

人權

HUMAN RIGHTS

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ISSUE. 10

SUMMER 2014 / www.amnesty.org.hk

AMNESTY
INTERNATIONAL
國際特赦組織香港分會

A large, stylized graphic of a camera. The camera body is light gray, and the lens is a large black circle. Inside the lens, the Chinese characters '新聞自由' (Freedom of the Press) are written in a bold, white, sans-serif font. The camera has a yellow flash on the left side and a white ring around the lens.

新聞
自由

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WORDS FROM THE EDITOR- IN-CHIEF

The Universal Declaration of Human Rights stipulates freedom of speech, freedom of peaceful assembly and freedom of association. Press freedom which is protected by freedom of speech is important for social development. Press freedom is an attribute which contributes to the development of Hong Kong as an international city. It is a core value upheld by Hong Kong citizens.

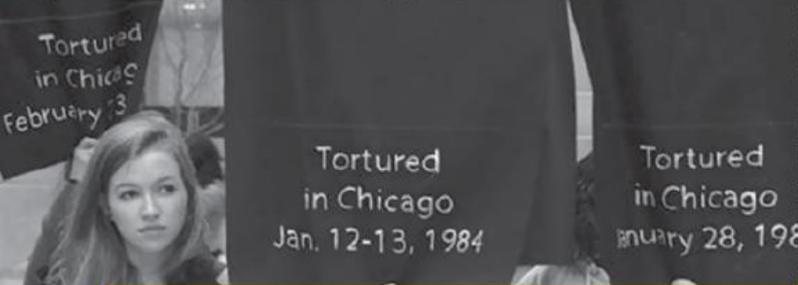
Amnesty International is committed to defending press freedom. For instance, when Ching Cheong, a local journalist, was convicted of a spying offence and sentenced to 5 years imprisonment by China in 2006, we launched a global letter writing campaign to urge the Chinese government to release him. With many people's effort, he was then released conditionally in 2008.

In recent years, press freedom in Hong Kong has been deteriorating. In order to show our commitment to defending press freedom in Hong Kong, our Secretary General Salil Shetty will visit Hong Kong and deliver a speech on "Guarding Freedom of Expression: Hong Kong's Pivotal Role" on 28 May.

The theme of our feature in this edition is "Press Freedom". We record the recent situation concerning this subject in Hong Kong and invite senior media workers and scholars to analyze what is happening in China and Hong Kong.

An Mei Po

AI GLOBAL CAMPAIGNS



TAIWAN

Movements against the proposed trade deal with China have lasted for almost a month. The police expelled demonstrators from the Executive Yuan with force and left dozens injured. Amnesty International Taiwan, along with the International Secretariat, have called for the Taiwanese security forces to protect and respect human rights in any response to the hundreds of protestors who have occupied the nation's parliament.

LONDON – INTERNATIONAL SECRETARIAT

The NSA PRISM incident has triggered global attention on personal privacy on the Internet. This April, Amnesty International has launched CAUSE, the Coalition Against Unlawful Surveillance Exports, along with other human rights organizations. CAUSE is calling for a "Core Rule" governing transfers of communications surveillance technologies. Transfers should not be allowed to proceed when there is a substantial risk that the recipient state would use the technologies to arbitrarily interfere with the right to privacy or violate other human rights.

USA

The Human Rights Conference 2014 was held in Chicago from 4 April to 6 April. The theme of the Annual General Meeting of the USA section was Bringing Human Rights Home. A 10-point human rights agenda was advocated at the conference, including stopping torture when conducting interrogations, respecting LGBT rights, ending racial profiling, advancing the rights of immigrants. Members and supporters conducted an action in the Daley Center, the civic square of Chicago, to call for the federal government to respect the demands.

DON'T SPY ON US

The UK's intelligence services can process 21 petabytes of data per day - that's 59 billion pieces of information that could be the private data of any citizen. This mass surveillance violates your privacy and chills free speech across the globe. The current law offers little protection. We are calling for reform of the legal framework so the intelligence agencies stop spying on us.

TAKE ACTION

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IN FOCUS

OVERVIEW OF PRESS FREEDOM

INTRODUCTION

Kevin Lau Chun To, the former Chief Editor of Ming Pao was attacked in February. Former Chief Justice Andrew Li and former Secretary for Justice Wong Yan Lung warned the public that freedom of speech and press freedom was under threat and urged the public to defend rule of law, freedom of speech and press freedom. Former Permanent Judge of the Hong Kong Court of Final Appeal Justice Bokhary said press freedom was the foundation of rule of law and the media was one of the important defenders for this. What is press freedom? Let us go through the basic concepts of press freedom with reference to the international human rights standard.

INTERNATIONAL STANDARD OF FREEDOM OF EXPRESSION

The International Bill of Human Rights consists of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights (ICESCR) and International Covenant on Civil and Political Rights (ICCPR). It is the foundation of international human rights law. Article 19 of ICCPR provides the international human rights standard of freedom of expression.

The United Nations Human Rights Committee is a treaty body for monitoring the implementation of ICCPR by the State Parties. Its members are independent human rights experts. It conducts regular hearings on State Parties' reports, issuing concluding observations for expressing concerns and recommendations after hearing and issuing general comments for authoritative explanation of ICCPR.

UN EXPLAINS FREEDOM OF EXPRESSION IN DETAILS

The Committee explains freedom of expression including press freedom enshrined by ICCPR in details in its General Comment No. 34.

Basis of Press Freedom

Article 19(2) of ICCPR requires State Parties to protect freedom of expression including "freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers". Hence it protects freedom to seek, receive and impart information by the press and citizens. It also protects all forms and means of expression, thus it protects newspaper, audio-visual, electronic and internet-based journalism. (Para 11, 12)

Importance of independent media

Freedom of expression is the foundation of a free and democratic society. It is also a "necessary condition for the realization of the principles of transparency and accountability". (Para 2, 3) An independent and free press can facilitate public discussion and serves as "cornerstones of a

democratic society". It is essential for protecting freedom of opinion, expression and other Covenant rights. (Para 13)

New media is included

Mainstream and non-mainstream media is not differentiated by freedom of expression. The Committee opines "Journalism is a function shared by a wide range of actors", which includes "professional full-time reporters and analysts, bloggers and others engage in forms of self-publication in print or internet or elsewhere". (Para 44) State Parties should "take all necessary steps to foster the independence of these new media and to ensure access of individuals." (Para 15)

For regulation system, State Parties should "take into account the difference between the print and broadcast sectors and the internet". (Para 39) The UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression emphasizes the uniqueness of the internet and opines that even if the regulations or limits on traditional media is reasonable and proportional, it does not mean its extension on internet are reasonable and proportional.

Freedom of Information Act

The Committee opines "States parties should proactively put in the public domain Government information of public interest" and "should make every effort to ensure easy, prompt, effective and practical access to such information". The State Parties should also take necessary measures to guarantee access to information including freedom of information legislation. (Para 19)

Independent Public Broadcasting

The Committee opines States Parties should ensure the independence of public service broadcasting including to "guarantee its independence and editorial freedom" and "provide funding in a manner that does not undermine their independence." (Para 16)

Public Broadcasting License Regimes

The Committee opines States Parties should establish independent public broadcasting licensing authority "with the power to examine broadcasting applications and to grant licenses". The criteria and fee for license should be "reasonable, objective, clear, transparent, non-discriminatory and in compliance with the Covenant". Allocation of media with limited capacity should be equitable between public, commercial and community broadcasters. (Para 39)

Diverse and Independent Media

The Committee emphasizes the diversity and independence of the media. It opines that "The State should not have monopoly control over the media and should promote plurality of the media". States Parties should take

OVERVIEW OF PRESS FREEDOM

measures to “prevent undue media dominance” which “may be harmful to a diversity of sources and views”. (Para 40) The right to access diversity of information of ethnic and linguistic minorities should also be protected. (Para 14)

Ensure the security of journalists

Journalists are frequently subjected to threats, intimidation and physical attacks during their reporting duty. The Committee opines States Parties “should put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression”. “All such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted”. (Para 23)

Limitations must be proportional

Limitations on freedom of expression should comply with Article 19(3) of ICCPR, which “are provided by law” and “are necessary for respect of the rights or reputations of others; protection of national security or of public order (ordre public), or of public health or morals”.

Limitations on freedom of expression must be “compatible with the provisions, aims and objectives” and the non-discrimination principle of ICCPR. Limitations must be necessary, must conform to the principle of proportionality and adopt the least intrusive measures, (Para 34) particularly “establishing a direct and immediate connection between the expression and the threat”. (Para 35) The Committee also opines that “the value placed by the Covenant upon uninhibited expression is particularly high in the circumstances of public debate in a democratic society concerning figures in the public and political domain”. (Para 34) “All public figures, including those exercising the highest political authority such as heads of state and government, are legitimately subject to criticism and political opposition” and “the mere fact that forms of expression are considered to be insulting to a public figure is not sufficient to justify the imposition of penalties”. (Para 38)

Regarding national security, State Parties should “ensure treason laws and similar provisions relating to national security” (official secrets or sedition laws) conform to the strict requirements of Article 19(3). The Committee regards “invoking such laws to suppress or withhold from the public information of legitimate public interest” or “to prosecute journalists, researchers, human rights defenders” is inconsistent with ICCPR. (Para 30)

PRESS FREEDOM IS CONSTITUTIONAL RIGHT

ICCPR has been applicable in Hong Kong since 1976. It was applicable after the 1997 handover and is stated in Article 39 of the Basic Law. The Hong Kong Government is obliged to submit reports to the UN and attend hearings regularly.

Chapter 3 of the Basic Law stipulates the fundamental rights of Hong Kong Residents. Article 27 states that “Hong Kong Residents shall have freedom of speech, of the press and of the publication...” The Hong Kong Bill of Rights Ordinance (Cap 383) (HKBORO) is the domestic law of ICCPR and also protects press freedom. Hence, press freedom is a constitutional right. If such rights are infringed, citizens may seek justice through judicial proceedings by replying on the Basic Law and HKBORO.

UN CONCLUDING OBSERVATIONS ON HONG KONG

The UN Human Rights Committee repeatedly expressed concerns about press freedom in Hong Kong in its concluding observations about Hong Kong.

Concluding Observations by the UN Human Rights Committee 1999

“18. The Committee is concerned that the offences of treason and sedition under the Crimes Ordinance are defined in overly broad terms, thus endangering freedom of expression guaranteed under article 19 of the Covenant. **All laws enacted under article 23 of the Basic Law must be in conformity with the Covenant.**” The Committee reiterated its concerns in 2006 and 2013.

2006

“13. The Committee is concerned about reports of intimidation and harassment against journalists and media personnel, frequently in connection with debates on political issues (article 19). **The HKSAR should take vigorous measures to prevent and prosecute harassment of media personnel, and ensure that the media can operate independently and free from government intervention.**”

2013

“13. The Committee is concerned about reports that Hong Kong has seen deterioration in media and academic freedom, including arrests, assaults and harassment of journalists and academics (articles 19 and 25). **Hong Kong should, in line with the Committee’s general comment No. 34 (2011) on freedoms of opinion and expression, take vigorous measures to repeal any unreasonable direct or indirect restrictions on freedom of expression, in particular for the media and academia, to take effective steps including investigation of attacks on journalists and to implement the right of access to information by public bodies.**”

Reference

The UN Human Rights Committee. General comment No. 34: Article 19: Freedoms of opinion and expression. 12 September 2011

INTERVIEW: PRESS FREEDOM IN HONG KONG TO YIU MING

Q / Amnesty International Hong Kong

A / To Yiu Ming (Assistant Professor, Department of Journalism, Hong Kong Baptist University)

Q In the report of 2011-12 World Press Freedom Index, Reporters Without Borders stated “Arrests, assaults and harassment worsened working conditions for journalists to an extent not seen previously, a sign of a worrying change in government policy”. What is your comment?

A The Index is ranked according to the standards set by Reporters Without Borders. One of the important standards is government policy. The changes of government attitude and policy directly affect press freedom. It is an indicator of infringement of press freedom. For instance, the free TV license, delaying or withholding breaking news by using the digital communication system to replace the radio system of police and restrictions on protests and journalists etc do relate to government policy. According to Reporters Without Borders, press freedom will deteriorate sharply if the government takes a retrogressive approach to media policy. Thus, the ranking of Hong Kong keeps falling from 34 in 2010 to 61 this year.

Q Media executives are being attacked in 2013-14. For instance, Kevin Lau Chun To was stabbed by knife and was seriously injured. Why has there been such a significant change in this period?

A Physical attacks on media workers occur all the time and are not isolated incidents. For instance, Leung Tin Wai and Albert Cheng Jin Han were attacked in 1996 and 1998 respectively. Chen Ping, the Boss of iSun Affairs was attacked before Kevin’s case. Senior management staffs of the Hong Kong Morning News were attacked after Kevin’s case. These incidents are the concrete examples of the suppression of press freedom. But the key is not the frequency of attacks. What matters is the challenge on press freedom as a whole happens all the time. For instance, withdrawal of advertisements from particular newspapers, a sudden change of chief editor and issuing a lawyer’s warning letter to Joseph Lian Yi Zheng, a column writer in the Economic Journal all happened in the same period. Press freedom in Hong Kong keeps deteriorating.

Citizens inevitably worry about press freedom. Former Chief Justice Andrew Li and former Secretary for Justice Wong Yan Lung warned the public that press freedom should not be taken for granted. The overall environment of press freedom is changing in Hong Kong and is under unprecedented infringement and thus requires attention from all of us.

Q China’s leaders visited Hong Kong several times after the 1997 handover. However, the restrictions on journalists by the government and the police are getting stricter. For example, the police were found to have hindered the media from filming during Li Ke Qiang’s visit in 2011. A journalist who raised the question of whether Hu Qin Tao heard Hong Kong people’s wishes of vindication of June Fourth Massacre was removed and detained during Hu Jin Tao’s visit in 2012. Why has there been a change of attitude and policy?

A This is related to China’s political atmosphere. “Stabilization” is more deeply rooted compared to 10 years ago. The expenditure of stability maintenance exceeds military expense. China adopts a very hard-handed approach to press freedom and this extends to Hong Kong. It also depends on whether Hong Kong is able to defend its media policy. Hong Kong still had bargaining power 10 years ago and hence the reasonable distance between journalists and Chinese leaders could be kept and so thus strike a balance between press freedom and safety of Chinese leaders. However, Hong Kong has lost bargaining power since Donald Tsang’s ruling. When China prefers to isolate journalists from Chinese leaders, or even treats the journalists in “Mainland style”, Hong Kong does not have a say or ability to defend itself.

After 500,000 people protested on 1 July 2003, China changed its Hong Kong policy. China can interfere in Hong Kong politics, economy and culture if it thinks it is beneficial for Hong Kong’s prosperity, stability, long-term development and national security. For example, China interfered in Hong Kong affairs concerning CEPA, the Individual Visit Scheme and the handling of pan-democrats. China regards a High Degree of Autonomy as a subordinate consideration and opines One Country Two Systems as implementing any measures to support Hong Kong Government’s governance. It makes Hong Kong adopt a subordinate role. Thus when China dominates the arrangements for China’s Leaders Visits, it further reflects the unequal power of China and Hong Kong.

INTERVIEW: PRESS FREEDOM IN HONG KONG TO YIU MING

Q What is your comment on Hong Kong's media policy in recent years such as digitalization of communication systems of police and fire services, consultation of stalking law and lack of statutory independent public service broadcasting etc?

A The series of government policy told us that either the government did it deliberately or came from instinct. The government is unfriendly to freedom and any measures for open government. For instance, providing resources to Radio Television Hong Kong (RTHK) may facilitate programme development or enhance the means of public access to information. It does not necessarily mean it is critical to the government. However, once the government thinks it may not ease its governance, it will pressurize RTHK. Another example is free TV licensing regime. There is no points to maintain only 2 free TV license for years, especially one of the free TV performs poorly. The government ignores ATV because it does not pose any threats to the government. But it hinders the citizens' access to information. One possible explanation is that the government is afraid of measures allowing diversity and transparency of information.

Q What is the role of Hong Kong media for China and Macau?

A Hong Kong media is an important window to monitor the actual situation in China. No matter whether the Cultural Revolution or June Fourth Massacre, when there is stricter China political censorship, there is greater need for us to know about the situation. And the rights movement in China has relied on the foreign media to report in recent years, and Hong Kong gives more weight to Chinese news than foreign media. Although there is a strong propaganda machine in China, Hong Kong still has certain degrees of freedom of expression for independent reports. Furthermore, Hong Kong shares similar language and culture with China compared to foreign countries and its reporting should be more accurate. It helps Hong Kong citizens and people over the world to learn about China. Hence, Hong Kong journalism has a unique role on the frontline of China news. Even though news reporting in Hong Kong may not be able to assist Mainlanders or Macau people to monitor their government, we still need to fully utilize the remaining room of press freedom for the sake of Hong Kong citizens. It is because Hong Kong is China's neighbor. The politics, economy, society and culture are inter-related to China. If the situation in China gets worse, it is hard for Hong Kong to be immune. Hence it is important for us to understand the actual situation in China.

Q Civil Society has been calling for Archives Law and freedom of information legislation. Do you have any comments about this?

A The UN Human Rights Committee states in General Comment No. 34 that the government has responsibility to grant public and media's access to information. It says press freedom does not only include non-interference. The government should also release information concerning public interest in order to enrich the content of freedom of expression. Thus the government cannot only grant free press but at the same time rejects to publicize information on public policy. Freedom of information is an essential part of press freedom. Archives Law is also a part of freedom of information. It ensures the government will keep clear records and publicize the archives accordingly. It will facilitate public monitoring and establish good governance, transparency and accountability of the government.

Freedom of information legislation and Archives law can make the government publicize current and past records of public policy except those concerning commercial secrets etc. The legislations can help the public and media to monitor the government effectively. They also provide information for public discussion and analysis and it serves as the basis of rational discussion. Thus, freedom of information does not only guarantee the right of the public knowing. It also helps the government to be open and to practice democratic politics.

Q What is the prospect of press freedom in Hong Kong? Do you have any suggestions?

A Press freedom of Hong Kong gradually becomes the human rights movement. On one hand press freedom is suppressed and infringed to a larger extent, on the other hand the demand for defending press freedom is becoming clearer. Tensions arise about the suppression and defense of press freedom and thus it becomes a rights movement.

The number of people participating in protests and assemblies regarding supporting press freedom and Lee Wei Ling and Kevin Lau is a lot higher than those in previous years. It reflects that the public feels the heat. Press freedom is no longer a matter of degree but is a matter of existence. For instance, regarding the free TV licensing regime, fewer licenses mean less choice and less voice. Shown by the Lee Wei Ling incident, DBC incident and continuous physical attacks on media workers, infringement of press freedom is getting serious. It needs all of us to stand up and defend our rights firmly.

Regarding internet-based media, it is more flexible and independent. Its threshold is relatively low and everyone can voice his/her views. However, internet media still needs to be reported by mainstream media for greater influence. It may strengthen its transmission through social media and may organize social actions in order to arouse the awareness of mainstream media and public.

INTERVIEW: CHINA'S INFLUENCE ON HONG KONG PRESS FREEDOM BRUCE LUI



Interviewee: Bruce Lui (Visiting Senior Lecturer, Department of Journalism, Hong Kong Baptist University, former Principal reporter of China Correspondent, i-CABLE News Limited, former Senior Reporter and Anchor of Television Broadcasts Limited TVB News)

In order to understand China's influence on Hong Kong Press Freedom, we invited senior reporter of China Correspondent Bruce Lui for precise analysis.

Experience of political censorship

Bruce had experienced censorship when he worked as China correspondent. When he worked for TVB news, he interviewed Chong Yang Shing, the Deputy Governor of Guang Dong Province regarding the sweep of bird flu in Guang Dong. Chong Yang Shing commented "the chickens do not necessarily die from bird flu. They may die from jumping off from top of buildings and being knocked down by cars". After this news report was released, Guang Dong Officials requested the television company to stop broadcasting it. Subsequently the company withdrew this news in later news reports. Furthermore, when Zhao Zi Yang died in 2005, the team of reporters sent to China was reduced from 2 to 1. The company also told them not to report the news happening between the period of Zhao's death and funeral because the news would not be broadcasted. Bruce changed his job to i-CABLE News Limited later. After the 20th anniversary of the June Fourth Massacre in 2009, he met with one of the Deputy Directors of State Council Information Office of China and was told to reduce or not to broadcast the candle light vigil in Victoria Park by i-CABLE News because there were too many reports on June Fourth Massacre.

China controls press freedom and extends to Hong Kong

Bruce opined that under the leadership of new President of China Xi Jin Pin, China had greater influence on Hong Kong press freedom. One of the reasons was that President Xi adopted a stricter approach on controlling ideology and press freedom than previous presidents. Regarding ideology control, President Xi revealed to government officials internally that the fall of Soviet Union was due to slackness of ideology, so he was always worried about the fall of China Communist Party and China. He also issued the "Seven Don't Mention" order, which stated universal values, press freedom, civil society, civil rights, the

historical mistakes of China Community Party, Bourgeois elites and judicial independence could not be discussed in University. Besides, he regarded ideology work as extremely important and emphasized struggle of public opinion in national propaganda and ideology work meeting on 19 August. Bruce opined the ideology work became a high priority after Mao Ze Dong's era. Whenever China thought it affected national security, China would firmly grasp the initiative in public opinion. Afterwards, the government of China took a hard-handed approach to purging internet opinion leaders, intellectuals and dissidents. The charges changed from "inciting subversion of state power" [1] to "disruption of public order", "fabricating rumors", economic crimes and "creating disturbances, thus disrupting public order" etc. WeiBo was a lot quieter than before. Netizens dared not speak.

As for press freedom in China, Bruce said journalists were required to pass the exam on the Marxist view of journalism to be granted the journalist's license issued by the government since 2013. China occasionally arrested journalists or stopped them from interviewing and investigating by transferring the journalists to other job positions. For example, Luo Chang Ping, a journalist who lodged a "real-name report" [2] about the bribery of Liu Tian Nan, the deputy minister of the National Development and Reform Commission, was transferred from his post as deputy editor to research work. Liu Hu, a journalist who lodged a "real-name report" about the bribery of Ma Zheng Qi, deputy minister of the National Industry and Commercial Headquarters, was charged with defamation and "creating disturbances, thus disrupting public order" etc.

Bruce deduced that the above background influenced President Xi's government and it was worried that Mainlanders would have an ideology impact threatening sovereignty and national security after reading Hong Kong news including the anti-locust campaign, trespass of military camp, Occupy Central campaign and Occupy Taiwan Legislative Yuan because of Anti-Cross-Strait Service Trade Agreement. Furthermore, China found it more difficult to govern Hong Kong than imagined and blamed Hong Kong media for "adding oil to the fire". Bruce further opined that some China officials for social stability would prefer exaggerating Hong Kong's situation in order to get more funding and to justify their roles. Therefore President Xi's government strengthened social control of Hong Kong's media.

INTERVIEW: CHINA'S INFLUENCE ON HONG KONG PRESS FREEDOM BRUCE LUI

Economy dominance and Press Freedom Gives Way

Reporters Without Borders stated in 2014 in a World Press Freedom Index Report that "China's growing economic weight is allowing it to extend its influence over the media in Hong Kong, Macau and Taiwan" and "media independence is now in jeopardy". Bruce explained China had designated people to meet and contact by phone high ranking staff of the media to explain China's situation. For example, they reminded the Hong Kong media that only good news should be reported during the Beijing Olympics and Shanghai World Expo. Chinese officials always spoke in a way of instruction and exhortation to show their authority and superiority. If the media was obedient, interviews, exclusive news reports, official news or being invited to ask questions in press conferences would be given. If the media was disobedient, there would be inconvenience during application for reporter accreditation, less chance of interviews and even an impact on the company's business.

Bruce suggested that when China appointed officials to the Liaison Office of the Central People's Government in Hong Kong, there were signs showing that it was related to "united front" in Hong Kong media. For example, Yang Jiang Lai, current deputy director of Liaison Office, was from Southern Media Group in Guang Dong. He handled the 2013 Southern Weekend New Year message incident. [3] He was familiar with media and had experience of suppressing press freedom.

Bruce gave us some examples. Regarding the political aspect, the first people Wang Guang Ya, Director of the Hong Kong and Macau Affairs Office, met was Robert Kuok's daughter, when Robert Kuok was the boss of South China Morning Post (SCMP). SCMP was then criticized as pro-Beijing. For example, current chief editor was once the member of the People's Political Consultative Conference in Ji Lin Province. SCMP was also criticized for self-censorship on news reports regarding Li Wang Yang's death. The influence was interactive. Concerning the economic aspect, advertisements were withdrawn from Apple Daily and am730 possibly because of their editorial policy. The corporation business of the news agency would be affected. The means were subtle. The Liaison Office pressured the high and middle ranking staff and frontline reporters in obvious ways while adopting clever means for pressuring the boss.

The role of Hong Kong media for China and Macau

Bruce said despite the shrinking of freedom of speech in Hong Kong, the Hong Kong media was still able to report the truth including human rights issues in China, the Bo Xi Lai case, investigation of the leaders' families' property, June Fourth Massacre and ethnic issues etc. However regarding the media in China, they had many restrictions including standardizing the tone and articles for the

media and journalistic activities being suppressed by the China government. Examples included the anti-PX chemical factory in Mao Ming, Guang Dong and Wenzhou train collision. The media in China could only report issues regarding livelihood, environmental issues and the economy. They could not discuss the actual social issues. As for Macau, media was harmonized and did not dare to touch on China issues. The situation was similar to China and journalists found it relatively hard to monitor government officials and privileged people. In this case, the chance of rights infringements of citizens would increase.

Grey prospect of Hong Kong Press Freedom and requires Citizens' alert

Bruce thought the future of Hong Kong Press Freedom would be grey. The power of Chinese authority was expanding. Even when Chinese authority was less powerful, it already interfered with Hong Kong Press Freedom. It would only meddle in Hong Kong affairs to a greater extent when it was rich and powerful. He hoped the frontline reporters would stand firm and continue with in-depth and solid news reports. He also hoped the high and middle ranking media officials would firmly abide by the values of journalism.

Internet-based media could monitor mainstream media and could produce objective and true reports and commentaries. And we as readers, if we noticed the deterioration of the media, should voice our views because public pressure would bring changes. In the long run, funding should be established for sponsoring journalists to work on in-depth investigations, reports and documentaries. The funding should come from independent sources with open mechanism and criteria. The work of journalists should not be interfered with by funding agencies and interests.

The Chinese Communist Party will celebrate its centennial anniversary in 2021 and its power will reach a peak. Freedom in Hong Kong would be more restricted. National security and sovereignty were the top principles for China and it would do everything for that end. Hong Kong citizens should be more alert.

Footnotes:

[1] Section 105 of the Criminal Law of the People's Republic of China

[2] "Real-name report" means the reporters reported the violations of discipline and laws by the government officials to the disciplinary monitoring institutions in real name and contact.

[3] According to 2013 Southern Weekend incident, Tuo Zhen, the director of Propaganda Department of Guangdong Province was alleged to modify the New Year speech by the Southern Weekend. Reporters from Southern Weekend struggled against the incident.

INCIDENT**2003**

/ The government introduced a law to give effect to Article 23 of the Basic Law. However, the bill would undermine freedom of expression, press and association etc as its definitions were broad and vague, and there were no defence provisions on public interests and prior publication. It triggered the 1 July parade with 500,000 demonstrators. Later the government withdrew the bill.

/ The license of Commercial Radio Hong Kong (CRHK) was renewed. The then hosts Albert Cheng Jin Han and Raymond Wong Yuk-man were suspected to be forced to quit their radio programmes the following year.

2006

/ The United Nations Human Rights Committee expressed concerns about intimidation against and harassment of journalists and media personnel in its concluding observations on Hong Kong.

2009

/ The government decided to maintain Radio Television Hong Kong (RTHK) as a government department and provided public broadcasting. This decision was questioned as a violation of the UN definition of a public broadcasting service provider, which should be independent from government and free from political intervention.

2011

/ When the police was clearing the scene of 1 July parade at night, an intern journalist from New Tang Dynasty News was treated by police as a protestor and was arrested.

/ Freedom of press and expression was strictly controlled when Li Ke Qiang, the then vice-premier visited Hong Kong. Such control included a remote press area, detailed searching of journalists' wallets, prevention of journalists' filming by the police, restriction on news coverage and official videos provided by Information Services Department. Andy Tsang Wai Hung, the Commissioner of Police referred to a "black shadow" to explain the blocking of camera by the police in a Legislative Council meeting, which triggered public criticism.

/ Roy Tang Yun Kwong, a government official, was appointed into RTHK as the Director of Broadcasting. Afterwards, the contracts of phone-in programme hosts with strong standpoints Sam Ng Chi Sum and Robert Chow Yung were suddenly not renewed. The RTHK justified such changes as programme reform, but it made the public worry about undermining freedom of expression and mediocre programme as well as opinions.

/ The Hong Kong government conducted public consultations on stalking law. However the definitions in the proposed legislation were broad and could be abused easily. There were public worries about suppression of freedom of press, expression and assembly.

2012

/ The rank of World Press Freedom Index on Hong Kong, published by Reporters Without Borders, sharply decreased by 20, from 34 to 54.

/ A scuffle broke out between former Apple Daily's photographer Gary Sing and a security guard, when Sing was working at the government headquarters. Sing was charged with common assault, and was finally acquitted after nearly two years of litigation.

/ China's President Hu Jin Tao visited Hong Kong. Rex Hon, Apple Daily's reporter asked "Hong Kong citizens wished to vindicate the June Fourth Massacre, can you hear?" from behind a press line, and was immediately forcibly removed by police.

2013

/ The government amended the subsidiary legislation of the Companies Ordinance, which would deny public access to personal information of

**HONG KONG
PRESS FREEDOM INCIDENTS**

company directors such as ID card numbers and addresses. Hence the public was unable to verify the identity of company directors, which would suppress freedom of press and information, and violate public interests and rights to know. Later, the government shelved these legislative proposals.

/ The Chief Executive CY Leung issued a solicitor's letter to The Economic Journal and Joseph Lian Yi Zheng in his own capacity, claiming that Joseph Lian Yi Zheng article defamed him, and requesting the newspaper to retract the article and to make an apology. The public was concerned about the chilling effect of the issue and hindering of public discussion.

/ The UN Human Rights Committee expressed concerns about arrests, assaults and harassment of journalists again in its concluding observations on Hong Kong.

/ Although the Communication Authority assessed that 3 free TV license applications had fulfilled the licensing requirements, the Chief Executive in Council decided not to approve the application of HKTV and refused to provide an explanation by adhering to confidential system. This raised public concern over "rule by the people", lack of transparency and suppression of freedom of expression.

2014

/ Ming Pao suddenly removed its Chief Editor Kevin Lau Chun To, and replaced him with Chong Tien-siong, a Malaysian-Chinese and former chief editor of Malaysia's Nanyang Siang Pau. Ming Pao's staff, academics and the public questioned the decision of Ming Pao as self-censorship and suppression of editorial independence and press freedom.

/ Chinese companies and property developers pulled ads from Apple Daily and am730, probably because of their editorial stances.

/ After adjustment on its programmes, the CRHK suddenly sacked its host Li Wei-ling, who was prominent for her critical stance. This raised the public concern that it was related to CRHK's license renewal.

/ The World Press Freedom Index on Hong Kong decreased to 61. Reporters Without Borders stated that the impacts of China's economy were extended to the media in Hong Kong, Macau and Taiwan, which would undermine the independence of the media.

LIST OF JOURNALISTS AND MEDIA PERSONNEL BEING ASSAULTED**1998**

/ Commercial Radio Hong Kong (CRHK)'s programme host Albert Cheng Jin Han was attacked and suffered 8 slashes.

2012

/ Property at the offices of Hong Kong In-media and Sing Tao News Corporation were damaged.

2013

/ Chang Ping, the founder of iSun Affairs was beaten.

/ The front gate of the residence of Apple Daily founder Jimmy Lai was damaged by a vehicle.

/ The vehicle of am730 founder Shih Wing Ching was damaged.

2014

/ Former Ming Pao Chief Editor Kevin Lau Chun To was attacked and suffered 6 slashes. The attack raised international attention. Thousands of Hongkongers protested against violent attacks and called for the protection of press freedom.

/ Executives of The Hong Kong Morning News Lam Kin Ming and Lei Lun Han were assaulted by men with iron bars.

Photo Credit: Escape.hk

GOOD NEWS

TUNISIA: JABEUR MEJRI IS FREE

Jabeur Mejri, a Tunisian blogger, has been accused of expressing views online that were deemed offensive to Islam. He was jailed in with a sentence of over 7 years. In our annual Letter Writing Marathon 2013, at least 145,000 messages were sent to the Tunisian president and 3965 solidarity letters sent to Jabeur himself. He was then released on 4 March.



JAPAN: HAKAMADA IWAO IS RELEASED ON BAIL

Iwao Hakamada, 78, was temporarily released on 28 March in Japan, after the Shizuoka District Court granted his latest request for a retrial at a hearing earlier today. He had been on death row for 46 years.

Amnesty International members worldwide have been campaigning on his behalf since 2006, demanding stay of execution and granting a retrial of his case.

UKRAINE: 3 ACTIVISTS HAVE BEEN RELEASED

Activists Oleksiy Gritsenko, Sergiy Suprun and Natalya Lukyanchenko were in Crimea in early March. They were detained by military officers who were not wearing any identifying insignia. A few days later, Natalya was released while the remaining activists were freed on the morning of 20 March.

MOZAMBIQUE: PARLIAMENT STRUCK OUT LEGAL PROTECTION OF RAPISTS

The parliamentary Legal, Human Rights and Constitutional Affairs Commission have publicly announced to strike down the proposed law which would have enabled rapists to escape prosecution by marrying their victims.

YEMEN: DEATH SENTENCE OVERTURNED, RETRIAL AHEAD

The Yemeni Supreme Court overturned former security guard Ahmed Omar alAbbadi alMarkashi's murder conviction and death sentence, citing numerous irregularities in investigations and trial proceedings. The Court has returned the case to the Court of Appeal.

Ahmed was engaged in gunfire with a group of men and killed one of the attackers in self-defense. He was sentenced to death for murder in June 2010. The Court of Appeal upheld his death sentence in June 2011, even though neither he nor his lawyer were told in advance of the appeal session, and were not present when it was held.

THIS IS YOUR PAGE: CHING CHEONG

Why do you support Amnesty International?

Amnesty International gives helpless people hope. The helplessness I am referring to is not of a physical sense as there are many charities that assist people with physical disabilities. The helplessness I am referring to is in a political sense where people who are not able to voice out their opinion and there is no one there who can help them. Hence, Amnesty International's presence provides hope and assistance to people who are in a politically helpless state.

What do you think the candle that represents Amnesty International stands for?

The candle represents a wish and to wish for well-being. The barbed wire around it represents people who are in jail and that these are the very people who need us to remember them in our wishes.

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

I believe that my personal actions can raise awareness amongst the people around me and I hope that they will understand the importance of these actions. If they agree that my actions are worthwhile, they will naturally follow. As such, I believe that it is more effective to set an example rather than to directly persuade people to support human rights.

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

I would naturally wish that there will always be press freedom. Press freedom is the basis for all protection because legislation cannot protect us against all forms of human rights abuses. Yet, the existence of press freedom can expose any abuse to truly provide protection. For example in Hong Kong, although we do not have democracy in the electoral system, our order has not totally failed as we have press freedom to make up for the deficiencies in our lack of democracy.

How do you see the future of Hong Kong's press freedom?

We do not have to look into the future to find changes in press freedom. Our press freedom is deteriorating now. Even two prominent figures in our judicial field, Andrew Li and Wong Yan Lung, who have always kept a low profile and rarely make political comments, have spoken up against our failing press freedom. From this you can see for certain how serious the situation has become.

LOCAL HAPPENINGS



NAME

Ching Cheong

OCCUPATION

Commentator

YEARS WITH US

since the 70s

Human Rights Press Awards

The 18th Human Rights Press Awards, co-organized by the Foreign Correspondents' Club, Hong Kong, the Hong Kong Journalists Association and Amnesty International Hong Kong, presented an award ceremony on 6 April at the Foreign Correspondents' Club.

The organizing committee is proud to have had Prof. Xiao Qiang, founder and editor-in-chief of China Digital Times, as our distinguished guest speaker. Professor Xiao, who is at the University of California, Berkeley, spoke on "Telling Truth to The Rising Power", sharing his views on the Great Firewall of China, and his research into state censorship and activism in China's cyberspace.

A total of 474 entries were received for the 2013 Awards, the highest total since the awards began in 1996. In all, there were 19 Awards and 48 Merit Certificates. The stories entered covered issues not only in Hong Kong, but ranging across the entire Asian and South Asian regions.



AIHK ONLINE SHOP

CHEN GUANG-CHENG TOTE BAG (HK\$100)

Chen Guang-cheng is a blind Chinese lawyer and human rights activist. He was convicted of "disturbing public order" and was imprisoned for 4 years. Over the years, Chen and his family had been intimidated, harassed and even attacked violently by the Chinese authorities. He eventually escaped from house arrest in April 2012, and in May, arrived in the USA and became a visiting scholar at New York University.

"Fairness and justice know no borders" is a line from Chen Guang-cheng's public speech at New York University in May 2012.

Size: 36cm x 30cm

SIGG WATER BOTTLE (HK\$260)

Bright yellow with our Candle & Barbed Wire Logo on one side and our name on the other, our Sigg water bottle is an easy way to show your support for human rights.. The inside of the bottle is lined with Sigg's EcoCare liner, which is made from BPA-free and phthalate-free ingredients. 100% leak proof means it is the gear you must have for your outdoor activities!

Size: 22cm (Height), 7cm (Diameter)

Volume: 0.6L



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AI REPORT ON DEATH SENTENCES AND EXECUTIONS 2013

DEATH PENALTY FACTS & FIGURES 2013

778 people were executed

almost **80%** of them were in

IRAN / IRAQ / SAUDI ARABIA



these stats don't include

CHINA

which executed **THOUSANDS**

more than **THE REST OF THE WORLD** put together

The actual number is a

STATE SECRET

TOP FIVE EXECUTIONERS



ALMOST **HALF** OF ALL COUNTRIES HAVE NOW TOTALLY **ABOLISHED** THE DEATH PENALTY

AMNESTY INTERNATIONAL OPPOSES THE DEATH PENALTY IN ALL CIRCUMSTANCES BECAUSE IT VIOLATES THE RIGHT TO LIFE AND IS THE ULTIMATE CRUEL, INHUMAN AND DEGRADING PUNISHMENT

Amnesty International published the Global Annual Report on Death Sentences and Executions in 2013 in March 2014. China tops the list with its public execution of death row inmates, the total number being higher than the aggregate of all other countries globally.

GLOBAL SITUATION OF DEATH SENTENCES REGARDING HONG KONG CITIZENS

Amnesty International Hong Kong has also conducted an investigation into the situation of death sentences and executions in China, Asia and Middle East countries. In China, in the 10 years between 2003 and June 2013, a conservative estimate is that at least 75 Hong Kong citizens were sentenced to death, received a deferred death sentence, or were executed. At least 28 Hong Kong citizens were executed by the Chinese government. During the same period, 5 Hong Kong citizens were sentenced to death in Thailand, Vietnam and Malaysia respectively due to drug trafficking.

Most death sentences regarding Hong Kong citizens abroad relate to drug-trafficking. However, the United Nations Commission on Human Rights has already confirmed that "drug trafficking-related crimes" do not belong to the category of "the most serious crimes" where a death sentence can be imposed (Paragraph 51 of A/HRC/4/20, 29 January 2007). The United Nations General Assembly has on various occasions passed resolutions regarding the "suspension of the use of death penalty", urging countries to impose a moratorium on the death penalty, and to ultimately abolish the use of it.

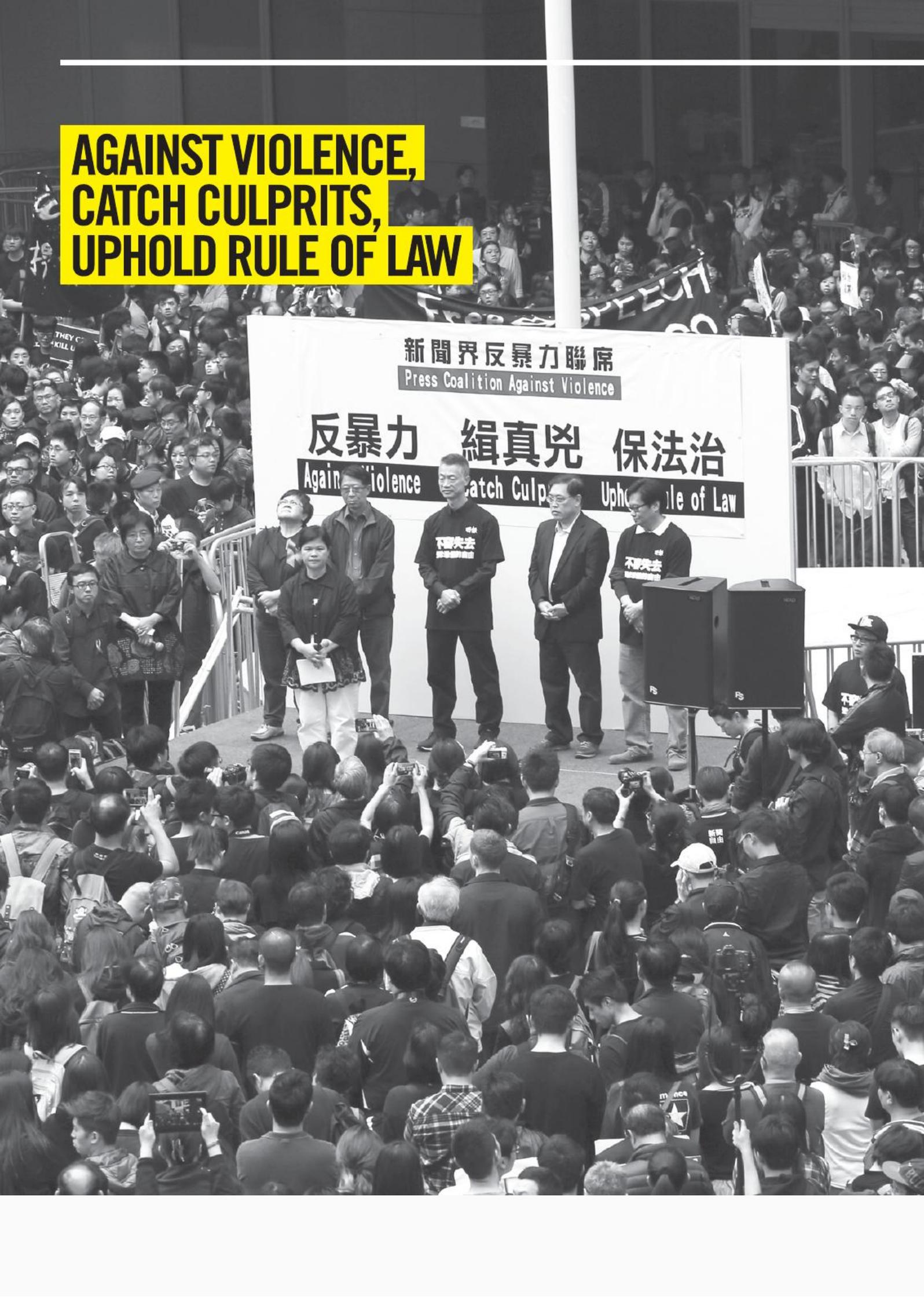
Amnesty International Hong Kong also believes that various government departments in Hong Kong have not provided appropriate services to the family members of death row inmates abroad who are Hong Kong citizens. The Hong Kong government has "outsourced" the responsibility to take care of such death row inmates to the local Chinese consulate, and regarded their assistance satisfactory complemented by the provision by the Consulate staff of a list of lawyers that can speak Chinese. Such an approach is an ignorance of the right to life of Hong Kong citizens.

ASIAN COUNTRIES RESUMING THE EXECUTION OF DEATH PENALTY, TURNING BACK THE CLOCK

The Report discovers that the number of executed death row inmates in Asia and Middle East regions is much higher than in other continents. At the same time, the number of countries that have executed death row inmates in 2013 was reduced from the year before. However, while the global trend is towards the abolition of the death penalty, Vietnam and Indonesia in Asia are going in the other direction and resuming execution of death row inmates.

Amnesty International opposes the death penalty in all cases without exception. The Secretary General of Amnesty International Salil Shetty points out that certain countries such as Iran and Iraq have a shameful attitude towards the death penalty. Although these countries are turning back the clock on the path to the abolition of the death penalty, they have become a minority globally. Salil Shetty believes that these countries cannot completely sweep away their previous efforts to abolish the death penalty.

**AGAINST VIOLENCE,
CATCH CULPRITS,
UPHOLD RULE OF LAW**



新聞界反暴力聯席
Press Coalition Against Violence

反暴力 緝真兇 保法治
Against Violence Catch Culprits Uphold Rule of Law

不要失去
新聞自由

不要失去
新聞自由

反暴力 緝真兇 保法治



Photo Credit: Apple Daily 照片：香港蘋果日報

全球死刑報告

國際特赦組織於今年三月公布《二〇一三年全球死刑報告》，發現去年全球至少有七百七十八人遭處決，中國處決死囚人數繼續高據榜首，高於全球總和。

港人於世界各地被判處死刑的情況

國際特赦組織香港分會亦調查香港人於中國、亞洲及中東國家被判處死刑及處決的情況。在中國，過去十年保守估計至少有七十五名香港人因販毒、故意殺人、走私或逃稅等遭中國各級法院判刑，其中四十七人被判處死刑，有二十八人被判處死緩。最少有二十八人已遭處決，十九人生死未卜。此外，有五名港人分別於泰國、越南及馬來西亞因販毒被判死刑。

港人於境外被判死刑，多數與犯毒有關，曾遭到不公平審訊，包括嚴刑逼供及庭上僅獲有限度翻譯等。本會認為，香港政府並未為海外港人死囚家屬提供適切服務。港府將照顧海外港人死囚的責任「外判」予當地中國領事館，而領事館職員僅僅提供懂中文的律師聯絡名單，罔顧當事人的生存權。

亞洲國家重新執行死刑

二〇一三年處決死囚的國家少於二〇一二年，然而亞洲及中東地區處決死囚人數極高。在全球邁向廢除死刑的趨勢下，越南及印尼卻倒行逆施，重新執行死刑。

在中國、日本、馬來西亞、印度、印尼及越南，政府在執行處決前均無通知家屬和律師，違反國際人權標準。對於保留死刑的國家，對販毒或其他經濟犯罪判決死刑，有違聯合國「最嚴重罪行」才可考慮處死的國際人權標準。

國際特赦組織反對任何死刑。國際特赦組織秘書長 Salil Shetty 指部分國家如伊朗及伊拉克對死刑的態度可恥。雖然這些國家在廢死的道路上開歷史倒車，但畢竟已成少數，並不能將全球過去廢死的努力一掃而空。

死刑

事實與數據二〇一三

接近

778
人被處決

80%

來自

沙地阿拉伯
伊拉克
伊朗

全球頭5位劊子手

中國

伊朗

伊拉克

沙地阿拉伯

美國

中國
每年超過

1000

人被處決

但並不包括在778名全球數字內
數字遠超世界總和

實際數字

國家機密

接近半數國家已
全面廢除死刑



死刑違反生存權及是殘忍、不人道及有辱人格的懲罰。國際特赦組織反對任何情況下的死刑。這是國家對人類有預謀及冷血的殺害。

陳光誠布袋

(港幣一百元)

陳光誠為中國失明維權律師，曾被中國政府以「破壞公共財物罪和聚眾擾亂交通秩序罪」判處四年徒刑。陳光誠及其家人多年來被中國當局恐嚇、騷擾甚至暴力對待。他終於在二〇一二年四月逃離受到監視的住所，並於同年五月抵達美國，成為美國紐約大學訪問學者。

「公平正義是沒有國界的」一語出自陳光誠於二〇一二年五月在美國紐約大學首次公開演講。

尺寸：長三十六厘米，闊三十厘米

鳴謝：賣字 www.facebook.com/sellwords

SIGG水瓶

(港幣二百六十元)

來自瑞士的 SIGG 水瓶世界知名，其 EcoCare 內層不含 BPA 及塑化劑，通過安全檢測，證明不會釋出有害化學物質。百分百防漏，特別適合於戶外活動使用。

鮮黃色的水瓶印有國際特赦組織的英文名字及蠟燭標誌，設計簡約鮮明。更重要的是，購買此水瓶表達了您支持人權運動的態度。

大小：高二十二厘米，直徑七厘米

容量：六百毫升



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你的一頁：程翔專訪

你為甚麼會支持國際特赦組織？

國際特赦組織為無助的人提供希望。我所指的無助是政治層面的無助，而非身體殘障所引致的無助。因為身體殘障導致的無助，已有很多不同的慈善組織援助，但若是政治上的無助，就無人能協助他們，所以國際特赦組織的存在正正為這群人士提供協助和希望。

你認為國際特赦組織的蠟燭標誌代表甚麼？

蠟燭代表祈福，祈求幸福的事，而荊棘代表我們需要為在囚人士祈福。

你會如何遊說朋友加入我們的人權運動？

我會透過自己的行動令身邊的人潛移默化，希望他們會明白這些行動的重要性。假若他們認同我的行動有價值，自然會跟隨。我認為這種做法比起直接遊說更能有效引發他人支持人權工作。

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？

我必定會希望所有地方也能享有新聞自由，因為新聞自由是一切保障的根基。就算法律條文保障，也不能約束所有人權侵犯，但新聞自由卻能把侵權行為揭露眼前，並提供保護。以香港為例，當我們沒有一人一票的民主選舉時，運作也不會太過失序，是因為我們有新聞自由補救沒有民主的缺憾。

你認為香港新聞自由未來會有何變化？

我們不用說未來的變化，因為香港新聞自由現在已出現重大退化，連兩位司法界的顯赫人物李國能及黃仁龍，雖然向來為人低調，甚少作出任何政治評論，也要站出來就新聞自由問題發言，足以證明當下情況是如何危急。



人權新聞獎

由國際特赦組織香港分會、香港記者協會及香港外國記者會聯合主辦的第十八屆人權新聞獎，於四月六日假香港外國記者會舉行頒獎禮。

主辦機構邀請中國數字時代創辦人及總編輯蕭強來港，為人權新聞獎頒獎禮致詞。蕭教授以「Telling Truth to The Rising Power」為題，表達他對中國網絡封鎖及網絡社會行動的見解及分析。

本年度新聞獎共收到四百七十四份參賽作品，數量為歷屆之冠。而大會合共頒發了十九個大獎及四十八個優異獎，表揚報導香港、東亞、東南亞及南亞地區人權議題的出色新聞工作者。

本地迴響

好消息

突尼西亞·Jabeur Mejeri 獲釋

突尼西亞博客 Jabeur Mejeri 被控於網誌褻瀆伊斯蘭教，並於二〇一二年被判監禁逾七年。國際特赦組織於二〇一三年發起「寫信馬拉松」，全球分會支持者向突尼西亞總統發出最少十四萬道呼籲，要求立即無條件釋放 Jabeur，並向 Jabeur 送上近四千封鼓勵郵件。Jabeur 於今年三月四日提早獲釋。

日本：袴田巖出獄等候重審

全球服刑最久的日本死囚袴田巖，度過近四十六年年獄生涯後，日本靜岡法院今年三月決定重審此案，並批准七十八歲的袴田巖離開監獄候審。國際特赦組織自二〇〇六年起為袴田巖發聲，聯同全球會員及支持者，要求日本政府停止執行死刑，重新調查袴田巖案。



烏克蘭：三名行動者獲釋

行動者 Oleksiy Gritsenko、Sergiy Suprun 及 Natalya Lukyanchenko 於二月前往克里米亞，遭不知名武裝分子拘留。數日後 Natalya 獲釋，而其餘兩名行動者亦稍後於克里米亞自治區邊境小村獲釋。

莫桑比克：國會撤回強姦罪行免責立法

今年三月，莫桑比克國會法律、人權及憲制事務委員會撤回容許強姦犯透過迎娶受害人換取赦免刑責的建議草案。

也門：最高法院駁回死刑判決，發還重審

在保安員 Ahmed Omar al-Abbadi al-Markashi 涉嫌殺人一案，也門最高法院裁定案件調查及審訊期間有多處違規，發還上訴庭重審。Ahmed 原為保安員，二〇〇八年與持槍匪徒駁火期間因自衛殺人被捕。他於二〇一〇年被判處死刑，翌年上訴庭在沒有通知他或代表律師出席聆訊之下維持原判。

香港新聞自由大事表

事件

二〇〇三年

／政府就《基本法》第二十三條國家安全立法，然而草案定義廣泛含混，亦無公眾利益及事前刊登等免責辯護，損害言論、新聞及結社等自由，導致七一回歸紀念日五十萬人上街抗議，其後政府撤回草案。

／商台續牌。翌年，時任主持鄭經翰及黃毓民疑受壓，相繼封咪。

二〇〇六年

／聯合國人權事務委員會於香港實施《公民權利和政治權利國際公約》的審議結論之中，表示關注新聞工作者遭恐嚇和騷擾。

二〇〇九年

／政府決定保留香港電台為政府部門，提供公共廣播，遭質疑有違聯合國公共廣播定義，即公共廣播機構獨立於政府，不受政治干預。

二〇一一年

／七月一日遊行當晚，新唐人實習記者採訪警方清場期間，遭警方當作示威者拘捕。

／國務院副總理李克強訪港期間，當局嚴控新聞及表達自由，包括採訪區偏遠、警員逐格搜查記者銀包、警員阻止記者拍攝、限制新聞採訪改由新聞處發放官方片段等。警務處處長曾偉雄在立法會以黑影論解釋警員遮擋鏡頭，引起公眾批評。

／政務官鄧忍光空降香港電台，出任廣播處長。其後，立場鮮明的「烽煙」（接聽聽眾來電）節目主持吳志森及周融突然不獲續約，港台解釋是節目改革，但令人擔心損害言論自由，使節目意見趨向平庸化。

／香港政府就續撥法舉行公眾諮詢，然而定義廣泛，偏僻當初立法保護婦女被騷擾的原意，易被濫用，如同港版尋釁滋事罪，令人憂慮打壓新聞、表達及集會自由。

二〇一二年

／香港於無國界記者全球新聞自由指數榜上急跌二十名次，由第三十四位跌至第五十四位。

／《蘋果日報》前攝影記者成啟聰於新政府總部採訪時與保安員碰撞，遭檢控普通襲擊罪，纏訟近兩年，最終無罪釋放。

／國家主席胡錦濤訪港，《蘋果日報》記者韓耀庭於記者區提問「香港人希望平反六四，你聽到嗎？」，隨即遭便衣警員強行帶走。

二〇一三年

／政府修訂《公司條例》附例，禁止公眾查閱公司董事個人資料如身份證號碼和住址，令公眾無法核實公司董事身份，有損新聞及資訊自由，亦有違公眾利益及知情權。其後政府暫緩規定。

／特首梁振英以個人名義向《信報》及練乙錚發律師信，指練乙錚評論文章涉誹謗，要求收回言論及道歉，令人憂慮形成寒蟬效應，窒礙公共討論空間。

／聯合國人權事務委員會於香港實施《公約》的審議結論之中，再次關注香港新聞自由情況，包括逮捕、襲擊和騷擾記者。

／通訊局認為三個免費電視牌照申請均符合資格，然而，特首及行政會議拒絕發牌予香港電視，並以行政會議保密為由拒絕交代原因，公眾質疑人治、黑箱作業及損害言論自由。

二〇一四年

／《明報》突然撤換總編輯，改由曾任《南洋商報》總編的馬來西亞華人鍾天祥接任，員工、學者及公眾質疑《明報》自我審查，有損編輯自主及新聞自由。

／《am730》及《蘋果日報》疑因編採立場，分別遭中資機構及地產商抽走廣告。

／繼節目調動，商台突然解僱以針砭時弊見稱的節目主持李慧玲，令人懷疑與續牌有關。

／香港於世界新聞自由排名榜跌至第六十一位。無國界記者報告指中國經濟影響延伸至香港、澳門及台灣傳媒，損害新聞獨立。

新聞工作者及傳媒遇襲事件

一九九八年

《商台》時事節目主持人鄭經翰遇襲，身中八刀。

二〇一二年

香港獨立媒體及星島集團辦公室遭刑事毀壞。

二〇一三年

《陽光時務週刊》創辦人陳平，遭人用木棍扑頭。

《蘋果日報》創辦人黎智英住宅大閘遭車輛撞毀，並於閘外留下利器。

《am730》創辦人施永青座駕遭刑事毀壞。

二〇一四年

《明報》前總編輯劉進圖遇襲，身中六刀，引起國際關注。萬名港人上街反暴力襲擊，捍衛新聞自由。

《香港晨報》兩名高層利婉嫻及林健明遭人持鐵棒襲擊。

中國對香港新聞自由的影響

經濟掛帥，新聞自由讓路

無國界記者於二〇一四年報告指「中國經濟影響延伸至香港、澳門及台灣傳媒，損害傳媒獨立」。呂秉權闡釋，中央有專人與傳媒高層會面、用膳及電話聯絡，解釋大陸情況，譬如提醒於北京奧運或世博只可報喜事，而官員每每亦以訓示或指令的態度來表現官威，「聽話」則給予採訪便利、獨家新聞、官方消息或在官方新聞活動獲「抽中」問題等。若「不聽話」，小則申請記者採訪證時受到刁難或少了採訪機會，大則影響集團生意。

呂秉權亦指中央政府委任中聯辦官員時，有跡象顯示可能與統戰香港傳媒有關。譬如中聯辦副主任楊健來，他來自廣東南方報業集團，曾處理《南方周末》新年特刊事件^[1]。熟悉傳媒生態，有打壓新聞經驗。

呂秉權列舉具體事例，在政治上，如港澳辦主任王光亞上任後，首先接見的是《南華早報》老闆郭鶴年之女郭惠光。其後《南華早報》被指親中央政府，如現時總編輯王向偉曾是中國吉林省人民政治協商會議委員（政協），《南華早報》亦曾遭批評自我審查敏感報導^[2]以簡訊報導李旺陽死訊^[3]，可見是互動影響。經濟上，譬如《蘋果日報》及《am730》疑因編採方針而遭客戶抽走廣告，或影響集團的大陸生意，手法不言而喻。中聯辦統戰傳媒，對管理層、中層及前線記者是赤裸裸施壓，對老闆則施以經濟手段。

香港傳媒對於中國大陸及澳門的角色

呂秉權認為雖然目前香港言論空間收窄了，香港傳媒相對仍可報導真相，譬如報導中國人權問題、薄熙來案、領導人家族財產調查、六四及民族問題等，香港傳媒可較自由派人採訪及報導，反之，大陸傳媒不時受到制肘，中央要求統一口徑，打壓地方傳媒派人採訪。譬如最近廣東茂

名市民示威反對興建PX化工廠或溫州動車事件。大陸傳媒只可報導民生、環保及經濟，而不能如實探討社會問題。至於澳門，傳媒很「和諧」，不敢觸碰大陸問題，情況與大陸傳媒相似，記者難以監督權貴，無從履行傳媒第四權的新聞天職。香港是最後陣地，可為澳門填補空白。如果連香港也失守，不再報導真相及監督政府，權貴可更肆無忌憚，小市民遭受侵權的機會增加，利益更為受損。

香港新聞自由前景黯淡，市民要警覺

呂秉權表示香港新聞自由的未來難以樂觀。中共政權勢力一直膨脹，以前未達顛峰已對香港有所作為，現在有錢有權，恐怕只會更甚。他又認為前線記者必須堅持，繼續作深度和扎實的報導。再者，傳媒高層及中層應謹記當初入行的理想，恪守新聞價值。現時網絡媒體興起，可以此監督主流傳媒，並如實報導和評論。另外，身為讀者，若發現傳媒變質，可多發聲，公眾的輿論壓力能帶來影響。長遠來說，他認為必須成立基金，讓記者可申請資助，用作調查或專題報導或拍攝紀錄片的經費，基金必須獨立，有公開評審機制及準則，而且確保記者的報導並不受基金機構約束或利益影響。二〇二一年將是中共建黨百周年，權力膨脹將到達頂點，香港情況可能會更緊縮。中央以捍衛國家安全及主權作為國家首要原則，並可藉此做任何事。如此，香港人更要警覺和掙扎。

註釋

[1] 《中華人民共和國刑法》第一百〇五條訂明「組織、策劃、實施顛覆國家政權、推翻社會主義制度的，對首要分子或者罪行重大的，處無期徒刑或者十年以上有期徒刑；對積極參加的，處三年以上十年以下有期徒刑；對其他參加的，處三年以下有期徒刑、拘役、管制或者剝奪政治權利。以造謠、誹謗或者其他方式煽動顛覆國家政權、推翻社會主義制度的，處五年以下有期徒刑、拘役、管制或者剝奪政治權利；首要分子或者罪行重大的，處五年以上有期徒刑。」

[2] 「實名舉報制度，即指舉報人使用真實姓名及聯絡，向紀檢監察機關舉報官員違紀違法的行為。」

[3] 二〇一三年《南方周末》新年特刊事件中，廣東省委宣傳部長虞震被指大幅修改《南方周末》的新年致辭，引起編採人員抗議。



為了解中國大陸對香港新聞自由的影響，我們請來資深中國新聞工作者呂秉權與讀者分享精確分析。

政治審查及受壓的親身體驗

呂秉權以往跑中國新聞時，也曾遇到審查。首先在任職無綫電視時，於二〇〇四年採訪廣東禽流感疫情，時任廣東省常務副省長鍾陽勝指「雞死不一定是禽流感，可以跳樓死，可以撞車死」。報導播出後，廣東官員施壓要求公司停播該片段，公司最終在稍後新聞時段抽起了有關鍾陽勝的報導。然後，二〇〇五年趙紫陽逝世，採訪人員由兩隊撤至一隊，公司並指示不用採訪趙紫陽逝世至葬禮期間的新聞，因為不會報導。後來呂秉權轉職到有線電視，於二〇〇九年六四事件二十周年後，與中國國務院新聞辦公室六局一位副署長會面，副署長要求有線電視減少或不播播放維園六四燭光晚會情況，因為「報導太多太刺眼」。

中國中央政府控制新聞自由，延伸至香港

呂秉權認為自從中國政權交接，新任國家主席習近平上任以來，大陸對香港新聞自由有較強影響。其中背景是習近平對於控制意識形態及新聞自由，比前任領導人採取更高壓的手段。在意識形態方面，習近平曾向政府內部表示前蘇聯倒台是因為意識形態鬆懈，所以經常擔心「亡黨亡國」。他還在二〇一三年四月發出「七不講」禁令，反對討論普世價值、新聞自由、公民社會、公民權利、中國共產黨的歷史錯誤、權貴資產階

級及司法獨立。此外，他在八一九全國宣傳思想工作會議中，將意識形態工作視為極端重要，著重與論鬥爭。呂秉權認為「是毛澤東後鮮有高度」，「凡是中央認為影響國家安全，就要『敢於亮劍』『搶奪陣地』」。

其後，中國中央政府高壓整肅網絡意見領袖、知識分子及異見人士。罪名由以前「煽動顛覆國家政權罪」，「改至現在『聚眾擾亂公共場所秩序罪』（如許志永）、『造謠』、『經濟犯罪』及『尋釁滋事罪』等。微博比以前寂靜，網民更不敢言。」

至於大陸新聞自由，呂秉權指自二〇一三年起，中央要求記者參加馬克思主義新聞觀考試，記者需要取得政治思想合格才可獲批記者證。當局間中逮捕記者，或以降職令記者無法繼續調查，譬如記者羅昌平疑因實名舉報「國家發改委副主任劉鐵男涉貪而遭調職，記者劉虎因實名舉報國家工商總局副局長馬正其等而遭起訴『誹謗』及『尋釁滋事罪』等。」

呂秉權分析由於以上背景影響習近平政府，唯恐大陸人民看到香港新聞會衝擊其意識形態及國家主權安全，譬如在香港的反蝗行動、鬧軍營、佔領中環或台灣服貿佔領立法院等。另外，中央發現香港比想像中更難管治，故此亦歸咎於香港傳媒「火上加油」。呂秉權進一步分析，擔任維穩工作的大陸官員，為了可獲更多維穩費，有部分人會傾向誇大香港情況，以證明其存在價值，凡此種種刺激習近平政府加強監控香港傳媒。

中國對香港新聞自由的影響

受訪者：呂秉權（香港浸會大學新聞系客席高級講師、有線電視前中國組首席記者、無綫電視（香港電視廣播有限公司）前高級記者及主播）

香港新聞自由概況

問 就香港近年新聞自由政策而言，譬如警方消防資訊數碼化、纏擾法擬立法、限制公司查冊、欠法定獨立公共廣播等，你有何評論？

答 政府一連串政策告訴我們，如果政府不是處心積慮，就是本能反應，對任何可令社會更開放的措施及對自由態度並不友善。例如香港電台，向它提供更多資源，可用於發展節目或增加向公眾發放資訊的渠道，而內容不一定偏激或批判，但只要政府覺得有可能不利施政，便對其施壓。又如免費電視發牌，根本沒有理由長期限制只有兩個免費電視牌照，尤其其中一個免費電視台不濟，以至出現一台獨大壟斷局面。政府懷理亞洲電視（亞視），不顧香港市民利益，只因亞視對政府毫無威脅。這樣對政府並無好處，並窒礙市民接收資訊的權利。其中一個較為合理的解釋，就是政府恐懼任何令資訊更開放更多元化的措施。

問 民間社會一直在爭取檔案法及資訊自由法。你有甚麼意見？

答 聯合國人權事務委員會於第三十四號《一般性意見》訂明政府有責任讓傳媒和市民得到所需資訊，並指新聞自由不單是不干預，政府亦須發放資訊，充實言論自由內容，因此政府不能一邊容許自由採訪，另一邊拒絕發放資訊。資訊自由是新聞自由不可或缺的一部分。檔案法亦是資訊自由的一部分，確保過去政府公務有清楚記錄，並有序地公開，有利公眾監察，有助政府建立良好管治、施政透明及問責。

資訊自由法及檔案法兩者配合，可令政府公開現有及過去施政所涉及的資料（唯牽涉商業秘密或公眾利益者除外），讓公眾及傳媒更有效監察政府，亦讓公眾有條件參與公共討論，因為資料和分析是理性討論的基礎。由此可見，資訊自由不僅保障市民知情權，亦有助政府變得開放，帶來民主政治實踐。

問 你認為香港傳媒對中國大陸及澳門有何角色？

答 香港傳媒是監察大陸實際情況的重要窗口。無論文化大革命還是八九六四，大陸愈禁止報導，外界愈需要了解。而近年大陸維權運動只能通過境外傳媒報導，當中外國傳媒報導大陸新聞的比重少於香港。

雖然大陸宣傳機器強大，利用輿論引導採訪，但是香港傳媒尚有言論自由，如在四川地震「一方受難，八方支援」的主旋律下仍有獨立採訪空間，有條件如實報導，加上同文同種，報導會更貼切，有助香港人以至各地認識大陸，繼而出口轉內銷。因此香港記者在中國新聞前線有獨特角色。姑勿論報導可否幫助大陸人或澳門人監察政府，單純為了香港人，也應好好善用僅餘空間。因為香港毗鄰大陸，兩地政治、經濟、社會及文化至今仍環環相扣，若大陸情況轉差，香港亦難以獨善其身，因此了解及掌握大陸發展實況十分重要。

問 你對香港新聞自由有甚麼展望？有甚麼改善建議？

答 香港新聞自由逐漸走向維權階段。一方面新聞自由意見受壓及侵犯，另一方面捍衛新聞自由的訴求愈見清晰，兩者形成張力，並有維權成分。

最近聲援李慧玲和劉進圖的集會人數遠高於以往關注打壓新聞自由的示威，反映市民感到問題升溫，新聞自由不再是多與少的問題，而是有或無的存亡問題。例如在免費電視發牌，少一個免費電視牌照意味著少一把聲音和選擇，又如商台解僱李慧玲、香港數碼電台事件以至新聞工作者接連遇襲，可見新聞自由受到嚴重損害，正在走回頭路，我們更須挺身而出，捍衛應有的權利。這種維權運動與大陸只是程度不同，但同樣關連到全民要求、價值及利益，不僅新聞界，所有市民也擔當十分重要的角色。

至於網絡媒體，比較彈性和獨立，門檻較低，任何人也有發言權。然而，網絡媒體至今仍須透過主流傳媒報道，才有較大發揮。如善用社交網站廣播資訊，善用網絡組織行動，可加強傳播能力，引起主流傳媒及公眾關注。

香港新聞自由概況

問 / 國際特赦組織香港分會
答 / 杜耀明 (香港浸會大學新聞系助理教授)

問 無國界記者於二〇一一至二二年世界新聞自由報告提到「香港記者遭逮捕、毆打和騷擾，其工作條件正以前所未有的程度惡化」。你有甚麼評論？

答

無國界記者按其既定準則評分排名，其中一項重要原則是政府政策，政府政策或態度轉變直接影響新聞自由空間，因此是表現新聞自由受侵害的指標，由香港免費電視發牌、延遲發放或扣起突發消息以至限制示威及採訪等，均與政府有關。根據無國界記者標準，若政府倒退，新聞自由亦會大幅倒退，所以香港排名連續四年下跌，由二〇一〇年第三十四位跌至今年六十一位。

問 一九九七年主權移交後，中國大陸領導人多次訪港，但政府和警方限制記者採訪愈見收緊，如二〇一一年李克強訪港，警員阻擋記者拍攝，二〇一二年向胡錦濤提問六四的記者遭扣查，你認為為何會有如此變化？

答

這與中國大陸政治氣候有關。相比十年前，現時的維穩更大規模，維穩費甚至超越軍費，大陸嚴控新聞自由，並延伸至香港。這亦與香港是否有條件及能力捍衛行之有效的採訪制度有關。十年前，香港仍有議價能力，令採訪記者及領導人保持合理距離，平衡採訪自由和領導人安全。可惜由曾蔭權政府開始，香港似乎失去議價能力，話事權愈來愈少。當中央希望隔絕記者近距離採訪領導人，甚至以大陸對待記者的方式來對待香港記者，香港已無能力抵禦或討價還價，結果做法與大陸相似。

二〇〇三年（編按：五十萬人在七月一日上街反對二十三條立法），中央改變對香港政策，由過往「不干預、不出頭」變成「不干預但有作為」。只要中央認為有利香港繁榮穩定、長遠發展及國家安全，就可介入香港政治、經濟、社會或文化，譬如經濟層面有QDII及自由行，政治方面包括對付泛民主派。中央政府認為「高度自治」已成次要考慮，而它所理解的「一國兩制」，可以執行任何支持香港政府施政的舉措，令香港的角色變成附庸。中央主導了領導人來港採訪安排，進一步反映雙方權力不對稱。

問 二〇一三至一四年，傳媒高層接二連三遭受暴力襲擊，其中劉進圖遭斬傷，情況嚴重。為何這兩年有如此急劇變化？傳媒生態及新聞自由將如何受影響？

答

傳媒工作者受襲一直發生，並非個別事件，如一九九六年梁天偉及一九九八年鄭經翰均曾遇襲，在劉進圖遇襲前，《陽光時務週刊》老闆陳平遇襲，其後又有《晨報》高層遇襲，這是眾多打壓新聞自由事件中較具體的表現，關鍵並不在於頻密程度，而是整體不正之風，挑戰新聞自由已無日無之。實際打擊新聞自由例子有抽起報章廣告、撤換總編輯、特首梁振英向練乙錚發律師信，差不多同期出現，並朝不利方向發展。

市民難免憂慮新聞自由，因此前終審法院首席法官李國能及前律政司司長黃仁龍均開腔發出警號，提醒市民新聞自由並非必然，香港新聞自由整體環境轉變，面對前所未有的侵害，所以人人更應關注。

保障新聞工作者安全

記者經常因履行採訪職務而受到威脅、恐嚇及襲擊。委員會認為，締約國「應採取有效措施，保護行使言論自由的人，免受以打壓其言論為目的之攻擊」，並應即時及積極調查威脅、恐嚇及襲擊記者事件，緝拿真兇。(段二十三)

限制須合乎比例

若要限制言論自由，則須符合《公約》第十九(三)條訂明的限制，即「經法律規定」，且限於為了「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」而有必要設限。

限制須符合《公約》條款、目標、宗旨及人人平等不受歧視原則。限制須出於必要，通過相稱性原則，並選擇對人權侵犯最小的方案。(段三十四) 尤其證明「言論表達和威脅的直接和緊密聯繫」。(段三十五) 委員會指出在「涉及民主社會公共討論公眾或政治人物，《公約》尤其重視言論不受限制」。(段三十四) 委員會認為，「所有公眾人物，包括國家元首和政府首腦等行使最高政治權力的人，應受到合理批評和政治反對」，「有辱公眾人物的言論表達形式並不足以成為處罰的理由」。(段三十八)

就「國家安全」而言，締約國「必須確保叛國法及國家安全法(如官方機密條例或煽動叛亂法)符合《公約》第十九(三)條的嚴格規定」。委員會認為為締約國若藉上述法律打壓或封鎖與公眾利益攸關的資訊，或拘捕記者、研究員或發放資訊者，則不符《公約》。(段三十)

新聞自由屬憲制權利

《公約》於一九七六年適用於香港，一九九七年主權移交後則按《基本法》第三十九條適用於香港，香港政府須定期向聯合國提交報告及接受審議。

《基本法》第三章訂明香港居民的基本權利，第二十七條訂明「香港居民享有言論、新聞、出版的自由」。而《香港人權法案條例》(香港法例第三百

八十三章)第八條抄錄《公約》大部分條文，將《公約》納入本地法例，包括保障新聞自由。由此可見，新聞自由屬憲制權利，若受到侵犯，可依據《基本法》及《人權法》透過司法程序申訴。

聯合國對香港的審議結論

聯合國審議香港實施《公約》情況，多次關注香港新聞自由。

聯合國人權事務委員會審議結論**一九九九年**

委員會關注「《刑事罪行條例》對叛逆和煽動這兩項罪行所作的定義過於籠統，因而危害到《公約》第十九條所保障的發表自由。根據《基本法》第二十三條制定的所有法律，均須符合《公約》的規定」。(段十八) 並於二〇〇六年及二〇一三年重申此關注。

二〇〇六年

委員會關注「多宗有關新聞從業員和傳媒工作者遭恐嚇和騷擾的個案，牽涉政見爭拗(第十九條)。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」。(段十三)

二〇一三年

委員會關注「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、攻擊和騷擾記者和學者的情況」，強調香港「應按照委員會關於思想和言論自由的第三十四號《一般性意見》，採取有力措施，消除任何直接或間接的無理限制，特別是施加於媒體和學術界的，須採取有效步驟，包括調查襲擊記者事件，並落實公共機構獲取資訊的權利」。(段十三)

參考資料

聯合國人權事務委員會《第二十四號一般性意見：第十九條：思想及表達自由》，二〇一一年九月十二日。

前言

今年二月，《明報》前總編輯劉進國遇襲，前終審法院首席法官李國能及前律政司司長黃仁龍罕有指香港言論及新聞自由正受威脅，呼籲公眾捍衛法治，並以此保障言論及新聞自由。終審法院前常任法官官致金在其退休感言提及，新聞自由是法治基石；傳媒是法治重要捍衛者。到底新聞自由是甚麼？我們不妨先循其本，重溫新聞自由的國際標準。

言論自由國際人權標準

《世界人權宣言》、《經濟、社會與文化權利的國際公約》及《公民權利和政治權利國際公約》合稱國際人權憲章，是國際人權法的基礎。其中，《公民權利和政治權利國際公約》（下稱《公約》）第十九條訂明保障言論表達自由，為該權利的國際人權標準。

聯合國人權事務委員會是公約機構，由獨立人權專家擔任委員，專責監察各締約國實施《公約》的情況，包括定期審議各締約國報告、審議後制訂審議結論、訂明關注事項及改善建議、制訂《一般性意見》，權威解釋《公約》。

聯合國具體解釋表達自由

委員會於第三十四號《一般性意見》詳細解釋《公約》言論自由，包括新聞自由。

新聞自由的依據

《公約》第十九（二）條要求締約國保障言論表達自由，包括「不分國界，尋求、接受及傳播各種消息及思想之自由」，因此應保障傳媒及市民尋求、獲取及傳播資訊的權利。《公約》訂明的保障亦包括一切表達形式和途徑，所以不論是報紙、影音、電子或網絡新聞報導均受保障。（段十一、十二）

獨立傳媒的重要性

表達自由是自由和民主社會的基石，亦是落實公開、透明及問責原則的必要條件。（段一、三）同樣，獨立及自由的傳媒促進公共討論，是民主社會的基石，對保障思想自由、言論表達自由及《公約》權利甚為重要。（段十三）

傳媒包括新媒體

言論自由無分主流或非主流傳媒。委員會認為「新聞報導是廣泛行動者共有職能」，包括「專職記者、評論員、網誌作者及透過自助出版或互聯網或其他媒介的人」，締約國「應採取一切必要措施，促進新媒體獨立，並確保市民可接觸新媒體」。（段十五）

至於監管制度，締約國「應考慮印刷傳媒、廣播傳媒及互聯網的分別」。（段三十九）聯合國促進及保護意見及表達自由特別報告員亦強調互聯網的獨特性質，即使以往監管或限制傳統媒體的措施合理及合乎比例，延伸應用至互聯網則不然。

資訊自由法

委員會認為締約國應「積極公開涉及公眾利益的政府資訊」；「盡力確保公眾便捷、迅速、有效、切實獲取資訊」；並「採取必要措施確保獲取資訊的權利，包括資訊自由立法」。（段十九）

獨立公共廣播

委員會認為締約國應「確保獨立公共廣播獨立運作」，包括「保障其獨立及編輯自主」及「以無損其獨立的方式提供經費」。（段十六）

廣播發牌制度

委員會認為締約國應成立獨立公共廣播發牌機構，負責審查及批准傳媒廣播發牌。發牌條件及費用標準應「合理、明確、透明、不歧視及符合《公約》」，並應使公共、商業及社區廣播平等分配有限頻譜。（段二十九）

多元獨立媒體

委員會重視多元獨立的傳媒，認為「締約國不得壟斷控制傳媒，更應促進媒體的多元化」，並應根據《公約》採取行動，「防止有人控制傳媒，干預他人的言論自由」。（段四十）同時「保障少數族裔及語言群體獲得多元廣泛資訊的權利」。（段十四）

專題

新聞自由概談

全球人權運動



台灣分會

台灣反服貿運動自三月起，持續接近一個月，期間台灣警方曾經以武力驅逐於行政院集會的人，有多人受傷。國際特赦組織聯同台灣分會發出聯合聲明，呼籲台灣警方面對數百名佔領國會的示威人士時，須保護及尊重他們的人權。

倫敦—國際秘書處

美國國土安全全部監聽全球網絡通訊事件，引起全球關注網絡上的個人私隱問題。本年四月，國際特赦組織與全球多個人權團體成立 CAUSE（反非法監控物資出口聯盟），倡議制定「核心原則」以監察通訊監控技術的交易，禁止向有可能任意監控、損害私隱及其他人權的國家出售通訊監控系統。

美國分會

美國分會於四月四日至六日，假芝加哥舉行周年大會，主題是「帶人權回家」。大會提出十項人權議程，包括停止酷刑拷問、尊重多元性向、停止種族歸納政策及倡議新移民人權等。會員及支持者於當地又稱「公民廣場」的 Daley Center 舉行活動，要求美國政府重視上述訴求。

DON'T SPY ON US

The UK's intelligence services can process 21 petabytes of data per day - that's 39 billion pieces of information that could be the private data of any citizen. This mass surveillance violates your privacy and chills free speech across the globe. The current law offers little protection. We are calling for reform of the legal framework so the intelligence agencies stop spying on us.

TAKE ACTION

主編的話

《世界人權宣言》訂明人人享有言論自由、集會自由及結社自由。新聞自由是言論自由的最佳體現，對於社會發展尤其重要。香港能發展成為國際城市，很大程度得力於其享譽世界的新聞自由，而新聞自由亦成為香港市民普遍認同的核心價值。

國際特赦組織一向致力捍衛新聞自由，例如營救本地新聞工作者程翔，他於二〇〇六年在中國被判間諜罪，刑期五年。國際特赦組織發動全球寫信行動，要求中國政府釋放程翔，配合各方努力，最終他於二〇〇八年獲假釋。

近年香港新聞自由情況每況愈下，為了向香港市民及政府表達國際特赦組織捍衛香港新聞自由的決心，本會秘書長 Sanni Shetty 將於五月二十八日到香港演講及訪問，主題將聚焦香港捍衛新聞自由的重要性。我們同時將今期《人權》雜誌主題命為新聞自由，嘗試紀錄近年香港新聞自由的狀況，亦請來兩位資深新聞工作者及學者剖析當前中國及香港的局面，誠與各位分享。

區美寶

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12/ 網上海店

13/ 全球死刑報告

14/ 反暴力 緝真兇 保法治