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人權
HUMAN RIGHTS

**Stop Charging
Or We Use Force**

**停止衝擊
否則使用武力**

POLICING ON PROTESTS AND PEACEFUL ASSEMBLIES

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WORDS FROM THE EDITOR- IN-CHIEF

This issue features policing of protests. From the experience of Amnesty International, law enforcement in protests by most of the police in different countries is generally controversial. People are willing to confer power to police to use force including weapons and firearms solely for the purpose of protecting life and human rights.

In the last 20 years, unequal distribution of global resources has become a serious problem. Conflicts derived from gender, gender identity, religion, race and social class differences are becoming more intense. The government should listen to the demands of different communities. However, the government does not embrace diversity and lacks sensitivity to differences; it is also not committed to reform. Tensions arise between police and people as the latter choose to express their dissatisfaction with the government, public policy and social phenomenon through actions not conforming to usual order. The compatibility of law enforcement by police with human rights protection remains our top concern. In this issue, international human rights standards and case studies in Turkey, South Korea, Ferguson of the United States and Hong Kong are covered. We thus hope to raise public awareness about monitoring policing.



ERRATA FOR HUMAN RIGHTS MAGAZINE ISSUE 12

The list below identifies errors found in Issue 12 of Human Rights Magazine. We sincerely apologize for any inconvenience caused to our readers.

Page 2, Line 8 of the table

Original - (Convention on the Rights of Persons with Disabilities (CPRD))

Correction - Convention on the Rights of Persons with Disabilities (CRPD)

Page 4, At the bottom

Original - 2011: De-facto referendum

Correction - 2010: De-facto referendum

IN FOCUS

POLICING ON PROTESTS AND PEACEFUL ASSEMBLIES

As law enforcement officials, police have the duty to maintain public order, prevent and detect crimes, regulate and assist protests and public assemblies, protect life, individual and public property from loss or injury etc. in order to protect the human rights of the citizens. Police shall comply with international human rights laws and respect and protect human rights and dignity of citizens at all times. Otherwise, they would become human rights perpetrators.

FREEDOM OF EXPRESSION AND PEACEFUL ASSEMBLY

The police handling of protests and public assemblies is inextricably intertwined with human rights including freedom of expression and peaceful assembly, which are protected by the United Nations (UN) International Covenant on Civil and Political Rights (ICCPR), Hong Kong Bill of Rights Ordinance (HKBORO) and the Basic Law.

The UN Special Rapporteur on the rights to freedom of peaceful assembly and of association stated in his report that “international human rights law only protects assemblies that are peaceful, i.e. those that are not violent, and where participants have peaceful intentions, which should be presumed. An individual does not cease to enjoy the right to peaceful assembly as a result of sporadic violence or other punishable acts committed by others in the course of the demonstration, if the individual in question remains peaceful in his or her own intentions or behaviour”.^[1]

Limitations on freedom of expression and peaceful assembly should comply with ICCPR, which are “provided by law and are necessary” on the grounds of “for respect of the rights or reputations of others” or “for the protection of national security or of public order (ordre public), or of public health or morals”. Public safety is also the legitimate ground for limitations on freedom of peaceful assembly.

The UN Human Rights Committee explained in its General Comment No. 34 that the restrictions must be compatible with “the provisions, aims and objectives of the ICCPR”,

non-discrimination principle and must be necessary, proportional and the least intrusive measures.^[2]

The Hong Kong Court of Final Appeal stated that freedom of peaceful assembly imposed a positive duty on the government to take “reasonable and appropriate measures to enable lawful assemblies to take place peacefully”. It also explained that the proportionality test “should be formulated in these terms : (1) the restriction must be rationally connected with one or more of the legitimate purposes; and (2) the means used to impair the right of peaceful assembly must be no more than is necessary to accomplish the legitimate purpose in question”.^[3]

RIGHT TO LIBERTY AND SECURITY OF PERSON

If a protester is arrested by the police, this would be an issue of right to liberty and security of person. Article 9 of the ICCPR stipulated that “everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law”. It also stated that “anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him”. It also protected that “anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release”. A person who is deprived of liberty by arrest or detention “shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful”. If a person has been the victim of unlawful arrest or detention, he has an “enforceable right to compensation”. Article 10 of the ICCPR enshrined that “all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person”. These rights are also protected by the Basic Law and HKBORO.

CODE OF CONDUCT FOR LAW ENFORCEMENT OFFICIALS

The international community regulates the code of conduct for law enforcement officials. For instance, article 2 of the UN Code of Conduct

for Law Enforcement Officials (the Code) stipulated that “in the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons”. Article 5 of the Code stated that “no law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, nor may any law enforcement official invoke superior orders or exceptional circumstances such as a state of war or a threat of war, a threat to national security, internal political instability or any other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment”. Article 6 of the Code stated that “law enforcement officials shall ensure the full protection of the health of persons in their custody and, in particular, shall take immediate action to secure medical attention whenever required”.

THE USE OF FORCE PRINCIPLE

The use of force by law enforcement officials must be necessary and proportional. For instance article 3 of the Code stated that “law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty”.

The use of force should be the last resort. For instance, article 4 of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (The Basic Principles) stipulated 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. They may use force and firearms only if other means remain ineffective or without any promise of achieving the intended result”.

If it is unavoidable to use force or firearms lawfully, article 5 of the Basic Principles stated that law enforcement officials shall “(a) exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved; (b) minimize damage and injury, and respect and preserve human life; (c) ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment; (d) ensure that relatives or close friends of the injured or affected person are notified at the earliest possible moment”.

Article 9 of the Basic Principles provided the circumstances for lawful use of firearms by law enforcement officials, which were “in self-defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives”. And for intentional lethal use of firearms, it “may only be made when strictly unavoidable in order to protect life”. If there is injury or death caused by the use of force and firearms, the law enforcement officials “shall report the incident promptly to their superiors, in accordance with principle 22”. The UN Special Rapporteur on extrajudicial, summary or arbitrary executions stated in his report that “the only circumstances warranting the use of firearms, including during demonstrations, is the imminent threat of death or serious injury, and such use shall be subject to the requirements of necessity and proportionality”.¹⁴¹

Dispersal of peaceful assemblies should be the last resort. While dispersing unlawful but non-violent assemblies, article 13 of the Basic Principles stated that “law enforcement officials shall avoid the use of force or, where that is not practicable, shall restrict such force to the minimum extent necessary”. When dispersing violent assemblies, article 14 of the Basic Principles stated that “law enforcement officials may use firearms only when less dangerous means are not practicable and only to the minimum extent necessary. Law enforcement officials shall not use firearms in such cases, except under the conditions stipulated in principle 9”.

If law enforcement officials are found to have used arbitrary or abusive use of force, article 7 of the Basic Principles required that the government “shall ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence under their law”.

PROTEST OBSERVERS

The UN Special Rapporteur on the rights to freedom of peaceful assembly and of association opined that “the very presence of human rights monitors during demonstrations can deter human rights violations” and those observers included “members of civil society organizations, journalists, citizen journalists and representatives of national human rights institutions”.^[5] The UN Human Rights Committee explained in its General Comment No. 34 that “it is normally incompatible with paragraph 3 to restrict freedom of movement of journalists and human rights investigators within the State party (including to conflict-affected locations, the sites of natural disasters and locations where there are allegations of human rights abuses)”.^[6] Principle 19 of the Johannesburg Principles on National Security, Freedom of Expression and Access to Information, Freedom of Expression and Access to Information pointed out that “governments may not prevent journalists or representatives of intergovernmental or non-governmental organizations with a mandate to monitor adherence to human rights or humanitarian standards from entering areas where there are reasonable grounds to believe that violations of human rights or humanitarian law are being, or have been, committed” except “their presence pose a clear risk to the safety of others”.

HUMAN RIGHTS TRAINING

Human rights training for law enforcement officials are paramount. Article 19 of the Basic Principles stated that “governments and law enforcement agencies shall ensure that all law enforcement officials are provided with training and are tested in accordance with appropriate proficiency standards in the use of force”. Article 20 of the Basic Principles stated that special attention shall be given to “issues of police ethics and human rights, especially in the investigative process, to alternatives to the use of force and firearms, including the peaceful settlement of conflicts, the understanding of crowd behaviour, and the methods of persuasion, negotiation and mediation, as well as to technical means, with a view to limiting the use of force and firearms”.

Reference

Description	Publication
Training manuals for police.	United Nations Office of the High Commissioner for Human Rights. Human rights and law enforcement: a manual on human rights training for the police. 1997.
Ibid.	United Nations Office of the High Commissioner for Human Rights. Human rights standards and practice for the police: expanded pocket book on human rights for the police. 2004.
Discussion on principles on police's handling of protests and public assemblies.	Christof Heyns. Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions. 23 May 2011. A/HRC/17/28.
Discussion on best practice of freedom of peaceful assembly.	Maina Kiai. Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association. 21 May 2012. A/HRC/20/27.
Handbook on freedom of peaceful assembly which offers advanced best practice regarded by the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association.	OSCE Office for Democratic Institutions and Human Rights (ODIHR). Handbook on monitoring freedom of peaceful assembly. 2011.

Footnote

[1] Maina Kiai. Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association. 21 May 2012. A/HRC/20/27. Para 25.

[2] United Nations Human Rights Committee. General Comment No. 34: article 19 freedom of opinion and expression. 12 September 2011. CCPR/C/GC/34. Para 2, 3.

[3] Leung Kwok Hung v HKSAR. FACJ 1/2005. 8 July 2005. Para 22 & 36.

[4] Christof Heyns. Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions. 23 May 2011. A/HRC/17/28. Para 60.

[5] Supra note 1. Para 48.

[6] Supra note 2. Para 45.

CASE: THE UNITED STATES

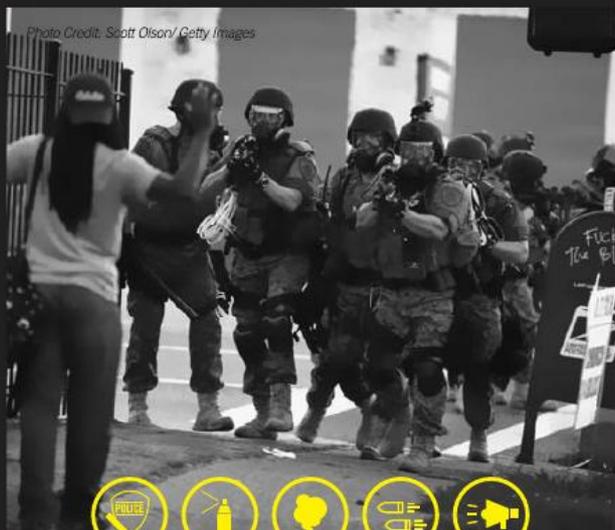


Photo Credit: Scott Olson/Getty Images

The United Nations has expressed concerns on racial profiling, excessive use of force and the fatal shootings of civilians by police in the United States. In 2014, at least 4 African Americans were killed by police. However the alleged police officers went unpunished and thus triggered large scale protests. For instance, after the fatal shooting of unarmed 18-year-old Michael Brown by a Ferguson police officer in August, there were large scale protests in Ferguson.

EXCESSIVE USE OF FORCE DEPLOYED TO DISPERSE PEACEFUL ASSEMBLY

Despite some incidences of violence, the protests in Ferguson were largely peaceful. Police deployed excessive use of force to disperse peaceful protesters such as police with heavy-duty riot gears and military-grade weapons, repeated use of shields, batons, pepper spray, tear gas, flash grenades, rubber bullets and long range acoustic devices. Police officers were found to point semi-automatic rifles at unarmed peaceful protesters. This curtailed freedom of expression, peaceful assembly and security of person enshrined by the International Covenant on Civil and Political Rights (ICCPR) and violated the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (the Basic Principles). It also escalated the tensions between police and protesters.

KEEP MOVING OR BE ARRESTED

An approved assembly zone, which was formerly a parking lot of a car dealership, was designated for protesters. However, it was distant from the main roads and media centre and thus defeated the purpose of the protests. Police enforced the 5-second rule by requiring protesters keep moving or be arrested unless they were in

the approved assembly zone. This was not just an unreasonable restriction on freedom of peaceful assembly; it also arbitrarily restricted freedom of movement of others. The police determined who the protesters were and thus they were given discretion to selectively enforce the rule. It was reported that young African Americans were targeted by police. Consequently, a non-governmental organization, the American Civil Liberties Union of Missouri, sought an injunction from the Federal Court that the 5-second rule failed to comply with freedom of expression and assembly entrenched by the First Amendment to the United States Constitution. The Court granted the injunction till the decision was made on the merits of the lawsuit and reminded police that they were restricted from "telling citizens that they must keep moving, or from threatening them with arrest if they stand still, so long as those citizens are not committing a crime, engaging in violent acts, or participating in a crowd that contains other people doing those things".

INTIMIDATION OF JOURNALISTS BY GUNS

Furthermore at least 19 journalists and 4 observers were arrested when they were performing their duty impartially at the scene of dispersal. A police officer was found to have pointed his rifle at journalists and threatened to kill them. He resigned after the video was widely disseminated on internet and media. Some journalists were shot by plastic bullets even though they held their hands up and revealed that they were press. Police unreasonably interfered with journalists and observers and prevented them from performing their duty impartially and by deploying excessive use of force. Their actions curtailed freedom of expression and security of persons guaranteed by the ICCPR and violated the Basic Principles and the Johannesburg Principles on National Security, Freedom of Expression and Access to Information as well.

RECOMMENDATIONS FROM AMNESTY INTERNATIONAL

Amnesty International urges that the Department of Justice of the United States, law enforcement agencies in Missouri and Ferguson should review and revise all policies and training on the policing of protests to comply with international human rights treaties and standards especially the Basic Principles. They should ensure that effective, impartial and prompt investigations into allegations of human rights abuses by police are conducted and bring the perpetrators to justice.

Reference

Amnesty International. *On the Streets of America: Human Rights Abuses in Ferguson*. 2014.

CASE: SOUTH KOREA



Candlelight protests were held in Seoul against the resumption of United States beef imports due to fears of mad cow disease from May to July 2008. At least 100,000 people joined the protests at their peak and voiced their discontent with President Lee Myung-bak. Protests came to an end after the resignation of the President's cabinet, apologies from the President, agreement with the United States that cattle over 30 months would not be exported to South Korea and adoption of protective measures. Approximately 1,300 people including protesters, non-participants who argued with police and bystanders were arrested by police from May to August.

RIOT POLICE FORMED BY YOUNG CONSCRIPTS

There are 37,000 riot police in South Korea. They are all young conscripts attending 24-month compulsory military service. They receive 6 weeks of military trainings and 4 weeks of policing. There are concerns that there is insufficient training regarding policing protests and public assemblies, control and dispersal of crowds and the principle of legality, proportionality, necessity and accountability for the use of force by riot police. Riot police were responsible for handling the anti-US beef protests.

PEACEFUL PROTESTS WITH SOME CLASHES

The protests were largely peaceful. Both protesters and riot police showed notable restraint in the beginning. However, there were 2 major clashes of riot police and protesters. Not only did riot police deploy excessive use of force, some protesters attacked riot police with wooden sticks. Observers from the National Human Rights Commission of Korea (NHRCK) witnessed that steel pipes, plastic bottles and stones were thrown by protesters and riot police.

It is beyond doubt that police have the duty to maintain public order, implement reasonable measures to disperse crowds, arrest people reasonably suspected of committing crimes and deploying force when necessary. However, the use of force must be in compliance with the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

SHIELDS AND BATONS ATTACK

Riot police hit the peaceful protesters with shields and batons. For instance, when protesters marched to the Blue House (the presidential residence) on 1 June, police blocked their way because it was illegal to assemble or demonstrate within a 100 metre radius of the presidential residence. Clashes occurred among police and protesters. A young female university student who was a peaceful protester was beaten severely by riot police. Her hair was grabbed and she was pushed to the ground. Her head was then kicked and punched. There was a video clip showing that a riot police officer kicked her several times while other officers formed a human wall and blocked the journalists from filming the incident. The video was widely broadcast. As a result, the officer was held in military custody for 8 days while the other officers received disciplinary action. Police apologized to the student and her university president. Besides, a male non-protester who questioned the justification of a road block was surrounded and beaten by police. When they realized that there was a reservist soldier nearby, they ran away immediately. As there were no visible name badges and identification numbers on the uniform of the riot police, protesters found it difficult to identify the perpetrators.

USE OF WATER CANNONS AND FIRE EXTINGUISHERS TO DISPERSE PEACEFUL ASSEMBLIES

Since 1999, riot police have stopped using tear gas against protesters. But on 1 June 2008, they fired water cannons and fire extinguishers at peaceful protesters at close range or even targeted at their heads. Injuries such as permanent loss of full sight and hearing resulted from these water cannons attacks. All the members of the human rights committee of Korea National Police Agency resigned and protested against excessive use of force and infringement of freedom of expression by police.

OBSTRUCTING JOURNALISTS AND OBSERVERS FROM REPORTING OR MONITORING

Riot police were found to have obstructed journalists from reporting clearance operations by putting their hands on the lens or pushing photojournalists. For instance, a riot police officer shouted that he would kill all the journalists while police dispersed the protesters. There were news reports showing that a riot police officer hit and punched the only journalist with a camera on the spot to prevent him from videotaping acts of police violence. The chief superintendent of the district police station had to call him to apologize and the riot police officer and his commander went to his office for an apology and asking him not to sue the officer. Moreover, observers from NHRCK and first aid volunteers with clear distinguishing clothing were attacked by riot police.

RECOMMENDATIONS FROM AMNESTY INTERNATIONAL

Amnesty International urges that the South Korean government should thoroughly review police training and ensure that the use of force fully complies with international human rights standards. It should also conduct effective, prompt, independent, thorough and impartial investigations into allegations of excessive use of force by police and hold perpetrators accountable for human rights violations. It should amend relevant laws to safeguard broad enjoyment of freedom of peaceful assembly by citizens.

Reference

Amnesty International. *Policing the Candlelight Protests in South Korea*. 2008.

CASE: TURKEY

Photo credit: Bulent Kiliç /AFP/Getty Images



On 30 May 2013, several hundred environmentalists peacefully protested against a redevelopment project of Gezi Park, which was the last green space in Central Istanbul. Police cleared them with tear gas, beatings and burning their tents. This triggered public anger and widespread protests in most of the provinces of Turkey till August. Most of the protesters were in their 20s. The blatant excessive use of force by police against peaceful protesters led to 5 deaths and 8,000 injuries, 3 of the protesters died as a result of abusive use of force by police including head shot, beating and head injury by tear gas canister fired by police at close range respectively. The United Nations urged Turkey to respect freedom of expression, to ensure police stop using excessive force on peaceful protesters and urged maximum restraint and the pursuit of dialogue.

ABUSIVE USE OF FORCE IN CLEARANCE OPERATION

The protests were overwhelmingly peaceful with few violent acts such as throwing stones and damaging property etc. However, police used isolated violent acts as a pretext to violently disperse the peaceful majority of protesters and punitively targeted people fleeing the scene of protests, bystanders and passersby who were not taking part in the protests.

Police deployed unnecessary and disproportionate force to disperse peaceful protests by using plastic bullets and live ammunition at unarmed peaceful protesters, firing tear gas and tear gas canisters which resulted in death and injuries, firing pepper spray at the eyes or faces of the protesters, detainees and bystanders at close range, using water cannons unnecessarily and targeting people inside buildings, hotels and makeshift health clinics, beating or arresting peaceful protesters, journalists, doctors and lawyers, sexually harassing women detainees and threatening the shop owners who provided shelters to protesters fleeing police violence etc.

Besides, peaceful protesters joining standing and silent protests in public places, banging pots and pans to show solidarity with the protesters and those chanting slogans at football matches were detained. About 5,000 people were arrested in late June. A hundred non-governmental organizations, political and professional groups were investigated under anti-terrorism laws. This showed that the Turkish government did not tolerate any dissenting opinions and peaceful protests.

TURKEY CONDONED POLICE BRUTALITY

The Turkish government did not address the widespread and systematic abuses committed by police. Instead it praised the police action as "legendary" and let the perpetrators go unpunished, which in turn made checks and balances more difficult.

TRANSFER OF RIOT CONTROL EQUIPMENT

During the first 20 days of the protests, police had already fired 130,000 tear gas canisters, which was equivalent to a year supply. The United Kingdom, the United States, South Korea, China and Hong Kong etc. were suspected of exporting riot control equipment including tear gas to Turkey. In December 2014, Amnesty International found that South Korea would export 1.9 million non-lethal chemical weapons including 1.5 million tear gas canisters to Turkey.

RECOMMENDATIONS FROM AMNESTY INTERNATIONAL

Amnesty International urges that the Turkish government should fulfill its obligations to respect and protect freedom of expression and peaceful assembly enshrined by the International Human Rights Treaties. For instance, it should conduct a thorough review of its laws on protests and assemblies and should stop using anti-terrorism laws or other laws to prosecute people for exercising their right to organize and take part in peaceful assemblies. It should launch effective investigations into all allegations of abusive use of force by police officers and bring the perpetrators to justice. It should also ensure that the use of force by police meets necessity and proportionality test and is compatible with the United Nations Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Besides, the international community should immediately cease transfer of riot control equipment unless the Turkish government promises not to brutally suppress peaceful assemblies and guarantee that the equipment would not be used to violate human rights.

Reference

Amnesty International. *Gezi park protests: Brutal Denial of the Right to Peaceful Assembly in Turkey*. 2013.

INTERVIEW: CHANGING ROLE OF HONG KONG POLICE, LAWRENCE HO

*Q / Amnesty International Hong Kong
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Q What are the changes in the role of Hong Kong police during the colonial period including early colonial days, the Second World War, 1967 leftist riots and 1990s?

A As with other British colonial police, Hong Kong police was based on the model of Irish Constabulary during the colonial period, which was semi-militarized armed civilian police able to suppress riots promptly. Colonial police mainly served colonial interests. In early colonial days, Hong Kong police was multi racial including British, Europeans, Indians and Chinese with racial segregation and hierarchy. For instance, foreign police officers enjoyed more privileged wages and remunerations than Chinese police officers. Foreign police officers were in charge of elite class affairs while Chinese police officers dealt with Chinese matters.

Reforms in the Hong Kong police have largely been due to large scale local political and social incidents. For instance, reform took place in the police as the United Kingdom resumed its rule over Hong Kong after the Second World War. It attempted to promote Chinese to management rank such as inspector. It recruited Pakistani people to replace Indians. No white people were recruited as junior police officers. The colonial government also introduced police quarters to improve police welfare. Reforms were also made after the 1966 and 1967 riots. In 1984, the Sino British Joint Declaration was signed by China and the United Kingdom and China confirmed to resume its sovereignty over Hong Kong after 1997. Localization was promoted in civil servants including police as preparation work to ensure smooth transition for the 1997 handover. Chinese police officers were sent to the United Kingdom for training and were promoted to management rank. Serving local citizens was emphasized.

Before the 1997 handover, Hong Kong police pledged allegiance to the Queen and Governor and defended colonial interests and social stability in Hong Kong despite colonial interests and Hong Kong interests were not necessarily consistent. Before and after the 1967 leftist riots, it was obvious that police served both colonial interests and social stability in Hong Kong. During Chris Patten's administration, the last Governor in the 1990s, localization and service-based was implemented in the police. There were doubts on the effectiveness but the measures aimed to serve the interest of local citizens.

Q What are the changes in the concept of political neutrality of police in the colonial period or after the 1997 handover?

A Police are civil servants having strict adherence to political neutrality. Before the 1997 handover, political neutrality generally referred to no inclination to political parties outside Hong Kong. At that time local politics was not robust as local democracy was absent. What concerned the colonial government the most was 2 Chinese political regimes. Therefore political neutrality meant no inclination to Taiwan governed by Kuomintang or Mainland China governed by the Chinese Communist Party. Being the first western country to recognize the People's Republic of China, the United Kingdom did not want to see provocations between pro-Kuomintang and pro-Chinese Communist Party camps happening in Hong Kong again to avoid embarrassment for colonial interests in Hong Kong. The United Kingdom required the civil servants in Hong Kong to have adherence to political neutrality which did not incline towards Taiwan or Mainland China and imposed strict adherence for police. Guarantee by relatives or shop owners were required for someone to be admitted as a junior police officer. Guarantee by social elites or Justice of the Peace were required to be admitted as an inspector.

Political neutrality means impartiality in a western context while it refers to staying in line with the Chinese Communist Party in China. But in Hong Kong, the definition of political neutrality remains vague and under defined. I opine that the core issue is the definition of political neutrality instead of political neutrality of police in Hong Kong.

Q For political neutrality of civil servants, the Hong Kong government once explained that political neutrality was "built on its allegiance to the government", "loyalty to the Chief Executive and the principal officials of the day", "to evaluate the implications of policy options and to tender clear and honest advice in the process of policy formulation", "to support and implement the decision fully and faithfully irrespective of their personal preferences and should not make known their own views in public" and "to assist the principal officials in explaining policy decisions and in gaining support of the Legislative Council and the public". Do you think this is applicable for the police?

A The government's explanation is based on the old framework. The police institution has not changed since 1980s despite there being higher transparency and more interaction with Hong Kong citizens. However, the unchanged framework cannot cope with problems nowadays and it is kind of institutional shortcomings. For instance, the Public Order Ordinance was enacted by the colonial government following the 1967 leftist riots. It is a product of a specific time and for inner social control targeting leftists in Hong Kong. Despite amendments having been made, it is still based on the 1967 version without changing its spirit. Its application nowadays inevitably leads to disagreement among police and citizens. More importantly, how we construe one country, two systems, high degree of autonomy and the role of police matters.

Q In recent years, there have been more clashes between police and citizens. For instance, police imposed restrictions on protests or hanging banners outside the entrance of the Chinese Liaison Office. During the anti-World Trade Organization protests in 2005 in Hong Kong, police fired 34 canisters of tear gas at Korean farmers with self

made weapons or farmers throwing metal barricades at police. In the Umbrella Movement in Hong Kong in 2014, police fired 87 canisters of tear gas to disperse local peaceful protesters. What is your comment?

A From the perspective of law enforcement and tactic, it is lawful and reasonable for police to fire tear gas to disperse crowds which is likely to be out of control. But there is no causal relationship between the right to fire tear gas or its appropriateness. There were controversies on deployment of tear gas by police such as whether the crowd was out of control and police's handling after firing tear gas. In the Umbrella Movement, citizens were unprepared and did not expect deployment of tear gas by police. Thus it adversely affected the relationship between police and citizens and makes cooperation unlikely. It was not an appropriate action. In 2005, deployment of 34 canisters of tear gas at Korean farmers by police was distant and was expected by public. But in 2014, firing 87 canisters of tear gas at protesters by police was out of public and media expectation. Therefore it sparked public outcry.

Q **According to the Public Opinion Programme of the University of Hong Kong, nearly 80% of people are satisfied with the performance of the Hong Kong police in 2007, which is the highest since 1997. It drops to minimum in 2014 which less than 40% of people are satisfied with the police performance. Youth are the most discontented group. What is your opinion? What can be done to improve the relationship between police and citizens?**

A Cooperation between police and citizens is required if stable development in long term is desired. I believe that Hong Kong citizens generally trust the police including professional handling of typical criminal acts. Only the particular scenario of law enforcement by police is in doubt.

There are a few preconditions for improving the relationship between police and citizens. Firstly, the government must adopt measures to enhance interaction and repair the broken relationship between police and citizens due to the Umbrella Movement. Reforms in police are largely due to large scale local political and social incidents. For instance, after the 1967 leftist riots, the colonial government implemented internal reform and anti-corruption measures. Transparency in policing was enhanced. The Junior Police Call was established to strengthen interaction with youth. The measures were effective in improving police and public relations. Relationships between police and citizens could be improved unless the government does nothing or does something worse. Secondly, police are willing to adopt internal reform with precise judgment. Thirdly, Hong Kong police are still Hong Kong police. If external force attempts to change the police institution, preconditions would alter. For instance, if Britain had adopted measures violating Hong Kong interests and with police's enforcement during the colonial period, it would have been difficult to improve police and public relations at that time.

Former Commissioners of Police had implemented measures to strengthen accountability and public relations. For instance, Lee Ming Kwai enhanced transparency and interaction with public. Tang King Sing offered public apologies when there were significant police misconducts. These are reflected by the survey of the Public Opinion Programme mentioned. However, I think that individual factor is not

the most important factor because police emphasize collectivity and the Commissioner of Police is appointed by the Chinese Central People's government and shall be accountable to the Chief Executive and the Security Bureau. Citizens project their doubts on one country, two systems and high degree of autonomy to police and are getting more dissatisfied with the police.

Furthermore, the political environment varies while police institutions remain unchanged. Public concerns in the past were about combating crimes such as robberies of jewelry shops by Mainland Chinese and maintenance of social stability but they shifted to police's handling of protests and public assemblies which embeds political controversy nowadays. The old framework cannot cope with changes in political environment. The way we construe the role of the Hong Kong government and police under one country, two systems matters despite there is a lack of discussion and needs to be sorted out.

Q **Do you think that human rights and policing are contradictory? Could human rights facilitate law enforcement by police?**

A Human rights and policing are not fundamentally contradictory once a balance is struck. For instance, video recording of law enforcement by police in protests area is not necessarily detrimental to police and protesters. It offers a buffer instead and both parties would show self restraint. As police are responsible for law enforcement, law without human rights controversy would facilitate their work.

Q **As reflected by the cases of South Korea, the United States and Turkey, excessive use of force by police occurs regardless of democracies or repressive regimes. Only the extent of force and accountability differ. Why?**

A Excessive use of force is relative and has no objective criteria. For instance, tear gas is not as harmful as a baton but it has a poor visual effect. It depends on culture and public acceptance.

The relative violent acts by the police of South Korea, Taiwan and Turkey could be possibly due to the incompatibility of existing systems to democratic institutional changes after decolonization and demilitarization. It takes time to transform. Moreover, the relation of police and public is interactive and hard to generalize. Race issues cannot be neglected in the relationship of police and public in the United States.

I think there is a trend that the police are anxious about uncertainty such as terrorist attacks. Another example is the paradigm change of social movement in new generation. Traditionally police can coordinate and negotiate with organizers prior to protests and public assemblies. However, the new mode of social movement is largely based on the internet and emphasizes self-initiative and no leadership. It is harder to estimate and regulate protests than before and the police tend to use force while facing uncertainties.

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AI GLOBAL CAMPAIGNS

GLOBAL ACTION FOR RAIIF BADAWI

Raif Badawi was sentenced to 10 years in prison and 1,000 lashes in May 2014 after starting a website "Saudi Arabian Liberals" for social and political debate in Saudi Arabia. He was convicted for insulting Islam. Amnesty International sections urged Saudi Arabia to stop the flogging and to release Raif Badawi immediately.

AI Finland

A small snowman demanded to stop the flogging in front of the Saudi Arabia embassy in Helsinki, Finland.

Photo Credit: Amnesty International



AI Switzerland

Staff and members from AI Switzerland and supporters demonstrated against the flogging of Raif Badawi in Berne on 16 January 2015.

Photo Credit: Amnesty International



AI Norway

Approximately 70 people protested against the second flogging of Raif Badawi outside the Saudi Arabia embassy in Oslo.

John Peder Egenæs, Director of AI Norway urged Saudi Arabia to stop the flogging and release Raif Badawi.

Photo Credit: KRBUick/Amnesty International



AI FRANCE: ACTION FOR CHARLIE HEBDO

Regarding the terror attack at the offices of Charlie Hebdo on 8 January, free speech supporters in France held the slogan "Je suis Charlie" (French for "I am Charlie") and condemned the deadly shooting. They also showed their resolute defence of freedom of expression.

Photo Credit: Amnesty International France



TURKEY: CONSCIENTIOUS OBJECTOR RELEASED

Conscientious objector Haluk Selam Tufanlı was imprisoned for 10 days on 4 December 2014 after the military court in Lefkoşa/Nicosia, territory of northern Cyprus found him guilty of “non-compliance with the mobilization call” as a result of his refusal to take part in a one-day military training in 2011. He was released from military prison on 12 December. He served 8 days of a 10-day sentence because releases over the weekends were not possible in the territory of northern Cyprus.

Haluk Selam Tufanlı thanked all members and supporters from Amnesty International for taking action for his release. He said that “the judge told me that I had the right to a defence, which I used and stated my conscientious objection. But then the judge disregarded my defence in his verdict. We will take this case to the European Court of Human Rights. I am well and confident in the fact that this struggle for recognition of conscientious objection as a right is taking place around the world and we will win one day.”

INDIA: VICTORY FOR BHOPAL GAS LEAK SURVIVORS AS THE GOVERNMENT PROMISES REVISION OF COMPENSATION CLAIMS BASED ON MEDICAL DATA

The Indian government promised to revise the number of deaths and injuries for which it was seeking compensation, in line with scientific data, medical research and hospital records, following a nil-by-mouth hunger strike by 5 women, who began their action on 10 November 2014. The women who were on hunger strike were supported by another 200 survivors and activists. They were invited to a meeting with Minister of Chemicals and Fertilizers, Ananth Kumar.

“This is a major victory for survivors of the 1984 gas leak, but subsequent generations of Bhopalis continue to suffer as chemicals abandoned by Union Carbide 30 years ago still leak into the groundwater today. We welcome this important move by the government, now Prime Minister Modi must ensure his government’s pledge is honoured,” said Audrey Gaughran, the Director for Global Issues of Amnesty International.

INDIA: JOURNALIST RELEASED ON BAIL

On 2 December 2014, the Gauhati High Court in Assam, north-east India, granted bail to Jaikhlong Brahma, a journalist, and ordered him not to leave Kokrajhar city without permission of the chief judicial magistrate. The court also ordered him to appear before the investigating officer twice a week for at least 2 months.

Jaikhlong Brahma was arrested on 2 September on suspicion of criminal offences including multiple counts of conspiracy, being a member of an “unlawful association” and “inciting unlawful activities”. A detention order under the National Security Act was issued on 9 September, which allowed administrative detention up to 12 months.

LOCAL HAPPENINGS

THIS IS YOUR PAGE:
AU YIU KAI



NAME

AU YIU KAI

OCCUPATION

CONSULTANT SURGEON

YEARS WITH US

MANY YEARS

Why do you support Amnesty International?

Actually I have known about Amnesty International for quite a long time. I first learnt about it when I was a student. At that time, I thought that Amnesty International focused more on human rights issues abroad. It is not until the past 10 years that I got to learn deeper about the work of Amnesty International, how it fights against unjust and unequal human rights issues for people from different countries and cultures and protects those suffering from human rights abuse. Possibly this is because I have seen more of the world and have begun to pay more attention to human rights issues in recent years. As a result, I started to become a supporter of Amnesty International.

As a medical practitioner, what is the significance of human rights for you?

Ensuring every patient's right to receive proper treatment is part of human rights protection. As a medical practitioner, our duty is to take care of sick people and when we provide such care our medical judgment must not be affected by the nationality, skin colour, race or religious background of the patient. Our medical advice is given based on the actual need of the patient and medical empirical evidence. Apart from this, I have also taken part in international humanitarian work. Working in the middle of wars, armed conflicts and natural disasters allows me to witness more human rights problems and makes me realize the importance of protecting lives and human dignity as a medical professional.

A recent humanitarian mission in Gaza was particularly memorable to me. Although the conflict had been mediated when I arrived, I could still observe the devastation the war had done to the place. During the mission, I treated a lot of injured people. I was frustrated to see that in

merely 50 days of war, 2,200 people had lost their lives and more than 10,000 people were injured. Of course, we tried our best to treat the patients, but as medical practitioners, we could only be responsible for backline relief and care work. I think the most important thing is that how the two leaders see their country and the interests of their people, and whether they should utilize such a large amount of force so rashly. The question of how other countries regard the right to life of the millions of Palestinians is also the key.

In the international community, I witness a great deal of injustice and inequality. Many decisions are made by calculating benefits and interests. And in most cases, those who are harmed in these circumstances are civilians.

How would you persuade your friends to become part of our human rights movements?

After participating in international humanitarian aid, I have had a lot of opportunities to contact different organizations and schools. I share my work experience with more people, especially young adults and students. I hope that they will learn there are still plenty of people suffering from injustice and unequal treatment over the world. I further hope that they will then pay more attention to the people and organizations working for human rights such as Amnesty International and join more human rights campaigns.

If you were granted the power to wish away one human rights issues, what would that be?

To be frank, I would wish to solve human rights violations in China. Probably due to my past work experience in China and being in the rescue mission in the Sichuan Earthquake, I realized that much of catastrophe could be held accountable to the "Tofu-dreg Project". We can see that a lot of friends in China are conscious of their own rights and a lot of human right activists and lawyers are bravely speaking up. It is a shame that the Chinese government keeps suppressing their dissenting voices. As it is clearly stated in the Chinese Constitution that all of these suppressions violate the constitution, I sincerely wish that the Chinese government can truly respect, fulfill and protect the Chinese constitution. I believe that only if the Chinese government respects its constitution and its own people, will Hong Kong people also be protected by the Basic Law and the existing political dilemma in Hong Kong will no longer be a problem.

TEAM AMNESTY / HIGHLIGHTS OF UNIVERSITY AI CLUB

TEAM AMNESTY

Have you ever thought of advocating human rights with the help of sports? Here is a unique chance! TEAM AMNESTY is a series of fundraising sports activities. Equality and fairness are both core values of human rights and sports. When participating in sports, we can fight for fair play and equality, as well as fundraising for TEAM AMNESTY!

Over the past few months, more than 10 supporters have worn our TEAM AMNESTY running singlet in different running events in Hong Kong to promote human rights. Thanks for all their support and effort!

Get your TEAM AMNESTY singlet at <http://aihkshop.ecwid.com> and be a human rights defender today!



HIGHLIGHTS OF UNIVERSITY AI CLUB

The first University AI Club has been held successfully. More than 150 university students had applied to join the Club and more than 70 of them were admitted. Participants are responsible for defending human rights. Activities held included an orientation day, human rights experience camp and 3 sessions of human rights workshops. Participants gained an in-depth understanding and had a discussion about the issues concerning the death penalty, freedom of speech on the internet, violence against women and migrant workers' rights. They also learnt about campaign skills and were thus well prepared for human rights campaign and advocacy work.

Orientation day

Participants learnt more about the core values, missions and achievements of Amnesty International through the introductory session on global work and concerned issues of Amnesty International. In addition, participants were encouraged to reflect their reasons, expectations and aims of joining University AI Club and their visions on ideal society.

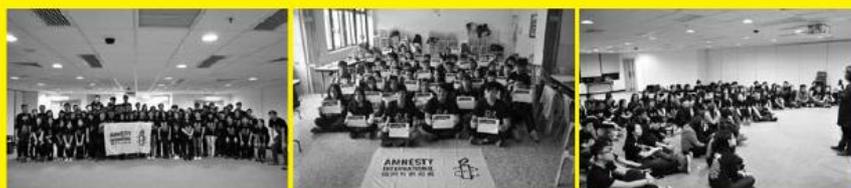
Human rights experience camp

Participants learnt about the main focus of Amnesty International Hong Kong this year including the death penalty, freedom of speech on the internet, violence against women and migrant workers' rights through activities and games. They also learnt how to campaign for individuals at risk of human rights violations through their solidarity action.

Human rights workshops

Participants learnt about campaign skills such as analysis of human rights issues, formulation, implementation and evaluation of campaigns through interactive methods. Group members of Amnesty International Hong Kong were invited to share their experience of campaign and advocacy work with the participants.

Putting knowledge into practice, all participants of University AI Club will be required to organize a human rights campaign at their own schools in May to promote human rights to their schoolmates. And during summer vacations, they will conduct a public campaign for human rights promotion in the community. Please do keep supporting University AI Club.





During the Umbrella Movement in Hong Kong, the police were criticized for using excessive force on peaceful protesters.

Photo Credit: Leung Ching Yau Alex





在雨傘運動中，香港警方對和平示威人士使用過分武力，受到輿論批評。
照片來源 / Leung Ching Yau Alex



TEAM AMNESTY



有沒有想過原來做運動也可以推動人權？TEAM AMNESTY正好讓你大展身手！TEAM AMNESTY是以運動為人權工作籌款的活動。公平及平等均是人權和運動的核心精神。我們希望大家在參與體育競賽時，能展現公平競賽、人人平等的精神，更同時籌款支持人權運動。

過去幾個月，已有十多位支持者在不同的跑步比賽中穿著本會TEAM AMNESTY跑步背心，以示支持人權運動，衷心感謝你們的努力，同為人權灑汗！

如果你也想為人權出一分力，請即登入<http://aihkshop.ecwid.com>購買TEAM AMNESTY跑步背心。

UNIVERSITY AI CLUB 活動精華



國際特赦組織香港分會本年度成功走進本地大學校園，吸引超過一百五十名大專生報名，最後七十多位同學成為了第一屆University AI Club的成員，一同肩負起捍衛人權的重責！University AI Club成立至今曾舉辦迎新日、兩日一夜人權體驗營及三節人權工作坊。參加者除了深入認識及探討死刑、網上言論自由、婦女暴力及移徙工人權利等人權議題外，亦透過工作坊學習到籌備信誼活動的技巧，作為日後策劃人權倡議工作的裝備。

迎新日

介紹國際特赦組織全球工作及關注議題，讓參加者認識國際特赦組織的理念、使命及過往工作等，同時反思參加活動的期望、目的及希望構建怎樣的社會。

人權體驗營

參加者透過活動及遊戲，深入了解死刑、網上言論自由、婦女暴力及移徙工人權利這四個本年度重點關注的人權議題，並體驗如何透過行動聲援世界各地人權侵害的個案。

人權工作坊

透過互動的形式學習如何策劃及籌備信誼活動，包括分析人權議題、設計、推行及評估信誼活動，並有具豐富信誼經驗的國際特赦組織香港分會小組成員分享經驗。

University AI Club各工作組將於五月實踐所學，於校內初試啼聲，舉辦一節校內信誼活動，推動同學關注人權議題。在暑假期間將再接再厲，舉辦一次公眾信誼活動，面向社會把捍衛人權的意義宣揚開去。請繼續支持University AI Club的工作！

本地迴響

你的一頁：歐耀佳

你為甚麼會支持國際特赦組織？

其實我認識國際特赦組織已很久。讀書時略知一二，當時認為國際特赦組織較多關注國外事情。最近十年漸漸熟識，我知道國際特赦組織為很多不同國家和文化的不同公義、不平等的人權議題發聲，保護人權受到侵犯的人。可能因為近年自己見識多了，也開始留意更多人權議題，因此十分支持國際特赦組織的工作。

身為醫護人員，人權對你有甚麼意義？

我認為所有病人也能接受適當治療，這是其中一種人權。身為醫護人員，我們的天職就是照顧病人。我們不能因為他的國家、膚色、種族或宗教而影響醫學判斷。醫學判斷基於病人的臨床需要或實證。此外，我亦有參與國際人道救援工作。在戰爭或天災人禍的地方工作時，往往看到更多人權問題，更令我深切感受到，醫護人員需要保護生命和維護傷者及病人的尊嚴，這對我們很重要。



最近在加沙救援也令我非常難忘。雖然當時武裝衝突暫緩，但我仍親眼目睹戰爭對當地造成重大影響。救援期間，我醫治了很多傷者。我感到非常無奈，只是五十日的戰事，已造成二千二百人死亡和一萬多人受傷。當然我們會盡力照顧傷者，但身為醫護人員，亦只能負責後援照顧工作。我認為最重要的是兩個當權者如何看待國家和人民的利益，應否如此輕率動用武力。另外，其他國家如何看待在巴勒斯坦生活的幾百萬人的生存權，也是非常關鍵。

在國際社會中，我看到很多不公義不平等的事情，當中涉及很多利益計算，而在這種情況下，受害者往往也是平民。

你會如何遊說朋友加入我們的人權運動？

參加國際人道救援工作後，我有很多機會與不同團體和學校接觸。我會把我的工作經驗與更多人分享，特別是年青人和學生。我希望讓他們知道原來世上仍有很多人受到不公義和不平等對待，繼而更為關注人權組織和捍衛人權的人，譬如國際特赦組織，亦希望他們會參與更多捍衛人權的行動。

如果可以願望成真，而只能許一個願，你會選擇解決甚麼人權問題？

誠然，我希望可以解決中國人權問題。可能因為我曾在國內工作，參與過四川地震救援工作，了解到如此重大傷亡是大量豆腐渣工程之害。現在我們看到很多國內朋友更為關注自身的權利，亦看到很多維權人士和維權律師勇於發聲，只可惜仍受當局打壓。我真的很希望中國政府能真正尊重、遵守和落實中國憲法，因為憲法清楚訂明以上打壓都是違反憲法。我相信只要中國政府尊重自己的憲法，尊重自己的國民，香港人也會受到《基本法》保障，目前香港的政治問題亦會迎刃而解。

土耳其：忠於良知拒絕從軍人士獲釋

忠於良知而拒絕從軍的 Haluk Selam Tufani，於二〇一四年十二月四日被塞浦路斯北部 Lefkoşa/Nicosia 軍事法庭裁定，他在二〇一一年拒絕參與一日軍事訓練，違反了「國軍動員召集」令，被判入獄十日。由於他身處的北塞浦路斯監獄未能於周末處理釋放囚犯事宜，故此他獲提前兩日，即十二月十二日獲釋。

Haluk Selam Tufani 感謝國際特赦組織會員及支持者的聲援，並說：「法官指出我有權為自己的行為抗辯，因此我解釋拒絕從軍的理據，然而法官並不同意。我會入稟歐洲人權法庭。我相信基於良心而拒絕從軍最終會獲確認為權利。」

印度：博帕爾有毒氣體洩漏倖存者獲政府承諾重新鑑定賠償金額

二〇一四年十一月十日，印度博帕爾市五名婦女絕食抗議一九八四年當地有毒氣體洩漏事件賠償不公。隨後，印度政府承諾更正博帕爾有毒氣體洩漏事件死者數目，並以醫療研究及住院紀錄等科學數據，重新評估倖存者的數目及傷勢。該五名婦女與約二百名有毒氣體洩漏倖存者及行動者，原定參與由印度化工及化肥部部長 Ananth Kumar 主持的會議。

國際特赦組織全球議題總幹事 Audrey Gaughran 說：「印度政府重新評估一九八四年洩漏事件的影響，是倖存者的重大勝利。可是，三十年前聯合化工遺留的化學物品污染了地下水，令博帕爾居民的痛苦延續至下一代。印度政府重新審視此案，是很重要的一步。總理莫迪的承諾，終於得到兌現。」

印度記者獲保釋外出

二〇一四年九月二日，印度記者 Jai Khiong Brahma 被印度當局以「預備干犯刑事罪行」、「參與非法組織」及「煽動參與違法行為」被捕。九月九日，當局引用《國家安全法》，向他發出羈留令。該命令容許行政機關羈留任何人，甚至長達十二個月。十二月二日，印度東北部阿薩姆邦古瓦哈提提高級法院批准其保釋。然而，他不能於未經批准下離開古瓦哈提市，並須於隨後兩個月每兩星期向當地檢察官報到。

好消息

全球人權運動

全球分會支持 Raif Badawi 行動

二〇一四年五月，Raif Badawi 設在討論時政網站 Saudi Arabian Liberals 被控詆毀穆斯林罪成，不但監禁十年，還被重判一千下笞刑。全球分會均要求沙地阿拉伯政府停止鞭打 Raif Badawi，並立即釋放他。

芬蘭分會

在赫爾辛基沙地阿拉伯大使館門前，小雪人要求沙地阿拉伯政府停止笞刑。

照片來源 / 國際特赦組織



瑞士分會

二〇一五年一月十六日，瑞士分會支持者及關心此事的市民，齊集首都伯恩抗議。

照片來源 / 國際特赦組織



挪威分會

約七十人齊集奧斯陸沙地阿拉伯大使館門前，抗議 Raif Badawi 受到第二次笞刑。挪威分會總幹事 John Peter Eggenes 要求沙地阿拉伯政府停止笞刑，並釋放 Raif Badawi。

照片來源 / KR Buick / 國際特赦組織



法國分會：支持《查理周刊》行動

法國支持者一同手持 Jesus's Charlie (法語：我是查理) 標語，譴責一月八日法國《查理周刊》槍擊事件，並呼籲全球捍衛言論自由。

照片來源 / 國際特赦組織法國分會



方在市民毫無心理準備下發射催淚彈，與市民期望有落差，結構性動搖警民關係，不利警民合作，這不是合適做法。二〇〇五年反世貿會議示威，警方向韓農發射三十四枚催淚彈，對香港人而言並不切身，也屬預料之內，但二〇一四年兩傘運動，警方發射八十七枚催淚彈，無論傳媒或公眾均無心理準備，所以引起強烈反彈。

問

據香港大學民意研究計劃，二〇〇七年市民對警隊滿意度淨值近百分之八十，是一九九七年以來最高。二〇一四年市民對警隊滿意度淨值低於百分之四十，歷年最低。青年人不滿警隊尤甚。你對此有何評論？有何改善方法？

答

如果社會要長遠穩定發展，警民必須保持合作關係。我相信市民普遍仍是信任警方，譬如相信警方專業處理典型犯罪行為，只是質疑在特定情境的執法行動。

警民關係改善與否，有幾個先決條件：一、政府必須就近期佔領行動修補警民關係，加強警民交流。警隊改革往往基於大事件，譬如六七暴動後，殖民地政府推動警隊內部改革及反貪，提高警政透明度，成立少年警訊加強與青年聯繫，最終成功改善警民關係。除非政府撒手不管或採取更差做法，否則警民關係應可改善。二、警隊有意推行內部改革，並準確判斷。三、香港警隊仍然是香港警隊。若外力改變警隊，前設則會改變。譬如殖民地時期，若宗主國採取違反香港利益的政策措施，而警隊執行，警民關係會難以改善。

誠然，歷任警務處處長也有加強警隊向公眾問責，改善警民關係，譬如前處長李明達加強警民互動及提高透明度；前處長鄧竟成有錯則認，此亦反映於港大民意調查結果。不過，我認為個人因素未必最重要，因為警隊強調集體，處長由中央任命，向特首和保安局負責。市民對警隊的滿意度下降，是投射對一國兩制及高度自治的質疑。

此外，政治環境有所轉變，但警隊制度不變，從前公眾關注警隊撲滅罪行及維持社會穩定，罪行亦是省港旗兵等問題，近年爭拗核心則是警隊處理示威的手法，甚具政治爭議，舊框架未能處理政治環境轉變。這亦關乎我們如何理解一國兩制下政府及警隊角色，仍欠討論，有待釐清。

問

你認為人權與警政有否矛盾？人權可否協助警方執法？

答

只要適當平衡，人權與警政未必有根本矛盾。譬如用攝影機拍攝警方在示威現場執法，未必不利於警方及示威人士，反而有了緩衝，雙方會自我約束。警方負責執法，若依從的法律不具人權爭議，反而有利警方工作。

問

從南韓、美國及土耳其例子反映，似乎無論是民主體制還是高壓統治，仍會出現警方使用過分武力的情況，只是程度或問責之分。為甚麼？

答

過分武力是相對的，並無客觀標準，譬如催淚彈視覺效果很差，但不及警棍傷人。這要看社會文化和接受程度。

南韓、台灣和土耳其警方相對暴力，可能因為曾經歷去殖民化及去軍事化，但因沿襲舊制度，需要時間回應民主變革。此外，警民屬互動關係，難以一概而論，美國警民關係更不能省去種族議題。

我覺得有種趨勢——各地警方對於不能受控的事而不安。一是恐怖襲擊。二是新世代社會運動模式轉變。從前面對示威遊行，警方可事先與主辦者協調和談判，可預計規模，但新世代社運用網絡動員，無指揮，屬自發行動，警方較難估計和管理，面對不確定情況，會更易使用武力。

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明報。〈為何警隊變成這樣子？專訪學者何家騏〉。二〇一四年十月十九日。

專訪——何家騏談香港警隊角色轉變

問／國際特赦組織香港分會
答／何家騏（警政學者、香港教育學院社會學系講師）

問 在殖民地時期，譬如開埠初期、第二次世界大戰、六七暴動後及九十年代，香港警隊角色有何轉變？為甚麼？

答 誠如其他英國殖民地警隊，殖民地時期的香港警隊沿襲愛爾蘭警隊模式，即是具半軍事性質的平民警察，警員持槍及其他武器，可迅速平暴，並以維護殖民地利益為主。開埠初期，香港警隊是多種族隊伍，一體二元，華洋分開，有英國人、歐洲人、印度人及華人，亦有階級之分，譬如洋人警員待遇薪酬較華人警員優厚。洋人警員負責社會上層事務，華人警員處理華人事務。

香港警隊變革，主要受大型政治社會事件影響。譬如二次世界大戰後，英國重新管治香港，銳意吸納華人成為管理層，例如幫辦，亦以巴基斯坦人代替印度人，洋人不再擔任基層警員。政府亦設警員宿舍，改善福利。六六、六七暴動亦然。一九八四年中國及英國簽訂《中英聯合聲明》，中國將落實一九九七年收回香港，英國遂推動香港警隊以至公務員本地化，安排華人警官赴英受訓及接任管理層，逐漸強調服務市民，以準備九七主權移交平穩過渡。

九七主權移交前，警隊效忠英女皇及港督，維護殖民地利益及香港社會穩定，但兩者未必一致。六七暴動前後，警隊明顯維護殖民地利益及社會穩定。九十年代，港督彭定康時期推動警隊本地化及「服務為本」，成效或有爭論，但目的是以服務本地人利益為主。

問 在殖民地時期及九七主權移交後，警隊政治中立概念有何轉變？

答 警隊是公務員，強調政治中立。九七前，政治中立普遍指並無傾向香港以外的政黨。當時香港無民主，較少本土政治，關注的是兩個中國人政權，所以政治中立即是不親台灣和不親中國大陸。五六暴動後，英國不想香港再次出現左右衝突，因為英國是首個承認中華人民共和國的西方國家，為免尷尬及維護殖民地利益，英國要求香港公務員政治中立，既不親京也不親台，對警隊政治中立就更嚴格。當時若成為警員，須有親友或店舖擔保，幫辦更需社會賢達或太平紳士擔保。

在西方，政治中立就是不偏不倚。在中國，政治中立就是認同共產黨。在香港，政治中立定義不清，欠缺討論，引發更多複雜問題。我認為問題核心並非警隊政治中立與否，而是何謂政治中立。

問 就公務員政治中立而言，政府曾定義為「效忠政府；對在任特首及主要官員盡忠；衡量政策影響，在制訂過程坦誠而清晰提出意見；在政府決策後，全力支持並將決定付諸實行，不應公開發表個人意見；協助主要官員解釋政策，爭取立法會或市民大眾支持」。你認為此是否適用於警隊？

答 這個解釋其實源自舊框架。警隊架構自八十年代不變，只是現在透明度更高，更面向市民。然而，舊框架不變，就未能處理當前問題，這是制度缺陷。譬如《公安條例》源自六七暴動，是在特定時間、針對左派及香港內部保安的產物。縱有修例，仍以當時法例為本，無改其精神，應用於今日社會，自然出現警民意見分歧。我認為更重要的是，我們如何理解一國兩制、高度自治以至警隊角色。

問 近年警民衝突加劇，譬如警方限制示威人士到中聯辦門前示威或掛標語。又如二〇〇五年反世貿示威，警方向有自製武器並用鐵馬擲向警方的韓農發射三十四枚催淚彈。而二〇一四年雨傘運動，警方向和示威人士發射八十七枚催淚彈。你對此有何評論？

答 我認為在執法及戰術角度，警方發射催淚彈驅散可能不受控的人群屬合法合理，但有種這樣做與做法是否合適並無必然關係。社會對警方當日發射催淚彈有許多爭議，包括當時情況是否失控及警方施放催淚彈後的處理手法。雨傘運動中，警





二〇一三年五月三十日，數百名環保人士在伊斯坦堡Gezi公園紮營和平示威，反對政府徵收伊斯坦堡中部最後一個公園大興土木，卻遭警方發射催淚彈、毆打及火燒營帳清場，事件觸發社會不滿，示威浪潮席捲土耳其全國，持續至八月。示威人士多是二十多歲的青年。警方濫用武力驅散和平示威人士，造成五死八千人傷，至少三人死於警方槍擊、毆打或催淚彈罐擊中頭部。聯合國促請土耳其政府尊重表達自由，確保警方停止向和平示威人士使用過分武力，並促請當局表現最大克制，尋求對話。

警方濫用武力清場

是次示威總體和平，只有少量投擲石頭和毀壞財物等暴力行為，然而警方以偏概全，濫用武力驅趕其他和平示威人士，甚至針對離開示威現場的人、旁觀者及路人，變相懲罰他們。

警方濫用武力鎮壓和平示威，包括向手無寸鐵的和平示威人士發射實彈、橡膠子彈及催淚彈，甚至「物盡其用」，近距離發射催淚彈空罐，導致嚴重傷亡；向示威人士、被捕人士或路人的眼睛或臉部近距離噴射胡椒噴霧；不必要使用水炮，甚至射入大廈、酒店及治療受傷示威人士的臨時診所；毆打或拘捕和平示威人士，採訪記

者，正在治理及協助傷者的醫護人員及律師；性騷擾被捕女性；恐嚇收留躲避催淚彈的示威人士的店舖東主等。

即使是默站示威、敲擊煲鑼聲援示威及在足球比賽喊口號的人，也遭拘捕。截至六月，警方拘捕了近五千人，並引用反恐法調查百多個民間、政治和專業團體。可見，土耳其政府對異見及和平示威並不包容。

政府縱容警方濫用武力

政府對警方濫用武力問題置若罔聞，反而稱讚警方行動是「傳奇」，縱容警方暴力，令警權更難制衡。

各地出口防暴裝備

示威首二十日，警方已發射十三萬罐催淚彈，相等於一年用量。英國、美國、南韓、中國及香港等涉嫌向土耳其出口包括催淚彈的防暴裝備。二〇一四年十二月，國際特赦組織發現南韓將向土耳其出口一百九十萬件非致命化學武器，其中有一百五十萬枚催淚彈。

國際特赦組織的建議

國際特赦組織認為土耳其政府應尊重及保障國際人權公約訂明的表達自由及和平集會的權利，包括全面審視示威集會法律，並停止引用反恐法或其他罪名檢控參與和平集會的人或組織。政府應有效調查警方濫用武力事件，若屬實則懲處，並確保警方使用武力出於必要及合乎比例、符合聯合國《執法人員行為守則》及《執法人員使用武力和火器的基本原則》。此外，國際社會應停止出口防暴裝備予土耳其，直至土耳其承諾不再暴力鎮壓和平集會，並採取有效措施確保武器不會用作侵犯人權用途。

資料來源

國際特赦組織二〇一三年報告：

Cağırık: Türkiye Barış Davası'nın Rolü ve Paralel Asayiş in Turkey.



二〇〇八年五月，南韓人擔心美國牛肉會傳入瘋牛症，於是在首爾舉辦燭光集會，反對南韓政府恢復美國牛肉入口。示威持續近兩個月，高峰期有十萬人參與，訴求還包括不滿時任總統李明博施政。直至內閣總辭、總統道歉，政府與美國達成協議，不會入口逾三十個月的牛隻，以減低瘋牛症風險，並引入保障措施，示威才告一段落。截至同年八月，警方拘捕了近一千三百人，包括示威人士、與警員理論的人、旁觀者以至路人。

防暴警由軍人組成

南韓有三萬七千名防暴警，均是強制服役兵役的青年。他們僅接受六星期軍事訓練和四星期警察訓練，令人擔憂是否有足以處理示威集會、管制及驅散人群的訓練，尤其使用武力的相稱性、合法性、必要性及問責原則。處理反對美國牛肉的示威行動，便是由防暴警負責前線。

示威總體和平，曾有警民衝突

示威總體和平，初期防暴警及示威人士表現克制，及後有兩次警民衝突。防暴警使用了過分武力，另一方面，有部分示威人士用木棍襲擊防暴警。南韓人權委員會亦觀察到警民互扔鋼管、膠樽及石頭。

警方固然有責任維持秩序，採取合理措施驅散人群，拘捕有合理懷疑犯罪的人，必要時可使用相稱武力，但無論何時，警方必須遵守聯合國《執法人員使用武力和火器的基本原則》。

警棍扑頭，盾牌攻擊

防暴警濫用警棍及盾牌毆打和平示威人士。譬如六月一日凌晨，示威人士遊行至總統府，但法律禁止總統府方圓一百米內示威集會及禁止未經批准晚間示威，防暴警因而阻止，並爆發警民衝突。一名和平示威的女大學生，遭防暴警拉扯頭髮並推倒地上，繼而拳打腳踢其頭部，傳媒亦拍攝到一名防暴警不斷踢她，幾名防暴警組成人牆，意圖遮擋記者拍攝。影片廣泛流傳，該名防暴警遭軍事拘留八日，其餘涉事警員則紀律懲處，警方向她和所屬大學校長道歉。此外，一名路人質問警方何時重開路障，遭警方包圍並毆打，當發現有預備軍人在場，打人的警員立即四散。由於防暴警並無清晰名牌及編號，示威人士無從追究。

水炮及滅火筒驅散和平集會

此外，二〇〇八年六月一日凌晨，防暴警多次近距離發射水炮及滅火筒驅散和平集會人士，甚至將水炮直射示威人士的頭部，令其受傷，有些人甚至視力、聽覺永久受損。國家警察廳人權委員會委員憤而集體辭職，抗議警方使用過分武力，侵犯表達自由。

阻礙採訪記者及觀察員

在連串示威之中，防暴警亦曾阻礙記者採訪，譬如用手遮擋鏡頭或推撞攝影記者。清場時，有防暴警大叫「殺死所有記者」；有防暴警用盾牌及揮拳襲擊在場唯一一名手持電視台攝影機的記者，意圖阻止拍攝。由於傳媒廣泛報道，警區總警司向記者道歉，施襲的防暴警及其上司登門道歉，請求他不再追究。此外，防暴警亦襲擊身穿明顯制服的南韓人權委員會觀察員及義務急救員。

國際特赦組織的改善建議

國際特赦組織認為南韓當局應全面檢討警察訓練，確保警方使用武力而同時符合國際人權標準，並確保有效、公正、迅速、獨立及全面調查涉嫌濫用武力的警員，繩之於法。南韓亦應修改法例，讓國民享有較寬鬆和平集會的權利。

資料來源

國際特赦組織二〇〇八年十月報告：
Policing the Candlelight Protest in South Korea.



聯合國多次關注美國執法人員種族歧視、使用過分武力及執勤時槍殺平民的情況。二〇一四年，美國至少有四名黑人遭執勤警員殺死，但犯事的警員不被起訴，故觸發大型示威。最近的一宗發生於八月，密蘇里州費格遜白人警員開六槍擊斃手無寸鐵的十八歲黑人青年 Michael Brown，引發連日示威。

使用過分武力驅散和平集會

費格遜示威備有零星破壞，但總體和平，警方卻使用過分武力驅散和平集會人士，包括出動備有軍用武器的重型武裝防暴警，多次使用盾牌、警棍、胡椒噴霧、催淚彈、閃光彈、橡膠子彈及聲波炮，甚至有警員將半自動步槍指向手無寸鐵的和平集會人士，損害聯合國《公民權利和政治權利國際公約》保障的表達自由、和平集會的權利及人身安全，違反聯合國《執法人員使用武力和火器的基本原則》，亦令警民衝突加劇。

繼續走，否則拘捕

當局設立指定示威區，但它是廢棄車場，遠離主要道路及傳媒中心，令示威人士的表達行動失卻意義。警方創設「五秒規定」，除指定示威區外，示威人士不准停留，否則拘捕。此不僅無理限制示威人士的和平集會權利，亦任意限制其他人的行動自由，而且誰是行人誰是示威人士均由警員主觀決定，於是出現選擇性針對黑人青年執法的情況。後來，美國民間團體公民自由聯盟入稟法院，

指「五秒規定」違反美國憲法第一修正案保障的言論集會自由，聯邦法院批出臨時禁制令，限制警方只能在公民觸犯刑事罪行、作出暴力行為或與作出暴力行為的人為伍，才可要求其繼續走動，否則拘捕。

持槍恐嚇採訪記者

此外，至少有十九名採訪警方驅散示威人士的記者及四名人權觀察員被捕。有警員持槍指向在場記者恐嚇將其槍殺，及後事件曝光該名警員辭職。有採訪清場的記者在舉高雙手及表明記者身分後，遭警員用橡膠子彈槍傷。警方不合理阻礙記者採訪及觀察員觀察示威，更使用過分武力，既損害《公約》保障表達自由及人身自由，又違反《基本原則》，亦不符合《約翰內斯堡原則》第十九條，即「政府不應阻撓人權觀察員和傳媒進入有合理懷疑人權正在或已受侵犯的地方。即使在發生暴力的地區，亦不應驅逐，除非其存在對他人安全構成明顯威脅」。

國際特赦組織的改善建議

國際特赦組織認為美國司法部、密蘇里州及費格遜當局應檢討及修訂有關處理示威集會的政策及訓練，確保符合國際人權公約及標準，尤其《基本原則》，並應確保有效、公正及迅速調查涉嫌濫用武力的警員，並繩之於法。

資料來源

國際特赦組織二〇一四年十月報告：

On the Streets of America: Human Rights Abuses in Ferguson.

執法人員使用武力應屬最後手段。譬如聯合國《執法人員使用武力和火器的基本原則》（《基本原則》）第四條訂明「執法人員在執勤時應盡可能採用非暴力手段，最後不得已方求諸使用武力或火器」。

若無可避免合法使用武力或火器，《基本原則》第五條訂明執法人員應「(a)有所克制，並視犯罪行為的嚴重性和須達到的合法目的而行事；(b)盡量減少損失和傷害並尊重和保全人命；(c)確保任何受傷或相關人士盡早得到援助和醫護；(d)確保盡快通知受傷或有關人士的親屬或好友」。

至於執法人員在甚麼情況下才是合法使用火器，《基本原則》第九條訂明「為了自衛或保障他人免遭即時死亡或重傷威脅，為了防止可帶來嚴重生命威脅的嚴重罪行，為了逮捕構成此類危險並抵抗執法人員的人，或為了防止該人逃跑」，並且只有在採用其他非極端手段不足以達到上述目標時才可使用」。至於致命火器，則「只有在為了保障生命而確實不可避免的情況下才可有意使用」。一旦造成傷亡，第六條訂明執法人員應立即向上級報告。聯合國法外處決、即審即決或任意處決問題特別報告員亦指「僅在有即時死亡或嚴重受傷的威脅下才可使用火器，並須符合必要性及相稱性原則」。

驅散和平集會，應是最後手段。警方驅散被視為非法的非暴力集會時，《基本原則》第十三條訂明「應避免使用武力，或在實際無法避免時應將使用武力限制到必要的最低程度」。即使是對付暴力集會，第十四條訂明「只有在實際上已不可能使用危險性較少的手段的情況下方可使用火器，並且只限於必要的最低程度」，「除非在第九條原則規定的情況下，一律不得在這些場合使用火器」。

若執法人員任意使用或濫用武力，《基本原則》第七條訂明政府應「按本國法律作為刑事犯罪予以懲處」。

示威觀察員

聯合國和平集會和結社自由權利問題特別報告員認為「人權觀察員到示威現場觀察，有助減少侵犯人權事件」，觀察員包括「民間團體、記者、民間記者及國家人權機構代表等」。^[1]聯合國人權事務委員會在第三十四號《一般性意見》解釋《公約》第十九條時指「任何政府在境內阻撓人權觀察員和傳媒進入涉嫌侵犯人權的地方，一般會抵觸公約」。^[2]而《約翰內斯堡原則》第十九條亦指「政府不應阻撓人權觀察員和傳媒進入有合理懷疑人權正在或已受侵犯的地方，即使是在發生暴力的地區，亦不應驅逐，除非其存在對他人安全構成明顯威脅」。

人權培訓

人權培訓亦很重要。《基本原則》第十九條訂明各國政府及執法機關應確保所有執法人員熟悉使用武力原則，第二十條訂明「應特別重視警員道德倫理和人權問題，特別是在調查過程中應注意其他不用武力和火器的辦法，包括和平解決衝突、理解人群行為和運用勸說、談判和調解方法及技術手段，以限制使用武力或火器」。

註釋

- [1] Maina Kiai, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, 21 May 2012, A/HRC/20/27, Para 25.
- [2] United Nations Human Rights Committee, General Comment No. 34, article 19 freedom of opinion and expression, 12 September 2011, OCP/RC/C34, Para 2.3.
- [3] Leung Kwok Hung v HKSAR, FAOJ 112005, 8 July 2005, Para 22 & 35.
- [4] Christof Heyns, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, 23 May 2011, A/HRC/17/28, Para 60.
- [5] Supra note 1, Para 48.
- [6] Supra note 2, Para 45.

參考書目

簡介

聯合國人權事務高級專員辦事處出版警方人權培訓指南。

同上。

聯合國法外處決、即審即決或任意處決問題特別報告員報告，探討警方處理示威集會的原則，包括使用武器原則。

聯合國和平集會和結社自由權利問題特別報告員報告，探討和平集會權利的最佳做法。

歐洲安全與合作組織民主制度與人權中心出版有關和平集會的權利的指南，聯合國和平集會和結社自由權利問題特別報告員認為是最進步的良好做法指引。

文件

United Nations Office of the High Commissioner for Human Rights. Human rights and law enforcement: a manual on human rights training for the police. 1997.

United Nations Office of the High Commissioner for Human Rights. Human rights standards and practice for the police: expanded pocket book on human rights for the police. 2004.

Christof Heyns. Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions. 23 May 2011. A/HRC/17/28.

Maina Kiai. Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association. 21 May 2012. A/HRC/20/27.

OSCE Office for Democratic Institutions and Human Rights (ODIHR). Handbook on monitoring freedom of peaceful assembly. 2011.

作為執法人員，警方有責任維持公共秩序、防止及調查刑事罪行、規管和協助遊行集會、保護生命、個人及公共財產等，從而保障市民權利。同時，警方執法必須遵從國際人權法，尊重和保護市民的人權和尊嚴，否則會淪為人權侵犯者。

表達自由及和平集會的權利

警方處理示威集會的手法與人權密不可分。首先，表達自由及和平集會的權利均受聯合國《公民權利和政治權利國際公約》、《香港人權法案條例》（《人權法》）及《基本法》保障。

聯合國和平集會和結社自由權利問題特別報告員指出「在國際人權法下，政府不僅有積極責任保障和平集會，亦有積極責任便利和平集會的權利得以行使。法律僅保障非暴力及參與者持和平意圖的集會，並應推定集會為和平集會，其他人的零星暴力或其他可懲處行為並不剝奪和平群眾的和平集會權利」。^[1]

若要限制表達及集會自由，必須符合《公約》訂明的限制，即「經法律規定」，並以「尊重他人權利或名譽」、「保障國家安全或公共秩序、或公共衛生或風化」所必要者為限，還可根據公共安寧限制集會自由。

聯合國人權事務委員會於第三十四號《一般性意見》指出限制表達自由必須符合《公約》條款、目標和宗旨，人人平等無所歧視，限制亦須出於必要，通過相稱性測試，並把人權侵害減至最小。^[2]

香港終審法院指出「和平集會的權利同時意味政府有積極責任，採取合理和適當措施，以確保合法舉行的集會能和平進行」，並解釋相稱性原則為「（一）有關限制必須與其中一項或多項合法目的有合理關連及（二）用以減損和平集會權利的方法不得超越為達到有關合法目的之所需」。^[3]

身體自由及人身安全

若示威人士遭警方拘捕，那可是與人身自由及安全息息相關。《公約》第九條保障「人人有權享有身體自由及人身安全。任何人不得無理予以逮捕或拘禁。非依法定理由及程序，不得剝奪任何人之自由」。若警方拘捕某人，「應當場向被捕人宣告逮捕原因，並應隨即告知被控案由」。若因刑事罪行而被捕或拘禁，「應即解送法官或依法執行司法權力之其他官員，並應於合理期間內審訊或釋放」。被捕或拘禁人士亦「有權聲請法院提審，以迅速決定其拘禁是否合法」，若為非法則應予釋放。受非法拘捕或拘禁的人，有權要求賠償。《公約》第十條保障被剝奪自由的人應有符合人道及尊重其尊嚴的待遇。此皆受《基本法》及《人權法》保障。

執法人員行為守則

國際社會對執法人員有嚴格的規範，譬如聯合國《執法人員行為守則》（《行為守則》）第二條訂明「執法人員在執行任務時，應尊重並保障人的尊嚴，並且維護每個人的人權」；第五條訂明「執法人員不得施加、唆使或容許任何酷刑行為或其他殘忍、不人道或有辱人格之待遇或處罰」，即使是上級命令、戰爭狀態或威脅國家安全等緊急情況亦不成理由。此外，第六條訂明「執法人員應保證充分保護被拘留者的健康，尤其在有必要時應立即採取行動確保其獲得醫療照顧」。

執法人員使用武力原則

至於執法人員使用武力，必須出於必要及合乎比例。譬如《行為守則》第三條訂明「執法人員只有在絕對必要時才能使用武力，而且不得超越執行職務所必需的範圍」。

專題

警政與示威



主編的話

今期雜誌專題是《警政與示威》，從國際特赦組織的經驗，大部分國家的警察在示威場合執勤的表現，普遍極富爭議。一般來說，人民願意賦予警察使用武力的權力，甚至使用武器及火器，但大前提是為了保護人民性命及保障人權。

近廿年間，全球資源分配不公的問題日益嚴重，各種因性別、性別身分、宗教文化、種族及階級差異而衍生的衝突越演越烈，政府必須聆聽不同社群的訴求。可惜很多政府未能擁抱多元，對各種差異既缺乏敏感度，亦無推行改革的承擔。當人民要對政府、政策甚至社會現象，以不按平常秩序的行動來表達不滿，警民關係便會緊張。我們最關心的是警察執勤時是否合乎保護人民及保障人權這個大前提。所以專題選取了土耳其、韓國、美國費格遜及香港的情況，並列舉國際人權標準，以期提高市民對警政的監察意識。



《人權》雜誌第十二期勘誤對照

《人權》雜誌第十二期資料有誤，謹此致歉。勘誤對照如下：

頁二，清單第八行

原稿——《殘疾人權利公約》(CRPD)

勘誤——《殘疾人權利公約》(CRPD)

頁四，下面左二行

原稿——2011 五區總辭

勘誤——2010 五區總辭

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