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**Testimony before the U.S.-China Economic and Security Review Commission**  
**“China’s Media and Information Controls – The Impact in China and the United States”**

**September 10, 2009**

**Panel I: The Status of China’s Commitments to Greater Media Reforms**

Thank you for inviting the Committee to Protect Journalists to participate in today’s hearing. CPJ has been monitoring press freedom conditions in China and around the world for more than 25 years. A group of American journalists founded CPJ in 1981, believing that the strength and influence of the international media could be used to support journalists who are targeted because of their work. We accept no government funding.

I want to start with the question of how media reforms implemented in the run-up to the 2008 Summer Olympic Games in Beijing have affected the climate for foreign reporters in China.

The major reform for the foreign media CPJ noted in the run-up to the Olympics were the liberalized reporting rules issued by the Ministry of Foreign Affairs in January 2007. This was an encouraging step: The regulations meant journalists no longer needed advance permission from provincial authorities for every interview they conduct, and that reporters were free to visit “places open to foreigners designated by the Chinese government.” Just 15 minutes before the regulations were set to expire at midnight on October 17, the Foreign Ministry told a hastily scheduled press conference they would be extended indefinitely. The significance of that unusual announcement and the behind-the-scenes negotiations it concealed remain the subject of speculation.

In general, foreign journalists say the regulations have made their own travel easier, though violations continue to be logged. Last month, hundreds of Chinese children were diagnosed with lead poisoning. BBC correspondent Quentin Sommerville encountered harassment while covering the story in Shaanxi province: “Explaining that we had permission from the Foreign Ministry to report from the area proved pointless,” Somerville wrote in his report. “The central government has its rules, and we have ours,” he was told. In July, the independent, Beijing-based Foreign Correspondents Club of China surveyed 57 of its members to get a sense of problems they’d encountered since the regulations were introduced two and a half years before. They received 100 accounts of foreign correspondents being turned away from public spaces.

The question of access remains a difficult one. Foreign journalists were barred from Tibet around the time of the 50<sup>th</sup> anniversary of a failed anti-government uprising in March, one year on from the protesting and riots in the region in 2008. In May, foreign reporters

said authorities in Sichuan had required them to register for reporting in areas affected by the 2008 earthquake.

There is change afoot in the Chinese government's treatment of foreign journalists, however. The government's handling of the media in the aftermath of the July 2009 Xinjiang riots was very different to its response in Tibet last year. At that time, and during other outbursts of ethnic unrest in the Xinjiang Uighur Autonomous Region, security forces repeatedly antagonized and expelled the foreign press corps.

Yet authorities welcomed foreign reporters to Urumqi, Xinjiang's capital, and allowed a privileged enclave of Internet access. Officials instigated an official tour of the city's ravaged center immediately, in contrast to the tours they begrudgingly arranged after the Tibetan violence. One American writer blogging locally even said a Beijing-based agency with government links had contacted journalists offering to facilitate travel to the region. Security forces were protecting, rather than harassing, international journalists and reports of official interference were few.

These are welcome signs, but it would be easy to overstate the change. Police turned back several reporters trying to work in nearby Kashgar, and in Guangdong province, at the site of the southern Chinese factory where a fight between Uighurs and Han Chinese sparked the first round of protests in June. The state-run media label anti-government sentiment among ethnic minorities the work of separatist terrorists. Government-operated tours are designed to promulgate that view, which is further evidenced by ethnic protesters hijacking the tours in both Tibet and Xinjiang. The government's position has many domestic supporters. After March 2008, many Chinese people charged that the Western media were biased, and at least 10 Beijing-based foreign reporters received anonymous death threats. In July this year, the Foreign Correspondents Club noted concerns about hostility directed at foreign correspondents "as a result of inflammatory comments in mainstream Chinese media regarding coverage of Xinjiang. At least two of our members have received deaths threats, many others have had disturbing telephone calls or been targeted by email viruses," the Club said.

China's information officials have clearly understood that the international media will demand free access and are making an effort to come across as open. But they are finding other ways to guide or to restrict the message. The result is a confusing, almost schizophrenic attitude toward the press. On June 4, reporters from CNN, the BBC and the French news agency Agence France-Presse were allowed onto Tiananmen Square to report on the 20<sup>th</sup> anniversary of the 1989 crackdown, but were obstructed by men wielding umbrellas in front of their cameras.

Two U.S. documentary filmmakers, Jon Alpert and Matthew O'Neill, were denied visas to attend a Beijing screening of their film this month about parents grieving children lost in poorly constructed government buildings during the 2008 Sichuan earthquake, according to *The New York Times*. CPJ colleagues were also denied visas when they applied as journalists or tourists to travel to Beijing during the Olympics. There may be a more open reporting environment, but the government lets journalists in to take advantage of it at its own discretion. And remember, the results of the reporting are

usually not freely available to Chinese citizens. Foreign news sources remain subject to many forms of censorship in China, and are often available only in privileged enclaves. TV news broadcasts have been interrupted midstream if content is sensitive.

Although reforms were made permanent for foreign reporters, the government has not otherwise lived up to its pledge to make lasting change in the media environment as a result of the Olympics. Information officials announced on February 6 that journalists from Hong Kong and Macau are required to apply for a press pass from the central government and get interviewees' consent before every reporting trip to the mainland. Hong Kong and Macau's press corps, occupying an uneasy middle ground between foreign and domestic status, had previously been granted their own liberalized Olympic regulations that were only slightly more restrictive than those for international reporters.

Journalists from Hong Kong and Taiwan have told CPJ they fear China's increasing economic influence in their respective territories may be eroding the freedoms that exist there now. CPJ spoke last week with Daisy Chu, a former reporter for the Hong Kong issue of *Esquire* magazine. Her editors withdrew a feature story on the 20th anniversary of "June 4" event. The media group that publishes the magazine fired Chu after she revealed this on her personal blog. Mak Yinting, chairwoman of the Hong Kong Journalists' Association, told us it was the first time in 25 years as a journalist she had heard of a colleague in Hong Kong being fired for writing about June 4.

Finally, and perhaps most significantly, the recent reforms shift the onus for critical comments onto sources, interviewees, and Chinese assistants and translators who work with foreign correspondents. At least one journalist CPJ has documented as imprisoned in China, Hu Jia, had two interviews he gave to foreign media listed in court documents, alongside his own articles, as evidence for anti-state charges against him. He is serving a three-year jail term.

On February 13, the government issued a code of conduct for the Chinese news assistants of foreign correspondents that threatens dismissal and loss of accreditation for engaging in "independent reporting." The code also obliges assistants working for foreign media organizations to spread "positive information." The Foreign Correspondents Club said in March that many Chinese assistants were being contacted in person and warned not to publicize news they learn of while reporting before it appears in state media.

How have Olympic media reforms affected Chinese journalists? By and large they were not included in the changes. One thing that did improve in 2008 was the government's security and surveillance apparatus, which is now being used to monitor and restrict perceived dissident activity. Several sensitive anniversaries have heightened the risks of reporting that could conceivably challenge the government this year, such as the already mentioned 50<sup>th</sup> anniversary of a failed Tibetan uprising in March, and June's 20<sup>th</sup> anniversary of the Tiananmen Square incident. A month from today, on October 10, China celebrates the 60<sup>th</sup> anniversary of the founding of the People's Republic. Increasingly, these events have become tests of patriotism for the domestic media. Hong Kong's *Ming Pao* newspaper says many Chinese journalists looked on the Tiananmen

anniversary as an unofficial vacation, preferring to wait until the anniversary passes before reporting anything negative, even about the volatile economy.

A climate of impunity for local officials who attack journalists prevails throughout China. Chinese newspapers frequently tell of physical violence directed at reporters working on local corruption stories. Sometimes the perpetrators allege they are reacting to so-called “fake” journalists, who offer to withhold negative coverage in return for bribery. But often skirmishes occur between bona fide news gatherers and powerful local figures or their henchmen trying to suppress the story. *Guangzhou Daily* reported on September 1 that a journalist had been hospitalized while reporting, calling it Guangdong province’s third attack on the press in the space of two months. As long as the central government devotes so much energy to maintaining positive coverage, despots in the provinces will follow their lead.

Which is not to say the domestic press is totally cowed—far from it. Increasingly media, particularly print media, push back against the imposed limits. Editorials are often outspoken on the issues of the day, including government transparency and press freedom. Chinese journalists with press credentials will often publish articles that are rejected by their editors on their personal blogs. As the media becomes increasingly commercialized, journalists pursue stories and readers with enthusiasm. Government propaganda officials issue frequent directives dictating the limits of coverage on all manner of issues, but successful editors develop a sixth sense when it comes to their implementation. One editor told a foreign journalist that he neglected to answer his phone before breaking sensitive news, confident that he could handle any official remonstrance which followed.

By appearing generally cooperative, the established media is developing a space in which it can report more freely, though errors by professional journalists can result in demotion or reassignment. Hong Kong’s *Ming Pao* said propaganda officials in the southern city of Guangzhou suspended five cable TV editors after the channel they worked for accidentally screened a few seconds of footage from Tiananmen Square in 1989 as part of a Hong Kong broadcaster’s June 5 news program.

The most heavily targeted are dissidents or government critics who report online. CPJ research found more Internet journalists jailed worldwide than journalists working in any other medium at the end of 2008. China topped that list of countries which imprison journalists, as it has done for 10 consecutive years. Twenty-four of the 28 journalists in China counted in CPJ’s December 1, 2008, prison census had published on the Internet. Lawyers who take these cases are frequently harassed and detained.

The Web site *6-tianwang* was founded by Huang Qi, who was detained in June 2008 after writing about disaster-relief efforts and shoddy construction online. Like Hu Jia, he had spoken with foreign journalists. In a closed-door trial on August 5 that has yet to release a verdict, he was tried for revealing state secrets. Huang spent five years in prison from 2000-2005, the first Internet publisher CPJ recorded jailed for subversion in China. His 2001 trial was repeatedly delayed for unexplained reasons when the International Olympic Committee was touring the country to assess Beijing’s bid to host the Games.

From Huang's perspective, the effects of media reform in China before, during, and after the Games must appear negligible indeed.

Long term, it is to be hoped that as the mainstream press challenges the government by reporting on increasingly sensitive issues, official tolerance of dissent from dissidents and citizen journalists will grow. That has not yet happened.

It is clear from their treatment of public health crises that government officials continue to put their own personal risk of embarrassment above the public good. This has serious implications for the U.S. and the rest of the world. In the periods between the Tangshan earthquake in 1976 and the 2008 earthquake in Sichuan, and even between the outbreaks of ethnic unrest in Tibet in 2008 and Xinjiang in 2009, there were significant and measurable improvements in the media environment. But with the SARS outbreak in late 2002 and the 2008 cover-up of the toxic chemical melamine appearing in food products in supermarkets worldwide, the government response of initial denial was very similar. The industrial substance, which boosts protein readings in poor-quality dairy products, sickened tens of thousands of Chinese children but was kept from the press until after the Olympics.

The United States and the international community need China to step up to its role as a modern industrialized nation. The free flow of information domestically and internationally from China does not meet global norms. Reporting on disease outbreaks, economic conditions, market and trading information, and, of course, issues of corruption and human violations—virtually any subject that might highlight shortcomings in the political system and cause embarrassment to the government—remains a legitimate target of suppression in the eyes of the government's vast censorship system. Even more important than the treatment of American and other foreign journalists in China is the threat the domestic censorship regime poses to the free exchange of information, which the U.S. relies on.

### Recommendations

Press China to:

- Release all journalists currently imprisoned for their work.
- Stop censoring the news.
- Allow Chinese journalists to work as reporters for foreign news outlets, without restrictions or fear of retribution.
- End the pattern of violent retribution meted out by local officials and others angered by critical media coverage. Bring to justice all those responsible for such attacks.
- End the use of state secret and national security laws to imprison journalists.

- Ratify the International Covenant on Civil and Political Rights, which China signed in 1998. Article 19 of the Covenant states: “Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”

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Last Saved By: Nick Barone  
Total Editing Time: 33 Minutes  
Last Printed On: 9/10/2009 8:14:00 AM  
As of Last Complete Printing  
Number of Pages: 6  
Number of Words: 2,481 (approx.)  
Number of Characters: 13,601 (approx.)