

I. Summary

The run-up to the 2008 Beijing Olympic Games was supposed to be the start of a new era of media freedom in China.

Both the Chinese government and the International Olympic Committee (IOC) touted these Games as an historic catalyst for wider openness for the one-party state. The Chinese government's 2001 bid to host the 2008 Olympics was successful in part because China pledged to improve media freedom and the IOC believed that international attention to China would help improve the human rights situation. Indeed, in January 2007, the Chinese government adopted new temporary regulations designed to allow foreign journalists to travel freely across China and speak with any consenting interviewee.

As this report shows, the gap between government rhetoric and reality for foreign journalists remains considerable. Their working conditions today, while improved in some respects, have deteriorated in other areas, dramatically in the case of Tibet. The result is that during a period when reporting freedoms for foreign journalists in China should be at an all-time high, correspondents face severe difficulties in accessing “forbidden zones”—geographical areas and topics which the Chinese government considers “sensitive” and thus off-limits to foreign media. An important consequence of the continuing barriers is that there are key events and trends in China that cannot be covered in detail or at all, to the detriment of Chinese citizens and all who are concerned in the often-dislocating social and economic changes underway in the country.

While this report focuses on foreign journalists, it must be noted that Chinese journalists, who already operate under far greater constraints, are being subject to further controls in the countdown to the 2008 Olympic Games. In late 2007, the Central Publicity Department issued a notice which instructed Chinese journalists ahead of the Olympics to avoid topics which generate “unfavorable” publicity in the foreign media, and to be extremely careful in reporting about subjects including air quality, food safety, the Olympic torch relay, and the Paralympics; which occur in

Beijing in September 2008.¹ In June, President Hu Jintao urged China's domestic media to "maintain strict propaganda discipline...and properly guard the gate and manage the extent [of reporting] on major, sensitive and hot topics."²

Several foreign correspondents told Human Rights Watch that the temporary regulations guaranteeing media freedom have in some ways improved their ability to report. Specifically, some say that in the first year the regulations were in effect, access to high-profile dissidents, human rights activists and sources in general improved, and they enjoyed greater mobility. Some correspondents have also praised China's Ministry of Foreign Affairs (MOFA) for actively intervening in and resolving a number of cases in which journalists were harassed, detained, and intimidated by government officials or security forces. Some correspondents told Human Rights Watch that prior to the crackdown on Tibet in March 2008, the temporary regulations had helped put an end to once-routine practices such as late night hotel visits by officials to journalists on reporting trips outside of Beijing and Shanghai, which were designed to pressure reporters to leave the area as soon as possible.

Yet many foreign correspondents we spoke with say that conditions have worsened in some areas over the past year. Nearly all say that journalists today continue to face significant obstacles whenever the issues on which they wish to report are deemed "sensitive" by central or local authorities. The ongoing closure of Tibet to foreign journalists offers the starkest illustration of this point.

This report details troubling developments on a number of fronts over the past year. It shows that, in some cases, officials have attempted to extort positive coverage from journalists by threatening to withhold their accreditation to cover the Olympics. It also documents cases of intimidation of foreign journalists' sources—less visible and considerably more vulnerable targets than the journalists themselves—and presents evidence suggesting that such intimidation is on the increase.

¹ "Media muzzled on Olympic coverage," *Financial Times* (Hong Kong), November 13, 2007.

² Mure Dickey, "Beijing orders tighter media controls," *Financial Times* (Hong Kong), June 24, 2008.

The report also offers the most detailed account to date of how, following unprecedented protests in Tibet in March, security forces moved swiftly to remove journalists from Tibetan areas and keep other foreign journalists from entering. On June 26, the government announced that Tibet was officially reopened to foreign media “in line with previous procedure”³—an onerous, time-consuming application process which rarely results in permission to visit Tibet. That means foreign journalists will likely remain unable to determine what prompted the unrest or to verify the numbers of those killed, injured, or arrested in the biggest government crackdown since the June 1989 Tiananmen Massacre. It also examines the government’s failure to respond to anonymous death threats against several foreign correspondents and their families, part of a nationalist backlash against perceived bias in western media coverage of Tibet that was fed by state-run media.⁴

Finally, the report examines three specific topics that are largely no-go zones for foreign journalists today: the plight of petitioners (citizens from the countryside who come to Beijing seeking legal redress for abuses by local officials), protests and demonstrations not sanctioned by the government, and interviews with high profile dissidents and human rights activists.

The result of the continuing and in some areas intensifying restrictions on media freedom is that crucially important issues, such as protest and dissent, go largely unreported, leaving Chinese citizens and people all over the world without reliable information about what is actually happening inside China. In part because the IOC has been unwilling to voice concerns publicly over these developments, hopes for improvements in 2008 appear increasingly faint.

The government has sought to deflect criticism of its failure to deliver on its media freedom commitments by telling foreign journalists to “stop complaining” about violations of the temporary regulations⁵ and alleging correspondents attract justifiable interference from government officials and security officials because they

³ “Tibet re-opens to foreign journalists, say FM spokesman,” Xinhua News Agency (Beijing), June 26, 2008

⁴ Henry Sanderson, “China reopens Tibet to foreign tourists,” Associated Press (Beijing), June 26, 2008.

⁵ Ministry of Foreign Affairs of the People’s Republic of China, “Foreign Ministry Spokesman Qin Gang’s Regular Press Conference on March 13, 2008,” February 14, 2008, <http://www1.fmprc.gov.cn/eng/xwfw/s2510/t414886.htm>.

“violated professional morality, distorted facts or even fabricated news.”⁶ There is no evidence for these claims. The Ministry of Foreign Affairs’ (MOFA) justification for closing Tibetan areas to correspondents since mid-March has ranged from a claim that unspecified laws or regulations allow the government to supersede the temporary regulations to vague warnings of threats to journalists “safety” and “security.”

The Chinese government has been internationally praised for its relative openness to the domestic and foreign press in the wake of the massive earthquake in Sichuan province on May 12, 2008. Foreign correspondents have reported mixed experiences trying to cover the quake—on June 3, police “forcibly dragged” an Associated Press reporter and two photographers away from the scene of a public protest by parents of student victims of the quake in the Sichuan town of Dujiangyan,⁷ while other foreign correspondents had no trouble accessing and reporting from the same town. Since June 2, 2008, the Foreign Correspondents Club of China (FCCC) has documented at least nine incidents in which correspondents in the Sichuan quake zone have been “manhandled,” “detained,” or “forced to write self-criticisms” while attempting to report.⁸

In addition, the Central Publicity Department (formerly named the Central Propaganda Department in English) reportedly issued an edict within hours of the earthquake in an effort to ban domestic media from sending reporters to the disaster zone. When reporters already en route to the disaster zone began filing reports immediately upon arrival,⁹ the Chinese Communist Party’s politburo standing committee instead stipulated that domestic media coverage of the disaster “uphold unity and encourage stability” and emphasize “positive propaganda.”¹⁰ In late May, the Central Publicity Department instructed Chinese media to reduce coverage of the

⁶ Ibid.

⁷ Cara Anna, “Chinese police drag grieving parents from protest,” Associated Press (Beijing), June 3, 2008.

⁸ “Reporting Interference Incidents,” Website of the Foreign Correspondents Club of China, <http://www.fccchina.org/harras.htm> (accessed on June 13, 2008).

⁹ Howard W. French, “Earthquake Opens Gap in Controls on Media,” *The New York Times* (New York), May 17, 2008.

¹⁰ “Media edicts recall China’s Maoist past,” *Financial Times* (Hong Kong), May 14, 2008, <http://www.ft.com/cms/s/0/19d30d9e-21df-11dd-a50a-000077b07658.html> (accessed May 15, 2008).

collapse of schools in the earthquake zone which killed thousands of students.¹¹ While the government should be praised for the instances in which it allowed correspondents free access, it is too soon to declare a major victory for media freedom in China.

Human Rights Watch remains concerned that violations of the temporary regulations and state-sanctioned vilification of foreign journalists in China could “poison the pre-Games atmosphere for”¹² the estimated 30,000 foreign journalists¹³ who will cover the Beijing Olympics. Unless Chinese government practices change, the ongoing official obstruction of independent reporting by foreign journalists and public hostility toward foreign media may prompt correspondents to opt for the relative safety and predictability of state-organized media tours which provide sterile, government-approved depictions of China.

Such an outcome would represent a betrayal of both the Chinese government’s commitments to the IOC of expanded media freedom during the 2008 Games as well its assurances to the international community that hosting the 2008 Olympics in Beijing would help promote the development of human rights across China. Perhaps worst of all, it would mean that most international coverage of China did not address many of the country’s most compelling, difficult issues.

Key Recommendations

Human Rights Watch urges the Chinese government to:

- Ensure that the temporary regulations on media freedom for foreign journalists are fully respected in the period before they officially expire on October 17, 2008.
- Implement the June 26 MOFA commitment to reopen to foreign journalists the Tibet Autonomous Region and grant unrestricted access to Tibetan

¹¹ Tom Mitchell, “Beijing reins in quake coverage,” *Financial Times* (London), June 2, 2008.

¹² “The Final Countdown: 100 Days Ahead of the Beijing Olympics, Foreign Correspondents Club of China Concerned about Deteriorating Reporting Conditions,” Foreign Correspondents Club of China press release, April 30, 2008, <http://www.fccchina.org/what/300408statement.html> (accessed May 1, 2008).

¹³ “Nation on Edge of Seat for Beijing Olympics,” *China Daily* (Beijing), March 11, 2008.

- communities in the neighboring provinces of Gansu, Sichuan, Qinghai, and Yunnan.
- Investigate death threats made against more than 10 accredited correspondents in China since March 14, and ensure their safety at a time when state-media reports on alleged foreign media “bias” towards China has inflamed public anger toward foreign journalists in China.
 - Commit to permanently extending the temporary regulations freedoms after October 17, 2008.

Human Rights Watch urges the IOC to:

- Establish a 24-hour hotline in Beijing for foreign journalists to report violations of media freedom during the August 2008 Olympics, directly inform the foreign ministry of these incidents and demand their speedy investigation.
- Publicly press the Chinese government to uphold the temporary regulations.
- Amend the criteria for Olympic host city selection in order to ensure that, consistent with Olympic Charter promises to uphold “universal fundamental ethical principles” and “human dignity,” potential hosts’ human rights records be made an explicit factor in decisions.
- Create an IOC standing committee on human rights as a long-term mechanism to incorporate human rights standards into the Olympics.

These measures are essential to ensure freedom of expression and the safety of the tens of thousands of journalists expected to cover the 2008 Beijing Games. They are also essential to preserve the reputation of the Olympics and prevent repetition at future games of the IOC’s failure to effectively monitor and ensure implementation of host country human rights pledges.

Methodology

Human Rights Watch conducted research for this report in Beijing, Shanghai, and Guangzhou between December 2007 and January 2008, and in follow-up interviews through June 2008. We spoke with a wide variety of sources in China’s foreign media community, including photographers, television journalists, and text reporters. These correspondents detailed their experiences of being harassed, detained, and

intimidated in direct violation of the temporary regulations on reporting rights for foreign journalists. As noted below, the report also draws on Chinese government documents and news stories in domestic and international media.

The scope of this study is necessarily limited by constraints imposed by the Chinese government, which does not welcome research by international human rights organizations. In most cases, interviews were conducted under the condition of strict anonymity due to correspondents' concerns about their employers' internal regulations on public statements regarding their work, as well as fears of possible retribution from the Chinese government. A handful of correspondents whose employers do allow them to speak on the record about their work bravely ignored the risk of possible reprisals from Chinese government agencies and went on the record with their comments.

The direct interviews that Human Rights Watch was able to conduct for this report, while limited, are fully consistent with other research findings by other nongovernmental organizations, including the Foreign Correspondents Club of China, the Committee to Protect Journalists, and Reporters Without Borders; indicating that the problems described here are systemic, likely affecting hundreds of foreign correspondents each year.