the Committee on Economic, Social and Cultural Rights concerning the implementation of the ICESCR in Hong Kong, the Committee expressed great concerns towards the fact that 'the Women's Commission may not have appropriate resources and powers to ensure that a gender perspective is integrated into the formulation of policy' (Item 17). It also urged the Hong Kong government to 'provide the Women's Commission with sufficient powers and resources to enable it to improve the status of women in Hong Kong, and to integrate gender in its policy-making and ensure wider participation of women in all spheres of public life' (Item 33). Unfortunately, 13 years later in 2014, in its concluding observations with regards to the implementation of the CEDAW in Hong Kong, the Committee on the Elimination of Discrimination Against Women pointed out that 'the Women's Commission, which is mandated to promote the advancement of women in Hong Kong, China, has a weak mandate and lacks the resources necessary to undertake gender mainstreaming and other activities' (Item 50). In other words, even though the Women's Commission is a 'high-level central body', it had a weak mandate and hence their ability to promote gender equality in society is in reality very limited.

For example, in 2002, as suggested by the Committee, the government agreed to gradually implement gender mainstreaming in different policy areas and created a Gender Mainstreaming Checklist for the Government Secretariat and different departments to apply to various policies, legislations, and plans. This document was also revised in 2009. However, despite being implemented for more than 10 years, according to the Policy Address made by the Chief Executive in 2015, there were only ‘more than 50 different policies and scope of work making use of the checklist’. On 1 April of the same year, the government requested all departments to refer to the Checklist and implement gender mainstreaming when setting up policies, but this remained ineffective. The Women’s Commission had also appointed contact persons for gender issues in various policymaking departments and district councils. Yet according to a 2015 survey conducted by the Association for the Advancement of Feminism, the roles and duties of those contact persons were not clearly defined, and the lack of coordination, training and support offered to these individuals made it difficult for them to be effective.

According to the concluding observations made by the Committee on the Elimination of Discrimination against Women in 2006 and 2014, there was still substantial room for improvement on the issue of gender inequality in Hong Kong, regardless it was political and social participation, occupation or housing and so forth. For instance, in the 2006 concluding observations, the Committee expressed concerns towards the low participation rate of women in governmental bodies, in particular the functional constituencies. The Committee believed that ‘the electoral system of functional constituencies may constitute indirect discrimination against women, as it results in the unequal participation of women in political life’ (Item 39). In 2014, the Committee expressed similar concerns in its concluding observations, stating that ‘the Committee is concerned that no efforts have been made to conduct a study in order to understand the impact that the electoral system of functional constituencies has on the equal participation of women in political life’ (Item 58).

In addition, in its 2006 concluding observations, the Committee also expressed concerns over the issue where indigenous women, unlike indigenous men, were not entitled to apply for a permit to build a residence in the New Territories (Item 37). In its 2014 concluding observations made, the Committee noted that ‘maternity leave is limited to 10 weeks, which does not comply with the international standards established by the International Labour Organization’ and recommended that the government should ‘increase the maternity leave period in line with international standards and increase its efforts to promote the use of flexible working arrangements and paternity leave to encourage men to participate equally in child-care responsibilities’ (Items 62 and 63).

Domestic violence is another issue that is covered in the scope of the CEDAW, and in Hong Kong, the problem has worsened since 2000. The family tragedy that occurred in Tin Shui Wai in April 2004 where all four member of a family died, in particular, shocked the community. According to a close friend of the murdered wife, the woman had requested help from police and the Social Welfare Department a few days before the incident, however both departments failed to follow up on the case. The case revealed a great loophole in the policies and guidelines given to the police and Social Welfare Department in relation to the handling of domestic violence. At the time, a women’s organization pointed out that no revisions had been made to the Domestic and Cohabitation Relationships Violence Ordinance, which was established in 1986, and because of how out-dated the ordinance had become, it failed to offer suitable protection and support to those in need. The organization thus called on the government to revise the Ordinance. In its 2006 concluding observations, the Committee on the Elimination of Discrimination against Women expressed concern towards the low prosecution rate in domestic violence cases. At the same time, the Committee urged the Hong Kong government to devote more efforts in combating domestic violence, and requested the government enhance

women's access to justice, including ensuring that their complaints are responded to effectively, proactively carrying out investigations into their complaints, improving training on judicial and law enforcement officials in dealing with gender-sensitive cases, and improving the training on health and social workers in dealing cases that involve violence against women. The Committee also recommended the Government allocate sufficient resources to combat domestic violence (Items 35 and 36).

Although the Domestic and Cohabitation Relationships Violence Ordinance was revised in June 2008 and the Committee against Torture in its concluding observations praised the efforts made by the government in combating domestic violence, it still expressed concern towards the increase in cases of domestic violence. It also echoed the suggestions made by Committee on the Elimination of Discrimination against Women, demanding that the government should 'thoroughly investigate all allegations of domestic violence which, if substantiated, should be appropriately prosecuted and punished; strengthen its efforts to address domestic violence through legislative policy and social measures; and to develop national public information and awareness-raising campaigns and stimulate broader public discussions in order to address attitudes and stereotypes that may lead to violence against women' (Item 13). It was only at the end of 2009 that the government further extended the protection to former spouses, former cohabiting couples, same-sex cohabitants and former same-sex cohabitants, and thus acknowledged by the Committee against Torture in its concluding observations in 2015 (Item 4).

The rights of sex workers, in particular female sex workers, have also been among the topics covered by numerous winners of the Human Rights Press Awards. Both the documentary "Feature of the week: Sex Workers" (Lo King-wah, Cable TV), which won the merit prize in 2005 for Chinese-Language Broadcast -

Television, and the documentary "Sex work is also a Job" (Kwong Chui Kuen, RTHK's Hong Kong Connection), which was awarded the merit prize in the same category in 2008, investigated the difficulties sex workers face in Hong Kong. According to current legislation, each apartment is only allowed one sex worker (referred to as one-woman brothels). Even two sex workers operating out of the same apartment are considered to be running an illegal brothel. In addition, the law also prohibits the act of 'procuring another person to become a prostitute and living on earnings of the prostitution of others'. It is also illegal for sex workers to employ a security guard or caretaker. Hence, sex workers are only allowed to operate their businesses on their own in their residence, and unable to receive help or support when their lives are in danger.

The 2008 award-winning documentary "Sex work is also a job" was filmed after the consecutive murders of four sex workers. The documentary included interviews with several sex workers who pointed out that they had been raped, robbed and beaten so badly they were rendered immobile while 'on the job'. They lived in fear every day when working, yet they had to 'tough it out' because they had to make a living and repay debts. The documentary also mentioned a survey showed that over 10% of sex workers had suffered physical abuse, and those who operated alone had a higher chance of encountering violence. However, victims seldom appeal to the police for help, as they worry that once their identities are revealed they would be discriminated by others.

Although the 2008 string of murders sparked off public debate over the safety of sex workers, the government still has not taken any actions on the issue. In the concluding observations made by the Committee on the Elimination of Discrimination Against Women in 2014, the Committee still expressed its concern towards the fact that the HKSAR government 'has not repealed the legislative provisions on "vice establishment"', which compel women in prostitution to work alone in isolated settings, where they are exposed to a higher risk of

abuse, exploitation and violence by clients'. The Committee also recommended the government to 'intensify efforts to address the root causes of trafficking in women and girls' (Items 56 and 57).

Hong Kong's Sex Discrimination Ordinance has been implemented for 20 years; according to the report "Women and Men in Hong Kong – Key Statistics (2015 edition)", published by the Hong Kong Census and Statistics Department, the number of women in the labour force in Hong Kong (excluding foreign domestic workers) has been on the rise, from 47.4% in 2001 to 50.7% in 2014. However, this number is still a far cry from that of the number of men in the labour force (68.7%). In addition, there is still a significant difference in average salaries of male and female workers. On average, a female worker receives \$11,000 per month and a male worker receives \$15,000 per month. In 2014, based on the statistics of the participation of unmarried women in the workforce, which was 69.0%, and that of married women, which was 48.7%, the Census and Statistics Department report concluded that 'this might partly reflect that more now married women might exit the labour force, whether temporarily or permanently, after marriage'.

LGBTI (Lesbian, Gay, Bisexual, Transgender, and/or Intersex)

The Offences against the Person Act came into force in the United Kingdom in 1828 (Chapter 212); and in 1865 the UK introduced the Offences Against the Person Ordinance into Hong Kong, which became law as Hong Kong had become a British colony in 1842. The Offences Against the Person Ordinance stipulates that the law prohibits 'acts contrary to nature', including buggery and bestiality. This law criminalises sexual intercourse between men but precludes criminal liability of the same between women. The Criminal Law Amendment Ordinance passed in 1901 further provides the maximum penalty of life imprisonment for buggery between men, while gross indecency also carries a maximum sentence of two years imprisonment.

Although the Sexual Offences Act passed by England and Wales in 1967 decriminalises consensual homosexual intercourse between men over 21 in private, Hong Kong had not amended the law relating to sexual intercourse between men at the time. It was only in 1980 when John MacLennan, a Scottish police inspector who was accused of homosexual behaviour, committed suicide that the homosexual community in Hong Kong took action to push for the decriminalisation of homosexuality. The first LGBT organisation in Hong Kong, The Hong Kong Ten Percent Club, and the Anti-Discrimination Homosexual Legal Rights Committee were established in the 1980s; and in 1991, the Crimes (Amendment) Bill was passed, which decriminalised consensual sexual intercourse between men over 21 in private.

As previously mentioned, in 1994 former legislator Anna Wu introduced the Equal Opportunities Bill in the form of a private member's bill, which encompassed gender, family status, as well as sexual orientation. However, the government did not support the Bill and opined that sexual orientation was still a highly controversial and sensitive issue. Nevertheless, the government conducted research on discrimination on the grounds of sexual orientation, and in 1996, published a Study on Legislation against Discrimination on the Grounds of Sexual Orientation. At the time, the government concluded that the vast majority of members of the public interviewed strongly opposed anti-discrimination legislation on the grounds of sexual orientation. Therefore, the government decided to raise public understanding and acceptance of diverse sexual orientation through means other than legislation. In 1995, legislator Lau Chin-shek initiated the Equal Opportunities (Family Responsibility, Sexuality & Age) Bill, which encompassed equal rights of people of diverse sexual orientation. Unfortunately, the Legislative Council fell two votes short of passing the Bill before China's resumption of sovereignty over Hong Kong.

In 2006, the Home Affairs Bureau commissioned a telephone survey on public attitudes towards homosexuals. The survey revealed that only approximately one-third (34.5%) of the interviewees agreed or strongly agreed that the government 'should not at this stage pass legislation banning discrimination on the ground of sexual orientation'. Compared to results from a survey that was carried out 10 years ago, which revealed that 'the vast majority of citizens interviewed strongly oppose anti-discrimination legislation on the ground of sexual orientation', public acceptance of said anti-discrimination legislation had changed significantly. Moreover in the same survey, 41.6%, 37.3% and 37.2% of the interviewees, respectively, support government legislation against anti-discrimination on the grounds of sexual orientation in the areas of employment, education, and provision of service, facilities or goods.

Given that the majority of members of the public did not oppose the legislation and that support for specific categories was overwhelming, it was time to take Hong Kong's anti-discrimination law to a more comprehensive level and in accordance with international standards. However, Ho Chi-ping, the Secretary for Home Affairs at the time, stated, 'Given that anti-discrimination legislation on the ground of sexual orientation is highly controversial, the government should take the lead to arouse public comment for this issue; the government will consider it only if social consensus is reached'.

In 2016, a Chinese University of Hong Kong research report commissioned by the Equal Opportunities Commission revealed that over half (55.7%) of the interviewees agreed that legislation for anti-discrimination on the ground of sexual orientation should be passed. In the past, a significant portion of dissent regarding this issue came from religious groups. However, in this recent survey, nearly half (48.9%) of the interviewees with religious beliefs supported the legislation. In the focus group discussion of the study, interviewees with

diverse sexual orientations and gender identities (LGBTI) pointed out that discrimination on the grounds of sexual orientation, gender identity or intersex status is a common occurrence in the areas of employment, education, provision of services, disposal and management of premises, as well as government functions.

Different covenant organizations of the UN have mentioned on many occasions the discrimination faced by persons with diverse sexual orientations and gender identities, and have urged the Hong Kong government to pass legislation against discrimination on the ground of sexual orientation. Early in 1999, the concluding observations of the UN Human Rights Committee in consideration of the implementation of the ICCPR, expressed concern over the problem of discrimination on grounds of sexual orientation in Hong Kong: 'the existing law has not provided any assistance to people who face discrimination on the grounds of race and sexual orientation. The HKSAR should enact the relevant law to ensure that Article 26 of the Covenant comes into full effect' (Item 15). The 2001 concluding observations issued by the Committee on Economic, Social and Cultural Rights also expressed concern that the Hong Kong government failed to prohibit discrimination on the grounds of sexual orientation (Item 15).

From 2002 to 2005, a number of award-winning reports revealed the problem of discrimination against homosexuals in the community. According to the 2002 merit winner of Chinese-Language General News, "Gays complain against Red Cross" (Lau Mei Njan, *Sing Pao*), a newly-designed Hong Kong Red Cross blood donation registration form requested donors to indicate their sexual orientation and clearly stated that blood donation from male homosexuals and sex workers would not be accepted. Some homosexuals believed that the proportion of heterosexual AIDS sufferers was higher than that of homosexuals, so a ban on blood donation from homosexuals was discriminatory in nature, and therefore expressed their discontent and staged a protest at the Hong Kong Red Cross.

The article “Go to Toronto and challenge the law of Hong Kong, gay couple intends to apply for tax return treatment for married couple” (K H Wong, C H Lai, *Sing Tao Daily*), which won the 2004 merit prize for Chinese-Language General News, revealed that a gay male couple who were not entitled to marriage status in Hong Kong travelled to Toronto to register for marriage in the hopes of filing their taxes as a married couple when they returned to Hong Kong in order to enjoy the same privileges. It was also reported that both were Christians, but were expelled from their respective churches. A month later, Sing Tao Daily reported in another article that the Hong Kong Inland Revenue Department denied their application for joint assessment.

“Gay Activists” (Ravina Shamdasani, *South China Morning Post*), which won the 2005 merit award for English-Language General News, reported the case where a 20-year-old gay man applied for legal aid in 2004 to seek a declaration from the courts on the constitutionality of the different ages of sexual consent for homosexuals and heterosexuals (The legal age of consent for male homosexuals is 21, but 16 for heterosexuals.). The applicant for legal aid believed that such a difference in age of consent constitutes discrimination against men aged 16-21, and also infringed on their rights to health and privacy. Although the article did not report on the final result of this case, in 2005 another 20-year-old gay man, William Leung, filed for a judicial review on the aforementioned legislation. The High Court ruled in favour of the applicant, pointing out that the legislation violated the rights of equality and privacy as stated in the Hong Kong Basic Law and Hong Kong Bill of Rights Ordinance. The 2004 merit winner of Chinese-Language Broadcast – Radio, “A special character: Cho – a gay activist” (Lau Nga Yan, Adelaide, *Radio Television Hong Kong*), revealed through an interview with a gay man, Cho, about his personal experiences that homosexuals have not been accepted by society.

Although homosexuals have been fighting for equal rights in different ways, discrimination towards those who have different sexual inclinations still exists. “Homosexual Therapy” – The Ambiguities of Faith and

Religion, and Sexual Orientation” (Lee Chi Wing, *Hong Kong Economic Journal*), which won the 2011 merit award for Chinese-Language Newspaper – Feature, reported that the Social Welfare Department invited the organization New Creation to organize a course on ‘conversion therapy’ and explored how different Christian organizations, including the Blessed Minority Christian Fellowship, viewed homosexuals and how ‘conversion therapy’ among church groups has created more misunderstanding and even demonized homosexuals.

In addition, in its 2014 concluding observations, the Committee on the Elimination of Discrimination Against Women expressed concern towards the ‘reports that lesbian, transsexual and transgender women and girls in Hong Kong, China, are subjected to discrimination and abuse, particularly in the context of employment, education and access to health-care services’, and urged ‘Hong Kong, China, to intensify its efforts to combat discrimination against lesbian, transsexual and transgender women in employment, education and in their access to health-care services’ (Item 68 and 69). And in the 2013 concluding observations of the UN Human Rights Committee with regards of the implementation of the ICCPR, the Committee believed that ‘Hong Kong, China should consider enacting legislation that specifically prohibits discrimination on ground of sexual orientation and gender identity, take the necessary steps to put an end to prejudice and social stigmatization of homosexuality and send a clear message that it does not tolerate any form of harassment, discrimination or violence against persons based on their sexual orientation or gender identity. Furthermore, Hong Kong, China, should ensure that benefits granted to unmarried cohabiting opposite-sex couples are equally granted to unmarried cohabiting same-sex couples, in line with article 26 of the Covenant’ (Item 23).

In the concluding observations published in 2005 and 2014 by the UN Committee on Economic, Social and Cultural Rights, the Committee expressed concern that there were those in Hong Kong who, because of discrimination due to sexual orientation and gender identity, did not have access to full economic, social

and cultural rights. For instance, in its 2014 concluding observations, the Committee clearly stated that it is concerned about 'the prevalent and widespread discrimination against some disadvantaged and marginalized groups ... on the grounds of sexual orientation and gender identity, particularly in employment, education, health care and housing' and also noted that there was an 'absence of comprehensive anti-discrimination legislation'. The Committee 'recommends that Hong Kong, China, take steps to adopt comprehensive anti-discrimination legislation in compliance with article 2, paragraph 2, of the Covenant and taking into account the Committee's general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights' and 'urges Hong Kong, China, to take adequate measures to ensure that lesbians, gays, bisexual and transgender persons are able to fully enjoy their economic, social and cultural rights without any discrimination' (Item 41).

There has been increased public interest in transgender people since 2010 when a transgender woman, W, fought for the right to marry her boyfriend in Hong Kong. There have also been more winners of the Human Rights Press Awards that cover transgender issues. These include "Right to Marriage of Transsexual" (Chu Sik Kwan, Chan Ching Wah, *Radio Television Hong Kong*), the 2011 merit award winner for Chinese-Language Broadcast – Radio, "A Bitter Way to be a Transsexual" (Chiu Kin Shing, *Cable TV*, 2010 merit award winner for Chinese-Language Broadcast – Television, and "Brave Transsexuals Come Forward" (Au Yeung Ling, *Eastweek Magazine*), 2011 merit award winner for Chinese-Language Magazines. In the *Eastweek Magazine* piece, Au Yeung Ling interviewed supporters of W's legal pursuit for marriage rights and through these interviews delved into the lives of transgender people. W's request for judicial review had been denied, and her subsequent appeal to the High Court was also turned down. It was during W's legal campaign when several transgender members of the team behind the musical "The Dream of a Mermaid" rallied behind her. The interviews with two members of the musical revealed the depression many underwent prior to coming out

and the difficulties they faced afterwards. One of the actors interviewed, Omena, also shared W's problem of not being able to legally marry her boyfriend. Mimi, the executive producer of the show, ended her marriage even as she entered middle age, but was finally able to be her true self when she transitioned to the gender that she really belonged to.

As for W, she persevered with her legal appeal. Two years later in 2013 the Final Court of Appeal ruled in favour of her case by stating that refusing to allow transgender people to marry as stated in The Marriage Ordinance and The Matrimonial Causes Ordinance was a violation to the right to matrimony as mentioned in the Basic Law. The Court believed that according to the Basic Law, the definition of females includes those who have undergone gender reassignment surgery to become female, and therefore ruled in favour of W, who had undergone a sex change from male to female, thereby ruling that transgender people had the right to marriage. After a four-year-long legal battle, W, who had completed her gender reassignment surgery, could finally be officially identified as female by the marriage registrar and marry her boyfriend. One of the winners of the 2013 Feature Photography Prize, "Series: 'Transgender Angel' (Law Lan Yung, *East Week*), depicted the life after gender reassignment surgery of a transgender woman, Angel, who was fired from her job when her transgender identity was revealed and ended up on the streets.

QUESTIONS FOR DISCUSSION

Women's Rights

- According to the above information, do you think men and women in Hong Kong enjoy equal rights? Please elaborate.
- Do you think there are differences between middle-class and professional women and grassroots women in terms of gender equality? Why?
- When fighting for gender equality, why is focus placed on expanding the rights for women?
- What are the advantages and disadvantages to men and women in the fight for gender equality? Why?

LGBTI (Lesbian, Gay, Bisexual, Trans, and/or Intersex)

- What are the difficulties faced by LGBTI persons in Hong Kong? Why do they face these difficulties?
- Do you think we should have laws against discrimination based on sexual orientation? Why? Please list the advantages and disadvantages.
- Some people argue that different sexual orientation affects family values. What are your views about this?

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CHAPTER 6

ETHNIC MINORITIES



Ethnic Minorities in Hong Kong 異國風情圖
Luk Yu Shing 陸羽翹 - Eastweek Magazine 東周刊
2014 Feature Photography Month 圖片特寫展展期

INTRODUCTION

Ethnic minorities

The UN International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) proclaims that all human beings are born equal in rights without distinction of race, colour or national origin. The term 'racial discrimination' is defined as 'any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life' in Article 1 of the Convention.

As laid down in Article 2 of the ICERD, States Parties shall condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races. Each state party 'shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists', and 'Each state party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization'. It also states that, 'States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved'.

In compliance with the fundamental obligations laid down in Article 2 of the ICERD, States Parties undertake to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights; the right to equal treatment before the tribunals and all other organs administering justice; the right to security of person and protection by the State against violence or bodily harm; political rights (including the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level); civil, economic, social and cultural rights, in particular: the right to freedom of movement and residence within the border of the State; the right to freedom of opinion and expression; the right to freedom of peaceful assembly and association; the right to form and join trade unions; the right to education and training; the right to equal treatment before organs administering justice; the right of access to any place or service intended for use by the general public; the right to housing; the rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration etc..

In addition, the International Covenant on Civil and Political Rights (ICCPR) as well as the International Covenant on Economics, Social and Cultural Rights (ICESCR) recognise the rights without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Refugees

Article 14 of the Universal Declaration of Human Rights provides that everyone has the right to seek and to enjoy in other countries asylum from persecution. The ICCPR, the Convention relating to the Status of Refugees (1951 Refugee Convention) as well as the Convention against Torture and Other Cruel, Inhuman or

Degrading Treatment or Punishment (Convention Against Torture) also ensure any person who avails himself of another countries due to being persecuted for reasons of war, political opinion, sex, religion or race and so on. The ICERD also guarantees that any person of different race or nationality who avail him of another countries will not be subjected to discrimination.

Article 3 of the Convention Against Torture proclaimed that ‘no States Party shall expel, return (“refouler”) or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.’ Article 7 of the ICCPR also provides that ‘no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment’, while it is an absolute right to not be subjected to torture. It is recognised as violating the Core International Human Rights Instruments if a country or a county refuses to protect asylum seekers and extradites him without substantial grounds for believing that he would not be subjected to torture after he returned to the country of which he is a national.

Asylum seekers are to be accorded the status of refugee once confirmed by a screening mechanism. According to the 1951 Refugee Convention and the Protocol Relating to the Status of Refugees (1967), the term ‘refugee’ refers to a person who ‘owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear’. The 1951 Refugee Convention provides that the States Parties shall ensure refugees’ legal status and rights, including the right to property, assembly, access to the courts of law, work, assurance of remuneration, housing, education, social benefits and so on. The States Parties shall ensure that no refugee is discriminated against, expelled or returned to the country of which he is a national. The States Parties also undertake to co-operate with the UN High Commissioner for Refugee (UNHCR) in the exercise of its functions. However, both refugee conventions are yet to be applicable in Hong Kong.

ETHNIC MINORITIES IN HONG KONG

Ethnic minorities

Based on statistics collected from the Census and Statistics Department, a total of 451,183 ethnic minorities, constituting 6.4% of the population of Hong Kong, were living in Hong Kong in 2011. They comprised Indonesians (29.6%), Filipinos (29.5%), Whites (12.2%), Mixed (6.4%), Indians (6.3%), Pakistanis (4.0%), Nepalese (3.7%), Japanese (2.8%), Thais (2.5%), Other Asians (1.6%), Koreans (1.2%) and others (0.3%), and the majority of ethnic minorities were Usual Residents (98.7%). Over the past 10 years, the number of ethnic minorities in Hong Kong has risen significantly by 31.2%.

The ICERD has been extended to Hong Kong since March 1969, and as China is a signatory to the Convention, it remained applicable in Hong Kong after the handover.

In 1994, then legislator Anna Wu initiated a private member’s bill, the Equal Opportunities Bill, which would have prohibited discrimination on several different grounds including race, sex, disability, age, and sexuality. However, the Bill was not approved and enacted by the Legislative Council at the time. Instead the government proposed the Sex Discrimination Ordinance and the Disability Discrimination Ordinance, while issues relating to racial discrimination were not addressed. When reviewing the implementation of the ICERD in Hong Kong in 2001, the Committee on the Elimination of Racial Discrimination expressed concern about ‘the continuous absence in the HKSAR of legal provisions protecting persons from racial discrimination to which they may be subjected by private persons, groups or organisations’.

Since the 1990’s, works related to ethnic minorities have been recognized by the Human Rights Press

Awards. "The Neglected Pakistanis" (Chan Ka Yan, *U-Beat Magazine*), which received a Special Mention in the category of Chinese Magazine in 1999, contained interviews with a number of Pakistanis living in Hong Kong. The report found that 'many Pakistanis came a long way from their homeland to Hong Kong decades ago to serve in the military, and some stayed and settled down here', but the people of Hong Kong did not seem to be thankful for the Pakistanis who helped maintain the security of Hong Kong. A descendant of a Pakistani soldier who was interviewed said that her ethnicity had caused her much inconvenience even though she was born and raised in Hong Kong. For example, when she went grocery shopping, stall owners would ignore her until she started speaking Cantonese. The biggest obstacle they faced was the language barrier, and she spoke of Pakistani women who would be afraid to go into town because they did not speak Chinese or English. Despite living in Tuen Mun, she had to contend with the inconvenience of attending international primary and secondary schools in Kowloon because she did not read or write Chinese. Another interviewee also pointed out that some schools would refuse to admit Pakistani children citing full capacity or language issues.

A 2001 merit winner of the English-Language Newspaper – Feature category, "Schools fail South Asians" (Linda Yeung, *South China Morning Post*), looked into the issue of medium of instruction for ethnic minorities and found that ethnic minority children usually could not fit in if they attended mainstream schools right away, whereas they would find it easier to adapt if they attended schools designated for ethnic minorities. The report found that there were around 20,000 South Asian children of school age, but only seven schools in Hong Kong at the time were designated for ethnic minorities, offering 2,080 places. Unless their parents could afford privately run international schools, they would have to wait for a place at government-funded schools for a period of six to 12 months. And often most of the parents of these children were low-skilled workers or unemployed.

In response to a query from a journalist, the Education Bureau emphasised their effort in providing access to education for six to 15-year-old children, and added that their regional offices would assist children who did not speak Chinese find schools. However, a former Nepalese Ghurkhas who was interviewed said he had a hard time finding a school that would accept his eight year-old son, and when he sought help from the Education Bureau, he was told by staff that they only served local Chinese citizens and later told him that all school places in his district were taken. The social worker assisting the former Ghurkha felt that the Bureau's neglect over the lack of school places for ethnic minority children was a form of racial discrimination.

The winner of the 2005 Chinese-Language Newspaper – Feature Prize "South Asian children's unachievable dream to learn Chinese" (Denise Mau, *Sing Tao Daily*) looked into the difficulties experienced by both schools and South Asian schoolchildren when, for the first time, the government included South Asian students in the Primary One Admission System. This initiative was meant to help South Asian children gain a place at government/aided primary schools and allow them to learn Chinese at a young age. The intentions of this scheme were admirable and many South Asian families welcomed it. A South Asian father who was interviewed was deeply aware that if one did not understand Chinese, manual labour was often the only option to make a living in Hong Kong. His son, who was born in Hong Kong and could speak fluent Cantonese, only lacked the ability to read and write the language. That is why, as a father, he wanted his children to learn Chinese as early as possible in order to secure a better future.

However, the actual implementation of the new scheme did not work as expected. Mainstream schools were required to implement the new policy, but the government did not provide additional resources to schools. It was difficult for schools to cater for South Asian children while they already had to make adjustments to

the syllabus. Some South Asian children were then left at where they had been. For example, a South Asian student who was interviewed was initially very happy when he was assigned to a mainstream primary school of his first choice, but when he went to register at the school, he was told that the school could not cater for his needs and was advised to apply to another school. In the end his parents had to transfer him to a school with a medium of instruction other than Chinese. Fermi Wong, then executive director of Hong Kong Unison, when interviewed estimated that only around 60 non-Chinese speaking children out of a 100 would study at mainstream schools due to the lack of supporting measures. She criticised that the government offered subsidies to schools that accepted new immigrants, but only provided “preparatory programmes” for South Asian children, which was inadequate.

Language barriers aside, gender-specific issues are another difficulty ethnic minorities face in Hong Kong. A South Asian girl shared her experience in the 2001 merit-winning piece for English-language Newspaper – Feature “Schools fail South Asians” (Linda Yeung, *South China Morning Post*). She mentioned that she was accustomed to attending classes separately from boys due to her Islamic faith, and found it a little uncomfortable to have to be in class with the opposite sex. There were also some Muslim parents who were more conservative and insisted on sending their daughters to schools where boys and girls were segregated. A 2013 winner for Chinese-Language Television Merits, “Ethnic Minority School Girls Separated” (Cheng Sze Sze, *Cable TV*), looked into two schools in Hong Kong that completely segregated female Muslim students—the girls had a different class schedule from the rest of the students so the two groups would barely see each other, and some of the male Chinese students at these schools were not even aware of their existence.

Some of the Muslims girls studying at the two schools were forced to stay home for half a year and even up to

three years, because their parents were unable to find a school that segregated boys from girls. Among these students, some welcomed gender segregation at their school because they felt it protected the honour of their family, for their family may be shamed if they spoke to boys. However, some girls felt that they were deprived of the right to education because they had to wait for several years to attend school due to this convention. While deep down, some actually wished that since they lived in Hong Kong, they could occasionally have friendly chats with boys. Worried they might be attacked by conservative Muslims, the principal of the school had suggested the reporter not reveal the identities of the girls who shared their true thoughts.

The Committee on the Elimination of Racial Discrimination in its 2009 concluding observations of the implementation of the ICERD in Hong Kong, expressed concern about the language education for ethnic minorities: ‘despite the provision of a Supplementary Guide to the Chinese language curriculum, the Committee is concerned that no official education policy for teaching Chinese as a second language for non-Chinese speaking students with an immigrant background in Hong Kong has been adopted’. The Committee also recommended that ‘a policy on Chinese teaching for non-Chinese speaking students from immigrant background be developed in consultation with teachers as well as the communities concerned. Efforts to improve the quality of Chinese language education for immigrant children should be intensified’ (Item 31). Furthermore, the UN Committee on Economic, Social and Cultural Rights in reviewing the implementation of the ICESER in Hong Kong also mentioned in its 2014 concluding observations that non-Chinese speaking students were discriminated in the public education system: ‘despite the recent measures adopted by Hong Kong, China, on the Chinese Language Curriculum second language Learning Framework and the allocation of additional funding to support the learning of Chinese, non-Chinese speaking students continue to be de facto discriminated against in the public education system’. It recommended that the Hong Kong government

'urgently take all necessary measures to eliminate de facto discrimination against non-Chinese speaking students, including by the reallocation of resources, and to promote their access to education in mainstream schools. The Committee urges Hong Kong, China, to step up its efforts to implement legislation and policies on bilingual education at all levels of education and provide high-quality education in Chinese as a second language' (Item 52).

On the other hand, 2004 and 2005, which was right around the time the government launched the public consultation on legislating the Race Discrimination Ordinance (Chapter 602), saw more winning works about racial discrimination in the Human Rights Press Awards. These included the 2004 merit winner for Chinese-Language Broadcast – Radio, “Examine racial discrimination” (Yip Koon-lam, *Radio Television Hong Kong*), and the 2005 merit winner for Chinese-Language Broadcast – Radio, “Stop racial discrimination” (Wong Pui-san/Tam Pui-ching, *Radio Television Hong Kong*), both of which looked into the government’s proposals in the Race Discrimination Ordinance from different perspectives. For example, they looked into the question of whether the Ordinance should cover new immigrants from Mainland China, an issue raised most often by civic organisations. Another 2005 merit winner for Chinese-Language Broadcast – Radio, “Learn about Hong Kong’s minority South-Asian community without prejudice” (Jace Au, *Radio Television Hong Kong*), asked South Asians who spoke fluent Cantonese to express in their own words their views about the proposals for the Ordinance.

In the end, the Hong Kong government formulated the Race Discrimination Ordinance (in July 2008) before the Committee on the Elimination of Racial Discrimination reviewed it in 2009, and the Ordinance went into effect on 10 July 2009. The main goal of the Ordinance is to protect people against discrimination,

harassment and vilification on the ground of their race. Under the RDO, it is unlawful to discriminate, harass or vilify a person on the ground of his/her race.

However, does the Race Discrimination Ordinance offer enough protection to ethnic minorities? The winner of the 2014 Student Chinese Merit, “Minority Groups in Hong Kong Don’t Have Equal Employment Rights” (Kei Sze Ching and Chong Lai Kit / Hong Kong Baptist University, *San Po Yan*), pointed out that a fair number of ethnic minorities who did not speak Chinese had trouble finding a job in spite of their advanced qualifications. And in Hong Kong, Chinese-language classes for ethnic minorities were targeted at South Asians, who constituted more than half the population of ethnic minorities, making it more difficult for ethnic minorities from Africa to find suitable courses. On the other hand, even though the government offered Chinese classes and even vocational training conducted in English, they were all too elementary, thus failing to provide any help with employment. The government also had no plans to emulate countries such as the United Kingdom and United States to encourage hiring based on ability and not Chinese-language capability by the hiring of ethnic minorities in proportion to the ratio of different minorities to the total population. After all, without sufficient supporting measures for the targeted education policies, even those ethnic minorities who were born and raised in Hong Kong will still find it difficult to master reading, writing, speaking, and understanding Chinese.

The Committee on the Elimination of Racial Discrimination on reviewing the implementation of the ICERD in Hong Kong expressed concern in its 2009 concluding observations about the definition of racial discrimination given in the HKSAR Race Discrimination Ordinance. It felt that it ‘is not completely consistent with Article 1 of the Convention as it does not clearly define indirect discrimination with regard to language, and it does not

include immigration status and nationality among the prohibited grounds of discrimination'. The Committee also expressed concerns over the scope of application of the Ordinance, which 'covers certain Government activities and exercise of its powers in its scope of application, i.e. employment, education, and the provision of goods and services'. The Committee recommended the government bring all government functions and powers within the scope of the Race Discrimination Ordinance. It also recommended the adoption of an equality plan with a view to ensuring the effective implementation of the law and that the Equal Opportunities Commission be strengthened (Items 27 and 28).

Refugees

The government has turned a deaf ear on numerous urges made by the UN to extend and apply the Refugee Convention in Hong Kong. However, all the Core International Human Rights Instruments, including the ICCPR, ICERD and Convention Against Torture, are applicable to Hong Kong.

The biggest influx of immigrants into Hong Kong since refugees fled from China during the civil war in the 1950s was the wave of Vietnamese refugees from the 1970's to 1990's. As the North Vietnamese army sought to reunify the country after the end of the Vietnam War in 1975, the continued instability prompted masses of Vietnamese to flee the country. The outflow of refugees was further accelerated when the Sino-Vietnamese War broke out in 1979. From 1975 to 2000, Hong Kong took in more than 200,000 Vietnamese asylum seekers, around 140,000 of who were identified as refugees by the UNHCR and were relocated overseas. While those asylum seekers who were identified as non-refugees returned to Vietnam under either the Voluntary Repatriation Programme or were sent back through the Repatriation Programme by the Hong Kong government in 1991. According to information published on the Immigration Department website, all

asylum seekers who returned to Vietnam were guaranteed safety and international assistance, and their repatriation supervised by the UNHCR. Whereas Vietnamese refugees and other asylum seekers stranded in Hong Kong until 2000 were eligible to apply for the Local Resettlement Programme and remain in Hong Kong. A merit winner of the English-Language Newspaper category in the inaugural Human Rights Press Awards in 1996, "We Don't Belong in Vietnam" (Marianna Wan, South China Morning Post), contained interviews with a number of asylum seekers from Vietnam. By 2000, the government had closed all refugee camps.

Apart from Vietnamese refugees, people from different regions have come to Hong Kong seeking political asylum due to war, terrorist threat, political oppression, gender, religious or racial discrimination and various other reasons, but their numbers of course have been far less than those from Vietnam. The Hong Kong government has the responsibility to ensure the rights of persons from 'being subjected to torture or to cruel, inhuman or degrading treatment or punishment' as set out in the ICCPR and Hong Kong Bills of Rights.

Back in 2003, the English-language General News Prize winner "HK policy on asylum seekers is questioned" (Ravina Shamdasani, *South China Morning Post*) had raised doubts about the imprisonment of asylum seekers by the Hong Kong government. Human rights and legal professionals interviewed for the article all said that such action by the government violated international human rights law. Under international guidelines as well as the Universal Declaration of Human Rights, asylum seekers can only be detained under very special circumstances, but the Hong Kong government was doing exactly the opposite of what is clearly set out by international law—"detaining asylum seekers unless under special circumstances". A human rights lawyer even criticised the government, saying that it was unbelievable that such a financially and economically developed city like Hong Kong could not take in refugees.

A winning work of the 2006 Merit in Photojournalism, "Asylum seekers have no place to stay" (Chun Kok-wai, *Ming Pao*), documented the hardship 80 refugees endured after the UNHCR announced it was cutting their subsidies. A companion piece in which these refugees were interviewed found that life was already difficult even with the subsidy, which was just under \$40. One interviewee said he was 'losing his mind from boredom' because they were not allowed to work. Without the subsidy, they could only sleep on the streets or work as illegal labourers in order to survive.

The winner of the 2012 English-Language Newspaper – Feature Merit, "Riches All Around, but They Scavenge to Survive" (Joanna Chiu and K.Y. Cheng, *South China Morning Post*), looked into the plight of asylum seekers in Hong Kong. One interviewed asylum seeker was kept waiting in Hong Kong for three long years, during which he could not work and with the small amount of allowance he had no choice but to fight over food with stray cats. Tortured and persecuted by his government for religious reasons, his claim was declined in the end, causing him much frustration. The UNHCR also had its hands tied in this case, and could only hope that the Hong Kong government would eventually sign the refugee convention so as to offer more protection for refugees. The lawyer representing these asylum seekers said that the government had no political responsibility to implement these measures because the public was often misled by the government into believing that these asylum seekers all came to Hong Kong for illegal work and economic reasons, and hence there was generally a low public regard towards refugees.

The winner of the 2013 English-language Magazine Merit, "Hong Kong's Refugee Shame. But Wait, There's Hope..." (Samuel Lai Chun Chit and Mark Tjhung, *Time Out Hong Kong*), gave an account of everyday lives of asylum seekers in Hong Kong. \$1200 out of the \$3000 subsidy they received went to rent, and in this

overcrowded city where rent has shot up in recent years, asylum seekers could only afford to live in pig farms where conditions were exceedingly poor. Their food allowance also barely covered their needs. They also had extra expenses like electricity and water bills, and if they ever had to see a doctor, medical costs would also become an issue. Most asylum seekers were not willing to risk taking up illegal work, but sometimes they had no choice. For example, an asylum seeker claimed he had to work to pay for his wife's medical fees, and ended up being sentenced to jail for 15 months. During his imprisonment, his pregnant wife almost miscarried in an accident when some old water pipes burst. Asylum seekers are forced to live in poverty while they waited for the outcome of their asylum claims. They all wish for their cases to be approved as quickly as possible so they could start a new life somewhere.

The report also interviewed a number of voluntary organizations that all claimed the government has intentionally made the application process difficult to prevent asylum seekers from coming to Hong Kong. They said that many asylum seekers have been stranded in Hong Kong because their torture claims have been unreasonably delayed. On the other hand, many in the public, especially some Chinese media that rarely reported the actual circumstances of refugees in Hong Kong, have labelled asylum seekers as 'freeloaders', thereby creating misconceptions about asylum seekers among the general public.

The Hong Kong government began implementing the Unified Screening Mechanism in 2014 to determine claims for non-refoulement protection against expulsion, return or extradition from Hong Kong to another country. However, the screening measures and safeguards for asylum seekers remain very insufficient and require further improvement. For example, the government is severely understaffed in handling claims, and information on relevant international situations is also very insufficient. Claimants are required to obtain reports

on their country's human rights conditions from human rights organizations when these types of information can easily be obtained from the Internet, making the whole process very time-consuming.

In the 2009 concluding observations of the Committee on the Elimination of Racial Discrimination, the Committee expressed that, 'while noting the planned legislative framework for torture claimants in Hong Kong SAR, the Committee is concerned that the State party has not adopted a refugee law as such, including a screening procedure of asylum claims'. The Committee recommended that 'the adoption of a law on refugees, with a view to establishing a comprehensive procedure for the screening of individual asylum claims. It furthermore recommends that the rights of asylum-seekers to information, interpretation, legal assistance and judicial remedies be guaranteed. The Committee also encourages the renewed consideration of the ratification of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol' (Item 29).

And in its December 2015 concluding observations, the Committee against Torture called on Hong Kong to 'review the non-refoulement claim screening procedure in order to ensure that persons in need of international protection' (Item 7). Whereas the Committee on Economic, Social and Cultural Rights in its 2014 concluding observations recommended that Hong Kong 'adopt legislation on asylum-seekers and refugees in order to improve their enjoyment of economic, social and cultural rights, granting them access to legal employment, including vocational training, and adequate housing' (Item 42).

QUESTIONS FOR DISCUSSION

Ethnic Minorities

- Have you ever met people from ethnic minority communities? How have your views and feelings about them changed after meetings? Why?
- Do you think ethnic minorities are discriminated against in society? What evidence do you have to illustrate that?
- Is it more difficult or less difficult for ethnic minorities to learn Chinese compared with Chinese families? And how are the difficulties they encounter different? Please explain in detail.

Refugees

- Do you know which countries in the world take in the most refugees?
- Why does the government have the responsibility to take in asylum seekers from different regions?
- Please describe the treatment given to torture claimants by the Hong Kong government? What's your opinion on that? Why?
- Do you think you may need to seek assistance in other countries in the future? Why?
- If you need to seek assistance from other countries in future, how would you feel if you were treated just like how the Hong Kong government treats torture claimants? Why?

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Refugees

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CHILDREN'S RIGHTS



Calls for National Education Withdrawal Continue
through Scorching Heat and Pouring Rain 日曬雨淋撤課更響
Yu Chun Leung 余俊亮 - Ming Pao 明報
2012 Spd News Photojournalism Week 央發新聞攝影周展其展

INTRODUCTION

The Convention on the Rights of the Child (CRC) safeguards every child's right to life and their development under a safe environment. Article 6 of the Convention specifies: 'States Parties recognize that every child has the inherent right to life', and 'States Parties shall ensure to the maximum extent possible the survival and development of the child'. Furthermore, Article 16 indicates that, 'No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honour and reputation', and 'the child has the right to the protection of the law against such interference or attacks'; while Article 23 also ensures children with disabilities enjoy the same rights: 'States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community'.

At the same time, the CRC protects children's right to freedom of expression, and this is evidenced by Articles 12 and 13: 'States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child', and 'the child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice'. Article 15 also clearly recognizes the rights of the child to freedom of association and to freedom of peaceful assembly: 'No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others'.

The CRC also protects the freedom of the child and their exemption from torture or degrading treatments. Article 37 declares that States Parties must ensure 'no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age. No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time'; and that 'every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances'.

CHILDREN'S RIGHTS IN HONG KONG

In 1989, the CRC was adopted by the UN General Assembly; thereafter the British government was approbated as a State Party after signing the Convention in 1991. In 1994, the application of the Convention was extended to Hong Kong; since China is also a State Party, the Convention continued to be applicable in Hong Kong after the handover. Before the Convention became applicable, Hong Kong's Protection of Children and Juveniles Ordinance (Chapter 213) was the prevailing legislation with regards to the protection of children and juveniles. The Parent and Child Ordinance (Chapter 429), passed in 1993, also diminished the discrimination in law faced by illegitimate children. However, these legislations did not specifically offer safeguards to children's right to freedom of expression.

Many of the award-winning entries to the Human Rights Press Awards focused on children's rights, with the impact of government welfare and economic support towards children an important subject. The 2006 merit recipient in the category of Chinese-Language Newspaper – Feature, Ming Pao's Wu Kwok-yan, discussed the lack of recreational facilities in Tung Chung in her article, "A long hot summer in Tung Chung / walled city". Due to the absence of sports centres, civic centres and swimming pools, and the fact that most families could hardly afford the hiring cost of recreational facilities, the children who resided in Tung Chung found themselves often idle during their summer holidays, spending most of their time at home. When most students could not wait for the arrival of their summer holiday, the summer break became almost too long for the children of Tung Chung. This revealed the problem of the lack of facilities for children in Hong Kong, which in turn affected their exercising of their rights to leisure and rest.

In his prize-winning article "In the Lens of a Child in Poverty" (2011 Chinese-Language Newspaper – Feature), Apple Daily's Wong Ka-man interviewed a handful of children from low-income families in an effort to understand the kind of problems they encountered in their lives. An interviewee said that his mother, who sold cardboard boxes, would only make \$11 after pushing around her cart of boxes for half an hour. As a son, the interviewee wanted to lend his mother a helping hand, but his mother worried about him being ridiculed at school—in fact, his classmates did refer to him as a 'poor kid'. The interviewees believed that the government takes the lead in discriminating against those who suffer from poverty by favouring the business sector. Another interviewee personally experienced the wealth disparity that existed in Hong Kong. She could only watch when her classmates devour snacks that they could all so easily obtain. She dreamt of being a painter, but due to her circumstances, she would rather take the practical route of becoming a nurse to earn a living.

In both of their concluding observations in 2005 and 2013 on the implementation of the CRC in Hong Kong, the UN Committee on the Rights of the Child expressed concerns about children's economic rights and societal protection. The concluding observations in 2005 stated that 'the Committee is concerned that in the Hong Kong SAR insufficient resources are allocated to reduce poverty and that income disparities are increasing within the population. It is concerned that social welfare schemes, which were reduced as a result of the economic hardship of the 1997 Asian financial crisis, have not been readjusted as the economy has regained its momentum' (Item 19). The committee recommended the Hong Kong government to ensure 'budgetary allocations [is] targeted towards reducing income disparities, including through increased funding for social safety nets. It also recommends that an adequate monitoring system be established to ensure that budgetary allocations benefit the most vulnerable populations' (Item 21). The 2013 concluding observations pointed out that, 'in Hong Kong, China, resource allocations to education and social welfare remain inadequate and do not effectively target the most vulnerable groups'. The committee recommended the Hong Kong government speed up their plans to increase public housing supply; and provide societal protection and effective measures for children and family that are particularly vulnerable to poverty (Item 13).

Apart from economic protection, Article 13 of the CRC establishes that children 'shall have the right to freedom of expression'. The 1997 Chinese-Language Television Special Mention work, "Democracy in Schools" (Lai Man-ye, *Radio Television Hong Kong*), examined the challenges and benefits of democratization in school campuses through a realistic drama. Those challenges included obtaining the trust and cooperation from schoolmates, and how to persuade the school to gather students' opinions. Even though the school may not implement students' suggestions, the consultation process would encourage more understanding between the two parties. When the school was more willing to explain their decisions, it also fostered curriculum reform.

Yet in reality, is the right to free of expression of children in Hong Kong truly respected? The Committee on the Rights of the Child 'remained concerned that children's views are not sought systematically on all policies and programmes affecting them' (Item 38) in their concluding observations in 2005. The Committee recommended that the Hong Kong government 'ensure that children have the right to express their views freely on all matters affecting them and to have those views given due weight in policymaking, administrative proceedings, schools and the home' (Item 39). It also suggested that human rights institutions the government established 'should have a mandate to receive, investigate and address complaints from the public, including individual children' (Item 17).

In 2006, a merit winner of the Chinese-Language Magazines category, "Rigid school rule suffocate students' voices" (Alice Tong, Ada Wong, Emily Li, Tammy Tse, U-Beat Magazine), revealed a number of over-rigid school rules. Students were not allowed to wear thick-framed glasses; even the content of their online blogs (Xanga) was being monitored by the school—they could neither write swear words nor criticize their teachers and the school. These were all violations of students' privacy and freedom of expression. Those who felt pressured from these strict rules proceeded to confront the school, which always ended up being futile efforts. Though, there had been rare cases of success—after a conversation between the school and its students, it was found that the sports trousers students had to wear were too stifling. The school eventually relaxed its regulation that required students to wear sports uniform on days with physical education classes during the summer season. This demonstrated that school rules were not as restrictive as they seemed to be, and it all depended on whether the school was willing to communicate with its students.

The Committee on the Rights of the Child had also expressed concerns with the matter of child abuse. Its

2005 concluding observations suggested the Hong Kong government 'define in a more explicit manner the forms of sexual abuse and increase education and training for professionals working with and for children on the identification, handling and prevention of all forms of abuse', and 'strengthen coordination and follow-up of individual cases of abuses, neglect and maltreatment and ensure that all victims of any form of abuse, and their families, have access to social services and assistance' (Item 58). The 2000 winner in the category of Chinese-Language Newspapers, News Section, "Detention centre for children" (Au Ka-kei, Lai Pui-fun, *Ming Pao*) reported on a 14-year-old boy, who was sentenced to a juvenile home, being placed in solitary confinement for three weeks—he was not allowed to read books or be in contact with others. The boy attempted to leave his room during his confinement, only to be charged with a criminal offense. However, his legal representative called attention to the Reformatory Schools Ordinance, which specifies that although a juvenile home is authorized to punish their inmates through isolation, they can only do so for a maximum of seven days. The boy was placed in solitary confinement for three weeks, thus constituting illegal imprisonment. According to Article 37 of the CRC 'no child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time'. Such illegal imprisonment was already a violation to the Convention; and not being able to read books or be in contact with others for a prolonged period were also considered inhumane or abusive treatments.

QUESTIONS FOR DISCUSSION

- According to the Convention on the Rights of the Child, what are the shortcomings of Hong Kong's legislation on the protection of children's rights? Please indicate with examples.
- How are children's rights and other forms of human rights closely related?
- What are the roles of non-governmental organisations in safeguarding children's rights? Please illustrate in detail.
- Do you think the right to freedom of expression of children in Hong Kong today is given the respect they deserve? Please explain in detail.

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PERSONS WITH DISABILITIES



Stage Performers With Down Syndrome 戲裡戲外的「二一三」
Fu Chun-Wai 傅俊偉 - Eastweek Magazine 東周刊
2015 Feature Photography Meri 圖片特寫傅俊偉

INTRODUCTION

The Basic Law safeguards Hong Kong's equal rights, while related legislation also disallows any form of discrimination against persons with disabilities. The UN Convention on the Rights of Persons with Disabilities (CRPD) became effective in China in 2008 and applicable in Hong Kong, signifying the government must secure the rights of persons with disabilities, ensure their equal and sufficient enjoyment of basic human rights and freedom, and promote respect towards persons with disabilities. According to Article 1 of the CRPD, persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

Article 3 of the CRPD establishes its general principles, which include: (a) respect for inherent dignity, individual autonomy including freedom to make one's own choices, and independence of persons; (b) non-discrimination; (c) full and effective participation and inclusion in society; (d) respect for difference and acceptance of persons with disabilities as part of human diversity and humanity; (e) equality of opportunity; (f) accessibility; (g) equality between men and women; (h) respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

Each article in the CRPD ensures persons with disabilities can equally enjoy civil and political rights, economic, social and cultural rights, exemption against torture and inhuman treatment, education, health and survival rights, and the rights of women and children with disabilities. Article 24 also establishes that, 'States Parties shall enable persons with disabilities to learn life and social development skills to facilitate

their full participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including: (a) facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community; (b) facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community; (c) ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development'.

Article 9 of the Convention also ensures persons with disabilities can live independently in an accessible environment: 'to enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems and to other facilities and services open or provided to the public, both in urban and rural areas. These measures shall include the identification and elimination of obstacles and barriers to accessibility'.

RIGHTS OF PERSONS WITH DISABILITIES IN HONG KONG

Although the CRPD only became applicable in Hong Kong in 2008, legislations against discrimination towards persons with disabilities can be traced back to the 1990's. In 1994, then Legislative Council member Anna Wu Hung-yuk, GBS, JP proposed a comprehensive series of equal opportunities bills under the private bills

protocol, which encompassed areas such as genders, disabilities, family positions, sexual orientation, age, and races. The government at the time only legislated for gender discrimination and discrimination against persons with disabilities during the deliberation period as evidenced by the enactment of 1995's Disability Discrimination Ordinance (Chapter 487). In 2008, the CRPD was adopted in Hong Kong.

Prior to Hong Kong adopting the CRPD in 2008, a number of reports about persons with disabilities were awarded the Human Rights Press Awards. In 1999, a special mention was given to "Sign Language a Path to Education for the Deaf" (Sarah Chu and Leung Man Yee, U-Beat Magazine) in the category of Chinese-Language Magazine. The feature article explored the discussion around whether education for persons with hearing disabilities should adopt the lip reading or sign language teaching method. Those who were in favour of lip reading believed that it was easier for students to blend into the non-disabled community; while those in favour of sign language believed that lip reading was harder to master, hence affecting students' learning opportunities, and that sign language would improve their learning efficiency even though it might hinder effective communications between those with hearing disabilities and non-disabled persons. The choice between lip reading and sign language as a teaching method is a difficult one. A social worker from the Hong Kong Association of the Deaf admitted that the best way to let those with hearing disabilities to achieve a full grasp of knowledge and to foster social integration between non-disabled and disabled persons would still be encouraging the non-disabled to take up sign language.

The 2006 merit recipient in the category of Chinese-Language Newspaper – Feature, "Hearing-impaired's struggle for readable voices" (Wai Ka Yan, Sing Tao Daily), raised the issue that very few movies and television programmes at the time provided subtitles, thus making it difficult for persons with hearing disabilities to

understand the plots. Even for those who could lip-read, some foreign films would be released as dubbed versions without subtitles; cartoons were also difficult for the hearing impaired. However, the situation improved when the government made it mandatory to provide subtitles for prime time television programmes; and the popularization of instant messaging tools such as MSN also made it easier for persons with hearing disabilities to integrate into society, bringing more joy in their lives.

The UN Committee on the Rights of Persons with Disabilities published their concluding observations concerning Hong Kong's implementation of the CRPD in 2012, expressing their concerns over Hong Kong's special education services: 'the Committee worries that the teacher-student ratio is too high and that the training for teachers in special education needs is inadequate. In addition, the Committee is troubled by the low number of students with disability in tertiary education, due to lack of a coherent education policy' (Item 73). At the same time, it took note of 'the difficult situation of persons with hearing impairments in accessing information due to lack of official recognition of the significance of sign language by Hong Kong, China. The Committee is concerned about the lack of training for and services provided by sign-language interpreters'. The Committee went on to recommend the Hong Kong government increase training for and the services provided by sign-language interpreters (Items 71 and 72).

Apart from the dispute in teaching language, whether women with disabilities, in particular women with intellectual disabilities, received sufficient opportunities in education was in doubt as well. In the 2014 concluding observations published by the UN Committee on the Elimination of Discrimination against Women, the Committee evaluated Hong Kong's implementation of the Convention on the Elimination of All Forms of Discrimination against Women: 'the Committee is concerned about reports that women and girls with

disabilities, particularly those with intellectual disabilities, have limited access to education.’ The Committee recommended the Hong Kong government ‘remove all obstacles to access to education for women and girls with disabilities, particularly those with intellectual disabilities, and to ensure the effective participation of women and girls with disabilities in education’ (Items 60 and 61). Furthermore, the Committee on the Rights of Persons with Disabilities mentioned in their concluding observations in 2012 that they were concerned with the rather passive role adopted by the Equal Opportunities Commission, which is responsible for monitoring and executing the Disability Discrimination Ordinance. They also expressed concern about the discrimination faced by women and girls with disabilities, citing the repeating occurrence of domestic violence against women and girls with disabilities (Items 55 and 57).

The health of persons with disabilities has also been a focus of winning entries of the Human Rights Press Awards. The 2001 merit recipient in the category of Chinese-Language General News, “Insurance discrimination against People with disabilities” (To Po Kei, Ming Pao), discovered that nearly one-third of insurance companies in Hong Kong refused insurance to persons with disabilities, and that nearly half of these companies had imposed extra premium to them, revealing how immensely difficult it was for persons with disabilities to purchase insurance. Such circumstance contravened with Article 25(e) of the CRPD: ‘States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation. In particular, States Parties shall prohibit discrimination against persons with disabilities in the provision of health insurance, and life insurance where such insurance is permitted by national law, which shall be provided in a fair and reasonable manner’.

The Committee on the Rights of Persons with Disabilities also stated in their 2012 concluding observations that ‘the Committee is troubled by the fact that the demand for public medical services is higher than the supply. The Committee is also concerned about the fact that many insurance companies reject the applications of persons with disabilities, thus leaving them unable to pay the medical fees’. The Committee suggested the Hong Kong government ‘allocate more human and financial resources to the public medical services and arrange the cooperation of the insurance companies’ (Items 75 and 76). The discrimination against persons with disabilities in the realm of medical insurance has remained at the same level as it did 10 years ago.

The 2005 merit recipient in the category of English-Language General News, “Ah Chi’s misery tip of iceberg” (Polly Hui, South China Morning Post), revealed the impact of the lack of accessible facilities on persons with disabilities. Ah Chi was originally an electrical appliances mechanic. He became wheelchair-bound after an industrial accident. In the building where he resided, the lift lobby and front entrance was connected by a series of narrow stairs. The building management company refused to install a ramp. This meant Ah Chi was always trapped at home, only leaving his building for follow-up medical care with the help of his wife and five strong men, who would carry him in his wheelchair (weighing 150kg in total) down the stairs. When Ah Chi brought out his own wooden plank for convenience, his neighbours would respond with looks of disdain. On top of all that, his employer at the time of his injury declared insolvency right after his lawsuit ended, therefore Ah Chi did not even receive one cent from his \$10 million compensation. He could not afford to relocate to other private housing, and even if he wanted to apply for public housing, he could not meet the assets requirement. Eventually, he filed a complaint to the Equal Opportunities Commission, which resulted in a fruitless mediation. His last resort was applying for legal aid to bring a lawsuit against the property management company, but Ah Chi worried that even if he did win, his neighbours would become even more hostile towards him.

The Committee on the Rights of Persons with Disabilities also shed light on the lack of accessible facilities for persons with disabilities to travel independently in their 2012 concluding observations: 'The Committee especially regrets that the building standards set out in the "Design Manual – Barrier-Free Access" (Hong Kong Buildings Department, 2008) do not apply retroactively and that they are not applicable to premises under the management of the government or the housing authority. The Committee is concerned that the monitoring mechanism to evaluate the accessibility of buildings is insufficient, thus restricting the ability of persons with disabilities to live independently in the community'. The Committee thus encouraged the Hong Kong government to continue reviewing the "Design Manual – Barrier-Free Access" and apply these standards retroactively to premises under the management of the government or the housing authority as well (equally applicable to premises built before 2008). The Committee also recommended that the Hong Kong government should strengthen the monitoring process of accessibility (Items 61 and 62).

QUESTIONS FOR DISCUSSION

- Apart from the aforementioned reports, have you noticed any other problems faced by persons with disabilities?
- How does the failure to safeguard the rights of persons with disability affect social justice? Why?
- According to the information above, what are the shortcomings of the government's policies and measures for persons with disabilities? In your opinion, how should the government improve its policies and measures to conform to the Convention? Why?
- What are the shortcomings of the current Equal Opportunities Commission? Why? How can the EOC take up a more proactive role?

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Winning Entries of the 1996 Human Rights Press Awards
一九九六年人權新聞獎得獎名單

ENGLISH-LANGUAGE CATEGORIES 英文組別

• *English-Language Newspaper* 英文報章

Prize 大獎

• **Charity Condemns Elderly to Caged Hell**
Billy Wong War-juk – Sunday Morning Post
囚於籠獄的長者

Billy Wong War-juk – 星期日南華早報

• **Nowhere to Run, Nowhere to Hide**
Anthony Woo & Allison Nadel – SCMP
走死無路 無處藏身

Anthony Woo & Allison Nadel – 南華早報

Merit 優異獎

• **Far Body of Work on Student Rights**
Enoch Wong Kwok Mai – Hong Kong Standard, Student Standard
一系列學生權利作品

Enoch Wong Kwok Mai – 英文虎報學生版

• **The Half-Pay Hitch**

Marianna Wan – SCMP
付了「半」的錢

Marianna Wan – 南華早報

• **We Don't Belong in Vietnam**

Marianna Wan – SCMP
我們不屬於越南

Marianna Wan – 南華早報

• **The Age Barrier**

Allison Nadel, Becky Lee & Luk Wong – Sunday Morning Post
年齡障礙

Allison Nadel, Becky Lee & Luk Wong – 星期日南華早報

English-Language Magazine 英文雜誌

Prize 大獎

• **State Expectations**
Allison Nadel – Far Eastern Economic Review
國家期望

Allison Nadel – 遠東經濟評論

Merit 優異獎

• **Mr. Rights**

Allison Nadel – Post Magazine

權利先生

Allison Nadel – 南華早報雜誌

English-Language Cartoons Prize

英文漫畫

Prize 大獎

• **And Over a Dozen Cartoonists!**
(The World of Lily Wong)
Larry Feign – SCMP
多過一打漫畫家! (Lily Wong的世界)

方南理 – 南華早報

Merit 優異獎

• **Taiwan Crisis**
Sara Seneviratne – Hong Kong Standard
台灣危機

Sara Seneviratne – 英文虎報

• **Aung San Sou Kyi**

Paul Best – SCMP
昂山素姬

Paul Best – 南華早報

English-Language Radio 英文電台

Merit 優異獎

• **Operation Santa Claus**
Martin Clarke – RTHK Radio 3
聖誕老人行動

Martin Clarke – 香港電台第三台

English-Language Television

英文電視

Prize 大獎

• **Hongkita Street Children**
Fergal Keane – BBC Television
蒙古街童

Fergal Keane – 英國廣播公司

Merit 優異獎

• **Running out of Time at her Majesty's Pleasure**

Larry Feign – ATV

英女皇駕到時間越來越少

Susan Yu – 亞洲電視

• **Access to Information ...**

Can it go too far?

Susan Yu – ATV

獲取資訊 ... 電視到底線?

Susan Yu – 亞洲電視

• **Ethnic Minority Rationality Problem**

Cynthia Leung – Cable TV

少數族裔邏輯問題

Cynthia Leung – 有線電視

CHINESE-LANGUAGE CATEGORIES 中文組別

•

Chinese-Language Newspaper 中文報章

Prize 大獎

• **Shoe Workers Sick from Poisoning as Factory Saves a Few Cents**
沈南峰、談國雲、譚德興

— Ming Pao

鞋商為省四分錢，女工中毒腎也壞

沈南峰、談國雲、譚德興 – 明報

Merit 優異獎

• **Is Banning Prisoners from Voting reasonable?**
周耀珍 – Sing Pao
禁囚犯投票是否合理

周耀珍 – 成報

Chinese-Language Magazine 中文雜誌

Merit 優異獎

• **Challenges of Single Parenthood**
李華 – Mene Dore

段段曲折單親路

李華 – 瑪利諾兒

Chinese-Language Cartoon 中文漫畫

Merit 優異獎

• **The Weather Report for 1 July 1997**
Larry Feign – Apple Daily

一九九七年七月一日天氣報告

方南理 – 蘋果日報

Chinese-Language Radio 中文電台

Merit 優異獎

• **The Next Magazine 'Incident': Investigation into Reporting on the Mainland**
張家聲 – RTHK

從《壹周刊》事件探討大陸採訪問題

張家聲 – 香港電台

Chinese-Language Television 中文電視

Prize 大獎

• **An Eastward Tide that Can't be Stopped**
黃國兒 – RTHK

大江東流不可擋

黃國兒 – 香港電台電視部

Merit 優異獎

• **Cross-Straits Affairs: The February 28 Incident**

陳國治 – Cable TV

兩岸尋緝二二八事件

陳國治 – 有線電視

• **The Disabled in Guangzhou**

張達懷 – Cable TV

廣州傷殘人士

張達懷 – 有線電視

• **Wandering Youth: Human Rights and School Rules**

張詩賢、陳啓昌 – RTHK

流浪少年之人權與校規

張詩賢、陳啓昌 – 香港電台

• **Bank Robber's Last Request**

Dickson Lee Yuen Shing – SCMP

銀行劫匪的最後請求

Dickson Lee Yuen Shing – 南華早報

• **Untitled, taken in Hong Kong**

Dustin Shum Wan-yat – SCMP

無題 – 攝於香港

Dustin Shum Wan-yat – 南華早報

• **Untitled, taken in China**

Dickson Lee Yuen Shing – SCMP

無題 – 攝於中國

Dickson Lee Yuen Shing – 南華早報

Photography Categories 新聞攝影

•

Prize 大獎

• **One for All**

Dante Peralta – Hong Kong Standard

我為人人

Dante Peralta – 英文虎報

• **Rennie's Mill Protest**

Stephen Shaver

堅守護照權

Stephen Shaver

Merit 優異獎

• **More of the Same**

Edward Wong Lap Ki – SCMP

千篇一律

Edward Wong Lap Ki – 南華早報

• **Refugee**

Robert Ng – SCMP

難民

Robert Ng – 南華早報

• **Democracy Protest**

Yu Chung Yin – SCMP

民主示威

Yu Chung Yin – 南華早報

• **Splash Down**

Wan Kam Yau – SCMP

瀾落

Wan Kam Yau – 南華早報

• **Bank Robber's Last Request**

Dickson Lee Yuen Shing – SCMP

銀行劫匪的最後請求

Dickson Lee Yuen Shing – 南華早報

• **Untitled, taken in China**

Dickson Lee Yuen Shing – SCMP

無題 – 攝於中國

Dickson Lee Yuen Shing – 南華早報

• **Untitled, taken in Hong Kong**

Dustin Shum Wan-yat – SCMP

無題 – 攝於香港

Dustin Shum Wan-yat – 南華早報

Winning Entries of the 1997 Human Rights Press Awards
一九九七年人權新聞獎得獎名單

ENGLISH-LANGUAGE CATEGORIES 英文組別

• *English-Language Newspaper, General News*
英文報章 (一般新聞)

Prize 大獎

- Series of Articles (IWM Probes Death of Viet Boy, Spread of Hospital bias Sent to UN/Doctors Gave Viet With Cancer "Too Little Hope"/Sick Viets Face Death if Repatriated)
Jane Moré – SCMP
- 連戰轉機/華合國調查五歲男童之死/國際雜誌往聯合國/虐虐越南人失去希望/越南病人：遭拒否於死亡)
Jane Moré – 南華早報

Merit 優異獎

- Series of Articles (Court hope for dying babies/Doctors turn oven infant eutha asia/Quarter of rejected babies sick or disabled/Review may tighten adoption laws)
Ella Lee – Hong Kong Standard
- 連戰轉機/法庭為危殆之嬰兒帶來希望/醫生對幼兒安樂死存分歧/四分一被拒嬰兒是生病或殘疾/覆核或會收緊領養法)
Ella Lee – 英文晚報

English-Language Newspaper, Features
英文報章 (特寫)

Prize 大獎

- China's Migrants: Millions are on the Move to Cities
James Cao – USA Today
- 中國外鄉：數以百萬計湧入城市
James Cao – 今日美國報

Merit 優異獎

- Analysts, Bankers Feel Heat on Critical China Research
Deborah Orr – SCMP
- 分析家及銀行家對重要的中國研究感到不安穩
Deborah Orr – 南華早報
- Democracy's Old Warrior
Marianne Wan – SCMP
- 民主老兵
Marianne Wan – 南華早報

• The Key to Keeping the Peace in Prison

Hedley Thomas – SCMP
監獄內維持和平的關鍵
Hedley Thomas – 南華早報

English-Language Magazine 英文雜誌

Prize 大獎

- The Lost Children: Child Prostitution in Asia
Peter Cordingley & Alison Dakota – Asiaweek
- 失蹤兒童：亞洲賣妓問題
Peter Cordingley & Alison Dakota – 亞洲週刊

Merit 優異獎

- Safer Shares
John Colony & Mary Binks – Time
- 不立危牆之下
John Colony & Mary Binks – 時代週刊

- Series of articles (April 1996 to March 1997)
Vanity Magazine
- 一九九六年四月至一九九七年三月連續報導
香港中文大學雜誌 VARSITY

English-Language Commentary and Analysis
英文評論及分析

Prize 大獎

- 10/6/1996 & 10/3/1996 - Taken from a series of editorials on human rights abuses in China
Editorial Writers – RFA
- 一九九六年六月十日及一九九六年三月十八日關於中國人權侵犯的社評
社論 – 亞洲粵語新聞日報

Merit 優異獎

- Weekly Columnist
Terry Nealon – Hong Kong Today, RTHK Radio 3
- 每周專欄作家－譚耀
Terry Nealon – 香港今日：香港電台第三台

English-Language Cartoon 英文漫畫

Prize 大獎

- Do you think Hong Kong will have press censorship after the handover?
Larry Feign – The Independent

你認為回歸後會有新聞審查嗎？

方南理－獨立晚報

- Chinese Dissident Wang Dan's 11-year sentence. The legal system and democracy have taken a step backwards

Sara Seneviratne – Hong Kong Standard
異見人士王丹被判十一一年 中國司法制度及民主倒退一步
Sara Seneviratne – 英文虎報

English-Language Radio 英文電台

Prize 大獎

- Asafila – Refugees
Elaine Farrell – RTHK
- 亞洲難民：難民
Elaine Farrell – 香港電台

Merit 優異獎

- Coping with Disfigurement (Operation Santa Claus)
Chris Hsia – RTHK
- 面對殘容(聖誕老人行動)
Chris Hsia – 香港電台

English-Language Television 英文電視

Prize 大獎

- Refugees & A Journey's End
Matt Fui – BBC
- 《難民》及《旅程的終結》
Matt Fui – 英國廣播公司

Merit 優異獎

- Evicting Memories: The Rennie's Mill Story
Jennifer Lee – ATV
- 流放回憶：被遺棄的故事
Jennifer Lee – 亞洲電視

- The Forgotten War: Lao's Deadly Legacy
Susan Yu – ATV

被遺忘的戰爭：老撾的致命遺產
Susan Yu – 亞洲電視

CHINESE-LANGUAGE CATEGORIES 中文組別

• *Chinese-Language Newspaper, General News*
中文報章 (一般新聞)

Prize 大獎

- Government Condemned for Restoring Draconian Laws that Erode Human Rights
趙潔芬、梁治超 – Apple Daily
- 國際憲法維護人權遭否認
趙潔芬、梁治超 – 蘋果日報
- Resumption of Old Law to Lessen Sentences for Triad Members Abroad, Says Academic
梁英儀 – Sing Tao
- 違反舊法為黑社會減刑 學者指重施《社團條例》《維護治安》荒謬
梁英儀 – 星島日報

Merit 優異獎

- Securities Company Accused of Gender Discrimination for Banning Traders for Female Staff and Reducing Wages
陳美琳、陳沛敏 – Sing Tao
- 證券公司就女職員薪酬、減工資拒辭性別歧視
陳美琳、陳沛敏 – 星島日報

Special Mention 鼓勵表揚

- Competition Reveals Unscrupulous Factory Boss, Zhuhai Workers Punished with Group Kneeling
Apple Daily China Section
- 偉文亞斯揭發僑民騙局 珠海民工被拍集體跪道
中國版 – 蘋果日報

- Reporter in Trouble for Criticizing Singapore's Flogging Practice, Female Judge Orders Reporter To Stay Silent
徐曉伊 – Sing Tao
- 庭上控新加坡鞭刑惹眾一身騷 星島女法官要封記者口
徐曉伊 – 星島日報

- Singaporean Judge Admits Misconduct for Ordering Reporter to Stay Silent
徐曉伊、劉國榮 – Sing Tao
- 要記者封口難點權官 新嘉坡承認行為不當
徐曉伊、劉國榮 – 星島日報

Chinese-Language Newspaper, Features
中文特寫組

Merit 優異獎

- East Timor Not Giving Up Fight for Democracy
廖達明 – Sing Tao
- 東帝汶爭取民主永不言休
廖達明 – 星島日報
- The Bitter Lives of New Immigrant Children
胡耀良 – Tin Tin Daily News
- 新移民子女－苦辛難滋
胡耀良 – 天天日報
- Students Protest for Human Rights: Myanmar's Democratic Movement Enters New Era
International Section – Apple Daily
- 學生示威暫未涉政治只求人權 緬甸民主運動進入新時代
國際版 – 蘋果日報

Chinese-Language Commentary and Analysis
中文評論及分析

Prize 大獎

- Chief Executive's Views on Human Rights Require Inter-rational Perspective
阮英賢 – Justice and Peace Commission of HK Catholic Doctors
- 特首人權觀念，應具國際視野
阮英賢 – 香港天主教正義和平委員會

Merit 優異獎

- Limits Drawn for the Press after 1997: Promoting Separation and Other Controversial Issues
邱誠武 – HKET
- 九七後新聞界有不可越過的黃線－邱政分談及其他
邱誠武 – 香港經濟日報

- Thoughts Do Not Incriminate, Opinions Do Not Require Supervision
杜耀明 – Ming Pao
- 思想不晉入罪，言論何需保障
杜耀明 – 明報

Special Mention 鼓勵表揚

- A Reader's Letter to Media
Chief Commentator – HKU Journal of Oriental Studies

一封讀者致傳媒的信

主筆－香港大學《學苑》

Chinese-Language Magazine 中文雜誌

Merit 優異獎

- The World's Best Boss
李彩嫻 – Next Magazine
- 天下第一好老闆
李彩嫻 – 壹週刊
- 1997-phobia of a Young Murderer
張家偉 – Yaboo Zoukan
- 少年殺人犯九七恐懼症
張家偉 – 亞洲週刊
- Wife with No Home and Broken Dreams
金凱雄、曾翠 – Marie Claire
- 婚姻破碎的妻子
金凱雄、曾翠 – 瑪利露兒

Special Mention 鼓勵表揚

- Who Has the Right to Throw the First Stone
金凱雄 – Marie Claire
- 網羅有權扔第一塊石頭
金凱雄 – 瑪利露兒
- The Tragedy of Child Trafficking
趙麗屏 – Next Magazine
- 悲慘的童工買賣
趙麗屏 – 壹週刊

Chinese-Language Television 中文電視

Prize 大獎

- Hong Kong Connection: The Silent Majority
梁慶華 & 黃婉兒 – RTHK
- 繼續集：沉默的羔羊
梁慶華、黃婉兒 – 香港電台
- Cross-Strait Affairs: The 7th Anniversary of June 4th
陳現之 – Cable TV
- 兩岸事端：六四七週年陳現之 – 有線電視

Merit 優異獎

- Bao Tong, Ren Wanding
梁冬 – Chinese Television Network
- 鮑彤、任曉叮
梁冬 – 傳訊電視

- **Hong Kong Connection: Mountains to Climb**
美地兒 – RTHK
煙絲集：千山萬壑始出來
葉燕兒 – 香港電台
- **Richland Gardens**
廖達軒 – Cable TV
麗晶花園
廖達軒 – 有線電視
- **Police Power**
譚惠賢 – ATV
警權
譚惠賢 – 亞洲電視
- Special Mention 特別表揚**
- **Democracy in Schools**
李敏儀 – RTHK
香港伴我行第八集「校園民主風」
李敏儀 – 香港電台
- **Legal Aids Department**
廖達軒 – Cable TV
法律援助
廖達軒 – 有線電視
- Photography Categories 新聞攝影**
- **Prize 大獎**- **Shot Up: A Chinese security guard covers the mouth of a convicted man on his way to execution site**
Lamy Chan Yu-lai – Hong Kong Standard
現場：押赴刑場路上，中國公安封住囚犯的口
陳汝輝 – 英文虎報
- Merit 優異獎**- **Have Mercy: A woman begs for mercy in front of a line of police at the site of a clinic at Richland Gardens**
Ied Aijbe – Hong Kong Standard
做不好心嘅：婦人在麗晶花園診所前懇求列陣警察
Ied Aijbe – 英文虎報
- **A Vietnamese person jumps from a roof at Whitehead Detention Centre during a camp moving operation**
Tony A-Wai – SCMP
一名越南人在移送行動中從白石灘民營

- **Heavy Load: Protest against the Provisional Legislature outside the HK Convention and Exhibition Centre**
Lamy Chan Yu-lai – Hong Kong Standard
沉重負擔：暫遷外抗議臨時立法會
陳汝輝 – 英文虎報
- **Farwell: Wives of convicted men in Shenzhen wave goodbye before execution**
Lamy Chan Yu-lai – Hong Kong Standard
告別：深圳死刑犯妻子處決前與丈夫闊別
陳汝輝 – 英文虎報
- **Maintaind Chinese immigrant children caught in a sampan off Cheung Chau being held by Marine Police**
Marin Chan – SCMP
水警扣留在長洲船廠發候的中國移民兒童
陳國祥 – 南華早報
- **A student demonstrating against the appointment of Arthur Li Kwok-cheung as vice-chancellor of Chinese University is dragged away by police**
Kicky Chung – SCMP
抗議李國章出任中大校長學生被警察拉走
鍾偉光 – 南華早報
- **Eyewitness on Asia-Did Woman in Mong Kok**
Stephen Shaver – freelance
目擊亞洲：旺角的老婦
Stephen Shaver – 自由攝影網
- **Frederick Fung Kin-kee surprises Qian Qichen, Chinese foreign minister, with a petition during the opening of the Preparatory Committee in Beijing in October 1986**
Oliver Tsang Wai-tak – SCMP
馮維基在96年10月應楊亞良會開幕請願
中國外長錢其琛開飯
黃道揚 – 南華早報

Winning Entries of the 1998 Human Rights Press Awards 一九九八年人權新聞獎得獎名單

- ENGLISH-LANGUAGE CATEGORIES 英文組別**- **English-Language Newspaper, General News**
英文報章（一般新聞）
- Merit 優異獎**- **Body of work on human rights**
Lucia Palapa-Latic – Hong Kong Standard
人權系列
Lucia Palapa-Latic – 英文虎報
- English-Language Newspaper, Features**
英文報章（特寫）
- Prize 大獎**- **Horror of a hungry country?**
Jasper Becker – SCMP
飢餓國家的夢魘
Jasper Becker – 南華早報
- **Chinese teen hears limits to ambition**
Kathy Chen – ASWI
中國青年知難前路有限
Kathy Chen – 亞洲華爾街日報
- English-Language Magazine 英文雜誌**
- Prize 大獎**- **Nation in chains**
Brian Eads – Reader Digest
枷鎖中的國度
Brian Eads – 讀者文摘
- Merit 優異獎**- **The misery here is just phenomenal**
Shen Prasso – Business Week
痛苦難大不尋常
Shen Prasso – 彭博商業周刊
- **Matter of life and death**
Angela Griffiths – EYE
生死之事
Angela Griffiths – EYE
- English-Language Commentary and Analysis**
英文評論及分析
- Prize 大獎**- **Hong Kong journalists' lonely battle**
Liu Kin-ming – AWSI

- 香港記者的孤軍作戰**
廖達明 – 亞洲華爾街日報
- Merit 優異獎**- **Open Justice Campaign**
Cliff Buddle & other journalists – SCMP
公開的公義行動
Cliff Buddle 團隊 – 南華早報
- **Columns**
Neville de Silva – Hong Kong Standard
專欄
Neville de Silva – 英文虎報
- English-Language Radio 英文電台**
- Prize 大獎**- **The dilemma of the elderly in Hong Kong**
Jill McGovern – BBC
香港長者的前途
Jill McGovern – 英國廣播公司
- Merit 優異獎**- **Viewpoint**
Pam Baker – RTHK Radio 3
觀點
Pam Baker – 香港電台第三台
- English-Language Television 英文電視**
- Prize 大獎**- **Subarto**
Matt Frit – BBC
蘇哈托
Matt Frit – 英國廣播公司
- Merit 優異獎**- **Above the law: police abuse in Hong Kong**
Craig Leeson – ATV
凌駕法律：香港警察濫權
Craig Leeson – 亞洲電視
- English-Language Television Cartoons**
英文漫畫
- Merit 優異獎**- **Pillar of shame**
Sara Senewratne – Hong Kong Standard
國辱之柱
Sara Senewratne – 英文虎報

- The Kilpatrick Award For Outstanding Work On Human Rights And Children 香港冰獎**- **One country, two families**
Fergal Keane – BBC
一個國家，兩個家庭
Fergal Keane – 英國廣播公司
- CHINESE-LANGUAGE CATEGORIES 中文組別**- **Chinese-Language Newspaper, General News**
中文報章（一般新聞）
- Merit 優異獎**- **The death of new immigrant child**
Chu Hon-keung – Sing Tao Daily
新移民歲小孩之死
朱漢強 – 星島日報
- Chinese-Language Magazines 中文雜誌**
- Prize 大獎**- **Released prisoner waiting for society acceptance**
Cheung Ka-wai – Yachow Zhoukan
釋放囚犯等社會釋放心靈
張家偉 – 亞洲周刊
- Merit 優異獎**- **Woman clean up minefield**
Cheung Chu-ping – Next Magazine
掃除雷區，拆地雷
鄺劍平 – 壹周刊
- **Elderly need concern rather than a lunch box**
Cheung Chu-ping – Next Magazine
第一盒晚餐，還是一頓寒酸飯？
鄺劍平 – 壹周刊
- Chinese-Language Newspapers, Feature**
中文報章（特寫）
- The Kilpatrick Award 香港冰獎**- **Refugee children fulfill the dream of schooling**
Lam Ho-yin & Lee Su-wing – Ming Pao
越南難民出營升學夢實現
林日欣、李秀英 – 明報

Chinese-Language Television 中文電視

Merit 優異獎

- **Crying Wolf**
Christopher Leung – CTN
大山狼嗥：新禧分秒運動真相
梁卓一 轉訊電視

Special Mention 特別表揚

- **A series of handover reporting**
Cable TV
回歸線上系列報導
有線電視
- **Hong Kong Connection: New Immigrant**
Kwong Chiu-kuen – RTHK
啟新集：新移民
關翠儀 – 香港電台

Chinese-Language Radio 中文電台

Special Mention 特別表揚

- **June 4th Echo before Handover**
Chan Yu-wah – RTHK (Radio 1 & 5)
六四的一天：維渡前的迴響
陳耀華 – 香港電台第一台及第五台

Chinese-Language Newspapers Commentary 中文評論

Merit 優異獎

- **Nothing has been changed in half year, nothing will be changed within fifty years?**
Lau Kin-ming – HKCT
半年沒大變，五十年不變？
廖建明 – 香港經濟日報

Cartoon 漫畫

Merit 優異獎

- **Asian Values**
Yuen Chiu-chiu (Maknoi) –
Express Daily News
快人快語：亞洲價值觀
袁國華 (梅諾) – 快報

Photography Categories 新聞攝影

Prize 大獎

- **A team of immigration officers storm into the home of nine-year old illegal immigrant Chung Yeak-lam**
Woody Wu – Ming Pao
入境處職員衝進九歲非法移民的家
馮耀基 – 明報

Merit 優異獎

- **VoluntAd-hoc committee on housing and residential care visit Lee Kim, 95, and Wong Wah, 88)**
Martin Chan – SCMP
探討 (臨時房屋及住屋護理委員會探望長者)
陳國祥 – 南華早報

- **Wrapped protester (police carry away a Vietnamese protester from the roof of Victoria Prison)**
Ringo Chiu – Hong Kong Standard
被包住的示威者 (警察從域多利監獄拉走越南示威者)
Ringo Chiu – 英文虎報

- **Christmas tears (New migrant children weep at being denied education in Hong Kong)**
Ricky Chung-Wai-keung – SCMP
聖誕的淚 (新移民孩童因被拒絕教育而流淚)
羅偉光 – 南華早報

- **Sound barrier (Police tackle Lau Shan-ching and other April 5 Action Group members on the night of the handover)**
Ricky Chung-Wai-keung – SCMP
防音障 (警察在七一前夕擒抱四五運動成員)
羅偉光 – 南華早報

- **A Chinese protest (Police encircle April 5 Action Group protesters)**
Ricky Chung-Wai-keung – SCMP
中國示威者 (警察包圍四五運動示威者)
羅偉光 – 南華早報

- **An inmate checks his HKCEE (Presentation ceremony at the maximum security Piu Uk Correctional Institute)**
Dickson Lee Yuen-SHING – SCMP
囚人檢查他的會考成績 (監屋監犯在最高警備下進行頒發儀式)
李麗成 – 南華早報

- **Pro-democracy activist Tsang Kin-shing is taken away from Government house before the arrival of NPC Chairman Qiao Shi**
Robert Ng – SCMP
曾建威在董石到港前從禮賓府被帶走
吳冠文 – 南華早報

- **Press conference by the Society for Community Organization on illegal immigrant children in Hong Kong**
Jelly Tse – Hong Kong Standard
香港社區組織協會關於非法移民孩童的記者招待
Jelly Tse – 英文虎報

Winning Entries of the 1999 Human Rights Press Awards
一九九九年人權新聞獎得獎名單

ENGLISH-LANGUAGE CATEGORIES 英文組別

- **English-Language Newspaper, General News**
英文報章 (一般新聞)

Prize 大獎

- **Classic case of mainland justice - secret and swift**
Ng Kang-chung – SCMP
中國式「公義」
Ng Kang-chung – 南華早報

- **Inside Saigon's Sweatshops & Where sweatshops are the fashion**
Glenn Schloss – SCMP
窺探血汗工廠 及 當血汗工廠是時尚
Glenn Schloss – 南華早報

Merit 優異獎

- **Tornout of airport body searches**
Glenn Schloss – SCMP
機場搜身的折磨
Glenn Schloss – 南華早報

English-Language Newspaper, Features 英文報章(特寫)

Prize 大獎

- **North Korea's desperate children & People starve as rulers celebrate**
Jasper Becker – SCMP
絕望的北韓兒童及人民飢餓：統治者慶祝
Jasper Becker – 南華早報

Merit 優異獎

- **Villagers fight to lift ban on street**
Sherry Lee – SCMP
村民抗爭 要求解除上街禁令
Sherry Lee – 南華早報

- **Prison camp or death camp**
James Cox – USA Today
是監獄還是死營？
James Cox – USA Today

English-Language Magazines 英文雜誌

Prize 大獎

- **Ten days that shook Indonesia**
Susan Berfield – Asanweek

- **印尼動盪的十天**
Susan Berfield – 亞洲週刊

Merit 優異獎

- **Immoral minority**
Jeremy Hansen – HK Magazine
不道德的小眾
Jeremy Hansen – 香港雜誌

English-Language Commentary and Analysis 英文評論

Merit 優異獎

- **Don't fault court for abode ruling**
Neville de Silva – Hongkong Standard
庭室權的權決：法院沒有錯
Neville de Silva – 英文虎報

- **Defenders of the faith go it alone**
Daniel Gittings – SCMP
孤獨的 faith 守護者
Daniel Gittings – 南華早報

English-Language Television 英文電視

Prize 大獎

- **Cambodia – To Muk**
Matt Frei – BBC
柬埔寨：塔基
Matt Frei – 英國廣播公司

Merit 優異獎

- **Tibetans in Exile and Dalai Lama**
Patrick Yuen Yeuk-keung – ATV
流亡西藏人士及達賴喇嘛
袁若光 – 亞洲電視

English-Language Radio 英文電台

Prize 大獎

- **Reflections from Asia**
Harvey Stockwin – RTHK
來自亞洲的反思
Harvey Stockwin – 香港電台

Riipatrick Award for Human Rights and Children 蕭洛冰獎

- **Point of No Return**
Richard Cook – Post Magazine
不絕回頭
Richard Cook – 南華早報雜誌

- **Handicapped infants from Vietnam accuse those responsible for their condition**
Joan Hing – Eastweek
越南畸嬰由控訴
Joan Hing – 東周刊

Overall Winner 全權大獎

- **North Korea's desperate children**
Jasper Becker – SCMP
絕望的北韓兒童
Jasper Becker – 南華早報

CHINESE-LANGUAGE CATEGORIES 中文組別

- **Chinese-Language Newspaper, General News**
中文報章 (一般新聞)

Merit 優異獎

- **The Rational and Regional Flag Ordinance contradicts the Basic Law**
陳國明 & Court Desk – Apple Daily
國際旗法抵牾基本法
陳國明及法庭組 – 蘋果日報

- **The incident of the police broadcasting Beethoven's music to drown out the sounds of public protest. Seven out of nine members of the Complaints Against the Police Office proved that the police had abused their authority**
HQCJ
貝多芬樂曲對示威口號事件 警監會七比一裁定警方濫權
告終

Special Mention 特別表揚

- **Peace is Built on Human Rights that Encompass and Respect All**
汪錫華 – Kung Kuo Po

和平建基於人權 人權理解各異，尊重如一
汪佩華－公教報

Chinese-Language Newspaper 中文報章 (特寫)

Merit 優異獎
• 50th Anniversary of Universal Human Rights Declaration
江麗芬－Apple Daily
人權宣言五十年
江麗芬－蘋果日報

Special Mention 特別表揚
• Series of Mental
談語雲、馬耀燕、吳巧瑋－Ming Pao
精神病患者報導系列
談語雲、馬耀燕、吳巧瑋－明報

Chinese-Language Magazine 中文雜誌

Merit 優異獎
• Handicapped infants from Vietnam accuse those responsible for their condition
徐慧鳴－Eastweek
越南殘廢血控訴
徐慧鳴－東周刊

• One mother, two sons with AIDS
Eva Chan Sik-chee－Ned Magazine
一個媽媽，兩個愛滋兒子
陳世潔－壹周刊

Special Mention 特別表揚
• They Are Men, Not Trash
Eva Chan Sik-chee－Ned Magazine
不是爛泥，他們是堂堂漢子
陳世潔－壹周刊

• The Neglected Pakistanis
陳家欣－Usaf Magazine
被忽略的巴羅居民
陳家欣－大學線月刊

• Sign Language a Path to Education for the Deaf
朱潔瑛、梁麗儀－Usaf Magazine
打手語，劃出聾人教育的明天
朱潔瑛、梁麗儀－大學線月刊

• Who Will Protect Me?
許嘉慧、鍾文慧、程家楠－Usaf Magazine
誰來護我？
許嘉慧、鍾文慧、程家楠－大學線月刊

Chinese-Language Television 中文電視

Merit 優異獎
• Hong Kong Connection: Cage Home
陳志強－RTHK
經綸集：沒輪的歲月
陳志強－香港電台

Special Mention 特別表揚
• Over to Justice
Owen Yap－RTHK
澳門
葉劍峰－香港電台

Chinese-Language Radio 中文電台

Merit 優異獎
• The reflection on the June 4 incident by the reporters
陳燕萍－RTHK
六四特輯：記者反思
陳燕萍－香港電台

• Does Hong Kong Need Anti-Discrimination Legislation?
夏敏－RTHK
香港是否需要禁止種族歧視法律
夏敏－自由亞洲電台

Special Mention 特別表揚
• China Democracy Party Founder Xu Wenli
Death Heavy Sentence
白帆－Radio Free Asia
中國民主黨創辦人徐文立被判重刑
白帆－自由亞洲電台

Chinese Commentary 中文評論

Prize 大獎
• How political interference in the judiciary affects its impartiality
Johannes Chan－INET

梁浩介入法庭 何東司法獨立
譚文敏－香港經濟日報

Human Rights Commentary Award
人權評論獎
• To Yu Ming
Mingzao
杜耀明
明報

Merit 優異獎
• Mainland China cannot exercise itself of the June 4 incident
Han Dong-hang－HKET
中共擺脫不了六四陰影
韓東方－香港經濟日報

• Since there is still scope for human rights improvement, the stress on 'Responsibility' is redundant
Editorial－INET
保障人權仍有改善餘地 強調義務寫篇多此一舉
社論版－信報

Special Mention 特別表揚
• Government Shirks Responsibility, Distorts the Spirit of Human Rights
Justice & Peace Commission of the HK Catholic Diocese－Hong Kuo Po
政府推卸責任 扭曲人權精神
天主教正義和平委員會－公教報

Photography Categories 新聞攝影
• Prize 大獎
• Driving out Illegal Occupiers
Sethi Wsh Koon－Sing Tao Daily
強行驅逐強佔「業戶」
司徒華記－星島日報

Merit 優異獎
• Reporter's Life
David Au－Apple Daily
記者生涯
區民傑－蘋果日報

• June Fourth Candlelight Vigil
David Au－Apple Daily
六四燭會
區民傑－蘋果日報

• Hopes and Prayers
Dicky Chan－Hongkong Standard
希望與祈求
Dicky Chan－英文虎報

• Exhausted
Martin Chan－SCMP
筋疲力盡
陳廣祥－南華早報

• Police Tackling an Activist
Richy Chung－SCMP
警方用暴力威者
鍾偉光－南華早報

• Tearful Appeal
Lo Pui-kean－Hongkong Standard
淚的控訴
Lo Pui-kean－英文虎報

• Prisoner and Son Kiss
Benny Luk－Sing Tao Daily
曾被警毆殺特囚流許開與兒子擁觸
羅宗勝－星島日報

• Mr. Sze Shows his Family Picture
Robert Ng－SCMP
綠帶愛人
吳冠文－南華早報

• Get Lost!
Jackie So Man-kit－Sing Tao Daily
你給我滾！
蘇文榮－星島日報

• Crying Pain
David Wong Chi-kin－SCMP
痛哭
汪志堅－南華早報

• Rainy June 4th
Wu Ah-lai－Sing Tao Daily
六四雨會
胡雅麗－星島日報

Winning Entries of the 2000 Human Rights Press Awards 二〇〇〇年人權新聞獎得獎名單

ENGLISH-LANGUAGE CATEGORIES 英文組別

• English-Language Newspaper: General News
英文報章 (一般新聞)

Merit 優異獎
• Package of articles on Hong Kong people having liver transplants in China
Ella Lee－SCMP
系列報導：香港人在內地接受肝臟移植手術
Ella Lee－南華早報

English-Language Newspaper: Features
英文報章 (特寫)

Prize 大獎
• Challenging a law unto itself
Jasper Becker－SCMP
挑戰法律本身
Jasper Becker－南華早報

• The tragic Chinese boy story
Linda Yeung－SCMP
悲慘的中國玩具故事
Linda Yeung－南華早報

English-Language Magazine 英文雜誌

Prize 大獎
• Hell on water
David Higgs－Reader's Digest
水上地獄
David Higgs－讀者文摘

Merit 優異獎
• No exit
Sheela Gillon－HK Magazine
沒有出路
Sheela Gillon－香港雜誌

• The struggle for the highlands
Julian Gearing－AsiaWeek
高原的掙扎
Julian Gearing－亞洲周刊

English-Language Television 英文電視

Prize 大獎
• Shangri-La's dark secret: The plight of Bhutan's Hindu minority
Susan Yu－Star TV Asia News
香格里拉的暗黑秘密：不再印度教徒的困境
Susan Yu－星空電視台

English-Language Radio 英文電台

Prize 大獎
• The real heroes: Women in the PRC after 50 years
Hugh Chiverton－RTHK
真正英雄：五十年後中華人民共和國的女人
Hugh Chiverton－香港電台

Anti-discrimination Award 平權大獎
• Claiming for a better class
Helen Luk－SCMP
高喊著更好地位
Helen Luk－南華早報

CHINESE-LANGUAGE CATEGORIES 中文組別

• Chinese-Language Newspaper: General News
中文報章 (一般新聞)

Prize 大獎
• Detention centre for children
Au Ka-ke&Lai Pui-fun－Ming Pao
兒童院被指非法拘囚男童
區鎮琪、黎佩芬－明報

Merit 優異獎
• Defiling national flag
Courts desk & Political desk－Ming Pao
褻污國旗被指非法拘囚男童
法庭組、政治組－明報

• Elderly people used by hawkers for prosecution
Lai Pui-fun－Ming Pao
市警結會小販利用老人頂罪
黎佩芬－明報

Winning Entries of the 2001 Human Rights Press Awards
二〇〇一年人權新聞獎得獎名單

Chinese-Language Newspapers, Features
中文報章(特寫)

Special Prize for Journalistic Courage
新聞工作勇氣獎

- Reports on violence in East Timor
Susana Cheng Che-yung – Ming Pao
東帝汶的暴力
張翠容 – 明報

Chinese-Language Magazines 中文雜誌

Prize 大獎

- Series in on 50 years of the People's Republic
Open Magazine
中華人民共和國五十年系列
開放雜誌

Merit 優異獎

- Cambodian sadness
Brian Eads – Reader's Digest
柬埔寨悲情
Brian Eads – 讀者文摘

- Media using media for libel, the effect on
media freedom
沈穎珊 – Sunraygon
傳媒用傳媒訴訟數字上升，新聞自由遭
受威脅
沈穎珊 – 新報人

Chinese-Language Commentary and Analysis
中文評論及分析

Award of a special prize for Outstanding Human
Rights Commentary
傑出人權評論獎

- Challenging a law unto itself
杜耀明 – to Yu-ming

Chinese-Language TV 中文電視

Prize 大獎

- We can't hear what they say
Lee Hui-kei/Karin Bergen – TVB
當局三條喉，聽不到的聲音
李俊基、卓嘉玲 – 無線電視

- Doctor's ethics
Eric Ng Hui-tung – TVB
醫生操守
吳鳴東 – 無線電視

Merit 優異獎

- Who's in charge?
So Kai-chik/Tung Yuen-han – TVB
星期三偵探：繼續系列之誰來監管
蘇啟軒、曾海潮 – 無線電視

- The door is closed
Eric Tsang – RTM
經濟集：大門關上了
潘耀池 – 香港電台

Chinese-Language Radio 中文電台

Prize 大獎

- Workers in Kingman can't express their
opinions
Van Dong-fang – Radio Free Asia
澳門市工人無法表達意見
韓東方 – 自由亞洲電台

Merit 優異獎

- Two years after the handover, silent protest
Zoran Wong – Radio Free Asia
回歸二週年紀念之沉默抗議
黃理鴻 – 自由亞洲電台

Anti-discrimination Award 平權大獎

• We can't hear what they say

- Lee Hui-kei and Karin Bergen – TVB
當局三條喉，聽不到的聲音
李俊基、卓嘉玲 – 無線電視

Photography Categories 新聞攝影

Prize 大獎

- The killing of Joaquin Bernadino Guterres
(Series of dramatic photographs of a shooting
in East Timor)
John Stanneyer & Saba – Time
Joaquin Bernadino Guterres遭槍殺
(東帝汶槍擊照片系列)
John Stanneyer/Saba – 時代週刊

Merit 優異獎

- Chained melody
David Wong – SCMP
被鎖上的旋律
汪志基 – 南華早報

- Cheung An-kun/Hong Kong
Cheung Ka-chun – Apple Daily
鄭安國：香港
張家俊 – 蘋果日報

- Chief Justice Andrew Li
Lau Shu-hung – Apple Daily
李國能(黃染)
凌樹輝 – 蘋果日報

- Cheung Mao-yee of RTM
Lau Shu-hung – Apple Daily
張敏儀
鄧樹諾 – 蘋果日報

- Fahn Gong at Macau Handover
Wong Chi-chun – Apple Daily
法輪功(澳門回歸)
王子俊 – 蘋果日報

- Bold moved
Jelly Tse – Hongkong Standard
匯豐移步
譚顯娟 – 英文虎報

- Multiple Demand
Jelly Tse – Hongkong Standard
多重要求
譚顯娟 – 英文虎報

- Point of discrimination
Agnes Chen – Hongkong Standard
歧視點
Agnes Chen – 英文虎報

- Ber che
John Westrip – Hongkong Standard
多謝
John Westrip – 英文虎報

- No clear view
Felix Wong Chi-keung – Hongkong Standard
一片模糊
王智強 – 英文虎報

ENGLISH-LANGUAGE CATEGORIES 英文組別

- English-Language Television
英文電視

Prize 大獎

- Seized land
Jennifer Lee – Star TV
被奪去的土地
Jennifer Lee – 星空電視台

Merit 優異獎

- Helpers in Need
Alan Buchea – TVB
需要幫手
Alan Buchea – 無線電視

English-Language Newspapers, General News
英文報章(一般新聞)

Prize 大獎

- Charity warned over political acts, Tax office
using Double standard & Tax status review
pledge
May Sin-mi Hon – SCMP
慈善團體被警告遠離政治動機/ 稅務局
使用雙重標準/ 要求審查稅務狀況
May Sin-mi Hon – 南華早報

Merit 優異獎

- Children toil in sweatshop & McDonald's
child labour scandal
Martin Wong – SCMP
在血汗工廠的兒童/ 麥當勞童工醜聞
Martin Wong – 南華早報

English-Language Newspapers, Feature
英文報章(特寫)

Prize 大獎

- A wall of contention
Sherry Lee – SCMP
爭議的牆
Sherry Lee – 南華早報

Merit 優異獎

- Schools fail South Asians
Linda Yeung – SCMP
學校令南亞學生失望
Linda Yeung – 南華早報

- An exploited underclass & Shameful payers
may be rejected
Ella Lee – SCMP
無恥僱主或被拒絕
Ella Lee – 南華早報

- A Tamil guerrilla's story, starting at age 7
Thomas Crampton –
International Herald Tribune
索米蘭游擊隊員的故事在7歲開始
Thomas Crampton – 國際先驅論壇報

English-Language Magazine 英文雜誌

Prize 大獎

- Talking on the system
Terry McCarthy – Time
挑戰制度
Terry McCarthy – 時代週刊

Merit 優異獎

- The Great Migration & Workers in
Bondage: A Life of fines and beating
Dexter Roberts&Aaron Bernstein –
Business Week
大遷移/ 被束縛的工人：生活於罰款和
挨打
Dexter Roberts & Aaron Bernstein –
彭博商業周刊

• Wages of Hatred

- Michael Shari – Business Week
仇恨的薪餉
Michael Shari – 彭博商業周刊

English-Language Commentary and Analysis 英文
評論及分析

Prize 大獎

- China's Judicial Psychiatry
Robin Munro – ANSI
中國的司法精神病治療
Robin Munro – 亞洲華爾街日報

Merit 優異獎

- The Chinese need capital and condemnation
Mark L. Clifford – Business Week
中國需要資金及譴責
Mark L. Clifford – 彭博商業周刊

- Sharing Fears in Dushanbe, Release Rebya
Kadeer, Missing One Monk" Climbdown on
Human Rights & The Limits of Forbearance
Thomas Beal – ANSI
在杜尚別分享恐懼/ 釋放熱比亞·
卡德爾/ 還欠一名僧人/ 人權倒退/
寬容的極限
Thomas Beal – 亞洲華爾街日報

- Funny Business in Hong Kong
Michael DeZalayer – AmCham Magazine
香港趣味行業
Michael DeZalayer – 美國商會雜誌

English-Language Cartoons 英文漫畫

Prize 大獎

- Shoe Shining
Gavin Coates – Mail
擦鞋
Gavin Coates – Mail

English-Language Online Publication
英文網上刊物

Merit 優異獎

- A tale of two portals
Bruce Etkinon – Business Week Online
兩個出入口的故事
Bruce Etkinon – 網上彭博商業周刊

CHINESE-LANGUAGE CATEGORIES 中文組別

- Chinese-Language Newspapers General News
中文報章(一般新聞)

Prize 大獎

- The police misuse pepper spray
Frankie Wong & Phyllis Tang – Ming Pao
警方指訪報噴霧沒效指引
黃凱文和黃詩雯 – 明報

Merit 優異獎

- Arrest student protesters, challenge to the
Public Order Ordinance
Lui Tsz Lok – HKET
拘捕示威學生 公安條例臨考驗
盧子洛 – 經濟日報

Winning Entries of the 2002 Human Rights Press Awards
二〇〇二年人權新聞獎得獎名單

- Insurance discrimination against People with disabilities
To Pui Koi – Ming Pao
殘疾人買保險遭歧視
杜慧琪 – 明報

Chinese-Language Newspapers, Features
中文報章 (特寫)

- Prize 大獎
- The courageous survivor – Lee Hung Yin
Si Mei Chi – Radio Free Asia
再生戰士李鴻賢
蘇美芝 – 明報

Chinese-Language Magazines 中文雜誌

- Prize 大獎
- Appeal for prisoners who are sentenced to death
Sai Wai Ming – Eastweek
齊齊死囚大翻案
施慧鳴 – 東周

- Government unable to define cult
Lau Yau Hay – Open Magazine
政府無權談正邪
劉友希 – 開放雜誌

Chinese-Language Commentary and Analysis
中文評論及分析

- Award of a special prize for Outstanding Human Rights Commentary
傑出人權評論獎
- 杜耀明 – To Yu Ming

- Merit 優異獎
- Vibration from Wong Fung Chiu II
Chey Chi Heung – Sing Tao Daily
王鳳超震盪 (二之二)
蔡子強 – 星島日報

- Special Prize for Journalistic Courage
新聞工作勇獎獎
- We thought this type of activity was history
Chan Yai Kuen – Ming Pao
我們還以為這類「運動」已成歷史
陳日君 – 明報

Chinese-Language Radio 中文電台

- Merit 優異獎
- I love the world – interview with a Hong Kong Social Worker on the Indian situation
Joss Au – RTHK
我愛世界 – 專訪香港社工到印度實地考察
區麗萍 – 香港電台

- Political debate – Public Order
Chan Yin Ping – RTHK
政策論壇—公安法對話
陳燕萍 – 香港電台

Chinese-Language Television 中文電視

- Prize 大獎
- Freedom of Religion
Donny Si – RTHK
經緯線—信仰自由
蘇克勤 – 香港電台

- Merit 優異獎
- News at 8.30 – One Child Policy
Ng Hui Tung – TVB
六點半新聞 – 談政策
吳曉英 – 無線電視

- Cry Alone
Poon Tat Pui – RTHK
經緯線：我獨自哭泣
潘達怡 – 香港電台

Photography Categories 新聞攝影

- Prize 大獎
- Fallen Gong Peitien
Chang Hok Tin – SCMP
法輪功鎮壓
鄭寶賢 – 南華早報

- Merit 優異獎
- Higher Rent Protest
Wan Kam Yan – SCMP
反對費租
尹錦恩 – 南華早報

- Public Order Ordinance Protest
Dustin Sham – SCMP
反對公安法
岑允浩 – 南華早報

- Activist Leung Kwok-hung in jail
Robert Ng – SCMP
民權人士梁國雄入獄
吳冠文 – 南華早報

- Girl Soldier
Thomas Crampton – International Herald Tribune
小女孩
Thomas Crampton – 國際先驅論壇報

- Inequality
Peter Parks – AFP
不平權
Peter Parks – 法新社

- Rich Man Poor Man
Peter Parks – AFP
窮人富人
Peter Parks – 法新社

- Refugee – Prayer
Peter Parks – AFP
難民：祈禱
Peter Parks – 法新社

- Restraining Order
Garrig Ho – SCMP
維持治安
何永聖 – 南華早報

- Helpless in the City
Garrig Ho – SCMP
城市無助的一群
何永聖 – 南華早報

- Cult Protest
David Wong – SCMP
邪教抗議
汪志堅 – 南華早報

ENGLISH-LANGUAGE CATEGORIES 英文組別

- English-Language Newspapers, General News
英文報章 (一般新聞)

- Prize 大獎
- Education Denied
Stella Lee – SCMP
入學被拒
Stella Lee – 南華早報

- Merit 優異獎
- Camp
Tyler Marshall – Los Angeles Times
營
Tyler Marshall – 洛杉磯時報

English-Language Newspapers, Feature
英文報章 (特寫)

- Prize 大獎
- Learning the hard way
Sherry Lee – SCMP
百難始學問
Sherry Lee – 南華早報

- Merit 優異獎
- Amerasians
G. Bruce Knecht – AWSJ
在美國的亞洲人
G. Bruce Knecht – 亞洲華爾街日報

- City of Strife
Sherry Lee – SCMP
網罟都市
Sherry Lee – 南華早報

English-Language Magazine 英文雜誌

- Prize 大獎
- Cleaning Up Our Act
Chaim Estulin – Hong Kong Magazine
為我們的行為負責
Chaim Estulin – 香港雜誌

- China: Fighting the State
Dexter I. Roberts – BusinessWeek
中國：對抗國家
Dexter I. Roberts – 博商周刊

Special Award 特別獎

- Racism Series
Polly Evans & editorial staff – Hong Kong Magazine
種族歧視系列
Polly Evans及編輯部員工 – 香港雜誌

- Merit 優異獎
- The Breaking Point
Matthew Forny – Time
爆發點
Matthew Forny – 時代周刊

English-Language Commentary and Analysis
英文評論及分析

- Special Award 特別獎
- A bad case of colour blindness, A very certain danger & Why Man-hon haunts us all
Stephen Vines – Hong Kong Mail
色盲者/肯定有危險/記住唐文翰
Stephen Vines – Hong Kong Mail

- Merit 優異獎
- China's Catholic Paradox
Brett M. Decker – AWSJ
中國式天主教
Brett M. Decker – 亞洲華爾街日報

English-Language Cartoons 英文諷刺

- Merit 優異獎
- Fa Lun Going, Going, Gong
Gavin Coates – Hong Kong Mail
法輪功滾滾
Gavin Coates – Hong Kong Mail

- Courting Disaster
Gavin Coates – Hong Kong Mail
自尋死路
Gavin Coates – Hong Kong Mail

English-Language Television 英文電視

- Prize 大獎
- Child Sexualitation
Adrian Brown – Star TV
性剝削兒童
Adrian Brown – 星空電視台

- Merit 優異獎
- A call for help
Renato Reyes – ATV
求救
Renato Reyes – 亞洲電視

- Outsider
Raymond Cheng – TVB
外人
Raymond Cheng – 無線電視

CHINESE-LANGUAGE CATEGORIES 中文組別

- Chinese-Language Newspaper: General News
中文報章 (一般新聞)

- Prize 大獎
- Police investigate Faten Gong
Chan Kening Wai & Hui King Lam – Apple Daily
查法輪功警手法卑劣
陳廣華、許佩霞 – 蘋果日報

- Merit 優異獎
- Days complain against Red Cross
Lau Hui Ngan – Sing Pao
得志丹放視衛華紅會
劉志剛 – 成報

- Taps reveals ICAC lying
Carmen Hui – Sing Tao
綠音帶揭黑警人員說謊
徐曉尹 – 星島日報

Chinese-Language Newspapers, Feature
中文報章 (特寫)

- Prize 大獎
- Unemployment in Shenyang
China Desk – Apple Daily
瀋陽鐵西下崗之城滿都魯
中國組 – 蘋果日報

- Labor unrest in Northeast China
Chan Yui Fan & Lau Hok Kong – Ming Pao
東北工潮
陳耀柱、劉克剛 – 明報

- Merit 優異獎
- Tough life of woodmen in Shandong
China Desk – Apple Daily

山東省圖書館本村活版所萬千
中國組－蘋果日報

Chinese-Language Magazines 中文雜誌

Prize 大獎

- **Jiang Weipeng Case**
Wang Jianmin – Yefan Zhoukan
姜維平案
王健民－亞洲週刊

Merit 優異獎

- **Massacre in Hunan**
Zhang Cheng – Open Magazine
湖南醴陵大屠殺
張成－開放雜誌

Chinese-Language Commentary and Analysis
中文評論及分析

Prize 大獎

- **The choice between civilization and stupidity***
Li Yu-Ming – Ming Pao
文明和愚昧的抉擇
杜耀明－明報

- **Conscience under pressure**
Xiu Jiang Chung – HKEJ
高壓下的良知和自由中的大勇
徐翔輝－信報

Merit 優異獎

- **Ministerial system =/= Impartial civil servants**
Chey Chi Heung Ivan – Ming Pao
高官問責=!=公僕完全政治中立
蔡子強－明報

Chinese-Language Radio 中文電台

Prize 大獎

- **The tragedy of violent protest**
Chan Yin Ping & Tsang Chi Ho – RTHK
暴力抗爭的悲劇：六七暴動的啟示
陳燕萍、曾志豪－香港電台

Merit 優異獎

- **Militarism: Misogyn**
Ng Chi Sum & Lam Ka Yu – RTHK

千禧年代：陳真寺
吳志森、林嘉瑜－香港電台

- **Drug affairs place the third world at risk**
Chan Yin Ping – RTHK
毒害天下：藥物專利危害第三世界人民
陳燕萍－香港電台

Chinese-Language Television 中文電視

Prize 大獎

- **Child soldier**
Poon Tai-pui, Eric – RTHK
孩子上戰場
潘德培－香港電台

Merit 優異獎

- **Strike a balance between patriotism and impartiality**
Wong Lok Hui – RTHK
愛國/中立兩難存
王洛輝－香港電台

- **Family religious groups**
So Ming Nam – Cable TV
時事寬頻－家庭教會
蘇永耀－有線電視

- **Peace and war**
Edna Wong – RTHK
經國集：戰爭與和平
黃婉兒－香港電台

Photography Categories 新聞攝影

Prize 大獎

- **Excessive force used towards journalists**
Lee Shiu Cheong – Ming Pao
粗魯對待記者
李紹昌－明報

Merit 優異獎

- **Brick Workers**
John Shanmeyer – Time
磚牆工人
John Shanmeyer－時代雜誌

- **Students and staff back Li Shaomin**
David Wong Chi Kin – SCMP

學生及員工支持李少明
David Wong Chi Kin – 南華早報

- **Fahn**
David Wong Chi Kin – SCMP
法輪功
David Wong Chi Kin – 南華早報

- **Study room in the public**
Yip Hong Wah – Sing Pao
鬧市「自修室」
葉漢華－明報

- **Discretion**
Lee Shiu Cheong – Ming Pao
求勁情權
李紹昌－明報

- **Release of Long Hair**
Tung Wai Kin – Ming Pao
「長毛」出獄
鄧偉健－明報

- **I want to go to school**
Chun Kik Wai – Ming Pao
我要返學
鄧樂偉－明報

- **Violence Protest**
Lau Ka Ming – Ming Pao
示威抗爭
鄧建明－明報

- **Same sex marriage**
Chey Ka Yui – Ming Pao
同性結婚
蔡家達－明報

- **Child Beggars – Pakistan**
Lee Shiu Cheong – Ming Pao
行乞小童：巴基斯坦
凌樹輝－蘋果日報

- **Woodmen – Pay the price**
Tsang Hin Wah – Apple Daily
伐木工人：生活代價
曾國華－蘋果日報

Winning Entries of the 2003 Human Rights Press Awards

二〇〇三年人權新聞獎得獎名單

ENGLISH-LANGUAGE CATEGORIES 英文類別

- **English-Language Newspaper, General News**
英文報章（一般新聞）

Prize 大獎

- **HK policy on asylum seekers is questioned**
Ravina Shamdasani – SCMP
香港尋求庇護及接受庇護
Ravina Shamdasani – 南華早報

English-Language Newspaper, Features

英文報章(特寫)

Merit 優異獎

- **Racism/Chinese Nationality**
Ravina Shamdasani – SCMP
種族主義／中國國籍
Ravina Shamdasani – 南華早報

English-Language Magazine 英文雜誌

Prize 大獎

- **China's Angry Workers**
Dexter Roberts, Bruce Einhorn & Frederik Ballour – Business Week
中國工人憤怒了
Dexter Roberts, Bruce Einhorn & Frederik Ballour – 彭博商業周刊

Merit 優異獎

- **One nation divided**
Matthew Farney – Time
分裂的國家
Matthew Farney – 時代週刊

English-Language Commentary and Analysis
英文評論及分析

Prize 大獎

- **Regina must think we are stupid**
Stephen Vines – The Standard
黛安娜定並我們是傻的
Stephen Vines – 英文虎報

English-Language Cartoons 英文漫畫

Merit 優異獎

- **You've welcome!**
Gavin Coates – The Standard
不要吝嗇！
Gavin Coates – 英文虎報

English-Language Radio 英文電台

Prize 大獎

- **Reflections from Asia**
Harvey Stockwin – RTHK Radio 3
亞洲的反思
Harvey Stockwin – 香港電台

English-Language Television 英文電視

Prize 大獎

- **Jurga Justice**
Joe Kauri – Star TV
支離格的公義
Joe Kauri – 星空電視台

Merit 優異獎

- **Pearl Report: Road to Equal**
Karin Bergen – TVB
明珠報導：平等的路
Karin Bergen – 無線電視

- **Pearl Report: Labour**
Chris Gelken – TVB
明珠報導：勞工
Chris Gelken – 無線電視

CHINESE-LANGUAGE CATEGORIES 中文類別

- **Chinese-Language Newspaper, General News**
中文報章（一般新聞）

Prize 大獎

- **Leungkate and the Financial Secretary**
Report Desk – Apple Daily
阿松偷步買車系列
採訪部－蘋果日報

Merit 優異獎

- **Police Extends Iron Fist at June 4th**
莫劍強 – Apple Daily
警棍臨伸向六四
莫劍強－蘋果日報

Series on Article 23

- **Apple Daily**
廿三條系列報導
採訪部－蘋果日報

Chinese-Language Newspapers, Feature
中文報章(特寫)

Prize 大獎

- **Clay of a poor household, a meal is ketchup**
from a fast food restaurant mixed with rice
雷子輝 – HKEJ
赤貧戶悲歌，快餐店茄汁滷飯
雷子輝－經濟日報

Merit 優異獎

- **Police blasted for not disclosing Code of Conduct**
Phyllis Tang – Ming Pao
警方執法守則沒公開披露
黃錦雯－明報

- **Series on the Rotteness of Hong Kong**
陳廣華 & 徐信霞 – Apple Daily
香港有病系列
陳廣華、徐信霞－蘋果日報

Chinese-Language Magazines 中文雜誌

Prize 大獎

- **80,000 Workers Strike in Beijing, Liaoing**
許行 – Open Magazine
大慶、遼陽八萬工人大示威
許行－開放雜誌

Chinese-Language Commentary and Analysis
中文評論及分析

Merit 優異獎

- **We're Not Qualified to Criticize Le Pao?**
陳子強 – Ming Pao
我們沒有資格批評動亂嗎？
陳子強－明報

Chinese-Language Radio 中文電台

Merit 優異獎

- 18 Bitter Years after India's Bhopal Tragedy
陳燕萍 – RTHK
- 波帕爾慘劇續報十八年
陳燕萍 – 香港電台

Chinese-Language Television 中文電視

Prize 大獎

- TVB News Magazine: Article 23
李德茂、張振輝、李國忠 – TVB
- 新聞透視：廿三條立法
李德茂、張振輝、李國忠 – 無線電視

- Hong Kong Connection: Special on Article 23
盧偉鴻、陳彩霞、馬占誠、黃樹兒、
薛友德 – RTHK
- 國情集：「基本法第二十三條」特輯
潘達池、陳彩霞、馬占誠、黃樹兒、
薛友德 – 香港電台

Merit 優異獎

- Feature of the Week: People of the Earth
蘇啟智 – Cable TV
- 時事蒐輯之芝士幫民系列
蘇啟智 – 有線電視

- TVB News Magazine: A Lesson Learned in Blood
許少芬 – TVB
- 新聞透視：血的教訓
許少芬 – 無線電視

- TVB News Magazine: Police Power
許少芬、翁振輝 – TVB
- 新聞透視：警權
許少芬、翁振輝 – 無線電視

Photography Categories 新聞攝影

Prize 大獎

- Right of Abode Seekers Clash with Police
黃俊輝 – Ming Pao
- 爭取權者與警衝突
黃俊輝 – 明報

Merit 優異獎

- Father Malta Quarantined
譚維祺 – HKET
- 隔離廿廿文
譚維祺 – 經濟日報

- Living in the Wild
黃日昇 – Sing Tao
- 野蠻
黃日昇 – 星島日報

- The Final Deadline
陳偉興 – Economic Digest
- 最後期限
陳偉興 – 經濟一週

- Freedom
陳偉興 & 陸羽謙 – Economic Digest
- 自由
陳偉興、陸羽謙 – 經濟一週

- Improperish Students in Shanxi
郭樹雄 – Apple Daily
- 山西貪污兒童上學
郭樹雄 – 蘋果日報

- A Blow to the Head
凌振輝 – Apple Daily
- 迎頭痛一擊
凌振輝 – 蘋果日報

- Furious
李紹昌 – Ming Pao
- 一肚氣
李紹昌 – 明報

- White Paper
李紹昌 – Ming Pao
- 白紙黑字
李紹昌 – 明報

- 60,000 Rally Against Article 23
蔡卓謙 – Ming Pao
- 六萬人反廿三條
蔡卓謙 – 明報

- Rapping about Social Security Cuts
鄧偉健 – Ming Pao
- 謝辭稿「數白種」
鄧偉健 – 明報

- White Protest
鄧偉健 – Ming Pao
- 白色抗議
鄧偉健 – 明報

- Chief Executive's Neglect of Public Interest Mocked
吳惠雄 – Ming Pao
- 譴刺特首漠視市民利益
吳惠雄 – 明報

- Hear the Fear of Migrant Domestic Workers
李紹昌 – Ming Pao
- 外傭悲吼
李紹昌 – 明報

- Police Handcuffed Reporters to Block Coverage
李紹昌 – Ming Pao
- 警手扣鎖記者阻採訪
李紹昌 – 明報

- As They Lay Dying: AIDS
John Stammers – Time Asia
- 當他們在等待死亡：愛滋病
John Stammers – 亞洲時代週刊

Winning Entries of the 2004 Human Rights Press Awards

二〇〇四年人權新聞獎得獎名單

ENGLISH-LANGUAGE CATEGORIES 英文組別

- English-Language Newspaper, General News
英文報章 (一般新聞)

Prize 大獎

- The EOC scandal
Ramina Shandassani – SCMP
- 平機會醜聞
Ramina Shandassani – 南華早報

Merit 優異獎

- Hong Kong hemophiliacs contracted HIV through contaminated drug products
Ella Lee – SCMP
- 因輸血被污染，香港血友病患者感染愛滋病
李慧雯 – 南華早報

English-Language Newspaper, Features
英文報章(特寫)

Prize 大獎

- Body of work on rights of the disabled
Paris Lord – The Standard
- 殘疾人士的權利護輯
蘇柏堅 – 英文壹報

Merit 優異獎

- Asia's maid culture
Rebecca Buckham&Trish Saywell – ANSI
- 亞洲的外傭文化
Rebecca Buckham&Trish Saywell – 亞洲華爾街日報

- Dr Jiang
Matt Pottinger – ANSI
- 蔣經生
Matt Pottinger – 亞洲華爾街日報

English-Language Magazine 英文雜誌

Prize 大獎

- Last Lives
Hannah Beech – Time
- 失掉的生命
Hannah Beech – 時代週刊

Merit 優異獎

- Welcome to the Jungle
Andrew Perrin – Time
- 歡迎你到熱帶叢林
Andrew Perrin – 時代週刊

English-Language Commentary and Analysis
英文評論及分析

Prize 大獎

- Hugo Restall
ANSI
- Hugo Restall
亞洲華爾街日報

- Selected editorials
ANSI editorial team – ANSI
- 評論選輯
評論員 – 亞洲華爾街日報

English-Language Cartoons 英文漫畫

Prize 大獎

- Selected work
Gavin Coates – The Standard
- 作品精選
Gavin Coates – 英文壹報

English-Language Television 英文電視

Prize 大獎

- Toxic trail
Ajaii Rao – Star TV
- 毒軌
Ajaii Rao – 星空電視台

- Steve burnings
Joe Kainz – Star TV
- 熾火中燒
Joe Kainz – 星空電視台

- Innocent victim
Joe Kainz – Star TV
- 無辜的受害者
Joe Kainz – 星空電視台

Merit 優異獎

- God or government? Vietnam's under ground churches
Susan Yu – Star TV
- 崇拜或受政府？越南的地下教會
Susan Yu – 星空電視台

Special Prize 特別獎

- For Sustained Excellence
Focus Asia – Star TV
- 聚焦亞洲
星空電視台

English-Language Radio 英文電台

Prize 大獎

- Reflections from Asia: Aceh
Harvey Stockels – RTHK
- 來自亞洲的反思：亞齊
Harvey Stockels – 香港電台

Reflections from Asia: Burma

- 來自亞洲的反思：緬甸
Harvey Stockels – 香港電台

CHINESE-LANGUAGE CATEGORIES 中文組別

- Chinese-Language Newspaper, General News
中文報章 (一般新聞)

Prize 大獎

- Long live Hong Kong people
editorial team – Apple Daily
- 香港人民萬歲
採訪部 – 蘋果日報

Merit 優異獎

- Go to Toronto and challenge the law of Hong Kong, gay couple intended to apply for tax return treatment for married couple
K.H.Hong & C.H.Lai – Sing Tao Daily
- 赴多倫多挑戰港法例，港同志擬申請「夫婦」報稅
黃錫怡、賴廷臣 – 星島日報

- Daangni sugarcane farmers earn 80 cents a day
feature desk – Apple Daily
- 廣西蔗農日入八毛視人命
中國專線組 – 蘋果日報

- **Brascanian Article 23 withdrew**
Mak Kin-quet, Chan Kwong-wai,
Law Wei-kwong& Choi Tai-in – Apple Daily
惡法廿三條撤回
梁國治、陳廣平、羅偉光、徐立齋 –
蘋果日報

- **Government applies viperous means to suppress protesters**
Mak Kin-quet, Ho Man-man, Chan Pui-man&
Choi Yuen-kwai – Apple Daily
政府毒招打壓示威
梁國治、何文堂、陳沛敏、蔡元貴 –
蘋果日報
- **Body of work on July 1 demonstration**
Mak Kin-quet, Ho Man-man, Chan Pui-man&
editorial – Ming Pao
七一大遊行系列
港聞組 – 明報

Chinese-Language Newspapers, Feature
中文報章(特寫)

- Prize 大獎**
 - **A disobedient social worker refuses to go back on the grassroots**
Lai Yee-ha – HKFT
反叛社工黃文慧拒絕青雲基福
雷子樂 – 經濟日報

Chinese-Language Magazines
中文雜誌

- Prize 大獎**
 - **Special report from Dharamsala**
Iso Wing-mui – Open Magazine
特寫報導：走訪達蘭沙拉
談談牠 – 開放雜誌
 - **Mass genocide committed by Chairman Mao**
Wang Yuying – Open Magazine
毛澤東犯大規模群體滅絕罪
王友琴 – 開放雜誌

- Merit 優異獎**
 - **Media credibility decay in the darkness**
Liu Shao-ho – Open Magazine
新聞權威在黑暗中
劉肇發 – 開放雜誌

- **How gay Christian live under the Crucifix**
Ng Yi-wai, Sato Kin-cheung& Ip Yi-leong –
U-Best Magazine
十字架下：同志教徒在
北角站、司徒頓影、某友夾 –
大學生月刊

Chinese-Language Commentary and Analysis
中文評論及分析

- Prize 大獎**
 - **"Patriots" bury One-country-two-system**
Wang Xue – Apple Daily
「愛國者」送一國兩制歸
王希哲 – 蘋果日報

- Merit 優異獎**
 - **Cast your ballot to decide who is the genuine patriot**
Gladys Li – Apple Daily
用投票箱決定誰愛國
李志喜 – 蘋果日報
 - **Cast your ballot to decide who is the genuine patriot**
Shaw Sin-ming – Apple Daily
李柱銘：你是共產黨！
邵斯明 – 蘋果日報

Chinese-Language Radio 中文電台

- Prize 大獎**
 - **Lawyer wife kidnapped**
Lillian Lai-Ming Cheung – Radio Free Asia
律師妻被綁
張麗明 – 自由亞洲電台
 - **Yongfu Garden**
Lillian Lai-Ming Cheung – Radio Free Asia
樓福花園
張麗明 – 自由亞洲電台

- Merit 優異獎**
 - **Examine racial discrimination**
Yip Koon-tam – RTHK
探討種族歧視
葉冠霖 – 香港電台

- **A special character: Cho x gay activist**
Lau Ngai-man, Adelaide – RTHK
非常人物：同性戀者小曹
劉麗欣 – 香港電台

Chinese-Language Television 中文電視

- Prize 大獎**
 - **Feature of the Week, the possible threat from national security legislation IV**
Tong Chu-man – Cable TV
時事寬頻：國家安全第四集
唐紹堂 – 有線電視

- **Feature of the Week, when will justice come to China?**
So Wing-kam – Cable TV
時事寬頻：何日見青天
蘇永權 – 有線電視

- Merit 優異獎**
 - **Hong Kong Connection, people's power series**
Poon Tat-pui & Echo Wong – RTHK
縱橫港：人民力量
潘達明、黃鳳兒 – 香港電台

- **Feature of the Week, Before SARS spread: Guangdong and Hong Kong**
So Kai-chi & Lu King-wah – Cable TV
時事寬頻：疫症蔓延前的廣東與及
香港篇
蘇啟智、盧敬華 – 有線電視

Photography Categories 新聞攝影

- Prize 大獎**
 - **Laox, the Hmong**
Phillip Benkrop & I Agence Vu – Time Asia
Laox, the Hmong
Philip Benkrop – Agence Vu – 時代雜誌

- Merit 優異獎**
 - **July 1 protesters**
Tsang Kin-wah – Apple Daily
七一遊行示威者
曾國華 – 蘋果日報

- **June 1 march: clear enough?**
Lau Yiu-fai – Apple Daily
六·一遊行：清晰未？
劉耀輝 – 蘋果日報

- **Human rights vs power of the police**
Ng Ming-fai – Sing Tao
人權對警權
伍明輝 – 星島日報

- **Abuse the power of the police**
Chu Lok-kei – Sing Tao
濫用警權
杜樂琪 – 星島日報

- **The best comment to Article 23**
Kwok Hing-fai – Ming Pao
最佳意見獎的廿三條
關慶輝 – 明報

- **A speechless Bishop Zen**
Choi Man-ling – Ming Pao
主教沒話供
蔡文康 – 明報

- **The new emperor of Kowloon recycling garbage**
Chen Kok-wai – Ming Pao
新九龍皇帝拾荒記
秦樂怡 – 明報

- **Give justice back**
Lee Shiu-cheung – Ming Pao
還我公道
李紹基 – 明報

- **The Support and Against Tung Chee Hwa**
Lee Shiu-cheung – Ming Pao
振董倒董的父氣
李紹基 – 明報

- **Wishes**
Dustin Shum – Ming Pao
願望
岑允浩 – 南華早報

- **Mental health**
John Stannmeyer / VII – Time
精神健康
John Stannmeyer / VII – 時代週刊

Winning Entries of the 2005 Human Rights Press Awards 二〇〇五年人權新聞獎得獎名單

- ENGLISH-LANGUAGE CATEGORIES 英文類別**
 - *English-Language Newspapers, General News*
英文報章(一般新聞)

- Prize 大獎**
 - **For a body of work**
Sylvia Hui – The Standard
人權報導連續
許慧恆 – 英文虎報

- Merit 優異獎**
 - **Gay Activists**
Ravina Shandasani – SCMP
同性戀運動連續
Ravina Shandasani – 南華早報

- **The Children's Case**
Ravina Shandasani – SCMP
兒童權利專輯
Ravina Shandasani – 南華早報

- **Ah Chi's misery fly of iceberg**
Poly Hui – SCMP
同志的不幸只是冰山一角
許素仙 – 南華早報

English-Language Newspapers, Features
英文報章(特寫)

- Prize 大獎**
 - **For a body of work**
Sherry Lee – The Standard
人權報導連續
李敏迎 – 南華早報

- Merit 優異獎**
 - **AIDS in India**
Ed Lane – AFP
愛滋病在印度
Ed Lane – 法新社

- **Qian Qian**
Peter Wanacott – AWSI
芊芊
Peter Wanacott – 亞洲華爾街日報

- **Doing the rights thing**
Ravina Shandasani – SCMP
權利的選擇
Ravina Shandasani – 南華早報

- **For a body of work**
Peter Kammerer – SCMP
人權報導連續
Peter Kammerer – 南華早報

English-Language Magazine 英文雜誌

- Prize 大獎**
 - **Deliver them from evil**
Amy Kassin – Financial Times
把他們從惡夢中拯救出來
Amy Kassin – 金融時報
 - **Stone age**
Andrew Marshall – Time
石鼓時代
Andrew Marshall – 時代週刊

- Merit 優異獎**
 - **Thailand's bloody Monday**
Andrew Parris – Time Asia
泰國血腥的星期一
Andrew Parris – 時代週刊

English-Language Commentary and Analysis
英文評論及分析

- Prize 大獎**
 - **Tiananmen series**
editorial team – AWSI
天安門評論連續
評論部 – 亞洲華爾街日報

- Merit 優異獎**
 - **Unwritten law of SAR**
Michael DeGolyer – The Standard
沒有完成的特區法律
Michael DeGolyer – 英文虎報

- **Lee and Li**
editorial team – AWSI
李光耀與李鵬評論連續
評論部 – 亞洲華爾街日報

- **A right to equality**
Stephen Vines – The Standard
平等的權利
Stephen Vines – 英文虎報

English-Language Radio 英文電台

Prize 大獎

- China dam protests
Luis Ramirez – Voice of America
抗議中國水壩工程
Luis Ramirez – 美國之音

Merit 優異獎

- Taiwan child abuse package
Chris Hogg – BBC
台灣虐兒專輯
Chris Hogg – 英國廣播公司

English-Language Television 英文電視

Prize 大獎

- Denial of rights
Joe Kaine – Star TV
被拒的權利
Joe Kaine – 星空電視台

Merit 優異獎

- Insight: HMONG
Aeneas Raman – CNN
領悟：苗族
Aeneas Raman – 美國有線電視

- Transsexuals-secre lives
Carmen Ip – ATV(World)
變性人的秘密生活
葉卓嫻 – 亞洲電視國際台

- Bad behaviour
Mark Hui – Star TV
惡習
Mark Hui – 星空電視台

CHINESE-LANGUAGE CATEGORIES 中文類別

- Chinese-Language Newspaper, General News
中文報章(一般新聞)

Prize 大獎

- In remembrance of Zhao Ziyang
China and General Assignment Desk – Apple Daily
憶良心 悼葉鵬
中國及新聞組 – 蘋果日報

- July 1st Protest, \$30,000 on street
Editorial Department – Apple Daily
七一 – 五十三萬人上街
採訪部 – 蘋果日報

Merit 優異獎

- Sing Tao wins court case stopping ICAC
search warrant
Wing Wai-Fun – Sing Tao
南庫署搜查令《星島》勝訴
黃偉勳 – 星島日報

- Record breaking, 170,000 show up to vote
General Assignment Desk – Apple Daily
一百七十萬人投票破紀錄
新聞組 – 蘋果日報

Chinese-Language Newspapers, Feature
中文報章(特寫)

Prize 大獎

- South Asian children's unachievable dream to
learn Chinese
Devin Mai – Sing Tao
南亞裔童輩中文夢難圓
梅思聰 – 星島日報

Merit 優異獎

- Illegal mainland immigrants and
individual visit scheme
Sin Wan-kei – HKET
人蛇自由行系列一及二
沈謙熙 – 香港經濟日報

Chinese-Language Magazines 中文雜誌

Prize 大獎

- China takes first place for detaining writers
Zhou Da-gong – Open Magazine
中國關押作家佔第一冠
張傑功 – 開放雜誌

- China-paradise for the privileged, hell for
the weak
Liu Jian-ke – Open Magazine
權貴的天堂 弱者的地獄
劉健波 – 開放雜誌

Merit 優異獎

- Tale of a Tibetan dissident writer
Ma Li – Open Magazine
西藏異議文作家瑪也
茉莉 – 開放雜誌

- Arrest and release of three Beijing
writers
Sha Wen-yi – Open Magazine
北京三作家被放事件
袁文思 – 開放雜誌

- Farewell to an unforgettable past
Jin Zhong – Open Magazine
離它過去，告別過去
金鐘 – 開放雜誌

Chinese-Language Commentary and Analysis
中文評論及分析

Prize 大獎

- Aids and China's credit crisis
Cheung Wah – Apple Daily
施災與中國的信用危機
張華 – 蘋果日報

Merit 優異獎

- Tragic hero – Don Quixote
Cheung Wah – Apple Daily
唐吉珂德式的悲劇英雄
張華 – 蘋果日報

- How to respect press freedom
Human Right Group –
Justice and Peace Commission of the Hong
Kong Catholic Diocese
如此尊重新聞自由
天主教正義和平委員會
天主教正義和平委員會

Chinese-Language Radio 中文電台

Prize 大獎

- Controls on short message system(SMS)
Ho-King-wah – Radio Free Asia
手機短訊的控制
何景文 – 自由亞洲電台

- June 4, 1989 demonstrators abused in prison
Lillian Cheng – Radio Free Asia

- 八九示威者在獄中被虐成瘋
張麗明 – 自由亞洲電台

Merit 優異獎

- Indigenous children's difficulties in receiving
education
RTHK
土著兒童讀書難
陳漢河 – 香港電台

- Learn about Hong Kong's minority South-
Asian community without prejudice
Jaco Au – RTHK
少D談色，多D認識南亞香港人
歐耀雄 – 香港電台

- Ordinary citizens remember Zhou Ziyang
on the internet
Jaco Au – RTHK
民間網破網上封鎖悼念周
區耀雄 – 香港電台

- Stop racial discrimination
Wing Pui-san & Tam Pui-ching – RTHK
禁止種族歧視
陳凱欣、譚佩儀 – 香港電台

Chinese-Language Television 中文電視

Prize 大獎

- News Magazine-Chinese petitioners
Funging Kwai-wai – TVB
新聞透視：自願狀
關國基 – 無線電視

- News Magazine-Chinese migrant workers'
tragic tales
Hui Siu-fan – TVB
新聞透視：民工悲歌
許少芬 – 無線電視

- Monday Report: Away from home for 15 years
Lo Yan-wai – TVB
星期一檔案：離家十五年
羅燕惠 – 無線電視

- Hong Kong Connection: Freedom from fear
Poon Tat-yui – RTHK
癡纏集：免於恐懼
潘達瑛 – 香港電台

Merit 優異獎

- The courage to stand out
Danny Si – RTHK
癡纏集：站出來的力量
蘇文傑 – 香港電台

- Hong Kong Connection: A childhood without
seasons
Phoebie Chan – RTHK
癡纏集：沒有季節的童年
陳彩霞 – 香港電台

- Feature of the week: Sex workers
Lo King-wah – Cable TV
時事寬頻：一塵一
盧敬雄 – 有線電視

- Feature of the week: 15th anniversary of June 4,
1989
Wallace So – Cable TV
時事寬頻：十五載
蘇永權 – 有線電視

Photography Categories 新聞攝影

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Prize 大獎

- A helping hand
Li Ka-ho – Apple Daily
伸出援手
李卓雄 – 蘋果日報

Merit 優異獎

- Police clear reporters by force
Cheng Ping-hang – Hong Kong Daily News
警方粗暴驅記者
鄭秉衡 – 新報

- Police clear demonstrators by force
Cheng Ping-hang – Hong Kong Daily News
警方強拆人鏈清場
鄭秉衡 – 新報

- Rice with Soy-sauce
Isang Hing-wai – Sing Tao
豉油撈飯
曾廣威 – 星島日報

- I love small classes
Chang Shu-ching – Ming Pao
我愛小班
鄭樹清 – 明報

- Elderly restrained in old peoples' home
Lai Chun-wing – Ming Pao
老人院長者被綁
賴俊雄 – 明報

- Ching Ming: in memory of June 4
Lee Shiu-cheung – Ming Pao
清明悼六四
李紹昌 – 明報

- 530,000 demonstrators show their support for
democracy
Lee Shiu-cheung – Ming Pao
五十三萬熱血汗留民主史
李紹昌 – 明報

- 3000 meters of blue ribbon to protect
Victoria Harbor
Lee Shiu-cheung – Ming Pao
三千米藍絲帶護維港
李紹昌 – 明報

- 15th anniversary of June 4: students clash with
police
Lee Shiu-cheung – Ming Pao
六四十五週年前夕 學聯遊行與警激撞
李紹昌 – 明報

- Heard but not seen
Ma Chiao-sung – Apple Daily
聽而不見
馬泉新 – 蘋果日報

- Appealing till the end
Ling Shu-fai – Apple Daily
上訴到底
凌樹輝 – 蘋果日報

Winning Entries of the 2006 Human Rights Press Awards

二〇〇六年人權新聞獎得獎名單

ENGLISH-LANGUAGE CATEGORIES 英文組別

• *English-Language Newspaper, General News*
英文報章（一般新聞）

Prize 大獎

- **Riazi Riiz**
Didi Kirsten Tattlow – SCMP
遠流村語報
狄用霖－南華早報
- **Philippines Left**
Jason Gutierrez – AFP
菲律賓左翼
Jason Gutierrez – 法新社

Merit 優異獎

- **Bingqian Weekly**
Vivian Wu – SCMP
冰藍周刊
吳薇－南華早報
- **Afghanistan**
Sardar Ahmad – AFP
阿富汗
Sardar Ahmad – 法新社

English-Language Newspaper, Features
英文報章（特寫）

Prize 大獎

- **For a body of work on India**
Anelia Gentleman – International Herald Tribune
印度人權報導專輯
Anelia Gentleman – 國際先驅論壇報

• An Invisible Army

Mei Fong – ANSI
看不見的軍隊
方鳳英－亞洲華爾街日報

Merit 優異獎

- **AIDS series**
Didi Kirsten Tattlow – SCMP
愛滋病報導系列
狄用霖－南華早報
- **Plight Club**
Peter Kammeier – SCMP
柬埔寨難民
Peter Kammeier – 南華早報

• Speaking Out

Geoffrey A. Fowler & Jason Dean – ANSI
發言
傅杰、方杰生－亞洲華爾街日報

English-Language Magazine 英文雜誌

Prize 大獎

- **Singapore's 'Warty'**: Chee Soon Jua
Hugo Redal – Far Eastern Economic Review
新加坡的「剷士」徐麟全
Hugo Redal – 遠東經濟評論
- **Seeds of Fury**
Hannah Beech – Time
憤怒的種子
Hannah Beech – 時代週刊亞洲版

Merit 優異獎

- **Enemies of the States**
Hannah Beech – Time
美國的敵人
Hannah Beech – 時代週刊亞洲版

• Long Walk To Freedom

Bill Powell – Time Asia
漫長自由路
Bill Powell – 時代週刊亞洲版

• China: Selling Out The Family Farm

Benjamin Robertson – Far Eastern Economic Review
中國：出售家庭農地
Benjamin Robertson – 遠東經濟評論

• Finding China's Missing Farmers

William MacNamara – Far Eastern Economic Review
尋找中國的失蹤農民
William MacNamara – 遠東經濟評論

English-Language Commentary and Analysis
英文評論及分析

Prize 大獎

- **Vietnam's Hostages**
Mary Kwool – ANSI
越南的人質
麥麗－亞洲華爾街日報

• Child Labor

Anelia Gentleman – International Herald Tribune
童工
Anelia Gentleman – 國際先驅論壇報

Merit 優異獎

- **China's Shadow Censor Commissioners**
David Bandurski & Lin Hui – Far Eastern Economic Review
中國的影子審查委員
David Bandurski & Lin Hui – 遠東經濟評論

• China's Legal Reform

Jerome Cohen – Far Eastern Economic Review
中國的法律改革
柯尊－遠東經濟評論

• Upholding public order

Zama Coursen-Neff – Far Eastern Economic Review
維護公共秩序
Zama Coursen-Neff – 遠東經濟評論

English-Language Cartoons 英文漫畫

Prize 大獎

- **Organ Failure & Kanga-Rose**
Gavin Coates – The Standard
器官死亡
Gavin Coates – 英文虎報

Merit 優異獎

- **Religious Freedom In Chain**
Henry Wang – SCMP
鎖在鏈中的宗教自由
黃志興－南華早報

English-Language Radio 英文電台

Prize 大獎

- **China Direct Land**
Luis Ramirez – Voice of America
中國的點農土地
Luis Ramirez – 美國之音

Merit 優異獎

- **Cambodia Human Rights**
Guy DeLauney – BBC
柬埔寨人權報導
Guy DeLauney – 英國廣播公司

English-Language Television 英文電視

Prize 大獎

- **Burma: Torture**
Andrew Harding – BBC
緬甸的酷刑
Andrew Harding – 英國廣播公司

Merit 優異獎

- **Rights Wrangle**
Christopher George Lincoln – TVB Pearl
權利的爭論
Christopher George Lincoln – 無線電視明珠台

• Cambodia Tribunal

Joe Kaniz – Star TV
柬埔寨法庭
Joe Kaniz – 星空傳媒

Special Award 特別獎項

- **For Commissioning Human Right Stories**
Far Eastern Economic Review
人權故事
遠東經濟評論

CHINESE-LANGUAGE CATEGORIES 中文組別

• *Chinese-Language Newspaper, General News*
中文報章（一般新聞）

Prize 大獎

- **Indignation over Ching Cheong's conviction on spying charges**
Wing Tsang-wing, Chow Chin-hung, Lau Tsai-yank, Ho Ming-chu – Ming Pao
經簡耀輝謀殺呼冤
王爭儀、周展鴻、謝翠欣、黃明秋－明報

Merit 優異獎

- **Wrestapping Bill: a more severe damage than Article 23**
Chow Chin-kang, Ku Ming-chu, Phyllis Tsang & Low Wing-chung – Ming Pao
截斷倒破壞不下廿三條
周展鴻、黃明秋、曾鈺雯、羅永聰－明報

Chinese-Language Newspapers, Feature
中文報章（特寫）

Prize 大獎

- **New contract terms at Food & Health Department: lower wages and more hardship for cleaners**
Wai Ka-yin – Sing Tao
食環署新的「清潔工加辛減薪」
衛凱欣－星島日報

Merit 優異獎

- **A long hot summer in Tung Chung / walked city**
Wu Kwok-yan – Ming Pao
東涌暑假太漫長／圍城
胡耀斌－明報

• Hearing-impaired's struggle for readable

voices
Wai Ka-yin – Sing Tao Daily
聾士動靜看得到的艱難
衛凱欣－星島日報

Chinese-Language Magazines 中文雜誌

Prize 大獎

- **Our peasant workers**
Chan Hui-ka – Ming Pao Weekly
我們的農民工
陳煥發－明報周刊

Merit 優異獎

- **Working poor**
Tung Tsz-kan, Fiona Shek – Oxfam "Mokung"
在殘貧窮中艱難
董志強、石海蘭、樂施會《無窮》

- **Rigid school rules suffocate students' voices**
Alice Tang, Ada Wang, Emily Li, Tammy Tse – U Best Magazine
校規過嚴成窒息兒 學生意見有誰聽
潘凱諾、黃碧雅、李佩儀、謝麗霞－大學線月刊

• Report on Shanxi's crackdown

Liu Xiao-bo – Open Magazine
山西血案始末與評議
劉曉波－開放雜誌

Chinese-Language Commentary and Analysis
中文評論及分析

Merit 優異獎

- **Pentaprisim**
Lau Ka-ye – RTHK
五條鎖公民廣場
劉卓輝－香港電台

Chinese-Language Radio 中文電台

Prize 大獎

- **Brutal suppression of rights-defending villagers in Shanxi**
Ding Xiao – Radio Free Asia
山西開槍鎮壓組織村民
丁曉(丁小)－自由亞洲電台

Merit 優異獎

- **Manjied for women in Hong Kong**
Yip Koon-lan – RTHK
香港的女性清真寺
葉冠嫻－香港電台

- **Gao Zhisheng being beaten by plainclothesmen**
(RFA special report)
Ding Xiao – Radio Free Asia
高智晟被便衣毆打(自由亞洲電台專訪)
丁曉(丁小)－自由亞洲電台

• Field report on the killings in Dongzhou

Shawnei
James Zhu – Radio Free Asia
汕尾東洲槍殺事件實地採訪
朱吉清(特約)－自由亞洲電台

Chinese-Language Television 中文電視

Prize 大獎

- **Justice Crusader**
Chan Po-wah – Cable TV
中區總督推動
陳啟華－有線電視

Merit 優異獎

- **Bare to face our sin?**
Wai Lik-hank, Hu Jie – Cable TV
赤點根源
伍力漢、胡傑－有線電視

- **Hong Kong Connection: We Grant No Asylum**
Eddie Ho – RTHK
縱橫集：此地不留人
何志榮 – 香港電台

Chinese-Language Cartoons 中文諷刺

- **Merit 優異獎**
- **Spying charges**
Zurui – Apple Daily
間諜罪
蘇子 – 蘋果日報

Photography Categories 新聞攝影

- **Prize 大獎**
- **WTO**
Martin Chan – SCMP
世界會議
陳國祥 – 南華早報

- **Merit 優異獎**
- **ICU overcrowded by sick babies from the mainland**
CHUN Ping-on – East Week
內地病嬰塞滿ICU
曾平安 – 東周刊

- **Child with facial burns rejected by school**
TSANG Hsi-wah – Apple Daily
傷孩子拒上學被拒校門外
曾國華 – 蘋果日報

- **Asylum seekers have no place to stay**
CHUN Kuk-wai – Ming Pao
港國民地無處容身
梁國偉 – 明報

- **Rebel Territory**
Tomás Van Huysbe – Time Asia
叛亂地帶
Tomás Van Huysbe – 時代週刊亞洲版

- **The War For China's Soul**
Nelson Ching / Sipa – Time Asia
為中國的靈魂而戰
Nelson Ching / Sipa – 時代週刊亞洲版

- **The Defense Rents**
John Kwok – EyePress News

- 被告休息
劉國權 – 亞洲圖片新聞社

- **Classroom For One**
Seck Wu – EyePress News
一個人的課堂
吳卓 – 亞洲圖片新聞社

- **Right of abuse seekers protesting outside CGO to demand family reunion**
Ricky Chang – SCMP
虐待權人士在政府總部門外示威爭取重聚
區樂賢
區偉光 – 南華早報

- **Ching Cheong**
Vincent Yu – The Associated Press
收賄
余德謙 – 美聯社

- **Leprasy**
Steve Gray – SCMP
麻瘋病
Steve Gray – 南華早報

Winning Entries of the 2007 Human Rights Press Awards
二〇〇七年人權新聞獎得獎名單

ENGLISH-LANGUAGE CATEGORIES 英文類別

- **English-Language Newspaper, General News**
英文報章 (一般新聞)

- **Prize 大獎**
- **Xiamen Series**
Didi Kirsten Tattlow & Joey Liu – SCMP
廈門系列
Didi Kirsten Tattlow & Joey Liu – 南華早報

- **Merit 優異獎**
- **Congress Crackdown**
Didi Kirsten Tattlow – SCMP
因商會而來的鎮壓
Didi Kirsten Tattlow – 南華早報

- **Myanmar Crackdown**
Seth Mydans & Thomas Fuller – International Herald Tribune
緬甸的鎮壓
Seth Mydans & Thomas Fuller –
國際先驅論壇報

- **English-Language Newspaper, Features**
英文報章(特寫)

- **Prize 大獎**
- **Inside Myanmar**
Chae Sang-Hun – International Herald Tribune
緬甸之內
Chae Sang-Hun – 國際先驅論壇報

- **Merit 優異獎**
- **Ragpickers Want Pay Not Gloves**
Annelia Gentleman – International Herald Tribune
拾荒者要的是錢不是手套
Annelia Gentleman – 國際先驅論壇報

- **China's Three Gorges**
Shui Ocker – ANSI
中國三峽
Shui Ocker – 亞洲華爾街日報

- **Castle Down**
Yaroslav Todorov – ANSI
雅爾羅維制度
Yaroslav Todorov – 亞洲華爾街日報

English-Language Magazine 英文雜誌

- **Prize 大獎**
- **A Rangoon Diary: Burmese Days**
Andrew Marshall – Time Asia
仰光日記：緬甸歲月
Andrew Marshall – 時代週刊亞洲版
- **Out of Order**
Simon Elegant – Time Asia
失蹤
Simon Elegant – 時代週刊亞洲版

- **Merit 優異獎**
- **Lost Boys & The Vanishing**
Richard Jones – Post Magazine
失蹤的男孩及神祕失蹤
Richard Jones – 南華早報雜誌

- **Philippines Fights Leftists, Fair or Foul**
Simon Montlake – Far Eastern Economic Review
菲律賓打擊左派，公平與否
Simon Montlake – 遠東經濟評論

- **Lonthe Thy Neighbour**
Jo Johnson – Financial Times
厭惡的鄰居
Jo Johnson – 金融時報

English-Language Commentary and Analysis
英文評論及分析

- **Prize 大獎**
- **Pulling the Strings of China's Internet**
David Bandurski –
Far Eastern Economic Review
中國網絡的事後拉線
David Bandurski – 遠東經濟評論

- **Merit 優異獎**
- **China Mocks the Olympic Spirit**
Wu'er Kaixi – Far Eastern Economic Review
中國嘲弄奧運精神
吾與開希 – 遠東經濟評論

- **A dismal side of India**
Annelia Gentleman – International Herald Tribune
印度悲衰的一面
Annelia Gentleman – 國際先驅論壇報

- **Vietnamese government's crackdown on block "B408"**
Joseph Sternberg – ASNI
越南政府鎮壓「B408六零團」
Joseph Sternberg – 亞洲華爾街日報

English-Language Online Publication
英文網上刊物

- **Prize 大獎**
- **Citizens of Nowhere**
Seth Mydans – International Herald Tribune
無國之民
Seth Mydans – 國際先驅論壇報

English-Language Radio 英文電台

- **Prize 大獎**
- **Japanese Justice**
Christopher Hogg – BBC
日本的司法制度
Christopher Hogg – 英國廣播公司

- **Merit 優異獎**
- **Informal School Fees**
Guy De Launay – BBC
非正式的學校收費
Guy De Launay – 英國廣播公司

English-Language Television 英文電視

- **Prize 大獎**
- **The Pearl Report: Unpunished, Unresolved**
Chris Lincoln – TBS
明珠檔案：未受處罰的，未解決的
Chris Lincoln – 無線電視

- **Merit 優異獎**
- **North Korea / Forgotten Seven**
Sehn Jie Ae – CNN
北韓 / 被遺忘的七人
Sehn Jie Ae – 美國有線電視新聞網

- **Philippines Trafficking**
Andrew Harding – BBC
菲律賓的人口販賣
Andrew Harding – 英國廣播公司

• **Burma Uprising**
Andrew Harding – BBC
緬甸的起義
Andrew Harding – 英國廣播公司

CHINESE-LANGUAGE CATEGORIES 中文類別
• *Chinese-Language Magazines 中文雜誌*

Merit 優異獎
• **We are the "petty right-wings"**
范一毛 – Open Magazine
我們這些小右派
范一毛 – 開放雜誌

Chinese-Language Radio 中文電台

Prize 大獎
• **A number of pregnant women are forced to undergo abortion in Guangxi**
Fung Pui Shan – Radio Free Asia
廣西多名孕婦被強制墮胎
馮佩珊 (周日盛) – 自由亞洲電台

Chinese-Language Television 中文電視

Prize 大獎
• **Defending Justice in China**
Poon Tat Pui – RTHK
扣毒膠被踢開的中國律師
潘達沛 – 香港電台

Merit 優異獎
• **New Vision: The headscarf Weighing Tons**
Yung Yuet Fan – RTHK
我是地球兒：一切從頭巾開始
楊月芬 – 香港電台

• **New Vision: Thirst**
Lui Lok – RTHK
我是地球兒：渴
呂樂 – 香港電台

• **Media Watch: Silent Spiral and Red through Half The Sky**
Tsz Lai Kung – RTHK
傳媒春秋：十年回顧系列之沉默的螺旋及紅燈半邊天
岑麗容 – 香港電台

• **Hong Kong Connection: Doctor of Love/ AIDS**
Hui Siu Fan & Wong Yuet Mai – TVB
新聞透視：愛之醫生
許少芬、黃佩曼 – 無線電視

Photography Categories 新聞攝影
• *Spot News 突發*

Prize 大獎
• **Democracy in Bangladesh**
Jewel Samad – AFP
孟加拉的民主
Jewel Samad – 法新社

Feature 特寫

Prize 大獎
• **Last Boys / The Vanishing**
Richard Jones – Post Magazine
失蹤的男孩 / 神秘失蹤
Richard Jones – 南華早報雜誌

Merit 優異獎
• **Street performers**
Goh Chai Him – AFP
街頭賣藝者
Goh Chai Him – 法新社

• **Metal workers' protest**
Oliver Tsang – SCMP
扎鐵工人的抗爭
Oliver Tsang – 南華早報

• **Moved out**
Ricki Chung – SCMP
搬遷
鍾德光 – 南華早報

• **Life at Zhen Sheng**
Ricki Chung – SCMP
在正生的生活
鍾德光 – 南華早報

• **From Ladies of Molten Metal**
J Adam Huggins
International Herald Tribune
從熔爐金屬開始
J Adam Huggins – 南華早報

• **Citizens of Nowhere**
Greg Constantine – International Herald Tribune
無國之民
Greg Constantine – 國際先驅論壇報

• **Ethnic Hmong in Jungles**
Tomas Van Houtrye – International Herald Tribune
森林裡的苗族
Tomas Van Houtrye – 國際先驅論壇報

Winning Entries of the 2008 Human Rights Press Awards
二〇〇八年人權新聞獎得獎名單

ENGLISH-LANGUAGE CATEGORIES 英文類別

• *English-Language Newspaper, General News 英文報章 (一般新聞)*

Prize 大獎
• **Myanmar: Where paranoia costs lives**
Greg Torode – SCMP
緬甸：猜忌奪去性命
Greg Torode – 南華早報

• **Myanmar: The survivors' struggle**
Greg Torode – SCMP
緬甸：生還者的鬥爭
Greg Torode – 南華早報

Merit 優異獎
• **Stifling protest**
Andrew Jacobs – International Herald Tribune
打壓示威
Andrew Jacobs – 國際先驅論壇報

• **Months later, Xinjiang "terror" raid remains a mystery**
Dax Martin – AFP
數月過後，新疆「恐怖」襲擊仍是個謎
Dax Martin – 法新社

• **China dissident Zeng says she wants to speak out despite fear**
Marianne Bariaux – AFP
中國異見人士曾金燕即使恐懼仍想發聲
Marianne Bariaux – 法新社

English-Language Newspaper, Features 英文報章(特寫)

Merit 優異獎
• **Chains or Drugs: Treatment for Afghanistan's mentally ill**
Thibault Malterre – AFP
鎖鏈或藥物：阿富汗精神病人的治療
Thibault Malterre – 法新社

English-Language Magazine 英文雜誌

Prize 大獎
• **A matter of faith**
Ayn Baker – Time Asia
信仰的事
Ayn Baker – 時代週刊亞洲版

• **One-way traffic: China's black market in abducted girls**
Richard Jones – Sinopix Photo Agency Limited
單向交通：中國被擄女孩地下市場
Richard Jones – Sinopix 圖片社

• **Birth Rights: Challenging the injustice of China's one-child policy**
Richard Jones – Sinopix Photo Agency Limited
生育權：挑戰中國一孩政策之不公
Richard Jones – Sinopix 圖片社

Merit 優異獎
• **In China's Wild West**
Simon Elegant – Time Asia
在中國荒涼的西部
Simon Elegant – 時代週刊亞洲版

• **Saving Burma**
Hannah Beech – Time Asia
救救緬甸
Hannah Beech – 時代週刊亞洲版

English-Language Commentary and Analysis 英文評論及分析

Merit 優異獎
• **Thot's legal right to autonomy**
Paul Harris – The Far Eastern Economic Review
西藏獨立的法定權利
Paul Harris – 遠東經濟評論

English-Language Online Publication 英文網上刊物

Merit 優異獎
• **Death in childbirth: Scourge for Afghanistan**
Tan Eu Lyn – Reuters
難產致死：阿富汗的災禍
Tan Eu Lyn – 路透社

• **Malaysia's Authoritarian Resurgence**
Richard Kraince – The Far Eastern Economic Review
馬來西亞之獨裁再興
Richard Kraince – 遠東經濟評論

• **Tibetans' uncertain future in Nepal**
Mary B. Markey – The Far Eastern Economic Review
藏人在尼泊爾的飄蕩前景
Mary B. Markey – 遠東經濟評論

• **Bangladesh: Rape case medical report called false**
Salim Ma – Compass Direct News
孟加拉：強姦案件醫療報告作假
Salim Ma – Compass Direct News

English-Language Cartoons 英文諷刺

Prize 大獎
• **For a body of works**
Harry Harrison – Freelance Cartoonist
一系列作品
Harry Harrison – 自由插畫家

Merit 優異獎
• **Triumph and Adversity**
Wilson Tsang – SCMP
勝利與逆境
Wilson Tsang – 南華早報

English-Language Radio 英文電台

Merit 優異獎
• **Parents blame Chinese officials for school collapse**
Louisa Lim – National Public Radio
家長責中國官員致學校倒塌
Louisa Lim – 美國國家公共廣播電台

English-Language Television 英文電視

Prize 大獎
• **On the border**
Lee Hark Joon – Chosunbo Daily
在邊界
Lee Hark Joon – 朝鮮日報

Merit 優異獎

- **The Pearl Report: The problem with poverty**
Tracy Farniss & Elmy Lung – TV9
明珠檔案：貧窮問題
Tracy Farniss – Elmy Lung – 無線電視
- **The Pulse: Hong Kong Olympic torch relay protest**
Lethin Ng – RTHK
脈搏：香港奧運聖火傳遞示威
伍立榮 – 香港電台

CHINESE-LANGUAGE CATEGORIES 中文類別

–

Chinese-Language Newspaper, General News
中文報章 (一般新聞)

Prize 大獎

- **Lin Xiaobo and signers of Charter 08 suppressed**
China Desk – Apple Daily
學者聯署《零八憲章》聯中共軍改遭打壓劉曉波被拘公安抄家
中國組 – 蘋果日報

Merit 優異獎

- **Police bring heavy charges**
Lui Tsz Lok – Apple Daily
警員重控打死示威者
雷子樂 – 蘋果日報
- **Obscene and Indecent Article challenged**
Lee Wing Chung – Ming Pao
淫褻條例被挑戰褻褻法機構告錯人
羅永雄 – 明報

Chinese-Language Newspapers, Feature
中文報章 (特寫)

Prize 大獎

- **Series: Remembering Tin Shui Wai tragedy**
Lui Tsz Lok – Apple Daily
天水圍慘案慘劇一周年系列
雷子樂 – 蘋果日報

Merit 優異獎

- **Violence against human rights protest**
Lui Tsz Lok, Wong Wai Chun, Lo Man Lit & Kon Ming-Ton – Apple Daily
暴力阻人集會示威民憤青踐踏言論自由
雷子樂、黃偉駿、盧文烈、關明廷 – 蘋果日報
- **HKU student demonstrates with self-made Tibetan flag**
Lui Tsz Lok – Apple Daily
抗議傳聖火村藏網民加入港大女生自製西藏旗子示威
雷子樂 – 蘋果日報

Chinese-Language Magazines 中文雜誌

Merit 優異獎

- **Special feature: Olympics under curfew**
Yu King, Ho Siu & Tsz Wing-Mui – Open Magazine
專題：戒嚴下的奧運
許行、博多、蔡詠梅 – 開放雜誌

Chinese-Language Cartoons 中文漫畫

Prize 大獎

- **Waiting for your vote**
Zun Zi – Apple Daily
等待一票
尊子 – 蘋果日報

Chinese-Language Radio 中文電台

Prize 大獎

- **Yellow ribbon in the air**
Li Wu Ling – Commercial Radio
繫上黃絲帶
李麗玲 – 商業電台

Merit 優異獎

- **He Ja remains in detention**
Lee Nga-Yan – ITHEK
訪港被拘黨人被軟禁
劉雅欣 – 香港電台

Chinese-Language Television 中文電視

Prize 大獎

- **30 years of reform: There's no turning back**
Hu Su Fan – TVB
變革三十年：不走回頭路
許少芬 – 無線電視

Merit 優異獎

- **Police power vs. civil rights**
Lu King Wai – Cable TV
警權民權
盧敬華 – 有線電視

- **Natural disaster or man-made disaster? U & I**
Lui Ping Kuen – Cable TV
天災人禍 (上、下)
呂秉權 – 有線電視

- **30 years of reform: A new look China**
Pang Kai Kwong – RTHK
改革開放三十年系列：中國新面貌之變
我青山綠水
彭敬光 – 香港電台

- **Hong Kong Connection: Tough life under rising inflation**
Fong Hui Shun – RTHK
經國策 – 加稅點生活難
方曉山 – 香港電台

- **Hong Kong Connection: Sex work is also a job**
Kwong Chai Kuen – RTHK
經國策 – 性工作也是工作
關翠珊 – 香港電台

Photography Categories 新聞攝影

Prize 大獎

- **India's hijras spread safe-sex message in life or death AIDS fight**
Pedro Ugarte – AFP
印度跨性別人士宣傳安全性行為訊息 – 生死存亡之愛滋戰鬥爭
Pedro Ugarte – 法新社

Merit 優異獎

- **Carried away**
Lee Shiu Cheong – Ming Pao
拋走
李紹基 – 明報

- **Deep resentment**
Lee Shiu Cheong – Ming Pao
氣憤難平
李紹基 – 明報

- **Crying out loud for work-related death**
Lee Shiu Cheong – Ming Pao
為工傷鳴冤
李紹基 – 明報

- **Crying for help**
Chau Shun Ren – Ming Pao
求救
章仲賢 – 明報

- **Nearly squashed**
Lau Chun Tung – Ming Pao
險成肉醬
廖振東 – 明報

- **Alfredo's Death**
Bay Itompo – AFP
阿爾弗雷多之死
Bay Itompo – 法新社

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ENGLISH-LANGUAGE CATEGORIES 英文組別

–

English-Language Newspapers, General News
英文報章 (一般新聞)

Prize 大獎

- **Thailand's Secret Refugees**
SCMP 12AM, Ron Moran, Chulima Sidisathian, Maveeh Fahman, Ian Young & Greg Torode – SCMP
泰國的秘匿難民
羅恩·莫蘭、艾倫·楊、朱利瑪·西迪沙田、馬維·法曼、伊恩·楊、格雷·托德 – 南華早報

- **20 Years On From Tiananmen**
Albert Wong, Eva Wu & Vivian Wu – SCMP
天安門事件二十週年
Albert Wong – Eva Wu – Vivian Wu – 南華早報

Special prize 特別大獎

- **A body of work from AFP on Afghanistan and Pakistan**
International Herald Tribune
精闢老道的大攝影
Carlos H. Conde – 國際先驅論壇報

- **Confronting a Chilling Past in Korea**
Chae Sang-Hun – International Herald Tribune
面對韓國的過去
Chae Sang-Hun – 國際先驅論壇報

- **Human's Stricken Village**
He Huiheng & Shi Jiangling – SCMP
湖南災村
何慧恆、史江瀾 – 南華早報

- **The Mainland Public Defenders Who Want to Reform the System**
Mark O'Neill – SCMP
為內地大眾服務的辯護律師冀改革政治制度
Mark O'Neill – 南華早報

English-Language Newspapers, Features
英文報章 (特寫)

Prize 大獎

- **One Year On the Sichuan Earthquake**
Raymond Li & Ai Guo – SCMP
四川地震一年後
Raymond Li – Ai Guo – 南華早報

Merit 優異獎

- **A People Ignored**
Paul Mooney – SCMP

被忽略的人
Paul Mooney – 南華早報

- **China's Forced Abortions**
James Pountrel – Reuters
中國代人生子婦女被迫墮胎
James Pountrel – 路透社

- **20 Years On From Tiananmen**
Albert Wong, Eva Wu & Vivian Wu – SCMP
天安門事件二十週年
Albert Wong – Eva Wu – Vivian Wu – 南華早報

Special prize 特別大獎

- **A body of work from AFP on Afghanistan and Pakistan**
International Herald Tribune
精闢老道的大攝影
Carlos H. Conde – 國際先驅論壇報

- **Pakistan's Christian Fear more Extremist Attacks**
Khawar Shafiq
巴基斯坦基督徒擔心極端分子襲擊
Khawar Shafiq

- **Alghan Singer's New Refrain is a Call for Freedom**
Sarder Ahmad
阿富汗歌手新曲出對自由的嚮往
Sarder Ahmad

- **Pakistan Couple Married for Love, Hiding in Fear of Tribal Justice**
Hasan Manzoor
巴基斯坦夫婦為愛結合
Hasan Manzoor

- **Alghan Threats Mean Empty Ballot Boxes**
Emmanuel Dapang
阿富汗的威脅意味票倉空置
Emmanuel Dapang

- **Artists Flea Pakistan's Sacred Valley to Escape Fanatics' Threat**
Hasan Manzoor
巴基斯坦藝術家為逃避極端自治組織威脅逃離聖瓦特山谷
Hasan Manzoor

English-Language Magazine 英文雜誌

Prize 大獎

- **The Last Boys**
Paul Mooney – SCMP

失落的男孩 Paul Money – 南華早報 Merit 優異獎 Interview: Gao Xingjian Didi Kirsten Tadow – Asia Literary Review 高行健訪問 Didi Kirsten Tadow – Asia Literary Review • Human Resource Simon Parry – Post Magazine 人力資源 Simon Parry – 南華早報雜誌
<i>English-Language Commentary and Analysis</i> 英文評論及分析 Merit 優異獎 Shock and Awe in Myanmar's 'diplomacy' Greg Tonde – SCMP 對缅甸「外交」的震懾 Greg Tonde – 南華早報 Face Up to Tragedy as Nation can Move On Ramon Odium – SCMP 面對悲劇 讓國家繼續前進 Ramon Odium – 南華早報

<i>English-Language Cartoons</i> 英文漫畫 Special Prize 特別大獎 For a body of work Harry Harrison – SCMP Harry Harrison的多幅漫畫 Harry Harrison – 南華早報

<i>English-Language Radio</i> 英文電台 Special Prize 特別大獎 For a body of work Louisa Lim – NPR Louisa Lim的兩個電台新聞報導 Louisa Lim – 全國公共廣播電台 Merit 優異獎 Better City? Better Move! On Shanghai Anthony Gormain – CBC 上海市民因世博被迫遷 Anthony Gormain – 加拿大廣播公司

<i>English-Language Television</i> 英文電視 Prize 大獎 Kidnapped Adrian Brown – SBS 中國被綁架的兒童 Adrian Brown – 澳洲特殊廣播服務 Merit 優異獎 China Rough Justice Peter Sharp – Sky News 中國的粗糙公義 Peter Sharp – 天空新聞台 Myanmar's Burgeoning Anniversary Veronica Pedrosa – Al Jazeera 緬甸特設氣旋風暴訪問吉蘭年紀念 Veronica Pedrosa – 半島電視台 China Black Jails Melissa Chan – Al Jazeera 中國的地下監獄 Melissa Chan – 半島電視台 The Cage Dwellers Adrian Brown – SBS 鐵籠居民 Adrian Brown – 澳洲特殊廣播服務 A Forgotten People Dan Rivers – CNN 被遺忘的人 Dan Rivers – 有線電視新聞網 Deadly Dust Renata Reyes – TVS 致命的灰塵 Renata Reyes – 無線電視
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CHINESE-LANGUAGE CATEGORIES 中文組別 <i>Chinese-Language Newspaper, General News</i> <i>中文報章(一般新聞)</i> Prize 大獎 Green Dam Software Blocks Photos of Leaders Kou Zhi Xiang – Ming Pao 綠壩軟件封殺領導人相片 古海雄 – 明報
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Merit 優異獎 21 Liu Xiaobo supporters at La Wai Mainland Security Crosses Borders to Arrest Hong Kong Protesters General Assignment Desk – Apple Daily 廿一市民闖邊境抓劉曉波 公安越境拘港示威 靜惠姐 – 蘋果日報 Eight Instances of Power Abuse/1's Mother: Police will always side with police Lai Yu Lok – Apple Daily 八種官僚保護佢婆 李婉儀母不滿「警察護暴幫警察」 雷子樂 – 蘋果日報

<i>Chinese-Language Newspapers, Feature</i> <i>中文報章(特寫)</i> Prize 大獎 Liu Xiaobo Series China Newswatch – Ming Pao 劉曉波以告入罪系列 中國組 – 明報
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20th Anniversary of the June Fourth Incident Series Sze Ka Man, Chow Chun Hung, Ho So Man & Liu Ying – Ming Pao 六四事件二十周年系列 施嘉雯、周展雄、何素雯、林穎 – 明報

Merit 優異獎 60 Years of Communist Rule in China: The Hong Kong Story 'Then 'Five Black Categories' Sigh at China's Current Situation: Prisoners that Fed Well' & 'From an Illegal Immigrant to a District Councilor' Choy Yuen Kwei & Cheng Ka Man – Apple Daily 中共建政六十年：香港故事 當年黑五類低薪大投訴訴 有飽飯食的監獄及偷渡 關山雷德儀 蔡元寬、張嘉雯 – 蘋果日報 June 4th 20th Anniversary Series: Teacher Refuses to Grade a Student's Drawing Chan Pui Man – Apple Daily 六四 二十年特輯之孩子繪畫賽 老師不打分 陳沛敏 – 蘋果日報

<i>Chinese-Language Magazines</i> 中文雜誌 Prize 大獎 Liu Xiaobo's Dreams Cannot be Imprisoned Zhang Zu Han – Open Magazine 劉曉波的夢想無法禁錮 張祖輝 – 開放雜誌 Merit 優異獎 China's Internet Battle 何雪莉&梁潔利 – Open Magazine 中國互聯網攻防戰 何雪莉、梁潔利 – 開放雜誌 Investigation on the Xinjiang Uyguristan 許行、王力雄 – 開放雜誌 新疆亂亂探索 許行、王力雄 – 開放雜誌

<i>Chinese-Language Radio</i> 中文電台 Prize 大獎 Bullying in High Schools Leung Siu Fai – RTHK 自己人/霸凌：欺凌高校 梁兆輝 – 香港電台 Merit 優異獎 Refusing to Forget One Year After the Disaster Lam Ka Yu – RTHK 災後一年之拒絕遺忘 林慶雄 – 香港電台 Grass Mule Horse Awarded Overseas Chinese Network's Creativity is Recognized Chen Yu Hsin – Radio Free Asia 「草泥馬」海外獲獎創意無限空間 中國網友創意獲肯定 陳毓欣 – 自由亞洲電台 Feng Zhenghu Attracts International Concerns Chen Yu Hsin – Radio Free Asia 馮正虎滯留事件引發國際性廣泛關注 陳毓欣 – 自由亞洲電台

<i>Chinese-Language Television</i> 中文電視 Prize 大獎 The Hot Land Lui Ping Kuen – Cable TV 熱地 呂秉權 – 有線電視 Merit 優異獎 Dangers of the Green Dam Wong Sai Ling – Cable TV 綠壩禍害 黃淑玲 – 有線電視 Headline News Liu Hui Ling, Yick Ming Yan, Chen Nga Ting, Mak Ka Wai & Wu Wing Yan – RTHK 頭條新聞 廖慧玲、易慧欣、陳雅婷、麥嘉瑋、鄒詠恩 – 香港電台 20th Anniversary of the June Fourth Incident - Guarding the last Candlelight Choi Yik Ling, Lee Siu Ma, Tang Nam Fui, Cho Tai Ling & Ma Chim Wai – RTHK 鎮事鎮事:六四事件二十周年,守護最後的燭光 蔡玉玲、徐岱靈、鄧珮芬、李小儀、馬占威 – 香港電台 Fishing Like Law Enforcement Wong Suk Lung – Cable TV 釣魚執法 黃淑玲 – 有線電視

<i>Chinese-Language Cartoons</i> 中文漫畫 Merit 優異獎 Windows and Orphans are not Missed Zuni – Apple Daily 孤寡也不及過 鄧子 – 蘋果日報
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Photography Categories 新聞攝影 <i>Feature 特寫</i> Prize 大獎 Writing Wrongs Violet Law – Post Magazine 寫出冤情 Violet Law – 南華早報雜誌 Pakistan Acid Attack Victim Nicolas Ashouri – AFP 巴基斯坦的腐蝕性液體襲擊受害者 Nicolas Ashouri – 法新社新聞社 Merit 優異獎 How the Green Turns Gray Ganruzzaman – Kshaa 轉綠成灰 Ganruzzaman – 新華社 Korean Unwed Mothers Jean Chung – International Herald Tribune 韓國的未婚媽媽 Jean Chung – 國際先驅論壇報 Coal Miners in China Michael Coyne – Black Star Photo Agency 中國的煤礦工人 Michael Coyne – Black Star Photo Agency Child Labour in Pakistan Nicolas Ashouri – AFP 巴基斯坦的童工 Nicolas Ashouri – 法新社
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<i>Spot News</i> 突發新聞 Prize 大獎 Ethnic Violence in Xinjiang Peter Parks – AFP 新疆的民族暴力 Peter Parks – 法新社 Merit 優異獎 Unrest in Xinjiang Peter Parks – AFP 新疆的動蕩 Peter Parks – 法新社
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Winning Entries of the 2010 Human Rights Press Awards
二〇一〇年人權新聞獎得獎名單

- **Grieving Grandmother**
Frederic J. Brown – AFP
悲傷的祖母
Frederic J. Brown – 法新社
- **No Clearance of Tsai Yuen Tsuen!**
Ma Chuen Shung – Apple Daily
反對清拆梨園村
馬卓然 – 蘋果日報
- **Fight for Human Rights**
Hung Hing Cho – Apple Daily
爭取人權
孔慶基 – 蘋果日報
- **Life in Cage**
Sam Hung – SCMP
在籠裏的生活
曾國榮 – 南華早報
- **Pollution Leaves Its Mark**
K.Y. Cheng – SCMP
污染的痕跡
鄭國賢 – 南華早報
- ENGLISH-LANGUAGE CATEGORIES 英文組別**
- **English-Language Newspaper, General News**
英文報章 (一般新聞)
- Prize 大獎**
- **Wan Yanhai**
Verna Yu – SCMP
愛造教育活讓份子幫延海
余詠慧 – 南華早報
- **Maintain Lawyers**
Ng Tai-Wai – SCMP
中國人權律師面對的危險和挑戰
吳子慧 – 南華早報
- Merit 優異獎**
- **Sex Workers**
He Hui Feng – SCMP
性工作者
何慧芳 – 南華早報
- **Li Peng's Diary**
Staff Reporters – SCMP
李鵬的日記
記者 – 南華早報
- **Foconne Stories**
Monica Chan & Mimi Lau – SCMP
富士康工人的故事
Monica Chan – Mimi Lau – 南華早報
- **War's Toll on Women, Undiscussed**
Wiansara S. Roy –
International World Tribune
婦女在戰爭中的傷亡數字被忽略
Wiansara S. Roy – 國際先驅論壇報
- **Zhao Lianhai Series**
Verna Yu & Priscilla Jiao – SCMP
趙連海系列報導
Verna Yu, Priscilla Jiao – 南華早報
- English-Language Newspaper, Feature*
英文報章 (特寫)
- Prize 大獎**
- **Chain Of Commands**
Paul J. Mooney – SCMP
中國政府在西藏的情報監控
Paul J. Mooney – 南華早報

- **Where is Gao Zhisheng?**
Paul J. Mooney – SCMP
高智晟人在那裡?
Paul J. Mooney – 南華早報
- Merit 優異獎**
- **Death Of a Dream**
David Pilling – Financial Times
劉海賓去世給前僑華人屠殺殺神民主夢
David Pilling – 金融時報
- **The Liu Xiaobo Factor**
Verna Yu – SCMP
劉曉波效應
Verna Yu – 南華早報
- **Aids Action on The Mainland**
Ng Tai-Wai – SCMP
在中國的爱滋病行動
Ng Tai-Wai – 南華早報
- **Women in Afghanistan**
Lyne O'Donnell – AFP
阿富汗婦女的困局
Lyne O'Donnell – 法新社
- **Factory Flawed**
Richard Jones – Post Magazine
如監獄般的富士康廠房
Richard Jones – 南華早報雜誌
- **The Lost Children of Vietnam / Vietnam's stolen children**
Simon Perry – SCMP
失蹤的越南兒童 / 被綁走的越南兒童
Simon Perry – 南華早報
- **Lasting the Plot**
Ivan Broadhead – SCMP
失去中的土地
Ivan Broadhead – 南華早報
- **Nomadic Priest Keeps the Faith Alive**
Paul J. Mooney – SCMP
遊牧教士堅守信念
Paul J. Mooney – 南華早報

- English-Language Magazine 英文雜誌*
- Prize 大獎**
- **Alghan Women and the Return of the Taliban**
Ayn Baker – Time
塔利班重返後阿富汗婦女的處境
Ayn Baker – 時代周刊
- Merit 優異獎**
- **Kashmir's New Warriors**
Jyoti Tetham – Time
克什米爾的新戰士
Jyoti Tetham – 時代週刊
- **Gathering Dust**
Paul J. Mooney – Post Magazine
石橋藏西安
Paul J. Mooney – 南華早報雜誌
- English-Language Television 英文電視*
- Prize 大獎**
- **UNBEST**
Joanna Bergsten – Wayside Production
人權份子遭殺害
Joanna Bergsten – Wayside Production
- **Who'd Be a Petitioner?**
Susan Tort – Blue Ocean Network
誰將會是一個請願者?
Susan Tort – Blue Ocean Network
- Merit 優異獎**
- **An Illegal Pregnancy and a Legal Abortion**
Melissa Chan – Al Jazeera International
非法懷孕與合法墮胎
Melissa Chan – 半岛電視台
- **The Pulse: Police Powers I & II**
Luther Ng – RTHK
脈搏: 警權 I & II
Luther Ng – 香港電台
- **The Pulse: Confrontation at Times Square**
Luther Ng – RTHK
脈搏: 時代廣場上的衝突
Luther Ng – 香港電台
- **The Pearl Report: For the Public Good**
Douglas George – TVB

- 明珠檔案: 為公眾利益**
Douglas George – 無綫電視
- **The Pearl Report: Slave Brides**
Renato Reyes – TVB
明珠檔案: 奴隸新娘
Renato Reyes – 無綫電視
- **Khmer Rouge Victims**
Richard Sargent – AFP
紅色高棉的受害者
Richard Sargent – 法新社
- English-Language Cartoons 英文漫畫*
- Merit 優異獎**
- **Tainted Milk**
Harry Harrison – SCMP
毒奶粉
Harry Harrison – 南華早報
- **Madman**
Harry Harrison – SCMP
瘋人
Harry Harrison – 南華早報
- English-Language online news*
英文網上新聞
- Prize 大獎**
- **Myanmar Elections Multimedia Project**
Patrick Barta & WSJ staff – WSJ
緬甸大選多媒體報導
Patrick Barta – 華爾街日報職員 –
華爾街日報
- Merit 優異獎**
- **China's Crackdown on Dissent Ahead of Nobel Ceremony**
Steven Jiang – CNN
諾貝爾頒獎禮前夕中國政府鎮壓異見
份子
Steven Jiang – 美國有線電視新聞網
- **China's Unlikely Gay Hero**
Steven Jiang – CNN
中國非一般的同志英雄
Steven Jiang – 美國有線電視新聞網
- CHINESE-LANGUAGE CATEGORIES 中文組別**
- **Chinese-Language Newspapers, General News**
中文報章(一般新聞)
- Prize 大獎**
- **2nd Anniversary of the Sichuan province earthquake series**
Chun Shan Kiu, Cheung Ngai Tin, Pang Piu Shan, Ho Ka Man & Fung Lok Lam – Ming Pao
川震兩周年系列
覃統健、彭慧軒、張岳凌、何嘉敏、
馮國琳 – 明報
- Merit 優異獎**
- **Beijing Suppresses June 4 blogs**
Sze Ho Man & Chun Shan Kiu – Ming Pao
微博鎮壓六四言論
謝嘉堂、覃統健 – 明報
- Chinese-Language Newspapers, Feature*
中文報章 (特寫)
- Merit 優異獎**
- **External Review Article of Amina Bokhary Case: more than 50 % unprofessional prosecution from the Department of Justice**
Chan Kok Ming & Chan Ron Sing – HKI
包佐文案審外紀: 律政司「非專業檢控逾半」
陳冠明、陳朗昇 – 信報
- **Political reform duo accused of Correctional Department gambling**
Lui Tui Lok – Apple Daily
梁改雙控出獄大賭場
雷子樂 – 蘋果日報
- **Hong Kong Government Bars Entry of Cuban Spouse**
Law Wing Chung – Ming Pao
港拒古巴移民配偶入境
羅永聰 – 明報
- Chinese-Language Magazines 中文雜誌*
- Merit 優異獎**
- **2010 Man of the Year Liu Xiaobo global ban**
Choi Chuen Wai & Yu Chi Win – Next Magazine
二〇一〇年風雲人物劉曉波 全球封殺
蔡偉成、姚智賢 – 壹周刊

Winning Entries of the 2011 Human Rights Press Awards
二〇一一年人權新聞獎得獎名單

Chinese-Language Radio 中文電台

- Merit 優異獎**
- **Shenzhen Daya Bay Nuclear Incident Series**
Dany Leung, Sandy Fung & Grace Leung – Radio Free Asia
深圳大亞灣核洩漏系列
李蔚、高日攝、趙麗恩 – 自由亞洲電台
 - **Petitioners Locked Up in Mental Hospital**
Siu Chiu Yee – Radio Free Asia
被關在精神醫院的訪民
海龍 (攝報攝) – 自由亞洲電台
 - **The Wives of Activists**
Chan Mei Ling – RTHK
港權人士背後的女人
陳妙玲 – 香港電台
 - **New Era of Social Movement, The Strikaf/**
Decoding the Trend of Social Movement
Chee Man Tai & Chu Sik Kwan – RTHK
社運新世代：衝擊背後 / 解構社運新形勢
周文泰、朱紹容 – 香港電台

Chinese-Language Television 中文電視

- Prize 大獎**
- **Hong Kong Connection**I have no enemy – Eric Poon – RTHK
縱橫集：我沒有敵人 – 劉曉波
潘達怡 – 香港電台
 - **Election of Functional Constituency Series**
Koo Zhi Xiong – Cable TV
功能組別選舉系列
古治雄 – 有線電視
 - **China Internet Power**
Cable TV China Desk – Cable TV
神州穿梭《神州網絡力量》
有線新聞中國組 – 有線電視

- Merit 優異獎**
- **Behind Flourishing**
Lai Ping Kuen & Ng Chi Man – Cable TV
盛世背後
呂卓權、吳子敏 – 有線電視

- **Banks refuse Pakistani-Hong Kong citizen to open account**
Yim Man Koi – Cable TV
銀行拒巴籍港人開戶
嚴敏儀 – 有線電視
- **Hong Kong Connection: Alarm**
Kwong Choi Kuen – RTHK
縱橫集：警報
關翠珊 – 香港電台
- **A bitter way to be a transsexual**
Chiu Kin Shing – Cable TV
變性苦路
游健成 – 有線電視

Photography Categories 新聞攝影

Feature 特寫

- Prize 大獎**
- **Manila's poor live on tombs in a graveyard**
Chan Wei – Ming Pao
生活在墓穴中的馬尼拉貧民
盧偉 – 明報

- Bangkok Crackdown**
Nicolas Adjuik – AFP
泰國軍警武力鎮壓反政府示威者
Nicolas Adjuik – 法新社

- Merit 優異獎**
- **No Bridge For Myanmar's Forgotten People**
Greg Constantine – International Herald Tribune
被遺忘的緬甸人沒有橋身之所
Greg Constantine – 國際先驅論壇報

- **Fighting For Their Rights**
Bay Isomgo – AFP
為權利而戰
Bay Isomgo – 法新社

Spot News 突發新聞

- Prize 大獎**
- **Pray for Blessing Denied**
Ho Ka Tat – Ming Pao
祈禱被拒
何家達 – 明報

- Merit 優異獎**
- **Heartbroken parents cry for suicidal son outside Fescam factory**
Lum Chun Hong – Ming Pao
富士康員工奔向斯父母家外跪地痛哭
林振東 – 明報

- **Teacher says, "I must have a right to vote for the election of chief executive"**
Hung Hing Cho – Apple Daily
老師：我有權選特首
孔慶初 – 蘋果日報

- **The supporters of "Act Now" and "All Wrong" were the compelling shouts**
Yu Chien Leung – Ming Pao
應援年月大聖公與大賊「起經」的示威者門大聲
余俊英 – 明報

- **Chinese University teachers, students welcome the "Goddess of Democracy" in an upsurge of emotion**
Yu Chun Leung – Ming Pao
中大師生迎民主女神像情緒高漲
余俊英 – 明報

- **Visually impaired disabled students finally experience the magic of art**
Wong Kwan Web – Apple Daily
視障殘疾學生終能親身感受藝術的魔力
黃冠華 – 蘋果日報

- **The Real Toy Story**
Richard Jones – Sunday Mirror
‘反斗奇兵’的背後
Richard Jones – 星期日鏡報

- **Qinghai Earthquake**
Lam Yik Fei – Next Magazine
青海地震
林亦華 – 壹周刊

- **A policeman confronts a child protester in Dhaka**
Mune Uzzaman – AFP
一名達卡警員正追打一名參與示威的兒童
Mune Uzzaman – 法新社

ENGLISH-LANGUAGE CATEGORIES 英文類別

- **English-Language Newspaper, General News**
英文報章 (一般新聞)

- Prize 大獎**
- **Touchstone of Freedom Series, Test of Faith Series & HUMAN'S Ordeal Serie**
Verna Yu – SCMP
自由試金石系列、測試信心系列、「胡佳受審」系列
余汝恩 – 南華早報

- Merit 優異獎**
- **Myanmar's New Dawn**
Ong Tondie – SCMP
緬甸新的黎明
Ong Tondie – 南華早報

- **Making People Vanish Series**
Ng Tia Wei – SCMP
被失蹤系列
吳子慧 – 南華早報

English-Language Newspaper, Feature 英文報章 (特寫)

- Prize 大獎**
- **Beyond Belief, Silence of the Dissidents, Darkness of Noon, Dangerous Element**
Paul Mooney – SCMP
信心以外、異見人士的沉默、午間漆黑、危險元素
Paul Mooney – 南華早報

- Merit 優異獎**
- **Unhealed Wounds in Thailand**
Thomas Fuller – International Herald Tribune
泰國不能痊癒的傷口
Thomas Fuller – 國際先驅論壇報

English-Language Magazine 英文雜誌

- Prize 大獎**
- **Justifying Murder for Those Who Blaspheme**
Ayn Baker – Time
教漢之名合理化謀殺
Ayn Baker – 時代周刊

- **Burning Desire for Freedom**
Hannah Beach – Time
追求自由的火熱渴求
Hannah Beach – 時代周刊

- Merit 優異獎**
- **Curses of the Rare Earths**
Simon Parry – Post Magazine
被咒詛的稀有土地
Simon Parry – 南華早報雜誌

English-Language Commentary and Analysis 英文評論及分析

- Merit 優異獎**
- **Unaccounted and Invisible in Delhi**
Niranjana S. Roy – International Herald Tribune
德里不被計算及隱形的
Niranjana S. Roy – 國際先驅論壇報

- **The Other Indonesia**
Emily Rauhala – Time
另一個印尼
Emily Rauhala – 時代週刊

English-Language online news 英文網上新聞

- Prize 大獎**
- **Human Trafficking and Modern Slavery**
Online Videospheres – Radio Free Asia
人口販賣及現代奴隸
網上特集製作者 – 自由亞洲電台

- Merit 優異獎**
- **Psychiatric Detention of Dissident**
Bill Smith (Bill Alan)
異見人士的精神病拘留
Bill Smith (Bill Alan)

English-Language Television 英文電視

- Merit 優異獎**
- **Beisged Chinese Village**
Louisa Lim – NPR
被圍困的中國村莊
Louisa Lim – 全國公共廣播電台

English-Language Television 英文電視

- Prize 大獎**
- **Nepal's Stolen Children**
Lail Corliss – CNN
尼泊爾被劫兒童
Lail Corliss – 美國有線電視新聞網

- Merit 優異獎**
- **Nepal: Children for Sale**
Chan Tsai Chou – Al Jazeera
尼泊爾 販賣兒童
Chan Tsai Chou – 半島電視台

- **Chinese Artists Fight Back**
Shannon Van Sant – Freelance Journalist & Documentary Filmmaker
中國藝術家反擊
Shannon Van Sant – 自由記者及紀錄片製作人

- **China: Slipping Through the Cracks**
Shane Nettleton – Al Jazeera
中國：縫隙中的拉扯
Shane Nettleton – 半島電視台

English-Language Cartoons and Illustration 英文漫畫

- Prize 大獎**
- **For body of work (Zhao Linhai's) Following, Disruption, Blowing in the wind, No Fly Zone, Hammer & Dust)**
Harry Harrison – SCMP
一系列作品《跟隨海龍著、轉角、隨風而去、不得飛行地區、鐵錘、塵》
Harry Harrison – 南華早報

- Merit 優異獎**
- **Life After Death?**
Martin Megnin – SCMP
死而再生？
Martin Megnin – 南華早報

CHINESE-LANGUAGE CATEGORIES 中文組別

- Chinese-Language Newspaper, General News 中文報章(一般新聞)

Prize 大獎

- Legislative Council Election Rigging Series — One House, Seven Surprises and Thirteen Votes, Vote Rigging with Demolished Apartment 黃偉慈&白晝&盧文烈&李凱琳 — Apple Daily 區議會選舉醜聞系列之一篇七篇十三票樓倒了無禮義 黃偉慈、白晝、盧文烈、李凱琳 — 蘋果日報

Merit 優異獎

- EPD Member as District Councillor in Hong Kong 黃偉慈&許偉賢&林偉聰 — Apple Daily 共幹漂白 陳嘉文轉入 黃偉慈、許偉賢、林偉聰 — 蘋果日報

Voter Registration Pandemonium

- Lui Tsz Lok — Apple Daily 選民登記處爆爆氣原居民部「舞會」 雷子樂 — 蘋果日報

Wukan Village Protest Series

- 廖尚健 — Ming Pao 萬坎村抗爭系列報導 廖尚健 — 明報

Chinese-Language Newspapers, Feature 中文報章(特寫)

Prize 大獎

- In the Lens of a Child in Poverty 王雋文 — Apple Daily 貧童鏡頭下的貧窮 王雋文 — 蘋果日報

Collision of Sino-Japanese Ship, Series of Captain Jim

- 廖尚健 — Ming Pao 中日撞船船民驚其該系列 廖尚健 — 明報

Merit 優異獎

- Homosexual Therapy: The Ambiguities of Faith and Religion, and Sexual Orientation 李志強 — HKJ

- 從「極直治療」揭開信仰及性傾向的面紗 李志強、信報

Troubled Livelihood of Hawkers — FEHD

- Abusive Power, Suppression by Link Belts Lui Tsz Lok & 郭嘉雯 — Apple Daily 小販討生計舉步維艱 我理察法官人猿 鍾耀發打聽 雷子樂、郭嘉雯 — 蘋果日報

Chinese-Language Magazines 中文雜誌

Prize 大獎

- Insights to Fuxusun, Chongqing, The "Ants" in the Kingdom 伍詠詩 — Mnew 重慶富士康工廠 王國下的蟻民 伍詠詩 — 智富雜誌

Interview in Myanmar — Aung San Suu Kyi

- Speaks of Her Regrets 劉凱賢&簡道明&林亦非 — Next Magazine 緬甸專訪 昂山素姬最新廣播 劉凱賢、簡道明、林亦非、壹週刊

Merit 優異獎

- Brave Transsexuals Come Forward 歐陽玲 — Eastweek 變性人勇敢站出來 歐陽玲 — 東周刊

- Confession and Sufferings of the "Yin, and Yang" 歐陽玲 — Eastweek 陰陽人痛苦告白 歐陽玲 — 東周刊

We Have Had Enough, We Want to Go Home

- 內宣班 — Open Magazine 我們離開、我們回家 內宣班、開放雜誌

Chinese-Language Commentary and Analysis 中文評論與分析

Merit 優異獎

- Tiang Wei-hong Oppresses the Freedom of Press, Escalating Control on the Power of the Hong Kong Police 陳朗昇 & 陳廷明 — HKJ

- 曾偉雄既新聞自由底線 繼續手段變相擴大警權 陳朗昇、陳廷明 — 信報

HKJ August 18th Incident, Responsibility of the Police Commission Series

- 陳朗昇&陳廷明 — HKJ 港大八—八事件責任系列 陳朗昇、陳廷明 — 信報

Fa Yuen Street Blaze, An Excuse by the HK Police to Set Up CCTV Surveillance

- 陳廷明 — HKJ 港警借大火設 CCTV 資料庫 陳廷明 — 信報

Human Rights Abuse by the HK Police Series

- 陳朗昇 & 陳廷明 — HKJ 警權過大侵犯人權系列 陳朗昇、陳廷明 — 信報

Chinese-Language Radio 中文電台

Merit 優異獎

- Jasmine Revolution, Members of the Mainland Church Under Arrest for Further Inquiries 周文泰 — RTHK 茉莉花革命期間 內地教會教會成員被扣留 周文泰 — 香港電台

Right to Marriage of Transsexual

- 朱偉雲 & 陳漢華 — RTHK 變性人婚姻之難 朱偉雲、陳漢華 — 香港電台

Human Rights Activist Forced Home Half Naked

- Goan Loang — Radio Free Asia 維權人士勞教期滿被迫半裸回家 經勵思 — 自由亞洲電台

Chinese-Language Television 中文電視

Prize 大獎

- Harms of Nuclear Testing Bruce Lui — Cable TV 核試禍害 呂樂權 — 有線電視

Hong Kong Connection: The Freedom from Fear

- 陳彩霞 — RTHK 總編案：免於恐懼的自由 陳彩霞 — 香港電台

Merit 優異獎

- Blood Mines 李以莊&李國豪 — Now TV 血 — 礦 李以莊、李國豪 — Now TV

Petition

- Bruce Lui — Cable TV 上訪 呂樂權 — 有線電視

News Magazine: Injustice

- 許少芳 — TVB 新聞透視：冤案 許少芳 — 無線電視

Fisheries Electorates and Voters Includes

- Those Inside and Outside the Industry 何文潔 — TVB 漁農界選民和選民包括非業界人士 何文潔 — 無線電視

Wukan Village Incident

- 林建誠 — Cable TV 萬坎村應地事件 林建誠 — 有線電視

Photography Categories 新聞攝影

Feature 特寫

Prize 大獎

- Growing Up in the Streets of Karachi Behrouz Mehm — AFP 在喀拉蚩港街上長大 Behrouz Mehm — AFP

Heroin addicts, Karachi

- Behrouz Mehm — AFP 喀拉蚩港市的 heroin 英雄 Behrouz Mehm — 法新社

Merit 優異獎

- Aung San Suu Kyi Soe Than Win — AFP

泰山蕭姬

- Soe Than Win — 法新社

Room to live and love in China's cities

- Giles Sabine — International Herald Tribune 在中國城市生活相愛的空間 Giles Sabine — 國際先驅論壇報

Refugees in Thailand and Myanmar

- 林亦非 — Freelance Photographer (Published in Apple Daily) 泰國難民 林亦非 — 自由攝影師 (蘋果日報刊登)

Citizens fall beyond Government welfare and live in sub-divided Units

- 傅俊偉 — Eastweek 香港劏房居民 傅俊偉 — 東周刊

Chongqing Foxconn investigation

- 曾祥評 — Mnew 重慶富士康工廠 王國下的僑民 曾祥評 — 智富雜誌

Spot News 突發新聞

Prize 大獎

- People Power Felix Wong — SCMP 人民的力最 Felix Wong — 南華早報

Merit 優異獎

- Kick away tear bomb 何家健 — Ming Pao 踢走催淚彈 何家健 — 明報

Consultation turns into war of words

- Ling Shu Fai — Apple Daily 替補諮詢會演變成拉鋸 — 蘋果日報

Executive Vice-Premier Li Keqiang Visited the University of Hong Kong, Police Suppressed Student's Demonstration

- Ling Shu Fai — Apple Daily 李克強訪港大校園 警方鎮壓學生示威隊 — 蘋果日報

Bloody Apple

- Felix Wong — SCMP 血腥蘋果 Felix Wong — 南華早報

Dut of Control

- K.Y. Cheng — SCMP 失控 K.Y. Cheng — 南華早報

Hopeless Girl seeks help

- 余俊禹 — Ming Pao 女放蕩露求助 余俊禹 — 明報

Candlelight never dies

- 鄭浩宇 — Apple Daily 燭光不滅 鄭浩宇 — 蘋果日報

Action requesting withdrawal of Arrangements for Filling Vacancies in the Legislative Council

- 區民保 — Apple Daily 要求立法會撤回替補方案 區民保 — 蘋果日報

Executive Vice-Premier Li Keqiang provoked demonstration to safeguard freedom of press

- 何柏佳 — Apple Daily 李克強風波：讓我採訪權 何柏佳 — 蘋果日報

Winning Entries of the 2012 Human Rights Press Awards
二〇一二年人權新聞獎得獎名單

ENGLISH-LANGUAGE CATEGORIES 英文組別

• *English-Language Newspaper, General News*
英文報章 (一般新聞)

Merit 優異獎

• *Body of Work: Series on the Aftermath of the July 1 March, the Public Order Ordinance and Naturalisation in Hong Kong*
Simpson Cheung – SCMP
七一遊行後記、公安條例、歸化系列
張偉明 – 南華早報

• *Four Decades on, the U.S. Starts Cleanup of Agent Orange in Vietnam*
Thomas Fuller – International Herald Tribune
四十年後，美國開始清理越戰生化武器殘遺劑
Thomas Fuller – 國際先驅論壇報

English-Language Newspaper, Feature
英文報章 (特寫)

Prize 大獎

• *Body of work on labor conditions in South Asia: Fighting for Bangladesh Labor and Ending up in a Pauper's Grave, A Village Rape Shatters a Family, and India's Traditional Silence, Mad's Cries Cast Light on Child Labor in India, Export Powerhouse Feels Pangs of Labor Strife, Horrific Fire Revealed a Gap in Safety Standards*
Jim Threlley – International Herald Tribune & The New York Times
為孟加拉工人而戰、葬身貧民塚、村女被強姦後家破人亡 印度傳統的默不作聲、少女童工的呼喊為印度童工帶來光明、出口重鎮承受勞資衝突的創痛、恐怖大火揭露安全水平不達標
Jim Threlley – 國際先驅論壇報/紐約時報

Merit 優異獎

• *Final Pleas for Democracy Series*
Hern Yu – SCMP
最後的民主呼求系列
余凱恩 – 南華早報

Merit 優異獎

• *Riches All Around, but They Scavenge to Survive*
Joanna Chiu & K.Y. Cheng – SCMP
爭鬥西貢與廢有漢死者
Joanna Chiu & K.Y. Cheng – 南華早報

Prize 大獎

• *To Live and Die in Karachi*
Andrew Marshall – Time
巴基斯和喀拉蚩港市的生與死
Andrew Marshall – 時代週刊

• *Body of Work: Series on the Aftermath of the July 1 March, the Public Order Ordinance and Naturalisation in Hong Kong*
Simpson Cheung – SCMP
七一遊行後記、公安條例、歸化系列
張偉明 – 南華早報

Merit 優異獎

• *The Fighter: Malala Yousafzai*
Aryn Baker – Time
女鬥士馬拉拉
Aryn Baker – 時代週刊

Merit 優異獎

• *Desperate Tibet*
Louisa Lim – NPR
絕望的西藏
Louisa Lim – 全國公共廣播電台

English-Language Newspaper, Commentary and Analysis
英文評論及分析

Merit 優異獎

• *Arakan Burts*
Emily Kachala – Time
阿拉幹在燃燒
Emily Kachala – 時代週刊

• *Women in China Face Rising University Entry Barriers*

Didi Kirsten Tatlow – International Herald Tribune
女性在中國越來越難入大學
Didi Kirsten Tatlow – 國際先驅論壇報

English-Language Cartoons and Illustration
英文漫畫

Merit 優異獎

• *Body of Work: Chen Guangcheng's Guide Dog, Forced Regime Change, Li Wangyang's Post Mortem*
Harry Harrison – SCMP
陳光誠的導盲犬、強迫狀況改變、劉勳
李廷陽
Harry Harrison – 南華早報

English-Language Online Publication
英文網上刊物

Prize 大獎

• *Mother India Starves Her Children*
Mehul Srivastava, Andrew MacKillop & Adi Narayan – Bloomberg.com
印度母親的孩子們活活餓死
Mehul Srivastava, Andrew MacKillop, Adi Narayan – 時代週刊

English-Language Radio 英文電台

Merit 優異獎

• *Desperate Tibet*
Louisa Lim – NPR
絕望的西藏
Louisa Lim – 全國公共廣播電台

• *Kony and Us*

Kuan Broadhead – Freelance (RTHK)
科尼與我們
Kuan Broadhead – 自由傳媒人 (香港電台)

English-Language Television 英文電視

Prize 大獎

• *Battered and Bruised*
Drew Antonese – Al Jazeera
疲憊與打傷
Drew Antonese – 半島電視台

• *Nowhere to Go*

James Leong, Lynn Lee – Al Jazeera
無路可走
James Leong, Lynn Lee – 半島電視台

• *The Anti-Fabn Gong Campaign and Freedom of Speech*

Nina Chang – RTHK
反對法輪功運動與言論自由
張惠娟 – 香港電台

Merit 優異獎

• *China's Cancer Villages*
Adrian Brown – TV Australia
中國癌症村
Adrian Brown – 澳洲特種廣播服務

• *No Place like Home*

Chan Tau Chou – Al Jazeera
最好人家
Chan Tau Chou – 半島電視台

• *The President and the Pulpit*

Kate McGeehan – BBC
總統與牧士
Kate McGeehan – 英國廣播公司

CHINESE-LANGUAGE CATEGORIES 中文組別

Chinese-Language Newspaper, General News
中文報章 (一般新聞)

Prize 大獎

• *Series on the Hong Kong Secretary for Development's Housing Fraud Scandal*
Cheng Kai-Yuen, Cheung Man-Kit, Wong Wai-Chun, Tam Chung-Man & Lo Man-Kit – Apple Daily
發展局局長電房詐騙案系列
鄭啟鴻、張文傑、黃偉聰、譚祥定、盧文烈 – 蘋果日報

• *Series on National Education and Text books in Hong Kong*

Chen Wai-Hi, Sin Fai-Ho & Chow Ting – Ming Pao
國民教育教材系列
錢耀祺、蘇漢培、周焯平 – 明報

Merit 優異獎

• *Series on Environmental Protection and Rights*
Pau Lai-Ngo, Liu Chun-Chiu & Wong Hui-Nam – WKE
環保維護系列
潘浩平、廖漢超、黃曉南 – 信報

• *The Hong Kong Government Holds its Lowest Number of Press Conferences Since the Handover*

Sin Wan-Kai – Ming Pao
風府記者會開辦後最少
洪國城 – 明報

• *Investigation on the Causes of Li Wangyang's Death*

Investigation Team – Ming Pao
李旺陽死因調查報道
偵查組 – 明報

• *Myanmar's Elections*

Chan Pui-Min – Apple Daily
緬甸大選
陳沛敏 – 蘋果日報

• *Special Report on National Education in Hong Kong*

Peh Lam, Pang Mei-Fung & Ngai Ching-Kong – Apple Daily
「國家意識工程」系列
白琳、彭美芳、倪清江 – 蘋果日報

• *Series on Secretary of Development Paul Chan Mo-Po's Subdivided Apartment*

Lam Wai-Chung, Hong Yu-Ting, Choi Kin-Ho, Cheung Ngai-To & Ng Tsz-Kwai – Apple Daily
陳茂波出租單位系列
林偉聰、洪耀庭、蔡建豪、張志強、吳子瑩 – 蘋果日報

• *Reporter Going Undercover as a Demon strator Fails \$300*

General News Team – Apple Daily
《蘋果》記者扮遊童擊臨記收\$300扮示威
郭德剛 – 蘋果日報

• *Thousand of Chinese Security Agents Come to Hong Kong to Gather Intelligence*

Lam Tsz-Pan – Shang Daily
千名國安署港收示威情報 警報論為打手
林子斌 – 爽報

Chinese-Language Newspapers, Feature
中文報章 (特寫)

Prize 大獎

• *Special Report: Four years after the Sichuan Earthquake*
Investigators Team – Ming Pao
川震四週年特寫
偵查組 – 明報

• *Homeless people in Sham Shui Po speak "human language"*

Vivian Tam Wai-Yan – Ming Pao
深水埗露宿者講「人話」
譚麗芸 – 明報

Merit 優異獎

• *Below the Poverty Line Series*
Kwok Tsang Lung, Lee Kin Yan & Tsui Suk-Yee – Sing Tao
貧窮線下系列
郭增耀、李健人、蔡淑儀 – 星島日報

• *Lessons from the 1967 Leftists Riot Series*

Sin Wan-Kai – Ming Pao
六七反暴系列
洪國城 – 明報

• *Dying Birth at Home*

Sin Wan-Kai – Ming Pao
在家生存難關 感受陣痛狂轟
洪國城 – 明報

• *Photographer in a Dangerous City Reveals a Mask of Death*

Wong Tung-Leung – Sing Tao
危城攝影揭開死神真面目
王東莞 – 星島日報

• *Sexual Orientation Discrimination Ordinance Series*

Cheung Ka-Mac, Wong Ka-Man & Ng Ka-Ling – Apple Daily
性傾向歧視立法諮詢風雲系列
張嘉豪、王肇文、吳嘉玲 – 蘋果日報

• *Two Apartments Divided into 13 Despite the Ma Tau Wai Tragedy*

Wong Ka-Man – Apple Daily
一被兩次變十三戶天台「夾縫」樓四座
樓宇慘劇再續樓價繼續超越
王肇文 – 蘋果日報

• *Ching Cheung Contemplated Suicide while under Home Surveillance*

Chau Chiu-hung – Ming Pao
藍視居住密偵 控罪望線欲上吊
周景鴻 – 明報

Chinese-Language Magazines 中文雜誌

Prize 大獎

• *We Are All Li Wangyang*
Yu Chi-Yin & Wu Wing-Yan – Next Magazine
我們都是李旺陽
姚智賢、鄧泳恩 – 壹周刊

- **The Forgotten June 4 Fighter**
Lu Mao-Sai, Yiu Chi-Yin, Li Yik-Ming, Li Yu-Ka, Wu Wing-Yan, Chan Kin-Kai, Ko Chung-Ming & Cheng Shu-Ching – Next Magazine
六四升溫，被遺漏的六位鬥士
盧慕思、趙智賢、李育明、李宇寧、鄺詠恩、陳健佳、高仲明、鄧樹濤
—壹週刊

- Merit 優異獎
 - **Housewives with Knives Encircle the Falun Gong**
Lam Yu-Pan & Yip Tin-Yau – Next Magazine
鋒刃刀手圍剿法輪功
林子斌、吳天佑—壹週刊

- **The Exiled Tibet Leader**
Yiu Chi-Yin & Ko Chung-Ming – Next Magazine
流亡達賴人、出西藏記
趙智賢、高仲明—壹週刊

- **Bride-to-be Begs for Cyberbullying to Stop**
Kok Kaan-Yee & Kan Kam-Man – Eastweek Magazine
網上嫁過火婚 傷害永難除 \$500 人博女認錯 求求大家放過我
鄭楚兒、簡錦堂—壹週刊

- **The Middle Class and University Students Vie for Public Housing as Home Prices Rocke**
Kwok Lai-On – (Money)
高樓價下的夾板中產、大學生爭上公屋的階梯
郭國安—智富雜誌

- **Why do People in Tibet Self-Immolate**
王力雄 – SunAfrary Weekly
燃燒的達吉：藏人因何自焚？、不自焚，能怎麼做？
王力雄—陽光時務周刊

- **Exclusive Interview with the Person in Charge of the National Education Curriculum**
Leung Hoi-Ming, Pang Pik-Shan & Tang Hoo-Ling – Money
電檢專家教材主責人北京師範大學教授倪維博與 兩岸課教材設計背後，港國民教育北京製作
梁海明、彭靜雅、鄧巧霞—智富雜誌

- **Activist Freed from Jail Vows to Continue Investigation into Poor Construction in Sichuan**
Wu Wing-Yan – Next Magazine
川震死屍 出獄再查豆腐渣
鄺詠恩—壹週刊

Chinese-Language Commentary and Analysis
中文評論和分析

- Prize 大獎
 - **Are You Mad, or am I Mad?**
Sun Hui-Wai, Weian – Ming Pao
你癲定我癲
譚耀基—明報

- Merit 優異獎
 - **Larger Pepper-Spray Containers Have Much Wider Coverage, Manufacturer Says**
Kewman – HK21
大號胡椒噴霧劑兩顯示 噴擊力覆蓋度遠勝前號
紀曉風—信報

- **Betray in Hong Kong over Li Wangyang's Death**
Kewman – HK21
港人忽視為李旺陽呼冤 大陸小器人權談
張尾二及相關專版
紀曉風—信報

- **Lawmaker "Long Hai" Fights for more Tissue in Jail**
Kewman – HK21
「監獄三傑」盡數在獄不平事 長毛力爭每日十六張廁紙
紀曉風—信報

Chinese-Language Cartoons and illustration
中文漫畫

- Prize 大獎
 - **Legislative Council Elections, Anti-National Education & Justice for June 4: Justice for Li Wangyang**
廖子 – Apple Daily
立法會選舉—兩制危急、反國教、平反六四 為李旺陽申冤
廖子—蘋果日報

Chinese-Language Online Publication
中文網上刊物

- Prize 大獎
 - **Series on Wukan's Democratic Elections**
宋潔平&趙麗芝 – SunKlairs
烏坎民主選舉系列
張潔平、趙麗芝—陽光時務

- Merit 優異獎
 - **Who Saved Chen Guangcheng?**
Tan Yusheng – (SunKlairs)
誰救了陳光誠？、陳光誠誤誣陳光誠誣述後
田雨聲—陽光時務

- **Orchid Island – An Island of Nuclear Waste**
林仙話 – (SunKlairs)
蘭嶼：核廢之島
林仙話—陽光時務

Chinese-Language Radio 中文電台

- Prize 大獎
 - **Central Government Office Protest Series**
Chung Hui-Yee & Chu Si-Kwan – RTHK
央廣傳記系列
鍾慧儀、朱慈君—香港電台

- Merit 優異獎
 - **My Prison, My Home**
Ho Ngar Woon – RTHK
我的尊嚴我的家
葉雅麗—香港電台

- **The Road to shangfang**
蘇敬恒 – RTHK
上訪之路
蘇敬恒—香港電台

Chinese-Language Television 中文電視

- Prize 大獎
 - **Li Wangyang**
Lam Kin-Seng – Cable TV
李旺陽
林達斌—有線電視

- Merit 優異獎
 - **Police Suppresses Freedom of the Press**
Choi Yik-Ling & Pang Kai-Kong – RTHK
警方壓制新聞自由(一 及二)
蔡玉玲、彭啟光—香港電台

- **I am Gay**
Yeung Leung-Kit – Cable TV
我係同志
楊震華—有線電視

- **Where's my Home?**
Fauzi Ming-Chuen – RTHK
何處是我家？
關鳳川—香港電台

- **On the Road to Reform**
Yeung Yuet-Gai – RTHK
走上改革的路上
楊月芬—香港電台

- **The People, the Stories, A Series of Interviews**
Liu Wai-Ling, Eva Choi, Patsy Leung, Gloria Yick & Wong Lok-Hai – RTHK
一些人 一些事專訪系列
廖曉詩、陳麗婷、梁潔英、蕭詠欣、王沛霞—香港電台

- **An Orphan with No Nationality**
Natalia Guter – TVB
無國籍孤兒
劉君麗—無線電視

Photography Categories 新聞攝影

Feature 特寫

- Prize 大獎
 - **Rohingya Refugees**
Munt Uz Zaman – AFP
羅興亞難民
Munt Uz Zaman – 法新社

- **The Forgotten**
Luk Yu-Shing – Eastweek
被遺忘的一群
陸羽謙—東周刊

- Merit 優異獎
 - **Hong Kong Ruled by "Sai Wan"**
Lee Siu-Chong – Ming Pao
西樓治港
李紹基—明報

- **Hesitant of the Year: Nepali Woman Adopts Children in Prison**
Lam Yik-Fai – Freelance (Apple Daily)
拘羈年度英雄 尼泊爾女子收寄獄中兒童
林亦非—自由傳媒人(蘋果日報)

- **Rescuing Homeless Children in the Coldest Capital**
Lam Yik-Fai – Freelance (Apple Daily)
最冷首都援救流浪兒
林亦非—自由傳媒人(蘋果日報)

- **Protest Against National Education Continues through the Night**
Law Lun-Tung – Eastweek
通宵徹夜反國教
羅肇睿—東周刊

- **July 1 March Calls for Chief Executive to Step Down**
Li Chak-Tung – Ming Pao
七一遊行，喊特首下台
李澤彤—明報

- **Black Crosses**
Li Chak-Tung – Ming Pao
黑色交叉
李澤彤—明報

- **Wukan Election**
Dickson Lee, Cheng Kuk Yin & Felix Wong – SCMP
烏坎選舉
Dickson Lee、Cheng Kuk Yin、Felix Wong—南華早報

- **A Day of Hope Dawns**
James Nightway – Time
露出希望曙光的一天
James Nightway—時代週刊

- **The Challenger**
Andrew Bruce – Time
挑戰者
Andrew Bruce—時代週刊

Spot News 突發新聞

- Prize 大獎
 - **Withdraw National Education**
Chan Yiu-Chiu – Apple Daily
撤回國民教育科(一)
陳英鈞—蘋果日報

- Merit 優異獎
 - **Celebration of Mo Yan and Liu Xiaobo**
Nobel Wins Barred
Ho Pak-Ka – Apple Daily
賀莫言、劉曉波被阻
何柏佳—蘋果日報

- **Police Abusing Power**
Ho Pak-Kai – Apple Daily
濫用警權
何柏佳—蘋果日報

- **C.Y. Leung Defeats Henry Tang**
Ho Pak-Kai – Apple Daily
梁振英擊敗唐英年
何柏佳—蘋果日報

- **Pregnant Women and Newborns Forced to Sleep in Hospital Corridors**
Leung Kam-Chung – Apple Daily
產婦嬰兒睡走廊
梁鑑章—蘋果日報

- **Workers Remove Unauthorized Building Work from C. Y. Leung's Home**
Ho Ka-Tat – Apple Daily
工人清拆梁宅假違物
何家達—蘋果日報

- **180,000 Attend June 4 Candlelight Vigil**
Au Mak Kit – Apple Daily
十八萬燭光悼六四
區民傑—蘋果日報

- **Pro-democracy Activist Fang Zheng Arrives in Hong Kong**
Li Ka-Ho – Apple Daily
民運人士方徵到港
李家歡—蘋果日報

Winning Entries of the 2013 Human Rights Press Awards

二〇一三年人權新聞獎得獎名單

- **Heartbroken**
Li Chak Tung – Ming Pao
悲傷欲絕
李澤彤 – 明報
- **Call for National Education Withdrawal Continue through Scorching Heat and Pouring Rain**
Yu Chan Leung – Ming Pao
日曬雨淋續叫罷更習
余俊熹 – 明報

- ENGLISH-LANGUAGE CATEGORIES 英文組別**
- **English-Language Newspaper, General News 英文報章 (一般新聞)**
- Prize 大獎**
- **Series: Bangladesh Factory Conditions**
Jim Yardley – The International New York Times
孟加拉工廠實錄系列
Jim Yardley – 國際紐約時報

- Merit 優異獎**
- **Beaf Generation Lost in Translation**
Jennifer Ng – SCMP
手遊服務缺失多 夾縫新世代欲苦無語士
吳詠詩 – 南華早報
 - **Body of Work: Prostitutes Vulnerable to Police Abuse, What Will Replace Re-Education Through Labor: Abused Wives Denied Justice & Elderly Couple Refuses to Deny Dreams of Freedom**
Verna Yu – SCMP
性工作者難從警察索權之苦及其他
余詠慈 – 南華早報

English-Language Newspaper, Feature 英文報章 (特寫)

- Prize 大獎**
- **Series: Inheriting China's Problems: Parents, Children and the Authoritarian State**
William Wan – The Washington Post
承傳中國問題：父母、子女及專制國家
溫世恆 – 華盛頓郵報

- Merit 優異獎**
- **A Mother's Hard Labor of Love**
Wu Nan – SCMP
無私而堅毅的母愛
Wu Nan – 南華早報

English-Language Magazine 英文雜誌

- Prize 大獎**
- **The Face of Buddhist Terror**
Hannah Beech – Time
魔僧多面相
Hannah Beech – 時代週刊

- Merit 優異獎**
- **"The Brugs Don't Work"**
Krista Mohr – Time
「藥物失效」
Krista Mohr – 時代週刊

- **Hong Kong's Refugee Shame, But Wait, There's Hope...**
Samuel Lai Chun-chit & Mark Tjhung – Time Out Hong Kong
香港難民之恥—惟希望仍存
郭澤哲 & Mark Tjhung – Time Out Hong Kong雜誌

English-Language Online Publication 英文網上刊物

- Prize 大獎**
- **The Children Who Work in India's Rat-Hole Coal Mines**
Anoma Kannampally – AFP
印度鼠穴煤礦童工
Anoma Kannampally – 法新社

- **China's Quiet Rebellions**
Vernin Fan & Neil Western – Bloomberg News
中國的靜默革命
范文蔚、Neil Western – 彭博新聞

- **India's Shame**
Andrew MacAskill & Bibhudatta Pradhan – Bloomberg News
印度之恥
Andrew MacAskill & Bibhudatta Pradhan – 彭博新聞

- **Youth Interrupted: Underage, Illiterate Breadwinners**
Patrick Wren & Jonah M. Kessel – Global Post
失學青春的少年：文盲早養家
Patrick Wren & Jonah M. Kessel – 環球郵報

- Merit 優異獎**
- **Four Years After War, Sri Lanka's Widows Fear Rape**
Charlotte Turner – AFP
斯里蘭卡戰後四年：孤寡面對強暴威脅
Charlotte Turner – 法新社

English-Language Television 英文電視

- Prize 大獎**
- **Wukan**
Lynn Lee & James Leong – Al Jazeera
烏坎
李麗琳、梁思榮 – 半島電視台

- **101 East: Unhealed Wounds of Gsh, Kyrgyzstan**
Robin Forrester-Walker – Al Jazeera
「東101」節目：廣什夫索的傷口
Robin Forrester-Walker – 半島電視台

- **101 East: Sectarian Divide in Pakistan**
Yusra Bui Mithem – Al Jazeera International
「東101」節目：宗派分裂巴基斯坦
Yusra Bui Mithem – 半島電視台

- **101 East: Murder in God's Name in Pakistan**
Evan Williams – Al Jazeera
「東101」節目：「以神之名殺戮」—巴基斯坦
Evan Williams – 半島電視台

- **101 East: Scars of Sri Lanka**
Evan Williams – Al Jazeera
「東101」節目：斯里蘭卡傷痕累累
Evan Williams – 半島電視台

- Merit 優異獎**
- **The Pearl Report: Body of Work on Sex Slavery**
Huan Hong Kong, China and Thailand
Sylvia Yu – TVB
明珠檔案：性奴系列作品
胡世貞 – 無線電視

- **Every Day in Cambodia**
Lisa Cohen – CNN
柬埔寨的日與夜
Lisa Cohen – 美國有線電視新聞網

- **101 East: Nepal's Slave Girls**
Sabina Shrestha – Al Jazeera
「東101」節目：尼泊爾女童奴
Sabina Shrestha – 半島電視台

- **Dying for Growth**
Teresa Siu – CCTV
以生命換經濟增長
Teresa Siu – 中央電視台

- CHINESE-LANGUAGE CATEGORIES 中文組別**
- **Chinese-Language Newspaper, General News 中文報章 (一般新聞)**

- Prize 大獎**
- **Hong Kong Ballet Caught in Self-Censorship Row over 'Cultural Revolution' Scenes**
Choi Wai Ki & Lu Wen – Ming Pao
香港芭蕾舞團涉自我審查抗議
錢建琪、陸文 – 明報

- Merit 優異獎**
- **Series: Dock Workers' Strike**
Wong Tung Leung, Chiu Yin Ping, Lau Qi Tung, Tung Pui & Lao Xian Liang – Sing Tao
碼頭工潮罷工系列
王潔貞、趙燕萍、劉恩輝、蕭傑、勞耀亮 – 星島日報
 - **Exposing the 'Big Four Developers' Land Reserves in the New Territories**
Hon Yiu Ting, Lam Wai Chung & Yuen Pak Yan – Apple Daily
四大發展商在區地分佈陽光
韓耀雄、林潔蓮、袁柏添 – 蘋果日報

Chinese-Language Newspapers, Feature 中文報章 (特寫)

- Prize 大獎**
- **A Father and Activist is Repeatedly Detained; Daughter is 10-Year-Old Prisoner of Conscience**
Investigation Team – Ming Pao
文法國民康華謀被拘 十歲良心犯：不斷被控 拒絕被試
偵查組 – 明報

- Merit 優異獎**
- **Series: Occupy Central**
Waiwan Lam Wai Wan – Ming Pao
佔領中環對談系列
譚潔芝 – 明報

- **Tell No Lies: Cheng Yizhong, a Bad Child in the Eyes of the Party**
Kan Suk Ming – AM 730
惡行詭異話，中央眼中的壞孩子
羅結中：舉世被詬責的人不會幸福的體
簡淑明 – AM 730

Chinese-Language Magazines 中文雜誌

- Merit 優異獎**
- **The Search for Father**
Simon Yui Chi Yin & Ko Chung Ming – Next Magazine
尋找爸爸的故事
姚智賢、高仲明 – 壹周刊

- **Confidential Form Leaked: Government Departments Misuse Citizens' Data**
Martin Lam & Ben Lee – East Week
機密表格曝光 揭政府部門索閱民資料
兒戲
林潔蓮、李志梁 – 東週刊

- **Rebelling Against the Propaganda Department: Series on the "Southern Weekend" Incident**
Anne Zhang Jingjing, Tang Guang, Xiang Min, Shen Yanning, Ma Yu & Ma Ziniu – Guobiao
抗命宣傳部 兩周事件系列
張潔平、佘光、熊威、沈耀廷、馬特、莫之許 – 陽光時報週刊

Chinese-Language Commentary and Analysis 中文評論和分析

- Merit 優異獎**
- **Countering the Propaganda Department**
Chang Ping – SunAfters
反擊宣傳部
長平 – 陽光時報週刊

Chinese-Language Cartoons 中文漫畫

- Merit 優異獎**
- **Under C.Y. Leung's Regime: 2013**
Jet Department – Apple Daily
繼梁若下二〇一三
英術組 – 蘋果日報

Chinese-Language Television 中文電視

- Prize 大獎**
- **My Connection: My Mother is Innocent**
Choi Yik Ling – RTK
繼續繫：我媽媽無辜
蔡玉玲 – 香港電台

- Merit 優異獎**
- **Now TV, China's System for Producing Elite Athletes, and How to Get Rid of It**
Chan Yau-Li – Now TV
中國人民系列之舉國體制及羣眾體制
陳卓利 – Now TV
 - **Ethnic Minority School Girls Separated**
Cheng Tak-Sze – Cable TV
少數族裔女生被
關思思 – 有線電視
 - **Sunday Report: A Half-Century of Re-education through Labor**
Hui Siu-Fun – TVB
星期日檔案：半世紀勞教
許少芬 – 無線電視
 - **The 'Southern Weekend' Incident**
Lam Kin-Seng – Cable TV
南周事件
林運誠 – 有線電視
 - **Police-Led Activism**
Wu Lik-Hin – Cable TV
公安也暴動
譚力漢 – 有線電視

Chinese-Language Radio 中文電台

- Merit 優異獎**
- **Parents of Sichuan Earthquake Victims Change Their Tone, Thanking the Country and the Party**
So-King-Hang – RTHK
川震家長改口感謝祖國家感謝黨
蘇敬恆 – 香港電台
 - **Veterans of Sino-Japanese War Long for Return and Recognition**
So-King-Hang – RTHK
抗日老兵與心繫祖國黨承諾身份索燭
蘇敬恆 – 香港電台

Photography Categories 新聞攝影

Feature 特寫

- Prize 大獎**
- **Series: "Transsexual Angel"**
Lau Lai-Wing – Eastweek
變性天使
羅蘭碧 – 東周刊
 - **Coffin Beams**
Dickson Lee – SCMP
膠囊旅館
李顯成 – 南華早報
 - Merit 優異獎**
 - **Makeshift Home in a Slum**
Sam Tsang – SCMP
貧民窟的臨時住所
曾國榮 – 南華早報
 - **Health of the Poor an Urgent Case**
Cheng Kok-Yin – SCMP
病窮基層難療 給住留德
鄭樂賢 – 南華早報
 - **Tackling Poverty Below the Line**
Felix Wong – SCMP
按查窮線解決貧困問題
王智強 – 南華早報

- **Series: Bangladesh Factory Collapse**
Munir Uz-Zaman – AFP
孟加拉工廠倒塌
Munir Uz-Zaman – 法新社

- **Window on the Rooftop**
Li Chak-Ting – Ming Pao
天台上的天窗
李澤彤 – 明報
- **The Media are Kidnapped**
Lo Yick-Ming – Ming Pao
媒體被綁架
盧耀銘 – 明報

- **The Outsider**
Lo Yick-Ming – Ming Pao
門外漢
盧耀銘 – 明報

- **A Gay Parade Proposal**
Wong Tak-Kin – Eastweek
同志遊行終點送玫瑰花求續
黃德堅 – 東周刊

- **Series: Scavenging**
Tan Chi-Wing – Ming Pao
拾荒
譚志堅 – 明報

Spot News 突發新聞

- Prize 大獎**
- **HKTV Staff and 100,000 Citizens Light up the Night**
Lo Kwan-Ho – Apple Daily
凌晨員工與十萬市民照亮黑夜
羅君華 – 蘋果日報
 - **Scholarism Pushes C.Y. Leung on Universal Suffrage**
Tse Wing-Yiu – Apple Daily
學民逼擊梁振英
譚榮耀 – 蘋果日報

- Merit 優異獎**
- **Chronic Corruption Behind Village Uprisings**
Edward Wong – SCMP
村要選舉革命背後：長期腐敗
譚立基 – 南華早報

- **Tears of an Actress**
Edward Wong – SCMP
女藝員淚灑電視屏現於該現場
譚立基 – 南華早報

- **Dock Workers Strike**
Cheng Kok-Yin – SCMP
碼頭工人罷工
鄭樂賢 – 南華早報

- **Protector in a Wheelchair**
David Wong – SCMP
輪椅上的示威者
汪志堅 – 南華早報

- **Protecting Candles in the Rain**
Li Chak-Ting – Ming Pao
雨來守護，守護燭光
李澤彤 – 明報

- **City U, Clear's Way for the Chief Executive**
Lo Yick-Ming – Ming Pao
城大清場迎特首
盧耀銘 – 明報

- **Education Protest in the Rain**
Lo Yick-Ming – Ming Pao
雷雨學運反盲義
盧耀銘 – 明報

- **Rain of Tears**
Chan Yik-Chiu – Apple Daily
淚雨交加
陳永全 – 蘋果日報

- **C.Y. Leung's Supporters Attack Protesters**
Lo Kwan-Ho – Apple Daily
親梁人士毆打示威者
羅君華 – 蘋果日報

- **Non-local Parents Queue for Childrens' School Admission**
Lo Kwan-Ho – Apple Daily
雙非家長排隊學位
羅君華 – 蘋果日報

- **Anger Over TV Licensing**
Lo Kwan-Ho – Apple Daily
民怨爆發
羅君華 – 蘋果日報

- **Policeman Grabs Female Protester**
Ho Pak-Kai – Apple Daily
男警粗女示威者
何柏佳 – 蘋果日報

- **Postgraduate Students Support Dock Workers**
Chan Yik-Chiu – Apple Daily
大學生撐碼頭工人
陳永全 – 蘋果日報

Winning Entries of the 2014 Human Rights Press Awards
二〇一四年人權新聞獎得獎名單

- ENGLISH-LANGUAGE CATEGORIES 英文組別**
- *English-Language Print 英文印刷傳媒*

- Grand Prize 金獎**
- **Series: Human Trafficking in Thailand (Flows found in Thailand's human-trafficking crack down & Traffickers use abductions, prison ships to feed Asian slave trade)**
Amy Sawitta Lefevre & Andrew R.G. Marshall – Reuters
泰國販賣人口系列
Amy Sawitta Lefevre & Andrew R.G. Marshall – 路透社

English-Language Newspapers, General News 英文報章（一般新聞）

- Merit 優異獎**
- **When Calls for Revenge Overwhelm China's Courts**
Didi Kirsten Tatlow – The New York Times
血債山償之報警審法庭，京華民因置拳
免死罪屠屠
狄安娜·紐約時報

English-Language Newspaper, Feature 英文報章（特寫）

- Prize 大獎**
- **Wed for their Wombs: Polio Wives Show India Falls Its Weakest & Mother's Death Shows Ketak Gokhale & Jason Gale – Bloomberg News**
拋妻小兒為孀女傭生仔繼續 印度未有
保母養育社區
Ketak Gokhale & Jason Gale – 彭博新聞

- **Dying for Justice – An Investigation of China's Legal System**
William Min – The Washington Post
調查：中國司法體系亟待公義
溫世傑 – 華盛頓郵報

- Merit 優異獎**
- **Dying Kids, a Poor Indian Village, and a Mystery**
Rajesh Kumar Singh, Rakheem Katakay & Tom Lasseter – Bloomberg News

- **坐以待斃的小孩，印度貧窮村落與輪船上的謀殺關係**
Rajesh Kumar Singh, Rakheem Katakay & Tom Lasseter – 彭博新聞

English-Language Online Publication 英文網上刊物

- Special Recognition 特別大獎**
- **Occupy Central Reportage**
The City and Online Books – SCMP
佔領中環廿四小時全天候新聞
香港組網前上新聞組 – 南華早報

- Merit 優異獎**
- **Voices from Tansimen**
Patrick Bleher – SCMP
天安門的聲音
包維哲 – 南華早報

- **No Good Choices**
Deb Price, Chester Yung & Sara Schoonhardt – VCI
面對難題無好選擇 外僑在港公義持續辦
Deb Price & 翁許秀 & Sara Schoonhardt
華爾街日報

- **Easy Prey**
Denise Hruby, Luke Hunt & Shane Wornell – The Edge Review
最佳獵物
Denise Hruby & Luke Hunt & Shane Wornell – The Edge Review

English-Language Commentary 英文評論

- Merit 優異獎**
- **Broken Trust & Clear Distinction**
Michael C. Davis – SCMP
「北京失信壞人」及「佔領運動違法但非非法治」評論系列
戴大為 – 南華早報

- **Series on Occupy Central**
Stephen Vines – SCMP
佔中評論系列
韋安仕 – 南華早報

<i>English-Language Broadcast</i> 英文廣播精選 Grand Prize 金獎 A War on Witches Aaron Fernandes – <i>Al Jazeera</i> 反女巫之爭 Aaron Fernandes – 半島電視台	國際得獎環保攝影師盧廣喬污染真相揭露現場 王忠清 – 新富雜誌 • Series: Violations of Domestic Workers' Rights Wong Tung Leung, Leo Xian Liang, Tung Kit & Lau Qi Tung – <i>Sing Tao</i> 剝削印傭權益系列 王美高、何顯光、盧傑、劉愛玲 – 星島日報 • How to Die a Good Death When the End Come Choi Yik-Min – <i>Ming Pao Weekly</i> 當生命走到盡頭 如何善終 陳伊敏 – 明報周刊	貢獻家獎 徐信置 – 香港電台 • Link Connection: The Occupy Movement Series Li Xianche, Gillian Yau, Dora Choi, Choi Yik Ling, Young Yuet Fun & Chen Cabelo – <i>RTHK</i> 經聯播：佔領運動系列 李賢哲、尤翠如、徐志雄、蔡三玲、楊月芬、陳彩霞 – 香港電台	香港民主抗爭、藏難延誤噤了 余俊英 – 明報 • Lion Rock Robert Ng – <i>SCMP</i> 獅子山 吳冠民 – 南華早報	捍衛新聞自由遊行 李澤彤 – 明報 • The Umbrella Men Kaume Offens – <i>AFP</i> 撐傘的人 Kaume Offens – 法新社 • Boy at the June 4 Vigil Nora Tam – <i>SCMP</i> 攝影集：六四燭光下的男孩 鄧煒韶 – 南華早報 • Open the Door: 1,500 High School Students Strike Lo Kwan Ho – <i>Apple Daily</i> 開門 羅冠豪 – 蘋果日報 • Series: Democracy Protests in Hong Kong Philippe Lopez – <i>AFP</i> 香港的民主抗爭 Philippe Lopez – 法新社	Merit 優異獎 Hong Kong After Occupy Tracy Chung Ka Sin, Leung Man Yin & Ng Ho Ying / Chinese University of Hong Kong – <i>Varsity</i> 佔領過後的香港 譚卓清、梁文賢、伍基望 / 香港中文大學 – <i>Varsity</i>
<i>English-Language Television</i> 英文電視 Prize 大獎 Bighorns Seeking Sanctuary John Sparks – <i>Channel 4 News</i> 尋找庇護的藏羚團隊 John Sparks – <i>Channel 4 News</i>	<i>Chinese-Language Broadcast</i> 中文廣播傳媒 Grand Prize 金獎 Series of reports of the 25th Anniversary of June 4 Cyrus Chan, Kenny Kan, Gary Chan, Wayne Chau, Stephen Lo & Lee Kwai He – <i>Now TV</i> 六四廿五周年系列報道 陳豪俊、簡學博、陳偉利、仇志榮、羅錦輝、李國豪 – <i>Now TV</i>	<i>Chinese-Language Radio</i> 中文電台 Prize 大獎 The Tiananmen Mothers Si King Hang – <i>RTHK</i> 六四廿五周年系列：天安門母親 蘇敬恆 – 香港電台	<i>Feature 特寫</i> Merit 優異獎 Series: Ethnic Minorities in Hong Kong Luk Yu Shing – <i>Eastweek</i> 異國風情畫 陸岳鋒 – 東周刊 • Series: 800 Square Feet of Hidden Hope Xyza Bacani – <i>Rappler.com</i> 僑工身處斗室仍存期盼：近畿亞處外僑 Xyza Bacani – <i>Rappler.com</i> • Series: Family Reunions between North and South Korea Ed Jones – <i>AFP</i> 重聚：南北韓分親 家庭團圓錄 Ed Jones – 法新社 • Hong Kong Missionary Fearing Detained in Pyongyang Nora Tam – <i>SCMP</i> 香港傳教士恐遭平壤扣留 談煒韶 – 南華早報	<i>Student Chinese-Language</i> 中文學界傳媒 Grand Prize 金獎 Interview with a Homosexual "Patient" Du Yijie / University of Hong Kong – <i>Southern Weekly</i> 「一定要有人站出來」訪電聯同性戀座談者小組 杜穎潔 / 香港大學 – 南方周末 Prize 大獎 Reflection on a Social Movement Wong Chung Wun / Chinese University of Hong Kong – <i>U-Grat Magazine</i> 當年學運再尋時 回首來時路 王鍾耀 / 香港中文大學 – 大學報	<i>Student English-Language</i> 英文學界報道 Grand Prize 金獎 The Umbrella Movement: Epilogue Lukas Mesomer, Apin Liu, Jane Li, Annel Semmache, Filippo Ortona, Cal Wang, Vanessa Ma, Wicky Shing & Hiram Liu / University of Hong Kong – <i>MCNIBC</i> 雨傘運動後編 關詠琳、黎高耀、李林浩、Anel Semmache、Filippo Ortona、黃卓顯、施性琳、黃瑋敏、廖紹良 / 香港大學 – <i>MCNIBC</i> • China's 'Factory Girls' Have Grown Up and are Going on Strike Coco Feng, Jane Li & Echo Hui / University of Hong Kong – <i>Quartz</i> 中國工廠妹起義 馮仁可、李林碧、許芷君 / 香港大學 – 石英雜誌 Prize 大獎 'China's 'Homewives' are Becoming Unlikely Champions for Gay Rights' Huang Zheping / University of Hong Kong – <i>Quartz</i>
<i>Chinese-Language Newspapers, Feature</i> 中文報章 (特寫) Prize 大獎 The Degrading Tragedy of the One-Child Policy Hong Siping – <i>Minney</i> 單邊二胎實施半年 受害家庭哭訴：一孩政策 悲劇未完 王忠靖 – 新富雜誌	<i>Chinese-Language Print</i> 中文印刷傳媒 Grand Prize 金獎 Wave of Church Demolitions in Zhejiang: Party Secretary Xu Baolong vs. Millions of Christians Jiang Yunnan & Zou Sicheng – <i>Yuehou Zhounan</i> 浙江省拆十字架風暴 書記夏寶龍 vs 百萬基督徒 江耀南、鄭思聰 – 亞洲週刊	<i>Chinese-Language Television</i> 中文電視 Prize 大獎 A Prisoner's Voice: The 25th Anniversary of the June 4 Tiananmen Crackdown Choi Yik Ling – <i>RTHK</i> 六四廿五：佔據 蔡三玲 – 香港電台	<i>Spot News</i> 突發新聞 Merit 優異獎 Paul Zimmerman's Yellow Umbrella Cheng Kik Yin – <i>SCMP</i> 司馬文的黃色雨傘 鄭榮賢 – 南華早報 • Lightning over Government Headquarters Ho Ka Tat – <i>Apple Daily</i> 多區閃電擊破政總上的夜空 何家達 – 蘋果日報 • They Can't Kill Us All: Press Freedom Demonstration Li Chai Tung – <i>Ming Pao</i>	<i>Essay Contest Winner</i> 最佳論文獎 Grand Prize 金獎 Glória Cheung / University of Hong Kong graduate 張毓琪 / 香港大學	

Winning Entries of the 2015 Human Rights Press Awards 二〇一五年人權新聞獎得獎名單

English-language News & Features 英文新聞及專題

- Grand Prize 大獎**
• **Seaford from Slaves**
Marge Mason, Robin McDowell, Martha Mendoza & Esther Husan –
The Associated Press
海都齊後的奴工
Marge Mason + Robin McDowell + Martha Mendoza + Esther Husan – 美聯社

English-language News 英文發聲新聞

- Merit 優異獎**
• **Four Hong Kong Publishers Known for Books Critical of Chinese Regime Missing**
Iana Maria Sala – The Guardian
四名中國政評書出版業者失蹤
Iana Maria Sala – 衛報

- **Something Hideous Happened in Eishkku, Xinjiang**
Benjamin Haas – AFP
新疆艾里西湖鎮的暴力衝突
Benjamin Haas – 法新社

- **Asia's Migrant Crisis**
Freeth Jha, Nordin Hasan & Shaqqu Alam – AFP
亞洲移民危機
Freeth Jha + Nordin Hasan + Shaqqu Alam – 法新社

English-language Features 英文特寫

- Merit 優異獎**
• **Ghost Children: In the Wake of China's One-Child Policy, a Generation is Lost**
Nathan Vandenberg – The Globe and Mail
一代政策下遺失的一代：被生棄戶兒童
Nathan Vandenberg – 環球郵報

- **Crackdown on Chinese Rights Lawyers Series**
Wenya Yu – SCMP
中國緝捕維權律師系列
李諾恩 – 南華早報

- **Elderly Beated in for District Election Vote**
Jeffie Lam – SCMP
老人被攔往區議員站
林祖恩 – 南華早報

English-language Online Publication 英文網上刊物

- Grand Prize 大獎**
• **The Long Arm of China Series**
David Lague, Paul Mooney, Benjamin Kang Lim, Siu-Lee Wee & Stephanie Nebelhay – Reuters
中國勢力擴張系列
David Lague + Paul Mooney + Benjamin Kang Lim + Siu-Lee Wee + Stephanie Nebelhay – 路透社

- Merit 優異獎**
• **Sea Slaves: The Human Misery That Feeds Pets and Livestock**
Ian Urbina – The New York Times
海船南海漁船海上奴工的悲慘生活
Ian Urbina – 紐約時報

- **For Robbingx, Fear and Forced Marriage**
Joseph M. Kessel – The New York Times
羅興亞人面臨的恐懼及婚姻
Joseph M. Kessel – 紐約時報

English-language Commentary 英文評論

- Merit 優異獎**
• **Beijing Autumn**
Iana Maria Sala – China File
重臨天安門
Iana Maria Sala – 中參館

English-language Broadcast 英文廣播專欄

- Grand Prize 大獎**
• **The Invisible Children of Sabah, Malaysia**
Chan Tsz Chiu – Al Jazeera
馬來西亞沙巴的隱形兒童
Chan Tsz Chiu – 半島電視台

English-language Television 英文電視新聞節目

- Merit 優異獎**
• **Asia's Worst Wars: Myanmar's State-Backed Militias are Flooding Asia with Meth**
Patrick Winn & Mark Ottmanns – GlobalPost

亞洲冰毒戰爭：緬甸政府支持的民兵在亞洲蔓延毒品 Patrick Winn & Mark Ottmanns – 環球郵報

- **China's Locked-Up Lawyers**
Carrie Grace – BBC
中國被囚律師
Carrie Grace – 英國廣播公司

English-language Radio 英文電台專欄

- Merit 優異獎**
• **Soccer Nuns: The Trials of Tibetan Women's Football**
Ivan Broadhead – BBC
足球女僧：西藏女子足球隊的考驗
Ivan Broadhead – 英國廣播公司

Chinese-language News & Features 中文新聞及專題

- Grand Prize 大獎**
• **The Fate of Chinese Rights NGOs**
Zhao Sile – Inforum
中國權利NGO生死劫（上中下）
趙思樂 – 明報

Chinese-language, Features 中文特寫

- Merit 優異獎**
• **Kau Yanding: 120 Days of Hell and 100 Kilometers of Salvation**
Zhao Sile – Inforum
趙延丁：一百二十八天的地獄，一百公里的救贖
趙思樂 – 端傳媒

- **Conflict Escalates over Christian Crosses in Zhejiang**
Zhu Yongqiao – Yachou Zhounan
浙江基督信大抗爭新十字架風暴升級及衝突《聯邦去年一年的黃益祥牧師》
朱永鵬 – 亞洲週刊

- **Never Grow Old**
Chen Yimin – Ming Pao Weekly
難得難得
陳伊敏 – 明報周刊

Chinese-language Spot News 中文突發新聞

- Merit 優異獎**
• **Vote Rigging in District Council Elections**
Leung Yu Wo, Yuen Pak Yan, Alexander Lam Wai Chung & Lee Nga Man – Apple Daily
區議會選舉
梁樹和 + 袁柏恩 + 林耀聰 + 李達生 – 蘋果日報

- **A Brother Asks Society to Respect the Disabled**
Simpson Cheung Wai-Ming, Yanny Tsang Ying-Mui, Gemini Cheng Pui-Shan & Choi Wo-ki – Ming Pao
智偉基三輯「無挑自白」二哥瀝下邇社會尊重殘障
張偉明 + 曾映妹 + 鄭佩瑛 + 錢達祺 – 明報

- **Elderly Stripped Naked on Rooftop, Waiting to Be Showered**
Willy Liu Wing-ki & Edward Choi Chan-Wai – Ming Pao
長者遭脫光露天等沖涼
廖國祺 + 蔡偉成 – 明報

Chinese-language Online Publication 中文網上刊物

- Merit 優異獎**
• **Investigation of the Shenzhen Landslide: Why Waste Was Dumped in an Ecological Zone**
Yannian Jiang – Inforum
深圳山泥傾瀉後驗：事結元兇，遷土山為何建在法定生態控制區內？
江麗南 – 端傳媒

Chinese-language Commentary 中文評論

- Merit 優異獎**
• **A Lifetime of Suffering for Chinese Women**
Zeng Jinyan – Inforum
中國女性終其一生承受的暴力
曾金燕 – 端傳媒

Chinese-language Broadcast 中文廣播專欄

- Grand Prize 大獎**
• **The Myth of 'One Person, One Vote'**
Chay Yui Ling – RTHK
假民主：一人一票的迷思
蔡玉玲 – 香港電台

- Special Prize 特別獎**
• **The Refugee Crisis in Europe**
Michelle Chan – RTHK
難潮集：大逃亡
陳韻忻 – 港台電視

Chinese-language Television 中文電視節目

- Merit 優異獎**
• **Infatible Church**
Benny Wong Nga-Man – RTHK
不朽的教會
黃國文 – 香港電台
• **Caring for the Intellectually Disabled**
Grace Wong – RTHK
繼續愛：智障無敵
黃凱欣 – 港台電視

Chinese-language Radio 中文電台專欄

- Merit 優異獎**
• **Myanmar Elections series**
Ivan Luk Yik-Kwong & Wong Lai – RTHK
緬甸大選系列
陸宇光 + 王露 – 香港電台

- **Human Rights Lawyers**
Chan Mu-Ling – RTHK
維權律師的資訊
陳妙玲 – 香港電台

Photography 新聞圖片

- **Grand Prize 大獎**
• **Dying to Breathe (a series about Chinese gold miners)**
Sin Chi Yin, Fredance Photographer – VII Photo Agency. The work appeared in

National Geographic, the Pulitzer Center on Crisis Reporting and The New York Times
一個難群與家庭的愛與渴望
沈婉婉：自由攝影師，其作品獲刊於《國家地理》、普利策中心的危機報告、紐約時報

Spot News Photography 突發新聞圖片

- Merit 優異獎**
• **Disputed Land**
Sam Tsang – SCMP
地權爭議
Sam Tsang – 南華早報

- **The Lonely Life of the McSleepers**
Dickson Lee – SCMP
麥家勞內的熊空者
Dickson Lee – 南華早報

- **The First Blood Shed in the Yuen Long Anti-smuggler Movement**
Chan Yik-Chiu – Apple Daily
元朗元朗第一滴血
陳奕鈞 – 南華早報
• **Defendant**
Ho Kwan Kin – Sing Tao
原告變成被告
何政傑 – 星島日報

- **British Lesbian Faces Discrimination in Hong Kong**
Yia Young-Man – Apple Daily
英女同志被歧視
易仰民 – 蘋果日報

Feature Photography 圖片特寫

- Special Prize 特別獎**
• **Refugees Crossing the Aegean Sea for Survival**
Nicole Tung – Inforum
難民的渡海：過一年，為生存穿越黑海
Nicole Tung – 端傳媒

- Merit 優異獎**
• **Southeast Asia's Migrant Crisis**
Christophe Archambault – AFP
南亞移民危機
Christophe Archambault – 法新社

- Myanmar Elections
Ye Aung Thu – AFP
編輯大匯
Ye Aung Thu – 法新社
- Stage Performers With Down Syndrome
Fu Chun-Mei – Eastweek
戲院戲外的「二二三」
傅俊梅 – 東周刊
- We Shout Erwiana!
Ho Chung-Ming – Next Magazine
我們呼喊Erwiana!
吳仲明 – 壹周刊

High School Journalism 高中學生組

- Prize 大獎
- Bismfranchised: Education for Non-Chinese-Speaking Children in Hong Kong
Kaviera Artaza / West Island School – Harbour Times
非華語學生教育權利被剝奪
Kaviera Artaza/ 西島中學 – 港報

University English-Language Broadcast
大學英文廣播作品

- Prize 大獎
- Education for All
Ho Kai-Hoi, Leung Ka-Yu, Tsui Kit-Sze, Ki On-sung & Wong Wing-Mean / The Chinese University of Hong Kong – Varsity
普及教育
何家熹、梁嘉瑜、徐慧恩、黃穎琪、譚健松 / 中文大學 – Varsity

University English-Language Writing
大學英文寫作

- Prize 大獎
- Transparently Uncheat
Tsui Ming-Sze, Lin Yi-Tung & Hwan Cho-Ming / The Chinese University of Hong Kong – Varsity Magazine
政府透明度成疑
譚詠詩、譚浚峰、關祖明 / 中文大學 – Varsity Magazine

- Merit 優異獎
- Finding a Way Forward
Joyce Lai, Man Sze-Wai & Tsang Hoi-Kee / The Chinese University of Hong Kong – Varsity Magazine
雨傘運動後尋求前路
詹詠詩、譚浚峰、關祖明 / 中文大學 – Varsity Magazine
 - Sexual Harassment at Hong Kong's Universities: Rarely Reported, but not Rare
Medhavi Auzai / University of Hong Kong – Hong Kong Free Press
香港大學性騷擾案罕見卻少有舉報
Medhavi Auzai / 香港大學 – Hong Kong Free Press

University Chinese-Language Broadcast
大學中文廣播作品

- Prize 大獎
- The Rights of Domestic Workers and Power of the Police
Li Lok-Man, Nicolle Liu Ka-Win, Leung Yat-Nga, Winnie Tang Man-Yan & Yeh Ka-Lun / The Chinese University of Hong Kong – Pinpoint website
零權及少權喊話
李樂敏、廖加樂、梁詠雅、鄧聖欣、葉嘉嫻 / 中文大學 – Pinpoint website

University Chinese-Language Writing
大學中文寫作

- Prize 大獎
- Questionable Police Testimony and Prosecutions after Occupy
Lam Tsz-Ching & Gloria Chan Hoi-Ching / Hong Kong Baptist University – Saapayan
警口供疑曾被質疑 檢控不當換法治
林子晴、陳凱晴 / 浸會大學 – 新報人

Youth Essay Contest 青年國文大賽

- Prize 大獎
- Review of Ai Weiwei: Never Sorry (2012)
Melissa Leung On Ki / University of Hong Kong
評論艾未未：永不道歉
梁安琪 / 香港大學

議結論中提出關注：「委員會特別感到遺憾的是，『設計手冊：暢通無阻的通道』（屋宇署於二〇〇八年出版）中闡述的建築標準不能追溯適用，且不適用於由政府或房屋委員會管理的處所。委員會感到關切的是，沒有足夠的監測機制評估建築的無障礙情況，因此限制了殘疾人士在社區中獨立生活的能力。」並建議港府將「設計手冊：暢通無阻的通道」中的標準追溯適用（即於二〇〇八年前建成的屋宇亦同樣適用），並適用於政府或房屋委員會管理的處所。委員會亦建議港府強化無障礙監測工作（第六十一及六十二段）。

討論問題

- 政府應推行甚麼政策和措施來加強履行公約的責任？
- 平機會如何採取更積極的角色？
- 若殘疾人士的權利得不到保障，是否有損公義？
- 除了上述的報導，你有留意到其他殘疾人士會面對的問題嗎？

延伸閱讀

- 聯合國〈消除對婦女一切形式歧視公約〉
- 聯合國〈殘疾人權利公約〉
- 聯合國殘疾人權利委員會二〇一二年審議結論：香港
- 聯合國消除對婦女歧視委員會二〇一四年審議結論：香港
- 平等機會委員會：〈疾歧視條例與我〉
- 香港復康會：〈香港無障礙旅遊指南〉
- 蘋果日報：論十團體 譴責評議會「聯線論」平機會醫學會指言論歧視 要求道歉（二〇一五年十二月十八日）

二〇〇六年中文報導特寫優異獎《聾戰士勢爭看得到的說話》（衛喬欣，星島日報）探討當時不少電影及電視節目未有提供字幕，導致失聰人士難以明白內容的情況。即使有聽障人士懂得閱讀唇語，不過遇上無字幕配音版的外語片或者卡過片的時候，就不得其解。隨著政府要求電視台黃金時段節目一定要配上字幕，以及當時3G等即時通訊科技日趨成熟，為聽障人士提供更多融入社會的途徑，令其生活增添更多樂趣。

聯合國殘疾人權利委員會於二〇一二年就《殘疾人權利公約》在香港的實行狀況發表審議結論，對香港的特殊教育服務表示擔心：「師生比例太高，對教師的特殊教育需求培訓不足。此外，委員會感到不安的是，因缺乏連貫一致的教育政策，接受高等教育的殘疾學生人數少。」（第七十三段）同時亦指出：「委員會注意到，因為中國香港沒有正式承認手語的重要性，有聽力障礙的人難以獲取資訊。委員會感到關切的是，對手語翻譯員的培訓以及翻譯服務都很缺乏。」並建議港府增加對手語翻譯員的培訓以及手語翻譯服務（第七十一及七十二段）。

除了教學語言的爭議，殘疾婦女，特別是有智力殘疾的婦女能否有充足的機會受教育，亦是一個疑問。聯合國消除對婦女歧視委員會於二〇一四年就《消除對婦女一切形式歧視公約》於香港的實行狀況發表審議結論，指出「令委員會關切的是有部份報告稱有殘疾的婦女和女童，特別是有智力殘疾的婦女和女童，受教育的機會有限。」並建議港府「排除一切妨礙殘疾婦女和女童，特別是有智力殘疾的婦女和女童接受教育的因素，並確保有殘疾的婦女和女童有效參加教育。」（第六十及六十一段）除此之外，殘疾人權利委員會於二〇一二年的審議結論中提到平機會監測及執行《殘疾歧視條例》的工作甚為被動，而殘疾婦女和女童所面臨的歧視更為嚴重，如殘疾婦女和女童的家庭暴力個案亦屢見不鮮（第五十五及五十七段）。

殘疾人士的健康亦是「人權新聞獎」得獎作品關注的題目之一。二〇一〇年的報章新

聞優異獎《殘疾人買保險歧視》（杜寶琪，明報）發現當時社會上有近三分之一的保險公司拒絕殘疾人士受保，亦有近半保險公司增設額外保費，揭露殘疾人士購買保險困難重重，有違《殘疾人權利公約》第二十五條（五）所訂明：「締約國應承認，殘疾人士有權享有可達到的最高健康標準，不受基於殘疾的歧視。締約國應當採取一切適當措施，確保殘疾人士獲得考慮到性別因素的醫療衛生服務，包括與健康有關的康復服務。締約國尤其應當在提供醫療保險和國家法律允許的人壽保險方面禁止歧視殘疾人士，這些保險應當以公平合理的方式提供。」

殘疾人權利委員會於二〇一二年的審議結論中指出「委員會對公共醫療服務供不應求感到不安。委員會還感到關切的是，很多保險公司駁回殘疾人士的申請，殘疾人士因而無法支付醫療費用。」並建議港府：「向公共衛生服務增撥人力和財政資源，並安排保險公司進行配合。」醫療保險歧視殘疾人士的情況，仍然停留於十年前的水平。（第七十五及七十六段）

二〇〇五年英文報章新聞優異獎《阿志的不幸只是冰山一角》（許風怡，南華早報）揭示無障礙設施的不足對殘疾人士的影響。阿志原本是電器技工，因一次工業意外導致傷殘，只能靠輪椅出入，因為其居住的大廈，電梯大堂與門口之間，連接著一段狹小的樓梯，管理公司拒絕為他加裝斜坡，阿志就只能呆在家中，只有去覆診時才由妻子及五名壯丁協助下，將阿志連同輪椅（共重一百五十公斤）搬下樓梯。阿志自備木板放置於梯級上以便搬運，但又遭到鄰居白眼。之前受僱的公司於工傷訴訟完結時申請破產，他即使獲判一千萬賠償，結果一毫子也沒得到，所以無能力搬到其他私樓；想申請公屋，又不符合資產資格；去平機會投訴，調解無果，只能申請法庭去興訟。可是，阿志又擔心，即使贏得官司，最終只會令鄰居更敵視他們。

殘疾人士欠缺讓自己能獨自出入的無障礙設施，殘疾人權利委員會亦於二〇一二年審

簡介

《基本法》保障香港的法律面前人人平等的權利，而香港法例亦不容許任何對殘疾人士的歧視。自二〇〇八年聯合國《殘疾人權利公約》在中國生效並適用於香港，意味政府在國際法上須確保殘疾人士各方面的權利，確保殘疾人士能平等及充分地享有基本人權和自由，以及促進對殘疾人士的尊重。根據聯合國《殘疾人權利公約》第一條，殘疾人包括肢體、精神、智力或感官有長期損傷的人，這些損傷與各種障礙相互作用，可能阻礙殘疾人在與他人平等的基礎上充分和切實地參與社會。

《殘疾人權利公約》在第三條訂明其原則：（一）尊重固有尊嚴和個人自主，包括自由作出自己的選擇，以及個人的自立；（二）不歧視；（三）充分和切實地參與和融入社會；（四）尊重差異，接受殘疾人是人的多樣性的一部分和人類的一分子；（五）機會均等；（六）無障礙；（七）男女平等；（八）尊重殘疾兒童逐漸發展的能力並尊重殘疾兒童保持其身分特性的權利。

《殘疾人權利公約》各條文均確保殘疾人士享有與其他人士相等的公民權利和政治權利、經濟、社會及文化權利，免受酷刑及不人道對待、教育、健康、生存等等的權利，以及殘疾婦女及殘疾兒童的權利；公約第二十四條亦訂明「締約國應當使殘疾人能夠學習生活和社交技能，便利他們充分和平等地參與教育和融入社區。為此目的，締約國應當採取適當措施，包括：（一）為學習盲文、替代文字、輔助和替代性交流方式、手段、模式、定向和行動技能提供便利，並為殘疾人之間的相互支援和指導提供便利；（二）為學習手語和宣傳聾人的語言特性提供便利；（三）確保以最適合個人情況的語文及交流方式和手段，在最有利的發展學習和社交能力的環境中，向盲、聾或聾盲人，特別是盲、聾或聾盲兒童提供教育。」

公約第九條亦訂明須確保殘疾人士生活於無障礙的環境，讓他們能夠獨立生活：「為了使殘疾人能夠獨立生活和充分參與生活的各個方面，締約國應當採取適當措施，確保殘疾人在與其他人士平等的基礎上，無障礙地進出物質環境，使用交通工具，利用信息和通信，包括信息和通信技術和系統，以及享用在城市和農村地區向公眾開放或提供的其他設施和服務。這些措施應當包括查明和消除阻礙，實現無障礙環境的因素。」

殘疾人士權利在香港

雖然於二〇〇八年，聯合國《殘疾人權利公約》方適用於香港，不過殘疾歧視的立法早於九十年代就開展：一九九四年，時任立法局議員胡紅玉就運用當時立法局仍實行的議員私人條例草案機制，提出全面的《平等機會條例草案》，包括性別、殘疾、家庭崗位、性傾向、年齡、種族等範疇。當時政府在草案審議期間只為性別歧視及殘疾歧視立法，是以一九九五年《殘疾歧視條例》（第四八十七章）獲得通過；而聯合國《殘疾人權利公約》於二〇〇八年適用於香港。

在《殘疾人權利公約》適用於香港前（即二〇〇八年前），亦有不少關於殘疾人士的報導獲人權新聞獎，較早期的有一九九九年中文雜誌特別表揚《打手語 創出聾人教育的明天》（朱麗珊、梁萬儀，大學線月刊），探討當時失聰人士教育應採用唇語教學或手語教學的不同討論，支持唇語教學者認為學生可更容易融入健康社群；但支持手語教學者則認為唇語教學未必能完全掌握，只會影響學生學習機會，手語教學才能提高學習效率，不過又可能令失聰人士難以與健全人士溝通。到底用唇語還是手語學習較好？似乎是兩難。報導中受訪的香港聾人協進會社工認為，能夠讓聾人又可以掌握知識又可以做到傷健共融，最徹底的方法，還是讓健聽人士學習手語。



戲裡戲外時「二一三」 Stage Performers With Down Syndrome
傅俊偉 Fu Chun-Wai - 東周刊 Eastweek Magazine
2015 圖片特寫編輯部 Feature Photography Ment

討論問題

- 根據《兒童權利公約》，香港在保障兒童權利的法例上仍有何不足？
- 兒童權利與其他人權有何密切關係？
- 非政府機構在保障兒童權利上有何角色？
- 你認為現時香港兒童的表達權是否得到充分尊重？

延伸閱讀

- 聯合國《兒童權利公約》
- 聯合國兒童權利委員會二〇〇五年審議結論：中國（包括香港）
- 聯合國兒童權利委員會二〇一三年審議結論：中國（包括香港）
- 諾貝爾和平獎得主馬拉拉感言：《最了不起的，使我更堅強》
- 聯合國兒童基金會香港委員會，兒童權利公約電視節目「童·一個天空」（有線電視製作）

家。另一位受訪兒童親證社會貧富懸殊，別的同學拚手可得的小食她就要一直忍著，只有看的份兒；她的夢想是當畫家，但一直缺錢的她還是想買票點，去當個能賺錢的護士。

聯合國兒童權利委員會於二〇〇五年及二〇一二年就公約在香港的實行狀況發表審議結論，均對兒童經濟權利及社會保障表示關注。二〇〇五年的審議結論指出「香港特區用於減少貧困的資源不足，收入差距愈來愈大。委員會還關注到，社會福利計劃因一九九七年亞洲金融危機造成的經濟困難而壓迫，但並未隨著經濟恢復增長勢頭而向上調整。」（第十九段）並建議港府：「將預算撥款的目標定在縮小收入差距，包括增加對社會保障網的撥款。委員會建議特區建立一個有效的監測系統，確保預算撥款惠及最弱勢群體。」（第二十一段）委員會在二〇一三年的審議結論則指出，香港在教育及社會福利的資源分配仍然不足，並且未能有效針對最弱勢的群體，建議港府加快落實增加公共住屋供應的計劃，並對特別容易陷入貧困的兒童和家庭，實行社會保護和有針對性的方案。（第十三段）

除了經濟保障，正如《兒童權利公約》第十三條訂明「兒童應有自由發表言論的權利」，一九九七年電視鼓勵表揚作品《春風伴我行——第八集「校園民主風」》（黎敬儀，香港電台）以寫實劇集的方式，將學校推行校園民主化可能面對的挑戰及好處：要取得同學的信任和說服其協助推行，以及如何說服校方採納學生的意見，就算校方未有接受同學意見，但在諮詢過程中雙方增加了了解，而且校方亦願意解釋有關原因，有助課程改革順利推行。

然而，現實中，香港兒童的表達權利和意見有否被尊重呢？兒童權利委員會二〇〇五年的審議結論就對香港政府「不系統地徵求兒童對所有涉及他們的政策和方案的意見之局面」表示關切（第二十八段），亦建議港府「確保兒童有權對涉及他們的所有事項自由表達自己的意見，並使這些意見在政策制訂、執行過程中以及在學校、家庭

中得到應有的重視」（第三十九段），還建議港府於設立人權機構時，應「有權受理、調查和處理公眾申訴，包括兒童個人的申訴」（第十七段）。

二〇〇六年雜誌優異獎《校規過嚴成緊箍咒——學生意見有誰聽》（《大學線月刊》）則揭示有學校校規太嚴，例如不可戴粗框眼鏡，有學校甚至監視學生課後寫網上日記（Blog）的內容，不可寫粗言穢語也不可批評老師和學校，侵犯了學生私隱和表達自由。有同學覺得校規太嚴苛，亦感到很大壓力，希望向校方反映，盼學校正視，但大部分都徒勞，只是偶爾有一些成功例子——有學校與學生溝通後，發現運動長褲太闊，遂放寬夏天有體育課的日子必需穿體育服上學的規定，顯示學校的校規其實有空間容納學生的意見，只是取決於校方是否樂意開放溝通渠道。

另一方面，兒童事務委員會亦對兒童受到虐待的情況表示關注，於二〇〇五年的審議結論中建議港府「更明確地定義各種形式的虐待，並對從事兒童工作及相關事務的專業人員加強各種形式虐待的確認、處理和預防工作的教育和培訓」以及「加強對虐待、忽視和虐待兒童案件的協調和跟蹤，確保無論受過哪種虐待的兒童及其家庭均能夠獲得社會服務和救助」（第五十八段）。二〇〇〇年中文新聞大獎得獎作品《兒童院被指非法獨囚男童》（區嘉琪，黎佩芬，明報）報導一名被列入兒童院的十四歲男童遭院方單獨囚禁三週，期間不准看書和與人接觸，男童企圖離開單獨囚禁的房間，卻遭刑事起訴。男童代表律師指出，按《感化院條例》（第二二六章）院方雖可懲罰院童，甚或把他隔離，但為期最長七日；男童當時被單獨囚禁三週，已屬非法禁錮，根據《兒童權利公約》第三十七條「不得非法或任意剝奪任何兒童的自由。對兒童的逮捕、拘留或監禁應符合法律規定並僅應作為最後手段，期限應為最短的適當時間。」這種違法囚禁已有違公約，而長時間不准其看書和與人接觸亦可算不人道對待。

簡介

《兒童權利公約》保障了兒童的生存權，以及得以在安全環境下發展的權利。公約第六條列明：「締約國確認每個兒童均有固有的生命權」及「締約國應最大限度地確保兒童的存活與發展」；第十六條則訂明：「兒童的隱私、家庭、住宅或通信不受任意或非法干涉，其榮譽和名譽不受非法攻擊」以及「兒童有權享受法律保護，以免受這類干涉或攻擊」；第二十三條亦保障殘疾兒童亦享有同樣待遇：「締約國確認身心有殘疾的兒童應能在確保其尊嚴、促進其自立、有利於其積極參與社會生活的條件下享有充實而適當的生活。」

《兒童權利公約》同時保障兒童表達主見的權利，第十二及十三條分別訂明：「締約國應確保有主見能力的兒童有權對影響到其本人的一切事項自由發表自己的意見，對兒童的意見應按照其年齡和成熟程度給以適當的看待。」以及「兒童應有自由發表言論的權利，此項權利應包括通過口頭、書面或印刷、藝術形式或兒童所選擇的任何其他媒介，尋求、接受和傳遞各種信息和思想的自由，而不論國界。」第十五條亦明確確認兒童享有集會自由及結社自由的權利，並訂明：「對此項權利的行使不得加以限制，除非符合法律所規定並在民主社會中為國家安全或公共安全、公共秩序、保護公共衛生或道德或保護他人的權利和自由所必需。」

《兒童權利公約》亦保障兒童的自由及免於酷刑或不人道待遇，第三十七條訂明締約國應確保「任何兒童不受酷刑或其他形式的殘忍、不人道或有辱人格的待遇或處罰。對未滿十八歲的人所犯罪行不得判以死刑或無可能獲釋的無期徒刑，「不得非法或任意剝奪任何兒童的自由。對兒童的逮捕、拘留或監禁應符合法律規定並僅應作為最後手段，期限應為最短的適當時間」以及「所有被剝奪自由的兒童應受到人道待遇，其人格固有尊嚴應受尊重，並應考慮以符合他們的年齡的方式加以對待。特別是，所有

被剝奪自由的兒童應與成人隔開，除非認為反之最有利於兒童；並有權通過信件和探訪同家人保持聯繫，但特殊情况除外」。

兒童權利在香港

一九八九年，《兒童權利公約》於聯合國大會獲得通過，英國政府於一九九一年簽署並獲核准成為締約國，此公約於一九九四年延伸適用於香港。由於中國亦為此公約締約國之一，主權移交後，《兒童權利公約》同樣適用於香港。在公約未適用前，香港亦有《保護兒童及少年條例》（第二一二章）作為保護兒童及青年有關的法例，而一九九三年通過的《父母與子女條例》（第四二九章）亦消除了過去非婚生子女在法律上所受到的不公平待遇。不過這些法例均未有明確地對兒童的表達主見權提出保障。

不少人據新聞獎的作品關注兒童權利，而有關政府福利以及經濟支援對兒童的影響，亦是其中一個有關兒童權利的重大課題。二〇〇六年的報章特寫優異獎《東涌暑假太漫長》（胡靄欣，明報），探討當時東涌康樂設施不足，沒有體育館、文娛中心和游泳池的情況下，不少家庭又未能負擔租用文娛場地的費用，以致居於東涌的兒童在暑假期間無所事事，炎炎夏日只能呆在家中——明明是一般學生期待已久的暑假，對他們來說竟然變得太漫長。報導揭示香港兒童設施不足影響兒童行使閒暇和休息權的問題。

二〇一一年中文報章特寫大獎《食童鏡頭下看貧窮》（王家文，蘋果日報）訪問了數位貧窮家庭的兒童，了解他們生活上面對問題。有受訪兒童指母親為了省紙皮，要推著大堆紙皮走足半小時，才賣得十一元；做兒子的想幫母親賣紙皮，但母親怕其被同學笑——事實上兒子在學校也被指為「窮鬼」。受訪兒童認為，是政府將頭破視窮人，只是偏幫商



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討論問題

少數族裔

- 你曾經接觸少數族裔嗎？在接觸他們之前和其後，對他們的觀感有甚麼轉變？
- 你覺得社會是否存在對少數族裔的歧視？
- 少數族裔學習中文與本地華人家庭相比，難度會有甚麼不同？

難民

- 你知道現時全球接收難民最多的是哪些國家嗎？
- 為甚麼政府有責任接收不同地區的尋求庇護人士？
- 你覺得你日後有可能需要到外國尋求協助嗎？如果你得到的待遇只是如香港政府所給予難民申請者的待遇，你有甚麼感想？

延伸閱讀

少數族裔

- 聯合國《消除一切形式種族歧視國際公約》
- 聯合國《經濟、社會與文化權利的國際公約》
- 聯合國《公民權利和政治權利國際公約》
- 聯合國消除一切形式種族歧視委員會二〇〇一年審議結論：香港
- 聯合國消除一切形式種族歧視委員會二〇〇九年審議結論：香港
- 聯合國經濟、社會、文化權利委員會二〇一四年審議結論：香港

難民

- 聯合國《世界人權宣言》
- 聯合國《公民權利和政治權利國際公約》
- 聯合國《一九五一年難民地位公約》
- 聯合國《禁止酷刑和其他殘忍、不人道或有辱人格的待遇或處罰公約》
- 聯合國經濟、社會與文化權利委員會二〇一四年審議結論：香港
- 聯合國禁止酷刑委員會二〇一五年的審議結論：香港

二〇〇六年新聞攝影優異獎（準難民恐無處容身）（秦覺偉，明報），記錄當年聯合國難民事務高級專員宣布取消八十位準難民的生活津貼後，他們所面對的困境；相應的訪問中就指出，即使有津貼，每日也不過四十元，生活已不容易，有受訪者指自己不能工作而「悶到發瘋」；如果沒有津貼，就唯有露宿街頭，當黑工維生。

二〇一二年英文報章特寫優異獎《朱門酒肉臭路有凍死骨》（*Riches All Around, but They Scavenge to Survive*）（Joanna Chu and K.Y. Cheng, South China Morning Post）揭示香港尋求庇護人士的苦況，有受訪聲請在港苦等三年，期間不能工作，在資助微薄的情況下，他唯有與流浪貓爭食；在家鄉因宗教原因受政府酷刑及迫害，最後竟然被駁回其酷刑聲請，受訪者感到非常無奈。難民署亦對此感無能為力，唯有寄望港府早日簽訂難民公約對難民有更多保障。有協助這些聲請者的律師則指，政府沒有政治承擔，更不打算積極保障難民的權利，而市民往往誤信政府所言，以為聲請者都是來打黑工以及只是為經濟原因而來，普遍對難民都沒有好感。

二〇一三年英文雜誌優異獎《香港難民之恥——惟希望仍存》（*Hong Kong's Refugee Shame. But Wait, There's Hope...*）（黎清哲，Mark Tjhung, Time Out Hong Kong）報導了居於香港的酷刑聲請者每天的生活——每月只有港幣三千多元津貼，當中一千二百元作為租金，在香港這寸金呎土的地方，加上近年租金飆升，他們只能租住環境極惡劣的豬欄；食物津貼也是「癮癮緊」。然後，還要額外支付水電煤費，如果生病需要看醫生，醫藥費也是個問題。聲請者多不願冒險犯法做黑工，但有時生活所迫，例如如聲稱者為了賺得太太醫藥費而去工作，結果就被判十五個月監禁，期間其懷孕的太太因水管老舊爆裂而發生意外，幾乎導致小產。聲稱者在等候期間被迫過著貧民生活，他們都希望能早日完成審批，到其他地方重新開展新生活。報導亦訪問多個志願組織，他們均表示政府為阻止聲請者到港而特意為申請製造障礙。因為酷刑聲請的申請過程極不合理地延誤，致有不少聲請者滯留在港，另一方面，不少輿論、特

別是鮮有報導難民真實情況的中文傳媒，都為聲請者貼上標籤，稱他們只是來「攞著數」（佔便宜），以致公眾往往對聲請者有不少誤解。

香港政府於二〇一四年起實施「統一審核機制」處理免遣返保護聲請。不過，審核機制和尋求庇護人士保障仍然非常不足，有待改善，例如人手非常短缺，而相關的國際形勢資料庫也相當不足，要聲請者自行找人權機構索取一些顯然於網上輕易搜得的有關其國家人權狀況的報告，非常費時失事。

聯合國消除種族歧視委員會於二〇〇九年的審議結論中提出：「委員會注意到香港特別行政區擬議的酷刑申訴人立法框架，但是對締約國尚未通過難民法，包括庇護申請的類別程式表示關切。」並建議港府：「通過難民法，以建立個人庇護申請的全面類別程序。委員會進一步建議保障尋求庇護者的知情權、解釋權，以及獲得法律援助和司法補救的權利。委員會還鼓勵締約國重新考慮批准《一九五一年難民地位公約》及《關於難民定義議定書（一九六七）》（第二十九段）。

聯合國禁止酷刑委員會於二〇一五年十二月審議結論中，促請香港政府「檢討免遣返聲請審核機制，以確保需要國際保護的人可享有全面免遣返保障」，並「確保審核機制更為公平和透明」（第七項）。聯合國經濟、社會與文化權利委員會於二〇一四年審議結論中，建議香港政府「通過關於尋求庇護者和難民的立法，以改善他們享有經濟、社會和文化權利的情况，使其能夠合法就業，包括接受職業訓練和獲得適足住屋」（第四十二段）。

會因為他們的種族而遭受歧視、騷擾和中傷。根據條例規定，基於某人的種族而歧視、騷擾及中傷該人，即屬違法。

不過《種族歧視條例》對少數族裔的保障是否足夠呢？二〇一四年中文學界報導優異獎《少數族裔支援大細題》（紀思清，莊禮傑，香港浸會大學「新報人」指出，現時不少不諳中文的少數族裔人士即使具高學歷，找尋工作亦相當困難。本港提供予少數族裔的中文班，主要服務對象為佔少數族裔人口過半的南亞裔人士，對一些來自非洲的少數族裔，就較難找到合適的服務。另一方面，即使政府有提供中文課，甚至以英文教授的職業培訓課程等，實質上程度均太淺，未能對就業有任何幫助。況且政府亦未有計劃效法英美國家，按少數族裔人口比例調讀相應數量的少數族裔人士，故勵社會不拘中文能力唯才是用——畢竟，於教育政策未有足夠配套下，即使於香港土生土長，不少少數族裔人士仍難以掌握中文讀寫溝通技巧。

消除種族歧視委員會於二〇〇九年的審議結論中就香港《種族歧視條例》對種族歧視的定義表示關切，委員會認為：「在禁止歧視的理由中沒有列入移民身分和國籍，因此與《公約》第一條不完全一致。」而且關注該條例適用範圍「只涵蓋政府某些活動和職權的行使，即就業，教育，以及貨物和服務的提供」；建議港府將所有政府職能和職權都納入《種族歧視條例》的適用範圍。委員會建議通過一項平等計劃，以確保有效執行法律和加強平等機會委員會職能（第二十七及二十八段）。

難民

雖然聯合國多次促請當局將《難民公約》延伸至香港，但當局置若罔聞。不過，各核心國際人權公約包括《公民權利和政治權利國際公約》、《禁止種族歧視公約》及《禁止酷刑公約》皆適用於香港。

繼一九五〇年代國共內戰時大批難民從中國逃到香港後，香港面對最大規模的移民潮就是於一九七〇年代至一九九〇年代的越南難民潮——當時正值一九七五年越戰結束，北越軍統一越南後社會持續動盪，觸發大批越南人逃亡，一九七九年爆發的中越戰爭更加速了難民潮。由一九七五年至二〇〇年間，香港共接收了二十多萬名越南尋求庇護人士，其中約十四萬被聯合國難民事務高級專員署甄別為難民並移居海外，而被甄別為非難民的越南尋求庇護人士，就以自願遣返形式，或透過港府於一九九一年推出的有秩序遣返計劃送返越南。根據入境署網頁，當時所有返回越南的尋求庇護人士均獲保證不會受迫害，並會得到國際援助，亦得到聯合國難民事務高級專員署監察。此外，直至二〇〇年滯留在港的越南難民及其他尋求庇護人士，則可以申請「本地收容計劃」留在本港。一九九六年第一屆人權新聞獎「We Don't Belong in Vietnam」(Marianna Wan - South China Morning Post)訪問了當時一些來自越南的尋求庇護人士。港府在二〇〇年正式關閉所有難民營。

一直以來，除了越南難民，還有其他不同地區的人士，因戰亂、受恐怖組織威脅或受政治迫害、性別、宗教或種族歧視等等不同原因，來到香港尋求政治庇護，數目固然比當時越南難民少得多。然而香港政府有責任履行保障《公民權利和政治權利國際公約》及其本地法《香港人權法案》訂明「免受酷刑或殘忍、不人道或侮辱之處遇或懲罰」的權利。

早於二〇〇三年的人權新聞獎英文報章新聞大獎「HK policy on asylum seekers is questioned」(Rayna Shandassan, South China Morning Post)就對當時港府將尋求酷刑聲稱人士囚禁的做法提出質疑，並訪問多位人權界及法律界人士，他們均異口同聲指出，港府此做法有違國際人權法——國際指引及人權公約均訂明，只能於極特殊的情況下方可將聲稱者囚禁，但港府反其道「只有極特殊情况下方不會將聲稱者囚禁」，做法與國際法規恰相反。有人權律師更批評，香港這個金融及經濟這麼發達的地方，竟然容不下難民。

南亞裔家庭亦歡迎。受訪的南亞裔父親深深明白，在香港不懂中文，往往只能靠體力勞動養家，而他兒子在香港出生，廣東話非常流利，只差識寫，因此做父親當然想子女早日學好中文，日後有更好的發展。然而新措施實際操作上並不如意，主流學校要接受新政策，但政府推出新措施時卻未有增撥額外資源，學校本身又要應付課程改革，難以為南亞裔學童進行配套；有南亞裔學童因此而無奈打退堂鼓，例如受訪南亞裔學童獲派第一志願的主流小學，本來是滿心歡喜，但註冊時卻被告知學校難以配套，建議他轉讀其他學校，最後父母無奈地為他轉去非華語的小一班。受訪的時任香港蘇樂會總幹事王惠芬估計，在百多名非華語兒童中，大約只有六十人會留在主流學校，正正就是因為配套不足，她批評政府對新移民學校有針對性資助，但對少數族裔學童，就只提供「銜接課程」，並不足夠。

除了語言，性別亦是部分少數族裔面對的問題。於二〇一一年英文報章特寫優異獎作品 *Schools fail South Asians* (Linda Yeung, South China Morning Post) 中受訪的南亞裔女生提到，自小受伊斯蘭文化影響而習得男女分開上課，對於要和男生一同上課有些不習慣，而部分較保守的伊斯蘭教徒會堅持妻女兒入讀將男女分隔的學校。二〇一三年中文電視新聞報導優異獎《少數族裔女生班》(鄭思思，有線電視) 採訪了香港兩所會將伊斯蘭女生完全分隔的學校——這些女生採用與其他同學不同的時間表，大家難以碰面，同校的華籍男生甚至不知道有這些女生的存在。在這些班級就讀的伊斯蘭女生，有些曾經因為父母未能為其找到男女分班的學校，而被迫停學在家半年甚至三年不等，她們有些歡迎分班政策，認為比較能顧全到家人顏面——家人可能因為她們和男生說過一句話而感到蒙羞；但有些則認為，因此要她們等幾年才有書讀，剝奪了她們受教育的權利，而她們心底裡其實亦希望，既然身在香港，也可以偶爾和男生如朋友般聊天。對於她們心底話的訪問，校長亦擔心報導播出後她們會受到保守教徒攻擊，而建議記者不要讓她們的樣貌曝光。

消除種族歧視委員會於二〇〇九年就香港實施消除《一切形式種族歧視國際公約》情況所提交的審議結論中，關注到有關少數族裔語文教育的問題：「儘管提供了《中國語文課程補充指引》，但委員會關注的是，香港沒有通過將中文作為第二語文教授給有移民背景的非華語學生的官方教育政策。」並建議政府：「與教師及相關社區協商制訂針對有移民背景的非華語學生的中文教學政策。應大力提高對移民兒童中文教育的品質。」(第三十一段) 另一方面，聯合國經濟、社會、文化委員會於二〇一四年就香港實施《經濟、社會與文化權利的國際公約》情況所提交的審議結論中亦提到非華語學生於公立教育上面對的不公：「儘管中國香港最近就『中國語文課程第二語言學習架構』採取了措施，並劃撥更多資金支持中文學習，但非華語學生在公立教育系統仍受到事實上的歧視」，並建議港府：「緊急採取一切必要措施，消除對非華語學生事實上的歧視，包括重新劃撥資源，促進他們在主流學校接受教育。委員會促請香港加大力度，在各級教育中落實雙語教育立法和政策，確保中文作為第二語言的優質教育」(第五十二段)。

二〇〇五年前後，正值政府開展《種族歧視條例》(第六〇二章) 的立法諮詢工作，二〇〇四年及二〇〇五年均有較多人權新聞獎得獎作品與種族歧視有關，包括二〇〇四年中文電台優異獎《探討種族歧視》(葉冠霖，香港電台) 以及二〇〇五年中文電台優異獎《禁止種族歧視》(陳凱欣、譚佩貞，香港電台)，從不同角度探討當時政府提出的種族歧視條例建議，例如當時民間團體提出最多的質疑：到底應否涵蓋新來港的內地人？二〇〇五年中文電台優異獎《少D認色，多D認識南亞香港人》(區麗雅，香港電台) 則採訪探流利粵語的南亞裔人士，讓他們親自表述對有關法例建議的看法。

最後，香港政府於二〇〇九年消除種族歧視委員會進行審議前制訂《種族歧視條例》(二〇〇八年七月)，條例於二〇〇九年七月十日起全面生效，旨在保障所有人士不

本國之外」，「並且由於此項異權而不能或不願受該國保護的人」。難民公約訂明締約國須保障難民的法律身分和權利，包括保障其不受歧視；免受驅逐出境和遣返；享有財產、結社、向法院申訴、工作、工資保障、住屋、教育及社會福利等權利。締約國亦須與聯合國難民事務高級專員辦事處合作，不過現時難民公約暫時未於香港適用。

少數族裔在香港

少數族裔

根據統計處數字，在二〇一一年共有451,183名少數族裔人士居住在香港，佔全港人口的6.4%。當中包括印尼人(29.6%)、菲律賓人(29.5%)、白人(12.2%)、混血兒(6.4%)、印度人(6.3%)、巴基斯坦人(4.0%)、尼泊尔人(3.7%)、日本人(2.8%)、泰國人(2.5%)、其他亞洲人(1.6%)、韓國人(1.2%)及其他(0.3%)。大部分(98.7%)在香港的少數族裔人士都是常住居民。在過去十年香港少數族裔人口顯著上升1.31%。

消除種族歧視公約自一九六九年三月援引至香港，由於中國亦是此公約的締約國之一，此公約於主權移交後仍然適用於香港。

一九九四年，時任立法局議員胡紅玉以私人法案方式提出《平等機會條例草案》，禁止基於種族、性別、殘障、年齡以及性傾向歧視，可惜未能獲得通過，而政府的回應只是改以提出《性別歧視條例》及《殘疾歧視條例》，有關種族歧視的部分則未有於當時處理。消除種族歧視委員會於二〇〇一年審議香港實施消除種族歧視公約時亦對香港「仍然缺乏保護個人免遭私人、團體或組織的種族歧視的法律規定」表示關切。

自上世纪九十年代起，人權新聞獎已有關注少數族裔的得獎作品。一九九九年中文雜誌特別表揚作品《被忽略的巴籍居民》（陳家欣，大學線月刊）訪問了一些居港巴基斯坦人，報導指出「數十年前很多巴基斯坦人從祖家遠來香港當軍，部分留港落地生根。」不過香港人似乎未有感激當時那些協助維持香港安全的巴基斯坦人，受訪的巴基斯坦人的後代表示，雖然她在香港土生土長，但種族背景卻令她諸多不便，例如去買菜時，菜販會對她不予理睬，直至她開口講廣東話。語言不通是她們遇上的最大障礙，她表示有巴籍婦女因為不懂中英文而不敢前往市區；而她亦因為不懂中文讀寫，不能入讀原區（屯門）的普通學校，要遠赴九龍的國際小學及中學就讀，非常不方便。更有受訪者指，有學校以沒有學額或言語不通為藉口，拒絕讓巴籍小朋友入學。

二〇〇一年英文報章特寫優異獎作時 *Schools fail South Asians* (Linda Yeung South China Morning Post) 探討少數族裔因為語言能力而引起的就學問題，發現少數族裔小童若直接入讀主流學校往往難以融合，若能於專為少數族裔而設的學校就讀就會較易適應。報導指，當時全港約有二萬名適齡的南亞裔學童，不過當時全港只有七間專為少數族裔而設的學校，提供2,080學額。除非他們的家長有足夠的財政能力讓子女入讀私營國際學校，否則要輪候六至十二個月入讀政府資助的學校。事實上，這些學童的家長，大部分均為低技術工人或失業者。教育署回覆記者查詢時強調有效力為六至十五歲學童提供教育，並指其區域辦事處會協助不諳中文的學童尋找學校。不過，有受訪的前尼泊尔籍喀喀兵表示，自己難以為八歲兒子找尋學位，也曾經到教育署求助，不過職員就指他們只服務本地中國籍居民，及後又指該區所有學位已滿。協助這位喀喀兵的社工認為，教育署忽視少數族裔學童欠缺學位的問題，屬種族歧視。

二〇〇五年中文報章特寫大獎（南亞裔學童中文學難題）（梅惠齡，星島日報）則因應當時政府首次將南亞裔學童撥入小一派位機制，探討新措施對學校及學童的影響——項目原意是協助南亞裔學童獲取學位及早日學好中文，出發點原是良好的，不少

簡介

少數族裔

聯合國《消除一切形式種族歧視國際公約》（消除種族歧視公約）保障每一個人都有平等的權利，不因種族、膚色或民族不同而有所限。消除種族歧視公約第一條將種族歧視「定義為：「基於種族、膚色、世系或民族或人種的任何區別，排斥、限制或優惠，其目的或效果為取消或損害政治、經濟、社會、文化或公共生活，任何其他方面人權及基本自由在平等地位上的承認、享受或行使。」

公約第二條訂明，締約國譴責種族歧視並承諾立即以一切適當方法實行消除一切形式種族歧視與促進所有種族間的諒解的政策，並須「採取有效措施對政府及全國性與地方性的政策加以檢查，並對任何法律規章足以造成或持續不論存在於何地的種族歧視者，予以修正、廢止或宣告無效」及「應以一切適當方法，包括依情況需要制定法律，禁止並終止任何人、任何團體或任何組織所施行的種族歧視」，此項亦訂明「締約國應於情況需要時在社會、經濟、文化及其他方面，採取特別具體措施確保屬於該國的若干種族團體或個人獲得充分發展與保護，以期保證此等團體與個人完全並同等享有人權及基本自由，此等措施於所定目的達成後，絕不得產生在不同種族團體間保持不平等或個別行使權利的後果」。

而公約第五條就對第二條加以闡釋，締約國須保證人人有不分種族、膚色或民族或人種在法律上一律平等的權利，包括在法庭上及其他一切司法裁判機關中平等待遇的權利；人身安全及國家保護的權利以防強暴或身體上的傷害；政治權利（包括選舉及競選權，參與政府及處理任何等級公務的權利）；在國境內自由遷徙及居住的權利；主張及表達自由的權利；和平集會及結社自由的權利；組織與參加工會及權利；享受教育與訓練的權利；於裁判機關中得到平等待遇的權利；進入或利用任何供公眾使用的

地方或服務的權利；住宅權利；工作、自由選擇職業、享受公平優裕的工作條件、免於失業的保障、同工同酬，獲得公平優裕報酬等等的公民權利，以及經濟、社會及文化權利。

另一方面，《公民權利和政治權利國際公約》及《經濟、社會與文化權利的國際公約》（經社文公約）均有條文訂明，該公約所承認「宣布的權利，不分種族、膚色、性別、語言、宗教、政治或其他見解、國籍或社會出身、財產、出生或其他身分等任何區別。

難民

《世界人權宣言》第十四條保障人人有權在外國尋求和享有庇護，以免免受迫害。而且，聯合國《公民權利和政治權利國際公約》（一九五一年難民地位公約）（難民公約）以及《禁止酷刑和其他殘忍、不人道或有辱人格的待遇或處罰公約》（禁止酷刑公約）均有保障因不同原因，包括戰亂、政治迫害、性別、宗教或種族歧視等原因因而被迫於別國尋求庇護的人士。再者，《消除一切形式種族歧視國際公約》亦確保來自不同種族或地區的尋求庇護人士免受歧視。

《禁止酷刑公約》第三條訂明「如有充分理由相信任何人在另一國家將有遭受酷刑的危險，任何締約國不得將該人驅逐、遣返或引渡至該國」。《公民權利和政治權利國際公約》第七條訂明「任何人不得處以酷刑、殘忍、不人道或侮辱待遇或刑罰」，免受酷刑是絕對權利。若一個國家或地區政府拒絕保護尋求庇護人士，而於未有確實證據確保該人返回原居地後不會受到酷刑就將其遣返，就違反國際人權公約。

尋求庇護人士需經審核機制確認，始享難民身分。根據聯合國（一九五一年難民地位公約）（難民公約）及《關於難民地位議定書》（一九六七年），難民是「因為有正當理由，由於種族、宗教、國籍，屬於其一社會團體或具有某種政治見解的果因」而「留在其



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討論問題

婦女權益

- 爭取性別平等時的議題，為何大多是要求提升女性的權利？
- 爭取性別平等對男性和女性各有甚麼好處？
- 你認為現時香港兩性是否平等？中產及專業的女性與基層的女性相比，會否有分別？

「LOVE」男女同性戀、雙性戀、跨性別人士、變性人

- 你認為不同性傾向及不同性別認同人士，現時在香港面對甚麼困難？
- 你認為應否就性傾向歧視立法？為甚麼？
- 有些人士認為不同性傾向會影響家庭價值，你對此有甚麼意見？

延伸閱讀

婦女權益

- 聯合國《消除對婦女一切形式歧視公約》
- 聯合國《經濟、社會與文化權利的國際公約》
- 聯合國消除對婦女歧視委員會一九九九年審議結論：香港
- 聯合國消除對婦女歧視委員會二〇〇六年審議結論：香港
- 聯合國消除對婦女歧視委員會二〇一四年審議結論：香港
- 聯合國經濟、社會與文化權利委員會二〇一一年審議結論：香港
- 聯合國經濟、社會與文化權利委員會二〇一五年審議結論：香港
- 聯合國經濟、社會與文化權利委員會二〇一四年審議結論：香港
- 婦女資源網：《性別歧視條例》成立的歷史背景
- 二〇一五年行政長官施政報告：「婦女」部分
- 新婦女協進會研究：區議會「性別盲」黑箱操作

「LOVE」男女同性戀、雙性戀、跨性別人士、變性人

- 聯合國《消除對婦女一切形式歧視公約》
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- 聯合國《公民權利和政治權利國際公約》
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- 聯合國經濟、社會與文化權利委員會二〇一一年審議結論：香港
- 聯合國經濟、社會與文化權利委員會二〇一五年審議結論：香港
- 聯合國經濟、社會與文化權利委員會二〇一四年審議結論：香港
- 聯合國人權事務委員會一九九九年審議結論：香港
- 聯合國人權事務委員會二〇一三年審議結論：香港
- 聯合國經濟、社會、文化權利委員會二〇一一年審議結論：香港
- 孫耀東、黃慧貞、黃怡美、黃鈞賢、麥紹思、蔡寶瓊、林靜雯、劉德輝：《有關立法禁止性傾向、性別認同及變性人身份歧視研究》（二〇一六）
- 「十分」的起點（鄭祉瑜，明報周刊，2016年12月12日）
- 弘達顧問有限公司（二〇〇六）《市民對同性戀者看法的意見調查》（由民政事務處委託進行）
- 立法會：民政事務委員會特別會議紀要（二〇〇六年十月十六日）
- 同志「夫妻」合併報稅被拒（星島日報，二〇〇三年十月五日）
- 跨性別資源中心網頁
- 爭取結婚 變性人終獲勝訴 W 終於可以拍起頭做人（蘋果日報，二〇一三年五月十四日）
- 禁十六至二十一歲男同性戀交歡 裁定違基本法 少年同志性愛解禁
- （蘋果日報，二〇〇五年八月二十一日）
- 明光社：社會上支持同性婚姻的常見問題

有線電視》以及二〇一一年雜誌優異獎〈變性人勇敢站出來〉（歐陽玲，東周刊）。〈變性人勇敢站出來〉正正寫於W的案件司法覆核敗訴，再遭高院駁回上訴之後，當時有數位變性人士正炮製音樂劇《美人魚之夢》聲援W，記者便訪問該劇兩位台前與幕後人員，了解她們變性前面對的壓抑，變性後面對的困難，擔任演員的Oleana亦面對不能與男友註冊結婚的問題；擔任該劇行政總監的芝三則是人到中年竟不惜離婚找回真我，改變至真正屬於自己的性別。

W小姐堅持上訴，兩年後（二〇一三年）終獲終審法院裁定《婚姻條例》及《婚姻訴訟條例》拒絕變性人結婚是違反《基本法》保障的結婚權利，並認為條例中指的女性包括已進行變性手術的女性，裁定由男變女的W小姐勝訴，判變性人有權結婚。經歷四年漫長官司，已完成變性手術的W小姐，將可獲婚姻登記官確認她以女性身分與男友結婚。二〇一三年圖片特寫大獎〈變性天使〉（羅蘭蓉，東周刊）亦刻劃了因易服身分而被老闆辭退及流落街頭的Andy，在變性後的生活。

二〇〇二年中文報章新聞報導優異獎《同志斥歧視衝擊紅會》（劉美顏，成報），報導當時紅十字會新設計的捐血登記表格要求捐血者填寫性傾向，並列明不接受男同性戀者及性工作者捐血，有同性戀人士認為異性戀者患有愛滋病的比例比同性戀高，禁止同性戀者捐血屬歧視，對此表示不滿並前往紅十字會抗議。

二〇〇四年中文報章新聞報導優異獎《赴多倫多挑戰港法例，港同志擬申請「夫婦」報稅》（黃嘉恒，報訊，星島日報）則報導當時一對未能在香港享有婚姻地位的男同志遠赴多倫多註冊結婚，並希望拿著結婚證書，回港嘗試申請共同報稅等一般夫婦可享有的權利。報導亦指，他們均是基督徒，但皆被所屬教會開除會籍。一個月後，星島日報另一篇報導指，二人的共同報稅申請被稅局拒絕。

二〇〇五年英文報章新聞優異獎 *Gay Activists* (Ravina Shamdasani, 南華早報) 報導一位二十歲的男同性戀者於二〇〇四年申請法援，要求法院就男同性戀者及異性戀者的合法性行為年齡差距作出澄清（男同性戀者的合法性行為年齡為二十一歲，而異性戀者的合法性行為年齡則為十六歲）。申請人認為，有關條例對十六至二十歲的男性構成歧視，亦妨礙他們健康及私密的權利。報導雖未有進一步交待此案結果，二〇〇五年另有一位二十歲的男同性戀者 William Jueing 亦就有關規定提出司法覆核，後來高院宣判申請人勝訴，指有關法例違反《香港基本法》以及《人權法》中對平等權利和隱私權的保障。二〇〇四年電台節目優異獎《非常人物：同性戀者小曹》（劉建欣，香港電台）則述過訪問同性戀者小曹的親身經歷，揭示同性戀者在社會未被接納的情況。

雖然同性戀者一直透過不同方式爭取平權，不過社會上對不同性傾向人士的歧視仍然存在。二〇一一年中文報章特寫優異獎《從「拗直治療」揭開信仰及性傾向的矛盾》（李志榮，信報），針對社署邀請新造的人協會開辦「拗直治療」課程，從而探討不同基督教教會組織，包括基恩之家等，對同性戀者的態度，以及「拗直治療」在教會群體中，放大對同性戀者的誤解並將之妖魔化的情況。

另一方面，聯合國消除對婦女歧視委員會於二〇一四年婦女公約的審議結論中，對香港的「同性戀、變性和跨性別的婦女和女童受到歧視和虐待，特別是在就業和教育方面以及在享受保健服務方面受到歧視和虐待」表示關注，並敦促香港政府「加大力度，抵制在就業、教育和享受保健服務方面對同性戀、變性和跨性別婦女的歧視」（第六十八及六十九段）。二〇一三年的聯合國人權事務委員會有關《公民權利和政治權利國際公約》的審議結論亦再一次關注香港「應考慮立法明確禁止基於性取向和性認同的歧視，採取必要措施制止對同性戀的偏見和社會鄙視，並明確表示不容忍任何形式的基於性取向和性認同的騷擾、歧視或暴力行為」，並應「按照《公約》第二十六條，確保未婚同居的同性伴侶享有給予未婚同居的異性伴侶的同樣權利」（第二十二段）。

負責審議經社文公約的經濟、社會與文化權利委員會亦於二〇〇五年及二〇一四年的審議結論中，表達對香港有人因受到性取向和性別認同歧視而未能充分享有經濟、社會和文化權利表示關注，例如二〇一四年的審議結論中列明關注「基於性取向和性別認同的歧視，尤其是在就業、教育、醫療和住屋方面」及「缺乏全面反歧視立法」，並促請香港政府「依照經社文公約第二條第二款，並考慮到委員會關於在經濟、社會和文化權利方面不歧視的第二十號一般性意見（二〇〇九年），通過全面反歧視立法，並且「採取適當措施，確保男女同性戀者、雙性戀者和跨性別人士能夠充分享有其經濟、社會和文化權利而不受歧視」（第四十一段）。

自二〇一〇年變性人 W 為爭取與男友在香港註冊結婚，引起社會對變性人有更多的關注，亦見到頗多有關變性人的報導獲獎，包括二〇一一年電台優異獎《變性人婚禮之戰》（朱韻君，陳清華，香港電台），二〇一〇年電視優異獎《變性苦路》（趙健成，

例訂明禁止「違反自然罪行」，包括肛交和獸交。此法例將男性之間的性交刑事化，但將女性之間的性交排除在外。一九〇一年通過的《刑法修正案》訂明兩名男性進行肛交最高刑罰可被判終身監禁，而觸犯「嚴重褻褻」最高刑罰可被判監禁兩年。

雖然英格蘭和威爾斯在一九六七年通過《性罪刑法令》，將兩名二十一歲以上成年男性在雙方同意下的私人同性性行為非刑事化，但當時香港未有就男性之間的性行為進行相應的法律修改。直到一九八〇年，因同性戀行為被控的蘇格蘭警察麥倫自殺身亡後，激發香港同性戀者採取行動，推動同性戀非刑事化。香港首個爭取同志平權組織，香港十分一會以及反歧視同志法律聯合委員會均於八十年代成立。刑事罪行（條訂）草案於一九九一年通過，將兩名二十一歲以上成年男性在雙方同意下的私人同性性行為非刑事化。

如前所述，一九九四年，時任立法局議員胡紅玉以私人草案形式提出《平等機會條例草案》，該草案除了性別和家庭崗位，亦包括性傾向。不過政府不支持該草案，認為性傾向仍然是甚具爭議和非常敏感的議題。其後政府進行一項性傾向歧視的研究，於一九九六年發布《平等機會：有關性傾向歧視的研究諮詢文件》。當時政府的結論是，絕大部分受訪的市民強烈反對為性傾向歧視立法，政府因而決定以非法方式提高公眾對不同性傾向的了解和接納。一九九五年，劉千石議員提出《平等機會（家庭責任、性傾向及年齡）條例草案》，亦包括不同性傾向人士的平等權利。不過在香港主權移交前該草案以兩票之差被否決了。

二〇〇六年，民政事務局委託機構進行了一項有關公眾對同性戀者看法的電話意見調查。當時的結果是，只有百分之三十四的受訪人士同意或非常同意政府「在現階段不應立法禁止性傾向歧視」，與十年前的「絕大部分受訪市民強烈反對為性傾向歧視立法」的調查結果相比，社會對性傾向歧視立法的接受情況已不可同日而語。況

且同一調查中，其實有分別四十六、三十三及三十二受訪者支持政府在僱傭、教育及提供服務、設施或貨品方面就反性傾向歧視立法。

既然大部分市民已不反對立法，況且個別範疇中支持立法者更佔大多數，當是絕佳時機令香港的反歧視法例更為完整，與國際標準接軌，但當時民政事務局長何志平表示：「鑒於立法禁止歧視少數性傾向人士一事具爭議性，政府當局的做法是盡量讓市民大眾對此事多作討論，只有當社會各界在此事上已有共識的時候，政府當局才會考慮。」

於二〇一六年，平機會委託香港中文大學進行的研究報告則指出，有過半數受訪者（五十七）贊同應該就性傾向歧視立法，過去提出有關性傾向的立法時，較多反對意見是來自宗教團體，不過該次調查中，有宗教信仰的受訪者，也有近半（四十九）贊成立法。在該研究的焦點小組討論會上，不同性傾向或性別認同（GLBTI）的受訪者指出，在僱傭、教育、提供服務、處置及管理處所以至政府職能等範疇，經常出現性傾向、性別認同或雙性人身分的歧視。

聯合國各公約機構的審議報告中，多次關注不同性傾向及性別認同人士所面對的歧視，並促請港府就性傾向歧視立法。早於一九九九年，聯合國人權事務委員會於《公民權利和政治權利國際公約》的審議結論中，就香港的性傾向歧視情況提出關注：「現行法例並未為基於種族或性傾向遭受歧視的人士，提供任何補救。香港特區應制定所需法例，確保公約第二十六條得到全面落實」（第十五段）。經濟、社會與文化權利委員會亦於二〇〇一年審議結論中，表達對香港政府未能禁止基於性取向的歧視表示關注（第十五段）。

二〇〇二至二〇〇五年間有多篇得獎報導均揭示社會中存在對同性戀者的歧視。

未有妥善跟進；事件揭發警方及社工處理家暴的政策及指引出現相當大的漏洞。當時有婦女團體指出訂立於一九八六年的《家暴條例》一直未有修訂，實在太過時，未能為受害人提供最適切保護及支援服務，所以呼籲政府修訂有關條例。至二〇〇六年，聯合國消除婦女歧視委員會在審議結論中，提出對香港家庭暴力事件的起訴率低表示關注，並敦促政府加強打擊家暴，要求港府增強婦女利用司法的能力，包括確保有效回應投訴、更積極地調查有關投訴，改善對司法官員和執法人員的性別敏感培訓，以及改善對醫療衛生和社會工作人員關於暴力侵害婦女行為問題的培訓；委員會亦要求政府撥出足夠資源來打擊家庭暴力。（第三十五及三十六段）

《家暴條例》修訂雖然於二〇〇八年六月獲得通過，禁止酷刑委員會在二〇〇九年審議報告中，亦有讚賞港府對消除家暴的努力，不過，委員會同時亦對家暴個案仍然高企表示關注，並呼應婦女公約委員會對港府的建議，要求港府應「徹底調查所有有關家庭暴力的指稱。如指稱屬實，應按情況作出檢控及懲處；透過加強立法、政策及社會措施方面的努力，遏止家庭暴力問題；以及進行推廣公共資訊及提高認知的活動，並啟發市民多作討論，以期糾正可能導致婦女受到暴力對待的看法及偏見」（第十三段）。其後政府於二〇〇九年底通過進一步修訂，將同性同居者及前同性同居者納入保障範圍，禁止酷刑委員會在二〇一五年的報告中，對此表示認同（第四段）。

性工作者權益，特別是女性性工作者的權益，是不少人權新聞獎得獎者關注的議題。二〇〇五年中文電視優異獎《「樓」》（盧敬華，有線電視）及二〇〇八年中文電視優異獎《性工作也是工作》（鄭翠娟，香港電台）均探討香港性工作者所面對的困境。現行法例只容許每個單位有一位性工作者進行業務（所謂「一樓一」），即使只有兩位性工作者在同一個單位執業都會被視為「姦姦」而觸犯法例，另一方面法例又禁止「任何人明知而完全或部分依靠另一人賣淫的收入為生」，即性工作者若轉用保安或照顧者，都算是違反此法，於是，她們只能獨自在屈所作業，稍有危險亦得不到支援。

二〇〇八年的得獎作品《性工作也是工作》攝製於發生了四宗性工作者連環兇殺案之後，節目訪問了幾位性工作者，受訪的性工作者指出，曾經於「開工」時被人強姦、打劫，被打至遍體鱗傷，動彈不得，每天開工都面對很大恐懼，但為了生計以及清還欠下的債項，唯有「頂硬上」。節目中亦指出，有調查發現，超過一成性工作者，曾遭受暴力對待，而「一樓一」遇上暴力的機會就更高，不過，受害者很少報警求助，擔心一旦公開身分，就會遭受歧視。

雖然二〇〇八年的連環兇殺案曾一度引起社會對性工作者安全的討論，但政府一直都未有實際行動。二〇一四年，聯合國消除對婦女歧視委員會的審議結論仍然關注「香港特區還沒有廢除有關『色情場所』的法律規定，這些法律規定要求賣淫婦女必須在邇人耳目的場所單獨接客，從而使她們面臨受嫖客虐待、剝削和暴力侵害的更高風險」委員會建議政府「嚴正關於『色情場所』的法律規定，給予賣淫婦女更大保護」，並「加大力度解決販運婦女和女童問題的根源」（第五十六及五十七項）。

香港的《性別歧視條例》推行已屆二十年，根據香港政府統計處的《香港的女性及男性——主要統計數字》（二〇一五年版），香港女性勞動人口（不計外籍家庭傭工）的參與率雖然在逐步上升，由二〇一〇年的47.4%升至二〇一四年50.7%，但與男性的勞動人口參與率（68.7%）仍有一定距離。而且男女的收入中位數仍存有一定距離，女性每月就業入息中位數為\$11,000，而男性則為\$15,000。於二〇一四年，未婚女性的勞動人口參與率為69.0%，而曾經結婚女性則為48.7%，統計處的報告中亦指出：「在一定程度上反映出較多已婚女性在婚後可能暫時或永久離開勞動人口。」

LGBTI（男女同性戀、雙性戀、跨性別人士、雙性人）

一八二八年，《侵害人身罪條例》（第二二二章）已在英國實施。一八四二年香港成為英國殖民地後，英國於一八六五年將《侵害人身罪條例》引入香港並獲得通過，該法

一九九七年主權移交後，中華人民共和國政府同為婦女公約締約國，因此公約繼續適用於香港。有關《公民權利和政治權利國際公約》及《經濟、社會與文化權利的國際公約》在香港的實施情況，可參閱本書第二章及第四章。

聯合國消除對婦女歧視委員會分別於一九九九年、二〇〇六年及二〇一四年就婦女公約於香港的實行狀況發表審議結論（Concluding Observations）。於一九九九年的審議結論中，委員會就香港「沒有設立提高婦女地位的政府機構，負責預先擬訂男女平等的政策和長期戰略」（第三一七段）表示關注。二〇〇一年，政府成立婦女事務委員會（婦委會）。婦委會於網頁中稱自己是「高層次的中央機制」，專責統籌婦女事務的宏觀策略提出建議，並制訂長遠目標和策略。

不過，二〇〇一年聯合國經濟、社會與文化權利委員會於有關香港落實經社文公約情況的審議結論中，明確地對「婦女事務委員會可能沒有恰當的資源和權力以確保將公平性別觀納入政策制定工作」表示關切（第十七段），並敦促港府「賦予婦女事務委員會以充分的權力並向其提供充足的資源，使其能夠提高香港婦女的地位，將公平性別觀納入決策過程，並確保婦女更加廣泛地參與公共生活的各個方面的活動。」（第三十三段）可惜十二年後的二〇一四年，聯合國消除對婦女歧視委員會在審議香港落實婦女公約情況的結論中指出：「被授權促進提高香港特區婦女地位的婦女事務委員會僅有限的職權，也缺乏開展性別平等主流化及其他活動的必要資源。」（第五十段）即表示婦委會始終是「高層次的中央機制」，職權卻非常有限，實際上推動性別平等的能力非常有限。

二〇〇二年港府按委員會意見，同意於各政策範疇內逐步推行性別主流化（時稱為：性別觀點主流化），並設計一份「性別主流化檢視清單」，供政策局和部門使用，並應用於不同的政策、法例和計劃中。清單於二〇〇九年經過修訂，不過推行十多年來，

根據行政長官二〇一五年施政報告，仍只有「超過五十個政策和工作範疇採用」。政府於二〇一五年四月一日開始，要求所有政策局及部門在制定主要政府政策及措施時須參考性別主流化檢視清單並應用性別主流化，但暫未見成效。婦委會亦於各決策部門及各區區議會委任「性別議題聯絡人」，然而據新婦女協進會二〇一五年的調查指出，「性別議題聯絡人」欠缺實質職位指引，亦欠協調、培訓以及機制支援，難以有效發揮角色。

消除對婦女歧視委員會於二〇〇六年及二〇一四年的審議結論中，指香港的性別平等情況，不論是政治及社會參與、就業及住屋等範疇，仍有相當大的改善空間。例如二〇〇六年的審議結論中，委員會關注到在政府架構，特別是功能團體中婦女人數偏低，對「這個功能團體的選舉制度可能構成對婦女的間接歧視，因為它導致婦女未能平等參與政治生活」表示關注（第三十九項）；二〇一四年，委員會再次在審議結論中提出關注，並「進而關切」港府「尚未努力開展研究，以求瞭解功能界別的選舉制度對婦女平等參與政治生活的影響」（第五十八段）。

另一方面，在二〇〇六年的審議結論中，消除對婦女歧視委員會亦就新界女性原居民無權如男性原居民般申請於新界建造住屋的許可證（即丁屋只傳男不傳女）等問題（第三十七段）表示關注。在二〇一四年的審議結論中，委員則關注到「婦女的產假卻以十個星期為限，不符合國際勞工組織確立的國際標準」，並建議港府「按照國際標準延長婦女的產假，並且做出更大的努力，提倡採用彈性工作安排和陪產假，以鼓勵男子平等地擔負照料子女的責任」（第六十二及六十三段）。

家庭暴力亦是婦女公約關注的問題之一。香港家暴問題在二〇〇〇年後越來越嚴重，其中以二〇〇四年四月天水圍發生的一家四口滅門慘案最令全城震驚。據受害妻子的好友稱，女事主於事發前幾天曾向警方及社會福利署求助，但當時警方及社會福利署

簡介

聯合國《消除對婦女一切形式歧視公約》（婦女公約）要求各締約國保障婦女人權，確保婦女能夠於性別平等的情況下，得到公平的機會充分發展；婦女公約第三條列明：「締約各國應承擔在所有領域，特別是在政治、社會、經濟、文化領域，採取一切適當措施，包括制定法律，保證婦女得到充分發展和進步，在與男子平等的基礎上，行使和享有人權及基本自由。」

婦女公約要求各締約國致力改善性別不平等的狀況，第五條訂明：「締約各國應採取一切適當措施，改變男女的社會和文化行為模式，以消除基於性別而分尊卑觀念或基於男女角色定型所產生的偏見、習俗和一切其他做法」；第十一條亦訂明：「締約各國應採取一切適當措施，消除在就業方面對婦女的歧視，以保證她們在男女平等的基礎上享有相同權利；禁止以懷孕或產假以及婚姻狀況為理由予以解僱的歧視，違反規定者受處分」以及「鼓勵提供必要的輔助性社會服務，特別是通過促進建立和發展托兒設施系統，使父母得以兼顧家庭義務和工作責任並參與公共事務。」

另一方面，《經濟、社會與文化權利的國際公約》（經社文公約）亦旨在保障婦女以及不同性別人士的經濟、社會及文化權利。第二條及第三條分別訂明：「本盟約所宣布的權利應予普遍行使，而不得有例如種族、膚色、性別、語言、宗教、政治或其他見解、國籍或社會出身、財產、出生或其他身分等任何區分」以及「本盟約締約各國承諾保證男子和婦女平等享有在本盟約所載一切經濟、社會及文化權利。」

有關兩性經濟平等權利方面，經社文公約第七條及第十條亦有詳細訂明：「本盟約締約各國承認人人有權享受公正和良好的工作條件，特別要保證公平的工資和同值工作同酬而沒有任何歧視，特別是保證婦女享受不低於男子所享受的工作條件，並享受同

工同酬」以及「對母親，在產前和產後的合理期間，應給以特別保護。在此期間，對有工作的母親應給以給薪休假或有適當社會保障福利金的休假。」

此外，《公民權利和政治權利國際公約》第二條及第三條亦要求各締約國政府確保不同性別人士享有同等的公民權利和政治權利：「本盟約每一締約國承諾尊重 and 保證在其領土內和受其管轄的一切個人享有本盟約所承認的權利，不分種族、膚色、性別、語言、宗教、政治或其他見解、國籍或社會出身、財產、出生或其他身分等任何區別」以及「本盟約締約各國承諾保證男子和婦女平等享有本盟約所載一切公民和政治權利。」

性別平等在香港

婦女權益

英國於八十年代成為《消除對婦女一切形式歧視公約》（婦女公約）的締約國。自英國簽訂公約後，香港的婦女界便變而不捨地要求將公約援引至香港，並於一九九六年成功爭取援引公約來港。其後，政府因應公約要求發表《男女平等機會綠皮書》，時任立法局議員陸恭蕙亦提出修訂《新界土地（豁免）條例》，要求讓女原居民也享有新界土地繼承權，事件觸發不少爭議，亦引起社會對男女平等問題的關注。

在這樣的社會氣氛下，時任立法局議員胡紅玉於一九九四年以私人立法形式提出《平等機會條例草案》，範圍包括性別、家庭崗位、年齡、性傾向、種族、殘疾、政治及宗教理念。政府於壓力下隨即提出涵蓋性較低的《性別歧視條例草案》（最後通過時加上家庭崗位及殘疾兩項歧視條例），而新界男女不平等的丁屋建屋權亦包括在內。最終，立法局否決了胡紅玉的草案，政府的《性別歧視條例》（第四八〇章）則於一九九五年正式通過，成為香港第一條反歧視法例。平等機會委員會遂於一九九六年成立，負責執行歧視條例，包括《性別歧視條例》。



變性天使 Transsexual Angel
攝影家 Lee Lai Tung - 東周刊 Eastweek Magazine
2013 圖片新聞大獎 Feature Photography Prize

討論問題

都市貧窮

- 滿足住屋權和享用醫療權利和經濟權利有甚麼關係？請舉例以說明之。
- 你認為現時香港就業權利是否有充分保障？請舉例以說明之。
- 你認為香港社會上哪些群體的經濟權利最容易不受保障？請詳細說明之。

外傭權益

- 你認為現時外傭沒有甚麼保障的原因為何？請說明你的理據。
- 「取消「同住規定」及「兩星期規定」對僱主有甚麼好／壞處？為什麼？對比之下，你認為應取消「保留「同住規定」及「兩星期規定」？請說明你的理據。
- 外傭權益受剝削，與社會欠缺足夠的托兒服務支援有沒有關係？請說明你的理據。

延伸閱讀

經濟權利

- 聯合國《經濟、社會與文化的權利國際公約》
- 聯合國《消除一切形式種族歧視國際公約》
- 聯合國《消除對婦女一切形式歧視公約》
- 聯合國經濟、社會與文化權利委員會二〇〇一年審議結論：香港
- 聯合國經濟、社會與文化權利委員會二〇〇五年審議結論：香港
- 聯合國經濟、社會與文化權利委員會二〇一四年審議結論：香港

外傭權益

- 聯合國《禁止酷刑和其他殘忍、不人道或有辱人格的待遇或處罰公約》
- 聯合國《消除對婦女一切形式歧視公約》
- 聯合國經濟、社會與文化權利委員會二〇〇一年審議結論：香港
- 聯合國經濟、社會與文化權利委員會二〇〇五年審議結論：香港
- 聯合國經濟、社會與文化權利委員會二〇一四年審議結論：香港
- 聯合國消除對婦女歧視委員會二〇〇六年審議結論：香港
- 聯合國消除對婦女歧視委員會二〇一四年審議結論：香港
- 聯合國禁止酷刑委員會二〇一五年的審議結論：香港

體措施廢止這些規定，令外來家庭傭工有可能受到虐待和剝削。此外，委員會還感到關切的是，外來家庭傭工被排除在《最低工資條例》、社會保障和產假保護之外（第七條和第十條）。²（第四十三段）。聯合國消除對婦女歧視委員會亦於二〇一四年有關婦女公約在港實行情況的審議結論中提到：「委員會仍然關切的是，始終有多份報告稱，外籍家庭女傭由於她們的性和／或性別以及族裔背景而持續遭受歧視。委員會進而關切的是，外籍家庭女傭繼續受到下列對待：(a) 虐待而且工作條件差，例如，比法律規定更低的工資、更少的休假和更長的工作時間；(b) 受到招聘和職業介紹機構的虐待，這些機構收取不合理地高昂的費用，有時甚至沒收她們的旅行證件；(c)『兩星期規定』要求她們在合同終止後兩個星期內離開香港；以及(d)『同住規定』要求她們與僱主一起生活。」（第六十四段）

再者，審議《禁止酷刑和其他殘忍、不人道或有辱人格的待遇或處罰公約》（禁止酷刑公約）實施情況的聯合國禁止酷刑委員會，亦於其二〇一五年對香港的審議結論中，對現時港府有關外傭的「同住規定」及「兩星期規定」有可能令外傭落入強迫勞動的情況表示遺憾。委員會除建議政府取消此兩項規定外，亦建議政府修例禁止仲介公司與外傭進行財務安排以繳付仲介費，並取消強制仲介制度以及減少餐傭服務公司遞收仲介費（第二十及二十一條）。另一方面，經社文委員會亦於二〇一四年的審議結論中建議港府取消「兩星期規定」及「同住規定」外，還建議港府「通過一項全面的法律對家傭工作條件進行監管，確保外來家庭傭工與其他工人享有同等條件，包括同工同酬、免遭無理解僱、休閒時間、工時限制、社會保障及產假保護」以及為外傭提供舉報虐待和剝削的有效機制，並設立查訪機制，以監測家庭傭工，尤其是外籍家庭傭工的工作環境（第四十三段）。

指出，香港針對外傭的「兩星期規定」（即如果與僱主終止合約，外傭必需於兩週內找到新工作及申請工作簽證，否則就要離境）令外傭就算面對虐待，都寧願選擇喋聲以保障工作。

事實上「兩星期規定」一直使香港受到多個公約機關詬病。經社文委員會於二〇〇五年的審議結論中指出「外籍家傭在合同期滿後，由於受到『兩星期規定』的限制，得不到免遭歧視和虐待有效保護」（第七十八段）；聯合國消除對婦女歧視委員會亦於二〇〇六年就《消除對婦女一切形式歧視公約》（婦女公約）於香港的實行狀況發表審議結論，表示「委員會對外籍女性家庭傭工的狀況感到關切，因為她們可能受到性別及種族的雙重歧視。委員會也對『兩週規則』（兩星期規定）感到關切。這個規則要求外籍家庭傭工在傭傭合同期滿或終止後兩週內離開香港，因而迫使外籍家庭傭工為留在香港而接受帶有不公平或虐待性條件的工作。委員會進一步表示關切的是，據稱有仲介公司虐待家庭傭工，例如與法律規定的條件相比，給較低工資、少給假期和要做較長的工作」。亦促請港府廢除兩星期規定，以及加強管制傭傭服務公司，為外傭提供簡便的投訴僱主欺壓的管道，容許他們在尋求賠償期間逗留境內，以及讓外傭知道他們的權利，讓他們能夠利用司法途徑要求及保障他們的權利。（第四十一及四十二段）

二〇一四年初印傭Bwana 遭受僱主虐待至重傷的案件，引起市民對外傭待遇的關注，同年亦有數個有關報導入圍人權新聞獎，包括中文電視優異獎《異鄉家傭》（徐岱賢 香港電台）、中文報章特寫優異獎《剝削印傭權益系列》（王東亮 明報）、童傑、劉愛婷、星島日報）以及英文報章特寫優異獎《面對欺壓缺乏援外傭苦尋公義終獲勝》（Geab Price、翁錦秀、Sara Stonham、星島日報），分別訪問了不同外傭面對的問題，有受到僱主性騷擾及不合理對待，卻不敢舉報而陷入兩難——如果她逃離僱主家而回鄉，她會受到丈夫白眼，亦難以負擔支付仲介費用的巨債；如果想找新僱主，

按「兩星期規定」她只有兩週時間找到新僱主，而大有可能難以在短時間內找到而需要離境回國，她負擔不起這費用；如果報警，她對香港認識有限，難以實行；而事實上報警後而事件未解決前，她都難以繼續工作；似乎最可行的方法是繼續為原本的僱主工作，但按「同住規定」她只能繼續待在僱主家中，繼續受僱主騷擾。於二〇〇三年修改入境條例後而生效的「同住規定」令外傭受騷擾，亦容易超時工作，但勞工處職員接受華蘭街日報查詢時卻聲稱「同住規定」是為保障本地家庭傭工的生計，確保聘請外傭的家庭都是需要住宿傭工的僱主。

另一方面，巨額的仲介費用亦是外傭容易受虐和剝削的原因之一。中文報章特寫優異獎《剝削印傭權益系列》（王東亮、勞顯亮、童傑、劉愛婷、星島日報）其中一篇《無良借貸合約壓榨外傭白紙角落遍簽名 補習剝削條文》中，記者走訪印尼及香港兩地，揭發印尼及香港兩地仲介公司對印傭的剝削，亦取得一份由印尼仲介人撰寫的借貸合約，以印傭的名義，向財務公司借貸港幣二萬一千元，條文列明「簽署合約的同時，貸款已交到印傭手中，此合約乃正式收據」，「印傭抵港工作後，須償還八個月的工資連利息」印傭需按月向香港仲介公司交出八個月的工資。受訪印傭指，自己簽合約時毫不知情，亦從未收過該筆港幣二萬一千元款項，但她卻無辜背上這筆債，就算被解僱也須還款。亦有受訪印傭指，曾被仲介公司以「實習」名義騙去做免費傭工，實際上接受服務家庭有支付金錢予仲介公司。

上述情況與十年前得獎作品相比，其實都大同小異，聯合國多個公約的審議結論中，有關外傭的部分，所關注的項目更是有增無減，除重複關注過往提及的「兩星期規定」，更對「同住規定」以及外傭未有受到足夠勞工保障表示關注，例如二〇一四年經社文委員會於檢討香港落實經社文公約情況的審議結論中再次提到：「委員會感到關切的是，香港的外來家庭傭工面對不利的工作條件，特別是因為『兩星期規定』，以及要求外來家庭傭工留在僱主家中的規定。委員會感到遺憾的是，香港沒有採取任何具

地再差，住戶也得忍下去。正因為租金飆升，公營房屋的供應遠未能追上需求，劏房才有價有市。二〇一二年中文報章（一般新聞）優異獎〈陳茂波出租劏房系列〉（林偉聰、韓耀庭、蔡建豪、張伍強、吳子葵、蘋果日報），揭發當時新任發展局局長陳茂波的妻子也經營劏房。

經社文委員會在二〇一四年審議結論中提到：「委員會感到關切的是，香港在提供價格為居民可負擔的適足住屋方面投資不足，導致較高比例的人口生活在沒有適當服務和公用設施的非正式住所。工業建築、籠屋或床位寓所之中」（第四十九段）。除了棺材房和劏房住客，更有很多露宿者。二〇一二中文報章特寫大獎得獎作品〈深水埗露宿者講「人話」〉（譚麗芸、明報），採訪多位的露宿者，從人性角度描寫他們的生活，包括他們雖然窮，但也希望有一兩件較「見得人」的衣服去街，稱「人要面樹要皮」；也會打掃地方，希望保持自己居住空間整潔；每一位露宿者都有各自的喜好和習慣，除了向讀者展示「露宿者」也是一個「人」，也揭示他們面對的困境，例如自己辛苦籌措得來的家當，食環署突然來驅趕充公，就一切歸零。

租金及住屋價格昂貴不單影響貧窮人士，連中產家庭出身的年輕人也難以負擔，必須兼謀不同的「上樓」途徑。二〇一二年中文雜誌優異獎〈高樓價下的荒誕中產，大學生爭上公屋的階梯〉（郭麗安、智富雜誌），揭示有中產及剛畢業的大學生因為難以負擔高昂的樓價，「上樓」無望於是申請公屋，希望藉此得到抽居屋的資格。

公營醫療資源對貧窮人士亦有相當影響，前述的二〇一四年中文電視優異獎得獎作品〈長者為何「憂」排隊〉（盧敬華，香港有線電視）指出，有長者為了看牙醫和抽血須在寒冬中徹夜輪候，經社文委員會於二〇一五年審議結論中就提到有關公立醫院候候時間長的問題：「委員會注意到香港特區普遍享有較高的健康水準，但依然感到關注的是，用於公立醫院的支出不斷下降，導致患者候診時間較長。」（第八十七項）而

二〇一四年的審議結論中亦提到公立醫院人手不足的問題：「儘管醫院擴大了，依然醫生不足，因為醫生被吸引去了收入更高的私營衛生機構。」（第五十段）

二〇〇七年，一名患有精神病的媽媽，於天水圍寓所綁起一對年幼子女，把他們拋下樓再一躍而下，釀成二屍倫常慘劇，遺下患鼻咽喉癌的陳先生，一年後，陳先生身體漸漸康復，但心靈創傷難以撫平。二〇〇八年中文報章（特寫）大獎得獎作品〈天水圍倫常慘劇一周年系列〉（雷子樂、蘋果日報）透過此案，探討公營醫療及對基層家庭的社福服務不足的問題，雖然該家庭有公營醫療及醫護社工支援，但事件正值丈夫入院，妻子要求出院照顧子女的情況下發生，有支援該家庭的立法會議員張超雄質疑，醫務社工與學校社工溝通不足，社區亦沒有足夠託兒服務，不然慘劇或可避免。另一方面，張超雄亦質疑現時醫務社工的工作量會否過多，以致對個案敏感度減低。

外傭權益

現時全港有超過二十萬外籍家庭傭工，分擔眾多在職父母照顧家庭的任務。我們在平日看到的外傭就是協助其僱主家庭處理家務的人，但她們面對的困境，港人並不太了解。

人權新聞獎早期已出現關於本港外傭受到剝削的報導。二〇〇四年英文報章特寫優異獎得獎作品〈亞洲的外傭文化〉（Rebecca Buckton、Tish Soywell，亞洲華爾街日報）探討在香港的外傭受虐情況，並提到當時一宗印傭 Rusmini 受虐案件——Rusmini 每天工作十八小時，不獲得充足睡眠，曾有一趟詢問僱主午膳想吃甚麼時，被僱主回以一句：「我不想提前計劃」以及拳打腳踢。Rusmini 最終忍受不了逃走，正想尋求協助，卻在火車站外吐血昏倒。除了 Rusmini，記者亦訪問過幾位外傭，她們不但被打，有的更只准吃僱主剩下的食物，如當天沒有剩食，外傭就要挨餓。有協助外傭的團體於報導中指出「不少僱主都有自己的問題，很容易將壓力發洩於外傭身上」。報導亦

二〇一二年中文報章特寫優異獎得獎作品《貧窮線下系列》（郭增龍、李建人、蔡淑儀、星島日報）其中一篇報導《城市泰山》釣魚燒柴煮兩餐 拾紙皮賺白米 無力負擔水電》，採訪一位居於筲箕灣愛東邨的六十多歲長者，他本來於筲箕灣魚類批發市場附近當小販賣魚，約十年前（以報導當時計）因為屢遭食環署人員檢控罰款，無法再經營下去，唯有靠拾荒為生，但於報導當時，由於愈來愈多窮困長者爭拾紙皮，他的收入大減，僅夠交租和買米，只好每日到山邊取水飲用和釣魚作食糧，並露天砍柴生火煮食。

港府於二〇一二年成立扶貧委員會，並制定了官方貧窮線及提供低收入工作家庭補貼，這樣是否代表本港的貧窮問題就得以解決呢？二〇一四年中文電視優異獎得獎作品《長者為何『愛』排隊》（盧敬華、香港有線電視），揭示香港有不少長者即使天寒地凍都會凌晨時分出去排隊，輪候五、六小時，就是為了看牙醫、抽血、拿免費報紙、看免費大戲，還有免費飯盒和燉菜。記者訪問一位八十六歲的長者，她雖然育有三女兩子，但已經「各行各路」，她要自己照顧自己。一條條長者人龍的背後，正正反映政府對貧窮長者支援不足。經社文委員會於二〇一四年審議結論仍然對港府「沒有通過全面的扶貧戰略或具體指標……財富分配不均感到關切」，亦關注港府「沒有為低收入家庭和殘疾人士提供充足保護」，並建議港府「制定並落實有效的扶貧政策和具體指標，包括減少財富分配不均現象」（第四十八段）。

香港政府對市民適足住屋樓的保障亦是經社文委員會一直關注的問題。二〇一一年審議結論中，委員會就呼籲港府「盡快重現包括擅自佔地和居住在屋頂結構以及『床位公寓』或『籠屋』者在內的所有香港居民的住房權」（第四十四段）。九十年代是籠屋的全盛時期，空間狹窄且環境惡劣，聯合國已多次呼籲港府取締。港府終於一九九四年制定《床位寓所條例》（第四四七章）規定籠屋（及床位寓所）的樓宇結構、消防安全及衛生情況等符合《床位寓所守則》的規定，才可獲發牌經營。有關條例於

一九九八年七月一日生效。一九九九年中文電視優異獎得獎作品《邊牆集，沒臉的歲月》（陳志豪、香港電台電視部）探討香港籠屋問題以及當時生效的《床位寓所條例》是否能夠解決問題。

然而，問題仍然持續，委員會於二〇〇五年的審議結論指出：「儘管香港特區採取了各種措施，為選擇繼續住在籠屋和床位寓所的居民提供其他住房，但此種住房條件不足的情況依然存在」（第七十八段）。籠屋一詞在千禧年代後似乎悄悄地淡出，但取而代之的是「劏房」和「棺材房」。在二〇一二年中文報章特寫優異獎得獎作品《貧窮線下系列》（郭增龍、李建人、蔡淑儀、星島日報）其中一篇報導《擠住棺材房窮人『翻身』難 二百呎間十八牀位 活得沒尊嚴》中，記者親身入住由二百呎單位分割成十八格的「棺材房」，每格只有一呎乘六呎大，最小只有26呎高，與棺材無異；共用的通過狹窄，若有火警逃生相當困難。住客往往是基層勞工，縱使政府已制定最低工資，他們仍然難以負擔一般單位租金，唯有居於這些「棺材房」，每餐只能坐在狹窄的通過上，將自己的棺材房當餐桌，吃最便宜的十六元飯盒。有住客歎道：「這裏不是人住的地方，政府沒有幫助基層市民，只能盼上天打救！」在這二百呎內住著的十八個人，均希望能盡快入住租金較昂貴的「劏房」，脫離「棺材房」行列；但有受訪住客指，現今政府沒有幫助基層市民解決民生問題，這小小的願望恐怕都難以達成。

居於棺材房的市民希望終有日入住劏房，但劏房同樣問題多端。二〇一一年六月及十一月於士瓜灣馬頭圍道及旺角花園街的唐樓劏房發生奪命火警，令不少市民質疑劏房的安全，以及於香港如此富裕的社會中，何以居住環境及安全惡劣的劏房仍然存在？不過，根據二〇一二年中文報章特寫優異獎得獎作品《梯兩伙變十三戶天台「失蹤」建四屋 遺忘慘劇馬頭圍唐樓被劏慈狼》（王家文、蘋果日報）的報導，事隔一年，劏房不減，甚至更多。有業主將一梯兩伙單位割成十三間，每間約一百呎的劏房「善用空間」之餘，走火通道亦被封，遇上火警則逃生無門。然而因為租金便宜，居住環

頭為繁榮的大都會，但觀乎聯合國經社文委員會這幾年的審議結論，香港的都市貧窮問題仍然相當嚴重，多年來均未有明顯改善。「委員會對香港特別行政區普遍和令人無法接受的貧困現象表示嚴重關注。委員會尤其關注的是，大量老年人依然處於貧困狀態，無法切實有效地利用社會服務……香港特別行政區缺乏確定制度和執行全面、綜合、一致及切實有效的除貧戰略所需的充分的體制安排」（二〇〇一年，第十八及十九段）；「貧困現象仍在繼續蔓延，缺少有效享用社會服務的管道，弱勢群體和邊緣群體深受其害……委員會遺憾地注意到，介紹香港特區貧困現象和社會排斥問題的資料不夠充分。考慮到香港特區正面臨社會迅速老齡化問題，委員會還對老年人貧困問題日益嚴重的報導表示關注。」（二〇〇五年，第八十六段）。

經社文委員會於過往的審議結論中，均對香港的退休保障及社會保障制度提出關注，例如二〇〇一年及二〇〇五年的審議結論，均指出現行的強積金制度將「許多人，包括家庭主婦、殘疾人士以及老年人等」排除在外（第二十一段）；於二〇〇一年的審議結論更敦促政府「實行全面的養老金制度，以便為全體人口，尤其是家庭主婦、自僱人士、老年人及殘疾人士等提供充分的養老保護」（第三十六段）。另外，委員會亦關注到現時綜合社會保障援助計劃（綜援）「福利津貼的水準不足以保障適當的生活水平，許多低收入者，特別是老年人，不在計劃的涵蓋範圍之內」。委員會亦對社會保障制度不包括失業津貼表示關注。（二〇〇五年，第八十二段）

自一九九九年「人權新聞費」出現關注本港都市貧窮現象的獲獎報導，二〇〇三年報章特寫大獎《赤貧戶悲歌，快餐店取茄汁撈飯》（雷子樂，經濟日報）指出當時香港近三成住戶活在貧窮線以下，較一九九四年足足上升1.3倍，報導細緻刻劃赤貧戶的生活，包括收集「水龍頭」滴水節省水費、入夜後延遲開燈時間、返工返學不搭巴士改為步行等；亦因為要控制膳食開支，赤貧家庭只能買鹹蛋、瓜菜、腐乳拌飯，甚至到麥當勞取免費茄汁回家「撈飯」。報導中有學者建議政府設立最低工資及最低生活保障線以保障低薪勞工。

經社文委員會其實早於二〇〇一年的審議結論已指出，香港「缺乏防止任意解僱的保護措施，也缺乏有關法定最低年齡、工時、帶薪每週休息、工間休息和強制性加班費」（第十五段）。二〇〇六年的報章特寫大獎《食環署新約 清潔工加辛減薪》（街嘉欣：星島日報）報導食環署外判清潔工加薪約後，進一步被剝削的情況：新的日班「更十小時」（包括「一小時無薪用膳時間」），月薪卻由\$4700減至\$4635；而夜班工人工時減至六小時，薪金壓至\$3300，更沒有用膳時間；受訪清潔工表示，雖然條件苛刻，但怕自己一旦走出來爭取，最後連這微薄的薪全都丟掉。當時社會已開始就制定最低工資作討論，報導中有學者指出，政府制定最低工資標準可參考歐美國家以「生活工資」計算，確保低收入工人都能養活自己。亦有立法會議員指出，沒有財政壓力的食環署竟然做壞榜樣，帶領剝削工人，令人費解。在各方的社會輿論下，政府於二〇一一年推出最低工資立法，然而最低工資的水平，仍然有爭議。

基層勞工受剝削，有人嘗試以其他出路討生計，就是當小販，除了自己維生，亦讓港人多些商場以外的選擇。然而在香港當小販是否一件易事？在二〇一一年中文報章特寫獲獎得獎作品《小販討生計舉步維艱：食環惡法害人朝睡瘋狂打壓》（雷子樂、張嘉雯，蘋果日報）中，記者走訪多名小販，揭示小販的各項狀況，包括有牌及無牌小販所面對的難題；有小販凌晨開檔，受街坊歡迎，也注重清潔衛生，卻仍然遭強匯保安天天報警騷擾，有小販甚至被保安推落地後反被屈是「持刀恐嚇」在先；即使是有牌小販，由於合法經營空間只有四呎乘二呎，一個人坐下來剩餘空間不多，就算以不阻街為原則把貨品放在檔外，卻仍然難逃被控。受訪小販歎謂：「九七前市政寬容好多」除了小販，消費者亦希望政府重新發小販牌，讓小市民有更多的選擇，他們亦質疑現時食環署的執法手法：「食環署係咪一定叻，去對付一班自力更生嘅人呢？」

簡介

聯合國《經濟、社會與文化權利的國際公約》（經社文公約）保障每一個人的經濟權利，包括消除貧窮，以及勞工權益等。

都市貧窮

《經濟、社會與文化權利的國際公約》第九條訂明：「締約各國承認人人有權享受社會保障，包括社會保險。」而第十一條亦要求締約國保障國民的基本生存權利：「本盟約締約各國承認人人有權為他自己和家庭獲得相當的生活水準，包括足夠的食物、衣着和住房，並能不斷改進生活條件。各締約國將採取適當的步驟保護實現這一權利，並承認為此而實行基於自願同意的國際合作的重要性。」及「每一締約國家承諾盡最大能力個別採取步驟或經由國際援助和合作，特別是經濟和技術方面的援助和合作，按部就班採取一切適當方法，尤其包括透過立法，逐漸達到本盟約中所承認的權利的充分實現。」

其他公約亦就其針對社群的經濟權利提出保障；例如《消除對婦女一切形式歧視公約》（婦女公約）第三條：「締約各國應承諾在所有領域，特别是在政治、社會、經濟、文化領域，採取一切適當措施，包括制定法律，保證婦女得到充分發展和進步，其目的為確保她們在與男子平等的基礎上，行使和享有人權和基本自由。」婦女公約第十一條亦訂明，須保障婦女及男士於履行家庭崗位責任時，不會受歧視：「締約各國應採取一切適當措施，消除在就業方面對婦女的歧視，以保證她們在男女平等的基礎上享有相同權利；禁止以懷孕或產假為理由予以解僱，以及以婚姻狀況為理由予以解僱的歧視，違反規定者得受處分」，以及「鼓勵提供必要的輔助性社會服務，特別是通過促進建立和發展托兒設施系統，使父母得以兼顧家庭義務和工作責任並參與公共事務」。

《消除一切形式種族歧視國際公約》第二條亦訂明：「締約國應於情況需要時在社會、經濟、文化及其他方面，採取特別具體措施確保屬於該國的若干種族團體或個人獲得充分發展與保護，以期保證此等團體與個人完全並同等享有受人權及基本自由。」《殘疾人權利公約》第二十七條要求締約國確認殘疾人士在與其他人士平等的基礎上享有工作權，第二十八條亦要求締約國「確認殘疾人有權為自己及其家屬獲得適足的生活水平，包括適足的食物、衣物、住房，以及不斷改善生活條件；締約國應當採取適當步驟，保障和促進在不受基於殘疾歧視的情況下實現這項權利」，以及「確認殘疾人有權獲得社會保護，並有權在不受基於殘疾歧視的情況下享有這項權利」。

外傭權益

本港現時有約三十三萬外籍家庭傭工，她們的工作及經濟權利，亦受國際標準保障。《經社文公約》第七條訂明：「締約各國承認人人有權享受公正和良好的工作條件，特別要保證：最低限度給予所有工人公平的工資和同值工作同酬而沒有任何歧視，特別是保證婦女享有不遜於男子的工作條件，並且同工同酬；以及保證他們自己和他人的家庭有符合本盟約規定的基本生活的權利；保證安全 and 衛生的工作條件；人人在其行業中有適當的提升自己的同等機會，除資歷和能力的考慮外，不受其他考慮的限制；以及休息、閒暇和工作時間的合理限制，定期給予休假以及公眾假期報酬。」

經濟權利在香港

都市貧窮

《基本法》第三十九條訂明《經濟、社會與文化權利的國際公約》（經社文公約）適用於香港。聯合國經濟、社會、文化權利委員會（經社文委員會）分別二〇〇一年、二〇〇五年及二〇一四年就香港實行經社文公約的情況發表審議結論。雖然香港一直自



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討論問題

警權

- 簡單說明現時的投訴警察制度。
- 你認為是否需要設立投訴警察制度？為什麼？
- 現時的投訴警察制度，有甚麼優點？有何理據？這些優點如何能加強保護公民的權利？
- 現時的投訴警察制度，有甚麼不完善的地方？有何理據？
- 現時投訴警察制度的不足，可能會衍生甚麼問題？為什麼？
- 若投訴警察制度不足，會否影響你／公民行使你／公民的以下權利？如何影響？

—— 集會權利

—— 表達自由

—— 結社權利

—— 生存權利

—— 享有社會及文化生活

—— 得到住屋、醫療和必要的社會服務的權利

—— 免受酷刑或本人面對對待的權利

延伸閱讀

新聞自由

- 聯合國《禁止酷刑和其他殘忍、不人道或有辱人格的待遇或處罰公約》
- 聯合國《公民權利和政治權利國際公約》
- 聯合國《兒童權利公約》
- 聯合國《關於执法人员使用武力和武力的基本原则》
- 聯合國禁止酷刑委員會二〇〇〇年的審議結論：香港
- 聯合國禁止酷刑委員會二〇〇九年的審議結論：香港
- 聯合國人權事務委員會二〇一三年的審議結論：香港
- 聯合國禁止酷刑委員會二〇一五年的審議結論：香港
- 聯合國禁止酷刑委員會 (Committee Against Torture) 二〇一五年關注聲明 (List of Issues) - 香港
- 黎蔭桐貫：李崎儀被控色自殺事件三週年（二〇八年十月十日） 被罰關當首性跨性別博士來港
- 蘋果日報（二〇一二年十月七日）非裔女犯藏吃剩麵包 獄教員兩度迎面扇胡椒噴霧 三失不足人

除了警察，其他執法部門包括入境處、海關及懲教處亦曾出現不當執法的情況；例如在二〇一三年一位來自南美哥倫比亞的跨性別人士 Maria，在被拒入境期間受到不人道對待。據報導，Maria 因為其女性裝扮，在其祖國哥倫比亞曾兩度被追殺，本身已取得博士資格的她，得到獎學金往台灣繼續其學術研究，同時於該地接受荷爾蒙治療，因為需要更換簽證，她得前來駐香港的哥倫比亞領事館辦理有關手續。不過 Maria 甫抵香港便被拒入境，入境處職員把她扣查，她事後投訴被扣留於機場拘留所的男舍，甚至被兩名男海關職員逼其脫衣搜身，被摸胸部、臀部；被把玩陽具，令她感到受侮辱。另外，她在被扣留期間，並未獲告知有不分性別洗手間，入境處職員亦拒絕讓 Maria 使用女洗手間，結果她因長時間未有如廁而失禁。海關回應傳媒查詢指，因事主的護照顯示其性別為男性，按指引由同性別的海關人員搜身。事件明顯證明，入境處及海關對性別認同沒有認識，單憑其生理性別作出判斷，結果令 Maria 遭受不人道的對待。二〇一五年禁止酷刑委員會向港府提交的問題清單 (List of Issues) 中，要求當局說明「懲教署、入境事務處和警務處在對變性者進行搜身檢查和羈留方面的政策」（第二十九段），於稍後公布的審議結論中亦要求港府加強對入境執法人員的培訓。

二〇一二年，據報導，一名非洲裔女子於大磡女懲教所因收起食用的麩包，被懲教人員一日內兩度近距離施放胡椒噴霧，甚至揭開她的眼皮把噴霧直接噴到眼內。事主認為自己受到的待遇涉及種族歧視。二〇一五年禁止酷刑委員會的審議結論建議港府，須確保於所有懲教設施中避免酷刑或不人道待遇；所有受害人士於沒有歧視的情況下得到充分的補償（第二十七段）。

定警方濫權。可是，懲罰與否完全操控於警務處處長手中，事件最後不了了之。

主歸移交後初期，警方對待示威者手法，以及警察監察機制已備受質疑。警方於二〇〇〇年一次警民衝突事件中，使用胡椒噴霧，而被指涉嫌使用暴力，警方聲稱經調查後，涉事警員毋須負上刑事責任。不過二〇〇一年報章新聞大獎《警方施胡椒噴霧沒依指引》（黃勁文，曾錦雯，明報）則從新聞圖片及示威者處得悉，警方於施放胡椒噴霧時並沒有依循指引，與警方一直堅稱有按指引的說法不一。二〇〇三年報章特寫優異獎《警方執法守則沒公開披露》（曾錦雯，明報）則指出警方沒有兌現一九九七年時任保安司黎慶基的承諾，於每間報案室內存放一份《警察通例》，連市民主動索閱都被警員以「內部守則」為由加以拒絕，令市民及人權組織難以得知警權有何規範；警察執法時有否過從。二〇〇九年報章新聞優異獎《濫權八指控俱遭否認 李燦偉母不滿「警察還是幫警察」》（雷子樂，蘋果日報）突顯現存的監督制度，不外乎警察「自己查自己」的問題。

李燦偉的案件揭示警方對性工作者執法時，經常出現濫權的情況，包括以「放蛇」為名接受口交，手淫等性服務，違反「放蛇」行動指引，而且時有毆打，誣告性工作者的情況。李燦偉於二〇〇五年十月跳樓自殺身亡，根據死者生前親人的口述及日記記載，她於跳樓前數天曾被警務人員譴告、毆打、毀滅證據等，「放蛇」警察更曾接受口交服務，而她最後不甘被屈而自殺。在死因庭的審訊過程中，「放蛇」警員這些違反指引行為被公開了，李燦偉家人向投訴警察課投訴，不過所有指控均被回應以「由於事件缺乏獨立證人或其他佐證，支持或否定任何一方的證供，本課認為這項投訴無法證實」，時任理工大學應用社會科學系講師張超雄批評投訴警察課調查草率，不專業，李燦偉的家人則慨嘆「警察還是幫警察」。聯合國禁止酷刑委員會於二〇〇九年的審議結論中對執法人員在打擊與賣淫有關的罪行行動中「慣常欺侮他人的指稱表示關注」，並建議港府「應徹底調查所有聲稱警方在採取行動打擊與賣淫有關罪行時濫用職權的指控。如指稱屬實，應按情況作出檢控及懲處」及「透過培訓及提高認知等活動，糾正任何認為該等濫權行為可予原宥的看法」（第十一段）。

蘋果日報記者雷子樂，於二〇〇八年以一篇有關香港警權的報導《改以判刑較重條例起訴 最少二十一人被控，警用重典釘死示威者》，獲得當年的報章新聞優異獎。文中提及，警方開始更有組織對示威者，竟然一語成讖。自從黃偉傑於二〇一〇年年底升任警務處處長後，警方打壓遊行示威的舉動更為明顯，與警權有關的得獎報導，亦漸見增多。二〇一〇年電視優異獎《The Pulse: Police Powers I & II》(Tucker Ng，香港電台)探討警察愈來愈多於示威現場使用攝錄機拍攝示威者，有受訪者認為此舉企圖製造恐懼，香港人權監察總幹事羅沃欣於受訪時亦指，有別於一般市民及傳媒，執法機關利用電子器材進行記錄，已可算電子監控的一種，警方應尊重他人私隱，取得當時人同意方可進行拍攝。

二〇一一年，時任中國副總理李克強到訪所引伸的警權問題，該年的評論和分析優異獎《港大八八事件處長責任系列》（陳鈞昇，陳廷明，信報）以及新聞攝影突發新聞優異獎、李克強訪港大校慶，警方鎮壓學生》（凌樹輝，蘋果日報）均有評論和記錄（詳情見第二章）。二〇一二年電視優異獎《警方壓制新聞自由（一）及（二）》（蔡玉玲，彭啟光，香港電台）提及警方對記者採訪的限制愈來愈大，包括愈來愈多的活動或示威都劃出採訪區，記者只能在裏面活動，最明顯例子是在中聯辦的請願，只准四間電視台在中聯辦正門外的花槽進行拍攝，其餘記者只能站在遠處。警權之下，記者採訪空間不斷被壓縮。

二〇一四年不少攝影得獎作品，包括圖片金獎《佔領香港系列》(Alex Ogie，法新社) 及《The Umbrella Man》(Xaume Olleros，法新社) 和《Series: Democracy Protests in Hong Kong》(Philippe Lopez，法新社) 皆記錄警方對付和平示威者的手法。合理與否，歷史自有公論。

這種運作一直為人所詬病，因為監警會只能覆檢以及監督，並無實質調查和懲處權，調查權在投訴警察課，而懲處的權力則落在警務處處長，而投訴警察課則是警務處轄下的一個部門，換言之，即是警察「自己查自己」。聯合國禁止酷刑委員會於二〇〇一年、二〇〇九年及二〇一五年就《禁止酷刑公約》在香港的實行狀況發表的審議結論中，已多次提到對警察監察制度的關注。

早於二〇〇〇年的審議結論中，委員會關注到：「根據香港法例第四二七章《刑事罪行（酷刑）條例》被控觸犯施行酷刑罪的人，可用『合法權限、理由或解釋』作為免責辯護，以及該條例對公務人員一詞所下的定義，均並非完全符合公約第一條的規定」，並建議港府「繼續致力確保投訴警方獨立監察委員會成為法定組織，並擁有較大的權力」（第一三八段）。

二〇〇八年七月十二日，香港政府訂立《獨立監察警方處理投訴委員會條例》，按委員會過往所提出的建議，把監警會改為法定組織。不過，委員會於二〇〇九年的報告中提出對監警會只有提供意見和監督職能的憂慮：「雖然有關的法定架構加強了監警會的獨立角色，但在監察和覆檢投訴警察課的工作方面，該會只有提供意見和監督的職能，而投訴警察課仍然是負責處理和調查警務人員行為不當投訴的機構。」而且「委員會察悉並關注到，儘管向該課提出的須匯報投訴為數甚多，但證據屬實的投訴個案只佔少數，其中只有一家涉事的警務人員被起訴和裁定刑事罪名成立」。並建議香港政府應「設立完全獨立的機制，接受及調查有關警務人員行為不當的投訴。該機構應具備所需的人力及財政資源，並擁有行政權力，就有關投訴的調查及所得結果制定具約束力的建議」（第十二段）。

二〇一五年十二月，委員會在審議結論中點名關注二〇一四年為期七十九天的「佔領運動」期間，有報道指超過一千三百名市民受到警方的過度武力（包括過量使用催

淚氣體、警棍以及胡椒噴霧等），當中有五百人需要送院處理；委員會亦對「佔領運動」期間有市民於按指示離開現場之際受到警方的性暴力恐嚇及威脅，以及反佔領者針對佔領人士的多項暴力行為表示關注。委員會亦關注到，投訴警察課收到二千零七十八宗有關「佔領運動」的投訴，只有一百七十二宗被界定為「須匯報個案」。當中的一百五十一宗投訴警察課認為「不成立」的個案提交至監警會；而監警會只通過一百零四宗個案的調查報告，至於其餘沒有被監警會通過的四十七宗個案，委員會所得資料不足，亦提出了關注（第十四段）。

另一方面，委員會對現時監警制度提出關注：「現時投訴警察個案繼續由警隊的投訴警察課處理，監警會只有建議和監督的職能，欠缺調查權」（第八項），並重申港府應「考慮成立具接受和調查投訴執法人員個案職能的完全獨立機制，並確保該機構的調查人員與被投訴人並無體制或從屬關係」（第九段）。

此外，聯合國人權事務委員會亦於二〇一三年在《公民權利和政治權利國際公約》審議結論中關注執法人員被指於市民示威期間過度使用武力的問題：「委員會感到關切的是，有報告指警方人員違反聯合國《執法人員使用武力和火器的基本原則》，使用過度武力，特別是不當使用胡椒噴霧驅散示威者以恢復秩序。二〇一一年七月一日的「一年一度香港大遊行，二〇一一年八月中國副總理的到訪和二〇一二年七月中國國家主席的到訪等幾個場合發生的示威，是明顯的事例」（第十一項）。

人權新聞獎多年來亦有不少獲獎的報導是關於警權的。一九九九年中文報章優異獎（貝多芬樂曲對示威口號事件「監警會七比二論定警方濫權」（信報），事件緣於一九九七年七月一日主權移交典禮會場外，警方在示威者喊口號時大聲播放貝多芬古典音樂以掩蓋口號聲。有市民對此作出投訴，投訴警察課接受有關警員解釋「播音樂以舒緩警察精神緊張，因而認為投訴不成立；不過當時監警會就不認同此結果，並以大比數裁

簡介

警務人員執刑法例，是法律賦予他們的任務，然而，為保障小市民的權益，執法的權力必須受到規限，以免濫用。聯合國《禁止酷刑和其他殘忍、不人道或有辱人格的待遇或處罰公約》、《公民權利和政治權利國際公約》，以及所有相關條文，為執法人員的權力訂明合理規限。

《公民權利和政治權利國際公約》第七條亦訂明，任何人均不得對他人施以酷刑或殘忍的、不人道的或侮辱性的待遇或刑罰。

《禁止酷刑和其他殘忍、不人道或有辱人格的待遇或處罰公約》（禁止酷刑公約）第一條訂明酷刑的定義：「『酷刑』是指為了向某人或第三者取得情報或供狀；為了某人或第三者所作或涉嫌的行為對他加以處罰；或為了恐嚇或威脅某人或第三者；或為了基於任何一種歧視的任何理由，蓄意使某人在肉體或精神上遭受劇烈疼痛或痛苦的任何行為，而這種疼痛或痛苦是由公職人員或以官方身分行使職權的其他人所造成或在其唆使、同意或默許下造成的。純因法律制裁而引起或法律制裁所固有或附帶的疼痛或痛苦不包括在內。」

第十六條訂明殘忍、不人道或有辱人格的待遇為：「每一締約國應保證防止公職人員或以官方身分行使職權的其他人，在該國管轄的任何領土內，施加、唆使、同意或默許上述第一條所述酷刑程度的其他殘忍、不人道或有辱人格的待遇或處罰的行為。」

而第十二及十三條訂明：「締約國應確保在有適當理由認為在其管轄的任何領土內已發生酷刑行為時，其主管當局立即進行公正的調查。而締約國亦應確保，凡聲稱在其管轄的任何領土內遭到酷刑的個人，有權向該國主管當局申訴，並由該國主管當局對

其案件進行迅速而公正的審查；應採取步驟確保申訴人和證人不因提出申訴或提供證據而遭受任何虐待或恐嚇。」

聯合國《關於執法人員使用武力和武器的基本原則》(Basic principles for the use of force and firearms)亦提供了執法人員使用武力和武器的指引。當中第四條提及，執法人員於執勤時，需盡量使用非暴力手段，於非不得已的情況下，例如所有其他方法均無效，方能使用武力；第九段亦訂明，除在自衛或在防止死亡或嚴重傷害，以及使用了其他較溫和的方法後均告無效，而必須使用有關武器的情況下，方可使用具殺傷力武器。

聯合國《兒童權利公約》第三十七條亦訂明對兒童的有關保障，締約國應確保「任何兒童不受酷刑或其他形式的殘忍、不人道或有辱人格的待遇或處罰。不得非法或任意剝奪任何兒童的自由。對兒童的逮捕、拘留或監禁應符合法律規定並僅應作為最後手段，期限應為最短的適當時間」。

執法權力在香港

《禁止酷刑公約》於一九九二年起擴展至適用於香港，中國政府亦於一九九七年六月十日向聯合國秘書長表明，此公約於主權移交後繼續適用於香港。

現時香港對警方的監察制度，主要透過獨立監察警方處理投訴委員會（監警會）及警務處轄下的投訴警察課運作。市民如認為警方執法不當，可向投訴警察課提出投訴，投訴警察課調查後，會將「須匯報的投訴」呈交監警會，監警會就會對這些須匯報的投訴進行覆檢，並裁定是否接納有關投訴。如投訴成立，則交回警務處進行處罰事宜。



群眾倒置時火氣 The Support and Against Tung Chee Hwa
李紹基 Lee Shau-kei - 明報 Ming Pao
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- 《二〇〇八年成文法（雜項規定）條例》
- 立場新聞：警方：九百五十五名佔領被捕者 至今一百人需「承擔法律後果」 四十人無罪獲釋（二〇一三年七月二十九日）

二〇〇八年，北京舉辦奧運，有不少團體結舉行賽事相關活動期間進行示威，以引起國際關注中國的人權狀況。當年報章特寫優異獎《暴力犯人權示威忍民憤青踐踏言論自由》（雷子榮、黃偉駿、盧文烈、簡明恩、蘋果日報）記錄了支聯會、民間人權陣線等團體於奧運聖火傳至香港時進行示威，卻被統被以中國人為主、聲稱愛國的示威人士「圍剿」。示威者被人以粗言穢語侮辱，用五星旗杆甚至拳頭攻擊。有示威者批評這些反示威人士的舉動野蠻，重創香港的言論、表達自由。

如今有言論指「平反六四」晚會和活動太過「和平理性非暴力」，但所謂和理非的紀念活動亦曾遭受打壓。二〇一〇年得到電視優異獎的《The Pulse: Confrontation at Times Square》(Luther Ng，香港電台)記錄了當時情況：支聯會欲於銅鑼灣展出新民主女神像，卻遭警方阻撓；中文大學亦曾一度以「保持政治中立」為由反對學生會有關申請，不過，在同學努力下，女神像最終成功安置於大學入口。二〇一〇年新聞攝影（突發新聞）優異獎《中大師生迎民主女神像情緒高漲》（余俊亮、明報），記錄了此幕。

二〇一一年中國國務院副總理李克強到訪期間，一名穿著「平反六四」字樣的男子於離港城無故被身分不明男子押走。李克強於八月十八日到訪香港大學，出席一百周年校慶典禮。當日大批警察進入校園，更將一位港大學生禁錮在後樓梯一小時，令人質疑校方為何讓警方「進駐」。該年評論和分析優異獎《港大八八事件處長責任系列》（陳朗昇、陳珏明、信報）其中一篇《從港大百年校「焚」看中山名訓》（信報，二〇一一年八月十九日）亦指出：「時至今日，孫中山的小小學弟小小小學妹其實都非激進派，其實都不過想有一個好政府，卻竟然被大批警察「圍」、「堵」、「推」、「撞」，以至被「落網」，試問情何以堪？」而該年新聞攝影突發新聞優異獎《李克強訪港大校慶 警方鎮壓學生》（凌樹輝、蘋果日報）亦將被警方推入樓梯的港大學生出來後悲憤控訴的一幕記錄下來。

在二〇一四年的佔領運動中，港府未有充分保障市民安全地行使表達自由的權利而備受非議。運動期間有示威者被非禮，甚至遭受性侵恐嚇；亦有報導指有黑幫於佔領區襲擊集會人士，警察卻未有阻止，這些雖然不是政府當局直接的妨礙，但有「第三方」以暴力或性暴力企圖阻礙市民行使表達自由時，香港是適用《公民權利和政治權利國際公約》的地區之一，政府應當有責任阻止並確保「人人有權持有主張，不受干涉」。而七名警員將示威者抬至暗角毆打，少女於「連環牆」上畫花被捕，超過九百人被捕，學生領袖被控「參與非法集會及煽惑他人參與非法集會」等，均與《公民權利和政治權利國際公約》第二十一條「和平集會的權利應被承認。對此項權利的行使不得加以限制……」有所抵觸。

該年多項得獎新聞報導以及圖片都對佔領運動進行詳盡記錄，包括英文網絡報導大獎《Occupy Central Reportage》（港聞組和網上新聞組，南華早報），英文電視新聞報導優異獎《Muzzling the Messenger?》（李成琳、梁思泉、半島電視台）；中文電視報導優異獎《藝鏡集佔領運動系列》（李賢哲、尤翠茵、徐佑靈、蔡玉玲、楊月芬、陳彩霞、香港電台）；圖片金獎《佔領香港系列》（Alex Ogle，法新社）；突發新聞圖片大獎《香港民主抗爭：戴耀廷裏壞》（余俊亮、明報）；突發新聞圖片優異獎《Paul Zimmerman's Yellow Umbrella》（鄭覺賢、南華早報）《多道閃電劃破政總上的夜色》（何家達、蘋果日報）-《The Umbrella Man》(Xaume Ollerós，法新社) -《開離》（羅君豪、蘋果日報）-《Series: Democracy Protests in Hong Kong》(Philippe Lopez，法新社) 以及得到英文學界報道金獎的《The Umbrella Movement: Epilogue》（雷路家、劉震陽、李林言、Anai Semmache、Filippo Ortona、黃卓銳、馬世琳、黃建毅、廖皓良——香港大學 / MSNBC）。

描述情景「拳打腳踢」的字眼被刪去，有關記者其後更被調職。二〇一五年，香港大學校委會否決任命陳文敏為副校長，爭議引起社會關注，香港大學就校委會會議申請禁制令，然而涵蓋範圍極廣，甚至限制記者對港大事務之報導，業界及公眾亦憂慮，此舉對新聞自由會有負面影響。

集會自由

聯合國人權事務委員會於一九九九年及二〇一三年就《公民權利和政治權利國際公約》於香港的實行狀況發表審議結論，均提及對香港法例第二十五章《公安條例》的關注：「有關集會自由，委員會知悉香港特區經常有公眾示威活動舉行，並注意到代表團表示，當局從未拒絕讓公眾舉行示威。雖然如此，委員會關注到當局引用《公安條例》，不當地限制市民享有公約第二十一條所保障的權利……香港特區應檢討及修訂該條例，使其條文符合公約第二十一條的規定」（一九九九年，第十九段）；「委員會感到關切的是，a)《公安條例》中的某些詞語，諸如『擾亂公共場所秩序』或『非法集會』，其實際執行可能會造成對《公民權利和政治權利國際公約》權利的過度限制；b) 越來越多的示威者被逮捕和起訴；和c) 警方在示威期間使用相機和攝錄機……香港特區應確保《公安條例》的實施符合《公民權利和政治權利國際公約》的規定。它還應為警方使用攝錄器材進行記錄制定明確的準則，並允許公眾查閱這些準則」（二〇一三年，第十段）。

在回歸之前，《公安條例》在社會上引起爭議。於一九九五年，《公安條例》部分條文曾被裁定與《公民權利和政治權利國際公約》抵觸而予以廢除，包括將二十人以上遊行及五十人以上集會的發牌制度改為通知制度，組織者必須於活動前七日通知警務處。不過人大常委會反指九五年版本的《公安條例》違反《基本法》，一九九七年，臨時立法會將一些被廢除的條文重新制訂，包括將遊行集會通知制度更改為「不反對通知書」制度。

二〇〇一年報章新聞的優異獎《拘示威學生 公安條例臨考驗》（雷子榮，經濟日報）亦提及《公安條例》有關修改於當時面臨的挑戰，終審法院最終於二〇〇五年裁定由臨時立法會引入的部分條文，違反《基本法》，因為有關新增條文賦予警方太廣泛的權力。立法會議決於二〇〇八年通過有關修訂法案，將當年臨時立法會新增的部分刪除。

不過，正如聯合國人權委員會的審議結論指出，《公安條例》中的某些詞語，諸如「擾亂公共場所秩序」或「非法集會」，其實際執行可能會造成對《公民權利和政治權利國際公約》權利的過度限制。事實上這二十年來，香港曾經歷多次大型集會或示威，包括成功令政府撤回《基本法》二十三條立法的二〇〇三年七一大遊行，二〇〇四年不少得獎報導皆為是次人民力量的勝利的記錄，包括報章新聞大獎《香港人萬歲》（蘋果日報採訪部，蘋果日報）、報章新聞優異獎《惡法二十三條撤回》（莫劍銘、陳廣慧、羅偉光、徐岱靈，蘋果日報）、《七一大遊行系列》（明報港聞組，明報）以及電視優異獎《麗綽集：人民力量》（潘建坤、黃錦兒，香港電台）。

然而，據同一年（二〇〇四年）報章新聞優異獎《政府電招打壓示威》的報導，香港政府有透過「司法暴力」威嚇窮光蛋見者之嫌。報導指示示威者「女長毛」雷玉蓮於二〇〇三年一場示威後事隔一年，接到律政司發信建議兩大和解條款：永久禁制進入灣仔入境大樓及罰款一萬元，否則就會向其索償十五萬元。報導亦指當時法律界、人權組織、壓力團體均指責港府企圖以「司法暴力」令無力繳交罰款的反對者噤聲。

及後香港不少其他的遊行或集會，都遭受不同程度的打壓或阻撓。二〇〇五年反世貿示威事件中，防暴警察發射三十四枚催淚彈、六顆布袋彈以及胡椒噴霧驅散示威者，最少有三名示威者受傷，警方亦被質疑在不必要的情况下使用催淚彈；有被捕者不能與律師會面。二〇〇六年新聞攝影大獎《O.T.W.》（陳國祥、南哥早報）記錄了當時的示威情況。

的「Hong Kong Journalists' Lonely Battle」，則指出主權移交後香港傳媒用語的轉變，例如過往使用「六四屠殺」或「天安門屠殺」，但九七年後就會以「事件」取代而避用「屠殺」二字。同時值得注意，一九九八年發生了商台時事節目主持人鄭經翰遇襲事件。

二千年以降出現更多揭示傳媒日常運作受到阻礙的報導，例如二〇〇〇年中文雜誌組別的優異獎：《傳媒間諜誘訴訟數字上升》（沈韻嫻，新報人）以及二〇〇二年新聞攝影冠軍《粗暴對待記者》（李紹昌，明報）。事實上，自二〇〇二年起，香港新聞自由受到的威脅漸趨嚴重。二〇〇二年四月二十五日，警方驅散在遮打花園爭取居留權的示威者，並將兩名不肯進入採訪區的記者以「妨礙警務人員執行職務」為由拘捕並鎖上手鐐，及後警方被指未有按《警察程序手冊》指引執勤，亦限制新聞自由及採訪權利。當年年底政府就《基本法》二十三條立法推出諮詢文件，就叛國、顛覆及分裂國家等罪行進行諮詢。時任律政司司長梁愛詩表示「二十三條就像有一把刀在你頭上」，令很多人憂慮這項法例若通過，政府可以「國家安全」之名指港人本來擁有的人權和自由，包括言論和新聞自由。二〇〇三年報章新聞優異獎《二十三條系列報導》（採訪部，蘋果日報）及電視節目冠軍《新聞透視：廿三條立法》（李德成，壹廣播，李國忠，無線電視）詳盡報導二十三條的各項爭議以及市民的憂慮。

二〇〇四年，鄭經翰、黃毓民、李鵬飛等電台清談節目主持相繼「被封咪」。李鵬飛表示曾收到一位聲稱是前中方官員陳先生的電話，並主動提及其家人近況，指其「太太很賢淑」，「女兒很漂亮」，因擔心家人受牽連而辭去電台職務。二〇〇五年獲電視大獎的《假銷集：免於恐懼》（潘達珣，香港電台），就是探討九七後新聞自由受威脅的情況。當中訪問了時任商業電台顧問兼節目主持梁文道，他指出：「言論自由背後還有更基本的，就是免於恐懼的自由，現在我們並非直接喪失言論自由，而是背後免於恐懼的自由。」同一節目的受訪者、時任香港新聞工作者聯會主席陳思國亦認為：

「現時傳媒有點過敏，甚至有點神經質。」而同年得到電視大獎優異獎的《踏出來的力量》（薛友修，香港電台）則記錄有學者和文化工作者成立網上媒體，提倡民間記者概念，鼓勵市民自行報導社會重大議題，引發理性討論。

政府轉變發放消息的方式亦惹起傳媒的非議。二〇一二年報章新聞優異獎的得獎報導《政府記者會回歸後最少》（沈韻嫻，明報）指出，二〇一一年政府舉辦的記者會及簡報會數目，全年合共一千零七十三次，創九十七年以來新低。記錄二〇一四年的香港言論自由年報中更指出，政府官員有刻意迴避記者之嫌，甚至官員落區進行政改宣傳，政府都不主動通知記者，官員於官方網頁發表簡誌，以單向方式對政策作出評論的情況則日趨頻繁。另一方面，截取通訊及監察事務專員胡國興於其二〇一〇年年報中，首次揭露執法人員在調查其他人士時截聽記者電話（香港記者協會二〇一一年香港言論自由年報）。

自二〇一一年曾偉雄出任警務處處長後，新聞自由的情況似乎更為嚴峻。二〇一一年得到評論及分析優異獎的《曾偉雄新聞自由底線 鐵腕手段變相擴大警權》（陳朗昇，明報）指出，香港警權疑似不斷擴大，而情況自人稱「二一哥」警務署署長曾偉雄上任後更趨明顯。警方近年對待採訪示威活動的記者，手法似有違《警察通例》之嫌。評論亦提醒：「當警權大到踐踏到香港核心价值之一的新聞自由底線時，警方猶如把自己推向市民及群眾的對立位置，警民關係勢跌至冰點。」

二〇一四年圍繞佔領運動，又是一場又一場的新聞自由領域的抗爭和挑戰。明報總編劉進圖遇襲令新聞界震怒，該年突發新聞圖片優異獎《捍衛新聞自由遊行》（李澤彤，明報）記錄了記者以遊行表達憤怒和捍衛新聞自由的決心；另一方面，有網上媒體於佔領運動前夕突然結束，佔領運動期間有記者進行採訪的時候被指襲擊，亦有記者於工作時遇襲，警方的處理方法備受質疑；有前線記者報導七名警員毆打曾健超事件，

簡介

這章關於香港的表達自由，包括新聞自由及集會自由，受聯合國《公民權利和政治權利國際公約》所保障。

新聞自由

《公民權利和政治權利國際公約》第十九條訂明：「（一）人人有權持有主張，不受干涉。（二）人人有自由發表意見的權利；此項權利包括尋求、接受和傳遞各種消息和思想的自由，而不論國界，也不論口頭的、書寫的、印刷的、採取藝術形式的、或通過所選擇的任何其他媒介。（三）本條第二款所規定的權利的行使常有特殊的義務和責任，因此得受某些限制，但這些限制只應由法律規定並必須為了以下目的：（甲）尊重他人的權利或名譽；（乙）保障國家安全或公共秩序，或公共衛生或道德。」

集會自由

《公民權利和政治權利國際公約》第二十一條訂明，「和平集會的權利應被承認。對此項權利的行使不得加以限制，除非按照法律以及在民主社會中為維護國家安全或公共安全、公共秩序，保護公共衛生或道德或他人的權利和自由的需要而加的限制。」

表達自由在香港

英國於一九七六年成為《公民權利和政治權利國際公約》締約國，並於同年批准此公約適用於香港。一九九一年，立法局通過香港法例第三八三章《香港人權法案條例》，條例第八條內容即錄自公約，一九九七年主權移交後基本法訂明公約繼續有效。另一方面，《基本法》第二十七條亦訂明香港居民享有言論、新聞、出版的自由，結社、

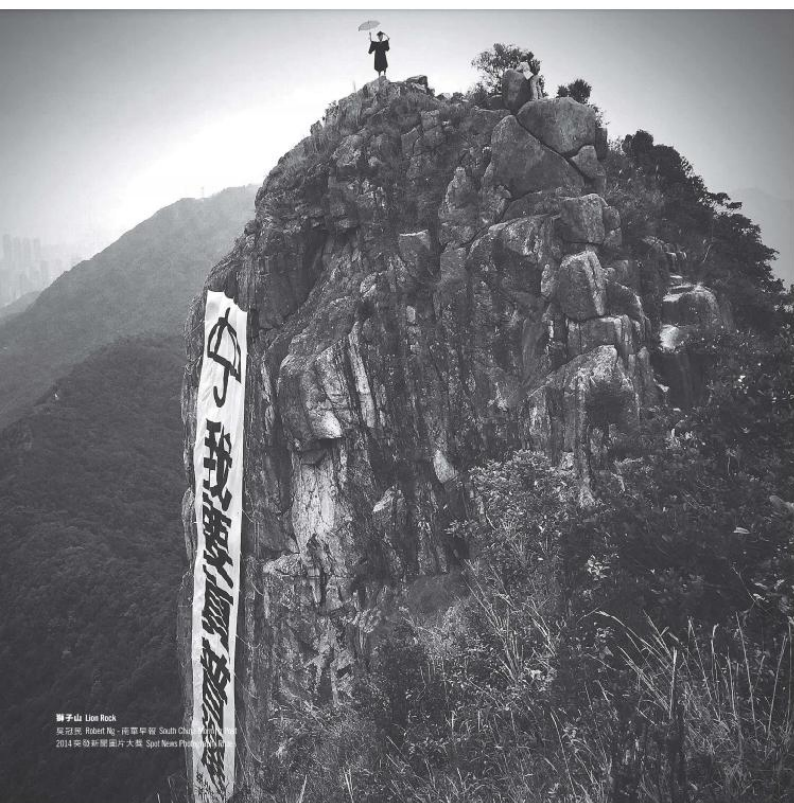
集會、遊行、示威的自由，組織和參加工會，罷工的權利和自由。

新聞自由

聯合國人權事務委員會分別於一九九九年、二〇〇六年及二〇一三年就《公民權利和政治權利國際公約》於香港的實行狀況發表審議結論（Concluding Observation），於一九九九年尚未提及對新聞自由的關注，在二〇〇六年的審議結論中，便開始就傳媒工作者遭恐嚇和騷擾提出關注，並要求政府確保傳媒可獨立運作：「委員會關注到，多宗有關新聞從業員和傳媒工作者遭恐嚇和騷擾的個案，均牽涉政見爭拗……香港特區應採取積極措施，防止傳媒工作者被騷擾，並檢控有關的違法者，以及確保傳媒可獨立運作，免受政府干預」（第十三段）。及至二〇一三年，於有關新聞自由的條目中，委員會關注到情況更趨嚴重，除了騷擾，更出現「逮捕」和「攻擊」等字眼：「委員會感到關切的是，有報告指出，中國香港的媒體和學術自由有所惡化，出現了逮捕、攻擊及騷擾記者和學者的情況」（第十三段）。

在這二十年間，除了聯合國人權機構的關注，還有其他資料反映香港新聞自由的情況嗎？無國界記者（Reporters without Borders）自二〇〇二年起推出全球新聞自由指數（World Press Freedom Index），香港的排名由二〇〇二年的第十八位（共一百三十四個國家），跌至二〇一五年第七十位（共一百八十個國家）。

人權新聞獎過去二十年的得獎作品中，亦有不少有關新聞自由的報導，而且當中有關新聞自由受侵害的事件，也有日益嚴重之勢。九十年代（一九九六年至一九九九年）得獎作品多為憂慮主權移交後新聞自由或受限制的評論，包括一九九七年評論及分析優異獎《九七後新聞界有不可逾越的黃線》（邱誠武，香港經濟日報），以及時時漫畫組別的得獎作品《Do you think Hong Kong will have press censorship after the handover?》（Larry Feig, The Independent）等均是討論有關問題：一九九八年得獎



獅子山 Lion Rock
吳冠忠 Robert Wu 拍攝年份 South China
2014 香港新聞圖片大賞 Spot News Photo

雖然有種種不理想的變化，「BBC」在很多記者的新聞取材及分析之中看到很強的人權角度，他希望人權新聞獎能繼續扮演為記者充權的角色，亦希望鼓勵他們在輿論趨於單一的洪流下，堅持報導人權相關的新聞。

香港電視廣播有限公司的記者有意競逐獎項，但機構拒絕向他們提供有關片段，理由是有關新聞片版權屬於該機構。Francis道：「我認為那個作品就是那記者的出品，是屬於記者的。自此之後，我不斷提醒同行，要將自己的作品存底，便沒有人能妨礙他們參賽了。」從此人權新聞獎的獎座和證書亦是頒贈予個別記者，而非所屬傳媒機構。

Francis道出另一個故事來解釋「認同」也是一種充權：「於第一屆人權新聞獎，《成報》的周瓊珍獲中文報章新聞優異獎，她的作品題為《禁囚犯投票是否合理？》。頒獎禮完成後，她問我『人權新聞獎是甚麼？』其實她的得獎，正正就是答案。那時的香港，市民根本不會關注囚犯的權益，本來她的上司亦以此為由，要求她不要為囚犯『浪費時間』，後來經連番爭取，她才可進行報導。得獎後她可以拿著獎狀，理直氣壯地告訴上司：『這個現象是有人關注的，我可以做得更多。』有關囚犯不能投票的法例最終被廢除，高等法院於二〇〇八年裁定囚犯及羈留人士應該享有投票權。」

一同堅持，報導真相

除了對記者的鼓勵，人權新聞獎亦提供一個平台，讓一些不能出版或播放的作品得到展示的空間。「讓更多人知道他們的作品，亦是對記者的肯定，也是為記者充權的一種方式。」

Francis認為，梁冬的報導《天山狼嚎：新疆分離運動真相》得獎，正正體現了這種精神。一九九七年北京汽車爆炸後，新疆維吾爾武裝分子被視為參與策動是次爆炸，梁冬及其傳訊電視團隊前往新疆走訪了當地曾參與獨立運動的維吾爾族人，了解他們在北京爆炸後所受到的壓力和生活狀況。可惜因為北京當局認為這個節目太敏感，這節目一次又一次被要求縮短：

由原本一小時，減至半小時，減至十五分鐘，減至三分鐘，直至最後，節目未能播放。但梁冬堅持參與人權新聞獎，讓更多同行得知自己的遭遇。雖然《天山狼嚎：新疆分離運動真相》並不符合人權新聞獎必須曾經於媒體播放的規定，但評審仍決定向他頒發獎項。同時，評審亦批評傳訊電視明顯地進行自我審查以及妨礙新聞自由。Francis道：「我還記得梁冬是泛著眼淚接下獎項的。他告訴我，這些經歷宛如被性騷擾——這些屈辱壓在心裏很久。人權新聞獎就是希望告訴所有傳媒工作者，這個世界仍有公義。」

莫謂不明不白，轉變有跡可尋

「當你懂得如何去觀察那些『漸次不存在』的事物，你就會發現當中到底有甚麼變化。」其中一個觀察現況變化的指標是，哪些傳媒機構參與、哪些不再參與；哪些傳媒機構鼓勵員工參與、哪些不再鼓勵。Francis解釋：「如果一個傳媒機構沒有任何作品參賽，很可能是沒有適合的作品；又可能因為他們不再關注；又或者，是他們不想，或不能讓某些人察覺到他們如此關注人權。」

Francis認為另一個轉變是傳媒趨向單一化。Francis本來認為政府應扮演更積極角色，只是最近香港的政治社會情況變化急促，令他對此也不太樂觀。傳媒趨向單一化始於年前，他得知《華僑日報》因承受不了各種壓力而結業，開始深感憂慮。「事實上現時傳媒的聲音愈來愈單一，連親中媒體之間亦出現同樣情況。例如《大公報》與《文匯報》合併之前，《大公報》都會有些與《文匯報》不同的聲音，但現在連這空間都消失，反映北京政府正在收窄一切輿論聲音。」



人權新聞獎標誌
二十年來的變遷



他們保障我們的資訊自由。」人權新聞獎希望竭盡綿力提供一個表揚記者的機會，至少也能帶動社會整體對人權的關注和討論，從而讓記者得到更多的鼓勵，支持他們繼續揭露真相。「人權新聞獎及人權教育未必能馬上影響香港七百萬人民，但其價值在於透過和深化人權意識，逐步減少影響別人。」是以，這力量再微小，也要繼續下去。Alcoa認為，一個社會要進步，必須有具人權角度的記者。「民間人權關注組織會因應新聞而回應及行動，如果傳媒工作者能在獨立而無懼怕的情況下工作，去揭露真相，為社會大眾監察政府，呼籲政府完善制度和政策之餘，便能扮演協助大眾深化人權認知和意識的重要角色。」

二十年來，香港的新聞與自由——Francis Morarty

Francis Morarty，原籍美國，於一九八九年受僱於法新社而駐港工作，一九九五年到二〇一四年間任職香港電台新聞部（政治）高級記者，為港台最後一名外籍前線記者，其後成為自由身記者。二十一年來Francis一直是香港外國記者協會董事會成員，並擔任多項要職，他亦是人權新聞獎其中一位發起人。

立足香港，放眼亞洲

Francis由開始至今一直參與人權新聞獎的籌備工作，他能把多年來各項大小事件娓娓道來。例如第一代人權新聞獎標誌的設計概念也是他的構思，原圖是一條鎖鍊圍著一幅香港地圖，兩旁有中英文文人權新聞獎字樣突破鎖

鍊。他憶述：「我們都認為人權新聞獎不光以香港為中心，而是放眼整個亞洲地區，因此就刪走了標誌中的香港地圖，反映這獎項不受地域的局限。」事實上，二十年來不少得獎作品也是關於亞洲地區，同時亦鼓勵更多讀者及新聞從業員認識亞洲地區的人權狀況。

人權新聞獎：專業的傳媒獎項

Francis堅持獎項的細節須做得周全。「比賽的評審都要有相當的分量，要具備『專業、新聞、人權』等元素，方能令人信服。」所以歷來大會均邀請資深傳媒人、學者、傳理系講師、律師、人權工作者，包括歷屆出任評審的資深大律師梁永濂女士，多年來其他評審還包括余若薇、梁家傑和湯家驊等。

除了令獎項更具公信力以吸引更多傳媒工作者參與，各屆頒獎禮邀請的主講嘉賓亦是每年的焦點。「有前平機會主席胡紅玉，已故馬來西亞著名維權人士Ismael Fernandez，中國資深傳媒人高瑜等。」有時候，敬言的嘉賓會因為身分太敏感而未能離境抵港，結果演講要改為視像直播——不過這亦無損彼此間的經驗分享，他們那份追尋真理不畏強權的勇氣，往往能啟發到更多的記者參與人權新聞工作。

為記者充權

當被問到人權新聞獎對香港新聞自由的意義時，本身都是記者的Francis，非常肯定地回答：「為前線記者充權」。

「人權新聞獎所嘉許的是記者，而非傳媒機構。我們希望表揚記者本人，而不是只對個別作品表示讚許。」Francis憶述了一個故事：曾經有任職

事件：一些兩章運動被捕人士亦未必有證據片段助其洗脫罪名，沒有關於露宿者的報導，社會福利署也未必會多為他們做事，例如多開放避寒中心等；如非記者，社會未必知道香港仍有小孩因沒有身份證而自小失學。」

因此，Angela認為鼓勵和協助傳媒工作者裝備更多的人權知識，會使他們對社會各項人權議題的觸覺更為敏銳：「當記者有更高的人權意識時，其新聞報導也會更具人權角度，更有助加深市民大眾對各項社會事件以及人權的認識。」設立人權新聞獎，就是希望鼓勵記者報導新聞時多以人權角度出發。「人權新聞獎是酵母，使人權意識發酵於記者身上，再透過新聞報導將人權意識傳遞至大眾身上繼續發酵。」是以，人權新聞獎是人權教育的重要一環。

對人權工作者來說，一九九六年是個好時機，主權移交在即，社會上的輿論普遍認同要增強公民意識。當年政府公布的《公民教育指引》，其中一部分便是關於人權，即使有意見指，指引涵蓋範圍太廣泛，但畢竟這是一個推廣人權教育的好「開端」，可惜二十年後政府在推動人權教育上仍是停滯不前，甚至最近關注課程發展議會發表的《更新個人、社會及人文教育學習領域課程（小一至中六）諮詢簡介》中，竟擬刪減「發展公民能力以參與本地事務」等培養學生公民參與的教育內容。

人權，也在生活

Angela觀察到人權新聞獎參賽作品二十年來的變遷：「設立人權新聞獎之初，大眾普遍不太了解什麼是人權，參賽作品都是關於當時一些公民政治權利的議題，如越南難民、主權移交、言論自由、集會等等。」但有不少人權議題，其實就在身邊，只是當時未有討論氣氛，大家未必察覺。「例如遇到有長者挺餓然後凍死路邊，記者只會悲情報導，並未有意識到，一些國際公約對人權的保障是可以減少這種悲劇的。」

Angela認為，人權教育並非硬性背誦《世界人權宣言》及相關公約，而是關於生活。即使簡單如香港人每日飲用的清潔食水都可以意識到人權的存在（政府有合保障大眾的健康），以社會事件引發有關人權的討論，會令公眾對人權有更深刻體會。

她觀察到千禧年代的中後期，開始較多揭示和分析都市貧窮情況的作品參賽，正正反映社會大眾增加了對人權認識，而且即使是報導同一類事件，在較強烈人權意識之下，處理的角度和手法都會有所不同。Angela認為，早年的人權教育、傳媒和公民教育提出了人權概念，漸漸提高社會對人權的意識和認知。「所以當新一代的記者報導這些新聞時，看到的不再只是一段悲情故事，還會意識到背後的社會問題，再基於《經濟、社會與文化權利的國際公約》，從人權角度出發去了解問題所在，指出政府有義務要照顧長者等弱勢社群。新聞工作者透過報導事件，間接增強人權意識，影響社會。」

傳媒獨立自主至為重要

其實Angela認為如何繼續推動人權新聞獎才是更大的挑戰：「不單是言論自由空間的問題，經濟不景其實也有影響，傳媒行業事實上也不斷在萎縮。資源短缺，能放在人權專題的資源更少。」

回望二十年來，這個獎，有否為記者提供了一個保護罩？「其實我們的獎很小。」Angela苦笑道：「事實上並非我們去保護記者的新聞自由，而是



Robyn與當時國際特赦組織香港分會的
秘書長Angela(李雅琴)一起策劃，
促成三位國際特赦組織首屆人權新聞獎。



Robyn 與 Angela 邀得合辦團體後，馬上籌集獎項的經費，與國際特赦組織挪威分會商議後，取得一個挪威的教育基金 (Teaching for Freedom) 資助經費，人權新聞獎得以順利成立，更成為本地最早的傳媒新聞獎。Robyn 慶幸人權新聞獎能持續二十年，除有賴一眾創辦人及工作人員，亦特別感謝多年來資助獎項經費的馬登夫人及一眾支持者與義工每年的慷慨支持。

人權新聞獎二十年：堅持真相，不斷進步

「這是第一次，我們得到很多英文和中文傳媒的支持，而且對人權很有認識的傳媒工作者參與，有不少高質素的報導。」Robyn 認為報導的質素是新聞自由重要的一環：「這些年來，即使受到不少限制，香港的傳媒人都盡其所能作出公正的報導。他們經常要趕工追及『死線』，或礙於資源所限或者種種原因難以作出深入報導，然而，傳媒工作者往往能在有限的空間內平衡報導的質素。」

Robyn 於一九九八年返回澳洲後，仍然心繫香港，而且緊貼香港各大小新聞，例如明報解雇其執行總編姜國元（安裕）一事對新聞自由構成威脅，她說：「我相信明年即二〇一七年，是主權移交的二十周年，將是一個關鍵時間。」不過，Robyn 仍然對香港的人權狀況和新聞自由抱持樂觀的態度，原因是，她見到仍然有很多人為此堅持和發聲：「最重要是發聲。」Robyn 樂見人權新聞獎舉辦了二十年，她相信這個平台能捍衛公義，幫助更多人發聲。人權新聞獎其中一個重要的角色，是監察和確保香港仍能保有新聞自由。「人權新聞獎在維護新聞自由方面所扮演的角色不容小覷。」

對 Robyn 而言，人權新聞獎亦是對傳媒工作者的一個鼓勵。「一直以來，

它都在鼓勵捍衛新聞自由的記者，以及促進香港和其他地方傳媒人的交流。它並且驅使我們精益求精，過去二十年，人權新聞獎和傳媒已將人權理念在社會廣泛傳播，人們亦開始對傳媒及國際特赦組織等人權機構有所要求，希望他們指出各種各樣的人權議題。」人權是無形的，但人權新聞獎就將之化為有形之物，Robyn 認為：「這也是人權新聞獎能屹立二十年的原因。」

密不可分的人權新聞和人權教育——李雅琴

李雅琴 (Angela)，國際特赦組織香港分會第一任人權教育幹事，在任時經常走訪各大、中、小學及社區，並與各行各業的專業人士分享人權訊息。現職教育行政人員，堅守教育工作。Angela 亦是人權新聞獎的創辦者之一，自首屆以來一直參與籌辦工作及擔任新聞照片的評審。

人權新聞獎是人權意識的酵母

對於有些朋友常提出的疑問：國際特赦組織何以設立新聞獎項？Angela 直截了當地回答：「人權教育和人權新聞獎，其實相輔相成。記者在前線採訪然後報導新聞，老師再利用新聞去教導學生，這是最直接將新聞用於教育的例子。」

Angela 認為，「傳媒的使命是報導事實，報導不公義，有監察政府的角色，是重要的人權守護者。」他們監察政府，揭示社會問題，同時幫助大眾了解社會大事。「要不是記者報導，社會未必知道雨傘運動時發生暗角七警

死活，倖存災民難以得到物質——因為外國救災物資必須先經軍政府之手，災民獲發多少成疑。當時已有學生組織及倡侶呼籲國際社會協助改變此種狀況，救助有需要的人民。二〇一一年報章新聞頒獎典禮《邁向新的黎明》(Greg Tadoue, 南華早報)則記錄了昂山素姬剛獲解除軟禁，緬甸社會漸漸開放，人民也對前景抱著較多希望的情況，同時亦分析昂山及其領導的全國民主聯盟可能面對的挑戰。

二〇一三年英文網絡報導頒獎典禮《斯里蘭卡戰後四年：孤寡面對強暴威脅》(Charlotte Turner, 法新社)則調及香港讀者較陌生的斯里蘭卡的情況。當時，斯里蘭卡內戰剛結束四年，經歷多年內戰之苦的人民正迎來較安樂的日子，不過對居於東部和北部原塔米爾衝突地區的女性來說，她們仍然要面對性侵犯的威脅。二〇一二年英文雜誌頒獎典禮《女鬥士馬拉投》(Aryn Brak, 時代雜誌)訪問了當時的風雲人物，因捍衛女童教育權利而被塔利班襲擊的馬拉投，講述她走上維權之路的經過，以及她不畏強權，繼續捍衛人權的決心。

這份決心，也是不少新聞工作者，以及人權新聞獎所秉持的。

為香港創辦一個獨一無二的新聞獎——Robyn Kilpatrick



Robyn Kilpatrick，前國際特赦組織香港分會主席，原籍澳洲，一九八〇年末來港，一九八四年加入國際特赦組織香港分會，於九十年代提出在香港設立人權新聞獎，並付諸實行，令人權新聞獎在一九九六年成功誕生於香

港。Robyn Kilpatrick 於一九九八年返回澳洲。二〇一六年，她專程由澳洲携同廿年前有關人權新聞獎的珍藏對報來港，出席一個對她而言很重要的很寶貴的活動——第二十屆人權新聞獎頒獎典禮。

人權新聞獎的起源

設立人權新聞獎這個想法，早於九十年代，當Robyn於國際媒體上閱讀到一些相關新聞時，已經浮現在她的腦海中，當時她想到：「要向公眾進行人權教育，傳媒是非常重要的。因為記者走在前線報導和發掘真相；另一方面，我相信國際特赦組織在人權教育的經驗，有助推動人權新聞獎。設立人權新聞獎，就是希望傳媒工作者對人權教育和人權議題有更深認識。」

於是她聯絡國際特赦組織的英國分會，以及一些有舉辦此類獎項的分會，希望了解他們舉辦這些獎項的經驗。不過Robyn強調，香港的人權新聞獎並非英國同類獎項的「翻版」，而是一個專屬香港，獨一無二的人權新聞獎，因此本土的協作非常重要。「想籌辦香港的人權新聞獎，理所當然想到香港記者協會（記協）和外國記者會——因為記協和外國記者會分別有本地和外國傳媒的網絡和經驗。」她與當時國際特赦組織香港分會的教育幹事 Angela (李雅琴) 一起策劃，邀請了當時的香港外國記者會委員 Francis Morley 及香港記協主席李月華合作，在一九九六年終於促成三個團體聯合籌辦首屆人權新聞獎。Robyn憶述，當時趕及於一九九七年前舉辦第一屆人權新聞獎，是希望在香港主權移交前夕讓更多傳媒能夠將香港的情況，與國際人權標準，例如《世界人權宣言》等進行比較，以檢視香港的人權狀況，並希望能將這種做法延續至主權移交後。

人權新聞獎 簡介

第一屆香港人權新聞獎於一九九六年舉行，由香港外國記者協會、香港記者協會、國際特赦組織香港分會合辦，是香港首個新聞獎項盛事。至今已舉辦了二十屆，每年均收到數百份參賽作品。香港人權新聞獎設多個類別，包括中英文印刷傳媒、廣播傳媒以及新聞攝影等，涵蓋多個人權範疇：公民權利、表達自由、集會自由、經濟權利、外傭、性別平等、性小眾權利、執法人員權力、少數族裔、難民、兒童權利、殘疾人士權利等等。

二十年來，人權新聞獎見證著不同範疇中的人權現象隨時日變遷。到底香港的人權狀況二十年來，有些甚麼變化？本書將相關議題的得獎作品加以整理，以各種權利為主題，徵引相應的人權公約，讓讀者更確切的認識和了解這些權利於香港的狀況。

香港人權新聞獎除了嘉許本地的新聞工作者以及新聞報導，亦鼓勵業界將眼光擴闊至亞洲地區，讓讀者有更多進益。因此大會接受所有於亞洲區工作的新聞工作者，以及有關亞洲地區的人權新聞參賽。大會每年均邀請各地的人權工作者來與得獎者分享，包括多次被中國政府拘捕的資深記者高瑜、前明報總編輯劉進圖等。

本書因篇幅所限，集中以香港為重點，講述二十年來人權新聞獎所見證的人權狀況變遷。二十年來，亞洲其他地區的得獎作品亦多不勝數，同樣記錄了區內不少的人權事件和狀況，包括二〇一〇年英文報章新聞優異獎《富士康工人的故事》，當年富士康位於深圳的廠房連環發生多宗員工跳樓事件，引起中外社會廣泛關注——富士康是區內大廠房，收入也較高較

穩定，有不少工人渴望加入富士康打工；接連的十幾跳，令很多人感到大惑不解，為了解箇中原因，南華早報記者Winnie Chan走訪富士康廠房，並訪問生產線上的主管和工人，發現在工廠區區中，唯一的「生活」，除了工作，還是工作，人在工廠裏只是被視作一部生產機器。

揭示中國人權問題的報導，除了二〇一〇年的富士康事件，有二〇〇八年英文報章新聞優異獎《數月過後，新強「恐怖」襲擊仍是個謎》(Dan Martin, 法新社)，提到二〇〇八年三月新強出現一連串的恐怖襲擊傳言，當時政府向外宣稱在烏魯木齊一個屋苑制止了一場恐怖襲擊，然而記者走訪該屋苑，居民均表示對事件毫不知情，到底是有其事，還是政府企圖抹黑，以使用恐襲之名向維吾爾族進行打壓？還有二〇〇四年報導特寫優異獎《蔣醫生》，訪問於二〇〇三年向外公開中國沙士疫情的蔣彥永醫生，問他作為一個醫者，如何行使其表達自由的權利救命扶危。

人權新聞獎的得獎作品亦包括其他亞洲地區人權狀況的報導。二〇〇六年英文雜誌大獎《新加坡的「烈士」 徐順全》(芮育光, 遠東經濟評論)訪問了新加坡民主黨秘書長徐順全。徐順全因多次指控執政人民行動黨，而多次被控誹謗，他在二〇〇六年因為從事「無准證演講」而被罰款，後來因難以繳款而面臨入獄，記者就在當時進行採訪——新加坡政府指他是十惡不赦的慣犯，但記者面前的他文質彬彬，談吐得體。記者慨嘆何故於新加坡，市民講真說話卻要付出這麼多的代價，但徐順全則表示無悔這一切。

這二十年來風雲色變的通甸也是不少人權新聞獎得獎作品的主题，當中包括二〇〇八年報章雜誌優異獎《哀種甸》(Hannah Beach, 亞洲時代雜誌)，揭示緬甸軍政府在發生了導致十萬人死亡的大型天災之後，仍然無視人民



血滴蘋果 Bloody Apple
主理人 Felix Wong - 南華早報 South China Morning Post
2011 年新聞攝影獎得獎者 Spot News Photography Award Merit

由國際特赦組織香港分會、香港外國記者會以及香港記者協會三方共同主辦的《人權新聞獎》至今已二十年了。這個獎發端於一九九六年，正值香港主權回歸中國的前夕，當時大家都對香港的自由和法治前景憂心忡忡。政治上，中國是一個實行「一黨專政」的政體；經濟上當年中國遠比香港落後；文化上，經過「文革」十年浩劫蹂躪的中國，人民的道德文明水準遠次於一個正常的社會。回歸這樣一個國家，人民的擔心是很正常的。

《人權新聞獎》二十年的歷史，特別是有關香港部分的作品，就見證了香港人權狀況逐步惡化的軌跡，但這個獎卻又同時反映了前線新聞工作者在這個社會沉淪過程中力挽狂瀾的不懈努力。正因為他們的努力，喚醒了整個社會來關注、捍衛我們的核心價值。今天，香港社會各階層都勇於對不合理的政策奮起抗爭，這同新聞工作者敢於揭露違背社會公義及人性良知的報導所產生的啟蒙和開導有關。在這個過程中，他們長期產生的潛移默化的作用功不可沒。

基於此，我極之樂意向社會推薦這本記載我們守護香港家園的歷程的作品。

程翔

資深新聞工作者

二〇一六年八月七日

堅守公義

人權新聞獎50年
少力 墨

堅守公義

人權新聞 20年

少力

