

Back to a Maoist Future

PRESS FREEDOM IN CHINA 2013



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Members of several civil society organisations protested in front of the Chinese Liaison Office, the agent of Central Government of China, to condemn the deterioration in the human rights situation, including the repression of press freedom, in the past four years while China was applying to be re-elected as a member State of the United Nations Human Rights Council. (Image: Serenade Woo)

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PREFACE

The International Federation of Journalists (IFJ) initiated a program in early 2008 to monitor and report on press freedom and violations of media rights in China in the lead-up to the Olympic Games in Beijing in August of that year. The IFJ's first annual report on press freedom in China, *China's Olympic Challenge*, assessed the media environment through 2008. Even as it noted many instances of infringements of journalists' rights and media freedom, there was some optimism that China was moving, if slowly, toward a freer, safer and more secure working environment for local and foreign journalists. By February 2011, as the scent of the "Jasmine Revolution" spread to China from the Middle East, the situation was deteriorating rapidly. Many journalists were sacked or forced to leave their workplaces and media organizations were liable to be given more than a dozen restrictive orders a day. Many websites were forced to shut down.

Sadly, the situation became even worse in 2013. China was widely described as having regressed to the Mao era after a "princeling" of the Communist Party of China, Xi Jinping, was elected as both President of the People's Republic of China and General Secretary of the CPC, and Liu Yunshan, the former Minister of the Central Propaganda Department, was promoted to the Politburo Standing Committee of the CPC. Liu Yunshan also holds the position of Chairman of the CPC Central Guidance Commission for Building Spiritual Civilization. The new leader set out to strengthen the use of the media as a propaganda tool, sparking off a media war. A number of prominent bloggers and journalists made televised confessions, tens of thousands of online messages were deleted, and many websites were shut down. Immediately after the Third Plenary Session of the 18th CPC Central Committee in November, the Communist Party decided to strengthen "guidance" of public opinion and crack down on the internet. The spontaneous communication tool WeChat became a target for official monitoring. A number of journalists who commonly used WeChat to pass messages were warned by their senior managers to stop using it. Overseas correspondents in China continued to experience challenges. The authorities used the content of reports to determine which foreign correspondents'

working visas would be renewed, and harassment and life-threatening incidents continued. Two international media outlets are still blocked by the Chinese authorities after revealing in 2012 that President Xi and former Premier Wen have extraordinary wealth.

However, there were a small number of positive signs in 2013. Journalists at two media outlets took the bold step of defending their rights by holding labour strikes to protest against political interference in editorial independence and extremely low wages. The Chinese judiciary also attempted to "open up" by starting to upload judgments to the internet and use social media such as microblogs to broadcast a very few criminal cases that were of great public concern, such as the trial of disgraced party leader Bo Xilai. However, the authorities still exercised their power to censor coverage by selecting which journalists would be allowed to enter the court room and report on the trial.

The Hong Kong media faced unprecedented pressure. Media outlets and journalists were attacked by thugs and pro-establishment members of the public. The most disturbing development was the Government's attempts to use legal action to force the media to surrender journalistic materials to the authorities. Intense competition became worse. An outspoken media owner's application for a free-to-air television license was refused amid suspicions that the rules had been changed, sparking an outcry from the public and the industry. The Chief Executive of Hong Kong and his cabinet continued to adopt an evasive approach, failing to exercise transparency, which is a traditional good governance practice. The media was also subject to tremendous political pressure from the China Liaison Office, the agent of the Central Government of China in Hong Kong.

The IFJ urges the media to remain vigilant. The information in this report has been provided by a growing network of contributors to the IFJ monitoring project, from Mainland China and beyond. Many of these contributors must remain anonymous but, without them, this report could not have been produced.

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INTRODUCTION

The Chinese authorities continued in 2013 to treat the media as a political tool to promote ideology and state policy. The situation regressed to tactics familiar from the Mao Zedong era, but now they were used in particular to target internet users. Monitoring the media was no longer the task only of government departments and institutions – the police began to cooperate with the bureaucracy to limit free speech online. Many journalists and bloggers were charged with committing crimes after they exercised their right to speak or publicly report the wrongdoings of officials or business people, even though this was encouraged by government policy. In the cases of prominent bloggers and journalists, the authorities organized televised confessions, but no independent parties were able to check whether the confession was given under duress. Many websites were shut down and tens of thousands of posted messages were deleted. Many journalists were forced to resign, or were suspended, demoted or threatened, when they refused to follow the political instructions from the authorities. Orders restricting media coverage continued to be issued, in particular in the case of sensitive incidents such as a series of attacks in Xinjiang.

At the very beginning of 2013, many Chinese people, including journalists, felt goodwill towards the new President of China, Xi Jinping. However, when Xi promoted Liu Yunshan, the former Minister of the Central Propaganda Department, as a member of the Politburo Standing Committee of the Communist Party of China, many journalists understood that the dream of free speech would not be realized. Liu also holds the position of Chairman of the CPC Central Guidance Commission for Building Spiritual Civilization. Most journalists had never expected that free speech situation could actually get worse. But online media, which until 2013 was a relatively free space in China, was targeted by the authorities for control in the future. In November, the Third Plenary Session of the 18th CPC Central Committee clearly stated that guidance of public opinion would be strengthened and there would be a crackdown on the internet. In his speech, Xi said: “Internet and information safety is a new, comprehensive challenge facing us as it concerns

state security and social stability.” He highlighted microblogs and WeChat, a spontaneous communication tool used for posting message and sound files, as the forms of social media that were causing most concern. Many journalists received warnings from their senior managers, demanding that they stop using the spontaneous communication tools. A journalist told the IFJ that senior management had told him to stop using WeChat because it created a “conflict of interest”, since he was a journalist employed by a media outlet. If the journalists refused to follow instruction, they were forced to resign. The authorities were able to identify active online users, including WeChat users, because large numbers of people, including university students, helped to monitor online messages. The Government has recruited 2 million people to monitor the country’s 6 million netizens, and this work has been established as a profession with training and qualifications.

Despite everything, there were several positive developments in 2013. Journalists at two media outlets staged labour stoppages to protest at political interference in editorial independence and exceptionally low wages. At the same time, the Chinese judiciary made moves to “open up”. It started to upload judgments and use social media, such as microblogs, to broadcast a very few criminal cases that were of great public concern, such as the trial of disgraced party leader Bo Xilai. Even so, in Bo’s case, the authorities still restricted journalists’ access to the court room.

Overseas correspondents in China continued to experience challenges. On the one hand, the authorities used the content of reports to determine which correspondents’ working visas would be renewed. On the other hand, harassment and life-threatening incidents still occurred. Two international media outlets remain blocked after they revealed the extraordinary wealth of President Xi and former Premier Wen in 2012.

For the Hong Kong media, press freedom became an issue of increasing concern. Since Leung Chunying became the Chief Executive of Hong Kong in July 2012, the media, as well as members of the public, have faced many barriers in gaining access to information, especially in regard to sensitive incidents relating to individual top government officials and incidents of public outcry. However, the most disturbing

development was that outspoken media outlets appeared to become targets and the rules governing the grant of new free-to-air television licenses were unilaterally changed. The most outspoken media outlet, Next Media Group, suffered the greatest attacks. Two media outlets were forced through legal action to provide journalistic materials. Several media owners were attacked, and a television channel banned journalists representing a particular newspaper group from reporting on its programs and activities in retaliation for what the television channel saw as bias.

The IFJ joined several civil society organizations to hold a conference and submit a report to a meeting of the United Nations Universal Periodic Review (UPR), where the UN reviewed the human rights situation of China over the past four years. In the report to the UPR, we cited several incidents which showed China was continuing to jeopardize press freedom, including punishing journalists and activists when they were upholding press freedom and freedom of expression. China also reneged on its promises of greater freedom to report that were made to the foreign press after the 2008 Olympic Games. During negotiations with several Consuls in Hong Kong, we were pleased to learn that many countries are deeply concerned about the regression of press freedom in China. Some of these countries also expressed their concerns at the UPR meeting in Geneva in October, but China continued to ignore their protests.

Several important events will occur in Hong Kong in 2014, including the summit meeting of the organization for Asia Pacific Economic Cooperation in September. There are expectations that a protest in Hong Kong's central business district, known as Central, might be held under the banner of the "Occupy Central Movement". This would ask the Chinese government and the Hong Kong local government to agree to their demand for genuine universal suffrage for the election in 2017 of the new chief executive of Hong Kong. However this demand already faces much opposition from pro-establishment legislators, politicians, the Hong Kong Government and the Central Government of China, which argue that it would violate the Basic Law of Hong Kong and the decision of the Standing Committee of the National People's Congress of the People's Republic of China.

In November 2013, China was successful in its bid to be re-elected as a member State of the United Nations Human Rights Council. Unfortunately China has announced it will establish a State Security Committee and further limit freedom of speech on the internet in 2014. These moves have already drawn much attention from the public.

The IFJ urges the Communist Party General Secretary, Xi Jinping, and the Standing Committee of the Politburo to respect the spirit of press freedom and freedom of expression which is enshrined in the Chinese Constitution. We also urge the authorities to adopt the Human Rights Council's Report A/HRC/23/40 of the Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression. China is a member State of the Human Rights Council, and as such it has a moral duty to uphold the Special Rapporteur's report and to ratify and implement as soon as possible the International Covenant on Civil and Political Rights, which it signed in 1998.

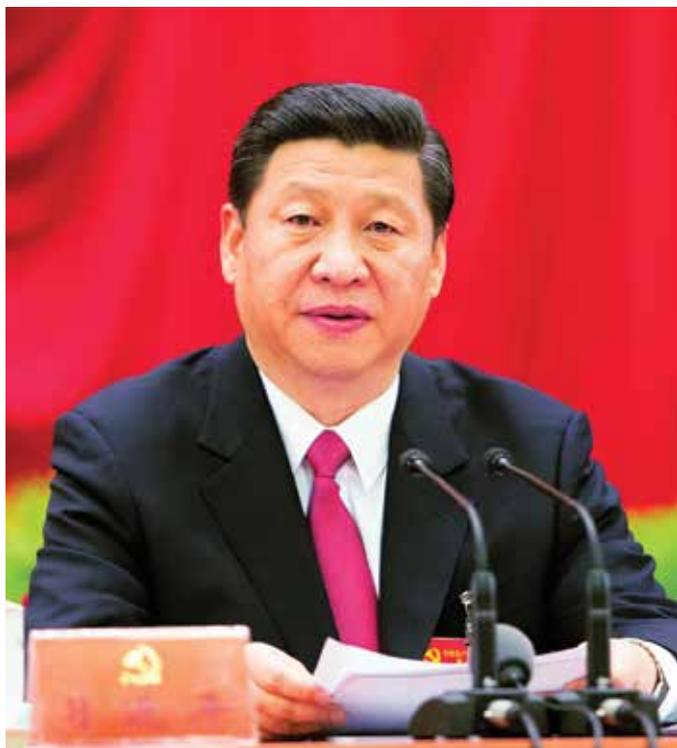
The IFJ emphasizes that the China's practices of communications surveillance have already undermined the principles of freedom of expression and privacy of the individual. China is one of the largest web users in the world, so we urge the Chinese authorities to cease surveillance, which further shrinks freedom of speech. We also urge the Government of Hong Kong to follow through with practices of good governance by enacting the law on access to information, thereby showing that it is accountable to its citizens.

We also urge all media in Hong Kong and the Mainland not only to defend press freedom but also to remain impartial in their reporting. We believe several acquisitions of Mainland media outlets are expected in 2014, and these are likely to create even greater pressure for journalists to become standard-bearers for China's nationalist ideology. However, we remind all media industry personnel that they must be accountable to the public, not to any political camp or government or enterprise. Press freedom and freedom of expression are basic human rights. On these rights are built people's ability to seek, receive and impart information and ideas through any and all media.

MAINLAND CHINA

In early 2013, many Chinese citizens were hoping that their new leaders would develop more open minds and show more understanding of the ordinary people's needs and the hardship of their lives. A symbol of this confidence was the joint statement signed by a thousand Chinese citizens, including many media workers, urging the Standing Committee of the National People's Congress of China to ratify the International Covenant on Civil and Political Rights in order to protect and promote freedom of the press. Media workers were hoping for more press freedom and fewer directives from the Central Propaganda Department, the Internet Affairs Bureau of the State Council Information Office, and other official bodies.

Despite these hopes, the state of media freedom did not improve in Mainland China during the year. On the contrary, the authorities staged a coordinated crackdown on the use of the internet by both professional journalists and citizen journalists and bloggers. The police detained people without charge on



After Xi Jinping, who had been long seen as a “princeling” of the Chinese regime, was elected as President of China, he began targeting online media and asked his administration, including Liu Yunshan, a member of the Politburo Standing Committee and a former Director of Propaganda Department, to reaffirm to all media that their role is merely to promote party propaganda. (Image: Online)

the pretext of spreading false rumours and other such allegations. Televised confessions and interrogations, censorship, physical assaults, sackings, demotions and suspensions were used to intimidate independent reporters and commentators. The court authorities promised more open justice, but the reality remained flawed. Routine suppression of information continued, even in cases affecting public health and safety, and was even more stringent regarding coverage of sensitive zones, specifically Xinjiang and Tibet.

In December 2012, the newly elected General Secretary of the Communist Party of China's Central Committee, Xi Jinping, made a symbolic inspection tour to Shenzhen Special Economic Zone, which adjoins Hong Kong, as a symbol of “Reform and Opening”. In his speech on the occasion, Xi encouraged people to look forward to a better future. According to *China Daily*, he said: “Our country's reform has entered a crucial and delicate stage, which requires us to have more political courage and wisdom and seize opportunities to enhance reforms in important sectors.” Xi went on: “We will follow this proven path and continue to develop our country and improve living standards.”

Despite this positive beginning, a member of the Politburo Standing Committee and former Director of Propaganda Department, Liu Yunshan, reaffirmed that the role of the media was merely to promote party propaganda. Liu made these remarks on January 4, at a national meeting attended by officials of propaganda departments across the country.

On March 14, during the annual session of the 12th National People's Congress, Xi Jinping was elected not only as the Chairman of the Central Military Commission of China but also as the President of China. Xi had been regarded as a “princeling” of the Chinese regime, but many people, including the international media, were hoping China would move more quickly in a positive direction under his leadership because he was the son of the veteran Communist Xi Zhongxun, who had been a victim of Cultural Revolution. When Xi Zhongxun was put in jail, Xi Jinping was only 15 years old and had to struggle for a living.

However, immediately after Xi became President, two powerful media regulators were merged to form the

General Administration of Press, Publication, Radio, Film and Television (GAPPRFT). The role of GAPPRFT was unclear, and the new administration did not make any improvements in the disclosure of government information under the relevant regulations.

This lack of change was illustrated in June with the news of the death of Chen Xitong, who was the Mayor of Beijing during the Tiananmen Square Massacre in 1989. Chen was the man who allegedly ordered troops to enter in Beijing before the massacre, but in a banned book he claimed he was following the orders of Deng Xiaoping, China's paramount leader, and that he had been made a scapegoat for the massacre. Chen died on June 2, but the news did not become known until June 4, and even then was released only by the Hong Kong China News Agency.

More restrictions emerged in other areas of the administration. On March 22, *Caixin* magazine reported that the Administration for Industry and Commerce (SAIC) in Shanghai suddenly changed the rules on access to information without giving any explanation. The SAIC said that only a lawyer with a court order or an investigative order had the right to search all

the information regarding a company's business registration. Similarly, according to a Radio Free Asia report, when a citizen of Yunnan Province asked the Ministry of Civil Affairs in Yunnan for the statistics on AIDS-infected children receiving additional subsidies from the Government, the officer replied: "You need certification from the police that you are a legal citizen. Otherwise, we are afraid that the information will be used by bad guys." However, the Regulations of the Open Government Information of China state that any citizen of China has the right of access to the information, and there is no such concept as "legal citizen" or "illegal citizen".

'Open trials' promised; reporting still restricted

With the slogan of "China's rule of law" being heard across the nation, Zhou Qiang, the President of the Supreme People's Court, made the progressive move of arranging for an "open trial" in several shocking criminal cases. On May 30, according to *China Daily*, Zhou said the People's Court should provide convenience to the media and give judicial support to public opinion. He further said that the court should hold open trials when it was required by law, and when it could not, the court



The trial of Bo Xilai, a "princeling" of the Chinese Communist Party and former party chief of Chongqing, was "broadcast" over the court's microblog, but reporters inside the courtroom said some of the content of the trial was censored. (Image: Online)

should give its reasons. In addition, the Supreme Court of China announced that all the judgements of Chinese courts would be uploaded onto official websites from January 1, 2014. According to *Legal Daily*, Zhou Qiang said all judgements would be uploaded on the basis of the principle of “openness” and the move should not be manipulated.

The IFJ applauds the new, positive decision taken by the Supreme Court, but regrets that not all China’s courts have fully implemented the new direction. We also argue that the concept of “open court trial” in China is totally different from the international understanding of the term, because in China members of the public are required to get the court’s approval before they are permitted to enter the court room. At the same time, even though the Supreme Court claimed all judgments would be uploaded, Xinhua reported that four kinds of judgement would not be disclosed. The judgements to be kept secret involved state secrets, privacy, minors, mediation and “others which are not suitable to be announced over the internet”. The report did not elaborate and did not say whether the court would stop censoring the media and allow media workers to exercise their right to enter court rooms. Normally, media workers labelled “anti-government” are not given permission to enter.

However, China’s court system did create a new method of achieving an “open court” in the trial of former Chongqing Party chief Bo Xilai by transmitting images on a microblog, a move that was widely welcomed. Bo belonged to the 25-member Political Bureau of the Central Committee of the Communist Party of China (CPC). According to the state-owned *Global Times*, Bo began standing trial on July 25 on charges of accepting bribes worth about 21.79 million yuan (about US\$3.5 million) from businessmen, embezzling 5 million yuan in public funds from the Dalian government, and abusing his official power when dealing with the murder of a British businessman by his wife, Bogu Kailai, and the defection of associate Wang Lijun, in 2012. Bo Xilai was tried in Jinan Intermediate People’s Court, Shandong Province. The government said it held an “open” trial, because the Jinan Intermediate People’s Court used its own microblog account to upload content from the trial. The court also arranged for a camera crew to film the hearing and these images were transmitted on the

microblog, enabling the public to watch the trial on the court’s account.

However, there were many flaws in the way the court tried to be “open”. The microblogs were edited to provide a selective report of the proceedings. The Government selected 100 people and 19 journalists to enter the courtroom, but did not disclose the criteria by which they were chosen. Many journalists were required to wait in a designated area in a hotel nearby. The local government used social media to transmit images and publish updates on the trial, but these were not live reports. After the five-day hearing, several media personnel who were inside the courtroom told foreign reporters that some of the content of the trial was deleted from the microblog without explanation. In addition, all camera crews and photographers were forced to stay in a press area far away from the court building, where it was difficult to interview people. A CNN journalist was blocked by policemen and press officers when he was doing a live report in front of the police cordon. Journalists were blocked and harassed when they tried to interview people even far away from the court building. Many journalists, in particular foreign journalists, complained they were followed by unidentified people. Liu Yanjie, the spokesperson for the court, reneged on his promise that there would be a question and answer session after the trial. In several press conferences, Liu merely delivered his prepared speech without answering any questions from the media.

Many law experts in Mainland China acknowledged that Bo Xilai’s trial was an unprecedentedly “open” trial of a high-ranking official, and said that it demonstrated the openness and transparency of the process. However, many human rights lawyers did not agree with this view. They said the trial fell far short of the definition of openness and transparency because no independent media and no members of the public were allowed to enter the court room. In addition, they said, the verdict was determined by the Party, rather than being based on evidence and relevant laws.

On October 25, Bo’s appeal against his life sentence was refused by the High Court in Shandong, but this time the authorities did not make arrangements for the proceedings to be transmitted on a microblog The

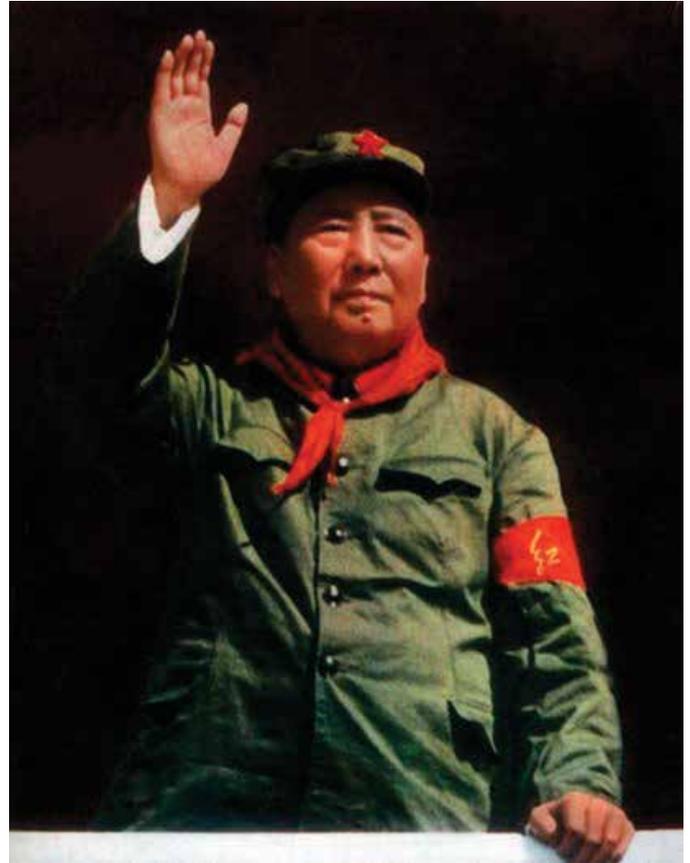
media asked why the trial was not transmitted and how the appeal was different from the initial hearing. No official answer was given, but the court officer repeatedly said that there were limited seats in the court room. The media did not have any opportunities to raise questions with the spokesperson of the High Court in Shandong after he read through a prepared statement. Furthermore, the Central Propaganda Department issued orders on July 25 and October 23 to all media stipulating that they could only republish reports from the state-owned Xinhua News Agency and could not publish any other reports about Bo's trials. In addition, microblog messages published on internet sites were still monitored by the Government's online surveillance agencies. However, a researcher at Hong Kong University who is focusing on studying the censorship system of the Sina.com microblog told the IFJ that, surprisingly, he did not find significant censoring of messages about Bo.

Police and courts used to limit internet freedom

The IFJ understands that through the cooperation between the police and the party leaders in the media, thousands of people were accused and detained by police and thousands of websites were forced to shut down. Under the "Clear Website Action" campaign, police accused online users after the authorities deemed they were causing instability in society. At the beginning, police mainly used accusations of "dissemination of rumours" that caused "disruption of public order" to detain people without further evidence. This campaign appeared to target prominent citizen journalists and bloggers. When critics and lawyers said police might have abused their powers by wrongfully using the charge and not providing evidence, police started to use more serious charges. These included "destroying business reputation", "criminal defamation", "illegally obtaining financial profit", "soliciting prostitutes", "disseminating rumours", "fabricating false information", "fabricating registration" and "disrupting public order".

President Xi launched his attempt to tighten control of debate in May, when the General Office of the Central Committee of the Communist Party of China delivered a list of the "seven topics that cannot be discussed" to all members of the party. It was reported that the seven

topics were press freedom, judicial independence, civil society, rights of citizens, universal values, historical mistakes of the Communist Party, and capitalism.



During the National Propaganda Work Conference, President Xi Jinping held up the regime of Mao Zedong as the example for modern China to aspire to. (Image: Online)

In August, President Xi made an important speech during the National Propaganda Work Conference. In this speech on August 19, Xi reminded all communists to closely follow Mao's regime, including to "insist that the Party tightly control media, and insist that politicians run newspapers, magazines, electronic media, and online news portals". Xi said: "An 'anti-force' is promoting so-called Universal Values. Do these people really mean 'Universal Values'? The answer is no, they are just pretending, with the aim of gaining people's minds, getting the crowd to support them and overthrow the ruling Communist Party and eventually the Chinese socialist system."

Xi said the internet was becoming the dominant forum for influencing public opinion, so it should be the most important avenue for promoting the ideology of the Chinese socialist system. He said the authorities should

“enhance the management of the internet according to law” in order to ensure that the “internet is under control”.

Also in August, the authorities encouraged internet companies to sign an agreement known as the “Seven Online Bottom Lines” and set up a self-censorship system in order to get rewards worth tens of thousands of dollars. On November 13, *Youth of Beijing Daily* reported that online company Sina.com admitted it had temporarily or permanently shut down 100,000 microblogs since it signed the “Seven Online Bottom Lines” agreement. Among the 100,000 accounts shut down, more than 70 per cent had posted messages that were allegedly related to personal attacks, and only 1030 posts were allegedly related to dissemination of false information. Most of the account holders were suspended for five to 10 days, and were not allowed to post messages and or to be followed. In the worst cases, the accounts were permanently shut down, but the news report did not mention the number of accounts affected in this way.

The most devastating development occurred in September when the Supreme People’s Court and the Supreme People’s Procuratorate, the top investigative and prosecuting agency, released a new judicial interpretation of the rules on the punishment of online rumours and defamation. On September 9, the procuratorate said that people would face defamation charges if online rumours that they posted were viewed by more than 5,000 internet users or re-posted more than 500 times. The maximum sentence for this offence is three years in prison.

The spokesman for the Supreme People’s Court, Sun Jungong, said internet users fabricated rumours and created false information when touching on sensitive social issues. This disrupted social order and triggered “mass incidents,” and this amounted to a criminal act that should be punished. However, he said, using the internet to expose legal violations was still encouraged. Sun stressed: “Even if some details of the allegations or what has been exposed are not true, as long as internet users are not intentionally fabricating information to slander others, they will not be prosecuted on charges of defamation.”

In June, the Police Bureau set up an ad hoc group to tightly monitor online content on the pretext of fighting online crime. In August, police in Anhui Province reported that 427 people had been detained, 208 people arrested and 143 people given administrative punishments. Under an administrative punishment, a suspect does not go through a court procedure but can be detained by police for periods lasting from days to weeks.

At the beginning of the action, police used the pretext of “fighting against online rumours or messages endangering public order” to censor and delete content, and detain and punish people. Many online users were punished by the police after they posted messages. Wu Hongfei, the lead singer of Chinese indie rock band Happiness Street, was accused of disrupting public order and detained for 10 days after she posted an online message on July 21 saying that she “wanna bomb Beijing’s housing and urban planning authorities, next McDonald’s fried chicken and chips”. The police interpreted her post as meaning that she wanted to literally “bomb” Beijing’s housing and urban planning authorities. On August 2, Wu was released and paid a fine of 500 yuan (US\$96). In an interview with *Southern Metropolis* newspaper, Wu said she did not know what she was doing at the time, but she really did not intend to “bomb” the authorities.

On August 9, a prominent citizen journalist, Zhou Lubao, was detained by Jiangsu Province police on accusations of extortion. Zhou had frequently disclosed the wrongdoings of government officials. These included Yuan Zhangting, the Mayor of Lanzhou City, the capital of Gansu Province. Yuan was suspected of corruption because he was found to have been presented with various extremely expensive watches, with brands such as Vacheron, Constantin and Rolex, when he attended public activities. After Zhou reported this online, many local media outlets, including the state-owned media outlet Xinhua, followed up his stories. However, police said Zhou wrote negative reports in order to extort money across the nation and that he might have been involved in fabricating terrorist messages on the internet.

On August 19, a prominent blogger, Qin Zhihui, who writes under the pen name Qin Huohuo, as well as Yang

Xiuyu and other four people, were detained by Beijing police on accusations of fabricating rumours on the internet. Police later added several charges, including destroying business reputations and illegally acquiring financial profits. Police said Qin and others established a company to help their clients post articles on different social platforms in order to gain profit. The group were also accused of fabricating rumours in order to make themselves famous. The examples that police cited included the subjects such as the Wenzhou high-speed train collision and Communist Party hero Lei Feng. State-owned CCTV reported on Qin's case.



A prominent blogger, Charles Xue, also known as Xue Manzi, was originally accused by police of disturbing public order, but the charge was changed to soliciting a prostitute. Xue made a "confession" that was televised on state-owned media. (Image: Online)

On August 23, Chinese-American businessman and prominent online commentator Charles Xue Biquan, who writes as Xue Manzi, was arrested by Beijing police on an accusation of soliciting prostitutes. Originally, police accused Xue of disturbing public order. Since Xue is very outspoken and has been very critical of public events, he has almost 10 million followers on his microblog. His arrest drew a lot criticism from online users, so the authorities arranged a lengthy televised confession on CCTV.

On September 13, Wang Gongquan, a liberal activist and a successful businessman, was arrested by Beijing police on the accusation of disrupting public order. Wang and other members of New Citizen Movement have called on the Chinese government to respect civil rights guaranteed to citizens by the nation's constitution. They also initiated a "Release Xu Zhiyong"

petition after Xu, a prominent legal scholar and activist of the New Citizen Movement, was arrested in July because he advocated for government and Communist Party functionaries to disclose their assets. Wang and Xu are the core members of the New Citizen Movement and both had many followers on their microblogs. Before the microblogs were forced to shut down, it was reported that Wang's microblog had 1.56 million followers.

Many commentators believe the Government's aim in arresting Wang and others was to target very prominent online users, whose blogs carry a "V" sign, short for "verification", which means the writer's identity is authentic. Many such "Big Vs" have huge numbers of followers on their social microblog accounts. At the same time, the authorities wished to send out a very strong signal to the public that no independent civil organizations would be allowed.

Detained journalists make televised confessions

Police continued to target working journalists with detentions and televised confessions. On May 31, a former *New York Times* photographer, Du Bin, was detained by Beijing police on an accusation of provocation and disturbing public order, but police failed to provide any evidence. Du was punished because he wrote a book about the 1989 Tiananmen Square Massacre. In his book, *Tiananmen Square Massacre*, he rewrote the chronology of the whole incident after he read a number of relevant books. In addition, he highlighted particular things that people saw at specific times during the day of June 4, 1989. He also wrote several other sensitive books. Du had been under pressure from security agents without knowing why. Before he was arrested, his landlord was warned by police and Du was asked neither to speak to nor contact outsiders. On the day he was arrested, police ransacked his apartment and seized his computer and books. On July 8, Du was allowed out on bail. During almost two months of detention, Du did not go through any legal due process.

On August 5, Song Yangbiao, a journalist with Guangdong-based newspaper *The Times Weekly*, was detained by police in Beijing after he posted online a message supporting disgraced party leader Bo Xilai.



Du Bin (centre of table), a former *New York Times* photographer, was detained by Beijing police on an accusation of provocation and disturbing public order after he wrote a book called *Tiananmen Square Massacre*. (Image: Serenade Woo)

Police accused Song of disturbing public order. Song was released on bail on August 12 after being in administrative detention for seven days.

On August 23, Liu Hu, a journalist with the Guangdong-based newspaper *New Express*, was detained by Beijing police on an accusation of disseminating rumours on the internet. However this was changed to criminal defamation in September, when police confirmed Liu had been formally arrested. On July 29, Liu had revealed a corruption case that may have involved Ma Zhengqi when he was the vice mayor of Chongqing. Ma is the Vice Minister of the State Administration for Industry and Commerce. Liu's revelations about official wrongdoing followed the encouragement of the authorities, which asked people to use their real names to expose legal violations committed by anyone on the internet.

On October 18, Chen Yongzhou, a journalist with Guangdong-based newspaper *New Express*, was detained by police in Changsha City for allegedly destroying a business reputation after he wrote a series of negative articles about a listed company, Zoomlion Heavy Industry Science and Technology Development Co Ltd. Chen had written 18 articles between September 2012 and June 2013. *New Express* published a two-word headline, "Release People", in large type on its front page on both October 23 and 24 to ask Changsha police to release Chen. Immediately after the call was published for the first time, the Central Propaganda Department issued a directive to all media that they should not publish any report about it on the front page of their official news portals. The State General Administration of Press, Publication, Radio, Film and Television (GAPPRFT) and the All Chinese Journalists Association said they were concerned and would investigate, but Chen's confession was televised on



Chen Yongzhou, a journalist of *New Express*, confessed on state-owned television to accepting money to write a series of negative articles about a listed company. His newspaper published a full-page headline, “Release People”, on its front page for two consecutive days. (Image: Online)

October 26 by the state-owned television channel China Central Television. In the confession, Chen said he had taken bribes worth up to 500,000 yuan from Zoomlion’s rival. Chen’s press accreditation was withdrawn and the publisher and editor-in-chief of *New Express* were removed by the local office of the GAPPRFT.

Writers detained over corporate copy for web

On September 17, three people – Li Xinde, Ge Shuchun and Jiang Huanmin – were detained by Beijing police after being accused of illegally running a business. According to the *Youth of Beijing* newspaper, the three accepted 100,000 yuan to write and publish 10 articles on the internet for their client. According to the report, the information for the articles was provided by Shing Fuchoi, the former minister of Land and Resource department in Taikang County, Henan Province. Under the terms of the alleged agreement, Le, Ge and Jiang would not check the information they were given by Shing, their client, but would merely write and publish the articles. The arrests of Zhou, Xue, Qin and Li and the televised and newspaper confessions were widely seen as signals to the public that the Chinese authorities were planning to tightly control public opinion online through a campaign entitled “Clear Website Action”. The moves echoed the speech of Xi Jinping at the National Propaganda Work Conference on August 19, in which Xi emphasised that the party leaders must tightly monitor the internet.

The IFJ condemns journalists’ practice of accepting “red envelopes”, meaning money given by the business sector after journalists attend a press conference. However, we do not propose to prevent any commercial activities. In this case, there was an agreement between the three journalists and their client who undertook to provide all the information to the trio. According to the Supreme Court’s reinterpretation of section 225 of the Criminal Law, the suspect – in this case the journalists – should acknowledge that the information is false. However in this case, the agreement stated that Li, Ge and Jiang would not verify all the information because the client was responsible for this. The IFJ believes that there is an urgent need for the Chinese authorities to ensure all law enforcement officers properly interpret and abide by the law. We strongly believe the most appropriate practice would be for police to get the approval from the Supreme People’s Procuratorate of China before they detain or arrest any suspect. The police also have a duty to provide evidence to prove their action is legal and reasonable.

Televised confessions trample on rule of law

The state-owned media outlet China Central Television (CCTV) broadcast an increasing number of “confessions” by high-profile people without the accused person having gone through a trial. Many journalists, scholars, activists and commentators believe the confessions have become a tactic used by the Chinese authorities in their attempts to remove information that they deem is harmful, illegal or false from the public domain, especially from the internet. The airing of confessions before court trials tramples on China’s rule of law.

The footage shown on CCTV has included interrogation of the suspects, reportedly mostly filmed by police. However, some of the footage was filmed by CCTV directly. Both these practices are clearly a regression to the Mao era. At that time, forcing people to confess or repent was a common and very powerful practice, and no judicial process was required. More recently, however, China has been claiming that the country is governed by the rule of law and is moving towards legal reforms to achieve judicial independence. The police use of televised confessions before the suspect undergoes a court hearing clearly undermines the judicial process.

This extra-judicial process destroys individuals' reputations and the media industry. It clearly carries political overtones which create a chilling effect that discourages people from exercising their rights. Most worryingly, politics is overruling the law.

This development surprised many legal scholars. Carl Minzner, a professor at Fordham Law School in New York, said: "These are experiments with using public confessions on state television – completely independently of any legal proceedings – as a mechanism to send political warnings to the rest of Chinese society." The BBC reported that Eva Pils, a legal scholar at Hong Kong Chinese University, said the situation represented a return to the Mao era.

The IFJ also believes that CCTV violates media ethics by broadcasting the confessions of suspects who have been pressured to incriminate themselves without undergoing a court trial. There have been no reports establishing whether the suspects made the confessions willingly or as a result of coercion.

Journalists strike over meddling by propagandists

A notable development in 2013 was the labour strikes by workers at two media outlets, an action which is extremely sensitive in China. Journalists at Guangzhou-based *Southern Weekly* went on strike in protest at political interference in the paper's editorial line in its New Year Dedication by the Guangdong Propaganda Department. Journalists at *Lanzhou Morning Post* struck to protest against their low wages. These were the first strikes by media workers since an indirect labour strike occurred at *Beijing News Daily* in 2005.

The strike at *Southern Weekly* was triggered early in January when several major mistakes were found on the *Southern Weekly* New Year's special editorial on January 3, 2013. A number of journalists disclosed that the title of the editorial was secretly changed from the original, "China's Dream, the Dream of Constitutionalism", to "We are now closer to our dream than ever before." It was reported that the editor-in-chief Huang Can did not defend the editorial independence of the magazine. In



Many ordinary citizens protested against the interference of the Guangdong Provincial Propaganda Department in the editorial line of *Southern Weekly* magazine. (Image: Online)

New Features in Public Opinion Control, China, 2013

The year 2013 may well be the most difficult year for China's media in recent times. Media platforms ranging from traditional publications, such as newspapers and magazines, to new forms such as Weibo, or microblogs, were all strictly supervised and purged by officials from both the Communist Party and the Government. Although it has been challenged continuously, official dominance of public opinion has not faltered, thanks to the state's control of ample resources. Of course, this control is still based on a totalitarian regime and the oppression of public opinion.

To analyze the features of control of public opinion in China in 2013, as well as how they affect the media industry and media practitioners, we need to go back to at least early 2011. At that time, the "Chinese Jasmine Movement" (also known as "China's Jasmine Revolution") arose, inspired by what was happening in Tunisia, Egypt and other Arab countries. The authorities finally clamped down on the movement, but even so new features emerged in both civil society and the official arena. On the civic front, public opinion came together from both the "online" environment and the "off-line", or real, world. This resulted in substantial action. For China's officials, the focus on "maintenance of stability" has been established for more than a decade based on the slogan "stability over-rides everything". This focus has now been transformed into so-called "grid management", under which areas are divided into cells of about 10,000 sq m using GIS mapping and people are subjected to round-the-clock monitoring by neighbourhood committees combined with surveillance cameras and other tools linked into a centralised, automated system. This has been extended into the field of ideology, which includes the media and journalists. The media have all become potential targets for official attempts to maintain stability.

At the beginning of 2013, events at Guangzhou magazine *Southern Weekly* and the protests they

sparked raised the curtain for what followed among media personnel. Guangdong Province's Propaganda Department heavily interfered with the magazine's New Year Dedication, turning it into a propaganda message. This sparked a strong protest by the magazine's employees, as well as fellow journalists. They staged an online protest calling for protection of "media independence". As the incident festered online, supporters gathered support "off-line" as well, and a rally was held outside the office of the magazine's parent company to protest at official censorship. The action showed that ideas could spread among citizens from the "online" world to the real, "off-line" world. Official suppression of such acts, of course, continued without mercy. In the current circumstances, civil disobedience and protests are all eventually suppressed.

Over the years, the Chinese government has used the police, the Procuratorate (the investigating and prosecuting agency) and the Courts – commonly known as the "Political and Legal Mouths" – as the main force to suppress civil disobedience. Control of public opinion and media practitioners is carried out by the Central Propaganda Department, led by the Propaganda Department and the State Council Information Office's News Publishing System, known as "Propaganda Mouth". For a long time, the "Political and Legal Mouth" has been responsible for maintaining stability in the "real" world, while the "Propaganda Mouth" has been exercising supervision in the field of ideology as well as media and opinion control.

During 2013, to cope with the convergence of ideas from "on-line" and "off-line", the Party and the Government brought the "Propaganda Mouth" together with the "Political and Legal Mouth" to purge opinion and opposition forces among civilians, as was done during the "Jasmine Movement". Regarding "internal contradictions", such as among public opinion and the press, ideology had to be restructured and the dominance of public opinion firmly grasped, in order to eradicate dissent and ensure official views were in control.

In accordance with this logic, in September 2013, the Chinese Supreme People's Court and the Supreme People's Procuratorate jointly issued a judicial interpretation that was proof of the convergence of the "Political and Legal Mouth" and the "Propaganda Mouth". The new interpretation stipulated that if defamatory information on the internet is clicked and viewed more than 5,000 times, or is forwarded more than 500 times, it will be interpreted as a breach of Penal Code Article 246, paragraph 1, and may be classified as "serious" and constituting criminal libel.

Anyone with the slightest sense of the rule of law can see that "the two Supreme Courts" have given a political overtone to the so-called "500 forwards" rule, as it was dubbed by netizens. The new rule publicly established the convergence of the repression by the "Political and Legal Mouth" and the "Propaganda Mouth". After the new judicial interpretation was announced, the police launched a "Net Cleansing Action" to fight cybercrime and cyber defamation. Its true aim – to suppress on-line opinion – was more than clear. In the "Net Cleansing Action", internet users suspected of criminal remarks, or "Big V" internet celebrities known for writing under their true names, were successfully shocked and awed. The chilling effect was quickly felt. This was exemplified by the disastrous flood in Yuyao City, Zhejiang Province, in October, when information related to the disaster did not receive the attention it deserved on the internet, in contrast

how similar disasters have been discussed in the past.

In the arena of journalism and communication, the power of combining the "Propaganda Mouth" and the "Political and Legal Mouth" was demonstrated by the "Xia Junfeng case", the "Chen Baocheng case", the "Xue Manzi case", the "Chen Yongzhou case", and others. In these events, the two branches of government jointly carried out purges in order to achieve control of public opinion. So, how effective was that "joint enforcement"? The answer to that question can be seen in the dimming effect in the media in China this year. A joint-publication "On the news front: In-depth training to exemplify the Marxist views", by the Central Propaganda Department, the Central Foreign Affairs Office, the State Press and Publication Administration of Radio, and the All-China Journalists Association also showed that from June 2013 to January 2014, journalists in China received training to refocus their minds on Marxism. This showed the power of the converging "mouths" to indoctrinate journalists. Seen from this perspective, the situation faced by journalists in China does not inspire optimism.

How will the future turn out? The most optimistic view is naturally that both the "Propaganda Mouth" and "Political and Legal Mouth" will return to their previous positions. Even if repression remains in force, this would give citizens some respite. However, we have not yet seen any such signs of hope.

fact, the change was not the only case of interference. A former editor said 1034 stories were censored in 2012.

On December 23, 2012, editor-in-chief Huang suggested the idea of using "Chinese Dream" as the topic of the special edition in place of the original idea was put forward by the editorial department. Huang voluntarily asked the editorial department to submit the proposal to the Provincial Propaganda Department for approval on December 24. The Department made several amendments two days later, including asking the *Weekly* not to mention former supreme leader Mao Zedong.

On December 29, a *Southern Weekly* comment writer, Dai Zhiyong, wrote an article with the title of "Chinese Dream, Constitutional Dream" and submitted it to editor-in-chief Huang Can. Huang was dissatisfied with the message of the article because it laid too much emphasis on constitutionalism. Shi Zhe, the head of the editorial department, then took up the task and revised the message on December 31. He changed the title to "Chinese Dream, Difficult Dream". Huang voluntarily submitted the revised article to the Department on the same day.

The Department then changed the title to “Dream Make Life Shine” which was in line with the “Positive Report” rule demanded by the authorities. At the same time, some articles were deleted. These included reports on a teenager participating in a protest in Shifang, and on Zhang Jing, the widow of Xia Junfeng, who was sentenced to death after he was accused of killing government officials in a government building. Xia denied the charge and said he acted in self-defence because he was being beaten up by the officials during his interrogation. In the end, the original 16-page special edition became a 12-page edition.

On January 3, some of the journalists at *Southern Weekly* used their microblogs to protest against the actions of Tuo Zhen, the Minister of Provincial Propaganda Department of Guangdong Province, in influencing editorial independence. The microblogs were either suspended or not allowed to post messages. The following day, about 50 former employees of *Southern Weekly* issued a joint statement demanding that Tuo resign.

On the night of January 5, an urgent meeting was held between the editorial board, editor-in-chief Huang and the deputy editor-in-chief. Huang reported what had happened. Although management and the employees appeared to have reached an agreement, Wu Wei, the administrator of the media outlet’s microblog account, was forced to hand over the password of the account. A clarification was immediately posted on the account in which the board said: “The rumours on the internet are untrue. We apologise to you for the mistakes we made due to the negligence.” This was immediately refuted by journalists via the microblog, prompting a number of business desk staff members to go on a labour strike.

Meanwhile, the state-owned media outlets *People’s Daily* and *Global Times* continued using their editorial pages to whitewash the incident. On January 7, *Global Times* published an article headed “*Southern Weekly*: To our Readers” The article claimed blind activist Chen Guangcheng supported the incident, and said that the so-called “free media” cannot exist within the socio-political reality of China today. The Central Propaganda Department immediately called on the media to republish the *Global Times* editorial the following day. Although some media outlets published the editorial,

online corporation Sina.com and microblog site Tencent added a note at the bottom of the article that it did “not represent their own views”.

Two newspapers, *The New Beijing Newspaper* and *Xiaoxiang Morning News*, initially refused to republish the article. On January 8, Yan Liqiang, the assistant minister of the Beijing Propaganda Department, went to the editorial room of *New Beijing* to demand that Dai Zigeng, the editor-in-chief, republish it, but Dai refused. He said the editors had put the decision to a vote and the result was to “not republish”. Yan Liqiang then threatened: “You must republish the editorial, otherwise we will dismiss the newspaper.” The editorial was finally published but without the name of the responsible editor. Dai resigned verbally in front of Yan but his resignation was not approved. *Xiaoxiang Morning News* was criticized by the Central Propaganda Department after it refused to republish the editorial on January 8. Although the newspaper did publish it the next day, January 9, the editor placed another article with an advertisement next to editorial in order to make fun of the incident.

The incident drew international media coverage and many academics, celebrities and ordinary people either posted a supporting message online or protested in front of the Southern Group offices, starting on January 7. However, on January 10, Guangzhou police cracked down on the protest. The Ministry of Foreign Affairs spokesperson, Hua Chungying, continues to deny that there is any media censorship in China. Guangdong’s provincial propaganda minister, Tuo Zhen, remains in his position, while Huang was promoted to the new position of chief executive officer of *Southern Weekly*. By contrast, a number of veteran journalists voluntarily resigned after the incident.

Journalists strike for a living wage

The other labour strike was held at *Lanzhou Morning Post* in Gansu Province in protest at the extremely low wages paid to the journalists. According to a Central News Agency report on May 18, employees at the *Lanzhou Morning Post*, one of the largest newspapers in Gansu Province, went on strike on May 16. The report said about 100 media personnel went on strike seeking improved pay. It said a journalist can earn around 2000



The *Southern Weekly* incident caused international concern. Many journalists, including a Macau reporter, and ordinary citizens, found ways to express their support for the mainland journalists. (Image provided by Macau Journalists Association)

yuan (around US\$200) a month, but the basic salary of each journalist is around 400 yuan (around US\$50), which does not provide a sustainable livelihood. The strike ended when management promised to increase salaries, without specifying the size of the increase. The IFJ is concerned because the media industry is highly competitive. While the Chinese government encourages acquisitions and consolidation in the industry, it is difficult for small scale and very local media outlets to survive. In addition, it is very easy to make excuses for journalists' practice of accepting "red envelopes", meaning money given by the business sector after journalists attend a press conference. A similar case involved journalist Chen Yongzhou, of *New Express Newspaper*, who confessed on television that he had accepted money to write reports.

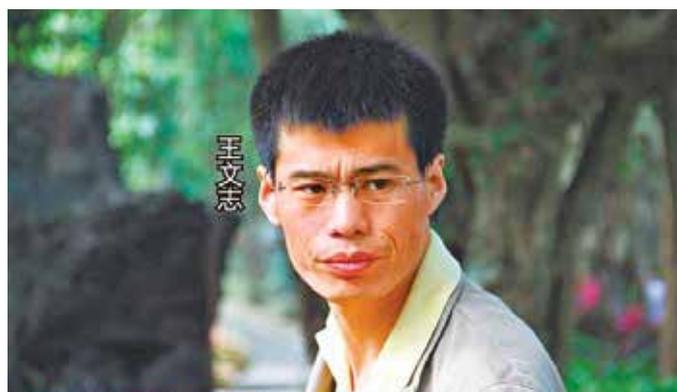
The IFJ supports the principle that every journalist should receive payment that provides an adequate

standard of living. Journalists should be free to exercise their right to fight for their benefits, including by initiating labour strikes. There should be no retaliation after journalists fight for their rights and their benefits. We strongly believe that if journalists are not paid fairly, there will be room for people to use money to compromise the media's editorial independence. After Chen Yongzhou's case was disclosed, several media personnel reopened the discussion on the ethics of the media in China. In fact China has media ethics, but the government demands that journalists uphold the ideology of Socialism, not focus on professional standards.

The IFJ condemns any attempt by political or business interests to interfere with the editorial independence of any media outlet. We commend the journalists of *Southern Weekly* and other media workers who refused or found ways not to follow the authorities'

directives. The IFJ believe these media workers have set a responsible and brave example for all media to learn from. Unfortunately, it is clear that the authorities did not listen.

The IFJ urges China to ratify the International Covenant on Civil and Political Rights, which it signed more than 15 years ago and which is enshrined in the Chinese Constitution, to ensure press freedom can be implemented. At the same time, we urge China to fully implement the International Covenant on Economic, Social and Cultural Rights, which it ratified in 2001, so that journalists can exercise their rights to receive adequate payment for their work and enjoy a reasonable standard of living, and can fight for their benefits, including by labour strikes. In addition, we urge the All Chinese Journalists Association to take up their responsibilities to fight for the rights of journalists.



#知名财经副部级官员宋林请辞# 尊敬的中共委领导：本人王文志，现为新华社《经济参考报》首席记者，现以公民的身份实名举报副部级官员华闻集团董事长宋林等高管在收购山西金山资产的百亿并购案中故意放水，致使数十亿元国有资产流失，宋林等已构成渎职，并有巨额贪腐之嫌，具体见长微博。

Wang Wenzhi, the chief reporter of *Economic Information* magazine, a subsidiary of state-owned media outlet Xinhua, filed a complaint against a Hong Kong-listed company and voluntarily provided journalistic materials to the Central Commission for Discipline Inspection of the Communist Party of China to help it investigate the case. (Image: Online)

Journalists become an arm of law enforcement

A disturbing trend emerged of journalists filing complaints with the Central Government or the Communist Party and voluntarily providing evidence to law enforcement bodies. Some Mainland journalists were responding to the authorities' call for citizens to "expose disciplinary and legal violations of others under the real name system through the internet".

On July 17, Wang Wenzhi, chief reporter of *Economic Information* magazine, a subsidiary of state-owned media outlet Xinhua, filed a complaint against a Hong Kong-listed company, China Resources, via his microblog. Wang said that a relevant article had been published on *Economic Information* on July 5, but there was no response from the authorities. Therefore Wang chose to use the microblog account he holds in his real name to post a letter addressed to the Central Commission for Discipline Inspection of the Communist Party of China, asking the committee to investigate China Resources. After the complaint was published, China Resources denied the allegation. However, according to various Hong Kong media reports, Wang said he would stop further disclosure of any information against the listed company if the Mainland law enforcement officers asked him for evidence. Since the complaint was filed, there have been no further reports about Wang, including the result of investigation after Central Commission for Discipline Inspection of the Communist Party of China.

In a related matter, shareholders of China Resources filed a civil case against the company in the Hong Kong High Court. In August, a former Mainland journalist, Li Jianjun, came to Hong Kong and prepared a large amount of material relating to the case and lodged a complaint against China Resources with the Independent Commission Against Corruption of Hong Kong. It was reported that Li lodged a formal complaint under his real name microblog, but no authority replied. An unverified source told IFJ that Li and his wife had left China.

Under the principle of press freedom, the media has a duty to protect sources of information, rather than to assist law enforcement officers to conduct their duties. "Media and law enforcement officers have different duties in a democratic society, and the media should not confuse them," the IFJ said.

Although not all journalists suffered the same consequences as Li after exposing legal violations, many journalists do not have a stable working environment. Luo Changping, a journalist who formally filed a corruption complaint against Liu Tienan, the former deputy head of the National Development and Reform Commission and head of the Nation Energy



Li Jianjun, a former Mainland journalist, publicly lodged a complaint against the listed company and came to Hong Kong to provide information to the Independent Commission Against Corruption. (Image provided by the photographer)

Administration in 2012, was demoted from deputy editor of *Caixin* magazine to a position in a research institute after he made a speech when accepting an award in Germany on November 8. *Caixin's* parent company denied Luo was demoted and said the transfer was “a normal position change”. However, the research institute was established only in September with a vague strategy, according to an online media report on November 28, 2013. Luo used his real name when complaining about Liu through his weibo, or “microblog” account in December 2012. It was claimed that Liu had taken bribes, faked his master’s degree and conducted extra-marital affairs. After the complaint, Luo was put under pressure and prevented from using his microblog. Liu was sacked in May 2013. In November 2013, Luo was presented with a press award in Germany. In his speech, he described the situation of corruption in China as being similar to air pollution. He also said that even very senior Government officials were unable to get information about the Bo Xilai scandal in 2012 because traditional media “monopolized” all the information. It has been widely speculated that Luo’s demotion to the new research institute was related to his speech.

Information blackouts threaten public health

The routine suppression of information continued in 2013, even in cases with implications for public health and safety. These included instances of an infectious disease, a fire, sexual exploitation, an oil leak, and corruption the case of former security tsar Zhou Yongkang, one of Beijing’s most powerful politicians,

who recently retired as a member of the Central Politburo Standing Committee of the Communist Party of China.

From March 5 onward, dramatic numbers of pig carcasses were discovered in waterways around the districts of Songjiang, Jinshan, Minhang and Fengxian, Shanghai, and Zhejiang province. On March 14, media outlets received an order from the Central Propaganda Department prohibiting independent reporting and commentary on the issue. Instead, media outlets were directed to republish Xinhua’s reports. Although the authorities denied having found any viruses in the water or any incidents that affected humans, they did not report whether they had conducted a thorough investigation. According to Chapter 3 of the Animal Epidemic Prevention Law, the authorities have a duty to report outbreaks to the public in a timely fashion.

At least six people died after an outbreak of a strain of avian influenza, but there was a delay in informing the public at the beginning of the outbreak. On March 31, the National Health and Family Planning Commission announced that three patients were infected by H7N9 avian influenza, with two people reported dead in Shanghai, while the third case, in Anhui, was still in a critical condition. Between April 2 and 5, four more people were reported affected in Shanghai and East China. The total number of infections over the period of the outbreak was 21, according to an announcement by the Commission on April 8. The earliest infection was reported on February 19 and the patient died on March 4, but the death was not announced by the National Health and Family Planning Commission until March 31. According to *Southern Metropolis* newspaper, the first case of avian flu was confirmed on March 4, but the Government of Shanghai called it a “rumour” on March 8. When queried about the delay in releasing the information, the Commission said the virus did not fall into the category that was required to be announced to the public under Chinese law. However, according to Chapter 3 of the Law of Prevention and Treatment of Infectious Diseases and Chapter 2 of Regulations of the People’s Republic of China on Open Government Information, all departments have a responsibility to report unidentified infectious diseases in a timely manner when the information involves the vital interests of citizens.

On May 3, a woman named Yuan Liya was found dead outside Jingwen shopping centre in Beijing. Police said Yuan had jumped from the shopping centre, but her parents suspected she was killed after she was raped by several security guards during the night. On May 8 the media was instructed to republish a statement issued by the Beijing Police and further ordered that no information could be gathered from independent sources. All online news sites were told to downplay the case and social microblogs were required to remove all related news items.

On May 14, media outlets disclosed that several primary school principals were involved in scandals involving sexual exploitation of minors. All of the alleged victims were primary school students. Some bloggers initiated a campaign aimed at protecting children, but the authorities demanded that the media downplay both the scandal and the campaign.

On June 3, a deadly fire broke out in a slaughterhouse in Mishazi township, Dehui City, Jilin Province. The fire killed 120 people and 77 were hospitalised. The Central Propaganda Department immediately ordered the media to limit themselves to republishing reports issued by the state-owned media outlet Xinhua, and no independent reporting was allowed.



An activist legal scholar, Xu Zhiyong, who represents the New Citizens' Movement, was prosecuted by the Beijing authorities after he and other members of the Movement asked for fair rights to education and disclosure of officials' assets. (Image: Online)

The Central Propaganda Department issued an order to all media not to report on the detention of an activist legal scholar, Xu Zhiyong, who represents the New Citizen's Movement. On July 16, Xu was formally arrested by Beijing police on an accusation of disturbing public order after he had been under house arrest for three months. Xu has been pressing the Government officials to disclose their assets. He was the founder of the Open Constitution Institute, which was forced to shut down after the authorities did not issue a permit for an independent non-governmental organization.

On July 18, the Transition Institute, a non-government think tank, was ransacked by about 20 people from the Beijing Civil Affairs Bureau and the police, on the allegation that the Institute was "illegal" because no license had been issued by the Bureau. The officers confiscated 600 copies of publications without giving a clear explanation for their actions.

On October 10, Britain's *The Telegraph* newspaper reported that Li Xiaolin, daughter of former Premier of China Li Peng, allegedly helped arrange a multi-million dollar deal in 1995 for Swiss giant Zurich Insurance to buy New China Life. After the deal, it was reported that Zurich gave \$16.9 million as a "good faith fee" to the businessmen who were involved, and some of the money was used to bribe government officials to allow the deal. Li and the China Power International Development denied the accusation on October 13. Following the statements, the name "Li Xiaolin" was officially designated as a "banned word". This meant that nobody was able to post any messages that mentioned this name, and relevant reports were removed from online.

On October 21, China's state-owned media CCTV published information on its twitter account that one of China's highest ranking politicians, Zhou Yongkang, was under investigation by the authorities. Zhou was in charge of the security, judiciary and legal systems in China when he was a member of the Central Politburo Standing Committee of the Communist Party of China. The information reinforced the rumours that had been swirling for months that Zhou had been investigated by a special unit formed on the order of President Xi Jinping to investigate his activities, including corruption, abuse of power, his connections with a fatal car accident



A rumour spread that one of China's highest-ranking politicians, Zhou Yongkang, was under investigation by the authorities, drawing public and international media attention, but the authorities did not respond to the rumour. (Image: Online)

involving his wife, and his relationship with disgraced party leader Bo Xilai. However CCTV immediately deleted the information and said it was "incorrect". A spokeswoman for CCTV said the account had been hacked but did not elaborate. No relevant information about Zhou was seen after that, except that he attended some public events, until a Taiwan-based newspaper, *United Daily News*, reported on December 2 that Zhou had been detained by the Central Commission for Discipline Inspection of the Communist Party of China. Not a single report about Zhou was published in the Mainland media, even though media workers had significant amounts of information about him. Mainland media reported only that people who allegedly had strong ties with Zhou were under investigation by the authorities. A journalist told the IFJ that the media understood they could not report on Zhou, or republish other media outlet's reports, because it was the most sensitive political case in China. As usual, the media could not report anything about the senior leaders of China. Twitter is censored in China but quite a number of state institutions, including CCTV, have opened twitter accounts to reach their foreign audiences.

The majority of moves to block media reporting came from provincial propaganda departments and the commercial sector. On November 22, a deadly oil leak in Qingdao City, Shandong Province occurred, killing at least 52 people. Many people remained missing and 18,000 residents were evacuated. The accident happened around midnight on November 21, when oil began leaking from an underground pipeline in

Huangdao District. However, no information was released by the local Government or the company, China Petroleum and Chemical Corporation (Sinopec), a company listed in Hong Kong, Shanghai and New York, according to *Beijing Youth Daily*. According to Hong Kong-based newspaper *Ming Pao*, journalists were prevented from entering the scene and interviewing victims, who were visited by President Xi Jinping. It also said that some newspapers in Qingdao City did not report the news on their front page. Many citizens queried whether this action was ordered by the local government.

Journalists assaulted by thugs, officials, police

Attacks on journalists continued in 2013. Some of the attackers were even government officials or people who had relationships with the local government officials. On May 29, Feng, a journalist with the Shanxi *Science and Technology Views* newspaper, was attacked by two men with a knife after he refused to accept a bribe while investigating an illegal land eviction in Jingbian County, Yulin City, Yuyang District. During the attack, the two assailants said: "Who asked you to be so nosy?" The journalist said he was attacked while meeting the deputy minister of the local propaganda department in his hotel room. The deputy minister did not suffer any injuries but the journalist suffered seven wounds.

On May 30, two journalists from *New West* magazine were threatened and attacked by several people on the instructions of the Department of Land and Resources of Shanxi Province. *People's Daily* said the journalists were investigating suspected illegal gold mining in Tongguan County, Weinan City. When they sought an explanation from the department, a man who claimed to be the Director of the Department responded: "Do we have to report to the media what we are doing? We have the right not to answer your questions. I can make you die here today." When the two journalists were about to leave, they were stopped and surrounded by the self-styled director and a dozen officers. One of the journalists said his head was punched by the director and other people kicked and punched him all over his body. He suffered multiple injuries.

Journalists Ding Senxing and Cao Zongping of Tencent Online Media were assaulted and illegally detained by

a dozen police officers in Yuelu District, Changsha City, Hunan Province when they investigating an illegal land eviction on June 28. According to a report by ChinaAid, the pair were assaulted and taken away by security bureau and judicial police when they refused to stop taking photos. Bruises were later found on their legs and necks. Ding complained of a subsequent assault when he was taken into a car by police.

According to a report in *New Beijing Newspaper* on July 18, two journalists from Hunan Satellite Television were attacked by several policemen with sticks when they were trying to report on an incident in which it was suspected that a street vendor was beaten to death by urban management officers in Linwu County, Hunan Province. Journalist Li Haitao said he and his colleague Lei Kaim were hit all over their bodies by at least five policemen. Several policemen holding sticks hit Li when he was in the car. During the scuffle, his head was hit five times. Li and Lei suffered from multiple injuries all over their bodies, including head wounds. Their cell phones were either damaged or stolen. Li said one of the policemen threatened them by saying: "No more shooting, otherwise both of you die here."

Four journalists from *News Express Daily* were attacked by unidentified thugs when they investigated an illegal land occupation in Taihe town, Baiyun District, Guangzhou Province. According to a *News Express* report on September 11, the attacks occurred on September 10 when journalists investigated a residential compound developed by an unknown person on a large piece of land, which was suspected of being built illegally. When two journalists were preparing to interview the chief of the village, who originally agreed to be interviewed in a meeting room, a man suddenly came up to journalist Fu Yuliang and punched his nose. When Fu went to hospital to have his injury xamined, he and his three colleagues were assaulted for half an hour by six people who were believed to belong to the same group. Police later arrested four people.

Journalists lose jobs; publisher loses licence

Several journalists were punished for independent reporting by being dismissed or suspended from their positions, while a media company that published a

critical article had its licence cancelled and was refused permission to go ahead with a an offering of shares on the stock exchange.

Deng Yuwen, deputy editor of *Study Times*, a weekly journal of the Communist Central Party School, was suspended from his position after he wrote an article in the *Financial Times* online on February 27 urging China to abandon its support for North Korea. According to an April 2 report in *The New York Times*, Deng told the South Korean newspaper *Chosun Libo* that he received a complaint from the Foreign Ministry after the *Financial Times* published his article. In the article, he gave five reasons to support his argument that China should abandon its support for North Korea. He suggested that China should encourage and pursue the unification of Korea and further stated that if Korea unified, it would reduce the chances of an alliance being formed between the US, Korea and Japan. He also suggested that the tensions faced by China in North-Eastern Asia would be reduced and that a satisfactory resolution of the situation vis a vis Taiwan could be achieved through this policy.

Lens magazine, published by the SEEC Media Group, was punished after it published a report on the abuse of power by officials in Liaoning labour camp. In its April 6 issue, the magazine reported that a number of women detainees in the Masanjia labour camp had been tortured by officials. The local government ordered an inquiry and put it out through official media outlets that the allegations had been found baseless, although it did not release the full report. Media outlets were asked not to republish the article or comment any further on the allegations it had made. Soon afterwards, the magazine's licence to publish was suspended. The IFJ Asia-Pacific Office described this as a clear case of "indirect suppression" of media freedom.

Another journalist was sacked because he disagreed with his employer, state-owned television station CCTV, about airing the televised confession of a blogger. Wang Qinglei, producer of the program "24 hours", was sacked after he used his weibo microblog account to publicly criticize CCTV's airing of Chinese-American businessman and blogger Charles Xue's televised confession that he used prostitutes. Wang reminded

Do Chinese Media Personnel Want Organized Protests or Institutional Survival?

Tien Fang

For media personnel in China, 2013 was an unusual year. The independent journalists' struggle to oppose official tampering with *Southern Weekly's* New Year Dedication was the prelude to a purge of freedom of speech.

The Southern Newspaper Group is never short of "excessive reports" to challenge censorship, such as the disclosure of the Project Hope scam in *Southern Weekend*, and reports on how the SARS epidemic was concealed by officials in *Southern Metropolitan Daily*. The papers pay the price for this independence when the responsible editorial supervisors are replaced. The tipping point seems to have been the report of the death in 2003 of student Sun Zhi-gang, which exposed the fraudulent detention and repatriation system. Because of the offence caused to Guangzhou officials in the political and legal system, the newspaper group's general manager, Yu Hua-feng, and managing editor, Cheng Yi-zhong, were sent to jail.

In general, when punishment from the authorities is triggered by "excessive reports" such as the SARS case mentioned above, media organizations ask their staff to remain silent, and not to disclose any information to outsiders or accept any interviews from foreign media, so that they are not seen as colluding with external forces. Moreover, struggle within the system is also very limited. Under normal circumstances, there will be a petition, jointly signed by the staffers within the newspaper, expressing their aspirations and desires to the editor, publisher and supervisors. It is highly unusual for them to express discontent via editorial headlines or the content of articles, let alone through a collective strike. Regrettably, when the black hand of censorship reaches into the editorial department, even the most courageous among the Southern Newspaper Group personnel tend to adopt a silent, obedient attitude and give "face" to the authorities.

Obviously, it drives people crazy when these events cannot be fully explained at the public level. Even editors inside the group cannot get proper communication and a clear version of what happened. In spite of this, as media people are becoming more familiar with social media communication tools, such as microblogs and WeChat, social mobilization is occurring more frequently. As a result, the struggle within the system is still very hard to maintain and its significance is confined.

Let's take as an example what happened to *Southern Weekend's* 2013 New Year Dedication Message. Many editorial staff of the Southern Newspaper Group expressed discontent with the increasingly stringent censorship of Tuo Zhen, the newly-appointed Chief of the Guangdong Provincial Party Committee Propaganda Department. The opportune moment came when the New Year dedication was altered during an abnormal editing process. At first, the "alteration" was disclosed by a few investigative reporters on microblogs, followed up by *Southern Weekly's* editorial department, and leaked to non-media people, spreading even to entertainment circles and gaining support from celebrities. Southern Newspaper Group reporters and editors then initiated petitions in three waves, of which the main force comprised former *Southern Weekly* editors and reporters, then the Southern Newspaper Group's editorial staff, and then the public. The campaign carefully narrowed its sights and identified its target as the newly appointed provincial propaganda minister Tuo Zhen, and called for his tyranny to be reviewed. Slogans such as "Drive Tuo out, Guard Constitution" were displayed during the struggle.

The New Year Dedication incident was fanned by microblogs and other social media. However, while the incident became the media focus at home and abroad, the magazine's internal struggle slipped into the traditional pattern: lips sealed externally, complaint lodged internally. Even those who risked their jobs and signed the petition, and those who worked within the Southern Newspaper Group in *Southern Metropolitan Daily*, *Southern People Weekly* and the like, could not obtain further

information from their *Southern Weekly* colleagues. Even questions about the core facts of the incident – such as how the propaganda minister, Tuo Zhen, tampered with the magazine’s New Year message, or who should be held responsible for errors that appeared in the final text – went unanswered. Several core editorial staff also refused to stand up publicly and testify, for fear of retaliation. As those implementing Tuo Zhen’s instruction were reluctant to respond, things fell into a state of anxiety. In the non-democratic political environment within the system generating the protest, the Southern Newspaper Group’s editors were forced to give up their external interaction. They fell into an information black hole with their ineffective internal complaints, and later plunged into a so-called “prisoner’s dilemma”, as they tried to work out the best course of action without being able to communicate with their fellow “prisoners”.

As the incident gathered speed on microblogs, the Southern Newspaper personnel demonstrated their solidarity, gathering outside the office compound. Momentum grew as they first displayed placards sporadically, and was then beefed up by social media calling for a gathering outside the newspaper group’s office compound on January 7, the paper’s first day back to work after the New Year break. In the end, a breakthrough occurred on the evening of January 6, when senior executives of the newspaper group issued a statement on its official microblog, assuming responsibility for the “alteration”, and said it was the work of “a senior in charge of the newspaper”, in the hope of distancing themselves from propaganda chief Tuo Zhen.

Such irrational rhetoric only caused more uproar from the editorial department, as they believed it went beyond their moral bottom line. As a result, many signed the petition to call for a strike. (Even so, many editors I contacted later complained to me in private that they actually did not quite understand how the process was working, and how it ended up in a strike.) In spite of this, “strike” is a word that never appeared on the petition, which was finally published as an open letter. In the letter, the wording of “editorial

autonomy” was also different from the public’s demand for “press freedom”. It remained a complete explanation to reflect what media personnel in the Southern Newspaper Group had fought for.

However, will this case be viewed as an independent struggle, or a Nirvana to *Southern Weekend* or even to media people in China as a whole? The situation does not give cause for optimism.

Southern Newspaper Group adheres to “market-oriented economy, political democratization, diversity and humane society” and has been labeled as “anti-universal values” due to its coverage of the Lhasa riots in 2008, the Olympic year. For such adherence, it has even been dubbed “unpatriotic” by left-wingers. In early 2011, amidst the Jasmine Revolution in the Middle East and the heat of on-line support gathered from the Chinese internet community, the authorities sent hundreds of police and plainclothes officers into the Southern Newspaper Group’s office compound on three consecutive weekends, citing crisis preparedness. Therefore, the fact that the 2013 “alteration” incident evolved into a collective “strike” will undoubtedly be seen as a challenge to the stability of President Xi Jinping’s government. It will ultimately be characterized as a collective action of “anti-Party and anti-socialist” people, resulting in the leadership of both the Southern Newspaper Group and other “market-oriented” newspaper being reorganized and their management replaced by party leaders. Traditionally, those involved are not committee members-in-charge of areas of responsibility in the Communist Party, and some just join the Party to get advantage in work promotion. This is one important symbol of how the liberals’ stronghold, the Southern Newspaper Group, is now being institutionalized in order to survive.

Under the slogan of the renaissance of the “Chinese Dream”, official purges of free speech continued. The Chinese authorities, while increasingly tightening control of public opinion, are fully aware of the urgent need to curb media autonomy. Chinese journalists have faced a tough choice over whether to protest in an organized manner or to survive as an institution.

Before and after the Third Plenary Session of the 18th Central Committee of the Communist Party of China, two newspaper groups were merged on an administrative level. Rumour has it that traditional media practitioners will be incorporated into the civil service.

We can see positive signs in all the attempts in 2013 to break out, as more and more people are joining the Chinese media from writing platforms, such is their effort to go independent, and to return to being independent media persons. We wish them good luck!

his followers that the media should not act as if it were judge and jury. On December 2, the media reported that Wang had been sacked, and cited his open letter which had been uploaded to his weibo account. In the letter, Wang said the stifling environment of his workplace contorted him, making his work an unceasing struggle and agony. He also quoted his co-workers' laments: "Over all these years, there have been editors, reporters, producers, and directors who have been suspended because of stories, but you are the first producer who has been fired for speaking your true feelings! What is wrong with CCTV these days?" Wang said he believed that CCTV's move conveyed a simple message – "Kill one to warn a hundred" and "The method they can use to fetter everyone's thinking" – but he believed it was futile. He trusted that many people at CCTV were like him, but he was the one who dared to speak out. In a report on *China Digital Times*, Wang said when he was interviewed that CCTV journalists receive up to 1,000 directives each year from propaganda officials. Wang had previously been suspended from his position after he reported critically on the collision of two high-speed trains in Wenzhou, Zhejiang province, in 2011. He raised the question of whether the Ministry of Railways was seeking to build a reputation for developing a very fast train, at the expense of passengers' safety.

Independent reporting banned in sensitive zones

The media are still prevented from entering Xinjiang and Tibet, so no independent reports about these autonomous zones appeared in China. In 2013, a number of so-called terrorist attacks occurred in Xinjiang, but it was difficult for outsiders to learn the details of the incidents. It was difficult to gain access to any independent information from Tibet throughout the entire year.

A deadly attack described as "terrorist" in intent occurred in Xinjiang Province on April 23, leaving 21 people dead. Information about this matter of great public importance was very limited and tightly controlled by the government. According to Xinhua news agency and *Global Times*, which are controlled by the State and the Communist Party respectively, 15 civilians and police officers from all three major ethnic groups in the province were killed, along with six alleged terrorist attackers. On April 30, Xinjiang police claimed they had captured 19 suspects from the regions of Kashgar, Urumqi and Bayingolin in Mongolia. Police said the terrorist group was established in September 2012 and had planned to "do something big" in populated public areas in Kashgar in summer. At the time of the incident, police claimed, the group was spotted making explosives. The information released by the Xinjiang authorities has not been independently verified. A Chinese mainland journalist observed in this connection that media are aware of the need to be careful when relying on official sources for news from Tibet, Xinjiang and Mongolia. It is very easy to be accused of "separatism" if the journalists seek out alternative news sources. In 2008, a journalist named Chen Ping was fired from his job after writing an article about unrest in Tibet in an online news portal.

On June 26, in the lead-up to the fourth anniversary of the start of ethnic violence in Xinjiang Province, a series of incidents began, but the exact number of casualties and the causes of the incidents have not been publicly acknowledged in China's media. According to various Xinjiang newspaper reports, the Xinjiang government labelled the incidents "terrorist attacks" without offering any evidence for the claim. The incidents went unreported except in the English language edition of Xinhua. When that report was re-published by Tencent Online Media and Sina.com, it was immediately

deleted. According to the BBC and AFP, journalists have been prevented from entering the affected areas and police have confiscated cameras.

The first attack occurred in Lukqun township, Shanshan County, Turpan Prefecture City, where it was reported 35 people were killed. Two days later, a second attack was reported in Hanerik Township in Hotan County and Karakax County (Moyu County). According to a *Global Times* report, 100 Uyghurs attacked a police station after “gathering at local religious venues”, leading to several casualties, but the report did not specify the cause of the attack. According to a Radio Free Asia report, the attack was provoked when a local imam was forced to keep his sermons “in line with political thinking”. This led to a police raid on the local mosque, which in turn triggered a street protest by hundreds of Uyghurs. It was reported that many civilians and policemen were killed and injured. Another incident occurred in Saimachang, Tianshan District, Urumqi. According to the *Global Times* report, 200 people “attempted to incite trouble” but no explanation was given regarding the cause of the incident.



All media outlets in Xinjiang published the same content put out by the state propaganda department, thus losing credibility with society. (Image: Online)

Various overseas media outlets report the Xinjiang Government had started to arrest and interrogate hundreds of Uyghur people after the attacks. According to the Xinjiang Government’s portal Tianshan.net, 26 people were punished by the security bureau in Changji City for allegedly “spreading rumours”. They were punished with an unspecified period of detention. During the unrest, social media sites including QQ, WeChat, weibo and a tool for embedding images in messages came under scrutiny, and the security bureau prevented them from being used. Paramilitary forces and police patrolled the streets, school areas and hotels around the clock. When tourists took photos of the police, they forced the tourists to delete all the images and gave warnings. All outsiders had to register their identities, even when they were residing in private residential compounds. The authorities also interrogated Uyghurs when they found them in the company of outsiders. Many road blocks were set up, and many people, in particular Uyghurs, had their identity documents checked by security personnel. During the period of unrest, all media in Xinjiang published the same authorised content, which emphasized that people in Xinjiang had to follow the decisions of the Central Politburo Standing Committee of the Communist Party of China (CPC) that people must make sure their thoughts and actions are in line with the Committee. The IFJ believes these heavy-handed actions by the Central Politburo Standing Committee of the CPC deprived the people of their right to know, as well as their access to information and freedom of thought. These rights are enshrined in Chinese law. Many ordinary Uyghurs in Xinjiang were distressed, because they felt that not only had they lost their freedom of expression, but they were also being labelled “terrorists” merely because of their ethnic identity.

On October 28, a car accident in Beijing’s Tiananmen Square was classified as a terrorist attack by the authorities. The accident occurred in Tiananmen Square when a jeep crashed into the Jinshui Bridge outside the southern gate of the Forbidden City and burst into flames, killing five people and injuring 38, including a number of tourists. Mainland media received an order from the authorities immediately after the incident demanding that they only republish the report from

Xinhua. According to a report in Hong Kong-based newspaper *Ming Pao*, the order said the report could not be published on the front page of a newspaper or a website, and that all relevant messages posted on the internet should be monitored and deleted if there they were sensitive. The Beijing police categorized the accident as a terrorist attack several days later, but gave no reason for this decision. Even foreign and Hong Kong journalists covering the accident were blocked by police. Photographers were forced to delete images and internet service speeds suddenly slowed down, creating a major problem for the foreign media sending out video footage and images. On November 24, Reuters reported that a Parti islamique du Turkestan claimed that they were responsible for the attack in Tiananmen Square.

On November 15, all mainland media reported that the Political Bureau of the Central Committee of the Communist Party of China had made a number of decisions during the third plenary session of the 18th CPC Central Committee on November 9 to 12. The reports said that a National Security Commission would be set up and there would be a crackdown on the

internet in order to ensure state security and social stability. In this political situation, the Central Authority has beefed up its surveillance capabilities with new technology to track communications. This was widely reported to be aimed at Xinjiang and Tibetan ethnic groups.

On November 21, Hong Kong-based newspaper *South China Morning Post* quoted Ding Xiaoqing, a professor at Tsinghua University's Centre for Intelligent Image and Document Information Processing, who heads the team developing the new technology, as saying: "With the help of our technology, they can have first-hand, real-time access to intelligence information." Ding added that the technology can translate the language of every major ethnic minority in China, and supports other overseas languages such as Arabic and Japanese. She also said a more robust monitoring system might have identified the warning signs, especially messages embedded in images. "An increasing number of messages are passed around on the internet in image format to dodge the government's surveillance. Most of the equipment in use these days cannot deal with such information."

FOREIGN JOURNALISTS IN CHINA

Journalists representing foreign media outlets continued to face difficult times, particularly in relation to delays or denials in the grant of working visas. One veteran journalist who has been working in China for 18 years was refused a visa amid suspicions of political censorship. At the same time, a TV crew received death threats when they reported on an urbanization project. A particularly disturbing case related to a foreign journalist who was “harassed” by Chinese authorities even though he was not in China.

The Foreign Correspondents Club of China (FCCC) said it suddenly received a notice from the police that new visa regulations came into force in July which allow the Police Bureau to take twice as many working days as before to consider an application for renewal of a journalist visa. Before the sudden change, police pledged they would aim to take five days to renew a visa, but the process is now taking 15 working days and there is no promise that every applicant can get their visa. Because of the change, it was strongly suspected the authorities were targeting two American media outlets, *The New York Times* and *Bloomberg*, because 23 of their journalists had encountered delays in getting visas after the two media outlets separately published reports about the extraordinary wealth of former Premier Wen Jiabao and his daughter Wen Ruchun, and that of President Xi Jinping’s extended family. The FCC said its board had been trying to negotiate with the Police Bureau, but its efforts were fruitless. The club was told that while journalists are waiting for their visas and press accreditation cards, they cannot travel inside China, even for a holiday at Christmas or New Year.

A journalist representing overseas media outlet Boxun was forced to leave Inner Mongolia on July 10. Wang Ning, who has emigrated to New Zealand, said he had applied for a visa from the local Chinese Embassy in New Zealand 18 times but no application had succeeded. In July, he was able to enter his homeland, Inner Mongolia, to visit his seriously ill parents. However, in the end he was able to stay at home for only three days, because the police took him away on July 10 and interrogated him for a number of hours. On

July 16, he was escorted by Guangzhou police to board a plane back to New Zealand. Wang believes his series of reports revealing cases of human rights violations in China agitated the Central Government of China. During the interrogation, he was denied his legal rights and not allowed to have contact with anyone outside.

US reporter questioned on politics, refused visa

Veteran American journalist Paul Mooney, who has been working in China for 18 years, was prevented from entering China when his application for a working visa was rejected by the Chinese authorities. On November 8, Mooney received a call from his new employer, Thomson Reuter, saying that his application had been refused without any reason being given. In April, Mooney submitted his application to the Chinese Consulate in San Francisco. Mooney, who has been awarded the Human Rights Press Prize, said he was required to attend an interview with an officer in the Consulate. During the interview, the officer questioned him about his previous reports and asked him about human rights, human rights lawyers, blind activist Chen Guangcheng and so-called “Western media bias” and others. At the end of the interview, according to a *Financial Times* report, the official threatened Mooney, saying: “If we give you a visa, we hope you’ll be more balanced with your coverage.” Mooney said he believed the consular officer had done some research about him because the officer was aware of the subjects he had reported on.

The IFJ finds it difficult to understand why the Chinese authorities suddenly delayed the issue of visas without giving any reason and, at the same time, does not allow journalists to enjoy free movement inside China during their holidays. The limiting of freedom of movement is a form of deprivation of people’s right to rest. We are further disappointed that the Chinese authorities refused to issue a working visa to a law-abiding journalist without giving a reason. The decision was made after he was asked several questions relating to his political views. At the same time, a number of media outlets seemed to be targeted because they had made so-called “negative” reports about the authorities. This was clearly political censorship, not a straightforward application of Chinese law.

On the eve of 2013, Christopher Buckley, a journalist for *The New York Times*, went to Hong Kong with his whole family because the central authorities had not granted him a work visa, although he had applied for it seven months earlier. It is suspected that Buckley's work visa was not issued as retaliation for his articles about Premier Wen Jiabao's family wealth and the relationship between Wen and the giant insurance company Ping An Insurance. Similarly, Philip Pan, bureau chief *The New York Times* and author of *Out of Mao's Shadow*, which details the growing inequalities in China, has been waiting for accreditation from Beijing for more than 18 months.

A survey by the Foreign Correspondents Club of China found that 98 per cent of the 232 members of FCCC think reporting conditions in China do not meet international standards and 70 per cent feel conditions were the same in 2013 as in 2012, or worse. The FCCC also noted 63 cases in which police officers or unknown persons impeded foreign journalists from doing their work, including nine cases in which journalists were manhandled or subjected to physical force. Although the number of such cases has fallen, the practice

remains unacceptable. The FCCC is deeply concerned about government retaliation against foreign media workers who have incurred official displeasure, physical threats to journalists when their reports have offended the authorities, the increase in cyber attacks on foreign journalists, continuing restrictions on media travel to the Tibetan-inhabited zones, and harassment of sources of information and Chinese assistants.

Some of the harassment of foreign journalists was life threatening. On February 27, ARD correspondent Christine Adelhardt and four colleagues were attacked by unidentified assailants after they finished filming an urbanization project village in Da Yan Ge Zhuang, Hebei Province. Adelhardt said: "We were filming the village square, where you could see old style farmers' houses next to a newly-built mansion behind a wall and high-rise buildings in the background." A car drew up next to the group and the driver began filming the TV crew. The journalists were forced to leave but while they were driving away, their minivan was followed by four cars which deliberately crashed into the journalists' van. Five or six people surrounded their van, smashing the windscreen with baseball bats. At that stage, two



A van carrying media workers was severely damaged by unidentified people when a crew from German media outlet ARD reported on the urbanization of a village in Hebei Province. (Image provided by journalist)

motorcycle policemen came by and the group asked them for help, but the pursuers ignored the policemen and continued to smash and punch holes in the windscreen, despite the police officers' attempts to control them. Adelhardt said a local resident recognized one of the cars following the journalists as belonging to the village Communist Party secretary.

Beijing car accident triggers reporting blackout

On October 28, an incident later described as a terrorist attack occurred in Beijing's Tiananmen Square which killed five people and injured 38, including several tourists. The accident involved a jeep that crashed into the Jinshui Bridge outside the southern gate of the Forbidden City and burst into flames. After the car accident, many journalists, including representatives of the BBC, AFP, RTHK, Commercial Radio of Hong Kong, TVB and Cable TV, were detained by policemen.

Two AFP photographers and a video journalist were forcibly stopped while riding a scooter in the bicycle lane past Tiananmen Gate. After being apprehended while still moving forward, they were surrounded by 10 to 15 policemen. About eight policemen used force to restrict their movements while attempting to retrieve a memory card from a camera. The journalist did not let go of the camera but after he received a minor injury to his left hand, the policemen were able to get the memory card. They then dragged the group into a police van and drove to a place inside the Forbidden City where their documents were checked and phones and other possessions were confiscated. When they asked whether they were being detained and when could be allowed to leave, police just said "No", without giving any further explanation.

The next day, another photojournalist continued to carry out his responsibility to report on the accident in Tiananmen Square. However, he was detained by police for half an hour and images were deleted. The photographer was told that he was violating a rule which said journalists have to apply for permission in advance when they plan to report at the Square. However, the FCCC has never read or heard of any such rule. Many foreign journalists also found that internet service speeds suddenly slowed down after the incident. "I started to send my file at 3pm but it didn't

go till midnight," a journalist told the IFJ. "I know that quite a number of journalists had to use other channels to send information on this extraordinary event through."

Restrictions, intimidation in Xinjiang and Tibet

Another incident in which journalists were hindered from reporting was the deadly attack in Xinjiang Uyghur Autonomous Region. In the lead-up to the fourth anniversary of ethnic violence in Xinjiang, a series of incidents began on June 26, although the exact number of casualties and the cause of the series of incidents have not been publicly acknowledged in China's media. According to various Xinjiang newspaper reports, the Xinjiang government labelled the incidents "terrorist attacks". The incidents went unreported except in the English language edition of Xinhua. According to the BBC and AFP, journalists were prevented from entering the affected areas and police confiscated cameras.

The first attack occurred in Lukqun township, Shanshan County, Turpan Prefecture City, where it was reported 35 people were killed. Two days later, a second attack was reported in Hanerik township in Hotan County and Karakax County (Moyu County). According to a *Global Times* report, 100 Uyghurs attacked a police station after "gathering at local religious venues", leading to several casualties, but the report did not specify the reason for the attack. According to a Radio Free Asia report, the attack was provoked when a local imam was forced to keep his sermons "in line with political thinking", which led to the local mosque being raided by police. This triggered a street protest by hundreds of Uyghurs. It was reported that many civilians and policemen were subsequently killed and injured. Another incident occurred in Saimachang, Tianshan District, Urumqi. According to the *Global Times*, 200 people "attempted to incite trouble" but the report gave no information about the cause of the incident.

After the incidents, a German journalist and Chinese assistants went to Kashgar to report the news. On the second day after they arrived, while they were staying at a five-star hotel, three Uyghurs suddenly appeared and constantly patrolled outside their hotel rooms. When the journalist asked them whether they are sent from the police bureau, the three came very close to

him, and at a distance of just 5 centimeters they leered and struck intimidating poses but did not say anything. That night, they were harassed by non-stop phone calls to their rooms. In one of the calls, a man with a very strong Uyghur accent asked the Chinese assistant if she was married and other insulting questions. From 3am to 5am they banged on the doors repeatedly and pretended to be about to open them by force. When the journalists complained to the hotel reception, they were told no-one had been seen near their doors on the surveillance cameras. The journalists believed the hotel was cooperating with the police, so they decided to leave the next day.

A similar case occurred at the end of December 2012. Journalist Bernhard Zand of the German news organization *Der Spiegel*, and a Chinese assistant, investigated the case of five boys who had reportedly died of suffocation from carbon monoxide in Guizhou Province due to poverty in November. They were followed by unidentified men in Beijing. On the night of December 29, they stayed in the Kempinski Hotel in Guiyang City. When they went out for dinner, unknown persons broke into their rooms and destroyed all their reporting and communication equipment. Their laptop computer and iPhone were immersed in water.

Another case occurred in Hotan Town in Xinjiang. A European journalist was stopped and forced to delete pictures after having photographed women dancing in a public space. The journalist said he did it because the police were threatening him, saying: "Either delete or be arrested."

Regarding the Tibet autonomous area, although no individual foreign journalists were able to get permits from the local government to gain access to the zone, a special tour for foreign journalists was organized by Foreign Ministry. It was reported that no correspondents who are based in China were invited.

According to Radio Free Asia, Pierre Vaireaux, a journalist for France 24, was harassed by Chinese diplomats in France and Thailand after his channel aired a documentary about Tibet on May 30. The report said China's embassy in Paris called the station's chief executive and demanded the program be removed from its website, claiming the report was "inaccurate". When

it was learned that Vaireaux was in Bangkok, China's consul there was informed and asked to call him and seek a meeting at the Embassy. When Vaireaux refused to attend, he received several anonymous phone calls and messages. On June 10, Vaireaux said he received a warning from the consul over his attempt to seek a visa to visit Lhasa, Tibet.

This incident echoed a report published by Freedom House, an independent watchdog organization based in Washington D.C. Freedom House issued a special report claiming that China's authorities have extended their reach into overseas media and use various methods to interfere with the media's editorial independence. The report said a French satellite company had cut the signal of an overseas Chinese television station to "show a good gesture to the Chinese government." A Taiwanese talk show host resigned after station executives tried to stop his program from touching on topics regarded as sensitive by Beijing. In many cases, Chinese officials subtly induce media self-censorship or inspire media owners, advertisers, and other international actors to take action, according to the report. Outside China, diplomats urge senior executives to alter content and compel businesses to refrain from advertising in Chinese-language media that are out of favour. More subtly, a number of political and economic incentives lead media owners and journalists to avoid topics such as the issue of Tibetans, Uyghurs, and Falun Gong practitioners.

"Self-censorship" compromises reports on powerful

The Chinese authorities' pressure appeared to be effective. On November 11, according to a report in the *Financial Times*, Matthew Winkler, editor-in-chief of Bloomberg News, quashed an investigative report because of worries it could jeopardize Bloomberg's position in China. The story had been closely read by the editors in the US in mid-September and one of the editors described the story as "terrific" a few days later. Around a month later, the management suddenly decided put the article on the "backburner" without further explanation.

On October 29, Matthew Winkler told journalists in a conference call that Bloomberg could not risk jeopardizing its position in China by running the story,



Bloomberg was harassed by the Chinese authorities and allegedly censored its own reports after it disclosed that the extended family of President Xi Jinping has massive assets. (Image: Online)

according to the FT report. Bloomberg denied exercising any self-censorship. Winkler told the FT: “The report as presented to me was not ready for publication.” But he did not explain which particular part of the story was lacking and ducked questions as to whether Bloomberg had been afraid to risk jeopardizing its position in China. The FT report said that the investigative story might have related to Wang Jianlin, the founder of Dalian Wanda, a real estate group, who is ranked by Forbes as the richest man in China, with a fortune of \$14.1 billion. On November 14, Michael Forsythe, a journalist in Bloomberg’s Hong Kong bureau, reportedly left Bloomberg because he was accused of leaking information about the alleged “censorship”.

Unfortunately, the Bloomberg story had not finished. On December 2, Robert Hutton, a U.K.-based Bloomberg reporter who was part of the press corps travelling with British Prime Minister David Cameron on his visit to China, was told at the last minute that it “would not be appropriate” for him to attend a joint press conference given by Mr Cameron and Premier Li Keqiang. The Chinese authorities denied Hutton was targeted, saying the following day that the venue’s capacity was “limited” after Cameron expressed concern that a journalist was being blocked from attending the press conference. The following day, *Fortune* magazine

reported that the Chinese authorities had in fact made “inspections” of Bloomberg’s Beijing and Shanghai bureaus towards the end of November in which officials demanded an apology for a comment reportedly made by editor-in-chief Matthew Winkler. Winkler reportedly compared the Chinese government to Nazi Germany while he was defending himself against accusations that he had imposed self-censorship within Bloomberg by stopping publication of an article about a Chinese tycoon and his ties to the families of Communist Party leaders.

Bloomberg’s official website is still banned by the Chinese authorities after it reported that the extended family of the President of China, Xi Jinping, has assets worth billions of US dollars. However, this should not influence management to violate the principles of press freedom out of self-interest.

Pressure was also applied to a Japanese media outlet, which did not wish to be identified in this report for fear of retaliation. A staff member of the Japanese media outlet told the IFJ that Chinese officials entered its bureaus in Beijing and Guangzhou after it published a report about the regime’s censorship system. According to the Foreign Correspondents Club of China, on at least two occasions, Chinese embassy staff in foreign capitals have approached the headquarters of foreign media outlets and complained about their China-based correspondents’ coverage, demanding that their reports be removed from their websites and suggesting that they produce more positive China coverage. The IFJ is deeply concerned about the legality of the Chinese officials’ decision to enter a media outlet’s premises and directly put pressure on their foreign governments when the outlet has been accused of publishing a negative report. The actions of these officials are jeopardizing press freedom and having a chilling effect on the media. The IFJ said: “China is a member of the United Nations Human Rights Council and has a duty to uphold the Universal Declaration of Human Rights. Press freedom is one of the cornerstones of human rights, and no direct or indirect threat to these rights is permissible.”

Online infiltration is another problematic issue in China. At least three prominent American media outlets accused Chinese hackers of infiltrating their

computer systems. The media outlets had published reports revealing information about Premier Wen Jiabao's family wealth. On January 30, *The New York Times* reported that their computer systems had been infiltrated by Chinese hackers for at least four months. It was reported that the timeframe for the breach coincided with the publication of an investigative report about how Premier Wen's family had accumulated wealth valued at several billion dollars. The *NYT* cyber security experts detected a breach in the email accounts of Shanghai Bureau chief David Barboza, who wrote the reports on the Wen family, and Jim Yardley,

former Beijing Bureau chief. The *NYT* said that the hackers targeted journalists who had written about Chinese leaders and about political and legal issues in China, including Huawei Technologies Co Ltd and Zhongxing Telecommunication Equipment Corporation. The US Government alleged that both of these companies were involved in espionage activities, but no concrete evidence was produced. After *The New York Times* revealed it had been hacked, others including *The Wall Street Journal*, Bloomberg and Twitter admitted that they had also been infiltrated by hackers from China.

CHINA ONLINE

Online communication has become the biggest phenomenon in the media industry, and many countries, including China, have responded by escalating restrictions. It was widely felt in 2013 that China's internet service was in a "state of freeze" because various government agencies actively cooperated to stifle free speech online. At the same time, police used the law to detain microbloggers without trial by accusing them of committing various crimes. The Supreme People's Court reinterpreted the law so that a widely read or often posted message could be regarded as a crime. The authorities pressured all internet service providers to cooperate with each other and to reach a self-regulated agreement governed by the principle of social stability. It is believed that because of this, thousands of websites were shut down, millions of posted messages were deleted and thousands of people were harassed, detained or arrested by police.

A major change began when Xi Jinping became both the President of China and the General Secretary of the Communist Party of China (CPC), and the make-up of the Political Bureau of the CPC Central Committee was decided. Among the seven top leaders of the Political Bureau of the CPC is Liu Yunshan, the former Minister of Central Propaganda Department, who has a long history of monitoring the media.

On November 15, the Third Plenary Session of the 18th Central Committee of the Communist Party of China, which is seen as the most important meeting for directing the national work plan over coming years, decided to increase efforts to exert control over the internet. In his speech, President Xi said: "The current management system shows obvious shortcomings, such as multi-sectoral management, overlapping functions, unclear rights and liabilities and inefficiency." Therefore the authority must "reinforce its overall administration over internet accordance with the law and accelerate formation of a sound internet management system to ensure national internet and information security." He added: "Internet and information safety is a new, comprehensive challenge facing us as it concerns state security and social stability."

The internet has grown rapidly in China. During the meeting of the United Nations Universal Periodic Review in Geneva in October 2013, the Chinese authorities reported that the number of Chinese citizens using the internet had reached 564 million, and 309 million people were also using microblogs by the end of December 2012. Moreover, the number of web users drastically increased in the first half of 2013. According to the China Internet Network Information Center, by the end of 2013, there were 600 million web users on the Chinese mainland, registering a growth of 26.56 million since the beginning of the year. Mobile phone users are a major source of the increase, as 70 per cent of web users, or 464 million, use mobile phones to access the internet. The nature of social networking services and instant messaging tools concerned Xi deeply, because they have "large influence, extensive coverage and strong social mobilization capabilities" which might affect state security and social stability. He said: "The salient problem in front of us is how to strengthen the legal construction concerning the internet and guide public opinion to guarantee order online, state security and social stability."

Xi made a similar speech on August 19 when he attended the National Propaganda Work Conference which focused on the Communist Party members who are monitoring the media. During the conference, Xi said that the internet was a threat to the ruling party and the future of the state. He criticized people who, he said, were spreading rumors, in particular prominent microbloggers who used the internet platform for "public opinion struggle". Hence, he said, the internet should reinforce the promotion of ideology as the utmost task of the Communist Party. President Xi said: "Ensure the internet is under control and work in accordance with law in order to make cyberspace clean."

"Streamlined" regulators target "rumours"

Although President Xi made his speech on August 19, the crackdown on the internet actually started much earlier and only the methods had changed. In the beginning, the authorities used the campaign "Against Pornographic and Illegal Publications" as the excuse to "clean up" all unacceptable messages, books and internet. On January 4, the state-owned

news agency Xinhua reported that 45 million illegal publications were confiscated and more than 3.7 million online messages were deleted because they allegedly contained pornography or other illegal content. The agency in charge of this effort was the National Office Against Pornographic and Illegal Publications (NAPP), which comprises various departments that also monitor media. It was revealed that 15,000 cases had been transferred to the judicial department. In one instance, a man was sentenced to 10 years in prison for selling illegal publications in Hotan, Xinjiang. In another case, two men were sentenced to prison for 36 and 40 months respectively for printing and selling pirated textbooks. However, the NAPP did not elaborate on the content of the other cases.

According to reports issued by Xinhua on April 16 and May 3, nearly 300 websites, across 20 provinces, were allegedly carrying pornographic information and 20 of these were ordered to be shut down. By that stage, police were using the accusation of “spreading rumours” to charge online users. Two web-users from Guizhou Province were punished with five-day and 10-day administrative custody sentences after summary proceedings, on accusations of spreading rumours through social media sites about the outbreak of H7N9 bird flu in Guiyang. At least 11 people across the country were detained by police on charges of spreading “rumours” online about the bird flu virus. Some 20 accounts were also closed.

In March, a policy of so-called “streamlining” was carried out, with all departments monitoring media including printing, television, movie and others being combined into one mega-agency under the General Administration of Press and Publication, Radio, Film and Television (GAPPRFT). This change echoed Xi’s earlier remarks that “the current management system shows obvious shortcomings, such as multi-sectoral management, overlapping functions, unclear rights and liabilities and inefficiency”.

After the GAPPRFT was established, 107 websites were forced to shut down on the grounds that they allegedly had no permits or were blackmailing companies or individuals by threatening to publish negative information about them. However, the sites included news websites such as Dwnews.com, a popular news

portal that had added diversity to the sources of information available. The GAPPRFT also issued a notice to all online media outlets, saying that all personnel must maintain “positive promotion” as their guiding principle when operating online portals. The personnel are required to follow the practice of traditional media, blogs and microblogs and to take up the role of guiding public opinion, and to voluntarily refuse to disseminate harmful or unauthorized information.

In May, the State Internet Information Office of the State Council started a campaign to fight rumours. It forced 26 major online service providers in Beijing to establish a mechanism for the public to report any rumours to the office. Three weeks later, an anti-rumour online platform was established. Qianlong.com, the portal of Beijing Propaganda Department, was made responsible for providing information for the platform. In fact, many online users were punished by the police following the May announcement, after they were accused of posting or spreading rumours that endangered public order. The Deputy Dean of Law Faculty of China University of Political Science and Law, He Bing, whose microblog has 460,000 followers, was forced to suspend his account for several days after he was accused of spreading rumours. Another prominent example was Wu Hongfei, the lead singer of Chinese indie rock band Happiness Street, who was detained for 10 days after she posted an online message on July 21 claiming that she wanted to “bomb” Beijing’s housing and urban planning authorities. After she was released, Wu told the media she did not know what she was doing when she wrote the message.

By that time, many online commentators and scholars were asking whether police and the relevant authorities were targeting prominent microbloggers in order to silence certain voices on the internet. Because the authorities put pressure on all internet service providers to monitor social networking, the companies implemented a “real-name registration system” which required bloggers to use their real name to register a microblog account. This enables the authorities to pursue alleged wrongdoers if anyone posts a “rumour” on the internet. Because of the real-name system, quite a few people became very famous because they have thousands of followers. It was reported that 1,900 microbloggers have more than 100,000 followers, 3,300

bloggers have more than 1 million followers, and 300 bloggers have more than a 10 million followers.

Once the national campaign for “Fighting against Online Rumours” was launched, police commonly detained people on accusations of disseminating rumours or spreading false information that disrupted social disorder. The police can use the Administrative Punishment Law to detain anyone who they deem to have violated regulations, and many individuals have lost their freedom for periods ranging from days to weeks without going through any legal process. At the same time, the authorities worked through a civil organization to require all internet service providers to “self-regulate” in order to delete all “rumours”. Those companies that supported the “Fighting against Rumours” action were eligible for rewards worth 100,000 yuan (about US\$13,000). In July, 26 Beijing websites cooperated to form a platform with the name “Fighting against Rumors”.

On August 10, a forum with the title “The Social Responsibility of Online Celebrities” was arranged in Beijing by the Internet Affairs Bureau of the State Council Information Office of China, with the participation of several civil society organizations from China and Taiwan. After a five-day meeting, a list of “seven online bottom lines” was drawn up. The seven bottom lines included requirements that messages posted online should be in accordance with laws, socialism and morality, as well as in the interests of the country. Just a few days later, the Security Bureaus of Beijing, Shanxi and Hangzhou claimed that they had received a lot of complaints which prompted them to investigate several online cases. The “seven online bottom lines” policy has caused large numbers of bloggers to be detained and websites to be shut down.

Many human rights commentators accused police of abusing their powers by wrongfully using laws to accuse people and detaining microbloggers. Many lawyers queried the relationship between the online messages and social disorder, since no cases of social disorder had been linked to any online messages. The police later moved to using other charges to accuse people, such as illegal operating and criminal defamation.



Zhou Qiang, the President of the Supreme People’s Court and the Supreme People’s Procuratorate, said that online messages that were viewed by more than 5,000 internet users or re-posted more than 500 times would be punished. (Image: Online)

In September, a judicial interpretation of the punishment of online rumours and defamation was issued by the Supreme People’s Court and the Supreme People’s Procuratorate, the investigative and prosecuting agency. This stipulates that people who post allegedly defamatory comments will face up to three years in prison if their statements are widely reposted. People who allegedly post rumours will face defamation charges if their posts are viewed by more than 5,000 internet users or re-posted more than 500 times.

Blogs shut down, posts deleted, bloggers detained

On November 13, *Youth of Beijing Daily* reported that Sina.com admitted it had temporarily or permanently shut down 100,000 microblogs since the “seven online bottom lines” agreement was signed. In regard to these 100,000 accounts, more than 70 per cent of the messages that were posted related to personal attacks, and only 1030 microblogs were related to dissemination of false information. The account holders were suspended for five to 10 days, and were prevented from posting messages and being followed. In the worst cases, the accounts were shut down permanently, but the report did not release the number of accounts affected in this way. However, the figure reflected only one website that offers social networking. The other websites have not reported the relevant information.

The Media Opinion Monitoring Office, which is under the control of the state-owned *People's Daily*, reported that the numbers of messages posted by prominent microbloggers in August and September in 2013 fell. The total number in August 2013 was 24 per cent less than in the same month in 2012. The total number in September 2013 was 10.2 per cent less than in the same month in 2012. The number of "negative" posts fell by 63 per cent over approximately the same period. The number of censored microblogs involving the "dissemination of false information" appears to have been only 1030 out of 100,000. This does not support the authorities' claim that a large amount of false information was posted.

The IFJ believes that during the campaign, thousands of bloggers, activists and journalists were detained, tens of thousands of websites were shut down, and millions of posted message were deleted. In one case a teenage student was detained for several days after he asked questions about a car accident in Chongqing.

Cyber attacks by governments on individual computers were a hot topic in 2013 after Edward Snowden, a former US cyber intelligence officer, revealed that the US Government had seriously infringed people's privacy. The Chinese authorities deny China is engaged in similar international cyber attacks, and repeatedly says that China is the victim of such attacks, not a perpetrator. However, according to a report by *The New York Times* in February, a People's Liberation Army office on the outskirts of Shanghai is the base for the most sophisticated of China's hacking groups. The NYT report said the building is the headquarters of P.L.A. Unit 61398. An American information security company, Mandiant Corporation, tracked individual members of the group, which is known to many of its victims in the US as the "Comment Crew" or the "Shanghai Group", to the doorstep of the military unit's headquarters. The firm was not able to place the hackers inside the 12-story building, but it argued there was no other plausible explanation for why so many attacks had come out of one comparatively small area.

Immediately after the Third Plenary Session of the 18th Central Committee of Communist Party of China



After the Third Plenary Session of the 18th Central Committee of the Communist Party, journalists who frequently used the "We Chat" spontaneous communication tool were ordered by management either to stop using it or to resign. (Image: Online)

ordered the internet crackdown, many journalists working in large media groups received a directive from senior management demanding them to stop using WeChat, a spontaneous tool similar to WhatsApp which can be used to speedily pass messages or sound files to people in and outside China. A journalist told the IFJ that senior management told him stop using WeChat because it created a "conflict of interest" because he was already employed by a media outlet. The senior manager said the pressure to stop using WeChat came from the management of the media group and also from outside it. The manager did not give specifics about the source of the outside pressure. The journalist believed the pressure came from the authorities because many journalists who used WeChat also received warnings. Journalists who refused to follow the instruction were forced to resign. Another journalist was told to shut down all established online groups. The authorities were able to identify journalists who had been expressing opinions and sharing information through WeChat, because a number of universities, including Beijing University, had been identifying all active users of the tool, and this information enabled the authorities to put their hands on individual users.

The censorship efforts entered a new phase in 2013, when the censoring of online messages was established as a new profession with professional qualifications. The *New Beijing Daily* reported in September that the *People's Daily* would offer a training program for people who are responsible to monitoring online messages. When people pass the examination, they can receive a certificate issued by the Ministry of Human Resources and Social Security of China. The report it said that about 2 million people are monitoring 6 million netizens in China.

HONG KONG

Hong Kong has freedom of speech and freedom of press and publication which are underpinned by the Article 27 of Basic Law of Hong Kong, the constitution of Hong Kong, but these freedoms were clearly undermined in 2013. Since the new leadership of Hong Kong was elected in 2012, attacks and obstruction of journalists by police or members of the public have increased. In 2013, the situation deteriorated, with the media receiving pressure not only from government institutions, but also from the private sector and the authorities in other countries.

Among the events that caused concern were demands by Hong Kong's chief executive that a magazine retract a report that was critical of him, and legal moves by the

anti-corruption body to gain access to materials from an interview with a source. Police both targeted journalists in the course of their duties and failed to protect them from violence by citizens. Access to information became more difficult, a government agency altered official information online, and a major row erupted over the failure of a popular cable television operator to be granted a free-to-air license, amid suspicions that the process had been affected by politics. Hong Kong journalists were expelled from an international meeting after claims their questions to a foreign head of government were "aggressive", and Hong Kong journalists in Mainland China continued to experience harassment.

Self-censorship is still a problem for Hong Kong media. According to a poll conducted by the Public Opinion Program at the Hong Kong University in November,



Photographers were intimidated by members of the general public with increasing frequency in 2013. (Image provided by Ming Pao newspaper)

people's satisfaction with the state of press freedom fell significantly between 2007 and 2013. More than 50 per cent of respondents said they believed the media had censored its own reports on the Central Government of China, and 34 per cent of people believed the media censored its reports on the Hong Kong Government. The director of the program, Robert Chung Ting-Yiu, said the general public's satisfaction with press freedom and the credibility of the media had both fallen to the lowest point since 1997, when Hong Kong was handed over to the control of Mainland China.

Authorities use legal system in pursuit of power

At the beginning of July 2012, Leung Chun-Ying became the new Chief Executive of Hong Kong. Since then, his personal popularity and the performance of his administration have spiralled downwards, according to the regular polls of public attitudes to the Hong Kong Administration conducted by the Public Opinion Programme of the University of Hong Kong.



Leung Chun-Ying, the chief executive of Hong Kong, threatened to take legal action against a popular political commentator. Meanwhile the performance of his administration spiralled downward. (Image provided by Ming Pao newspaper)

Leung's understanding of the principle of a free press came under scrutiny when he demanded that the *Hong Kong Economic Journal* retract an article by a political columnist. On January 29, 2013, Joseph Lian Yiz-Heng, a former member of the Central Policy Unit, a think tank in Hong Kong, wrote an article accusing Leung of having links with organized crime Triads. Lian's article was

based partly on an article written by former Chinese People's Political Consultative Conference delegate Lew Mon-Hung, a former ally of Leung Chun-Ying, which had been published in *iSunAffairs*, a Hong Kong e-magazine. Chief Executive Leung then sent a letter to *Hong Kong Economic Journal* demanding a retraction of the article. *Hong Kong Economic Journal* offered an apology on February 5, but the paper's editor-in-chief, Chan King-Cheung, insisted the apology was addressed to readers and refused to retract the article. After the apology was published, Leung said he accepted it. However the apology drew an outcry from media associations, human rights activists and pan-democratic lawmakers.

The targeting of media reports continued. On August 7, the Independent Commission Against Corruption (ICAC) filed writs in the High Court demanding that Commercial Radio of Hong Kong and e-magazine *iSunAffairs* provide the raw journalistic materials obtained in interviews with former Chinese People's Political Consultative Conference delegate Lew Mon-Hung. Reports based on the interviews were aired and published on January 24 and 25. According to various reports, the ICAC first asked Commercial Radio for the raw source materials in May, but the request failed. On September 5, the High Court of Hong Kong dismissed the ICAC's application to collect the full journalistic materials of its interview. On October 9, the ICAC withdrew its application for *iSunAffairs'* unedited journalistic materials. The High Court ordered the ICAC to pay *iSunAffairs'* legal costs. During the hearing, the defense lawyer for *iSunAffairs* said the ICAC did not explain its reasons for asking for the raw journalistic materials. The judge also reiterated that ICAC must strike a balance between law enforcement and press freedom in Hong Kong. The Hong Kong Journalists Association (HKJA), an affiliate of the IFJ, and the Hong Kong News Executives' Association, as well as academics and legislative councillors, voiced their strong opposition to the ICAC's move and argued that it clearly jeopardized press freedom in Hong Kong.

The IFJ is deeply worried that the law enforcement bodies of Hong Kong are adopting the practices of the Mainland, where many journalists are forced to give statements to the police without any due process. There is already a huge body of relevant cases from the European Court of Human Rights that shows that



The ICAC used legal action to try to force two media outlets to hand over raw journalistic materials after they published reports about former Chinese People's Political Consultative Conference delegate Lew Mon-Hung, who had made claims about the chief executive of Hong Kong, Leung Chun-Ying. (Image provided by Ming Pao newspaper)

protection of journalistic materials is one of the basic conditions for press freedom. One such recent case was "Martin and Others v France" in the European Court of Human Rights. All media owners of Hong Kong must stay firm and say no to all attempts by law enforcement officers to abuse their powers, and must defend journalists in exercising their professional duty to report facts that are in the public interest.

Police target journalists, fail to stop attacks

Police both pressured media workers themselves and failed to stop crimes when journalists were targeted by members of the public. On August 4, Lo Kwok-Fai of *Next Magazine* and Tang Chun-Wang of *Ming Pao* newspaper were obstructed, verbally abused and attacked by several people when they were trying to report on a scuffle at Mongkok, in Hong Kong. Lo was pushed to the ground at least three times, while



Photographers from *Next Magazine* and *Ming Pao* newspaper were intimidated by a crowd when they were carrying out their duties. (Image provided by *Ming Pao* newspaper)

Tang was kicked by unidentified people several times. Tang, also an executive council member of Hong Kong Press Photographers Association, said the media were concerned that similar cases might occur in future. Lui Tsz-Lok, the convenor of the Press Freedom Committee, said Hong Kong Police did not take immediate action to deter the attacks on the journalists. Tang said: "We merely wanted to report the facts to the public. Therefore we wish for people's rights, including physical safety, while they are exercising their freedom of expression." In October, Hong Kong police arrested and charged a retired policeman with common assault in connection with the attacks.

On September 15, Leung Chun-Ying, the Chief Executive of Hong Kong, held his third community meeting with the public. About 100 supporters were waiting outside the community centre in Wan Chai, Hong Kong. Several photographers complained that pro-government demonstrators verbally abused them when they were trying to take photos of the group. Rather than resolving the misunderstanding, a group of police surrounded the photographers and prevented them from taking photos.

On September 13, a High Court judge, Maggie Poon, dismissed the appeal of the Legal Department of Hong Kong against the acquittal of former photographer Sing Kai-Chung on allegations of assaulting a security guard near the Eastern Magistrate's Court in December 2012. Poon said the prosecution made a "pedantic" complaint against the former photographer. Sing later said in an

interview with Commercial Radio that the police had demanded he offer an apology to the security guard and the police department on the basis that his former employer, *Apple Daily*, was biased against the Hong Kong police.

Media owners intimidated, premises attacked



Two young assailants destroyed the front door of the *Epoch Times* office in Tsuen Wan. (Image provided by *Epoch Times*)

The owners of Hong Kong media groups and the premises of media outlets suffered attacks. The *Epoch Times* told the IFJ that two men destroyed the glass frame door of the office in Tsuen Wan in the early hours of May 31. Before the incident, people distributing the paper in Central and Wan Chai districts were threatened by unknown assailants. An employee of the newspaper said: "In early May, some of our advertising clients complained to us that they received some threatening messages which asked them to stop advertising in our newspaper. We have been harassed by unknown people from time to time. Sometimes we found the lock was damaged without knowing the reason. The other time our newspapers were stolen when we placed it on the street." A complaint was lodged with Hong Kong police.

On June 3, Chen Ping, publisher of *iSun Affairs* e-magazine, was beaten by two baton-wielding thugs outside his office. Chen believed the assailants were professionals, but did not know the reason why he was attacked. He urged the Hong Kong police to bring the assailants to justice, since Hong Kong needs to defend press freedom and independence. Chen suffered multiple injuries over his body. His magazine, *iSun Affairs* published an interview with Lew MonHung,

a former supporter of Leung ChunYing, the Chief Executive of Hong Kong, in which he disclosed how Leung had cooperated with the Hong Kong media to win the election.



Jimmy Lai, the chairman of the Next Media Group, and other media owners received a series of threats from unidentified people in 2013, but the Hong Kong Government failed to defend press freedom by condemning the intimidation. (Image provided by *Ming Pao newspaper*)

Next Media Group suffered a series of attacks after June 19, when a stolen car rammed into the front gate of the home of Jimmy Lai, the chairman of the listed company. A machete and a hatchet were left at the scene in Ho Man Tin, Kowloon. A week later, on June 26, two men set fire to newspapers at Hung Hom after threatening delivery workers. On June 29, a long knife was left outside the building in Tai Po, New Territories. The same evening, three masked men threatened two delivery workers and set fire to newspapers in Central. Speaking to Commercial Radio of Hong Kong on June 28, Lai said he believed the attacks were due to the newspaper group's support for the July 1 rally demanding democracy in Hong Kong.

On July 30, Shih Wing-Ching, the owner of *AM730* daily free newspaper, was attacked by two unidentified people when he was leaving his home. Shih said they smashed his car with a hammer when he stopped at a traffic light. "I don't know why, but I believe it neither related to the content of the newspaper nor my point of views," he said. Shih is one of the biggest property agency owners in Hong Kong and China. He established *AM730* in 2005 and is now one of the newspaper's columnists. He occasionally comments on Hong Kong public affairs, including housing policy.

The IFJ Asia-Pacific Office said: “The frequency and violence of these attacks targeting media outlets and owners of media groups demonstrates that press freedom and freedom of expression in Hong Kong are under threat. Violence is one way to silence democratic voices in a society. The Hong Kong Government must act swiftly and responsibly to ensure justice. It must condemn these acts of violence to protect press freedom, which is one of the fundamental rights of Hong Kong people enshrined in the Hong Kong Basic Law.”

Authorities conceal, alter official information

Concealment or alteration of information by the Hong Kong Government also caused concern in 2013. The Hong Kong Information Service Department allegedly voluntarily amended a press release in order to make it fit with the statements by Paul Chan Mo-Po, the Secretary for Development, who was involved in a scandal relating to a conflict of interest. At the end of July, *Apple Daily* revealed that Chan’s family members had an interest in a plot of land in the New Territories that the Government had plans to develop. Chan was accused of a conflict of interest and failure to make proper disclosure. However, Chan denied having any interest in the land and claimed that he had declared his interest to the chief executive of Hong Kong, Leung Chun-Ying, and other members of the Executive Council. In a Legislative Council meeting, he said that the land belonged to his wife and her family members. He and his family members did not have any interest. The Hong Kong Information Service Department made a transcript of his statement and sent it to the media. However, the media further revealed that the indirect holding company controlling the plot of the land actually belonged to Chan’s spouse and son, and suggested that Chan might have made a false statement. Chan denied making a false statement and blamed the media for misinterpreting what he had said. The Hong Kong Information Service Department made a transcript of Chan’s later statement but deleted the word “her”. Chan refused to answer further questions when the media and Legislative Council members continued to ask for a clear explanation. The Hong Kong Information Service Department said it was not unusual to amend a press release a few days after it was issued. The department’s spokesperson said the amendment was made by the press officer of the bureau.



The Information Service Department of Hong Kong allegedly voluntarily amended a press release in order to fit the statements by Paul Chan Mo-Po, the Secretary for Development, who was involved in a scandal. (Image provided by *Ming Pao* newspaper)

A similar case occurred in October over the hot issue of free-to-air television licenses. On October 15, the Hong Kong Government announced that the application of Hong Kong Television Network (HKTV) for a free-to-air television license had been rejected. This decision immediately created controversy. After the decision was announced, the media discovered that the official webpage of the Bureau of Commerce and Economic Development deleted a key sentence, which said: “There is no ceiling on the number of licenses to be granted.” This was a crucial point of disagreement between the Government and HKTV, because HKTV alleged the Government had unilaterally changed the rules governing the application. Gregory So Kam-Leung, secretary for Commerce and Economic Development, said the change in the webpage was made because his staff did not wish to repeat information on the bureau’s official portal. However, when he became aware of the media’s concerns, he demanded that staff put the same sentence into the same place. Many commentators did not accept the explanation because it was the crux of the argument which established that Hong Kong’s Chief

Executive and Executive Council might have deviated from the original policy. The crucial sentence had been on the official portal since March – that is, for almost half year – without a word being changed.

“Privacy” a pretext for restricting information

The Hong Kong Government attempted to limit journalists’ access to information regarding business registration records, on the pretext that it was protecting businesses’ privacy. In January 2013, the Hong Kong Journalists Association (HKJA), the IFJ’s affiliate, launched a petition against new rules that would hide details of company directors. The proposed rules would bar journalists from accessing the residential address and full identification card or passport number of company directors. Previously this information was freely available from the Companies Register. The register would disclose very limited information, and only if members of the public, including journalists, were able to fulfill some requirements. The HKJA warned that secrecy would breed corruption. It said the subsidiary regulations, if implemented, would seriously curb the media’s ability to uncover wrong-doing and corruption and would prevent journalists from breaking stories such as vote-rigging in the 2011 district council elections and a scandal over subdivided flats involving the Development Secretary Paul Chan.



Hong Kong Journalists Association, an affiliate of IFJ, launched a signature campaign against the Hong Kong Government’s plans to change the Hong Kong’s Companies Registration system. The changes would restrict the media’s ability to investigate financial scandals. (Image provided by Serenade Woo)

Hong Kong’s Companies Register is also a valuable database for overseas journalists investigating financial scandals in Mainland China. Since anyone who wants to open a company in Hong Kong is obliged to provide personal information, the registry is a reliable and detailed source that helps to shed light on the murky world of mainland companies that have branches or subsidiaries in Hong Kong. Company records in Hong Kong played a crucial role in *The New York Times* investigation into the vast wealth accumulated by former premier Wen Jiabao’s family, and a Bloomberg report on the business relationships and wealth of President Xi Jinping’s extended family. Different sectors, including medium-sized and small-scale enterprises, also expressed opposition to the changes. Some said the move would have a negative impact on the rights of minority shareholders and employees. Others were concerned that it would prevent ordinary people from protecting their interests by getting the right kind of information from the Companies Register.

The Office of the Privacy Commissioner for Personal Data said the existing system used by the Companies Register was intrusive and needed to be changed, although the Commissioner accepted that a balance needed to be struck between privacy and freedom of information concerns. However, the HKJA is concerned about apparent government hypocrisy, in that it has established a statutory institution to handle privacy concerns, while shying away from creating a legal framework to protect freedom of information. In late March, the government decided to postpone the tabling of the new rules. The HKJA urges the Government to scrap its proposal completely to ensure that journalists may make use of full Companies Register records.

Enactment of the law on access to information held by the Hong Kong Government has been requested by the HKJA and IFJ for many years, but the Government continues to delay the reform. In January 2013 the Ombudsman of Hong Kong announced that he would re-examine the system. The Ombudsman noted in his latest statement that more than 88 jurisdictions have passed freedom of information laws to protect the people’s right of access to information. He also pledged to examine whether Hong Kong needs a law to ensure proper records management. There has also

been an increase in the number of complaints received by the Ombudsman about the implementation of the Government’s administrative code, from 24 cases in the fiscal year 2008-09 to 59 in 2012-13.

Turmoil over issue of new free-to-air TV licenses

Another major controversy surrounded the issue of new licenses for free-to-air television stations. The Hong Kong Government announced on October 15 that Hong Kong Television Network’s (HKTV) application for a free-to-air television station license had been rejected, even though HKTV was widely regarded as the best prepared applicant. Licenses were issued to the two other applicants, iCable’s Fantastic Television and PCCW’s HK Entertainment Network. The announcement created an immediate outcry from the public, because the Government unilaterally changed the rules governing the application process. HKTV had promised to produce high-quality drama and had been showing clips from its forthcoming shows on its cable station. After the

decision, 320 media workers including people from the news department were laid off by HKTV. Ricky Wong Wai-Kay, the Chairman of HKTV, said it was an “unfair contest” and that he was shocked and disappointed by the Government’s licensing decision. Wong said that he was initially invited to apply for a license by a former top government official, Rita Lau Ng Wai-lan, who was the Secretary for Commerce and Economic Development Bureau, the broadcasting regulator, in 2008. Neither the invitation nor the documents on the free-to-air television license policy contained any indication that there was a ceiling on the number of free-to-air licensees.

Gregory So, the Secretary for the Commerce and Economic Development Bureau, said that the issuing of licenses should “gradually progress”. This phrase has been widely used by China’s Central Government when dealing with universal suffrage for Hong Kong. When So was pressed by the media in following days, he began to say the decision had been made considering several



After the Hong Kong Government rejected HKTV’s application for a free-to-air television license, tens of thousands of Hong Kong citizens gathered at the main Hong Kong Government Building to express their anger. (Image provided by the photographer)

Hong Kong Media Industry Getting Worse and Worse

Lam Hei Yuet

2013 was a depressing year for Hong Kong's media industry, the worst since the former British territory was returned to the control of China 16 years ago. Reporters were charged with offences and beaten up while covering the news, and legal actions were taken against newspapers and commentators by corporate chief executives. Yet, even more depressingly, we expect the situation will get worse, not better. Reporters will face more constraints, and the media will come under more pressure and intervention.

I worked in the media before the 1997 handover. For the past year my most profound feeling has been that the current government has not followed with the example set by past governments. It released news randomly and in such a covert manner that the catchphrase of the year was "authoritative sources again for the day". In the past year, the government led by Chief Executive Leung Chun-ying was not open, frank, or receptive to press queries in the way that its predecessors were. Officials no longer face the news cameras and explain clearly what the people of Hong Kong want to know. More and more, they are going "underground" when releasing news and information, with officials hiding behind computer keyboards, and blogging either in the office or at home. Alternatively, they simply issue information citing these so-called "authoritative sources" and expect those in the media to "copy and paste".

This behavior of the Leung government has deprived people of their right to information, making them incapable of understanding government policies comprehensively, and at the same time deprived reporters the right to interview government officials. This suppression of press freedom has put Hong Kong in an information black hole. I do not know why the government has chosen to set up such road blocks, nor do I wish to speculate. Yet my worry is that this is just the beginning, and the coming years will be even darker, with no dawn in sight. Such government

practices are in place, at least for now, and Chief Executive Leung Chun-ying has ignored other voices. Thus, any expectation that he will change his approach is simply wishful thinking.

The repression of the media industry in Hong Kong does not come only from Leung's practice of trampling on press freedom, but also from the Liaison Office of the Central People's Government in the Hong Kong (commonly known as "Western District" because of its location). Its intervention was visible in the 2012 Chief Executive election, and it was to be expected that such intervention would only increase after Leung Chun-ying assumed office. Indeed, this has now become the norm, not the exception.

Western District's intervention on Hong Kong matters has not only become a fact, but the deplorable tactics it employs, such as direct intervention and muckraking, have become more and more obvious and well organized.

As China continued to tighten control on the internet, reporters and influential bloggers, who are known as "Big V" because their blogs are "verified" as being written under their true names, are constantly being repressed. Incidents involving Charles Xue, who writes as Xue Manzi, and Guangzhou *New Express* reporter, Chen Guang-zhou, are both worth pondering, especially in relation to how they were treated by the authorities and how the media was manipulated.

Xue Manzi, as a "Big V", exerts great influence on the internet. As a result of the repression, he was arrested by Beijing police on suspicion of consorting with prostitutes. State-owned television station CCTV even broadcast his admission of guilt when he was being held in custody. Chen Guang-zhou was arrested by police in Hubei province while exposing a scandal involving listed companies and his confession was televised on CCTV. The question of whether they were guilty should have been placed before the courts, but CCTV broadcast their "admission" without either of them going through a trial. Such an approach can only be seen as staging a "trial by media", a tactic adopted

by the Mainland authorities to discredit the people they target as enemies.

Moreover, this practice appears to have spread to Hong Kong. While the city was embroiled in the controversy over the issue of free-to-air TV licences, suddenly there were media reports about the past involvement of Ricky Wong Kar-wai, owner of the losing applicant, HKTV, failed application, in a case that allegedly occurred in the Mainland. The case has already escalated into a legal dispute. The question to be asked is this: Why should such news emerge out of the blue? And where is the information coming from?

The timeliness of the emergence of this news was not only intriguing, but obviously carried a great number of hidden messages. Only two free-to-air television licenses were awarded. The bid by Ricky Wong Kar-wai's HKTV, which was widely seen as the best prepared, failed. The decision raised great distrust in society. Legislators proposed to invoke the Legislative Council's Powers and Privileges Ordinance to investigate the licensing decisions. News about Wong's alleged involvement in the Mainland case emerged only a week before the Legislative Council was due to vote on whether to go ahead with the investigation. It was obvious that someone

deliberately released the case file on Wong, resulting in its contents being published. One can assume that those behind this move must be on a friendly terms with Western District, as the tactics were similar to what was done during the 2012 Chief Executive election. It was apparent the culprits wanted the news to be out before the voting.

I know the information on Ricky Wong's case is received by more than one media organizations, in other words, it has been refused by some. While I do not know the reason behind the decision not to publish it, I am more than pleased to think that it was based on professional judgment.

The release of this particular piece of information apparently failed to achieve the impact it was intended to create, but instead it raised a red flag. The muckraking tactics employed by the Mainland have spread from North to South. Can our Hong Kong media counterparts withstand it? The situation is grave, especially when sales of newspapers and magazines continue to decline, and the advertising dollar continues to shrink. When we ask how much integrity is left when survival of the media industry is on the line, my answer is pessimistic.

factors, including "the capability of the market", and the wish to avoid "over competition". Meanwhile, Leung Chun-Ying, the Chief Executive of Hong Kong, continued refused to explain the decision, citing the rule of confidentiality which forbids members of the Executive Council from releasing any information. However, as the social outcry escalated, a confidential document was released to a media outlet which revealed the final decision was different from the recommendation of the independent consultancy firms which were responsible for evaluating the free-to-air television market of Hong Kong and the three applicants. The consultants did not disclose the conclusions of the report, but it is believed that they did not suggest to the Hong Kong Government that they should choose two out of the three applicants.

When Leung was asked to explain further, he replied: "Apply does not mean have to accept" and "No political

factors". A very few members of the Executive Council admitted that they "did discuss the content of the document", or "not only consider public poll". Selina Chow Liang Shuk-Yee, a former Executive Council member, said she suspected HKTV was rejected because it would be impossible to "control". Journalism School scholar To Yiu-Ming said the decision was "absolutely related to political considerations" and he believed the issue of the licenses was definitely affected by the vested interests of the largest free-to-air television enterprise, TVB.

Furthermore, documents from Hong Kong's Communications Authority to legislators also revealed that the three applicants satisfied financial, technical and managerial criteria. The Authority also said "all three applicants had demonstrated their compliance".



Ricky Wong Wai-Kay, the Chairman of HKTV, said it was an “unfair contest” and that he was shocked and disappointed by the government’s licensing decision. (Image provided by Ming Pao newspaper)

The Government continued to refuse to explain why its decision was different from the recommendations of all the independent consultancy firms and the report of Hong Kong’s Communications Authority, as well as different from its original policy. The HKTV union and the Hong Kong public launched protests and a number of HKTV staff members and activists remained outside the Hong Kong Government headquarters for more than two weeks, expressing their anger. They also tried to put pressure on pro-establishment legislators to support pro-democracy legislators in using the Legislative Council (Powers and Privileges) law to force the Chief Executive and the Executive Council to reveal the details of the decision. However, the move was defeated because the majority of members of the Legislative Council support the establishment. At least two Legislative Councillors admitted that officers of the Chinese Liaison Office, the agent of China’s Central Government in Hong Kong, persuaded them not to cast their votes in support of the motion.

TV station bars reporters from news group

As well as holding the demonstration, some netizens encouraged people to boycott TVB’s anniversary show. TVB is Hong Kong’s largest free-to-air television station, but it is criticized for producing low-quality programs. TVB and another free-to-air television station with very low ratings, Asia Television (ATV), opposed the Hong Kong Government’s move to issue more free-to-air licenses. At the same time, HKTV was able to attract a lot of experienced artists and program producers from TVB by increasing their salaries and speaking up on their behalf in arguments that they were receiving unfair contractual terms from TVB.

Just a few days before the TVB annual gala anniversary show, *Apple Daily*, a part of the Next Media Group, published a series of articles about the boycott and the quality of TVB’s programs. On November 21, TVB issued a strongly worded statement accusing Next Media Group of using its newspapers and magazines to target TVB on the issue of the free-to-air television license, and claiming the decision was made by the Hong Kong Government without any reference to TVB. TVB said Next Media’s reports “deliberately attacked and smeared TVB” and incited people to boycott TVB’s anniversary show by switching off their televisions. However, it was well known that this campaign was initiated by netizens. TVB also accused Next Media of creating a “white terror”. *Apple Daily* had been reporting on the free-to-air television license issue and TVB’s anniversary show for some time. According to *Sing Tao Daily*, *Apple Daily* had published 62 articles about TVB, but all of them were factually based.

Cheung Kim-Hung, editor-in-chief of *Apple Daily*, expressed regret over TVB’s ban and stressed that the paper had no campaign to target TVB through publishing inaccurate reports or deliberately smearing it. Through the official website, Cheung said: “*Apple Daily* has been concerned about the issue of free-to-air television licenses and reported on the issue based on facts.”

On November, TVB announced it would bar Next Media journalists, including those from *Apple Daily*, from attending its events or interviewing its artists

on the basis of its allegedly “biased reports” of the license issue and TVB’s anniversary gala show. The Next Media Trade Union, the Hong Kong Journalists Association (HKJA, an IFJ affiliate), Hong Kong News Executive Association and journalism scholars expressed concerns over TVB’s decision. HKJA said the decision could interfere with press freedom. HKJA urged TVB to withdraw the ban, but TVB denied it was related to press freedom. However, when journalists from Next Media Group were trying to enter the premises of TVB to cover a public affairs program on November 23, they were denied entry. According to an *Apple Daily* report, since the order was announced by TVB, Next Media Group has been prevented from covering several TVB events.

Two university surveys commissioned in late 2012 suggested that more than four out of five Hong Kong people are unhappy with existing program quality and want to see more free-to-air TV stations. A Chinese University poll found that nearly 76 per cent of almost 1,000 respondents supported the issuing of more free-to-air licenses, while a University of Hong Kong survey commissioned by Community Development Initiative, a

think tank, found that 85 per cent of 525 respondents backed the issuing of more licenses. More than 70 per cent said they were unhappy with delays in issuing new licenses. There was also public unhappiness with the existing news programs offered by TVB and ATV. The Communications Authority conducted a public engagement exercise in early 2013, gathering 7,600 submissions. One of five major suggestions emerging from the submissions was that “news reports and personal view programs of both broadcasters should avoid being partial, unfair and misleading, and should avoid the exercise of self-censorship”.

Journalists thrown out of APEC meeting

On October 6, eight Hong Kong journalists, including a camera crew, from Radio Television Hong Kong (RTHK), Now Television, and Commercial Radio were forced to leave the Asia-Pacific Economic Cooperation (APEC) summit meeting in Bali, Indonesia, and to hand back their press accreditation after several of them asked Philippines President Benigno Aquino whether his administration would apologize to the families of victims of the Manila hostage incident three



After eight Hong Kong journalists were threatened, followed by unknown people and forced to leave in the APEC summit in Bali, members of the Hong Kong Journalists Association and the IFJ protested outside the Indonesia and Philippines Consulates. (Image provided by Felix Wong)

years ago, in which eight Hong Kong residents died. The organizer of the APEC summit, the Indonesian authorities, claimed that the Hong Kong journalists' questioning of Aquino was tantamount to a "security threat", while the Filipino authorities claimed that the "loudness" of the journalists' questions was a form of aggression. Aquino later told the press in Bali that he agreed with the expulsion of the "very aggressive" journalists. The following day, the eight journalists were pressured to leave the hotel where they were staying. Several journalists, including some from RTHK and Now Television, complained they were followed by plain clothes officers when they went out.

Eko Maryadi, the president of the Indonesian journalists' union Aliansi Jurnalis Independen (AJI), expressed disappointment to the APEC meeting's organizers over their decision to cancel the journalists' press accreditation. Maryadi noted Indonesian law requires that journalists be permitted to carry out their duties without hindrance, and said the decision to expel the journalists jeopardized press freedom. Rupert Mangilit, secretary general of the National Union of Journalists of the Philippines (NUJP), said the questions put by the Hong Kong journalists to President Aquino were valid. The IFJ stresses that journalists have a duty to raise questions and government officials have a duty to answer them, when the questions involve matters of great public concern. Press freedom is a core value in the Universal Declaration of Human Rights and no government official should curtail the media's rights on the basis of personal feelings. The IFJ joined the protests organized by its affiliate, the Hong Kong Journalists Association, at the Indonesia Consulate and the Philippines Consulate in Hong Kong on October 8, in which they demanded that the journalists' press accreditation be immediately returned and that apologies be offered to the reporters. HKJA brought together almost 30 international media associations to write an open letter to voice their anger to the organizer of the summit.

Hong Kong journalists harassed on Mainland

Hong Kong journalists faced yet more obstacles in Mainland China. On March 8, International Women's Day, journalists from Television Broadcasting of Hong Kong, Radio Television Hong Kong, Commercial Radio

and Now Television, together with a Hong Kong activist Yang Kuang, arrived at the house in Haidan District, Beijing, where Liu Xia, wife of Nobel Laureate Liu Xiaobo, has living been under house arrest for years. As they arrived, they were pushed and assaulted by a group of unidentified people. TVB cameraman Tam Wing-Man and Now TV cameraman Wong Kim-Fai were punched and kicked. Tam suffered head, chest and leg injuries. The assault sparked an outcry from hundreds of journalists, students and legislators. They and an IFJ representative protested to the Chinese Liaison Office, which arranged for the Hong Kong Journalists Association (HKJA), an IFJ affiliate, and the Hong Kong Press Photographers Association to demand a thorough investigation of the assault.



Hong Kong Journalists Association organised a protest after police agents of Mainland China assaulted Hong Kong journalists. (Image provided by Serenade Woo)

Beijing police ramped up the monitoring of Hong Kong media during the June 4 anniversary of the 1989 Tiananmen Square Massacre. Four Hong Kong journalists from Television of Hong Kong, Radio Television Hong Kong and Commercial Radio were detained by several policemen in the early morning of June 4. When they approached Tiananmen Square, police immediately approached their car and shouted: "Arrest the reporters." Police checked their identity cards, searched the car and interrogated them. When the journalists refused to let police examine the video content of their smart phones, the police claimed they held the rights over the images and that they were private. The journalists were detained for an hour. A Hong Kong journalist told the IFJ that police continued to harass them, demanding that they register as

temporary residents. Their vehicles were subsequently followed by unknown car. "I feel the restraints being placed on the media this year are much tighter than in previous years," the journalist said. The journalists were also unable to interview survivors of the massacre or to visit cemeteries.

China's state media meddle in Hong Kong politics

Several state-owned newspapers on the Mainland, including *Global Times*, *People's Daily* and Xinhua began continuously commenting on Hong Kong issues. The calls for the Chief Executive of Hong Kong to be elected by universal suffrage in 2017 became the hottest topic. At the moment, the Chief Executive of Hong Kong is elected by an Election Committee which comprises 1200 people. The proposal arose from a movement called "Occupy Central Movement", which was initiated by three people who are asking the Hong Kong Government to provide fair and equal political rights for Hong Kong people in the Chief Executive Election in 2017. Some civil society groups are asking the Government to accept public nomination, a process which is not included in the Basic Law. Pro-establishment legislators, politicians, civil society organizations and Mainland officials strongly oppose the suggestion on the basis that the election should be bound by the Basic Law and the decision of the Standing Committee of the National People's Congress. When Hugo Swire, Minister of State at the Foreign and Commonwealth Office, and Clifford Hart, Consul General of United States, separately expressed their opinions about the election, Mainland officials immediately used state-owned media, including three Hong Kong newspapers, to criticize them for "interfering in Hong Kong internal affairs".

Public broadcaster's independence under pressure

Persistent calls for Radio Television Hong Kong (RTHK) to become independent of the government have been to no avail. To the contrary, RTHK's editorial independence was put at risk in 2013 when Roy Tang Yun-Kwong, a civil servant, was appointed as Director of Broadcasting and editor-in-chief of RTHK in 2011. Sze Wing-Yuen, a senior employee with the public broadcaster, said he and his colleagues had experienced political interference in their editorial coverage. On March 15,

RTHK staff met the director of broadcasting, Roy Tang Yun-Kwong, and accused him of political interference in the editorial independence of television programs. Roy Tang repeatedly denied exerting any political pressure on RTHK staff. Sze said he and his colleagues had experienced political pressure on several occasions. Sze refused to explain further unless he was granted privilege under the Legislative Council (Powers and Privileges) Ordinance to reveal more about the incidents to Hong Kong's Legislative Council. It is unusual for media employees to voluntarily seek a special hearing at the Legislative Council to investigate a case.

One of the accusations related to the political satire programme "Headliner", which was quizzed over why it used Nazi characters in an episode. Tang ordered the staff of the program to file a report to him to explain their "thoughts" further. Tang was also accused of abruptly scrapping "LegCo Review", a program analyzing local government policy and legislators, and of moving an in-depth investigative program to a low rating television channel. The Panel on Information Technology and Broadcasting called a special meeting to investigate the turmoil inside RTHK and to protect its editorial independence and ensure no-one engages in political interference. During the meeting, Tang said the program "City Forum" in September 2012 showed two empty chairs after two top government officials declined the invitation to join in a discussion of the Government's controversial plan to introduce a national education curriculum, which has been widely dubbed locally as "brainwashing". Tang criticized the move as being intended to "embarrass" the absentees, or the senior officials who declined to take part.

The IFJ believes the Government of Hong Kong is unlikely to allow RTHK to operate independently, but that all Hong Kong taxpayers' money should be wisely used. We argue that the only solution is to speed up the transformation of RTHK into a genuine public service broadcaster to ensure its organizational autonomy and editorial independence.

Journalists, media outlets face fines, court actions

On August 23, the Communications Authority (formerly the Broadcasting Authority) imposed an unprecedented penalty on a television station after

Chaos in Macau TV Market Restricts Viewing Choices

Connie

On the eve of Macau's return of sovereignty to China in 1999, the Portuguese-Macanese government privately awarded an exclusive, 15-year cable television concession to a Portuguese company, citing concerns about the continuity of the Portuguese channel in Teledifusão de Macau, S. A., the public television network in Macau. With this act, television transmission in the territory suddenly became a monopoly, with the result that the cable TV concession is now widely regarded as an unjust contract.

So how did people watch television in Macau before? As in many other cities worldwide, residents in the territory can no longer use fish-bone antenna for reception of TV signals as there are more and more high-rise buildings. The logical solution was Communal Antenna Service Providers (CASPs or "Public Antenna Companies"), which have been in operation in the form of public antenna firms since the 1980s. These companies provide service for only US\$4.40 per household. As the Public Antenna Companies do not own the copyright in the programs transmitted, they charge for their service in the name of network maintenance, similar to what has been done by "the Fourth Channel" in Taiwan, and taking advantage of the legal grey area with no regard to copyrights law. They even secretly transmitted a number of foreign pay TV channels and were only pushed to stop later by the programs' copyright owners. In 2012, the Macau government amended the Copyright Law to stipulate that stealing encryption code from satellite channels is criminal. Since then, the public have been able to watch hundreds of "free to air" channels through the public antenna companies.

The public antenna companies undoubtedly posed a great threat to Macau Cable TV. This was because, when granting the exclusive cable TV concession in 1999, the Macau government failed to face reality, to deal with the companies' legality, or to clearly define the difference between the free-TV and pay-TV markets. This caused many legal disputes between

Macau Cable TV and the public antenna companies, even resulting in blackouts to 90 per cent of the TV-viewing households in Macau. At the same time, Macau Cable TV introduced high tariffs and failed to build a network for customers, resulting in long-term deficits and the decision to put the business up for sales after six years of operation.

Even though control of Macau returned to China 13 years ago, the government of the Macau Special Administrative Region (SAR) has not dealt with the historical legacy of legal disputes, nor rectified the chaos in the television market. Macau Cable TV's sale in 2007 eventually came before the courts. In June 2013, the court ordered the government to settle the dispute within 90 days. This meant that the SAR Government should terminate the concession, compensate Macau Cable TV, issue new regulations and open up the market. It was hoped these moves would bring order to the chaos. But the government has not acted; instead, it went through an "under-the-table negotiation" and came up with a surprise announcement in August 2013 to ban all Public Antenna Companies. As well, in return for the payment of more than US\$1.25 million the government designated Macau Cable TV as the transmitter for the free cable TV signal. This is widely seen as helping to reinforce Macau Cable TV's ability to "rule the world" and upholding an unjust treaty in the disguise of public interest. This is collusion and hypocrisy to the highest degree.

Of more concern is how "efficient" the Macau SAR government is on this issue. Now the money is spent, but people have been deprived of options. Without any reasonable explanation, and under the guise of "copyright" protection, the number of free TV channels has been reduced by two-thirds, with only 40-plus channels remaining. Apart from the popular channels that Hong Kong and Macau people habitually watch, what is left to Macau audiences are China Central Television (CCTV), the predominant state television broadcaster in mainland China, and some local stations from China, as well as a channel from each of CtiTV and CETV. CtiTV is Chung T'ien Television, a nationwide cable TV network based

in Taiwan, which belongs to Want Want-China Times group, which also owns China Television. CETV is China Entertainment Television, a satellite television channel based in Shenzhen, China, whose major shareholder is the Hong Kong-based TOM Group, with a minor stake held in Taiwan. In spite of repeated queries from local media organizations, the government's avoidance of granting access to some originally open channels has still not been explained. This prompts the question of whether the government is really motivated by political censorship, which would seriously undermine the free flow of information.

Macau Cable TV's exclusive concession expires in April 2014. The government has promised to open up the television market, but the outlook is still not promising. Currently under consultation is the so-called new "TV modus operandi", which would allow three options. First, people can set up their own antenna to watch "open channels", but this is not seen as feasible given the technical challenges that led to the creation of public antenna companies in the first place. Second, the government will provide some "Basic Channels" for free, but no programming

is specified. It is unclear whether this means that the government will have the final power to decide what people should watch, and people will have no right to choose for themselves. Third, the government will issue more than one cable TV license, and people can pay to watch "cable TV".

The advocates of a user-pays system say it respect the spirit of intellectual property. The key is whether the public can continue to enjoy freedom of choice at a reasonable price, and not be at the mercy of the government or a big consortium which might charge very high prices. However, officials have been vague about their new TV market policy. Instead they have adopted a gradualist approach to diffuse public discontent and resentment, and have packaged their excuses by offering some originally free channels as "basic channels that are provided free by the government" as inducements to the public, while not mentioning the official screening guidelines. The most worrying issue is that this ideological screening process is infiltrating every household, without people even being aware of it. Television should not be debased to become merely a tool to stupefy the public.

it found considerable malpractice had occurred. Asia Television Limited (ATV), a domestic free-to-air television program service licensee, was shown to have violated several regulations of the Broadcasting Ordinance. Specifically, the Communications Authority said Wong Ching, who does not hold any position in the board or management, had unduly interfered with the day-to-day operations and management of ATV. The Authority found that ATV executive director James Shing Pan-Yu should not be on the board or have responsibility for management, and that he was no longer a "fit and proper person" within the relevant law. In addition, there was strong evidence suggesting that Shing provided misleading information to the Authority during its investigation in an attempt to conceal the nature and extent of Wong's involvement within ATV's management. The authority demanded that Shing give up his position on the board on or before September 2 and ruled that ATV be fined HK\$1,000,000 (US\$128,205) for breaching the conditions of ATV's license. ATV said it would appeal the findings.

According to some reports, Shing has been replaced as executive director by Louie King-Bun. Louie King-Bun is the former executive editor of the Central Government-controlled newspaper *Ta Kung Pao* of Hong Kong. Commerce Minister Greg So Kam-Leung said there was no evidence to show that King-Bun was not a fit and proper person to run the broadcaster. However, some reports said that Louie King-Bun had been exercising influence in the news room at ATV. Quite a number of journalists, including the editor-in-chief of ATV news room, resigned.

Four journalists, including an editor-in-chief, were prosecuted for contempt of court by the Department of Justice of Hong Kong after two newspapers, *Apple Daily* and free newspaper *Sharp Daily*, which also belongs to Next Media Group, reported an interview with a suspect in a double homicide case on March 20, 2013. According to *South China Morning Post*, Hong Kong University media law professor Doreen Weisenhaus said the action against the two frontline journalists was



Sze Wing-Yuen, a senior employee with RTHK, said he and his colleagues had experienced political interference in their editorial coverage. (Image provided by Ming Pao newspaper)

unusual. She said in general the proprietor, publisher, distributor and editor, rather than the reporters, are prosecuted.

On October 21, *Sharp Daily*, Next Media Group's free tabloid newspaper, was shut down due to significant losses. *Sharp Daily*, a sister paper of *Apple Daily*, was launched in Hong Kong on September 19, 2011. The paper's management announced the decision to close it on October 19, 2013. The Apple union leaders said they had no warning of the move. Many employees were transferred to *Apple Daily*.

Struggle goes on in Macau for freedom and diversity

There was no improvement in the situation in Macau, where journalists continued to fight for more press freedom, while the public fought for greater media diversity. A citizen journalist in Macau, Jason Chao, who was working for the Macau Concealers, which is controlled by a liberal political party in Macau, was detained by police in Macau Tower on February 21. Chao was filming two protestors who were attempting to hand over a petition to Wu Bangguo, the Chairman and Party Secretary of the Standing Committee of the National People's Congress of Mainland China, during his official visit to Macau. Police detained Chao for five hours without explanation. During the detention, police deleted all images and altered the format of his

camcorder. Police also confiscated the petition letters which the protestors distributed to journalists at the scene.

The IFJ is deeply concerned that the right to receive information is being restricted in Macau, negatively affecting social diversity, by a dispute over television transmission rights. The Macau Court of Second Instance in June indirectly upheld a civil claim by Macau Cable Television Ltd that 14 so-called "public antenna companies" were infringing copyright by illegally relaying its cable television transmissions through their networks. Macau Cable Television holds a monopoly on cable transmissions until April 2014. The result of the court's decision was that subscribers to the 14 public antenna companies lost access to more than 60 channels until the monopoly expires in April next year, leaving them only 33 to watch. On August 22, the Government increased the number of channels allowed to be broadcast by three to 36. The agreement did not reveal the measures by which the channels were chosen. The argument over the television signal transmission rights has been raging for years, but the Macau Government has not yet found a solution to the problem. The IFJ Asia-Pacific Office said: "The right to receive diverse information is a fundamental human right. We believe the current monopolization of the television transmission signal service is one of the key things depriving people of their rights."

RECOMMENDATIONS

Mainland China

1. The Central Government of China should adopt the Human Rights Council report A/HRC/23/40 of the Special Rapporteur on the Promotion and Protection of the Rights to Freedom of Opinion and Expression.
2. The Central Government of China should fully implement the Regulations on Open Government Information across the nation and ensure people can exercise their right of access to information.
3. The Central Government of China should order the immediate release of all jailed journalists, and issue orders to all levels of government that journalists and writers are not to be jailed for doing their jobs and serving the public interest.
4. The Central Government of China should order an end to all arbitrary and unexplained employment terminations, punishments and detentions of journalists. It should also demand that media outlets allow journalists to resume their duties.
5. The Central Government of China should establish an independent body to investigate fully all acts of violence committed against local and foreign media personnel, including cases in which violence is allegedly committed by government officials. The authorities should ensure the independent body is composed of front-line journalists, scholars and representatives of the All Chinese Journalists Association, in order to bring perpetrators of such violence to justice and ensure all parties understand that attacks on the media will not be tolerated.
6. The Central Government of China should order state security to stop misusing the law to intimidate and silence journalists.
7. The Central Government of China should order officials and police, at all levels of government, to end interceptions, harassment and punishment of journalists, their local assistants (including drivers), their sources and interviewees. It should also forbid the confiscation of journalistic materials.
8. The Central Government of China should order the appropriate authorities to implement fully the extended Regulations on Reporting Activities in China by Foreign Journalists (the Olympic regulations). It should order officials at all levels to comply with the October 2008 announcement that the relaxed restrictions put in place before the Olympics remain in force.
9. In line with the above regulations, the Central Government of China should ensure that officials at all levels allow freedom of movement and free access to information for journalists and local Chinese assistants to report in all areas of China, without restriction.
10. The Central Government of China should order the appropriate authorities to implement visa policies in accordance with international best practice, and apply them to foreign journalists including freelancers. The procedure for visa approval should be consistent, timely and transparent.
11. The Central Government of China should order the appropriate authorities to rescind the 2009 changes to entry permit requirements for Hong Kong and Macau journalists, so that they are able to conduct journalistic work on the Mainland without obstruction.
12. The Central Government of China should cease surveillance and censorship of online communication.
13. The Central Government of China should order an end to efforts to restrict journalism conducted online, or otherwise republished in online formats.
14. The Central Government of China should order the authorities at all levels not to manipulate local or national telecommunications systems or impose communication blackouts at any time, most importantly during times when there is great public interest in receiving information about unfolding events.

Hong Kong Special Administrative Region

1. The Hong Kong Government should uphold people's right to know and the freedom of the press, as enshrined in Article 37 of Hong Kong's Basic Law, and carry out public education and promotion campaigns on these issues.
2. The Hong Kong Government should enact a law on Access to Information and a law on Archives and abide by the current Code of Access to Information.
3. The Hong Kong Government should remove the civil servants appointed as the Director of Broadcasting and the Editor-in-Chief of Radio Television Hong Kong.
4. The Hong Kong Commerce and Economic Bureau should ensure plurality in free-to-air television media.
5. The Chief Executive of Hong Kong should initiate a dialogue with the Central Government to quash the regulations that control Hong Kong media reporting in China.
6. A confidential and independent complaints bureau should be established for journalists experiencing any violations of press freedom.
7. The Hong Kong Government should direct all heads of bureaus, departments and institutions to uphold press freedom.
8. The Hong Kong Government should direct the Police Department and the Fire Department to honour their pledges to disseminate information to the press in a timely manner and in accordance with their general practice.
9. The Hong Kong Government should uphold people's right to know and the freedom of the press, as enshrined in Article 37 of Hong Kong's Basic Law, by instructing government officials to conduct formal press conferences in place of closed-door briefings.



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