



Open Letter: Hong Kong

August 29, 2011

Donald Tsang Yam-Kuen
Chief Executive
Hong Kong Special Administrative Region

Re: Call to uphold press freedom in Hong Kong

Dear Chief Executive Tsang,

The International Federation of Journalists (IFJ) is deeply concerned that freedom of the press in Hong Kong has been undermined by Hong Kong police and government officials after a series of events since July 1.

Hong Kong has a long-standing tradition of respect for civil liberties including press freedom, freedom of expression and freedom of assembly. Under section 27 of Chapter 3 of the Basic Law of Hong Kong Special Administrative Region, and section 8 of the Bill of Rights Ordinance it is stated that freedom of expression, the press, publications, demonstrations and assemblies are guaranteed for all. However, the IFJ has noted a rapid erosion of these rights in the period since the appointment of Hong Kong Police Commissioner Andy Tsang in January 2011.

On July 1, Kiri Choy, an intern journalist with New Tang Dynasty Television, and David Cheung, a citizen journalist with Green Radio, were detained by police when they were unable to produce their press cards when questioned. They were arrested and detained at a police station in Aberdeen, Hong Kong for more than 10 hours. Police Commissioner Tsang denied the arrests and detention of Choy and Cheung had occurred when questioned by media on July 9

On August 11, Emily Tsang, of *Ming Pao*, Cathy Tang, of *Sing Tao*, and James Yan, of *Capital Weekly*, were detained by police for at least six hours on accusations of attempted burglary after they had registered and received a visitor's permit at the reception office of the New Government Complex in Hong Kong.

On August 18, Sit Ka-Kit, a camera operator with Now Television, was prevented by an unknown person from filming the visit of Chinese First Vice Premier Li Keqiang to Laguna City, Kowloon, Hong Kong. A police officer in uniform failed to act on Sit's complaint that he had been prevented from performing his professional duty, and that the person responsible had refused to identify themselves.

Another journalist, Iris Hui, of a local radio broadcaster, was subjected to an arbitrary security check on August 16 when she covered Li's trip to Hong Kong. She said a police officer examined the contents of her wallet without explanation. Under Hong Kong law, police can only conduct such searches when they have reasonable grounds to believe a person may have committed a crime.

Other journalists faced obstructions or were prevented from reporting on about 20 of Li's scheduled activities, according to IFJ affiliate the Hong Kong Journalists' Association (HKJA). Hong Kong media were granted access to fewer than half of the activities scheduled



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during Li's visit. Remaining activities were mainly reported on by the Government Information Office.

The IFJ notes that various government officials including the Chief Executive had explained that restrictions on media coverage of Li's visit were due to limited space at some events. However, we also note that the Government Information Office edited footage before it was disseminated to media. This is a violation of Section 27 of Chapter 3 of Hong Kong's Basic Law, which protects media from government interference.

We are concerned by the remarks of Hong Kong Chief Secretary Henry Tang Ying-Yen, who dismissed questions from journalists regarding the tightening of security for Li's Hong Kong visit and said allegations that press freedom had been undermined were "complete rubbish". Tang's remark was deleted in the subsequent media release issued by government officials.

Foreign media were also subject to widespread restrictions during Li's visit. A foreign journalist complained to the Government Information Office that only two people were permitted to attend Li's speech at Hong Kong University. Many citizens and university students were also prevented from attending, and were detained by police for wearing T-shirts with the slogan "Redress June 4", in reference to the 1989 Tiananmen Square Massacre.

The IFJ is aware that various government officials, including yourself as the Chief Executive, have made a public commitment that the Government of Hong Kong will continue to respect press freedom.

We respectfully request that you honour this commitment, including by ensuring that the Government of Hong Kong does not discriminate against local and foreign media.

We are deeply concerned by growing evidence that police in Hong Kong are employing similar tactics as those used by security personnel on the Mainland to obstruct media personnel in the conduct of their work and to restrict media freedoms.

Article 19 of the Universal Declaration of Human Rights states that "Everyone has the right to freedom of opinion and expression; the right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers. This sentiment is reiterated in the International Covenant on Civil and Political Rights. By the virtue of the Hong Kong's Basic Law, the ICCPR is recognised under section 39. The Government of Hong Kong has a legal obligation therefore to honour its commitment to apply the ICCPR's principles.

The IFJ urges the Chief Executive of Hong Kong to address growing concerns about restrictions on media freedoms in Hong Kong. We request that you instruct all senior government officials to fully recognise and implement the rights to press freedom enshrined in the Basic Law.

We further urge Chief Secretary Henry Tang to meet with our affiliate, the HKJA, and an IFJ representative in order to discuss our concerns.

Furthermore, we urge the legislators of the Security Panel of the Hong Kong Legislative Council to carefully examine the issues of police power in a meeting planned for August 29, to discuss the conduct of police in Hong Kong during Li's visit.



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We fully support the HKJA's calls for Hong Kong Police Commissioner Andy Tsang to offer an apology to media who organised a protest in response to police tactics on August 20. The IFJ endorses the demands of the group of more than 300 journalists, including students and citizen , who organised the protest.

Beth Costa

A handwritten signature in black ink that reads 'Beth Costa'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

*IFJ General Secretary
August 29, 2011*

c.c.

Henry Tang Ying-Yen
Chief Secretary of HKSAR

Ambrose Lee Siu-Kwong
Secretary for Security of HKSAR

Security Panel :

James To Kun-sun
Chairman

Lau Kong-wah
Deputy Chairman

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Cheung Man-Kwong

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