



**International  
Federation  
of Journalists**

**JACQUELINE PARK**  
IFJ Asia-Pacific Director  
**ELISABETH COSTA**  
General Secretary

**August 3, 2015**

**Zhang Dejiang**  
**Chairman of National People's Congress Standing Committee**  
**No. 23, Xijiaominxiang**  
**Xicheng District, Beijing 100805**

**Cc: Li Shishi**  
**Chairman of Law Committee of the National People's Congress**

Dear Chairman,

**RE: IFJ Submission – Cyber Security Law (Draft)**

The International Federation of Journalists (IFJ) represents more than 600,000 journalists in 134 countries. IFJ makes this submission regarding the proposed Cyber Security Law (Draft) and contends that a clear and precise law which protects individual rights and freedoms expression would be beneficial to Chinese online users and Chinese society more generally. It would assist law enforcement agencies and internet service providers exercising their duties according to law.

On 6 July 2015, the Standing Committee of the National People's Congress released the Cyber Security Law (Draft) for public consultation. The IFJ respectfully contends that the law, if enacted and implemented in its current form, will suppress the media and people's right to access to information and press freedom.

While the IFJ respects the sovereignty of each nation to enact laws to safeguard cyberspace and national security, as well as to safeguard responsible use of the internet, any such laws must recognise universal human rights including the right to free speech and the press. Under the current draft law, both local and foreign media will face serious challenges as the draft law will impede the development of a free press.

In the Draft, Section 9, Chapter 1, individual and organisations are prevented from 'disseminating any information that may disrupt social order, endanger public interest'. It purports to restrict use of the internet 'to endanger state security or promote terrorism and extremism'. The IFJ notes that this terminology is vague and broad, leaving the law open to interpretation by law enforcement and service providers during implementation. There is significant scope for abuse by authorities and the suppression of the legitimate public expression.



Section 20, Chapter 3, which maintains the current ‘authenticity system’ (real-name registration) for online users, which could become a serious concern for media outlets and their responsibility and role to protect media sources. IFJ draws your attention to paragraph 45 of General Comment No 34 of the UN Human Rights Committee in 2011(CCPR/C/GC/34) which provides that “State parties should recognise and respect that element of the right of freedom of expression that embraces the limited journalistic privilege not to disclose information sources.”

The IFJ also notes that Section 50, Chapter 5, (“On monitoring and early-warning and emergency response”) allows all levels of government to implement temporary limitations on internet use and communication systems. The IFJ stresses that such arbitrary restrictions can have a detrimental impact on the reporting of incidents of public interest, and directly jeopardises media and press freedom.

The IFJ respectfully requests the Standing Committee to make the following amendments to the Cyber Security Law (Draft):

1. Provide precise definitions for terminology used in Section 9 under Chapter 1.
2. Delete Section 20, Chapter 3, which run counter to the stipulations in General Comments No. 34 of the UN Human Rights Committee
3. Delete Section 50 of Chapter 5, which violates Article 19 of the International Covenant on Civil and Political Rights, to which the People’s Republic of China became a signatory of in 1998.

The IFJ emphasises that the government must ensure that all laws are clear and definitive - so as to ensure that law enforcement agencies and internet service providers have clear guidance to implement any proposed laws. The IFJ also notes that governments should ensure the media remains free to discharge its responsibilities and duties, particularly relating to incidents and issues of public interest without fear of retribution.

In order to ensure the public and individuals become responsible online internet users, the IFJ recommends that the government implement a strong public education program.



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The IFJ is pleased to observe that the National People's Congress is continuing to conduct public consultation regarding this important law after the National Security Law was enacted. Therefore the IFJ would not hesitate to do its utmost to provide professional advice to the Congress.

The IFJ sincerely contends that a good law should be clear, precise and will appropriately balance the rights and duties of government and individuals. A well-crafted law will avoid any ambiguity and assist the government in the task of good governance for the future.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Jane Worthington', is written over a horizontal line.

Jane Worthington

**Acting Director  
International Federation of Journalists  
Asia-Pacific**

**For further information contact IFJ Asia-Pacific on +61 2 9333 0946**

*The IFJ represents more than 600,000 journalists in 134 countries*

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