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People's Republic of China

FOLLOW UP TO THE PREVIOUS REVIEW

Working Group of the Universal Periodical Report in 2009, highlighted the protection of the rights of ethnic minorities (i.e Japan) and supported by China. However China prevent local media report situation about those areas and blocking access of foreign media making protection least possible. Working Group also highlighted guarantee improvement and reform of judicial process in the UPR meeting in 2009, the fact that no independent media was allowed to enter court rooms when sensitive cases were being tried also making judicial improvement no possible.

In July 2012, Gu Kailai was charged with the murder of British businessman Neil Heywood. No independent media was allowed to enter the court room. Only two official government news agencies were allowed. Likewise, no media were allowed to attend the hearings of writers or bloggers when they were charged in relation to the Tibet Unrest in 2008 and Urumqi unrest in 2009 and 2010. The authorities often use "limited seating" as an excuse to refuse entry of media. Put surveillance on family members and pressure on lawyer to prevent public monitoring of judicial process.

Another tremendous challenge faced by foreign media is the issuance of working visas by the Chinese authorities. In 2012, many foreign journalists complained their working visas were tied up with the content of their reports. They said they had received threats or warnings that their work visas would be cancelled and the press cards confiscated when they reported some sensitive issues such as the case of Chen Guangcheng, who was in a Beijing hospital after he escaped from house arrest and was hurt. At least three foreign journalists still had not obtained their working visas after waiting for months or even years.

Another pretext continually misused by officials in order to deprive the media of their rights is state secrets". On September 22, 2011, journalist Ji Xuguang from China's Southern Metropolis Daily was threatened by police with revealing "state secrets" when he reported that a police officer had detained several women for purposes of sexual abuse. No more than a year later, a judicial officer used "state secret" as an excuse to prevent the media reading a judgment referring to a community officer suspected of drink driving in Longgang District, Shenzhen. (1) .On May 4, 2010, the General Administration of Press and Publication closed down Business Watch Magazine for almost a month, alleging it had revealed confidential government information. (2).

While traditional media is under the control of the Chinese authorities, such restrictions have also been extended to the internet. Many bloggers were punished after they expressed their opinions or merely forwarded a message. In relation to the Bo Xilai scandal, several bloggers were detained for a few days by police, and two prominent websites were forced to suspend the commentary function of their microblogs for a few days, with the reason given being that they allowed some "improper" opinions to be uploaded.

Writers or bloggers are easily charged with subversive of state power or disturbance of social stability if they continuously demand political reform or accuse local government officials of malpractice. The most prominent case was that of writer Liu Xiaobo, who was sentenced to 11 years in December 2009 for "subversion of state power" after he asked the authorities for political reform. Tan Zuoren, was sentenced to five years in February 2010 by "defaming the Communist Party" when he continuously investigated the collapse of school buildings during the earthquake in Sichuan. Some writers were imprisoned due to writing articles publish in on-line accepted interviews with overseas media.

Another common method of censoring online media was to "stop pornographic and vulgar content" campaign. This has been used by the authorities for a long time, in particular during politically sensitive periods, with the stated purpose of protecting minors, as it allows the authorities to censor the content of online services, books and magazines. On January 4, 2013, the official news agency Xinhua reported that 45 million illegal publications had been confiscated and more than 3.7 million online messages had been deleted, accused these articles "contained pornography or other illegal content".

On December 28, 2012, the Standing Committee of the National People's Congress of China approved the enactment of a new law endorsing the notorious "real name" registration system. This system clearly violates Article 35 of the Chinese Constitution, which enshrines people's right to speak. Chinese authorities continues to direct and indirectly control journalist and domestic news agency. In January 2013, Communist party Guangdong Propaganda Department head , Tuo Zhen, allegedly interfered the editorial board of Southern Weekly magazine by swapping articles in order to bring the content into line with the directions of the Central Authorities' "positive tone" . The move sparked condemnation by hundreds of journalists and former employees. Subsequently, a labour strike erupted inside the office (3). The strike action spurred the Central Propaganda Department to order the censorship of all news items and reports on the incident and the subsequent strike action. However the Department allowed two government controlled media outlets to provide coverage that defended the incident. A mouthpiece of the Central Authority, Global Times, repeatedly published that the principle of Party control of the media was "unshakeable".(4) These moves clearly illustrated that the media is tightly controlled by the Chinese authorities. The Central Propaganda Department continuously orchestrated the media coverage to ensure there was no deviation from the official agenda.

Media workers in China, both those with official press accreditation and those without it, could not enjoy press freedom, which is enshrined in Article 19 of the Universal Declaration of Human Rights. Media coverage is orchestrated by the Central Propaganda Department of the Communist Party, and media workers are penalized if they violate the rules.

The International Federation of Journalists sincerely urged the Working Group of the Universal Periodic Review to condemn these violations of press freedom. In addition, the Working Group should demand that the Government of China remove the supervisory role of the Central Propaganda Department and the Provincial Propaganda Departments over the media. Let all media uphold their rights according to the Constitution and be bound by laws without other political considerations. The Working Group should also urge the authorities of China to act fairly towards all journalists without any double standards and to allow all media to attend all court hearings in order to ensure that justice is seen to be done. Finally, the Chinese authorities should allow the media to exercise their rights of movement to enter any area to exercise their journalistic

professional duties, and should issue working visas to foreign media according to the law and without taking any other matter into consideration.

MEDIA FREEDOM ON THE GROUND

Freedom of press in China have been under much deeper level of control and oppression since last Universal Periodic Review in 2009, Despite the Chinese authorities extended the regulations on reporting activities by foreign journalists in China after the Olympic Games in Beijing 2008. Censorship has been increased over the past four to five years.

Order and direct media on reporting—

From 2009 to 2012, China continued to control domestic media and blocking international media from independent reporting over issues that China think as politically “sensitive”. including unrests happened in Xinjiang Uyghur Autonomous Region (XUAR) over years; the imprisonment of Nobel Peace Laureate Liu Xiaobo in 2010, the “Chinese Jasmine Revolution” in 2011 (5) , scandals Communist Party officials Bo Xilai and Wang Lijun, and the change in leadership of the Communist Party in 2012 to prevent independent reports and public monitoring of accountability. . All media outlets were required to follow the “directives circulations” issued by the Central Propaganda Department. Regarding the scandals surrounding Wang Lijun and Bo Xilai, the Central Propaganda Department ordered all domestic media not to do any reporting differ from central authorities controlled tone. The Department even order media to follow straight on title and number of articles with central Xinhua news agency.

China’s practice of issue restrictive orders to control media report violated public’s right to know in Article 3 and Article 19 of the Universal Declaration of Human Rights.

Censorship and control in domestic media:

On March 17, 2010, the China Economic Times Daily(here after CET) (6) published an investigative report, discovered the source of problem vaccines that caused at least four Children died, hundreds disable or severe illness, were failure of temperature control in different level of process, including labeling and transport. The report was ordered to removed from CET website few years after it had published on-line. At the same time, the Central Propaganda Department of the Communist Party issued orders to all media

across the country; restrict them from report about the news, except follow official Xinhua's writing and publish Shanxi government's denial of responsibility to help down play the incident. Media were ordered to leave Shanxi, CET journalist that wrote the investigative report, Wang Keqin, received death threats via mobile phone.

The Editor-in-Chief of China Economic Times, Bao Yueyang, was removed from his position on May 12, 2010. About a year later, the investigative desk was shut down and in July 2011, the whole team was dismissed and transfer to other places which violated from Article 23 of UDHR. (7).

Holding information related to public health and people's life:

Despite China's Regulation of Disclosure of Government Information (8) committed to enhance government transparency and the Shanxi vaccine issue was a right to life and right to health issue, the relevant departments, including the Central Propaganda Department of the Communist Party, refused to response to journalists questions and release information to public.

On July 23, 2011, two high-speed trains collided in Wenzhou, Zhejiang province. It was reported that 40 people were killed and at least 192 people were injured due to a failure in the signal system. The Central Propaganda Department band domestic media from sending journalist to the site, carry out investigations into the cause of the accident, and publish commentary. Further more, media received order to follow central government released figures regarding number of casualties and direct public to positive aspects such as people donate blood. People in Wenzhou mourned the death at the site on the seventh day after the incident; all media received a number of calls from the provincial authorities and the Central Propaganda Department band them from publish any relative report on that day. Authorities censor papers, removed paragraph from news about the incident before allow published. The restriction on the incident lasted for one year, forbidden media report any updates regarding situation of the victims or discuss about the railway system. Journalist or news agencies who tried to break the order were penalized.

Dismiss, sack and punish journalists report about truth:

On May 12, 2011, journalist Song Zhibiao was removed from the position of Southern Metropolis Daily after he penned an editorial to mark the three-year anniversary of the 2008 earthquake in Sichuan, which indirectly mentioned

dissident artist Ai Weiwei an artist became “sensitive figure” due to collect data of tens of thousands children died in the earthquake by bad quality school building and campaign for accountability of local corruption. Song’s colleague, Chang Ping, also being terminated, due to making public the tremendous pressure send down from the local Propaganda Department. Chang was later accused for writing an article about unrest in Tibet in 2008.

Murder as a measure to silence journalists:

On September 10, 2011, Li Xiang, a journalist with the Luoyang City television station, was found dead with more than 10 stab wounds in Xigong District, Henan Province. Police said Li ‘s death was unrelated to his job but his colleagues believed his death was a direct result of his investigation into “sewage oil”, which is reportedly 100 times more poisonous than arsenic. Li’s portable computer was stolen in the incident.

Blocking and violence attack foreign media:

During the “Chinese Jasmine Revolution” in February 2011, many foreign journalists were blocked when trying to exercise their professional duties. Many were detained by police for a number of hours and some were attacked. (9) In the same year, CNN journalists crew were attack when trying to visit blind human rights activist Chen Guangcheng and his wife under house arrest form more than one year (10) Local authorities hired people that monitor the couple thrown stones to the crew and caused injury.

Some journalist attack by police officers. On September 16, 2012, Felix Wong Chi-Keung, a photographer for the South China Morning Post (SCMP), was severely injured by police beat him with batons as he was trying to take photos of anti-Japanese protesters who attempted to break into a local government building.(11)

Trend of target journalists with criminal charge or set-up crimes investigation:

On August 12, 2009, two Hong Kong journalists were maliciously accused by police of obtaining illegal drugs when they were trying to leave their hotel to report on the trial of conscious writer, Tan Zuoren, who was charged of “Inciting subversion of state power” in Chengdu, Sichuan Province. The police did not find anything after conducting a thorough search of the journalists’ luggage and hotel rooms, but they were detained for seven hours until the trial was finished. In 2012 when a Hong Kong journalist tried to take photos over the trial of Gu

Kailai. The journalist was accused by an unidentified lady of stealing her belongings.. In the end, police did not find anything, but the journalist was detained for several hours and was unable to take any photos.

Another case: Labour rights activist Li Wangyang was found dead in a hospital in Shaoyang, Hunan Province in June 2012, after he revealed to a Hong Kong journalist that he was tortured by officers in prison. Media in China were band from report about his mysterious death.. On September 12, two journalists of Hong Kong Mingpao news group were harassed and deprived personal liberty in a hotel for 44 hours, in which police deprived their sleep and interrogate them every two hours day and night search their belonging, equipment's, computer and entre their account search mails. Local security bureau did not tell them reason for holding search them, did not provide any legal document. The search was actually due to local police discovered that they were investigating the suspicious death of Li Wangyang. Police threat one of them if not cooperate, she would not allowed return to Hong Kong. Before the two Hong Kong journalists were escorted out of Hunan, police organized them to interview Li Wangyang's brother -in-law. The interview was recorded by police.

Regulation restrict media on independent reporting:

According to Decree No 537 of the State Council of China, which regulates foreign media's activities in China, "foreign journalists are allowed to report freely when the interviewees consent and to apply for permits to restricted areas when necessary."

However, the regulations have not been fully implemented across the nation. With international organizations claiming that self-immolations were increasing in the Tibetan living regions , many foreign journalists applied permits to entre those area but none were approved. Journalist who try to cover XUAR which does not require permit they were blocked from entry physically.

Footnote :--

1 Judiciary officer used "state secret" to refuse journalist to read a judgment
<http://www.ccztv.net/news.asp?ID=16343&xid=0&page=0>

2

<http://blogs.wsj.com/chinarealtime/2010/05/13/muckraking-journalism-in-china>

[-takes-a-hit/](#)

3

<http://www.nytimes.com/2013/01/08/world/asia/supporters-back-strike-at-news-paper-in-china.html?pagewanted=all>

4

<http://www.scmp.com/news/china/article/1122825/beijing-says-partys-control-press-unshakable-after-southern-weekly>

5

inspired by the revolution and movement in Arabic and northern African countries, Chinese citizens launch a campaigning calling for people to peaceful gathering in public area call for rights to employment, right to freedom.

6<http://www.cet.com.cn/>

7Article 23 of UDHR

<http://www.un.org/en/documents/udhr/index.shtml>

8Regulation of the People's Republic of China on the Disclosure of Government Information, issued by the state council and put in force from 1May2008:

http://www.pbc.gov.cn/publish/zhengwugongkai/514/1813/18130/18130_.html
(accessed on 4 March)

9

<http://www.bbc.co.uk/news/world-asia-pacific-12619957>

10 The couple fled China and currently stay in New York, USA after Chen escaped from house arrest in April 2012 to seek help from US embassy.

11 The photographer was injured by Shenzhen police on September 16 , 2012

<http://www.scmp.com/news/china/article/1038695/post-photographer-felix-wong-beaten-shenzhen-police-protests?page=all>