

China's New Clampdown

PRESS FREEDOM IN CHINA 2011



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Cover caption: Police in Beijing disrupt the taking of photographs by journalists during protests spurred by calls for a so-called "Chinese Jasmine Revolution". Photo: Reuters.

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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 2008. The IFJ's first annual report on press freedom in China, *China's Olympic Challenge*, assessed the media environment through 2008 and, even as it noted many instances of infringements of journalists' rights and media freedom, there was some optimism at year's end that China was moving, even if slowly, toward a more free, safe and secure working environment for local and foreign journalists.

They highlight some of the most significant challenges faced by journalists and media workers operating in China, including Hong Kong and Macau.

Aside from outlining the situation for local and foreign journalists, this year's report reflects a much more frustrating situation in China, with many journalists being sacked or forced to leave their original workplaces as the scent of the "Chinese Jasmine Revolution" spread from the Middle East to China in February 2011.

During the year a number of media workers, lawyers, bloggers and human rights activists were subjected to

food and sleep deprivation by authorities. Many local and overseas journalists were assaulted, harassed or even killed.

The online media is still the main target for government crackdowns, with a new body established to oversight the online media environment. For foreign journalists, delaying of visa applications became a tool used by the authorities to threaten and restrain journalists.

The Hong Kong and Macau media have also experienced restrictions on their freedoms. During the year, at least five Hong Kong journalists were detained by police under various contrived accusations. Macau media is also facing a tremendous challenge with the proposed establishment of a press council. In 2011, China's media environment remained frozen in time.

The information in the 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 achieved.

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Introduction

The clampdown on media in China in 2011 followed a downward trend that began after the Beijing Olympic Games in 2008. Many Chinese journalists were killed, forced to resign, suspended from their work, or punished for “mistakes” made by their colleagues.

Personal safety was an important issue for Mainland journalists. The IFJ reported that an investigative journalist was stabbed to death while he was pursuing a story about social crime. Li Xiang was killed and his laptop stolen in Luoyang City, Henan Province in September. Local police immediately classified the crime as a robbery, a claim contested by Li’s colleagues. A female journalist also suffered serious facial injuries in an attack just outside her workplace in Chaoyang District, Beijing.

Numerous cases related to authorities misusing the state secrecy laws to harass journalists. Ji Xuguang was accused of revealing state secrets while investigating a civil servant who had kidnapped and imprisoned women for the purposes of sexual slavery in Luoyang City, Henan Province in September.

At least 16 journalists were recorded as being forced to leave their workplaces. These included Zhang Ping, Wang Keqin, Chen Min, Song Zhibiao, Li Wenkai, Deng Zhixin, Long Can, Li Jianjun and Wang Xiaoyu. Quite a number of them were working in the same team and in the same media outlet, specifically the *Southern Metropolis Newspaper* forum page. Some were working as investigative journalists. Wang Keqin and around five colleagues were forced to leave the *China Economic Times*. Li Jianjun was dismissed because he opposed the abrupt sacking of his colleague, Long Can, by the Editor-in-Chief, based on an unsubstantiated complaint from the Chinese authorities.

A number of investigative magazines were forced to shut down, with the official explanation being that the reason was “known to all”. The IFJ strongly questions the role of the Central Authority and the All Chinese Journalists Association in the above cases.

At the beginning of 2011, the IFJ learned that

a directive with at least 10 points was issued by the Central Propaganda Department. As time passed, some of the instructions were fully implemented, such as the instruction that journalists not report on the so-called “Chinese Jasmine Revolution” in February. However, the IFJ also observed many journalists who tried their best to report cases of great public interest, such as the train collision in Wenzhou, until an order to cease reporting was made by the Central Propaganda Department.

In 2011, the IFJ continued to monitor press freedom in China and collected all blanket orders to republish them, as was done in previous annual reports. However, this year the IFJ noted a trend towards the issuing of verbal directives by the Central Propaganda Department and provincial propaganda departments. These verbal directions were often accompanied by demands that no record be made of the directions. This change in approach suggests that the Central Propaganda Department, or relevant departments, understand that such orders or directives are violations of press freedom.

However, the IFJ deeply appreciated the acknowledgement of the General Administration of Press and Publication (GAPP) in China that the government would not allow the creation of media “blacklists” by government departments or institutions. This statement was made in response to concerns raised by the IFJ on June 20 that such a “blacklist” was being mooted by Health Ministry officials.

Although we have seen the GAPP respond to international standards, we also have seen that some bureaus, departments and individual government officials did not respect, uphold and fully implement the directions that President Hu and Premier Wen made at the 17th National Congress, when all officials were asked to take steps to protect people’s right to know, right to surveillance, right to participation and right of expression. Furthermore, a survey published by Chinese Academy of Social Science in 2010 revealed that only two departments had scored a pass grade when the survey rated their implementation of the Code of Access to Information in different levels of government across the nation.

Media in 2011 could be regarded as trapped in the Ice Ages, while the Central Authority of China speedily tightened up all the restrictions” to “Media in 2011 could be regarded as frozen in time, while the Central Authority of China speedily tightened up all the restrictions.

As the scent of the "Jasmine Revolution" in the Middle East and North Africa spread towards China, many people including journalists, bloggers, human rights lawyers, human rights activists, and human rights artists were illegally detained, charged, punished and tortured.

The IFJ also learned that the security bureau of Guangdong Province, in southern China, keeps a blacklist of journalists. Some of these journalists were removed from their working places, while one left China.

While press freedom on the Mainland is shrinking, Hong Kong, which is a Special Administrative Region of China, did not entirely exercise free press. At the beginning of 2011, the IFJ noted that police kept reducing freedom of expression and freedom of assembly when events were related to political issues. However in the second half year of 2011, journalists in Hong Kong experienced the biggest restriction from the local government since the 1997 handover of Hong Kong from British rule to the People's Republic of China. At least five journalists were detained by police for a number of hours without concrete evidence to prove that they had violated from local laws. Furthermore, an intern journalist, Kiri Choy, was charged with obstruction of a public place.

When the Vice Premier of China, Li Keqiang, officially visited Hong Kong in mid-August, police used their bodies, hands and security guards to block journalists from carrying out their work. One plain clothes policeman used his hand to shove a television camera aside when the cameraman tried to film Li's visit to a residential complex. When the Commissioner of Police, Andy Tsang, was asked for an explanation, he said it was “a reflex action because police saw a shadow”.

After a series of violations of press freedom, an IFJ affiliate, the Hong Kong Journalists Association, and the Hong Kong Press Photographers Association, organized a demonstration to express their anger. Nearly 300 journalists including Hong Kong citizens participated.

Furthermore, the IFJ recorded some actions within the Hong Kong media industry which amounted to a threat to press freedom.

The IFJ as usual wrote a number of Open Letters to the President of China Hu Jintao, Premier Wen Jiabao, members of Communist Party Central Politburo Standing Committee, the United Nation Human Rights High Commissioner, Chief Executive of the Hong Kong Special Administrative Region, the Chief Secretary of Hong Kong and some of the Councillors of Hong Kong Legislative Council to express its concerns about press freedom. The IFJ and HKJA were also invited to attend a panel discussion hosted by a Committee of the Hong Kong Legislative Council's to express their concern.

For foreign journalists working in China, conditions have deteriorated since 2008. A journalist was even woken up at midnight in his hotel while he was reporting a series of protests in Inner Mongolia. A number of journalists were harassed, detained, manhandled or beaten up by police or unidentified persons while they were reporting the “Chinese Jasmine Revolution”. In Shandong, journalists were pelted with stones, and manhandled and harassed by thugs while attempting to interview blind human rights activist Chen Guangcheng.

A new online oversight body, the State Internet Information Office of China, was formed. The Deputy Director of the Propaganda Department and the Vice Director of Security Bureau were key figures in the office. After it was formed, more than 6,000 websites were deemed “illegal” and ordered to close.

In the lead-up to the expected changes within the senior leadership in Mainland China, Hong Kong and Taiwan, the IFJ urges the new President and Premier of China, the Communist Party Central Politburo Standing Committee members, the Chief Executive of Hong Kong and the President of Taiwan to publicly commit to defending press freedom and freedom of expression.

At the same time, the leaders of all the Mainland, Hong Kong and Taiwan should demand that all officials to fully implement the code of access to information and to enact it as law in order to bring the treatment of the media into line with Article 35 of China's Constitution, Article 27 of the Basic Law of Hong Kong, and the International Bill of Human Rights.

Mainland China

It is fair to say that, during 2011, China's media suffered the heaviest official restrictions since 2008 and was effectively frozen in time.

It is possible that the scent of revolution drifting from the Middle East and North Africa scared the government, but it is also possible that the upcoming changes in the membership of the Politburo Standing Committee of the Communist Party of China played a role. In 2012, the Committee's existing leaders will retire, to be replaced by nine new members. As such, the Chinese leadership would have been anxious to ensure social stability during the period of the transition.

Media crackdowns in response to calls for "Jasmine Revolution"

The Chinese media's already limited freedom was further eroded during 2011. The Chinese authorities aimed to remove and restrain a number of vocal journalists.

A number of journalists working in Beijing and Guangzhou were removed from their positions, one have to leave China. The government also established a journalist "black list", increasing pressure on outspoken journalists.

The Central Authority further extended its reach to reduce the influence of metro city newspapers, restrain satellite television broadcast entertainment and establish a new office too oversee the development of the internet.

With the scent of revolution drifting into China from the Middle East and North Africa, the IFJ recorded the illegal short-term detention, harassment and torture of dozens of people including media professionals, citizen journalists, writers, artists and lawyers by officers and agents of the security bureau. Although they were eventually released, they are still under house arrest or facing various charges.

The IFJ applauds a number of journalists who,

despite facing tremendous hardship, tried to report the train crash in Wenzhou in August. Although an order was issued which immediately relegated all reports to the rubbish bin, these journalists uploaded all relevant articles and layouts to the internet, disregarding the risk that the authority might impose punishments.

On February 19 2011, on the eve of the protests that became known as the "Chinese Jasmine Revolution", President of China Hu Jintao made the following speech at the Central Party School in Beijing, where rising leaders are trained. President Hu said: "At present, our country has an important strategic window for development, but is also in a period of magnified social conflicts". He went on to say the government's efforts to limit expression on the internet were aimed at "further strengthening and improving management of the internet, improving the standard of management of virtual society, and establishing mechanisms to guide online public opinion."

Although Hu's speech coincided with the eruption of the so-called "Chinese Jasmine Revolution", the Central Politburo Standing Committee seemed to be already well prepared to respond. On January 5, CCP Central Politburo Standing Committee Member Li Changchun led a meeting in Beijing of all officials of the propaganda departments, where CCP Central Politburo Member, Member of the Secretariat of the Central Committee and Central Propaganda Department Minister Liu Yunshan gave the keynote speech, saying: "Unify our thoughts to the scientific determination made by the Central Authority on how to they assessed the political trend".

Media directives continue

After that, Cao Guoxing, a Shanghai-based reporter for the Chinese-language Radio France Internationale, reported that a 10-point directive was issued to all media by the Central Propaganda Department. The points included an order that reporting of disasters, accidents and extreme events should be strictly controlled. When there is a major disaster or accident, journalists are to rely on reports from the central news media, without incorporating information from news reports or monitoring outside

China. Only Central and local media are allowed to report on incidents involving crowds, and these should be prevented from blaming either the government or the Communist Party. The management of metro newspapers is to be enhanced.

Regarding reports of corruption cases, there is to be no discussion, debate or querying of the political system reforms. Journalists are not to use the term “civil society” and are absolutely forbidden to stand against the government or to use the media to replace and interfere with the opinions of the public.

A journalist who spoke on condition of anonymity told the IFJ that journalists did not doubt the Radio France Internationale report, since directives or strict orders were issued from Central or Provincial Propaganda Departments from time to time. However this year the departments had started to disseminate the restrictive orders orally instead of as written documents and demanded all media personnel not write them down.

“This might be because a few media associations, in particular your organization, published the restrictive orders in the past, forcing them to think of an alternative,” the journalist said.

From 2008 to 2010, the IFJ published a number of restrictive orders. These included directive that journalists rely only on Xinhua news report on riots in Xinjiang and Shaoguan in 2009; that no journalist should be sent to cover a mudslide in Zhouqu County, Gannan Tibetan Autonomous Prefecture, Gansu, in August 2010; and that there should be no reporting of the rally in Guangdong to protect the city’s colloquial language in August 2010.

Although the IFJ is unable to confirm the 10 points of the directive, it believes that it does exist. This view is based on the government’s record in this area and the number of incidents which were reported in a restricted manner in the media. At the same time, media control became a very important task for the government. After the speech on January 5, the Central Propaganda Department held another meeting with officials working in provincial propaganda departments and the Political and Legislative Affairs Committee. According to a Xinhua news report on January 13, the department reminded all officials that they should voluntarily master public opinion via traditional media or the internet.

Crowd incidents

On May 4, 2011, China Daily reported that the State Internet Information Office had been established.



Yingjiang County, in Yunnan Province, was struck by a 5.4 magnitude earthquake on March 10, 2011. The following day, Japan was hit by a tsunami attracting comparisons from many in the mainland media (above). Such comparisons were quickly halted by the Chinese Central Propaganda Department.

It said the office would help to improve coordination and prevent rivalry among the dozen or more Chinese government ministries and agencies with a stake in the internet. The office would be based in the State Council Information Office, under the government's propaganda and information arm. Wang Chen, the Director of the State Council's Information Office and Deputy Director of Central Propaganda Department, was appointed to be the Director of the newly office. Zhang Xinfeng, of the Vice Minister of Public Security Bureau, was appointed the Vice Director of the office.



In this environment, a number of incidents involving public gatherings occurred but were barely reported on. The first and most prominent of these occurred when the “Chinese Jasmine Revolution” erupted on February 20 in Beijing, Shanghai and Guangzhou. Not a word was able to be published by the media, except an English article which was briefly published in the Global Times, sister website of the People’s Daily.

Reports of other incidents involving crowds were also restricted. These included the 5.4 magnitude earthquake in Yingjiang County, Yunnan Province,



Photo: Ming Pao Newspaper

Following peaceful demonstration in Wukan village over a number of days, during which villagers formed barricades to prevent police entry (above), overseas media flocked to Guangdong Province to cover the protests. These protests inspired the villagers of Haimen (bottom) to voice their grievance over the decision by local government authorities to illegally allow the continued operation of power plant that was polluting local water sources. In response, hundreds of police surrounded Haimen and use teargas to disperse the crowd. *Photos: Ming Pao Newspaper.*

which occurred on March 10, 2011. The disaster killed 26 people and injured 313 people. Reports of large-scale labour rights protests in the Qixia Region of Nanjing on May 12 and 13 were banned by the provincial propaganda department. Even when an earthquake occurred in Japan in March 11, causing a tsunami and nuclear accident, the Central Propaganda Department demanded that media not make any comparison between the incident and earthquake that same month in Yunnan. In addition to this, without explanation, the State Administration of Radio Film and Television (SARFT), restricted media from making any live broadcast of the tsunami.

Media portal Aboluowang reported that more than 1,000 employees of Hua Fei Television Manufacturing Company protested because they had not received compensation before the company shut down. Some of the protesters were detained by police after a scuffle. No media reported on the events. Another large-scale protest in

Inner Mongolia on May 23, prompted by the death of Mergen, an organiser of the Mongolian herders of Right Ujumchin Banner, an area in Southern (Inner) Mongolia, was also banned from all media reports in print, broadcast and online, including blogs. News of a series of explosions at government buildings in Fuzhou, Jiangxi province was also banned by the Central Propaganda Department, with news outlets instructed to rely on reports by government news agency Xinhua. Three government buildings in Linchun District, Fuzhou, were shaken by consecutive explosions in which at least three people were killed including the person allegedly responsible for the attack, farmer Qian Mingqi, who had apparently become frustrated after being forced to leave his land with little compensation, according to reports by Hong Kong-based broadcaster Hong Kong Cable Television.

On December 12, hundreds of police confronted thousands of villagers demonstrating against the death of a local villager and political interference in local elections. Protests started in Wukan village, in China's southern Guangdong province, after 500 hectares of village land were sold to developers without any compensation being paid. One of the villager's elected to negotiate with the government, Xue Jinbo, died after being detained by police for three days. Xue's family and villagers suspected that he was beaten to death as his body suffered multiple bone fractures and extensive bruising. Government officials maintain that Xue died of a heart attack. No independent reporting of the case was allowed by Chinese authorities. Similarly, overseas and Hong Kong journalists were forced to leave the village by police and local and provincial propaganda officials, citing the "personal safety" of the journalists as an excuse. Local internet service providers also received an order from authorities to shut down all internet services in Wukan village on December 19. The Secretary of the local Chinese Communist Party branch also publicly warned villagers against being 'manipulated' by anti-Chinese groups on December 20.

Entertainment

A negative commentary on a film, "The Founding of a Party", was halted by Central Propaganda Department because the movie was scheduled to celebrate the 90th anniversary of the Communist Party in China in July.

Regarding entertainment, the SARFT issued

a directive on October 26 that all satellite televisions must reduce entertainment programs and other shows in order to "build morality and promote the core values of socialism" in 2012. The announcement was followed by a decision made by leaders of the Communist Party of China on October 18 which adopted a guideline to boost China's "soft power" and maintain "cultural security". At the plenary session of the 17th Central Committee of the Communist Party of China, it was decided by a panel under the instruction of the Politburo that reform of China's cultural system is needed in order to improve Chinese citizens' sense of identity and confidence in Chinese culture. It was also announced that the Party should encourage all media, including the internet, to promote China's influence and power internationally.

The phrase "cultural security" has been used by the authority from time to time. In April 2009, a similar order was issued by the SARFT. At that time, the department prohibited all electronic media from broadcasting variety shows and chat programmes that discussed any scandal or love affairs relating to celebrities. However this time, the restriction focused only on satellite television, and national television outlets such as China Central Television are not included. The Chongqing Government in April became the first government to restrain entertainment programmes on television, while the committee was still considering the guideline.

A Mainland professor of journalism who wished to remain anonymous told the IFJ: "I think this only provides an opportunity for corruption because nobody will strictly follow the instruction, in particular media in remote provinces. There are a lot of hidden rules in China. Media personnel can make use of this as an excuse to obtain money from the business sector."

The SARFT further issued a restrictive order to all television stations on November 28 that they were no longer allowed to broadcast advertisements that would interrupt the smooth broadcast of a drama. This was decided for the sake of considering the greater public good. The new direction will start in 2012. Some critics worried that it could affect the survival of media outlets, since advertisements are their major income. At the same time, advertisements could appear in another format on television, so the new restrictive order could have created a chance for corruption.

Public interest and safety cases go unreported

Due to the many restrictions imposed by various departments, the general public of China faces difficulties in being informed about or understanding many significant cases involving public safety. One of the most prominent public safety cases occurred in July, when 10 people were killed in Kashgar, in Xinjiang Uyghur Autonomous Region. However, the public would have had difficulty in understanding the full story of the incident. According to reports on Xinjiang government-controlled Tianshannet.com.cn on July 30 and 31, 10 people were killed (including eight shot by police) after two blasts in Kashgar over two days. It was also reported that four people were killed in knife attacks on July 31, following which police shot dead five suspects. On August 1, state-owned news agency Xinhua reported that police had shot two alleged terrorists. Although the Government-controlled media outlet reported the cases, the report was one-sided, making it hard for the public to understand the events behind the deaths.

In fact, the government has a duty to disclose information immediately according to the Disclosure of Government Information Law. The spirit of the law requires all levels of government, including departments and bureaus, to be responsible to the people. Unfortunately, the implementation of the law is very poor. According to a survey of official disclosures conducted by a Beijing University, the Chinese Academy of Social Sciences, from 2009 to 2010, only two departments among 43 bureaus, departments or institutions scored well. The poorly performing provinces were Shandong, Gansu, Ningxia Hui Autonomous Region, Xinjiang Uygur Autonomous Region and Inner Mongolia Autonomous Region. The top five provinces were Beijing, Guangdong, Shanghai, Tianjin and Shanxi.

The university also recommended that the governments and Central Authority should enhance the disclosure of information and fully implement the law at all different levels of governments, bureaus, departments or institutions etc.

The IFJ fully supports the recommendations. In addition, the IFJ believes that these are fundamental rights of media which enable them to report on information of great public interest. However the situation did not improve greatly in 2011. According to a report in

the New Beijing newspaper on August 15, the People's Supreme Court is considering allowing courts to hear administrative various judicial review cases, including those where the government has published incorrect information about a person.

Journalist "blacklist" instituted

A system for black listing journalists was established to monitor the conduct of media workers. According to a report on the General Administration of Press and Publication (GAPP) official website dated June 8, a registration system has been in existence since May 17, 2011. A blacklist system is established when a journalist has committed one out of nine breaches. The report said if journalist commits extortion, gains advantage, or dishonestly obtains a press card, the journalist will be forbidden to work for three to five years, and may even be prohibited from working in the media industry. The IFJ agrees that media personnel should be denounced if they commit extortion or gain advantage by dishonest means. However, it is concerned that journalists may be punished if the journalist is alleged to have made a false report, given that all government departments in China have not abided by the law to disclose all information to the public.

Wenzhou train crash

Outspoken media outlets also faced some hardship in 2011. Two prominent Beijing-based national newspapers, Beijing News and Jinghua Newspaper, were suddenly put under direct control of the Propaganda Department of Beijing on September 2. Beijing News Daily was originally a joint venture of Nang Feng Daily and Guangming Daily, which are controlled by the Communist Party in Guangdong and Beijing Provinces respectively, while Jinghua News was a subsidiary of People's Daily, also controlled by the Communist Party. The subsidiary magazine of Jinghua Newspaper, This Week, was assigned to the control of the People's Daily. Five of the magazine's journalists have since resigned. In the early November, the management board threatened journalists that they must either leave or work for Jinghua Newspaper after they complained that the editorial line was changed when it became the subsidiary of People's Daily. According to various reports, the GAPP approved the changes in line with a Central Authority policy for improving efficiency. However, a mainland journalist told the IFJ that most journalists believed the decision was retaliation for critical reporting of the Wenzhou train crash published in both papers. Both Beijing News Daily

and Jinghua News will now be restricted to reporting only on the Beijing region.

The Wenzhou train crash incident was one of the most prominent cases which showed that the decision of Central Propaganda Department deviates from general public. On July 23, two high-speed trains collided in Wenzhou, Zhejiang Province. The collision was the first fatal crash involving high-speed trains in China. After the Wenzhou train crash, the government reported that 40 people had been killed and 192 had been injured.

Media reported that officials hastily concluded rescue operations, ordered the burial of the derailed compartments and inhibited media attempts to further investigate the allegedly faulty signal system.

On July 23, a few hours after the fatal crash occurred, the Railway Ministry officials gave interviews at a hotel to two state-owned media outlets, including

China Central Television, while the rest of the media including local and foreign journalists were blocked from entering.

On July 24, a formal press conference was finally arranged by the Railway Ministry at only half an hour's notice. Journalists complained that Wang Yongping, spokesperson of the Ministry, did not answer a number of their questions, in particular queries about whether Railway officials were trying to hide the cause of the train crash by immediately burying the train wreckage in the mud. Wang repeated the explanation of the Railway workers and said it was facilitating the rescue work, and then said: "No matter whether you believe it or not, I believe it though." However, the Guangdong Propaganda Department used a list of recorded the names of the journalists who attended the press conference to issue a directive demanding that six Guangzhou media outlets journalists leave the vicinity. The six local media outlets were Yeng Cheng Evening Post, Guangshou Commercial newspaper, 21 Century Media newspaper,



On July 23, two high-speed trains collided in Wenzhou, Zhejiang Province. The government reported that 40 people had been killed and 192 had been injured. However, the Chinese Central Propaganda Department worked hard to control media coverage of the disaster. *Photo: Ming Pao Newspaper.*

Guangzhou Daily and its sister publication Information, Times Daily, and Southern Television.

The Central Propaganda Department demanded that all media, including their official websites, should report the case positively, with no commentary or further investigation. Only State-owned media organisations including Xinhua news agency and China Central Television were allowed to interview railway ministry officials, while journalists from other organisations were blocked from interviewing the officials. Despite some pressure from the Central Authority, journalists kept reporting the case and criticizing the railway ministry. On July 29, the atmosphere was totally changed. The Central Propaganda Department ordered all media to scrap all reports on the seven-day anniversary, a Chinese tradition to commemorate the dead who have passed away.

A Mainland journalist told the IFJ: "They were very scared. Actually we hadn't chosen which article we would use to replace the Wenzhou article, but they called us even though they knew that we had received the order from the local propaganda department."

Because of the order, the live broadcasting signal of Shanghai Dragon Television, a provincial satellite television in Shanghai, was suddenly disconnected when it was reporting the citizens of Wenzhou paying their tributes to the dead. Unlike the electronic media, all printed media had to abide by the orders. All media had to scrap the prepared articles. China Business



The Chinese Central Propaganda Department urgently issued a firm restrictive order to all media on 29 July. Many media outlets were forced to withdraw all of their prepared reports at the last minute. However, many uploaded their prepared pages to the internet in order to disclose how the Central Propaganda Department suppresses press freedom. Photo: private blog.

Journal scrapped eight pages, 21st Century Business Herald scrapped 12 pages and Beijing News scrapped nine pages. However, a journalist told the IFJ that some media used an indirect method to express their concerns afterwards. Beijing News used a weather forecast with the title of "Rain never stops in seven days" to replace the original article entitled "We are survivors".

Several journalists were punished during the reporting of the Wenzhou train crash. On July 27, Wang Qinglei, China Central Television producer of 24 Hours, was suspended from his job over coverage of the disaster after the program's host queried the Railway Ministry's speedy resolution of questions surrounding the collision of the two trains. The host also questioned officials' dismissal on July 26 of safety concerns about China's high-speed rail network. Another program, News 1+1, also on China Central Television, was suddenly taken off the network's schedule on July 26 without explanation, after criticism of a Railway Ministry spokesman on the program on July 25.

"Maintain a harmonious society is the key task in China," a journalist said told the IFJ. "Anything which could be deemed to be initiating the ever lasting grief or anger of people should be stopped immediately."

Journalists forced to leave their jobs

Criticism of the use of the media for propaganda has been continuing for a long time. Although the Central Authority has been trying to change, it still sees control as its core value. Directing public opinion is seen as the media's main task. On August 15, the Secretariat of the Central Committee and Central Propaganda Department Minister Liu Yunshan repeated this message in a magazine of Communist Party "Qiushi"

It was made clear that if the media did not abide by this principle, they would be apunished either individually or as a group.

In 2011, the whole forum page team of Southern Metropolis Newspaper was either forced to leave or moved to other positions. Zhang Ping (who writes under the pen name of Chang Ping), 40, was the first. He was forced to leave by the paper's editor-in-chief on January 27 a week after the vice-director of the Central Propaganda Department visited the office.

Zhang's columns were suspended from Southern Metropolis Newspaper and Southern Weekly from July 2010 without a clear reason. At a meeting on January 27, newspaper management demanded that Zhang stop writing critical columns, but Zhang refused. Management responded by refusing to renew his contract.

"When they terminated my contract, the representative of the management board admitted that

they had received tremendous pressure for me to leave," Zhang told the IFJ.

The other journalists working on the same forum page who were also forced to leave or removed to other positions included Chen Min (a highly popular blogger writing under the pen name Xiao Shu) and Li Wenkai.

Two other journalists working on the forum page of Southern Metropolis Newspaper, editor Deng Zhixin and commentator Song Zhibiao, also left the media after an article published to mark the three-year anniversary of the 2008 Sichuan earthquake. The article made



Zhang Ping (who writes under the pen name of Chang Ping) became the first media target of the Central Propaganda Department in early 2011. Zhang was ousted from his job and forced to leave China, later joining a writing programme in Germany.
Photo: Zhang Ping

reference to a number of artworks by the human rights artist Ai Weiwei, which delved into the tragedy and its ripple effects. During that period, no media mentioned Ai Weiwei except the People's Daily affiliate English website Global Times. Ai was suddenly detained by the authority in early April after the scent of the "Chinese Jasmine Revolution" spread in Beijing during February 2011. The authorities gave tax evasion as the reason for Ai's detention.

A journalist who did not wish to be named said: "Forcing people to leave occurred after senior members of the Central Propaganda Department, the General Administrative of Press and Publication, and the All Chinese Journalists Association visited the newsroom."

Since 2001, columnist Zhang Ping had been demoted twice, first after reporting on social issues in 2001, and second after writing an article critical of patriotism in the wake of unrest in Tibet in 2008. After this he was moved to a research position at the newspaper. Zhang is now in Germany.

Southern Metropolis Newspaper is one of the most influential newspapers in southern China. Its forum page had gained a lot of respect among the public.

Investigative journalists and popular commentators were also targeted in 2011

Renowned investigative journalist Wang Keqin and his whole team were suddenly suspended from their duties at China Economic Times on July 18. Editor-in-chief Zhang Jianjing was also moved from the newspaper to the Development Research Centre, controlled by the State Council of China, which publishes an annual report on economic growth. Zhang's reassignment is believed to have been motivated by his support for the investigative reporting of Wang and his colleagues. China Economic Times, which is under the control of the Development Research Centre, announced on July 18 that it would ramp up its coverage of economic issues. Zhang is now working for Caixin Media. Wang is working at The Economic Observer.

Wang has published a lot of influential investigative news reports, including the case of contaminated vaccines in Shanxi, which caused the deaths or illness of about 100 children and toddlers in March 2010, and the AIDS epidemic in Henan province, which was due to very poor sterilization of blood when blood was collected from public in 2005.

Seven members of Chengdu Commercial Newspaper, including its editor-in-chief, have been sacked or fined for an alleged error in a story published in December 2010. Long Can, an experienced journalist, was sacked without a clear explanation after he reported that a group of 18 adolescents had become lost in Huangshan Mountain, Anhui Province, on December 12, 2010. The report said the lost adolescents attempted to phone the local



Investigative journalists became the target of harassment in 2011. Renowned investigative journalist Wang Keqin, and his team, were pressured and forced to leave their workplace.

police station three times but the calls did not get through. One member of the group then managed to send a short message to a relative who has power in Shanghai. Police from Shanghai and Anhui provinces responded by rushing to the scene, the report said. One of the rescuers fell from the mountain, but all 18 adolescents were successfully evacuated. In the wake of the report, Shanghai Police issued a statement which denied that it was under pressure to cooperate with Anhui police to rescue the trapped adolescents. Long was sacked, six other people including editor-in-chief Chen Shuping, subject editor Zhang Feng, the assignment editor and the editorial board were penalised either with fines ranging from CNY 1000 to 3000 (around US\$150 to US\$450), demotions, suspensions or reprimands.

Li Jianjun, a colleague of Long, voiced his concerns and wrote a letter to the editor-in-chief questioning the reasonableness of Long's termination. He also considered whether the newspaper had blindly followed directions of the Central Propaganda Department. Li was fired on February 18, 2011.

Two senior editors of daily newspaper Chinese Business Morning View suffered extreme consequences on February 19 after publishing a routine report of a fire at a five-star hotel in Shenyang, near the border of China and North Korea, on February 3. Online reports said that editor-in-chief Xu Li was given a warning letter by the Propaganda Department of Shenyang, while deputy editor-in-chief Wang Xiaoyu was sacked. The Propaganda Department of Shenyang said that they breached regulations when they reported the fire



Chen Zhong, publisher of the Nang Feng Chuang bi-weekly magazine, was removed from his position, because of an article published by his colleague supporting multiple political parties in China.

at Dynasty Wanxin Hotel, but did not specify which regulations they had breached. The pair was also alleged to have published an opinion piece about North Korea in the wake of military raids on South Korea in November 2010, which was objected to by the North Korean Government.

Zhao LingMin, editorial supervisor of Nang Feng Chuang bi-weekly magazine, was suspended from her duties on August 15 after she wrote an article on August 3 in support of multiple political parties in China. Zhao said in her blog that the editorial board claimed that she made a political mistake in her article, but did not elaborate. The publisher of the magazine, Chen Zhong, was also punished. Chen was sacked on the grounds that he was the responsible person at the magazine, which focuses on social and political issues. It is a subsidiary of Guangzhou Daily media group, which owned a number of newspapers including Guangzhou Daily. Nang Feng Chuang was established in 1984 with the approval of the Communist Party of Guangzhou Province.

Not only are individual journalist punished; but sometimes the pressure is applied to the whole company.

Great Wall Monthly, an investigative news magazine in China, shut down in October without an official explanation. According to an open letter published by the magazine's editorial team on September 28, the magazine's editorial and marketing teams were forced to leave the publication due to "reasons known to all." The monthly magazine failed to publish an October edition on the October 15 as scheduled after the dismissal of these staff. It is alleged that the magazine's changes were a direct result of pressure from Chinese authorities.

Sometimes harassment comes from local authorities through misuse of state law. In 2011, a relatively rare event occurred. When a journalist was investigating a crime, police used the state secrecy law to intimidate journalist for not reporting the case.

On September 22, Ji Xuguang, an investigative journalist at China's Southern Metropolis Daily, published a report about civil servant Li Hao being charged with the kidnap and imprisonment of women for the purposes of sexual slavery. Li, 34, an official with Luoyang City's Quality and Technical Supervision Bureau, is also accused of murdering two women. Immediately after his report was published, Ji was approached by two unidentified men representing local police. He claims he was threatened and interrogated for details of the source of his information, and for revealing state secrets. On September 24, Luoyang Police Commissioner Guo Congbin made a general apology to the city's population. However, in his apology Guo did not clarify why the case may have been classified as a state secret, and said only that communication between police and the media needs to be improved. Ji has refused to speak publicly about the case after receiving a phone call from police at midnight on September 25.

On October 9, a journalist was illegally detained in a room by an officer of the Haikuo Municipal Government Procurement Centre, Cai Donghai, for using "commercial secrets" as an excuse to refuse questions. According to Xinhua, the journalist discovered that a shell company may have successfully tendered for three contracts from the government without any evidence demonstrating its capacity to satisfy the requirements of the tendering process.

But the most heartbreaking case was that of a journalist who was killed in September. Police simply classified the case as a robbery. Li Xiang of Luoyang City Television was killed in the early hours of September 19 near his home in Xigong District, Luoyang, Henan

Province. According to the Southern Metropolis Newspaper, Li was stabbed more than 10 times and his portable computer was stolen. His colleague said Li had been investigating black market cooking oil, which was a high profile crime at that time. However police did not take long to investigate, and immediately classified the case as robbery.

On October 19, a journalist for Southern Television, Lu Yaoyao, was badly beaten by two men while investigating a suspected illegal car park in Yuexiu District, Guangzhou. Two men used their bare hands and a chair to beat Lu, requiring Lu to receive four stitches to his forehead.

A female journalist, known as Lim, of China Central Television (CCTV) was seriously injured on June 9 by an unknown male outside the broadcaster's office building in Haidian, Chaoyang District, Beijing. Lim sustained knife wounds to her nose and face in the attack. According to a Global Times report on June 13, the suspect, known only by the surname Xu, allegedly asked Lim whether she worked at CCTV before attacking her. Further information from Police about the investigation is obscure. In a similar incident in Shenyang, the Director of Industrial and Commercial Bureau of Shenhe District, Shenyang Yang Xiaosong, and family members harassed Liaoning Evening Post journalists on June 8 after the newspaper published an article criticising the quality of rice dumplings at his son's shop, according to a June 18 Xinhua report. Yang threatened the journalist responsible for the article during the scuffle, in which two management personnel were injured. Yang also harassed media in an attempt to stop reports of the incident.

It is not uncommon for unknown persons to harass or attack journalists. On September 16, Zhang Jun and Zhao Ting of Zhjiang regional television station were reportedly assaulted as they sought to report on the health impacts of pollution caused by an international manufacturing company operating in Zhejiang. The pair were assaulted by security personnel employed by Jinko Solar Holdings Co, a manufacturer listed on the New York Stock Exchange, as they tried to enter the Jinko factory in Yuenhua village, according to witnesses. The equipment was confiscated and destroyed. On September 17, police said they had arrested the assailants.

Zhang Jialong, 23, who joined Caijing magazine as an intern journalist less than a year ago, disappeared on April 28 for three days, according to reports. The journalist was reportedly at dinner when he was

approached by a person who claimed to represent Beijing police and asked Zhang to leave with him. Zhang did not make contact with family, friends or his employers for three days after he left. He had reported on some popular and sensitive subjects including missing artist Ai Weiwei and the aftermath of the 2008 Sanlu tainted milk scandal. Zhang's family uploaded a missing person notice on a social networking website, asking people to provide information. However the content of the message has since disappeared. "He is just a reporter - people should talk with his employer if there are any questions," Zhang's father said in the message before it was deleted.

Since calls for "jasmine" revolution-style protests spread across China in early February, scores of people have disappeared without explanation. It is estimated that more than 100 people are being detained, including editor Ran Yunfei and writer Ye Du and former journalist Wen Tao etc.

At least one Google email account has also become a target. The account of Caixin Media



Li Xiang (top) of Luoyang City Television was killed in the early hours of September 19, and his portable computer stolen. His death aroused deep concern among media personnel. His colleagues mourned his loss, and expressed concern that the local police hastily classified the case as a robbery, instead of carrying out an in-depth investigation.



Journalists in mainland China often experienced hostile attitude and brutality in the exercise of their news reporting duties. A journalist for Southern Television, Lu Yaoyao, was badly beaten by two men while investigating a suspected illegal car park. Two men used a chair to beat him, causing Lu to receive four stitches to his forehead.

investigative journalist Zhao Hejuan was reportedly infiltrated between July 19 and 22 after she went to Shaoyang, Hunan Province, to inquire into the trafficking of children. The hacker's IP address is in Longhui County, Shaoyang, Hunan Province. Zhao went to Hunan to follow up a Caixin report on May 8, in which it was alleged that officials of the National Population and Family Planning Commission had removed babies and toddlers from families, supposedly because the families had violated China's one-child policy. The children were allegedly trafficked abroad. Zhao, accompanied by a lawyer, reported the hacking to her local police station on July 22. Police said they would hand the case to the public security office in Chao Yang, Beijing, and provide a response as soon as possible.

The heavy hand sometimes even extended to journalists' private lives.

Shi Yu, a journalist of Xinhua's financial magazine, was forced to resign after he tried to visit a blind human rights activist, Chen Guangcheng, with a group of his friends in early October. According to postings on several microblogs, Shi confirmed that he resigned from his position after he was seriously criticized by his senior for joining a small group and attempting to visit Chen, who has been under house arrest for more than a year. When he arrived at the village in Linyi Prefecture, Shandong Province, he was pushed back to a car with

his hands were tied behind his back. He was he was blindfolded for several hours and punched all over his body by unknown persons. Chen and his wife were placed under house arrest since he had already served a full sentence of four years and three months and was released in September 2010. Chen was accused of damaging property and organizing a mob to disturb traffic in 2006 after he pointed out that local government had violated human rights in a number of cases, including the one child policy.

Shi had been with the magazine for just three months; before that, he was an investigative reporter with Southern Metropolis Newspaper. According to Radio Free Asia, Shi believed the top officials had put a lot of pressure on his senior, so he preferred to leave the magazine rather than give them a lot of trouble. He further said: "I do not regret what I did."

The government of Linyi Prefecture has a notorious reputation. A group of unidentified people have been organized to stay in front of Chen's house in case anyone comes to visit him, and have attacked a number of people including journalists from Mainland China and overseas. The IFJ has written to the Government of Shandong to complain that some of the journalists were beaten up by unknown persons when they approached Chen's house. US Secretary of State Hillary Clinton expressed her concern at the Chen's family situation while she was attending the early November meeting of the organization for Asia Pacific Economic Cooperation (APEC). Hung Lui of the spokesperson of Foreign Ministry refused to make any comment about Chen's treatment, but did remark that it was an internal Chinese affair and no other country had any right to intervene.

Citizen journalists and writers suffered similar hardship in 2011. Liu Xianbin, 43, a Sichuan writer, was convicted of "inciting subversion of state power" on the basis of a number of articles he wrote for overseas media, and was sentenced to 10 years' imprisonment on March 25. During his two-hour hearing at the Suining Intermediate People's Court, prosecutors introduced two articles as evidence, including one titled "Street Protests are an Important Tactic for the Chinese Democratic Movement." One of Liu's lawyers, Mo Shaoping, argued in his defence that Liu's writings were protected under China's Constitution, which guarantees free speech. He and other rights advocates have criticized the government's handling of the case, including the fact



Liu Xianbin, 43, a Sichuan writer, was convicted of “inciting subversion of state power” on the basis of a number of articles he wrote for overseas media, and was sentenced to 10 years’ imprisonment.

that Liu was detained for at least nine months and was denied access to a lawyer. Liu was a co-signatory of Charter 08, a declaration of Democratic Governance, and was sentenced for 13 years in 1999 after he helped to establish the China Democracy Party. Liu had been sent into prison for two-and-a-half years for participating in the Tiananmen Square protests which ended in a massacre in 1989.

Chinese authorities used punitive tactics against prominent investigative journalist Qi Chonghuai, 46, who was sentenced to a further eight years’ imprisonment when he was on the eve of completing a four-year jail term. Renowned anti-corruption journalist Qi was sentenced to eight years’ jail by Tengzhou Court, Shangdong in eastern China on June 9 on charges of extortion, blackmail and fraud. Qi’s two defence lawyers said the legal system was relying on evidence already used to convict Qi of identical charges in 2008, when he received a four-year sentence. He will now remain in prison pending an appeal by his legal team. Qi, who had worked at various Mainland media outlets including at Legal System Daily, was beaten almost every day in Tengzhou prison, according to reports. After an international outcry, the journalist was reportedly



Citizen journalist, Wang Lihong, was sentenced to nine months imprisonment on September 9 for Disrupting Public Order. Wang often used the internet to disseminate important information to Chinese society.

transferred to another prison and assigned to work long hours in a coal mine.

Wang Lihong was sentenced to nine months’ imprisonment on September 9 for Disrupting Public Order. According to a report by Civil Rights and Livelihood Watch, Wang was taken away and her house was ransacked by Beijing police on March 21, with computer and books removed by officers. Her family members have not received any information regarding any offences she was alleged to have committed. Wang has been providing a lot of information to media about the violation of local government such as brutal evictions. She was arrested by Beijing police in March and charged with disturbing traffic. Wang was released on December 20, after fully serving her sentence.

Wang Qi, the administrator of the website titled “June 4th” has been harassed by Sichuan authority frequently since he completed three years’ imprisonment accused of illegally obtaining state secret in 2008. Wang was then investigating the cause of substandard buildings which collapsed in Sichuan earthquake. At the time, he gave money to victims to ease their difficulties. After three years of imprisonment, he was released



The administrator of a civil rights and livelihood website, Liu Feiyue, reported that his phone and computer were frequently attacked during sensitive political periods. This year the internet service provider took the step of disconnecting his internet communication.

in June 2011. However, according to a number of overseas media, his website office has been relocated over five times. His access to the victims of the Sichuan earthquake was also blocked.

Zheng Chuangtian, a volunteer on the Civil Rights and Livelihood website, was charged on February 26 by police of Huilai county, Jieyang, Guangdong province with inciting subversion of state power, after he re-tweeted jasmine revolution information on microblogging service Twitter. According to a report by Civil Rights and Livelihood Watch, Zheng was released on bail on March 28.

The administrator of Civil Rights and Livelihood website, Liu Feiyue, said many news sources and human rights activists had experienced tremendous human rights abuses from provincial security bureaus across the nation since the “Chinese Jasmine Revolution”.

“My internet access was suddenly disconnected by the internet service provider China Tietong Telecom on April 30, a day after they received an order from the officer of Suizhou Government, Hubei province,” Liu said.

“The staff said the officer claimed that I had been browsing ‘illegal websites’, but did not specify any website in particular.”

Liu’s mobile phone and fax machine were also shut down on May 1 for some days. He was warned by security bureau of Suizhou not to participate in the “jasmine” protest in China. Liu was beaten up by security officers three times. He believed this occurred because he manages a website which helps citizens fight for their livelihoods.

A prominent scholar, Muo Yushi, received a death threat by phone on the afternoon of April 27 after he published an article expressing a dissident voice about the comments of Mao Zhitong, ex-Chairperson of Communist Party. On April 26, the Caixin website published Muo’s article with the title of “Let the genuine Mao appear in front of people”. In the article, he said that many people still treated Mao as a god and would not allow anyone to make any comment about what he did. He then cited a number of cases including the Cultural Revolution and the Great Chinese Famine which claimed hundreds of millions of lives. However the article was deleted from the website and he received a phone call including a death threat from a man who claimed he had studied in Japan. “He said that he will



A prominent scholar, Muo Yushi, received a death threat by telephone on the afternoon of April 27, after he published an article expressing a dissident view on the comments of Mao Zedong, ex-Chairperson of Communist Party

ask people to beat me up,” scholar Muo said, “Although I received various hostile responses when I made my speech publicly in the past, this time was quite special.” He also said that he did not know who made the order to delete his article or the relevant supportive comment from the website. Caixin Media is a media outlet newly established by Hu Shuli, an outspoken media figure in the Mainland.

Observers have recently said that the atmosphere in China is reminiscent of Mao’s era and that it is causing stress to people who suffered during Mao’s regime. Many people have claimed that the atmosphere is due to a regression by the Central Government and an attempt to uphold the spirit of Mao when a number of Communist party member had suggested implementing political reform.

Six writers and scholars were prohibited from leaving the Mainland to attend the 10-year anniversary of Independent Chinese PEN in Hong Kong on July 23. The group included an executive board member of Independent Chinese PEN, Zan Aizong; Hangzhou lawyer and writer Zhuang Daohe, who has been banned from leaving China since 2009; Beijing journalism professor Jiao Guobiao, who lost his job after writing a critique of the Communist Party; poet and film scholar Cui Weiping, who was barred from attending a film conference in the United States in 2010; and writers He Yuongquan and Liu Di. The IFJ calls on China’s authorities to respect the Central Government’s promise to uphold the right to free speech and access to information.

The “Chinese Jasmine Revolution”

The scent of revolution drifting from the Middle East and North Africa seemed to spur the Central Government of China to renew its attacks on freedom of expression, freedom of the press and freedom of association, at a scale not seen since the lead-up to the Beijing Olympic Games in 2008.

In the months since the calls for revolution spread from Tunisia in December 2010, the rule of law in China has effectively been rendered irrelevant, with journalists, lawyers, human rights activists and students illegally incarcerated, harassed and intimidated. A tight net has been cast around information published by journalists or circulated online by citizens.

The IFJ considers that grave breaches of human rights have been occurring with greater frequency and



In February 2011, the so-called “Chinese Jasmine Revolution” trapped China’s press freedom and freedom of expression movement in time”. *Photo originally published on Flickr.*

recommends urgent action be taken by international organisations to bring China’s authorities to account.

The spread of popular uprisings, known as “jasmine” revolutions, in Tunisia and Egypt through to neighbouring countries in late 2010 and early 2011 received global attention, no less from China’s authorities. Media in China barely reported the news of the overthrow of Egypt’s regime that came with President Hosni Mubarak’s resignation on February 11, with the exception of emphasising that the Central Government had evacuated Chinese nationals from the country for their safety.

However when a Chinese lawyer in Shanghai posted “celebration for Egypt” to her Twitter feed, she was interrogated by a security officer in Shanghai on February 15. The hint of revolution reverberated through the nervous system of China’s administration.

As “jasmine” sentiments drifted across to China in the days following the overthrow of the Mubarak regime

of Egypt, China's Central Government moved quickly to silence any stirrings of dissent. Hundreds of people across the country were interrogated and detained by security bureau officers without due process. On Saturday February 19, anonymous online posts called for "Chinese Jasmine Revolution" protests to be held every Sunday, the first within 24 hours. These posts were quickly censored, and when the website Boxun (<http://news.boxun.com>) uploaded similar information, it was shut down by hackers, as was the official blog of "Chinese Jasmine Revolution" (<http://molihuaxingdong.blogspot.com>).

On the same day, the President of China, Hu Jintao, held a "seminar" for key leaders of bureaus and departments of all provincial governments. Hu reminded the leaders to "enhance their social management skills" in order to ensure social stability. Among the eight points in his speech, he emphasised that online opinion must remain within the well-established framework of "supervision of public opinion", which is intended to control all negative or sensitive reports that might affect the government's power. The February 19 speech was widely interpreted as instructions for all authorities to come to grips with "virtual society" online.

Zhou Yongkang, a member of the Politburo Standing Committee with oversight of public security, followed this call on February 20, saying that all Communist leaders should enhance their social management skills in order to protect the status of the ruling Communist Party. Zhou also made comments clearly designed to coincide with the first protests that appeared in China, which had been flagged in the online calls for demonstrations. "Ensure all social disagreement and conflicts vanish when they sprout," Zhou said, according to reports.

The same day, numerous uniformed and plain-clothes law enforcement officers, regardless of their designated bureau or department, rushed into the mooted protest areas to supervise the crowds. Many posed as pedestrians, students or street cleaners to take photos and collect information about protest participants and journalists covering the events.

Despite the large police presence on the streets and the censorship of online messages, more than 1000 people reportedly gathered at a public square in Wangfujing, Beijing, one of the suggested protest areas. A few young people were immediately removed by police without reason. One was manhandled by officers



Zhou Yongkang, a member of the Politburo Standing Committee with oversight of public security, followed President Hu's directive, saying on February 20 that all Communist leaders should enhance their social management skills in order to protect the status of the ruling Chinese Communist Party.

when they saw him holding a few stalks of jasmine. Similar incidents occurred in Shanghai. On this first Sunday protest, police focused only on participants in the protests.

Journalists had been blocked, harassed and manhandled by uniformed and plain-clothes officers on February 20, but there were no reports of physical violence. However, the strategy changed at protests on the following Sunday, February 27, when journalists became the targets. At least 16 foreign media professionals suffered various forms of physical violence at the hands of the authorities. One video journalist was pushed to the ground by a uniformed officer and then was kicked and punched by a man believed to be from the security bureau. While on the ground the journalist was also hit on the head by a street cleaner with his broom. In other incidents, plain-clothes officers pretended to be students and approached journalists, attempting to elicit information from them on their attitudes toward the Central Government. Scores of people were detained on questionable charges

On the first two Sundays, police removed some of those who gathered at the protest areas in a very short period of time, but the actual number of people who were taken away by police was much higher. In the three weeks that followed the first Sunday protest, it is believed that more than 100 people including journalists, artists, bloggers, dissidents, human rights activists and lawyers were interrogated, detained or placed under house arrest without explanation.

Those targeted included magazine editor and blogger Ran Yunfei and human rights activists Ding Mao, Chen Wei and Zhu Yufu, who were charged with inciting subversion of state power after they were detained by police on February 19 and 20. Renowned contemporary artist Ai Weiwei remains in detention after being taken by police from Beijing International Airport on April 3. Prompted by calls from domestic and international organisations questioning the legality of Ai's arrest, police now allege Beijing Fake Cultural Development, registered under the name of Ai's wife, was involved in tax evasion. Wen Tao, a former journalist of Global Times, and an associate of Ai, and the three other colleagues including the accountant, also disappeared on April 3. On June 22, Ai was granted bail on the grounds of "good attitude in confessing his crimes" but he is bound by certain conditions, such as being prohibited to leave Beijing. The other individuals were released later that day and have since kept a very low profile.

On June 24, according to Radio Free Asia, Ai complained there was no due process at all. On November 1, Beijing Local Taxation Bureau Tax Department demanded that Ai pay more than 15 million yuan (about US\$2 million) of unpaid tax within 15 days. An online donation call was immediately initiated. It collected about 8 million yuan (US\$125.4 million) via bank transfer or cash. Ai and his wife said they will use the donations to file an appeal. In November, Ai was accused by Beijing police of taking an obscene photo with four women in 2010. In the photos, Ai and the women were naked. Some critics said the photos were full of satirical meaning including mocking the Communist Party. Ai also disclosed that a "guard" was watching him round the clock when he was detained by the authority for almost three months, although he did not experience any physical torture.

However, the IFJ is aware that blogger Ye Du, human rights lawyer Li Fangping and Jiang Tiangyong



Chinese police were quick to detain youths deemed to be behaving 'suspiciously'. At the same time, police did their best to disrupt the taking of photos by the media. *Photo: Reuters*

experienced different degrees of physical and mental torture. The mental and physical abuse included being prevented from sleeping for a number of days, interrogation around the clock and at irregular times, detention in a dark room without sunlight, being stripped of their clothes, being physically and verbally abused, not being allowed to meet or talk with their families, and harassment of their immediate family members and neighbours.

On February 19, Ye Du was taken away by national security agents. The IFJ was told by a friend of Ye that Ye did not participate in the protest and had repeatedly told the agents this, but they refused to listen. However, he said, the detention might be due to the fact that they had dinner with a group of friends that night during which they casually talked about the "revolution".

During the interrogation, Ye was forced to sit underneath an air-conditioner which was set at a very low temperature for several days. He was interrogated around the clock and sometimes denied food until he suffered from stomach ache.

In an unusual incident, the security agent showed him a list of names of media workers' in Guangdong Province and asked him to point out those who had participated in the "revolution". The IFJ has

learned that quite a number of prominent journalists, including Zhang Ping, were on the list. Furthermore, several journalists complained to the IFJ that they were followed and pressured to talk to the officials of provincial propaganda departments. A journalist said: "They even refused to talk over the phone. Actually they did not say anything except to repeat the message – maintain a stable society."

Another prominent Sichuan media worker, Ran Yunfei, was also detained immediately after news of the events spread. Ran, 45, is an editor of a magazine called "Sichuan Literature". On February 24, four days after the "Chinese Jasmine Revolution" occurred on February 20, Ran was detained by Sichuan security officers on the grounds that he might have been involved in "inciting subversion of state authority". On March 28, his wife, Wang Wei, received a formal notice that Ran had been charged. On June 27, the case was refused by the judge of Intermediate People's Court on the grounds that there was insufficient evidence. However Ran remained in detention until August 9. He was released by police but put under house arrest until February 9, 2012, without a reason being given.

Although there was no evidence to show any detained individuals were involved in China's so-called "Jasmine Revolution", they were charged either because they allegedly passed around information on the protests, or possibly because they posted the single word, "support" in their microblog or Twitter streams. Ren, Chen, Ding and Ai already had a history of



Human rights artist, Ai Weiwei, lost almost three months of freedom due to allegations of tax evasion. On the day of his release, media rushed to his house to see him. Ai has now been charged by authorities with different allegations. *Photo: Ming Pao Newspaper.*

criticising the authorities, having spoken out against the Sichuan provincial government following the devastating 2008 earthquake, in which at least 70,000 people died.



After the release of Ai, a 24 hour closed-circuit television was installed opposite his house, recording all visits.



Writer Ye De experienced mental and physical torture during his detention. He claims that a Guangdong Province security agent showed him a journalist black list, and forced him to identify which names he recognized.

Furthermore, anyone who mentioned Ai's name could have drawn retaliation from the authorities. A journalists at Southern Metropolis Newspaper, Song Zhibiao, and *Caijing* magazine intern journalist, Zhang Jialong, were moved or detained for three days separately after Song obliquely endorsed the actions of Ai Weiwei in May 12, and Zhang reported on some popular and sensitive subjects including the aftermath of the 2008 Sanlu tainted milk scandal.

Many of detainees were released after being detained for a month or more, but they have refused to do any media interviews and have not made any disclosures on social networks. This is an unusual development. This time, responses are quite different, with one frequent Twitter user saying that many of those detained and then released were not mentioning the "jasmine" issue because the security bureau is tightly monitoring information. Although some were released, some of them are still imprisoned, often on trumped-up charges such as illegal assembly, inciting social disorder and endangering social security.

Wei Qiang and Yang Qiuyu were sent to labour re-education camps. Wei was charged with illegal

assembly after he took photographs of the protest at Wangfujing on February 20. Yang was detained by police because he took photographs at the protests in Beijing on March 6. Guo Weidong, a netizen who was arrested on March 11, was released on bail on April 10 pending trial on the same charge of "inciting subversion of state authority".

Hu Jun was also charged with inciting subversion of state power on May 9. Hu has a disability and is one of the administrators of Human Rights Campaign in China, told the IFJ that he is under house arrest. He repeatedly said that he did not participate in the protest but only forwarded a very few relevant articles on the internet. The Changji court had returned his case to the Legal Department twice on the grounds of insufficient evidence, but he is still facing the charge.

The clampdown has seen a dramatic change in the regulations that apply to foreign journalists working in China. According to the regulations for foreign correspondents, which remain in place after they were installed for the 2008 Olympics, journalists are permitted to interview any person as long as the interviewee gives consent. In a significant backward step, authorities now demand that journalists seek approval from officials



Prominent Sichuan magazine editor, Ran Yunfei, was charged with "inciting subversion of state authority". Although he was released, he remains under house arrest by Chinese authorities. *Photo: Flickr/Rebecca Mackinnon*

before conducting any interviews. At the same time, several potential interviewees have refused to give interviews after being pressured by local government authorities.

All universities and boarding schools were issued with an order from authorities that students must not meet in groups on campus. Students were also instructed to report to teachers if they left school during the national days of remembrance, Tomb Sweeping Day, from April 3 to 5. The notice stated that students were not allowed to join any assembly in groups.

Events that see gatherings of groups of people have been banned, including Christian worship, concerts, arts exhibitions, cultural events and even a conference to mark the 100-year anniversary of the 1911 revolution in China. Flower farmers and florists are banned from selling jasmine and all product advertisements of the plant are banned.

Daily communication between people has been heavily censored. When people say "jasmine" on the phone, the conversation is often disconnected immediately. The use of the word is also banned online. Gmail users complained that they had many difficulties accessing their accounts, although Google claimed that thorough checks had revealed the system had no problems. Citizen journalists informed the IFJ that internet services were unexpectedly disconnected by their local providers because they had visited some "illegal" websites. Some netizens also complained that they had difficulties accessing some overseas websites even when using a Virtual Private Network to get around China's so-called Great Firewall.

People are also unable to send any SMS containing the word "jasmine". Even a famous cultural song, "Jasmine", was totally banned from video-sharing websites, despite President Hu appearing in one of the

videos singing the song on his official visit to Kenya in 2006.

The breakdown in these various forms of communication is chiefly possible because of the monopoly of the communication market that exists in mainland China. The communication companies are owned by the state, and all internet service providers are required to sign a self-regulatory agreement which prevents them from allowing the uploading of "unlawful" messages, including pornography, and anything that might be interpreted as inciting social unrest or supporting separatism.

Local governments and some ISPs retain a large number of "online commentators", some of whom are professors of journalism schools, students and online bloggers. These online commentators have a lot of responsibilities including the checking of "sensitive" messages and then reporting to online administrators who delete the relevant information. They also have to engage in online forums and chat rooms in order to divert the focus of online comments if people are discussing hot topics such as inflation or property values. Finally, they are required to compile reports that analyse social sentiment on several topics. However, the "Chinese Jasmine Revolution" was not included in the reports since it did not have a chance to appear in the internet within China.

A new body, the State Internet Information Office, was established under the State Council on May 4. Authorities claim that the new office will help improve coordination among government ministries and agencies that have oversight of the internet, but in fact it is clearly aimed at further tightening censorship on the internet. The Vice-minister of Police Bureau, Zhang Xinfeng, is one of the key appointees to the new office. Its head, Wang Chen, is also the deputy head of the Central Propaganda Department and a member of the National Committee of China.

2011: A Lost Year for the Mainland Media

by Yu Yanqi

For the Chinese media, 2011 has been a relatively uneventful year. After three years of publicity monopolized and manipulated by major events; namely, the Sichuan earthquake and 2008 Olympics; the Chinese Communist Party's 60th year anniversary in 2009 and the Shanghai Expo in 2010; the media is waiting for the advancement of the 18th Communist Party Congress in 2012. The threatening impact from the oppression three years ago still lingers, and against the background of the impending succession of national leaders, the Chinese authorities have been more than careful when doing their work, like animals about to enter into hibernation, waiting to live through a bitter winter.

Guarding their position silently does not make life any easier or safer. On the contrary, the Mainland media has lost its voice in 2011, as elite reporters have lost their close connection with readers in society and the opportunity to publish newspapers elsewhere. More importantly, the intellectual sector has lost a group of media practitioners that upholds their value and integrity, as the latter is ordered to leave their work, following orders from the Propaganda Department, implemented by their subordinates in all provinces as well as frightened, conventional media bosses.

In Guangzhou, south of China, where the country's most daring and vocal media are congregated, well-known media personality, Chang Ping (Real name: Zhang Ping), has been ousted, Southern Weekend's principal commentator, Xiao Shu (Real name: Chen Min), has been fired; and the most powerful commentator team in China media, Southern Metropolis Daily, has been forced to re-structure with Chief Forum Supervisor Li Wenkai assigned to another position. Commentators and their editors have been ordered to leave because

they are classified as dangerous people. Dismissed Southern Newspaper staff would discuss among themselves that it was due to pressure exerted by the Propaganda Department, though to the outside world such incidents could merely be disguised as staff failing to perform or resigning voluntarily.

The departure of these professional media practitioners has greatly dimmed the light shone by Mainland China's opinion sector, thus depressing the trend advocating for open public opinion. Tragedies such as the Shanghai high-rise inferno, the Wenzhou high-speed train crash and the Guangzhou Xintang turmoil are just examples of how the Chinese media are repressed. Such a detrimental result is exactly what the government wants to achieve. Even under the frenzy of the Weibo microblog phenomena, senior officials that are responsible for controlling the party ideology such as Li Changchun, Liu Yunshan, Cai Mingzhao, were involved in negotiating and interfering with the Nanfang group of publications. They hate Chang Ping and his like and have been involved in compiling the final namelist for future elimination.

In 2008, Li made a rare remark to the media on Reporters' Day. He brought up two principles of the Communist Party of China. Firstly, it manages the media. Secondly, it manages the officials. Both are meant to suppress press freedom. As such, one can expect that disobedient reporters and media are to face more serious oppression. What happened in 2011 can be traced back to the iron measures enforced during the year. In achieving that, the Party is dismissing the finest reporters, re-structuring important departments, thus exerting pressure over those remaining. Apart from those in China's South, reporters and media practitioners in the North are also facing unprecedented oppression. The China Economic

Newspaper, known for its daring expose of the dark side, has had one of its reporters, Wang Keqin, dismissed. The investigative reporting team led by Wang has been disbanded and his very name has become a sensitive term that is banned on the Internet. In the beginning of this year, a Chengdu Commercial Daily reporter was dismissed because of his report over a rescue incident on Mount Haung (Huang Shan), in which he said the rescue was the result of an order from an official because one victim involved was related to that official.

There has been dismissal of reporters in the past year, but what happened in 2011 was premeditated, planned and carefully orchestrated oppression. All targeted at the South, as it advocates civil liberty and global core-values. But the approach employed is not as discreet as before, instead it is more direct, brutal and open in its confronting of press freedom and reporting rights.

The Communist Party of China has decided to safeguard the absolute power it enjoys, and is merciless towards those in its way. The Party is not afraid to flex its muscles, a reality that is quite opposite to what it has been publicizing on the international stage. As such, one can see that media oppression has reached its height in 2011, exposing the true face of violence and brutality. According to unofficial statistics, many media professionals have been forced to resign or change jobs in the media domain including Chang Ping, Xiao Shu, Wang Keqin, Dang Zhixin, Sung Zhibao, Long Can, Li Jiangjun and Shi Yu.

China's Propaganda Department is known as a dark force in oppressing press freedom and reporting rights in the Mainland. Such a force destroys not only responsible reporters, but initiates self-censorship within the media sector. The Southern group of publications has censored all pictures to do with flowers, afraid of association with Jasmine Revolution. It won't publish pictures of empty chairs and cranes, for fear of association linked to Liu Xiaobo. Or pictures of tanks for fear that it might bring back memories of the Tiananmen Square Massacre.

This has become a key phenomenon of 2011, suggesting the trend that under the Party's enormous

pressure, freedom for Mainland reporters and media is reducing. When criticizing the Propaganda Department for suppressing press freedom, one must recognize the harm done by self-censorship initiated by media organizations. In fact, under the official system of oppression, space for media liberals is limited, with conservatives starting to stamp out opposing views. Such is the ugly side of the Mainland media that has been exposed this year.

China's highest authority held a meeting in September on the topic of cultural system reform, looking into ways to better cultivate a socialistic culture. An entertainment limitation ordinance was issued afterwards. This echoes how Beijing's Propaganda Department assumed control of The Beijing News, indicating the press in China are facing a dire situation. The Beijing Propaganda Department's act to suppress liberal press has a symbolic meaning, as it further negates the influence of the Southern group of publications and suppresses liberal reporters in the capital city. This is a political move to clamp down on reporters and editors.

After leaving China, Chang Ping has been in exile in Hong Kong, editing a political affairs magazine called *Yangguang Shiwu (iSun Affairs)*. Despite the Apple Store's firewall set for Mainland China's readers, it is still widely read; in particular for the magazine's analysis of the media landscape and observational reports on China's political reform. Xiao Shu became involved anonymously in another public affairs magazine. Wang Keqin lies low in *Jingji GuanCha Bao (Economic Observation Daily)* and is about to restart his investigative reporting department. Mainland reporters have not been scared away by China, and are still struggling for press freedom.

As Chang Ping said after his dismissal, "what I lost is just a pair of handcuffs". He added, "communication platforms is where we go." Despite scores of reporters scattering in 2011, Mainland China's press domain is still positively energized while lying low, waiting for support and responses from outside. China reporters have paid a great deal and sacrificed a lot for press freedom. They are in exile in their own country and must therefore be remembered by the world, for they are still defending press freedom at gunpoint.

After the Jasmine Blooms

by Ke Yi

Upon receiving a text message that said the *NanFang Newspaper Group* was surrounded by police, with its second floor canteen filled with armed forces, I knew I had witnessed a stagnation of history. That was February 20, the first day of China's so-called 'Jasmine Revolution' as instigated by Chinese Netizens. An online rumour had turned the government upside down as if it was faced with a siege. What it had adopted was a decade-old approach by sending out scores of armed force, especially to guard the media.

What followed was a terrible day of reckoning. Intellectuals and artists, namely, Ai Weiwei, Ran Yunfei, Teng Biao, Yu Jie etc had gone missing. They had been imprisoned not for what they had done but what they had said. For instance Ai was charged for his research on Sichuan's earthquake victims. But that was just his expression of the right to know. Such ruthless punishment has stifled the freedom of speech. These courageous and righteous persons have been tortured for months before release. After which they would not dare to repeat what they had done earlier or to openly attack society again.

The effect on striking the media is easily seen. The *NanFang Newspaper Group* had been rebuked many times. It is unnecessary to send an armed force to the Group as all can see what's right from wrong. Though the Group can still maintain its conscience, it is noticeable that after many rebukes and reshuffles, its opinion page has lost most of its edge and have retracted significantly when dealing with sensitive issues especially those seen to be challenging the (political) system. Some say it has even fallen behind *The Oriental Morning Post* in Shanghai.

The *Oriental Morning Post*, however, is not an exception. In recent years, the development of newspaper opinion pages have been influenced by that of the *Southern Metropolis Daily* of the *NanFang Newspaper Group*. For example, the *New Morning*

Post in Shanghai, *Chinese Commercial Daily* in Shanxi and the *Crystal Daily* in Shenzhen have all developed an edge in their opinion pages, though such sharpness has not been vividly displayed in their news reporting. After the Jasmine Revolution, all media have turned vigilant, but their overall style has not been completely altered. Even when the *NanFang Newspaper Group's* sharpness subsided, the average quality and quantity of their opinion and commentary pieces remain high. Nonetheless, when facing high pressure, media criticism has reached a stalemate.

Online media have always been regarded as the hope to break through government restrictions. The call for China's Jasmine Revolution is sent from the Internet too. Because of that, after the (seemingly) revolutionary turmoil, the Chinese Government has increased its scrutiny on the Internet with more diverse approaches. Using popular online media company Sina as its main service provider, microblog host Weibo has become the key battleground for new media. It has offered a platform for speech freedom for the under-privileged and the marginalized in society and allowed them to be heard. However, Weibo has from the beginning adopted an uncommon approach to segment its users, such as using a star system to differentiate VIP users from ordinary users, introducing fans competition and agenda setting etc. These are seen as going against the normal standards in global Internet terms, anti-elite, de-centralized and worse still, offering convenience for government control.

Government control on online media has been carefully executed, with different policies for different Internet nodes, network stations and different user groups. There remain two approaches: to befriend or to suppress. For those who like to bow before power and vanity, such as many movie and cultural stars, they will bend over backward for personal gains. Though some did raise their voice after the fatal train crash in Wenzhou, on the whole they still lack the depth or

breadth (in advocating for freedom of speech). Maybe this is their way of moving people away from focusing on issues like civil rights, democracy and liberty. Even the Guo Meimei and Red Cross incidents (see page 54) that have been incited by the Internet are seen as a power struggle purposely allowed by authorities to shift people's focus. Such claims can never be confirmed, but they reflect how people view internet suppression.

In October, rumour had it that freedom of speech was opening up in Guangdong, and was hailed extensively as a positive sign by some dissidents. Guangdong Provincial Chief, Wang Yang, who has represented himself with an open, reformist image, ordered the strengthening of public opinion monitoring in the province. However, judging from the effect, as a Hong Kong medium reported, the pressure for media practitioners was increased, not reduced. It is because real freedom of speech means zero intervention from (political) leaders, or very limited intervention at least, in order to allow judgement by an independent media. From this perspective, leader-led opinion monitoring or opinion non-monitoring are two sides of the same coin. Wang Yang had begun talking about thought liberation when he assumed office in Guangdong in 2007. The fact that he still talks about the same topic today is obviously an irony.

As a result of historic lessons learnt in the 1960s, media practitioners do not believe acts such as those of Wang Yang, as they see it a way for the government to lure snakes out of their dens, in order to have them destroyed. On the other hand, after the Jasmine Revolution, editors and reporters have only increased their mistrust towards government and

officials. Ordinary citizens feel the same. Premier Wen Jiabao statements after the 723 Wenzhou train crash are still a subject of mockery on the Internet today, despite his moving and touching countenance.

The Chinese Government's control over traditional media has been more than effective, but not over new media. Despite employing many measures and resources, the new technology and perspective (towards new media) remain an issue that the Chinese authorities are busily catching up with. On one hand, we should encourage those who break through Internet barriers by various means to develop anti-control measures. On the other hand, we must expose those commercial organizations that bow to government, and let the public reprimand them.

For the reporters who are hurt because of their opposition to media suppression, the best encouragement would be assistance rendered. But only a very few would dare to accept assistance from overseas. As such, supporting them by raising public opinion as a monitoring system would be a better choice. At the same time, if such assistance could be expanded to include a way for them to learn overseas, and to upgrade their professional standard, this would be effective too.

Attempts to improve the open attitudes of government officials would, however, need more prudent monitoring. If such open approach is only lip service, then it would have no positive effect on the development of media and speech freedom. More important, is to push for a change in the system, to establish a legal environment and to rally for media independence.

Foreign Journalists in China

Working conditions for foreign journalists in China continued to be eroded in 2011. The scent of the “Jasmine Revolution” wafting over from the Middle East created a number of opportunities for unidentified security officers to act with hostility and brutality toward the foreign media.

Even attempts by some journalists to cover the long-lasting house arrest of blind human rights activist Chen Guangcheng in Shandong were met with harassment and the throwing of rocks.

On February 20, one day after the so-called Chinese Jasmine Revolution protest was held in Beijing, Shanghai and Guangzhou, the Foreign Correspondents’ Club of China (FCCC) issued an “important announcement” to its members.

The statement said that, “to ensure the continued operation of the Foreign Correspondents’ Club of China, we are currently not posting incident reports or statements on our website”. However, the statement also informed members that they could contact the office directly for further information. The implication of the brief announcement was that foreign journalists had suffered a lot of harassment.

Reporting of “Chinese Jasmine Revolution” protests

On February 20, so-called “Jasmine Revolution” protests were called for in public shopping areas in Beijing, Shanghai and Guangzhou. Given the great public interest in the story, all non-local media rushed to the apparent locations of the protests. However, before the so-called protests began, a journalist who covered the incident in Guangzhou told the IFJ that she did not see any protesters. Uniformed and plain clothes policemen made up the majority of people on the scene. “I strongly believe the number of police was far greater than protesters,” she said. “The police even pretended to be customers in the local coffee shop next to the protest gathering.”

A Hong Kong journalist told the IFJ he was followed closely by a security officer who prevented him from making contact with a number of dissidents in Guangzhou. The journalist was harassed by the officer when investigating the case of a human rights lawyer, who was injured in a beating by five plainclothes officers after he tried to attend the Guangzhou protest. “The security officer blocked my path to reach the injured lawyer and tried to snatch my cell phone when I recorded his unacceptable behaviour,” said the journalist, who requested anonymity. The officer also damaged the journalist’s phone in the incident.

In Beijing and Shanghai, many protesters gathered at the meeting points. According to various non-Mainland media reports, journalists were blocked by police and unidentified individuals from taking photos or filming, when they attempted to record the manhandling by police of those peacefully holding bunches of jasmine flowers or voicing their concerns. Some journalists also complained that their equipment was destroyed by police. At the same time, police used cameras to take pictures of those people who were gathered at the meeting points. Police also conducted checks of people’s personal belongings.

By the second week after calls for a “Jasmine Revolution” the police response had become much better coordinated. On February, 27 according to a number of reports by Hong Kong media outlets, several journalists including Hong Kong, Taiwan and foreign journalists were impeded and detained by police while covering the protest in Wangfujing Street, Beijing. Many journalists from Bloomberg TV, BBC, CNN, Sanli TV, Deutsche Presse-Agentur, German state broadcaster ARD, Hong Kong-based broadcasters including Asia Television, Television Broadcasting, Cable Television, Radio Television of Hong Kong and Taiwan-based broadcaster iSet TV were harassed, assaulted and detained by police and other unidentified people during the protests.

In Beijing, according to *The Wall Street Journal*,



A plainclothes security agent (right) holds his phone to this chest in order to covertly take photos. Photo: Radio Free Asia

Bloomberg television journalist Stephen Engle was pushed to the ground by police and hit on the head with a broom handle by a man dressed as a street sweeper.

Asia Television reported that a camera operator and reporter, and a TVB camera operator, were detained for a number of hours before being released. It was also reported that ATV news footage capturing the protest was deleted by police officers during the journalists' detention.

The IFJ has also learned that journalists from foreign media outlets, including *Radio Free Asia* (US) and *Kyodo* (Japan) had their identities checked by police in Guangzhou.

"One of the plainclothes officers pretended to be a "protester" and got closer to me – he thought that I was a protester and then he tried to get information from me," a journalist from *Radio Free Asia* said.

"He used his iPhone to photograph my face and my identity was checked by a policeman in uniform immediately after I left the plainclothes officer."

In its regular press conference on March 1, Chinese Foreign Ministry Spokeswoman, Jiang Yu, accused journalists of breaching reporting restrictions put in place by police for Sunday protests in Beijing and Shanghai on February 20 and 27. Jiang further said that journalists must "cooperate" with police officers. When

Jiang was asked to identify the restrictions that journalists had supposedly breached, she refused to answer.

Although media received great pressure from authorities, they still planned to cover the continued protest the following week, on March 6. However, Chinese authorities unilaterally changed the regulations for foreign correspondents working in China, and threatened that extensions of journalists' working visas might be jeopardized by any continued reporting of the protests.

Many journalists, regardless of whether they had covered the protests, were reminded that if they wanted to remain working in China they needed to have a working visa. Some were told that

they had to obey Chinese laws.

Restrictions imposed on reporting at Beijing's Wangfujing

Authorities also suddenly demanded all journalists register at Wangfujing District Office, in Beijing. The reason given was the need to prevent traffic problems on March 2. This occurred, despite the FCCC reminding all journalists of the need to carry their press credentials and passports in case of on-the-spot police identity checks.

This sudden change of reporting regulations for the Wangfujing area clearly violated the regulations which were admitted by the State Council in 2008 after the Beijing Olympic Games. These rules, as set out in Regulation 17 of *Regulations of the People's Republic of China Concerning Reporting Activities of Permanent Offices of Foreign Media Organisations and Foreign Journalists*; Regulation 6 of *Regulations for Hong Kong and Macau* and Regulation 7 for *Taiwan* after the Olympic Games in 2008 and 2009 respectively, journalists are required to obtain an interviewee's consent when preparing reports.

He further said that he believed all foreign journalists' working visas had to be approved not only by the Chinese Foreign Ministry, but also by the Security

Despite the administration's sudden imposition of additional requirements, journalists who followed the



The Chinese Minister of Foreign Affairs, Yang Jiechi, denied that any foreign journalists were assaulted during coverage of the protests.

new rules were not necessarily successful in obtaining a permit. One Japanese journalist told IFJ that he had tried to apply for a permit to enter Wangfujing, but his application was turned down. “They said no to filming because many people were expected to be on the street, as the National Committee of the Chinese People’s Political Consultative Conference and National People’s Congress were to be held at the that same time.”

He further said that he believed all foreign journalists’ working visas had to be approved not only by the Chinese Foreign Ministry, but also by the Security Bureau and Propaganda Department.

A foreign journalist said: “It is quite worrying. It’s a real rollback of the gains made before the Olympics. If they can do this in Wangfujing, then they might do it in other public areas.”

On March 6, several journalists were detained in Shanghai when they were trying to cover the event. The journalists included Janis Vougioukas of *Stern* Magazine, who reported that at least 15 journalists were detained for more than three hours in an underground room.

The next day, the Chinese Minister of Foreign Affairs, Yang Jiechi, denied that any foreign journalists were assaulted by police during the press conference for the National Congress. He further added that China is a “rule of law” country.

Attack on journalists interviewing blind human rights activist

Foreign journalists faced tremendous obstacles when trying to interview a prominent human rights activist.

On February 16, CNN journalists Stan Grant and Steven Jiang reported that guards threw stones and pushed and shoved them after ordering them away from the entrance to Dongshigu Village, Shandong Province, where blind human rights activist, Chen Guangcheng, and his wife are under house arrest.

“I demanded to know the reason we were barred from the village...the ‘big guy’ kept shoving Stan away from the checkpoint, as his partner knocked [fellow journalist] Brad’s camera over,” Jiang reported on CNN.com.

“When we tried to walk toward the village again, the two guards picked up rocks - large and small - from the ground and hurled them at us and the car, as they yelled ‘get out’ and ‘no filming’. Some of the rocks fell dangerously close to us.”

The FCCC also received complaints from their members that groups of more than a dozen unidentified people were carrying walkie talkies and blocking all entrances to Dongshigu Village. The group pushed journalists, threatened them, damaged their cars, confiscated or destroyed their equipments and took their press credentials.

Local police did not offer help when journalists lodged a complaint about the attacks. Other journalists investigating the story, including Brice Pedroletti of *Le Monde*, a correspondent for *The New York Times*, Stéphane Lagarde of *Radio France International* and Ursula Gauthier of *Le Nouvel Observateur*, also suffered similar experiences.

On October 20, Tom Lasseter of *McClatchy Newspapers* was intercepted near the village. A plainclothes security agent tried to drag the journalist’s translator out of their car, then followed them in a high-speed chase and finally signaled to an upcoming checkpoint that they were approaching. McClatchy reporters were barred from interviewing local authorities, with the Linyi County propaganda office denying that it had received any of the four interview requests from the news service.



Human rights activist Chen Guangcheng and his wife have been under house arrest since Chen was released from jail in September 2010. The pair are not allowed to leave their house. When journalists visited Chen to conduct an interview, they were assaulted by thugs who forbid the Chens from communicating with anyone.

At least six surveillance cameras and two mobile-telephone jammers are set up near Chen's home, which is also under 24-hour surveillance by guards, according to Freedom House. In addition to some 20 individuals tasked with inspecting visitors on a highway entrance near Chen's village, a total of 100 people were reportedly hired at the generous daily rate of 100 yuan (US\$15) to block visitors.

Nevertheless, dozens of activists have continued attempts to visit Chen in recent weeks, with many encountering detention and confiscation of their property by police or hired thugs. Mainland journalists Wang Keqin and his student Shi Yu, and blogger Zhai Minglei, received the same treatment.

The FCCC issued a warning notice on February 17 to remind all journalists that "correspondents should be careful if they attempt to enter the village of activist Chen Guangcheng in Shandong province".

Chen Guangcheng, a prominent blind activist and lawyer was charged with "damaging property and organising a mob to disturb traffic" and served his full sentence of four years and three months before he was released on September 9, 2010. Since his release, Chen and his wife have been denied contact with the outside world against their wishes. A number of non-mainland journalists have been prevented by local authorities from contacting Chen despite repeated attempts to do so. The couple's telephones were shut down and they are now under house arrest. Chen and his wife were

reportedly beaten after a video showing his house arrest was posted on YouTube by US-based rights group *China Aid*. The report prompted a group of concerned locals to form a group to visit Chen's family in early of November. However none of them were able to get past the group of hired thugs.

Safety of media personnel in China worsening

On March 8, the IFJ wrote an Open Letter to United Nation High Commissioner for Human Rights, Ms Navanethem Pillay, to express its deepest concern about the safety of media personnel in China and the loss of their rights due to the unilateral alteration of regulations without prior notice or consultation.

On May 19, a survey conducted by the FCCC revealed that 94 per cent of respondents said that conditions for reporting in China have worsened. Approximately 70 per cent of respondents said they had experienced harassment and 40 per cent said their sources had been harassed, detained, questioned by officials or suffered other repercussions after contact with foreign journalists.

Reuters reported that when the Chinese Foreign Ministry was asked to respond to the survey, they initially referred to the FCCC's "lacked of legality", but then added China was "continuing to increase reporting freedom".

Increased restrictions on reporting in Inner Mongolia

Although foreign journalists have grown accustomed to the need to apply, often unsuccessfully, for a permit to visit sensitive areas such as Tibet, in 2011 restrictions expanded to include Inner Mongolia.

On May 10, Mergen, an organiser of the Mongolian herders of *Right Ujimchin Banner* in Southern (Inner) Mongolia, was killed while he was part of a group attempting to block the path of a coal hauling truck as it was moving into the herders' grasslands at Ujimchin, in the Inner Mongolia autonomous region. The *Southern Mongolian Human Rights Information Center (SMHRIC)* reported that Mergen's body was dragged under the wheels of the truck for 150 meters and then repeatedly struck by other trucks after he and other people had tried to block the coal mining truck from entering their grasslands.



Very few members of the overseas or Hong Kong media were able to gain access to Wukan village. Others were blocked by police from entering. Photo: Ming Pao Newspaper.

The death heightened local frustrations regarding mining companies and their employees, who have poured into the Southern Mongolian grasslands. Protests by local people began on May 23 and numbers built quickly.

The autonomous government of Inner Mongolia promptly began censoring reports or information connected to the death or the subsequent protests, the SMHRIC reported. Bloggers were unable to discuss the death in chat rooms and on other social networking applications and media barely reported the incident or its aftermath. Schools were placed under heavy supervision by the police and students were asked by the school authorities not to leave campus.

A peaceful protest by thousands of people, including a great number of students, in Xilinhot on May 27, saw many people taken away by police or military officers. Information on the protest was banned by the provincial and Central propaganda departments. The media were ordered to refer to the government news agency, Xinhua, if they reported the news, and other relevant information and articles were deleted from the Internet.

According to a *Guardian Post* report on May 27, Jonathan Watts was blocked from entering the vicinity of the protest by local police who said the area was “not safe” for them enter. Early the following morning, at 4.30am, the journalist was woken by two plain clothes officers who entered his hotel room and proceeded to interrogate him.

Hong Kong in Peril

Introduction

Since the British handover of authority over Hong Kong to China in 1997, the territory has been administered under the principle of “One Country, Two Systems”. This principle was proposed by the former leader of Communist Party of China, Deng Xiaoping, and formally stated in the Sino-British Joint Declaration signed on December 19, 1984.

In the 14 years that have passed since the handover, the “One Country, Two Systems” principle has faced a number of serious challenges. Numerous people have been prevented from entering Hong Kong due to their political backgrounds and the right to freedom of assembly for political events is being eroded.

Recently, Hong Kong’s long standing reputation for press freedom has also been under fire. The Hong Kong media has been on the receiving end of increasing administrative restrictions. In the past 12 months, for the first time, Hong Kong journalists have been intimidated, detained and arrested while they were exercising their duties.

Human rights guarantees ignored

Under Articles 27 and 39 of the Basic Law of the Hong Kong Special Administrative Region and Articles 16 and 17 of the Hong Kong Human Rights Ordinance, Hong Kong residents are guaranteed rights to freedom of speech, press, publication, association, assembly, procession, demonstration and freedom to form and join trade unions and to strike. The International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights remain in force, and shall be incorporated into Hong Kong’s domestic law.

However attempts by Hong Kong media or citizens to exercise these rights are often met with harassment, interference or detention.

In April 2011, a survey of the public by the University of Hong Kong found that 54 per cent of respondents believed that the media practised self-censorship. This is a record since the 1997 Handover, compared with all previous surveys.

This can be attributed mainly to the media’s unwillingness to criticize the Central Government in Beijing. At the same time, the survey found the general credibility rating of the news media had dropped to 6.03. Mak Yin-Ting, Chairperson of Hong Kong Association (HKJA), an affiliate of the International Federation of Journalists (IFJ), said, regarding self-censorship: “It’s not about whether the media does or not any more, but whether we’ve internalised it to the point where we do it unconsciously.”

On September 20, another survey by the University of Hong Kong revealed falling public confidence in Hong Kong press freedom, despite public perceptions that the credibility of the news media was increasing. The survey was conducted after allegations of management interference in the independence of ATV news and the appointment of a civil servant, Roy Tang Yun-Kwong) as the Director of Radio Television Hong Kong.

Detention without cause

This increased harassment of media can be traced back to the end of 2010.

On July 1, 2010, Kiri Choy, a 19-year-old intern with New Tang Dynasty Television, and David Cheung, a citizen journalist with Green Radio, were detained by police one night when they were taking photos of a protest by thousands of people marking the anniversary of Britain’s Handover of Hong Kong to the People’s Republic of China in 1997. They told the IFJ they had disclosed their identities to the police but were unable to produce their press cards when questioned. Police



Nineteen year-old TV intern Kiri Choy (blue shirt) was taking photos while police removed protesters. However, she and human rights observer Law Yuk – Kai (orange shirt) were identified as protestors by police and also detained. *Photo: New Dynasty TV*

immediately took them away and detained them at a police station in Aberdeen, Hong Kong, for more than 10 hours. During the detention, police attempted to detain a prominent human rights observer, Hong Kong Human Rights Monitor Director, Yuk Kai Law. Law regularly monitors police behaviour at demonstrations, and was detained while among the photographers who stood aside when police escorted the 179 protestors they had arrested to police vehicles. The number of protestors arrested was three times more than the number arrested in 2010.

Choy and Cheung reiterated denials that they had participated in the protests. “I did not participate in the demonstration, but was there taking photos, when police detained me just because I didn’t bring my press card,” David Cheung told the IFJ. However, police rejected his claims and delayed the release of Choy and Cheung.

“My employer faxed my identity confirmation letter with a company seal to the police station shortly after I called my company. They refused to release me, giving the excuse that my ‘letter and company seal need to be verified as authentic’ even though my company had called them five times to do so,” Kiri Choy said.

The police finally used the charge of obstruction of a public place to arrest Choy. The IFJ joined with Amnesty International (Hong Kong) and the Asian Human Rights Commission to immediately issue a joint statement on July 12 to express concerns about the detention of journalists and human rights defenders.

Although IFJ did not receive any reply from the Hong Kong Police, Choy later took legal action against the Police Commissioner. Police withdrew the charge against Choy in mid-September after seeking advice from the Legal Department of Hong Kong. Choy has already filed a complaint to the Independent Police Complaints Council.

Unfortunately, the trend of detention and accusations against journalists continued. On August 11, three journalists, including Emily Tsang of *Ming Pao*, Cathy Tang of *Sing Tao* and James Yan of *Capital Weekly*, were held and accused of attempted burglary by police. The charges related to a visit that the three journalists made at the New Government Complex, where they had registered and received a visitor’s permit at the reception office. The journalists had visited the complex to conduct an investigative news report about the security system of the new building. During their visit



The IFJ joined with Amnesty International (Hong Kong) and the Asian Human Rights Commission to immediately issue a joint statement on July 12 to express their concerns about the detention of journalists and human rights defenders. *Photo: AI (HK)*

the journalists unknowingly walked into an area deemed off limits by police, despite an absence of warnings or signage. They were subsequently apprehended and interrogated. However, police were unable to produce any concrete evidence to allege the trio committed any criminal act, and they were released after six hours' detention.

Media Restrictions During Visit of Li Keqiang

Iris Hui, a journalist with a local radio broadcaster, was forced to undergo unnecessary security checks when covering Li's trip in Hong Kong. Hui claims that police officers examined her wallet without giving an explanation. Their examination included counting her money and inspecting her public transportation receipts.

Many other photographers, journalists and camera crews were impeded or prevented from reporting on the visit.

Sit Ka-Kit, cameraman for Now Television, had his reporting interrupted by an unknown person who pressed down strongly on his camera when he was covering Li Keqiang's visit to Laguna City, a private

housing estate in Kwun Tong District in Kowloon on August 16, 2011. Uniformed police officers at the scene also refused to acknowledge Sit's complaint against the unknown person for failing to disclose their identity when asked.

Another journalist, Emily Chan, a reporter for Radio Television Hong Kong, also complained that she was detained, impeded and pushed by a female policeman and some security agents of the compound when she was trying to film Li's entrance to the compound.



IFJ Representative, Serenade Woo (left), and Chairperson of Hong Kong Journalists Association, Mak Yin-ting (middle) were invited to attend a special meeting of the Hong Kong Legislative Council to express their concerns about the police arrangement during Vice-Premier Li's visit. *Photo: Legislative Councillor.*

During Li's trip, media were inhibited in covering all his public events. Some of the foreign media even received unfair treatment. A Hong Kong-based Japanese journalist told the IFJ that while the other prominent foreign news agency journalists could attend all public events of Li's visit, they were deprived of their rights on the excuse of limited space. A journalist who wished to remain anonymous said: "It was totally different from normal practice. When President Hu, Premier Wen and even the US Secretary of State, Mrs Clinton, visited Hong Kong, we were also able to ask questions from within a short distance. In addition to that, journalists did not enjoy any freedom of movement even though they had passed all security checks. We were asked to move in groups even we went to toilet. If we had to go to the bathroom, we had to form a group and were escorted by plain clothes security officers. This is absurd."

Another annoying development during Li's trip was the way in which the Government Information Office restrained the media's right to report, and edited the footage of some of Li's events before they were disseminated to media. One prominent example was that Vice Premier Li Keqiang asked the Chief Executive of Hong Kong, Donald Tsang Yam-Kuen, in a closed meeting to make efforts to resolve people's grievances. However this part was deleted from the footage and news script issued by Government Information Office.

Censored information was also disseminated when the Chief Secretary of Hong Kong Henry Tang Yin-Yento answered some questions about restrictions on press freedom during Li's trip by saying "complete rubbish". The words "complete rubbish" was deleted.

Due to Li's trip, many people including media, three Hong Kong University students and a resident complained that police had abused their power by restricting people's rights. The security panel of Hong Kong Legislative Council arranged three meetings to review police policy afterwards. During the meeting, Police Commissioner denied that police have any policy to block media. However when he explained why a TV cameraman was blocked, he said it was because "It's a reflex action of a plain clothes officer to use his hand when he saw a shadow because he) did not know the shadow was a TV cameraman with a camera."

During the panel meetings, the IFJ representative, Serenade Woo, expressed concern that Hong Kong police had violated section 5 of Police General Orders. At the same time, having monitored press freedom in China since 2008, the IFJ noticed that Hong Kong police seem to have adopted the practice of Mainland security officers of blocking media when sensitive issues arose. The IFJ shared some of the best practices of other countries. HKJA



The Hong Kong Journalists Association and Hong Kong Press Photographers Association protested to express their grievances regarding the arbitrary charging and detaining of journalists. *Photo: HKJA*

Chairperson, Mak Yin-Ting and General Secretary Chong Hiu-Yeung, also expressed their concerns and submitted 28 complaints they had received from media personnel.

After a series of detentions of journalists and restrictions of press freedom, HKJA and Hong Kong Press Photographers Association (HKPPA) organized a protest on August 20 involving more than 300 journalists, students and citizens. On September 12, HKJA, HKPPA and individual journalists organised a "Black T-shirt" protest day to express their protest at Tsang's "shadow" claim. With the support of the HKJA, the IFJ also asked journalists from Macau, Taiwan and the Mainland to wear black T-shirts to show solidarity.

HKJA, HKPPA and Hong Kong News Executive Association asked to meet Chief Secretary of Hong Kong, Henry Tang, and Police Commissioner, Andy Tsang, to express their concerns. After the meetings, officials promised that they would look into the matter and follow up the complaints, but did not give any concrete promises.

A similar case occurred in the New Government Complex. On October 12, the Chief Executive made his policy address on the newly built Legislative Council Building. When he arrived, many journalists, photographers and television camera crew were manhandled, and blocked by security guards at the entrance of the building. The Security Officer blocked



The Hong Kong Journalists Association urged the Commissioner of Police, Andy Tsang, and the other top officials to demand the end to police obstruction of the media, and lodged a complaint regarding 28 cases of journalists being barred from reporting during Vice-Premier Li's visit to Hong Kong. *Photo: HKJA.*

the media from entering some areas. Media were no longer able to move freely to contact all officers, including legislative councillors, to get their comments. The new rules are totally inconsistent with previous practices and were imposed without any consultation with the media. After the complaints from media, the secretary of the Legislative Council promised to make improvements. According to various Hong Kong media reports, the number of security officers at the Legislative Council has been increased from 30 to 60 without any concrete reason being given.

Throughout 2011, Hong Kong journalists were increasingly subjected to physical detention or blocking and had difficulties with access of information, even though Hong Kong has a Code of Access to Information written in 1995.

Hong Kong police fail to implement transparency promises

In the IFJ's annual report for 2010, it was stated that Hong Kong Police did not honour their pledge when it digitized its command and control communication system. With the launch of the digital system, the information arm of the police, the Police Public Relations Branch, issued only short announcements about



Photographer removed from Panel Session in the old Hong Kong Legislative Council building because of protest t-shirt. *Photo: Ming Pao Newspaper.*

incidents through the Government Information Services system. Announcements were issued for incidents categorised as “robbery”, “snatching” or “request for police investigation”. However, information on indecent assault, rape or kidnapping was not released immediately.

According to a study conducted by the HKJA between July and December 2009, the police disseminated on average just 2.7 spot news messages each day during that six-month period, accounting for a mere 1.27 percent of the total crimes reported to the police. Sometimes no information was released for nine days. More unacceptable was the withholding of spot news information in cases involving senior police staff and celebrities.

The HKJA also found that the information invariably came in too late for reporters to be sent to the scene for coverage. After the complaint to police department, the number of alerts increased.

Moreover, the over-simplified messages regularly leave journalists confused, making it difficult for them to decide on the newsworthiness of any incident. The police, for their part, maintain that it is not a priority for them to resolve the tension between speed and clarity when disseminating news.

While the police insisted they respected press freedom, they stressed that they had to consider the government’s Code on Access to Information when considering dissemination of information to the media. They pledged to continue facilitating the media as far as possible by providing timely information, as long as it did not hamper police operations, infringe personal privacy or affect court proceedings. However, the public argued that the delays in releasing the information could put people’s safety at risk.

On February 13, Hong Kong Police confirmed the burglary of a watch store after a report of the crime had already been published in several Hong Kong newspapers. In this case, police withheld all information for over a week without explanation. On October 9, police again released information that had been withheld for more than a week concerning a series of physical attacks on the public in Tseung Kwan O. The information was released after several Hong Kong newspapers had reported that four people were attacked in separate incidents over a 12-hour period on October 2 and 3. A similar case occurred in Kwun

Tong District. Police withheld information, without explanation, for a week after four secondary teenage students were indecently assaulted by a senior on October 11 and 12.

Privacy misused to avoid transparency

A number of legislators complained that police had put public safety at risk as well as misusing the definition of “privacy”. The Secretary of Security, Ambrose Lee, promised that police would improve their practices. The Police Commissioner also said that they would increase the number of staff assigned to answering media enquiries. After the public expressed their concerns, the number of media alerts rose. On some occasions, the department issued some 300 alerts a day. However, the Commissioner of Hong Kong Police, Andy Tsang, denied on October 28 that police had deliberately delayed the issue of media alerts. He said police had a duty to investigate crime, just as the media did. Some meetings would be arranged to minimise misunderstandings between media and police.

The Fire Services Department and the Transportation Department also use “privacy” as a shield to inhibit the media from collecting information. In July, the fire department digitized its communication system. The media receives very little information from the fire department.

The HKJA believes that the problem could be resolved easily if the Police and the Fire Services Department ceased acting as “gatekeepers” or de facto “assignment editors” in the release of spot news information. The HKJA strongly recommends that the two departments improve their information dissemination mechanisms by giving journalists free access to spontaneous news information after the caller’s personal data has been deleted. This could alleviate fears that they might release information in a selective manner. The IFJ supports HKJA’s recommendation.

On December 19, the Hong Kong Government released a consultation paper to gauge public opinion regarding the possible enactment of an anti-stalking law. The paper proposed a maximum penalty of a fine of HK100,000 (approximately US13,000) and two years imprisonment. However the paper did not provide exemptions for the press, citing the fact that no similar exemptions exist in other developed countries. The HKJA is deeply worried that such a law could jeopardise investigative news reporting in Hong Kong.

The IFJ supports HKJA concerns and understands that the Legal Department of Taiwan adopted a policy that allow the media to be exempt from prosecution under anti-stalking laws if they are reporting cases of great public concern. The IFJ urges the Hong Kong Government to allow similar exemptions if deciding to enact any new anti-stalking law.

The IFJ also believes that all Hong Kong government departments, bureaus and institutions should immediately implement fully Hong Kong's Code of Access to Information, with the aim of making the government transparent, accountable and fair to the public. Under the Code, the police, fire and transportation departments have a positive duty of public disclosure. Departments have an obligation to release information, unless it could cause public harm or prejudice criminal proceedings. However, the Ombudsman of Hong Kong reported in January 2010 that he had found certain government departments displayed "considerable misunderstanding of the provisions and unfamiliarity with the procedural requirements of the Code after well over a decade of implementation". The Ombudsman proposed several improvements, including training, to ensure departmental guidelines on the code are clear, correct and up do date.

In the IFJ's "Voices of Courage" annual report on press freedom in China in 2010, the IFJ recommended that the Hong Kong government immediately develop an Access to Information Law and a Public Record Law so that Hong Kong complies with Article 19 of the Universal Declaration of Human Rights. To the IFJ's dismay, the Chief Secretary of Hong Kong, Stephen Sui-Lung Lam, disclosed that more than 35 billion piece of paper in government files were destroyed from April to September 2011. Out of 46 Government Departments, only 11 passed confidential files to the Hong Kong Government Record Service (GRS). The Security Bureau passed only 42 files to the GRS from 2006 to 2010.

The IFJ believes an Access to Information Law and a Public Record Law are significant elements of a responsible and democratic government. At the same time, we urge the Chief Executive of Hong Kong Government to require all government bureaus, departments and institutions, in particular the Security Bureau, to follow through on the existing Code of Access to Information and enact the relevant laws. At the same time, the Hong Kong Police and the Fire Department could consider the example of countries where daily media briefing sessions are routine.



The Hong Kong Government has developed a practice of using closed door briefings to announce government policy, instead of arranging formal press conferences. The trend has already drawn criticism from the media industry, public intellectual and politicians.
Photo: Serenade Woo

Off-the-record briefings

In 2011, the Hong Kong government continued to use “off the record” briefings frequently, despite the practice being revealed by *The Journalists*, an official magazine of the Hong Kong Journalists Association, in 2010.

The HKJA discussed the question of off-the-record briefings with representatives of the Information Services Department, including its director, Michael Wong. The director responded to the HKJA’s research by stating that press conferences and background briefings were different types of media activities held for different purposes. He claimed that officials used various means to inform the public about government policies. However, he agreed that press conferences would normally be held to announce policies and to explain them to the public in a comprehensive manner.

Among the numerous cases of off-the-record briefings, one of the most notable was that regarding the government’s decision to make a one-off payment of HK\$6000 to all adult permanent residents. On June 16, government officials privately briefed the media about applications for, and distribution methods of, the one-off payment of HK\$6,000 instead of organizing a press conference to publicly discuss the initiative. Journalists covering the story were permitted to quote only “a government spokesman” rather than the name and position of particular government officials.

On November 23, Emily Lau Wai-Hing, a legislator from the Democratic Party, prepared a motion to call on the Hong Kong government to defend press freedom. This included a call to open up all official events to the media, to stop imposing any restrictions on the media, and to inquire into whether the editorial independence of Asia Television Ltd is under threat or not. However with the support of pro-establishment legislators, the motion was voted down.

The IFJ believes the Hong Kong government has been stalling too long on this vital issue. Freedom of Information laws, including associated archive laws, are also essential to ensure a stronger democracy and to promote open and accountable government, which is the Hong Kong government’s stated policy goal.



Civil Servant, Roy Tang, was appointed as the Director of Broadcasting by the Hong Kong Government, drawing criticism from the RTHK union. The union rolled out a black carpet to welcome him to his first working day in RTHK. Photo: *Ming Pao Newspaper*.

Inexperienced public servant appointed to senior media regulation post

The government-owned Radio Television Hong Kong (RTHK) also suffered a major blow from the government in 2011. On September 9, the Commerce and Economic Development Bureau, which oversees public broadcasting, appointed deputy secretary for labour and welfare Roy Tang Yun-Kwong as Director of Broadcasting, despite his lack of experience in the media sector.

Tang, who has been a civil servant since 1987, was appointed after no candidate was found to be suitable among 26 applicants for the role. According to a *Sing Tao* report, Tang was a classmate of Michael Wong Wai-Lun, the director of Hong Kong’s Government Information Service Department.

Tang’s appointment immediately drew criticism from former RTHK director Franklin Wong, the broadcaster’s staff union, academics and legislators. RTHK Program Staff Union chairwoman, Janet Mak Lai-Ching, described Tang’s appointment as a “dark day”

for the public broadcaster. "Tang has no knowledge of public broadcasting," Mak said. "His appointment is an indication of the Government's infringement of RTHK's editorial independence."

When Tang was asked how he could defend editorial independence at RTHK and how he distinguished government propaganda, he reiterated only that he would follow the RTHK Code of Practice. On Tang's first day at work, he was met with protests by RTHK staff union members and assorted media groups displaying placards. A "black carpet" was rolled out in protest.

RTHK staff members have fought a long campaign for RTHK to become a truly independent broadcaster, rather than an independent government department as it is now. The Commerce and Economic Development Bureau, which oversees RTHK, ruled in 2009 against establishing it as an independent entity. The decision to appoint Tang runs counter to international trends and UNESCO's call for state-controlled media to be turned into independent public service broadcasters.

During the 2009 review, the Bureau finalised a charter for the broadcaster and appointed up to 15 board members to give advice to the Director of Broadcasting on various issues, including editorial policy, program standards and program quality. It also announced plans for RTHK to run its own television channel and for the introduction of digital audio broadcasting.

When Tang's appointment was announced, becoming a topic of hot debate, Permanent Secretary for Commerce and Economic Development Bureau Communications and Technology Branch, Elizabeth Tse Man-Yee, explained that Tang was appointed because the right candidate could not be found among the 26 applicants. At the same time, digital audio broadcasting was to be put in place immediately.

The IFJ understood the urgency of the digital audio broadcasting plan, but argues that the government should respect the principle of press freedom. The IFJ urges the Commerce and Economic Development Bureau's Communications and Technology Branch immediately to begin another open recruitment process for a Director of Broadcasting, as well as to adopt the union's proposal for accepting an internal promotion.



Two programme hosts, Ng Chi-sum (left) and Robert Chow Yung (right), were suddenly informed that RTHK would not continue their contracts. The decision immediately drew criticism from the public, worrying that RTHK might have acted under political pressure. *Photo: Ming Pao Newspaper.*

In fact, right after Tang was appointed, a controversy arose concerning self-censorship. On November 22, two radio programme hosts, Ng Chi-sum and Robert Chow Yung, were informed that their employment contracts would be terminated in the following year because of programme reform. The two hosts were in charge of different phone-in programmes and the public could express their points of views on different public affairs topic. After the changes, each programme would only have one host. One of the two hosts is a civil servant. Many legislators, media personnel, scholars and critics worried that such a move might reflect some political pressure, but this has been denied by an RTHK spokesperson. RTHK said that the discussion about the programme reform had started a year ago and was concluded in May 2011. Ng's contract was renewed two months later. The Information Technology and Broadcasting panel of the Legislative Council conducted a meeting on December 12 to demand the Director of Broadcasting, Roy Tang, the head of the public affairs unit of Chinese language radio programmes, Leung Ka-Wing, and the two hosts to attend. During the meeting Tang denied imposing any political pressure.

In January, RTHK planned a live webcast of the funeral of a prominent pro-democracy campaigner, Szeto Wah, but the webcast was suddenly dropped. The RTHK Union wrote to the broadcaster's then director, Franklin Wong, asking for an explanation. Wong did not answer the questions directly, but said the station valued the news concerning Szeto's death and had carried comprehensive news and television coverage on the

issue. He also noted that RTHK's website provided a hyperlink to the memorial service and funeral through the website set up by the funeral organisers.

The chairperson of the RTHK staff union, Janet Mak, said the cancellation of the live webcast added to doubts about the independence of the broadcaster. She said RTHK's leadership had put the public broadcaster's "editorial independence in limbo". She added that the cancellation was against the station's usual practice, citing a live webcast of the 2009 East Asian Games torch relay, even though the Games organisers had provided a webcast on their own website.

A day later, the acting Director of Broadcasting, Gordon Leung, denied that the decision was made under government pressure. He said: "This is an editorial decision by RTHK itself. No-one else has influence on anyone." He also noted that the decision was a "collective" one. Ms. Mak said in reply that if it really was a collective decision, then the whole top RTHK management would "really have to look into the question of their judgement and whether they are under pressure".

Management interference at ATV

On September 5, veteran journalist Leung Ka-Wing, Senior Vice President of the news and public affairs department of Asia Television Ltd (ATV) announced his resignation. He said: "I failed to stop that news (the unconfirmed report of death of Jiang Zemin, former President of China) report from being aired despite my all-out efforts". After his resignation, his colleague Tammy Tam Wai-Yee, Vice President, tendered her resignation letter to the management and was ordered to suspend her work for three days, until she was notified of whether her resignation would be accepted. Leung's resignation immediately raised many questions about whether the senior management of ATV had interfered with the news department.

The turmoil began on the night of July 6. ATV was the first media outlet to confirm a hot rumor, that former President of China, Jiang Zemin, 84, was dead. A few minutes later the color of the TV station logo was changed from red and orange to black. However the scheduled special memorial programme about Jiang was cancelled later that night. On July 7, Chinese Government owned Xinhua News Agency dismissed speculation over the death of Jiang as "pure rumour". ATV made an official apology. When journalists asked Wang Zheng of ATV,



The head of the News Room of ATV, Leung Ka-Wing (right), acknowledged that he had failed to stop the incorrect news being aired despite using his all-out efforts. On 5 September, ATV suddenly announced his resignation. Tammy Tam (left) tendered her resignation letter subsequently. *Photo: Ming Pao Newspaper.*

about the incorrect report, he said: "Such kinds of thing happening in Hong Kong is unavoidable. As a member of media industry, there is no need to overreact."

At the same time, several local newspapers reported that Leung admitted that he would take full responsibility for the incorrect report. However, Leung's resignation could not ease the speculation among the public. The public believed the source of the incorrect news lay at a much higher management level. Speculation about the source of the information centred on Wang Zhang, a Mainland property investor.

Wang Zhang had been involved in ATV activities since March 2010. Wang acquired a large number of convertible shares in ATV from the main shareholders, brothers Payson and Johnson Cha, and claimed that he had become a shareholder in ATV. During a press conference announcing his investment in ATV, he said he would like to see ATV become a kind of CNN in Asia. Since then he has frequently been involved in ATV's activities. However, another ATV shareholder, Tsai Eng-meng, a Taiwan tycoon who owns several media outlets and other businesses in Taiwan, challenged the legality of Wang's acquisition of the shares from the Cha brothers. Tsai, the Cha brothers and Wang then became embroiled in a number of legal battles. Wang started to describe himself as a "volunteer" at ATV. In September 2010, the Broadcasting Authority of Hong Kong announced that it had approved ATV's application for a change in shareholding and ownership structure.



Mainland investor, Wang Zhang, announced that he had acquired a large number of convertible shares of ATV in March 2010. He said he would like to see ATV become the 'CNN of Asia'.

Prosperity International Holdings' chairman Wong Ben-koon, also a property investor, acquired 52.4 per cent of the voting shares in ATV. It was reported that Wong had become the largest shareholder of ATV and that he had a certain relationship with Wang Zhang.

After the incorrect news aired, the Broadcasting Authority of Hong Kong received many complaints about ATV and started to investigate. The Legislative Council Panel on Information and Technology and Broadcasting also conducted a meeting on September 19 to investigate whether the editorial independence of the News Department was under threat and whether the licensee of the TV station was fulfilling the requirement of the license. During the meeting, Leung refused to disclose the source of the information, but admitted that he did not believe in the source even though he spoke directly with the source. After a number of

legislators tried to press him to say the name of the source, he said: "Due to the fact that I allowed the news to be broadcast, I should bear all the responsibility. I will not disclose the source even if you point a gun at my head." A few days later, Leung gave an interview with Commercial Radio and said he noticed that the colour of the station logo had been changed after the incorrect news aired, which was not an area he could control. Although he did not say who had the power to do this, such power normally belongs to the one who owns the station.

During the meeting of the Panel, Leung admitted that he felt furious about the way the company seemed to allow editorial compromise in return for revenue. Leung said: "Since July 8, the frequency of colleague(s) getting involved in editorial compromise seems to be quite high and getting more severe." However, he did not spell out any names or elaborate on his statement.

A journalist who wished to remain anonymous said: "We know that Leung stopped one news report, on or before July 8, 2011, because one news story was made under a payment program. The host of that program had attempted to insert the story into the morning news bulletin without Leung's knowledge" Another journalist said that the payment program started in May and the price of each 10 minutes was about HK\$300,000.

At a general meeting in August, management even encouraged all employees to become project managers. A journalist told the IFJ: "I can't remember who said so, but he said that if we are able to meet a certain target, the highest percentage of bonus that we can get is 20 per cent of the revenue. Although the management did not elaborate whether this included the news department, we are surprised because it seems that it's a kind of editorial compromise. Leung complained right away."

Another journalist told the IFJ that the assignment book contains three different levels of work. She said: "The first one is an ordinary kind of assignment which means the news room received the media alert from society. The second one has a mark of three stars, which means if we have enough manpower, a crew has to be sent to cover that assignment. The last category has five stars which means a crew must be sent. Most of the assignments carrying stars are related to Mainlanders, who are either businessmen or have different official levels."

She also noted: "However, assignments with stars rarely have news value. At most they are a kind of marketing press conference. We seldom report those cases. Some of the cameramen complained to me that those of the events are like a private gathering. They have to listen to the participants or organizers' instructions to do the film shooting. Such assignments are very annoying, we seem to be fulfilling someone's needs."

After the announcement of Leung's and Tam's resignations, morale in the news room was low. All journalists wore black clothes and wrote a joint statement to demand the management to clear the mist. However, the company did not answer and the newly appointed news controller even suggested downplaying a Democratic Party protest in front of their office.

Journalist Tammy Tam said at a meeting on September 7: "You all understand being interfered with is so painful!" A day later, she was suddenly suspended from duty.

During the meeting of the Legislative Council Panel on Information and Technology and Broadcasting on September 19, two ATV Board members, accompanied by two lawyers, denied that there had been either interference in the news room by management or any editorial compromise. Media groups, scholars and legislators did not accept this. The Vice Chairperson of the Democratic Party, Emily Lau, demanded another meeting at which legal protection would be given to all attendees so that they could give their testimony under the law. However Lau's request was defeated with the support of the pro-authority camp.

Although the meeting could not establish who was interfering in the news room, and the two ATV board members repeatedly denied both management interference and editorial compromise, they admitted that the new shareholder, Mainland property investor Wang Zhang, had become a personal consultant to one of the board members, Sheng Pinru, and had attended some meetings. Board member Nancy Hu, who is backed by another shareholder, Tsai Eng-meng, submitted a statement to the panel saying that since Wang had been involved with ATV, no formal board meetings had been held.

The Hong Kong Broadcasting Authority conducted an independent investigation afterwards and concluded

that Senior Vice President of ATV, Kwong Hoi-Ying had, twice pressed Leung and Tam to air inaccurate reports. ATV was fined HK\$ 300,000 (approximately US\$38,000) due to the inaccurate report which violated the Generic Code of Practice for television programmes. Two of ATV's business news programmes were also found in breach of the code. However the broadcasting authority only issued warnings to the company on these matters. The Chairperson of the Broadcasting Authority, Ambrose Ho, noted that ATV management was irresponsible in not cooperating fully and providing sufficient evidence to the broadcasting authority's investigative team. It was also noted that Kwong had given inconsistent evidence to the authority when attempting to explain the cause of the incorrect report.

As the fate of ATV is still hanging in the air, the Broadcasting Authority continues to investigate the management of the company. The ownership of ATV continues to be a controversial issue in the media industry. The tussle between the broadcaster's major shareholders – Payson and Johnson Cha, Tsai Eng-meng and Wang Zheng – has continued since the Cha brothers sold some of their shares to Wang without informing the rest of the board members. Tsai Eng-meng's company filed a petition for the liquidation of ATV in the High Court of Hong Kong in October. According to a report in Hong Kong-based newspaper *Ming Pao*, dated October 29, ATV board member Sheng Pinru said that the company had paid a debt of HK\$23 million to Tsai's company.

Since the income of the media comes largely from advertising, the voice of advertisers is gaining power in the newsroom.

Media manipulation attempted by MTRC

On April 19, the government-controlled Mass Transit Railway Corporation (MTRC) and its media consultant, OMD, attempted to "punish" the media. It sent a letter to 15 media groups, saying the MTRC reserved the right to "cancel or reschedule any media insertion booked" with any organisation that published "negative news coverage about the brand image of the MTR Corporation". It said the punishment also applied to negative coverage of "rail incidents that happened in other markets" which the local audience might associate with the MTRC. The agency also asked the media to "communicate the warning clearly to your internal staff including traffic team and editors/journalists".

The letter was sent out after an MTRC advertisement on track safety was placed next to a feature story in the *Ming Pao* newspaper that criticised an MTRC property development in Tseung Kwan O. The MTR Corporation and the media consultant immediately apologised for sending the letter. The corporation's acting chief executive officer, Thomas Ho, said: "We apologise for the misunderstanding caused to the public. We respect freedom of the press and have never had any intention to interfere with it."

The MTRC put the blame on the consultancy, OMD, which it said misunderstood its instructions in sending the letter. OMD, which has worked for the MTRC for more than seven years, retracted the letter. The MTRC's largest shareholder, the Hong Kong Government, declined to comment.

Sweeping new security laws threatened

The administration of the current Chief Executive of Hong Kong, Donald Tsang, expires at the end of June 2012. The so-called elections for a new chief executive will take place in March 2012. Rita Fan, a senior member of China's National People's Congress, has already expressed her view that the next chief executive needs to enact new national security legislation under Article 23 of the Basic Law. When the media asked the two candidates, Henry Tang and Leung Chun-Ying, whether they will enact Article 23 during their five year tenure if they win, they repeatedly stated that Hong Kong has a constitutional duty to implement the law. This proposed legislation poses a massive threat to freedom of expression insofar as it will outlaw treason, sedition, subversion, secession and the theft of state secrets. Macau, another Special Administrative Region, enacted laws under Article 23 in 2009.

The HKJA therefore calls on the next chief executive to resist pressure to enact national security legislation. The HKJA believes that such legislation is unnecessary as there is no pressing need for its enactment and existing laws are already sufficient in prohibiting acts set out in Article 23 of the Basic Law. However, if the government does decide to proceed with such legislation, then the law must contain safeguards that are robust enough to protect freedom of expression and press freedom. The minimum standards are the adoption of the Johannesburg Principles on National Security, Freedom of Expression and Access to Information, as well as proper public interest and prior publication defences.

The IFJ joins the HKJA's call, but also urges the Hong Kong Government to consider amending the existing laws instead of enacting a new set of laws that perform the same function. At the same time, the IFJ believes the government of Hong Kong has a constitutional duty to uphold and protect media freedom, which is enshrined in Article 27 of Chapter 3 in the Basic Law of the Hong Kong Special Administrative Region, which functions as Hong Kong's constitution. Thus, the Hong Kong government should enact relevant laws such as a law on Access to Information before considering Article 23 in order to ensure people's right to know is not jeopardised.

Hong Kong journalists suffer harassment on the mainland

While journalists in Hong Kong are facing harassment that is unprecedented since the 1997 Handover, journalists in the Mainland still enjoy neither a free press nor freedom of movement. After the North African Jasmine Revolution began at the end of 2010, the atmosphere of the revolution started to affect China in February 2011. At the first two protests, held on February 20 and 27, Hong Kong journalists were blocked from filming, photographing and reporting by uniformed police officers and unidentified persons believed to be plain clothes officers when they were trying to report the "jasmine revolution" in Beijing, Shanghai and Guangzhou.

During the National People's Consultative and National People's Congress, several Hong Kong journalists suffered various kinds of harassment. Their computers were broken into and bags were searched when they left them in their hotel rooms, according to Hong Kong-based newspaper *Apple Daily*. The report also said they were under remote system surveillance. Although the IFJ was unable to verify the complaints, it has learned that cell phones were suddenly disconnected when conversation involved terms that could be taken to refer to the so-called "Chinese Jasmine Revolution".

On December 18, a number of journalists, including the Hong Kong-based Cable Television journalist Lam Kin-Seng and his three colleagues and three journalists from the Japanese national public broadcaster NHK, were forced to leave Lufeng County by Chinese government officials. The excuse given for the journalists' removal was 'personal safety'.

Lam has said he was stopped by five or six plain-clothes police as he was about to leave a restaurant, where he had written an article. They asked him to leave Wukan because the “village has internal conflict” and “for protection of his personal safety”. Despite Lam’s insistence that he felt no threat to his safety, he was encircled by police and forced to leave. Officials from propaganda departments of Lufeng county and Guangdong Province were also present.

Macau media under threat

On May 1, Macau Police prevented attempts by media to report on public protests associated with International Labour Day. According to media reports, journalists were manhandled by police while trying to take photos or film police removing the protestors. Some journalists were hurt during the incident. Police explained that they had acted under their duty to protect the safety of the journalists, given the large number of protestors..

On June 22, a Teledifusão de Macau (TDM) news editor, Chou Weng In, said he had received two threatening letters warning him not to continue reporting the internal affairs of the television station. TDM is a publicly funded television and radio broadcaster in Macau. However, the broadcaster has received some criticism for its perceived lack of editorial independence.

At the end of 2011, the Macau Government took steps which pose a serious threat to press freedom.

Shortly after being appointed, the new Chief Executive of Macau, Fernando Chui Sai-On, ordered the Government to amend the existing “Publishing Law” and “Audio-Visual Broadcasting Law”. Although a private company was contracted by the government to conduct consultations within the industry and the public on the proposed changes, local media personnel query the motives of the amendment.

On December 3, a group of journalists encouraged media personnel to boycott the consultations, questioning the need for, and process of, the consultations. A Macanese journalist told the IFJ that the government did not consult with the media before announcing the proposed changes to the laws. Questions have also been raised regarding the one-



The Director of the Government Information Bureau of Macau, Victor Chan Chi Ping, has repeatedly stated that the Macau Government has no intention to interfere with the establishment of a press council, which he hopes can be established by the media industry itself. However, he rejected suggestions from some media opinions to remove the statutory status of the press council in the proposed media law. *Photo: Serenade Woo*

day duration of the consultations, and the fact that only selected media personnel were consulted. According to various media reports, on December 4, only 29 media professionals were invited to attend the consultation session.

Under the existing “Publishing Law”, a formal press council has to be established, with the power to receive complaints from all walks of life. A number of Macau-based journalists have also requested the reintroduction of a press card accreditation system.

However, many journalists remain deeply worried such a formalized system could place pressure on some of the more vocal journalists. Some journalists fear the Government could place pressure on the press council to discredit certain journalists. The Director of the Government Information Bureau of Macau, Victor Chan Chi Ping, recently reiterated that the Government has no intention to establish or be involved in the operation of a press council. Chan said that the Government hopes the press council can be a self-regulated body. However, there remain many journalists and legislators who doubt the sincerity of these claims. Given all media in Macau are at least partially funded by Government, there is a fear that they could have strong leverage to influence the proposed press council.

Press Freedom, Free No More

by Ching Suk Yin

I have always thought that only mainland media have to listen to the Party and their danwei (unit), until I heard what happened to a senior media veteran in Hong Kong. Indeed, it was a shock. While everyone in the media domain is pondering about their own future, what happened to ex-ATV News Chief Leung Ka Wing on July 6 was like writing on the wall. Since then everyone has been asking – was Mr Leung’s editorial independence interfered with, thus causing him to broadcast something without official confirmation? Or was there a political force above the broadcaster that put pressure on the news team? If that be the case, wouldn’t it shatter a core value that has been firmly held by the Hong Kong people: Is press freedom no more a reality?

When Hong Kong legislators challenged Mr Leung if there had been any intervention from his superiors, they surely had their fair share of performance under the limelight. While they may need to be seen accountable to their constituents and support, the challenge is quite unnecessary as even any commoners would have understood -- such question would never have an answer. The truth has already been explicitly revealed by how news is treated by various newspapers here.

When your newspaper bosses are the Chinese People’s Political Consultative Conference or or National People’s Congress members, and boards of directors, “Who’s Who” from political and commercial sectors, or elite businessmen already decorated by the Special Administrative Region (SAR) government --- do you really think that news editorial departments would have true independence and full autonomy? Do you think these bosses would allow their news teams to speak up when the central government or SAR government perform badly or even wrongly?

According to a senior journalist in the field (hereafter called “Senior” for easy reference), news management can always tell from their own experience how press freedom is interfered with and the profound sadness which results. While everyone knows and talks

about news conscience, very little can be practiced; as the root cause is the media bosses – don’t they need to answer to those above them? When media bosses place political factors or commercial interest above press freedom and news ethics, what then could any news chiefs do? They have many other responsibilities, apart from respecting news as the fourth estate that has the power to monitor government.

So used to being a lackey, it is hard to stop

When a media organization becomes the personal tool of its boss, or seen as a means to show authorities the boss’ devotion and love, what then can the organization’s management, executives, as well as its frontline employers do? And when a media organization’s boss bends over backward to please those up North, a submissive culture is formed within the organization. This would be an inclination to turn left politically, a lackey mentality that seeks only to please the boss. As such, the media’s function of monitoring the government and its policies would be lost.

An incident happened to a pro-establishment newspaper with which Senior had been involved. During its re-launch, the biggest challenge was the boss (hereafter referred to as “Boss” for easy reference) who is so used to being a ‘goody-goody’, it would be very difficult to have him straighten up and have his backbone put back on. And it would be even more difficult to ask those at the management or frontline to give up the mindset of adulation. When everyone is so used to such a mentality, the circle of people surrounding the boss becomes untouchable; hence any negative news related to that power circle would be mitigated, diluted or even erased. Some would even create columns for those they want to please and place them on the pedestal. Such is the lackey “culture”.

LED light bulb controversy stopped by CCP’s HK liaison office

Senior was once promised full autonomy and power to reform the paper, and rid it of its polluted

culture. But this was only empty talk. When something happened, the culture of adulation always prevailed. As such, those bootlickers would never be able to get back on their feet; what's worse was that while they tried to waver between acting like a normal person or a quintessential human being, they would often get lost. And when that happened, they would belittle those who tried to uphold press freedom as "obstacles" or "impediments" and accuse them of "failing to survive".

An example can be found in the Chief Executive's 2009 Policy Address, in which he proposed to give away LED light bulb coupons for Hong Kong citizens. An expose suggested that such generosity was connected to the CE's in-laws as they were in the light bulb business. Accusations of collusion led by media flew around like bullets. Every newspaper ran the story including the one with which Senior was involved, until there was a call from Boss who cited "giving face" to the CCP's Hong Kong Liaison Office and the criticism had to stop.

"Ignore him if he is not of ministerial-grade."

Another example from the same paper is that one day Senior got an email from a messenger who, when referring to a meeting with Boss, said there was

a call from the Hong Kong Liaison Office with regards to a news item criticizing the human rights situation in China. The messenger went on to suggest that it would be better not to publish similar news items in future, so as to save Boss from embarrassment.

According to Senior, the most blatant intervention of press freedom in recent years is the Five Districts by-election in 2010. On the night of the by-election, there were calls from the Information Services Department (ISD), the CCP's Hong Kong Liaison Office as well as Boss. ISD representing the Hong Kong Government Liaison Office attacked the by-election as 'politically incorrect' and calling for its condemnation. What about Boss? Senior was flabbergasted when Boss asked, "Who called (from the Liaison Office)? What rank? If I were to pay respect I would have to ask for whom. Just ignore him if he is not of ministerial-grade." It was not over yet. Less than an hour later, Boss called back to inquire about a "friend" who was involved in the by-election. He asked Senior impatiently, "Don't you know how close we are?" Perhaps one can understand why people use media as an investment tool to broker power, but to use the media as a tool for personal relationship-building would be something totally incomprehensible. After all, the media sells on its credibility, hence it should be viewed differently from those that sell comic books.

Online Situation in China

The number of Chinese people regularly accessing the internet in 2011 rose to almost 500 million, according to the Ministry of Industry and Information Technology. In turn, China's leaders have come to see the internet as the most influential communication tool available to its citizens, and have injected significant resources into monitoring the cyber world.

When the "jasmine revolution" erupted in the Middle East and North Africa at the end of 2010, overthrowing several authoritarian leaders, the phenomenon drew cautious attention from the Central Authority of China.

The scent of the jasmine revolution eventually spread to China, resulting in many human rights activists being detained, charged, punished or tortured. At the same time, it strengthened the Central Authority's determination to strengthen the system of internet control and to emphasise the task of "directing public opinion".

The President of China, Hu Jintao, has spoken about "directing public opinion" to the Deputy Head of the Propaganda Department, Wang Chen, more than five times. Although these directives did not specify any particular media, it is understood that they covered both traditional and new media.

The traditional media has been heavily controlled by institutions including various levels of Propaganda Departments, the General Administration of Press and Publication, and the State Administration of Radio, Film and Television. The internet also comes under various departments such as the different levels of Propaganda Departments, the Ministry of Industry and Information Technology, the State Administration for Industry and Commerce, and the Public Security Bureau. In addition, the Central Authority has encouraged the internet industry to set up its own self-regulatory body to impose self censorship.

In addition to all these controls, in 2011 the Central Authority set up a new body to oversee the internet. In May, a new body, the State Internet Information Office, was established under the State Council. Authorities claim that the new office will help improve coordination among government ministries and agencies that have

oversight of the internet, but in fact it is clearly aimed at further tightening censorship. The Vice-minister of the Police Bureau, Zhang Xinfeng, is one of the key appointees to the new office. Its head, Wang Chen, is also the deputy head of the Central Propaganda Department and a member of the National Committee of China.

Although the government's true reasons for setting up this new body are unknown, many human rights activists, scholars and media personnel believe the so-called "Chinese jasmine revolution" could be the main reason.

On February 19, a US-based website, boxun.com, published a piece of information regarding the "Chinese jasmine revolution" protests in Beijing, Shanghai and Guangzhou planned for February 20. The information "survived" for a few hours and then nobody was able to visit the website.

Internet forums, blogs or Microblogs were shut down if they forwarded the information about the protests. Many relevant words, such as "jasmine" and "Wangfujing", the street in Beijing where rallies were planned, became sensitive words could not be uploaded. Many prominent forums posted a warning notice with the heading: "It is forbidden to use the internet for illegal activity". Internet users were warned that organizing, spreading rumours, and inciting protests and demonstrations and so on would be deemed to violate the Chinese Constitution and laws and statutes.

Microblogs

Social networks, or microblogs, became a hot issue in 2011, not only drawing coverage from traditional media but also prompting the authority to keep an eye on this activity.

At the beginning of 2011, a social science scholar at the Chinese Academy of Social Science, Yu Jianrong, used his microblog to encourage people to use their cell phones to take photos of street child beggars in order to combat the problem of child abduction in China. The call for this action spread across the nation through the internet. This placed a lot of pressure on police because

the abduction of children has been a problematic issue since the implementation of the one-child policy. Eventually, a very few abducted children were able to see their biological parents again.

However, the activity did not create serious problems for the authorities until two cases arose related to donations.

In June, a young lady posed in her microblog as the Business Managing Director of Red Cross Society of China, showing off her wealthy life with a lot of pictures featuring jewelry, valuable watches and cars. Two months later, another young lady claimed to be the general secretary of the future leadership of All Global Chinese. Although the woman claiming to be connected with the Red Cross Society of China admitted that she made up the story, the supposed secretary of All Global Chinese disclosed that her father was wealthy and had affiliations with some welfare associations. Both cases triggered netizens to shine a light on the lack of transparency in donations, the management of welfare associations, and the responsibilities of Ministry of Civil Affairs. According to a report in *Jinghua Newspaper* on August 26, national donations fell significantly, from 6 billion yuan (US\$940.8 million) to 800 million yuan (US\$125.4 million) after the two incidents.

As microblogs came to be seen as influential, calls for a crackdown on “toxic rumours” circulated through microblogs. Many human rights activists and scholars believed the idea came from the authorities. Although there was no concrete evidence for this, after the State Internet Information Office was established, the Director of the office, Wang Chen, reminded all administrators of websites and members of the Communist Party at least twice to strengthen control of microblogs and instant communication tools.

According to some microblog information, Wang Chen asked communication and internet companies to take the lead in directing the public opinion in the right direction as well as to reinforce management skills. In response, bosses of 39 key companies, including China Telecom, China Unicom, Sina, Tencent, Soho, 163.com, Baidu and Xinhua, reportedly agreed that they had to reinforce the self-censorship.

On October 31, Wang Chen also reminded all officials of the Communist Party to “conquer microblogs” when he met the officials in Guangdong Province. He

said that the officials of the Propaganda Department should be responsible for verifying all rumours and disseminating the policy of the authority.

Ongoing internet censorship

The IFJ believes the internet is becoming a convenient communication tool in Chinese society, as well as a significant channel for the public to exchange a diversity of views. It believes the internet not only contributes to creating a pluralistic society but also provides a lot of ideas for governments to improve their policies. The government of China also understands that the internet is an effective and efficient way to disseminate its policies or to clarify misunderstandings among the public. Therefore the government is implementing its policy of “conquer the microblog platform”. However, the IFJ believes that people are able to distinguish the truth and provide information to alert the public. Therefore there is no need for the Government to spend resources to establish a new body, given that a lot of departments and officials already have the task of exercising oversight of the internet.

The State Internet Information Center and Ministry of Industry and Information Technology closed down 6600 illegal websites after a joint action beginning in April, according to Xinhua report on September 1. The report did not give a definition of “illegal” or the content of the websites, but it said the Internet Society of China should be bound by the self-regulation agreement within the industry.

The giant search engine Google moved its operation from Mainland China to Hong Kong in 2010, but this did not ensure that it escaped hackers. On June 2, Google announced that it had noticed that some personal emails of Chinese human rights activists and senior US government officials had been hacked.

It said it had traced a so-called “spear phishing” bid to Jinan, China. The coordinated attacks involved tailored emails being sent to hundreds of individuals. Appearing to come from a person known to the victim, each email led to a fake Google Gmail log-in page where users would normally enter their password. The spokesperson of Ministry of Foreign Affairs responded: “Hacking is an international problem and China is also a victim. The claims of so-called Chinese state support for hacking are completely fictitious and have ulterior motives.”

On the other hand, individuals involved in sensitive issues, particularly those that occurred in zones such as Tibet and Xinjiang, faced problems in sharing their various views in the internet. In May, a series of protests was organized in Inner Mongolia after a herder who wanted to prevent coal mining trucks from entering his land was knocked down. No individuals were able to disseminate information during that period of time. According to the Southern Mongolian Human Rights Information Center, the chat rooms of all internet websites were shut down, with "maintenance" being given as the reason.

The situation is similar in the Xinjiang Uyghur Autonomous Region. In July 30 and 31, 10 people were killed (including eight shot by police) after two blasts in Kashgar over the two days. A further 40 people, including several police, were reportedly injured. On August 1, five people were shot dead by police and classified as terrorists, according to reports by Xinhua news and Tianshannet.com.cn, a website controlled by the Xinjiang government. People are still unable to understand the

incidents and no individual views of what happened have been disseminated through the internet.

Furthermore, according to Radio Free Asia, in Xinjiang 12 Tibetan monks have committed suicide by setting fire to themselves since March 2011. Nobody knows whether the incidents were related to protesting for freedom of religion. The incidents were barely covered in the Mainland media. Mainland commentator Cheng Ping told the IFJ: "There is a general rule from the authority to media that they will have trouble if they talk about Tibet issues. It's because Tibet is related to various issues such as autonomy, religion, the military and nationalism. No matter which issue you touch on, the authority will point their fingers at you and say, 'You are wrong!'" Cheng was deputy editor-in-chief of *Southern Metropolis* magazine in 2008 but was demoted to be a senior researcher of the Group after he wrote an article for the Chinese language website of Britain's *Financial Times* about the unrest in Tibet in March 2008.

Recommendations

Mainland China

1. The Central Government should order the immediate release of all jailed journalists, and issue orders to all government levels that journalists and writers are not to be jailed for doing their job and serving the public interest.
2. The Central Government should order an end to all arbitrary and unexplained employment terminations, punishment and detentions of journalists. It should also demand that media outlets allow journalists to resume their duties.
3. The Central Government should establish an independent body to fully investigate all acts of violence committed against local and foreign media personnel, including where violence was 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 representatives, in order to bring perpetrators of such violence to justice and ensure all parties understand that attacks on the media will not be tolerated.
4. The Central Government should order state security to stop misusing the law to intimidate and silence journalists.
5. The Central Government 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 rule that the confiscation of journalistic materials is forbidden.
6. The Central Government 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 relaxed restrictions put in place before the Olympics remain in force.
7. In line with the above regulations, the Central Government should ensure that officials at all levels allow freedom of movement for journalists and local Chinese assistants to report in all areas of China, without restrictions.
8. The Central Government should order the appropriate authorities to implement visa policies in accordance with international best practice, so as to apply to foreign journalists including freelancers. The procedure for visa approval should be consistent, timely and transparent.
9. The Central Government should order appropriate authorities to rescind the 2009 changes to entry permit requirements for Hong Kong and Macau journalists, so that they may again conduct journalistic work on the Mainland without obstruction.
10. The Central Government should order the termination of the blacklist system for Mainland journalists.
11. The Central Government should rescind all regulations and orders introduced to censor online communication.
12. The Central Government should order an end to efforts to restrict journalism conducted online, or otherwise re-published in online formats.
13. The Central Government should order authorities at all levels not to manipulate local or national telecommunications systems or impose communication blackouts at any time, but notably 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 enact a law on Access to Information and a law on Archives.
2. The Hong Kong Government should direct all departments to abide by the Code of Access to Information, and enact laws regarding access of

- information and public record law to demonstrate an accountable and transparent government.
3. The Hong Kong Government should direct all heads of bureaus, departments or institutions to uphold press freedom, in particular when considering the introduction of an anti-stalking law.
 4. The Hong Kong Government should direct the Police Department and the Fire Department to honour their pledge to disseminate information to the press in a timely manner and in accordance with their general practice.
 5. 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.
 6. Hong Kong Government should remove the civil servant as the Director of Broadcasting and the editor-in-chief of RTHK.
 7. The Hong Kong Broadcasting Authority should investigate claims that the senior management of Asia Television have violated the code of press practice and jeopardized press freedom. The HKBA should release the report publicly.
 8. 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.
 9. A confidential and independent complaints bureau should be established for journalists experiencing any violation of press freedom.



Visit asiapacific.ifj.org or www.ifj.org for more information.

The IFJ is a non-governmental, non-profit organisation that promotes coordinated international action to defend press freedom and social justice through the development of strong, free and independent trade unions of journalists. IFJ Asia-Pacific coordinates IFJ activities in the Asia-Pacific region. The IFJ works closely with the United Nations, particularly UNESCO, the United Nations Human Rights Commission, WIPO and the ILO, the International Committee of the Red Cross, the European Union, the Council for Europe and with a range of international trade union and freedom of expression organisations. The IFJ mandate covers both professional and industrial interests of journalists