China

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China is home to one of the world's most restrictive media environments. The already limited space for investigative journalism and politically liberal commentary shrank during 2014, continuing a trend of ideological tightening since Xi Jinping assumed the leadership of Chinese Communist Party (CCP) in 2012. For the first time in several years, professional journalists from established news outlets were subjected to long-term detention, sentencing, and imprisonment alongside freelancers, online activists, and ethnic minority reporters. Also during 2014, a crackdown on social-media platforms that began the previous year—with increased restrictions on the prominent Sina Weibo microblogging service—expanded to Tencent's WeChat instant-messaging program, further reducing the ability of ordinary users and journalists to share information and political news without prepublication censorship.

Nevertheless, as internet access via mobile devices continued to climb, reaching over half a billion people during the year, the censorship system was unable to completely stop the circulation of unfavorable news. Dedicated users continued to employ circumvention technology and other, more creative tactics to defy and bypass restrictions on free expression.

Legal Environment

Article 35 of the constitution guarantees freedoms of speech, assembly, association, and publication, but such rights are subordinated to the discretion of the CCP and its status as the ruling power. Moreover, the constitution cannot, in most cases, be invoked in court as a legal basis for asserting individual rights. Judges are appointed by the CCP and generally follow its directives, particularly in politically sensitive cases. There is no press law that governs the protection of journalists or the punishment of their attackers. Instead, vaguely worded provisions in the penal code and state secrets legislation are routinely used to imprison Chinese citizens for the peaceful expression of views that the CCP considers objectionable. Criminal defamation provisions are also occasionally used to similar effect.

During 2014, for the first time in years, mainstream print journalists were formally arrested or sentenced to prison; such treatment had long been more common among internet-based writers, ethnic minority journalists, and freelancers. According to the New York–based Committee to Protect Journalists (CPJ), at least 44 journalists were behind bars in China as of December 2014, the largest national total in the world. The overall number of Chinese citizens jailed for offenses involving freedom of expression, especially on the internet, was much higher.

Several journalists faced questionable charges of bribery, defamation, "leaking state secrets," or "spreading false rumors" in 2014. Gao Yu, a prominent dissident journalist, was detained in April, charged with "leaking state secrets," and forced to give a televised confession in May. At year's end she faced a possible sentence of life in prison. In August,

Liu Hu, an investigative reporter for the Guangzhou-based *Modern Express*, was released on bail after being held for nearly a year on trumped-up charges of defamation. He had been detained in August 2013 after urging the authorities to investigate a Chongqing vice mayor for not carrying out his duties.

Freelance journalists, writers, online activists, and a range of other Chinese citizens continued to be sentenced to prison or administrative detention, particularly for disseminating information online or sending it to contacts outside China. Beijing lawyer and reform activist Xu Zhiyong was sentenced in January 2014 to four years in prison for "assembling a crowd to disrupt order in a public place," having organized small protests to urge officials to disclose their assets and circulated photographs of the demonstrations online.

Members of religious and ethnic minorities are subject to particularly harsh treatment for their online activities, writings, or efforts to disseminate information that departs from the CCP line. Several of the journalists serving the longest prison terms in China are Uighurs and Tibetans. In addition to journalists, ordinary Tibetans, Uighurs, and Falun Gong practitioners have been imprisoned for accessing, possessing, or transmitting banned information. In January 2014, Ilham Tohti—a prominent Uighur scholar and founder of the Uighur Online website, which was dedicated to improving interethnic understanding—was arrested along with several of his students. Tohti was sentenced in September to life in prison on charges of separatism, and at year's end a number of the students also remained in custody, with some in undisclosed locations.

Also in January, nine Falun Gong practitioners, detained in July 2012 and held in custody in Dalian, were reportedly sentenced to prison terms ranging from four to six years and subsequently denied access to their lawyers and the opportunity to appeal. They were charged with distributing and installing satellite dishes that enabled people to view international channels like Cable News Network (CNN), the British Broadcasting Corporation (BBC), and New Tang Dynasty Television (NTDTV), a New York–based station run by Falun Gong practitioners that frequently reports on CCP infighting and human rights abuses in China.

A joint legal interpretation issued in September 2013 by the country's highest judicial authorities expanded the scope and severity of criminal offenses covering online speech, including alleged "online rumors." The interpretation also allowed prosecutors to initiate criminal defamation cases when online expression "seriously harms" public order or state interests. Under the guidelines, a user can receive up to three years in prison for posting content that is deemed false or defamatory if the circumstances are considered "serious," meaning the post was viewed more than 5,000 times or reposted more than 500 times. In April 2014, in the first reported conviction under the new rules, microblogger Qin Zhihui was sentenced to three years in prison for alleged rumors he disseminated about celebrities and a former minister of railways.

Agencies responsible for media regulation took new restrictive actions during 2014, including canceling two crucial licenses of the internet giant Sina due to a small amount of lewd content on its site, barring Chinese journalists from collaborating with foreign or Hong Kong

media, and banning puns and wordplay from broadcast media and advertisements. In February, state media reported on the establishment of a new CCP body to coordinate work on cybersecurity and internet management, known as the Central Internet Security and Informatization Leading Group. The group appears to have full authority to coordinate decisions on the entire online sector, including cybersecurity, the urban-rural digital divide, and content regulation. It is headed by President Xi Jinping, Premier Li Keqiang, and longtime propaganda chief Liu Yunshan.

Since open-government regulations took effect in 2008, many agencies have become more forthcoming in publishing official documents. However, courts have largely hesitated to enforce information requests, and government bodies routinely withhold information, even regarding matters of vital public concern.

Journalists and other media workers are required to hold government-issued press cards in order to be considered legitimate, though some report without one. In December 2013, regulators announced a plan requiring Chinese journalists to pass a new ideological exam in early 2014 in order to receive or renew their press cards. Those who violate content restrictions risk having their press-card renewals delayed or rejected, being blacklisted outright, getting fired, or facing criminal charges.

Political Environment

The CCP maintains direct control over news coverage through its Central Propaganda Department (CPD) and corresponding branches at lower administrative levels that determine the boundaries of permissible reporting. Routinely forbidden topics include calls for greater autonomy in Tibet and Xinjiang, relations with Taiwan, the persecution and activism of the Falun Gong spiritual group, the writings of prominent dissidents, and unfavorable coverage of CCP leaders. In addition to these standing taboos, the CPD and provincial censors issue secret directives on other subjects that are communicated almost daily to website administrators and periodically to traditional media editors. Directives issued during 2014 barred or “guided” reporting on a range of newsworthy events, including antigovernment protests in China, the prodemocracy Umbrella Movement in Hong Kong, an activist’s death in custody, and high-level cases of official corruption.

CCP leaders use control of the media to propagate positive views of the party and government, while vilifying those deemed to be their enemies. In 2014, the authorities also continued to employ more subtle means to influence news coverage. In many cases they proactively set the agenda by allowing key state-run outlets to cover potentially damaging news in a timely but selective manner, then required other media to restrict their reporting to the established narrative. The aim is to preempt less favorable coverage by bloggers, foreign journalists, and the more aggressive commercial news outlets.

Restrictions on print media tightened during the year, as did pressure on investigative journalism and liberal media outlets. Journalists who attempted to investigate or report on controversial issues, question CCP rule, or present a perspective that conflicted with state

propaganda directives faced harassment, dismissal, and abuse. In May, online journalist Zhang Jialong was dismissed from his position at the internet giant Tencent as apparent punishment for his comments about censorship during and after a February meeting with U.S. Secretary of State John Kerry and his publication of propaganda directives online. In July, journalist Song Zhibiao was dismissed from *China Fortune* magazine—reportedly on orders from propaganda officials—for contributing an article to a Hong Kong news website. This was the first known case of the authorities enforcing the new ban, issued earlier the same month, on mainland journalists collaborating with outside media organizations.

The government has developed the world's most sophisticated and multilayered apparatus for censoring, monitoring, and manipulating online content. It is capable of a range of interventions, including localized internet blackouts during periods of unrest. On at least one occasion in 2014, local authorities completely shut down telecommunications in the Xinjiang city of Kashgar amid reported clashes between Uighur protesters and security forces.

Nationwide technical filtering restricts internet users' access to uncensored information hosted outside of China. One of the most important functions of the filtering system has been to permanently block international services such as the video-sharing site YouTube, the user-generated online encyclopedia Wikipedia, the social-networking site Facebook, and the microblogging platform Twitter. In 2014, starting around the June anniversary of the 1989 Tiananmen Square crackdown, a range of Google services that were previously available began being blocked, with restrictions on the Gmail e-mail application growing tighter toward the end of the year. In July, the authorities blocked Yahoo's Flickr photo-sharing service as well as messaging applications operated by Japanese and Korean firms—Line and Kakao, respectively.

With such services out of reach, domestic equivalents have gained popularity, but they are legally liable for content posted by users and risk losing their business licenses if politically sensitive information is circulated widely. The firms consequently employ automated programs and thousands of human censors to screen user-generated content and delete relevant posts in compliance with CCP directives.

Some foreign internet companies have also cooperated with the Chinese government on censorship enforcement. After launching a Chinese-language version in February 2014, the professional social-networking site LinkedIn reportedly began blocking dissemination of posts in accordance with the Chinese authorities' strict censorship standards. The blocking affected users inside and outside China so long as the post originated there, including content posted by foreign journalists based in the country. Following international criticism, LinkedIn executives announced in September that they would reevaluate the censorship policy, particularly regarding content shared outside of China.

Sina Weibo, a popular domestic microblogging service, has carried less public debate—particularly on politically sensitive topics—since a sweeping 2013 crackdown that roughly coincided with the new legal guidelines issued in September of that year. Throughout 2014, public figures with large microblog followings, such as blogger Li Chengpeng and cartoonist Wang Liming, continued to face pressure in the form of deletions, locked accounts, and selective arrests and interrogations.

Many Weibo users have shifted to Tencent's WeChat, an application organized around closed communities that is therefore less conducive to viral dissemination of news and nationwide public discussion. However, the social-media crackdown was extended to WeChat during 2014. In March, at least 39 public accounts used by journalists, activists, and internet portals to disseminate articles on current affairs were shut down or suspended. In April, the first closure of an activist's personal account was recorded, targeting U.S.-based blogger Bei Feng. In May, Tencent reportedly intensified efforts to verify the real identities of users behind public accounts, affecting nearly 6 million account operators. And in August, restrictions on such accounts were formalized when the State Internet Information Office prohibited instant-messaging accounts from posting or reposting political news without official approval. Despite the censorship and monitoring, WeChat remained a popular and convenient means for activists to coordinate and share information among themselves, and for ordinary users to engage in a wide range of apolitical or commercial activities.

China's robust censorship system was unable to completely stop the circulation of unfavorable news in 2014, as technological advancements and the dedication of domestic and overseas activists have made the suppression of information more difficult. Chinese internet users routinely employ homonyms, homophones, and other creative tactics to defy censorship on domestic microblogging sites, and information sometimes spreads among users before censors are able to deem it "sensitive" and intervene. To circumvent the more rigid restrictions on their formal outlets, journalists have increasingly turned to personal microblog accounts to share sensitive information that might otherwise go unreported, though such channels are increasingly being scrutinized and blocked by censors.

In addition to censorship, the authorities have taken steps to actively guide user discussion online. Since 2004, CCP and government officials at all levels have recruited and trained an army of paid web commentators. Their tasks include posting progovernment remarks, tracking public opinion, disrupting or diverting criticism, and participating in public online chats with officials to provide the appearance of state-citizen interaction.

Conditions for foreign media in the country remain highly restrictive. Harassment of foreign reporters, including occasional physical attacks, and intimidation of their Chinese sources and staff continued during 2014. The authorities used website blocking and the threat of visa denials to retaliate against foreign journalists and news organizations that they deemed objectionable. One *New York Times* correspondent, veteran journalist Austin Ramzy, was forced to leave the country in January and report from Taiwan after the government refused to issue him a visa. *Times* columnist Nicholas Kristof reported in November that he too was being denied a visa. However, in a departure from the previous year, the authorities by late 2014 had issued hundreds of annual visa renewals to resident journalists from most outlets, including the *New York Times*. The websites of Bloomberg News and the *New York Times* have been blocked since 2012, when they reported on the wealth of top leaders' families, and other foreign news outlets experienced temporary blocking during 2014.

Since 2007, foreign journalists have been free of internal travel restrictions in most areas and allowed to conduct interviews with private individuals without prior government consent, but the looser rules do not apply to correspondents from Hong Kong, Macau, or Taiwan. In

addition, travel to Tibet and other politically sensitive regions still requires prior approval and close supervision by authorities. In 2014, access for foreign journalists to Xinjiang and Tibetan areas was especially restricted, making it very difficult to report independently on violent clashes between Uighurs and security forces in Xinjiang and ongoing self-immolation protests in Tibet.

Violence against journalists and online whistle-blowers remained a concern during 2014, as did arbitrary detention and abuse in custody. In May, two detained journalists—Gao Yu and Xiang Nanfu—appeared in televised “confessions” that were apparently given under duress and without due process. The tactic had been revived in 2013, drawing comparisons to the Mao Zedong era.

Harassment of ordinary citizens by security forces sometimes touches on freedom of expression issues. In January 2014, a Tibetan worker was reportedly detained and abused in custody after police found photos and audio recordings of the Dalai Lama on his mobile phone during a random check of personal devices; such checks have become an increasingly common occurrence in Lhasa.

Economic Environment

Media outlets are abundant in China, with approximately 2,000 newspapers and hundreds of radio and television stations operating in 2014. Reforms in recent decades have allowed the commercialization of outlets without the privatization of ownership. Most cities feature at least one official newspaper published by the local government or CCP branch, as well as more commercialized subsidiaries. Some publications have private investors, but the government is required by law to retain a majority stake. The state-run China Central Television (CCTV) remains the only licensed national broadcaster, and all local stations are required to air its evening news programs.

Although the Chinese authorities continue to jam radio broadcasts by U.S. government–funded services such as Radio Free Asia and Voice of America (VOA), dedicated listeners access them online with the use of circumvention tools.

China is home to the largest number of internet users in the world, with the figure surpassing 600 million, or approximately 46 percent of the population, as of 2013. According to official statistics, over half a billion people access the internet via their mobile devices. The vast majority of users have an account on at least one of several microblogging or instant-messaging services, though the number of regularly active users is smaller. A growing number of Chinese use online circumvention tools and proxy servers to evade internet restrictions and access banned content.

Most media revenue comes from advertising and subscriptions rather than government subsidies, even for many party papers. Some observers argue that commercialization has shifted the media’s loyalty from the party to the consumer, leading to tabloid-style and sometimes more daring reporting. Others note that the reforms have opened the door for economic incentives that serve to reinforce political pressure and self-censorship.

In 2014, the combination of political and economic pressures threatened the quality and market positions of two influential liberal publications. In January, Beijing's municipal propaganda department purchased a 49 percent stake in the *Beijing News*, supplementing an existing ownership stake held by a party mouthpiece, the *Guangming Daily*. The move increased direct official control over the paper, and some observers described it as a blow against the process of media commercialization. Separately, in the wake of a January 2013 strike by journalists and related public protests against censorship at the *Southern Weekly*, numerous editors and journalists have left the publication, disillusioned by the continuation of heightened censorship. These changes have decreased the prevalence and quality of the paper's investigative stories, reportedly reducing its influence among elite readers and its attractiveness to advertisers.

The regime remains alert to economic, technological, and social changes that are weakening CCTV's influence. As internet use spreads and provincial television stations gain viewers, fewer young people in particular turn to CCTV as their primary news source. Media regulators have responded in recent years with a string of new rules that restrict entertainment programming, especially during primetime, and starve provincial stations of related revenue. In 2014, these types of restrictions expanded to online video content. In March, officials announced that internet video service providers would be required to obtain licenses for video streaming, hire government-approved censors to manage program content, and verify the identities of users who upload files to their sites. Providers who did not comply would face penalties ranging from warnings and fines to a five-year ban from streaming content. The following month, the media regulator ordered leading video-streaming sites, including Youku and Sohu, to remove four popular and properly licensed U.S. television shows from their services: *The Big Bang Theory*, *The Practice*, *The Good Wife*, and *NCIS*.

Corruption among Chinese journalists and media outlets persisted in 2014, due in part to financial difficulties emerging from conflicting political and commercial pressures. It remained common for public-relations firms to pay reporters for attending press conferences and for favorable news coverage, and some observers noted that payments to news websites to remove negative coverage had become institutionalized. Several media personalities were investigated and arrested in the context of the CCP's broader anticorruption campaign. Prominent CCTV anchor Rui Chenggang was detained in July, weeks after Guo Zhenxi, his longtime patron and head of the broadcaster's financial news channel, was detained for allegedly accepting bribes.