

Handbook for Investigative Reporting in China

Prologue

On March 5, 2010, during the third meeting of the 11th National People's Congress, Premier Wen Jiabao of the State Council of the People's Republic of China clearly stated in the "Government Work Report" that government "must deeply promote openness in administrative affairs, improve all types of open operating systems and administrative re-examination systems, create conditions for people to criticise the government and supervise the government, and at the same time fully appreciate media's role to monitor in order to ensure that "power be exercised under the sun".

As China's government is highlighting this crucial role that the media plays, the International Federation of Journalists (IFJ) has invited senior media personnel that are stationed in China to draft a handbook for investigative reporting. The handbook, funded by the Media Safety and Solidarity Fund, is a practical guide for media personnel working in China. In six parts, this informative and resourceful handbook covers wide ranging topics including preparation and self-protection techniques, how to deal with officials and how to investigate state-owned and/or private enterprises.

This *Handbook for Investigative Reporting* is for media professionals, written by media professionals, in the hope that journalists and media workers can ensure that power be really can be operated under the sun, right here in China.

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Chapter 1: Before You Start

1. *Must-have Items For Reporting*

(A) Tools checklist:

- Pen
- Notebook
- Computer
- Pen-recorder
- Camera
- Camcorder
- Mobile Phone
- Batteries and Charger (for Computer and Mobile Phone)
- USB
- Tapes
- Journalist's Permit(s)
- Company Cards

When covering important issues, journalists should carry a pen-recorder with back-up batteries, camera or camcorder as well as USB and tapes, to ensure immediate information preservation, particularly in the case of equipment being confiscated by local police or the interviewee(s). Mobile phones and computers that are Wi-Fi capable allow journalists to search for information online as well as provide a connection to the outside world. When reporting, it is better to record information in writing, rather than use a recording device. When handling sensitive information, journalists are advised to learn all the relevant information by heart or to use a code to record contacts' names and telephone numbers. If the environment is not safe, journalists should memorise the information until there is a safe place to record it.

(B) Safety Pack checklist:

- Personal ID
- Passport (re-entry card etc)
- Reference Letters
- Cash/Bank Cards
- Clothing (enough, easy and appropriate)
- Personal Medication, Personal Sanitary Products
- Drinking Water (For emergency situations)

- Food Items (For emergency situations)
- Clothing for Acute Weather Conditions Such as Snow or Rain

In any investigative reporting work, personal identification and work credentials are of utmost importance. This not only commands a level of trust, but these documents can also serve as a protective shield when faced with official queries or investigations. There are a number of types of working permits and identification: the “Press Permit” awarded by General Administration of Press and Publication; press permits awarded by media organisations from Hong Kong Special Autonomous Region (SAR) or Macau SAR, China-based correspondents permit awarded by Hong Kong SAR, Macau SAR, Taiwan and overseas. Failing to possess any of the above, journalists must carry a work permit or pass and/or employee credentials from his/her employer as well as reference letters. Besides identification, journalists should carry enough cash, bank cards or credit cards, subject to the needs of the tasks assigned. Journalists must carry appropriate clothing to suit likely weather conditions. It is advisable to dress like a tourist or student to remain inconspicuous. Raincoats, medication, water and food items are also advisable.

2. Preparation

a) Location

Journalists must be aware of the assignment location and its geography, weather, customs and political atmosphere. Personal safety must always be a top priority in case of on-site crises.

b) Liaison Arrangement

Journalists engaged in investigative reporting are susceptible to interrogation, both official and unofficial, as well as threats and even detention. Journalists must therefore make all necessary arrangements in case of an emergency including notifying family members, work associates and immediate supervisors. Journalists must also acquire insurance for protection.

c) Accommodation

In principle, accommodation should be safe and convenient. Most cities in Mainland China offer hotel accommodation with Internet access for a few hundred yuan. These low profile hotels are more appropriate for journalists engaged in investigative reporting. When reporting on sensitive issues, journalists should consider lodgings offered by civilians.

d) Research and Analysis

Research and analysis is necessary preparation, especially if the journalist is working under time constraints.

1. If the story is fast-moving or a sudden event, journalists should embark on covering the issue immediately, bearing in mind time constraints;
2. If the topic is a “hot” or controversial topic, journalists should gather useful and informative background information before embarking on the story;
3. If the topic is an expose, in preparing for meetings journalists should:
 - Contact the informant or source to ensure an effective and interactive meeting;
 - Take all steps to ensure confidentiality of sources; and
 - Return to the workplace prior to releasing the report.

Chapter 2: Reporting

1. Contacting Sources Effectively

Contacting sources is a difficult subject for those who are new to journalism. In general, note the following:

Eye-witnesses

For emergency situations which involve members of the public, there should be eye-witnesses besides the individual affected who can confirm the story;

Informants

An informant should serve as an effective information source that assists journalists in contacting core people involved in the story.

Internet

Except for state secrets and similar classified information, information in general can be checked online. Effective use of the internet can help investigative reporting tremendously. In Mainland China, every provincial city has its own blogosphere such as Baidu, where every hot topic in town is often widely discussed, save for those sensitive that are automatically censored. Journalists can also leave “SOS” messages on-line with e-mail contact only.

The following tips may be helpful for internet use:

- Either concentrate on specific websites such as those that are government-run, or stick to topic-related choices to post your messages (QQ or MSN groups).
- For hot topics, follow Twitter or similar “microblogging” websites.
- When doing online search, the combination of keywords is of utmost importance. For example, when searching for a person’s contact methods, one can use combinations such as “name+phone number”, “name+mobile”, “name+mailbox” and keywords such as “DOC+name”, “PDF+name” also help. Journalists can also check related documents that include the name of the person of interest to the story.
- Different professional sectors in China have different Internet portals, such as *WangangData* (www.wanfangdata.com.cn) for academic search. These portals may involve a fee.
- Many websites are blocked in China, so journalists must install relevant

software on computers in advance to allow access.

- Journalists should save relevant information immediately when discover anything useful on-line. Remember to back up your information.

Staying safe: Mainland China does not advocate press freedom, so it is important that journalists do not leave any information regarding their whereabouts in social networking sites such as Twitter, Facebook, Kaixin001.com, MSN and QQ. Journalists should not give away his/her whereabouts over the phone – by voice or SMS (text message).

2. Other Sources of Information

- Local media reports; local libraries or institutions where documents and records stored - journalists may access these forms of information using their passes or permits;
- Visit local community centres, parks to speak with retired officials or elderly people to obtain information; and
- Seek help from non-government organisations (NGOs) if the story is within their professional sector such as green issues (Greenpeace), medical care, law reform etc. Similarly, civil society organisations in China generally have good relationships with the media.

Remember also to seek help from other journalists in the industry.

A Good Guide

It is important for journalists to hire a good guide. He may be, for example, a local dweller witnessing an emergency happening in a nearby village or a taxi driver who is often useful for long-term reporting.

Note the following tips when hiring a guide:

- The guide must have some knowledge over the news matter/topic;
- Never expose your identity as a journalist;
- Get his/her assurance to assist your work until finished; and
- Pay by installment, paying in full only when the job is done.

Staying safe: Journalists should not use guides provided by car hire companies when visiting sensitive locations, such as Tibet and Xinjiang. The car and the guide should be sourced separately. Journalists should be aware of any police officials disguising as guides, and note if these “guides” act or dress differently, if they have knowledge of the press and its work. If in doubt, switch guides and leave immediately.

3. How to Investigate an Emergency

Emergency situations are always catastrophic, involving many people in, for example, accidents, floods or earthquakes. Journalists covering these events should adopt a general survey upon arrival at the site to gauge the situation, following these steps:

- a) Search for on-site eye-witnesses or the affected;
- b) Organise thoughts and re-construct the scene; and
- c) Dig deeply into the background and root-cause of the incidents.

Emergency situations are a good opportunity to generate contacts and sources of information. Journalists should record contact details of eyewitnesses and give away business cards in abundance for future follow-up. Some information sources may choose not to speak immediately, but if journalists are patient and re-establish contact after a few months, there may be a pleasant surprise.

Staying safe: Emergency situations are chaotic and often involve unpleasant scenes and information. After an emergency occurs, local government and officials in China often attempt to control the press, so it is crucial that journalists stay in constant contact with the news organisation that commissioned the work. When arriving at the scene, journalists should establish contact with industry colleagues so they can help each other if necessary. When reporting, keep a low profile, maintain confidentiality of contacts and sources, and remember to carry spare memory cards for cameras and two mobile phones.

Try to avoid the police as they always detain and check journalists according to *People's Police Law of the People's Republic of China*. When checked by the police, request their identification/credentials, make a record of their names and badge numbers and ask why the search or detention is being carried out - make this known to fellow journalists.

Remember, 24 hours is the legal limit for any police interrogation or detention

unless approval is obtained from a senior officer to detain an individual for a total maximum period of 48 hours.

4. How to Investigate an Enterprise

If an enterprise is involved, it is important to check its shareholding structure via the local departments of Industry and Commerce, or the department that has registered the enterprise. Journalists may access related public information, records or documentation with a press pass or permit and referral letters.

When investigating an enterprise, three types of contacts need to be established; Industry and Commerce Management departments; Courts of Law; and organisations or individuals that have business transactions or dealings with the enterprise.

Through the Industry and Commerce Management departments, journalists can inspect company documents such as operating licenses, records of its shareholding structure, articles of association and financial statements. For public companies, financial statements and shareholding structure documents are important information. If the enterprise was involved in prior litigation, then related information can be obtained from courts. Both the Industry and Commerce Management departments and courts have no legal right to reject media requests, but there are usually fees involved in obtaining or checking documents and records.

According to the Archives Law of the People's Republic of China, Regulations of the People's Republic of China on Administration of the Registration of Enterprises As Legal Persons, and Regulations of the People's Republic of China on the Administration of Company Registration, organisations and individuals may inspect enterprise registration and other related documentation. Enterprise records stored with the Industry and Commerce Management Department are in two categories - one for public consumption and the other is only available after successful application is made to relevant officials. When requesting information in the latter category, journalists must present relevant documentation – such as a letter of application from the journalist's employer - or apply via lawyers in order to obtain copies. It is advisable for journalists to employ a lawyer for convenience.

Remember: Legal operators and shareholders may not necessarily be those who are in control of an enterprise. One classic example is that of Shannxi coal mines, where the owners are not registered legal representatives and shareholders.

5. How to Investigate Individuals

If the target of the investigative report is an individual official, journalists should start with those who in his social circle such as relatives, teachers, classmates, colleagues, industry counterparts or even political enemies. When all these peripheral interviews are done and enough information collected, direct liaison with the target person can then begin. Journalists may also check the person's identity or information via all legal sources of information.

Investigation procedures may start with information research and collection. Residence records, employment records and the family situation of the target can be obtained via personal contacts rather than police sources. When the information is established, the social network of the target can then be accessed. When all these are set, direct contact with the target can be initiated. Government officials' work records and financial situation are always core materials for investigative journalism.

Remember: If the target is a government official, information provided by political enemies may be biased, and so journalists must be careful.

6. How to Investigate Government Departments

Investigating government departmental mismanagement is likely to meet with great opposition. Journalists must be fully prepared and armed with detailed research. Interview requests should be made through government departments that are of more senior ranking than the target of the story.

One must note the following points when investigating government departments:

- Understand fully the internal operating procedures of the department;
- Check the regulations and laws that the department should adhere to; and
- Check what effect the department has on other individuals especially those who have vested interests.

Remember: Ensure confidentiality at all times. Journalists may request relevant government departments to disclose information citing *Regulation of the People's Republic of China on the Disclosure of Government Information*, but chances of success are slim.

Special Attention: Protect Information Sources

When it comes to sensitive issues, the interview targets are likely to be concerned. Journalists must first establish contact with the target's trusted friends or relatives in order to ensure confidence of the target. They are also advised to maintain contact with the target after the story is done to ensure the wellbeing of the source. If any mishaps occur, Journalists should immediately alert the International Federation of Journalists, All China Journalists Association and report the matter to the police.

Journalists have a key responsibility to ensure the safety of information sources, including the security of interview records. Tampering with interview records is a violation of press freedom. If any official or unofficial government or company personnel request to see this information, journalists should categorically refuse, remind the individual of the principles of press freedom, report the incident to his/her media organisation and seek legal advice.

Chapter 3: Dealing With Obstacles

Journalists are likely to encounter different forms of disturbance and obstacles, including violence, threats and bribery. When faced with those problems, Journalists must stay calm, protect their reporting materials and inform his/her news organisation, industry colleagues, police and the IFJ. Journalists must also record the case details and individuals involved.

1. Threats

Journalists on assignment often encounter different types of threats:

- If the threat is in form of telephone calls or written letters, Journalists should analyse the culprit's intention and flee for safety.
- If the threat is posed in person, journalists should keep a distance with the perpetrator, avoid physical conflict, stay calm and maintain a friendly approach. In order to reduce the pressure of the situation, do not behave in a confrontational manner (assuming the journalist's equipment has not been snatched or confiscated).

Remember: Memorise the culprit's identity and physical traits, as well as details of the threatening behaviors or words. Onlookers at the scene may function as a type of protection or shield.

2. Bribery

When faced with bribery, either in form of cash or gifts, journalists must:

- Decline and refuse clearly;
- Inform the news organisation's manager;
- If the individual leaves the bribe behind, Journalists must inform the organisation's manager or editor and send the bribe immediately to government disciplinary departments;
- Keep a photographic records of evidence; and
- Keep a written record of the bribe, as well as that of the government official assigned to the case. Ensure all records are safely kept for police or official investigation.

Remember: Journalists should decline any invitation to dine with local government officials or the targets of reporting work. Journalists should alert their news

organisation if offers to dine are made by these individuals.

3. Violence

Journalists may encounter violence. In this situation they must:

- Protect themselves and all news materials and leave the site immediately without becoming involved in the conflict;
- Alert the public in the vicinity;
- Report to police for help;
- Inform his/her news organisation;
- Inform industry colleagues; and
- Inform the IFJ.

Staying safe: After leaving the scene journalists must immediately send images stored on cameras. If this is not possible, journalists should hide the memory cards storing the images. Journalists must also memorise details including the assailant's identity, traits, characteristics and details of the incident including the specific details of the violent acts and threatening words.

4. Surveillance

During an assignment, journalists are often followed by unknown persons. Under those circumstances, journalists must:

- Stay calm;
- Turn off mobile phones and remove the battery and SIM card;
- Change transportation frequently;
- Change clothes; and
- Change accommodation.

Staying safe: When changing accommodation, journalists are advised to use another name (such as a colleague's if travelling with fellow journalists). If travelling alone, they should consider staying with civilians. If phones are tapped, stop using them (see above) and turn to public phones instead.

5. Contact From Unknown People

During assignments, journalists are likely to encounter contacts from unknown people. In order to stay safe, journalists must:

- Never release the location of where he/she is staying;
- Assess if the relevance of the person to the assignment;
- Try to confirm the person's name and identity;
- Inform the media organisation manager if the person requests to meet in person, including the details of any meeting that is arranged;
- Bring a colleague to the meeting;
- Meet during the day and in a familiar venue; and
- Never leave with any documents. Suggest the material be sent to the journalists' media organisation instead.

Staying safe: Journalists must be vigilant if the unknown person makes frequent changes in, for example, the meeting place. Moreover, journalists must stay alert when handling materials because the definition of "State Secret" in *Law of the People's Republic of China on Guarding State Secrets* is very confusing. In general, the most likely "secrets" are those documents specified as "Internal Reference". If there is an embargo date attached then those document must not be consumed by media before the date. One must also be aware that China in the past has penalised journalists for leaking a state secret even though it was in fact reported as a "Classified Document".

6. Psychological Trauma

When on assignment, Journalists' may be psychologically affected by the scene or the content of the story. They must stay calm and be objective at all time. If clouded by emotion, and the situation persists, the journalist should inform a supervisor and immediately seek professional help. For further details and support, visit the following websites:

- Dart Center for Journalism & Trauma: <http://dartcenter.org/gateway/journalists>
- Hong Kong Psychological Society: <http://dcp.hkps.org.hk>

7. Propaganda Departments

During assignment, journalists are often requested to register with the local propaganda department or to make other similar arrangements. Note all overseas journalists (including those from Hong Kong SAR, Taiwan and Macau SAR) may act according to reporting rules issued by the State Department. There is no need to obtain prior propaganda department approval. (See *Chapter 5: Practical Laws*)

However, once the journalist's assignment is known, the propaganda department will:

- Accompany the journalist throughout the assignment;
- Invite the journalist to wine and dine; and
- Arrange for the journalist to go sight-seeing.

In order to avoid being disturbed, upon arrival at the scene journalists should:

- Switch off mobile phones and remove the battery;
- Change accommodation if it becomes known; and
- Consider moving to a nearby city and rescheduling the assignment.

8. Police

When covering political incidents or sensitive topics, journalists are often obstructed by police or plain-clothed officers. Journalists must avoid confrontation and record everything - even if the mishap happens to colleagues and not themselves.

In general, those obstructions are:

- Checking press passes and/or permits;
- Checking identity documents;
- Snatching reporting equipment;
- Detaining a journalist citing breaches of *The Security Administration Punishment Act of the PRC*;
- Charging the journalist with an obscure criminal offence;
- Accusing the journalist of "obstructing the work of public official"; and
- Checking identification of a journalist's driver and asking the driver to assist the investigation at the local police station.

In these situations, journalists must:

- Avoid police at all times during the assignment;
- Avoid direct confrontation with police;
- Remind drivers to carry identity documents at all times;
- Ask officers to see their police badge and make a record of the officers' name and numbers;

- Ask why documents or belongings are being checked;
- Inform the employing media organisation's manager and colleagues;
- Ask on what grounds equipment has been confiscated;
- Keep detailed records of police searches, to avoid being "framed" or set-up, or equipment and/or belongings being stolen or sabotaged; and
- Keep a detailed record of the investigation procedure for his/her media organisation, the IFJ and other organisations to follow up and take action.

Remember:

- Police officers have no rights to check a journalist's identity if he/she acts alone;
- Police officers must produce a search warrant if the journalist's belongings are to be searched. Journalists must point out that police officers are breaking the law if no search warrant is produced;
- According to *The Security Administration Punishment Act of the PRC*, Police officers may issue a warning, fine or administrative detention citing obstruction of the work of public official. (*See Chapter 5: Practical Laws.*)
- According to *People's Police Law of the People's Republic of China*, Police officers have the right to query and/or detain a journalist and record everything he/she says. (*See Chapter 5: Practical Laws.*)

To stay safe, journalists must:

- Inform and report latest developments to the media organisation manager;
- Seek help from colleagues at the scene;
- Remember that interrogation and detention should not exceed 48 hours;
- Set up an emergency procedure ahead of time when planning to cover sensitive incidents. If the assignment takes longer than a certain period or the protocols arranged are not followed, the journalist may assume there's a problem and should seek help immediately;

During sensitive reporting assignment, journalists are likely to meet with obstruction of work by local officials. Camera crews are most susceptible to such incidents and their equipment is likely to be seized and information deleted. Journalists are advised to immediately send material and hide the memory cards as a matter of course.

After interrogation, journalists from Hong Kong SAR, Macau SAR and Taiwan are likely to be required to furnish a “letter of repentance”. The letter is in fact a record of interrogation and should be written by the journalist involved, not the official. Journalists must not admit any “violation of regulations” nor expose details of his assignment or sources. (*See Chapter 5: Practical Laws.*)

Police officers who break laws when performing their duties are subject to internal investigation. Journalists can call dial hotline 114 and ask for the telephone number of the local Ministry of Justice Department, Disciplinary Committee or Public Security Bureau in order to make a complaint.

Chapter 4: Dealing With Bureaucrats

1. Be Prepared

Prior to contact with bureaucrats, be aware of the following points:

- Prepare your credentials - press passes, permits and/or company cards etc;
- Official interviews are best done face-to-face; and
- Decline any trade or offers from the officials.

Officials are likely to try to influence the journalists' position by getting to know them, then by working on them through friends or other associates/contacts;

Propaganda officials are likely to attempt to:

- Follow the journalist tightly;
- Create opportunities for officials to leave the site;
- Befriend a journalist, and try to manipulate reports by feeding the journalist official lines. Sometimes they will also send presents, wine and dine (or entertain) the journalist in an attempt to influence coverage; and
- Issue official injunctions verbally or in written form once the journalist's assignment is known.

Remember: Journalists should stick to the principle of press freedom and be resolute in the face of obstructions or disturbances. Never engage in self-censorship.

2. Avoid the Propaganda Department

Mainland officials are likely to brush all media requests to propaganda department, with the excuse that "all media requests should go through propaganda department".

To avoid this problem, Journalists are advised to:

- Target unofficial channels ahead of government departments;
- Get interviewees' personal mobile numbers, business numbers and addresses so they can be located if and when needed;
- Make interview requests via interviewee's supervisor or seniors;
- Make interview requests via fax, specifying a time-frame for response; and
- Cite rules and regulations for overseas journalists, reiterating that media requests need not go through the department.

3. Handling Press Conferences

During Q and A sessions at press conferences, journalists should pose questions to the specific persons responsible for the matter in a brief and precise manner. Do not pose the questions to the propaganda personnel.

Journalists are required to register to attend press conferences, and organisers are likely to contact the journalist's media organisation. There are times when journalists who cover sensitive issues in the past are subject to scrutiny after press conferences, and media organisations should bear this concern in mind.

4. Dealing with Security Officers

The term "National Security Officer" (NSO) refers to a classified category of police officer. Their duty is to collect intelligence to suppress events or personnel when they are deemed to pose a danger to national security. These NSOs are particularly attentive to journalists covering matters related to riots or politically sensitive issues. Correspondents from Hong Kong, Taiwan and Macau are often under their scrutiny.

NSOs aim to obtain details of journalists' work, but journalists must remember at all times that confidentiality should be ensured. Journalists are not obliged to reveal anything other than what is already known to the public. The officers may adopt different manners and attitudes during interrogations. Journalists should remain calm, fearless and make it known they are aware of their rights and the principles of press freedom. Never trade in lies or make any deals with NSOs in any circumstances.

Chapter 5: Practical Laws

1. Laws and Regulations Applied to Media Practitioners

Universal Declaration of Human Rights

International Covenant on Civil and Political Rights Article 19(2):

Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. China is one of the signatories to the declaration.

Chinese Constitution

Article 35

Citizens of the People's Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration.

Article 41

Citizens of the People's Republic of China have the right to criticise and make suggestions to any state organ or functionary. Citizens have the right to make to relevant state organs complaints and charges against, or exposures of, violation of the law or dereliction of duty by any state organ or functionary; but fabrication or distortion of facts with the intention of libel or frame-up is prohibited. In case of complaints, charges or exposures made by citizens, the state organ concerned must deal with them in a responsible manner after ascertaining the facts. No one may suppress such complaints, charges and exposures, or retaliate against the citizens making them. Citizens who have suffered losses through infringement of their civil rights by any state organ or functionary have the right to compensation in accordance with the law.

2. Police Checks Of Journalists Identification

Law of the People's Republic of China on Resident Identity Cards

Article 15

When performing his duties in accordance with law under any of the following circumstances, a people's policeman may, after producing his law-enforcement

papers, examine the identity cards:

- 1) When it is necessary to find out the identity of a law-breaker or criminal suspect;
- 2) When it is necessary to find out the identities of the persons concerned during on-the-spot control exercised in accordance with law;
- 3) When it is necessary to find out the identities of relevant persons on the spot in an unexpected incident that seriously endangers public security; or
- 4) Other circumstances under which it is necessary to find out people's identities, as is required by the provisions of laws.

Where a person refuses to have his resident identity card examined by the people's police under any of the circumstances listed in the preceding paragraph, measures shall, on the basis of the different circumstances, be taken to deal with him in accordance with the provisions of relevant laws.

No organisation or individual may seize any resident identity card. However exception shall be made where the public security organ executes the enforcement measure for residential surveillance in accordance with the Criminal procedure Law of the PRC.

4. Police Rights to Interrogate Journalists

People's Police Law of the People's Republic of China

Article 8

If a person seriously endangers public order or constitutes a threat to public security, the people's policemen of public security organs may forcibly take him away from the scene, detain him in accordance with law, or take other measures as provided by law.

Article 9

In order to maintain public order, the people's policemen of public security organs may, upon producing an appropriate certificate, interrogate and inspect the person suspected of having violated the law or committed a crime. After interrogation and inspection, the person may be taken to a public security organ for further interrogation upon approval of this public security organ, if he or she is under any of the following circumstances:

- 1) being accused of a criminal offence;
- 2) being suspected of committing an offence on the scene;
- 3) being suspected of committing an offence and being of unknown identity;
- 4) carrying articles that are probably obtained illegally.

The period of time for holding up the interrogated person shall be not more than 24 hours, counting from the moment he or she is taken into the public security organ. In special cases, it may be extended to 48 hours upon approval by the public security organ at or above the county level, and the interrogation record shall be kept on file. If further interrogation of the person is approved, his or her family or the organisation in which he or she works shall be notified without delay. If further interrogation of the person is not approved, he or she shall be released immediately.

If, through further interrogation, a public security organ considers it necessary to detain the interrogated person or adopt other compulsory measures against him or her according to law, a decision shall be made within the period of time as provided in the preceding paragraph. If the decision cannot be made within the period of time as provided in the preceding paragraph, the interrogated person shall be released immediately

5. Laws Relating to Obstruction of Police Officers

The Security Administration Punishment Act of the PRC

Article 19

Any person who commits one of the following acts of disturbing the public order when not serious enough for criminal punishment is subject to detention of not more than fifteen days, to a fine of not more than two hundred Yuan, or to a warning:

- 1) Disturbing the order and, as a consequence, disrupting the normal function of work, production, business operation, medical practice, teaching and scientific research in government organs, people's organisations, enterprises and institutions but not causing serious damage;
- 2) Disturbing the order at stations, wharves, civil aviation stations, market places, public parks, theaters, recreation spots, sports grounds, exhibitions or other public places;

- 3) Assembling a crowd for a brawl, stirring up fights, causing trouble, humiliating women or engaging oneself in other hooligan activities;
- 4) Inciting disturbances of the public order by fabricating or distorting facts, intentionally spreading rumors or by other means;
- 5) Making false reports of dangerous situations and fomenting chaos;
- 6) Refusing or impeding government personnel in carrying out their duties according to law without the use of violence or coercion.

Article 20

Any person who commits one of the following acts of disruption public security is subject to detention of not more than fifteen days, a fine of not more than two hundred Yuan, or a warning:

- 5) Organising public gatherings or other public activities of culture, recreation, sports, exhibition or a sale-exhibit fair without taking adequate safety measures and refusing to cease the violation when notified by a public security organ.

Criminal Law of PRC

Article 277

Whoever by means of violence or threat, obstructs a functionary of a State organ from carrying out his functions according to law shall be sentenced to fixed-term imprisonment of not more than three years, criminal detention, or public surveillance or be fined.

Whoever by means of violence or threat, obstructs a deputy to the National People's Congress or a deputy to a local people's congress at any level from carrying out his functions as a deputy according to law shall be punished in accordance with the provisions of the preceding paragraph.

Whoever during natural calamities or emergencies obstructs, by means of violence or threat, the workers of the Red Cross Society from performing their functions and duties according to law shall be punished in accordance with the provisions of the first paragraph.

Whoever intentionally obstructs officers of a State security organ or a public security

organ from maintaining State security in accordance with law and causes serious consequences, though without resort to violence or threat, shall be punished in accordance with the provisions of the first paragraph.

6. Identity of Mainland Journalists

Measures for the Administration of Press Cards

Section 2

All journalists have to apply for a press card from General Administrative of Publication and Press. Since the process takes time, media also consider identification such as company press cards, or company card as a reference. People should inquire with the media if there is any query about the identity of a journalist.

7. Foreign Correspondents' Rights

Regulations of the People's Republic of China Concerning Reporting Activities of Permanent Offices of Foreign Media Organisations and Foreign Journalists

Article 3

China adopts a basic state policy of opening up to the outside world, protects the lawful rights and interests of permanent offices of foreign media organisations and foreign journalists in accordance with law, and facilitates their news coverage and reporting activities that are carried out according to law.

Article 17

Foreign journalists wishing to interview organisations or individuals in China need to obtain their prior consent. Foreign journalists shall carry and present their Press Card (R) or Journalist Visas for Short Visit during reporting activities.

Article 18

Permanent offices of foreign media organisations and foreign journalists may, through organisations providing services to foreign nationals, hire Chinese citizens to do auxiliary work. Organisations providing services to foreign nationals are designated by the Foreign Ministry or foreign affairs offices of the local people's governments commissioned by the Foreign Ministry.

8. Rights of Access to Information

Regulation of the People's Republic of China on the Disclosure of Government Information

Article 9 Administrative agencies should disclose on their own initiative government information that satisfies any one of the following basic criteria:

- 1) Information that involves the vital interests of citizens, legal persons or other organisations;
- 2) Information that needs to be extensively known or participated in by the general public;
- 3) Information that shows the structure, function and working procedures of and other matters relating to the administrative agency; and
- 4) Other information that should be disclosed on the administrative agency's own initiative according to laws, regulations and relevant state provisions.

Article 10

People's governments at the county level and above and their departments should determine the concrete content of the government information to be disclosed on their own initiative within their scope of responsibility in accordance with the provisions of Article 9 of these Regulations, and emphasise disclosure of the following government information:

- 1) Administrative regulations, rules, and regulatory documents;
- 2) Plans for national economic and social development, plans for specific projects, plans for regional development and related policies;
- 3) Statistical information on national economic and social development;
- 4) Reports on financial budgets and final accounts;
- 5) Items subject to an administrative fee and the legal basis and standards therefore;
- 6) Catalogues of the government's centralized procurement projects, their standards and their implementation;
- 7) Matters subject to administrative licensing and their legal bases, conditions, quantities, procedures and deadlines and catalogues of all the materials that need to be submitted when applying for the administrative licensing, and the

handling thereof;

- 8) Information on the approval and implementation of major construction projects;
- 9) Policies and measures on such matters as poverty assistance, education, medical care, social security and job creation and their actual implementation;
- 10) Emergency plans for, early warning information concerning, and counter measures against sudden public events;
- 11) Information on the supervision and inspection of environmental protection, public health, safe production, food and drugs, and product quality.

Article 11

The government information to be emphasized for disclosure by the people's governments at the level of cities divided into districts and the county level people's governments and their departments should also include the following contents:

- 1) Important and major matters in urban and rural construction and management;
- 2) Information on the construction of social and public interest institutions;
- 3) Information on land requisition or land appropriation, household demolition and resettlement, and the distribution and use of compensation or subsidy funds relating thereto; and
- 4) Information on the management, usage and distribution of social donations in funds and in kind for emergency and disaster relief, special care for families of martyrs and military service personnel, and assistance to poverty stricken and low income families.

Article 12

People's governments at the township (town) level should determine the concrete content of the government information to be disclosed on their own initiative within their scope of responsibility in accordance with the provisions of Article 9 of these Regulations, and emphasise disclosure of the following government information:

- 1) Information on the implementation of rural work policies of the state;
- 2) Information on fiscal income and expenses and the management and use of various specialized funds;
- 3) Overall township (town) land use plans and information on the verification of land to be used by farmers for their primary residences;

- 4) Information on land requisition or land appropriation, household demolition and resettlement, and the distribution and use of compensation or subsidy funds therefore;
- 5) Information on township (town) credits and debts, fundraising and labor levies;
- 6) Information on the distribution of social donations in funds and in kind for emergency and disaster relief, special care for families of martyrs and military service personnel, and assistance to poverty stricken and low income families;
- 7) Information on contracting, leasing and auctioning of township and town collectively owned enterprises and other township and town economic entities; and
- 8) Information on implementation of the family planning policy.

Article 24

After receiving requests for open government information, administrative agencies should reply to the requests on-the-spot to the extent possible. If an on-the-spot reply is not possible, administrative agencies should provide a reply within 15 business days from receiving a request. If an extension of the time limit for replying to a request is needed, the agreement of the responsible person in charge of the office for open government information work should be obtained and the requester notified. The maximum extension of the time limit for replying to a request may not exceed 15 business days.

If the requested government information involves the rights and interests of a third party, the time needed by administrative agencies to seek the opinion of the third party shall not be counted against the time limit provided in Paragraph 2 of this Article.

9. When Reporting an Exclusive Story

Law of the People's Republic of China on Guarding State Secrets

Article 9

The following matters involving State security and national interests shall be determined as State secrets if the divulgence of such matters is likely to prejudice State security and national interests in the fields such as political affairs, economy, national defence and foreign affairs:

- 1) secrets concerning major policy decisions on State affairs;

- 2) secrets in the building of national defense and in the activities of the armed forces;
- 3) secrets in diplomatic activities and in the activities related to foreign affairs as well as secrets to be kept as commitments to foreign countries;
- 4) secrets in the national economic and social development;
- 5) secrets concerning science and technology;
- 6) secrets concerning the activities for safeguarding State security and the investigation of criminal offences; and
- 7) other matters that are classified as State secrets by the State secret-guarding department.

Secrets of political parties that conform to the provisions of the preceding paragraph shall be State secrets.

Article 10

State secrets shall fall into three categories: most confidential, classified and confidential.

The most confidential information refers to vital State secrets, the divulgence of which will cause extremely serious harm to State security and national interests; classified information refers to important State secrets, the divulgence of which will cause serious harm to State security and national interest; and confidential information refers to ordinary State secrets, the divulgence of which will cause harm to State security and national interests.

This law covers all media including online media.

10. Laws Protecting the Interviewee

Law of the People's Republic of China on Administrative Supervision

Article 6 Supervision shall be enforced by relying on the general public. Supervisory organs shall institute an informing system, under which all citizens shall have the right to bring to supervisory organs accusations or expositions against any administrative organs or public servants of the State or any persons appointed by State administrative organs that violate laws or are derelict in their duties.

Supervisory should keep all information in confidential and protect informants' legal rights.

United Nations Convention Against Corruption

Article 33 Each State Party shall consider incorporating into its domestic legal system appropriate measures to provide protection against any unjustified treatment for any person who reports in good faith and on reasonable grounds to the competent authorities any facts concerning offences established in accordance with this Convention.

China is a signatory to this convention.

Chapter 6: Useful Contacts/Websites

Official Sites

Chinese Official Government Website

<http://www.gov.cn/>

Government Bureaus and Departments Telephone List

http://www.gov.cn/xwfb/2009-12/29/content_1499113.htm

Foreign Affairs Ministry Information Centre

<http://ipc.fmprc.gov.cn/chn/>

All Chinese Journalists Association

<http://www.xinhuanet.com/zgjx/index.htm>

Directory of China

<http://www.ypone.com/>

China Law

<http://www.lawbase.com.cn>

<http://www.people.com.cn/item/flfgk/home.html> (free of charge)

Global Time and Date

<http://www.timedate.cn/>

Currency Converters

<http://www.xe.com/ucc/>

<http://www.oanda.com/currency/converter/>

Multi-purpose (weather, fast facts and other useful information)

<http://www.hao123.com/>

Travel

<http://www.ctrip.com/>

Academic Journals

<http://www.wanfangdata.com.cn>

Online Databases

<http://www.wikipedia.org>

<http://zh.wikipedia.org/>

Emergency Websites

Hong Kong and Macao Affairs Office

<http://www.hmo.gov.cn/>

Taiwan Affairs Office

<http://www.gwytb.gov.cn/>

Hong Kong Journalists Association

<http://www.hkja.org.hk/site/portal/Site.aspx>

Taiwan Journalists Association

<http://www.atj.org.tw/>

Foreign Correspondents' Club of China

<http://www.fccchina.org/>

International Federation of Journalists (IFJ)

<http://asiapacific.ifj.org/en>

<http://www.ifj.org/en>

<http://asiapacific.ifj.org/en/pages/open-and-free-towards-a-democratic-media-culture-in-china>

International Freedom of Expression eXchange (IFEX)

<http://www.ifex.org/>

Reporters Without Borders

<http://en.rsf.org/>

Committee to Protect Journalists

<http://www.cpj.org/>

Article 19

<http://www.article19.org/>

Emergency Telephone Numbers In China

Police 110

Fire 119

First Aid 120

Red Cross 999

Traffic 122

Climate 121

Time 117

Telephone Directory 114

International Reverse Charge Calls: 103 and 108