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Asia - Hongkong

Situation Report

Occupy Central and the fight for information freedom

10 October 2014

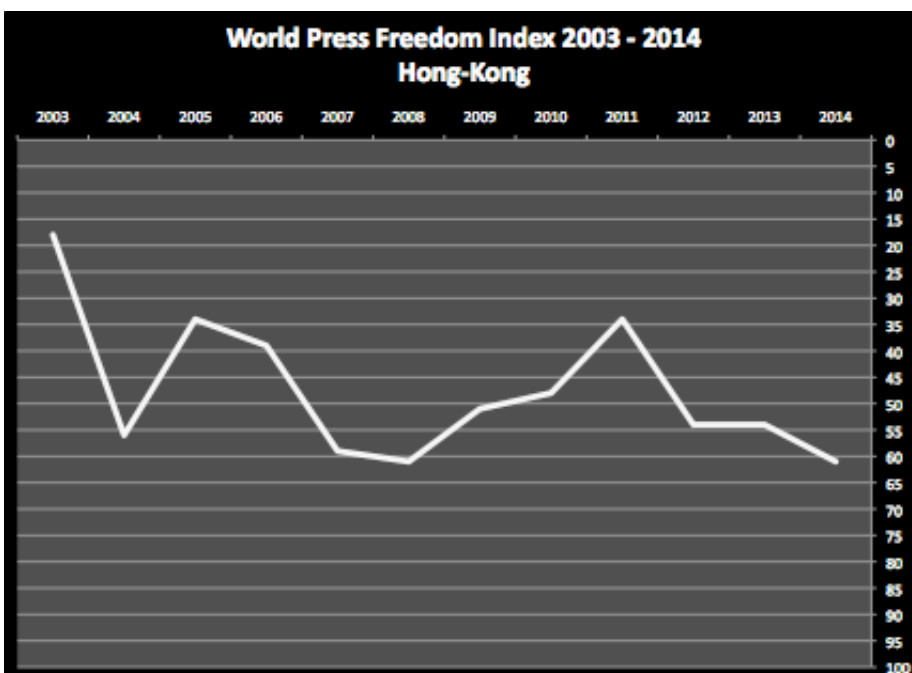
As large-scale demonstrations grip Hong Kong, Reporters Without Borders summarizes the state of information freedom in the city. This year is seeing the gravest threats to press freedom since Hong Kong was returned to China in 1997.

“One country, two systems” – behind that common description of Hong Kong’s status as a “special administrative zone” of China lies a fight for basic freedoms. Freedom of the press and freedom of information are especially threatened.

While the Beijing government notes that the agreement calls for only one country, Hong Kong citizens must be assured that they keep their so-called second system. So far, that is what has allowed journalists, bloggers and human rights defenders to more or less freely express themselves and disseminate information, without full-fledged censorship.

Hong Kong-based media are still able to cover sensitive topics involving the island and mainland China. But the need to fight for continued freedom of expression and press freedom is growing stronger. [Occupy Central](#), the umbrella revolution, is part of this fight. It has evolved from a latent and sporadic conflict to an open, wide-spread struggle between democracy defenders and the Chinese government and its political and economic representatives.

The conflict has been building for some time. Over the past 12 years, Hong Kong has fallen from 18th to 61st of the 180 countries evaluated in [the world press freedom index](#). The Hong Kong journalists who help set that ranking have witnessed [the decline](#); so has the *Hong Kong Journalists Association*.



The main indicators of the erosion of fundamental freedoms that RWB has observed include:

- **Information control and indirect censorship** Hong Kong [remains largely free of censorship policies](#) imposed by Beijing, despite seven years of steady deterioration under Donald Tsang. But the 2012 beginning of the administration of C.Y. Leung, the pro-Beijing chief executive, immediately [demonstrated that he represented an additional danger to press freedom and freedom of expression](#).

To be sure, he did not push highly controversial legislation on national security, which set out heavy prison terms for treason, secessionism, sedition, subversion and theft of state secrets. But the chief executive contemptuously dismisses criticism of him and of the Beijing government.

One year after his inauguration, his commitments concerning press freedom remained unfulfilled. Mostly importantly, these included drafting of a press freedom law, which journalists and citizens are still waiting for. Meanwhile, Leung has taken every opportunity to establish Communist Party censorship in Hong Kong, by [restricting information on government officials' visits to Beijing, and refusing to hold press conferences](#), or by only inviting camera operators and photographers in order to avoid question-and-answer sessions.

• **Violence and intimidation** Until lately, violence against journalists was extremely uncommon. Now, RWB notes a growing number of physical attacks. Last February 25, [a violent assault on journalist Kevin Lau](#) of the daily *Ming Pao* shocked the journalism community. Journalists were already outraged by an attack on employees of *Apple Daily* in June 2013, and the beating of Chen Ping, editor of *iSun Affairs*.

The attitude of Hong Kong police toward media and journalists has been hardening in recent years. Arrests and police misconduct during demonstrations are becoming more frequent. Journalists and camera operators covering the umbrella revolution have been targeted for [physical attacks](#) and [harassment, including sexual harassment](#).

• **Self-censorship and Chinese influence** Active collaboration between the chief executive and the central government, in addition to the growing violence, [which some journalists take as reflecting a policy decision](#), have apparently not satisfied the Chinese government. Mainland authorities are tightening control of local and Hong Kong-based foreign media.

Consequently, journalists in both groups are practicing [self-censorship](#). Speaking anonymously, many Hong Kong journalists have told RWB that their organizations are practicing self-censorship, to the point of seriously breaching journalistic ethics, in order to avoid "problems with Beijing." Last July, Tony Tsoi, founder of the *House News* site, announced he was [shutting it down for fear of reprisal](#) – that is, of being arrested in China on one of his frequent visits.

Unfortunately, however, most self-censorship, even the most obvious examples, do not prompt widespread indignation. They remain out of sight unless pointed out. On 4 June, the *South China Morning Post* decided at the last minute not to do a curtain raiser about the annual "June 4th" rally, later attended by some 200,000 people, on the front page. The decision brought barely any journalistic commentary.

Likewise, *Reuters* and the *Wall Street Journal* waited a day or two before covering the start of pro-democracy demonstrations in their Chinese editions, though the protests were front-page news in most foreign media. Direct involvement by the Beijing government in media control is growing. China, with the help of Hong Kong immigration authorities, is blocking journalists deemed dangerous by and toward the Communist Party from [coming to work in Hong Kong](#). In 2013, *Hong Kong Television Network* was denied a [broadcast licence](#).

The Hong Kong government gave no reason for the decision, giving citizens reason to think that authorities, are moving to control television content, but are not being open about their actions.

Currently, [a triad presence](#) in demonstrations, [censorship](#) of Hong Kong demonstrations by mainland Chinese media, the [blocking of images](#) by the Beijing government, the [arrests of mainland supporters](#) of these pro-democracy gatherings add up together with other violations, to undeniable evidence of the extent of Chinese influence in Hong Kong affairs.

RWB Recommendations Hong Kong is supposed to enjoy broad freedom of expression – a guarantee expressed in Article 19 of the International Covenant on Civil and Political Rights, which is applicable to Hong Kong. These rights are also protected by Article 27 of the Basic Law, the equivalent of a constitution for the Special Administrative Region.

RWB condemns the growing control of the Special Administrative Region by mainland China. The organization urges that the peoples' demands be taken into account, and that freedom of expression and press freedom be protected. Reiterating its support for the *Hong Kong Journalists Association*, RWB requests:

Of law enforcement authorities:

- That they arrest all those who attack members of the press during public rallies, and allow journalists to cover these events in safety;
- that they take measures to halt violence against journalists, and to take all steps necessary to arrest and prosecute all those responsible for carrying out and planning attacks and threats against news professionals.

Of the government:

- That it definitively change its policy on press freedom, especially by allowing media to obtain the licences that they apply for in accord with al regulations;
- that it prepare, as soon as possible and in close collaboration with press defence associations, a law on information freedom protection;
- that it cease to hamper the right to inform and to be informed, by ceasing discrimination against certain media as well as censorship in various forms, including arbitrary information control, especially in press conferences; as well as abusive regulations, as in [the "Companies Ordinance."](#)

Of local and foreign media:

- That they take all measures to operate free of all outside influence, whether political or economic, and to make public any pressure against them;
- That they take all measures necessary to protect their employees from falling victim to such pressures, and to protect the physical security of reporters and of contributors to journalistic content that is considered sensitive.

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