



# THREATENED HARBOR

ENCROACHMENTS ON  
PRESS FREEDOM IN  
HONG KONG

*Threatened Harbor*  
*Encroachments on Press Freedom in Hong Kong*

January 16, 2015

© PEN American Center 2015  
All rights reserved

PEN American Center is the largest branch of PEN International, the world's leading literary and human rights organization. PEN works in more than 100 countries to protect free expression and to defend writers and journalists who are imprisoned, threatened, persecuted, or attacked in the course of their profession. PEN America's 3,700 members stand together with more than 20,000 PEN writers worldwide in international literary fellowship to carry on the achievements of such past members as James Baldwin, Robert Frost, Allen Ginsberg, Langston Hughes, Arthur Miller, Eugene O'Neill, Susan Sontag, and John Steinbeck. For more information, please visit [www.pen.org](http://www.pen.org).

*Cover photograph:* © Gareth Hayes, Creative Commons

---

# CONTENTS

---

<b>Introduction</b>	4
<b>Report Framework and Methodology</b>	6
<b>Legal Framework</b>	7
<b>Challenges to Press Freedom in Hong Kong</b>	9
Physical Assaults on Journalists	9
Attacks on and Obstruction of Media During the Pro-Democracy Protests	11
Threats to Free Expression Online	14
Politically Motivated Censorship and Removal of Media Figures	17
Politically Motivated Economic Pressures on Media Outlets	20
<b>Recommendations</b>	22
<b>References</b>	23
<b>Appendix: Alleged Incidents of Violence Against Journalists During the 2014 Pro-Democracy Protests As Reported to the Hong Kong Journalists Association</b>	23



---

# INTRODUCTION

---

Hong Kong has long enjoyed a vibrant, diverse, and independent media and a unique position as a window into mainland China. Local and foreign correspondents make use of Hong Kong's unique geopolitical position, cosmopolitanism, and strong protections for freedom of expression to report on news from Hong Kong, mainland China, and the greater Asia region, free from the harsh constraints and censorship that stifle mainland media outlets and journalists. Hong Kong is home to many of Asia's largest circulation Chinese and English language newspapers, websites, and magazines. In the years since the 1997 handover of Hong Kong from the United Kingdom to mainland China, the media sector has continued to thrive despite some signs of gradual constraint. The deterioration of press freedom has accelerated significantly over the past year, coinciding with a time of political crisis in Hong Kong and growing questions about the future of its unique political status and relationship to China.

Hong Kong's stature as a bastion of press freedom in Asia is all the more important as the already dire situation for independent journalists, editors, and intellectuals based in mainland China continues to deteriorate. Independent journalists, publishers, and commentators on the mainland face threats, harassment, attacks, and imprisonment for their work; censorship is ubiquitous, and foreign correspondents and news outlets are increasingly restricted in their ability to report on sensitive topics, subject to reprisals involving journalist visas and the accessibility of their websites within China.<sup>1</sup> The world knows much more about China today due to the still vibrant investigative reporting carried out from Hong Kong. While the environment for press freedom in Hong Kong is fundamentally different and far more open than in mainland China, multiple and increasing signs of encroachment on press freedom demand attention.

When the British returned Hong Kong to Chinese control, part of the handover agreement stipulated that Hong Kong was to enjoy a "high degree of autonomy" to manage domestic affairs under a "one country, two systems" framework for 50 years.<sup>2</sup> The Joint Declaration, a 1984 treaty promising continued protections for basic human rights in Hong Kong signed by China and Britain and registered at the United Nations, explicitly guarantees that press freedom will be protected following the handover.<sup>3</sup> The Basic Law, Hong Kong's mini-Constitution

passed in 1990 by the Chinese National People's Congress, also explicitly protects the rights of Hong Kong's residents through the year 2047, including the freedom of speech, freedom of the press, and freedom of assembly.

*In September 2014, thousands of students launched what would become months of public demonstrations on the streets of Hong Kong, spreading a message of protest in favor of democracy over the internet, and in traditional news publications.*

The people of Hong Kong have shown the will to fight for the rights and freedoms to which they are legally entitled. In September 2014, thousands of students launched what would become months of public demonstrations on the streets of Hong Kong, spreading a message of protest in favor of democracy over the internet, and in traditional news publications. Social media and websites provided commentary and news updates as members of the public occupied the streets



of Admiralty, Mong Kok, and Causeway Bay, calling for the 2017 election for Hong Kong Chief Executive (the head of government) to “satisfy the international standards in relation to universal suffrage.”<sup>4</sup> Observers and protestors alike posted pictures, video, and text across the internet. The *Wall Street Journal* called the protests, often referred to in the media as “Occupy Central with Love and Peace” or the “Umbrella Movement,” the “boldest challenge to Chinese authoritarianism in a quarter century.”<sup>5</sup>

While the freewheeling nature of the Hong Kong pro-democracy protests and their widespread coverage by local and global press reflected a free and committed press corps hard at work, a closer examination of trends over the last few years reveals a growing climate of insecurity for the media driven by several factors: physical assaults on journalists, attacks

on and obstruction of media covering the protests, growing threats to freedom of expression online, politically influenced leadership changes and censorship at media outlets, and the withdrawal of advertising from papers considered critical of Beijing.

After warning that freedom of expression in Hong Kong faced new threats in 2013, the Hong Kong Journalists Association wrote in their 2014 Annual Report that June 2013 through July 2014 was the “darkest for press freedom [in Hong Kong] for several decades.”<sup>6</sup> Notably, the organization called this year the worst on record for press freedom even before the pro-democracy protests raised new concerns about attacks on journalists, alleged police obstruction of media, cyber attacks on an unprecedented scale, and the troubling use of general criminal laws to target pro-democracy speech online.



---

# REPORT FRAMEWORK AND METHODOLOGY

---

This report begins with a brief overview of press freedom under Hong Kong law and international human rights law, outlining the obligations of the Hong Kong government. The report then analyzes several key issues contributing to a climate of growing insecurity for press freedom in Hong Kong: physical assaults on journalists, attacks on and obstruction of media covering the 2014 pro-democracy protests, growing threats to freedom of expression online, politically motivated leadership changes and censorship at media outlets, and the withdrawal of advertising from papers considered critical of Beijing.

This report is based on a review of news reports and reports from civil society organizations discussing press freedom in Hong Kong; news reports, video recordings, and photographs documenting the pro-democracy protests in 2014, and in-person interviews and email conversations with journalists, media executives, political officials, and media law experts. Requests for comment and information made to Hong Kong police and prosecutors, and to several political officials, had not been returned by the time of publication. The office of the Secretary for Home Affairs declined a meeting with PEN's researchers.

Most of the journalists interviewed, both foreign correspondents and local journalists writing in Chinese or English, requested to remain anonymous due to fear of professional repercussions.



---

# LEGAL FRAMEWORK

---

The right to freedom of expression, which includes freedom of speech, freedom of the press, and freedom of assembly, is protected both under Hong Kong law and international law. Together, the Basic Law of the Hong Kong S.A.R. (the Basic Law), the Hong Kong Bill of Rights Ordinance (Bill of Rights Ordinance), and the International Covenant on Civil and Political Rights (ICCPR) form a protective legal shield to safeguard press freedom in Hong Kong.

## The Right to Freedom of Expression under Hong Kong Law

The Basic Law serves as the constitutional document of Hong Kong.<sup>7</sup> As such, the Basic Law establishes Hong Kong's essential political and legal principles, prescribes the powers and duties of the government, and guarantees specific rights for its citizens.<sup>8</sup> Freedom of the press is enshrined in Article 27 of the Basic Law, which provides:

“Hong Kong residents shall have freedom of speech, of the press and of publication; freedom of association, of assembly, of procession, and of demonstration; and the right and freedom to form and join trade unions, and to strike.”<sup>9</sup>

Article 39 of the Basic Law requires Hong Kong to enact laws to give the International Covenant on Civil and Political Rights effect under domestic law, and the 1991 Bill of Rights Ordinance expressly incorporates the ICCPR's provisions into Hong Kong law.<sup>10</sup> Article 16 of the Bill of Rights Ordinance is identical to Article 19 of the ICCPR; both state, in relevant part:

“Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, or in print, in the form of art, or through any other media of his choice.”<sup>11</sup>

Furthermore, as noted above, the Sino-British Joint Declaration, a 1984 treaty promising continued protections for basic human rights in Hong Kong signed by China and Britain, explicitly guarantees that press freedom will be protected in Hong Kong following the handover.<sup>12</sup>

## The Right to Freedom of the Press under International Law

Article 19 of the International Covenant on Civil and Political Rights (ICCPR) protects the right to freedom of expression, including the right to freedom of the press.<sup>13</sup> The United Nations Human Rights Committee, the body that provides authoritative interpretations of the ICCPR's provisions, has explicitly recognized the value of a free press to an open society:

“A free, uncensored, and unhindered press or other media is essential in any society to ensure freedom of opinion and expression and the enjoyment of other Covenant rights. It constitutes one of the cornerstones of a democratic society. ... The free communication of information and ideas about public and political issues between citizens, candidates, and elected representatives is essential. This implies a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion. The public also has a corresponding right to receive media output.”<sup>14</sup>

The Human Rights Committee has affirmed that the right to freedom of expression in the ICCPR protects both the dissemination of news and the process of newsgathering.<sup>15</sup> The Committee has also noted that freedom of the press applies broadly, as journalism may be performed not only by professional full-time reporters, but also by “bloggers and others who engage in forms of self-publication in print, on the internet, or elsewhere.”<sup>16</sup> It has further acknowledged the increasing importance of online media, urging parties to the ICCPR “to take all necessary steps to foster the independence of these new media and to ensure access of individuals thereto.”<sup>17</sup>

## Permissible Restrictions on Freedom of Expression under the ICCPR

Freedom of expression, including freedom of the press, may be subject to certain restrictions under international law, but these are strictly limited.<sup>18</sup> Limitations on press freedom implemented in the name of protecting public order must satisfy certain conditions, as the Human Rights Committee has explained:





“It is for the State party to demonstrate the legal basis for any restrictions imposed on freedom of expression... When a State party invokes a legitimate ground for restriction of freedom of expression, it must demonstrate in specific and individualized fashion the precise nature of the threat, and the necessity and proportionality of the specific action taken, in particular by establishing a direct and immediate connection between the expression and the threat.”<sup>19</sup>

The Committee has further specified that “[t]he penalization of a media outlet, publishers or journalists solely for being critical of the government or the political social system espoused by the government can never be considered to be a necessary restriction of freedom of expression.”<sup>20</sup>

Under most circumstances, deliberate interference with newsgathering violates international law. According to the Human Rights Committee, restrictions on journalists’

movement are rarely justified, and the Committee has noted specifically that journalists’ access to “conflict-affected locations, the sites of natural disasters and locations where there are allegations of human rights abuses” should not be restricted.<sup>21</sup> Furthermore, the Committee states that attacks against journalists or others involved in monitoring potential abuses of human rights, including physical assaults, arbitrary arrests, threats, and intimidation, should be “vigorously investigated” and the perpetrators should be prosecuted.<sup>22</sup>

Under Hong Kong law, generally speaking, the media may cover events happening in public places without seeking prior permission. Although the police “are equipped with wide powers to keep public order,” allowing them to take certain measures to regulate public assemblies, in recent years several complaints have been made to the Hong Kong Police Force’s internal review unit regarding police interference with newsgathering activities at public demonstrations, and a number of these complaints have been found to be substantiated by the review unit.<sup>23</sup>



---

# CHALLENGES TO PRESS FREEDOM IN HONG KONG

---

## Physical Assaults on Journalists

Hong Kong has seen a sharp escalation in violent attacks on the media in recent years, with the trend continuing through 2014 and into 2015.

Hong Kong saw 11 reported cases of assaults on journalists between July 2012 and June 2013 and six reported assault cases between July 2013 and June 2014.<sup>24</sup> The physical attacks between July 2012 and June 2014 included an attack on a *South China Morning Post* (SCMP) photographer while she was covering a story on parallel importers (traders who buy stock tax-free in Hong Kong to resell in mainland China); the beating of a NOW TV cameraman by a participant at a pro-government demonstration; the threatening of a New Tang Dynasty Television reporter with a knife; an attack on the publisher of the political weekly *iSun Affairs*; the ramming of a car into the front gate of the home of Next Media's owner, Jimmy Lai; an assault on a *Sharp Daily* reporter in Central; and an attack on the owner of the free newspaper *am730*.<sup>25</sup>

Notably, arrests were reported only in the cases involving the attack on the SCMP photographer and the beating of the NOW TV cameraman.<sup>26</sup> In both of these cases the defendants were convicted of common assault, fined HK\$1,000 (equivalent to approximately US\$125) and given community service orders.<sup>27</sup>

2014 began with a brutal, near-fatal attack on veteran Hong Kong journalist and former *Ming Pao Daily News* editor Kevin Lau. *Ming Pao* is a Chinese-language newspaper generally recognized for its critical reporting on the government as well as its reliability and professionalism. During Mr. Lau's two-year tenure as chief editor of *Ming Pao*, the newspaper had investigated Hong Kong's chief executive for a reported "illegal glass canopy extension" attached to his private residence;<sup>28</sup> covered the mysterious death of mainland dissident, Li Wangyang, who had served over twenty years in prison for his participation in the Tiananmen Square protests of 1989;<sup>29</sup> and participated

*“Once people see an attack on a journalist and nobody gets punished, people say ‘Okay, it’s open season on journalists.’ If people can attack journalists and get away with it, it gives other people permission to do the same.”*

in an investigation by the Washington-based International Consortium of Investigative Journalists into offshore bank accounts held by relatives of several senior mainland Chinese leaders.<sup>30</sup> As an editor, Mr. Lau was known for “resisting pressure from the invisible hands who try to meddle in the newsroom at critical moments.”<sup>31</sup> In January 2014, *Ming Pao* removed Mr. Lau from his post as chief editor and replaced him with a Malaysian editor “viewed as pro-Beijing.”<sup>32</sup> This incident is discussed in detail below.

Mr. Lau was attacked on February 26, 2014, only three days after thousands of journalists and free speech advocates



marched in Hong Kong to protest the erosion of press freedom and free expression.<sup>33</sup> An unknown assailant attacked Mr. Lau as he got out of his car near a neighborhood restaurant he frequently visited in Sai Wan Ho, Hong Kong.<sup>34</sup> Police sources reportedly described the attack as “designed to maim, not kill, to send a warning.”<sup>35</sup> Mr. Lau was admitted to the hospital in critical condition with multiple deep stab wounds to his back and legs,<sup>36</sup> and was unable to return to his work until August 2014.<sup>37</sup> Doctors informed him it could take up to two years to fully recover from the wounds inflicted in the attack.<sup>38</sup> Hong Kong’s Chief Executive and Legislative Council both publicly condemned the attack.<sup>39</sup>

By March 15, 2014, Hong Kong police had arrested eleven people in connection with the attack on Mr. Lau—but none thought to have ordered the assault.<sup>40</sup> Nine of the eleven suspects were released on bail, with two suspects from mainland China remaining in police custody pending further inquiry.<sup>41</sup> At the time of the arrests, Hong Kong Police Commissioner Andy Tsang Wai-hung announced there was no direct evidence to link the attack with Mr. Lau’s professional work as a journalist.<sup>42</sup> The media community criticized Mr. Tsang’s remarks and expressed concern that they indicated police bias ahead

of the trial.<sup>43</sup> In its 2014 Annual Report, the Hong Kong Journalists Association pointed to unresolved prior attacks on the media in 1985, 1994, 1996, 1998, and 2013, calling into question “whether at the end of the day the suspects in the Kevin Lau case will ever be convicted – and in particular whether the mastermind behind the attack will ever face trial.”<sup>44</sup> PEN understands that the two individuals still in police custody will go to trial in July 2015.

The attack on Kevin Lau was followed by a similar incident just weeks later. On March 19, 2014, four men attacked two senior executives with the Hong Kong Morning News Media Group, a newly registered media company formed by a group of veteran Hong Kong journalists.<sup>45</sup> The group was planning to launch a new Chinese language newspaper, *Hong Kong Morning News*, later in the year, with the organizers reported as stating, “Hong Kong needs a balanced paper with credibility amid this media ecology.”<sup>46</sup> The attackers struck director and vice-president Lei Iun-han and senior executive Lam Kin-min with metal pipes outside the Hong Kong Science Museum in Tsim Sha Tsui in broad daylight.<sup>47</sup> The pair were taken to the hospital where they received treatment for injuries to their arms and legs. James To Kun-sun, the deputy chairman of



the Legislative Council's Panel on Security, which monitors and examines government policies and issues related to public safety, told the *South China Morning Post* there was reason to believe the pair was targeted because of their editorial work.<sup>48</sup> Occurring so soon after the brutal attack on Kevin Lau, the attack on the two senior executives drew international condemnation and concern regarding the status of press freedom in Hong Kong.<sup>49</sup> Four individuals have been arrested and charged in connection with this case, and all four have pled not guilty.<sup>50</sup> The case was still pending at the time of this report's publication.<sup>51</sup> The Hong Kong Morning News Media group closed down in May 2014.<sup>52</sup>

These physical attacks send a chilling message to journalists and press freedom advocates in Hong Kong. Ten months after the attack on Kevin Lau, journalists and advocates interviewed for this report continued to refer to it as a source of fear. Francis Moriarty, a founder of the Human Rights Press Awards at the Foreign Correspondents Club, emphasized the need for the government and police to pursue violent attacks on the press with immediacy and urgency, stating, "Once people see an attack on a journalist and nobody gets punished, people say 'Okay, it's open season on journalists.' If people can attack journalists and get away with it, it gives other people permission to do the same."<sup>53</sup>

## Attacks on and Obstruction of Media During the Pro-Democracy Protests

### 1. Attacks by Unidentified Assailants During Protests

Attacks on the media by unidentified assailants continued during the pro-democracy protests, sometimes referred to as the "Umbrella Movement" due to protesters' use of umbrellas to deflect police tear gas and pepper spray. During the protests, media tycoon and pro-democracy supporter Jimmy Lai Chee-ying, as well as Mr. Lai's company, Next Media, were the target of multiple attacks by anti-Occupy protestors. Next Media was founded after the crackdown in China in 1989, and is known for its strong pro-democracy stance and criticism of successive Hong Kong government officials. Its flagship newspaper, *Apple Daily*, is one of the most widely circulated newspapers in Hong Kong and is known for its critical coverage of Beijing.<sup>54</sup> *Apple Daily* openly supported Occupy Central and provided extensive coverage of students and other participants.<sup>55</sup> *The Economist* praised the newspaper for its bold coverage of political discourse in Hong Kong during the summer of 2014 and characterized the paper as "a lively tabloid accused by critics of being a tool of radical activists."<sup>56</sup> Mr. Lai had already faced one unresolved attack on his home in June 2013.<sup>57</sup> An unknown assailant crashed a stolen vehicle through the gate of Mr. Lai's home in Kowloon, leaving an axe and a machete behind before speeding away.<sup>58</sup>

Attacks on Mr. Lai and his media company started to occur well before Occupy protestors filled the streets of Admiralty, Mong Kok, and Causeway Bay. During the week of June 16, 2014, just days ahead of an online referendum

organized by the independent website *popvote.hk* to collect public opinion on the 2017 election process, *Apple Daily's* website experienced a cyber attack, crashing its website.<sup>59</sup> Mr. Lai publicly blamed Beijing for trying to silence voices supporting the public vote.<sup>60</sup> On August 27, 2014, just before Beijing handed down a controversial decision on the election process for the chief executive post for 2017, Hong Kong's Independent Commission Against Corruption raided Mr. Lai's home, alleging he made suspicious donations to pro-democracy political groups in Hong Kong.<sup>61</sup> No charges have been filed against Mr. Lai.<sup>62</sup>

Anti-Occupy protestors attacked Mr. Lai and his media company throughout the protests as Mr. Lai stepped up the paper's editorial backing and *Apple Daily's* website provided live coverage of the protests.<sup>63</sup> Anti-Occupy protestors surrounded the *Apple Daily* offices for several days beginning on October 11, blockading the distribution of the newspaper.<sup>64</sup> Police responded after the media group complained, though no arrests were reported.<sup>65</sup> Hong Kong's High Court issued an injunction against the anti-Occupy protestors on October 14. In response, the crowds reportedly tore up copies of the injunction and continued to block newspaper distribution.<sup>66</sup> Police officers reportedly formed a human chain to separate the protestors from the *Apple Daily* staff.<sup>67</sup> Next Media officials ultimately hired a crane to lift the newspaper bundles out over the protestors.<sup>68</sup> In an interview with Mark Simon, a senior executive at Next Media, Mr. Simon confirmed that, to his knowledge, no arrests were made in connection with the blockade around Next Media's facilities, but also noted, "The police were very helpful... We got an order to clear the area around our facilities and the police enforced the order. When the police were there, the paper went out. The police officers kept the street clear."<sup>69</sup>

Only one week after the blockade was cleared, masked men poured barrels of soy sauce over thousands of copies of *Apple Daily* and *Headline Daily*, a newspaper owned by Sing Tao Corporation, that were waiting to be distributed in the early morning hours of October 22.<sup>70</sup> Police were reportedly seeking 14 suspects, but no arrests were reported.<sup>71</sup> Less than a month later, anti-Occupy protestors directly attacked Mr. Lai at the main protest site in Admiralty on November 12 by throwing animal organs at him.<sup>72</sup> News sources report that the police arrested three men in connection with this attack.<sup>73</sup>

The attacks on Mr. Lai and Next Media have continued into 2015. At approximately 1:45 am on January 12, 2015, two unidentified assailants hurled firebombs at the gates to his private residence.<sup>74</sup> Five minutes later, attackers threw a similar firebomb at the gates of the Next Media offices.<sup>75</sup> Two cars suspected to be used in the attacks were later found torched.<sup>76</sup> Police have reportedly identified four suspects in the case.<sup>77</sup> In response to the attack, Secretary for Justice Rimsky Yuen confirmed the investigation is ongoing, and "said it is not appropriate to compare present cases involving people from the media with previous ones as each case has its own circumstances."<sup>78</sup>

Other pro-democracy media figures have also been attacked. On November 25, 2014, radio broadcaster and media entrepreneur Stephen Shiu Yeuk-yuen was attacked in his car just days after calling on activists to find new ways to protest from the main stage at the Occupy protest site in Admiralty.<sup>79</sup> Mr. Shiu is the founder of Hong Kong Reporter, an internet radio station, and Meme HK, another online radio station known for its pro-democracy stance.<sup>80</sup> Mr. Shiu was reportedly attacked in a “car ambush” in which an unknown assailant smashed his windshield with a metal bar.<sup>81</sup> No arrests had been reported at the time of publication.<sup>82</sup>

In addition to attacks on high-profile media figures, the Hong Kong Journalists Association recorded 24 alleged attacks on journalists between the dates of September 22 and October 29, 2014 in connection with the pro-democracy protests.<sup>83</sup> The allegations include physical and verbal assaults by unidentified assailants, as well as by police, that threatened the safety of media workers and caused media advocacy groups to question police conduct.<sup>84</sup> A full list of the alleged attacks reported to the HKJA is included in the Appendix to this report. These attacks should be fully investigated, and where appropriate, those responsible should be held accountable.

Between October 3-4, 2014, at least ten separate attacks on journalists by unidentified assailants were reported when a number of anti-Occupy protestors entered the Mong Kok Occupy site and attempted to force out the protestors. The alleged attacks reported to the HKJA include the following:

- A *Ming Pao News* photographer reported a man punched his camera while he was filming the anti-Occupy protestors circling the pro-democracy protestors. The flashlight on his camera broke away and could not be found. The photographer was wearing his press ID and repeatedly shouting, “Calm down. I am a journalist.”<sup>85</sup>
- A journalist filming for *Coconuts Media*, an online news site, was recording a group of men criticizing the protestors when one of the men slapped his camera and punched him on the side of his head.<sup>86</sup>
- A journalist with *U Magazine* reported a man hit her arm several times with a hard object. She reported the case to the police after a hospital examination.<sup>87</sup>

In condemning the attacks in Mong Kok on October 3 and 4, 2014, the Foreign Correspondents’ Club, the HKJA, and the International Federation of Journalists also criticized the police for allegedly failing to respond to the assaults and fulfill their responsibility to protect press safety.<sup>88</sup>

During an October 25 rally organized by the Blue Ribbon Movement, known for its anti-protest stance, anti-Occupy protestors attacked a number of journalists attempting to report on the event.<sup>89</sup>

- Hong Kong Television Broadcasting (TVB)’s two

*“These physical attacks send a chilling message to journalists and press freedom advocates in Hong Kong. Ten months after the attack on Kevin Lau, journalists and advocates interviewed for this report continued to refer to it as a source of fear.”*

news cameramen and a journalist reported verbal and physical abuse including being kicked and punched.<sup>90</sup> The International Federation of Journalists reported that one of the cameramen “was blocked and pulled from behind when he was trying to film a scuffle. When his camera fell, he grabbed his assailant and asked the police to prevent him from leaving, but the police did not help. The cameraman said he was immediately surrounded and assaulted by up to 20 people.”<sup>91</sup>

- The International Federation of Journalists reported an incident involving Radio Television of Hong Kong (RTHK) reporter Wong Wing-yin, stating that she “was asked to prove she was a journalist when she was taking photos. Although Wong had already shown her press card, anti-Occupy Movement protestors ignored this and snatched away her press card and backpack. When she fell down, she was kicked on her leg and torso. She was eventually escorted to safety by foreign journalists.”<sup>92</sup>

Six news unions and associations condemned the attacks.<sup>93</sup> Media reported the police had arrested two suspects and did not exclude making further arrests.<sup>94</sup>

## **2. Excessive Use of Force and Media Obstruction by Police Before and During Protests**

In addition to attacks on members of the media by unidentified assailants in 2014, several allegations of excessive use



of force by police and police interference with the media were reported during the pro-democracy protests. These incidents included pepper spraying journalists, hitting them with batons, and arbitrary arrests of journalists. Given the size and duration of the protests, the small number of reported incidents of police infringements on press freedom suggests that considerable restraint was exercised. Taken together, however, these incidents suggest that Hong Kong police have not been adequately trained on the rights of the press during public demonstrations.

Among the alleged incidents that journalists reported to the HKJA involving the police:<sup>95</sup>

- On October 15, 2014, a cameraman for *Social Record Channel (SocREC)*, an online media portal, was reportedly dragged away by riot police while filming police efforts to clear protestors from the Tamar Garden protest site. Although he repeatedly waved his press identification card, police officers allegedly kicked and punched him and loaded him into a police van. He was released only when an officer in the van recognized that he was a journalist. The cameraman reportedly suffered injuries to his face, neck, and left arm.<sup>96</sup>
- On October 15, 2014, a photographer from *InMedia HK* reported that a police officer pointed a bottle of pepper spray at him and told him to move back. Although the photographer followed the officer's instructions, the officer still directed pepper spray in his face several times without giving any warning. The photographer reported that his arms were then twisted in an arm lock as the police removed him from the scene. He repeatedly shouted that he was a member of the press, to which the police responded, "Yes, you are a journalist. So what? Even if you are a journalist, you are not allowed to get so close to film."<sup>97</sup>
- On October 18, 2014, a police sergeant reportedly ordered an *Oriental Daily* journalist to move back. The journalist identified himself as a member of the press, and the sergeant replied, "So what?" then used a baton to physically push the journalist, who fell down. The journalist again stated, "I am a journalist. Calm down." As the journalist tried to get up, he was pepper sprayed by police.<sup>98</sup>

Other instances of alleged police interference with the media reported by Hong Kong news outlets and by journalists interviewed for this report include:

- On November 27, 2014, an *SCMP* reporter recorded police arresting an *Apple Daily* photographer at the Occupy protest site in Mong Kok.<sup>99</sup> The *SCMP* video shows the photographer, identified as Wong Chun-lung, holding up his camera to record the events as

a police officer turns around, apparently accidentally banging his head on the camera.<sup>100</sup> The officer then grabs Wong's elbow before more officers surround Wong, who falls to the ground.<sup>101</sup> The *SCMP* reports that Wong was later arrested for assaulting a police officer and resisting arrest.<sup>102</sup>

- On November 28, 2014, Ng Cheuk-hang, a freelance journalist who was covering the protest movement for *InMedia HK*, was allegedly pushed onto the ground by a police officer who then looked at his press card and, despite Mr. Ng identifying himself as part of the media, instructed his colleague to arrest him.<sup>103</sup> As he described the incident, "I was pushed to the ground by an officer in a deep blue shirt. He saw my press card, and asked who I was. After he looked at my press card, he said [to his colleague] 'arrest him as well.' Then he pushed me into a corner with others who were awaiting arrest."<sup>104</sup> The police ended up releasing Mr. Ng after detaining him.<sup>105</sup> He believes the police released him because they did not have evidence to charge him.<sup>106</sup>
- Kayee Fung, a reporter who covered the protest movement for *Meme HK*, described inconsistent police treatment towards media professionals and increasing restrictions on the media's access to the events as the Occupy movement continued.<sup>107</sup> Ms. Fung recalled, "In the last few weeks, police obstruction was particularly serious. On the last day when they cleared the Admiralty site, December 11, 2014, the police told the media that if they wished to go out, they could go out after their press cards were checked. When I went out, they forced us to go to a spot, which they said was the only spot where press could go, not freely moving around. They said it was for our safety. All members of the press, including the reporters and cameramen, had to go to that spot."<sup>108</sup> Later, when Ms. Fung asked the police to return to a blocked area where protestors were waiting to be arrested, she was told she could not return because she was online media. Ms. Fung then went to the other side of the same area where the protestors were waiting to be arrested and the police in that location allowed her to enter. She commented, "I think the police internally do not know how to treat online media," as she described colleagues who worked for traditional media outlets being allowed to more freely move around blocked areas and being explicitly told by police that "online media could not enter certain areas."<sup>109</sup>

Many of the journalists and media professionals interviewed for this report did not view excessive use of force or media obstruction by the police as a major threat to press freedom in Hong Kong, stating that they do not think Hong Kong police specifically target members of the media or intention-

ally interfere with press freedom. Some explicitly praised the police's handling of anti-Occupy protestors' attempts to curb free speech. One journalist excused police interference as a sign of police incompetence rather than an intentional act to impede reporting, and suggested police may have been more forceful with journalists near the end of the protests as a human consequence of fatigue and frustration as the days wore on.<sup>110</sup> Tom Grundy, a multimedia freelance journalist who founded the English online news site *Hongwrong*, stated, "There are good weeks and bad weeks at times, but the level of access the Hong Kong police give to journalists is good. Journalists are quite lucky in Hong Kong. You can get behind the police lines and there is better access here than in Europe or North America."<sup>111</sup>

However, incidents like those recorded here drew criticism from many media organizations, including the HKJA, the Foreign Correspondents' Club of Hong Kong, the Press Photographers Association, and the International Federation of Journalists, as well as from human rights organizations like Amnesty International.<sup>112</sup> The Foreign Correspondents' Club stated it was "deeply disturbed" by the reports of attacks on journalists, "especially those ascribed directly to police officers, or where police could have intervened but do not appear to have done so."<sup>113</sup>

The HKJA stated, "The attacks are not accidental... We are shocked to hear some journalists who carried well-displayed identification cards had become the target of acts of violence by police. They were blocked by police from doing their reporting work. This is totally unacceptable. Only a thorough investigation into the attacks can stop the violence from spreading."<sup>114</sup> In a further statement responding to the arrests of two journalists in November, the HKJA warned, "The arrests are serious violations of press freedom enshrined in the Basic Law. They serve as an intimidation against the media from monitoring the police action."<sup>115</sup>

Police representatives have strenuously denied that journalists have been targeted by police in an effort to suppress press freedom. Former Assistant Commissioner of Police David Ng Ka-sing suggested that these incidents are the result of police working under "extremely chaotic circumstances" and reiterated that police and journalists are "partners."<sup>116</sup> The police have also stated that they will investigate all complaints lodged about police conduct during the protests "in a fair and impartial manner."<sup>117</sup> In addition, Hong Kong Chief Executive Leung Chun-Ying issued a statement on October 26 in response to an incident in which several journalists were attacked while covering the protests, saying "The Chief Executive and the Hong Kong Government all along respect press freedom and strongly condemn this savage act. The Police will follow up on the incident in a serious manner."<sup>118</sup>

Nevertheless, the alleged incidents collected in the Appendix to this report, as well as those reported in Hong Kong news media and by journalists interviewed for this report, suggest that Hong Kong police would benefit from additional training on upholding freedom of the press and freedom of assembly

under the challenging conditions posed by large public demonstrations like the pro-democracy protests.<sup>119</sup>

## Threats to Free Expression Online

### 1. Targeting Pro-Democracy Speech Online

A particularly disturbing development prior to and during the pro-democracy protests was the use of Section 161 of the Crimes Ordinance, "Access to computer with criminal or dishonest intent" ("Section 161"), to target online speech by citizen journalists, bloggers, and ordinary citizens. Between September 26 and November 8, 2014, police arrested 14 people described by one news source as "pro-democracy netizens" for what police termed "cyber crime," including:<sup>120</sup>

- On October 4, 2014, a 22-year-old man was arrested for allegedly calling on people to join the Occupy movement on social media sites.<sup>121</sup> He was formally charged in the Magistrates Court on December 13, 2014.<sup>122</sup>
- On October 18, 2014, within hours of allegedly posting on the HKGolden website a message urging residents to take to the streets and support the protest movement, a 23-year-old man was arrested in his home.<sup>123</sup> Referring to the arrest, a police spokesman told reporters, "Inciting others to commit criminal acts on the Internet is illegal. Police will investigate, gather evidence and take arrest action."<sup>124</sup>
- On November 7, 2014, the police arrested a 25-year-old man for allegedly posting a guide on Facebook groups and discussion forums encouraging people to occupy the Government House.<sup>125</sup>

Prior to the pro-democracy protests in 2014, the police had already shown their willingness to use Section 161 in pursuing online speech. Local and international news media reported two cases:

- In June 2014, the police arrested a 15-year-old boy for allegedly posting a guide online on how to storm the Legislative Council building. Prosecutors charged the boy under Section 161 in September 2014.<sup>126</sup>
- Shortly before the Occupy movement began in September 2014, Joshua Wong, the co-founder of the student group Scholarism, is reported to have been arrested by police after he allegedly called on fellow protestors to break through barricades in front of government headquarters. After two days, a judge ordered Wong's release.<sup>127</sup>

Media law expert Professor Doreen Weisenhaus of the Journalism and Media Studies Centre of the University of Hong Kong has expressed great concern over Hong Kong



“joining a growing trend, particularly in Asia, to use general cyber crime laws to target online speech and online activities.”<sup>128</sup> Section 161 of Hong Kong’s Crimes Ordinance was adopted in 1993, prior to many modern technological developments. Section 161 states, in part, “any person who obtains access to a computer with intent to commit an offense... whether on the same occasion as he obtains such access or on any future occasion, commits an offense[...].”<sup>129</sup> According to session minutes in Hong Kong’s Legislative Council, Section 161 was a narrowly drafted law intended to combat technology crimes such as online fraud and illegal access to a computer system.<sup>130</sup>

***“China has determined they are going to crush the Occupy movement and they are going to do it by cyber attacks... It doesn’t mean we can’t have free speech; it just means we have to fight for it. We have always had to fight for free speech; this is just a new dynamic in the digital age.”***

Many experts suggest the police and prosecution may be abusing the law by applying it broadly to curb online speech.<sup>131</sup> Andrew Raffell, a barrister and consultant at the law faculty of Chinese University of Hong Kong, told business news website *Quartz*, “The police and the prosecution have been allowed to artificially extend [the law] to the point of distortion.”<sup>132</sup> Charles Mok, a member of the IT Functional Constituency in Hong Kong’s Legislative Council, equated Section 161 to a “universal plug that can be attached to all kinds of crimes if the act involves the use of computers, mobile phones or even digital cameras.”<sup>133</sup> Critics further suggest that prosecutors are using the ordinance to seek heavier sentences for individuals

who may have used any electronic device in the course of an act that might be criminal in nature, even if the act was in no way computer-specific.<sup>134</sup>

Media professionals, academics, researchers and advocates are also citing these Section 161 arrests as examples of the lack of legal protections for online media and the need for greater transparency surrounding user data requests in Hong Kong.<sup>135</sup> The police reportedly found the person mentioned in one of the cases above using an IP address they acquired from HK Golden’s administrators, upon request, without a court order.<sup>136</sup> Jennifer Zhang, the project manager of the Hong Kong Transparency Report, wrote an op-ed in the *South China Morning Post* highlighting the ease with which Hong Kong government officials can obtain online bloggers’ personal data and calling on government agencies and internet companies to enact safeguards for protecting online speech.<sup>137</sup>

At least 14 individuals were arrested for “access to a computer with criminal and dishonest intent” or “criminal intimidation” during the pro-democracy protests; there are no reports available regarding further action on the part of the police or prosecutors.<sup>138</sup> Mr. Mok expressed concern that the act of arrest itself may be enough to stifle free speech, even if police later drop the case.<sup>139</sup> He worries that Section 161 is being intentionally used as a scare tactic to let people know they are being watched while using the internet.<sup>140</sup> He noted the Legislative Council has been asking for statistics regarding how many people have been arrested under Section 161, how many people have been formally charged, and whether there have been any final judgments on the cases, but their requests have not been answered.<sup>141</sup> Amidst the growing concern that the government is using generic cyber crime laws to go after online speech, it will be particularly important to monitor how the police, the prosecution, and the courts handle these cases.

## 2. Cyber Attacks Against Media Websites

Online media and websites for traditional media outlets endured what many, including the content delivery network Cloudflare, which services the sites, have reported to be “the largest cyber attacks in history” as Hong Kong’s political debates intensified.<sup>142</sup>

Multiple distributed denial-of-service (DDoS) attacks began only days before an online referendum in preparation for the 2017 elections was scheduled to take place on the independent website PopVote.hk. The civic group “Occupy Central with Love and Peace” had appointed the Public Opinion Program (POP) at the University of Hong Kong and the Center for Social Policy Studies at the Hong Kong Polytechnic University to host the civil referendum on their servers through the website from June 20 – 22, 2014.<sup>143</sup> The referendum aimed to allow all citizens to voice their opinions on the nomination process in advance of the 2017 elections for chief executive (the head of the Hong Kong government) and had been criticized by pro-Beijing political groups.<sup>144</sup> On June 13, 2014, hours after HKU’s POP started accepting voter pre-registrations, the system reportedly “endured the largest distributed denial-of-service attack in its history.”<sup>145</sup> On June



16, 2014, HKU POP announced that two of their three hosting providers, UDomain and Amazon Web Services, had subsequently withdrawn their services.<sup>146</sup>

On June 18, 2014, Next Media and the *Apple Daily* website experienced a DDoS attack that rendered the *Apple Daily* website “paralyzed” for more than ten hours.<sup>147</sup> All Next Media Group websites and cell phone apps in Hong Kong and Taiwan were shut down.<sup>148</sup> *Apple Daily* had been providing extensive coverage of the debates and events leading up to the referendum, including launching a separate online platform solely for reporting on the referendum.<sup>149</sup>

On June 22, 2014, *Apple Daily* continued to report that its website was blocked due to the cyber attacks.<sup>150</sup> Lento Yip Yuk-fai, a chairman of the Internet Service Providers’ Association, is reported to have told *Apple Daily*, “An attack of such a scale would require more than 10,000 computers to launch. It was unlikely to have been launched by ordinary hackers.”<sup>151</sup> Based on the large scale of the attack, the proximity to the online referendum and *Apple Daily*’s history of supportive coverage of the online referendum, Next Media’s

chairman Jimmy Lai blamed Beijing.<sup>152</sup> The International Federation of Journalists’ Asia Pacific Office stated, “This is clearly a cyber attack on a media outlet aimed at suppressing press freedom.”<sup>153</sup>

Next Media and *Apple Daily*’s website continued to experience cyber attacks on a regular basis throughout the pro-democracy protests. On July 28, 2014, multiple media sources reported that Jimmy Lai’s email account had been hacked.<sup>154</sup> On October 9, news sources reported that he had been the victim of three cyber attacks since July 2014.<sup>155</sup> On October 14, *Apple Daily* reported that its email systems, website, and mobile apps were under attack, disrupting its internal operations, news publishing, and newspaper production.<sup>156</sup> Next Media executive Mark Simon told PEN that Next Media is “under attack all the time. We just continue to defend our system the best we can. China has determined they are going to crush the Occupy movement and they are going to do it by cyber attacks... It doesn’t mean we can’t have free speech; it just means we have to fight for it. We have always had to fight for free speech; this is just a new dynamic in the digital age.”<sup>157</sup>



Next Media and *Apple Daily* were not alone in facing online attacks. Following the start of the student occupation of Civic Plaza at Hong Kong's government headquarters in Admiralty on September 27, 2014, several independent online news sites have suffered prolonged cyber attacks disrupting their ability to disseminate news and at times forcing them entirely offline.<sup>158</sup> The pro-democratic websites *Passion Times*, *Post852*, *HKDash* and *InMediaHK* all reported cyber attacks during October 2014.<sup>159</sup>

Mr. Simon emphasized the importance of global unity in fighting for free speech in the digital age. He warned, "Five years from now, it is going to be a completely different world. People are going to wake up to these cyber attacks with journalists living in fear... China is a willing home for cyber crime and for repression of free speech on the internet. They openly sponsor and embrace it."<sup>160</sup>

## Politically Motivated Censorship and Removal of Media Figures

Significant senior-level personnel changes within the Hong Kong media industry starting in 2013 and continuing in 2014 have led many to fear that Hong Kong's traditionally diverse range of media options is slowly being strangled by China's influence.<sup>161</sup> The Hong Kong Journalists Association stated in its 2014 Annual Report that "control of an organization can be achieved either through financial restraint or personnel changes. The personnel changes in the media industry in the year under review are too significant to ignore."<sup>162</sup>

Hong Kong media organizations are generally free from official government restraints on publications and government censorship of media content.<sup>163</sup> However, the Hong Kong government does have a regulatory framework for media, which treats print and online media differently from broadcast media.<sup>164</sup> Print and online media are largely left to self-regulate, while broadcast media are subject to licensing and detailed regulation.<sup>165</sup> With most print and online media organizations in Hong Kong owned by figures with business interests in mainland China, critics argue that Hong Kong's self-regulation has led to self-censorship in favor of those interests.<sup>166</sup> As for broadcast media, critics warn that licenses "can become a way for the government to pressure TV and radio stations."<sup>167</sup>

The *Hong Kong Economic Journal*, *Ming Pao Daily News*, and Commercial Radio, all traditionally known for critical reporting on the government, removed or reshuffled editors and/or media executives amidst reports of political pressure in 2013-14. The *Hong Kong Economic Journal* reportedly received letters of complaint about its critical reporting about the Chief Executive of Hong Kong both from Beijing and from the Chief Executive himself before making senior-level staffing changes in 2013.<sup>168</sup> Commercial Radio, one of only two privately owned radio broadcasting companies in Hong Kong, had reportedly been warned that the Chief Executive was dissatisfied with the outspoken radio host Li Wei-ling's prime-time morning news show before Commercial Radio

reshuffled the time slot for her show and later dismissed her.<sup>169</sup> As referenced above, *Ming Pao*, which is owned by a Malaysian timber magnate with wide-ranging business interests across Asia, was recognized for its critical coverage of the government under the two-year tenure of chief executive Kevin Lau.<sup>170</sup> The HKJA characterizes the figures who were removed or reshuffled in 2013 and 2014 as "either critical or less willing to give in to pressure in their respective media organizations."<sup>171</sup>

The *Hong Kong Economic Journal*, traditionally known as one of the most influential publications in Hong Kong and a vocal critic of the chief executive during his campaign in 2012, went through a series of personnel changes in 2013 that the HKJA characterized as a "leadership earthquake."<sup>172</sup> In August 2013, the *HKEJ* named Alice Kwok as chief editor. Kwok is a journalist who had reportedly been one of the subjects of a 2003 HKJA investigation into self-censorship at the Metro Finance channel of Metro Broadcast Corporation, after its then-managing editor was fired.<sup>173</sup> Shortly after assuming the chief editor post at *HKEJ*, in October 2013, deputy chief editor Yuen Yiu-ching and his team of three reporters quit amidst reports that Ms. Kwok "partially withdrew one of their articles, which cited examples alleging that major broadcaster TVB's news reporting was in favor of Chief Executive Leung Chun-ying."<sup>174</sup> Ms. Kwok has declined to comment on the matter.<sup>175</sup> Yuen went on to start his own independent online news site, *post852.com*, telling the *SCMP*, "I was forced to set up my own site after the political pressure at the *Journal*. The current media landscape gives me less and less room to say what I want. I choose to earn less and have more freedom to speak the truth."<sup>176</sup>

Signs of censorship and political pressure at the *HKEJ* continued in 2014. Edward Chin Chi-Kin, a weekly columnist for *HKEJ* for the past nine years, hedge fund manager and supporter of the Occupy movement, informed the media that he "received advice from an editor in February 2014 to write only on financial matters."<sup>177</sup> He noted that this was the first time in eight years he had been told what to write.<sup>178</sup> He made the issue public and refused to compromise. Subsequently, on September 2, 2014, Mr. Chin announced that *HKEJ* had abruptly cut his column via an email sent to him over the weekend.<sup>179</sup> Mr. Chin refuted *HKEJ*'s explanation that his weekly column was being cut due to a new page design, citing the previous editorial advice to write only on financial matters.<sup>180</sup> Mr. Chin stated, "Because of the political and economic situation in today's Hong Kong, there's no way for me to write only about finance in my column, since politics and economics are fundamentally inseparable."<sup>181</sup> The Independent Commentators' Association, which counts Chin as a member, released a statement saying, "It is not hard for someone to associate this coincidence with political censorship."<sup>182</sup>

In March 2014, Chan Ka-ming, another weekly columnist with *HKEJ*, publicly denounced the *HKEJ* for rejecting his article entitled, "Done Messing with Hong Kong, Hong Kong is Done."<sup>183</sup> The article challenged the *HKEJ* owner's



father, Li Ka-shing, on recent public comments in which he criticized the people of Hong Kong for harming Hong Kong's economy by complaining about social injustices.<sup>184</sup> When the editor reportedly informed Mr. Chan that the article was "a bit extreme" and that he should "fine tune" it, Mr. Chan published his article via the online website *House News* on March 11, 2014.<sup>185</sup> The HKJA's 2014 Annual Report notes that the *HKEJ*'s chief editor denied withdrawing Mr. Chan's article and finally published the original piece.<sup>186</sup> Commenting on reports of editorial censorship at *HKEJ*, the International Federation of Journalists expressed deep concern "that Hong Kong's media managers lack sufficient independence to face ongoing political pressure from China."<sup>187</sup>

As *HKEJ* faced criticism around editorial censorship, Commercial Radio moved its outspoken prime-time morning news show host Li Wei-ling to a less prominent evening program on November 15, 2013, amidst criticism that the move was an attempt to gain government support leading up to 2016, when Commercial Radio's license is set for renewal.<sup>188</sup> Ms. Li publicly asserted that the move was politically motivated, claiming the administration disliked her and government officials had "warned" her to "be careful of her job."<sup>189</sup> She told the *South China Morning Post*, "I feel an unprecedented sense of crisis and pressure engulfing not just Commercial Radio, but the whole media industry in Hong Kong."<sup>190</sup> The station's chief executive denied that the decision was connected to the station's license renewal.

Commercial Radio is one of only two privately-owned radio broadcasting corporations in Hong Kong and is regulated by the Communications Authority (CA), an independent statutory body established in 2012.<sup>191</sup> The Communications Authority regulates the broadcasting industry, but Hong Kong's Chief Executive, in consultation with the Executive Council, ultimately decides whether to grant or renew a license.<sup>192</sup> Commercial Radio's decision to reshuffle Ms. Li's airtime came shortly after the government announced a controversial decision not to issue a free-to-air license to Hong Kong Television Network (HKTV), leading to widespread public outcry and a protest attended by tens of thousands of people.<sup>193</sup> Commenting on the protest, *SCMP* columnist Kelly Yang wrote in *The Atlantic*, "[The protest participants] saw this decision as just the latest in a long line of policies put forth by the Leung administration to further the interests of China... These protests express a commonly held fear in Hong Kong: that the territory's core values are being eroded by the pro-Beijing administration."<sup>194</sup>

Reflecting on the chain of events, political commentator Albert Cheng King-hon wrote:

"It's obvious that this program arrangement was politically motivated. The whole idea was to muffle any dissenting voices at Commercial Radio... Now, as then, Commercial Radio's troubles stem from the harsh reality that its operating license is up for renewal. In the face of political pressure, the broadcaster has chosen self-preservation, putting business interests ahead of anything else, even

press freedom... Our media doesn't seem to realize press freedom and freedom of expression are suffering a slow death, like a frog being slowly boiled alive. How many media organizations do we need to lose before we know we have no voice and no column space to be able to speak out?"<sup>195</sup>

In February 2014, Commercial Radio fired Ms. Li.<sup>196</sup> Her removal drew sharp criticism from the media community, with Ms. Li herself writing on Facebook, "Although they can ruthlessly remove me from my position, they can't stop me from monitoring Hong Kong's current affairs."<sup>197</sup> Ms. Li told reporters, "I'm unreservedly, one hundred per cent sure that this incident is the [Leung] administration's suppression of the freedom of the press and of speech."<sup>198</sup> Protestors gathered outside Commercial Radio's headquarters after Li's removal.<sup>199</sup> The *SCMP* Editorial Board criticized Commercial Radio's stated reason for Ms. Li's removal, that "the basis of trust and co-operation with Li had been destroyed," as falling "short of expectations of a broadcaster licensed to use public airwaves."<sup>200</sup> The Board wrote, "confidence in freedom of the press and freedom of expression is so fragile that it takes more than mere words to ease public worries. The government, the media and society have the duty to ensure our freedoms are not eroded."<sup>201</sup>

Only one month before Ms. Li's removal, *Ming Pao Daily News* had also attracted accusations of censorship when chief editor Kevin Lau was replaced.<sup>202</sup> On January 6, 2014, *Ming Pao* replaced Lau with a Malaysian editor residing in Singapore and viewed by many commentators as pro-Beijing.<sup>203</sup> The replacement, after Mr. Lau's two years in the position, drew public condemnation from current and former *Ming Pao* staff and columnists, as well as Hong Kong-based and overseas scholars, and the Hong Kong Professional Teachers' Union.<sup>204</sup> Mr. Lau's predecessor had held the position for more than a decade.<sup>205</sup> More than ninety percent of the *Ming Pao* staff reportedly signed a petition demanding an explanation from the management and calling for guarantees that editorial autonomy and freedom would not be compromised.<sup>206</sup>

*Ming Pao* management's decision was widely criticized as a response to political pressure from Beijing based on Mr. Lau's editorial decisions, and "interpreted as a move to avoid antagonizing Beijing and to reposition the newspaper" as a more moderate conservative voice.<sup>207</sup> In response to Mr. Lau's removal, thousands of journalists and free speech advocates marched in Hong Kong to protest the erosion of press freedom and free expression in Hong Kong.<sup>208</sup> Yuen Chan, a lecturer in journalism at the Chinese University of Hong Kong, told the *New York Times* at the time of Mr. Lau's replacement, "If *Ming Pao* shifts, there's even less room for truly independent journalism in Hong Kong. People have been saying that this shows we can't rely on traditional media anymore."<sup>209</sup>

Amidst this backdrop of controversial media leadership changes, the Hong Kong Journalists Association's publication *The Journalist*, which serves as a platform for the HKJA to

## INSTANCES OF MEDIA SELF-CENSORSHIP REPORTED TO *THE JOURNALIST*<sup>1</sup>

MEDIA	CENSORSHIP
TV Stations	A senior decided the rental-allowance fraud scandal of Mak Chai-kwong “cannot be the top story” on the day a newspaper broke it.
	Editors delayed broadcast of a June 4 story ready in afternoon but not sub-edited until evening.
	Reporters are barred from interviewing scholars taking part in pan-democratic activities.
	Events of pro-government group Voice of Loving Hong Kong must be covered and broadcasted although they are not really newsworthy.
	Reporter looking into ICAC inquiry into a pro-government group that received public funds in run up to 2012 Legco election obtained explosive documents from a source. Editor thought the source attempted to influence election results and banned coverage.
Newspapers	A photo showing dock workers throwing food at an effigy of Li Ka-shing during their strike last year was removed from a page.
	Reports and commentaries of China Desk cannot single out PRC President Xi Jinping for criticism. Put “the leadership” instead.
	Property stories cannot target a single private project, and cannot go with photos of a particular private project.
	Police remove a man in June 4 T-shirt from housing estate during visit by then PRC Vice-Premier Li Keqiang in 2011. Story was taken out and condensed into a sentence at the end of another story.
	Reporter made follow-up enquiries with government departments in the wake of corruption scandal of then ICAC chief Timothy Tong. Editor urged reporter to stop working after departments took issue with paper.

<sup>1</sup> *The Journalist* is a publication of the Hong Kong Journalists Association. This chart was originally published in: Joyce Ng and Ken Lui, “How Censorship Works in the Newsroom,” *The Journalist*, May 2014, p. 33. Reproduced here with permission.

communicate with its members and provides news about the media industry in Hong Kong, focused the entire May 2014 issue on censorship in the newsroom due to political and economic pressures.<sup>210</sup> In its 2014 Annual Report the HKJA stated, “Self-censorship is the issue which worries journalists most. They ranked it at 6.9 on a 10-point scale where 10 is the worst.”<sup>211</sup> The May 2014 edition of *The Journalist* details instances of censorship reported by various media figures. These include senior editors delaying stories related to the anniversary of Tiananmen Square, reporters being barred from interviewing scholars taking part in pro-democratic activities, and TV editors banning coverage of corruption inquiries into a pro-government group’s use of public funds, among other incidents.<sup>212</sup> Several sources interviewed for this report who asked to remain anonymous related similar experiences with editorial censorship.

Later, during the pro-democracy protests, editorial changes to a voice-over accompanying a Television Broadcasts Limited (TVB) video showing police beating a protestor generated renewed concerns about self-cen-

sorship and brought sharp criticism from journalists, media advocates and the public.

<sup>213</sup> TVB is one of two free-to-air television broadcasters in Hong Kong. The video had run early in the morning on October 15, 2014, with a voiceover indicating police punched and kicked a protestor identified as Ken Tsang.<sup>214</sup> Later the voiceover was removed completely and the video ran with no commentary.<sup>215</sup> Ultimately the voiceover was changed to say, “the police are suspected to have used violence on Ken Tsang.”<sup>216</sup> Forty-six TVB employees signed an open letter to senior management protesting the network’s treatment of the video.<sup>217</sup>

On November 14, 2014, *Apple Daily* reported that Ho Wing-hong, the TVB assignment editor responsible for the broadcast of the video, had been demoted to senior research officer; news editor Chris Wong, the most senior person among those who signed the anti-censorship letter, had been removed as chief editor of the 6:30pm main news cast and the late night news report on TVB Jade; and that another news editor on duty at the time the video was aired, Perry Chow, had lost a

quarter of her bonus.<sup>218</sup> The TVB news director refused to comment on the treatment of the staff members.<sup>219</sup>

Many veteran journalists and media advocates interviewed for this report expressed deep concern about the political and economic pressures that threaten the vibrant diversity of publications and opinions in Hong Kong's media environment. Shirley Yam, vice-chairperson for the Hong Kong Journalists Association, said, "We are not talking about information not being reported at all, but we are talking about under-reporting, untimely reporting and reports being buried in back pages of publications."<sup>220</sup>

Paul Mooney, an award-winning American freelance journalist who worked for the *SCMP* for twenty years until 2012, commented, "It's about the articles that aren't getting published. It is hard to figure out what the logic is for what gets into the paper and what does not, so the papers allow in just enough to avoid having their credibility questioned. You have to ask about the articles that aren't being published."<sup>221</sup> Another mid-career journalist who requested anonymity called on readers to be critical: "Journalists can push back more when the public is critical. Journalists can use the public criticism to push back on owners and senior editors when they try to block articles."<sup>222</sup>

One Hong Kong journalist interviewed for this report notes that the recent changes in the political environment have created added pressure on the government to influence mainstream media. The journalist said:

"The Beijing government and the Hong Kong government know they have a difficult political task in front of them. Hong Kong has an unpopular chief executive trying to push through a very unpopular reform package so the government feels a need to influence mainstream media. History repeats itself. This happened once in 2003 to 2004 when the SAR government was in a weak position, when they had to sell a controversial package, we saw radio stations suddenly dropping their charismatic hosts, forcing them to shut up. Now it is happening again in 2014. When the chairlady of the HKJA says Hong Kong journalism is now facing a long and cold winter, she is referring to the change in political atmosphere affecting press freedom."<sup>223</sup>

On January 14, 2015, Chief Executive C.Y. Leung directly attacked the University of Hong Kong Student Union's magazine, *Undergrad*, in his annual policy address, reportedly declaring: "*Undergrad* and other students ... have misstated some facts. We must stay alert. We also ask political figures ... to advise them against putting forward such fallacies," according to *SCMP*.<sup>224</sup>

## Politically Motivated Economic Pressures on Media Outlets

Press freedom in Hong Kong was also challenged by politically motivated economic pressures in 2014, as international banks

*"Our media doesn't seem to realize press freedom and freedom of expression are suffering a slow death, like a frog being slowly boiled alive. How many media organizations do we need to lose before we know we have no voice and no column space to be able to speak out?"*

withdrew long-standing advertising contracts with Hong Kong's leading pro-democracy Chinese-language newspaper, *Apple Daily*, and top magazine, *Next*.<sup>225</sup> Noting that advertisements are a vital source of revenue for both electronic and print media, the Hong Kong Journalists Association warned in its 2014 Annual Report, "[b]y placing or pulling advertisements, those in power can exert immense influence on the media and its management. The beauty of such tactics is that they are much less visible to outsiders and finding hard evidence is never easy."<sup>226</sup> Many laud Hong Kong's broad spectrum of media sources as essential to maintaining press freedom in the city and fear that the advertising moves seen in 2014 will destroy that diversity.

Multiple journalists and media professionals interviewed by PEN identified economic pressure on the media as one of the biggest threats to press freedom in Hong Kong. Many suggested the rise in online media, together with China's increasing influence over Hong Kong's economy, makes traditional media more susceptible to loss of advertising revenue. Francis Moriarty said, "A lot of things are achieved through economic pressure that would be more difficult to achieve through political pressure. Costs have gotten outrageous... Having a large circulation does not protect you from the costs. You have to pay for the cost of printing all those papers. Advertising revenues are critical in Hong Kong to cover those costs."<sup>227</sup>



Yuen Chan, a journalism lecturer at the Chinese University of Hong Kong, wrote in an article for *The World Post*:

“[T]o many [in Hong Kong], the free press is increasingly being undermined by a creeping form of self-censorship, political pressure from leaders close to Beijing and the realities of the media market: State-backed Chinese companies are emerging as important advertisers, giving them the power to shape news coverage by threatening to yank their ads. Pressure sometimes comes from Hong Kong companies that do business in China. *Apple Daily*—whose reporters are barred from reporting in mainland China—recently confirmed that major local banks have pulled ads from the newspaper, a sign that business can suffer if coverage offends those with ties to Beijing.”<sup>228</sup>

Multinational banks’ withdrawals of advertising drew scathing criticism from pro-democracy supporter Jimmy Lai.<sup>229</sup> The banks, Hong Kong Shanghai Banking Corporation (HSBC) and Standard Chartered, reportedly started to pull advertisements from *Apple Daily* and *Next* in late 2013.<sup>230</sup> The two banks were reported to have spent a combined \$3.6 million in 2013 on Next Media advertising and were among Next Media’s biggest financial advertising clients.<sup>231</sup> HSBC stopped its advertisements in August 2013 and Standard Chartered stopped its advertisements in December 2013.<sup>232</sup> Mark Simon told the *New York Times* that two local banks, Bank of East Asia and Hang Seng Bank, stopped advertising around the same time.<sup>233</sup> In an interview with PEN, Mr. Simon noted that, financially, Next Media can continue without these big advertisers but advertising bans might harm smaller media outlets, forcing the “little guys” to close down and limiting the variety of media sources in Hong Kong.<sup>234</sup>

While Hong Kong media organizations and critics have long accused the Chinese government of pressuring state-owned Chinese companies to withdraw advertisements in Hong Kong, this was the first time Hong Kong media has seen what many critics suggest is China’s political pressure on global companies.<sup>235</sup> In response to inquiries by media and government officials, both multinational banks reportedly stated that they withdrew their advertising for “commercial” and “marketing” reasons.<sup>236</sup> Anson Chan, who served as Chief Secretary, the second-highest-ranking official in Hong Kong, and is an advocate for media freedom in Hong Kong, wrote to ask the banks why they pulled their advertising.<sup>237</sup> In an interview with the *New York Times*, Ms. Chan said she was not reassured by the banks’ responses reiterating that advertising decisions are commercial.<sup>238</sup> Ms. Chan stated, “An international bank like HSBC and Standard Chartered, if you act this way, it is the first step down a very slippery

slope. What happens the next time they call up and say we don’t like you doing business with certain clients? Are you also going to cave in?”<sup>239</sup>

Mr. Simon was widely referenced in the media in 2014 asserting that the Beijing government pressured the banks to remove their advertising due to Next Media’s continuing coverage of protests against China’s creeping influence in Hong Kong.<sup>240</sup> Notably, Mr. Simon told the *New York Times* that a representative from HSBC “told him that the decision to stop advertising came after the deputy director of the Central Government’s Liaison Office in Hong Kong, Yang Jian, told the bank to end its advertising relationship.”<sup>241</sup> The Liaison Office is the de facto “embassy” for Beijing in Hong Kong.

*Am730*, a free local daily newspaper in Hong Kong known for its independent and comparatively moderate voice, also saw long-standing advertisers withdraw advertisements at the end of 2013 and into 2014. Mr. Shih Wing-ching, the founder and owner of *am730*, accused Beijing of stifling press freedom in Hong Kong citing the sudden withdrawal of advertisements from three “mainland-backed companies” without explanations.<sup>242</sup> Based on a study conducted by Annisa Lee Lai, associate professor at the School of Journalism and Communication at the Chinese University of Hong Kong, the HKJA noted in its 2014 Annual Report that the Bank of China, China Construction Bank (Asia) and China CITIC Bank International withdrew or “drastically cut” advertisements from *am730* in the final quarter of 2013 after previously placing advertisements frequently.<sup>243</sup>

On July 26, 2014, the pro-democracy online media site *House News* suddenly closed down. *House News* was founded in 2012 by former Commercial Radio Chief Operating Officer Tony Tsoi Tung-ho, writer and cultural critic Leung Man-tao, former adviser to the government’s Central Policy Unit Lau Sai-leung, and columnist Gregory Sung Hon-sang.<sup>244</sup> Tsoi, a businessman who regularly traveled into mainland China, cited fear, political pressure, and worsening finances as reasons for the closure, and reported feeling scared every time he crossed the border.<sup>245</sup> Ex-columnist for *House News* Evan Fowler described the publication as a once-vibrant and neutral media outlet where journalists did not have to “censor or frame their writing within certain boundaries” to satisfy political and economic pressures.<sup>246</sup> Mr. Fowler expressed deep concern over growing pressures on press freedom in Hong Kong.<sup>247</sup> Sophie Richardson of Human Rights Watch also noted the damaging impact of *House News*’s closure, arguing that “[i]f Hong Kong is left with a press that only the Chinese government likes, everyone loses... A few years ago, it seemed inconceivable that the vibrant Hong Kong media could be strong-armed into obedience. But it now seems disturbingly possible that a few years from now we might not even know an outlet like *House News* had ever existed.”<sup>248</sup>

---

# RECOMMENDATIONS

---

While the rule of law remains strong in Hong Kong and journalists continue to enjoy a relatively free environment for reporting, the issues documented in this report indicate that press freedom in Hong Kong is at increasing risk. Media outlets are forced to contend with growing direct and indirect pressure to censor stories and silence journalists perceived as critical of Beijing, and a worrying pattern of physical assaults on journalists and media outlets continues.

On the basis of this report's findings, PEN American Center makes the following recommendations:

## To the Government of Hong Kong:

- Promptly and thoroughly investigate all reported attacks against journalists and media personnel, and hold accountable those found responsible. Provide regular public updates about the status of investigations.
- Ensure that Hong Kong police are fully trained on the rights of the media during public demonstrations, and that members of the media may do their job documenting public demonstrations without undue interference.
- Protect freedom of speech online, in accordance with the UN Human Rights Council's resolution on human rights on the internet, which affirms that "the same rights that people have offline must also be protected online, in particular freedom of expression."
- Provide public information, including regular updates, on cases brought under Section 161 of the Crimes Ordinance, including numbers of arrests, formal charges brought, and the final disposition of each case.
- Establish publicly accessible, standard procedures for government requests for internet users' data, including due process protections and transparency requirements.
- Establish a transparent and independent process for media broadcasting licensing.

### **To the international community:**

- Actively monitor the government of Hong Kong's continued compliance with its obligations under the ICCPR, particularly those relating to press freedom, and take appropriate measures to publicly report on the government's record of compliance.
- Request that the United Nations Special Rapporteur on Freedom of Opinion and Expression engage the Chinese government on the issue of freedom of expression in Hong Kong, and include Hong Kong in reports to the UN political bodies.
- Publicly and privately support press freedom in Hong Kong as vital to democracy, important to the free flow of information within and outside of Hong Kong, and as a bulwark in relation to the situation of press freedom in mainland China.
- Raise concerns regarding infringements on press freedom and internet freedom in Hong Kong in bilateral and multilateral discussions with both the Hong Kong and Beijing governments.
- Exert pressure on mainland Chinese authorities to cease all efforts to interfere with press freedom in Hong Kong, including the use of political pressure on commercial entities to persuade them to withdraw advertisements from Hong Kong publications that are critical of government authorities.
- International organizations, institutions, and businesses should avoid commercial decisions, including with respect to business operations, advertising, and partnerships, that compromise values of independence and respect for human rights or otherwise reinforce or enable rights infringements.

### **To local and overseas press organizations, and human rights organizations:**

- Closely monitor and document developments in Hong Kong that affect press freedom, including physical assaults on journalists, censorship, the withdrawal of advertising from media outlets for apparently political reasons, and encroachments on freedom of expression online.
- Ensure that Hong Kong is specifically included, and its unique challenges addressed, in global reports that monitor conditions for freedom of expression and press freedom around the world.



# REFERENCES

- 1 Matt Schiavenza, China's Intensifying Suppression of Foreign Journalism, *The Atlantic*, 12 November 2013, <http://www.theatlantic.com/china/archive/2013/11/china-s-intensifying-suppression-of-foreign-journalism/281334/>; Bob Dietz, In china, mainstream media as well as dissidents under increasing pressure, *Committee to Protect Journalists China Blog*, 17 December 2014, <https://cpj.org/blog/2014/12/China-mainstream-media-as-well-as-dissidents-under-incre.php#more>; China: Release citizen journalists detained for highlighting security crackdown, *Amnesty International*, 11 March 2014, <http://www.amnesty.org/en/news/china-release-citizen-journalists-detained-highlighting-security-crackdown-2014-03-11>; Michael Forsythe, Chinese Government Tightens Constraints on Press Freedom, *The New York Times*, 19 June 2014, [http://www.nytimes.com/2014/06/20/world/asia/chinese-government-tightens-constraints-on-press-freedom.html?\\_r=0](http://www.nytimes.com/2014/06/20/world/asia/chinese-government-tightens-constraints-on-press-freedom.html?_r=0); Position Paper on Working Conditions for Foreign Correspondents in China, *Foreign Correspondents' Club of China*, September 2014, [https://www.opcofamerica.org/sites/default/files/story/fccc\\_position\\_paper\\_2014\\_pdf\\_17460.pdf](https://www.opcofamerica.org/sites/default/files/story/fccc_position_paper_2014_pdf_17460.pdf).
- 2 Official Publication: Sino-British Joint Declaration on the Question of Hong Kong, 7 *Loy. L.A. Int'l & Comp. L. Rev.* 139 (1984), art. 3(2), available at: <http://digitalcommons.lmu.edu/ilr/vol7/iss1/6>.
- 3 *Id.* at art. 3(5).
- 4 Occupy Central with Love and Peace Manifesto, [http://oclp.hk/index.php?route=occupy/eng\\_detail&eng\\_id=9](http://oclp.hk/index.php?route=occupy/eng_detail&eng_id=9).
- 5 Review and Outlook, Strangling Free Hong Kong, *The Wall Street Journal*, 11 December 2014, <http://www.wsj.com/articles/strangling-free-hong-kong-1418344780>.
- 6 Cliff Bale, Mak Yin-ting, Damon Pang, Pat Tam, Fung Wai-kong, Stanley Leung, Jackie Sam, Michelle Fong, 2014 Annual Report: Press Freedom Under Siege, *Hong Kong Journalists Association*, July 2014, p. 2 [hereinafter HKJA Annual Report 2014].
- 7 The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, The Basic Law (July 13, 2012), [http://www.basiclaw.gov.hk/en/basiclawtext/images/basiclaw\\_full\\_text\\_en.pdf](http://www.basiclaw.gov.hk/en/basiclawtext/images/basiclaw_full_text_en.pdf).
- 8 *Id.*
- 9 *Id.* at art. 27.
- 10 *Id.* at art. 39 (“The provisions of the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and international labour conventions as applied to Hong Kong shall remain in force and shall be implemented through the laws of the Hong Kong Special Administrative Region.”); Hong Kong Bill of Rights Ordinance (1991), Part I, Section 2(3) (In interpreting and applying this Ordinance, regard shall be had to the fact that the purpose of this Ordinance is to provide for the incorporation into the law of Hong Kong provisions of the International Covenant on Civil and Political Rights as applied to Hong Kong.”).
- 11 International Covenant on Civil and Political Rights art. 19 (2), Dec. 19, 1966 [hereinafter ICCPR].
- 12 Sino-British Joint Declaration on the Question of Hong Kong at art. 3(5).
- 13 *Id.* at art. 19; U.N. Human Rights Comm., General Comment No. 34, Article 19: Freedoms of Opinion and Expression ¶¶ 11-12, U.N. Doc. CCPR/C/GC/34 (Sept. 12, 2011) [hereinafter General Comment No. 34], <http://www2.ohchr.org/english/bodies/hrc/docs/GC34.pdf>.
- 14 General Comment No. 34 at ¶ 13.
- 15 *Id.* at ¶¶ 11-14.
- 16 General Comment No. 34 at ¶ 44 (noting, in addition, that “journalism is a function shared by a wide range of actors...”); see also *Special Rapporteur on the Situation of Human Rights Defenders, Fourth Rep. on the Situation of Human Rights Defenders* ¶ 122, U.N. Doc. A/HRC/19/55 (December 21, 2011), [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-55\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-55_en.pdf) (“The protection of journalists and media workers active on human rights issues should not be limited to those formally recognized as such, but should include other relevant actors, such as community media workers, bloggers and those monitoring demonstrations.”).
- 17 General Comment No. 34 at ¶ 15.

- 18 ICCPR at art. 19 (3) (restrictions on freedom of expression are limited to situations which implicate the rights of others or for the protection of national security, public order, public health, or morals); General Comment No. 34 at ¶ 21. This sub-section is modeled on an earlier PEN report; see PEN American Center, Ferguson: Press Freedom Under Fire, October 2014, at p. 8.
- 19 General Comment No. 34 at ¶¶ 27-35.
- 20 *Id.* at ¶ 42.
- 21 *Id.* at ¶ 45.
- 22 *Id.* at ¶ 23.
- 23 Doreen Weisenhaus, *Hong Kong Media Law* (2nd ed.), Hong Kong Univ. Press (2014), p. 171-72.
- 24 The Hong Kong Journalists Association, *Dark Clouds on the Horizon: Hong Kong's freedom of expression faces new threats* (2013 Annual Report), July 2013, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1083&lang=en-US> [hereinafter HKJA Annual Report 2013], p. 8-9; HKJA Annual Report 2014 at p. 4-6.
- 25 HKJA Annual Report 2013 at p. 8-9; HKJA Annual Report 2014 at p. 4-5. See also CPJ Contributor, *Journalists in Hong Kong and Taiwan Battle Beijing's Influence*, *Committee to Protect Journalists*, February 2014, <http://cpj.org/2014/02/attacks-on-the-press-hong-kong-analysis.php>; Te-Ping Chen, *Newspaper Attacks Spur Press Freedom Fears in Hong Kong*, *The Wall Street Journal – China Real Time*, 8 July 2013, <http://blogs.wsj.com/chinarealtime/2013/07/08/newspaper-attacks-spur-press-freedom-fears-in-hong-kong/>.
- 26 *Id.* See also Stuart Lau, *Photographer's attackers sentenced to community work*, *South China Morning Post* [hereinafter *SCMP*], 14 May 2013, <http://www.scmp.com/news/hong-kong/article/1237613/two-sentenced-community-service-assaulting-photographer>; Joanna Chiu, *China, local leaders threaten Hong Kong press freedom*, *Committee to Protect Journalists*, 10 July 2013, <http://cpj.org/blog/2013/07/china-local-leaders-threaten-hong-kong-press-freed.php>.
- 27 HKJA Annual Report at p. 8; *Photographer's attackers sentenced to community work*.
- 28 Cyril Pereira, *China Leans on Hong Kong's Press*, *Asia Sentinel*, 5 February 2014, <http://www.asiasentinel.com/politics/china-hong-kong-press/>; Leung Chun-ying stumbles on illegal additions to his Peak home, *Asia Sentinel*, 27 June 2012, <http://www.asiasentinel.com/politics/leung-chun-ying-stumbles-on-illegal-additions-to-his-peak-home/>.
- 29 For information about Ming Pao's coverage of the death see Adrian Wan, *Detention of Ming Pao journalists on mainland condemned*, *SCMP*, 14 September 2012, <http://www.scmp.com/news/hong-kong/article/1036114/detention-ming-pao-journalists-mainland-condemned>; Review and Outlook, *Who Killed Li Wangyang?*, *The Wall Street Journal*, 30 August 2012, <http://www.wsj.com/articles/SB10000872396390444914904577614923301714582>; James Pomfret, *Chinese dissident found dead, family suspect foul play*, *Reuters*, 6 June 2012, <http://uk.reuters.com/article/2012/06/06/uk-china-dissident-idUKBRE8512E20120606>; see also Andrew Jacobs, *Chinese Activist's Death Called Suicide, but Supporters Are Suspicious*, *The New York Times*, 8 June 2012, [http://www.nytimes.com/2012/06/09/world/asia/chinese-activist-li-wangyang-death-called-suicide-but-supporters-are-suspicious.html?\\_r=0](http://www.nytimes.com/2012/06/09/world/asia/chinese-activist-li-wangyang-death-called-suicide-but-supporters-are-suspicious.html?_r=0); China dissident Li Wangyang found dead in hospital, *The Guardian*, 6 June 2012, <http://www.theguardian.com/world/2012/jun/06/china-dissident-li-wangyang-dead>.
- 30 Jonathan Kaiman, *Press Freedom campaigners condemn knife attack on Hong Kong editor*, *The Guardian*, 27 February 2014, <http://www.theguardian.com/world/2014/feb/27/press-freedom-knife-attack-hong-kong-editor-ming-pao>; Hong Kong: Ex-Ming Pao editor Kevin Lau attacked, *BBC News*, 26 February 2014, <http://www.bbc.com/news/world-asia-china-26349266>; Te-Ping Chen, *Former Hong Kong Paper Editor Stabbed*, *The Wall Street Journal*, 26 February 2014, <http://blogs.wsj.com/chinarealtime/2014/02/26/former-hong-kong-paper-editor-stabbed/>; Press Release: Around 13,000 say 'No' to Violence, *Hong Kong Journalists Association*, 2 March 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1184&lang=en-US>.
- 31 As described by Sin Wan-kei of the "Ming Pao Concern Group"; see Cyril Pereira, "China Leans on Hong Kong's Press", *Asia Sentinel*, 5 February 2014, <http://www.asiasentinel.com/politics/china-hong-kong-press/>.
- 32 Hong Kong: Ex-Ming Pao editor Kevin Lau attacked, *BBC News*, 26 February 2014, <http://www.bbc.com/news/world-asia-china-26349266>.
- 33 Ng Kang-chung, *Kevin Lau Chun-to – a Hong Kong journalist at the centre of a storm*, *SCMP*, 27 February 2014, <http://www.scmp.com/news/hong-kong/article/1435899/kevin-lau-chun-hong-kong-journalist-centre-storm>; Jonathan Kaiman, *Press Freedom campaigners condemn knife attack on Hong Kong editor*, *The Guardian*, 27 February 2014, <http://www.theguardian.com/world/2014/feb/27/press-freedom-knife-attack-hong-kong-editor-ming-pao>; Hong Kong: Ex-Ming Pao editor Kevin Lau attacked, *BBC News*, 26 February 2014, <http://www.bbc.com/news/world-asia-china-26349266>; Te-Ping Chen, *Former Hong Kong Paper Editor Stabbed*, *The Wall Street Journal*, 26 February 2014, <http://blogs.wsj.com/chinarealtime/2014/02/26/former-hong-kong-paper-editor-stabbed/>; Thousands Rally for "Free Speech – Free Hong Kong", *International Federation of Journalists*, 25 February 2014,

- <http://www.ifo.org/nc/news-single-view/backpid/243/category/asia-pacific/article/thousands-rally-for-free-speech-free-hong-kong/>; Jeffie Lam and Johnny Tam, Hong Kong journalists take to streets for press freedom, *SCMP*, 23 February 2014, <http://www.scmp.com/news/hong-kong/article/1433702/hong-kong-journalists-take-streets-march-press-freedom?page=all>; Press Release: Free Speech, Free Hong Kong Protest on Sunday, *Hong Kong Journalists Association*, 19 February 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1173&lang=en-US>; Press Release: Around 13,000 say 'No' to Violence, *Hong Kong Journalists Association*, 2 March 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1184&lang=en-US>.
- 34 Clifford Lo, Johnny Tam and Lo Wei, Ming Pao offers HK \$1 million reward after editor critically injured in 'classic triad hit', *SCMP*, 26 February 2014, <http://www.scmp.com/news/hong-kong/article/1435552/former-ming-pao-editor-kevin-lau-fights-life-after-chop-attack-sai?page=all>; Sofia Mitra-Thakur, Hong Kong: Former editor Kevin Lau Chun-to stabbed in triad-style hit, *The Independent*, 28 February 2014, <http://www.independent.co.uk/news/world/asia/hong-kong-former-editor-kevin-lau-chun-to-stabbed-in-triadstyle-hit-9161357.html>; Hong Kong: Ex-Ming Pao editor Kevin Lau attacked, *BBC News*, 26 February 2014, <http://www.bbc.com/news/world-asia-china-26349266>; Te-Ping Chen, Former Hong Kong Paper Editor Stabbed, *The Wall Street Journal*, 26 February 2014, <http://blogs.wsj.com/chinarealtime/2014/02/26/former-hong-kong-paper-editor-stabbed/>.
- 35 Clifford Lo, Johnny Tam and Lo Wei, Ming Pao offers HK \$1 million reward after editor critically injured in 'classic triad hit', *SCMP*, 26 February 2014, <http://www.scmp.com/news/hong-kong/article/1435552/former-ming-pao-editor-kevin-lau-fights-life-after-chop-attack-sai?page=all>.
- 36 Hong Kong: Ex-Ming Pao editor Kevin Lau attacked, *BBC News*, 26 February 2014, <http://www.bbc.com/news/world-asia-china-26349266>; Te-Ping Chen, Former Hong Kong Paper Editor Stabbed, *The Wall Street Journal*, 26 February 2014, <http://blogs.wsj.com/chinarealtime/2014/02/26/former-hong-kong-paper-editor-stabbed/>.
- 37 See Brian Yap, Ex-Ming Pao chief editor Kevin Lau returns to work after February attack, *SCMP*, 1 August 2014, <http://www.scmp.com/news/hong-kong/article/1564278/ex-ming-pao-chief-editor-kevin-lau-returns-work-after-february-attack>.
- 38 Id.; Gerry Mullany, Hong Kong Editor Whose Ouster Stirred Protests is Slashed, *International New York Times*, 25 February 2014, <http://sinosphere.blogs.nytimes.com/2014/02/25/hong-kong-editor-whose-ouster-stirred-protests-is-reported-stabbed/>; Isabella Steger, Thousands take to the Streets to Support Hong Kong Press Freedom, *The Wall Street Journal*, 2 March 2014, <http://www.wsj.com/articles/SB10001424052702304585004579414611826771446>.
- 39 Statement by CE on attack on MediaNet Resources Limited COO Mr Kevin Lau, Office of the Chief Executive, 26 February 2014, <http://www.info.gov.hk/gia/general/201402/26/P201402260445.htm>; Legco condemns attack on Kevin Lau, *The Standard*, March 21, 2014, [http://www.thestandard.com.hk/breaking\\_news\\_detail.asp?id=47778](http://www.thestandard.com.hk/breaking_news_detail.asp?id=47778).
- 40 HKJA Annual Report 2014, p. 4-5; Samuel Chan and Lo Wei, Restore our faith in rule of law, Ming Pao journalist Kevin Lau urges police, *SCMP*, 12 March 2014, <http://www.scmp.com/news/hong-kong/article/1447174/concern-group-set-monitor-police-investigation-attack-kevin-lau>; KP Chan, Speech on Motion on The incident of attack on Mr Kevin LAU Chun-to, the former chief editor of Ming Pao Daily News, 19 March 2014, <http://www.kpchan.com/?p=2667>; AFP in Hong Kong, Nine men arrested over clever attack on Hong Kong journalist, *The Guardian*, 12 March 2014, <http://www.theguardian.com/world/2014/mar/12/nine-arrested-clever-attack-hong-kong-journalist-kevin-lau>; The Big Picture: Arrests in Kevin Lau Case, *Ejinsight.com*, 13 March 2014, <http://www.ejinsight.com/20140313-the-big-picture-arrests-in-kevin-lau-case/>. See also Amy Nip, Mastermind behind chopper attack on Kevin Lau 'may never be known', *SCMP*, 28 February 2014, <http://www.scmp.com/news/hong-kong/article/1437004/mastermind-behind-chopper-attack-kevin-lau-may-never-be-known>.
- 41 Nine Suspects in Kevin Lau Case Freed, RTHK, 14 March 2014, <http://rthk.hk/rthk/news/englishnews/news.htm?-main&20140314&56&992093>; Clifford Lo and Emily Tsang, All nine Hong Kong suspects in editor case released, *SCMP*, 14 March 2014, <http://www.scmp.com/news/hong-kong/article/1448750/hongkongers-arrested-over-kevin-lau-attack-are-members-same-triad>; Nine men arrested over clever attack on Hong Kong journalist, *The Guardian*, 12 March 2014, <http://www.theguardian.com/world/2014/mar/12/nine-arrested-clever-attack-hong-kong-journalist-kevin-lau>.
- 42 HKJA Annual Report 2014, p. 4.
- 43 HKJA Annual Report 2014, p. 4.
- 44 HKJA Annual Report 2014, p. 5.
- 45 Cheung Chi-fai, New paper has no link to mainland, owners insist, *SCMP*, 8 February 2014, <http://www.scmp.com/news/hong-kong/article/1423381/new-paper-has-no-link-mainland-owners-insist>.
- 46 Cheung Chi-fai, New paper has no link to mainland, owners insist, *SCMP*, 8 February 2014, <http://www.scmp.com/news/hong-kong/article/1423381/new-paper-has-no-link-mainland-owners-insist>; The FCC Board, FCC Condemns Beating of Two HK Media Executives, FCC-Hong Kong, 19 March 2014, <http://www.fchkg.org/article/fcc-condemns-beating-two-hk-media-executives>; HKJA Annual Report 2014, p. 5; Samuel Chan



- and Clifford Lo, Duo behind new newspaper beaten with iron pipes in Tsim Sha Tsui attack, *SCMP*, 19 March 2014, <http://www.scmp.com/news/hong-kong/article/1452508/newspaper-executives-attacked-broad-daylight?page=all>; Zoe Li, Hong Kong newspaper executives attacked amid growing free press fears, *CNN*, 20 March 2014, <http://edition.cnn.com/2014/03/20/world/asia/hong-kong-journalists-assault/>.
- 47 Samuel Chan and Clifford Lo, Duo behind new newspaper beaten with iron pipes in Tsim Sha Tsui attack, *SCMP*, 19 March 2014, <http://www.scmp.com/news/hong-kong/article/1452508/newspaper-executives-attacked-broad-daylight?page=all>; Charlie Campbell, Another Brazen Attack on Hong Kong Media Sends A Chill Through the City, *Time*, 20 March 2014, <http://time.com/31447/more-violent-attacks-on-hong-kong-media/>; Chester Yung, Hong Kong Newspaper Executives Injured in Attack, *The Wall Street Journal*, 19 March 2014, <http://www.wsj.com/articles/SB10001424052702304256404579448930915676684>; Michelle Yun, Masked Men Attack Hong Kong Media Startup Executives, *SCMP Says, Bloomberg*, 20 March 2014, <http://www.bloomberg.com/news/2014-03-20/masked-men-attack-hong-kong-media-startup-executives-scmp-says.html>.
- 48 Samuel Chan and Clifford Lo, Duo behind new newspaper beaten with iron pipes in Tsim Sha Tsui attack, *SCMP*, 19 March 2014, <http://www.scmp.com/news/hong-kong/article/1452508/newspaper-executives-attacked-broad-daylight?page=all>; Charlie Campbell, Another Brazen Attack on Hong Kong Media Sends A Chill Through the City, *Time*, 20 March 2014, <http://time.com/31447/more-violent-attacks-on-hong-kong-media/>; Chester Yung, Hong Kong Newspaper Executives Injured in Attack, *The Wall Street Journal*, 19 March 2014, <http://www.wsj.com/articles/SB10001424052702304256404579448930915676684>; Michelle Yun, Masked Men Attack Hong Kong Media Startup Executives, *SCMP Says, Bloomberg*, 20 March 2014, <http://www.bloomberg.com/news/2014-03-20/masked-men-attack-hong-kong-media-startup-executives-scmp-says.html>.
- 49 Ng Kang-Chung, Washington 'troubled' by assaults on Hong Kong media figures, *SMCP*, 20 March 2014, <http://www.scmp.com/news/hong-kong/article/1453132/washington-troubled-assaults-hong-kong-media-figures>.
- 50 Julie Chu, Executive beaten up by gang alleged to have been involved in love triangle, *SCMP*, 2 December 2014, <http://www.scmp.com/news/hong-kong/article/1653398/executive-beaten-gang-alleged-have-been-involved-love-triangle>; see also Julie Chu, Man accused of attacking media boss with metal bars appears in court, *SCMP*, 3 May 2014, <http://www.scmp.com/news/hong-kong/article/1502864/man-accused-attacking-media-boss-metal-bars-appears-court>; Ng Kang-chung, Samuel Chan and Clifford Lo, Two suspected triad members are arrested after attack on newspaper executives, *SCMP*, 20 March 2014, <http://www.scmp.com/news/hong-kong/article/1453271/hong-kong-man-arrested-after-attack-two-newspaper-executives>.
- 51 Id.
- 52 Id.
- 53 Interview with Francis Moriarty on 16 December 2014.
- 54 See e.g. 2014 Annual Report, *Next Media*, 25 July 2014, <http://www.nextmedia.com/investor/pdf/ar2014e.pdf>; Hong Kong's Newspaper of the Year 2014, 4 December 2014, *Marketing Interactive*, <http://www.marketing-interactive.com/features/hong-kong-newspaper-of-the-year-noty-2014/>; Alan Wong, Media Tycoon Critical of China is Visited by Hong Kong Anti-graft Agency, *The New York Times*, 28 August 2014, [http://www.nytimes.com/2014/08/29/world/asia/media-tycoon-critical-of-china-is-visited-by-hong-kong-antigrift-agency.html?\\_r=0](http://www.nytimes.com/2014/08/29/world/asia/media-tycoon-critical-of-china-is-visited-by-hong-kong-antigrift-agency.html?_r=0); Michael Forsythe and Neil Gough, Hong Kong Media Worries Over China's Reach as Ads Disappear, *The New York Times*, 11 June 2014, [http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?\\_r=0](http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?_r=0).
- 55 See e.g. Shedding tears on the streets to promote social changes, no regret for challenging the high wall from the elderly to the youth, [淚灑街頭推動社會進步老中青無悔硬撼高牆], *Apple Daily*, 29 September 2014, <http://hk.apple.nextmedia.com/news/art/20140929/18883380>; Parents and kids folding paper umbrella, sowing the seeds of democracy [親子摺紙傘 撒下民主種子], *Apple Daily*, 13 October 2014, <http://hk.apple.nextmedia.com/news/art/20141013/18898434>; 盧勁業, Pilots and flight attendants sleeping on the streets of Mongkok to protect the students [機師空服員落MK 闖街守護學生], *Apple Daily*, 2 November 2014, <http://hk.apple.nextmedia.com/news/art/20141102/18920929>.
- 56 Tamed Hounds, *The Economist*, 19 July 2014, <http://www.economist.com/news/china/21607879-press-hong-kong-thought-still-free-has-lost-its-bite-tamed-hounds>; SC Yeung, What the *Apple Daily* siege means for press freedom, *Ejinsight.com*, 14 October 2014, <http://www.ejinsight.com/20141014-what-the-apple-daily-siege-means-for-press-freedom/>.
- 57 HKJA Annual Report 2014, p. 5.
- 58 Clifford Lo and Jennifer Ngo, Ram-raider leaves machete message at home of tycoon Jimmy Lai, *SCMP*, 19 June 2013, <http://www.scmp.com/news/hong-kong/article/1264355/car-rams-front-gate-apple-daily-boss-jimmy-lais-home>.
- 59 Lai Ying-kit, Cyberattackers brought down *Apple Daily* website with 40 million hits every second, *SCMP*, 18 June 2014, <http://www.scmp.com/news/hong-kong/article/1535484/>

- apple-daily-website-taken-offline-cyberattack-ahead-occupy-vote?page=all; Luisetta Mudie, Hong Kong Tycoon Blames China for Attack on Website, *Radio Free Asia*, 18 June 2014, <http://www.rfa.org/english/news/china/attack-06182014182526.html>; Joyu Wang, Cyber Attacks Hit Pro-Democracy Websites in Hong Kong, *The Wall Street Journal – China RealTime*, 18 June 2014, <http://blogs.wsj.com/chinarealtime/2014/06/18/cyber-attacks-hit-pro-democracy-websites-in-hong-kong/>.
- 60 Luisetta Mudie, Hong Kong Tycoon Blames China for Attack on Website, *Radio Free Asia*, 18 June 2014, <http://www.rfa.org/english/news/china/attack-06182014182526.html>.
- 61 Clifford Lo and Shirley Zhao, ICAC raids media tycoon Jimmy Lai's home over donations to pan-democrats, *SCMP*, 28 August 2014, <http://www.scmp.com/news/hong-kong/article/1581382/anti-corruption-officers-swoop-jimmy-lais-home?page=all>; Jimmy Lai visits ICAC headquarters, RTHK, 17 September 2014, [http://rthk.hk/rthk/news/englishnews/20140917/news\\_20140917\\_56\\_1037908.htm](http://rthk.hk/rthk/news/englishnews/20140917/news_20140917_56_1037908.htm); Demetri Sevastopulo, Hong Kong anti-corruption agents raid media mogul Jimmy Lai's home, *Financial Times*, 28 August 2014, <http://www.ft.com/intl/cms/s/0/00fe862a-2e69-11e4-b760-00144feabdc0.html#axzz3O00pj846>.
- 62 Isabella Steger, Jimmy Lai to Resign as Next Media Chairman, *Wall Street Journal*, 14 December 2014, <http://www.wsj.com/articles/jimmy-lai-to-resign-as-next-media-chairman-1418561393>. *Oriental Daily*, 16 December 2014, [http://orientaldaily.on.cc/cnt/news/20141216/00176\\_053.html](http://orientaldaily.on.cc/cnt/news/20141216/00176_053.html). See also Clifford Lo and Shirley Zhao, ICAC raids media tycoon Jimmy Lai's home over donations to pan-democrats, *SCMP*, 28 August 2014, <http://www.scmp.com/news/hong-kong/article/1581382/anti-corruption-officers-swoop-jimmy-lais-home?page=all>; Jimmy Lai visits ICAC headquarters, RTHK, 17 September 2014, <http://rthk.hk/rthk/news/elocal/news.htm?elocal&20140917&56&1037908>; Samuel Chan and Clifford Lo, Jimmy Lai visits ICAC headquarters 3 weeks after graft-busters raid his home, *SCMP*, 17 September 2014, <http://www.scmp.com/news/hong-kong/article/1594445/jimmy-lai-arrives-icac-headquarters-questioning>.
- 63 See Heather Timmons and Gwynn Guilford, Hong Kong's protests are over but the fight over free speech has just begun, *Quartz.com*, 15 December 2014, <http://qz.com/311287/hong-kongs-protests-are-over-but-the-fight-over-free-speech-has-just-begun/>; Fiona Law, A Hong Kong Media Mogul and His Protest Tent, *The Wall Street Journal – China RealTime*, 22 October 2014, <http://blogs.wsj.com/chinarealtime/2014/10/22/a-hong-kong-media-mogul-and-his-protest-tent/>; Neil Gough, For Jimmy Lai, Hong Kong's Rebellious Tycoon, Next Battle May Be in Court, *The New York Times*, 11 January 2015, <http://www.nytimes.com/2015/01/12/business/media/for-jimmy-lai-hong-kongs-rebellious-tycoon-next-battle-may-be-in-court.html>; Hong Kong media tycoon Jimmy Lai targeted by firebombs, *BBC News*, 12 January 2015, <http://www.bbc.com/news/world-asia-china-30776405>.
- 64 Thomas Chan and Danny Mok, *Apple Daily* boss may take court action over anti-Occupy protests at newspaper, *SCMP*, 13 October 2014, <http://www.scmp.com/news/hong-kong/article/1615751/jimmy-lai-said-consider-legal-action-stop-anti-apple-daily-siege?page=all>.
- 65 Id.; Mark Simon, interview (8 January 2015).
- 66 Thomas Chan, *Apple Daily* told to post, publish restraining orders, 18 October 2014, <http://www.scmp.com/news/hong-kong/article/1618745/apple-daily-told-post-publish-restraining-orders>.
- 67 Eddie Lee and Peter So, Occupy protestors defy court order, block *Apple Daily* delivery, *SCMP*, 14 October 2014, <http://www.scmp.com/news/hong-kong/article/1616027/anti-occupy-protesters-defy-court-order-block-apple-daily-delivery?page=all>.
- 68 Review and Outlook, Hong Kong's Press Under Siege, *The Wall Street Journal*, 14 October 2014, <http://www.wsj.com/articles/hong-kongs-press-under-siege-1413330960>; Bob Dietz, Hong Kong's Media Battlefield, *Committee to Protect Journalists*, 16 October 2014, <http://cpj.org/blog/2014/10/hong-kongs-media-battlefield.php>; Matt Sheehan, Hong Kong Pro-Democracy Newspaper Under Siege, *Huffington Post*, 15 October 2014, [http://www.huffingtonpost.com/2014/10/15/hong-kong-apple-daily-newspaper\\_n\\_5987148.html](http://www.huffingtonpost.com/2014/10/15/hong-kong-apple-daily-newspaper_n_5987148.html); see also Thomas Chan, *Apple Daily* seeks ban against anti-Occupy protestors outside its headquarters in Tseung Kwan O, *SCMP*, 16 October 2014, <http://www.scmp.com/news/hong-kong/article/1617092/apple-daily-seeks-ban-against-anti-occupy-protesters-outside-its>; Our Correspondent, Hong Kong's Jimmy Lai Isn't Going Anywhere, Thank You, *Asia Sentinel*, 18 December 2014, <http://www.asiasentinel.com/econ-business/hong-kong-jimmy-lai-isnt-going-anywhere-thank-you/>.
- 69 Mark Simon, interview (8 January 2015).
- 70 Samuel Chan, Soy sauce attack on *Apple Daily*, *SCMP*, 23 October 2014, <http://www.scmp.com/news/hong-kong/article/1622338/soy-sauce-attack-apple-daily?page=all>; Yannie Chan, Last Week in Reality, *HK Magazine*, 28 October 2014, <http://hk-magazine.com/city-living/news/last-week-reality-48>; Nicola Davison, Masked gang attacks Hong Kong newspaper with soy sauce, *The Telegraph*, 23 October 2014, <http://www.telegraph.co.uk/news/worldnews/asia/hongkong/11182669/Masked-gang-attacks-Hong-Kong-newspaper-with-soy-sauce.html>.
- 71 Id.; Masked men attack *Apple Daily* distribution centers, *Ejinsight.com*, 23 October 2014, <http://www.ejinsight.com/20141023-masked-men-attack-apple-daily-distribution-center/>.
- 72 Samuel Chan and Alan Yu, Trio throws rotten animal organs

- at Next Media chairman Jimmy Lai in Admiralty, *SCMP*, 12 November 2014, <http://www.scmp.com/print/news/hong-kong/article/1638267/trio-throws-rotten-animal-entrails-next-media-chairman-jimmy-lai?page=all>; Trio Arrested over Jimmy Lai attack, *China Daily Asia*, 12 November 2014, [http://www.chinadailyasia.com/hknews/2014-11/12/content\\_15190133.html](http://www.chinadailyasia.com/hknews/2014-11/12/content_15190133.html); Echo Hui, Fresh clashes break out at Hong Kong protest site, *LA Times*, 12 November 2014, <http://www.latimes.com/world/asia/la-fg-hong-kong-clashes-xi-20141112-story.html>; Staff Reporter, Offal attack on Lai as trio pelt tycoon with pig guts, *The Standard*, 13 November 2014, [http://www.thestandard.com.hk/news\\_detail.asp?we\\_cat=4&art\\_id=151372&sid=43354957&con\\_type=1&d\\_str=20141113&fc=7](http://www.thestandard.com.hk/news_detail.asp?we_cat=4&art_id=151372&sid=43354957&con_type=1&d_str=20141113&fc=7).
- 73 Samuel Chan and Alan Yu, Trio throws rotten animal organs at Next Media chairman Jimmy Lai in Admiralty, *SCMP*, 12 November 2014, <http://www.scmp.com/print/news/hong-kong/article/1638267/trio-throws-rotten-animal-entrails-next-media-chairman-jimmy-lai?page=all>. The police reportedly also arrested two volunteer marshals recruited and trained by Occupy Central for Love and Peace to keep peace during the Occupy movement, for alleged fighting after trying to stop the attack. For more information about the role of the volunteer marshals, see Phila Siu and Alan Yu, Occupy Central marshals keep an eye over Hong Kong's democracy protesters, *SCMP*, 11 November 2014, <http://www.scmp.com/news/hong-kong/article/1637340/occupy-central-marshals-keep-eye-over-hong-kongs-democracy-protesters>.
- 74 Danny Mok, Firebombs hurled at home of Hong Kong media tycoon Jimmy Lai and Next Media HQ, *SCMP*, 12 January 2015, <http://www.scmp.com/news/hong-kong/article/1678574/firebombs-hurled-jimmy-lais-home-and-next-media-headquarters>; Neil Gough, For Jimmy Lai, Hong Kong's Rebellious Tycoon, Next Battle May Be in Court, *The New York Times*, 11 January 2015, <http://www.nytimes.com/2015/01/12/business/media/for-jimmy-lai-hong-kongs-rebellious-tycoon-next-battle-may-be-in-court.html>.
- 75 Id.
- 76 Id.
- 77 Lai case link probed after teen held over firebombs, *The Standard*, 14 January 2015, [http://www.thestandard.com.hk/news\\_detail.asp?we\\_cat=11&art\\_id=153208&sid=43683256&con\\_type=1&d\\_str=20150114&fc=2](http://www.thestandard.com.hk/news_detail.asp?we_cat=11&art_id=153208&sid=43683256&con_type=1&d_str=20150114&fc=2); *Apple Daily*, 14 January 2015, <http://hk.apple.nextmedia.com/news/art/20150114/19002216>.
- 78 Violence not tolerated, Hong Kong Information Services Department, 12 January 2015, [http://www.news.gov.hk/en/categories/law\\_order/html/2015/01/20150112\\_122218.shtml](http://www.news.gov.hk/en/categories/law_order/html/2015/01/20150112_122218.shtml).
- 79 Video footage of Mr. Shiu's appearance at the Occupy protest site in Admiralty, 23 November 2014, <https://www.youtube.com/watch?v=jI7OALJYRTU>; <https://www.youtube.com/watch?v=YJeI5rI7HEY>.
- 80 Samuel Chan, Pro-democracy media veteran attacked in car ambush, *SCMP*, 26 November 2014, <http://www.scmp.com/news/hong-kong/article/1648777/pro-democracy-media-veteran-attacked-car-ambush>.
- 81 Samuel Chan, Pro-democracy media veteran attacked in car ambush, *SCMP*, 26 November 2014, <http://www.scmp.com/news/hong-kong/article/1648777/pro-democracy-media-veteran-attacked-car-ambush>.
- 82 A December 2014 IFJ report suggests the investigation is ongoing; see IFJ Press Freedom in China Campaign Bulletin: December 2014, *International Federation of Journalists*, 11 December 2014, <http://www.ifj.org/nc/news-single-view/backpid/33/article/if-press-freedom-in-china-campaign-bulletin-december-2014/>.
- 83 Statement: Attacks on journalists strongly condemned, HKJA, 25 October 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1290&lang=en-US>; see also Appendix.
- 84 IFJ Press Freedom in China Campaign Bulletin: December 2014, *International Federation of Journalists*, 11 December 2014, <http://www.ifj.org/nc/news-single-view/backpid/33/article/if-press-freedom-in-china-campaign-bulletin-december-2014/>; Statement: Attacks on journalists strongly condemned, HKJA, 25 October 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1290&lang=en-US>.
- 85 Appendix entry 20.
- 86 Appendix entry 17. See also Video provided by the journalist, <http://hongkong.coconuts.co/2014/10/04/attacks-journalists-hong-kong-condemned>.
- 87 Appendix entry 19.
- 88 Hong Kong union condemns deliberate attacks on media by Anti-Occupy protestors", *International Federation of Journalists*, 8 October 2014, <http://www.ifj.org/nc/news-single-view/backpid/33/article/hong-kong-union-condemns-deliberate-attacks-on-media-by-anti-occupy-protesters/>; Statement: HKJA Condemns Violence Against Journalists, HKJA, 4 October 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1278&lang=en-US>; Foreign Correspondents Club, "FCC Condemns Attacks on Journalists Covering H.K. Protests", 4 October 2014, <http://fcchk.org/article/fcc-condemns-attacks-journalists-covering-h-k-protests>; IFJ Press Freedom in China Campaign Bulletin: December 2014, *International Federation of Journalists*, 11 December 2014, <http://www.ifj.org/nc/news-single-view/backpid/33/article/if-press-freedom-in-china-campaign-bulletin-december-2014/>;



- Statement: Attacks on journalists strongly condemned, HKJA 25 October 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1290&lang=en-US>.
- 89 Claire Jim, Anti-Occupy mob roughs up Hong Kong journalists, *Reuters*, 25 October 2014, <http://www.reuters.com/article/2014/10/25/us-hongkong-china-idUSKCN0IE0SL20141025>; HKJA, et al, Statements: Six News Unions Strongly Condemn Assaults on Journalists at Blue Ribbons Movement, *Hong Kong Journalists Association*, 26 October 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1292&lang=en-US>; Month-long Hong Kong protests result in 24 journalist attacks, *International Federation of Journalists*, 27 October 2014, <http://www.ifj.org/nc/news-single-view/backpid/33/article/month-long-hong-kong-protests-see-24-journalists-attacked/>.
- 90 Appendix entry 2; Month-long Hong Kong protests result in 24 journalist attacks, *International Federation of Journalists*, 27 October 2014, <http://www.ifj.org/nc/news-single-view/backpid/33/article/month-long-hong-kong-protests-see-24-journalists-attacked/>.
- 91 Month-long Hong Kong protests result in 24 journalist attacks, *International Federation of Journalists*, 27 October 2014, <http://www.ifj.org/nc/news-single-view/backpid/33/article/month-long-hong-kong-protests-see-24-journalists-attacked/>.
- 92 Month-long Hong Kong protests result in 24 journalist attacks, *International Federation of Journalists*, 27 October 2014, <http://www.ifj.org/nc/news-single-view/backpid/33/article/month-long-hong-kong-protests-see-24-journalists-attacked/>.
- 93 HKJA, et al, Statements: Six News Unions Strongly Condemn Assaults on Journalists at Blue Ribbons Movement, *Hong Kong Journalists Association*, 26 October 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1292&lang=en-US>.
- 94 Shirley Zhao and Clifford Lo, Second man arrested after attacks on journalists at anti-Occupy rally, *SCMP*, 27 October 2014, <http://www.scmp.com/news/hong-kong/article/1625915/second-man-arrested-after-attacks-journalists-anti-occupy-rally?page=all>; Ernest Kao, Man arrested over assaults on journalists at anti-Occupy rally, *SCMP*, 26 October 2014, <http://www.scmp.com/article/1625066/journalists-condemn-attacks-reporters-covering-protests?page=all>.
- 95 Shirley Yam, interview (9 December 2014); see also Appendix.
- 96 Appendix entry 9.
- 97 Appendix entry 10.
- 98 Appendix entry 6.
- 99 HKJA Facebook post on 28 November 2014, <https://www.facebook.com/HKJA.official/posts/10152869403395309>; Lai Ying-kit and Clifford Lo, New *SCMP* footage shows *Apple Daily* photographer's arrest in Mong Kok, *SCMP*, 27 November 2014, <http://www.scmp.com/news/hong-kong/article/1650334/new-video-emerges-apple-daily-photographer-being-arrested-mong-kok?page=all>; Julie Zhu, Police hostile to media workers during clearance, HKJA says, *Ejinsight.com*, 28 November 2014, <http://www.ejinsight.com/20141128-police-hostile-to-media-workers-during-clearance-hkja-says/>.
- 100 Lai Ying-kit and Clifford Lo, New *SCMP* footage shows *Apple Daily* photographer's arrest in Mong Kok, *SCMP*, 27 November 2014, <http://www.scmp.com/news/hong-kong/article/1650334/new-video-emerges-apple-daily-photographer-being-arrested-mong-kok?page=all>.
- 101 Id.
- 102 Id.
- 103 Ng Cheuk-hang, interview (28 December 2014).
- 104 Id.
- 105 Id.
- 106 Id.
- 107 Kayee Fung, interview (28 December 2014).
- 108 Id.
- 109 Id.
- 110 Journalist interview 1 (16 December 2014).
- 111 Tom Grundy, Journalist interview (2 December 2014).
- 112 Statements: HKJA Condemns the Second Arrest of Journalist, *Hong Kong Journalists Association*, 27 November 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1302&lang=en-US>; Month-long Hong Kong protests result in 24 journalist attacks, *International Federation of Journalists and Hong Kong Journalists Association*, 27 October 2014, <http://www.ifj.org/nc/news-single-view/backpid/33/article/month-long-hong-kong-protests-see-24-journalists-attacked/>; Hong Kong union condemns deliberate attacks on media by Anti-Occupy protestors, *International Federation of Journalists*, 8 October 2014, <http://www.ifj.org/nc/news-single-view/backpid/82/category/campaigns/article/hong-kong-union-condemns-deliberate-attacks-on-media-by-anti-occupy-protestors/>; FCC Condemns Attacks on Journalists Covering H.K. Protests, *Foreign Correspondents Club*, 4 October 2014, <http://fchck.org/article/fcc-condemns-attacks-journalists-covering-h-k-protests>; Protest in Mongkok, *Foreign Correspondents Club*, 17 October 2014, <http://fchck.org/article/>

- protest-mongkok; Hong Kong: Heavy-handed policing will only inflame protests, *Amnesty International*, 28 November 2014, <http://www.amnesty.org/en/for-media/press-releases/hong-kong-heavy-handed-policing-will-only-inflame-protests-2014-11-28>; Danny Lee, Fanny Fung and Lana Lam, FCC defends allegation police are intimidating reporters covering Occupy protests, *SCMP*, 18 October 2014, <http://www.scmp.com/news/hong-kong/article/1619354/journalist-pepper-sprayed-face-considers-filing-complaint-against?page=all>; Lai Ying-kit and Clifford Lo, New *SCMP* footage shows *Apple Daily* photographer's arrest in Mong Kok, *SCMP*, 27 November 2014, <http://www.scmp.com/news/hong-kong/article/1650334/new-video-emerges-apple-daily-photographer-being-arrested-mong-kok?page=all>.
- 113 FCC Condemns Attacks on Journalists Covering H.K. Protests, *Foreign Correspondents Club*, 4 October 2014, <http://fchck.org/article/fcc-condemns-attacks-journalists-covering-h-k-protests>.
- 114 HKJA Condemns Violence Against Journalists, *Hong Kong Journalists Association*, 4 October 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1278>.
- 115 HKJA Condemns the Second Arrest of Journalist, *Hong Kong Journalists Association*, 27 November 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1302&lang=en-US>.
- 116 Julie Zhu, Police hostile to media workers during clearance, HKJA says, *Ejinsight.com*, 28 November 2014, <http://www.ejinsight.com/20141128-police-hostile-to-media-workers-during-clearance-hkja-says/>.
- 117 Opening remarks by Commissioner of Police at press conference, 15 December 2014, <http://www.info.gov.hk/gia/general/201412/15/P201412150970.htm>.
- 118 "Media Assault Condemned," Hong Kong Information Services Department, 26 October 2014, [http://www.news.gov.hk/en/categories/admin/html/2014/10/20141026\\_122647.shtml](http://www.news.gov.hk/en/categories/admin/html/2014/10/20141026_122647.shtml).
- 119 U.S. police forces also face significant challenges with respect to upholding the rights to free assembly and press freedom during public demonstrations. See PEN American Center, Press Freedom Under Fire in Ferguson, October 2014, <http://pen.org/ferguson>.
- 120 Government press release, Cases arising from illegal occupation, 8 November 2014, <http://www.info.gov.hk/gia/general/201411/08/P201411080754.htm>; Jennifer Zhang, Police are using Hong Kong's computer crime law to crack down on pro-democracy organizers, *Quartz.com*, 27 October 2014, <http://qz.com/285998/police-are-using-hong-kongs-computer-crime-law-to-crack-down-on-pro-democracy-organizers/>.
- 121 RTHK, 13 December 2014, [http://rthk.hk/rthk/news/express-news/20141213/news\\_20141213\\_55\\_1061230.htm](http://rthk.hk/rthk/news/express-news/20141213/news_20141213_55_1061230.htm); *Apple Daily*, 13 December 2014, <http://hk.apple.nextmedia.com/realtime/news/20141213/53226727>.
- 122 RTHK, 13 December 2014, [http://rthk.hk/rthk/news/express-news/20141213/news\\_20141213\\_55\\_1061230.htm](http://rthk.hk/rthk/news/express-news/20141213/news_20141213_55_1061230.htm); *Apple Daily*, 13 December 2014, <http://hk.apple.nextmedia.com/realtime/news/20141213/53226727>.
- 123 Allen Wong, Hong Kong Police Accuse Man of Inciting Protests, *The New York Times*, 19 October 2014, <http://www.nytimes.com/2014/10/20/world/asia/hong-kong-protester-arrested-in-inciting-others-to-confront-police.html>; Phila Siu, Social media shapes Occupy: Web forum HKGolden.com takes off, *SCMP*, 31 October 2014, <http://www.scmp.com/news/hong-kong/article/1628549/how-social-media-shapes-occupy-web-forum-hkgoldencom-takes?page=all>; Jennifer Zhang, Police are using Hong Kong's computer crime law to crack down on pro-democracy organizers, *Quartz.com*, Oct. 27, 2014, <http://qz.com/285998/police-are-using-hong-kongs-computer-crime-law-to-crack-down-on-pro-democracy-organizers/>; Julius Babcock, Is it time for internet transparency legislation in HK?, *TimeOut HK Magazine*, 10 November 2014, <http://www.timeout.com.hk/big-smog/features/69978/is-it-time-for-internet-transparency-legislation-in-hk.html>.
- 124 Id.; Allen Wong, Hong Kong Police Accuse Man of Inciting Protests, *The New York Times*, 19 October 2014, <http://www.nytimes.com/2014/10/20/world/asia/hong-kong-protester-arrested-in-inciting-others-to-confront-police.html>. See also Julius Babcock, Is it time for internet transparency legislation in HK?, *TimeOut HK Magazine*, 10 November 2014, <http://www.timeout.com.hk/big-smog/features/69978/is-it-time-for-internet-transparency-legislation-in-hk.html>.
- 125 *The Sun*, "圖佔禮賓府 青年被捕, 9 November 2014, <https://hk.news.yahoo.com/%E5%9C%96%E4%BD%94%E7%A6%AE%E8%B3%93%E5%BA%9C-%E9%9D%92%E5%B9%B4%E8%A2%AB%E6%8D%95-214017493.html>; *Apple Daily*, 9 November 2014, <http://hk.apple.nextmedia.com/news/art/20141109/18929046>.
- 126 Michael Forsythe and Alan Wong, Protesters in Hong kong on Edge as Police Track Their Online Footprints, *The New York Times*, 28 October 2014, <http://www.nytimes.com/2014/10/29/world/asia/in-hong-kong-fears-of-a-police-crackdown-online.html>; Jennifer Zhang, Police are using Hong Kong's computer crime law to crack down on pro-democracy organizers, *Quartz.com*, 27 October 2014, <http://qz.com/285998/police-are-using-hong-kongs-computer-crime-law-to-crack-down-on-pro-democracy-organizers/>.

- 127 Id.
- 128 Jennifer Zhang, Police are using Hong Kong's computer crime law to crack down on pro-democracy organizers, *Quartz.com*, 27 October 2014, <http://qz.com/285998/police-are-using-hong-kongs-computer-crime-law-to-crack-down-on-pro-democracy-organizers/>.
- 129 Section 161 of Crime Ordinance (Cap. 200), 1993, [http://www.legislation.gov.hk/blis\\_ind.nsf/fb2d3fd8a4e2a3264825647c0030a9e1/aabf383866751ea5c825648300322823?OpenDocument](http://www.legislation.gov.hk/blis_ind.nsf/fb2d3fd8a4e2a3264825647c0030a9e1/aabf383866751ea5c825648300322823?OpenDocument).
- 130 Government Press Release, Written reply by the Secretary for Security Mr Lai Tung-kiwok, to a question by the Hon Charles Peter Mok in the Legislative Council, 24 April 2013, <http://www.info.gov.hk/gia/general/201304/24/P201304240382.htm>.
- 131 Charles Mok, Catch-all computer law threatens HK's freedom of speech, *Computer World Hong Kong*, 20 November 2014, <http://cw.com.hk/opinion/catch-all-computer-law-threatens-hks-freedom-speech>; Jennifer Zhang, Police are using Hong Kong's computer crime law to crack down on pro-democracy organizers, *Quartz.com*, Oct. 27, 2014, <http://qz.com/285998/police-are-using-hong-kongs-computer-crime-law-to-crack-down-on-pro-democracy-organizers/>; Keyboard Warrior and Oiwan Lam, Authorities Are Abusing Hong Kong's Computer Crimes Law to Stifle Protests, *Inmediabk.net*, 20 October 2014, <http://advocacy.globalvoicesonline.org/2014/10/22/authorities-are-abusing-hong-kongs-computer-crimes-law-to-stifle-protests/>; Lokman Tsui, 'One country, two internets', and why we need to protect it, *SCMP*, 21 November 2014, <http://www.scmp.com/article/1645231/one-country-two-internets-and-why-we-need-protect-it?page=all>.
- 132 Jennifer Zhang, Police are using Hong Kong's computer crime law to crack down on pro-democracy organizers, *Quartz.com*, Oct. 27, 2014, <http://qz.com/285998/police-are-using-hong-kongs-computer-crime-law-to-crack-down-on-pro-democracy-organizers/>.
- 133 Charles Mok, Catch-all computer law threatens HK's freedom of speech, *Computer World Hong Kong*, 20 November 2014, <http://cw.com.hk/opinion/catch-all-computer-law-threatens-hks-freedom-speech>; Keyboard Warrior and Oiwan Lam, Authorities Are Abusing Hong Kong's Computer Crimes Law to Stifle Protests, *Inmediabk.net*, 20 October 2014, <http://advocacy.globalvoicesonline.org/2014/10/22/authorities-are-abusing-hong-kongs-computer-crimes-law-to-stifle-protests/>.
- 134 Id.
- 135 Jennifer Zhang, Police are using Hong Kong's computer crime law to crack down on pro-democracy organizers, *Quartz.com*, Oct. 27, 2014, <http://qz.com/285998/police-are-using-hong-kongs-computer-crime-law-to-crack-down-on-pro-democracy-organizers/>; Julius Babcock, Is it time for internet transparency legislation in HK?, *TimeOut HK Magazine*, 10 November 2014, <http://www.timeout.com.hk/big-smog/features/69978/is-it-time-for-internet-transparency-legislation-in-hk.html>.
- 136 Julius Babcock, "Is it time for internet transparency legislation in HK?", *TimeOut HK Magazine*, 10 November 2014, <http://www.timeout.com.hk/big-smog/features/69978/is-it-time-for-internet-transparency-legislation-in-hk.html>.
- 137 Jennifer Zhang, Government requests for online user data must not be cloaked in secrecy, *SCMP*, 26 December 2014, <http://www.scmp.com/comment/insight-opinion/article/1668653/government-requests-online-user-data-must-not-be-cloaked>.
- 138 Government Press Release, Cases arising from illegal occupation, 8 November 2014, <http://www.info.gov.hk/gia/general/201411/08/P201411080754.htm>; Charles Mok, Catch-all computer law threatens HK's freedom of speech, *Computer World Hong Kong*, 20 November 2014, <http://cw.com.hk/opinion/catch-all-computer-law-threatens-hks-freedom-speech>; Phila Siu, Social media shapes Occupy: Web forum HKGolden.com takes off, *SCMP*, 31 October 2014, <http://www.scmp.com/news/hong-kong/article/1628549/how-social-media-shapes-occupy-web-forum-hkgoldencom-takes?page=all>.
- 139 Charles Mok, telephone interview (9 January 2015).
- 140 Id.
- 141 Id.
- 142 Parmy Olsen, The Largest Cyber Attack In History Has Been Hitting Hong Kong Sites, *Forbes Online*, Nov. 20 2014, <http://www.forbes.com/sites/parmyolson/2014/11/20/the-largest-cyber-attack-in-history-has-been-hitting-hong-kong-sites/>.
- 143 Hong Kong Voting Site Suffers Massive DDoS Attack Before Civil Referendum, *Global Media Policy*, 17 June 2014, <http://www.globalmediapolicy.net/node/11900>.
- 144 Id.
- 145 Press Release, Contingency Plan Invoked for '6.22 Civil Referendum', HKU POP SITE, 18 June 2014, <http://hkupop.hku.hk/english/release/release1152.html>; Hong Kong Voting Site Suffers Massive DDoS Attack Before Civil Referendum, *Global Media Policy*, 17 June 2014, <http://www.globalmediapolicy.net/node/11900>.
- 146 Hong Kong Voting Site Suffers Massive DDoS Attack Before Civil Referendum, *Global Media Policy*, 17 June 2014, <http://www.globalmediapolicy.net/node/11900>.
- 147 Joyu Wang, Cyber Attacks Hit Pro-Democracy Websites in



- Hong Kong, *The Wall Street Journal*, 18 June 2014, <http://blogs.wsj.com/chinarealtime/2014/06/18/cyber-attacks-hit-pro-democracy-websites-in-hong-kong/>; Next Media denounces massive cyberattack on press freedom, *Ejinsight.com*, 19 June 2014, <http://www.ejinsight.com/20181619-next-media-denounces-massive-cyber-attack-on-press-freedom/>; Lai Ying-kit, Cyberattackers brought down *Apple Daily* website with 40 million hits every second, *SCMP*, 18 June 2014, <http://www.scmp.com/news/hong-kong/article/1535484/apple-daily-website-taken-offline-cyberattack-ahead-occupy-vote?page=all>; see also Alex Lo, Cyberattacks on Hong Kong ‘referendum’ website and *Apple Daily* likely to have opposite effect, *SCMP*, 21 June 2014, <http://www.scmp.com/comment/insight-opinion/article/1537214/cyberattacks-hong-kong-referendum-website-and-apple-daily?page=all>.
- 148 IFJ deploras cyber attack on pro-democracy news websites, *International Federation of Journalists*, 19 June 2014, <http://www.ifj.org/nc/news-single-view/category/news/article/ifj-deplores-cyber-attack-on-pro-democracy-news-websites/>.
- 149 See e.g. “全民投票系統癱瘓 港人更要出來拒滅聲” [The Civic Referendum starts today], 17 June 2014, <http://hk.apple.nextmedia.com/news/art/20140617/18763499>; *Apple Daily*, 20 June 2014, <http://hk.apple.nextmedia.com/news/first/20140620/18768002>; We’ve already voted, *Apple Daily*, 21 June 2014, <http://hk.apple.nextmedia.com/entertainment/art/20140621/18768934>; Which to vote? Lazy pack for 6.22 Civic Referendum”, *Apple Daily*, 20 June 2014, <http://hk.apple.nextmedia.com/news/art/20140620/18768522>; National hackers crazily attack *Apple Daily*, we will never back down, *Apple Daily*, 19 June 2014, <http://hk.apple.nextmedia.com/news/first/20140619/18766457>; Miracle by 700,000 people, 48,000 people went to vote on site yesterday, *Apple Daily*, 23 June 2014, <http://hk.apple.nextmedia.com/news/first/20140623/18772346>.
- 150 *Apple Daily* hacked – Beijing suspected, *Reporters without Borders*, 22 June 2014, <http://en.rsf.org/hongkong-apple-daily-hacked-beijing-22-06-2014,46495.html>.
- 151 Lai Ying-kit, Cyberattackers brought down *Apple Daily* website with 40 million hits every second, *SCMP*, 18 June 2014, <http://www.scmp.com/news/hong-kong/article/1535484/apple-daily-website-taken-offline-cyberattack-ahead-occupy-vote?page=all>.
- 152 Lai Ying-kit, Cyberattackers brought down *Apple Daily* website with 40 million hits every second, *SCMP*, 18 June 2014, <http://www.scmp.com/news/hong-kong/article/1535484/apple-daily-website-taken-offline-cyberattack-ahead-occupy-vote?page=all>; *Apple Daily* hacked – Beijing suspected, *Reporters without Borders*, 22 June 2014, <http://en.rsf.org/hongkong-apple-daily-hacked-beijing-22-06-2014,46495.html>.
- 153 IFJ deploras cyber attack on pro-democracy news websites, *International Federation of Journalists*, 19 June 2014, <http://www.ifj.org/nc/news-single-view/category/news/article/ifj-deplores-cyber-attack-on-pro-democracy-news-websites/>.
- 154 Ng Kang-chung and Jeffie Lam, Jimmy Lai’s top aide reveals his email accounts were hacked, *SCMP*, 6 August 2014, <http://www.scmp.com/news/hong-kong/article/1567175/jimmy-lais-aide-mark-simon-says-he-was-victim-email-hacking>.
- 155 Cannix Yau, Jimmy Lai defiant over ‘state-level’ cyberattacks, *SCMP*, 9 October 2014, <http://www.scmp.com/news/hong-kong/article/1612292/jimmy-lai-defiant-over-state-level-cyberattacks>.
- 156 *Apple Daily*, 14 October 2014, <http://hk.apple.nextmedia.com/news/art/20141014/18899550>.
- 157 Mark Simon, interview on 9 January 2015.
- 158 Oiwan Lam, The Invisible Violence of Cyber War in Hong Kong’s Umbrella Revolution, *immediabk.net*, 6 October 2014, <http://advocacy.globalvoicesonline.org/2014/10/06/the-invisible-violence-of-cyber-war-in-hong-kongs-umbrella-revolution/>.
- 159 Id.
- 160 Interview with Mark Simon on 8 January 2015.
- 161 Yuen Chan, Hong Kong’s Free Press in Danger As China Tightens Grip on Media, *The World Post*, 22 January 2014, [http://www.huffingtonpost.com/yuen-chan/hong-kong-press-freedom\\_b\\_4568648.html](http://www.huffingtonpost.com/yuen-chan/hong-kong-press-freedom_b_4568648.html); Fiona Law, Editor’s Removal Sparks Worries About Press Freedom in Hong Kong, *The Wall Street Journal*, 9 January 2014, <http://blogs.wsj.com/chinarealtime/2014/01/09/editors-removal-sparks-worries-about-press-freedom-in-hong-kong/>; HKJA Annual Report 2014, pp. 8-11.
- 162 HKJA Annual Report 2014, p. 8.
- 163 Yan Mei Ning, “Media Regulation in the Age of Convergence”, in Doreen Weisenhaus, *Hong Kong Media Law* (Hong Kong University Press 2007), p. 273.
- 164 Id.
- 165 Id.
- 166 Tom Grundy, Full Lowdown: 2 New Reports Slam Hong Kong Media Self-Censorship, *HongWrong.com*, 12 February 2014, <http://hongwrong.com/hong-kong-censorship/>.
- 167 HKJA Annual Report 2014, p. 16.

- 168 HKJA Annual Report 2013, p. 8; HKJA Annual Report 2014, pp. 9-10.
- 169 HKJA Annual Report 2014, p. 9.
- 170 Staff of Hong Kong's Ming Pao fights leadership change, Committee to Protect Journalists, 8 January 2014, <https://cpj.org/blog/2014/01/staff-of-hong-kongs-ming-pao-fights-leadership-cha.php>; Fiona Law, Editor's Removal Sparks Worries About Press Freedom in Hong Kong, *The Wall Street Journal*, 9 January 2014, <http://blogs.wsj.com/chinarealtime/2014/01/09/editors-removal-sparks-worries-about-press-freedom-in-hong-kong/>; see also Ned Levin and Yvonne Lee, Hong Kong Protests Expose Differences in Local Media, *The Wall Street Journal*, 22 October 2014, <http://www.wsj.com/articles/hong-kong-protests-expose-differences-in-local-media-1413977464>.
- 171 HKJA Annual Report 2014, p. 8.
- 172 HKJA Annual Report 2014, p. 9.
- 173 HKJA Annual Report 2014, p. 10. See also Cliff Bale, Jesse Wong, Yan Mei Ning, Anne Cheung and Mak Yin-ting, 2003 Annual Report: False Security, *Hong Kong Journalists Association*, June 2003, p. 33 [hereinafter HKJA Annual Report 2003], [http://www.hkja.org.hk/site/Host/hkja/UserFiles/File/annualreport/e\\_annual\\_report\\_2003.pdf](http://www.hkja.org.hk/site/Host/hkja/UserFiles/File/annualreport/e_annual_report_2003.pdf).
- 174 HKJA Annual Report 2014, p. 10. Ms. Kwok declined to comment on this matter; see Ned Levin and Yvonne Lee, Hong Kong Protests Expose Differences in Local Media, *The Wall Street Journal*, 22 October 2014, <http://www.wsj.com/articles/hong-kong-protests-expose-differences-in-local-media-1413977464>.
- 175 Ned Levin and Yvonne Lee, Hong Kong Protests Expose Differences in Local Media, *The Wall Street Journal*, 22 October 2014, <http://www.wsj.com/articles/hong-kong-protests-expose-differences-in-local-media-1413977464>.
- 176 Elaine Yau, House News closed last month, but other independent sites still exist, *SCMP*, 18 August 2014, <http://www.scmp.com/lifestyle/technology/article/1576116/house-news-closed-last-month-other-independent-sites-still>.
- 177 HKJA Annual Report 2014, p. 10; China's tightening grasp on Hong Kong's press freedom, *International Federation of Journalists*, 8 September 2014, <http://www.ifj.org/nc/news-single-view/backpid/33/article/ifj-concerned-violations-of-press-freedom-will-escalate/>.
- 178 HKJA Annual Report 2014, p. 10.
- 179 Chris Buckley, Hong Kong Paper Drops Pro-Democracy Column, *The New York Times*, 2 September 2014, <http://www.nytimes.com/2014/09/03/world/asia/hong-kong-news-paper-drops-democracy-advocates-column.html>; Chris Dodd, Hedge fund manager in 'Occupy' column spat, *Finance Asia*, 2 September 2014, <http://www.financeasia.com/News/389884,hedge-fund-manager-in-occupy-column-spat.aspx>; Samuel Chan, Occupy Central's Edward Chin blasts 'political decision' to axe his newspaper column, *SCMP*, 2 September 2014, <http://www.scmp.com/news/hong-kong/article/1583253/occupy-centrals-edward-chin-blasts-political-decision-axe-his?page=all>; Danny Kwok, Hong Kong activist's newspaper column scrapped amid democracy row-media, *Reuters*, 1 September 2014, <http://www.reuters.com/article/2014/09/02/hongkong-china-newspaper-idUSL3N-0R30VW20140902>.
- 180 Id.
- 181 Id.
- 182 Id.
- 183 Chan Ka-Ming, My Column Was Rejected by Hong Kong Economic Journal, *The House News*, 11 March 2014, <http://therealnewshk.wordpress.com/2014/03/12/my-column-was-rejected-by-hong-kong-economic-journal/>.
- 184 Id.
- 185 Id.
- 186 HKJA Annual Report 2014, p. 10.
- 187 China's tightening grasp on Hong Kong's press freedom, *International Federation of Journalists*, 8 September 2014, <http://www.ifj.org/nc/news-single-view/backpid/33/article/ifj-concerned-violations-of-press-freedom-will-escalate/>.
- 188 Stuart Lau, No backing down for fiery radio host amid reshuffle, *SCMP*, 9 December 2013, <http://www.scmp.com/news/hong-kong/article/1376272/no-backing-down-fiery-radio-host-amid-reshuffle>; Tanna Chong, Commercial Radio boss plays down threat to 'fire' presenter Li Wei-ling, *SCMP*, 19 November 2013, <http://www.scmp.com/news/hong-kong/article/1360091/commercial-radio-boss-plays-down-threat-fire-presenter-li-wei-ling>; Eddie Luk, Black-day talk by host in Commercial Radio switch, *The Standard*, 20 November 2013, [http://www.thestandard.com.hk/news\\_detail.asp?we\\_cat=11&art\\_id=139783&sid=40922973&con\\_type=1&d\\_str=20131120&fc=4](http://www.thestandard.com.hk/news_detail.asp?we_cat=11&art_id=139783&sid=40922973&con_type=1&d_str=20131120&fc=4); Yuen Chan, Hong Kong's Free Press in Danger As China Tightens Grip on Media, *The World Post*, 22 January 2014, [http://www.huffingtonpost.com/yuen-chan/hong-kong-press-freedom\\_b\\_4568648.html](http://www.huffingtonpost.com/yuen-chan/hong-kong-press-freedom_b_4568648.html).

- 189 Tanna Chong, Commercial Radio boss plays down threat to ‘fire’ presenter Li Wei-ling, *SCMP*, 19 November 2013, <http://www.scmp.com/news/hong-kong/article/1360091/commercial-radio-boss-plays-down-threat-fire-presenter-li-wei-ling>
- 190 Stuart Lau, No backing down for fiery radio host amid reshuffle, *SCMP*, 9 December 2013, <http://www.scmp.com/news/hong-kong/article/1376272/no-backing-down-fiery-radio-host-amid-reshuffle>.
- 191 Broadcasting Ordinance (Cap. 562); Communications Authority Ordinance (Cap. 616).
- 192 Hong Kong Communications Authority, [http://www.coms-auth.hk/en/about\\_us/role\\_functions/index.html](http://www.coms-auth.hk/en/about_us/role_functions/index.html); see also “Application for Licences” on the website of the Communications Authority, <http://www.coms-auth.hk/en/licensing/broadcasting/index.html>; Broadcasting Ordinance (Cap. 562); Communications Authority Ordinance (Cap. 616).
- 193 Albert Cheng, Commercial Radio row points to campaign to silence critics, *SCMP*, 21 November 2013, <http://www.scmp.com/comment/insight-opinion/article/1362036/commercial-radio-row-points-campaign-silence-critics>. For reports on the HKTV licensing controversy, see also Kelly Yang, Why People in Hong Kong Protest over Bad Television, *The Atlantic*, 6 November 2013, <http://www.theatlantic.com/china/archive/2013/11/why-people-in-hong-kong-protest-over-bad-television/281210/>; Staff Reporters, Live coverage: protestors take to streets over TV license controversy, *SCMP*, 20 October 2013, <http://www.scmp.com/news/hong-kong/article/1335888/live-coverage-protesters-take-streets-over-tv-licence-controversy?page=all>.
- 194 Kelly Yang, Why People in Hong Kong Protest over Bad Television, *The Atlantic*, 6 November 2013, <http://www.theatlantic.com/china/archive/2013/11/why-people-in-hong-kong-protest-over-bad-television/281210/>.
- 195 Albert Cheng, Commercial Radio row points to campaign to silence critics, *SCMP*, 21 November 2013, <http://www.scmp.com/comment/insight-opinion/article/1362036/commercial-radio-row-points-campaign-silence-critics>; HKJA Annual Report 2014, p. 9.
- 196 Stuart Lau and Tanna Chong, Commercial Radio sacks host Li Wei-ling, a fierce government critic, *SCMP*, 13 February 2014, <http://www.scmp.com/news/hong-kong/article/1426737/commercial-radio-sacks-host-li-wei-ling-fierce-government-critic>.
- 197 Id.; see also Stuart Lau and Tanna Chong, Former Commercial Radio host Li Wei-ling blames CY Leung for her dismissal, *SCMP*, 13 February 2014, <http://www.scmp.com/news/hong-kong/article/1426997/commercial-radio-stephen-chan-involved-sacking-li-wei-ling?page=all>.
- 198 Stuart Lau and Tanna Chong, Former Commercial Radio host Li Wei-ling blames CY Leung for her dismissal, *SCMP*, 13 February 2014, <http://www.scmp.com/news/hong-kong/article/1426997/commercial-radio-stephen-chan-involved-sacking-li-wei-ling?page=all>.
- 199 Joanna Chiu, Protestors demand answers after Commercial Radio host Li Wei-ling is sacked, *SCMP*, 13 February 2014, <http://www.scmp.com/news/hong-kong/article/1426971/protesters-demand-answers-after-commercial-radio-host-li-wei-ling>.
- 200 Editorial Board, For Hong Kong’s sake, all sides must clarify why radio host Li Wei-ling was fired, *SCMP*, 15 February 2014, <http://www.scmp.com/comment/insight-opinion/article/1428145/hong-kongs-sake-all-sides-must-clarify-why-radio-host-li-wei>.
- 201 Id.
- 202 Staff of Hong Kong’s Ming Pao fights leadership change, *Committee to Protect Journalists*, 8 January 2014, <https://cpj.org/blog/2014/01/staff-of-hong-kongs-ming-pao-fights-leadership-cha.php>.
- 203 Danny Mok, Olga Wong and Gary Cheung, Ming Pao editor to be replaced in shock move, *SCMP*, 7 January 2014, <http://www.scmp.com/news/hong-kong/article/1399276/ming-pao-editor-be-replaced-shock-move>. See also Jonathan Kaiman, Press Freedom campaigners condemn knife attack on Hong Kong editor, *The Guardian*, 27 February 2014, <http://www.theguardian.com/world/2014/feb/27/press-freedom-knife-attack-hong-kong-editor-ming-pao>; Hong Kong: Ex-Ming Pao editor Kevin Lau attacked, *BBC News*, 26 February 2014, <http://www.bbc.com/news/world-asia-china-26349266>; Te-Ping Chen, Former Hong Kong Paper Editor Stabbed, *The Wall Street Journal*, 26 February 2014, <http://blogs.wsj.com/chinarealtime/2014/02/26/former-hong-kong-paper-editor-stabbed/>; Press Release: Around 13,000 say ‘No’ to Violence, *Hong Kong Journalists Association*, 2 March 2014, <http://www.hkja.org/site/portal/Site.aspx?id=A1-1184&lang=en-US>.
- 204 Danny Mok, Olga Wong and Gary Cheung, Ming Pao editor to be replaced in shock move, *SCMP*, 7 January 2014, <http://www.scmp.com/news/hong-kong/article/1399276/ming-pao-editor-be-replaced-shock-move>; Fiona Law, Editor’s Removal Sparks Worries About Press Freedom in Hong Kong, *The Wall Street Journal*, 9 January 2014, <http://blogs.wsj.com/chinarealtime/2014/01/09/editors-removal-sparks-worries-about-press-freedom-in-hong-kong/>; HKJA Annual Report 2014, p. 8.
- 205 Fiona Law, Editor’s Removal Sparks Worries About Press Freedom in Hong Kong, *The Wall Street Journal*, 9 January 2014, <http://blogs.wsj.com/chinarealtime/2014/01/09/editors-removal-sparks-worries-about-press-freedom-in-hong-kong/>.



- 206 Yuen Chan, Hong Kong's Free Press in Danger As China Tightens Grip on Media, *The World Post*, 22 January 2014, [http://www.huffingtonpost.com/yuen-chan/hong-kong-press-freedom\\_b\\_4568648.html](http://www.huffingtonpost.com/yuen-chan/hong-kong-press-freedom_b_4568648.html); Fiona Law, Editor's Removal Sparks Worries About Press Freedom in Hong Kong, *The Wall Street Journal*, 9 January 2014, <http://blogs.wsj.com/chinarealtime/2014/01/09/editors-removal-sparks-worries-about-press-freedom-in-hong-kong/>; Julianna Liu, Is Hong Kong's media under attack?, *BBC News China*, 11 March 2014, <http://www.bbc.com/news/world-asia-china-26478495>; Jeffie Lam, Jennifer Ngo and Gary Cheung, Ming Pao staff demand to know why editor Kevin Lau was replaced, *SCMP*, 8 January 2014, <http://www.scmp.com/news/hong-kong/article/1400088/ming-pao-staff-demand-know-why-editor-kevin-lau-was-replaced>.
- 207 HKJA Annual Report 2014, p. 8; Jonathan Kaiman, Press Freedom campaigners condemn knife attack on Hong Kong editor, *The Guardian*, 27 February 2014, <http://www.theguardian.com/world/2014/feb/27/press-freedom-knife-attack-hong-kong-editor-ming-pao>; Hong Kong: Ex-Ming Pao editor Kevin Lau attacked, *BBC News*, 26 February 2014, <http://www.bbc.com/news/world-asia-china-26349266>; Te-Ping Chen, Former Hong Kong Paper Editor Stabbed, *The Wall Street Journal*, 26 February 2014, <http://blogs.wsj.com/chinarealtime/2014/02/26/former-hong-kong-paper-editor-stabbed/>; Press Release: Around 13,000 say 'No' to Violence, *Hong Kong Journalists Association*, 2 March 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1184&lang=en-US>.
- 208 Ng Kang-chung, Kevin Lau Chun-to – a Hong Kong journalist at the centre of a storm, *SCMP*, 27 February 2014, <http://www.scmp.com/news/hong-kong/article/1435899/kevin-lau-chun-hong-kong-journalist-centre-storm>; Jonathan Kaiman, Press Freedom campaigners condemn knife attack on Hong Kong editor, *The Guardian*, 27 February 2014, <http://www.theguardian.com/world/2014/feb/27/press-freedom-knife-attack-hong-kong-editor-ming-pao>; Hong Kong: Ex-Ming Pao editor Kevin Lau attacked, *BBC News*, 26 February 2014, <http://www.bbc.com/news/world-asia-china-26349266>; Te-Ping Chen, Former Hong Kong Paper Editor Stabbed, *The Wall Street Journal*, 26 February 2014, <http://blogs.wsj.com/chinarealtime/2014/02/26/former-hong-kong-paper-editor-stabbed/>; Thousands Rally for "Free Speech – Free Hong Kong", *International Federation of Journalists*, 25 February 2014, <http://www.ifj.org/nc/news-single-view/backpid/243/category/asia-pacific/article/thousands-rally-for-free-speech-free-hong-kong/>; Jeffie Lam and Johnny Tam, Hong Kong journalists take to streets for press freedom, *SCMP*, 23 February 2014, <http://www.scmp.com/news/hong-kong/article/1433702/hong-kong-journalists-take-streets-march-press-freedom?page=all>; Press Release: Free Speech, Free Hong Kong Protest on Sunday, *Hong Kong Journalists Association*, 19 February 2014; Press Release: Around 13,000 say 'No' to Violence, *Hong Kong Journalists Association*, 2 March 2014, <http://www.hkja.org.hk/site/portal/Site.aspx?id=A1-1184&lang=en-US>.
- 209 Chris Buckley and Gerry Mullany, Hong Kong Paper Ousts Top Editor, Stirring Concern, *The New York Times*, 30 January 2014, <http://www.nytimes.com/2014/01/31/world/asia/hong-kong-paper-ousts-top-editor-stirring-concern.html>.
- 210 Hong Kong Journalists Association, *The Journalist*, May 2014, [http://www.hkja.org.hk/site/Host/hkja/UserFiles/file/the%20journalist\\_may%20FINAL%20VERSION%20FOR%20UP-LOAD.pdf](http://www.hkja.org.hk/site/Host/hkja/UserFiles/file/the%20journalist_may%20FINAL%20VERSION%20FOR%20UP-LOAD.pdf).
- 211 HKJA Annual Report 2014, p. 11.
- 212 Hong Kong Journalists Association, *The Journalist*, May 2014, pp. 28 – 33.
- 213 Hang Shuen Lee, Hong Kong journalists speak out against censorship, *Deutsche Welle*, 18 October 2014, <http://dw.de/p/1DY7k>.
- 214 Id.; Grace Tsoi, How a Video of Police Brutality is Dividing Hong Kong, *Foreign Policy*, 15 October 2014, <http://foreignpolicy.com/2014/10/15/how-a-video-of-police-brutality-is-dividing-hong-kong/>; Staff Reporters, Protests reunited by shocking images appearing to show unarmed man being beaten by officers, *SCMP*, 16 October 2014, <http://www.scmp.com/news/hong-kong/article/1617235/protests-reignited-shocking-images-appearing-show-unarmed-man-being?page=all>; Self-censorship concerns in Hong Kong after bashing of journalist and protesters, *International Federation of Journalists*, 17 October 2014, <http://www.ifj.org/nc/news-single-view/backpid/50/article/self-censorship-concerns-in-hong-kong-after-bashing-of-journalist-and-protesters/>.
- 215 Id.
- 216 Id.
- 217 Hang Shuen Lee, Hong Kong journalists speak out against censorship, *Deutsche Welle*, 18 October 2014, <http://dw.de/p/1DY7k>; Grace Tsoi, How a Video of Police Brutality is Dividing Hong Kong, *Foreign Policy*, 15 October 2014, <http://foreignpolicy.com/2014/10/15/how-a-video-of-police-brutality-is-dividing-hong-kong/>; Ned Levin and Yvonne Lee, Hong Kong Protests Expose Differences in Local Media, *The Wall Street Journal*, 22 October 2014, <http://www.wsj.com/articles/hong-kong-protests-expose-differences-in-local-media-1413977464>.
- 218 TVB punishes staff after anti-censorship petition: report, *Ejinsight.com*, 14 November 2014, <http://www.ejinsight.com/20141114-tvb-punishes-some-staff-after-anti-censorship-petition/>.
- 219 HKJA blasts TVB 'retribution' for police beating video editor, *Ejinsight.com*, 4 November 2014, <http://www.ejinsight.com/20141104-hkej-blasts-tvb-retribution-for-police-beating-video-editor/>.

- 220 Interview with Shirley Yam on 9 December 2014. See also Shirley Yam, Amid Hong Kong protests, journalists battle misperceptions of press freedom, *Committee to Protect Journalists*, 30 September 2014, <https://cpj.org/blog/2014/09/amid-hong-kong-protests-journalists-battle-misperc.php#more>.
- 221 Paul Mooney, Telephone interview (2 December 2014). See also Tom Grundy, Full Lowdown: 2 New Reports Slam Hong Kong Media Self-Censorship, *HongWrong.com*, 12 February 2014, <http://hongwrong.com/hong-kong-censorship/>; Paul Mooney, Blog — Mirror of Paul Mooney's SCMP Whistleblower Article, *HongWrong.com*, <http://hongwrong.com/blog-mirror-of-paul-mooneys-scmp-whistle-blower-article/>.
- 222 Journalist interview 4.
- 223 Journalist interview 3 (10 December 2014).
- 224 Tony Cheung, Stuart Lau and Peter So, Gloves off as CY Leung targets student 'lies', *SCMP*, 14 January 2015, <http://www.scmp.com/news/hong-kong/article/1679780/gloves-cy-leung-targets-student-lies>.
- 225 Michael Forsythe and Neil Gough, Hong Kong Media Worries Over China's Reach as Ads Disappear, *International New York Times*, 11 June 2014, [http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?\\_r=0](http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?_r=0); Enda Curran and Chester Yung, Hong Kong Newspaper Says HSBC, Standard Chartered Pulled Ads, *The Wall Street Journal*, 16 June 2014, <http://www.wsj.com/articles/apple-daily-says-hsbc-standard-chartered-pulled-ads-due-to-chinese-government-pressure-1402923219>; Roy Greenslade, Hong Kong paper claims banks pulled ads after pressure from Beijing, *The Guardian*, 17 June 2014, <http://www.theguardian.com/media/greenslade/2014/jun/17/hong-kong-press-freedom>; Gordon Crovitz, Big Banks Kowtow to Beijing, *The Wall Street Journal*, 22 June 2014, <http://www.wsj.com/articles/gordon-crovitz-big-banks-kowtow-to-beijing-1403476169>; see also CPJ Contributor, Journalists in Hong Kong and Taiwan Battle Beijing's Influence, *Committee to Protect Journalists*, February 2014, <http://cpj.org/2014/02/attacks-on-the-press-hong-kong-analysis.php>.
- 226 HKJA Annual Report 2014, p. 12.
- 227 Francis Moriarty interview (16 December 2014).
- 228 Yuen Chan, Hong Kong's Free Press in Danger As China Tightens Grip on Media, *The World Post*, 22 January 2014, [http://www.huffingtonpost.com/yuen-chan/hong-kong-press-freedom\\_b\\_4568648.html](http://www.huffingtonpost.com/yuen-chan/hong-kong-press-freedom_b_4568648.html).
- 229 Roy Greenslade, Hong Kong paper claims banks pulled ads after pressure from Beijing, *The Guardian*, 17 June 2014, <http://www.theguardian.com/media/greenslade/2014/jun/17/hong-kong-press-freedom>
- 230 Michael Forsythe and Neil Gough, Hong Kong Media Worries Over China's Reach as Ads Disappear, *International New York Times*, 11 June 2014, [http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?\\_r=0](http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?_r=0); Enda Curran and Chester Yung, Hong Kong Newspaper Says HSBC, Standard Chartered Pulled Ads, *The Wall Street Journal*, 16 June 2014, <http://www.wsj.com/articles/apple-daily-says-hsbc-standard-chartered-pulled-ads-due-to-chinese-government-pressure-1402923219>; Roy Greenslade, Hong Kong paper claims banks pulled ads after pressure from Beijing, *The Guardian*, 17 June 2014, <http://www.theguardian.com/media/greenslade/2014/jun/17/hong-kong-press-freedom>; Gordon Crovitz, Big Banks Kowtow to Beijing, *The Wall Street Journal*, 22 June 2014, <http://www.wsj.com/articles/gordon-crovitz-big-banks-kowtow-to-beijing-1403476169>
- 231 Id.
- 232 Id.
- 233 Id.
- 234 Mark Simon, telephone interview (8 January 2015).
- 235 Michael Forsythe and Neil Gough, Hong Kong Media Worries Over China's Reach as Ads Disappear, *International New York Times*, 11 June 2014, [http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?\\_r=0](http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?_r=0).
- 236 Michael Forsythe and Neil Gough, Hong Kong Media Worries Over China's Reach as Ads Disappear, *International New York Times*, 11 June 2014, [http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?\\_r=0](http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?_r=0).
- 237 Id.
- 238 Id.
- 239 Id.

- 240 John Garnaut, Hong Kong's outspoken media chiefs are facing growing intimidation, *Sydney Morning Herald*, 31 May 2014, <http://www.smh.com.au/world/hong-kongs-outspoken-media-chiefs-are-facing-growing-intimidation-20140530-399ol.html>; Michael Forsythe and Neil Gough, Hong Kong Media Worries Over China's Reach as Ads Disappear, *International New York Times*, 11 June 2014, [http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?\\_r=0](http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?_r=0); Enda Curran and Chester Yung, Hong Kong Newspaper Says HSBC, Standard Chartered Pulled Ads, *The Wall Street Journal*, 16 June 2014, <http://www.wsj.com/articles/apple-daily-says-hsbc-standard-chartered-pulled-ads-due-to-chinese-government-pressure-1402923219>.
- 241 Michael Forsythe and Neil Gough, Hong Kong Media Worries Over China's Reach as Ads Disappear, *International New York Times*, 11 June 2014, [http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?\\_r=0](http://www.nytimes.com/2014/06/12/business/international/hong-kong-media-worries-over-chinas-reach-as-ads-disappear.html?_r=0).
- 242 Jeffie Lam, Beijing trying to curb press freedom, says AM730 founder Shih Wing-ching, *SCMP*, 15 January 2014, <http://www.scmp.com/news/hong-kong/article/1405632/beijing-trying-curb-press-freedom-says-am730-founder-shih-wing-ching>; see also Julianna Liu, Is Hong Kong's media under attack?, *BBC News China*, 11 March 2014, <http://www.bbc.com/news/world-asia-china-26478495>; Jeffie Lam, AM730 says paper will suffer if all mainland backed firms pull adverts, *SCMP*, 17 January 2014, <http://www.scmp.com/news/hong-kong/article/1407095/am730-says-paper-will-suffer-if-all-mainland-backed-firms-pull>.
- 243 HKJA Annual Report 2014, p. 14.
- 244 Shirley Zhao and Gary Cheung, Pro-democracy website House News closes, citing political pressure, low revenue, *SCMP*, 27 July 2014, <http://www.scmp.com/news/hong-kong/article/1560104/pro-democracy-website-house-news-closes-citing-political-pressure-low?page=all>.
- 245 Shirley Zhao and Gary Cheung, Pro-democracy website House News closes, citing political pressure, low revenue, *SCMP*, 27 July 2014, <http://www.scmp.com/news/hong-kong/article/1560104/pro-democracy-website-house-news-closes-citing-political-pressure-low?page=all>; Evan Fowler, Exclusive: 'A Storm is Coming' – What Really Happened to House News, *HongWrong.com*, 30 July 2014, <http://hongwrong.com/house-news-hong-kong/>; Sophie Richardson, Dispatches: No News Is Bad News in Hong Kong, *Human Rights Watch*, 4 August 2014, <http://www.hrw.org/news/2014/08/04/dispatches-no-news-bad-news-hong-kong>.
- 246 Evan Fowler, Exclusive: 'A Storm is Coming' – What Really Happened to House News, *HongWrong.com*, 30 July 2014, <http://hongwrong.com/house-news-hong-kong/>.
- 247 Id.
- 248 Sophie Richardson, Dispatches: No News Is Bad News in Hong Kong, *Human Rights Watch*, 4 August 2014, <http://www.hrw.org/news/2014/08/04/dispatches-no-news-bad-news-hong-kong>.



# ACKNOWLEDGMENTS

This report was written by a team of PEN researchers. Report design was done by Suzanne Pettypiece. PEN American Center thanks the many journalists, media executives, political officials, and media law experts interviewed for this report. PEN also thanks Alice Donahue, Marlene Grunert, Ng Sze Pui, and Alice Wang for research and editing assistance. PEN warmly thanks the Hong Kong Journalists Association for permission to reprint their materials in this report.

APPENDIX: ALLEGED INCIDENTS OF VIOLENCE AGAINST JOURNALISTS DURING THE 2014 PRO-DEMOCRACY PROTESTS AS REPORTED TO THE HONG KONG JOURNALISTS ASSOCIATION

受襲/組人士 WHO?	地點/時間 WHERE/WHEN?	詳情 HOW?*	PRESS ID?
1. 香港電台女記者 RTHK Journalist	10月25日晚上 尖沙嘴鐘樓外 Around 6pm, 25 Oct 2014	女記者採訪由「藍絲帶運動」、「撐警大聯盟」及「正義聯盟」主辦的集會時，被質疑記者身份，一度遭參加者包圍，被試圖扯奪記者證及背包，並跌倒地，更被人踢打，腰部受傷，耳機損毀。While covering a rally organised by the Blue Ribbon Movement in Tsim Sha Tsui, the journalist found herself surrounded by several people who questioned whether she was a journalist. Someone tried to snatch her press pass and her backpack. When she fell to the ground, someone kicked her in the leg and body.	有佩帶記者證 Wearing a press card
2. 無線新聞部攝影師 TVB News Cameraman	10月25日晚上 尖沙嘴鐘樓外 25 Oct 2014	攝影師在尖沙咀鐘樓旁，採訪上述反佔中團體集會時，目睹有人衝突，於是上前了解，期間遭多人包圍拉扯及襲擊。攝影師的攝影機背帶被扯住，攝影機被拉跌至地上，他表示要報警，隨即遭襲擊，他的眼鏡被扯走，上衣被扯爛，背部及肋骨均被抓傷。In a separate incident at the same event, a reporter and two cameramen with TVB were covering the rally. A group of people were yanking at the clothes of the news team when they went to investigate a confrontation. The three were also assaulted. He was filming a rally by the anti-Occupy protesters. A man grabbed his camera which then fell onto the floor. Demanding a report to the police on the damage, the journalist was then surrounded by a dozen people who tore his T-shirt, punched and kicked him. He suffered injuries at his back and ribs.	
3. 無線新聞部記者 TVB News Journalist	10月25日晚上 尖沙嘴鐘樓外 25 Oct 2014	記者及兩名攝影師(雷釗河(個案2)及潘國輝(個案4))在尖沙咀鐘樓旁，採訪上述反佔中團體集會時，見同事雷釗河被打，他跟攝影師潘國輝希望上前制止，但連他們都受到多方攻擊，左一拳右一腳，前方有人扯著他的領口。他目睹有人衝突，於是上前了解，期間三人遭多人包圍，拉扯及襲擊。上衣被扯爛，右手有多處受傷，有十多人起哄，有人推撞。He was reporting a rally by the anti-Occupy protesters. He tried to free his colleague (case 2) from attacks by some protesters. Pulling his colleague away from the scene, he was grabbed by his tie while others kicked and punched.	
4. 無線新聞部攝影師 TVB News Cameraman		攝影師拍攝時，見同事被包圍及箍著襲擊，故帶同攝影機希望了解情況並帶同事離開現場，但沿途與同事都被拳打腳踢。He was filming a rally by the anti-Occupy protesters. He tried to free his colleague (case 2) from attacks by some protesters. He was kicked and punched while pulling his colleague away from the scene.	
5. 蘋果日報記者 Apple Daily Journalist	10月24日約下午3 Around 3pm, 24 Oct 2014	一班戴口罩的男子到旺角彌敦道近山東街街路障，期間發生推撞，記者遭一名戴口罩男子揮掌打落面部。The journalist was punched in the face by a man wearing a mask during scuffles at the intersection of Nathan Road and Dundas Street.	不詳 NA
6. 東方日報記者 Oriental Daily Journalist	10月18日晚上11點40 分旺角 11:40 pm, 18 Oct 2014 Mongkok	警方採取行動驅散行人路上的示威者期間，大批本地和外國傳媒繼續採訪拍攝。一名警署警長要求記者後退。該名記者表明身份，但該警長喝道：「記者大曬呀？」然後用警棍將他和一名同事推跌，該記者當時正準備站起，並再出示記者證重申：「我是記者，不要激動。」此時，有警員在警長的肩膀後面伸出一支胡椒噴霧，在約一尺距離下，向該名記者臉部噴射。During the police's operation to remove the protesters, a station sergeant told the journalist to move back. The journalist indicated his identity as a journalist. However, the sergeant yelled, "So what?", then used a baton to push the journalist. He fell. When the journalist indicated his identity again saying, "I am a journalist. Calm down," and was about to get up, a police officer sprayed the journalist with pepper spray.	有佩帶記者證 Wearing a press card

Reprinted  
with  
permission  
of the  
Hong Kong  
Journalists  
Association

受襲/租人士 WHO?	地點/時間 WHERE/WHEN?	詳情 HOW?*	PRESS ID?
7. 蘋果攝影記者 Apple Daily Photographer	10月16日約凌晨1點 龍和道近添馬公園 1 am, 16 Oct 2014 Near Tamar Park on Lung Wo Road	<p>三名警員欲拘捕一名示威者時，引起過百名示威者起哄，兩名警員於是拿出警棍向人群揮動，其間該名記者感覺到至少中了兩棍，腹部、右手臂及右腳大腿有紅腫及瘀傷。該名記者認為，他有佩帶記者證，而警員與示威者對峙達數分鐘，故可合理識別他的記者身份。該記者表示，相信是混亂中遭擊中。</p> <p>Protesters complained when three police officers wanted to arrest one of them. Two of the officers then took out their batons and moved it in the air. The journalist felt that he was hit by it at least twice. His abdomen, right arm and right thigh got bruises. The journalist thought that the police should recognise his identity as he was wearing a press card and there was some time before they decided to use their baton. The journalist believed that he was hit in chaos.</p>	有佩帶記者證 Wearing a press card
8. AM730攝影記者 AM730 Cameraman	10月15日凌晨2點45分 龍和道 2:45 am, 15 Oct 2014 Lung Wo Road	<p>警方驅散示威者期間，要求在場所有人士除下眼罩，他被警察推至通往添馬公園的樓梯，在雙方氣氛緩和之際，一名警員突然衝前扯去記者的眼罩，當警員察覺是記者後立即放手，但眼罩內的眼鏡碎裂，幸玻璃沒插進眼睛。</p> <p>During the police operation to remove the protesters, the police requested everyone to remove their goggles. The journalist was then pushed to a staircase and a police officer suddenly ripped off his goggles with force. When the officer realised his identity, he stopped abruptly. However, the glass broke but, luckily, glass pieces did not go into his eyes.</p>	有佩帶記者證 Wearing a press card
9. SocREC攝影記者 SocREC Cameraman	10月15日清晨 添馬公園 Early morning, 15 Oct 2014 Tamar Garden	<p>該名記者在添馬公園採訪清場，被持防暴裝備的警察強行拉入警員堆之中，拳打腳踢接近30秒，記者的眼鏡、頭盔以及眼罩被打至飛脫。一輪暴打後，兩名警員把該記者拖行近30秒，送上警署押送犯人的旅遊巴士。拖行期間，受傷記者不停向警察展示記者證，但警察依然沒有停止毆打，更用粗口辱罵記者。記者在旅遊巴士上，有負責應付傳媒的警員確認SocREC記者身份後，著令其下車。記者事後已去瑪麗醫院驗傷，證實面部、額頭、鼻、嘴角、頸部以及左手手臂都有明顯傷痕。</p> <p>While filming the clearance of barricades and protesters, he was dragged away by a group of anti-riot policemen. He was allegedly kicked and punched for 30 seconds, before being dragged onto the floor of a coach. He repeatedly waved his press identity card on the way but was ignored. He was released only when an officer of the Police Public Relations Branch recognised him as a journalist in the coach. Hospital examination confirmed he suffered injuries to his face, forehead, nose, mouth, neck and left arm.</p>	有展示記者證 Press ID displayed
10. 獨立媒體攝影記者 Inmedia HK Photographer	10月15日凌晨3點 龍和道 3 am, 15 Oct 2014 Lung Wo Road	<p>該名記者採訪期間，一名警察突然上前用胡椒噴霧指嚇他，記者避從警員指示後退，但警察仍然在毫無警示下多次正面對準記者面部發射胡椒噴霧；後來，該記者雖然多次重申記者身份，警察仍然把他雙手扭轉並押走。其後警察更對記者吆喝：「記者又點，記者又點，記者又點，記者唔可以行前影相架嘛！」。</p> <p>Pointing a bottle of pepper spray at him, a police officer told him to move back. Though the journalist obliged, the officer still pepper-sprayed his face several times without giving any warning. With his arms twisted in an armlock, the journalist was removed by a policeman at the scene. While he repeatedly shouted out his press identity, the officer said: "Yes, you are a journalist. So what?... Even if you are a journalist, you are not allowed to get so close to film."</p>	有展示記者證 Press identity displayed
11. 無線電視新聞部 攝影記者 TVB News Department Cameraman	10月15日凌晨3點 龍和道 3 am, 15 Oct 2014 Lung Wo Road Admiralty	<p>警員清場期間，驅趕大批記者，該名攝影記者倒地扭傷腳部。</p> <p>While filming the clearance of barricades and protesters by the police, he was pulled away from the ramp by an officer who twisted his leg.</p>	不詳 NA



受襲/阻人士 WHO?	地點 / 時間 WHERE/WHEN?	詳情 HOW?*	PRESS ID?
12. 獨立媒體網記者 Inmedia HK Journalist	10月15日 龍和道 15 Oct 2014 Lung Wo Road	清場期間，應警方要求後退時，遭警員用圓盾撞傷頭部。 While reporting on the police clearance of barricades and protestors, he was pushed back by the anti-riot police. His head was injured by a police shield.	有展示記者證 Press identity displayed
13. 獨立媒體網記者 Inmedia HK Journalist	2014年10月5日約凌晨3時10分 旺角上海街及山東街交界 3:10 am, 5 Oct 2014 Intersection of Shanghai Street and Shantung Street in Mongkok	兩位記者於上海街及山東街交界採訪。當時警方築起人牆防線，與示威者對峙，雙方曾發生推撞。其中一名警員在該記者在表明身份後，突然向該記者及市民推撞，推跌獨媒記者及數名市民。該記者被在場人士及警員踩傷，記者其後被其他在場市民抬離。記者左腳有明顯瘀傷，已前往驗傷。 Two journalists were covering the news. The police had created a human chain against the protestors and scuffles had erupted. One police officer gave a sudden push against the journalist and protestors after the journalist indicated his identity. The journalist and a few protestors fell down. He was stepped on by the police and the people at the scene. The people later carried him away from the scene. His left leg was injured and he was sent to have his condition checked.	身上有掛記者證，亦有當面向警員表明記者身份 The journalist wore a press card and indicated his identity
14. 蘋果日報記者 Apple Daily Journalist	10月4日凌晨1時 金鐘中信大廈天橋上 1 am, 4 Oct 2014 Pedestrian flyover near the Citic Pacific Tower	採訪警察與示威者對峙期間，多次被在場警員推開，阻止其採訪。 He was covering the clash between the police and the protestors on the flyover. He was pushed back several times.	兩度表明身份 Declared his press identity twice
15. 樹仁大學新聞系刊物說在線記者 A Journalist of Shuo Online	10月4日凌晨1時 金鐘中信大廈天橋上 1 am, 4 Oct 2014 Pedestrian flyover near the Citic Pacific Tower	採訪警察與示威者對峙期間，被在場警員，多次拍打其攝錄機。他以手機拍攝時，有警員試圖搶走其電話，最終放棄拍攝。他高舉雙手離開時，一名警員以抓住其面部我的面部，並不斷拍打其頭部，亦有警員踢其小腿。其右眼眼袋位置被抓傷。 He was filming the clash between the police and the protestors on the flyover. A policeman slapped his camera. Another attempted to snatch his phone. He stopped filming. On his way out, a policeman caught him by his face and slapped him on his head. His leg was kicked several times. The lower part of his right eye was scratched.	掛有所屬院校印發的記者證。 Wearing a press identity card issued by the Shue Yan University
16. 明報記者 Ming Pao News Reporter	10月4日凌晨2時許 中信大廈天橋接駁金鐘政府總部入口的位置 2am, 4 Oct 2014 Entry to the Central Government Office from the Citic Pacific Tower pedestrian flyover	採訪衝突，期間突遭兩至三名衝向人群的便裝警員的手踭撞倒，至左胸口紅腫及疼痛。 The journalist was witnessing the clash between the Occupy protestors and their opponents. His chest was elbowed by two to three plainclothed policemen. He sustained bruises and pain.	身穿寫有「記者」字眼背心，衝撞時有大叫記者及後退。 Wearing a press jacket. He shouted "I am a journalist" when he was elbowed

受襲/阻人士 WHO?	地點 / 時間 WHERE/WHEN?	詳情 HOW?*	PRESS ID?
17. Coconut Media	10月3日 旺角 3 Oct 2014 Mongkok	在拍攝反佔中分子叫囂時,被其中一名男子拍打鏡頭,再拍打頭部。 He was filming a group of men criticising the Occupy protestors. One of the men slapped his camera and punched him on the side of his head. 記者提供錄像 Video provided by Coconuts: <a href="http://hongkong.coconuts.co/2014/10/04/attacks-journalists-hong-kong-condemned">http://hongkong.coconuts.co/2014/10/04/attacks-journalists-hong-kong-condemned</a>	不詳 NA
18. Radio Television Hong Kong TV Journalist	10月3日 旺角 3 Oct 2014 Mongkok	被不停指罵留守人士的藍衣中年男子襲擊。該名記者雖多次提及記者身分,仍被對方多次揮拳攻擊頭部。他的眼鏡被打至飛開,左眼角流血,左眼和鼻微腫。他稱眼鏡和手上攝影機在過程中損毀,警察現已拘捕襲擊男子。 A man who has been shouting angry remarks to the Occupy Movement protestors punched his head out of the blue. His left eye bled. He sustained a bruised eye and swollen nose. His camera and glasses were damaged. The man was then arrested by the police. 壹傳媒提供錄像 Video by Next Media: <a href="http://hk.apple.nextmedia.com/realtime/breaking/20141004/52978446">http://hk.apple.nextmedia.com/realtime/breaking/20141004/52978446</a>	身穿附有記者大字之背心, 已多次表明自己是記者 He shouted "I am a journalist" several times when attacked.
19. U Magazine Journalist	10月3日 旺角 3 Oct 2014 Mongkok	晚上被一名男子以硬物多次拍打手臂,已驗傷,並報警,手部份有瘀傷。 A man hit her arm several times with a hard object. She has reported the case to the police after hospital examination. She sustained bruises.	掛有記者證 Press ID displayed
20. 明報攝影記者 Ming Pao News Photographer	10月3日 旺角彌敦道與亞皆老 街交界 3 Oct 2014 Intersection of Nathan Road and Argyle Street	晚上拍攝反佔中人士包圍集會群眾時,突然遭一名男子揮拳打向相機,閃光燈被打至飛脫,並於混亂中遺失。 He was filming the encirclement of the Occupy protestors by their opponents. A man punched his camera. The flash light broke away and could not be found.	不時表明「冷靜,我係記者」,有配戴記者證。 Wearing his press ID and repeatedly shouting: "Calm down. I am a journalist."
21. South China Morning Post Journalist	10月3日晚,8時25分 旺角佔中舞台旁 8:25 pm, 3 Oct 2014 Mongkok, next to the Occupy Movement tent	在警方防線後,被人拋擲滿載之膠水瓶,擊中頭部。 He was working behind a cordon line formed by some policemen. His head was hit by a full water bottle thrown from the side of the anti-Occupy protestors.	擁有記者證,並穿上有記者 大字之背心。 Wearing his press card and a press jacket with big print of PRESS

\*資料來源：當事人、僱主或新聞報導  
*Information provided by the journalist or their employer, or obtained from news reports*

受襲/阻人士 WHO?	地點 / 時間 WHERE/WHEN?	詳情 HOW?*	PRESS ID?
22. 香港電台記者 Radio Television Hong Kong Journalist	10月3日 金鐘中信大廈附近 天橋 3 Oct 2014 The flyover near the Citic Pacific Tower	採訪一群警員與佔領人士對峙，被一名警員以警棍打腰。驗傷時，發現盤骨附近軟組織受損，傷處紅腫，記者感覺痛楚。 He was reporting on the clash between a team of policemen and the Occupy movement protesters. A policeman hit him on his waist with a baton. The soft tissues near the pelvis were damaged. The journalist suffered bruises and pain.	手持附有香港電台標誌之收音器，掛有記者證，穿上有記者大字之背心，並多次表明記者身份。 Holding a microphone with the RTHK logo; wearing his press card and press jacket. Shouted that he's a journalist when attacked.
23. Freelance Journalist	10月3日 旺角被囚巴士旁 3 Oct 2014 Mongkok	被一名反佔中男子以水瓶迎面拍打。 A man who has been criticising the Occupy Movement protesters suddenly hit his face with a water bottle.	沒有 No
24. DBC Radio Journalist	9月28日晚上10時45分 干諾道中及美利道交界石壘(友邦金融中心附近) 10.45 pm, 28 Sep 2014 Near Prudential Financial Tower on Connaught Road Central	記者站在友邦金融中心旁，當防暴警察施放催淚彈，市民紛紛往金鐘方向後退，記者則趁此時機站上石壘拍攝防暴警察推進場面。有防暴警察立即拉著他的背囊並把他由石壘扯落地，記者高呼他是記者，但對方一邊叫他上天橋影相，一邊繼續拉著他的背囊逼他走。記者被拉扯到天橋樓梯，由於處於倒後退的姿勢，腳跟撞到天橋第一級樓梯，重心不穩向後跌。 The police fired a round of tear gas. He was filming the retreat of protesters from a ramp. He refused a police order to get down. A policeman grabbed him by his backpack; yanked him down and forced him onto a pedestrian bridge. He fell and got injured.	有穿著公司提供的橙色印有記者字樣背心及戴記者證 Press identity displayed while wearing an orange press jacket.