

Foreign Reporters on Reporting in China

Robert Dietz

Asia Program Coordinator

Committee to Protect Journalists

For the Congressional-Executive Commission on China Roundtable, “China’s Treatment of Foreign Journalists,” Wednesday, December 11, 2013.

With the arrival of Chinese President Xi Jinping’s government in November 2012, foreign journalists based in China say there has been an unmistakable hardening of attempts to control their activities through the denial of visas or delays in their approval. In its year-end statement, the [Foreign Correspondents’ Club of China](#) said about the problems with visas, “The authorities have given no public explanation for their actions, leading to the impression that they have been taken in reprisal for reporting that displeased the government. Chinese officials have said that foreign media in China must abide by Chinese laws and regulations, but they have never explained which laws and regulations” are at issue to reporters who have been denied visas. The FCCC mentioned *The New York Times* bureau chief, Philip Pan, who has been waiting for over 18 months, and the *Times*’ correspondent Chris Buckley, who has been in Hong Kong awaiting a visa for a year. Also mentioned by the FCCC are [Paul Mooney](#), who is here with us today because he was denied a visa to work as a features writer for Reuters after 18 years of reporting from China, and [Melissa Chan](#), Al Jazeera’s English-language service correspondent, who was denied a visa in May 2012 and effectively expelled. (Annex 1, below, contains the FCCC’s entire statement, with a list of five detailed

complaints, including confrontations with police, restricted travel to areas of unrest, harassment of locally hired staff in China, and diplomatic pressure in journalists' home countries about their reporting.)

Unease around visa renewals has long been a problem in China. In the past, journalists applied for their visas in November and December and generally got them in December. A journalist's visa expires a year after the day it is issued. If, say, they are issued a visa on December 15, their visa will expire the following year on December 14. Larger organizations with many employees submit visas on different dates, each with a different expiration date. Under new rules announced in June and July, all visas, not just those for journalists, must go through a screening by the Public Security Bureau that could take up to 15 business days—though at the time of the announcement authorities said they would try to expedite as many cases as possible. There also seems to be a problem with the software developed to handle the workload. On Monday, Foreign Ministry spokesman Hong Lei said at a regular briefing that China's treatment of foreign journalists consistently follows laws and regulations.

Journalists in China agree that the two media organizations attracting the most attention about visa renewals, *The New York Times* and Bloomberg News, do seem to be under direct threat of retaliation, apparently because of their critical reporting on sensitive issues in China. Together, about 23 or 24 staff are affected. Neither the *Times* nor Bloomberg responded to CPJ's requests for more information. (Both Bloomberg and *The New York Times* have longstanding close ties to CPJ). It is also worth noting that none of the journalists with whom CPJ spoke in recent days were willing to be fully identified. Some requested that they only be contacted by phone so there would be no email trail to link them to this presentation.

As one journalist who worries their visa will not be renewed told me, “The big question right now is — are the Chinese authorities bluffing?” From what that journalist can determine, “there is no real way to tell beyond waiting it out.” This sort of situation creates real logistical issues for many reporters. If the government decides on the day before the visa’s expiration date that a journalist can stay, the journalist may have already shipped home their personal effects and reporting equipment. For others with families, it is even more devastating. The source asked to have his identity protected because his is not authorized by the media company he works for to speak publicly about the issue.

As it stands right now, the reporter told me, one correspondent was specifically told by a Public Security Bureau official that no visas would be renewed for their organization. It was, notably, a verbal conversation, so in the event that authorities reverse their decision there will be no proof of intended interference. Beyond that one verbal communication, there does not seem to be anything else from government officials to explain what is happening or why.

It has worked this way in the past, too. Officials do not offer any information or the notion of a directive from above. Journalists simply wait in “visa purgatory” with endless phone calls and no information. And local police have threatened journalists with visa revocation before—see CPJ’s March 2011 report, “[China threatens foreign journalists for ‘illegal’ reporting.](#)” Conditions are not improving, and not just on the issue of visas. The FCCC’s [Annual Working Conditions Survey](#), published in May 2013, found that 98 percent of respondents do not think reporting conditions in China meet international standards, and 70 percent feel conditions have worsened or stayed the same as the year before. Only three

respondents said they think things are getting better. (The FCCC's full survey is attached in Annex 2, below.)

Have the deteriorating conditions and the tactic of possible visa restrictions made news organizations step back from reporting on stories that might anger China's government? Few reporters with whom I spoke in China would admit to not reporting fully on a situation either for fear of retaliation by the government or because the government specifically told them not to report. Bloomberg has strongly denied claims made by one of its employees that it killed a story for fear of angering Chinese authorities, as reported in *The New York Times*.

One reporter, who works for a large news organization, did say that the atmosphere amid the recent visa issues is daunting: "This action is definitely sending waves of fear into many smaller papers around the globe who have smaller staffs and budgets. In many ways, I think they have already actually been successful in creating fear-driven self-censorship and symbolically showing the Western press that it doesn't matter who you are, we can kick you out," the reporter wrote to me.

A question remains: If the government does refuse to allow current visa holders to stay, does that mean the number of positions for a large news organization will be reduced, or will other correspondents be allowed to take their place? Reporters in Beijing told me it would be fair to assume that if they were forced to leave it would take a long time to fill their slot and at best there would be a long "bumpy" transition period.

CPJ is glad that Vice President Joseph Biden raised the issue of visas and their link to the freedom to report in China while he was there this month. Diplomatic

engagement like that is among the best ways to address such problems. But we are concerned by new calls that, if foreign journalists in China are not granted visa renewals, there should be retaliation from the United States (see *The Washington Post*'s December 8 editorial, "[China's strong-arm tactics toward U.S. media merit a response](#).") It is worthwhile to note that the Foreign Correspondents' Club of China opposes such tactics as "not appropriate." And [CPJ opposed similar calls](#) when they arose in 2012. Then, [H.R. 2899](#), the Chinese Media Reciprocity Act of 2011, was under discussion by the Subcommittee on Immigration Policy and Enforcement. The bill sought to reduce the number of visas available to journalists (and their families) working in the United States for 13 Chinese state-controlled publications. The aim was to pressure Beijing into allowing more Voice of America reporters into China, where Voice of America was allowed only two China visas to cover a country of more than 1.3 billion people.

China says it accredits 650 foreign journalists in total to work within its borders—not just those from the United States. That number seems realistic, though there is no way to check it. And there are a growing number of Chinese journalists working around the world, not just in the United States, as China seeks to extend its "soft" diplomatic power. It would be disastrous if democratic countries were to launch a round of modern-era Cold War tit-for-tat accreditation wars aimed at restricting foreign journalists. I checked recently with a Chinese journalist based in the United States, and that person said there are no visa problems for Chinese journalists working as far as that person is aware. Visa applications are handled from Beijing, the reporter told me, and other than a face-to-face interview with an immigration official, journalists are not involved in the process, and there are no hassles. In the United States and other open democracies, it should stay that way.

Annex 1

Foreign Correspondents Club of China Year-end Statement (Released December 11, 2013)

Reviewing the conditions under which foreign reporters work in China, the FCCC is disturbed to note a number of negative trends over the past year.

- In particular, we have found that the Chinese authorities are increasingly using the denial of visas, or delays in their approval, in an apparent effort to influence journalists' coverage. No correspondents for the New York Times and Bloomberg have yet been able to renew their annual residence visas, which have been subject to unusual and unexplained delays this year.

The New York Times, since it published articles concerning the finances of a senior Chinese leader last year, has also been unable to secure resident journalist visas for either its bureau chief, Philip Pan, who has been waiting for over 18 months, or correspondent Chris Buckley, who has been in Hong Kong awaiting a visa for a year.

Paul Mooney, a veteran correspondent known for his reporting on human rights issues, was denied the visa that would have allowed him to take a job in Beijing for Reuters. Melissa Chan, Al Jazeera's English language service correspondent, was denied a visa in May 2012 and effectively expelled.

The authorities have given no public explanation for their actions, leading to the impression that they have been taken in reprisal for reporting that displeased the government. Chinese officials have said that foreign media in China must abide by Chinese laws and regulations, but they have never explained which laws and regulations Pan, Buckley, Mooney and Chan, or their employers, are said to have violated.

- New rules, introduced this year, according to which the police take 15 business days (three weeks) to process visa applications, mean that reporters cannot leave the country during this period, making the work of those responsible for Asian regional coverage unnecessarily difficult.

- The key rule governing foreign journalists in China – that they need only obtain the consent of their interviewees for an interview to be legal – has been progressively weakened in practice.

The authorities have, for example, spontaneously designated locations, such as Tiananmen Square or the scenes of social unrest, where they claim the rule does not apply and where special permission is said to be required to film or report. FCCC members also report being told by local officials in different parts of China that citizens' employers must approve interview requests.

We are aware of a number of cases in which Chinese citizens have been intimidated by police or local officials, or instructed not to grant interviews to foreign correspondents. The Foreign Ministry has publicly assured reporters that this is a violation of rules governing their work, but we have seen no evidence that the central government has taken any steps to enforce those rules.

Large swathes of Chinese territory remain effectively out of bounds to foreign correspondents. Although a handful of resident foreign correspondents and some journalists visiting from abroad have been allowed into Tibet this year, strict restrictions have been imposed on press coverage there.

Even in areas that are not explicitly off limits, such as Tibetan-inhabited areas of Gansu, western Sichuan, and Qinghai, FCCC members have faced obstruction by local authorities that makes working there extremely difficult, especially since it dissuades local residents from talking to reporters. Journalists seeking to report on unrest in Xinjiang have routinely been turned back by checkpoint police telling them that they are forbidden to be there.

- The police and other security services continue to apply pressure to foreign correspondents' news assistants. This takes the form of requests for information about correspondents' activities, threats and general harassment.
- On at least two occasions this year Chinese embassy staff in foreign capitals have approached the headquarters of foreign media and complained about their China-based correspondents' coverage, demanding that their reports be removed from their websites and suggesting that they produce more positive China coverage.

The Chinese authorities have repeatedly said that they are keen to improve foreign reporters' working conditions. We eagerly await the fruits of their efforts.

--

FCCC Administration Office

E-mail: fccadmin@gmail.com

General Manager: fccgm@gmail.com

Website: www.fccchina.org

Annex 2

Foreign Correspondents' Club of China Annual Working Conditions Survey Released July 10, 2013

The past year has seen unprecedented examples of investigative journalism by western reporters in China. Unfortunately, the Chinese government has increasingly resorted to threats and intimidation against foreign media, according to the Foreign Correspondents' Club of China's annual "Reporting Conditions" survey* of its members, and its review of incidents reported over the last 12 months.

The FCCC survey, carried out in May 2013, found that 98 percent of respondents do not think reporting conditions in China meet international standards, and 70 percent feel conditions have worsened or stayed the same as the year before. Only three respondents say they think things are getting better; the rest have not been here long enough to have an opinion.

Among the FCCC's greatest concerns are

- government retaliation against foreign media which have incurred official displeasure
- threats to the physical safety of reporters whose reports have offended the authorities
- increased cyber harassment and hacking attacks on foreign journalists
- continuing restrictions on journalists' movements in Tibetan-inhabited areas of China
- official harassment of sources
- official intimidation of reporters' Chinese assistants

The survey found 63 cases in which police officers or unknown persons impeded foreign reporters from doing their work, including nine cases in which reporters were manhandled or subjected to physical force. This represents a welcome drop from last year, but remains unacceptable.

"Attacks on journalists, those working with them and their sources have replaced detention by uniformed police." A US radio correspondent.

"It has now become normal that uniformed police stand with arms folded as plainclothes 'thugs' appear. The thugs are often violent. I have received many bruises during these incidents." A British TV correspondent.

OFFICIAL RETALIATION AND INTIMIDATION

Victims of government retaliation include The New York Times and Bloomberg. The New York Times English and Chinese language websites are blocked in China and the newspaper has been unable to secure journalist visas for either Bureau Chief Philip Pan or correspondent Chris Buckley. Bloomberg has also been unable to secure journalist visas in order to replace its correspondents and the company has reportedly suffered significant commercial harm from a

drop in sales of its data terminals.

Three other media companies, France 24, ARD TV (Germany) and the Financial Times have also come under unusual Chinese government pressure after publishing news reports that angered the Chinese authorities. Chinese embassy officials in Paris, Berlin and London lodged direct complaints with senior editors, in an apparent effort to pressure them into restraining their reporters in Beijing.

Although routine delays in the provision of journalist visas appear to have shortened in recent months, ten percent of survey respondents reported difficulties in obtaining official press accreditation or a journalist visa on account of their reporting or that of their predecessors.

“My paper has been working on my accreditation since August last year. The authorities stated that the difficulties were due to the work of my predecessor.” A European newspaper reporter.

Intimidation can also be more particular and more threatening. One foreign reporter whose articles angered elements of the Chinese government was told by the manager of the building where he lives that security officials had visited and asked the manager questions about the reporter’s family life, the layout of his apartment, where his children went to school and other personal questions.

CYBER ATTACKS

Cyber attacks on FCCC members have become routine. Though we cannot identify the origin of these efforts to install malware and spyware on our computers, the club’s cyber-security consultant has found that many of the attacks are targeted deliberately at foreign correspondents based in China.

GEOGRAPHICAL REPORTING RESTRICTIONS

Restrictions on foreign journalists’ access to “sensitive” areas of the country remain widespread, arbitrary and unexplained. Reporters have been told by officials in Qinghai that all Tibetan-inhabited areas of China are off-limits to the foreign press. Though such a blanket ban is not always applied, local officials have repeatedly interfered with reporting work.

“I was road-blocked, denied access and constantly followed and monitored in Qinghai from the day of my arrival.” A French newspaper correspondent.

HARASSMENT OF SOURCES

Previous FCCC reports on working conditions in China have complained about the official harassment of Chinese citizens who talk to reporters, which they are free to do if they so choose according to the Chinese government regulations governing foreign journalists’ activities. Such

harassment continues at the same level as ever: the survey found 23 such cases in 2012-2013.

“After reporting on self-immolations in Qinghai I learned that my local fixer had been harassed by the police. They showed him all the Skype and phone contacts he had had with foreign journalists. He seemed scared.” A European newspaper reporter.

HARASSMENT OF EMPLOYEES

30 percent of respondents to the FCCC survey said that their Chinese assistants had been called in by the police or other security forces to “drink tea”, a euphemism for an interrogation. The employees are commonly asked to inform the police about reporters’ activities and plans. Two such assistants have reported that their relatives have also come under official pressure on account of their work.

ADDENDUM

The following cases of sometimes violent interference, reported to the FCCC over the past year, illustrate the difficulties that foreign correspondents in China face.

February 2013

German TV crew attacked

A TV crew belonging to ARD television, narrowly avoided serious injury when two men, apparently linked to local authorities in Hebei province, attacked their vehicle with baseball bats, shattering the windscreen, after a high speed chase down a major highway near the city of Sanhe, 50 km east of Beijing.

ARD correspondent Christine Adelhardt, accompanied by two German colleagues and two Chinese staff, had been filming in the village of Da Yan Ge Zhuang for a report on urbanisation, one of the incoming Chinese government's major challenges and a process that has often provoked disputes over land ownership.

"We were filming the village square, where you could see old style farmers' houses next to a newly-built mansion behind a wall and high-rise buildings in the background," said Adelhardt, when a car drew up next to them. The car's driver began filming the TV crew.

When the crew left, two cars, later joined by at least two others, gave chase, trying to force the Germans' minivan off the road and to deliberately cause a collision. They forced the ARD driver to stop at one point, whereupon five or six men surrounded the car, attempted to get in, and hammered on the windows with their fists.

The crew got away, but were pursued, forced off the road and onto the sidewalk, rammed, and

made to stop. Two men from the pursuing vehicles attacked the minivan with baseball bats, shattering its windscreen, before the ARD driver was able to get away again by bulldozing his way past a car parked in front of the ARD van.

The crew then came across two motorcycle policemen and asked them for help. Their pursuers caught up with them, and again began smashing and punching holes in the car's windscreen, despite the police officers' attempts to control them.

A local resident who witnessed the scene later told Adelhardt that one of the cars involved in the pursuit belonged to the Da Yan Ge Zhuang village Communist party secretary.

Eventually, police reinforcements arrived, and escorted the ARD crew to a local police station, where Adelhardt and her colleagues were questioned. Adelhardt saw a number of the men who had attacked her car at the police station, but was not sure whether they were detained. When she asked to file a charge of attempted homicide, she was assured by a local official that such charges had already been laid against the men.

But a policeman told her that the investigation had found that villagers had been "offended" by the TV crew's presence and that they should have asked permission to film.

Chinese government regulations governing foreign journalists in China state expressly that such prior permission is not required to film in public spaces.

July 2012

Japanese reporter beaten

Atsushi Okudera, a correspondent for Asahi Shinbun in Shanghai, was injured after police officers pushed him to the ground and kicked him in the head and about the body while he was covering the mass demonstration on July 28 in Nantong's Qidong district. His camera was confiscated.

December 2012

German correspondent's equipment ruined

Der Spiegel correspondent Bernhard Zand and his Chinese assistant were reporting on the case of five boys who died of carbon monoxide poisoning in Bijie, Guizhou. In the course of their work they met the journalist who had first broken this story and who had then disappeared for several weeks, Li Yuanlong.

They were followed throughout their stay in Bijie by unidentified men. On the evening of Dec. 29th they checked into the Kempinski Hotel in Guiyang. When they returned from supper to their rooms they found that Bernhard's tablet computer and an iPhone had been destroyed by

submersion in water (they were still wet), all the photos on an SD memory card in his computer had been deleted, and a large number of files had been deleted from his laptop. Most of the files on his assistant's laptop, in the next-door room, had also been deleted.

Bernhard filed a complaint the next morning with the local police, but their investigations did not uncover the culprits. The Kempinski Hotel's security chief said the CCTV cameras with a clear view of the doors to the two rooms in question had not recorded any pictures at the relevant time, and hotel staff said that the hotel does not keep logs of guestrooms' electronic door locks.

March 2013

Hong Kong journalists beaten in Beijing

On March 8, two Hong Kong journalists were beaten outside the home of Liu Xia, the wife of jailed Nobel laureate Liu Xiaobo. A group of unidentified men beat TVB cameraman Tam Wing-man and Now TV cameraman Wong Kim-fai, as they were filming an activist's attempt to visit Liu Xia, who is under house arrest at her apartment building.

The attackers, who did not identify themselves, suddenly appeared from around a corner, shouted at the group of journalists outside the building, and demanded that they stop filming. One of the Hong Kong cameramen was punched in the face and pushed to the ground, while the attackers attempted to confiscate the other's camera and hit him in the head.

About the survey: The FCCC conducts an annual survey on reporting conditions. The survey was sent to 232 FCCC correspondent members in Spring 2013, of whom 98 replied. Figures indicate an absolute number of responses, unless otherwise indicated. When percentages are used, they reflect all respondents to that specific question. Not all respondents answered every question. Data may be used if credit is given to the Foreign Correspondents' Club of China (FCCC).