



ASIAN HUMAN RIGHTS COMMISSION

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8 April 2009

The Executive Committee
Attn: Prof. Joseph M. Chan (Chairman)
Hong Kong Press Council
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Pages: 4

Dear Prof Chan,

**Re: Complaint against newspaper *The Standard* and its reporter, Ms Patsy Moy;
and editor-in-chief, Mr Ivan Tong**

I, Danilo Reyes, am writing to you both as a citizen of the Philippines and a staff member of the Asian Human Rights Commission (AHRC), a regional non-governmental organisation with office based here in Hong Kong.

I am writing to register a formal complaint as I and other Filipinos in Hong Kong who share my views are deeply aggrieved and feel that we have been needlessly discriminated against by the content of the newspaper report entitled "Super Bug Dilemma" published as a front-page story by *The Standard* on February 25, 2009¹.

The newspaper report which is the subject of my complaint, written by of Patsy Moy, made a remark in paragraph 6 which reads as follows:

"The center's experts fear the disease could be getting carried here from the Philippines"

Immediately after reading the article, I wrote a letter² to Dr. Thomas Tsang JP, Controller of the Center for Health Protection (CHP), as "the center's experts" had been quoted to have made this remark on the same day the newspaper report was published, requesting them to "provide us further adequate explanation on this, particularly about how these findings were made".

I stated clearly that unless the report is supported with scientific and substantial findings it would have an impact on the Filipinos working and living in Hong Kong, which includes that of "my own family, since we travel from the Philippines to Hong Kong".

¹ Please see the published copy of the newspaper

² Please see my letter to the CHP

In replying to my letter, Dr. Andrew Lau, who was writing for the department's Controller, wrote in his letter dated 27th February, 2009³ that: "we would like to clarify that the article does not represent the views of the CHP."

Dr. Lau also added that "further studies are needed to explain the observation that some ethnic groups were found over-represented in the notified cases". He also added that in 2008, there were 274 cases reported to them, 14 of whom represented the infection rate amongst the Filipinos -- which is contrary to 21 percent reported by the *The Standard*.

After receiving Dr. Lau's letter⁴, I then wrote to Mr. Ivan Tong, editor-in-chief and with attention to Patsy Moy, on the 2nd March asking them to "provide a rational explanations on what basis were the said report made" and stressed that "it is also the duty of [their] your paper to either explain clearly, or to make correction should there be inaccuracies committed".

I have not received any reply from Mr. Tong to my letter which I have sent, both by post mail and fax. However, the paper's reporter, Patsy Moy, wrote in her email⁵ to me on the 2nd March as a response to a letter I have sent to Mr. Tong, to which I quote below verbatim:

Dear Mr Reyes,

Thanks for your letter dated March 2, 2009.

Certain points I would like to make on the articles regarding the MRSA:

(1) The figures we collected from our medical source are accurate and reliable as the statistics were analysed by the medical experts at one of our leading unversities for teaching purposes. They are based on the figures from 2007 and the first few months of 2008 and were used to conduct the analysis.

(2) According to the Philipines Consulate General Office in Hong Kong, the number of Filipino with MRSA has actually increased from 37 in 2007 to 39 in 2008, which is not a decline as you have claimed in your letter.

(3) We are only presenting the health facts to our readers, and unemployment or racial discrimination are not issues in my article.

Whilst Patsy Moy's email had been able to answer some of my concerns she never mentioned about of who or on what basis were these remarks "the center's experts fear the disease could be getting carried here from the Philippines", had come from, which has been the subject of the concern in my letter to the CHP and to her editor, Mr. Ivan Tong.

Although she was not the person to whom I had directed my letter I nevertheless resolved to respond to her email as I was not satisfied completely with the

³ Please see the full text of the CHP's letter to me

⁴ Please see my letter to Ivan Tong

⁵ Please see the printed copy of Patsy Moy's email

explanations she made and because the object of my concern have not been adequately addressed. In my email⁶ to her on March 3, I wrote:

Dear Patsy Moy,

Thank you for your response.

It is unfortunate that neither the CHP nor your paper is taking responsibility to the negative implications, foreseen or otherwise, of the report that has been published.

Being a journalist for years myself, I do agree that "presenting the health facts to our readers" is essential in responsible journalism; however, it is also unfortunate that the implications were never considered an "issue" in your article.

I appreciate your explanations as to how the statistics had been analyzed, which, also satisfies my March 2 letter asking for clarifications. The decline I was referring to was the number of percentage, which was 21.5 in 2007 to 14.2 in 2008.

It is disappointing that the increase of two number of Filipinos infected in 2008 from 2007 had been overly exaggerated--deliberate or otherwise--to impress upon that the rate of infection amongst us is "rising". Also, as you have mentioned the analysis was: "based on the figures from 2007 and the first few months of 2008", meaning not the whole of both years had been used in the analysis

Presenting the facts or exaggerating them are two different things. I am afraid that the latter may have occurred; and it is unfortunate no one is taking responsibility.

Also, I am still wanting to hear your views about claims that the "disease could be getting carried from the Philippines". You made no mention on this point.

The CHP has already denied that the report published had expressed their views; however, in your article the "center's expert" was quoted to have said this.

I have since been waiting for Patsy Moy's reply to my email and for Mr. Tong's response to my letter of the 2nd March. As of today I have not had the courtesy of a response from either of them.

As I was waiting for their response, although I am aware that it has been taking them longer than what I have expected, in its issue on April 6, *The Standard* " wrote in an article, now written by Timothy Chui of which I quote verbatim:

"A statement submitted yesterday also criticizes The Standard for a February 25 frontpage story that "falsely claimed [Filipinos were] carriers of the infectious disease known as superbug" the report on the infection of MRSA among the Filipinos was based on official figures made available to newspaper".

To me it is unacceptable that despite the CHP's disclaimer, *The Standard* has consistently stuck to their story. However, they have never challenged the CHP's letter to me clarifying that their front-page story published on February 25 "the article does not represent the views of the CHP."

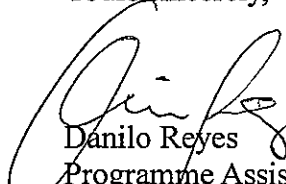
⁶ Please see the printed copy

I am therefore urging for your appropriate action by conducting an inquiry on this matter according to your mandate.

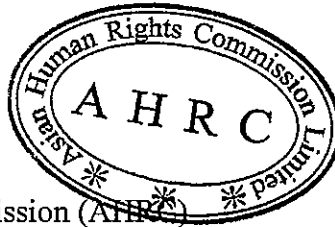
As a Filipino and person belonging to an ethnic minority, I trust that your office would be able to impartially inquire into whether or not *The Standard* and their reporter, Patsy Moy; and its editor-in-chief, Ivan Tong, could be held to account regarding the actions they have taken.

I am willing to cooperate in any part of this inquiry that would be called upon to satisfy my own and the interest of other Filipinos who felt aggrieved and who wish to seek remedies, legal or otherwise.

Yours sincerely,



Daniilo Reyes
Programme Assistant
Asian Human Rights Commission (AHRCA)



CC:

1. Mr. Alberto Gatmaitan Romulo, Secretary of Foreign Affairs, Department of Foreign Affairs, Pasay City, PHILIPPINES
2. Consul General Alejandrino A. Vicente, Consulate General of the Philippines, Hong Kong, S.A.R.