

China

	2013	2014		
Internet Freedom Status	Not Free	Not Free	Population:	1.36 billion
Obstacles to Access (0-25)	19	19	Internet Penetration 2013:	46 percent
Limits on Content (0-35)	29	29	Social Media/ICT Apps Blocked:	Yes
Violations of User Rights (0-40)	38	39	Political/Social Content Blocked:	Yes
TOTAL* (0-100)	86	87	Bloggers/ICT Users Arrested:	Yes
			Press Freedom 2014 Status:	Not Free

* 0=most free, 100=least free

Key Developments: May 2013 – May 2014

- President and CCP General Secretary Xi Jinping framed the internet as a battlefield for ideological control and appointed himself the head of a top-level internet security committee (see **Introduction**).
- The State Internet Information Office consolidated content restrictions with a harsh crackdown on rumors under newly appointed “Internet Tsar” Lu Wei (see **Limits on Content** and **Violations of User Rights**).
- A September 2013 judicial interpretation criminalized a range of online content viewed more than 5,000 times or shared by 500 internet users (see **Violations of User Rights**).
- High-profile businessmen were among hundreds detained or interrogated for supposedly abusing their online influence as controls on microblogs tightened (see **Violations of User Rights**).
- Legal activist Xu Zhiyong was jailed for four years for disturbing order and “public spaces on the internet” in April 2014 (see **Violations of User Rights**).
- Telecommunications were shut off in a restive area of Xinjiang; and Uighur academic Ilham Tohti was charged with antistate activity via his website (see **Obstacles to Access** and **Violations of User Rights**).
- A court in Hainan jailed an internet police officer for accepting bribes to issue takedown notices via instant message to web platforms in his jurisdiction (see **Limits on Content**).

Introduction

On September 21, 2014, the Sina corporation's Weibo microblog blocked mainland Chinese users from searching for the terms "boycott classes" and "Hong Kong."¹ The following day, students in the territory launched a week-long strike and occupied city intersections to protest against a Chinese government decision to screen candidates for chief executive in 2017 elections. Democracy activists swelled their numbers, and by early October, tens of thousands of people had taken to the streets.

Observers feared the Chinese Communist Party (CCP) would extend internet restrictions implemented on the mainland to Hong Kong in order to suppress the demonstrations. Rumors that police would shut down telecommunications networks spread on September 28. Protesters responded by downloading applications like FireChat, a tool from a San Francisco-based developer which establishes a mesh network between smartphones, allowing them to communicate within a given range without a cellular or internet signal.

In fact, this act alone illustrates the access, information, and digital rights enjoyed by Hong Kong residents under the "one party, two systems" framework in place since the city reverted from British to Chinese rule in 1997.² The download page for FireChat is blocked in China, along with dozens of apps that could facilitate political assembly.

Hong Kong's internet shutdown never took place.³ Mainland authorities shut off access via state-owned enterprises which dominate the mainland telecommunications market. But service providers in Hong Kong operate in a competitive environment that sustains an international financial sector, as well as the political and corporate groups who support Beijing. Internet in Hong Kong is faster than anywhere in the world except Japan and South Korea,⁴ and the chief executive must issue a warrant under a state of emergency to disconnect it.⁵

Hong Kong protesters launched Facebook pages to facilitate communication with both police and supporters overseas,⁶ and shared visuals of the umbrellas protestors used to shield themselves from tear gas and pepper spray.⁷ In mainland China, Facebook is blocked and censors shut off access to its photo-sharing platform Instagram on September 19 to stop the iconic images from spreading. In Hong Kong, the *South China Morning Post* documented unfolding events in real time on its website.⁸

1 "On Eve of Student Strikes, Sina Weibo Censors "Hong Kong Boycott Classes,"" *Fei Chang Dao*, September 21, 2014, <http://blog.feichangdao.com/2014/09/on-eve-of-student-strikes-sina-weibo.html>.

2 Freedom on the Net 2014 does not provide a ranking and analysis of internet freedom in Hong Kong. Noteworthy incidents from the coverage period may be cited in the China report but are not considered in China's score assessment.

3 inmediahk.net, "Hong Kong Protesters Shore Up Mobile Communications Tools in Face of Technical Threats," Global Voices, October 2, 2014, <http://globalvoicesonline.org/2014/10/02/hong-kong-protesters-shore-up-mobile-communications-tools-in-face-of-technical-threats/>.

4 See, <http://www.akamai.com/dl/akamai/akamai-soti-q114-infographic.pdf>

5 inmediahk.net, "Fears of a Network Blackout Still Loom for Hong Kong's Pro-Democracy Protesters," Global Voices, October 2, 2014, <http://globalvoicesonline.org/2014/10/02/fears-of-a-network-blackout-still-loom-for-hong-kongs-pro-democracy-protesters/>.

6 See, <https://www.facebook.com/hkpoliceanonymous>; <https://www.facebook.com/standbyyouoc>.

7 Samantha Dissanayake, "How the Humble Umbrella Became a HK Protest Symbol," BBC News, September 29, 2014, <http://www.bbc.com/news/world-asia-china-29407067>.

8 Danielle Belopotosky, "Updates From Hong Kong Protests," *New York Times*, October 5, 2014, http://news.blogs.nytimes.com/2014/10/05/live-updates-from-hong-kong-protests-on-oct-5/?_r=0.

In mainland China, the outlet was added to the list of international media websites that are blocked or filtered on October 5.⁹

Hong Kong's robust internet freedom was eroded during the demonstrations. Sina cancelled the Weibo accounts of some Hong Kong protesters, as did Tencent for its messaging service Weixin.¹⁰ Supporters of Occupy Central who downloaded an app supposedly connected with the movement found it had installed malware on their devices. Security experts pointed out that even FireChat and similar resources could potentially expose a user's identity or location. Police detained several people, including a 13 year old, for allegedly conducting cyberattacks on government websites.¹¹

But the impact was much more significant in China, which Freedom on the Net ranked third worst in the world for internet freedom during the coverage period of this report, May 2013 through May 2014. Observers said censorship was more intense in October 2014 than it had been in June, during the 25th anniversary of the military crackdown on 1989 protests in Beijing. An estimated twenty activists were detained for expressing support for the movement online.¹² Information authorities distorted popular discourse online by amplifying state media commentary and nationalist voices. These portrayed the rally as anything but a popular prodemocracy movement, including a foreign plot, and in at least one case, a demonstration of support for Beijing.

Similar tactics were used throughout the past year as China's internet freedom deteriorated. In May 2013, the State Internet Information Office (SIIO) launched an unusually broad crackdown on rumors under newly-appointed CCP hardliner Lu Wei.¹³ In an internal speech at the National Propaganda and Ideology Work Conference on August 19, first publicized by military and party commentators, and later revealed in full by China Digital Times,¹⁴ President and CCP General Secretary Xi Jinping described online information control using stronger rhetoric than Hu Jintao's "guidance" and "channeling." "The Internet has become the main battlefield for public opinion struggle," he said in the speech, which provided the ideological underpinning for the internet freedom decline.¹⁵ A month later, Lu Wei articulated his approach in concrete terms, proposing more licensing for online platforms, more real name registration, more information management training for government and private sector agents, and tighter controls on undesirable content.¹⁶

The emphasis on continuity disguised an important shift. The party's Central Propaganda Department is traditionally considered the bastion of censorship, but the SIIO, established in 2011, is an

9 See, https://twitter.com/george_chen/status/518931908542341121 . It was later unblocked.

10 Weixin is the domestic version of an application Tencent launched globally as WeChat.

11 "Five Arrested Over Cyber Attacks," RTKH English News, October 6, 2014, <http://rthk.hk/rthk/news/englishnews/news.htm?main&20141006&56&1043317>; "Security bolstered after hacking attempt," news.gov.uk, October 4, 2014, http://www.news.gov.hk/en/categories/admin/html/2014/10/20141004_143719.shtml; <http://advocacy.globalvoicesonline.org/2014/10/22/authorities-are-abusing-hong-kongs-computer-crimes-law-to-stifle-protests/>

12 See, <https://pao-pao.net/article/199>.

13 See, <http://www.eeo.com.cn/ens/2013/0502/243372.shtml>; <http://renshi.people.com.cn/n/2013/0510/c139617-21438454.html>.

14 China Digital Times, <http://bit.ly/1weBugI>.

15 Qian Gang, "Parsing the "Public Opinion Struggle," China Media Project, September 24, 2013, <http://cmp.hku.hk/2013/09/24/34085/>.

16 China Copyright and Media, "State Internet Information Office Director Lu Wei outlines stronger focus on Internet governance," September 17, 2013, <http://chinacopyrightandmedia.wordpress.com/2013/09/17/state-internet-information-office-director-lu-wei-outlines-stronger-focus-on-internet-governance/>.

organ of the state.¹⁷ Lu Wei appears increasingly central to Xi Jinping's internet strategy, and was appointed in February 2014 to a panel on information technology and security policy which the president himself heads, a role usually played by the premier.¹⁸ This high-level committee positions internet development, governance, and cybersecurity as fundamental issues for Xi's administration, along with national security and economic reform.¹⁹

Xi's renewed focus on cyberspace comes as China lobbies to change internet governance on a global scale. The Internet Corporation for Assigned Names and Numbers (ICANN) is a non-profit organization responsible for internet protocol (IP) addresses and URLs, operating with input from nongovernmental stakeholders. In recent years, China has pushed to disempower these nongovernmental groups by transferring ICANN's regulatory powers to a governmental body, the United Nations International Telecommunication Union.²⁰ The Chinese political system found new ways to suppress internet freedom domestically in 2014, even while technical, commercial, and legal constituents helped sustain it in Hong Kong. More authoritarian influence over digital resource allocation could tip that balance irrevocably in favor of the state.

Obstacles to Access

China reported 618 million internet users in January 2014.²¹ Average connection speeds were comparatively slow at 3.2 Mbps.²² Obstacles to access include poor infrastructure, particularly in rural areas; a telecommunications industry dominated by state-owned enterprises; centralized control over international gateways; and sporadic, localized shutdowns of internet access to quell social unrest. Nationwide blocking, filtering, and monitoring systems delay or interrupt access to international websites.

Since 2011, internet adoption rates have slowed as the urban market approaches saturation, according to the China Internet Network Information Center (CNNIC), an administrative agency under the Ministry of Industry and Information Technology (MIIT).²³ Though the digital divide between urban and rural areas narrowed marginally in 2013, 71 percent of users were based in cities, and more were documented in Eastern China than in the less developed Central and Western regions combined.²⁴

17 David Bandurski, "Ali Baba's Cave and Pandora's Box," China Media Project, November 5, 2014, <http://cmp.hku.hk/2014/11/05/36885/>.

18 Cindy, "Xi Jinping to Head Reform Panel," China Digital Times, January 2, 2014, <http://chinadigitaltimes.net/2014/01/xi-jinping-head-reform-panel/>.

19 Amy Li, "Chinese Worried About More Censorship as Xi Jinping Heads New Web Security Panel," *South China Morning Post*, February 28, 2014, <http://www.scmp.com/news/china-insider/article/1437031/chinese-worried-about-more-censorship-xi-jinping-heads-new-web>; Paul Mozur, "In China, Internet Czar Is Taking a Blunt Tone," Bits (blog) *New York Times*, October 31, 2014, http://bits.blogs.nytimes.com/2014/10/31/in-china-internet-czar-is-taking-a-blunt-tone/?_r=1; Shannon Tiezzi, "Xi Jinping Leads China's New Internet Security Group," *The Diplomat*, February 28, 2014, <http://thediplomat.com/2014/02/xi-jinping-leads-chinas-new-internet-security-group/>.

20 Stacie L. Pettyjohn, "Net Gain," *Foreign Affairs*, April 10, 2014, <http://www.foreignaffairs.com/articles/141122/stacie-l-pettyjohn/net-gain>.

21 CNNIC, "The CNNIC Released the 33rd Statistical Report on Internet Development in China," News Release, January 16, 2014, http://www1.cnnic.cn/AU/MediaC/rdxw/hotnews/201401/t20140117_43849.htm.

22 <http://www.akamai.com/dl/akamai/akamai-soti-q114-infographic.pdf> . <http://cn.chinacache.com/ueditor/php/upload/20130808/13759259482880.pdf>

23 CNNIC, [The 28th Report on the Development of the Internet in China] (Beijing: CNNIC, 2011), <http://www.cnnic.cn/research/bgzx/tjbg/201107/P020110721502208383670.pdf>.

24 <http://www.chinawebreport.com/images/PDF/2013CIR.pdf>. Eastern China accounts for 41 percent of the population.

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Penetration rates vary by province, from Beijing (75 percent) to southeast Jiangxi (32 percent).²⁵ Overall internet penetration was 46 percent.²⁶ The Center reported a gender divide of 56 percent male to 44 percent female.

Mobile replaced fixed-line broadband (which has dwarfed dial-up since 2005²⁷) as China's preferred means of accessing the internet for the first time in 2012. By December 2013 the 500 million mobile internet users reported by the CNNIC was more than double the 210 million fixed broadband subscriptions.²⁸

Authorities exercise tight control over cybercafes and other public access points, which are licensed by the Ministry of Culture in cooperation with other state entities.²⁹ By 2012, chains had absorbed around 40 percent of cybercafes.³⁰ More than 10,000 locations closed between 2011 and 2012,³¹ and cybercafes provided access for less than 20 percent of internet users in 2013.³²

Costly, inefficient broadband service helps to account for the shift toward mobile. The Beijing-based research company Data Centre of China Internet reported that the average cost of 1 Mbps of bandwidth was 469 times more on the mainland than in Hong Kong in 2011.³³ The same year, an antimonopoly investigation accused state-owned China Telecom and China Unicom of abusing their market dominance to manipulate broadband pricing in the first use of a 2008 antimonopoly law against state enterprises.³⁴ The telecom giants revised their internet pricing structures to allow rivals access to their infrastructure,³⁵ and customers can now choose from among scores of private internet service providers (ISPs).³⁶ The MIIT ordered homes constructed within reach of public fiber-optic

25 CNNIC, <http://www1.cnnic.cn/IDR/ReportDownloads/201404/U020140417607531610855.pdf>

26 CNNIC, [The 31st Report on the Development of the Internet in China], <http://www1.cnnic.cn/IDR/ReportDownloads/201404/U020140417607531610855.pdf>

27 "CNNIC Releases Internet Report: China's Internet Users Exceed 100 Million," *Xinhua News*, July 22, 2005, http://news.xinhuanet.com/newmedia/2005-07/22/content_3251081.htm.

28 163.com web portal visualization of CNNIC, [The 31st Report on the Development of the Internet in China], http://tech.163.com/special/cnnic30/#full_

29 These include the Public Security Bureau and the State Administration for Industry and Commerce. "Yi Kan Jiu Mingbai Quan Cheng Tu Jie Wang Ba Pai Zhao Shen Qing Liu Cheng" [A look at an illustration of the whole course of the cybercafé license application process], Zol.com, http://detail.zol.com.cn/picture_index_100/index997401.shtml.

30 "China's 2013 Internet Café Market Down 13% YoY," 17173.com, April 28, 2013, http://www.marbridgeconsulting.com/marbridgedaily/2013-04-28/article/65634/chinas_2013_internet_caf_market_down_13_yoy.

31 <http://games.qq.com/z/zt/2013cybercafe/index.htm>

32 CNNIC, [The 31st Report on the Development of the Internet in China], 21.

33 "Zhong Guo Kuandai Yong hu Diaocha" [Survey of China's Broadband Users], Data Center of China Internet, 2011-2012, <http://www.dcci.com.cn/media/download/905430773daab3f27453929ee140539fdc12.pdf>. The center has not released data for 2012.

34 Jan Holthuis, "War of the Giants – Observations on the Anti-Monopoly Investigation in China Telecom and China Unicom, HIL International Lawyers & Advisers, March 2, 2012, <http://legalknowledgeportal.com/2012/03/02/war-of-the-giants-observations-on-the-anti-monopoly-investigation-into-china-telecom-and-china-unicom/>; "Tighter Rules for Telecom Costs," *Shanghai Daily*, April 26, 2012, http://www.china.org.cn/business/2012-04/26/content_25241615.htm.

35 Lu Hui, "China Telecom, China Unicom Pledge to Mend Errors after Anti-monopoly Probe," *Xinhua News*, December 2, 2011, http://news.xinhuanet.com/english2010/china/2011-12/02/c_131285141.htm; "Guo Jia Guang Dian Wang Luo Gong Si Jiang Qiang Cheng Li Zhong Yi Dong Wei Can Yu Chu Zi" [State Radio and Television Networks Will be Set Up], *Sina*, November 15, 2012, <http://tech.sina.com.cn/t/2012-11-15/03037799520.shtml>.

36 "Chinese Internet Choked by 'Fake Broadband' Providers," *Global Times*, October 8, 2012, <http://www.globaltimes.cn/content/736926.shtml>.

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networks be connected via a selection of service providers from April 2013 onward.³⁷ A “Broadband China” government strategy issued in August 2013 aims to boost penetration to 70 percent nationwide by 2020, 3G mobile internet penetration to 85 percent, and increase connection speeds to 50 Mbps in cities and 12 Mbps in rural areas, with Gbps speeds promised in bigger cities.³⁸ In 2013, however, the average speed in Shanghai was 5.4 Mbps, compared to 2.6 Mbps in the slowest province, Qinghai.³⁹

State-owned China Mobile, China Telecom, and China Unicom dominate the mobile market, but in December 2013 and January 2014, the MIIT issued licenses to 19 companies to provide telecommunications service by leasing network infrastructure.⁴⁰ The MIIT issued 4G licenses to the three providers in December 2013.⁴¹ High prices have slowed 3G adoption in China, especially as some social networks allow users to exchange messages at low cost via 2G handsets, which accounted for 31 percent of mobile internet access in 2013, according to one report.⁴² In May 2014, the government formally authorized the three major players to set pricing for services according to market forces, resulting in price cuts.⁴³

Despite these signs of liberalization, six state-run operators maintain China’s gateways to the international internet, giving authorities the ability to cut off cross-border information requests.⁴⁴ All service providers must subscribe via the gateway operators under MIIT oversight.

The government has shut down access to entire communications systems in response to specific events, notably imposing a 10-month internet blackout in the Xinjiang Uighur Autonomous Region—home to 22 million people—after ethnic violence in the regional capital, Urumqi, in 2009.⁴⁵ Since then, authorities have enforced smaller-scale shutdowns, including one in Xinjiang’s southern Hotan city in June 2013 which affected cellphone service, internet and the messaging app Weixin for several weeks in the wake of a clash between police and locals over the detention of a religious leader.⁴⁶

In January 2014, analysts said a massive internet outage affecting most of the country may have been caused by censorship technology mistakenly redirecting the nation’s traffic to specific internet addresses instead of blacklisting them. The volume of traffic quickly overwhelmed the addresses, crashing their host servers and effectively shutting down internet service for around eight hours.⁴⁷

37 Shen Jingting, “New Residences Required to Provide Fiber Network Connections,” *China Daily*, January 9, 2013, http://usa.chinadaily.com.cn/business/2013-01/09/content_16099801.htm.

38 <http://www.miit.gov.cn/n11293472/n11293832/n13095885/15586409.html>

39 “China’s Broadband Speeds Show Shanghai Zooming Ahead [INFOGRAPHIC],” *Tech in Asia*, September 20, 2012, <http://www.techinasia.com/china-broadband-speeds-2012-infographic/>; <http://www.chinawebreport.com/images/PDF/2013CIR.pdf>

40 See, <http://www.asiaott.com/2014/04/14-5753.html>.

41 See, <http://www1.cnnic.cn/IDR/ReportDownloads/201404/U020140417607531610855.pdf>.

42 See, <https://gsmaintelligence.com/analysis/2014/06/half-a-billion-chinese-citizens-have-subscribed-to-the-mobile-internet/432/>.

43 See, http://www.bjreview.com.cn/business/txt/2014-05/26/content_621017.htm; <http://online.wsj.com/news/articles/SB10001424052702304655304579551373204515160>. Prices were previously regulated by the government.

44 CNNIC, [The 31st Report on the Development of the Internet in China], 21.

45 See, http://www.foreignpolicy.com/articles/2014/04/21/life_on_chinas_censored_uighur_web.

46 See, <http://www.nytimes.com/2013/08/27/world/asia/over-news-of-clash-a-shroud-of-silence-in-xinjiang.html?pagewanted=all&r=1&>.

47 See, http://bits.blogs.nytimes.com/2014/01/22/big-web-crash-in-china-experts-suspect-great-firewall/?_php=true&type=blogs&ph.

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Several government and CCP agencies are responsible for internet censorship at the local and national level. The State Internet Information Office was created in 2011 to streamline regulation of online content, punish violators, and oversee telecommunications companies.⁴⁸ Two regulatory bodies, the State Administration of Radio, Film, and Television (SARFT) and the General Administration for Press and Publications (GAPP), merged in March 2013 to form the State Administration of Press, Publications, Radio, Film and Television.⁴⁹

Limits on Content

The CCP propaganda department, government agencies and private companies employ thousands of people to monitor, censor, and manipulate content. Routine censorship is reinforced during politically sensitive events or breaking news. Even this manipulated online environment, however, provides more space for average citizens to express themselves criticize the state than any other medium in China.

A range of issues are systematically censored, including independent evaluations of China's human rights record, and treatment of ethnic minorities and the banned Falun Gong spiritual group.⁵⁰

Criticism of individuals, policies or events considered integral to the one-party system is tightly controlled, but the nature of that control is subject to change. In June 2013, Sina Weibo briefly stopped banning searches for the "June 4th incident," instead hiding results that referenced the 1989 military crackdown on student-led protests in Beijing; it also removed the candle emoticon often used to indicate sympathy, and, when users complained, blocked searches for the word "candle."⁵¹ In 2014, censorship intensified in advance of the 25th anniversary of the protests to encompass phrases like "return to Tiananmen."⁵² In May, one blog reported that a user-generated encyclopedia hosted by Baidu had entries for 1988 and 1990, but not 1989.⁵³

Yet political discourse can be vigorous online, even about democracy and constitutional government.⁵⁴ This is partly because leaders redefined democratic governance as "the Chinese Communist

48 The State Internet Information Office operates under the jurisdiction of the State Council Information Office. "China Sets Up State Internet Information Office," *China Daily*, May 4, 2011, http://www.chinadaily.com.cn/china/2011-05/04/content_12440782.htm. See also "New Agency Created to Coordinate Internet Regulation," *China Media Bulletin*, May 5, 2011, <http://www.freedomhouse.org/article/china-media-bulletin-issue-no-21#3>.

49 http://www.atimes.com/atimes/China_Business/CBIZ-01-300114.html

50 A study conducted in 2011 by scholars at Carnegie Mellon found that up to 53 percent of microblog posts generated from Tibet were deleted. Byron Spice, "Carnegie Mellon Performs First Large-Scale Analysis of 'Soft' Censorship Media in China," Carnegie Mellon University, March 7, 2012, http://www.cmu.edu/news/stories/archives/2012/march/march7_censorshipinchina.html.

51 See, <http://offbeatchina.com/subtle-censorship-at-its-finest-weibo-took-out-candle-icon-ahead-of-tiananmen-anniversary>; <https://en.greatfire.org/blog/2013/may/sina-testing-subtle-censorship-ahead-tiananmen-anniversary-0>.

52 See, <http://blog.feichangdao.com/2014/02/2014-tiananmen-censorship-season-begins.html>; <http://blog.feichangdao.com/2014/05/as-25th-anniversary-of-june-4-1989.html>.

53 See, <http://blog.feichangdao.com/2014/05/25-years-after-tiananmen-baidus.html>.

54 See, english.caijing.com.cn/2013-07-16/113046054.html; King, Pan, and Roberts, "How Censorship in China Allows Government Criticism but Silences Collective Expression," <http://gking.harvard.edu/publications/randomized-experimental-study-censorship-china>; Ashley Esarey and Xiao Qiang, "Digital Communication and Political Change in China," *International Journal of Communication* 5 (2011), 298–319, <http://ijoc.org/index.php/ijoc/article/view/688/525>. Xiao Qiang was an advisor for this report.

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Party governing on behalf of the people” in 2005.⁵⁵ But officials also want to monitor public sentiment, debunk enemy ideology without triggering censorship,⁵⁶ and conduct internal power struggles. Censors employed by Sina allowed “more room for discussions on democracy and constitutionalism because there are leaders who want to keep the debate going,” according to one report.⁵⁷

At the same time, forums on “constitutionalism” were banned on at least one platform in 2014 after it became associated with a fledgling civic movement,⁵⁸ suggesting social movements are perceived as more of a threat than opinion.⁵⁹ According to one 2014 study, “even posts that praise the government are censored if they pertain to real-world collective action.”⁶⁰

Censors will downplay civic crusades even at the expense of public health. In March 2014, censorship of protests against a local chemical plant in Maoming may have helped perpetuate disinformation, according to one commentator.⁶¹ Similarly, officials were investigating “rumors” about water pollution in Lanzhou, the capital of Gansu province, a month before they acknowledged it was unsafe to drink.⁶²

Names of dissenters with social capital are often censored. Examples during the coverage period include “Tan Zuoren,” when the freelance journalist who investigated schools damaged in the 2008 Sichuan earthquake ended a five year jail term,⁶³ and “Cao Shunli,” after the human rights activist died in jail.⁶⁴ Blocks on “Xu Zhiyong” implemented during the lawyer’s detention for antigovernment protests were lifted to publicize a negative verdict,⁶⁵ though a speech he made during his appeal was censored.⁶⁶

In 2013, the trend of targeting influencers broadened to encompass “Big V,” Weibo’s term for VIP users with millions of followers. Hundreds of users were questioned or detained across the country in a government campaign to stamp out rumors,⁶⁷ and use of Weibo dropped.⁶⁸ Outspoken users had

55 Richard McGregor, *The Party: The Secret World of China’s Communist Rulers* (New York: Harper Collins, 2010), 20.

56 See, http://www.qsttheory.cn/zxdk/2013/201321/201310/t20131030_284158.htm.

57 See, <http://www.reuters.com/article/2013/09/12/us-china-internet-idUSBRE98A18Z20130912?feedType=RSS&feedName=technologyNews>.

58 See, <http://blog.feichangdao.com/2014/01/global-times-says-ok-to-advocate-new.html>; <http://opinion.huanqiu.com/editorial/2014-01/4781693.html>.

59 “Preventing the organization of protests is as important, if not more important, than preventing users from reading unapproved content.” Jedidiah R. Crandall et al., “ConceptDoppler: A Weather Tracker for Internet Censorship,” Conference Paper for the 14th ACM Conference on Computer and Communications Security, October 29–November 2, 2007, <http://www.csd.uoc.gr/~hy558/papers/conceptdoppler.pdf>; King, Pan, and Roberts, “How Censorship in China Allows Government Criticism but Silences Collective Expression.”

60 See, http://gking.harvard.edu/files/gking/files/experiment_0.pdf.

61 See, <http://qz.com/195040/in-recent-protests-chinas-censorship-fueled-dissent-instead-of-quashing-it/>.

62 See, <http://globalvoicesonline.org/2014/04/12/cancer-causing-chemical-pollutes-chinese-city-lanzhou-water-supply/>; <http://politics.caijing.com.cn/2014-04-11/114091469.html>.

63 See, <http://chinadigitaltimes.net/2014/04/sensitive-px-protests-tigers/>.

64 See, <http://blog.feichangdao.com/2014/03/hours-after-cao-shunli-reportedly-dies.html>; <http://blog.feichangdao.com/2014/03/united-nations-statement-on-cao-shunli.html>.

65 See, <http://blog.feichangdao.com/2014/01/xu-zhiyong-sentenced-to-4-years.html>.

66 See, <http://cmp.hku.hk/2014/04/11/35265/>.

67 See, http://www.washingtonpost.com/world/china-launches-clear-sky-campaign-to-purge-internet-of-porn-rumors-dis-sent/2014/04/17/62ad2e7d-494e-4d10-bd29-d8dc828b3dcb_story.html?wprss=rss_technology.

68 See, <http://www.forbes.com/sites/ccuster/2014/02/04/the-demise-of-sina-weibo-censorship-or-evolution/>; <http://off-beatchina.com/as-beijings-online-rumor-crackdown-intensifies-chinese-bloggers-look-to-un-verify-themselves>.

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their accounts cancelled on Weibo and other platforms. Novelist Hao Qun, who writes as Murong Xuecun, told *The New York Times* all his social media sites were deactivated in May.⁶⁹

Anti-pornography and anti-rumor campaigns are a longstanding cover for censorship of social and political content. The SIIO shut down more than 100 grassroots news websites between May and June 2013.⁷⁰ In April 2014, another 3,300 social media accounts were deleted in an anti-pornography sweep.⁷¹

The government is not transparent about content controls, telling international reporters in September 2013 that “the perception that the government has placed any restrictions on the Internet is untrue.”⁷² Blacklists periodically leak online, but are not officially published. Censorship decisions are arbitrary, opaque, and inconsistent, in part because so many individuals and processes are involved. There are no formal avenues for appeal. Criticism of censorship is censored.⁷³

In January 2014, a handful of global news websites were inaccessible for two days after they reported the findings of an International Consortium of Investigative Journalism report about elite politicians using offshore tax havens.⁷⁴ Censorship like this is a result of the automated, technical blocking of foreign websites commonly referred to as China’s “Great Firewall.” In some cases, whole domain names or IP addresses are blocked with an explicit message about illegal content. Other interventions are less visible. Slow speeds characteristic of throttling, which delays the loading of webpages, has also been documented.⁷⁵

Authorities also use deep packet inspection to scrutinize both a user’s request for content and the results returned for blacklisted keywords. Once detected, the technology signals both sides of the exchange to temporarily sever the connection. This granular control is less noticeable to users because specific pages can be blocked within otherwise approved sites, and because the interruption appears to result from a technical error.⁷⁶ Security forces can also monitor who is accessing banned content.⁷⁷

Filtering is heterogeneous, depending on timing, technology, and geographical region. ISPs reportedly place filtering devices differently, in the backbone and even in provincial-level internal networks, a development that would potentially allow interprovincial filtering.⁷⁸ The University of Macau’s new

69 See, <http://www.nytimes.com/2013/09/11/world/asia/china-cracks-down-on-online-opinion-makers.html?pagewanted=2&r=1&partner=rssnyt&emc=rss>.

70 See, http://news.china.com.cn/2013-07/31/content_29584025.htm.

71 See, <http://www.bloomberg.com/news/2014-04-24/sina-stock-falls-on-anti-porn-crackdown-china-overnight.html>.

72 <http://qz.com/125531/beijing-calls-fears-over-internet-crackdown-paranoia-briefly-detains-corruption-fighting-blogger/>

73 King, Pan, Roberts “How Censorship in China Allows Government Criticism but Silences Collective Expression.”

74 See, <http://en.rsrf.org/chine-china-censors-reports-about-elite-24-01-2014,45781.html>; <http://www.theguardian.com/world/2014/jan/09/guardian-website-unblocked-china>.

75 “In Tandem with Slower Economy, Chinese Internet Users Face Slower Internet This Week,” *China Tech News*, November 6, 2012, <http://www.chinatechnews.com/2012/11/06/18835-in-tandem-with-slower-economy-chinese-internet-users-face-slower-internet-this-week>.

76 Ben Wagner, “Deep Packet Inspection and Internet Censorship: International Convergence on an ‘Integrated Technology of Control,’” *Global Voices Advocacy*, June 25, 2009, <http://advocacy.globalvoicesonline.org/2009/06/25/study-deep-packet-inspection-and-internet-censorship/>.

77 Villeneuve, *Breaching Trust*.

78 X. Xu, Z. Mao, and J. Halderman, “Internet Censorship in China: Where Does the Filtering Occur?” *Passive and Active Measurement*, Springer, 2011, 133–142, <http://pam2011.gatech.edu/papers/pam2011--Xu.pdf>.

campus in southern Guangdong province, meanwhile, advertised unfiltered internet access.⁷⁹ However, reports that the same would apply in a special economic zone in Shanghai proved inaccurate.⁸⁰ As political upheaval flared in Taiwan and Hong Kong in 2014, censors sought to shut off interaction with the mainland, disrupting mainland access to chat applications like KakaoTalk and LINE those communities used to mobilize, and censoring vocabulary specific to political developments.⁸¹

Mobile service providers also monitor text messages and delete pornographic or other “illegal” content.⁸² Users report receiving blank messages in place of banned keywords, though what content is banned appears to vary.⁸³

Select web applications are totally blocked, isolating the Chinese public from an international network of user-generated content. The video-sharing platform YouTube and social media sites like Facebook, Twitter, Google+, and Foursquare are consistently inaccessible, but popular among Chinese users who employ circumvention tools.⁸⁴ Document-sharing applications like Google’s cloud storage service, Drive, are also blocked,⁸⁵ and other Google applications like Calendar and Translate became inaccessible in June 2014, just outside the coverage period of this report.⁸⁶ Domestic internet firms are quick to fill the void, but must prevent banned content from circulating as part of their licensing requirements. Chinese company executives also benefit from political patronage.⁸⁷

Many social media applications produce sanitized versions for the mainland Chinese market: In late 2013, researchers at the University of Toronto-based Citizen Lab reported that the Japanese messenger service Line automatically censored keywords typed by users who set their country to China while installing the application. Messages containing the banned words would be disabled before sending, and replaced by asterisks when received, the research revealed.⁸⁸

79 Li Xueying, “Uncensored Internet for Macau university’s new campus,” *The Straits Times/ANN via The Jakarta Post*, August 2, 2013, <http://www.thejakartapost.com/news/2013/08/02/uncensored-internet-macau-universitys-new-campus.html>.

80 Andrew Leonard, “China’s Facebook Concession,” *Salon*, September 25, 2013, http://www.salon.com/2013/09/25/chinas_facebook_concession/.

81 See, <http://advocacy.globalvoicesonline.org/2014/05/31/censors-on-china-still-doesnt-want-anyone-talking-about-tiananmen/>.

82 “China Mobile Users Risk SMS Ban in Porn Crackdown,” *Agence France-Presse*, January 13, 2010, http://www.google.com/hostednews/afp/article/ALeqM5jF6dl0QS_1q8Eub7W73BSRNwdJWQ:ElaineChow.%20So%20About%20that%20Sexting%20Ban%20in%20China.%20Shanghaiist.%20January%2020,%202012.%20http://shanghaiist.com/2010/01/20/okay_so_that_sexting_ban_in_china.php.

83 Elaine Chow, “An Alleged List of Banned SMS Terms from China Mobile and Co.,” *Shanghaiist*, January 4, 2011, http://shanghaiist.com/2011/01/04/an_alleged_list_of_banned_sms_terms.php#photo-1.

84 Rebecca MacKinnon, “China Blocks Twitter, Flickr, Bing, Hotmail, Windows Live, etc. Ahead of Tiananmen 20th Anniversary,” *CircleID*, June 2, 2009, http://www.circleid.com/posts/20090602_china_blocks_twitter_flickr_bing_hotmail_windows_live/.

85 Mo Zhixu, “The Advent of a National LAN in China,” *Independent Chinese PEN Center*, July 3, 2014, <http://www.penchinese.org/english/mo-zhixu%EF%BC%9Athe-advent-of-a-national-lan-in-china>. Steven Musil, “Google Drive Crashes into China’s Great Firewall,” *Cnet*, April 25, 2012, http://news.cnet.com/8301-1023_3-57421540-93/google-drive-crashes-into-chinas-great-firewall/.

86 See, <http://www.nytimes.com/2014/06/03/business/chinas-battle-against-google-heats-up.html>.

87 “Tech Company Leaders Join Legislative, Advisory Bodies,” *China Media Bulletin*, March 7, 2013, http://www.freedomhouse.org/cmb/82_030713#3.

88 Seth Hardy, “Asia Chats: Investigating Regionally-based Keyword Censorship in LINE,” *Citizen Lab*, November 14, 2013, <https://citizenlab.org/2013/11/asia-chats-investigating-regionally-based-keyword-censorship-line/#update1>.

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Apple removed anticircumvention apps Open Door from its app store in October 2013,⁸⁹ and Free-Weibo in December.⁹⁰ The company had rejected another app for sharing books that are banned in China in April.⁹¹

LinkedIn, which censors briefly blocked in 2011,⁹² launched a Chinese-language version in early 2014. “We are opposed to censorship...[but] that’s going to be necessary for us to achieve the kind of scale that we’d like to be able to deliver to our membership,” Chief Executive Jeff Weiner told *The Wall Street Journal*. LinkedIn informed users when their content would not be visible in China.⁹³

In February 2014, the censorship watchdog nonprofit organization *Great Fire* said Microsoft’s search engine Bing was censoring results for search terms banned in China, like “Dalai Lama,” even outside China.⁹⁴ Microsoft denied intentionally manipulating the results, but internet researcher Rebecca Mackinnon reported that the error was a result of the company’s algorithm sorting content by popularity.⁹⁵ The number of users in mainland China accessing government-approved results about the Tibetan spiritual leader caused Bing to reflect the same censorship elsewhere.

In August 2013, Weixin’s international version WeChat suspended the account of a popular overseas Chinese-language web portal that is blocked in China, even on its supposedly uncensored international version.⁹⁶

Instant-messaging services such as Tom-Skype and QQ include programming that downloads updated keyword blacklists regularly.⁹⁷ Other companies employ people to delete posts, sometimes before they appear to the public.⁹⁸ Experts say staff members receive as many as three censorship directives per day by text message, instant message, phone call, or e-mail.⁹⁹ Most of these directives come from local propaganda agents. However, the CCP established party branches in four microblog

89 See, <http://www.rnw.nl/english/article/apple-kowtows-china%E2%80%99s-censors-removes-circumvention-app-0>.

90 See, <http://techpresident.com/news/wegov/24460/apple-kicks-out-another-anti-censorship-app-chinese-store>.

91 See, <http://www.ft.com/intl/cms/s/0/39e02d6c-9d02-11e2-88e9-00144feabdc0.html?siteedition=intl#axzz3KgCeMhgM>.

92 Keith B. Richburg, “Nervous Unrest, Chinese Authorities Block Web Site, Search Terms,” *Washington Post*, February 25, 2011, http://www.washingtonpost.com/world/nervous-about-unrest-chinese-authorities-block-web-site-search-terms/2011/02/25/ABPdw5J_story.html.

93 Paul Mozur, “LinkedIn Said It Would Censor in China. Now That It Is, Some Users Are Unhappy,” *Wall Street Journal*, June 4, 2014, <http://blogs.wsj.com/chinarealtime/2014/06/04/linkedin-said-it-would-censor-in-china-now-it-is-and-some-users-are-unhappy/>.

94 Paul Carsten, “Microsoft Denies Global Censorship of China-related Searches,” Reuters, February 12, 2014, <http://www.reuters.com/article/2014/02/12/us-microsoft-bing-censorship-idUSBREA1B0CP20140212>.

95 Rebecca Mackinnon, “Where is Microsoft Bing’s Transparency Report?,” Comment is Free, *The Guardian*, February 14, 2014, <http://www.theguardian.com/commentisfree/2014/feb/14/microsoft-bing-china-censorship-transparency>.

96 Jing Gao, “Which Flavor of China’s Wildly Popular WeChat Will You Get?,” *Tea Leaf Nation*, August 19, 2013, <http://www.tealeafnation.com/2013/08/chinas-wildly-popular-chat-app-inhabits-two-parallel-universes/>.

97 TOM-Skype is a joint venture between Skype and Chinese wireless service TOM Online. Vernon Silver, “Cracking China’s Skype Surveillance Software,” Bloomberg, March 8, 2013, <http://www.businessweek.com/articles/2013-03-08/skypes-been-hijacked-in-china-and-microsoft-is-o-dot-k-dot-with-it>; Jedidah R. Crandall et al., “Chat Program Censorship and Surveillance in China: Tracking TOM-Skype and Sina UC,” *First Monday* 18, no. 7 (2013), <http://firstmonday.org/ojs/index.php/fm/article/view/4628/3727>; Jeffrey Knocckel, “TOM-Skype Research,” <http://cs.unm.edu/~jeffk/tom-skype/>.

98 King, Pan, and Roberts, “How Censorship in China Allows Government Criticism but Silences Collective Expression.”

99 Xiao Qiang, “From ‘Grass-Mud Horse’ to ‘Citizen’: A New Generation Emerges through China’s Social Media Space,” Congressional-Executive Commission on China, November 17, 2011, <http://1.usa.gov/19dzOZn>.

company offices in 2012 to improve compliance, according to news reports.¹⁰⁰ In a November 2013 article published in Tibet, the local party leader pledged to establish CCP units or send political instructors to conduct ideological education in website offices.¹⁰¹

Provincial police also have authority to issue takedown notices to local companies. In April 2014, local and international media reported that Wei Yining, an internet police official in Hainan province, was jailed for 10 years for accepting more than 280 bribes to issue such notices to Hainan-based web forums Tianya and Kaidi. The bribes were paid by internet police in other jurisdictions, who should have submitted their deletion requests to Wei's department for approval, but instead paid him to contact the companies directly via instant message. One colleague in Hubei paid 483,000 yuan (\$78,000) in one year.¹⁰²

Other content has been suppressed by private actors. In June, Beijing-based Caixin Magazine reported that a China Central Television executive under investigation for bribery had asked website operators to delete posts on behalf of other companies.¹⁰³ Search engines also remove or highlight results, possibly including negative ones about their own performance, according to one analysis.¹⁰⁴

Microblog vs Micromessage

More than half of China's internet users had registered for a microblog account by January 2013.¹⁰⁵ Many companies offer services, but the most prominent are Sina's Weibo ("microblog") and Tencent's Weixin ("micromessage"). In April 2013, news agencies were told to register official microblog accounts with their government sponsor.¹⁰⁶

Weibo's distinct feature is the comment thread developed in response to individual posts, which are lost if that post is censored; the feature can also be shut off to prevent posts from gaining traction.¹⁰⁷ In March 2014, Sina's prospectus to the U.S. Securities and Exchange Commission reported 129 million Weibo users active every month and 61 million active daily,¹⁰⁸ though a research study from Hong Kong said the majority of posts were generated by just ten percent of users, while thousands of others were zombie accounts created for marketing

100 Qiao Long, "CCP Proposes Cells for Microblogs," *Radio Free Asia*, February 7, 2012, <http://www.rfa.org/english/news/china/microblogs-02072012175742.html>.

101 See, http://www.qstheory.cn/zxdk/2013/201321/201310/t20131030_284158.htm.

102 Josh Chin, Yang Jie, "Corruption Case Cracks Door on China's Internet Police," *Wall Street Journal*, <http://blogs.wsj.com/chinarealtime/2014/04/18/corruption-case-cracks-door-on-chinas-internet-police/>; "More Details Emerge of Internet Police Involved in Nationwide Money-For-Censorship Scheme," *Fei Chang Dao*, April 21, 2014, <http://blog.feichangdao.com/2014/04/more-details-emerge-of-internet-police.html>.

103 "Caixin Report Provides Context for Baidu's 2011 Censorship of Search Results for "CCTV Baidu,"" *Fei Chang Dao*, June 16, 2014, <http://blog.feichangdao.com/2014/06/caixin-report-provides-context-for.html>.

104 "Caixin Report Provides Context for Baidu's 2011 Censorship of Search Results for "CCTV Baidu:""

105 Not all accounts are active. "Di 31 Ci Zhongguo Hulianwangluo Zhuangkuang Tongji Baogao" [The 31st Statistical Report on China's Internet Development," China Internet Network Information Center, January 15, 2013, http://www.cnnic.cn/hlwfzyj/hlwxzbg/hlwtjbg/201301/t20130115_38508.htm.

106 A government sponsor is required to obtain a press license. "China's Real Name Internet Part 5: 2013 – 2014," *Fei Chang Dao*, August 20, 2014, <http://blog.feichangdao.com/2014/08/chinas-real-name-internet-part-5-2013.html>.

107 Gady Epstein, "The Great Firewall: The Art of Concealment," *The Economist*, April 6, 2013, <http://econ.st/145qZuP>.

108 <http://www.sec.gov/Archives/edgar/data/1595761/000119312514100237/d652805df1.htm>.

or spam.¹⁰⁹ Sina's efforts to manage Weibo content are well documented. Staff, reportedly 150 of them working 12-hour shifts at a time,¹¹⁰ delete individual posts or accounts, often with 24 hours of an offending post, but sometimes long after publication;¹¹¹ make published posts visible only to the account owner; and personally warn individuals.¹¹² Hundreds of terms have been automatically filtered from Weibo search results over time.¹¹³

Weibo was punished with restrictions on some of its functions in 2012 for failing to curb rumors.¹¹⁴ In November 2013, following the intensified antirumor campaign, Weibo said 1,000 accounts were shuttered for posting false information out of a total 100,000 accounts disabled for harassment and other violations.¹¹⁵ Activity on the platform dropped an estimated 70 percent.¹¹⁶ By January 2014, the CNNIC report reported that 38 percent of Weibo users had migrated to Weixin.¹¹⁷

In 2014, Tencent reported a combined 396 million monthly active users for Weixin and its international equivalent, WeChat. Users have the option to restrict updates to a closed circle of connections, and can send audio messages that bypass keyword censors, so some activists prefer it.¹¹⁸ Yet the service still polices political content. In what users described as a "massacre" in March 2014, Tencent's Weixin closed dozens of accounts, including one run by investigative journalist Luo Changping.¹¹⁹ Dissidents Hu Jia and Bei Feng both reported their accounts deleted during the coverage period.¹²⁰

Propaganda officials also manipulate online content, instructing internet-based outlets to amplify content from state media. In one example from the coverage period, the State Council Information Office reportedly instructed: "Media that report on the knife attack incident that occurred March 1

109 Patrick Boehler, "Almost All Weibo Messages are Generated by Just 5 Per Cent of Users," *South China Morning Post*, April 8, 2014, <http://www.scmp.com/news/china-insider/article/1469338/weibo-less-active-expected-says-new-study>.

110 Li Hui, Megha Rajagopalan, "At Sina Weibo's Censorship Hub, China's Little Brothers Cleanse Online Chatter," Reuters, September 11, 2013, <http://www.reuters.com/article/2013/09/12/us-china-internet-idUSBRE98A18Z20130912>.

111 Keith B. Richburg, "China's 'Weibo' Accounts Shuttered as Part of Internet Crackdown," *Washington Post*, January 3, 2013, http://www.washingtonpost.com/world/chinas-weibo-accounts-shuttered-as-part-of-internet-crackdown/2013/01/03/f9fd92c4-559a-11e2-89de-76c1c54b1418_story.html.

112 Xiao, "From 'Grass-Mud Horse' to 'Citizen.'"

113 Xiao, "From 'Grass-Mud Horse' to 'Citizen.'" See also Tao Zhu et al., "The Velocity of Censorship: High-Fidelity Detection of Microblog Post Deletions," Paper for 22nd USENIX Security Symposium in Washington D.C. in August 2013, arXiv, <http://arxiv.org/ftp/arxiv/papers/1303/1303.0597.pdf>; King-wa Fu and Michael Chu, "Reality Check for the Chinese Microblog Space: A Random Approach," *PLoS ONE*, Volume 8(3), 2013, <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0058356#pone.0058356-China1>.

114 "China's Major Microblogs Suspend Comment Function to 'Clean up Rumors,'" *Xinhua News*, March 31, 2012, <http://english.peopledaily.com.cn/90882/7775525.html>.

115 "Sina Shuts Down Weibo Accounts," *China Daily*, November 14, 2013, http://www.chinadaily.com.cn/beijing/2013-11/14/content_17105204.htm.

116 Malcolm Moore, "China Kills Off Discussion on Weibo After Internet Crackdown," *Telegraph*, January 30, 2014, <http://www.telegraph.co.uk/news/worldnews/asia/china/10608245/China-kills-off-discussion-on-Weibo-after-internet-crackdown.html>.

117 See, <http://www.cnnic.cn/hlwfyj/hlwxbg/hlwjbg/201401/P020140116395418429515.pdf>.

118 Alexa Oleson, "China's New Media Species, Now Endangered," *Tea Leaf Nation* via *Foreign Policy*, March 15, 2014, http://www.foreignpolicy.com/articles/2014/03/15/chinas_new_media_species_now_endangered.

119 "China Cracks Down Again on Popular Messaging App WeChat," Reuters, March 14, 2014, <http://www.reuters.com/article/2014/03/14/us-china-censorship-tencent-idUSBREA2D0I420140314>.

120 Kaylene Hong, "WhatsApp rival WeChat surpasses 100 million user accounts outside China," *The Next Web*, August 15, 2013, <http://tnw.to/p3Fpx>.

at the Kunming railway station must strictly adhere to Xinhua News Agency wire copy or information provided by local authorities. Do not treat the story with large headlines; do not publish grisly photos.”¹²¹ In April 2013, regulators instructed journalists operating online not to post articles from overseas websites or independently upload information obtained while reporting.

Since 2005, propaganda units at all levels have trained and hired web commentators to post pro-government remarks and lead online discussions.¹²² They also report users who have posted offending statements, target government critics with negative remarks, or deliberately muddy the facts of a particular incident.¹²³ Coordinated smear campaigns aim to discredit high profile government critics.¹²⁴

These methods are not always effective. Many commenters are more concerned about filling their quota than mounting a convincing argument, and web users are wary of content manipulation. Companies also pay for astroturfing—positive comments promoting products or services—which further erodes public trust in online content. Commercial commenters are colloquially known as the “internet water army.”¹²⁵

In March 2014, state news agency Xinhua announced the latest round of internet supervision training courses for officials across government institutions, including the police and the judiciary. The courses, which offer five qualifications from assistant to senior manager, cost 6,800 yuan (\$1,108).¹²⁶ Government employees also openly engage citizens in online discussions. In October 2013, an opinion monitoring official at the *People’s Daily* newspaper said that the quantity of posts by government-run and traditional media Weibo accounts had overtaken those by the Big V online personalities.¹²⁷

Despite the technical filtering, enforced self-censorship, and manipulation, the internet is a primary source of news and forum for discussion, particularly among the younger generation. Chinese cyberspace is replete with online auctions, social networks, homemade music videos, a large virtual gaming population, and spirited discussion of some social and political issues. Overtly political organizations, ethnic minorities, and persecuted religious groups remain underrepresented, though they have used the internet to disseminate banned content, and overseas media and human rights groups report sending e-mail to subscribers in China with news, instructions on circumvention tech-

121 See, China Digital Times, <http://bit.ly/1vZTmfW>.

122 David Bandurski, “Internet Spin for Stability Enforcers,” China Media Project, May 25, 2010, <http://cmp.hku.hk/2010/05/25/6112/>.

123 Propaganda workers are colloquially known as the 50 cent party, after the amount they are reportedly paid per post, though recent reports put the going rate as low as 10 cents, while some commentators may be salaried employees. See, Perry Link, “Censoring the News Before It Happens,” *New York Review* (blog), *The New York Review of Books*, July 10, 2013, <http://www.nybooks.com/blogs/nyrblog/2013/jul/10/censoring-news-before-happens-china/>, and Rongbin Han, “Manufacturing Consent in Censored Cyberspace: State-Sponsored Online Commentators on Chinese Internet Forums,” *Paper for Annual Meeting of America Political Science Association*, New Orleans, August 31-September 2, 2012, <http://ssrn.com/abstract=2106461>.

124 See, http://www.nytimes.com/2014/09/22/opinion/beijings-rising-smear-power.html?_r=0.

125 Rongbin Han, “Manufacturing Consent in Censored Cyberspace,” Cheng Chen, Kui Wu, et al, “Battling the Internet Water Army: Detection of Hidden Paid Posters,” arXiv, November 18, 2011, <http://arxiv.org/abs/1111.4297>.

126 Oiwan Lam, “Chinese Government is “Winning” Internet Ideology Battle,” Global Voices Advocacy, November 8, 2013, <http://advocacy.globalvoicesonline.org/2013/11/08/chinese-government-is-winning-internet-ideology-battle/>; Alastair Sloan, “China Ramps Up Army of “Opinion Monitors,” Index on Censorship, March 25, 2014, <http://www.indexoncensorship.org/2014/03/china-opinion-monitors/>.

127 http://big5.qstheory.cn/gate/big5/www.qstheory.cn/wz/hlw/201310/t20131030_284233.htm

nology, or copies of banned publications. Civil society organizations involved in charity, education, health care, and other social and cultural issues often have a vigorous online presence.

The word “netizen”—a direct translation of the Chinese *wangmin*, or citizen of the internet—conveys the legitimate sense of civic engagement associated with online exchanges. Microblogs have amplified these dynamics and generated a strong sense of empowerment among many Chinese users, censorship notwithstanding.¹²⁸ Whereas Chinese citizens traditionally trek to the seat of power to present their grievances, digital technologies offer a way to overcome the geographic, financial, and physical challenges of such petitioning. Moreover, despite the leadership’s dread of collective action, officials do yield to public pressure. Low-level government wrongdoing is kept in check, with officials frequently exposed for overspending on entertainment or designer watches, a sign of possible corruption.¹²⁹ As the public opinion monitoring trend shows, officials do seek to gauge, and are influenced by, the public’s response.

The transformative effect of online activism in China is undeniable, and yet the solutions that result from these high-pressure encounters typically fall short of systemic reform or democratic decision making. Consequently, they fail to ensure meaningful accountability.¹³⁰ Censors intervene if campaigns gain too high a profile or implicate overall CCP governance. In the past year, some NGOs found their ability to fundraise using e-commerce platforms obstructed, including a rural library project which was forced to close in September 2014.¹³¹

Mobilization can also have a negative impact. Nationalism and xenophobia are prominent components of Chinese cyberspace, though censorship targeting rational dissent instead of inflammatory discourse arguably magnifies their impact. In March 2014, when students in Taiwan occupied the legislature to protest against a free trade pact with the mainland, Weibo said 60 percent of microbloggers polled called the action “irrational,” but censored posts that compared it with June 4.¹³²

Users combat censorship by opening versions of the same blog on different sites and circulating banned information directly through peer-to-peer networks, which bypass central servers. Text rendered as image, audio, or video files evades keyword sensors. Humorous neologisms substitute for

128 David Barboza, “Despite Restrictions, Microblogs Catch On in China,” *New York Times*, May 15, 2011, <http://www.nytimes.com/2011/05/16/business/global/16blogs.html>.

129 Laura Zhou, “Watch Imprint on Quake Official’s Wrist Goes Viral on Internet,” *South China Morning Post*, April 24, 2013, <http://www.scmp.com/news/china/article/1221756/watch-imprint-quake-officials-wrist-goes-viral-internet>; Jonathan Kaiman, “Chinese Police Chief Suspended after Online Storm over Teenager’s Detention,” *The Guardian*, September 24, 2013, <http://www.theguardian.com/world/2013/sep/24/chinese-police-chief-suspended-yang-hui-detention>.

130 According to one study, censors stopped blocking names of villages whose residents were protesting as soon as traditional media reported on the provincial authorities’ response, even though tensions had not yet fully died down and the effectiveness of the response had yet to be shown. In other words, reports on protests in the context of an ostensibly benevolent response from party officials are not censored. See, “Finish Study Analyzes Keyword Censorship during Mass Incidents,” *China Media Bulletin* December 13, 2012, http://www.freedomhouse.org/cmb/77_121312#5.

131 See, <http://cn.nytimes.com/china/20140926/cc26liyingqiang/zh-hant/>; <http://english.sina.com/culture/2014/0922/739129.html>.

132 Andrea Chen, “Taiwan Student Occupation and Clashes ‘A Failure of Democracy’, Mainland Microbloggers Say,” *South China Morning Post*, March 24, 2014, <http://www.scmp.com/news/china/article/1456109/student-occupation-and-clashes-failure-democracy-say-mainland>.

banned keywords,¹³³ forcing censors to filter seemingly innocuous vocabulary like “tiger.”¹³⁴ This version of the Chinese internet does not resemble a repressed information environment so much as “a quasi-public space where the CCP’s dominance is being constantly exposed, ridiculed, and criticized, often in the form of political satire, jokes, videos, songs, popular poetry, jingles, fiction, Sci-Fi, code words, mockery, and euphemisms.”¹³⁵

Software developers, both domestic and overseas, offer virtual private networks (VPNs), which encrypt the user’s traffic and reroute it through a server outside the firewall to circumvent technical filtering. Users tend to adopt these tools at politically important moments when censorship is heaviest, but continue to use them thereafter.¹³⁶¹³⁷ In 2011, internet security experts noticed activity indicating that Chinese ISPs may have been testing a new system for identifying the type of encryption indicative of circumvention.¹³⁸ In 2012, China Unicom was reportedly cutting connections when it detected VPN usage.¹³⁹ Even when not actively disrupted, encryption may attract surveillance.¹⁴⁰ In December 2013, censors disrupted access to peer-to-peer circumvention tool, Lantern.¹⁴¹ In May 2014, government officials announced plans to mandate inspections of international technology products and services.¹⁴²

Violations of User Rights

Article 35 of the Chinese constitution guarantees freedoms of speech, assembly, association, and publication, but such rights are subordinated to the CCP’s status as the ruling power. In addition, the constitution cannot, in most cases, be invoked in courts as a legal basis for asserting rights. The judiciary is not independent and closely follows party directives, particularly in politically sensitive freedom of expression cases. China lacks specific press or internet laws, but government agencies issue regulations to establish censorship guidelines. Regulations—which can be highly secretive—are subject to constant change and cannot be challenged by the courts. Prosecutors exploit vague provisions in China’s criminal code, laws governing printing and publications, and state secrets legislation to imprison citizens for online activity.

The legal grounds for these charges was bolstered during the coverage period. On September 9, the Supreme People’s Court and the prosecutorial body, the Supreme People’s Procuratorate issued a ju-

133 Jason Q. Ng, “Censoring a Commemoration: What June 4-related Search Terms are Blocked on Weibo Today,” Citizen Lab, June 3, 2013, <https://citizenlab.org/2013/06/censoring-a-commemoration-what-june-4-related-search-terms-are-blocked-on-weibo-today/>.

134 Anne Henochowicz, “Sensitive: PX Protests, Tigers, More,” China Digital Times, April 2, 2014, <http://chinadigitaltimes.net/2014/04/sensitive-px-protests-tigers/>.

135 Xiao, “From ‘Grass-Mud Horse’ to ‘Citizen.’”

136 MacKinnon, “The Shawshank Prevention.”

137 E-mail communication with circumvention tool developer who requested anonymity, June 2012.

138 Sharon LaFraniere and David Barboza, “China Tightens Censorship of Electronic Communications,” *New York Times*, March 21, 2011, <http://www.nytimes.com/2011/03/22/world/asia/22china.html>; Andy Greenberg, “China’s Great Firewall Tests Mysterious Scans on Encrypted Connections,” *Forbes*, November 17, 2011, <http://onforb.es/u9pxP2>.

139 Charles Arthur, “China Tightens ‘Great Firewall’ Internet Control with New Technology,” *Guardian*, December 14, 2012, <http://www.guardian.co.uk/technology/2012/dec/14/china-tightens-great-firewall-internet-control>.

140 MacKinnon, “The Shawshank Prevention.”

141 Steven Millward, “China Blocks Censorship Circumvention Software Lantern After a Surge of Chinese Users,” *Tech in Asia*, December 11, 2013, <http://www.techinasia.com/china-blocks-anti-censorship-tool-lantern/>.

142 See, <http://advocacy.globalvoicesonline.org/2014/05/28/china-to-perform-security-inspections-for-tech-products/>.

dicial interpretation "Regarding the Interpretation of Various Laws Concerning the Handling of Cases of Using the Internet to Carry out Defamation and other Crimes" which formally defined digital defamation, as well as online manifestations of other crimes, creating disturbances, illegal commercial activities, and extortion.¹⁴³ Local officials have detained online whistle-blowers for criminal defamation, which carries possible three-year prison terms "serious" circumstances under the penal code, in the past.¹⁴⁴ The new interpretation defined those circumstances as more than 5,000 views or more than 500 reposts on the internet.¹⁴⁵ Online messages deemed to incite unrest or protest are also subject to criminal penalties under the interpretation.

The announcement came out of a campaign to curtail protests. The Procuratorate instructed Chinese prosecutors to combat crimes that "disturb social and public order" in June,¹⁴⁶ and police around the country detained at least 55 activists between February and August 2013 for participating in collective action.¹⁴⁷ Many were formally arrested, notably lawyer Xu Zhiyong on August 2 on charge of disturbing public order.¹⁴⁸ When prosecutors outlined their case against him in December, it included three disruptions to "public spaces on the internet" based on the September judicial interpretation, apparently based on the act of uploading photos taken at 2012 civic protests.¹⁴⁹ A Beijing court sentenced Xu to four years in prison in April 2014.¹⁵⁰ Other online dissidents detained during the coverage period include Huang Qi and Wang Zhenhua.¹⁵¹

The scope of this campaign widened from established political activists to well known online commentators at the Beijing China Internet Conference of August 13-15, 2013.¹⁵² The conference established seven baselines, or limits, for bloggers and internet users. Though framed as an attempt to combat rumor, the list began with instructions to respect laws and regulations, the socialist system, and national interest; accuracy came in last.¹⁵³

143 Human Rights Watch, "China: Draconian Legal Interpretation Threatens Online Freedom," news release, September 13, 2013, <http://www.hrw.org/news/2013/09/13/china-draconian-legal-interpretation-threatens-online-freedom>; Megha Rajagopalan, Adam Rose, "China Crackdown on Online Rumors Seen as Ploy to Nail Critics," September 18, 2013, <http://www.reuters.com/article/2013/09/18/net-us-china-internet-idUSBRE98H07X20130918>.

144 Justin Heifetz, "The 'Endless Narrative' of Criminal Defamation in China," Journalism and Media Studies Centre of the University of Hong Kong, May 10, 2011, <http://coveringchina.org/2011/05/10/the-endless-narrative-of-criminal-defamation-in-china/>.

145 Human Rights Watch, "China: Draconian Legal Interpretation Threatens Online Freedom."

146 <http://www.chinanews.com/gn/2013/06-19/4947030.shtml>

147 Human Rights Watch, "China: Nationwide Arrests of Activists, Critics Multiply," news release, August 30, 2013, <http://www.hrw.org/news/2013/08/30/china-nationwide-arrests-activists-critics-multiply>

148 Human Rights Watch, "China: Nationwide Arrests of Activists, Critics Multiply."

149 Chin, "A New Tack in Criminal Prosecution of Chinese Activists."

150 Chin, "A New Tack in Criminal Prosecution of Chinese Activists."

151 "Chinese Police Seize Activist Who Runs Rights Site," The Associated Press, March 13, 2014, <http://bigstory.ap.org/article/china-police-seize-activist-who-runs-rights-site>; Committee to Protect Journalists, "Three Journalists Detained After Reporting on Tiananmen," March 18, 2014, <http://cpj.org/x/59c5>; Reporters Without Borders, "Website Editor, Three Citizen Journalists Arrested for Covering Protests," March 15, 2014, <http://en.rsf.org/china-website-editor-three-citizens-15-03-2014,46008.html>; Chinese Human Rights Defenders, "[CHRB] Activist Given 3 Years for Inciting Subversion, Tibetans Tortured to Death (2/7-13/2014)," briefing, February 13, 2014, <http://www.chrdnet.com/2014/02/chrb-activist-given-3-years-for-inciting-subversion-tibetans-tortured-to-death-27-132014>.

152 David Bandurski, "China's "Seven Base Lines" for a Clean Internet," China Media Project, August 27, 2013, <http://cmp.hku.hk/2013/08/27/33916/>

153 Bandurski, "China's "Seven Base Lines" for a Clean Internet," http://www.scwmw.gov.cn/sfpl/yc/201308/t20130812_215466.htm

Journalists and international human rights groups estimate that hundreds of internet users were detained in the crackdown.¹⁵⁴ On August 23, police detained Charles Xue, a naturalized American businessman with more than 12 million Weibo followers, where he appears as Xue Manzi.¹⁵⁵ While he was charged with soliciting a prostitute, state media cited his case as a warning to other Big Vs.¹⁵⁶ The connection between the prosecution and his microblogging success was underscored when state TV broadcast two separate confessional interviews with him--one, in August, on his alleged crimes,¹⁵⁷ and another in September about his online following. "'It's not right for [popular bloggers] to behave higher than the law," he said in the broadcast, in which he wore handcuffs.¹⁵⁸ The People's Daily also published his confession.¹⁵⁹ Xue was held without trial until his release on medical grounds in April 2014.¹⁶⁰

Other outspoken members of the business elite were targeted amid the crackdown, including venture capitalist Wang Gongquan, who was arrested in September for disturbing public order after calling for Xu Zhiyong's release. He was released in January after police used his testimony in Xu's trial.¹⁶¹ Billionaire Pan Shiyi, who led social media calls for the government to address air pollution in a major example of successful online activism in 2013, was shown in a CCTV interviews in September 2013 apparently designed to pressure him into publicly endorsing the new restrictions for Big V.¹⁶²

Some individuals were punished for actual rumor mongering, including online marketer Qin Zhihui, who was jailed for three years after confessing to spreading false information.¹⁶³ One blogger was detained after allegedly fabricating an incidence of H1N1 in northern Hubei province.¹⁶⁴ Of these cases, some were targeted after publishing muckraking reports. Wu Dong, whose online analysis of official Yang Dacai's high-end timepieces lead to Yang's conviction for corruption on Septem-

154 Human Rights Watch, "China: Nationwide Arrests of Activists, Critics Multiply," Murong Xuecun, "Busting China's Bloggers," *New York Times*, October 16, 2013, <http://www.nytimes.com/2013/10/16/opinion/murong-busting-chinas-bloggers.html>.

155 David Barboza, "Chinese-American Commentator and Investor Is Arrested in Beijing," *New York Times*, August 26, 2013, <http://www.nytimes.com/2013/08/26/world/asia/chinese-american-commentator-and-investor-is-arrested-in-beijing.html>.

156 "Charles Xue, Chinese-American Blogger, is Arrested and Outed on TV over Prostitution Links," video, Reuters via *The Guardian*, August 30, 2013, <http://www.theguardian.com/world/video/2013/aug/30/charles-xue-prostitution-confession-broad-cast-video>.

157 "Charles Xue, Chinese-American Blogger, is Arrested and Outed on TV over Prostitution Links."

158 William Wan, "China Broadcasts Confession of Chinese-American Blogger," *Washington Post*, September 15, 2013, http://www.washingtonpost.com/world/china-broadcasts-confession-of-chinese-american-blogger/2013/09/15/3f2d82da-1e1a-11e3-8459-657e0c72fec8_story.html.

159 Chris Buckley, "An Internet 'Big V' Opts for Abject Contrition," April 17, 2014, *New York Times*, <http://sinosphere.blogs.nytimes.com/2014/04/17/an-internet-big-v-opts-for-abject-contrition/>.

160 "Chinese Blogger Charles Xue Gets Bail After Illness," BBC News, April 17, 2014, <http://www.bbc.com/news/world-asia-china-27060939>.

161 Josh Chin, "Story of Wang Gongquan Raises Fears for Some Social Activists in China," *Wall Street Journal*, January 23, 2014, <http://online.wsj.com/news/articles/SB10001424052702304632204579338540510653528>.

162 Anne Henochowicz, "Netizen Voices: CCTV Reins in Pan Shiyi," *China Digital Times*, September 13, 2013, <http://chinadigitaltimes.net/2013/09/netizen-voices-cctv-reins-pan-shiyi/>.

163 "Internet Rumormonger Gets 3-year Jail Term," *Xinhua*, April 17, 2014, http://news.xinhuanet.com/english/china/2014-04/17/c_133269304.htm.

164 "China Detains Man for Spreading 'Panic' with Bird Flu Rumors," Reuters, February 12, 2014, <http://www.reuters.com/article/2014/02/12/us-china-birdflu-idUSBREA1B0K320140212>.

ber 5, 2013, was himself detained for a day later that month.¹⁶⁵ Investigative journalist Liu Hu was detained in August 2013 and formally charged with defamation in September after publishing allegations of corruption on his microblog.¹⁶⁶ He was released without trial a year later pending further investigation.¹⁶⁷

While observers documented a decline in outspoken posts following a rise in arrests, one detention was less successful in suppressing online activism. Police in Gansu arrested 16-year-old Yang Hui in September for probing the account of a suspicious death at a local karaoke parlor on Weibo. He was released seven days later after web users rallied in his defense and publicized scandal allegations implicating local police.¹⁶⁸

As in past years, religious and ethnic minorities faced particularly harsh treatment for online activity. In October 2013, state media reported that 400 people were being investigated in Xinjiang for alleged rumormongering, 110 of whom had been detained.¹⁶⁹ In January, professor and Uighur rights activist Ilham Tohti was detained in a raid on his Beijing home. He was later charged and indicted with separatism, in part for allegedly spreading rumors, inciting ethnic hatred and conducting separatist activities on a website he founded.¹⁷⁰ Separatism charges carry a possible death penalty in extreme cases. In September 2014, outside the coverage period of this report, a court sentenced Ilham Tohti to life imprisonment.¹⁷¹ At least two Tibetans were reported detained in relation to images of the Dalai Lama stored on their cellphones. Police found one had been sharing the images during a random search of his device; another was additionally accused of expressing anti-China sentiment on Weixin.¹⁷² One news report said two monks had been jailed for documenting self-immolation protests on Weixin in summer 2013, one for six months, one for a possible life sentence.¹⁷³

165 Josh Chin, "Chinese Internet Riled Up Over Detention of Corruption-Busting Microblogger," *Wall Street Journal*, September 17, 2013, <http://blogs.wsj.com/chinarealtime/2013/09/17/chinese-corruption-busting-microblogger-detained/>; Heather Timmons, "Beijing Calls Fears Over Internet Crackdown 'Paranoia,' Briefly Detains Corruption-Fighting Blogger," *Quartz*, September 18, 2013, <http://qz.com/125531/beijing-calls-fears-over-internet-crackdown-paranoia-briefly-detains-corruption-fighting-blogger/>.

166 Sui-Lee Wee, "China Arrests Journalist Amid Crackdown on Rumors," *Reuters*, October 10, 2013, <http://www.reuters.com/article/2013/10/10/us-china-journalist-idUSBRE9990B820131010>.

167 Samuel Wade, "Journalist's Prosecution 'Unable to Proceed' [Updated]," *China Digital Times*, August 4, 2014, <http://chinadigitaltimes.net/2014/08/case-detained-journalist-unable-proceed/>.

168 "China Detains Teenager over Web Post Amid Social Media Crackdown," *The Guardian*, September 20, 2013, <http://www.theguardian.com/world/2013/sep/20/china-detains-teenage-web-post-crackdown>; Kaiman, "Chinese Police Chief Suspended after Online Storm over Teenager's Detention."

169 "China Arrests 110 in Xinjiang for Spreading Online Rumours," *BBC News*, October 8, 2013, <http://www.bbc.com/news/world-asia-china-24444505>.

170 Tania Branigan, "China charges Uighur scholar Ilham Tohti with separatism," *The Guardian*, July 30, 2014, <http://www.theguardian.com/world/2014/jul/30/china-uighur-scholar-ilham-tohti-charged>; Miao Deyu, Spokesman, Chinese Embassy in the UK, "The Case Against Ilham Tohti," *The Guardian*, May 7, 2014, <http://www.theguardian.com/world/2014/may/07/the-case-against-ilham-tohti>.

171 Damien Grammaticas, "China Jails Prominent Uighur Academic Ilham Tohti for Life," *BBC News*, September 24, 2014, <http://www.bbc.com/news/world-asia-29321701>.

172 Thubten Sangay, Dorjee Damdul, "Tibetan Laborer Held, Tortured Over Dalai Lama Photos, Audio," *Radio Free Asia*, January 29, 2014, <http://www.rfa.org/english/news/tibet/audio-01292014160017.html>; "WeChat leads to Tibetan woman's arrest in Driru," *Phayul*, October 17, 2013, <http://www.phayul.com/news/article.aspx?id=34118&article=WeChat+leads+to+Tibetan+woman%27s+arrest+in+Driru>.

173 Jonathan Kaiman, "Hack Tibet," *Foreign Policy*, December 4, 2013, http://www.foreignpolicy.com/articles/2013/12/04/hack_tibet_china_cyberwar#sthash.LTfHWMz7.XSRq5BI3.dpbs.

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Reporters Without Borders documented a total of 74 netizens in Chinese jails as of August 2014.¹⁷⁴ Dissident Liu Benqi was sentenced for online expression during the coverage period after his arrest in 2012.¹⁷⁵ Long-term detainees include 2010 Nobel Peace Prize winner Liu Xiaobo, who is serving an 11-year sentence on charges of “inciting subversion of state power” for publishing online articles, including the prodemocracy manifesto Charter 08.¹⁷⁶ At least two Uighur website managers, Memet-jan Abdulla and Gulmire Imin, were jailed for life in the aftermath of ethnic violence in Tibet in 2008 and Xinjiang in 2009, when local courts imprisoned at least 17 individuals involved in websites that reported on Tibetan or Uighur issues, often in closed trials.¹⁷⁷

Though these represent a tiny percentage of the overall user population, the harsh sentences have a chilling effect on the close-knit activist and blogging community and encourage self-censorship in the broader public. Trials and hearings lack due process, often amounting to little more than sentencing announcements, and detainees frequently report abuse in custody, including torture and lack of medical attention.¹⁷⁸

Chinese authorities abolished the extrajudicial sentence known as reeducation through labor in November 2013 after domestic calls for reform.¹⁷⁹ However, individuals can be detained in similarly poor conditions in drug rehabilitation centers and “legal education classes” without trial.¹⁸⁰ Internet users have also fallen victim to forced psychiatric detention. The whereabouts of at least one detainee, Li Qidong, who officials hospitalized in Liaoning in 2009 after he criticized the government in online articles, are not known.¹⁸¹

State agents also abduct and hold individuals in secret locations without informing their families or legal counsel. In 2012, the National People’s Congress enacted an amendment of the Criminal Procedure Law that strengthened the legal basis for detaining suspects considered a threat to national security in undisclosed locations, among other changes. In response to public feedback, a clause was added requiring police to inform a suspect’s family of such a detention, though they need not disclose where and why the suspect is being held. Despite this improvement, the amendment main-

174 Two of those imprisonments date from after the coverage period ended on June 1. Other cases go unreported. See, Reporters Without Borders, “2014: Netizens Imprisoned,” Press Freedom Barometer, <http://en.rsf.org/press-freedom-barometer-netizens-imprisoned.html?annee=2014>. Consulted September 5, 2014.

175 See, <http://www.rfa.org/mandarin/yataibaodao/renquanfazhi/ql1-02102014104659.html>.

176 Sharon Hom, “Google and Internet Control in China: A Nexus between Human Rights and Trade?” (testimony, U.S. Congressional-Executive Commission on China, Washington, DC, March 24, 2010), <http://www.gpo.gov/fdsys/pkg/CHRG-111hhrg56161/pdf/CHRG-111hhrg56161.pdf>.

177 “Attacks on the Press in 2011: China,” Committee to Protect Journalists, <http://www.cpj.org/2012/02/attacks-on-the-press-in-2011-china.php>.

178 <http://chrdnet.com/2014/10/chrd-releases-well-beat-you-to-death-with-impunity-a-report-about-secret-detention-abuse-of-women-in-chinas-black-jails/>.

179 “Victims of Re-education Through Labor System Deserve Justice,” *Xinhua News*, January 28, 2013, <http://www.globaltimes.cn/content/758696.shtml>.

180 <http://chrdnet.com/2014/10/chrd-releases-well-beat-you-to-death-with-impunity-a-report-about-secret-detention-abuse-of-women-in-chinas-black-jails/>; Amnesty International, “China’s ‘Re-education Through Labour’ Camps: Replacing One System of Repression with Another?,” December 17, 2013, <http://www.amnesty.org/en/news/china-s-re-education-through-labour-camps-replacing-one-system-repression-another-2013-12-17>.

181 Chinese Human Rights Defenders (CHRD), *The Darkest Corners: Abuses of Involuntary Psychiatric Commitment in China* (CHRD, 2012), http://chrd.equalit.ie/wp-content/uploads/2012/08/CRPD_report_FINAL-edited2.pdf.

tained vague language that is open to abuse by police and security agents.¹⁸² In March 2014, Tan Zuoren, who was jailed in 2009 for publishing research about the collapse of school buildings in the 2008 Sichuan earthquake, was taken to a secret location after his release from prison, instead of being returned to his family.¹⁸³ In April 2014, the families of 17 Sina employees responsible for screening the company's e-publication content were informed they were abroad on business for a month, but a local news outlet reported in May they had been detained as part of the pornography crackdown.¹⁸⁴

Internet users also risk being held under house arrest. Internet and mobile phone connections are often severed to prevent the individual from contacting supporters and journalists. While there are several cases of long-term house arrest, it can be adjusted arbitrarily over time. Some groups tally the number of dissidents known to be held under house arrest, but there are no statistics showing how many were targeted for online activity.¹⁸⁵

Law enforcement officials frequently summon individuals for questioning in relation to online activity, an intimidation tactic referred to euphemistically online as being "invited to tea."¹⁸⁶ Activists have also been instructed to travel during times of political activity.

Bloggers and activists periodically use the law to defend their right to online expression. In August 2013, microblog user Zhang Guanghong sued police after his repost of content that challenged Communist Party history resulted in a seven day detention and the confiscation of his computer.¹⁸⁷ Many lack the resources or the political will to succeed in legal challenges, but there are occasional successes. In April 2014, a court in Guangdong ordered the local health and family planning to commission to re-process a request submitted under open government regulations dating from 2007. The commission had declined to release records about resource allocation from a lawyer based in Zhejiang, who successfully sued for them to reconsider.¹⁸⁸

Users hoping to avoid repercussions for their online activity face a dwindling space for anonymous communication as real name registration requirements expand online, among mobile phone retailers, and at public internet facilities. The authorities justify real name registration as a means to prevent cybercrime, though experts counter that uploaded identity documents are vulnerable to theft

182 The amendment took effect on January 1, 2013. Observers praised other aspects of the measure, including tentative steps toward increasing police accountability for surveillance "China's New Law Sanctions Covert Detentions," Committee to Protect Journalists, March 14, 2012, <http://cpj.org/2012/03/chinas-new-law-sanctions-covert-detentions.php>.

183 Human Rights in China, "Released Sichuan Rights Activist Tan Zuoren Reportedly Taken to Undisclosed Location in Chongqing," March 27, 2014, <http://www.hrichina.org/en/press-work/released-sichuan-rights-activist-tan-zuoren-reportedly-taken-undisclosed-location>.

184 <http://www.infzm.com/content/101017>

185 "Deprivation of Liberty and Torture/Other Mistreatment of Human Rights Defenders in China," Chinese Human Rights Defenders (CHRD), June 30, 2013, http://chrdnet.com/wp-content/uploads/2013/03/FOR-WEB_Partial-data-6-30-2013-up-dt-7-5_VC-7-10-R-2.pdf.

186 China Blog Staff, "'Sorry, No Comment - We Might Get Invited to Tea,'" BBC News China Blog, December 9, 2013, <http://www.bbc.com/news/blogs-china-blog-25299062>.

187 Qiao Long, Luisetta Mudie, "Chinese Tweeter Held for 'Defaming' Communist Heroes Sues Police," Radio Free Asia, <http://www.rfa.org/english/news/china/retweet-12032013132701.html>.

188 David Bandurski, "Lawyer Wins Open Information Case in Guangzhou," China Media Project, April 4, 2014, <http://cmp.hku.hk/2014/04/04/35170/>.

or misuse,¹⁸⁹ especially since some verification is done through a little-known government-linked contractor.¹⁹⁰

In 2012, the CCP's governing Standing Committee approved new rules to strengthen the legal basis for real name registration by websites and service providers.¹⁹¹ The rules threatened violators with "confiscation of illegal gains, license revocations and website closures," largely echoing the informal arrangements already in place across the sector.¹⁹² Comment sections of major news portals, bulletin boards, blog-hosting services, and e-mail providers already enforce some registration.¹⁹³ The MIIT also requires website owners and internet content providers to submit photo identification when they apply for a license, whether the website is personal or corporate.¹⁹⁴ Nevertheless, the rules extended regulation to the business sector who must gain consent for collecting personal electronic data, as well as outline the "use, method, and scope" of its collection. The rules offer no protection against law enforcement requests for these records.¹⁹⁵

Microblog providers have struggled to enforce identity checks. Online reports of Sina Weibo users trading defunct identification numbers to facilitate fake registration indicated that the requirements were easy to circumvent.¹⁹⁶ Sina's 2014 report to the U.S. Securities and Exchange Commission noted the company's exposure to potentially "severe punishment" by the Chinese government as a result of its noncompliance.¹⁹⁷ Implementation of the real-name policy also makes it harder for the state's hired commentators to operate undetected. One study reported officials encouraging commentators to use pseudonyms and fake ID to hide their affiliation with the propaganda department.¹⁹⁸ In summer 2014, outside the coverage period of this report, the SIIO issued interim rules for anyone "employing instant messaging tools as public information services," requiring service providers to verify user identities and register them with a government agency.¹⁹⁹

189 Danny O'Brien, "China's Name Registration Will Only Aid Cybercriminals," Committee to Protect Journalists, December 28, 2012, <http://www.cpj.org/internet/2012/12/chinas-name-registration-will-aid-not-hinder-cyber.php>.

190 William Farris, "Guangzhou Daily Looks Into the Economics of the Weibo Real Name System," Google +, February 28, 2012, <https://plus.google.com/+WilliamFarris/posts/5bM2gSMUJwb>; <http://tech.163.com/12/0209/06/7PQ553IT000915BF.html> "Du Zi He Cha Wei Bo Shi Ming Guo Zheng Tong She Long Duan" [Real-Name Verification of Weibo Suspected Monopolized by Guo Zheng Tong], *Hong Kong Commercial Daily*, December 30, 2011, http://www.hkcd.com.hk/content/2011-12/30/content_2875001.htm.

191 "National People's Congress Standing Committee Decision Concerning Strengthening Network Information Protection," China Copyright and Media, December 28, 2012, <http://chinacopyrightandmedia.wordpress.com/2012/12/28/national-peoples-congress-standing-committee-decision-concerning-strengthening-network-information-protection/>.

192 Joe McDonald, "China Real-Name Registration Is Now Law in Country," *Huffington Post*, December 28, 2012, http://www.huffingtonpost.com/2012/12/28/china-real-name-registration_n_2373808.html.

193 [Ministry of Culture Will Curb Trend of Internet Indecency in 2009], *Net Bar China*, January 6, 2009, <http://www.netbarcn.net/Html/PolicyDynamic/01061954388252.html>; Chen Jung Wang, [Real Name System Intimidates High School BBS], *CNHubei*, November 29, 2009, <http://www.cnhubei.com/200511/ca936578.htm>; [Internet Society of China: Real Name System for Bloggers is Set], *Xinhua News*, October 22, 2006, <http://www.itlearner.com/article/3522>.

194 Elinor Mills, "China Seeks Identity of Web Site Operators," *CNET News*, February 23, 2010, <http://cnet.co/bXIMCp>.

195 Tim Stratford et al., "China Enacts New Data Privacy Legislation," Publication from Covington & Burling LLP, January 11, 2013, <http://bit.ly/RRiMaM>.

196 C. Custer, "How to Post to Sina Weibo without Registering Your Real Name," *Tech in Asia*, March 30, 2012, <http://www.techinasia.com/post-sina-weibo-registering-real/>.

197 See, <https://www.sec.gov/Archives/edgar/data/1595761/000119312514100237/d652805df1.htm>.

198 Rongbin Han, "Manufacturing Consent in Censored Cyberspace."

199 "China's Real Name Internet Part 5: 2013 – 2014," *Fei Chang Dao*, August 20, 2014, <http://blog.feichangdao.com/2014/08/chinas-real-name-internet-part-5-2013.html>.

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Internet commerce is undermining online anonymity. Many users voluntarily surrender personal details to enable financial transactions on social media sites. Mobile phone purchases have required identification since 2010, so providing a phone number is a common way of registering with other services.²⁰⁰ One analyst estimated that 50 percent of microblog users had exposed their ID numbers to providers by 2012, simply by accessing the platform from their mobile phone.²⁰¹ China's "second generation" national ID cards--which are administered by police--are required to be digitally embedded with fingerprints in China since the first generation of cards became defunct in January 2013.²⁰²

The State Council aims to link credit, social security, and other personal information to these biometric databases. Writer Mo Zhixu laid out some possible implications from Beijing, saying "ID numbers culled online will soon become useless for repeated use;" "relatives and friends will not ... dare, to lend their ID numbers to anyone else;" and "personal credit information will necessarily include information about internet use."²⁰³ In May 2013, a Uighur blogger reported he was unable to join a Weixin page about sport using his national ID number, which identifies his birthplace as Xinjiang; he was only able to register through a Han Chinese friend.²⁰⁴

Regulations for the Administration of Commercial Encryption dating from 1999, and related rules from 2006, require a government regulator to approve encryption products used by foreign and domestic companies.²⁰⁵

Chinese providers are required to retain user information for 60 days, and provide it to the authorities upon request without judicial oversight or informing the user.²⁰⁶ In 2010, the National People's Congress amended the State Secrets Law,²⁰⁷ obliging telecommunications operators and ISPs to cooperate with authorities investigating leaked state secrets or risk losing their licenses.²⁰⁸ An amendment to the Criminal Procedure Law that took effect in 2013 introduced a review process for allowing police surveillance of suspects' electronic communications, which the Public Security Ministry allows in a range of criminal cases, but the wording of the amendment was vague about the procedure for that review.²⁰⁹

200 [Mobile phone real name system implemented today, SIM card purchasers have to present their ID documents], *News 163*, October 1, 2010, <http://bit.ly/aIyYL4>.

201 Song Yanwang, "[Internet Clean-Up Regulations Conceal Obscure Issues. Weibo's New Real-Name Registration Rule Poses Challenge for Telecom Operator], *Net.China.com.cn*, March 15, 2012, http://net.china.com.cn/txt/2012-03/15/content_4875947.htm.

202 Cao Yin, "Efforts Stepped Up to Curb Fraudulent ID Card Use," *China Daily*, August 15, 2013, http://usa.chinadaily.com.cn/china/2013-08/15/content_16894908.htm; Zhou Dawei, "Do We Really Need to Fingerprint 1.3bn People?," *News China*, January 2012, <http://www.newschinamag.com/magazine/do-we-really-need-to-fingerprint-1.3bn-people>.

203 Andy Yee, "How Social Commerce Tightens China's Grip on the Internet," *Global Voices*, May 22, 2013, <http://globalvoicesonline.org/2013/05/22/how-social-commerce-tightens-chinas-grip-on-the-internet/>

204 Midnight Café, http://barrywey.blogspot.hk/2013/05/blog-post_25.html; Oiwan Lam, "China: Real Name Registration May Threaten Ethnic Minorities," *Global Voices Advocacy*, June 24, 2013, <http://advocacy.globalvoicesonline.org/2013/06/24/china-real-name-registration-may-threaten-ethnic-minorities/>.

205 Alan Segal, "The Cyber Trade War," *Foreign Policy*, October 25, 2014, http://www.foreignpolicy.com/articles/2012/10/25/the_cyber_trade_war.

206 "China," *OpenNet Initiative*, August 9, 2012, http://opennet.net/research/profiles/china-including-hong-kong_

207 [Presidential order of the People's Republic of China, No. 28," April 29, 2010, http://www.gov.cn/flfg/2010-04/30/content_1596420.htm.

208 Jonathan Ansfield, "China Passes Tighter Information Law," *New York Times*, April 29, 2010, <http://www.nytimes.com/2010/04/30/world/asia/30leaks.html>.

209 Luo Jieqi, "Cleaning Up China's Secret Police Sleuthing," *Caixin*, January 24, 2013, http://articles.marketwatch.com/2013-01-24/economy/36525447_1_police-abuse-police-investigations-police-officers.

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Privacy protections under Chinese law are minimal. In the words of one expert, the law explicitly authorizes government access to privately held data, and “systematic access” to “data held by anyone” is a realistic possibility once e-government strategies are fully implemented.²¹⁰

Real name registration is just one aspect of pervasive surveillance of internet and mobile phone communications in place in China. The deep packet inspection technology used to censor keywords can monitor users, and personal text and instant message exchanges have been cited in court documents. One academic study reported that queries for blacklisted keywords on Baidu automatically sent the user’s IP address to a location in Shanghai affiliated with the Ministry of Public Security.²¹¹ Cybercafés check photo identification and record user activities, and in some regions, surveillance cameras in cybercafés have been reported transmitting images to the local police station.²¹² Given the secrecy surrounding such capabilities, however, they are difficult to verify.

As with censorship, surveillance disproportionately targets individuals and groups perceived as antigovernment. Reports citing anonymous government officials noted that a camera grid system known as “Skynet” may have “a camera on every road in Tibet” as part of the effort to contain self-immolations.²¹³ A June 2013 report by Human Rights Watch put these activities in the context of a three-year campaign by 5,000 teams of CCP personnel conducting surveillance throughout the Tibetan Autonomous Region.²¹⁴ In November 2013, local party chief Chen Quanguo reasserted the party’s commitment to real name registration for web and cellphone users in Tibet.²¹⁵ Beyond regional flashpoints, the national “Safe Cities” program offers security officials an advanced system for monitoring public spaces across China.²¹⁶

China is a global source of cyberattacks, responsible for 41 percent of attack traffic worldwide observed by Akamai in early 2014.²¹⁷ The survey traced the attacks to computers in China using IP addresses, meaning the machines themselves may have been controlled from somewhere else.

The scale and targets of illegal cyber activity lead many experts to believe that Chinese military and intelligence agencies either sponsor or condone it, though even attacks found to have originated in China can rarely be traced directly to the state. However, the geographically diverse array of political, economic, and military targets that suffer attacks reveal a pattern in which the hackers consistently align themselves with Chinese national goals. In February 2013, U.S.-based cybersecurity firm Man-

210 Zhizheng Wang, “Systematic Government Access to Private-Sector Data in China,” (2012) 2/4 International Data Privacy Law 220, <http://idpl.oxfordjournals.org/content/2/4/220.full>.

211 Becker Polverini and William M. Pottenger, “Using Clustering to Detect Chinese Censorware,” Eleventh Annual Workshop on Cyber Security and Information Intelligence Research, Article No. 30, 2011. Extended Abstract available at: http://www.intu-index.com/whitepapers/CSIIIRW_Chinese_Censorship_Paper.pdf.

212 Naomi Klein, “China’s All-Seeing Eye,” NaomiKlein.org, May 14, 2008, <http://bit.ly/2nf29>.

213 Malcolm Moore, “China Using Massive Surveillance Grid to Stop Tibetan Self-Immolation,” *Telegraph*, November 9, 2012, <http://bit.ly/TgUg0g>.

214 According to Human Rights Watch, the goals of the campaign included “categorizing Tibetans according to their religious and political thinking, and establishing institutions to monitor their behavior and opinions.” Human Rights Watch, “China: ‘Benefit the Masses’ Campaign Surveilling Tibetans,” news release, June 19, 2013, <http://bit.ly/11Y8EAF>.

215 Qiushi, http://www.qstheory.cn/zxdk/2013/201321/201310/t20131030_284158.htm; Samuel Wade, “Tibet Party Chief Vows to Mute Dalai Lama,” *China Digital Times*, November 2, 2013, <http://chinadigitaltimes.net/2013/11/tibet-party-chief-vows-mute-dalai-lama/>.

216 Andrew Jacobs and Penn Bullock, “Firm Romney Founded Is Tied to Chinese Surveillance,” *New York Times*, March 15, 2012, <http://www.nytimes.com/2012/03/16/world/asia/bain-capital-tied-to-surveillance-push-in-china.html>.

217 See, <http://www.akamai.com/dl/akamai/akamai-soti-q114-infographic.pdf>.

diant traced sophisticated attacks to a military unit in Shanghai.²¹⁸ In 2014, the company said that attacks had continued even after public exposure.²¹⁹

Hackers, known in Chinese as *heike* (dark guests), employ various methods to interrupt or intercept online content. Both domestic and overseas groups that report on China's human rights abuses have suffered from distributed denial-of-service (DDoS) attacks, which temporarily disable websites by bombarding host servers with an unmanageable volume of traffic.

Another well-documented tactic is spear-phishing, in which targeted e-mail messages are used to trick recipients into downloading malicious software by clicking on a link or a seemingly legitimate attachment.²²⁰ In a 2012 analysis, the U.S.-based computer security firm Symantec linked the group responsible for the 2010 Google breach—dubbed “the Elderwood gang” after a signature coding parameter—to a series of “watering hole” attacks, in which the hackers lay in wait for a self-selecting group of visitors to specific websites. The targeted sites included defense companies as well as human rights groups focused on China and Tibet; one of the sites was Amnesty International Hong Kong.²²¹ Most concerning, according to Symantec, were the gang's frequent “zero day” attacks, which exploit previously unknown vulnerabilities in the source code of programs that are widely distributed by software giants like Adobe and Microsoft. Groups that can pull off these attacks are scarce, since uncovering security loopholes requires huge manpower and technical capability, or internal corporate access to the source code itself. Yet the Elderwood gang “seemingly has an unlimited supply” of zero-day vulnerabilities at its fingertips.

Chinese web users have also been victims of cybercrime. Tibetans, Uighurs and others subject to monitoring are frequently targeted with e-mailed programs that install spyware on the user's device.²²² Other attacks affect the broader population.²²³

218 David E. Sanger, David Barboza, and Nicole Perloth, “Chinese Army Unit Is Seen as Tied to Hacking against U.S.,” *New York Times*, February 18, 2013, <http://nyti.ms/XZRMHo>.

219 Mandiant, “M-Trends 2014: Beyond the Breach,” http://connect.mandiant.com/m-trends_2014?source=homepage.

220 Dennis Fisher, “Apple Phishing Scams on the Rise,” *Threat Post*, June 24, 2013, <http://bit.ly/GDS51j>.

221 Kim Zetter, “Sleuths Trace New Zero-Day Attacks to Hackers Who Hit Google,” *Wired*, September 7, 2012, <http://www.wired.com/threatlevel/2012/09/google-hacker-gang-returns/>; “The Elderwood Project,” *Symantec* (blog), September 6, 2012, <http://www.symantec.com/connect/blogs/elderwood-project>.

222 Dylan Neild, Morgan Marquis-Boire, and Nart Villeneuve, “Permission to Spy: An Analysis of Android Malware Targeting Tibetans,” Citizen Lab, April 2013, <https://citizenlab.org/wp-content/uploads/2013/04/16-2013-permissiontospy.pdf>.

223 Hunton & Williams, “Recent Data Breach Events in China,” Privacy and Information Security Law Blog, December 31, 2013, <https://www.huntonprivacyblog.com/2013/12/articles/recent-data-breach-events-china/>.