Freedom of expression is protected by law, and Hong Kong media remained lively in their criticism of the territory’s government and to a lesser extent the Chinese central government in 2013. However, press freedom was threatened by mainland China’s growing economic power, which has allowed it to exert greater influence over the media in Hong Kong. Over the course of the year, government restrictions on access to information persisted, and violent attacks against journalists and media executives increased significantly, with many cases remaining unsolved.

Under Article 27 of the Basic Law, Hong Kong residents enjoy freedoms of speech, press, and publication, and these rights are generally upheld by the territory’s independent courts. However, they risk being undermined by the power of the National People’s Congress (NPC), China’s rubber-stamp parliament, to make final interpretations of the Basic Law, as well as by Chinese surveillance in the territory and the mainland economic interests of local media owners. Hong Kong’s Defamation Ordinance outlines defamation as a civil offense punishable by a fine. Although the ordinance includes a definition of criminal libel, that clause has rarely been used in court. In February 2013, the territory’s top leader, Chief Executive Leung Chun-ying, demanded the retraction of a news article that he considered “defamatory.”

Hong Kong has no freedom of information (FOI) law. An administrative code is intended to ensure open access to government information, but official adherence is inconsistent, prompting local journalists and watchdog groups to urge the government to give freedom of information requirements the force of law. According to the Hong Kong Journalists Association, a Legislative Council debate held in June 2013 indicated opposition to FOI legislation. While the original motion calling on the Hong Kong government to safeguard freedom of information was passed, several amendments specifically calling for the enactment of FOI legislation and an archives law were voted down. In addition, in January the government attempted to introduce a new bill that would limit the access of the general public, including journalists, to the registration records of private companies. However, work on the legislation had stalled by year’s end.

Press freedom advocates continue to question the selective application of the Broadcasting Ordinance and the constitutionality of existing procedures for granting licenses to new media outlets, as the decisions to grant or refuse licenses are made by the executive branch rather than an independent body. In an encouraging sign, the government in October 2013 issued free-to-air television licenses to two companies, PCCW and I-Cable Communications, effectively ending the nearly 40-year duopoly of Television Broadcasts Limited (TVB) and Asia Television Limited (ATV). However, a third applicant, the start-up Hong Kong Television Network (HKTV), was rejected without immediate explanation. The decision led to an online petition and a mass protest joined by nearly 36,000 people that month. Though the government denied that political factors were involved in the decision, many critics speculated that it had favored big businesses with vested interests in the political status quo, as both PCCW and I-Cable are controlled by tycoons with close ties to Beijing. The prodemocracy station Citizens’ Radio, having operated for years without a license, has faced repeated raids and prosecutions on charges of illegal broadcasting. The station continued transmitting throughout the year, and in a positive move in January, the government withdrew charges against 16 guests who had spoken on its programs. However, in October, three activists, including the founder of Citizens’ Radio, were convicted of setting up unlicensed telecommunications and airing messages between 2007 and 2011. They were fined between HK$800 (US$100) and HK$4,000 (US$500), and the station was separately fined HK$800 as well.

In 2013, media outlets encountered up to a dozen restrictive orders a day, and officials continued to avoid media inquiries by issuing more press statements and holding fewer press conferences, meaning journalists were unable to directly question government representatives. Direct interference in coverage of
government leaders also increased during the year. In the February retraction request, lawyers representing Leung sent a letter to the *Hong Kong Economic Journal* to demand the disavowal of an article that allegedly tied him to local criminal gangs. The accusation was based in part on an interview conducted by *iSun Affairs* magazine in January with businessman and former Chinese People’s Political Consultative Conference (CPPCC) Standing Committee member Lew Mon-hung, a former ally of Leung’s. Several media rights groups and lawmakers said Leung was setting a bad precedent for Hong Kong’s freedom of speech by using his power to silence criticism. It remained unclear at year’s end whether Leung had withdrawn the letter. In August, the Independent Commission Against Corruption, the territory’s anticorruption agency, filed a writ to obtain interview records from *iSun Affairs* and another media outlet. The High Court rejected the request, and in October the agency withdrew its application. Separately, in November, TVB banned Next Media reporters from entering its studios and interviewing its artists. TVB explained that the unprecedented move was due to what it described as “deliberate attacks” by Next Media’s *Apple Daily* newspaper amid the controversy over the government’s television licensing process.

Media self-censorship continues to pose a serious threat to free expression in Hong Kong. In a survey released by the University of Hong Kong in November 2013, close to 50 percent of respondents expressed the belief that local media outlets practiced self-censorship, specifically on news related to the Chinese government. According to the Hong Kong Journalists Association, Beijing’s Liaison Office had increased its contacts with local reporters, with some receiving subtle warnings that they were being monitored. Self-censorship stems in part from the close relationship between local media owners and the central government. Several owners sit on the CPPCC, an advisory body that has little real influence over government policy but is used by China’s ruling Communist Party to co-opt powerful members of society. A number of Hong Kong media owners are also current or former members of the NPC, and many have significant business interests in mainland China. The appointment of editors with ties to China also prompted accusations of self-censorship in 2013. In September, Louie King-bun, a former executive editor of the pro-Beijing Hong Kong newspaper *Ta Kung Pao*, took up the executive director position at ATV. Louie, who joined the station as vice president in 2012, had drawn controversy that year after an ATV show he managed aired harsh comments about a prodemocracy student group known for its opposition to a mainland-oriented national education plan. Amid reports that Louie had begun recruiting employees from *Ta Kung Pao*, a former ATV news anchor cited the station’s increasing self-censorship as a reason for her resignation.

Reporters covering rallies or sensitive breaking news stories sometimes face assaults. In August 2013, photographers from *Next Magazine* were hit and pushed by a demonstrator, despite having identified themselves as members of the press. Hong Kong journalists also face restrictions and intimidation when covering events on the mainland, limiting their ability to provide national news to the local population. Chinese authorities require journalists to obtain temporary press cards from the Liaison Office in Hong Kong prior to each reporting visit to the mainland, and to obtain the prior consent of interviewees. Even with accreditation, journalists from the territory have repeatedly been subjected to surveillance, threats, beatings, and occasional jailing when reporting on the mainland. In March, two cameramen were attacked while filming a Hong Kong–based activist’s attempt to visit Liu Xia, the wife of jailed Nobel laureate Liu Xiaobo. In October, five journalists and a cameraman from Hong Kong were briefly detained by mainland police while trying to reach the scene of a car crash—described by Chinese authorities as a terrorist attack—in Beijing’s Tiananmen Square.

Targeted violence against journalists, once rare in Hong Kong, occurred more frequently in 2013, and most victims were media bosses or employees of outlets known for their investigative reporting on topics deemed sensitive to the Chinese government. In June, Chen Ping, the publisher of *iSun Affairs* magazine, a political weekly that is banned in mainland China, was beaten by two club-wielding men. Chen suggested
that the attack was orchestrated by authorities in Beijing and said several of his staff editors and reporters had been summoned by Chinese police in the past. In the same month, a series of attacks targeted personnel related to Next Media, which owns popular tabloid-style publications that frequently report on Beijing’s human rights abuses. A stolen car was rammed into the front gate of Next Media chairman Jimmy Lai’s residence, and within three days, a journalist for an affiliated newspaper was beaten. At the end of June, masked men threatened Next Media’s distribution workers with knives and burned more than 25,000 copies of the company’s Apple Daily newspaper. In July, Shih Wing-ching, owner of the free daily newspaper am730, was ambushed by two attackers who smashed his car’s windshield with hammers. Rights groups criticized the police for failing to protect journalists. While organized crime involvement was suspected, most cases remained unsolved at year’s end.

Hong Kong’s media are outspoken. There is a high degree of professionalism, and political debate is vigorous. Dozens of daily newspapers are published in Chinese and English. Hong Kong’s residents have access to satellite television and international radio broadcasts from services like the British Broadcasting Corporation. Radio Television Hong Kong (RTHK) operates as an independent department in the government and earns high public-approval ratings for its critical coverage of the authorities. However, after the government issued a new charter in 2011 that vowed to promote China’s official “one country, two systems” policy toward Hong Kong, there were concerns over mounting political pressure. In March 2013, a senior executive claimed that he was not able to turn his stint into a permanent position because he refused to carry out “political missions” assigned to him by the station’s broadcasting director, Roy Tang Yun-kwong, a former civil servant appointed to lead RTHK in 2011. (In the past, directors were typically appointed internally.) The RTHK union also complained that throughout the year Tang had meddled with editorial independence. Separately, publications known for their criticism of the Chinese central government, such as Apple Daily and the Epoch Times, have reported difficulties in attracting advertisers in recent years because of fears among private business owners that the association would damage their economic interests on the mainland.

There are no restrictions on internet access in Hong Kong. The territory has one of the highest internet usage rates in Asia, with at least 74 percent of the population accessing the medium during 2013.