

CHAPTER 4:
**CHINA'S MEDIA AND
INFORMATION CONTROLS—
THE IMPACT IN CHINA AND
THE UNITED STATES**
**SECTION 1: FREEDOM OF
EXPRESSION IN CHINA**

“The Commission shall investigate and report exclusively on—
...

“FREEDOM OF EXPRESSION—The implications of restrictions on speech and access to information in the People’s Republic of China for its relations with the United States in the areas of economic and security policy. ...”

Introduction

In the run-up to the 2008 Beijing Olympic Games, both international pressure and a concern for China’s image prompted the Chinese government to announce a set of reforms that relaxed some restrictions for foreign journalists. Some journalists and civil society organizations have asserted that these reforms amounted only to the illusion of media liberalization,¹ as the Chinese government has employed new techniques for controlling or “guiding” flows of publicly available information. And when propaganda authorities and Chinese government officials deem an issue to be “sensitive,”² the reforms are substantively ignored.

Although the Internet has provided a venue for discussion of sensitive issues, the Chinese government maintains the world’s most sophisticated system for controlling Web content. Recently, increased government concerns about the Internet’s potential to enable mass protests, or to embarrass government officials through revelations of malfeasance, have prompted the government to employ controversial new methods for Internet control. These methods have included the introduction of the “Green Dam Youth Escort” filtering software in May 2009. The reversal of the government’s original decision to mandate the installment of this software reveals that the government’s media policies may, to a limited degree, be affected by public opinion.

Public health emergencies that became international problems as a result of China’s media and information control practices illus-

trate how such policies may have a direct and detrimental impact on U.S.-China relations. Finally, the involvement of U.S. companies in Chinese Internet censorship has been an issue of concern and controversy in the United States during the past several years, and legislative initiatives and a voluntary industry code of ethics have both been proposed to address this situation. This section will discuss the means that China uses to restrict foreign and Chinese journalists, the controls that China places on promulgating “sensitive” news stories, the Internet’s challenges to these restrictions and controls, China’s system for managing the use of the Internet, and the role of U.S. companies in handling China’s information control efforts.

The Impact of Recent Media Reforms on Reporting Conditions for International Journalists in China

In January 2007, amid increased international scrutiny and pressure for greater media freedom in the run-up to the 2008 Summer Olympic Games in Beijing, the Chinese Ministry of Foreign Affairs announced a series of media reforms.³ These reforms, which were initially intended to be temporary, lifted restrictions on the ability of foreign journalists to travel throughout China and to interview Chinese citizens without official permission.⁴ After the conclusion of the Olympic Games, there was a period of uncertainty as to whether these policies would continue; however, during a hastily organized press conference convened 15 minutes before the regulations originally were set to expire at midnight on October 17, 2008, the Chinese Ministry of Foreign Affairs announced that the reforms would be made permanent.⁵

These reforms have resulted in modest improvements in the reporting climate for foreign journalists in China, but the Chinese government’s selective implementation of these policies and use of alternative means for impeding the work of foreign journalists have significantly reduced their potential benefits.⁶ Phelim Kine, Asia research associate at Human Rights Watch, testified that “the Chinese government is giving something on paper with regards to a new freedom while undermining the ability of journalists to really be able to take advantage of those freedoms.”⁷

For example, the central government has restricted journalists’ travel to certain regions in an attempt to reduce coverage of specific “sensitive” issues.⁸ In fact, a Foreign Correspondents’ Club of China’s survey of 57 of its members revealed 100 instances of journalists restricted from entering public places in the year following the 2008 Summer Olympic Games in Beijing.⁹ This was the case in the lead-up to the one-year anniversary of the May 12, 2008, earthquake in Sichuan Province, when numerous journalists reported that they were detained, harassed, and intimidated as they attempted to report from the earthquake zone.¹⁰

More recently, in August 2009, provincial officials from Shaanxi Province harassed and turned away a BBC correspondent, stating that “the central government has its rules, and we have ours.”¹¹ Officials at some levels of the Chinese government have simply ignored the January 2007 media reforms when they could be politically damaging.

Assaults against foreign journalists remain a problem. For example, on September 18, 2009, authorities stormed the Beijing hotel room of three correspondents from Japan's Kyodo News Agency who were covering a rehearsal for the October 1 National Day Parade, attacked the reporters, and damaged their equipment.¹² Other foreign journalists have reported experiencing a less violent form of harassment from Chinese officials.¹³ For example, on the 20th anniversary of the June 4, 1989, Tiananmen Square massacre, plainclothes police used umbrellas to obstruct the cameras of foreign reporters from CNN, BBC, and Agence France-Presse reporting from Tiananmen Square.¹⁴ Although this type of harassment is not as physically threatening to the journalist, it has been a successful means of impeding effective reporting.¹⁵

Pressure on Chinese News Assistants and Interviewees

The Chinese government has undermined journalists' ability to report by pressuring and influencing the Chinese news assistants and sources who contribute to foreign journalists' work on sensitive issues.¹⁶ On February 13, 2009, the Chinese government issued a code of conduct for foreign correspondents' Chinese news assistants that forbids the news assistants and translators from engaging in "independent reporting" and obliges them to spread "positive information."¹⁷ One Chinese news assistant told Human Rights Watch, "I won't do stories about forced evictions anymore because there is a chance that there will be thugs there and I will be beaten. I will be the Chinese guy [with a foreign reporter], so I'll be a target."¹⁸ Authorities often directly contact Chinese news assistants and translators to warn them not to publicize news before it appears in state media.¹⁹ Phelim Kine of Human Rights Watch said, "That intensified pressure appears designed to maintain a veneer of freedom for foreign journalists while seriously undermining their capacity to report effectively."²⁰

Foreign journalists are finding that Chinese citizens may be less willing to cooperate than in the past. According to Madeline Earp, Asia research associate at the Committee to Protect Journalists, there is a rising sense of antiwestern nationalism and a widely shared perception—reinforced by messages in the People's Republic of China's (PRC) media—that foreign journalists have an "anti-China" bias. This perception has prompted many Chinese citizens to greet foreign journalists with suspicion or hostility.²¹ In some instances, Chinese citizens may abstain from participating in interviews because they fear punitive action by the Chinese government, particularly when "sensitive" issues are involved. For example, the *Christian Science Monitor* has reported that Uighurs in Urumqi are "too terrified of the government to say anything" to foreign journalists about the riots that occurred there in July 2009.²² Thus, while promises to permit foreign journalists greater latitude in conducting interviews with ordinary citizens may sound like a significant advance in press freedoms, the absence of an environment in which citizens are willing to speak openly to journalists has limited the potential improvements in the actual quality of information available about social conditions in China.

The Environment for Chinese Journalists

Tight Restrictions Remain on the Chinese Media

The Chinese government's promises of greater press freedom did not extend to China's own journalists, and China maintains one of the world's most controlled media systems. According to 2009 rankings of press freedom compiled by Freedom House, China ranks 181 out of 195 countries evaluated.²³ Furthermore, according to the Committee to Protect Journalists, China's 28 reporters jailed as of December 1, 2008, represent the largest number for any single country.²⁴

The Chinese Communist Party's (CCP) Central Propaganda Department

The Chinese Communist Party's propaganda and information control efforts are aimed at minimizing the public's exposure to information deemed harmful to the ruling position of the CCP and proactively engaging the public with positive propaganda in order to "guide" public opinion.²⁵ The principal organization managing this endeavor is the Chinese Communist Party's Central Propaganda Department (hereafter "Propaganda Department"), a secretive organization that maintains a presence at the national, provincial, and local levels of China's government and media institutions.²⁶

The Propaganda Department wields power through its guiding role in promulgating the overall ideological direction of Communist Party institutions; in establishing authority over personnel appointments; in having the ability to suppress information and establish official narratives through directives to media officials; and in its power to allocate and terminate licenses and contracts for media outlets.²⁷ Propaganda officials use these channels of influence to communicate the latest CCP policies; update news agencies with the "correct" vocabulary and terminology to use with regard to certain issues; inform editors about which stories to promote and which to avoid; and guide news agencies' coverage of sensitive issues and crises.²⁸ Reporters and editors who stray too far from the norms established by the Propaganda Department do so at the risk of being demoted, fired, or imprisoned.²⁹

The reporting climate in China is especially hazardous for journalists who report on "sensitive" political issues or investigate allegations of corruption at the local level.³⁰ Several Chinese journalists reported that their cars were smashed by people using iron bars and hammers while the journalists were attempting to report on the July 2009 riots in Xinjiang.³¹ On September 1, 2009, *Guangzhou Daily* reported that a reporter was thrown to the ground and beaten for 10 minutes by security guards when he attempted to take photos of a crime scene in Guangdong, the province's third attack on the press in two months.³² Chinese investigative reporters who seek to expose official corruption face "a climate of impunity for local officials who attack journalists."³³

Limited Improvements in Chinese Media Freedom

While the overall picture for press freedom in China is not good, certain areas have improved, partly as a result of the commercialization of China's media sector over the past several decades. Editors' selection of stories on the basis of what will sell has resulted in an increased number of reports about topics that appeal to their target audiences.³⁴ Media commercialization also has led to a "new ethos of professionalism" among Chinese journalists, and publications such as the *Southern Metropolitan News*, *Southern Weekend*, and *Caijing* magazine have encouraged reporters to test the boundaries of the central government.³⁵

Judy Polumbaum, professor of communications at the University of Iowa, testified to the Commission that this new professionalism has increased the extent and quality of investigative reporting on social problems such as corruption. She also noted that the foreign press now closely watches Chinese media for important stories, stating that much of the "best foreign reporting [now] hinges on the best domestic Chinese reporting."³⁶ Several investigative stories have had a major impact in China, such as the reports about the poor construction of school buildings in Sichuan Province that contributed to the deaths of scores of children during the 2008 earthquake.³⁷ However, the subsequent clampdown on reporting about the school construction problem³⁸ has demonstrated the Chinese government's willingness and capability to monopolize discussion on sensitive issues or to silence discussion of certain topics entirely when it feels that they pose a threat to Communist Party rule.

"State Secrets" in China

The Chinese government has employed vaguely defined state secrets laws to detain and imprison dissident journalists and activists.³⁹ The definition of a "state secret" is both ambiguous and highly elastic. State secrets can include common economic and sociological data, such as the numbers of workers laid off from state enterprises, or statistics regarding prisoners in "reeducation through labor" facilities. "State secrets" can also encompass arbitrary and retroactive classification of nearly anything that portrays the government in a negative light.⁴⁰ Evidence in state secrets cases can be treated as classified information, the proceedings are held behind closed doors, and journalists can be detained for extended pretrial periods.⁴¹ A revised draft state secrets law was unveiled in July 2009 by China's National People's Congress, but the new law would do little to clarify the vague and expansive definitions of what may be classified as a "state secret."⁴² Instead, the new law focuses on "strengthening rules for protecting secrets and supervising their use within government institutions . . . there is no attempt to narrow the expansive scope of state secrets." The revised law still allows for "classification of information that if leaked would negatively impact one of several vague national interests, such as ethnic unity and social stability . . . [Chinese courts have also endorsed] prosecutions where the accused 'should have known' that an unlabelled document sent abroad would have an impact on state interests."⁴³

“State Secrets” in China—Continued

The arbitrary and politicized invocation of “state secrets” was observable in the June 2009 arrests in Gansu Province of anti-nuclear campaigner Sun Xiaodi and his daughter, who were detained on charges of “divulging state secrets abroad” for publicizing information about radioactive contamination at a uranium mine. Mr. Sun and his daughter were both sentenced to “reeducation through labor” at a prison camp.⁴⁴

The arbitrary and politicized handling of “state secrets” may also affect the business world, as seen in the July 2009 arrests in Shanghai of Stern Hu, a senior representative of the Australian mining company Rio Tinto and a naturalized Australian citizen of Chinese origin, and three local Chinese employees of Rio Tinto. Chinese officials initially stated that the Rio Tinto employees had “stolen state secrets which [have] greatly damaged China’s economic security.”⁴⁵ Chinese press outlets subsequently claimed that Rio Tinto company computers were found to contain information regarding the status of individual steel mills in China, such as production schedules, projected sales and purchases, and raw material stocks.⁴⁶ Amid international criticism, the Chinese government backed away from initial indications that the Rio Tinto employees would be charged with espionage and violation of China’s vaguely defined “state secrets” law. The Chinese government charged the four on August 11 with commercial bribery and trade secrets infringement.⁴⁷ As of the writing of this Report, the case has yet to be adjudicated.

Control of Information Regarding “Sensitive” News Stories in China

Economic Propaganda in China

The Chinese government considers the economy to be an extremely sensitive issue, because the Communist Party bases much of its legitimacy on the ability to maintain robust levels of economic growth. The central government uses official media outlets to propagate narratives of national macrolevel economic success as well as to present stories of common citizens who have benefited greatly from economic reform. Such examples include profiles of workers laid off from state-owned enterprises who subsequently found good-paying jobs in other fields of work.⁴⁸ State-owned media outlets proactively report and publish in support of government positions and seek to refute any criticism of the government’s economic policies.⁴⁹ The official media also actively promotes the government’s official economic statistics on matters such as unemployment levels, retail sales, and gross domestic product (GDP) growth, even though journalists are restricted from investigating the reliability of such information.⁵⁰

The PRC’s economic propaganda messages for foreign audiences emphasize China’s attractiveness as a destination for investment and also seek to restrict information about social problems that might raise concerns among foreign investors. (For more on this

topic, see chap. 4, sec. 2, of this Report, “China’s External Propaganda and Influence Operations.”) However, according to testimony provided to the Commission by Victor Shih, professor of political science at Northwestern University, the Chinese government also understands investors’ crucial need for accurate international economic and financial news and has relaxed information controls in that realm to a limited degree.⁵¹ Business media in China, such as *Caijing*, *21st Century Business Herald*, and *Economic Observer*, now publish financial and economic news from more objective perspectives.⁵² In one example cited by Dr. Shih, these media have published articles that expressed major skepticism when the central government claimed that urban wages in China had increased significantly.⁵³ Additionally, these media sometimes publish the opinions of, and interviews with, foreign economists and government officials, even if their views contradict Chinese official policy.⁵⁴ These media generally maintain a stance that is sympathetic to the Chinese government, but the opposing perspective is still reported.⁵⁵

It remains to be seen whether China’s bolder print publications will be able to maintain their more independent reporting on economic and political issues. The magazine *Caijing* has been frequently cited by many experts on the Chinese media as one of the publications most willing to tackle sensitive issues such as corruption or to question certain aspects of government policy. However, in October 2009 *Caijing*’s general manager Wu Chuanhui, along with 60 to 70 of the magazine’s staff, resigned as a result of a struggle over editorial control of the magazine. The magazine’s publisher reportedly asked that it “focus more on finance and the economy, and leave politics more on the side.”⁵⁶

China’s media coverage of the current global financial crisis has primarily been aimed at promoting a narrative of the government’s ability to guide the country smoothly through the crisis and to refute arguments that China has a partial role in its origins.⁵⁷ Chinese media outlets have been extremely critical of the failings of U.S. and U.K. (United Kingdom) government regulation and overly relaxed monetary policies.⁵⁸ Chinese state media have also focused attention on the U.S. government’s budget deficit and on refuting claims that China’s exchange rate policies may have exacerbated global economic imbalances and might therefore be partially responsible for the global economic recession.⁵⁹ (For further discussion of China’s role in these matters, see chap. 1, sec. 2, of this Report, “China’s Role in the Origins of the Global Financial Crisis, and China’s Response.”).

“Sensitive” Anniversaries in 2009

Anniversaries of protest movements, as well as any events that allow for large public gatherings, have always been viewed with concern by the CCP. In 2009, the Chinese government sought to control media coverage on these “sensitive” dates.⁶⁰ While foreign journalists were obstructed in reporting from Tiananmen Square on June 4, many Chinese journalists considered the anniversary of the Tiananmen Square massacre to be an unofficial “vacation” and refrained from reporting anything negative until the anniversary passed, even on stories unrelated to the 1989 crackdown.⁶¹ Foreign

reporters were barred from Tibet during the weeks surrounding the one-year anniversary of the March 2008 riots in the region.⁶² In preparation for the 60th anniversary of the PRC's founding on October 1, the Chinese government prohibited journalists from reporting on military parade rehearsals, conducting interviews, or taking photographs in Tiananmen Square prior to the event.⁶³

The July 2009 Riots in Xinjiang, and “Flooding the Zone”

China's media strategy in the aftermath of the July 2009 riots in Xinjiang Province marked a drastic departure from its handling of the March 2008 riots in Tibet.⁶⁴ Many Chinese officials now appear to believe that shutting journalists out in a postcrisis situation may make that action a large part of the story in and of itself. Therefore, China has begun to employ new controls over the flow of information.⁶⁵ In contrast to its actions after the riots in Tibet, in July 2009 the Chinese government welcomed journalists to Urumqi following the crisis, set up press centers, and inundated journalists with information to “keep journalists busy with good information so that they would not get busy with rumors,” according to Stephen Dong Guanpeng, director of the Global Journalism Institute at Tsinghua University and a media advisor to China's State Council.⁶⁶ Chinese security forces also protected foreign correspondents in Xinjiang rather than harassing them, as they did just over a year earlier in Tibet.⁶⁷ The government organized official tours to propagate the official narrative that the riots were incited by separatist terrorists.⁶⁸ According to one witness who testified before the Commission in April, such measures are part of a new effort to “flood the zone” with information sympathetic to the government's point of view.⁶⁹

Obtaining objective information remained difficult for several reasons: First, the majority of the city's residents were afraid to talk to journalists;⁷⁰ and second, the Chinese government was quick to shut down the Internet, block Twitter, and cleanse Internet search engines of unofficial accounts of the violence, thereby cutting journalists off from tools that are essential for modern reporting.⁷¹ The official response to the crisis illustrated that the Chinese government is placing a higher priority on conveying its message in a timely manner and demonstrated a strategy of providing foreign journalists with perceived increased access while restricting their ability to take advantage of it.⁷²

Public Health Emergency Cover-ups: The San Lu Tainted Milk Scandal

The San Lu tainted milk scandal demonstrates how Chinese government attempts to cover up official corruption or corporate malfeasance can have dangerous consequences and potentially exacerbate public health emergencies. The scandal occurred as a result of two seemingly unrelated government policies in the run-up to the 2008 Beijing Olympic Games: First, the Central Propaganda Department instructed Chinese media to refrain from reporting on “sensitive” issues, specifically including food safety issues; and second, the Chinese government pressured producers of staple food products and other basic commodities to avoid price increases that might threaten “social stability” during such a sensitive time pe-

riod.⁷³ In order to maximize profits, some dairy farmers and food distributors began to add melamine, a toxic industrial chemical that produces artificially high protein readings in product testing, to their dairy products in order to conceal the widespread dilution of milk products as a cost-cutting, or profit-increasing, measure.

Melamine contamination in milk products reached harmful, even deadly, levels by the end of 2007. The products of San Lu, one of China's largest dairy companies, were particularly affected, and by December 2007 the company was receiving complaints about its products causing children to become sick. Customers were offered money and boxes of formula to keep quiet.⁷⁴ The local government in Shijiazhuang, Hebei Province, where San Lu is headquartered, forbade media discussion of the complaints. The local government also failed to inform provincial or central health authorities and allowed those implicated to continue production of melamine-contaminated products through August 2008.⁷⁵ In June 2008, the PRC Ministry of Health was alerted to large numbers of babies suffering from kidney problems after drinking San Lu milk but did nothing.

In August 2008, Fonterra, a New Zealand company that formerly owned 43 percent of San Lu,⁷⁶ was notified about the melamine contamination, and a trade recall of San Lu products was conducted privately, with distributors being told to take San Lu products off shelves and replace them with new shipments, with little or no explanation.⁷⁷ Children continued to become ill, and when the story finally broke into the public domain in September 2008, propaganda directives were issued instructing media not to criticize the government's role in the handling of the scandal and to follow the Xinhua version of the story. San Lu offered 3 million renminbi (RMB) (approximately \$439,000) in "public relations" payments to Chinese Web portals to screen or black out negative information on the company.⁷⁸

Per official Chinese figures, more than 279,000 infants were affected with problems such as kidney stones, and six infants died. However, these figures were likely kept artificially low for political reasons, and many more families came forward saying their children had died from drinking San Lu baby formula.⁷⁹ San Lu Chief Executive Officer Tian Wenhua and four directors were arrested and sentenced in a one-day, closed trial for selling "fake or shoddy products."⁸⁰ No one else involved with San Lu milk production or the Ministry of Health was held accountable.

Citizen Initiatives for Political Reform: The Case of Charter 08

Charter 08 is a citizens' manifesto that was introduced in China on December 9, 2008, the eve of the 60th anniversary of the United Nations' (UN) introduction of the Universal Declaration of Human Rights. Charter 08, drafted by several dozen Chinese intellectuals and signed by nearly 10,000 supporters throughout the country, called for sweeping political reforms, including "constitutional democracy, human rights, rule of law, and a republican government that observes the tri-partite separation of powers."⁸¹ Inspired by the example of Charter 77, a 1977 manifesto on political reform issued by dissident intellectuals in Czechoslovakia, Charter 08 is a strong public statement seeking an end to one-party rule.⁸²

The ruling CCP views calls for democratic reform as a fundamental threat to its ruling position and to the security and cohesion of China itself. The CCP treated Charter 08 as an attempt to diminish its control over both the Chinese government and the People's Liberation Army—and, therefore, a direct challenge to the PRC's authoritarian political system and the CCP's hold on power. The Chinese government's immediate response to the release of Charter 08 was therefore predictable: to identify, interrogate, and detain the charter's 303 original signatories. Chinese officials raided the homes of numerous organizers, confiscating books, computers, bank information, notebooks, and papers. According to Charter 08's organizers, Chinese police met with all of the charter's 303 original signers for "chats" in order to uncover information about the charter's organization and to attempt to dissuade its followers from engaging in similar activities in the future. Liu Xiaobo, one of the more famous signatories of Charter 08, was physically detained by police on December 8, 2008, and held at an undisclosed location until June 23, 2009, when he was charged with "inciting subversion of state power." According to Perry Link, professor of Comparative Literature and Foreign Languages, University of California-Riverside, the detention of Mr. Liu was a clear attempt to intimidate anyone else who has signed, or is considering signing, Charter 08.⁸³

Around the world, Charter 08 received significant attention from news agencies, but inside China the topic has been banned from the state-controlled press and purged from the Internet.⁸⁴ According to Professor Link, a *Google.cn* search for "Charter 08" yielded several hundred thousand results in early January but came up empty following the purge.⁸⁵ There has been virtually no mention of Charter 08 in China's print media. The few publications that could be construed as references to the charter are indirect, do not mention Charter 08 by name, and have not been widely publicized. According to Professor Link, "We know that the media silence is not mere oversight or indifference, because there is powerful evidence that Charter 08 has drawn the attention of China's rulers, who have taken measures to repress it."⁸⁶

According to Professor Link, there are two probable reasons why the Chinese government withheld comment about Charter 08. First, the central government understands that the ideas expressed in the manifesto are attractive to many Chinese citizens and difficult to refute. The Chinese government also understands from past experience that attempts to refute movements in support of human rights and democracy easily can backfire. The second factor inhibiting the Chinese government's ability to refute Charter 08 is Beijing's insistence that it has a meaningful constitution and that it is, in fact, already a "people's democracy." As Professor Link stated, "Even as the Chinese government criticizes [calls for democratic reform], it needs to pretend that it is, in fact, democratic."⁸⁷

Sensitive International Political Events: The June 2009 Iranian Elections

Since the fall of the Soviet Union and continuing through the course of nonviolent "people power" protests that have challenged authoritarian post-Soviet regimes—the "Orange Revolution" in

Ukraine, the “Rose Revolution” in Georgia, and the “Tulip Revolution” in Kyrgyzstan—the CCP has maintained a deep sense of anxiety regarding these “color revolutions.”⁸⁸ Some Chinese bloggers drew comparisons between the demonstrations in Tehran with China’s own large-scale protests in 1989.⁸⁹ As a result of such factors, the disputed July 2009 elections in Iran and the large-scale protests that followed in their wake attracted considerable attention from Chinese propaganda authorities.

After a week of relatively open reporting on the elections and protests, the Chinese government began to clamp down on media coverage of, and Internet discussion about, Iran.⁹⁰ The *Washington Post* reported that tens of thousands of comments about Iran were deleted from Chinese online discussion boards.⁹¹ China’s propaganda authorities issued a directive banning news editors and columnists from “criticizing or commenting on the Iranian government’s latest measures to control the disorder” and prohibiting any news agency other than Xinhua and *People’s Daily* from publishing reports on the elections.⁹²

Official media began to publish editorials supporting Iranian President Mahmoud Ahmadinejad’s victory and criticizing the reactions of western governments.⁹³ The editorials claimed that western governments were using social-networking applications, such as Twitter, to interfere in Iran’s “internal affairs” and further claimed that news services such as BBC and Voice of America are merely “Western government mouthpieces.”⁹⁴ Additionally, the Chinese press portrayed Twitter in a negative light, claiming that it was “undemocratic” and used to spread false information.⁹⁵

The Chinese state media also sympathetically echoed statements from the Iranian government and slanted coverage to make assertions that the unrest in Iran was supported by western intelligence agencies intent on covertly subverting the Iranian government. As stated in one paper run by the Central Propaganda Department,

[the western forces] arranged for intelligence agents and anti-government organizations to ‘cause trouble and disorder’Those arrested have already admitted that they were trained at camps in Iraq run by the American military, tasked with sowing chaos after the elections in Iran. Meanwhile, in Britain, there are still . . . command centers which control their movementsWhile these nations have denied ‘meddling’ in Iran’s election, it is a widely known secret that Western intelligence agents have long participated in activities to subvert the Iranian regime.

*[The West] has used its media and the Internet to foment unrest . . . in recent news reports on the Iranian elections, Voice of America and the British Broadcasting Corporation [took] on the role of mouthpieces for the United States and Britain, and command centers for inciting unrest in Iran with the objective of fostering divisions amongst the Iranian people.*⁹⁶

The reaction of the PRC state media to the Iranian unrest illustrates the Chinese government’s perception—and/or desire to perpetuate the perception—that western media outlets are tools of

their national governments and are used to spread hostile propaganda against other countries.

The Internet's Challenges to China's Information Control Regime

The Chinese government insists its Internet filtering efforts are used primarily to limit the spread of phenomena such as pornography and gambling. However, Chinese Internet users can access such information much more easily than politically sensitive content, such as information related to human rights violations or political and religious groups.⁹⁷ In practice, the goal of China's Internet censorship is the same as its efforts to control traditional media: to keep the Chinese Communist Party in power. As with the Chinese government's efforts to control traditional news media, the central government seeks to filter content that challenges the CCP's legitimacy or contradicts the party line on sensitive issues.⁹⁸ Information technology-enabled protests and reform movements, and the use of the Internet to scrutinize individual public officials, have motivated the Chinese government to tighten its control over the Internet.⁹⁹ The Chinese government also seeks to embrace the Internet as a tool for disseminating proactive propaganda and "guiding" public opinion.¹⁰⁰

Internet-enabled Protests and Campaigns

The "viral" nature of the dissemination of information on the Internet has caused major concern among Chinese propaganda officials, who place a particular emphasis on preventing the mass distribution of information that may lead to further collective action such as organized public protests and signature campaigns.¹⁰¹ In China, the Internet provides a forum for discussion that is freer than traditional media, enabling new forms of protests and campaigns that deeply concern the Chinese government.¹⁰² The reaction to Charter 08 and the "Twitter Revolution" in Iran, as well as the decision to shut down Twitter, Facebook, and other social networking sites following the Xinjiang riots, illustrates the depth of the government's concern over the Internet's potential as a channel for organizing dissent.¹⁰³

Scrutiny of Individual Public Officials on the Internet

The use of the Internet to expose personal information about the private lives of individuals has become a cause for concern among Chinese government officials.¹⁰⁴ Chinese "cyber-vigilantes" use the power of the Internet to harass or embarrass targeted individuals by uncovering and publishing information about their private lives on the Web—a phenomenon known in China as the "human flesh search engine." Chinese netizens have used the "human flesh search engine" to target and humiliate individuals ranging from unfaithful spouses to corrupt public officials.¹⁰⁵ Stephen Dong Guanpeng, who advises the State Council on publicity and crisis communication issues, stated in August 2009 that "the Internet has become a major concern for [local and provincial] officials, who are increasingly being scrutinized by the general public."¹⁰⁶ During the past year, numerous government officials have been fined, fired, or imprisoned as a result of corrupt practices or illegal activi-

ties exposed on the Internet. In response to this phenomenon, one local propaganda official told a Chinese journalist “it was so much better when there was no Internet.”¹⁰⁷

Examples of Government Corruption and Malfeasance Exposed on the Internet in China		
Date	Location	Description
March 2007	Zhaoqing, Guangdong	Thirteen officials from Zhaoqing used public funds totaling 450,000 renminbi (\$65,800) to pay for a “study trip” to the Middle East and Africa. After a 17-minute video of the trip portraying the officials as being on vacation was posted on the Internet, the local deputy Communist Party secretary was sacked.
October 2008	Shenzhen, Guangdong	Lin Jiaxiang, a party secretary of the Shenzhen Maritime Administration, was accused of grabbing an 11-year-old girl by the neck and attempting to force her into the men’s room of a Shenzhen restaurant after asking her to show him its location.
Dec. 2008	Luoyang, Henan	Dan Shuqin was relieved of his official post after netizens disclosed that villas were being built dangerously close to the Longmen Grottoes, a Buddhist World Heritage site. Nine other supervisory officials involved in the construction were punished for serious breach of duty.
Dec. 2008	Nanjing, Jiangsu	Zhou Jiugeng, a director of the Real Estate Management Bureau of Jiangjing District, lost his job because photos surfaced on the Internet showing him smoking very expensive cigarettes and wearing a \$15,000 Swiss watch. Outrage from netizens forced local officials to investigate his misuse of public funds and dismiss him from his position.
March 2009	Maoming, Guangdong	A prison chief and his senior staff were fired for corruption after a former inmate leaked information on the Internet that the chief allowed prisoners to deal drugs, sold the best prison jobs to inmates, and accepted illegal cash payments for reduced sentences. The chief and his deputy made more than 10 million renminbi (\$1.46 million) each year from prisoners.
May 2009	Enshi, Hubei	Netizens helped a waitress, Deng Yujiao, avoid punishment after she stabbed a Hubei official to death when he attempted to sexually assault her.

Source: Compiled by Commission staff from multiple sources.

The Internet’s Potential as a Propaganda Tool

Although the Chinese government sees many challenges that the Internet poses to its regime of information control, it also views the Internet as an extremely effective tool for propaganda and “thought work.”¹⁰⁸ The government has come to realize the Internet’s effectiveness as a means for publicizing its version of a story before alternative versions appear elsewhere.¹⁰⁹ Moreover, the largest seg-

ment of Internet users consists of young, educated urbanites, the social group considered a priority by China's propaganda authorities. Instead of just attempting to control the content already on the Internet, the Chinese propaganda authorities seek to create content that conveys the Communist Party's message and is attractive to a large audience of Internet users.¹¹⁰ For example, in July 2000, propaganda authorities supported the development of three computer games in which the sole objective was to attack and ridicule then Taiwanese President Lee Tung-hui.¹¹¹

China's System for Controlling the Internet

The Chinese government allegedly maintains a large workforce of Internet police to monitor Web content. Although there are no publicly available official figures on its size, some estimate that the Chinese government employs upwards of 30,000 cyberpolice.¹¹² PRC authorities also sponsor large, loosely organized groups of Internet monitors—sometimes called the “Fifty Cent Party” or “commentator teams”—to screen Web sites for objectionable material and to “guide public opinion” by interjecting progovernment political commentary.¹¹³

The Chinese government's physical system of controlling the Internet through the use of software has sometimes been referred to as the “Golden Shield” or the “Great Firewall”¹¹⁴ and is one of the most technologically sophisticated in the world. The primary infrastructural limitation on open access to the Internet in China is the arrangement by which the country's Internet connections are controlled by “six to eight state-run operators that maintain advanced international gateways in Beijing, Shanghai, and Guangzhou.”¹¹⁵ Additionally, the Chinese government has begun to exploit the system of “automated packet filtering.”¹¹⁶ Under this system, “packets” of electronic information pass through the Chinese government-controlled international Internet routers, and those containing politically sensitive or controversial keywords are detected. Internet users attempting to access information deemed inappropriate by the Chinese propaganda authorities often are redirected to Web sites deemed “safe” or “politically neutral.”¹¹⁷

China's Great Firewall is largely successful in restricting the majority of China's Internet users from accessing foreign sources of information deemed undesirable. However, technologically advanced netizens in China are able to bypass the firewall.¹¹⁸ Additionally, this system is not an absolute means of controlling information and has produced some unintended consequences for the Chinese government and Internet users: In particular, the system of requiring all information to travel through a small number of control points has proven costly for the Chinese government and has drastically reduced Internet connection speeds. This problem was one of the main reasons that prompted the Chinese government to attempt to modify the control system to incorporate client-side filtering software, effectively offloading the burden of sorting through content to individual computers connected to the network.¹¹⁹

The Controversy Surrounding “Green Dam Youth Escort”

On May 19, 2009, the Ministry of Industry and Information Technology notified computer manufacturers that it would require

the preinstallation of “Green Dam Youth Escort” (hereafter “Green Dam”), a filtering software, on all new personal computers sold in China.¹²⁰ Although the software’s purported function was to filter “unhealthy and vulgar” material from the Internet, Green Dam’s primary purpose appears to be political in nature. Green Dam uses keyword filtering and image processing to block a wide range of Web sites, including pornography, gaming, gay content, religious, and political sites. In practice, content censored by Green Dam’s filter has been unpredictable and seemingly arbitrary, ranging from material related to the 1989 prodemocracy protests in Tiananmen Square to images of Garfield, a popular American cartoon character.¹²¹ The widespread use of this type of software system would allow for a “much more intrusive and comprehensive filtering system than the more centralized [Internet Service Provider]-level filtering schemes.”¹²²

In addition to its filtering functions, with its automated update feature Green Dam is capable of actively monitoring personal communications and Internet browsing behavior.¹²³ The software is capable of shutting down applications like Microsoft Word if blacklisted terms are entered.¹²⁴ An investigation undertaken by scholars at the University of Michigan found that Green Dam software “contains serious security vulnerabilities due to programming errors” and that “[o]nce Green Dam is installed, any web site the user visits can exploit these problems to take control of the computer.”¹²⁵

The introduction of Green Dam was met with swift and diverse criticism from both Chinese netizens and international observers. Chinese citizens complained about the security risks, the potential waste of taxpayers’ money, the lack of due diligence, and the violation of China’s antimonopoly law.¹²⁶ Netizens also posted a number of mocking cartoons depicting a character named “Green Dam Youth Girl.”¹²⁷ At least one school system in Wuhan, Hubei Province, announced in September 2009 that it was uninstalling Green Dam from its computers due to the program’s blocking of access to software programs necessary for normal school administrative functions.¹²⁸

Additionally, a coalition of technology and business associations, including the U.S. Chamber of Commerce and the European-American Business Council, presented a letter to Chinese Premier Wen Jiabao requesting that the Green Dam requirement be lifted.¹²⁹ U.S. Trade Representative Ron Kirk and Secretary of Commerce Gary Locke wrote a letter to the Chinese government urging Beijing to repeal the installation requirement for Green Dam, hinting that this might warrant a World Trade Organization challenge on the grounds that a portion of the software may have been illegally sourced from a U.S. company called Solid Oak Software.

As a result of this widespread criticism of Green Dam, the Chinese government postponed its requirement to preinstall the software on computers manufactured in China.¹³⁰ As of mid-September 2009, Hewlett-Packard and Dell had not shipped the software with their computers sold in China; Sony and Acer initially shipped laptops with Green Dam but have since stopped doing so; and Lenovo, a Chinese computer manufacturer, includes a Green Dam disc with its computers.¹³¹ Although efforts to install Green Dam

have been postponed, many analysts believe that the Chinese government's quest to install filtering software on computers in China is "far from over."¹³² The Chinese government may make a more subtle attempt to have similar software installed in the future once it has addressed some of Green Dam's technical problems.¹³³ Nonetheless, the case of Green Dam provides an example of how the Internet provided a forum for the mobilization of successful opposition to government policy. This opposition, combined with a challenge to the state's economic interests, forced a temporary change in government policy.¹³⁴ Moreover, it demonstrated that the Chinese government's Internet and media policies are not immune to criticism and that in some limited circumstances propaganda authorities may respond to popular reaction.¹³⁵

Encouraging Self-censorship Online

The Chinese government encourages online self-censorship by restricting anonymity and by placing the primary burden for content censorship on Internet Service Providers, Internet Content Providers, and cybercafé owners. These entities are responsible for any patron who violates the government's "stringent but ambiguous" Internet regulations.¹³⁶ The Propaganda Department's power to allocate or terminate licenses and lucrative contracts to state and commercial organizations in the media sector provides a strong incentive for service providers to censor content.¹³⁷ As a result, Internet Content Providers have begun to regulate and censor chat rooms and bulletin boards to avoid potentially serious financial and legal repercussions.¹³⁸

Additionally, increased momentum over the past years for real-name registration systems threatens the ability of netizens to use the Internet anonymously. In March 2005, the Communist Party ordered that all university online bulletin board systems must block off-campus users and require users to register personal identifying information when going online.¹³⁹ In January 2009, Beijing Mobile announced that it would require customers to show identification when purchasing prepaid cell phone SIM cards;¹⁴⁰ and in May 2009 the city of Hangzhou attempted to become the first city in China to require real-name registration in order to participate in local chat rooms or online forums, but this plan has since been placed in abeyance.¹⁴¹ However, according to a government official in Nanjing, the State Council Information Office issued a notice on July 27, 2009, mandating that domestic news Web sites require users to register with their real names and identity numbers prior to publishing any comments online.¹⁴² Furthermore, the central government requires Internet Service Providers to retain users' personal information—such as the user's identity, Web sites visited, length of visit, and the content of electronic communications—and must turn this information over to authorities upon request.¹⁴³ These restrictions on Chinese netizens' anonymity will likely result

in increased self-censorship, because Internet users will have greater reason to fear punitive action for their online activities.

Examples of Individuals Punished for Activities on the Internet in 2009		
Date	Location	Description
February 2009	Beijing	Blogger-lawyer Liu Xiaoyuan was harassed by authorities because he supported a direct election of the Beijing Lawyers Association. The Haidain District Bureau of Justice forced his law firm to shut down for six months and required the firm to turn in all of its lawyers' licenses.
April 2009	Ordos, Inner Mongolia	Netizen Wu Baoquan was forced to serve a two-year sentence for defaming the government, because he posted information that peasants were being forced to sell their land to the government at extremely low prices. The government then auctioned off the land for a healthy profit. Government officials' cottages were built on the requisitioned land.
July 2009	Beijing	Ilham Tohti, professor at Minzu University and founder of <i>Uighurbiz.cn</i> was detained from July 7 until August 23 for posting a statement on his blog that the Shaoguang factory fight preceding the Xinjiang riots should be discussed and that he was ready to go to trial to defend his rights.
July 2009	Fuzhou, Fujian	Twitterer Guo Baofeng and five other netizens were arrested for posting the story of Yan Xiaoling, a woman who was allegedly gang-raped and killed by authorities in Fujian Province.
August 2009	Hangzhou, Zhejiang	Xiong Zhongjun, an influential blogger, was arrested and held for 10 days after questioning the identity of a person who appeared in court as Hu Bin, a member of a wealthy family who was accused of vehicular manslaughter in May 2009.

Source: Compiled by Commission staff from multiple sources.

The Role of U.S. Companies in China's Information Control Efforts

U.S. high-tech companies operating in China are faced with the sometimes difficult decision of either complying with directives from PRC officials or risking the loss of access to the Chinese market. Nart Villeneuve, a fellow with the Citizen Lab at the University of Toronto, described the predicament of U.S. companies as follows:

A failure to comply with China's censorship policies can result in the wholesale blocking of a company's entire service or significant levels of interference due to China's filtering

*system. Companies that have a physical presence in China face the challenge of obtaining proper licensing, and their Chinese employees may face legal threats for the foreign company's failure to comply with China's censorship policies.*¹⁴⁴

As a result, many U.S. companies have been involved in China's Internet censorship regime. Indeed, most of China's Internet surveillance technology is sourced from western companies,¹⁴⁵ including Cisco's sale of the switches and routers that served as the hardware foundation for the "Golden Shield."¹⁴⁶ U.S.-based Internet Service Providers and Internet Content Providers, such as Yahoo! and Google, have complied with China's demands to filter undesirable material and have also faced pressure to provide the Chinese government with personally identifiable user information on individual Chinese citizens.¹⁴⁷ In particular, Yahoo! came under heavy public criticism after admitting to providing information to the Chinese government that led to the arrest and imprisonment of at least two Chinese online dissidents.¹⁴⁸

U.S. Policy Options for Dealing with Internet Censorship

Developing a response to these challenges has focused on two different policy approaches. The first policy approach is the "Global Network Initiative," a voluntary industry code of ethics and best practices announced in late 2008. The second policy approach under consideration in the United States is the Global Online Freedom Act of 2009 (H.R. 2271), legislation that would regulate the activities of U.S. high-tech companies operating in authoritarian states.¹⁴⁹

Google, Microsoft, and Yahoo! are members of the Global Network Initiative, as are several human rights organizations and media watchdog organizations. The stated purpose of the Global Network Initiative is "to provide guidance to the [information & communication technology] industry and its stakeholders on how to protect and advance the human rights of freedom of expression and privacy when faced with pressures from governments to take actions that infringe upon these rights."¹⁵⁰ According to Robert Faris, research director at the Berkman Center for Internet and Society, Harvard University, "after three years of collective negotiations, the GNI [Global Network Initiative] is showing promise," but "it's too soon to evaluate the ultimate effectiveness of the organization and the approach."¹⁵¹

Other observers of the Global Network Initiative's progress have been more critical of the pace of the organization's development and the prospects for its effectiveness. Robert Guerra, project director for Internet Freedom at Freedom House, has stated that "GNI [Global Network Initiative] has not advanced at an acceptable pace" and, as a result, key players have been left out of, or have chosen not to participate in, the discussions about its development, including many of the major "Web 2.0" companies such as Facebook and Twitter, which are leading players in the rapidly changing field of Internet usage.¹⁵² However, Professor Faris noted that "planning is underway for outreach and public events designed to expand membership of the Initiative to include additional technology companies and human rights groups."¹⁵³

The second policy approach under consideration in the United States is the Global Online Freedom Act of 2009.¹⁵⁴ Among the provisions of the act, it would create an “Office of Global Internet Freedom” within the Department of State and direct the Secretary of State annually to designate Internet-restricting countries; prohibit U.S. businesses that provide or host Internet services from locating any personally identifiable user information in Internet-restricting countries; and require any U.S. businesses that collect or obtain personally identifiable information through the Internet to notify the Office of Global Internet Freedom and the attorney general before responding to a disclosure request from an Internet-restricting country. In addition, the attorney general would have the authority to prohibit a business from complying with the request except for legitimate foreign law enforcement purposes.¹⁵⁵

Some claim that the Global Online Freedom Act would place U.S. companies at a competitive disadvantage.¹⁵⁶ Professor Faris has stated that the legislation might have the unintended consequence of shutting U.S. companies out of the Chinese market, an outcome that is “unlikely to have a positive impact on the human rights situations there ... [leaving] consumers with fewer and worse choices and the West with a reduced understanding of government activities and opportunities to engage.”¹⁵⁷ Expressing the opposing view, Daniel Calingaert, deputy director of Programs at Freedom House, has stated that “rather than put U.S. companies at a competitive disadvantage, GOFA [the Global Online Freedom Act] is likely to raise international standards for business to protect and advance Internet freedom, much as the Foreign Corrupt Practices Act led to the OECD [Organization for Economic Co-operation and Development] Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.”¹⁵⁸

On May 6, 2009, H.R. 2271 was referred to the House Foreign Affairs Committee and the House Energy and Commerce Committee.¹⁵⁹

Conclusions

- The January 2007 media reforms instituted in response to international pressure leading up to the Summer Olympics Games in Beijing and extended indefinitely in October 2008 have resulted in modest improvements in the working conditions for foreign journalists in China, but their effect has been limited because of the Chinese government’s selective implementation and adoption of new strategies for restricting the flow of information.
- The January 2007 reforms have not improved working conditions for Chinese journalists, who remain subject to intimidation, harassment, violence, and imprisonment, often on vaguely defined “state secrets” charges.
- The Chinese government is employing a diverse array of strategies for silencing or guiding discussion about issues it considers politically sensitive.
- The Internet has emerged as a contested space in China. It provides a venue for discussion that is more open than traditional media but is also subject to the world’s most sophisticated Web

filtering system. The Chinese government's insecurity about Internet-enabled protests and the increased scrutiny of government officials on the Web has prompted the government to add additional elements to its already advanced Internet control system.

- The case of Green Dam demonstrates that even if the Chinese government had the technological capability to assert complete control over the Internet, it would not necessarily have the political clout to achieve this end. Furthermore, the case of Green Dam demonstrates that the Chinese government is not immune to pressure on information control issues from the international community.