



# CHINA MEDIA BULLETIN

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

**Issue 93: September 19, 2013**

## **Special Edition: Social Media Crackdown**

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## **PHOTO OF THE WEEK: SUSPENDED SENTENCE**



Credit: [China Digital Times](#)

## SPECIAL SECTION: SOCIAL MEDIA CRACKDOWN



### **New judicial guidelines expand criminalization of online speech**

On September 9, China's highest judicial authorities, the Supreme People's Court and the Supreme People's Procuratorate, issued a joint legal interpretation that extends the applicability of existing criminal offenses and penalties to "online rumors" (see CMB No. [92](#)). The interpretation, which took effect on September 10 and came amid an ongoing crackdown on internet users, affects crimes such as defamation, creating disturbances, and illegal business operations, all of which are often invoked to punish human rights activism. Such guidelines from the two judicial bodies often have a wide-ranging impact on how cases are initiated and decided. The new document allows for a Chinese internet user to receive up to three years in prison for writings that are deemed false or defamatory if the circumstances are "serious." The term "serious" is defined to include cases in which the post in question has been viewed more than 5,000 times or reposted more than 500 times. Chinese and international legal experts and activists criticized these thresholds as extremely low for such a severe punishment, especially given the size of China's internet user population. The rules also allow prosecutors to file criminal defamation charges when online expression "seriously harms public order or the interests of the state," even though defamation complaints are typically filed by individuals whose reputation is perceived to be damaged. The document names seven situations that would qualify, including information leading to mass protests, ethnic or religious tensions, damage to the country's international image, and a catch-all "other" category. One dimension of the legal interpretation that has drawn praise in some circles is its targeting of companies that profit from schemes to delete online messages or intentionally post false information. State media have hailed the rules for helping resolve "unclear sentencing criteria for illegal internet activities," and a prosecutorial spokesman stressed that the guidelines are not aimed at punishing those who expose corruption. Nonetheless, the vague language and the broad discretion left to law enforcement authorities seem likely to increase arbitrary prosecutions and harsh punishments, both in cases involving political, social, and religious activities, and in the pursuit of personal interests by prosecutors, police, judges, and the officials who oversee them. "This gives every corrupt local official a convenient tool to arrest anyone who criticises him," Michael Anti, a prominent blogger and media commentator in Beijing, told Britain's *Guardian* newspaper. Freedom House, Human Rights Watch, and other rights groups view the new interpretation as a dangerous signal that could further erode freedom of speech and the rule of law in China.

- Chinalawtranslate 9/10/2013: [SPC and SPP interpretation on internet speech crimes](#)
- Xinhua 9/9/2013: [New rules create online rumor 'straitjacket'](#)
- *Guardian* 9/10/2013: [China cracks down on social media with threat of jail for 'online rumours'](#)
- Global Voices 9/11/2013: [What's a rumor? Judiciary guidelines face scrutiny in China](#)
- Human Rights Watch 9/13/2013: [Draconian legal interpretation threatens online freedom](#)
- *Caixin* 9/11/2013: [Expert backs law officials on net rumors, but '5,000 views is too low'](#)
- *China Digital Times* 9/10/2013: [Lawyers criticize 'straitjacket' for online rumors](#)



## Online activists big and small detained

The Chinese Communist Party in recent weeks has continued its crackdown on outspoken microbloggers, investigating and arresting hundreds of people—ranging from influential “big Vs” with millions of followers to ordinary, low-profile users—in an apparent drive to pare back or even quash online dissent. Among the targeted big Vs was wealthy venture capitalist Wang Gongquan, who was arrested in Beijing on September 13. He was reportedly taken from his home by roughly 20 police officers and accused of “disturbing public order.” Wang, whose deleted Sina Weibo microblog account had more than 1.4 million followers, is a prominent member of the emerging New Citizens Movement, a grassroots campaign calling for political reforms. The group’s founder, Xu Zhiyong, and many of its members have been detained in recent months (see CMB No. [91](#)). According to the *Wall Street Journal*, Wang had used the popular Chinese mobile-phone messaging platform WeChat to send multiple messages calling for the release of Xu and other activists, which likely led to his detention. On September 17, another well-known blogger who writes under the name “Huazong” was detained in Beijing. His posts had been widely covered by Chinese and foreign media since 2011, when he began compiling and analyzing images of government officials wearing luxury wristwatches whose value exceeded their legal income (see, inter alia, CMB No. [34](#)). He was reportedly held on suspicion of distributing rumors online, blackmail, and extortion, though one of the officials he exposed, Yang Dacai, was recently sentenced to 14 years in prison for taking bribes and possession of unexplained assets (see CMB No. [69](#)). Separately, Dong Rubin, a less prominent microblogger with about 50,000 followers, was detained by police in Kunming City, Yunnan Province, on September 10 for allegedly misstating his company’s registered assets, a rarely invoked charge. Dong had campaigned in the past for an investigation into the 2009 death of a young man in police custody, and more recently participated in a movement against plans for a new state-owned petrochemical plant in the city (see CMB No. [88](#)).

- **Associated Press 9/12/2013: [Chinese microblogger who questioned oil refinery plan is detained on rare business charge](#)**
- **Wall Street Journal 9/13/2013: [China detains venture capitalist in crackdown on civic group](#)**
- **South China Morning Post 9/17/2013: [Whistle-blower ‘Huazong’ becomes latest victim of online speech crackdown](#)**



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## State media air contrite statements by leading bloggers

The Chinese authorities have reinforced their current crackdown on online speech by airing confessions and statements of contrition by influential bloggers on state media, prompting comparisons to the coerced self-denunciations of the Mao Zedong era. In a newscast aired by China Central Television (CCTV) on September 15, popular Chinese American microblogger and businessman Charles Xue, who was detained in August for allegedly soliciting prostitutes (see CMB No. [92](#)), was shown handcuffed in a detention center, confessing that his 12 million followers on the Sina Weibo microblogging platform had fueled his ego and made him feel “like an emperor.” Xue, known online as Xue Manzi, warned other prominent bloggers, known as “big Vs,” not to go down

his road. According to the official Xinhua news agency, as he gained popularity, Xue had begun to post unverified information and advertisements, and gradually came to see himself as more influential than a government minister. “My irresponsibility in spreading information online was a vent of negative mood, and was a neglect of the social mainstream,” Xinhua quoted him as saying. On September 11, CCTV aired an interview with a big V who has not been detained, Chinese real-estate mogul Pan Shiyi. His Weibo account is followed by 16 million users, and he is usually an outspoken and articulate activist on the country’s environmental problems. But he displayed a pronounced stutter in the CCTV appearance as he described the need for online opinion leaders to be more disciplined and socially responsible. The performance drew satirical commentary from internet users. One netizen wrote, “Apparently, Mr. Pan was being interviewed by the police, not a reporter!”

- *South China Morning Post* 9/16/2013: [Charles Xue Biquan admits Weibo fuelled ego, state media reports](#)
- *Reuters* 9/15/2013: [China airs confession by detained blogger amid online rumor crackdown](#)
- *Xinhua* 9/15/2013: [China exclusive: ‘Like a king on the internet’—celebrity blogger Xue’s story](#)
- *CCTV* 9/15/2013: [大V”薛蛮子的网络心路 \[Big V Xue Manzi’s confession\]](#)
- *Wall Street Journal* 9/12/2013: [F-F-Fear and loathing on the Chinese internet](#)
- *China Digital Times* 9/13/2013: [Netizen Voices: CCTV reins in Pan Shiyi](#)



## **Campaign sends chill through microblog community, investors undeterred**

The new judicial interpretation on internet crimes and the growing number of arrests have had a more immediate and profound chilling effect on China’s “microblogosphere” than previous government attempts to enhance control over social media. In online postings and media interviews, microbloggers with even moderately large followings have voiced their fears and observations of the crackdown’s impact. “I am really scared now that any whistleblowing might lead to an arrest,” said Zhou Ze, a rights lawyer with more than 165,000 followers on Sina Weibo. He continued, “We all have to talk less, and more carefully. If rumors can lead to detention or arrest, everyone will fear for themselves and become particularly scared about criticizing officials, which we are seeing less of on the internet.” Data provided by Weiboreach, a social-media analysis firm, to Reuters and Hong Kong’s *South China Morning Post* reinforce anecdotal evidence of reduced traffic and political discussion online. The two news outlets reported that the number of posts by a random sample of 4,500 influential microbloggers was on average 11 percent lower in August than in January, and that writers from the government and academia, who are more likely to discuss politics, had higher rates of deletion in August than those in entertainment-related occupations. By contrast, a sample of 100,000 microblogs with fewer followers showed the number of posts rising, highlighting the way in which the crackdown has disproportionately silenced prominent “big V” writers. In some cases, high-profile users have not only reduced their level of activity, but may also be deleting their own previous posts. Weiboreach found that over 2,500 posts had disappeared from the account of one Beijing-based liberal professor, though the scholar refused to confirm that he had deleted the posts himself. Despite the increased self-censorship and reduced usage, as well as the moral and human

rights dilemmas raised by the clampdown, investors appear undeterred. Bloomberg reports that Sina's share price is up 50 percent since the first signs of a pending crackdown emerged in April, while rival Tencent's market capitalization value passed the \$100 billion mark on September 16. In a required U.S. regulatory filing linked to its American-listed shares, Sina had warned in April 2012 that increased regulatory and law enforcement efforts from Beijing could seriously dampen user traffic (see CMB No. [56](#)).

- *South China Morning Post* 9/13/2013: [Is anti-rumour crackdown silencing voices of online dissent at Weibo?](#)
- Reuters 9/18/2013: [China crackdown on online rumors seen as ploy to nail critics](#)
- *China Digital Times* 9/11/2013: [Big Vs speak out against internet crackdown](#)
- Bloomberg 9/17/2013: [China's internet companies battered by censorship—and yet thriving financially](#)
- Bloomberg 9/18/2013: [Tencent approaches Facebook value amid China web boom](#)



### Observers speculate on leadership's motives

Chinese and foreign analysts have struggled to identify the reasons for the intensified assault on social media and influential online commentators. Some pressure on prominent microbloggers to restrain their writings was already apparent by mid-August, as reflected in a government-sponsored conference's release of "seven base lines" for a "healthy online environment" (see CMB No. [92](#)). However, an August 19 speech by President Xi Jinping at a national meeting of propaganda department leaders seems to have catalyzed the more aggressive tactics currently being employed to curtail online speech. According to Hong Kong's *South China Morning Post*, Xi used militaristic language common to Chinese Communist Party (CCP) political campaigns. One source cited by the paper said Xi insisted that "the Communist Party should be combative, instead of passive, and it should wage a war to win over public opinion," while ordering the propaganda apparatus to "form a strong internet army to seize the ground of new media." Subsequent speeches and commentary by officials like Lu Wei, director of the State Council Information Office, and Zhang Xiaolian, director of Heilongjiang Province's propaganda department, have echoed such language. Some observers, such as political analyst Zhang Lifan, speculate that the campaign reflects Xi's efforts to consolidate his grip on power ahead of an important party conclave in November and amid an atmosphere of internal party debate. Kerry Brown, executive director of the University of Sydney's China Studies Centre, says the clampdown is a sign that Xi believes CCP rule to be under threat. Xi has displayed a broader affinity for Mao-era tactics, as with the "mass line" party rectification campaign initiated in June (see CMB No. [89](#)). Historically, the CCP has engaged in periodic cycles of repression in response to new forces of openness in Chinese society, especially targeting outspoken individuals who have begun to gain the trust of a large public following or build networks of like-minded people outside state or party control. According to novelist Hao Qun, who blogs as Murong Xuecun, the authorities "want to sever those relationships and make the relationship on Weibo atomized, just like relations in Chinese society, where everyone is just a solitary atom."

- *South China Morning Post* 9/4/2013: [Xi Jinping rallies party for propaganda war on internet](#)
  - *South China Morning Post* 9/16/2013: [Xi Jinping goes back to the future to strengthen party control](#)
  - *ChinaFile* 9/17/2013: [What's behind China's recent internet crackdown?](#)
  - *China Copyright and Media* 9/9/2013: [Correctly deal with the Seven Great Relationships in ideological work](#)
  - *New York Times* 9/10/2013: [Crackdown on bloggers is mounted by China](#)
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## **BROADCAST / PRINT MEDIA NEWS**



### **State media misreport fate of Tokyo's 2020 Olympics bid**

Shortly before the International Olympic Committee formally announced on September 7 that Tokyo had won its bid to host the 2020 Summer Olympics, state-run China Central Television (CCTV) and the official Xinhua news agency both erroneously reported that Tokyo had been eliminated, with the latter claiming that Istanbul had won. After the gaffe became apparent, other Chinese news outlets that had picked up the false reports scrambled to correct them. Two prominent newspapers in Hunan Province had to recall hundreds of thousands of copies. Netizens quickly juxtaposed the error with an ongoing government crackdown on the dissemination of “rumors” via social media (see above), alleging hypocrisy or selective enforcement by the authorities. One microblogger wrote, “Liars must be held accountable, otherwise it’s not fair.” State media had made major errors before, mostly recently in August, when Xinhua mistook a satirical article about the sale of the *Washington Post* for fact (see CMB No. [91](#)). Once it became clear that Tokyo had won its Olympics bid, an editorial in the Chinese Communist Party’s *Global Times* warned Japan to show greater contrition for its historical military aggression or risk negative publicity surrounding the 2020 games. Relations between the two countries have soured in the past year amid conflicting territorial claims over a small archipelago in the East China Sea, known as the Senkaku Islands in Japan and the Diaoyu Islands in China.

- **BBC** 9/10/2013: [China media: Tokyo's Olympic bid](#)
  - **Agence France-Presse** 9/9/2013: [Chinese state media mocked for Olympics host city gaffe](#)
  - *China Digital Times* 9/9/2013: [Are Chinese happy about Tokyo's Olympics win?](#)
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## NEW MEDIA / TECHNOLOGY NEWS



### **Journalist jailed with Yahoo's help is released early**

Chinese journalist Shi Tao, who had been sentenced to 10 years in prison in 2005, was released 15 months ahead of schedule on August 23 (see CMB No. [67](#)). According to PEN International, a literary and human rights organization, Shi was treated “relatively well” in prison, but he is reportedly under pressure to refrain from speaking to the media. He was arrested in November 2004 and sentenced the following year for “leaking state secrets abroad,” having sent an e-mail to a New York–based website that relayed Chinese government restrictions on news coverage regarding the 15th anniversary of the 1989 Tiananmen Square crackdown. His arrest and conviction were aided by information that representatives of Yahoo, the U.S. web portal and e-mail hosting service, divulged to the Chinese authorities, making it one of the first cases to draw international attention to the challenges facing foreign technology companies operating in China’s restrictive media environment. Although Yahoo defended itself by citing its obligation to comply with local laws, it later apologized to Shi’s family members and reached a private settlement with them. In a statement on September 9, the company welcomed the news of his early release and reiterated its support for the peaceful exercise of the right to freedom of expression. Rights groups such as Amnesty International have long campaigned for Shi’s release, and in 2005 he was awarded the Committee to Protect Journalists’ International Press Freedom Award. Patrick Poon, executive secretary of the Hong Kong branch of PEN International, also welcomed Shi’s early release, but he noted that “there are no signs that the Chinese authorities are going to loosen control over cyberspace.”

- **Radio Free Asia 9/9/2013:** [Chinese dissident’s release ‘no sign’ of easing internet controls](#)
- **PEN International 9/8/2013:** [PEN member Shi Tao released from prison](#)
- **Committee to Protect Journalists 9/9/2013:** [Release of Chinese journalist Shi Tao was long overdue](#)
- **Amnesty International:** [Shi Tao, imprisoned for peaceful expression](#)
- **Wall Street Journal 9/8/2013:** [Chinese writer Shi Tao released from prison early, group says](#)
- **Reuters 9/9/2013:** [Yahoo welcomes release of Chinese writer jailed for email](#)



### **Despite blocking, Facebook COO meets with Chinese officials**

On September 10, Sheryl Sandberg, chief operating officer of the globally popular social-networking platform Facebook, met in Beijing with the head of China’s State Council Information Office (SCIO), Cai Mingzhao. According to a brief statement posted on the SCIO website, “The two sides discussed the role of Facebook in expanding Chinese enterprises abroad and other cooperative matters.” Facebook has long been blocked in China, and observers rejected the idea that it could be

unblocked in near future, but the meeting and statement suggested that Facebook would continue to seek business from Chinese companies in the form of advertising and other relationships. Other U.S.-based internet firms have adopted a similar approach, focusing on “non-sensitive” products and services (see CMB No. [45](#)). On September 16, news emerged that users in Iran had inexplicably gained access to Facebook and Twitter, which had been blocked there since 2009, prompting envy among some Chinese users. One netizen lamented, “What are Facebook and Twitter? Do they really exist?” However, both services were blocked again in Iran by the following day.

- *Wall Street Journal* 9/11/2013: [Sheryl Sandberg’s meeting with Beijing: What it means](#)
- SIIO 9/10/2013: [蔡名照主任会见脸谱公司首席运营官桑德伯格一行 \[Cai Mingzhao meets Facebook COO Sheryl Sandberg\]](#)
- *South China Morning Post* 9/17/2013: [‘Is Facebook real?’ China’s internet users ask in frustration as Iran lifts its ban](#)

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## **BEYOND CHINA**



### **Taiwan reporters denied accreditation by UN-affiliated organization**

Citing its adherence to the “one China” policy, the UN-affiliated International Civil Aviation Organization (ICAO) has denied press credentials to Taiwanese journalists seeking to cover its general assembly in Montreal, Canada, from September 24 to October 4. A Taiwanese government delegation was invited by the president of the ICAO Council to attend the event as “guests” under the name “Chinese Taipei.” However, in a September 11 notice received by Taiwan’s *Liberty Times* newspaper, the organization’s communications unit said it was “not permitted to accredit media directly affiliated to Taiwanese news agencies.” In a statement released on September 13, the Association of Taiwanese Journalists (ATJ) said the rejection was an infringement of the right to information and urged the ICAO to treat journalists from all countries equally. Due to Chinese pressure, it is not unusual for Taiwanese representatives to be barred from attending international events. Beijing considers Taiwan a renegade province and resists any action that implies recognition of the island’s government as a separate entity. Unlike China, Taiwan is designated as a Free media environment in Freedom House’s *Freedom of the Press* index.

- *Association of Taiwan Journalists* 9/13/2013: [台灣新聞記者協會抗議 ICAO 拒發台灣媒體記者證聲明稿 \[ATJ protests ICAO refusal to grant press pass to Taiwan journalists\]](#)
- *Taipei Times* 9/18/2013: [MOFA trying to get Taiwanese media ICAO accreditation](#)
- *China Post* 9/18/2013: [MOFA to support ICAO assembly coverage](#)



## Beijing acquires stake in South African media group

On August 15, South Africa's Competition Commission approved a transaction in which China International Television Corporation, a subsidiary of state-run China Central Television (CCTV), and the Beijing-backed China-Africa Development Fund would acquire a 20 percent stake in one of South Africa's largest newspaper chains, joining a state-owned South African investment corporation and private investors linked to the ruling African National Congress (ANC) party. The group of papers was being sold by a debt-laden Irish company, Independent News and Media, and includes major titles such as the *Cape Times*, the *Star*, the *Mercury*, and *Pretoria News*. In recent years, China has expanded CCTV's reach in Africa as part of a long-term campaign to bolster its influence on the continent (see, inter alia, CMB No. [64](#)). Journalists at CCTV are tightly controlled, and their reports largely align with the Communist Party's agenda. However, it remains unclear what impact the Chinese stake will have on the South African papers' reporting. Anton Harber, a journalism professor at the University of Witwatersrand, said, "I do not think the Chinese authorities will crudely impose their views on our media, as they do on much of their own, but I do think that they are likely to try and influence it for a more sympathetic view of themselves and the ANC government." Freedom House research on other parts of the world similarly suggests that any impact on coverage will likely be subtle, involving pressure on journalists to self-censor when covering stories the Chinese government deems sensitive. The media acquisition reflects China's growing political and economic clout in South Africa since it became the country's largest trading partner in 2009. The closer relationship is thought to have played a role in the South African government's decisions to refuse a timely visa to Tibetan spiritual leader the Dalai Lama in 2009 and 2011 (see CMB No. [35](#)). South Africa is rated Partly Free in Freedom House's *Freedom of the Press* index.

- *Globe and Mail* 9/11/2013: [Why China is making a big play to control Africa's media](#)
- *Mail and Guardian* 8/15/2013: [Chinese companies scoop shares in Independent News](#)
- *Wall Street Journal* 8/21/2013: [South African businessman enters publishing with Chinese help](#)
- *Sunday Times* 8/11/2013: [SA reaps rewards of China trade deals](#)
- *Freedom of the Press* 2013: [South Africa](#)



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## Wellesley faculty back embattled Beijing scholar, question ties to Peking U

After news emerged in July that Peking University (PKU) economics professor Xia Yeliang was facing dismissal for his online criticism of the ruling Communist Party (see CMB No. [91](#)), more than 130 faculty members at Wellesley College in Boston signed an open letter calling on the Chinese university to respect freedom of speech. The letter, dated September 3, warned that the signers would encourage Wellesley to "reconsider" its newly established institutional partnership with PKU if Xia were ultimately fired. Xia told Hong Kong's *South China Morning Post* on September 11 that it remained unclear whether he would be able to stay. "They told me pressuring the university with outside support was not going to work in my favor," he said. Amid a growing campaign on his

behalf, the Communist Party's *Global Times* ran an editorial on September 9 that urged PKU not to give in to "outside pressure." It also alleged that Xia failed his academic evaluation last year. Xia countered that he had passed the review and said he would file a libel lawsuit against *Global Times* editor in chief Hu Xijin if there were no retraction. Universities in democratic countries have been expanding their partnerships with Chinese educational institutions in recent years, raising the potential for conflicts over academic freedom and freedom of expression (see, inter alia, CMB Nos. [42](#), [77](#), [81](#), [86](#), [89](#)).

- **Human Rights in China 9/9/2013: [‘Global Times’ editor-in-chief publicly spreads rumor](#)**
- ***South China Morning Post* 9/11/2013: [Fate of liberal Peking University professor still unknown despite support of US academics](#)**
- ***Boston Globe* 9/17/2013: [Wellesley College faculty propose cutting ties with university in China if professor there is fired for advocating for democracy, freedom](#)**
- **[Open letter](#) 9/3/2013**

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## NOTABLE ANALYSIS



### **Researcher Jason Ng releases book on microblog censorship patterns**

On September 12, Google Policy Fellow and *China Digital Times* research consultant Jason Q. Ng announced the release of his book, *Blocked on Weibo: What Gets Suppressed on China's Version of Twitter (And Why)*, which compiles and analyzes blocked terms on China's leading social-media platform, Sina Weibo. The book is derived from Ng's blog, *Blocked on Weibo*, which he created in 2011. In order to identify banned terms, Ng wrote a computer script to test some 700,000 potential search terms drawn from the complete list of Chinese Wikipedia article titles. He discovered about 1,500 blocked terms, of which 150 are detailed in his book. Ng explains that due to vague and overbroad censorship guidelines issued by state officials, companies like Sina take precautionary measures to "over-censor" and ensure compliance. He said in a September 12 interview with the online magazine *ChinaFile* that some blocked terms appeared to be arbitrary and did not fit into any obvious category of off-limits subject matter, such as political reform, democracy, official scandals, and the censorship system itself. He also noted the large number of names of politicians that are blocked on Sina Weibo, observing that this contrasts sharply with democratic countries where politicians have a desire and incentive to raise their public profiles, since they are beholden to voters rather than an opaque network of party colleagues and superiors. Commenting on China's netizens, Ng praised the creativity they displayed in concocting unique methods to evade pervasive censorship. By using coded terms or words embedded in images, netizens are able to carry on discussions that the government seeks to prohibit.

- ***ChinaFile* 9/12/2013: [Blocked on Weibo](#)**
- **[Blocked on Weibo](#)**
- ***Shanghaiist* 9/5/2013: [‘Limitations breed creativity,’ interview with Blocked on Weibo’s Jason Q. Ng](#)**