



Home Office

# Country Information and Guidance

## China: Journalists

Version 1.0

March 2016

# Preface

This document provides country of origin information (COI) and guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained with this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

## Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the European Asylum Support Office’s research guidelines, [Country of Origin Information report methodology](#), dated July 2012.

## Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please [e-mail us](#).

## Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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# Guidance

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## 1. Introduction

### 1.1 Basis of Claim

- 1.1.1 Fear of persecution or serious harm by the authorities due to the person's actual or perceived criticism of the government in their role as a journalist, media professional or blogger.

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## 2. Consideration of Issues

### 2.1 Credibility

- 2.1.1 For further guidance on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview: see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing: see the [Asylum Instruction on Language Analysis](#).

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### 2.2 Assessment of risk

- 2.2.1 The Chinese authorities severely restrict freedom of speech and press (see [Legal context](#)). The Chinese authorities harass, detain, abuse, torture and use vaguely-worded criminal provisions to prosecute journalists and those involved in the internet-based media, such as bloggers and users of social media, where their reporting is, or is perceived to be, critical of the government (see [Treatment by the authorities](#)).
- 2.2.2 Numbers of journalists reported as being detained in China varied, but Radio Free Asia reported that 23 journalists and 84 bloggers were detained in China during 2015. It was also reported that the majority of online writers detained or imprisoned were either Tibetan bloggers, Muslim Uyghurs or Mongolians. (see [Overview of press freedom](#))
- 2.2.3 There is evidence that the Chinese authorities pursued some exiled critical journalists overseas. In addition, the three brothers of Shohret Hoshur, the Washington D.C.-based Uighur journalist for U.S. government-funded Radio Free Asia (RFA), who reports critically on China's treatment of his ethnic minority, have been arrested in on anti-state charges in retaliation for Hoshur's work.<sup>1</sup> (see [Treatment by the authorities](#)).
- 2.2.4

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<sup>1</sup> Committee to Protect Journalists – 'China, Egypt imprison record numbers of journalists', 15 December 2015 <https://cpj.org/reports/2015/12/china-egypt-imprison-record-numbers-of-journalists-jail.php> date accessed: 24 December 2015

2.2.5 Decision makers must be satisfied that persons claiming to be journalists or bloggers are able to demonstrate that their activities have brought, or will bring, them to the adverse attention of the Chinese authorities, bearing in mind that the state heavily monitors media and internet activity, with over a dozen government bodies responsible for enforcing the laws. Decision makers should give consideration to all relevant factors, including in particular: the subject matter, language and tone of the material; the method of communication; the reach and frequency of the publication; the publicity attracted; and any past adverse interest by the authorities.

2.2.6 Journalists, bloggers, news assistants and social media users who can show that they have come to the adverse attention of the authorities, or are reasonably likely to do so, will be at risk of persecution or serious harm by the authorities on account of their actual or imputed political opinion.

2.2.7 See also country information and guidance on [China: Opposition to the Chinese Communist Party](#).

2.2.8 For further guidance on assessing risk, see section 6 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#)

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## 2.3 Protection

2.3.1 As the person's fear is of ill treatment/persecution at the hands of the state, they will not be able to avail themselves of the protection of the authorities.

2.3.2 For further guidance on assessing the availability or not of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.4 Internal relocation

2.4.1 As the person's fear is of ill treatment/persecution at the hands of the state, they will not be able to relocate to escape that risk.

2.4.2 For further information on the hukou system and internal relocation see country information and guidance on [China: Background including actors of protection and internal relocation](#).

2.4.3 For further guidance on internal relocation, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#)

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## 2.5 Certification

2.5.1 Where a claim falls to be refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

2.5.2 For further guidance on certification, see the [Appeals Instruction on Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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### 3. Policy Summary

- 3.1.1 Freedom of speech and press freedom are severely restricted in China. The authorities harass, detain, abuse, torture and use vaguely-worded criminal provisions to prosecute journalists, news assistants and those involved in the internet-based media, such as bloggers and users of social media, where their reporting is, or is perceived to be, critical of the government. However, the numbers detained were relatively very low. Evidence suggests that influential bloggers and certain ethnic groups, i.e. Tibetans, Muslim Uighurs and Mongolians, were more likely to be detained than others,.
- 3.1.2 State protection or internal relocation to escape the risk are not available options.
- 3.1.3 Where a claim falls to be refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

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## 4. Overview of press freedom

4.1.1 Reporters Without Borders, in its 2015 Press Freedom Index, ranked China 176 out of the 180 countries included in the index (one being the most free and 180 the least free).<sup>2</sup>

4.1.2 A Council on Foreign Relations Backgrounder of 7 April 2015 on Media Censorship in China noted:

‘The Chinese government has long kept tight reins on both traditional and new media to avoid potential subversion of its authority. Its tactics often entail strict media controls using monitoring systems and firewalls, shuttering publications or websites, and jailing dissident journalists, bloggers, and activists. Google's battle with the Chinese government over Internet censorship, and the Norwegian Nobel Committee's awarding of the 2010 Peace Prize to jailed Chinese activist Liu Xiaobo, have also increased international attention to censorship issues. At the same time, the country's burgeoning economy relies on the web for growth, and experts say the growing need for Internet freedom is testing the regime's control.’<sup>3</sup>

4.1.3 The Freedom House 2015 Freedom of the Press report, released 28 April 2015, noted:

‘China is home to one of the world's most restrictive media environments. The already limited space for investigative journalism and politically liberal commentary shrank during 2014, continuing a trend of ideological tightening since Xi Jinping assumed the leadership of Chinese Communist Party (CCP) in 2012. For the first time in several years, professional journalists from established news outlets were subjected to long-term detention, sentencing, and imprisonment alongside freelancers, online activists, and ethnic minority reporters. Also during 2014, a crackdown on social-media platforms that began the previous year—with increased restrictions on the prominent Sina Weibo microblogging service—expanded to Tencent's WeChat instant-messaging program, further reducing the ability of ordinary users and journalists to share information and political news without prepublication censorship.

‘Nevertheless, as internet access via mobile devices continued to climb, reaching over half a billion people during the year, the censorship system was unable to completely stop the circulation of unfavorable news.

‘Dedicated users continued to employ circumvention technology and other, more creative tactics to defy and bypass restrictions on free expression.

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<sup>2</sup> Reporters Without Borders – 2015 World Press Freedom Index, February 2015  
<http://en.rsf.org/world-press-freedom-index-2015-12-02-2015,47573.html> Date accessed: 11 September 2015

<sup>3</sup> Council on Foreign Relations – Backgrounder: Media Censorship in China, 7 April 2015  
<http://www.cfr.org/china/media-censorship-china/p11515> date accessed: 14 September 2015

'...Restrictions on print media tightened during the year, as did pressure on investigative journalism and liberal media outlets. Journalists who attempted to investigate or report on controversial issues, question CCP [Chinese Communist Party] rule, or present a perspective that conflicted with state propaganda directives faced harassment, dismissal, and abuse.'<sup>4</sup>

- 4.1.4 A Radio Free Asia report of 30 December 2015, summarising information from other press freedom reports, noted:

'China's ruling Chinese Communist Party held 23 journalists and 84 bloggers behind bars during 2015...The majority of online writers detained or imprisoned in 2015 were either Tibetan bloggers or reporters for the Sichuan-based rights group Tianwang...Many on the list were from ethnic minority groups, including Tibetans, mostly Muslim Uyghurs and Mongolians.'<sup>5</sup>

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## 5. Legal context

- 5.1.1 A Council on Foreign Relations Backgrounder of 7 April 2015 on Media Censorship in China noted:

'China's [constitution](#) affords its citizens freedom of speech and press, but the opacity of Chinese media regulations allows authorities to crack down on news stories by claiming that they expose state secrets and endanger the country. The definition of state secrets in China remains vague, facilitating censorship of any information that authorities deem harmful to their political or economic interests. CFR [Council on Foreign Relations] Senior Fellow Elizabeth C. Economy says the Chinese government is in a state of "schizophrenia" about media policy as it "goes back and forth, testing the line, knowing they need press freedom and the information it provides, but worried about opening the door to the type of freedoms that could lead to the regime's downfall."

'...More than a [dozen government bodies](#) review and enforce laws related to information flow within, into, and out from China. The most powerful monitoring body is the Communist Party's Central Propaganda Department (CPD), which coordinates with General Administration of Press and Publication and State Administration of Radio, Film, and Television to ensure content promotes party doctrine.'<sup>6</sup>

- 5.1.2 The Freedom House 2015 Freedom of the Press report, released 28 April 2015, noted:

'Article 35 of the constitution guarantees freedoms of speech, assembly, association, and publication, but such rights are subordinated to the

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<sup>4</sup> Freedom House – 2015 Freedom of the Press Report, released 28 April 2015

<https://freedomhouse.org/report/freedom-press/2015/china> date accessed: 14 September 2015

<sup>5</sup> Radio Free Asia – 'China Holds 23 Journalists, 84 Bloggers in 2015: Press Freedom Report', 30 December 2015 <http://www.rfa.org/english/news/china/china-journalists-12302015120019.html> date accessed: 8 January 2016

<sup>6</sup> Council on Foreign Relations – Backgrounder: Media Censorship in China, 7 April 2015 <http://www.cfr.org/china/media-censorship-china/p11515> date accessed: 14 September 2015



discretion of the CCP [Chinese Communist Party] and its status as the ruling power. Moreover, the constitution cannot, in most cases, be invoked in court as a legal basis for asserting individual rights. Judges are appointed by the CCP and generally follow its directives, particularly in politically sensitive cases. There is no press law that governs the protection of journalists or the punishment of their attackers. Instead, vaguely worded provisions in the penal code and state secrets legislation are routinely used to imprison Chinese citizens for the peaceful expression of views that the CCP considers objectionable. Criminal defamation provisions are also occasionally used to similar effect.

'...Agencies responsible for media regulation took new restrictive actions during 2014, including canceling two crucial licenses of the internet giant Sina due to a small amount of lewd content on its site, barring Chinese journalists from collaborating with foreign or Hong Kong media, and banning puns and wordplay from broadcast media and advertisements. In February, state media reported on the establishment of a new CCP body to coordinate work on cybersecurity and internet management, known as the Central Internet Security and Informatization Leading Group. The group appears to have full authority to coordinate decisions on the entire online sector, including cybersecurity, the urban-rural digital divide, and content regulation. It is headed by President Xi Jinping, Premier Li Keqiang, and longtime propaganda chief Liu Yunshan.

'...Journalists and other media workers are required to hold government-issued press cards in order to be considered legitimate, though some report without one. In December 2013, regulators announced a plan requiring Chinese journalists to pass a new ideological exam in early 2014 in order to receive or renew their press cards. Those who violate content restrictions risk having their press-card renewals delayed or rejected, being blacklisted outright, getting fired, or facing criminal charges.'<sup>7</sup>

5.1.3 A Congressional Executive Commission on China report of 5 November 2014, 'China's Media Regulator Places New Restrictions on Journalists and News Organizations', noted:

'In July 2014, the agency responsible for oversight of China's media issued new measures aimed at preventing Chinese journalists from sharing information on their personal blogs, social media accounts, and with foreign news media. The new provisions forbid journalists and media employees from sharing state secrets, trade secrets, intellectual property, and "undisclosed information" obtained during professional activities. News organizations must also require all news personnel to sign state secrets pledges and nondisclosure agreements. International and domestic observers are concerned that these new rules may further restrict Chinese journalists' ability to report on sensitive topics and lead to increased self-censorship. The measures place further restrictions on China's already tightly controlled media.

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<sup>7</sup> Freedom House – 2015 Freedom of the Press Report, released 28 April 2015  
<https://freedomhouse.org/report/freedom-press/2015/china> date accessed: 14 September 2015

'On July 8, 2014, China's State Administration of Press, Publication, Radio, Film and Television (SAPPRFT) publicly released Measures on Managing Information Obtained by Press Personnel Through Professional Conduct (Measures)...The Measures, dated June 30, 2014, provide new rules for journalists on sharing information both online and with foreign media. News organizations are also required to strengthen the supervision of information sharing by their employees.

'...International and domestic media advocates, as well as Chinese commentators, have voiced concerns over the new Measures for their lack of clarity. The International Federation of Journalists criticized the Measures for not clearly defining what types of materials could be considered "commercial secrets" or "unpublished information." ... The Committee to Protect Journalists argues that these Measures aim to "stifle" journalists who report on sensitive topics.

'...The definition of "state secrets" in the [PRC \[People's Republic of China\] Law on Guarding State Secrets](#) is both vague and broad, giving Chinese officials wide latitude to declare almost any matter of public concern a state secret.'<sup>8</sup>

#### 5.1.4 The Freedom House China Media Bulletin of August 2015 noted:

'The National People's Congress published a draft cybersecurity law on July 6, leaving it open to public comment until August 5. The proposed law appears to consolidate the coordination role of the new Cyberspace Administration of China, while also codifying, institutionalizing, and strengthening the enforcement of measures already employed by the Chinese authorities to censor and monitor internet communications. For example, Articles 53 and 57 call for internet companies to strengthen censorship and better enforce real-name registration, or risk penalties including fines of up to 500,000 RMB (\$80,400), website closure, or license revocation. Article 50 permits authorities to shut down internet connectivity at times of public security emergencies, a practice that provincial and local governments have adopted ad hoc in Xinjiang, Tibet, and other sites of public protests for the last six years. However, the law also introduces new measures, most notably a requirement that companies store user data within China, as well as personalized fines for management personnel at companies that fail to comply with the law's provisions. Experts in China, human rights groups, and the international business community have largely reacted with concern, although one Hong Kong-based researcher acknowledged that the law "sets up a fairly comprehensive personal data protection regime" for private internet companies. The draft law follows a trend evident under President Xi Jinping in which the authorities have tried to close perceived loopholes that allow for both netizen sharing of uncensored information and U.S. surveillance. If passed in its current form and strongly enforced, the new legislation could prove costly to companies burdened with instantaneous censorship obligations and real-name registration rules. It

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<sup>8</sup> Congressional Executive Commission on China - China's Media Regulator Places New Restrictions on Journalists and News Organizations, 5 November 2014  
<http://www.cecc.gov/publications/commission-analysis/china%E2%80%99s-media-regulator-places-new-restrictions-on-journalists-and> date accessed: 14 September 2015

could also restrict foreign firms from supplying certain networking equipment, and lead to more detentions of Chinese citizens for sharing political, social, or religious content that is deemed undesirable to the Chinese Communist Party.’<sup>9</sup>

5.1.5 An article by Reuters dated July 8, 2015 noted that:

‘Nicholas Bequelin, East Asia Director at Amnesty International, said the draft law would institutionalize censorship practices that were not explicitly formulated before.

‘Article 50, for example, would give authorities the legal power to cut area-wide internet access to maintain order in the case of "sudden" incidents, much as it did for 10 months in 2009 after nearly 200 people died in ethnic riots in Urumqi, the capital of the western region of Xinjiang.’<sup>10</sup>

5.1.6 A Congressional Executive Committee on China undated document listed [International Agreements and Domestic Legislation Affecting Freedom of Expression](#).<sup>11</sup>

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## 6. Treatment by the authorities

6.1.1 In a letter dated 18 September 2015, Human Rights Watch noted:

‘...since assuming the leadership in March 2013, President Xi’s government has presided over an assault on human rights, including freedom of expression and respect for civil society, unseen in a decade. President Xi’s predecessors specifically designed China’s internet infrastructure to enable a high degree of state control and censorship, and Xi came into office characterizing control of the Internet as “a matter of life and death” for the Chinese Communist Party. In recent years, Chinese authorities have moved beyond the mere maintenance of the “Great Firewall” towards comprehensive regulation of China’s cyberspace to maintain “Internet sovereignty,” rejecting foreign technologies for government use, subjecting technologies to greater scrutiny for “cybersecurity” purposes, strengthening the censorship apparatus, detaining influential bloggers, and severely restricting access to the Virtual Private Networks that some netizens use to access content forbidden inside the country.

‘The government’s long-term strategy has been and remains protecting domestic internet companies in China, monitoring and punishing online critics, and retaining as much control as possible over content.’<sup>12</sup>

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<sup>9</sup> Freedom House – China Media Bulletin, August 2015  
[https://freedomhouse.org/sites/default/files/FH\\_ChinaBulletin2015\\_English\\_FINAL.pdf](https://freedomhouse.org/sites/default/files/FH_ChinaBulletin2015_English_FINAL.pdf) date accessed: 14 September 2015

<sup>10</sup> Reuters - China’s draft cybersecurity law could up censorship, irk business, 8 July 2015,  
<http://www.reuters.com/article/us-china-cybersecurity-idUSKCN0PI09020150708> date accessed: 18 January 2016

<sup>11</sup> Congressional Executive Committee on China - International Agreements and Domestic Legislation Affecting Freedom of Expression, undated <http://www.cecc.gov/international-agreements-and-domestic-legislation-affecting-freedom-of-expression> date accessed: 14 September 2015

<sup>12</sup> Human Rights Watch - Letter Re. US-China Internet Industry Forum, 18 September 2015,  
[https://www.hrw.org/news/2015/09/18/letter-re-us-china-internet-industry-forum#\\_ftn1](https://www.hrw.org/news/2015/09/18/letter-re-us-china-internet-industry-forum#_ftn1) date accessed:

6.1.2 The Human Rights Watch 2015 World Report, released January 2015, noted:

‘The Chinese government targeted the Internet and the press with further restrictions in 2014. All media are already subject to pervasive control and censorship. The government maintains a nationwide Internet firewall [to] exclude politically unacceptable information.

‘Since August 2013, the government has targeted WeChat—an instant messaging app that has gained increasing popularity—by closing popular “public accounts” that report and comment on current affairs. Another 20 million accounts were shuttered for allegedly soliciting “prostitutes.” Authorities also issued new rules requiring new WeChat users to register with real names. In July and August 2014, it suspended popular foreign instant messaging services including Kakao Talk, saying the service was being used for “distributing terrorism-related information.”

‘Authorities also tightened press restrictions. The State Administration of Press Publication, Radio, Film, and Television issued a directive in July requiring that Chinese journalists sign an agreement stating that they will not release unpublished information without prior approval from their employers and requiring that they pass political ideology exams before they can be issued official press cards.

‘In July, the CCP’s disciplinary commission announced that researchers at the central Chinese Academic of Social Sciences had been “infiltrated by foreign forces” and participated in “illegal collusion” during politically sensitive periods. The party subsequently issued a rule that would make ideological evaluation a top requirement for assessing CASS researchers; those who fail are to be expelled.’<sup>13</sup>

6.1.3 The same January 2015 Human Rights Watch report also noted that:

‘From mid-2013, the Chinese government and the ruling Chinese Communist Party (CCP) have issued directives insisting on “correct” ideology among party members, university lecturers, students, researchers, and journalists. These documents warn against the perils of “universal values” and human rights, and assert the importance of a pro-government and pro-CCP stance.

‘...The government targets activists and their family members for harassment, arbitrary detention, legally baseless imprisonment, torture, and denial of access to adequate medical treatment. It has also significantly narrowed space for the press and the Internet, further limiting opportunities for citizens to press for much-needed reforms.’<sup>14</sup>

6.1.4 The Freedom House 2015 Freedom of the Press report, released 28 April 2015, noted:

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18 January 2016

<sup>13</sup> Human Rights Watch – 2015 World Report, released January 2015  
[https://www.hrw.org/sites/default/files/world\\_report\\_download/wr2015\\_web.pdf](https://www.hrw.org/sites/default/files/world_report_download/wr2015_web.pdf) date accessed: 15 September 2015

<sup>14</sup> Human Rights Watch – 2015 World Report, released January 2015  
[https://www.hrw.org/sites/default/files/world\\_report\\_download/wr2015\\_web.pdf](https://www.hrw.org/sites/default/files/world_report_download/wr2015_web.pdf) date accessed: 16 January 2016

‘During 2014, for the first time in years, mainstream print journalists were formally arrested or sentenced to prison; such treatment had long been more common among internet-based writers, ethnic minority journalists, and freelancers. According to the New York–based Committee to Protect Journalists (CPJ), at least 44 journalists were behind bars in China as of December 2014, the largest national total in the world. The overall number of Chinese citizens jailed for offenses involving freedom of expression, especially on the internet, was much higher.

‘Several journalists faced questionable charges of bribery, defamation, “leaking state secrets,” or “spreading false rumors” in 2014.

‘Freelance journalists, writers, online activists, and a range of other Chinese citizens continued to be sentenced to prison or administrative detention, particularly for disseminating information online or sending it to contacts outside China.’<sup>15</sup>

6.1.5 A Committee to Protect Journalists (CPJ) report of 15 December 2015 noted:

‘CPJ identified 199 journalists in prison because of their work in 2015, compared with 221 the previous year.

‘A quarter of those jailed globally are in China, the world’s worst offender for the second year in a row; the 49 journalists in prison there are a record for that country. As President Xi Jinping continues his crackdown on corruption and as the country’s economic growth slows and its markets become more volatile, reporting on financial issues has taken on new sensitivity. Wang Xiaolu, a reporter for the Beijing-based business magazine *Caijing*, was arrested on August 25 on suspicion of “colluding with others and fabricating and spreading false information about securities and futures trading” after he reported that a regulator was examining ways for securities companies to withdraw funds from the stock market. He later appeared on state television saying that he regretted writing the story and pleading for leniency, even as it was unclear whether he had been formally charged with a crime. As CPJ has documented, televised confessions are a tactic repeatedly deployed by Chinese authorities for dealing with journalists who cover sensitive stories.

‘The lengths to which China is willing to go to silence its critics is demonstrated by at least three people **not** on CPJ’s imprisoned list: the brothers of Shohret Hoshur. The Washington D.C.-based Uighur journalist for U.S. government-funded Radio Free Asia (RFA) reports critically on China’s treatment of his ethnic minority. According to Hoshur and RFA, China, unable to arrest him, has thrown three of his brothers who still live in the Xinjiang Uighur Autonomous Region—Tudaxun, Shawket, and Rexim—into jail on anti-state charges in retaliation for Hoshur’s work.’<sup>16</sup>

6.1.6 A Radio Free Asia report of 16 December 2014 noted:

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<sup>15</sup> Freedom House – 2015 Freedom of the Press Report, released 28 April 2015 <https://freedomhouse.org/report/freedom-press/2015/china> date accessed: 16 January 20156

<sup>16</sup> Committee to Protect Journalists – ‘China, Egypt imprison record numbers of journalists’, 15 December 2015 <https://cpj.org/reports/2015/12/china-egypt-imprison-record-numbers-of-journalists-jail.php> date accessed: 24 December 2015

'...China is also holding 73 netizens out of a global total that also came to 178.

'...China has continued to exert tight control on its official media, while extending its reach and influence to journalists beyond its borders...

'..."The authorities have arrested more journalists and bloggers, cracked down harder on cyber-dissidents, reinforced online content control and censorship and stepped up restrictions on the foreign media,"...

'Former journalist at the 'Chengdu Commercial Daily' and 'Shanxi Evening News' Li Jianjun said journalists are under increasing censorship and political pressure from the ruling Chinese Communist Party.

"I think things are getting worse and worse for freedom of expression in China," said Li, who is currently out of the country. "If I went back, I would likely contribute to the numbers in jail. They tend to use pretty hardline tactics like threatening and arresting journalists, coupled with softer tactics [to apply pressure]," Li said.' <sup>17</sup>

Amnesty International noted in a report dated 6 August 2015 that the imprisoned journalist Gao Yu was critically ill and was being denied appropriate medical treatment. Gao Yu, 71, was sentenced to seven years in prison on the charge of "disclosing state secrets" in April 2015. Amnesty International noted:

'Gao Yu was accused of sharing an internal Communist Party ideological paper, known as Document No. 9. In the document, freedom of the press and "universal values", such as freedom, democracy and human rights, come under severe attack.

'In May 2014, state television CCTV broadcast a "confession" by Gao Yu. However, her lawyers say the statement was obtained illegally, since the authorities had also detained her son, she felt threatened and was under intense psychological pressure at the time.' <sup>18</sup>

6.1.7 The US State Department (USSD) 2014 Human Rights Practices Report, released 26 June 2015, noted:

'All books and magazines require state-issued publication numbers, which were expensive and often difficult to obtain. Nearly all print media, broadcast media, and book publishers were affiliated with the CCP or a government agency. There were a small number of print publications with some private ownership interest but no privately owned television or radio stations. The CCP directed the domestic media to refrain from reporting on certain subjects, and all broadcast programming required government approval.

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<sup>17</sup> Radio Free Asia – China Jails More Journalists Than Any Other Country in 2014, 16 December 2014 <http://www.rfa.org/english/news/china/journalists-12162014133255.html> date accessed: 15 September 2015

<sup>18</sup> Amnesty International – China – authorities show callous disregard for imprisoned journalist by denying appropriate medical care, 6 August 2015, <https://www.amnesty.org/en/press-releases/2015/08/china-authorities-show-callous-disregard-for-imprisoned-journalist-by-denying-appropriate-medical-care-3/> date accessed: 18 January 2016

'In November 2013 SARFT began requiring news organizations to hold weekly lectures on the CCP's journalistic principles, and journalists applying to renew their media credentials were required to take an examination on Marxist journalistic ideals.

'A June 30 SARFT notice warned Chinese journalists not to pass on any information obtained in the course of their work to any foreign media groups or to domestic media where they were not employed. It re-emphasized they were not permitted to write for foreign news agencies. The notice stated that the journalists could face penalties if they revealed information not made public previously. Gao Yu, a former senior official in Chinese official media, was detained in May and accused of giving a secret document to a foreign website. According to her defense attorney, Gao claimed authorities coerced her into making a public confession on state television by threatening to punish her son. Gao went on trial in November on a charge of "leaking state secrets" and could face life imprisonment if convicted.

'Foreign journalists based in the country found a challenging environment for reporting. According to the annual "Reporting Conditions" survey of the Foreign Correspondents' Club of China (FCCC) conducted in May, 99 percent of respondents did not believe reporting conditions in China met international standards, and 80 percent believed conditions had worsened or stayed the same as the year before. No member said that conditions for foreign journalists had improved during the year.

'On March 20, authorities detained and interrogated filmmaker He Yang for almost 20 hours and seized computers, a hard disk, and other materials on charges of "endangering state security."

'Since two U.S. media websites published articles in 2012 detailing the family wealth of high-ranking Chinese officials, websites for both media outlets continued to be blocked.'<sup>19</sup>

#### 6.1.8 The same USSD report noted:

'Restrictions on foreign journalists by central and local CCP propaganda departments remained strict, especially during sensitive times and anniversaries. Foreign press outlets reported that local employees of foreign news agencies were also subject to official harassment and intimidation. During the year the FCCC identified 66 cases in which police officers or unknown persons impeded foreign reporters from doing their work, including nine cases in which reporters were manhandled or subjected to physical force. The FCCC report added that while "this represents a welcome drop from last year," such intimidation "remains unacceptable."

'The FCCC reported that although routine delays in the provision of journalist visas appeared to have shortened in recent months, 18 percent of survey respondents reported difficulties in obtaining official press accreditation or a journalist visa either because of their or their predecessors' reporting. While some reporters who authored particularly controversial news articles

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<sup>19</sup> US State Department – 2014 Human Rights Practices Report, released 26 June 2015 <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper> date accessed: 18 September 2015

ultimately had their visas renewed, their news organizations experienced difficulty obtaining visas for new journalists and staff, even when these individuals previously held journalist visas for China.

'...The government limited attendance at official press briefings to domestic media. Foreign media and diplomats could attend only briefings conducted by the Ministry of Foreign Affairs and a handful of press briefings held around special events. During the year the Ministry of Defense began allowing select foreign media outlets to attend monthly press briefings.

'Official guidelines for domestic journalists were often vague, subject to change at the discretion of propaganda officials, and enforced retroactively. Propaganda authorities forced newspapers to fire editors and journalists responsible for articles deemed inconsistent with official policy and suspended or closed publications. The system of post-publication review by propaganda officials encouraged self-censorship by editors seeking to avoid the losses associated with penalties for inadvertently printing unauthorized content. Officials could be punished for unauthorized contact with journalists.

'Government officials used criminal prosecution, civil lawsuits, and other punishments, including violence, detention, and other forms of harassment, to intimidate authors and journalists and to prevent the dissemination of controversial writings. A domestic journalist could face demotion or job loss for publishing views that challenge the government.

'In September Beijing authorities detained 81-year-old writer Huang Zerong on suspicion of "picking quarrels and stirring up trouble" after he published a critical article on former director of the CCP Propaganda Department Liu Yunshan.

Journalists who remained in prison at year's end included Gao Yu and Yang Tongyan. Uighur webmasters Dilshat Perhat and Nijat Azat continued to serve sentences for "endangering state security." Uighur journalist Memetjan Abdulla was sentenced to life in prison in 2010, reportedly accused of transmitting "subversive" information related to the 2009 riots. During the year journalists working in traditional and new media were also imprisoned. In December the Committee to Protect Journalists reported 44 journalists were in prison.'<sup>20</sup>

#### 6.1.9 A January 2015 article in The Atlantic noted:

'...the ruthlessness of China's internal security apparatus. But the article has also directed new attention to the unseen but vital work of China's news assistants, men and women tasked with helping the country's foreign correspondents do their job. Chinese citizens cannot legally report from China for foreign news sources, and those acknowledged as contributing to articles often use an assumed name. But they are indispensable to their foreign colleagues. They arrange interviews, conduct research, handle logistics, interpret, and translate. News assistants also act as a cultural

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<sup>20</sup> US State Department – 2014 Human Rights Practices Report, released 26 June 2015  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper> date accessed: 18 September 2015



liaison for foreign colleagues who may speak no Mandarin or know little about the country.

‘Chinese news assistants tend to be highly educated and multi-lingual, skills that would position them for lucrative careers in China's rapidly globalized economy. But in a country where journalists are expected to reinforce, rather than check against, state power, news assistants toil out of a love of the craft. One anonymous assistant, recently interviewed by the Asia Society's Eric Fish, explained this persistence.

"Overall, I think working for the foreign press makes me feel like a real journalist and I love every minute of it!" the news assistant said. "However, being Chinese, one just has to accept that dealing with the authorities is part of your lifestyle."

‘News assistants face risks that far exceed those of their foreign colleagues. State security officials, who monitor foreign news coverage closely, frequently invite news assistants "for tea," a common Chinese euphemism for unwelcome encounters with government authorities. In these meetings, news assistants are asked to divulge what foreign journalists are working on, the names of their sources, and other information vital to their work. Those who refuse to comply risk harassment, beatings, and indefinite detention.’<sup>21</sup>

6.1.10 In an article by the Financial Times published on 10 July 2015, it was reported that:

‘Chinese police have released without charge a German journalist's assistant after nine months of detention but her lawyer has now been detained, highlighting Beijing's continued intolerance of any perceived dissent.’

‘Ms Zhang was the second news assistant to be detained in 2014. Zhou Shifeng, her lawyer, had said she was tortured while in detention.

‘Ms Zhang was released late on Thursday. Early on Friday morning, Mr Zhou was escorted from his hotel room, according to online posts by Liu Xiaoyuan, his partner at the Fengrui law firm. Mr Zhou's assistant and his accountant were also detained.

‘Amnesty International believes at least eight people affiliated with the law firm were detained, including one who disappeared from her house at dawn on Friday. Lawyers at the firm had been defending a former colleague and popular blogger who was formally arrested last month.’<sup>22</sup>

6.1.11 A December 2014 Niemans Reports article noted:

‘On the afternoon of December 24, popular Chinese author Hao Qun, writing under the pen name Murong Xuecun, blogged that the average lifespan of a microblog account in China is now just about 10 hours. Exactly 26 minutes

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<sup>21</sup> The Atlantic – Chinese News Assistants Increasingly Under Peril, January 2015  
<http://www.theatlantic.com/international/archive/2015/01/chinas-news-assistants-persist-in-danger/384637/>

date accessed: 18 September 2015

<sup>22</sup> Financial Times - China releases German journalist's assistant Zhang Miao, 10 July 2015,  
<http://www.ft.com/cms/s/0/bdc9f656-26d2-11e5-bd83-71cb60e8f08c.html#axzz3xihKa236> date accessed: 18 January 2016

and 17 seconds later, censors had already wiped the posting from the Internet.

‘The speed with which posts are deleted is just one indicator of the Chinese government's ability to muzzle freedom of expression, a trend that has sharply worsened in the year since President Xi Jinping came to power in November 2012. Xi took office at a time when people were becoming dissatisfied with the state of society and hopeful for political reform. Instead, the opposite has happened, with crackdowns on Chinese and foreign journalists becoming more frequent and online censorship increasing. People need to be on guard against "Western anti-China forces," Xi warned in a speech in August, that "constantly strive in vain to use the Internet to overwhelm China." "The new administration thinks the Internet is especially a threat to the regime," says Michael Anti, a Chinese journalist and blogger. "That's the reason they've cracked down more than ever before."<sup>23</sup>

6.1.12 A CJFE [Canadian Journalists for Free Expression] report of 4 June 2015 noted:

‘June 4 marks the 26th anniversary of the 1989 crackdown in Tiananmen Square, Beijing, that left 500 to 2,600 dead during pro-democracy protests. The exact number of casualties remains unknown since the Chinese government refuses to acknowledge that the massacre occurred. The communist administration exerts strict control over the flow of information in the country; China's censorship regime covers not only traditional forms of media, but also digital spaces for free expression.

‘The “Great Firewall” restricts forms of social media with user-generated content, such as Facebook, Twitter and Instagram, as well as critical websites and blogs, in order to stamp out dissent and maintain public order.

‘...While mention of the 1989 bloodshed is banned in mainland China, people gather in Hong Kong's Victoria Park for a yearly vigil. Despite the tens of thousands in attendance at each vigil, Chinese authorities step up censorship efforts in the weeks leading up to the anniversary of the Tiananmen Square massacre. In advance of the 25th anniversary last year, Sina Weibo, a Chinese microblogging application similar to Twitter, blocked several phrases linked to the event, including "Tiananmen," "six four," "tank," "candlelight" and "today". It is estimated that up to two million people are hired each year to monitor internet activity in China in advance of the anniversary with the aim of preventing the tragedy from being memorialized on social media.

‘...The high volume of photos shared on Instagram during the protests led to the Facebook-owned application being banned in mainland China on September 28 in an effort to stop others from following suit and joining the protests for social change. Before that, Instagram was one of the few popular websites not already restricted in China, where internet access is closely confined and press freedoms are virtually nonexistent.

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<sup>23</sup> Nieman Reports – The State of Journalism-25 Years After Tiananmen, December 2014  
<https://assets.documentcloud.org/documents/1031344/nieman-report-censored-updated.pdf> date accessed: 18 September 2015

'...With China's powerful media censorship, filtered social media platforms such as WeChat and Sina Weibo, as well as encrypted mobile applications such as Surespot, are used to raise awareness to those outside of China, and mobilize activists both in and out of the country.

'In the years following the Tiananmen Square massacre, the government has ruled with intimidation and censorship; however, in this new age equipped with social media, younger activists are finding strength from international communities online during their fight for press freedoms. The variety of platforms through which citizens can express themselves, interact with each other and mobilize action threaten the integrity of the Chinese censorship model...' <sup>24</sup>

6.1.13 A Reporters Without Borders report from November 2015 noted:

'A Chinese political cartoonist who had lived in Thailand for the past seven years, was arrested three weeks ago at Beijing's request and was deported back to China. Two other Chinese dissidents were also extradited, highlighting how China's influence and its oppressive policies are reaching beyond its borders.

'The Thai police arrested the cartoonist, Jiang Yefei, on 28 October, held him in a prison for illegal immigrants in Bangkok for just over two weeks and finally put him on a plane chartered by the Chinese government on 13 November after denying him any contact with his family for the last eight days.

'The Office of the UN High Commissioner for Refugees (UNHCR) had nonetheless recognized his refugee status and Canada had offered to take both him and his family. Before fleeing to Thailand in 2008, he had been imprisoned and tortured by the Chinese authorities for criticizing their handling of the 2008 earthquake in Sichuan.' <sup>25</sup>

6.1.14 An article in the Bangkok Post of 14 February 2016 noted:

'For dissidents fleeing China, Thailand has long been viewed as a safe haven.

'...journalist Li Xin, a former government informant who fled China last year, went missing while taking a train between Bangkok and Nong Khai. Last week, it was confirmed he is being held in a Chinese prison.' <sup>26</sup>

6.1.15 The January 2016 Freedom House China Media Bulletin noted a particular trend:

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<sup>24</sup> Canadian Journalists for Free Expression – Movements for social change in China gain international support through social media, 4 June 2015  
[http://www.cjfe.org/movements\\_for\\_social\\_change\\_in\\_china\\_gain\\_international\\_support\\_through\\_social\\_media](http://www.cjfe.org/movements_for_social_change_in_china_gain_international_support_through_social_media) date accessed: 18 January 2016

<sup>25</sup> Reporters Without Borders – China Pursues Journalists and Dissidents Overseas, 20 November 2015 <http://en.rsf.org/china-china-pursues-journalists-and-20-11-2015,48562.html> date accessed: 15 February 2016

<sup>26</sup> Bangkok Post – 'Chinese exiles living in fear in Thailand', 14 February 2016  
<http://www.bangkokpost.com/news/security/863120/chinese-exiles-living-in-fear-in-thailand> date accessed: 15 February 2016

'Despite an atmosphere of tight political controls, new arrests, and outward blustering, Chinese leaders made more concessions to international and domestic pressure on media and internet freedom issues in 2015 than in recent memory. Prominent journalist Gao Yu, five women's rights activists, and attorney Pu Zhiqiang were all released from custody, though their freedom remains constrained and they never should have been detained in the first place. While French journalist Ursula Gauthier was expelled after writing about Xinjiang, New York Times journalist Chris Buckley was permitted to return to Beijing after having been forced to leave China in 2012. And although problematic provisions remain in the new antiterrorism law, proposed requirements that foreign technology companies store all data of Chinese users inside China were dropped from the final version. Such examples highlight the constant calibration that occurs as Chinese leaders weigh the costs and benefits of specific actions within their overarching policy of controlling information flows. They also suggest that in 2016, international actors should continue to use multilateral pressure to influence the individual cases of political detainees (such as human rights lawyers Wang Yu and Wang Quanzhang, and journalist Shen Hao), as well as problematic draft legislation like the Foreign NGO Management Law.'

- 6.1.16 Freedom House publishes a monthly [China Media Bulletin](#) which 'focuses on press and internet freedom issues related to the People's Republic of China.'<sup>28</sup> The International Federation of Journalists also publishes a monthly [Press Freedom in China Bulletin](#).<sup>29</sup>

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<sup>27</sup> Freedom House – China Media Bulletin, January 2016 <https://freedomhouse.org/article/china-media-bulletin-issue-no-111-january-2016> date accessed: 15 February 2016

<sup>28</sup> Freedom House – China Media Bulletin, monthly <https://freedomhouse.org/article/china-media-bulletin-now-published-chinese-and-english> date accessed: 18 September 2015

<sup>29</sup> International Federation of Journalists – Press Freedom in China Bulletin, monthly <http://www.ifj.org/nc/news-single-view/backpid/33/article/press-freedom-in-china-bulletin-september/> date accessed: 18 September 2015

# Version Control and Contacts

## Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email [the Country Policy and Information Team](#).

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email [the Guidance, Rules and Forms Team](#).

## Clearance

Below is information on when this version of the guidance was cleared:

- version **1.0**
- valid from **11 March 2016**
- this version approved by **Sally Weston, Deputy Director, IBPD**
- approved on: **25 February 2016**

## Changes from last version of this guidance

[List key changes to this guidance from last version here]

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