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RTHK ruling a victory for an open society

An RTHK television programme on homosexuals in 2006 resulted in a number of complaints to the Broadcasting Authority. That was not altogether unexpected. But the authority's ruling that the programme was biased towards homosexuals and breached its code of practice on programme standards was controversial – and misguided. The quashing of that decision by the High Court this week is a victory for common sense. Mr Justice Michael Hartmann's ruling that the authority's ruling was discriminatory and restricted freedom of speech upholds our rights.

The programme featured three people in long-lasting gay relationships who talked about their lives. They also spoke of their hopes that one day the law of Hong Kong would be changed to recognise same-sex relationships, as it has been in some countries, including Britain. One of the participants sought a judicial review of the authority's ruling on the programme. At issue was whether the broadcast advocated the views of homosexual people. The authority ruled that it effectively promoted same-sex marriage because it failed to include views opposing it.

Mr Justice Hartman found as a matter of fact that the programme was not about this question, but an unprejudiced and impartial treatment of the lives of homosexuals. The authority's decision was a restriction of freedom of speech based on a discriminatory factor – "that homosexuality ... may be offensive to some viewers".

Freedom of speech is protected by the Basic Law. It is one of our fundamental rights and is to be enjoyed without discrimination as to race, colour, sex or other differences. The freedom includes the expression of views which some may find offensive. There are circumstances in which restrictions may be imposed, when such limits are necessary to protect society or other rights. But the action taken by the Broadcasting Authority falls far short of the standards which must be met for a restriction to be permissible.

That said, it is reasonable that television broadcasts have to comply with codes on programme content that reflect generally accepted standards of taste and decency, so long as they do not unlawfully restrict the right to freedom of speech and expression. The authority's code of practice rightly calls for "due impartiality" in programmes on matters of public policy or issues of public importance. Impartiality depends on the professionalism, integrity and vigilance against prejudice of programme makers, editors and journalists in the media. Rigid adherence to the appearance of impartiality – for example by giving time to an alternative view – is no guarantee of it. It can merely be window-dressing for an otherwise biased presentation. As the Hong Kong Journalists' Association has said, focusing on a group in the community in order to bring to light their concerns is a common documentary technique that would be made difficult by such a requirement.

RTHK's guidelines for its producers – cited by Mr Justice Hartman – put the issue of impartiality in perspective: "Due impartiality does not require absolute neutrality on every issue ... or detachment from such fundamental principles as freedom, human rights, democracy and the rule of law ... we will be failing in our duty if in the attempt to upset no one, we limit the comprehensiveness and open examination of events."

Freedom of speech is one of our cherished personal freedoms and is fundamental to our city's reputation as an open and tolerant society. It is good to see the courts upholding this right.

HK should cherish its role as bird sanctuary

Hong Kong may be better known as a concrete jungle, but for those in the know, it is also a haven for birds – and birdwatchers. The rare sightings of a great frigate bird and a white-tailed tropicbird within the past two weeks serve to remind us of how privileged we are to play host to so many majestic creatures from the skies.

Remarkably, a third of the total number of bird species recorded in the whole of China is found here, most of them migratory. This amounts to about 465 species. Of these, more than 100 – many of which are highly endangered – breed locally. To realise how amazing it is to find this staggering number of birds in so tiny a place, one only needs to compare the Hong Kong figure with the number of species found in the whole of Britain, with its forests, hills, green fields and wide open spaces – 560.

The frigate bird has not been seen here since the 1980s, while the tropicbird, according to the Bird Watching Society, has never had a recorded sighting, until now. It is not clear what causes the birds to fly here. One theory is that dramatic climate changes, induced by the El Nino global weather phenomenon, have altered the migratory patterns of many birds. El Nino originates off the west coast of South America and has the effect of reversing weather patterns around the world.

A more prosaic explanation, says the society's chairman, Cheung Ho-fai, is that a typhoon in the South China Sea last month blew the birds off course, causing some to make an inadvertent but most welcome visit to our city. Whatever the real reason, Hong Kong is a natural place for birds because it nurtures many habitats such as woodlands, wetlands, shrub lands and coastal areas, of which Mai Po is the most famous.

More people are taking weekend trips to country parks, to breathe fresh air and get closer to nature. The public is increasingly aware of potentially dangerous climate changes induced by human activities and is committed to making greater efforts to protect our environment. Our majestic avian visitors are a reminder of our guilt – and responsibility.

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We must make HK a more caring society

I have been living in this beautiful city for the past five years and have been visiting and working with Hong Kong for 20 years.

It is truly a model of a modern society, with its convenient and efficient lifestyle. However, for Hong Kong to really call itself a developed society, it must change its abuse and discrimination of its domestic helpers.

Let's face it, Hong Kong is taking advantage of the poor economic conditions in the Philippines and Indonesia, where often educated people are forced to take domestic helper jobs just to feed their families. One of the qualities of a full-developed person, is that once they have satisfied their own needs to a sufficient level, they will often turn their focus on helping humanity as a whole.

It saddens me to hear the stories of maids being shared around families, to clean relatives' houses as well as their employers' homes. Too many times I have heard of maids sleeping under dining room tables and not being allowed to go to the toilet at night because they may wake the children. I am not saying that we need a pay rise for Hong Kong maids, but we should crystallise in law the basic rights of these people.

We must stop turning a blind eye to these injustices and take the next step to becoming a developed society, by showing we care about the basic rights of these disadvantaged people.

We should be thankful we do not have widespread corruption in our government, that cripples economic development.

This is the only difference between these countries and Hong Kong and it is time for Hong Kong to wake up.

D. R. Patterson, Tsuen Wan

Plastic bag law is ill-conceived

In his letter ("Majority support for bringing in proposed plastic bag levy", April 26), assistant director of the Environmental Protection

Department, Alfred Lee, claimed that some 66 per cent of the public supports the introduction of an environmental levy on plastic shopping bags to reduce their use.

The claim was based on the results of his department's two public opinion surveys by phone, conducted in June and July last year, with 1,102 telephone interviews.

Considering Hong Kong's population of almost 7 million, the overall sample size in the surveys cannot, as your correspondent Alex Tam pointed out, "reliably reflect general public opinion" ("Surveys on plastic bag tax inadequate", January 1).

Should our legislators support an early passage of the bill, for the implementation of the proposed bag levy, based on this?

Also, there seems not much point in Mr Lee repeating his department's methodology in obtaining its dubious disposal figure – of more than three plastic shopping bags per person per day.

Such a finding, very high even compared with Asian cities which share similar shopping practices and culture – referred to by Mr Lee – should have raised the

alarm over the reliability of the department's so called well-established methodology.

As Alex F.T. Chu has pointed out, in these columns, it is clear people reuse plastic bags responsibly and that voluntary schemes to reduce plastic bag use are working.

There does not seem much point in establishing a statutory control on supermarket plastic shopping bags – by means of a levy – when it is apparent that government interference is not needed, particularly, when the proposed legislation is clearly ill-conceived.

Plastic shopping bags can be reused and then finally used as rubbish bags.

Such bags are non-toxic and do not contribute to the volume of waste.

From an environmental point of view, it is less harmful to reuse supermarket plastic carrier bags for the purposes of waste disposal in lieu of purpose-made plastic bin liners.

Charles Chow Chi-man, Sheung Shui



On the net. A probe is under way into another government data leak, this time in the Immigration Department. Are officials doing enough to curb the problem. If not, what actions should they take? Write to us.

Regime must let in aid workers

It is obvious that the repressive ruling junta in Burma prefers to let the countless survivors of the cyclone die than allow foreign aid workers into the country because this may lead to consequences beyond the generals' control ("Battered by a cyclone, haunted by its dead", May 8).

Reports about delays granting visas to those who want to bring in relief supplies is to be expected from that xenophobic regime.

If the Americans were allowed to use their helicopters to deliver relief goods, as they did successfully in Aceh not too long ago, millions of lives would be saved.

Then, perhaps, we could hope that the long-suffering Burmese people would be able to regain their strength to finally get rid of their brutal rulers who can only be called the shame of Asia.

Isabel Escoda, Lantau

Doubts over small classes

In Hong Kong, many people back moves towards smaller classes, saying it improves the quality of teaching. In its latest move, the government wants to reduce the maximum number of secondary school students in Form One classes from 40 to 36.

People who support smaller classes argue that teachers can take better care of students and the standard of teaching can improve. There will be better communication between teachers and pupils and the students will participate more in classroom activities.

Every issue can be seen from different perspectives. There are advantages, but there may also be some disadvantages. Having smaller classes can prove costly and the policy has not always been successful. In some states in the US, people had to pay higher taxes to pay for the policy, but, for example, in California, there was no major improvement in the performance of students. I am concerned that if the policy proves costly, our government will take funds away from other areas, such as welfare.

In Hong Kong, teachers have had no training to help them adjust to working with smaller classes, so the policy might not be effective and the extra expenditure would have been wasted.

Yanny Wong Wai-hing, Tsing Yi

Edible oil prices out of control

According to one major financial institution, in April edible oil prices in Hong Kong rose by 16 per cent. I think the edible oil price rise was in excess of 100 per cent.

I believe the price of olive oil went up by more than 100 per cent at ParknShop.

Who controls the price of imported oil? It has a significant impact on the livelihoods of everyone.

Financial Secretary John Tsang Chun-wah has clearly failed in his duty to control prices of items that affect our daily lives. It is now better to live on the mainland than in Hong Kong.

Joseph Lee, Ap Lei Chau

Backing Swire

May I echo what Lindsey McAlister says about Swire ("Swire doing its bit to finance community projects in HK", May 7). I can tell readers that in all my years of raising money for charities, Swire has been a real rock.

So your correspondent Robert Maes ("Simple solution for developers", April 30) is being ungrateful.

I know for a fact that Swire takes its charitable responsibilities in Hong Kong very seriously.

If only other Hong Kong companies behaved like Swire. And what of Mr Maes' company? Does it behave as well as Swire?

Sir David Tang, Central

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A road map for 1 billion city dwellers

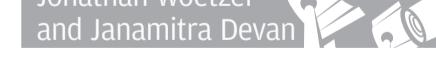
China's population is crowding into its cities on an unprecedented scale and pressures on land, national resources, city finances and the social fabric are intensifying. By 2025, nearly 1 billion people – or two-thirds of the population – will be urban dwellers, posing an immense challenge for leaders. Their success or failure in meeting this test will shape the economy and society for decades to come.

Unleashing cities' capacity for generating wealth has been crucial to China's rapid economic growth and rising living standards, and the success of urban China will be even more central in the future. About 100 million people moved from rural to urban areas between 1990 and 2005.

Over the next 20 years, a staggering 240 million migrants will move into the cities, according to new research by the McKinsey Global Institute (MGI). By 2025, cities will account for more than 90 per cent of total gross domestic product, up from 75 per cent in 2005.

The current trend of urbanisation is

Observer
Jonathan Woetzel
and Janamitra Devan



following a relatively dispersed shape, with hundreds of cities growing in parallel, competing for investment and resources. This pattern has its inefficiencies and intense strains. Urban China's need for water and energy will double, compared with current demand. Water pollution could increase fivefold over the next 15 years, and China could lose more than 15 per cent of available farmland.

MGI research suggests that China would

maximise the economic opportunities and mitigate the pressures of urbanisation more effectively by promoting a more concentrated pattern of growth. This could promote the emergence of 15 super-cities, each with an average population of 25 million. Another approach would be the development of 11 urban "networks" of cities, each with combined populations of 60-million-plus.

The top priorities for city mayors include maximising the effectiveness of their transport infrastructure to fight congestion; encouraging dense, "vertical" development; managing demand for resources by increasing energy productivity; adopting policies to ensure the "right talent is available in the right location"; and improving the productivity of public-service delivery.

A change of emphasis from growth at all costs to one of urban productivity is urgent because continuing urbanisation will put increasing pressure on those least able to sustain themselves, including smaller cities and migrant workers.

China should seize the opportunity to use its growing wealth to invest in farsighted policies, pursued at the local level, that will sustain economic growth while creating the harmonious society Beijing desires.

Jonathan Woetzel is a director in McKinsey & Company's Shanghai office, and Janamitra Devan is a senior fellow of the McKinsey Global Institute, the economics research arm of McKinsey & Company