

AMNESTY
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關於

表達自由的

Something
About

Freedom of
Expression

專事

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國際特赦組織是全球最大的人權運動，支持者逾700萬人，遍布全球150個國家。國際特赦組織香港分會（AIHK）成立於1982年。我們一直致力於透過人權教育工作，讓更多人了解世界各地和本地的人權議題，以及捍衛人權的意義。

Amnesty International is the largest human rights movement in the world, with over 7 million supporters from 150 countries. Established in 1982, Amnesty International Hong Kong (AIHK) is committed to educating people about global and local human rights issues as well as the meaning of defending human rights via various human rights education programmes.

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主編的話

Words *from* the Editor-*In*-Chief

近年香港的言論空間日益收窄，不少界別因各種壓力、以不同形式被噤聲，情況令人憂慮。國際特赦組織香港分會發表的2018年《香港年度人權狀況回顧》指出，港府任意以「國家安全」為由企圖消滅異見。這反映政府一再違反本地及國際人權標準。

表達自由是基本人權，也是推動所有公民自由的先決條件。《公民權利和政治權利國際公約》第十九條列明，人人有保持意見不受干預和發表自由之權利。對表達自由的限制，必須經法律規定，而且只適用於「尊重他人權利或名譽」和「保障國家安全或公共秩序、或公共衛生或風化」的範圍。根據國際間廣泛採用的《約翰內斯堡原則》，以非暴力手段改變政府政策或更換政府，以及批評或侮辱國家、其象徵或政府官員，並不會對國家安全構成威脅。為深入探討表達自由，今期雜誌邀請不同界別的人士討論出版自由、公民參與、表達自由的界線和「後真相」現象等主題。同時邀請藝術家程展緯以視覺藝術發表他對表達自由的想法。

In recent years, the space for expressing views in Hong Kong has been narrowing. Many sectors have been silenced in different ways because of various pressures. The situation is worrying. Amnesty International Hong Kong's "Year-end Human Rights Review 2018 - Hong Kong" report pointed out that the Hong Kong government arbitrarily suppresses dissidents on the grounds of "national security" to silence opposing voices. This violates both local and international human rights standards.

Freedom of expression is a basic human right and an enabler for all civil liberties. Article 19 of the International Covenant on Civil and Political Rights states that everyone has the right to hold opinions without interference and to freedom of expression. Restrictions on freedom of expression must be provided by law and shall only be necessary either for respect of the rights or reputations of others, or for the protection of national security or of the public, or of public health or morals. According to the widely adopted Johannesburg Principles, non-violent change of government policy or the government itself, and criticism, or insult to the nation, its symbols or public officials, do not constitute a threat to national security. To further explore freedom of expression, this issue invites different individuals and social groups to discuss topics such as press freedom, civil participation, boundaries of freedom of expression and the "post-truth" phenomenon. Artist Luke Ching is also invited to express his thoughts on freedom of expression in the form of visual art.

作品名稱 逃犯廣告

work title Fugitive advertisement

我在韓國光州發現了一張通緝逃犯海報，內有20個通緝犯。我抽出三個逃犯，組合成心目中一個在香港的「大逃犯」，然後在菲律賓及光州街頭貼上小街招，又在香港的報紙登了一個小小的分類廣告，最後獲人權雜誌邀請全版刊登。

I found a poster of fugitives in Gwangju, South Korea, that listed 20 criminals accused of different crimes. I selected three fugitives to represent "The Big Fugitive" in Hong Kong. Then I posted small street ads in the Philippines and Gwangju. I also posted a small classified advertisement in a newspaper in Hong Kong. Finally, it became a full-page ad as I was invited to publish it in the Human Rights magazine.

경찰서 제호

중요지명피의자 종합공개수배

공개수배자의 사진 및 개인정보를 삭제·변경·유포·무단 게시·훼손하는 행위는 민·형사상 책임을 질 수 있습니다.

<p>1 살인</p> <p>여러분 신고로 검거</p>	<p>2 살인</p> <p>자민더싱 (43) LITMINDEUNG (43)</p> <p>국: 한국 주: 소: 경기도 수원시 소동 8로 신상: 170cm, 보통 체격 언변이 없고, 경상도, 할배</p>	<p>3 살인</p> <p>이준세 (56)</p> <p>등록지: 대구 달성 우편 14사 주: 소: 대구 달성 도시 체육로 신상: 170cm, 보통 체격 언변이 없고, 경상도, 할배</p>	<p>4 살인</p> <p>황주연 (43)</p> <p>등록지: 전북 남원 감지 21동 주: 소: 전북 남원 감지 21동 21번길 신상: 180cm, 건장한 체격 언변이 없고, 특이, 전라도, 할배</p>	<p>5 강도상해</p> <p>김광현 (47)</p> <p>등록지: 서울 영등포 영등포 주: 소: 경기 안양 안양 1안양로 신상: 175cm, 건장한 체격 보통 할배</p>	<p>6 강도상해</p> <p>김동용 (42)</p> <p>등록지: 강원 동해 동해신 주: 소: 강원 동해 동해신 신상: 175cm, 보통 체격 강원도, 할배</p>
<p>7 특수강도미수</p> <p>엄기대 (53)</p> <p>등록지: 경남 밀양 밀양 진사로 주: 소: 경남 거제 거제중앙로 신상: 179cm, 건장한 체격 입에서 악취, 전라도, 할배</p>	<p>8 성폭력(특수강도범)</p> <p>김양민 (48)</p> <p>등록지: 전남 목포 목포 주: 소: 전남 목포 삼정안로 신상: 170cm, 보통 체격 언변이 없고, 전라도, 할배</p>	<p>여러분의 신고는 사건 해결의 결정적 열쇠! "검거에 결정적 제보를 하신 분께 신고보상금을 드립니다."</p> <p>신고 112 www.police.go.kr</p> <p>"신고자는 「특정범죄신고자 등 보호법」에 의해 보호됩니다."</p>		<p>9 성폭력(특수강도범)</p> <p>김정호 (42)</p> <p>등록지: 전북 고창 고창 중앙로 주: 소: 경기 이천 평창로 신상: 175cm, 건장한 체격 강기도, 할배</p>	<p>10 강간상해</p> <p>이명진 (47)</p> <p>등록지: 경북 문경 신해 성북 주: 소: 경기 김포 용무로 신상: 176cm, 보통 체격</p>
<p>11 특경법(사기)</p> <p>김순철 (52)</p> <p>등록지: 대구 수성 수성 주: 소: 대구 수성 동천로 신상: 175cm, 보통 체격 영남도, 할배</p>	<p>12 특경법(사기)</p> <p>송제민 (50)</p> <p>등록지: 전북 고창 부안 진산로 주: 소: 전북 김제 덕진 과학로 신상: 175cm, 보통 체격</p>	<p>13 특경법(사기)</p> <p>신경근 (49)</p> <p>등록지: 경기 안산 안산 주: 소: 인천 서구 가림로 신상: 180cm, 평소엔 체격 긴 타원형 얼굴, 경기도, 할배</p>	<p>14 특경법(사기)</p> <p>황규석 (49)</p> <p>등록지: 전북 진안 마령 현산 주: 소: 서울 서초 서초로 신상: 178cm, 보통 체격</p>		
<p>15 특경법(사기)</p> <p>국동현 (37)</p> <p>등록지: 전남 담양 담양 양지 주: 소: 광주 서구 동광로 신상: 173cm, 보통 체격 영남도, 할배</p>	<p>16 특경법(사기)</p> <p>정덕기 (53)</p> <p>등록지: 전남 영광 영광 중앙로 주: 소: 광주 광진 수동로 신상: 170cm, 건장한 체격</p>	<p>17 특경법(사기)</p> <p>최제영 (49)</p> <p>등록지: 서울 동작 동작 주: 소: 서울 강남 도곡로 신상: 175cm, 보통 체격 보통 할배</p>	<p>18 사기</p> <p>정용 (50)</p> <p>등록지: 서울 중구 중구 주: 소: 광주 북구 무의로 신상: 170cm, 보통 체격 언변이 없고, 영남도, 할배</p>	<p>19 사기</p> <p>유동훈 (41)</p> <p>등록지: 서울 종로종로 종로 주: 소: 부산 북산천 동천로 신상: 180cm, 통통한 체격 강남도, 할배</p>	<p>20 사기</p> <p>박상운 (60)</p> <p>등록지: 전남 완주 완주 현산 주: 소: 광주 동구 달변대로 신상: 170cm, 보통 체격 언변이 없고,</p>



作品名稱 **這不是廣告**

work title **This is not an advertisement**

《人權》雜誌一直不接受商業廣告，保持獨立。

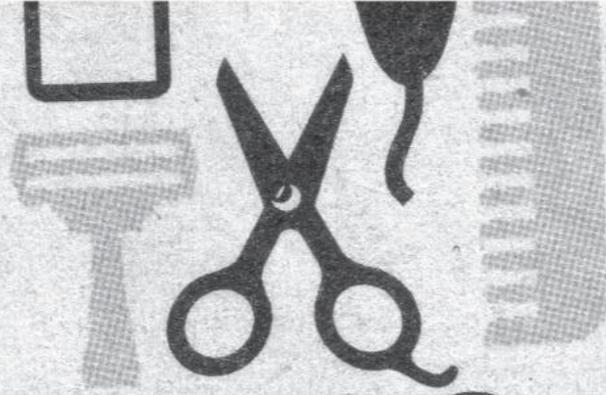
（廣告雖然是一種商業活動，內裏也應有免受政治壓力的表達空間，前特首不應向報章上的廣告商施壓，打壓言論。）

Human Rights magazine does not accept commercial advertising and has remained independent.

(Although advertising is a kind of commercial activity, there should be room for expression that is free from any political pressure. The former Chief Executive should not exert pressure on advertisers in newspapers of different political positions and suppress speech.)



請髮型師包薪
 \$12000 日薪 \$500
 鯽魚涌區有意請洽
 44838 謝小姐



髮型屋

<p>6 강도상여</p>	<p>8 성폭력(특수강간등)</p>	<p>9 성폭력(특수강도강간등)</p>
		
<p>김 동 용 (42)</p>	<p>김 양 민 (48)</p>	<p>김 정 호 (42)</p>
<p>동북지 김원 동해 목재업 주 소 김원 동해 목재업 신장 175cm, 보통 체격 강건도 있음</p>	<p>동북지 전남 목포 원도 주 소 전남 목포 신창인로 신장 170cm, 보통 체격 안색이 화끈하고 전리도 있음</p>	<p>동북지 전북 고창 읍내 읍리 주 소 경기 이천 김성호 신장 175cm, 건장한 체격 강건도 있음</p>

我們首先是一個公民， 然後才是一個書店 經營者。

李達寧是旺角獨立書店「序言書室」（以下簡稱「序言」）的負責人。有別於主流書店，「序言」的定位是文化和學術平台，讓小眾的資訊能夠在香港傳播，「香港研究」是書店最暢銷的書類。書店售賣本地社會運動書籍，並舉辦相關活動，引發討論和交流。例如：全球化、香港地產霸權等議題經常在活動中出現，主流書店則甚少觸及這些議題。因此「序言」被讀者認定為一間有社會運動面向的書店。

談及「三中商」（聯合出版集團），李達寧認為對「序言」的經營沒有太大影響。反而當連鎖書店拒絕售賣一些暢銷書，例如雨傘運動之後出現的相關書籍，「序言」便會有一個顯著的銷路空間，吸引一些固有客群以外的人。話雖如此，李達寧指出，「三中商」在80、90年代之後轉型，成為香港書業的主要經營者，出版、發行和銷售市場佔有率達八成，這類商業控制的影響之深遠，更甚於向市民硬銷吸引力欠奉的政治宣傳書籍。「三中商」能夠透過商業運作，把

認為不合適的書籍排除，達至全面的言論控制。作為國家體制的中聯辦在背後大量注資，直接介入文化和出版事業，其背後的政治動機和此運作模式的正當性，均令人憂慮。據李達寧所知，有發行商或書店基於政治立場或動機，限制書籍內容或發行。

2016年銅鑼灣書店事件曝光，「序言」為免影響客人的安全，立刻決定刪除會員的購書紀錄。李達寧指出，這類政治打壓一直在發生，首當其衝是主要銷售中國大陸相關書籍和以內地人為主要客路的書店，不少因而結業。「序言」售賣的書籍以香港議題為主，影響則暫未見明顯。

雖然如此，李達寧擔心將來香港的政治控制會進一步收緊，「序言」將有可能遭到同樣的打壓。近年的社會發展已漸見這樣的趨勢，包括今年提出的《逃犯條例》修訂。假若日後政府就國家安全立法，一些針對中國、香港獨立、香港自決等的討論或會觸犯法例，把敏感書籍下架將是唯一的選擇。李達寧表示，執法部門隨時可以「拉人封舖」，因此書店很難進行公民抗命。這無疑是對言論自由的侵害，書店的銷售量也可能因而受到影響，但現階段未能預測是否能夠維持書店的經營。

李達寧慨嘆，香港本地的公民社會短期內仍然面對很大的困境，民間只能繼續深耕。他強調，思想的傳播十分重要，書店無疑在當中扮演很重要的角色，鞏固社會的價值，促進自由、平等、言論自由等信念的啟蒙和傳播。這個信念支撐著「序言」繼續走下去。除此之外，書店也要探索創新的發行渠道和傳播方法。假如有一天，現在的經營模式不能維持下去，「序言」將要面臨抉擇——作為一個思想傳播受限制的書店繼續經營；或是秉持價值觀，尋覓書店以外的其他方法和途徑。



"We are first a citizen *and then* a bookstore operator."

Daniel Lee is the owner of **Hong Kong Reader** (hereinafter referred to as "HK Reader"), an independent bookstore in Mongkok. Different from mainstream bookstores, HK Reader provides a cultural and academic platform for the dissemination of niche information about Hong Kong. Its best-selling book category is Hong Kong Research. The bookstore sells books about local social activism and holds related events to stimulate discussion and exchange. Themes such as globalisation and Hong Kong's real estate hegemony are often covered in its activities, which are rare in mainstream bookstores. Therefore, HK Reader is recognised by readers as a bookstore with a social movement orientation.

When talking about Sino United Publishing, Daniel did not think that it had much influence on HK Reader. Instead, when the chain bookstores refuse to sell certain popular books, such as those related to the Umbrella Movement, it expands the sales market of HK Reader and attracts people outside of the existing customer base. Having said that, Daniel pointed out that, since its transformation in the 1980s and 1990s, Sino United became the main operator of the Hong Kong book industry. Their market share of publishing, distribution and sales has reached 80%. The impact of such commercial control is far-reaching, and even more serious than selling unpopular political propaganda books. Through the commercial operation,

Sino United can exclude books that are considered inappropriate and achieve comprehensive control on freedom of speech. As a state entity, the Liaison Office has invested heavily behind the scenes and in turn directly interferes in the culture and publishing industry. The political motive behind it and the legitimacy of this mode of operation are both worrying. According to Daniel, some publishers or bookstores restrict the content or distribution of books based on political stance or motives.

After the Causeway Bay Bookstore incident was exposed in 2016, HK Reader immediately decided to delete the members' book purchase records in order to avoid affecting their safety. Daniel pointed out that such political pressures have been happening. The foremost targets are bookstores that are mainly selling books related to mainland China or serving mainland Chinese tourists. As HK Reader primarily sells books concerning Hong Kong issues, the impact has not been obvious.

In spite of this, Daniel also expressed concern that in the future, Hong Kong's political control will be further tightened, and HK Reader will be equally suppressed. Social development in recent years has gradually seen such a trend, including the amendment of the Fugitive Offenders Ordinance proposed earlier this year. If the government adopts national security legislation in the future, some discussions on China, Hong Kong's independence, Hong Kong's self-determination, etc. may violate the law, and unshelving sensitive books will be the only option. Daniel said that law enforcement could raid the bookstore and arrest its owner or staff at any time, so it is difficult for bookstores to carry out civil disobedience. This is undoubtedly an infringement on freedom of speech, and the sales volume of the bookstore may be affected as a result, but at this stage it is not possible to predict whether operation of the bookstore could be maintained.

Daniel lamented that Hong Kong's civil society still faces great difficulties in the short term, and continuous ground work among the people is the only way forward. He emphasised that the dissemination of ideas is very important. Bookstores undoubtedly play a very important role in this, by consolidating shared values, as well as committing to the enlightenment and dissemination of ideas such as freedom, equality and freedom of speech. This belief encourages HK Reader to strive on. In addition, it has to explore innovative channels for distribution and dissemination. If one day, the current mode of operation cannot be sustained, HK Reader could either continue its operation with restricted dissemination of ideas, or uphold its values and find ways and means other than bookstores.



近年來市民對自己的社區事務愈加關心，不少素人自發組成社區組織。大眾認為這些自發組織只是做民生小事，然而，近年各種因國家安全而起的打壓又會否牽連他們？

青衣島民成立於2017年，召集人王必敏笑言，成立的原由是幾位青衣人參加了同一義工活動，閒聊間發現青衣「冇啖好食」而欲創立一個「青衣Open Rice」。但是，他們發覺小店都被連鎖食肆取代，根本無法入手，便轉為檢視生活環境的變化，揭露其背後的因由及問題。隨後，組織的文章在社交網站上得到不少網友及街坊的迴響。

成員在嘗試做不同活動的過程中，發現他們無可避免地要走進政策倡議的工作，例如：推動單車徑和墟市政策。由於過去青衣居民鮮有發聲，因此組織的冒起令社區問題即時活現眼前。值得一提的是，青衣島民關注的事情並不止於社區，更觸及一些大眾眼中政治味較濃厚的事務，如呼籲市民參與七一遊行和反對東大嶼人工島遊行。王必敏慶幸組織至今並未因碰上「政治」二字而受批評，團隊工作時毋需過慮。過去較明顯的抨擊是，有少數聲音質疑

組織想搞事；亦有非政府組織和學校或因組織涉及一些被標籤為「政治」的議題而有所戒備，並拒絕合作。她直言，當他們做社區活動，如工作坊、墟市、單車團，其實是逃不了政治的，因為民生與政治是緊扣在一起的。以港珠澳大橋為例，遊客大增令青衣居民怨氣上升，要求改善問題的聲音就必然指向整個規劃政策。

無論如何，青衣島民還是會在需要的時候繼續做應做的事。談到未來，由於近年政府對民間團體的打壓日益增加，王必敏認為一些就國家安全而實施的措施難免對組織有影響，但他們仍會堅持發聲。她提及唯一的憂慮是，當一個組織的目的或訴求直接影響政策制定時，會有較大可能面臨打壓。

政治和社區議題是一體兩面，然而，社會上總有一些政治潔癖的人。但是，唯有能容納不同意見的政治環境才能推動政策從改革走向完善。

青少年的社會政治參與

在香港，成年人要發表意見顯得困難重重。然而，一些外國例子顯示，青少年有權和有能力為自己發聲。設立兒童或青年議會能讓青少年就影響自身的事務表達意見，亦配合《兒童權利公約》對兒童表達主見的權利的保障。英國的青年議會由全國青年選出議會議員，讓他們參與制訂教育、福利等與其自身權利相關的政策。過去，青年議會就曾議定人際關係及性教育的內容建議，及爭取降低投票年齡至16歲。

In recent years, Hong Kong people have been more concerned with community issues, thus a surge of local organizations established by ordinary people is occurring. *Most of these groups focus on local issues which have been ignored by residents. However, while the general public think that these self-initiated groups are touching issues only concerning people's livelihoods, will they also be affected by suppression under the name of national security?*

Tsing Yi People is a local organization established in 2017; the convener, Ebby Wong explained the organization was formed accidentally – several Tsing Yi residents joined a volunteering activity, and they found that there was nowhere to eat in the district, thus they came up an idea of “Tsing Yi Open Rice”. However, the plan failed since the local food stores have all been replaced by chain restaurants. Thus, the organization decided to reveal such changes and problems in Tsing Yi and the reasons behind them. At first, they published articles on social media which successfully attracted netizens’ and residents’ attention.

Members of the group tried to organize various activities, but they discovered the necessity of stepping into policy advocacy such as striving for bicycle tracks and bazaars. Since the residents rarely seemed concerned about problems of the district, Tsing Yi People has made the issues visible. Tsing Yi People is also concerned about issues that are deemed to be “political” in the general

public’s sight, such as to call for action on the 1 July Protest and the Protest Against East Lantau Metropolis. Ebby felt that the group was fortunate not to have too much criticism about being “politicized”, thus they do not have many worries and can do whatever they want. But there were a few people who criticized Tsing Yi People stirring up trouble, and some non-governmental groups and schools refused to collaborate as they thought the group was talking about “political” issues. Ebby mentioned that issues concerning residents’ livelihoods are also political. While they are organizing community activities, such as workshops, bazaars and cycling tours, they figured out that the problems in the community are related to a wider political sphere. For example, the Tsing Yi residents expressed resentment on the sharp increase of tourists after the Hong Kong-Zhuhai-Macau Bridge had commenced operation. To ease the problem, it is unavoidable to touch upon planning policy.

Despite all this, Tsing Yi People still insists doing the right thing whenever necessary. In recent years, it has witnessed that the Hong Kong government has increasingly used national security as an excuse to suppress voices from community groups. Ebby agreed that the group will undoubtedly be affected by those policies in the future, but they will keep their faith. Ebby also expressed worries about a higher possibility of facing suppression if a group’s mission and views will influence policy-making directly.

Politics and community issues are two sides of the same coin; however, avoidance of “politics” still exists in the society. Nevertheless, a political ethos that allows voices from different points of view is essential to the betterment of the policies.

Youth Participation on Socio-political Issues

In Hong Kong, the voices of the adults are rarely heard. However, some overseas cases show that young people can practice their rights to express their opinions. The implementation of children or youth council is a means for the youth to speak out on issues related to them, which realizes the children’s rights to express their views proclaimed in the Convention on the Rights of the Child. The UK Youth Parliament is elected by the youth aged 11 to 18 and enables them to be involved in the policy-making process on issues related to young people, such as education and welfare policies. The council has campaigned for relationships and sex education, and lowering the voting age to 16.

「求驗傳媒」（以下簡稱「求驗」）是一個網上專頁，於2014年9月成立，旨在求證新聞及網上消息的真確性。「求驗」認為，**當網民不主動探求真相，發達的資訊科技往往變成散播不實資訊的工具。**

究竟不實資訊是如何流出的？「求驗」說，利用嘩眾取寵的新聞騙取瀏覽量的「內容農場」(content farm) 是這些不實資訊的來源之一，此外，也有人會刻意愚弄大眾以達私利。「求驗」舉例指，有本地政治組織以達其政治目的，刻意扭曲外國新聞，散播謠言，以爭取市民支持；亦有利用假字幕、假圖製造謠言，以圖抹黑傳媒。可見「後真相政治」在香港已經存在。

「求驗」補充，這些不實資訊得以流傳，有時是因為市民好心做壞事，例如轉發一些未經核實的資訊；有時亦只因大眾太容易被標題吸引，例如在發生天災人禍時轉發一些未經查證的影片或圖片，以及近年出現的「南亞人是壞人」的言論，大眾轉發訊息時或許沒有考慮轉發對當事人的後果。而更令「求驗」擔心的是部分網民抗拒求證消息，更有認為澄清流言是矯枉過正的表現。

為免成為流言和假新聞的幫兇，市民要成為聰明的網民，明白散播謠言的後果，戒掉「毫不猶豫」閱畢即轉發的陋習，養成「謹慎三思」的求證習慣。對觀看性高或來源可疑的資訊，要保持警覺，不妨多做一步，細閱內文，向轉發者追問資料來源，又或搜尋原文求證，至於圖片的真偽，則可善用互聯網的圖片搜索功能加以核實。

長遠而言，「求驗」認為須有更多傳媒和機構推動事實查核及打擊謠言，同時須加強網民的分析能力及自制能力，令真理能夠愈辯愈明。

年初網上流傳一則本地電視新聞的改圖，指美國一名黑人男童，因為拒絕站立唱國歌和誦讀效忠誓詞，遭美國警方起訴。然而，原本的新聞內容其實清楚指出，男童是因為與教師爭辯美國國歌的正當性，以擾亂學校秩序和阻差辦公為由被拘捕。2014年雨傘運動期間，有本地傳媒報道「佔中塞車 司機病發猝死」。事後，死者的兒子澄清，其父親在兩分鐘內到達醫院，其意外與「佔中」沒有任何關係，並希望此事故不會成為政治工具。

"Kau Yim" (literal meaning "Verifying Media" in Chinese) is an online page set up in September 2014 that aims to verify news and information published in traditional media and online. "Kau Yim" believes that when netizens do not actively seek the truth, well-developed information technology will become a tool for disseminating false information.

Where do all these rumours and fake news come from? "Kau Yim" said "content farms", which use demagogic content and spawn pageviews contribute as one of the sources. However, some people spread rumours deliberately to push their own agendas. For example, "Kau Yim" noticed some local political groups intentionally distorted foreign news and spread rumours in order to solicit support, or used fake subtitles and fake pictures to fabricate rumours, to discredit some media. Evidently, "post-truth politics" already exists in Hong Kong.

How is the circulation of such information made possible? "Kau Yim" believes those who share online rumours and fake news may be innocent and share news with the best of intentions. Sometimes, they are too attracted to sensational, juicy or newsworthy news titles, and simply forget to check the facts. Examples include, unrelated videos or pictures forwarded in the event of a disaster, or the "South Asians are villains" rhetoric in recent years. Sometimes, people share the news without thinking. To "Kau Yim", what is more worrying is that some netizens are reluctant to fact-check, some even consider the clarification of rumours as overkill.

In order to avoid becoming an accomplice to rumours and fake news, the public must become smart netizens, understand the impact of spreading rumours, quit the habit of "not hesitating" to read and share, and develop the habit of "being cautious and thinking twice." Stay alert, especially to sensational information or at times when the source of information seems suspicious. Take one more step to read between lines, ask the sender about the source, or look for the original text yourself. People can also use the image search function on the Internet to verify the authenticity of pictures.

In the long run, "Kau Yim" believes more efforts from the media and institutions are needed to promote fact-checking and crack down on rumours. In addition, truth becomes clearer when netizens are equipped with fact-checking skills and conscious efforts to share the news.

Earlier this year, an edited screen capture of local TV news was circulated on the Internet, referring to a black boy in the United States who was sued by the US police for refusing to stand and sing the national anthem and read the pledge of allegiance. However, the original news content clearly pointed out that the boy was arrested for disturbing the school order and obstructing official duties as a result of arguing with the teacher about the legitimacy of the American national anthem. During the Umbrella Movement in 2014, local media reported that "Driver having heart attack died because of traffic jam caused by Occupy Central." Afterwards, the son of the deceased clarified that his father arrived at the hospital within two minutes. The accident had nothing to do with "Occupy Central" and hoped that the accident would not become a political tool.

3

香港人常說表達自由的空間日益收窄，法政匯思召集人李安然大律師認為有兩方面的「收窄」：**第一種是，以往能夠做，但現在不能做。例如上年有參選人因個人政見而被剝奪參選資格，還有外國記者馬凱疑因主持有關港獨論壇，而被剝奪工作權利等，收窄見於外在環境。第二種收窄則較隱性，見於個人內在取態，例如以往敢言，但現在不會再公開表達。此外，內在的自我審查亦見於傳媒和出版行業。傳媒工作者或出版社會篩選某些內容，或者因為多番被人抽稿，便不會再浪費力氣去寫不能「出街」的題目。**



李安然指出，政府有責任保障市民自由表達的權利，更要避免一切會令人噤聲的措施。可惜去年當戴耀廷於台灣發表有關香港自決的可能性的言論，港府作為一個擁有公權力的機構，卻高調作出抨擊，明目張膽地打壓言論。此舉無疑是領頭向社會宣示，即使有關自決的言論本身是合法及受到法律保障的，大家亦可以群起攻之。同時，這類舉措或會令市民擔心，政府日後會對提出這些言論的人報復，繼而產生寒蟬效應。李安然強調，雖然表達自由並非絕對的，例如當涉及國家安全、公共秩序、公共衛生及風化等，便會受到限制，但這些限制的準則必須是狹窄的，政府不應胡亂放大。他舉例指，洩露軍事機密予其他國家，直接危害國家的國防部署，才算是對國家安全構成影響。

李安然提到，言論自由的核心精神是公權力得到大眾監察。因此針對政府或擁有公權力的官員的批評，該獲賦予更大的保障。當市民批評政府，官員理應回應市民的訴求，而不是推搪指市民「人身攻擊」，藉以推卸責任。但無論如何，人們不應基於種族、宗教、國籍等背景發表仇恨言論。

面對公民空間日益收緊，社會充斥著無力感，我們應該如何自處？李安然則提醒我們，不要輕視自己的力量。他舉例說，很多人最初開始關心社會，是因為被一個老師的課堂、一位記者的報導所觸動。「今日你說的任何一句話，都會有機會影響另一個人去關心一些事情。要相信假如你也能覺醒，世界上必定有另一個人會因為你而覺醒。」

言論自由與誹謗之間的界線是值得商榷的。過去，聯合國曾因誹謗刑事化會不合比例地限制表達自由而建議廢除。英國於2013年曾就誹謗法作出修訂，包括：要求原告人必須證明他受到，或極有可能受到經濟或名譽損害，以及加入公眾利益作為抗辯理由。這項修訂加強保障表達自由，避免市民因批評公權力而被以言入罪。在香港，前任特首梁振英曾多次入稟法院控告傳媒、學者、時事評論員等誹謗，此舉亦被指箝制言論自由。

4

Hong Kong people often say that freedom of expression is narrowing. ***Barrister and convener of the Progressive Lawyers Group Billy Li On Yin suggested viewing it in two different dimensions: the first one is that free expression could be done in the past, but it can't be done now.*** For example, in the past year, some candidates were disqualified from elections because of their personal political views, and foreign journalist Victor Mallet was deprived of his right to work after hosting a forum related to Hong Kong independence. The narrowing was seen in the public environment. The second dimension is more subtle. It is seen in the individual's internal attitude. *For example, in the past, those who "dare to speak out" could be heard, but nowadays, many choose not to express their views about certain topics publicly.* In addition, intrinsic self-censorship is also found in the media and publishing industries. Media workers or publishers would screen out certain content, or because the articles were rejected many times, they would not waste any effort to cover a topic that would not be approved.

Billy pointed out that the government has the responsibility to protect the right of citizens to express themselves freely, and to avoid all measures that have a silencing effect. He found it disappointing that the government, as a public authority, made a high-profile attack and blatantly suppressed freedom of speech after Benny Tai presented a speech in Taiwan last year about the possibility of self-determination in Hong Kong. With this move, the government took the lead in telling the society that, even though expressing statements and discussing self-determination are legal and protected by the law, attacks against such expressions are permitted. At the same time, such initiatives may cause public concern that the government will retaliate against those who make these remarks in the future, which in turn will have a chilling effect. Billy stressed that although freedom of expression is not absolute – it would indeed be restricted, for example, when it comes to national security,

public order, and the protection of public health and morals; the criteria for these restrictions must be narrow and not to be abused by the government. For example, he pointed out that leaking military secrets to other countries may directly endanger the country's national defense deployment, hence, can be considered having an impact on national security.

The core spirit of freedom of expression is that public power is monitored by the public, as Billy stated. Therefore, as he continued to explain, criticism of the government or officials with public power should be given great protection. When the public criticises the government, officials should respond to the public's demands instead of accusing the public of "making personal attacks" and shirking responsibility. But in any case, people should not make hate speech based on one's background such as race, religion, or nationality.

Faced with the shrinking civil space, a sense of powerlessness prevails in our society. How should we respond? Billy reminded us not to despise our power. For example, he said that when people were first inspired to care about society, many were simply touched by a teacher's class or a journalist's report. "Anything you say today might influence another person to care for something. Believe that if you can be enlightened, there must be another person in the world who will be enlightened because of you."

The line between freedom of speech and defamation is debatable. In the past, the United Nations proposed the abolition of the criminalisation of defamation as it might pose disproportionate restrictions on freedom of expression. The United Kingdom amended the Defamation Act in 2013, to include requiring the plaintiff to prove that his or her economic interest or reputation was or is highly likely to be harmed, and public interest was included as a defence. This amendment strengthens the protection of freedom of expression and prevents members of the public from being guilty of defamation for criticising the authority. In Hong Kong, the former Chief Executive Leung Chun-ying has repeatedly filed defamation cases against the media, scholars, current affairs commentators, etc., and such actions have been accused of restraining freedom of speech.



研究 *Research*

我們於2月發表報告，指出在過去兩年，各國政府正實施各項法律舉措以限制非政府組織活動，當中不少位於中國的外國人權組織已因新實施的「境外非政府組織管理法」而被迫撤出。

Our February report shows that, in the past two years, governments worldwide were suppressing the work of non-governmental organizations (NGOs) with law legislations. Some foreign human rights NGOs based in China were forced to move out due to the Foreign NGO Management Law.



倡議 *Advocacy*

我們一直關注剛果的人權狀況，本會秘書長Kumi Naidoo曾於2月寫信給剛果總統，呼籲他改善當地人權狀況。剛果總統終於在3月特赦了約700人，其中包括許多僅因參加和平集會而被拘留的人士，這是當地人權進程的一大步。

We have long been concerned about the human rights situations in Democratic Republic of the Congo. Our Secretary General, Kumi Naidoo, wrote in February to urge the President to improve the situation. In March, the President finally pardoned around 700 people, including many detained solely for participating in peaceful protests. It is a crucial first step towards restoration of human rights in the country.



聲援 *Campaigns*

全球近6百萬人於2018年「寫信馬拉松」表達了對人權捍衛者的支持，我們為烏克蘭女權人士Vitalina Koval 收集了近40萬聯署，成功爭取當局對她在和平示威中遇襲的事件展開調查。內政部及後更與我們會面，承諾捍衛當地的和平集會自由。

6,000,000 people supported Human Rights Defenders in Write for Rights 2018. We successfully called for 400,000 actions and urged the authorities to investigate the incident of the attack towards Ukrainian women's rights activist, Vitalina Koval, in a peaceful rally. The Ministry of Interior met with us and committed to defending the rights to peaceful assembly in the country.



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銀行編號 Bank No. 分行編號 Branch No. 賬戶號碼 Account No.

本人(等)之銀行戶口姓名 My/Our Name(s) as recorded on Statement/Passbook

香港身份證號碼 Hong Kong ID Card 填表日期 Date of Completing Form (DD/MM/YYYY)

銀行戶口之簽名 My/Our Signature(s)

請交回表格正本，任何塗改請簽名以示確認。 Please ensure that you sign any alterations.

由本會及銀行填寫 For official use only

捐款人編號 由銀行填寫 簽名樣式核對
Debtor's Reference For Bank Use Signature Verified

1. 本人(等)現授權本人(等)的指定銀行，(根據上述受益人不時給予本人(等)銀行的指示)自本人(等)的戶口內轉賬予上述受益人。惟每次轉賬金額不得多於本人(等)所指定的限額(若有者)。
I/We hereby authorise my/our designated Bank to effect transfer from my/our account to that of the above named beneficiary in accordance with such instructions as my/our Bank may receive from the above named beneficiary from time to time provided always that the amount of any one such transfer should not exceed the limit, if any, as specified.

2. 本人(等)同意本人(等)的銀行毋須證實該等轉賬通知是否已交予本人(等)。
I/We agree that my/our Bank shall not be obliged to ascertain whether or not notice of any such transfer has been given to me/us.

3. 如因該等轉賬而令本人(等)的戶口出現透支(或令現時的透支增加)，本人(等)願共同及各別承擔全部責任。
I/We jointly and severally accept full responsibility for any overdraft (or increase in existing overdraft) on my/our account which may arise as a result of any such transfers(s).

4. 本人(等)確認本人(等)在此表格上的簽名與本人(等)用以轉賬的戶口的簽名相同。
I/We confirm that my/our signature(s) on this application form is/are the same as that/those for the operation of my/our Saving/Current Account to be debited for the transfer.

5. 本人(等)同意會通知上述受益人任何銀行戶口的變更或取消交貨方式，亦同意如本人(等)的戶口並無足夠款項支付該等授權轉賬，本人(等)的銀行有權不予轉賬，且銀行可收取慣常的收費。
I/We agree to notify the above named beneficiary of any change of bank account or cancellation of payment method and further agree that should there be insufficient funds in my/our Bank account to meet any transfer hereby authorised, the Bank shall be entitled, at its discretion, not to effect such transfer in which event the Bank may make the usual service charge to be paid by me/us.

6. 直接付款授權書將繼續生效直至另行通知為止。本人(等)同意如本人(等)已設立直接付款授權的戶口連續三十個月內未有根據授權而作出過期的紀錄，實行保留權利取消直接付款安排而毋須另行通知本人(等)，即使未有註明授權到期日。
The direct debit authorisation shall have effect until further notice. I/We agree that if no transaction is performed on my/our account under such authorisation for a continuous period of 30 months, the Bank reserves the right to cancel the direct debit arrangement without prior notice to me/us, even though there is no expiry date for the authorisation.

7. 本人(等)同意，本人(等)取消或更改本授權書的任何通知，須於取消/更改生效日最少兩個工作天之前交予本人(等)的銀行及上述受益人。
I/We agree that any notice of cancellation or variation of this authorisation which I/we may give to my/our bank shall be given at least two working days prior to the date on which such cancellation/variation is to take effect and at the same time such notice shall be given to the above named beneficiary.

附註 Notes:

請保證貴戶在此授權書內之簽名，與銀行賬戶所簽者完全相同。

Please ensure that you sign the form in the usual way that you would sign on your Bank Account.

此欄不用填寫
Remarks

為保持獨立性，我們並不接受來自政府、企業及政黨的捐款。我們在香港的人權教育工作經費，全部來自您們獨立捐款者的支持。
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2

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締造更公義的社會 Build a more righteous society

3

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Organisation Updates

國際特赦組織《2018年度香港人權狀況報告》和《2018年度全球死刑及處決報告》已經出版，並上載至以下連結。

The Year-end Human Rights Review 2018 – Hong Kong, and Death Sentences and Executions Report 2018 have been released. Electronic versions can be downloaded from the following links:

《2018年度香港人權狀況報告》

Year-end Human Rights Review 2018 – Hong Kong

<https://www.amnesty.org.hk/?p=17150>



《2018年度全球死刑及處決報告》

Death Sentences and Executions Report 2018

<https://www.amnesty.org.hk/?p=17150>



校園人權教育計劃 2019/2020

School Human Rights Education Programme 2019/2020

此計劃現已接受申請，8月31日前申請可享八折優惠。計劃詳情和報名方法，請參閱以下網頁。

The Programme is now open for application. An early bird discount of 20% will be available for applications submitted before August 31. For programme details and application process, please refer to the following website.



<https://www.amnesty.org.hk/en/hre/programmes-at-campus/>

