

Reporters Without Borders

<http://www.rsf.org/chine-news-providers-targeted-by-anti-03-10-2013,45286.html>

Asia - China

Vice tightens

News providers targeted by anti-rumour campaign, wave of arrests

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Reporters Without Borders urges the Chinese authorities to stop censoring information and harassing independent news providers, a policy that has just received a new boost in the form of an "anti-rumour" campaign.

Combined with a wave of arrests for "disturbing public order," this new offensive against freedom of information is fuelling fears of an unprecedented increase in self-censorship in China.

"The new anti-rumour ruling unveiled on 9 September will make it much easier for the authorities to jail any Internet user who is the source of embarrassing information," Reporters Without Borders said. "They just have to deny the accuracy of the information for it to qualify as a 'rumour' under the new law.

"The aim of arresting many human rights activists and influential bloggers as part of an overall campaign against freedom of information is to crush those who keep on demanding more democracy and reporting abuses by the authorities, and to deter their colleagues from continuing on the same path.

"The government should realize that its strategy of suppressing information is doomed. As **Xu Zhiyong's** recent video shows, imprisonment will not suffice to silence independent news providers. On the contrary, government crackdowns just reinforce the determination of bloggers and their supporters to denounce its abuses."

One of the latest examples was the decision to lift social network blocks on the figure 64 for the 64th anniversary of the founding of the People's Republic of China on 1 October, which opened the way for a flood of statements of support for the victims of the Tiananmen Square massacre of 4 June (6/4) 1989.

But the censors scrambled quickly to catch up and most of these solidarity messages were removed within a few hours.

Anti-rumour campaign

According to the legal "interpretation" issued jointly on 9 September by the supreme court and public prosecutor's office, any "defamatory" or "rumour-spreading" online content that is viewed more than 5,000 times or re-posted more than 500 times could result in sentence of up to three years in prison under article 246 of the criminal code for the person who originally posted it.

And any messages or content whose publication online leads to "demonstrations, ethnic or religious clashes, deterioration in the country's image or negative international consequences" are also to be regarded as crimes.

As the lawyer Ma Gangquan said to journalists last month about the anti-rumour campaign: "There is no definition in law for what constitutes a rumour, so this means we are talking about an issue with freedom of expression."

The new legal interpretation or ruling is part of a campaign against “online rumours” that was launched in the summer. The Communist Party also inaugurated a new “ideological purification campaign” in August, President Xi Jinping announced.

The stated aim, according to Xi, is to “reconquer the new media’s territory,” possibly entailing measures against those that promote “the western ideology of universal values,” which – Xi said – are “non-existent.”

This campaign surfaced during the China Internet Conference. Held from 13 to 15 August, it saw the adoption of a seven-point resolution constituting a manual of permitted online behaviour designed to achieved a “healthy Internet environment.”

The 500 Retweets

One of the first victims of the new ruling was **Yang Hui** (杨辉), a 16-year-old schoolboy whose posts on the Tencent microblog implicating the police in a karaoke bar owner’s death was retweeted more than 500 times, leading to his arrest by the Zhangjiachuan police on 16 September for “provocation and causing trouble.”

A major outcry on the Internet led to his release a week later, when his punishment was commuted to seven days of “administrative detention.” It also led to the suspension of Zhangjiachuan’s police chief.

The two events confirmed the effectiveness of online social networks as a place for protesting and showing the authorities that they cannot persecute netizens and freedom of information defenders without consequences.

The only way left for the thwarted local authorities to reassert themselves was to prevent Yang Hui from returning to school a few days after his release.



Credit: Sina weibo

Yang Hui after his release from detention

Wave of arrests for “disturbing public order”

The anti-rumour campaign has been accompanied by a series of arrests of dissidents on public order grounds. Unable to arrest influential bloggers on the grounds of what they post, the authorities often wait until they organize a peaceful demonstration in order to arrest them on a

charge of disturbing public order.

At the same time, more drastic methods are being used to intimidate cyber-dissidents who are not charged. In the past the political police would “invite them for tea” in order to issue a warning. But now they are arrested summarily and held for 10 to 20 days before being released.

The university academic and activist blogger Xu Zhiyong was detained in Beijing on 16 July. When his lawyer, Liu Weigo, tried to visit him two days later, he was also arrested. It was only after Xu had been held for 37 days without formal charge that the Beijing public prosecutor’s office announced that he had been arrested for “disturbing public order.”

Yang Maodong (杨茂东), a dissident blogger who uses the pseudonym of **Guo Feixiong** (郭飞雄), was arrested on charges of illegal assembly and disturbing public order on 8 August, after calling for Xu’s release. A Beijing-based legal adviser, Yang was released in September 2011 after five years in prison for supporting the residents of Taishi, a village in Guangdong province, who had tried to fire their corrupt village chief.

Yang’s lawyer, Sui Muqing, told Reporters Without Borders that those holding him had violated detention procedures on two counts. Firstly, Yang was not allowed a visit by relatives until 17 August, nine days after his arrest. And secondly, Su said he had still not been able to see his client’s case file and suspected the charges had been fabricated in order to conceal the “obscure political goals” of his arrest.

Wang Gongquan (王功权), a well-known businessman and government critic, was arrested on 13 September for “rallying a crowd with the aim of disturbing public order” and his Weibo account was closed. A staunch supporter of Xu Zhiyong and the “new citizens movement” launched in 2011, Wang was suspected of funding Xu’s activities and was preparing an online petition for Xu’s release when arrested.

The anti-corruption activist and netizen **Liu Jiakai** (刘家财) was formally charged with “disturbing public order” in Yichang (in Hubei province) on 18 September, after initially being arrested on a charge of “inciting subversion of the state.” The authorities had him in their sights for organizing meetings with other activists to discuss legal and judicial issues.

Other cases of harassment and arrest

While a charge of “disturbing public order” is currently the most-used pretext for detaining independent news providers and government critics, more traditional forms of reprisal are also being used including other trumped-up charges and harassment of relatives.

One of the latest examples is the arrest of businessman and microblogger **Dong Rubin** in Kunming, in Yunnan province, on 10 September on a charge of exaggerating his company’s assets when he registered it.

A week before his arrest, he had publicly opposed the construction of a petrochemical plant near the provincial capital and, a month before that, police burst into his office and seized three computers without showing any warrant.

Two activists, **Chen Jianfang** (陈建芳) and **Cao Shunli** (曹顺利), were intercepted at Guangzhou and Beijing airports respectively on 14 September to prevent them flying to Geneva to attend a UN conference on human rights. Both were interrogated for several hours and then supposedly released, but Cao’s family has not heard from him since his arrest.

The authorities also continue to harass the families of exiled dissidents such as **Chen Guangcheng** (陈光诚). For example, when Chen’s brother Chen Guangfu went to Shanghai on 10 September to meet with human rights activists, his Internet connection was suspended.

Zhu Ruifeng, a blogger famous for causing the dismissal of senior party officials by exposing their involvement in corruption, has also been targeted by the authorities. His case has shown that the authorities are ready to combat corruption but want to do it on their own.

After Zhu released a sex-tape of Chongqing district party secretary Lei Zhengfu in November 2012 and exposed his involvement in bribery, Lei was dismissed and prosecuted, while the government in Beijing hailed Zhu as a national hero.

But, just a few months later, Zhu was detained and questioned for several hours by officials

who wanted to know his sources, and was threatened with judicial proceedings if he did not cooperate. He nonetheless managed to protect his sources and in July published evidence implicating the party secretary of Jinjiang (in Fujian province) in corruption.

Zhu disappeared from the face of Internet the next day, in clear sign of the government's determination to monopolize the fight against corruption within the party. Access to his four microblog accounts and his Renmin Jinduwang website were all blocked. He nonetheless managed to report via someone else's Internet account that he was fine and that his blogs were having to "take a holiday."

China is ranked 173rd out of 179 countries in the 2013 Reporters Without Borders [press freedom index](#) and is on the Reporters Without Borders list of "[Enemies of the Internet](#)."

Other images



Yang Hui après sa libération
JPEG - 28.4 kb
306 x 384 pixels

You can download those documents on our website :

- , (JPEG - 55.5 kb)
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