



THE INVISIBLE HAND ON HONG KONG'S MEDIA

**REPORTERS
WITHOUT BORDERS**
FOR FREEDOM OF INFORMATION

CONTENT

Introduction	5
1. Beijing's "invisible hand"	6
Who are Chinese censorship's collaborators?	6
2. Censors under scrutiny	8
A newspaper purged of its best people	8
Very "active" owners	9
Government pressure	10
Very "commercial" banks	11
Very anonymous attackers	12
Very "political" management	13
Owners who are Beijing office-holders	14
Nit-picking Communications Authority	15
3. Hong Kong: first step in a new world media order?	18
Conclusion	22
Recommandations	24

HONG KONG

A SEMI-AUTONOMOUS SPECIAL ADMINISTRATIVE REGION OF CHINA

- Population: 7.2 million.
- Area: 1098 sq km
- Languages: Chinese (mainly Cantonese) and English. Both are official.
- Currency: Hong Kong dollar

D-BEIJING

A: One of the leading daily, Mingpao suddenly fired executive chief editor Keung Kwok-yuen on 20 April, hours after he ran a front-page story focusing on well-known local politicians and businessmen who had been named in the “Panama Papers”.

E: Two masked individuals inflicted multiple stab wounds on journalist Kevin Lau on 26 February 2014. As in most physical attacks on journalists, the instigators were never caught.

HONG KONG

B: The headquarters of the Communications Authority. This notionally independent media regulatory body works with the Executive branch to put pressure on media that are overly critical of the government.

C: Headquarters of the Apple Daily newspaper, probably the Chinese-language media outlet that is most critical of Beijing. Many of its journalists and its owner, businessman Jimmy Lai, have been the victims of intimidation and physical violence by Chinese Communist Party thugs.

D: Chinese People's Political Consultative Conference : more than half of the media owners in Hong Kong have been appointed to national political bodies in China – the National People's Congress and the Chinese People's Political Consultative Conference.

INTRODUCTION

Has Beijing won? Violence and abuses against Hong Kong journalists increased from 2012 onwards and culminated in late 2014 with the reactions to the Occupy movement. The let-up in 2015 has paradoxically turned attention to political and financial manoeuvres aimed at gaining control of the Hong Kong media. But disentangling the reality from mere suspicion is difficult, especially as the enemies of media freedom are almost invisible. The means for demonstrating their strategy are still lacking. Beijing is almost certainly at work, relying on liegemen who anticipate its wishes and ensure they are granted. But it has no need to show itself or even sometimes to give orders. A lack of transparency is an essential part of the method's effectiveness.

The latest example is the acquisition by Jack Ma, the e-commerce company Alibaba's founder and chairman, of the South China Morning Post, a daily founded in 1903 when Hong Kong was a British possession. Rumours of the imminent takeover became more persistent in the autumn of 2015. Announced in December, is it Beijing's latest move on the Hong Kong media chessboard? It certainly revived concern about journalistic freedom, to the point that Ma felt the need to publish a letter to readers in the newspaper explaining the move. He said it was a generous initiative designed above all to support the SCMP's digital transition. He nonetheless added that the newspaper was "uniquely positioned to report on China with objectivity, depth and insight." What kind of "objectivity" did he mean? In China, the term is anything but neutral. In Hong Kong it could soon mean objectivity that is "positive for all media owners with interests in China," of whom there are many.

Hong Kong was ranked 70th in the World Press Index in 2015, out of 180 countries, its lowest position since Reporters Without Borders (RSF) created the index in 2002. The decline in respect for media freedom seems to be part of an overall weakening in democracy's underpinnings in the Special Administrative Region. Despite frequent appeals to the local authorities, the Hong Kong media have been unable to resist their apparent determination to protect President Xi Jinping, one of media freedom's biggest opponents, from any criticism about the growing media freedom violations in Hong Kong. While there is no incontrovertible evidence of Beijing's hand in undermining media freedom in the Special Administrative Region, there are questions that should be raised anew and those who cooperate with censorship should be challenged again.



1 BEIJING'S "INVISIBLE HAND"

Are journalists now toeing the line? RSF's figures suggest a marked decline in media freedom violations in 2015. But the figures don't tell the whole story.

The end of the Occupy movement was accompanied by a sharp fall in the number of attacks against journalists. But a qualitative evaluation based on the comments of journalists and academics contributing to the World Press Freedom Index reveals a very different reality. In late 2015, Hong Kong journalists reported increasing self-censorship in news organizations. They are concerned about the independence of their media outlets and their ability to continue criticizing China, Hong Kong's billionaires and the Hong Kong government. The picture emerging from detailed research by the Hong Kong Journalists Association (HKJA) is equally sombre. When the HKJA asked 537 journalists to evaluate the level of self-censorship on a scale of 1 to 10, their average rating was 7. Caution prevails whenever they have to tackle a story with potentially negative implications for the government or big business.

The low-key coverage of an alleged secret payment of dozens of millions of Hong Kong dollars to Chief Executive CY Leung highlighted the "taming" of the media and the tragic decline in media freedom in the territory. Australia's **Sydney Morning Herald** reported on 8 October 2014 that Leung received a payment of 4 million sterling (more than 5 million euros) for agreeing to the sale of a property firm of which he was a board member, and that he never declared the payment to the tax authorities. The next day, only four over forty Hong Kong dailies carried the story on their front page.

WHO ARE CHINESE CENSORSHIP'S COLLABORATORS?

The media's reticence to fully play its role as defender of the general interest has resulted in frequent references to media self-censorship but, in the absence of information, no details have been provided about the individual processes involved. In practice, a self-censorship decision is rarely the result of a consensus within a media outlet. Usually there are contrasting views, with one side advocating media freedom and independence and the other side, the defenders of political, economic or personal interests, usually invoking seniority to impose censorship.

The Hong Kong general public is barely aware of these censors and western media that take an interest in this issue only briefly mention them. Media coverage and the reports of free speech NGOs focus on the victims. As a result, the authors, instigators and accomplices of censorship and violations of freedom of information are usually

hidden from view within the media companies or entities in which they operate. Shielded from public attention, which would hurt them and hamper their information control strategies, these enemies of media freedom are free to gag critical journalists.


Whether journalists are being censored or fired, the media outlets where the censorship action takes place are named more often than the persons who give the orders. When news anchors are subjected to intimidation, reports refer to messages from the “government” or warnings from the “management” without saying who. And when reference is made to conflicts of interest of media owners or the commercial interests of companies with a presence in Mainland China, the “company” or “Beijing” are blamed rather than individual company executives or Communist Party officials who may be involved.




2 CENSORS UNDER SCRUTINY

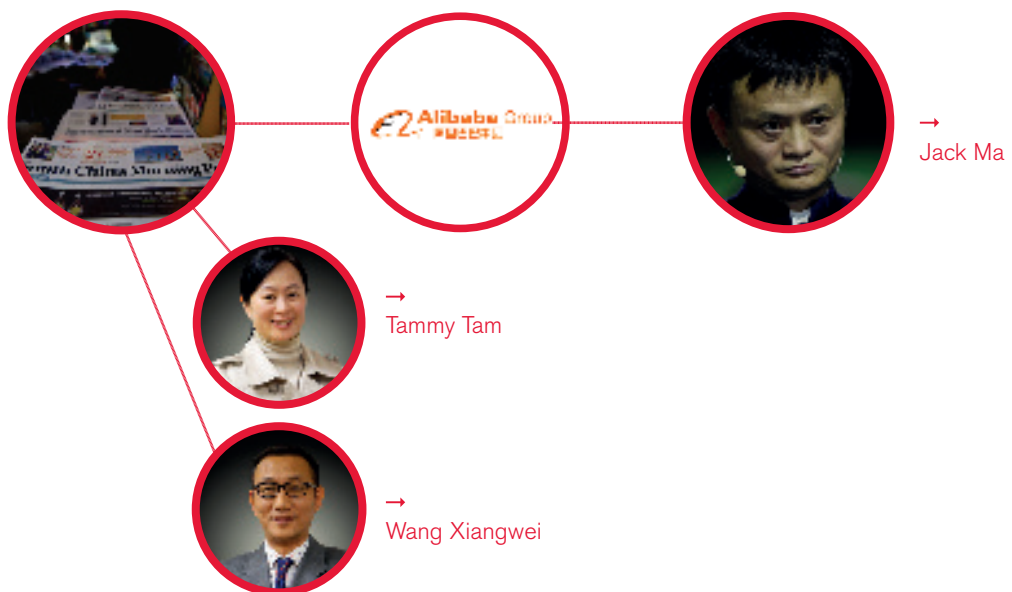
In this report, RSF examines the disturbing situation at various Hong Kong print and broadcast media outlets. And RSF urges all journalists not to abandon the search for information that could help identify the factors and individuals behind the increase in self-censorship within these news organizations. These media outlets must also seek guarantees in order to ensure that they have editorial independence.

- A NEWSPAPER PURGED OF ITS BEST PEOPLE

 **Media:** South China Morning Post (SCMP)

 **Owner:** Alibaba Group Holding Ltd

 **Under scrutiny:** Jack Ma (leading shareholder), Tammy Tam (editor-in-chief), Wang Xiangwei (editorial adviser).



The daily's acquisition by billionaire Jack Ma for the modest sum of 100 million US dollars was not reassuring for media freedom defenders. Mismanaged by Malaysian businessmen Robert Kuok, who bought it from Rupert Murdoch in 1993, the **South China Morning Post** suffered several waves of departures of journalists complaining of censorship by their superiors. The situation worsened from 2012 onwards, with Wang Xiangwei's appointment as editor-in-chief and the departure of several of the newspaper's leading figures such as Paul Mooney. Around 30 journalists, including all of the international edition's staff, left in 2015. The newspaper meanwhile became enamoured of controversial figures such as Cannix Yau, a former member of Chief Executive CY Leung's staff, and Billy Tianbo Huang, a former journalist with the **Xinhua** news agency and MediaCorp, a nominally "private-sector" media group owned by the government of Singapore.

Tammy Tam, who succeeded as editor-in-chief after four years of censorship under Wang Xiangwei, also has a controversial record that resulted in some of her colleagues calling her the "party secretary." In a question-and-answer session with **SCMP** journalists, Alibaba vice-president Joseph Tsai said Alibaba wanted to correct the western media's biased vision of China: "A lot of journalists working with these western media organizations may not agree with the system of governance in China and that taints their view of coverage. We see things differently, we believe things should be presented as they are. Present facts, tell the truth, and that is the principle that we are going to operate on." His comment implicitly stigmatized all of the foreign media that cover China.

Recommendations to this media outlet:


Press Wang Xiangwei to explain the departures of journalists who criticized internal censorship.

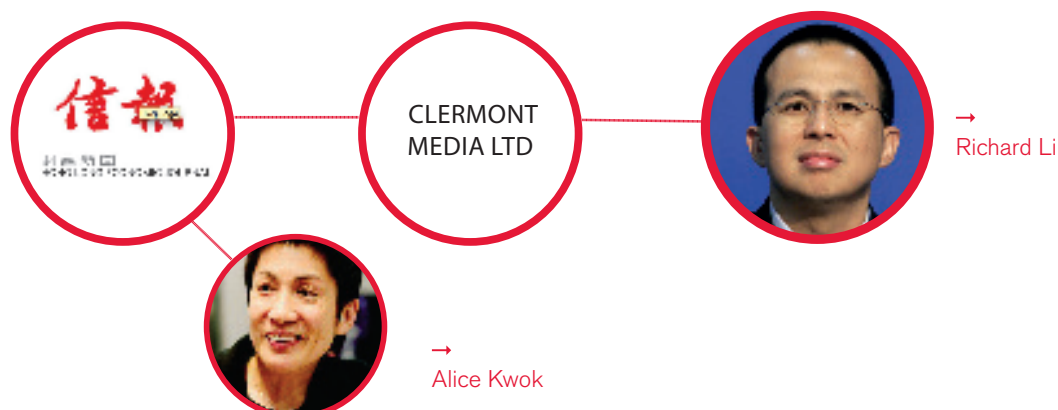
Ask Jack Ma to sign an ethics charter guaranteeing the newspaper's editorial independence.

• VERY "ACTIVE" OWNERS

 **Media:** Hong Kong Economic Journal (HKEJ)

 **Owner:** Clermont Media Ltd

 **Under scrutiny:** Richard Li (leading shareholder), Alice Kwok (editor-in-chief), the newspaper's management.



When billionaire businessman Richard Li Tzar-kai acquired half of HKEJ's shares in 2006, he promised there would be no editorial interference. The daily has nonetheless subjected its journalists to increasing censorship since Alice Kwok's appointment as chief editor in August 2013. Kwok had been the subject of an investigation by the Hong Kong Journalists Association into self-censorship at the **Metro Finance** radio channel in 2003, when she was running the newsroom.

A few weeks after her arrival, deputy editor-in-chief Yuen Yiu-ching and his team of three reporters resigned in protest at the censorship of their story exposing the pro-Chief Executive slant in public broadcaster TVB's reporting. Edward Chin Chi-Kin, who had been writing a regular column for HKEJ for the past nine years, was notified in a letter in February 2014 that he should restrict himself to writing about financial matters. After he refused, he was told by email in September 2014 that his column was being dropped. The management subsequently explained that this was due to the adoption of a new layout. Chan Ka-ming, another HKEJ columnist, reported in March 2014 that one of his articles, "Done Messing with Hong Kong, Hong Kong is Done," had been rejected because it criticized negative comments about the Occupy movement by the father of HKEJ's owner.



Recommendations to the media outlet:

Press editor-in-chief Alice Kwok to explain the departures of journalists who criticized internal censorship.

Ask Richard Li to sign an ethics charter guaranteeing HKEJ's editorial independence.

• GOVERNMENT PRESSURE



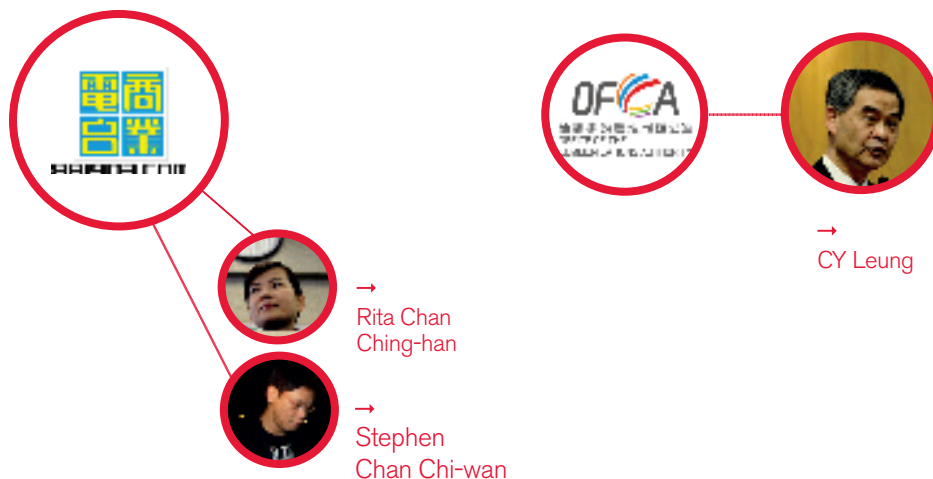
Media: Commercial Radio Hong Kong (CRHK)



Owner: George Ho



Under scrutiny: CY Leung (Hong Kong government Chief Executive), Communications Authority (CA), Li Ka Shing (leading shareholder), Rita Chan Ching-han (general manager) Stephen Chan Chi-wan (chief adviser)



Commercial Radio, one of Hong Kong's only few privately-owned radio stations, has received many warnings about its coverage of local politics since 2013, above all from Chief Executive CY Leung, who took particular exception to star presenter **Li Wei-ling's** programme. The government did not limit itself to sending messages to the station. It also exerted pressure via the Communications Authority – which regulates the media and renews licences – to get the station to neutralize its most critical journalists. **Commercial Radio** dropped Li Wei-ling's news programme in November 2013 and finally fired her in February 2014. She had received a great deal of criticism from the station's management and she said several government officials had warned her and told her to be careful about her job. Rita Chan and Stephen Chan denied this and accused her of hurting Hong Kong.

Recommendations to the media:


Shed all possible light on the process leading to Li Wei-ling's dismissal and any interference by Chief Executive CY Leung.


Ask the Communications Authority to take concrete measures to guarantee its own independence as a media regulator.

Ask George Ho to sign an ethics charter guaranteeing **Commercial Radio's** editorial independence.

• **VERY "COMMERCIAL" BANKS**

 **Media:** Apple Daily

 **Owner:** Next Digital Limited

 **Under scrutiny:** HSBC (advertiser), anonymous attackers, anonymous instigators
Standard Chartered (advertiser), Bank of East Asia (advertiser), Hang Seng Bank (advertiser)



A progressive newspaper that criticizes Beijing, **Apple Daily** was one of the main targets of the “anti-occupy” movement and has been subjected to frequent physical attacks. But its enemies have also used other forms of reprisal including economic pressure, destroying copies of the newspaper, cyber-attacks and death threats. One of the first examples was in June 2013, when someone rammed a stolen car into the front gate of owner Jimmy Lai's home in Kowloon, leaving an axe and a machete in the driveway before leaving.

At the end of 2013, two international banks, HSBC and Standard Chartered, one local bank, Bank of East Asia, and one HSBC subsidiary, Hang Seng Bank, terminated long-standing advertising contracts with **Apple Daily** in defiance of

any business logic. The banks nonetheless insisted that their reasons were purely commercial. These clients had been **Apple Daily's** biggest source of advertising income, worth 3.6 million HK dollars (more than 400,000 euros). It paid not only for the print issue but also the magazines and website of Next Media, **Apply Daily's** publisher.

The newspaper's website was the target of a major cyber-attack in June 2014, a few days before the popvote.hk site launched an online referendum on the 2017 elections. Protesters surrounded **Apple Daily's** headquarters on 11 October 2014 to prevent it from publishing and, despite a court order to leave, they kept the siege going for several days until the police finally intervened without making any arrests. A week later, individuals poured tons of soy sauce on copies of the newspapers as they were about to be distributed, and yet again the police made no arrests. Animal entrails were thrown in Jimmy Lai's face on 12 November 2014. Finally, on the night of 12 January 2015, two unidentified individuals threw firebombs at the entrance to his home and, five minutes later, other homemade bombs were thrown at **Apple Daily's** headquarters. Police questioned four suspects but took no further action.



Recommendations:

Reiterate request to the judicial authorities to end the impunity for crimes against members of the newspaper's staff.

Ask HSBC, Standard Chartered, Hang Seng Bank and Bank of East Asia again to explain why they stopped advertising in Apple Daily.



• **VERY ANONYMOUS ATTACKERS**



Media: Hong Kong Morning News



Owner: Hong Kong Morning News Media Group



Under scrutiny: Chung Wai-chung

One of the aims of the sharp increase in attacks on journalists and media owners is to deter any attempt to create new independent media outlets. Two Hong Kong Morning News Media Group executives, Lei Lun-han, 46, and Lam Kin-ming, 54, were attacked by four men armed with iron bars while having lunch in the Kowloon tourist district on 19 March 2014. They had been working on the launch of a proposed new daily, the **Hong Kong Morning News**, and had said in a press release that Hong Kong needed a "balanced paper with credibility." Just weeks later, in May 2014, the Hong Kong Morning News Media Group was dissolved.

Three suspects were arrested and were brought before a judge on 1 December 2014. One of them, apprentice chef Chung Wai-chung, 22, said he had carried out the attack at the request of the wife of a man with whom Lei Lun-han was having an extramarital affair, which Lei denied. Despite calls from organizations that defend the media – relayed by the vice-president of the Legislative Council the day after the attack – no progress was ever made in identifying the attack's real instigators.



Recommendations:

Ask the judicial authorities to carry out an investigation with the aim of identifying the instigators of the attack on Lei Lun-han and Lam Kin-ming, and not content themselves with convicting the perpetrators.

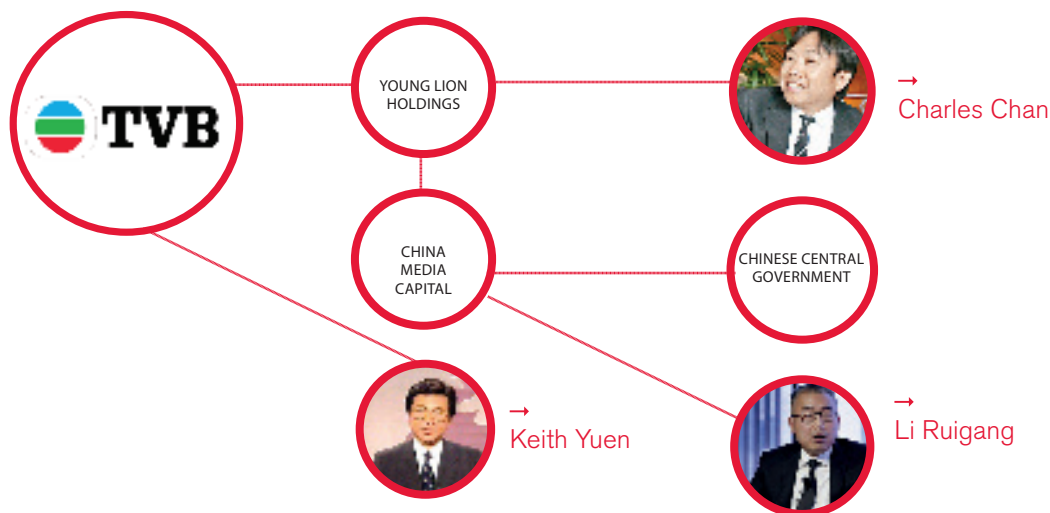


- **VERY “POLITICAL” MANAGEMENT**

Media: Television Broadcasts Limited (TVB)

Owner: YOUNG LION HOLDINGS

Under scrutiny: Keith Yuen (head of news), Li Ruigang (majority shareholder), Charles Chan (chairman), the TVB management



A TVB video showing seven police officers beating up pro-democracy activist Ken Tsang on 15 October 2014 was one of the clearest examples of political influence on the broadcast media in 2014. When first broadcast, the voiceover said the police “punched and kicked” Tsang. But this was subsequently toned down at news director Keith Yuen’s request. Following internal wrangling, the narration of the definitive version of the video broadcast in the evening simply referred to allegations of police violence. **Ho Win-ghong**, the journalist responsible for broadcasting the video, was demoted to “senior research officer” a month later while **Chris Wong**, a veteran journalist who had signed a letter to the TVB management objecting to the censorship of the video, was relieved of his responsibility for two programmes.

TVB announced in April 2015 that media tycoon Li Ruigang, owner of the major Shanghai Media Group and dubbed “China’s Rupert Murdoch,” had acquired a majority stake in TVB through his state-backed private equity fund China Media Capital and was joining its board, alarming many journalists. Li is a Chinese Communist Party ally who briefly held the position of deputy general secretary of the Shanghai Communist Party bureau in 2011. TVB also seems to be getting preferential treatment from the authorities. In April 2015, the government’s Executive Council approved the renewal of its broadcast licence until 2027. Just a month before, it refused to renew the licence of Asia Television (ATV). This has left TVB with a near monopoly of free-to-air TV broadcasting in Hong Kong.

Recommendations:

Shed all possible light on the process leading to the changes to the video commentary and to the demotion of Ho Wing-hong and Chris Wong.
Ask Li Ruigang and all investors of TVB to sign an ethics charter guaranteeing TVB’s editorial independence.

- OWNERS WHO ARE BEIJING OFFICE-HOLDERS



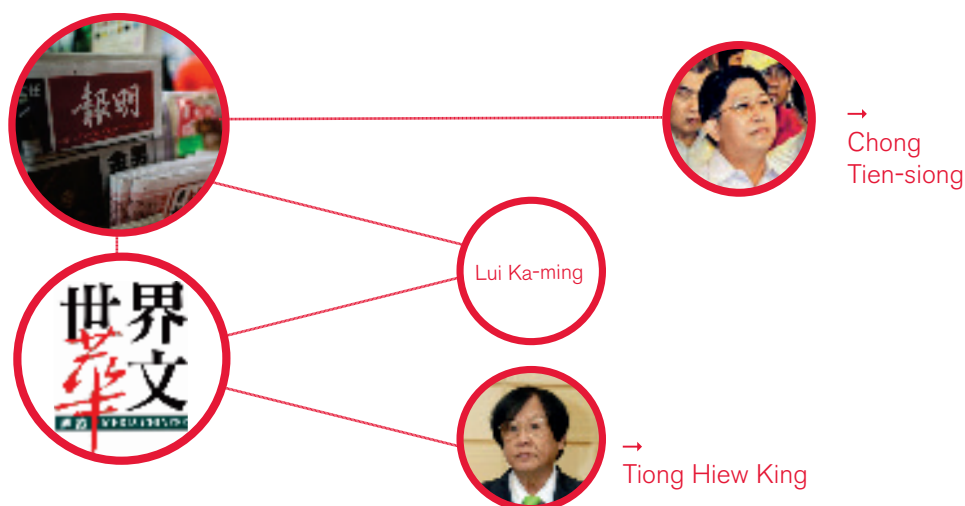
Media: Ming Pao



Owner: Media Chinese International Ltd



Under scrutiny: Chong Tien-siong (editor-in-chief), Lui Ka-ming (editorial director), Tiong Hiew King (leading shareholder), the newspaper's management



Censorship has become routine at **Ming Pao**, a Hong Kong daily with a Canadian edition, since Kevin Lau was removed as editor-in-chief in January 2014 shortly before being badly injured in a premeditated stabbing attack, which remains unsolved. Lau was demoted to make way for Chong Tien-siong, a Malaysian journalist originally from Singapore. Ninety percent of the employees signed a petition opposing his controversial appointment but the management made no real attempt to justify it. In response to the widespread discontent, Chong initially took over as “chief editor” in May 2014 and did not become editor-in-chief until January 2015. Assisted by Lui Ka-ming, the editorial director of the Canadian edition, he now blatantly censors his staff.

Lui even stopped the presses to replace a front-page headline about pro-democracy demonstrations on 1 July 2014. And on 2 February 2015, Chong replaced a front-page story about a Canadian government report on the Tiananmen Square massacre with a feature about the encouragement that would-be entrepreneurs in Hong Kong get from the Chinese Internet company Alibaba!

Acquired in 1995 by Malaysian billionaire Tiong Hiew King, whose Sin Chew media group has had a virtual monopoly of Chinese-language print media in Malaysia for the past decade, **Ming Pao** is now one of several Hong Kong media outlets whose owners are members of representative bodies in Beijing such as the National People's Congress and the People's Political Consultative Conference, which is supposed to serve as an interface between the people and the party. Its 2,000 members have no real legislative power but they rub shoulders with China's political leaders.



Recommendations:

Continue to ask the judicial authorities to conduct an investigation aimed at identifying the instigators of the attack on Kevin Lau.

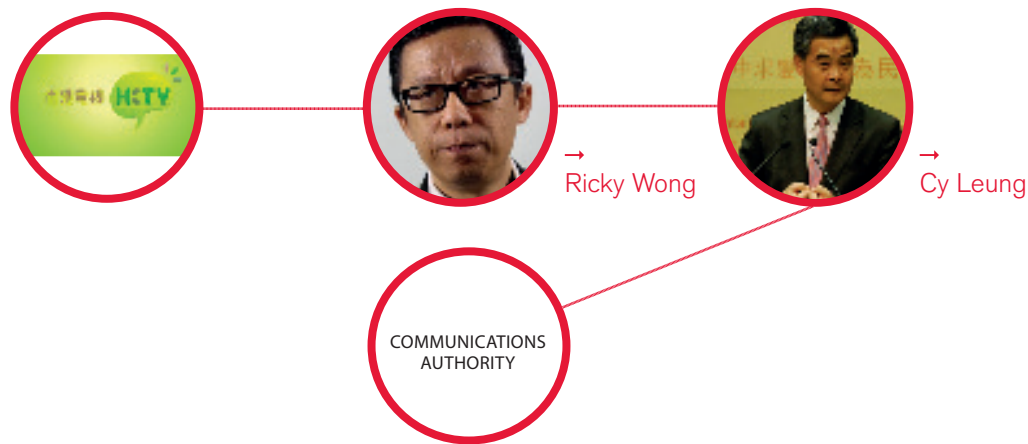
Ask Tiong Hiew King to sign an ethics charter guaranteeing **Ming Pao's** editorial independence.

- NIT-PICKING COMMUNICATIONS AUTHORITY

Media: Hong Kong Television Network Ltd (HKTV)

Owner: Ricky Wong

Under scrutiny: Communications Authority (CA), CY Leung (Chief Executive)



Hong Kong Television Network (HKTV) has been trying to obtain a broadcast licence without success since 2013. After the Communications Authority, Hong Kong's media regulator, rejected its application in October 2013, HKTV appealed to the Hong Kong high court. The court found in its favour in April 2014, ruling that the decision by CY Leung's administration to reject the application was illegal. The government has appealed against the ruling. HKTV meanwhile launched a streaming platform in November 2014 on the basis of the mobile TV licence it obtained in December 2013. But in a meeting with HKTV chairman Ricky Wong in January 2014, the Communications Authority said the mobile TV licence was insufficient because of the high number of envisaged viewers and that, under the Broadcasting Ordinance, a "free-to-air" licence is needed when more than 5.000 households are involved.

 **Recommendations:**

Ask the Communications Authority to finally grant HKTV a broadcasting licence.

Ask the Communications Authority to take concrete measures to guarantee its own independence as a media regulator.





“WHO BENEFITS FROM THE CRIME?”

This is the question that needs an answer after all the acts of violence against journalists and all the acts of censorship. Media freedom defenders and the Hong Kong authorities have very different answers.

The investigation into the February 2014 attack on Kevin Lau, a journalist with *Ming Pao* (and its former editor-in-chief) is indicative of the way the Hong Kong authorities refuse to recognize the threats to freedom of information – threats that are being denounced with increasing vigour by the organizations that represent the Hong Kong media. The assault on Lau (or murder attempt, according to some interpretations) was the most violent physical attack on a journalist in decades and has been condemned as such by civil society.

Two men on a motorcycle attacked Lau as he got out of his car in the Sai Wan Ho residential district on 26 February 2014. The pillion rider repeatedly slashed him with a butcher's knife, inflicting serious injuries to his back and legs. What was the motive? The most credible hypothesis links it to the fact that, during Lau's two years as editor-in-chief, *Ming Pao* investigated alleged embezzlement by the Chief Executive and participated in an investigation by the Consortium of Investigative Journalists into the offshore fortunes of senior Chinese Communist Party officials and their families.

Two years later, two men have been sentenced to 19 years in prison for

carrying out the attack but they have never explained their motive and the instigators have not been identified. Officially, it was just a knife attack, described by the police as a “classic triad-style hit meant as a ‘warning’ rather than to kill.” The two convicted assailants, Hong Kong residents who identified themselves as plumbers, said they were tortured by the police in Mainland China, where they were arrested on 8 March 2014 and were held for a week before being transferred to Hong Kong.

Despite the severity of the sentence, the verdict issued by Judge Esther Toh on 21 August 2015 did not recognize the assault as an attack on media freedom and rendered only partial justice to Lau and to journalists in general because it shed no light on the identity of the instigators. And now that the perpetrators have been convicted, the Hong Kong authorities are no longer asking the only questions that would help to identify those who gave the orders – “who benefits from the crime?” and “who were the enemies that Lau had made?”

Furthermore, the police and judicial authorities have never revealed information about any list of potential suspects they may have compiled. As a result, Lau's journalistic work is the only solid basis for an investigation aimed at identifying the instigators. Although the Consortium of Investigative Journalists has refrained from any speculation, all of the persons named in its investigation into offshore fortunes and all of the officials with whom they are closely linked can plausibly be regarded as suspects.

3 HONG KONG: FIRST STEP IN A NEW WORLD MEDIA ORDER?

From 2002 to 2015, Hong Kong fell from 18th to 70th place in RSF's World Press Freedom Index. Even if Beijing's fingerprints are only faint, the increasing difficulties encountered by the Hong Kong media in their coverage of Chinese affairs show that the fight for freedom of information about China is now being fought outside as well as inside the People's Republic. From now on, combatting censorship involves thwarting China's strategy for muzzling information and imposing its propaganda beyond the mainland.

A "new world media order" – one in which China would occupy a central position and would be able to shape opinion as it saw fit – has been a Chinese goal for years. The goal and the strategy for achieving it were described in an op-ed piece in *The Wall Street Journal* in 2011 by Li Congjun, who ran the Chinese news agency *Xinhua* until 2014 and who is now a member of the Chinese Communist Party's central committee. Headlined "Toward a New World Media Order," it can be read on the *People's Daily* website. Describing the status quo as "unjust and irrational," he advocates four guiding principles – "fairness," "all-win," "inclusion" and "responsibility" – for redressing the imbalance in the current "flow of information [which] is basically one-way: from West to East, North to South, and from developed to developing countries."

The goal was also reflected in President Xi Jinping's visit to the United States in September 2015, when he demonstrated his desire to establish China as a leader in new information technology. Xi, who also heads the Central Leading Group for Internet Security and Informatization, a Communist Party central committee offshoot, met with leaders of US corporate giants Microsoft, Apple and Amazon to discuss "Internet governance." This is a priority for China, which regards foreign Internet companies as potential threats to its sovereignty.

The implementation of China's strategy for media and information control has accelerated considerably in the past five years, taking various forms. Firstly, China has reinforced its ability to control the presence of foreign Internet companies in its territory and the operational methods they use. The World Media Summit is a Chinese creation. Dubbed the "media Olympics," two of these gatherings of world media leaders have been held since 2009. They are entirely designed, organized and funded by the official news agency *Xinhua*.

The same goes for the World Internet Conference, launched in 2014 and hosted by China. While the emphasis is the Internet's commercial aspects, the conference provides China's leaders with an opportunity to discuss the regulations they intend to impose on foreign operators. About a thousand businessmen, including world leaders in the ICT sector, attended the WIC in the city of Wuzhen at the end of 2015. Even Facebook was represented although access to this social network is blocked in China. Unperturbed by the obvious contradiction, the authorities lifted censorship in Wuzhen for the duration of the conference, allowing foreign visitors to use social networks such as Facebook and Twitter and to post videos on YouTube!

By joining the world club of Internet and ICT giants and entering the closed circle of the major media and information power brokers, China establishes a presence and legitimacy that allow it to filter sensitive information and criticism of party leaders even more effectively. Lured by the El Dorado of the Chinese Internet user market, many international Internet companies do not hesitate to release China from certain "obligations" regarding respect for freedom of information.

The other facet of China's media control strategy is the investment of considerable effort into exporting its model and reshaping journalism beyond its borders. And it seems to have made a good start. In India, Prime Minister Narendra Modi's government announced in March 2015 that it planned to open a journalism university modelled on the Communication University of China, which drills the party line into journalism students and is headed by former members of the Propaganda Department.

In September 2014, German public broadcaster **Deutsche Welle** announced its intention to establish a partnership with **CCTV**, one of the pillars of the Chinese state's propaganda system. The partnership included a content-sharing agreement that would extend DW's reach in China. A few months prior to the announcement, **DW** fired a Chinese blogger and journalist living in exile in Germany who had worked for **DW** since 2010. **DW** now says it has terminated its cooperation with **CCTV**. Nonetheless, its Chinese-language service continues to employ very controversial journalists, including one suspected of being a Communist Party member.

As well as media control, Beijing also exports its Internet control methods, spearheaded by Baidu, China's leading search engine, which has a virtual monopoly of the domestic market since Google's withdrawal in 2010. Baidu allows the authorities to control what information is available to Chinese Internet users and block any content that reflects badly on the Party.

Baidu penetrated the Brazilian market in July 2014, launching a Portuguese-language search engine called Busca, thereby making Brazil the second foreign country to "benefit" from its search engine services, after Japan. However it quickly emerged that searches for "Tiananmen Square" or "Falun Gong" were being purged of anything considered "sensitive" by the Chinese and were instead providing lots of links to content on the **People's Daily** (Renmin Ribao) website. This international censorship reportedly ended after protests by many Internet users in Brazil and the rest of the world. But Baidu has almost certainly retained the technical ability to reinstate it at any time.

Baidu's victory in 2014 in a class-action suit that a group of pro-democracy activists brought against it in New York was a watershed for Chinese censorship's international progress. The suit, *Zhang et al v. Baidu.com Inc*, accused Baidu of illegally suppressing content about democracy in China, rendering it inaccessible to Internet users in the United States. The Southern District of New York federal court ruled on 28 March 2014 that Baidu had a First Amendment right to use "editorial judgment" regarding the information made available by its search engine. The decision set a disturbing judicial precedent and reinforced the Chinese company's international immunity.





They can't KILL
but SILENCE

FREEDOM
ISN'T



HONG KONG FREE PRESS :

Foreign journalist imports media freedom to Hong Kong

Founded by British journalist Tom Grundy, Hong Kong Free Press (HKFP) is a new non-profit, independent online media outlet aiming to provide critical coverage of Hong Kong and Chinese politics, for which the space has declined considerably in the past two years. HKFP's creation, made possible by participative funding, came as a direct response to the press freedom issues facing the city and during a time of uncertainty for Hong Kong's democratic future and its relations with Beijing.

On 1 June 2015, before its launch and before any critical content had been posted, the HKFP site was the target of a DDoS-style cyber-attack that rendered it inaccessible for half a day. But this has not weakened HKFP's determination "to be as impartial as possible, welcoming voices from all sides of the political debate,"

Grundy said in a statement issued after the incident. Since then, the site has been cybersquatted, blocked in mainland China and its reporters have found themselves barred, alongside other digital media, from local government press conferences.

In the few months since it became operational, it has covered issues such as academic freedom, China's lawyer crackdown, the disappearance of five Hong Kong booksellers, unrest in Mong Kok and local elections. It has carried exclusive reports on topics including government misspending, security issues at the airport and a leaked tape involving the president of the legislature.

CONCLUSION

Article 27 of Hong Kong's Basic Law (equivalent of a Constitution) and article 19 of the International Covenant on Civil and Political Rights (which China has signed) guarantee freedom of expression and information for all media outlets and all local and foreign journalists in Hong Kong, in theory, at least. But Beijing's determination to extend its control of the media to the Special Administrative Region without further ado seems to be getting the upper hand. By asserting its direct political influence over Hong Kong's institutions and developing its policy of monopolizing funding of the leading media outlets, President Xi Jinping's administration is in the process of realizing the dream cherished by China since the 1997 handover. Beijing wants to secure its hold over the media (and telecommunications) in order to shape public opinion and ensure that it follows the party line. That's all there is to it.

To achieve this goal, the authorities need local accomplices and partners, whether businessmen with interests in China, journalists who espouse the party's ideology or who have been corrupted by the party, or key political figures at the highest level of the local administration and state apparatus. By advancing stealthily, China makes it hard to identify all the local actors responsible for the decline in media freedom.

Media freedom defenders such as RSF are not crazy enough to imagine that China as a nation will one day be sanctioned for "editorial interference", "violating the principle of independence" of the Hong Kong media and "attacks on journalists." But they have a right to expect that the Hong Kong authorities identify and punish the instigators of Kevin Lau's attempted murder and other attacks on journalists, and that some media owners and executives are held to account for their constant censorship and editorial interference.

Without new judicial enquiries and in-depth journalistic investigations, the perpetrators and instigators of media freedom violations will remain unpunished, those who cooperate with Chinese censorship behind the scenes will remain invisible to the general public, and the many grey areas, such as the nature of the links between party leaders and some Hong Kong officials and businessmen, will persist. Just blaming "Beijing" is not enough. Every blow to media freedom must be systematically investigated to identify who is behind it. All the direct and indirect participants in these violations must be denounced. The indisputable facts must be brought to light in order to expose the strategy for information control and conquest being deployed at the national and now international level by the Chinese Communist Party.



RECOMMENDATIONS

Reporters Without Borders (RSF) condemns the increasing control of the media within the Hong Kong Special Administrative Region and asks that freedom of expression and media freedom are duly respected. RSF reiterates its support for the Hong Kong Journalists Association (HKJA) and all defenders of media freedom and freedom of information.

RSF recommends that:

25

The Hong Kong authorities:

- - Combat violence against journalists by arresting and prosecuting the perpetrators and instigators of physical attacks and threats against media personnel.
- - Do not close an investigation into a physical attack against a journalist or media outlet until the instigators have been identified.
- - Radically change media freedom policy by:
 - - granting licences to media outlets whose applications comply with legal requirements
 - - adopting a law on access to information and transparency in line with the recommendations of local associations that defend media freedom and freedom of information
 - - working in close cooperation with media defence associations on a law protecting freedom of information
 - - ceasing to violate the right to receive and impart information by ending discrimination against some media outlets and by ending various forms of censorship and arbitrary information control, especially at news conferences.

The Hong Kong media:

- - Do everything possible to head off the danger of external pressure, whether political or economic, and publicly denounce any editorial interference to which they are subjected.
- - Rely on the support of local and international media freedom NGOs in order to resist any pressure to which they are subjected. No pressure is unavoidable.

- - Adopt ethics charters to be signed by owners in order to avoid pressure on employees and to guarantee the physical safety of reporters and those who write and contribute “sensitive content.”

Hong Kong journalists:

- - Systematically and publicly denounce any media freedom violation, and any act of censorship and editorial meddling within their news organizations. Make it possible for these violations to be denounced anonymously.
- - Encourage information sharing within their news organizations so that discreet, targeted censorship attempts and editorial interference are more difficult.
- - Rely on the help of local and international media freedom NGOs and sympathetic members of the Legislative Council to denounce any censorship and to support their public positions.



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