

立法會
Legislative Council

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From : Clerk to the Legislative Council
To : All Members of the Legislative Council

Council meeting of 21 October 2009

**Proposed amendments to motion on
“Defending freedom of the press”**

Further to LC Paper No. CB(3) 20/09-10 issued on 8 October 2009, four Members (Dr Hon Philip WONG Yu-hong, Hon CHEUNG Man-kwong, Hon Miriam LAU Kin-ye and Hon Ronny TONG Ka-wah) have respectively given notice of their intention to move separate amendments to Hon Emily LAU Wai-hing’s motion on “Defending freedom of the press” scheduled for the Council meeting of 21 October 2009. As directed by the President, the respective proposed amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. To assist Members in debating the above motion and amendments, I set out below the procedure to be followed during the debate:

- (a) Hon Emily LAU moves her motion;
- (b) the President proposes the question on Hon Emily LAU’s motion, and orders a joint debate;
- (c) the President calls on the four Members, who intend to move amendments, to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Dr Hon Philip WONG;
 - (ii) Hon CHEUNG Man-kwong;

- (iii) Hon Miriam LAU; and
- (iv) Hon Ronny TONG;
- (d) the President calls upon the designated public officer(s) to speak;
- (e) joint debate on the motion and the amendments follows thereafter;
- (f) the President gives leave to Hon Emily LAU to speak for the second time on the amendments;
- (g) the President calls upon the designated public officer(s) again to speak;
- (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the four Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Dr Hon Philip WONG to move his amendment to the motion, and forthwith proposes and puts to vote the question on Dr Hon Philip WONG's amendment;
- (i) after Dr Hon Philip WONG's amendment has been voted upon, the President deals with the other three amendments; and
- (j) after all amendments have been dealt with, the President calls upon Hon Emily LAU to reply. Thereafter, the President puts to vote the question on Hon Emily LAU's motion, or her motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Defending freedom of the press”
to be held at the Legislative Council meeting
of Wednesday, 21 October 2009**

1. Hon Emily LAU Wai-hing’s original motion

That some Hong Kong journalists, while covering news in Xinjiang, were assaulted, handcuffed and detained by law enforcement officers, and even accused slanderously by the local information office of inciting disturbance and violating the rules on news coverage; also, some Hong Kong journalists covering news in Sichuan were alleged by law enforcement officers of suspected possession of drugs and prohibited from going out; the above incidents have seriously undermined the freedom of news coverage and the public’s right to know as well as damaged the core values of freedom of the press; this Council condemns such acts and urges the Government to adopt the following measures:

- (a) to solemnly reflect to the Mainland authorities that the law enforcement officers on the Mainland be requested to respect civic rights and freedom of the press, refrain from illegally detaining, arresting or assaulting journalists, and request the Mainland authorities to impose severe punishment on the offenders and ensure that similar incidents will not happen again;
- (b) in regard to the unjust investigation of the abovementioned incidents and the slanderous accusation against journalists by the Mainland authorities, to request the Mainland authorities to make clarifications and apologies, conduct a just investigation afresh and release the investigation results to the public; and
- (c) to enquire with media organizations about the problems and difficulties encountered by journalists when covering news on the Mainland, so as to provide as much assistance as possible;

this Council also urges media organizations to adopt the following measures to safeguard the security of journalists when covering news on the Mainland:

- (a) to provide training to journalists to enrich their knowledge about the laws of the Mainland and enhance their abilities to handle unexpected serious incidents;
- (b) to send more experienced journalists to take up news coverage of a more sensitive or dangerous nature; and

- (c) to review the remuneration, insurance coverage and working hours of journalists and safeguard their personal safety, so as to avoid journalists leaving the profession and attract talents to pursue a career in journalism.

2. Motion as amended by Dr Hon Philip WONG Yu-hong

That *according to media reports, recently* some Hong Kong journalists, while covering news in Xinjiang, were assaulted, handcuffed and detained by law enforcement officers, and even ~~accused~~ ~~slenderously~~ *alleged* by the local information office of inciting disturbance and violating the rules on news coverage; also, some Hong Kong journalists covering news in Sichuan were alleged by law enforcement officers of suspected possession of drugs and prohibited from going out; the above incidents have ~~seriously undermined~~ *obstructed* the freedom of news coverage and the public's right to know as well as ~~damaged~~ *affected* the core values of freedom of the press; this Council ~~condemns~~ *expresses grave concern about* such acts and urges the Government to adopt the following measures:

- (a) to ~~solemnly~~ reflect to the Mainland authorities *the concerns of the press in Hong Kong that the Mainland authorities are expected to ensure* that the law enforcement officers on the Mainland ~~be requested to~~ *will* respect civic rights and freedom of the press, refrain from illegally detaining, arresting or assaulting journalists, and ~~request the Mainland authorities to~~ impose severe punishment on the offenders and ~~ensure that similar incidents will not happen again,~~ *in order to prevent such incidents from happening;*
- (b) in regard to the ~~unjust investigation of the abovementioned incidents and the slanderous~~ *serious* accusation against journalists by the Mainland authorities *in the abovementioned incidents*, to request the Mainland authorities to ~~make clarifications and apologies,~~ conduct a just investigation ~~afresh~~ and release the investigation results to the public; and
- (c) to enquire with media organizations about the problems and difficulties encountered by journalists when covering news on the Mainland, so as to provide as much assistance as possible;

this Council also urges media organizations to adopt the following measures to safeguard the security of journalists when covering news on the Mainland:

- (a) to provide training to journalists to enrich their knowledge about the laws of the Mainland and enhance their abilities to handle unexpected serious incidents;
- (b) to send more experienced journalists to take up news coverage of a more sensitive or dangerous nature; and

- (c) to review the remuneration, insurance coverage and working hours of journalists and safeguard their personal safety, so as to avoid journalists leaving the profession and attract talents to pursue a career in journalism.

Note: Dr Hon Philip WONG's amendment is marked in *bold and italic type* or with deletion line.

3. Motion as amended by Hon CHEUNG Man-kwong

That some Hong Kong journalists, while covering news in Xinjiang, were assaulted, handcuffed and detained by law enforcement officers, and even accused slanderously by the local information office of inciting disturbance and violating the rules on news coverage; also, some Hong Kong journalists covering news in Sichuan were alleged by law enforcement officers of suspected possession of drugs and prohibited from going out; the above incidents have seriously undermined the freedom of news coverage and the public's right to know as well as damaged the core values of freedom of the press; this Council condemns such acts and *expresses deep regret at some Hong Kong deputies to the National People's Congress refusing to issue a joint submission conveying their dissatisfaction to the Central Authorities; in this connection, the Council* urges the Government to adopt the following measures:

- (a) to solemnly reflect to the Mainland authorities that the law enforcement officers on the Mainland be requested to respect civic rights and freedom of the press, refrain from illegally detaining, arresting or assaulting journalists, and request the Mainland authorities to impose severe punishment on the offenders and ensure that similar incidents will not happen again;
- (b) in regard to the unjust investigation of the abovementioned incidents and the slanderous accusation against journalists by the Mainland authorities, to request the Mainland authorities to make clarifications and apologies, conduct a just investigation afresh and release the investigation results to the public; and
- (c) to enquire with media organizations about the problems and difficulties encountered by journalists when covering news on the Mainland, so as to provide as much assistance as possible;

this Council also urges media organizations to adopt the following measures to safeguard the security of journalists when covering news on the Mainland:

- (a) to provide training to journalists to enrich their knowledge about the laws of the Mainland and enhance their abilities to handle unexpected serious incidents;

- (b) to send more experienced journalists to take up news coverage of a more sensitive or dangerous nature; and
- (c) to review the remuneration, insurance coverage and working hours of journalists and safeguard their personal safety, so as to avoid journalists leaving the profession and attract talents to pursue a career in journalism.

Note: Hon CHEUNG Man-kwong's amendment is marked in ***bold and italic type***.

4. Motion as amended by Hon Miriam LAU Kin-ye

That some Hong Kong journalists, while covering news in Xinjiang, were assaulted, handcuffed and detained by law enforcement officers, and even accused slanderously by the local information office of inciting disturbance and violating the rules on news coverage; also, some Hong Kong journalists covering news in Sichuan were alleged by law enforcement officers of suspected possession of drugs and prohibited from going out; the above incidents have seriously undermined the freedom of news coverage and the public's right to know as well as damaged the core values of freedom of the press; this Council condemns such acts and urges the Government to adopt the following measures:

- (a) to solemnly reflect to the Mainland authorities that the law enforcement officers on the Mainland be requested to respect civic rights and freedom of the press, refrain from illegally detaining, arresting or assaulting journalists, and request the Mainland authorities to impose severe punishment on the offenders and ensure that similar incidents will not happen again;
- (b) in regard to the unjust investigation of the abovementioned incidents and the slanderous accusation against journalists by the Mainland authorities, to request the Mainland authorities to make clarifications and apologies, ***the Central People's Government to*** conduct a just investigation afresh and release the investigation results to the public; and
- (c) to enquire with media organizations about the problems and difficulties encountered by journalists when covering news on the Mainland, so as to provide as much assistance as possible;

this Council also urges media organizations to adopt the following measures to safeguard the security of journalists when covering news on the Mainland:

- (a) to provide training to journalists to enrich their knowledge about the laws of the Mainland and enhance their abilities to handle unexpected serious incidents;

- (b) to send more experienced journalists to take up news coverage of a more sensitive or dangerous nature; and
- (c) to review the remuneration, insurance coverage and working hours of journalists and safeguard their personal safety, so as to avoid journalists leaving the profession and attract talents to pursue a career in journalism.

Note: Hon Miriam LAU's amendment is marked in *bold and italic type*.

5. Motion as amended by Hon Ronny TONG Ka-wah

That some Hong Kong journalists, while covering news in Xinjiang, were assaulted, handcuffed and detained by law enforcement officers, and even accused slanderously by the local information office of inciting disturbance and violating the rules on news coverage; also, some Hong Kong journalists covering news in Sichuan were alleged by law enforcement officers of suspected possession of drugs and prohibited from going out; the above incidents have seriously undermined the freedom of news coverage and the public's right to know as well as damaged the core values of freedom of the press; this Council condemns such acts and urges the Government to adopt the following measures:

- (a) to solemnly reflect to the Mainland authorities that the law enforcement officers on the Mainland be requested to respect civic rights and freedom of the press, refrain from illegally detaining, arresting or assaulting journalists, and request the Mainland authorities to impose severe punishment on the offenders and ensure that similar incidents will not happen again;
- (b) in regard to the unjust investigation of the abovementioned incidents and the slanderous accusation against journalists by the Mainland authorities, to request the Mainland authorities to make clarifications and apologies, conduct a just investigation afresh and release the investigation results to the public; ~~and~~
- (c) to enquire with media organizations about the problems and difficulties encountered by journalists when covering news on the Mainland, so as to provide as much assistance as possible; *and*
- (d) *to strive for the Central Government's pledge to respect freedom of the press and abolish the requirement for Hong Kong journalists to apply for a press card before they can cover news on the Mainland;*

this Council also urges media organizations to adopt the following measures to safeguard the security of journalists when covering news on the Mainland:

- (a) to provide training to journalists to enrich their knowledge about the laws of the Mainland and enhance their abilities to handle unexpected serious incidents;
- (b) to send more experienced journalists to take up news coverage of a more sensitive or dangerous nature; and
- (c) to review the remuneration, insurance coverage and working hours of journalists and safeguard their personal safety, so as to avoid journalists leaving the profession and attract talents to pursue a career in journalism.

Note: Hon Ronny TONG's amendment is marked in *bold and italic type* or with deletion line.