

## II. Human Rights

### FREEDOM OF EXPRESSION

#### Liu Xiaobo's Death in July 2017

Imprisoned writer Liu Xiaobo—an advocate of democracy and non-violent political reform and China's only Nobel Peace Prize laureate<sup>1</sup>—died of liver cancer on July 13, 2017, in Shenyang municipality, Liaoning province, on medical parole.<sup>2</sup> In the nine years prior to his death, he spent one year in pretrial detention and nearly eight years in prison on the charge of “inciting subversion of state power” for his coauthorship of the political treatise Charter 08 and several essays critical of the Chinese Communist Party and government.<sup>3</sup> Granted medical parole on June 26, 2017,<sup>4</sup> Liu remained under official surveillance at a hospital in Shenyang, serving his 11-year prison sentence,<sup>5</sup> until his death.<sup>6</sup> Liu's political activism dated back to the 1989 Tiananmen protests,<sup>7</sup> for which Chinese authorities imprisoned him for 21 months; Liu subsequently served 3 years of reeducation through labor from 1996 through 1999 for criticizing government policies.<sup>8</sup> Before his final detention in December 2008, Liu was a prolific essayist and poet<sup>9</sup> and active within Chinese democracy and writers' advocacy communities.<sup>10</sup>

International media outlets,<sup>11</sup> human rights organizations and proponents,<sup>12</sup> representatives of foreign governments,<sup>13</sup> and the UN human rights commissioner,<sup>14</sup> among others,<sup>15</sup> expressed concern and censure regarding the Chinese government's treatment of Liu Xiaobo and his wife, the poet and artist Liu Xia. Condemnation focused on Chinese authorities' denial of Liu's request to receive medical treatment outside China<sup>16</sup> and restrictions on access in the hospital for Liu's family.<sup>17</sup> In the hospital, Liu reportedly wrote the forward to an unpublished collection of Liu Xia's photography,<sup>18</sup> but it is unknown if he was able to speak openly about his conditions and medical treatment in prison, his political and familial concerns, his wishes with regard to his burial, or any other matters while under official surveillance.<sup>19</sup> The government and Party continued to isolate Liu Xia in extralegal confinement after her husband's death, a condition that Chinese authorities imposed on her starting in October 2010 when the Norwegian Nobel Committee announced that it would award the 2010 Nobel Peace Prize to Liu Xiaobo,<sup>20</sup> despite ongoing calls for her release.<sup>21</sup>

Observers commented on the combination of propaganda and control in the limited Chinese media coverage of Liu's illness and death.<sup>22</sup> The Party-run English-language media outlet Global Times,<sup>23</sup> together with other government and Party actors, engaged in an “all-out government propaganda effort to counter domestic and international criticism,” according to Radio Free Asia.<sup>24</sup> An academic group in Canada that studies censorship reported Chinese censors deleted text and images about Liu Xiaobo sent via the instant messaging tool WeChat before content reached intended recipients.<sup>25</sup> Individuals who sought to commemorate Liu's death in China faced government harassment,<sup>26</sup> including at least nine detained by authorities in Guangdong, Fujian, and Liaoning provinces.<sup>27</sup>

## Freedom of Expression

2

### *International Standards on Freedom of Expression*

The Chinese government and Communist Party continued to restrict expression in contravention of international human rights standards, including Article 19 of the International Covenant on Civil and Political Rights (ICCPR) and Article 19 of the Universal Declaration of Human Rights.<sup>28</sup> According to the ICCPR—which China signed<sup>29</sup> but has not ratified<sup>30</sup>—and as reiterated by the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, countries may impose certain restrictions or limitations on freedom of expression, if such restrictions are provided by law and are necessary for the purpose of respecting the “rights or reputations of others” or protecting national security, public order, public health, or morals.<sup>31</sup> An October 2009 UN Human Rights Council resolution declares restrictions on the “discussion of government policies and political debate,” “peaceful demonstrations or political activities, including for peace or democracy,” and “expression of opinion and dissent” are inconsistent with Article 19(3) of the ICCPR.<sup>32</sup> The UN Human Rights Committee noted in a 2011 General Comment that restrictions on freedom of expression specified in Article 19(3) should be interpreted narrowly and that the restrictions “may not put in jeopardy the right itself.”<sup>33</sup>

### *Freedom of the Press*

International non-governmental organization Reporters Without Borders again ranked China among the five worst countries for press freedom in its annual Press Freedom Index.<sup>34</sup> The Chinese government continued to be one of the worst jailers of professional and citizen journalists, with estimates of individuals in detention or imprisoned ranging from 38<sup>35</sup> to approximately 100.<sup>36</sup>

#### POLITICAL CONTROL OF THE NEWS MEDIA

The government and Party continued to prioritize control of the press and media outlets for “maintaining social and political stability, and in advancing [the Party’s] policy goals.”<sup>37</sup> Party General Secretary Xi Jinping and state media continued to stress the “principle of Party character” (*dangxing yuanze*) in the media,<sup>38</sup> echoing Xi’s highly publicized statement in February 2016 that the news media “must be surnamed Party” (*bixu xing dang*).<sup>39</sup> At a November 2016 meeting with the All-China Journalists Association (ACJA), Xi urged media workers to “embody the principle of Party character,” and “be reliable for the Party and the people.”<sup>40</sup> The ACJA expounded on Xi’s November speech in the Party’s theoretical journal *Seeking Truth*,<sup>41</sup> describing the function of “supervision by public opinion” (*yulun jiandu*)—an official phrase debuted in 1987 to give the media some scope to hold officials accountable in the public interest<sup>42</sup>—as a form of positive, mainstream propaganda to pacify the public.<sup>43</sup> In a Xinhua report of the ACJA meeting, a senior China Central Television executive declared positive news reporting and “supervision by public opinion” are not contrary to each other.<sup>44</sup> Moreover, the government has encouraged, and in some cases paid, social media users to post positive comments about the government and Party to influence public opinion.<sup>45</sup> U.S.-

based researchers have estimated these types of social media comments to number around 448 million per year.<sup>46</sup>

International experts have cautioned that media serving “as government mouthpieces instead of as independent bodies operating in the public interest” are a major challenge to free expression.<sup>47</sup> In the case of the government and Party’s ongoing crackdown on human rights lawyers and advocates that began in and around July 2015, official print and television media outlets broadcasted forced confessions of human rights lawyers this past year.<sup>48</sup> State- and Party-run media outlets The Paper, Legal Daily, and Procuratorial Daily published an almost identical article under different bylines on December 16 and 17, 2016, that ascribed a litany of criminal offenses to Jiang Tianyong,<sup>49</sup> a lawyer disbarred in 2009 in connection with his rights defense efforts.<sup>50</sup> On March 1, 2017, the Party-run media outlet Global Times published an article about Jiang that alleged he fabricated the torture claims of fellow rights lawyer Xie Yang.<sup>51</sup> On March 2, Phoenix TV, a Hong Kong-based station, reportedly broadcast a video of Jiang admitting to this allegation.<sup>52</sup> Chen Jian’gang, one of Xie Yang’s defense lawyers, repudiated the Global Times article and the Phoenix TV broadcast and affirmed his role in transcribing Xie’s claims in the course of three meetings.<sup>53</sup> [See Section II—Criminal Justice and Section III—Access to Justice for more information on Xie Yang and Jiang Tianyong as well as developments in other cases of human rights lawyers and advocates detained as part of the July 2015 crackdown.]

#### CENSORSHIP OF NEWS WEBSITES, HARASSMENT OF JOURNALISTS

Pervasive government and Party control and censorship contributed to the shrinking space for journalism and public debate.<sup>54</sup> The International Federation of Journalists (IFJ) observed that “the Communist Party of China . . . targeted the last few so-called ‘liberals’ in the media” in 2016, demonstrated by the closure of the reform-minded journal *Yanhuang Chunqiu*;<sup>55</sup> the suspension of *Consensus*, a website known for open discussion and commentary;<sup>56</sup> the shutdown of the economic think tank *Unirule*’s website;<sup>57</sup> and the two-month suspension in October 2016 of *Caixin* news articles for republication in other news media.<sup>58</sup> The government’s punitive action against *Caixin* was for its alleged “problematic guidance” (*daoxiang wenti*)<sup>59</sup> in covering the opposition of some lawyers to revised administrative measures for law firms, which prohibited lawyers from using media outlets to publicize their cases.<sup>60</sup>

The Party regularly issues propaganda directives to control Chinese news media through the Central Propaganda Department and its lower level bureaus. Censored topics include Tibet, Taiwan, and Falun Gong, as well as coverage of “sensitive” political anniversaries and events, such as the anniversary of the 1989 Tiananmen protests and their violent suppression.<sup>61</sup> This past year, some of the official censorship directives reposted to the U.S.-based website *China Digital Times*<sup>62</sup> targeted Liu Xiaobo’s medical parole<sup>63</sup> and reports on natural disasters,<sup>64</sup> public health,<sup>65</sup> and pollution.<sup>66</sup> In June 2017, the Central Propaganda Department reportedly ordered Chinese news media not to report independently on a landslide in Sichuan province; journalists reportedly received government press

## Freedom of Expression

releases upon which to base their reports.<sup>67</sup> An international journalists' consortium selected nine investigative news stories published in domestic Chinese media outlets in 2016 that illustrated a range of public interest reporting.<sup>68</sup> China Digital Times, however, posted official censorship directives for at least three of those news articles or their subject matter.<sup>69</sup>

In spite of government-imposed censorship, media experts have pointed to a “semipolitical’ sphere,” in which some Chinese journalists continued to cover “. . . pertinent social issues such as official accountability, gender equality, and social welfare, amongst others.”<sup>70</sup> Another commentator remarked that the “highly personal focus” of this form of reporting may “strip many articles of their larger, possibly charged, political contexts.”<sup>71</sup> For example, two Party-affiliated media outlets,<sup>72</sup> Beijing News and Sixth Tone, reported on the case of a man forced by local family planning authorities in Yunnan province to undergo a vasectomy in February 2017.<sup>73</sup> Beijing News published an interview with the man without additional analysis of the incident.<sup>74</sup> While Sixth Tone noted the government’s “strict birth control measures since the 1980s . . .,”<sup>75</sup> it emphasized local “unorthodox family planning practices,” rather than examining national family planning policy more broadly.<sup>76</sup> [For more information on this case and the implementation of population planning policy, see Section II—Population Control.]

Several Chinese journalists and media outlets argued for the protection of journalists’ physical safety, government accountability, and guarantees of their right to report on events in the public interest following incidents of physical violence against and obstruction of journalists on assignment this past year.<sup>77</sup> In December 2016, township-level police in Qiqiha’er municipality, Heilongjiang province,<sup>78</sup> reportedly beat up two journalists from the official media outlet China Education News who were investigating whistleblower allegations about a local school’s lunch program.<sup>79</sup> Beijing News demanded accountability from local officials for the violence against its reporters during a February 2017 report on a fire in Beijing municipality, noting that information on major emergencies is in the public interest.<sup>80</sup> Xinhua reporters demanded accountability in the face of official obstruction when they attempted to report on the case of a teenager who may have committed suicide or been bullied to death in April 2017 at a school in Sichuan province.<sup>81</sup>

### **Criminal Prosecution of Citizen Journalists**

Given the heavy government censorship of official and market-oriented media outlets, citizen journalists<sup>82</sup> in China are a key source of information on labor protests,<sup>83</sup> petitioning the government for redress of grievances, and other rights defense efforts.<sup>84</sup> According to Chinese Human Rights Defenders, the detentions this past year of the founders of websites that featured citizen journalist reports demonstrated the government’s drive “to criminalize those who document human rights abuses and advocate for better human rights protections.”<sup>85</sup>

**Criminal Prosecution of Citizen Journalists—Continued**

• **Lu Yuyu, founder of “Not the News.”** In August 2017, the Dali Municipal People’s Court in the Dali Bai Autonomous Prefecture, Yunnan province, sentenced citizen journalist Lu Yuyu to four years in prison on the charge of “picking quarrels and provoking trouble.”<sup>86</sup> The same court reportedly released his collaborator and girlfriend **Li Tingyu** on bail<sup>87</sup> sometime after holding a closed trial for her on the same charge in April 2017.<sup>88</sup> Lu began documenting mass incidents, such as labor protests and strikes, across China in 2011; he and Li posted their work to Chinese and international social media platforms under the names “Not the News” and “Wickedonna.”<sup>89</sup> During Lu’s trial in June 2017, Lu rejected the prosecution’s accusation that he had fabricated information about mass incidents, emphasizing his aim to document history and make it available for public access.<sup>90</sup>

• **Liu Feiyue, founder of Civil Rights & Livelihood Watch website.** In November 2016, authorities from Suizhou municipality, Hubei province, detained Liu Feiyue, editor of the human rights website Civil Rights & Livelihood Watch (CRLW),<sup>91</sup> arresting him in December on the charge of “subversion of state power.”<sup>92</sup> Radio Free Asia reported that authorities added the charge “illegally supplying state secrets or intelligence for an overseas entity” in August 2017 to the case against him.<sup>93</sup> CRLW has reported on a range of human rights violations in China, such as protests and demonstrations by petitioners and military veterans, and on the forcible commitment of individuals without mental illness to psychiatric facilities as a “stability maintenance” tool.<sup>94</sup>

• **Huang Qi, founder of 64 Tianwang website.** In November 2016, public security authorities from Sichuan province detained Huang Qi, the founder of 64 Tianwang, and subsequently arrested him in December on the charge of “illegally supplying state secrets or intelligence for an overseas entity.”<sup>95</sup> Based in Chengdu municipality, Sichuan, Huang previously served prison sentences for posting articles about the violent suppression of the 1989 Tiananmen protests and Falun Gong,<sup>96</sup> and for aiding the parents of children who died when poorly constructed school buildings collapsed during the 2008 earthquake in Sichuan.<sup>97</sup>

• **64 Tianwang volunteers.** A number of volunteer citizen journalists for 64 Tianwang<sup>98</sup> were detained this past year or served prison sentences. In September 2016, authorities in several locations in China detained five 64 Tianwang volunteers who planned to report on the G20 Summit in Hangzhou municipality, Zhejiang province.<sup>99</sup> In June 2017, authorities criminally detained one of these volunteers, **Yang Xiuqiong**, for disclosing information about Huang Qi’s case.<sup>100</sup> In the cases of two additional 64 Tianwang volunteers, authorities in Zhuji municipality, Zhejiang, reportedly released Yang Dongying on November 5, 2016, upon her completion of a sentence of one year and six months related to her criticism of local police.<sup>101</sup> **Wang Jing** continued to serve a four-year sentence in Jilin province related to her 2014 64 Tianwang report on a self-immolation incident at Tiananmen Square, despite multiple requests for medical parole due to brain cancer.<sup>102</sup>

## Freedom of Expression

### CHALLENGES FOR FOREIGN JOURNALISTS

Several international organizations issued reports on the difficult working conditions for foreign journalists in China, including PEN America (September 2016),<sup>103</sup> the Foreign Correspondents' Club of China (FCCC, November 2016),<sup>104</sup> and the International Federation of Journalists (January 2017).<sup>105</sup> These reports detailed a range of methods used by the Chinese government to restrict and harass foreign journalists, including, as PEN America noted, “physical abuse, physical and online surveillance, denying or threatening to deny reporters’ visas, restricting reporters’ access to certain areas of the country, and harassment of sources and news assistants.”<sup>106</sup> Selected cases from this reporting year included the following:

- **Detention.** In September 2016, local officials reportedly briefly detained foreign journalists covering protests in Wukan village, Lufeng county, Shanwei municipality, Guangdong province.<sup>107</sup> Plainclothes public security officers reportedly assaulted several journalists from Hong Kong media in Wukan and detained them for five hours at the Lufeng Public Security Bureau before expelling them from Lufeng.<sup>108</sup>
- **Harassment.** A BBC correspondent and crew faced at least two incidents of harassment and manhandling while trying to interview an independent candidate for a local election in Beijing municipality and a petitioner in Hunan province in November 2016<sup>109</sup> and March 2017,<sup>110</sup> respectively.
- **Surveillance.** A Los Angeles Times reporter described tight surveillance of foreign journalists on a government-organized tour in 2016 to Tibetan autonomous areas of Sichuan province, noting: “Everything was recorded. The foreign journalists recorded the tour guides, and the Chinese reporters recorded the foreign ones. The shadowy men recorded us all.”<sup>111</sup>
- **Blocked access.** The government also continued to block online access to the New York Times, Bloomberg, Reuters, the Economist, and Time, as well as to YouTube, Instagram, Facebook, and Twitter.<sup>112</sup> The U.S. company Apple removed the New York Times application (app) from its stores in China in December 2016, reportedly at the request of Chinese authorities.<sup>113</sup>

Chinese citizens continued to be at risk of sanctions for speaking with foreign journalists. The April 2017 judgment against human rights lawyer Li Heping cited his having spoken with foreign media as one of several activities that allegedly “subverted state power.”<sup>114</sup> Radio Free Asia reported that following its article in March 2017 on petitioning activities by a group of private school, substitute, and kindergarten teachers, security authorities had “chats” with some of the teachers, surveilled their phone calls and social media posts (blocking some messages), and threatened detention if the teachers spoke with foreign reporters again.<sup>115</sup> The threat of retaliation, moreover, has resulted in a chilling effect.<sup>116</sup> According to PEN America, Chinese expert sources were “less willing to share information or opinions with foreign media for fear of government reprisal.”<sup>117</sup> Specific examples of reprisals reported on during this past year included the following:

- **Imprisonment.** In November 2016, the Xinjiang Uyghur Autonomous Region High People’s Court upheld a 19-year sentence against Zhang Haitao, an electronics salesman and rights defender, for “inciting subversion of state power” and “stealing, spying, buying and illegally supplying state secrets or intelligence for an overseas entity.”<sup>118</sup> Zhang criticized the government’s ethnic policies, among other issues, in his online writings and interviews with overseas news media.<sup>119</sup>
- **Detention.** Tashi Wangchug remained in pretrial detention on the charge of “inciting separatism” for his efforts to promote Tibetan language education in Yushu (Kygudo) city, Yushu (Yulshul) Tibetan Autonomous Prefecture, Qinghai province.<sup>120</sup> In March 2016, authorities arrested him on the “separatism” charge due to his contact with New York Times journalists whose two articles and a short documentary about him were published in the New York Times in November 2015.<sup>121</sup>
- **Travel denial.** In March 2017, security authorities in Qianyang county, Baoji municipality, Shaanxi province, reportedly refused to issue a passport and Hong Kong-Macau travel permit to Lu Dongli, a long-time petitioner, due allegedly to his activities connected to the July 2015 crackdown on human rights lawyers and legal advocates and for speaking with foreign reporters.<sup>122</sup>
- **Dismissal.** In April 2017, the Chinese Academy of Governance, a training institute for government officials in Beijing,<sup>123</sup> removed a retired professor from an expert committee at the institute for presenting “flawed viewpoints” during interviews with foreign media in 2016.<sup>124</sup>

*Intensifying Government and Party Control of the Internet and Social Media*

CENSORSHIP

The government and Party employ methods to implement Internet and social media policies aimed at controlling the flow of information in order to, as one expert said, “guide the narrative in the direction that the state determines.”<sup>125</sup> Reports this past year identified an intensification of control over the Internet and social media platforms, attributing it, in part, to the upcoming 19th National Congress of the Chinese Communist Party.<sup>126</sup> The PRC Cybersecurity Law took effect on June 1, 2017,<sup>127</sup> giving online censorship “the weight of law,” according to the Wall Street Journal.<sup>128</sup> Also in June, the Cyberspace Administration of China reportedly ordered the closure of 90 entertainment and gossip social media accounts, purportedly to bring the service providers into compliance with the Cybersecurity Law and “ensure political security.”<sup>129</sup>

Social media providers in China play a major role in carrying out censorship as required by the government’s legal and regulatory requirements.<sup>130</sup> The chairman of Weibo, a Twitter-like social media platform, reportedly stated that Weibo had been censoring fake news for years,<sup>131</sup> following the news that the U.S. company Facebook had taken steps to stop the spread of misinformation.<sup>132</sup> The domestic company Tencent shut down 45,000 WeChat accounts

## Freedom of Expression

8

for a six-month period—approximately September 2016 through February 2017—allegedly for rumor-mongering, though some WeChat group facilitators speculated that Tencent closed their groups because of politically sensitive content.<sup>133</sup> [For more information on the PRC Cybersecurity Law, see Section III—Commercial Rule of Law.]

Citizen Lab, an information technology and human rights research center based in Canada, published findings on content filtering of social media platforms WeChat and Weibo, observing a high level of flexibility and speed in response to issues and events deemed politically sensitive.<sup>134</sup> Liu Xiaobo’s death;<sup>135</sup> the names of human rights lawyers, including many of those ensnared in the July 2015 crackdown;<sup>136</sup> and information about the January 2017 Kalachakra, a major Tibetan Buddhist teaching convened by the Dalai Lama in India, were among the range of keywords, keyword combinations, and images filtered by censors during this reporting year.<sup>137</sup> The consequences of the censorship are serious, according to Citizen Lab: in the case of the rights defenders, international advocacy via social messaging “fail[s] to reach domestic audiences in China due to information control practices.”<sup>138</sup> Restricted access to information about events like the Kalachakra effectively constrains Tibetan Buddhists’ religious freedom and right to freedom of movement and assembly.<sup>139</sup>

### CLOSING DOWN ACCESS TO VPNS

The Chinese government took aggressive action<sup>140</sup> during this reporting year to limit online users’ attempts to circumvent the Chinese government’s censorship hardware and software—its “Great Firewall”<sup>141</sup>—by means of virtual private networks (VPNs) to access to prohibited websites and social media platforms.<sup>142</sup> These efforts included a notice in January 2017 from the Ministry of Industry and Information Technology (MIIT) requiring government approval for VPN service providers in China<sup>143</sup> and the publication by the Chongqing Municipality Public Security Bureau in March of administrative punishment guidelines for improper corporate or personal VPN use within Chongqing, a province-level municipality.<sup>144</sup> Commentators raised concerns that these regulatory efforts “effectively [put] most of the country’s providers of VPNs in violation of the law.”<sup>145</sup> According to Bloomberg News, MIIT authorities moved to prohibit individual use of VPN technology, directing state-run telecommunications companies in July to block such access by February 2018.<sup>146</sup> MIIT refuted Bloomberg’s report via *The Paper*, asserting it had not issued a directive toward that goal; rather, the targets of its January 2017 notice were VPN service providers lacking official approval.<sup>147</sup> In a similar vein, a provincial branch of the Cyberspace Administration of China contacted five e-commerce platforms in August, warning them to stop selling illegal VPNs.<sup>148</sup> In the Xinjiang Uyghur Autonomous Region (XUAR), authorities took criminal measures against VPN users: Fei Chang Dao, a blog that monitors freedom of speech in China, reported the case of Tian Weiguo, whom authorities in Kuitun city, Yili (Ili) Kazakh Autonomous Prefecture, XUAR, sentenced to three years’ imprisonment on the charge of “inciting ethnic hatred” after he circumvented the government’s censorship technology to post



comments on external social media platforms.<sup>149</sup> In another case from the XUAR, in October 2016, police in Changji Hui Autonomous Prefecture reportedly detained an individual for downloading VPN software, referring to it as “violent and terrorist software.”<sup>150</sup> [For more information on this case, see Section IV—Xinjiang.]

*Punishing Citizens’ Free Expression*

The government and Party continued to violate international standards on the right to freedom of expression, in part by using laws and regulations to prosecute speech the government finds politically sensitive.<sup>151</sup> In addition to the Party and government censorship mechanisms used to control official narratives discussed earlier in this section, the Commission observed judicial and legislative developments this past year that aimed to protect the Party and government’s version of the “national historical narrative.”<sup>152</sup> In October 2016, the Supreme People’s Court (SPC) released four civil law model cases about the purported libel of several World War II and Korean War era figures, commenting that the protection of heroes’ reputations and honor are linked to “core socialist values” and the protection of the public interest.<sup>153</sup> SPC President Zhou Qiang subsequently urged provincial high people’s court presidents at a January 2017 meeting to “develop judicial interpretations for cases that harm the reputations of heroes and historical figures; to protect leaders and heroic martyrs according to law; and to resolutely defend the Party and People’s Liberation Army’s glorious history.”<sup>154</sup> In March, the National People’s Congress passed a code of civil law, which took effect on October 1, 2017; the law contains a provision to impose civil liability on those who harm the “names, portraits, reputations and honor” of heroes and martyrs.<sup>155</sup> This provision was a late addition to the draft civil code,<sup>156</sup> reportedly in reaction to one of the model cases.<sup>157</sup>

This past year, authorities took punitive action against Chinese officials, journalists, writers, publishers, and university professors, including disciplinary action, job termination, detention, and imprisonment for speech critical of President and Party General Secretary Xi Jinping,<sup>158</sup> former leader Mao Zedong,<sup>159</sup> and political campaigns and events of modern Chinese history.<sup>160</sup> A scholar observed that the sensitivity around criticism of Xi Jinping and the Party reflects “a leadership worried about political agitation and social unrest as disruptive reforms advance.”<sup>161</sup> Fei Chang Dao posted the court judgments of citizens sentenced to prison terms related to political opinions shared on social media platforms on the charges of “picking quarrels and provoking trouble”<sup>162</sup> and “defamation.”<sup>163</sup> In April 2017, a court in Shandong province sentenced long-time petitioner Wang Jiangfeng to two years’ imprisonment on the charge of “picking quarrels and provoking trouble” after sharing material within two private social media chat groups that allegedly “seriously disparaged the individual reputations of Mao Zedong and Xi Jinping.”<sup>164</sup> An ethnic Korean rights advocate Kwon Pyong (Quan Ping) “disappeared” on October 1, 2016, shortly after posting online a photo of himself wearing a T-shirt that allegedly mocked Xi Jinping.<sup>165</sup> Authorities in Yanji city, Yanbian Korean Autonomous Prefecture, Jilin province, later indicted Kwon on the charge of “inciting subversion of state power.”<sup>166</sup>

**Notes to Section II—Freedom of Expression**

<sup>1</sup>“The Spirit of Liu Xiaobo,” *New York Times*, 13 July 17.

<sup>2</sup>*Ibid.*; Shenyang Municipal Justice Bureau, “Liu Xiaobo’s Death Due to Illness” [Liu xiaobo bing wang], 13 July 17.

<sup>3</sup>The Tragic Case of Liu Xiaobo, Hearing of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, Committee on Foreign Affairs, U.S. House of Representatives, 14 July 17, Testimony of Yang Jianli, President, Initiatives for China/Citizen Power. See also “The Criminal Verdict” in *No Enemies, No Hatred*, eds. Perry Link, Tienchi Martin-Liao, and Liu Xia (Cambridge: Belknap Press of Harvard University Press, 2012), 336–37, para. 15.

<sup>4</sup>Liaoning Prison Administrative Bureau, “Liu Xiaobo Approved for Medical Parole Due to Illness” [Liu xiaobo yin bing bei pizhun baowai juyi], 26 June 17.

<sup>5</sup>Dui Hua Foundation, “Liu Xiaobo Granted Medical Parole,” 26 June 17. Dui Hua Foundation noted that, under Chinese law, “[it] is not correct to say that the prisoner granted medical parole is ‘free,’ nor is it correct to say that the prisoner has been ‘released.’ The prisoner is still serving his/her sentence, albeit in a location other than the prison itself.”

<sup>6</sup>Chris Buckley, “Liu Xiaobo, Chinese Dissident Who Won Nobel While Jailed, Dies at 61,” *New York Times*, 13 July 17.

<sup>7</sup>*Ibid.*; Josh Chin, “Nobel Laureate Liu Xiaobo, Who Fought for Democracy in China, Dies in Police Custody,” *Wall Street Journal*, 13 July 17.

<sup>8</sup>Human Rights Watch, “China: Democratic Voice Liu Xiaobo Dies in Custody,” 13 July 17. See also “The Criminal Verdict” in *No Enemies, No Hatred*, eds. Perry Link, Tienchi Martin-Liao, and Liu Xia (Cambridge: Belknap Press of Harvard University Press, 2012), 337, para. 18.

<sup>9</sup>*No Enemies, No Hatred*, eds. Perry Link, Tienchi Martin-Liao, and Liu Xia (Cambridge: Belknap Press of Harvard University Press, 2012), parts 1–3.

<sup>10</sup>Chris Buckley, “Liu Xiaobo, Chinese Dissident Who Won Nobel While Jailed, Dies at 61,” *New York Times*, 13 July 17; “The Spirit of Liu Xiaobo,” *New York Times*, 13 July 17. For more information on Liu Xiaobo, see the Commission’s Political Prisoner Database record 2004-03114.

<sup>11</sup>See, e.g., “The Spirit of Liu Xiaobo,” *New York Times*, 13 July 17; “The Guardian View on Liu Xiaobo’s Death: Free the Nobel Laureate’s Wife Now,” *Guardian*, 13 July 17.

<sup>12</sup>See, e.g., Human Rights Watch, “G20: Press China To Free Nobel Laureate,” 5 July 17; Paul Carsten, “Malala Condemns China Over Death of Fellow Nobel Laureate Liu Xiaobo,” *Reuters*, 18 July 17; “Many Urge Release of Liu Xiaobo and Liu Xia, Beijing: Do Not Interfere in Internal Affairs” [Duofang cu huan liu xiaobo fufu ziyou beijing: wu ganshe neizheng], *Voice of America*, 28 June 17.

<sup>13</sup>See, e.g., Chris Buckley, “Liu Xiaobo, Chinese Dissident Who Won Nobel While Jailed, Dies at 61,” *New York Times*, 13 July 17; “China Protests Criticism From Germany, UN, France Over Late Dissident Liu Xiaobo’s Treatment,” *Agence-France Presse*, reprinted in *Hong Kong Free Press*, 15 July 17.

<sup>14</sup>“Concerned About Liu Xiaobo, UN Rights Office Urges Access to Jailed Rights Defender,” *UN News Centre*, 7 July 17; “World Loses ‘Principled Champion,’ Says UN Rights Chief on Death of China’s Liu Xiaobo,” *UN News Centre*, 13 July 17.

<sup>15</sup>See, e.g., “Many Urge Release of Liu Xiaobo and Liu Xia, Beijing: Do Not Interfere in Internal Affairs” [Duofang cu huan liu xiaobo fufu ziyou beijing: wu ganshe neizheng], *Voice of America*, 28 June 17; “Hong Kong Group Holds Candlelight Vigil in Central, Pressing for Release of Liu Xiaobo” [Gang tuanti zhonghuan zhuguang jihui cu fang liu xiaobo], *Voice of America*, 29 June 17.

<sup>16</sup>See, e.g., Tom Phillips, “Activists Call on China To Release Liu Xiaobo for Cancer Treatment Abroad,” *Guardian*, 9 July 17.

<sup>17</sup>See, e.g., Human Rights Watch, “G20: Press China To Free Nobel Laureate,” 5 July 17.

<sup>18</sup>Chris Buckley, “Liu Xiaobo’s Dying Words for His Wife,” *New York Times*, 14 July 17; Zhang Jiping, “Exclusive: Complete Text of Liu Xiaobo’s Last Hand-Written Manuscript of July 5th Revealed, Last Gift for Liu Xia” [Dujia: liu xiaobo 7 yue 5 ri zuihou shougao quanwen pilu, song gei liu xia zuihou liwu], *Initium Media*, 14 July 17.

<sup>19</sup>The Tragic Case of Liu Xiaobo, Hearing of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, Committee on Foreign Affairs, U.S. House of Representatives, 14 July 17, Testimony of Yang Jianli, President, Initiatives for China/Citizen Power.

<sup>20</sup>Human Rights Watch, “China: Democratic Voice Liu Xiaobo Dies in Custody,” 13 July 17; “Liu Xia Appears for First Time Since Husband Liu Xiaobo’s Funeral,” *Reuters*, reprinted in *Guardian*, 19 August 17; Human Rights Watch, “China: Widow of Nobel Laureate Feared ‘Disappeared,’” 20 July 17.

<sup>21</sup>See, e.g., Chinese Human Rights Defenders, “Hold Xi Jinping Accountable for Liu Xiaobo’s Death in Custody, Free Liu Xia,” 13 July 17; “The Guardian View on Liu Xiaobo’s Death: Free the Nobel Laureate’s Wife Now,” *Guardian*, 13 July 17; “U.N. Rights Chief Seeks Meeting With China Over Liu Xiaobo’s Widow,” *Reuters*, 20 July 17. For more information on Liu Xia, see the Commission’s Political Prisoner Database record 2010-00629.

<sup>22</sup>Verna Yu, “China’s New Media Strategy: The Case of Liu Xiaobo,” *The Diplomat*, 28 July 17; Gerry Shih, “China Controls Information About Ailing Nobel Prize Laureate,” 12 July 17; *China Digital Times*, “China Controls Information About Liu Xiaobo,” 12 July 17; *China Digital Times*, “Minitrue: No Reports on Liu Xiaobo’s Medical Parole,” 29 June 17.

<sup>23</sup>See, e.g., “National Team of Medical Experts Treat Liu Xiaobo as Abdominal Swelling Worsens,” *Global Times*, 6 July 17; “Dissidents Waste Lives as China Prospers,” *Global Times*, 16 July 17; “Overseas Forces Must Stop Politicizing Liu Xiaobo’s Wife,” *Global Times*, 18 July 17.

<sup>24</sup>“China in ‘Whitewash Campaign’ Ahead of Liu Xiaobo’s Death,” *Radio Free Asia*, 13 July 17.

<sup>25</sup>Masashi Crete-Nishihata et al., “Remembering Liu Xiaobo,” University of Toronto, Munk School of Global Affairs, Citizen Lab, 16 July 17.

<sup>26</sup>Human Rights Watch, “China: Widow of Nobel Laureate Feared ‘Disappeared,’” 20 July 17; Chinese Human Rights Defenders, “Seven Confirmed Detained for Mourning Liu Xiaobo, Whereabouts of Liu Xia Remain Unknown,” 3 August 17; “Poet Held in Southern China Over Planned Poetry Anthology Remembering Liu Xiaobo,” Radio Free Asia, 22 August 17.

<sup>27</sup>Chinese Human Rights Defenders, “Seven Confirmed Detained for Mourning Liu Xiaobo, Whereabouts of Liu Xia Remain Unknown,” 3 August 17; Rights Defense Network, “Bulletin on Guangdong Sea Commemoration Case: Wei Xiaobing and He Lin Released on Bail, All 6 of Those Originally Criminally Detained Released, Ma Qiang Only One For Whom Situation Is Unclear” [Guangdong haiji an tongbao: wei xiaobing, he lin qubao huoshi yuan bei xingju 6 ren jun huoshi ma qiang 1 ren reng qingkuang bu ming], 20 August 17.

<sup>28</sup>International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 19; Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) on 10 December 48, art. 19.

<sup>29</sup>United Nations Treaty Collection, Chapter IV, Human Rights, International Covenant on Civil and Political Rights, last visited 15 July 17. China signed the convention on October 5, 1998.

<sup>30</sup>State Council Information Office, “National Human Rights Action Plan (2016–2020),” August 2016, reprinted in Xinhua, 29 September 16, sec. V.

<sup>31</sup>International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 19(3); UN Human Rights Council, Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Frank La Rue, A/HRC/17/27, 16 May 11, para. 24.

<sup>32</sup>Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development, adopted by Human Rights Council resolution 12/16, A/HRC/RES/12/16, 12 October 09, para. 5(p)(i).

<sup>33</sup>UN Human Rights Committee, General Comment No. 34, Article 19, Freedom of Opinion and Expression, CCPR/C/GC/34, 12 September 11, para. 21.

<sup>34</sup>Reporters Without Borders, “World Press Freedom Index,” last visited 16 May 17, Index details, China.

<sup>35</sup>Elana Beiser, Committee to Protect Journalists, “Turkey’s Crackdown Propels Number of Journalists in Jail Worldwide to Record High,” 13 December 16; Committee to Protect Journalists, “2016 Prison Census: 259 Journalists Jailed Worldwide,” 13 December 16.

<sup>36</sup>Reporters Without Borders, “World Press Freedom Index,” last visited 16 May 17, China.

<sup>37</sup>David Bandurski, “The Making of a Good Party Reporter,” University of Hong Kong, Journalism and Media Studies Centre, China Media Project, 3 January 17.

<sup>38</sup>Wang Yanwen, “Let the Principle of Party Character Stand Up and Be Strengthened” [Rang dangxing yuanze li qilai qiang qilai], Seeking Truth, 15 February 17; Zhang Lei, “Firmly Adhere to the Principle of Party Character Without Wavering” [Laolao jianchi dangxing yuanze bu dongyao], Economic News, 17 February 17. See also Wu Jing and Wang Sibe, “Xi Jinping: Be Reliable News Media Workers for the Party and the People” [Xi jinpings: zuo dang he renmin xinlai de xinwen gongzuozhe], Xinhua, 7 November 16.

<sup>39</sup>“Xi Jinping’s View on News and Public Opinion” [Xi jinpings de xinwen yulun guan], People’s Daily, 25 February 16. See also “Xi’s Speech on News Reporting Resonates With Domestic Outlets,” Xinhua, 22 February 16; China Digital Times, “Xi’s State Media Tour: ‘News Must Speak for the Party,’” 19 February 16; CECC, 2016 Annual Report, 6 October 16, 61.

<sup>40</sup>All-China Journalists Association, “Diligently Work at Being a Media Worker on Whom the Party and People Can Rely” [Nuli zuo dang he renmin xinlai de xinwen gongzuozhe], Seeking Truth, 31 December 16. See also Wu Jing and Wang Sibe, “Xi Jinping: Be Reliable News Media Workers for the Party and the People” [Xi jinpings: zuo dang he renmin xinlai de xinwen gongzuozhe], Xinhua, 7 November 16.

<sup>41</sup>All-China Journalists Association, “Diligently Work at Being a Media Worker on Whom the Party and People Can Rely” [Nuli zuo dang he renmin xinlai de xinwen gongzuozhe], Seeking Truth, 31 December 16; David Bandurski, “The Making of a Good Party Reporter,” University of Hong Kong, Journalism and Media Studies Centre, China Media Project, 3 January 17.

<sup>42</sup>Li-Fung Cho, “The Emergence of China’s Watchdog Reporting,” in *Investigative Journalism in China: Eight Cases in Chinese Watchdog Journalism*, eds. David Bandurski and Martin Hala (Hong Kong: Hong Kong University Press, 2010), 165–67. See also Anthony Kuhn, “For Years, I’ve Been a Correspondent in China. This Month, I Became a Viral Star,” NPR, 18 March 17; CECC, 2016 Annual Report, 6 October 16, 62–63.

<sup>43</sup>All-China Journalists Association, “Diligently Work at Being a Media Worker on Whom the Party and People Can Rely” [Nuli zuo dang he renmin xinlai de xinwen gongzuozhe], Seeking Truth, 31 December 16; David Bandurski, “The Making of a Good Party Reporter,” University of Hong Kong, Journalism and Media Studies Centre, China Media Project, 3 January 17.

<sup>44</sup>Wu Jing et al., “Be a Reliable News Media Worker for the Party and the People—Hugely Enthusiastic Responses Among News Workers to General Secretary Xi Jinping’s Important Speech” [Zuo dang he renmin xinlai de xinwen gongzuozhe—xi jinpings zongshuji zhongyao jianghua zai guangda xinwen gongzuozhe zhong yinqi relie fanxiang], Xinhua, 8 November 16.

<sup>45</sup>China’s Information Controls, Global Media Influence, and Cyber Warfare Strategy, Hearing of the U.S.-China Economic and Security Review Commission, 4 May 17, Testimony of Xiao Qiang, Adjunct Professor, Director, School of Information, University of California, Berkeley, and Founder and Chief Editor, China Digital Times, 2. See also Mary Gallagher and Blake Miller, “Can the Chinese Government Really Control the Internet? We Found Cracks in the Great Firewall,” Washington Post, Monkey Cage (blog), 21 February 17.

<sup>46</sup>Gary King, Jennifer Pan, and Margaret E. Roberts, “How the Chinese Government Fabricates Social Media Posts for Strategic Distraction, Not Engaged Argument,” Harvard Univer-

## Freedom of Expression

sity, Faculty Page of Gary King, last visited 19 July 17, American Political Science Review (forthcoming), 34; China's Information Controls, Global Media Influence, and Cyber Warfare Strategy, Hearing of the U.S.-China Economic and Security Review Commission, 4 May 17, Testimony of Margaret E. Roberts, Assistant Professor of Political Science, University of California, San Diego, 2.

<sup>47</sup>UN Human Rights Council, Tenth Anniversary Joint Declaration: Ten Key Challenges to Freedom of Expression in the Next Decade, Addendum to Report of the Special Rapporteur on the Promotion and Protection of the Rights to Freedom of Opinion and Expression, A/HRC/14/23/Add.2, 25 March 10, art. 1(a).

<sup>48</sup>International Federation of Journalists, "Media Cooperate in Two More Televised 'Confessions,'" 9 March 17; China Change, "Co-opting Trump, Chinese State Propaganda Brands Torture Revelations 'Fake News,'" 9 March 17. See also PEN America, "Darkened Screen: Constraints on Foreign Journalists in China," 22 September 16, 5.

<sup>49</sup>Zhuang An, "Jiang Tianyong, Suspected of Breaking the Law, Placed Under Criminal Compulsory Measures According to Law" [Jiang tianyong shexian weifa fanzui bei yifa caiqu xingshi qiangzhi cuoshi], The Paper, 16 December 16; Cai Changchun, "Jiang Tianyong, Suspected of Breaking the Law, Placed Under Criminal Compulsory Measures According to Law" [Jiang tianyong shexian weifa fanzui bei yifa caiqu xingshi qiangzhi cuoshi], Legal Daily, 16 December 16; Wang Zhiguo, "Jiang Tianyong, Suspected of Breaking the Law, Placed Under Criminal Compulsory Measures According to Law" [Jiang tianyong shexian weifa fanzui bei yifa caiqu xingshi qiangzhi cuoshi], Procuratorial Daily, 17 December 16.

<sup>50</sup>Amnesty International, "China: Human Rights Lawyers Disbarred," 15 July 09; "Human Rights Lawyer: Failed Annual Inspection and Registration, License Revoked, Worried Persecution Will Continue" [Weiquan lushi: nianjian bu guo zhizhao bei diaoxiao you daya chixu], Radio Free Asia, 16 July 09; Elizabeth Lynch, "Codifying Illegality? The Case of Jiang Tianyong," China Law & Policy (blog), 20 January 17. See also Zhang Yan, "Story of Torture Is 'Fake,'" China Daily, 2 March 17.

<sup>51</sup>"Exposing the Truth of 'Xie Yang's Torture': Catering to the West With Baseless, False News" [Jiemi "xie yang zao kuxing" zhenxiang: wei yinghe xifang pingkong niezao], Global Times, 1 March 17. The Global Times made reference to written records of Xie's January 2017 meetings with his defense lawyers, detailing Changsha municipality, Hunan province, officials' use of torture against Xie. See Chen Jian'gang, "Record of Meeting With Hunan Lawyer Xie Yang (One)" [Hunan xie yang lushi huijian jilu (yi)], reprinted in Rights Defense Network, 19 January 17; Chen Jian'gang, "Record of Meeting With Hunan Lawyer Xie Yang (Two)" [Hunan xie yang lushi huijian jilu (er)], reprinted in Rights Defense Network, 19 January 17; Josh Chin, "Document of Torture: One Chinese Lawyer's Story From Jail," Wall Street Journal, China Real Time Report (blog), 20 January 17. English translations of the records of Xie's meetings are available at the China Change website. See "Transcript of Interviews With Lawyer Xie Yang (1)—Arrest, Questions About Chinese Human Rights Lawyers Group," China Change, 19 January 17; "Transcript of Interviews With Lawyer Xie Yang (2)—Sleep Deprivation," China Change, 20 January 17; "Transcript of Interviews With Lawyer Xie Yang (3)—Dangling Chair, Beating, Threatening Lives of Loved Ones, and Framing Others," China Change, 21 January 17; "Transcript of Interviews With Lawyer Xie Yang (4)—Admit Guilt, Keep Your Mouth Shut," China Change, 22 January 17.

<sup>52</sup>"Global Times' Slanders Jiang Tianyong for Fabricating Xie Yang's Torture, Jin Bianling Plans To Bring Lawsuit Against Authorities for Defamation" ["Huanshi" dihui jiang tianyong niezao xie yang zao kuxing jin bianling ni konggao dangju mohei], Radio Free Asia, 2 March 17; Yaxue Cao, "China's Extraordinary Response to the 11-Nation Letter Over the Torture of Human Rights Lawyers," China Change, 28 March 17.

<sup>53</sup>Rights Defense Network, "Lawyer Chen Jian'gang: Before and After Meeting With Xie Yang" [Chen jian'gang lushi: huijian xie yang de qianhou], 3 March 17.

<sup>54</sup>Other factors include financial and technical pressures. See, e.g., Li Xueqing, "News Buzz to Biz II: Xu Jun on China's Content Entrepreneurs," Sixth Tone, 3 October 16; David Bandurski, "Millennial Shift for China's Journalists," University of Hong Kong, Journalism and Media Studies Centre, China Media Project, 25 April 17.

<sup>55</sup>International Federation of Journalists, "Strangling the Media: China Tightens Its Grip," January 2017, 26–27. See also Xiao Bai, "The Death of 'Yanhuang Chunqiu,'" ["Yanhuang chunqiu" zhi si], InMediaHK, 10 October 16.

<sup>56</sup>David Bandurski, "The End of Consensus," University of Hong Kong, Journalism and Media Studies Centre, China Media Project, 3 October 16; Tom Tsui, "China's Consensus Net, a Website for Open Intellectual Discussion, Has Suddenly Shut Down," Quartz, 3 October 16.

<sup>57</sup>Jun Mai, "Chinese Liberal Think Tank Slams Beijing Censors After Website and Media Accounts Shut Down," South China Morning Post, 24 January 17.

<sup>58</sup>David Bandurski, "Speak Not of Lawyers Speaking Out," University of Hong Kong, Journalism and Media Studies Centre, China Media Project, 12 October 16; Cao Guoxing, "Caixin Online Temporarily Suspended for Two Months for Reporting With 'Problematic Guidance'" [Caixin wang yin baodao "daoxiang wenti" bei zanting zhuanzai liang ge yue], Radio France Internationale, 11 October 16; China Digital Times, "Minitrue: Two-Month Ban on Republishing Caixin Content," 11 October 16.

<sup>59</sup>Ibid. The government's criticism of Caixin's "problematic guidance" may be a reference to the "theory of guidance," a government term from the 1990s that allowed space for market-oriented media but required "correct political guidance." For the "theory of guidance," see Qiao Mu, "Stuck in the Middle," Oriental Daily, 13 February 17, translated in University of Hong Kong, Journalism and Media Studies Centre, China Media Project, 15 February 17.

<sup>60</sup>David Bandurski, "Speak Not of Lawyers Speaking Out," University of Hong Kong, Journalism and Media Studies Centre, China Media Project, 12 October 16; Cao Guoxing, "Caixin Online Temporarily Suspended for Two Months for Reporting With 'Problematic Guidance'" [Caixin wang yin baodao "daoxiang wenti" bei zanting zhuanzai liang ge yue], Radio France

Internationale, 11 October 16; China Digital Times, “Minitrue: Two-Month Ban on Republishing Caixin Content,” 11 October 16.

<sup>61</sup>Beina Xu and Eleanor Albert, Council on Foreign Relations, “Media Censorship in China,” 17 February 17; Sarah Cook, “All the News Unfit To Print: What Beijing Quashed in 2016,” Foreign Policy, Tea Leaf Nation (blog), 16 December 16. See also China Digital Times, “Minitrue: Do Not Present Taiwan as a Separate Political Entity,” 24 May 17; Sabine Peschel, “Poet Yang Lian: There Are Cracks and Holes in China’s Censorship,” Deutsche Welle, 1 July 16.

<sup>62</sup>China Digital Times, a U.S.-based Web portal that aggregates and analyzes English and Chinese language media, features translations of leaked censorship directives at <http://chinadigitaltimes.net/china/directives-from-the-ministry-of-truth/>. For an analysis of directives posted to China Digital Times in 2016, see Sarah Cook, “All the News Unfit To Print: What Beijing Quashed in 2016,” Foreign Policy, Tea Leaf Nation (blog), 16 December 16.

<sup>63</sup>China Digital Times, “Minitrue: No Reports on Liu Xiaobo’s Medical Parole,” 29 June 17.

<sup>64</sup>See, e.g., China Digital Times, “Minitrue: Follow Xinhua on Jiuzhaigou Earthquake,” 8 August 17; China Digital Times, “Jeremy Brown: How the Party Handles Accidents,” 10 August 17.

<sup>65</sup>See, e.g., China Digital Times, “Minitrue: Delete Report on Air Pollution Deaths,” 6 February 17.

<sup>66</sup>See, e.g., China Digital Times, “Minitrue: Do Not Repost News on Zhejiang HIV Infections,” 9 February 17.

<sup>67</sup>Sue-Lin Wong, “Chinese Reporters Say Blocked From Sichuan Landslide Coverage,” Reuters, 28 June 17. See also China Digital Times, “Jeremy Brown: How the Party Handles Accidents,” 10 August 17. Jeremy Brown has observed that the Party “put[s] natural disasters in the same category as accidents,” viewing them as “political disturbances.”

<sup>68</sup>Global Investigative Journalism Network, “Best Investigative Stories in China—2016,” 20 February 17. This reporting included The Paper’s March 2016 report about an illegal vaccine trade network based in Shandong province; Beijing News’ report in May 2016 that expressed skepticism of the official story about the death of an environmentalist; and Caixin media’s reports on a toxic running track at a school in Beijing municipality and a fraudulent weight loss product.

<sup>69</sup>China Digital Times, “Minitrue: Don’t Hype Article on Illegal Vaccines,” 22 March 16; China Digital Times, “Minitrue: Police Escape Charges Over Arrest Death,” 23 December 16; China Digital Times, “Minitrue: Inner Workings of Shady Medical Business [Updated],” 10 May 16.

<sup>70</sup>Maria Repnikova and Kecheng Fang, “China’s New Media: Pushing Political Boundaries Without Being Political,” Foreign Affairs, 12 October 16.

<sup>71</sup>Bethany Allen-Ebrahimian, “China, Explained,” Foreign Policy, 3 June 16.

<sup>72</sup>Joseph Kahn, “Beijing Censors Taken to Task in Party Circles,” New York Times, 15 February 06; Bethany Allen-Ebrahimian, “China, Explained,” Foreign Policy, 3 June 16.

<sup>73</sup>Sun Ruili and Li Jin, “Man Forcibly Sterilized in Zhenxiang, Yunnan: [I] Never Want To Go Back to That Place Again” [Yunnan zhenxiang bei qiangzhi jiezha nanzi: yi beizi bu xiang zai hui na ge difang], Beijing News, 14 February 17; Wang Lianzhang, “Chinese Father of Four Forced To Undergo Vasectomy,” Sixth Tone, 14 February 17.

<sup>74</sup>Sun Ruili and Li Jin, “Man Forcibly Sterilized in Zhenxiang, Yunnan: [I] Never Want To Go Back to That Place Again” [Yunnan zhenxiang bei qiangzhi jiezha nanzi: yi beizi bu xiang zai hui na ge difang], Beijing News, 14 February 17.

<sup>75</sup>Wang Lianzhang, “Chinese Father of Four Forced To Undergo Vasectomy,” Sixth Tone, 14 February 17.

<sup>76</sup>Ibid.

<sup>77</sup>See, e.g., Wang Yu, “Luyi, Henan, Responds to ‘Journalist on Assignment Is Assaulted’: Court Police Chief Removed and Others Suspected To Be Involved Receive Punishment” [Henan luyi huiying “jizhe caifang zao ouda”: sheshi fajing duizhang bei mianzhi duoren shou chufen], Beijing News, 8 December 16; Wang Ruifeng, “Follow-Up to Shandong Journalist Beaten While on Assignment: Four Prosecuted, Police Station Chief Loses Job” [Shandong jizhe caifang bei da xu: si ren bei tiqi gongsu, paichusuo zhang bei mianzhi], Southern Weekend, 9 October 16.

<sup>78</sup>Wang Shichuan, “How Many Shady Issues Are Hidden Behind Story of Beaten Reporters?” [Jizhe bei da shijian cangzhe duoshao heimuh], Beijing Times, 19 December 16.

<sup>79</sup>Sun Qiangqian and Wang Ruifeng, “Incident of Reporters Beaten Up in Gannan County, Heilongjiang: Deputy Chief of Police Station Dismissed” [Heilongjiang gannan xian ouda jizhe shijian: paichusuo fusuozhang bei chezhi], Southern Weekend, 18 December 16.

<sup>80</sup>Wang Yanhu, “Journalists on Assignment About Fire Emergency Are Beaten Up, Don’t Let the Law-Breakers Remain Free With Impunity” [Jizhe caifang huozai bei da, buneng rang weifazhe xiaoyao fawai], Beijing News, 27 February 17; Li Ming and Wang Yu, “Beijing News Journalist on Assignment at Laiguangying Fire Pushed to Ground by 6 Men, Cell Phone Confiscated” [Xin jingbao jizhe caifang laiguangying huozai bei 6 nanzi fangdao zaidi qiangzou shouji], Beijing News, 27 February 17.

<sup>81</sup>Lu Qingfu and Xie Jiao, “Xinhua Agency’s Three Questions About the On-Campus Death in Lu County: How Long Must We Wait for the Facts?” [Xinhuashe san wen lu xian xiaoyuan siwang shijian: nachu shishi xuyao duojiu], Xinhua, reprinted in Sina, 5 April 17. Local officials prevented the journalists from speaking with the dead boy’s mother and cordoned off access to the school. See also “Xinhua Agency Report on Luzhou Incident Said To Be Coordinating With Stability Maintenance, Police Deny Similar Incident Already Took Place at This School” [Xinhuashe baodao luzhou shijian bei zhi peihe weiwen chuan gai xiao ceng fasheng tonglei shijian jingfang furen], Radio Free Asia, 6 April 17.

<sup>82</sup>UN Human Rights Committee, General Comment No. 34, Article 19, Freedom of Opinion and Expression, CCPR/C/GC/34, 12 September 11, para. 44. The UN Human Rights Committee has noted that, “Journalism is a function shared by a wide range of actors, including profes-

## Freedom of Expression

sional full-time reporters and analysts, as well as bloggers and others who engage in forms of self-publication in print, on the internet or elsewhere . . . .”

<sup>83</sup>Edward Wong, “Chinese Police Detain Activist Who Documents Labor Protests,” *New York Times*, 27 June 16; “Blogger Who Compiled Reports of Protests, Demonstrations Stands Trial in China’s Yunnan,” *Radio Free Asia*, 23 June 17.

<sup>84</sup>Chinese Human Rights Defenders, “They Target My Human Rights Work as a Crime: Annual Report on the Situation of Human Rights Defenders in China (2016),” February 2017, 22; “Five Citizen Journalists From 64 Tianwang Detained During the G20, Reporters Without Borders Calls on Authorities To Release Those Detained” [Liusi tianwang wu gongmin jizhe G20 bei zhua wuguojie jizhe hu dangju shifang beibuzhe], *Radio Free Asia*, 8 September 16.

<sup>85</sup>Chinese Human Rights Defenders, “They Target My Human Rights Work as a Crime: Annual Report on the Situation of Human Rights Defenders in China (2016),” February 2017, 8.

<sup>86</sup>“Not the News’ Founder Lu Yuyu Heavily Sentenced to 4 Years” [“Fei xinwen” chuanganbanren lu yuyu bei zhongpan 4 nian], *Radio Free Asia* (RFA), 3 August 17. According to RFA, authorities criminally detained Lu Yuyu and Li Tingyu—Lu’s collaborator and girlfriend—in June 2016 on suspicion of “picking quarrels and provoking trouble.”

<sup>87</sup>“Case of ‘Not the News’ Li Tingyu Tried in Secret on Thursday” [“Fei xinwen” li tingyu zhou si mimi shenxun], *Radio Free Asia*, 20 April 17; Rights Defense Network, “Not the News’ Founder Lu Yuyu Sentenced to 4 Years Today, Girlfriend Li Tingyu Released on Bail” [“Fei xinwen” chuanganbanren lu yuyu jin huoxing 4 nian nuyou li tingyu qubao huoshi], 3 August 17.

<sup>88</sup>“Case of ‘Not the News’ Li Tingyu Tried in Secret on Thursday” [“Fei xinwen” li tingyu zhou si mimi shenxun], *Radio Free Asia*, 20 April 17.

<sup>89</sup>Oiwan Lam, “Founder of Protest Reporting Outlet Goes Missing in China,” *Global Voices*, 23 June 16; Austin Ramzy, “Chinese Court Sentences Activist Who Documented Protests to 4 Years in Prison,” *New York Times*, 4 August 17. See also Wu Qiang, “What Do Lu Yuyu’s Statistics of Protest Tell Us About the Chinese Society Today?” *China Change*, 6 July 16; CECC, 2016 Annual Report, 6 October 16, 82.

<sup>90</sup>Human Rights Campaign in China, “Not the News Case: Defense Lawyers Wang Zongyue and Xiao Yunyang Broke Their Silence and Made Public the Court Hearing Record of Lu Yuyu Who Was Arrested for Picking Quarrels and Provoking Trouble for Documenting Civil Rights Defense Incidents” [Fei xinwen an yin jilu minjian weiquan shijian yi xunxin zishi an daibu de lu yuyu qi bianhu lushi wang zongyue, xiao yunyang dapo chenmo gongkai tingshen qingkuang jilu], 25 June 17. For more information, see the Commission’s Political Prisoner Database records 2016-00177 on Lu Yuyu and 2016-00190 on Li Tingyu.

<sup>91</sup>Civil Rights & Livelihood Watch, “Liu Feiyue, Director of Civil Rights & Livelihood Watch, Criminally Detained on Charge of Subversion of State Power” [Minsheng guancha fuzeren liu feiyue an yin dianfu guojia zhengquan zui xingju], 24 November 16; Nomaan Merchant, “China Detains Editor of Human Rights Website for Subversion,” *Associated Press*, 25 November 16; “Rights Website Founder Detained on Subversion Charges in China’s Hubei,” *Radio Free Asia*, 25 November 16.

<sup>92</sup>Rights Defense Network, “Bulletin on CRLW Director Liu Feiyue’s Case: Family Members Receive ‘Arrest Notice’ From Suizhou, Hubei, PSB” [Minsheng guancha fuzeren liu feiyue an tongbao: jiaoshu shoudao hubei suizhou shi gong’anju fa de “daibu tongzhishu”], 11 January 17.

<sup>93</sup>“Illegally Providing State Secrets Abroad’ Added to Liu Feiyue’s Case” [Liu feiyue bei jiaokong “wei jingwai feifa tigong guojia mimi zui”], *Radio Free Asia*, 16 August 17.

<sup>94</sup>Nomaan Merchant, “China Detains Editor of Human Rights Website for Subversion,” *Associated Press*, 25 November 16. For more information about Liu Feiyue, see the Commission’s Political Prisoner Database record 2016-00460.

<sup>95</sup>Rights Defense Network, “Mainland NGO ‘64 Tianwang’ Director Huang Qi Arrested by Authorities” [Dalu NGO “liusi tianwang” fuzeren huang qi yi bei dangju zhixing daibu], 20 December 16.

<sup>96</sup>“Police in China’s Sichuan Raid Rights Website, Detain Founder,” *Radio Free Asia*, 29 November 16; “Web Site Manager Huang Qi Released After Completing Sentence, but Restricted to Home Village,” *Congressional-Executive Commission on China*, 7 June 05.

<sup>97</sup>Sharon LaFraniere, “School Construction Critic Gets Prison Term in China,” *New York Times*, 23 November 09. For more information about Huang Qi, see the Commission’s Political Prisoner Database record 2004-04053.

<sup>98</sup>Catherine Lai, “Interview: Prize-Winning Chinese Citizen Journalism Website Still Going Strong Despite Suppression,” *Hong Kong Free Press*, 12 November 16.

<sup>99</sup>Reporters Without Borders, “RSF Demands Release of Five Citizen Journalists Arrested During G20,” 6 September 16; “China Detains Five Women Citizen Journalists During the G20 Summit” [Zhongguo zhuban G20 fenghui qijian daibu wuming nu gongmin jizhe], 7 September 16. For more information, see the Commission’s Political Prisoner Database records 2016-00394 on Qin Chao, 2016-00395 on Yuan Ying, 2016-00461 on Lin Xiurong, 2016-00462 on He Yazhen, and 2016-00464 on Yang Xiuqiong.

<sup>100</sup>“For Revealing Huang Qi’s Indictment for ‘Disclosing Secrets,’ Tianwang Volunteer Yang Xiuqiong Faces Arrest” [Pilu huang qi bei kong “xie mi” tianwang yigong yang xiuqiong zao zhibu], *Radio Free Asia*, 28 June 17.

<sup>101</sup>Huang Qi, 64 *Tianwang*, “Tianwang Citizen Journalist Yang Dongying Released Upon Completing Sentence” [Tianwang gongmin jizhe yang dongying xingman huoshi], 5 November 16; “They Took My 13-Year-Old Son to the Police Station,” *Radio Free Asia*, 31 July 15. For more information about Yang Dongying, see the Commission’s Political Prisoner Database record 2017-00290.

<sup>102</sup>“Imprisoned Tianwang Citizen Journalist Wang Jing’s Brain Cancer Worsens, Urgently Needs Surgery” [Tianwang gongmin jizhe wang jing yuzhong naoliu jiazhong jixu shoushu], 13 February 17. For more information on Wang Jing, see the Commission’s Political Prisoner Database record 2014-00104. See also CECC, 2016 Annual Report, 6 October 16, 65.

<sup>103</sup>PEN America, “Darkened Screen: Constraints on Foreign Journalists in China,” 22 September 16.

<sup>104</sup>Foreign Correspondents’ Club of China, “Working Conditions Survey 2016,” November 2016, reprinted in Committee to Protect Journalists, 15 November 16.

<sup>105</sup>International Federation of Journalists, “Strangling the Media: China Tightens Its Grip,” January 2017.

<sup>106</sup>PEN America, “Darkened Screen: Constraints on Foreign Journalists in China,” 22 September 16, 18; Foreign Correspondents’ Club of China, “Working Conditions Survey 2016,” November 2016, reprinted in Committee to Protect Journalists, 15 November 16, 1; International Federation of Journalists, “Strangling the Media: China Tightens Its Grip,” January 2017, 34–41.

<sup>107</sup>Natalie Thomas (@natalieinchina), Twitter post, 14 September 16, 10:12 p.m.; China Digital Times, “Wukan: Press Expelled, Rewards Offered,” 15 September 16; International Federation of Journalists, “Strangling the Media: China Tightens Its Grip,” January 2017, 37–38. See also Stephen McDonnell (@StephenMcDonnell), Twitter post, 14 September 16, 8:42 p.m.

<sup>108</sup>“5 Hong Kong Journalists, Including From Ming Pao, Detained for 5 Hours, Faced Rough Treatment and Verbal Abuse, Forced To Leave That Night” [Mingbao deng 5 gangji bei kou 5 xiaoshi zao cubao duidai ruma lianye bei song zoul], Ming Pao, 14 September 16. See also China Digital Times, “Wukan: Press Expelled, Rewards Offered,” 15 September 16.

<sup>109</sup>“Foreign Journalist Interviewing NPC Independent Candidate ‘Attacked’ [Waiguo jizhe caifang renda duli canxuanren zao ‘gongji’], Voice of America, 18 November 16; Benjamin Haas, “BBC Crew Attacked in China and Forced To Sign Confession,” Guardian, 3 March 17. According to the Guardian, BBC correspondent John Sudworth was able to interview the independent candidate after the election took place.

<sup>110</sup>John Sudworth, “China Congress: BBC Team Forced To Sign Confession,” BBC, 3 March 17; Benjamin Haas, “BBC Crew Attacked in China and Forced To Sign Confession,” Guardian, 3 March 17.

<sup>111</sup>Jonathan Kaiman, “Eat, Pray, Love the Communist Party: A Road Trip Through Tibetan Lands, Guided by China,” Los Angeles Times, 9 January 17.

<sup>112</sup>For information on the censorship status of websites and keywords, see GreatFire.org, GreatFire Analyzer, last visited 19 July 17. See also Justin Ellick, “Six Sites Blocked by China’s Great Firewall,” Index on Censorship, 27 February 17.

<sup>113</sup>Katie Benner and Sui-Lee Wee, “Apple Removes New York Times Apps From Its Store in China,” New York Times, 4 January 17.

<sup>114</sup>“709 Crackdown: Lawyer Li Heping Released, Forced To Take Medicine While in Detention” [709 da zhuabu: li heping lushi huoshi zaiya qijian zao qiangpo fuyao], Radio Free Asia, 10 May 17. For more information on Li Heping, see the Commission’s Political Prisoner Database record 2015-00284.

<sup>115</sup>“Private School Teachers in Sichuan Protest Around Government Offices, Call for Foreign Media Support and Face Threats of Possible Detention” [Sichuan minshi wei zhengfu kangyi xiang waimei qiuzhu zao qiuhou suanzhang weixie zhuabu], Radio Free Asia, 5 April 17.

<sup>116</sup>Te-Ping Chen, “China Offers Rare Insight Into Punishment for Speaking With Foreign Media,” Wall Street Journal, China Real Time Report (blog), 27 April 17.

<sup>117</sup>PEN America, “Darkened Screen: Constraints on Foreign Journalists in China,” 22 September 16, 7, 12, 26. See also Foreign Correspondents’ Club of China, “Working Conditions Survey 2016,” November 2016, reprinted in Committee to Protect Journalists, 15 November 16; Yaqiu Wang, “In China, Sources Face Harassment, Jail for Speaking to Foreign Media,” Huffington Post, 24 February 17.

<sup>118</sup>Chinese Human Rights Defenders, “Zhang Haitao,” last visited 19 July 17; Rights Defense Network, “Xinjiang Human Rights Defender Zhang Haitao’s Appeal Case Announced Today—Upholds First-Instance Trial Judgment of 19 Years’ Imprisonment” [Xinjiang renquan hanweizhe zhang haitao an jin ershen xuanpan—weicheng yishen 19 nian youqi tuxing de panjue], 28 November 16; Catherine Lai, “Xinjiang Court Upholds ‘Extraordinarily Harsh’ 19-Year Sentence for Outspoken Writer Zhang Haitao,” Hong Kong Free Press, 29 November 16.

<sup>119</sup>Chinese Human Rights Defenders, “‘They Target My Human Rights Work as a Crime’: Annual Report on the Situation of Human Rights Defenders in China (2016),” February 2017, 18; Yaqiu Wang, “Activist in Xinjiang Sentenced to 19 Years for Online Writings and Rights Activities,” China Change, 21 January 16.

<sup>120</sup>Human Rights Watch, “China: Drop Charges Against Tibetan Education Activist,” 15 January 17.

<sup>121</sup>Edward Wong, “Police in China Push for Trial of Tibetan Education Advocate,” New York Times, 30 August 16; Yaqiu Wang, “In China, Sources Face Harassment, Jail for Speaking to Foreign Media,” Huffington Post, 24 February 17; Edward Wong, “Tibetans Fight To Salvage Fading Culture in China,” New York Times, 28 November 15; Edward Wong, “A Showcase of Tibetan Culture Serves Chinese Political Goals,” New York Times, 19 December 15; Jonah M. Kessel, “A Tibetan’s Journey for Justice,” New York Times, Times Documentaries, 28 November 15. For more information on Tashi Wangchug, see the Commission’s Political Prisoner Database record 2016-00077.

<sup>122</sup>Rights Defense Network, “Jiangsu Rights Defender Xu Qin Blocked From Traveling to Hong Kong, Shaanxi’s Lu Dongli Denied Regular Passport and Hong Kong-Macau Travel Permit on Suspicion of Involvement in ‘July 9’ Incident” [Jiangsu weiquan renshi xu qin chujing fu xianggang bei zu shaanxi lu dongli shexian canyu “709” shijian buyu qianfa putong huzhao he gang’ao tongxing zheng], 15 March 17; “Passport Not Processed for Suspected Involvement in 709 Case, Lu Dongli Sues Qianyang County Public Security Bureau” [She 709 an buyu ban huzhao lu dongli qisu qianyang xian gong’anju], Radio Free Asia, 17 March 17.

<sup>123</sup>Chinese Academy of Governance, “About CAG,” 29 December 10, last visited 11 May 17.

<sup>124</sup>Chinese Academy of Governance, “Committee Bulletin on Corrections Following Disciplinary Investigation” [Zhonggong guojia xingzheng xueyuan weiyuanhui guanyu xunshi zhenggai

## Freedom of Expression

qingkuang de tongbao], 26 April 17, 2(2)(7); Te-Ping Chen, “China Offers Rare Insight Into Punishment for Speaking With Foreign Media,” Wall Street Journal, China Real Time Report (blog), 27 April 17.

<sup>125</sup>China’s Information Controls, Global Media Influence, and Cyber Warfare Strategy, Hearing of the U.S.-China Economic and Security Review Commission, 4 May 17, Testimony of Xiao Qiang, Adjunct Professor, Director, School of Information, University of California, Berkeley, and Founder and Chief Editor, China Digital Times, 2.

<sup>126</sup>Liza Lin and Josh Chin, “China’s VPN Crackdown Weighs on Foreign Companies There,” Wall Street Journal, 2 August 17; Cate Cadell, “Amid VPN Crackdown, China Eyes Upgrades to Great Firewall,” Reuters, 20 July 17.

<sup>127</sup>PRC Cybersecurity Law [Zhonghua renmin gongheguo wangluo anquan fa], passed 7 November 16, effective 1 June 17.

<sup>128</sup>Josh Chin, “China Targets Social-Media Giants WeChat, Weibo in Cybersecurity Probe,” Wall Street Journal, 11 August 17.

<sup>129</sup>Josh Chin and Eva Dou, “Communist Party Pushes China’s Internet Censors To ‘Ensure Political Security,’” Wall Street Journal, 12 June 17.

<sup>130</sup>Jedidiah R. Crandall et al., “Chat Program Censorship and Surveillance in China: Tracking TOM-Skype and Sina UC,” First Monday, Vol. 18, No. 7 (1 July 13), 2.1.

<sup>131</sup>Josh Chin, “China Targets Social-Media Giants WeChat, Weibo in Cybersecurity Probe,” Wall Street Journal, 11 August 17.

<sup>132</sup>Ibid.; David Pierson and Melissa Etehad, “Facebook Is Working To Stop Fake News by Tapping Human Fact-Checkers,” Los Angeles Times, 15 December 16.

<sup>133</sup>“In Past Half Year, WeChat Closed 45,000 Accounts, and Is Criticized for Suppressing Freedom of Speech” [Weixin bannian fenghao 4.5 wan bei pi daya yanlun ziyou], Radio Free Asia, 6 March 17; “Once Again, Tencent Shuts Down Large Number of WeChat Groups” [Tengxun zaidu fengsha dapi weixin qun], Radio Free Asia, 22 March 17.

<sup>134</sup>Masashi Crete-Nishihata, Jeffrey Knockel, and Lotus Ruan, “Tibetans Blocked From Kalachakra at Borders and on WeChat,” University of Toronto, Munk School of Global Affairs, Citizen Lab, 10 January 17; Lotus Ruan, Jeffrey Knockel, and Masashi Crete-Nishihata, “We (can’t) Chat: ‘709 Crackdown’ Discussions Blocked on Weibo and WeChat,” University of Toronto, Munk School of Global Affairs, Citizen Lab, 13 April 17.

<sup>135</sup>Masashi Crete-Nishihata et al., “Remembering Liu Xiaobo,” University of Toronto, Munk School of Global Affairs, Citizen Lab, 16 July 17.

<sup>136</sup>Lotus Ruan, Jeffrey Knockel, and Masashi Crete-Nishihata, “We (can’t) Chat: ‘709 Crackdown’ Discussions Blocked on Weibo and WeChat,” University of Toronto, Munk School of Global Affairs, Citizen Lab, 13 April 17.

<sup>137</sup>Masashi Crete-Nishihata, Jeffrey Knockel, and Lotus Ruan, “Tibetans Blocked From Kalachakra at Borders and on WeChat,” University of Toronto, Munk School of Global Affairs, Citizen Lab, 10 January 17.

<sup>138</sup>Lotus Ruan, Jeffrey Knockel, and Masashi Crete-Nishihata, “We (can’t) Chat: ‘709 Crackdown’ Discussions Blocked on Weibo and WeChat,” University of Toronto, Munk School of Global Affairs, Citizen Lab, 13 April 17.

<sup>139</sup>Tibetan Centre for Human Rights and Democracy, “China: Stop Violating Right to Freedom of Religion and Belief of Tibetans,” 12 January 17.

<sup>140</sup>“What China’s VPN Ban Means for Internet Users: Quicktake Q&A,” Bloomberg, 10 July 17.

<sup>141</sup>Mary Gallagher and Blake Miller, “Can the Chinese Government Really Control the Internet? We Found Cracks in the Great Firewall,” Washington Post, Monkey Cage (blog), 21 February 17.

<sup>142</sup>Gerry Shih, “China Cracks Down on Tools Used To Get Around Web Filters,” Associated Press, 23 January 17; Oiwan Lam, “China Officially Outlaws Unauthorized VPNs,” Global Voices, 23 January 17.

<sup>143</sup>Ministry of Industry and Information Technology, Circular on Cleaning Up and Standardizing the Internet Access Service Market [Qingli guifan hulianwang wangluo jieru fuwu shichang de tongzhi], 17 January 17, issued 22 January 17, 2(2.4); Sidney Leng et al., “The Who, What and Why in China’s Latest VPN Crackdown,” South China Morning Post, 26 January 17.

<sup>144</sup>Chongqing Municipal Public Security Bureau, Chongqing Municipality Public Security Agencies’ Internet Security Management Administrative Punishment Guidelines [Wangluo anquan guanli xingzheng chufa cailiang jizhun], effective 27 July 16, issued 17 March 17; Eva Li, “Chongqing Police To Punish Those Skirting China’s Great Firewall,” South China Morning Post, 29 March 17.

<sup>145</sup>China’s Information Controls, Global Media Influence, and Cyber Warfare Strategy, Hearing of the U.S.-China Economic and Security Review Commission, 4 May 17, Testimony of Sophie Richardson, China Director, Human Rights Watch, 5.

<sup>146</sup>“China Tells Carriers To Block Access to Personal VPNs by February,” Bloomberg, 10 July 17.

<sup>147</sup>Li Xiyin, “MIIT Refutes It Requested Telecoms To Prohibit Individual VPN Service Providers: Regulatory Targets Are Unqualified Ones” [Gongxinbu founen yao yunyingshang jinzhi geren VPN yewu: guifan duixiang shi wu zizhizhe], The Paper, 12 July 17.

<sup>148</sup>Cate Cadell, “China Targets Alibaba’s Taobao, Other E-Commerce Sites, in VPN Crackdown,” Reuters, 17 August 17; April Ma, “Alibaba’s Taobao Runs Afoul of Cyber-Regulators With Sale of Banned Items,” Caixin, 18 August 17.

<sup>149</sup>Court Cites GFW Circumvention Software in Convicting Man for Three Tweets That Incited Ethnic Hatred,” Fei Chang Dao (blog), 29 March 17; Xinjiang Uyghur Autonomous Region, Kuitun Municipal People’s Court, Criminal Judgment [Xinjiang weiwu’er zizhiqu kuitun shi renmin fayuan zingshi panjue shu], (2016) Xin 4003 Xing Chu No. 5, 24 March 16, reprinted in China Judgements Online, 1 November 16. For more information on Tian Weiguo, see the Commission’s Political Prisoner database record 2017-00195.



<sup>150</sup>Oiwan Lam, “Leaked Xinjiang Police Report Describes Circumvention Tools as ‘Terrorist Software,’” *Global Voices*, 26 October 16; “Man Held in China’s Xinjiang for Downloading ‘Terrorist’ Circumvention Software,” *Radio Free Asia*, 28 October 16.

<sup>151</sup>Human Rights Watch, “China: Abusive Cybersecurity Law Set To Be Passed,” 6 November 16; Chinese Human Rights Defenders, “They Target My Human Rights Work as a Crime: Annual Report on the Situation of Human Rights Defenders in China (2016),” February 2017, 14–15.

<sup>152</sup>Orville Schell, “To Forget or Remember? China’s Struggle With Its Past,” *Washington Quarterly*, Fall 2016, 150–53; Josh Chin, “In China, Xi Jinping’s Crackdown Extends to Dissenting Versions of History,” *Wall Street Journal*, 1 August 16; Josh Chin, “China Set To Tweak Civil Code To Punish Revisions of Martyr Lore,” *Wall Street Journal*, China Real Time Report (blog), 13 March 17; Kiki Zhao, “For Mocking a Martyr, Chinese Blogger Runs Afoul of Beijing Court,” *New York Times*, *Sinosphere* (blog), 23 September 16.

<sup>153</sup>Zhou Lihang, “Supreme People’s Court Issues Model Cases on the Protection of Historical Figures’ Personal Rights and Interests” [Zuigao fayuan fabu baohu yingxiong renwu renga quanyi dianxing anli], *China Court Net*, 19 October 17; Jeremy Daum, “Not Heroes of Free Speech,” *China Law Translate* (blog), 21 October 16.

<sup>154</sup>Zhang Ziyang, “Zhou Qiang: Dare To Draw the Sword Against Erroneous Western Thought” [Zhou qiang: yao gan yu xiang xifang cuowu sichao liang jian], *China News Service*, 14 January 17.

<sup>155</sup>PRC General Provisions of the Civil Law [Zhonghua renmin gongheguo minfa zongze], passed 15 March 17, effective 1 October 17, art. 185; “China Focus: China Adopts General Provisions of the Civil Law,” *Xinhua*, 15 March 17.

<sup>156</sup>Shan Yuxiao, “Draft Civil Code Changed Again in Many Places, Those Defaming the Reputations of Heroes and Martyrs Will Be Held Responsible” [Minfa zongze cao’an zai gai dou chu qinfan yinglie mingyu jiang danze], *Caixin*, 12 March 17.

<sup>157</sup>Zhou Lihang, “Supreme People’s Court Issues Model Cases on the Protection of Historical Figures’ Personal Rights and Interests” [Zuigao fayuan fabu baohu yingxiong renwu renga quanyi dianxing anli], *China Court Net*, 19 October 17; Verna Yu, “China Bans ‘Defamation’ of Communist Party Heroes,” *America: The Jesuit Review*, 20 March 17.

<sup>158</sup>See, e.g., “Typo Says Soccer Chairman Is China’s Chairman, LeTV Sacks Staffer” [Wu cheng xuzie zhuxi wei guojia zhuxi leshi chaoen], *Apple Daily*, 7 November 16; Rights Defense Network, “Zhu Delong, Former Associate Professor at Capital Normal University Who Criticized CCP General Secretary Xi Jinping in WeChat Group for Creating Personality Cult, Had Online Opinions Shut Down and Served 5 Days of Administrative Detention” [Qian shoudu shifan daxue fu jiaoshou zhu delong yin zai weixin qun piping zhonggong zongshuji xi jingping gao geren chongbai, fengsha wangluo minyi, jing bei xingzheng juliu 5 tian], 15 August 17.

<sup>159</sup>See, e.g., Bai Tiantian, “Mao-Bashers Receive Punishment,” *Global Times*, 17 January 17; “Chinese Official Fired After Calling Mao a ‘Devil,’” *Reuters*, 16 January 17; “Chinese Professor Sacked After Criticizing Mao Online,” *Reuters*, 10 January 17; Ben Blanchard, “Chinese Academic Who Called Mao a ‘Devil’ Says He Was Sacked,” *Reuters*, 4 August 17.

<sup>160</sup>See, e.g., “Police Officer Who Reposted Article Critical of ‘Land Reform’ Is Sentenced to Prison” [Jingyuan zhuanfa piping “tugai” wenzhang bei panxing], *Radio Free Asia*, 7 December 16. For more information on Miao Yue, see the Commission’s Political Prisoner Database record 2017-00261. “Writer Xiong Feijun Among Three Criminally Detained, Defense Lawyer Will Request Obtaining Guarantee Pending Further Investigation” [Zuojia xiong feijun an san ren zao xingju daili lushi jiang ti qubao houshen], *Radio Free Asia*, 2 January 17; “Wife of Hubei Writer Xiong Feijun Breaks Silence, Speaks of Husband’s Criminal Detention” [Hubei zuojia xiong feijun qizi dapo chenmo tan qi zhangfu bei xingju], *Radio Free Asia*, 31 December 16. For more information on Xiong Yingxue (pen name Xiong Feijun), see the Commission’s Political Prisoner Database record 2016-00502. *China Digital Times*, “Rebel Pepper: Who’s Afraid of the Big Banned Book?” 15 February 17. For more information, see the Commission’s Political Prisoner Database records 2017-00112 on Dai Xuelin and 2017-00113 on Zhang Xiaoxiong.

<sup>161</sup>Alice Miller, “What Would Deng Do?” *China Leadership Monitor*, Hoover Institution, Stanford University, No. 52 (Winter 2017), 14 February 17, 9.

<sup>162</sup>“Woman Sentenced to 18 Months Imprisonment for Tencent QQ Posts That Insulted Leaders and Policies,” *Fei Chang Dao* (blog), 27 February 17. Judicial authorities in Jinzhou municipality, Hebei province, sentenced “Ms. Li” to one year and six months’ imprisonment on the charge of “picking quarrels and provoking trouble” for material she shared via a QQ chat group that “insulted and vilified foreign and domestic heads of state, national leaders, and national religious policies as well as false information about major domestic incidents.”

<sup>163</sup>“Man Sentenced to Six Months Imprisonment for Tencent Wechat Posts Defaming Xi Jinping,” *Fei Chang Dao* (blog), 23 February 17. In January 2017, judicial authorities in Ningling county, Shangqiu municipality, Henan province, sentenced “Mr. Yu” to six months’ imprisonment on the charge of “defamation” (PRC Criminal Law, Article 246). The verdict stated that “Mr. Yu” posted statements that “defamed Comrade Chairman Xi Jinping” to a WeChat group. PRC Criminal Law [Zhonghua renmin gongheguo xing fa], passed 1 July 79, amended 14 March 97, effective 1 October 97, amended 25 December 99, 31 August 01, 29 December 01, 28 December 02, 28 February 05, 29 June 06, 28 February 09, 25 February 11, 29 August 15, effective 1 November 15, art. 246.

<sup>164</sup>“For Satirizing ‘Bandit Mao’ and ‘Steamed Bun Xi,’ Shandong Netizen Wang Jiangfeng Sentenced to Two Years in Prison” [Fengci “mao zei” “xi baozi” shandong wangmin panxing liang nian], *Radio Free Asia*, 12 April 17; Rights Defense Network, “Wang Jiangfeng of Shandong Criminally Convicted for Speech, Sentenced to 2 Years in Prison” [Shandong wang jiangfeng yin yan huozui bei pan 2 nian youqi tuxing], 12 April 17. For more information about Wang Jiangfeng, see the Commission’s Political Prisoner Database record 2016-00490.

<sup>165</sup>Rights Defense Network, “Yanji City, Jilin Province, Netizen Kwon Pyong [Quan Ping] Suspected To Have Been Detained on October 1 for Wearing T-Shirt in Public With Slogan Crit-

## Freedom of Expression

18

ical of Xi Jinping” [Jilin sheng yanji shi wangyou quan ping yi yin yu 10 yue 1 ri chuanxie you piping xi jinping biaoyu de wenhua shan shang jie er zao jubu], 31 October 16; “China Detains Jilin Activist for Wearing Anti-Xi Jinping T-Shirt,” Radio Free Asia, 2 November 16.

<sup>166</sup>“For Wearing T-Shirt Satirizing Xi Jinping, Kwon Pyong [Quan Ping] Accused of ‘Inciting Subversion’” [Quan ping chuan fengci xi jinping wenhua shan bei kong “shandian”], Radio Free Asia, 10 February 17.