



# CHINA MEDIA BULLETIN

*A biweekly update of press freedom and censorship news  
related to the People's Republic of China*

Issue 103: April 9, 2014

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- ▶ Dissident artist Ai Weiwei to star in 'secret' sci-fi short film
- ▶ Jailed Uighur scholar Ilham Tohti wins U.S. rights award
- ▶ U.S. judge upholds Baidu's right to censor search results
- ▶ Reader's Digest drops Australian novel at behest of Chinese printer

## PHOTO OF THE WEEK: DARK STAR



Credit: [Kickstarter](#)

## BROADCAST / PRINT MEDIA NEWS



### **Court backs lawyer's freedom of information appeal, new guidelines issued**

On April 1, the Guangzhou Intermediate Court ruled in favor of Zhejiang Province lawyer Wu Youshui in a lawsuit against Guangdong Province's Health and Family Planning Commission for its refusal to disclose information Wu had requested under China's freedom of information regulations. Wu submitted an open government information (OGI) request in July 2013, asking the commission to disclose the amount and utilization of "social maintenance fees," fines collected from individuals who give birth to more than the allowed number of children under China's family planning policies. The commission refused to provide such information, claiming that it dealt with "internal management issues" and was thus exempt from disclosure. Challenging the legal basis for the decision, Wu resorted to the Intermediate Court for judicial review, though the family planning commission later reversed its position and released the requested information to the media while the lawsuit was pending. The court agreed with Wu and ordered the commission to reprocess the OGI request within 15 days after the ruling takes effect. Such court decisions have been relatively infrequent since passage of OGI regulations in 2008, but this decision garnered support from Chinese state-run media. The day after it was reported, the *Beijing News* ran an editorial discussing the need to improve the mechanisms for holding government agencies accountable when they fail to comply with open government regulations. The piece was republished by the official outlets Xinhua Online and People's Daily Online. Wu's case is consistent with Beijing's recent effort to bolster OGI regulations, allowing more public access to government-held information. On March 17, China's State Council General Office had issued a set of annual priorities for OGI work that aim to increase transparency regarding the government's exercise of administrative powers. According to Professor Jamie Horsley of Yale Law School, the OGI priorities reflect the Chinese authorities' dual policy goals of releasing more information of broad concern while anticipating and managing public opinion in order to preserve social stability.

- **Freedominfo.org 4/4/2014: [China deepens its disclosure regime](#)**
- **General Office of the State Council 3/17/2014: [国务院办公厅关于印发 2014 年政府信息公开工作要点的通知 \[Regarding 2014 OGI work guidelines announced by the General Office of the State Council\]](#)**
- ***Jin Hua Daily* 4/2/2014: [政府公开信息要避“官谣” 地方部门建权力清单 \[State Council issues new guidelines on Open Government Information disclosure, asks local authorities to establish inventory of administrative powers\]](#)**
- **China Media Project 4/4/2014: [Lawyer wins open information case in Guangzhou](#)**
- **Sina 4/4/2014: [廣東衛計委拒絕公開社會撫養費一審敗訴 \[Guangdong's Health and Family Planning Commission loses open information lawsuit\]](#)**
- ***Beijing News* 4/2/2014: [政府信息公开不到位，问责要到位 \[When open government information lags behind, responsibility must be assigned\]](#)**



## Dissident artist Ai Weiwei to star in ‘secret’ sci-fi short film

Dissident Chinese artist and blogger Ai Weiwei will make his acting debut in a short science-fiction film, *The Sandstorm*, playing a smuggler of water in a futuristic China where the resource is as scarce as reliable information. The film was directed and written by Jason Wishnow, former head of video for the popular lecture platform TED Talks, and shot clandestinely in Beijing by acclaimed cinematographer Christopher Doyle. On April 2, Wishnow launched an online fundraising campaign to support the movie’s postproduction work. The campaign, on the Kickstarter website, quickly reached its goal of \$33,000 within three days and had earned almost double that by April 8, drawing more than 1,500 supporters. According to Wishnow, the 10-minute movie took two days to film; the production crew used code names, communicated via various methods, and attempted to film undercover to avoid scrutiny from the authorities, who keep Ai under close watch (see CMB No. [96](#)). In a video posted on Kickstarter, Ai indicated that the film addressed censorship issues in China. “It’s not really [a story] about water,” he said. “It’s really about information.”

- *Hollywood Reporter* 4/2/2014: [Chinese artist Ai Weiwei starring in ‘secret’ sci-fi film shot in Beijing](#)
- *Kickstarter* 4/3/2014: [A secret sci-fi film shot in China](#)
- *South China Morning Post* 4/7/2014: [Ai Weiwei makes acting debut in crowd-funded sci-fi film ‘The Sandstorm’](#)
- *Los Angeles Times* 4/5/2014: [Ai Weiwei’s acting debut ‘a bit more badass than big teddy bear’](#)

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## NEW MEDIA / TECHNOLOGY NEWS



## Online censors, state media seek to control news on Maoming protests

On March 30, hundreds of people in Maoming, Guangdong Province, mounted the first in a series of protests against the construction of a paraxylene (PX) plant in the city (see CMB No. [88](#)). Although the demonstration began peacefully, police allegedly used violence to disperse the protesters, with unconfirmed reports claiming that many were injured and some killed. The authorities initially attempted to keep a tight grip on any news about the incident. The Guangdong Propaganda Department issued media directives ordering websites to remove relevant content. However, a list of names and telephone numbers of detained protesters was circulated online. Images showing chaotic scenes, including an overturned car in flames and bloodied people lying on the ground, quickly went viral on the Chinese microblogging platform Sina Weibo. Though some of the photos were shown to be fake, having been taken from earlier and unrelated events, netizens expressed fury at the local authorities, who had called the protest a “grave violation” by criminals. Weibo censors deleted related images and postings that combined “Maoming” with terms like “PX,” “police,” and “bloody”. Meanwhile, sympathy protests began to break out in nearby cities like Guangzhou and Shenzhen. Not all posts on the topic were deleted. According to the *Diplomat*, one

uncensored posting urged users to sign a petition on the White House website to seek U.S. president Barack Obama's help in ending the violence. The websites of state media outlets also began to cover the topic, though from the government's angle. The Communist Party newspaper *People's Daily* created a special webpage to debunk allegedly false information and images on Maoming, labeling them as "rumors." In a separate article, the party-owned *Global Times* reported on April 7 that the entry for PX on Baidu Baike, a Chinese online encyclopedia similar to Wikipedia, was edited 35 times on the day of the initial protest, which led to the temporary shutdown of the edit function. In the days after the clashes, the Maoming government did not indicate whether it planned to stop the chemical plant project, but it said on its Weibo account, "If a majority of residents object, we will not make a decision contrary to public opinion."

- *Quartz* 4/3/2014: [China's censorship is fueling dissent instead of quashing it](#)
- *China Digital Times* 4/5/2014: [Sensitive Words: Maoming PX protest](#)
- *China Digital Times* 4/2/2014: [After protests, state media tries to ease PX anxiety](#)
- *Global Times* 4/4/2014: [Maoming PX battle spills into edit war](#)
- *Diplomat* 4/5/2014: [Maoming protests continue in Southern China](#)
- *Financial Times* 4/2/2014: [Chinese police detain Guangzhou protesters](#)



### **Sichuan activist Tan Zuoren completes prison term, location unknown**

Tan Zouren, a Chinese activist who had published an independent report online about the role of shoddy school construction in the deaths of thousands of children in the 2008 Sichuan Province earthquake, was reportedly taken by the authorities to an undisclosed location in Chongqing, rather than to his home in Chengdu, upon his completion of a five-year prison term on March 27 (see CMB No. [22](#)). Tan was first detained in March 2009 after releasing his report, but the indictment for "inciting subversion of state power" rested on an essay he wrote in 2007 on the 1989 democracy movement. Dissident artist and blogger Ai Weiwei, who had also investigated the Sichuan school collapses, welcomed the end of Tan's prison term but said he would still be subject to official monitoring and restrictions on his speech. Tan's lawyer, Pu Zhiqiang, said he had been wrongfully convicted, concluding, "The country owes him five years." Searches for Tan's name on the microblogging platform Sina Weibo were reportedly blocked following his release.

- *Agence France-Presse* 3/27/2014: [Chinese earthquake activist Tan Zuoren released after five-year prison term](#)
- *HRIC* 3/27/2014: [Released Sichuan rights activist Tan Zuoren reportedly taken to undisclosed location in Chongqing](#)
- *South China Morning Post* 3/28/2014: [Sichuan quake activist Tan Zuoren defiant after release from prison](#)
- *China Digital Times* 4/2/2014: [Sensitive: PX protests, tigers, more](#)

# TIBET & XINJIANG



## Tibetan writer released after four-year prison term

According to Radio Free Asia, Tashi Rabten, a Tibetan writer who was sentenced to four years in prison for “inciting separatism” in June 2011, was released from Sichuan Province’s Mianyang prison on March 29 after completing his term (see CMB No. [24](#)). Rabten, known by the pen name Teurang, was the editor of the banned Tibetan-language magazine *Snar Dungri* (Eastern Snow Mountain). He had also published a book entitled *Written in Blood*, which, along with the magazine, discussed issues related to Beijing’s repressive policies in Tibet. He was detained in July 2009 for the book and was reportedly subjected to nearly a month of intense interrogation. The following year, he was taken from the Northwest Nationalities University in Lanzhou, Gansu Province, and held for a year without trial. According to Washington-based International Campaign for Tibet, three other editors of *Snar Dungri* were also sentenced to three to four years in prison in December 2010 for their writings. The authorities regularly arrest and imprison Tibetan cultural figures who promote Tibetan identity or address official repression in the region (see CMB No. [98](#)).

- Radio Free Asia 3/31/2014: [Tibetan writer released after four years in jail](#)
- TCHRD 4/1/2014: [Roar of the Snow Lion: Tibetan writer Tashi Rabten released after 4 years in prison](#)
- English PEN 7/12/2014: [China/Tibet: Writer and editor Tashi Rabten sentenced](#)



## Jailed Uighur scholar Ilham Tohti wins U.S. rights award

The New York–based PEN American Center announced on March 31 that Ilham Tohti, a prominent Uighur activist and economics professor at Beijing’s Central Nationalities University, is the winner of the 2014 PEN/Barbara Goldsmith Freedom to Write Award. Tohti was detained in Beijing in January and charged with separatism in Urumqi, Xinjiang’s capital, after the authorities accused him of encouraging his students to use violence against the government and recruiting followers through his minority rights website Uyghur Online (see CMB No. [101](#)). The PEN American Center said Tohti’s daughter Jewher Ilham, a student at Indiana University, would travel to the ceremony in New York on May 5 to accept the award on his behalf. The statement expressed the hope that the attention and pressure generated by the award would spur a global effort to win Tohti’s freedom. In reaction to the news, China’s foreign ministry said on April 1 that Tohti was a suspected criminal and that no organizations should interfere with China’s “judicial sovereignty.” In an April 3 editorial, the Communist Party–owned newspaper *Global Times* observed that even as China struggles with “terrorism” in Xinjiang, “the West still tries to meddle in China’s affairs through its universal values such as human rights and freedom of expression.” However, the paper argued, Chinese dissidents who share such values “have diverging interests with mainstream society.” According to a statement released by Xinjiang’s judicial, cultural, and public security organs on March 31, the government will increase its crackdown on video and audio files that promote

terrorism, religious extremism, and separatism. It stressed that such content is banned on mobile devices, social media, and online markets.

- PEN America 3/31/2014: [PEN honors Ilham Tohti with PEN/Barbara Goldsmith Freedom to Write Award](#)
- Reuters 4/1/2014: [China angered as detained Uighur academic wins rights prize](#)
- Associated Press 3/31/2014: [Imprisoned Uighur scholar Ilham Tohti honoured by PEN American Center](#)
- *Global Times* 4/3/2014: [Spiritual support from West fosters separatism in Xinjiang](#)
- Reuters 3/30/2014: [China to crack down on videos, audios promoting terrorism](#)
- Tencent News 3/31/2014: [新疆:严禁传播暴力恐怖音视频违者可追刑责 \[Xinjiang: Videos, audios promoting terrorism are strictly banned, violation can lead to jail terms\]](#)

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## BEYOND CHINA



### **U.S. judge upholds Baidu's right to censor search results**

On March 27, a federal judge in New York dismissed a lawsuit in which democracy activists alleged that China's leading search engine, Baidu, had violated their civil rights by suppressing politically sensitive speech. The eight New York writers and video producers accused Baidu of creating algorithms, at the behest of the Chinese government, to block content that advocated democracy in China from its search results, even for users in the United States (see CMB No. [23](#)). U.S. district court judge Jesse Furman ruled that Baidu's search results themselves constituted protected speech under the First Amendment of the U.S. Constitution. He concluded that First Amendment jurisprudence "all but compels" this conclusion, as Baidu's exercise of "editorial judgment" in applying algorithms to retrieve and organize information is similar to that of a newspaper editor who decides what stories to run and where to place them. To rule otherwise, he said, would contravene the bedrock First Amendment principle that "the government may not prohibit the expression of any idea simply because society finds the idea itself offensive or disagreeable." Furman wrote, "The First Amendment protects Baidu's right to advocate for systems of government other than democracy (in China or elsewhere) just as surely as it protects Plaintiffs' rights to advocate for democracy." The plaintiffs' lawyer said his clients would appeal, remarking, "The court has laid out a perfect paradox: that it will allow the suppression of free speech, in the name of free speech."

- Reuters 3/28/2014: [US judge rules Baidu has First Amendment right to block content](#)
- *International Business Times* 3/27/2014: [China's biggest Internet company Baidu wins US censorship lawsuit](#)

- U.S. District Court 3/27/2014: [Opinion and order: \*Jian Zhang et al. v. Baidu.com Inc.\*](#)
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## Efforts to ease cybersecurity tensions drive U.S., EU, China exchanges

Cybersecurity has been on the agenda at multiple meetings between American, European, and Chinese officials in recent weeks. During a U.S.-China side meeting at a multilateral summit in the Netherlands on March 24, U.S. president Barack Obama defended U.S. surveillance programs, stating that the United States only engages in spying for national security purposes, never for commercial advantage. The matter arose after Xi expressed concerns over recent revelations from documents leaked by former U.S. intelligence contractor Edward Snowden that the U.S. National Security Agency (NSA) had tapped into the computer systems of the Chinese telecommunications corporation Huawei (see CMB No. [102](#)). Washington has also reportedly been trying to allay Beijing's fears of the United States' increasing offensive cyberwarfare capabilities. According to an April 6 article in the *New York Times*, American officials in recent months held an unusual private briefing with Chinese military leaders to share some of the Pentagon's plans and policies, partly in the hope that the Chinese would reciprocate and help avoid uncontrolled escalation in any future standoff. However, as a visit to China by U.S. defense secretary Chuck Hagel was drawing to a close, it became evident that the Chinese would not offer a similar briefing. Separately, as Xi concluded a 10-day tour of Europe, a Chinese policy paper released on April 2 cited greater cooperation on cybersecurity as one of China's intended goals for its relations with the European Union in the coming years. The policy paper included references to improved dialogue between Beijing and Brussels, greater cooperation to fight online crime and respond to cybersecurity threats, and plans to bolster platforms like the China-EU Cyber Taskforce. The paper indicated that one of the motivations for the enhanced cooperation is to "help soothe EU concerns of the so-called China threat."

- *Los Angeles Times* 3/24/2014: [Obama defends NSA spying in meeting with Chinese president](#)
  - *New York Times* 4/6/2014: [U.S. tries candor to assure China on cyberattacks](#)
  - Associated Press 4/7/2014: [China gives Hagel access to aircraft carrier, but not cybersecurity policy](#)
  - *South China Morning Post* 4/4/2014: [China to work with EU on cybersecurity as Xi wraps up Europe tour](#)
  - Ministry of Foreign Affairs of People's Republic of China 4/2/2014: [China's Policy Paper on the EU: Deepen the China-EU Comprehensive Strategic Partnership for Mutual Benefit and Win-win Cooperation](#)
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## Beijing tries to force removal of dance troupe's Brussels ads ahead of Xi visit

In late March, in advance of Chinese president Xi Jinping's visit to Brussels, Chinese officials reportedly pressured Belgian authorities to remove billboards and posters advertising an upcoming Chinese dance show by Shen Yun Performing Arts. Shen Yun, a New York–based classical Chinese dance troupe whose performances typically include some pieces depicting the persecution of the Falun Gong spiritual group in China, was scheduled to perform in the city from April 2 to 6, shortly after Xi's departure. Representatives of BHS Promotion, an ad agency handling advertising for Shen Yun, told the online magazine *EUobserver* on March 28 that they had received a call from Brussels police asking for the removal of posters and a billboard near the entrance of the Sheraton hotel, where Xi would be staying, on the grounds that they posed “problems for diplomacy.” Brussels police also reportedly sent a letter to the local Falun Gong Association, the organizer of the performance, urging removal of posters on the route leading from the hotel to the European Commission. A spokesman for the association told *EUobserver* that police referred to pressure from Chinese diplomats as the cause. The police ultimately withdrew both requests, but media reported that some posters on the president's route were covered by Chinese flags, presumably by overseas Chinese students assembled to welcome him. The attempted censorship sparked public discussion of the Chinese government's efforts to restrict freedom of expression surrounding Xi's visit. It occurred alongside reports that human rights groups were denied permission to demonstrate in certain locations, and that the European Union was not holding a joint press conference with Xi at the Chinese government's request. According to media reports, European Parliament vice president Edward McMillan-Scott sent a letter to the mayor of Brussels stating that such attempts to interfere with Shen Yun's performances have occurred in past years and that he was glad to see the problem resolved, while the Flemish Green Party called on Brussels police to “prevent China from exporting cultural censorship.” The shows from April 2 to 6 were ultimately well attended and took place without incident.

- *EUobserver* 3/28/2014: [Belgian police try to censor posters ahead of China visit](#)
- *Epoch Times* 3/31/2014: [Chinese embassy seeks to remove Shen Yun banners in Brussels](#)
- *Le Monde* 3/30/2014: [En visite en Belgique, le président chinois fixe ses conditions \[On visit to Belgium, Chinese president sets conditions\]](#)
- *L'Avenir* 3/30/2014: [Xi Jinping arrive à Bruxelles pour une visite de trois jours \[Xi Jinping arrives in Brussels for three-day visit\]](#)



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## Reader's Digest drops Australian novel at behest of Chinese printer

On March 24, a senior editor at Reader's Digest Australia telephoned Australian author LA Larkin to inform her that the printing of an anthology that included a condensed form of her fictional thriller *Thirst* was encountering problems. The China-based printer had noticed passing references to “torture” and “Falun Gong,” a meditation and spiritual practice that is persecuted in China, and was insisting the content be removed if the printing were to go ahead. The story is set in an Antarctic

research station, and Chinese state repression is not a major theme of the novel. Nonetheless, the editors suggested that the words be changed to “torment” and “religious belief.” Larkin refused, stating that such changes would amount to censorship and would alter the backstory of a character in the novel, who fled China for Australia after being detained for practicing Falun Gong and who refers to horrific torture endured by her mother. “This is not is a matter of the condensers’ literary judgment but an imposition by a third party. The changes distort my opinions and the context of my story,” she told the *Sydney Morning Herald*. The publisher then decided to drop her work in its entirety from the anthology. The incident represented an unusual and disconcerting dynamic in the growing trend of transnational Chinese censorship. The book was being published in English and was not meant for distribution in China, but rather in Australia, New Zealand, Malaysia, Singapore, and India, and the pressure came from a Chinese printer that was likely enforcing its own self-censorship rather than responding directly to demands from the authorities. The managing director of Reader’s Digest Australia defended the decision to drop Larkin’s story, admitting that the book could have been printed elsewhere but at greater expense. The company reportedly told Larkin that moving the process to Hong Kong would have cost \$30,000. As news of the censorship spread, Larkin received much support on Twitter, including from other major literary figures. Some observers noted that the incident was an ironic about-face for Reader’s Digest, which was stridently anticommunist during the Cold War.

- *Sydney Morning Herald* 4/2/2014: [Reader’s Digest drawn into Chinese censorship row over Australian novelist LA Larkin](#)
- *Guardian* 3/29/2014: [How Reader’s Digest became a Chinese stooge](#)
- ABC 4/4/2014: [Caving to insidious Chinese censorship](#)

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For additional information on human rights and free expression in China, see:

[Freedom in the World 2014](#)  
[Freedom of the Press 2013](#)  
[Freedom on the Net 2013](#)

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