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Submission to HK LegCo and UN Human Rights Council

Freedom of Speech in Hong Kong pertaining to the Freedom of the Press

Amongst the many jurisdictions in Asia, Hong Kong has long been lauded for its prosperity and many freedoms. Many observers of Hong Kong cite the city's freedom of speech as one of the tenets that have led the city to its success in the region. I write to the panel in affirmation of Hong Kong's continual maintenance and protection of Hong Kong citizens' freedom of speech, made evident by the strong freedom of the press in Hong Kong.

The freedom of the press in Hong Kong is enshrined in the Basic Law. To quote Article 27 of the Basic Law, "Hong Kong residents shall have freedom of speech, of the press and of publication." Any resident of Hong Kong is free to publish when he or she has the means to do so. Hong Kong's newspapers continue to be vocal and audacious in their reporting. The local newspaper scene has managed to steer clear of the kind of censorship commonly seen in authoritarian regimes while staying above the cheap sensationalism commonly seen in Taiwan.

Some parties have cited concerns regarding the media's ability to remain unbiased and audacious, noting that the influx of capital from Mainland China has permeated the local media landscape. This criticism is blind to the mechanics of the free market. Like any other enterprise, traditional media and press must cater to their consumer should they wish to be commercially sustainable. The speculative suspicion of media outlets pandering to their respective patrons is present in the West (made evident by the case of Rupert Murdoch) as it is in Hong Kong; to suggest Hong Kong is more restricted in freedom of the press due to the same problem that plagues the Western media landscape demonstrates a kind of double standard.

The best countermeasure against the dominance of the media landscape by the private sector is to have publicly-funded but independent media like the British Broadcasting Corporation (BBC) and the Australian Broadcasting Corporation (ABC). Hong Kong is well ahead in this regard. Radio Television Hong Kong (RTHK) is funded by the taxpayers of Hong Kong and enjoys editorial independence in its reporting. RTHK has a long-standing and proven track record of being critical of the government, from before the handover when RTHK covered the problematic treatment and circumstances of Vietnamese refugees in Hong Kong, the settlement of the Kowloon walled city and the Tiu King Leng Kuomintang enclave, to our current post-1997 era when RTHK has been critical of a variety of social issues from the legislation of Article 23, the political reform, handling of the occupy movement, urban renewal and many more. Being in the forefront of audacious and in-depth journalism, RTHK embodies Hong Kong's institutional dedication to pluralism and the freedom of the press.

From the arguments and evidence I have put forward, it is apparent that the media and press in Hong Kong are rigorously exercising its function as the fourth estate in auditing and monitoring the performance of the government while shedding light on other social ills; they have been exercising their rights without any arbitrary or unreasonable hindrance from the government. Hong Kong's press and media's dedication to the continual discovery of the truth and critique of society and government is commendable, especially when it is put against the backdrop of rising populism, media sensationalism and loudening demagoguery in the rest of the world.

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