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The Committee to Protect Journalists (CPJ) welcomes this opportunity to testify before the U.S.-China Economic and Security Review Commission, and to outline our specific concerns about press conditions in China. CPJ is a non-profit, non-partisan organization that accepts no government funds whatsoever. We monitor conditions facing journalists in countries around the world.

In China, free market forces and government control are having different effects on press freedom and are producing mixed results. Continuing a trend already under way, the government, in the beginning of last year, announced new guidelines to allow private investors to take ownership shares in newspapers, magazines, broadcast media, and publishing houses, leading Chinese media to compete for advertisers as well as audiences like never before. This change has compelled many news outlets and their reporters to more aggressively pursue many stories of interest to the Chinese public involving corruption, crime, celebrity scandal, and natural and environmental disasters. In recent years, many Chinese journalists and others seeking to disseminate information have relied increasingly on the Internet.

What has been the government's response? In decades past, Chinese authorities relied on censorship and legal action as the main tools to silence the press. But, in today's dynamic climate, the Communist Party has increasingly resorted to jailing journalists in order to silence some of the nation's most enterprising reporters. China, today, is the world's leading jailer of journalists, with 42 journalists in prison at the end of 2004. That is nearly double the number of journalists behind bars in China in 2000.

A few of the jailed journalists are being held on charges filed as early as 1982 alleging "incitement" to overthrow the government. But about half of the Chinese journalists behind bars today are there on charges related to news or other information spread via the Internet. Moreover, three-fourths of the jailed journalists—reporting for various media—have been deemed guilty of alleged subversion in one form or another by government-influenced courts. Others have been found guilty of trumped-up charges such as alleged embezzlement, bribery, and even prostitution. Most of these journalists are being punished, in fact, for having exposed corruption by government officials, for advocating political reforms, or for reporting on banned topics. These taboo topics include reporting on the circumstances surrounding legal cases against dissidents including journalists. Last year, even the use of the term, "public intellectuals," was

officially banned from public discourse.

Nevertheless, growing numbers of journalists have challenged the government on crucial issues such as rural poverty, AIDS, and human rights. Chinese lawyers have played an increasingly important role in defending free expression, which enjoys at least a qualified protection under the Chinese constitution. The government has limited free expression, however, through a complex system of media regulations. The courts, which often follow instructions from high-level party officials, narrowly interpret freedom of expression, while favoring an expansive interpretation of the constitution's prohibition on disrupting the socialist state and the leadership of the Communist Party.

Last year's transition in leadership led to even more government attempts at control. After President Hu Jintao consolidated power in September 2004, the Communist Party issued a statement saying it intends to "persist in the principle of party control of the media," to "further improve propaganda in newspapers, journals, broadcasting and TV," and to "strengthen the building of the Internet propaganda contingent, and form a strong momentum of positive public opinion on the 'net.'" Last year, besides trying to control the press, the government increased surveillance of cell phone text messaging and digital video broadcasts.

The government has also cracked down on the Internet. This March, authorities arrested Zhang Lin on "anti-state charges" after he called for political reform and democracy in China on overseas online news sites. Another Internet journalist, Zheng Yichun, has been in prison since December on similar charges, according to Chinese state media reports. Last month, Chinese authorities suspended the law license of Guo Guoting, a noted defense attorney for journalists and dissidents. The lawyer, Guo, told CPJ that he believes he is being punished for taking up cases involving free expression.

Some of the print media has also pushed the boundaries of free expansion, none more so than the *Southern Metropolis News*, a newspaper known for its investigative reporting. Last year, Deputy Editor Yu Huafeng and General Manager Li Minying, were sentenced to 12 and 11 years in prison, respectively, on charges of alleged embezzlement. CPJ research found that these editors did no more than transfer funds from advertising revenue to the editorial committee in order to provide the newspaper staff with a well-earned bonus. Among the many *Southern Metropolis News* stories that have irked authorities was one in 2003 about a suspected case of the SARS respiratory ailment—published before the government had officially released the same information. The *Southern Metropolis News* wrote another story about an autopsy report concerning a young graphic designer who had been beaten to death while being held in police custody. Underscoring the importance of a free press, this report led to the arrests of several local police officials.

Next month, the former chief editor of *Southern Metropolis News*, Cheng

Yizhong, will be honored by the United Nations Educational, Scientific and Cultural Organization, UNESCO, with its Guillermo Cano World Press Freedom Prize, an award named after the Colombian publisher and journalist who was murdered in 1987 by drug lords.

Violent attacks against journalists in China, fortunately, have been rare. This is unlike many other Asian nations such as Bangladesh and, especially, the Philippines, where no fewer than eight journalists were murdered in retaliation for their work last year. But, in China, the economic boom has also come with another new trend. CPJ has documented at least 20 violent attacks on journalists in China since 2002, although the trade association representing journalists maintains it has received hundreds of complaints of violent attacks. As in many other nations worldwide, many of the perpetrators of these attacks against journalists appear to be local criminals or corrupt officials who wish to keep their collusion in the dark, and therefore find investigative journalists particularly troubling.

The various tools to control the press have had only limited impact on foreign news organizations to date. But the recent imprisonment of Zhao Yan, a news assistant for *The New York Times*' Beijing bureau, shows that authorities are willing to target local employees to deter the foreign press. Zhao was arrested on charges of "providing state secrets to foreigners" after the *Times* reported President Jiang Zemin's imminent retirement before it was officially announced. Zhao's colleagues at the *Times* have repeatedly said that he played no role in this report. Zhao has been held incommunicado for more than six months.

Despite this disturbing picture, I would like to conclude by underscoring that this is an ongoing struggle. And I wish to point out that international attention paid to individual cases of jailed journalists and dissidents has an impact, lessening sentences and securing early releases. Most important is to keep shining the light on abuses that Chinese authorities would prefer to keep in the dark.