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Testimony before the U.S.-China Economic & Security Review Commission

by
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Hearing on “Access to Information and Media Control
in the People’s Republic of China”

**Panel on “Information Control and Media Influence
Associated to the Olympics”**

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1 - What is your assessment of the effect that preparations for the Olympics have had on press freedom and access to information in the PRC?

The Olympic Games have focused the world’s and the media’s, attention on China. They have forced Chinese authorities to communicate more and to be more media-conscious. They are becoming more responsive to news events, and quicker to put their spin on what the media reports.

In the run-up to the Olympic Games, more journalists are becoming interested in China, and they have more resources at their disposal to cover the situation in the country. As a result, more information is being released. But this mainly holds true for the foreign media and their public, not so much the Chinese public. For example, Xinhua, the state news agency, is releasing an increasing number of stories only in English about previously taboo topics, such as peasants riots, in a clear attempt to show the rest of the world that China is opening up, while keeping this information out of reach of most Chinese citizens.

Accelerating the process of opening up China to information was one of the arguments used for awarding the Games to Beijing. But preparations for the Games are not the main reason for this controlled opening: it is the result of the liberalization of the media market. Thanks to China’s new market-oriented economy, journalists and media outlets can now earn incomes independent of Party control. Recent years have seen the flourishing of more media outlets whose aim is to secure their own commercial support, and to make profits. In order to sell to a broader audience, they have to provide their

public with information that will interest them. Some of these liberal media—such as Nanfang Zhoumo, Nanfang Dushi Bao or Beijing News—have been pushing the limits of censorship in covering sensitive topics, thereby gaining some degree of freedom from the government's censors. Some of their journalists have been paying for that with their freedom—a clear signal sent by authorities to those bold reporters.

However, The Chinese government has not, for all that, become much more transparent. There is more information, but the message is more controlled. For example, Chinese authorities hold more press conferences than ever before, but it allows them to more closely regulate journalists' access to officials.

Preparations for the Games have also provoked a strong reaction from Chinese authorities against their critics. Several Chinese dissidents who dared to call for improvement of human rights in the run-up to the Games have ended up in jail. Among them are blogger Hu Jia and Yang Chunlin. We call them the "Olympic prisoners."

2 - Has the Chinese government honored pledges of media freedom made earlier, when Beijing was under consideration as a candidate Olympic venue? What such pledges, if any, has it failed to honor?

In order to be awarded the Games in 2001, the Chinese authorities pledged to improve the human rights situation. Wang Wei, Vice President of the Beijing Organizing Committee, had then promised that the media would have "complete freedom to report" during the Games.

The only positive development since these promises were made has been the new regulations that took effect in January 2007 granting more freedom to foreign journalists working in China. But this step forward has been compromised by China with many incidences of backtracking on the promises regarding foreign reporters.

Numerous violations have been recorded in the past few months. According to the Foreign Correspondents Club of China, at least 180 cases of obstruction (arrests, deportations, threats, blocked access, etc.) occurred in 2007. They usually happen whenever foreign reporters try to cover Tibet or riots in remote areas. A news blackout has been in effect in Tibet since mid-March.

Some TV executives have been complaining that Chinese authorities are trying to stifle TV coverage of the Games in their efforts to control the Games and prevent protests. Live coverage from Tiananmen Square will very likely be restricted. This is a change in policy from two months ago when the International Olympic Committee (IOC) officials in Beijing said China had agreed to allow live coverage. Broadcasters also have been told that there is unlikely to be any live coverage from the Forbidden City.

The Propaganda Department and the General Administration for Press and Publications (GAPP) has been filing details about the almost 30,000 foreign journalists accredited to cover the Olympic Games. Officially, its task was to identify "bogus journalists" and to help Chinese officials respond effectively during interviews. But the government did not specify what type of information it would collect. The State Security Department has been placed in charge of creating files on reporters and activists who could "disrupt" the Olympics.

The government has also tightened visa rules in the last few months. A directive issued by the BOCOG media center's visa division asks journalists to submit precise information about coverage plans in China, including the places they want to visit, and the people they want to interview, in order to obtain a J-2 visa, which is required for media personnel who want to arrive before the Games start on August 8. The Committee also requires a letter from an employer, which virtually eliminates freelancers.

The promises made by Chinese authorities have been blatantly violated with regard to the work of Chinese reporters, who are still subject to very strict censorship.

In November 2007, the Propaganda Department ordered the senior managers of China's leading media to avoid negative reports on air pollution, relations with Taiwan or the Olympic torch issue, and public health problems linked to preparations for the Olympic Games.

The control over Chinese "fixers" has been tightening. Chinese citizens working for foreign news media must now comply with new rules designed to get them to register with the authorities. The Foreign Correspondents Club of China told Reporters Without Borders that "hiring and registering assistants through government service agencies potentially increases bureaucracy, expense and oversight by the authorities." The FCCC hopes the foreign media will eventually be able to hire Chinese as journalists, photographers or cameramen, but for the time being that is not allowed.

The authorities also stepped up their control of online content before the Olympics. The Ministry of Information Industry (MII) and the State Administration of Radio, Film and Television (SARFT) jointly issued new regulations in January under which only websites that are licenced by both the MII and SARFT are able to post videos and audio files online.. Videos and audio files "attacking national sovereignty" will not be tolerated. Content that refers to ethnicity, pornography, gambling or terrorism, incites violence, violates privacy or attacks Chinese traditions and culture is also deemed unacceptable. "Those who provide Internet audio and video services must serve socialist ideals and the Chinese people," said the government last January. Preventing people from sharing video and audio files denies them the ability to show and describe their lives. Any online censorship can now be portrayed as a legal measure. The government also announced in June the launch of a campaign against « stolen images » from the Games, a campaign that could lead to more restrictions on the free flow of information.

China's Technology Minister Wan Gang told journalists in a news conference last month: "China has always been very cautious when it comes to the Internet." He added he didn't know yet which websites would be shut down or screened to protect Chinese youth from "some unhealthy websites." With China's record as the world champion of Internet censorship, we are concerned that Web freedom won't be guaranteed during the Games—which would be a violation of the terms of Olympics contract.

If they weren't in violation of the promises made in 2001, all these restrictions would not be surprising as they come from the country that is the world's biggest prison for journalists, with 30 reporters and 48 cyberdissidents behind bars. There are twice the number of journalists in jail now than there were in 2001, the time when we were promised "complete press freedom."

The IOC, whose mission is to implement the Olympic charter and respect the spirit of the Olympics, has not been holding China accountable for violating the promises it made seven years ago. The IOC has failed reporters, human rights activists and, when all is said and done, has let down the Chinese people.

3 - Have there been any improvements to information access in certain areas? If so, in what areas have these improvements taken place?

The only positive development has been the new regulations that took effect in January 2007 that granted greater freedom to foreign journalists working in China. They no longer need a pre-authorization before leaving the city where they are based to cover local stories.

Since January 2007, foreign reporters can move about more freely, and interview people in the streets more easily. They have more flexibility to do their jobs now that they are rid of the incessant monitoring that they had to deal with before. They still encounter overzealous local officials who pretend to be unfamiliar with the new rules or interpret them as applying only to the coverage of the Games. Activist Hu Jia's arrest and three-year jail sentence was a warning to dissidents not to talk too much to the foreign media and can have a chilling effect on reporters who don't want to endanger their local contacts.

Access to websites such as YouTube, Blogspot, and Wikipedia have been unblocked these past months due to international pressure and for once, thanks to the IOC involvement. The Chinese authorities probably realized it made them look bad on the international scene and those websites have a limited audience in China, so blocking them was not worth the trouble. The BBC news website in English was recently unblocked, but the BBC Chinese news website was not.

China allowed the foreign media an unprecedented level of freedom during the first few days of the earthquake in Sichuan, but another crackdown has begun, and the Chinese media were not allowed to cover the protests of the parents who lost their children in the collapsing schools.

It is easier now to report on social issues, but the politically sensitive stories remain off-limits.

4 - In the lead-up to the Olympics, in what ways has the Chinese government sought to control both domestic & international perceptions of China's domestic situation?

The Olympic Games present the perfect opportunity for China to showcase its modernity, its economic success. It is China's "coming-out party" as a major superpower. This makes the government very sensitive to the country's international image, very concerned that something could go wrong, and very intolerant towards anyone who refuses to toe the Communist Party line.

Each sensitive topic is examined on a case-by-case basis by the Chinese authorities, who then decide what kind of coverage they will—or will not—permit, and what level of control shall be applied.

China has been trying to project a more positive image to the world. It wants to show the world that China is progressing in many areas, and prove to the Chinese people that the West has accepted China as an emerging and positive power, in order to boost support among Chinese people.

When confronted by external critics of its human rights record for instance, Chinese authorities have reacted by shifting the blame onto foreigners, whom they accuse, at best, of being unable to grasp the country's reality, and at worst, of being anti-Chinese and racists.

During the crisis in Tibet, the government closed the area to the press. There was strong criticism of how the Western media reported the events in the Chinese official media. It was spread via blogs, forums and social networking websites. Several foreign news media—especially those with websites enabling visitors to post comments—were flooded with messages repeating the government propaganda word-for-word. Many foreign correspondents of such Western media such as CNN, BBC, and USA Today received death threats after their personal information was posted online. The website antiCNN.com was also launched. "Some media deliberately misrepresent the facts and wrongly portray a hateful crime as a peaceful demonstration," Tibetan communist leader Raidi stated.

5 - In the lead-up to the Olympics, in what ways has the Chinese government sought to control both domestic & international perceptions of China's foreign engagements? (Of particular note would be those foreign relations associated with China's overseas energy acquisitions, and with states with problematic human rights records.)

During the torch relay, the message from the Chinese government was to constantly claim that everything was fine in China and to criticize foreigners for staging protests along the torch route. They would never admit that these demonstrations were popular movements, but would describe them as "disruptions by small groups of activists." Their strategy was to manipulate public opinion. Dissent was not tolerated. This approach is shaping the Chinese people's perception of world affairs.

The Chinese media tend to give favorable coverage to China's allies and to take a negative stance against those considered its enemies or competitors.

Let's consider the coverage of the state news agency Xinhua. No information can be reported in the Chinese media without first being approved by this all-powerful news agency, whose main purpose is to maintain the Chinese Communist Party's monopoly on news circulating inside the country, as well as news disseminated from China to foreign countries, and vice-versa.

Although it does not flagrantly manipulate news, most of its stories originate from official press conferences, ministerial press releases, and international meetings. International news is usually handled at a diplomatic level, and is therefore likely to be limited to a repetition of official statements and speeches.

Without actually falsifying information, *Xinhua* applies a kind of "sliding filter" to international news. The predominance of the tendency to record dialog and negotiations gives the impression that there is almost no conflict of interest going on anywhere in the

world, and that anything can be settled through discussions. Is that a way of claiming that no direct criticism can be aimed at China, since even the latter does not allow itself to take issue with another country?

As for China's strategic competitors, *Xinhua* implicitly challenges the positions defended by the United Nations and the United States in dealing with emerging powers. "The Iranian nuclear problem," which has been assigned special topic status on the news agency's website, is thus perceived as a conflict between already-existing Western nuclear powers and a new (legitimate) claimant to the ultimate weapon. China appears to be excluded from this "dispute" over issues that are nonetheless international in scope, and which rekindle the debate over nuclear proliferation.

"The Darfur issue" is for the most part seen as an issue of international diplomacy and "harmonious cooperation" between Beijing and Khartoum. China's action in resolving the conflict has been the subject of media overkill. The magnitude of the humanitarian disaster has been minimized and no count of victims of the massacre has yet been made. The few criticisms aimed at China and reported by *Xinhua* are not sustained by any argument and are being directly demolished by innumerable statements of Chinese officials. All the rest is nothing but "diplomatic verbiage."

The incomplete and biased reporting of major international issues has resulted in most of the Chinese population being purely and simply uninformed of the major demonstrations by monks in September 2007, and of the crackdown that followed in Myanmar—a country that nonetheless shares its border with China.

6 - Does press & information freedom in the PRC appear to be improving, or has the government proven successful in controlling publicly available information? What do you see as the likely future course for information access in the PRC?

Overall, the amount of information that Chinese citizens can access has been increasing in the past few years, especially due to the growth of the Internet. Even in the mainstream media, thanks to the liberal media and their bold editors, topics that were taboo five or ten years ago (such as mine incidents or natural disasters) can now be addressed, even if restrictions apply.

The Chinese society has been evolving along with the economic boom. With people becoming wealthier, and the emergence of a middle class, information on the environment, social issues and consumer rights have been more accessible. However, political control is still very tight. It is virtually impossible to criticize Party leaders, to defend the Dalai Lama or the Falungong supporters or to mention the Tiananmen Square massacre.

The Internet has proven to be a challenge for repressive regimes, but the Chinese government understood very quickly that it could be used by dissidents and has been aggressively trying to shut down this "open window" to the world. They have managed to expand the Internet for business purposes while also controlling its political content. Beijing has spent tens of millions of dollars on the most sophisticated Internet filtering and surveillance equipment. The system is based on a constantly updated website blacklist and on banned keywords. The regime can also almost instantly censor online discussion forums. Beijing has even convinced the world's major search-engine companies to abide by its rules and remove all material offensive to the regime from

their Chinese versions, which makes it easier for the Chinese government to control the flow of information online.

Of course, the government cannot control everything on the Internet. Tech-savvy users can use proxies to access banned information or websites, but the vast majority of Internet users will not, or cannot, make the effort to try to get around censorship and will therefore still only have access to a one-sided reality.

Internet users are resourceful in ferreting out new technologies, or gimmicks such as using a nickname to describe a banned keyword. But the Chinese cyberpolice usually catch up with them. The future of the Internet—and thus of information control in China—will depend on just how efficient the players of this cat-and-mouse game will turn out to be.

There has been a steady increase in the flow of information in China. It would seem to be hard to control in the long term, but authorities have proven resourceful. Some progress is possible thanks to technology, but much will depend on the mobilization of freedom activists inside and outside of China, and on the crucial issue of the development of Chinese civil society.

7 - How would you assess the impact of information control on U.S.-China relations?

Some U.S. media outlets, such as the New York Times, the Washington Post, ABC News and CNN—just to mention a few—have been doing a great job of covering China, which has enabled the U.S. public to better understand what is going on in the country. The contrary is not true: the treatment of U.S. reality by the Chinese media is distorted because it must comply with the official propaganda.

Consequently, each country can be led to believe the other is hostile. The U.S. tends to see China as a dangerous competitor, while China describes the U.S. as jealous of China's power and as trying to block its expansion.

Some media that prefer to take a nationalist approach can accelerate the antagonism between the two countries, whereas independent media would rather show that the relations between the U.S. and China reflect a combination of competition and collaboration on a wide range of topics. The unpopular Bush administration has been widely criticized, not only in China but worldwide, and has become an easy target. It is possible that a new U.S. administration, viewed more favorably abroad, would receive a better treatment in the Chinese media.

In order for relations between the countries to improve, a better mutual understanding is needed, which requires a free press able to provide an independent assessment of the situation. China's censorship of the media, and its propaganda, are not conducive to a peaceful and fruitful dialog.

8 - Do you have any policy recommendations for the U.S. government in regards to these issues?

President Bush should make his attendance of the Games' opening ceremony

contingent upon concrete human rights improvements, as other heads of state have done. Congress should pass legislation supporting this stance as soon as possible.

The U.S. government should step up its pressure on Chinese authorities both before and after the Olympics to ensure that they agree to:

- Release all journalists and Internet users detained in China for exercising their right to information.
- Permanently abolish the restrictive articles in the Foreign Correspondents Guide that limit the media's freedom of movement and work.
- Disband the Publicity Department (the former Propaganda Department), which exercises daily censorship over content in the Chinese press.
- End the jamming of foreign radio stations.
- Stop the blocking of thousands of news and information websites based abroad.
- Suspend the "11 Commandments of the Internet," which lead to content censorship and self-censorship on websites.
- End the blacklisting of journalists and human rights activists, which prevents them from visiting China.
- Lift the ban on Chinese media using foreign news agency video footage and news reports without permission. This is a violation of the WTO agreements.
- Legalize independent journalist and human rights activist organizations.

Congress should hold a hearing on the future of the Olympic Games, looking into the option of calling upon the International Olympic Committee to add human rights and free speech requirements to the conditions for the awarding of the Games.

The next administration should keep the issue of human rights and free speech the focus of discussions with China, despite the wide array of topics being raised. The State department should develop and maintain a single list of journalists, Internet users and political dissidents who should be released to facilitate senior U.S. officials bringing up these cases in meetings with Chinese counterparts in China or in the U.S.

Congress should pass as soon as possible the Global Online Freedom Act (GOFA), introduced by Christopher Smith (R-NJ), which would prevent American IT companies from being forced to collaborate with Chinese censors.

The U.S. government should once again raise with the World Trade Organization the issue of media restrictions, which are a complete violation of WTO principles, and will jeopardize the liberalization and development of the Chinese media. The General Administration of Press and Publications (GAPP) has stepped up its censorship of

"illegal foreign publications," and frozen the granting of publishing licences to joint ventures in the media sector.