

PEOPLE'S REPUBLIC OF CHINA

STATE CONTROL OF THE INTERNET IN CHINA

“The use of information technology is vital for the world economy and social development”

Prime Minister Zhu Rongji,
at a lecture on Technology, Beijing, 27 February 2002

Introduction

Since the commercialisation of the Internet in China in 1995, China has become one of the fastest-growing Internet markets in the world. The number of domestic Internet users is doubling every six months.

With the introduction of the Internet, news reaches China from a multiplicity of sources enabling people to form opinions, analyse and share information and to communicate in ways previously unknown in China. Lively on-line debate characterised the start of the Internet in China. However, the potential of the Internet to spread new ideas has led the authorities to take measures to control its use.

The authorities have introduced scores of regulations, closed Internet cafes, blocked e-mails, search engines, foreign news and politically-sensitive websites, and have recently introduced a filtering system for web searches on a list of prohibited key words and terms.

Those violating the laws and regulations which aim to restrict free expression of opinion and circulation of information through the Internet may face imprisonment and according to recent regulations some could even be sentenced to death. Amnesty International has compiled records of 33 prisoners of conscience who have been detained for using the Internet to circulate or download information. These cases are listed in the appendix to this document and some are described in more detail in a separate document entitled, *State Control of the Internet: Appeal Cases, November 2002, AI Index: ASA 17/046/2002*.

The Internet in China - Facts and Figures

- China joined the global internet in 1994. It became commercially available in 1995.
- In June 2002 the number of internet users had reached 45.8 million – an increase of 72.8% over twelve months as compared to figures released in 2001. Over 16 million computers are now linked to the Internet, an increase of 61 per cent in one year. The number of websites has reached 293,213, representing almost a 21 per cent increase over the same period.¹
- Some private surveys put the current number of users at above 50 million, making China second only to the United States in the number of Internet users.²
- China's Internet market is likely to become the largest in the world within four years.³
- More than 40% of internet users are based in prosperous cities, particularly Beijing, Shanghai, Shenzhen and Guangzhou.⁴
- Internet users are predominantly young, with almost 40% aged 24 or under⁵.
- The proportion of female users continues to increase and now represents over 39 per cent of all users.
- Initially, Internet users were predominantly those with a high school or college education. But those without college education now make up 68.3% of the total indicating a broader spectrum of use within China.⁶
- Officials at the Asia-Pacific Economic Conference (APEC) in February 2001 predicted that 70 per cent of Chinese foreign trade companies will be able to conduct import and export business via electronic means by the year 2005⁷.
- Since 1995 more than 60 rules and regulations have been introduced covering the use of the Internet.
- In January 2001, a new regulation made it a capital crime to “provide state secrets” to organizations and individuals over the Internet.
- 30,000 state security personnel are reportedly monitoring websites, chat rooms and private e-mail messages.

¹ The China Internet Network Information Centre, (CINIC), a report issued in June 2002

² Nielson/NetRatings (a private US online rating service)

³ Ibid

⁴ Ibid

⁵ Ibid

⁶ Ibid

⁷ The China Daily

- Thousands of Internet cafes throughout China have been forced to close in recent months. Those that remain are obliged to install software which filters out more than 500,000 banned sites with pornographic or “subversive” elements.
- On 26 March 2002, the authorities introduced a voluntary pledge, entitled, *A Public Pledge on Self-Discipline for the China Internet Industry*, to reinforce existing regulations controlling the use of the Internet in China. Over 300 Chinese Internet business users have reportedly signed the public pledge, including the US-based search engine, Yahoo!
- In July 2002, a *Declaration of Internet Users’ Rights* was signed and published by 18 dissidents calling for complete freedom for Chinese people to surf the Internet.

Political Dissidents and Others Imprisoned for Using the Internet

The Right to Freedom of Opinion and Expression

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 19, The Universal Declaration of Human Rights

Many are imprisoned in China solely for peacefully exercising their right to freedom of expression and opinion, in violation of international standards. They include people who have expressed their views or circulated information via the Internet or email.

The Internet, e-mail and Bulletin Board Services (BBS) have been used by dissidents, Falun Gong practitioners, Tibetan exiles and others to circulate information or protest against repression, publicise their cause or to draw support for online petitions and open letters. E-mail and the Internet have also provided a means of communication within China and with the Chinese dissident community abroad.

- In December 1999 Wang Youcai, founder of the China Democracy Party (CDP), was sentenced to 11 years’ imprisonment for subversion. Two of the accusations against Wang Youcai involved sending e-mail to Chinese dissidents abroad and accepting overseas funds to buy a computer.
- Lin Hai, a computer engineer from Shanghai, was arrested in March 1998 and is considered to be the first person to have been sentenced for the use of the

Internet in China. He was accused of providing 30,000 email addresses to VIP Reference, a US-based on line pro-democracy magazine, and charged with subversion and sentenced to two years in prison in June 1999.

- Huang Qi was arrested in June 2000 after he had set up his own website, www.6-4tianweg.com which called for political reforms, and helped dissidents trace missing relatives following the crackdown on the 1989 pro-democracy protests. Huang Qi was charged with subversion and tried in secret in August 2001. Over two and a half years after his arrest Huang Qi is still detained without a verdict having been announced. For more details see, *State Control of the Internet in China: Appeal Cases, AI Index: ASA 17/046/2002*.
- Members of the Falun Gong spiritual movement, banned in July 1999 as a ‘heretical organization’, have used the Internet and e-mail to circulate information about repression against the group. Some have been arrested as a result. The Chinese authorities have now shut down the group’s websites and blocked overseas websites. At least 14 Falun Gong practitioners have been detained and imprisoned for Internet-related offences, several have died in custody reportedly as a result of torture. See *State Control of the Internet in China, Appeal Cases, AI Index: ASA 17/046/2002, November 2002*.

Amnesty International has investigated the cases of 33 people believed to be prisoners of conscience. They have been detained or are serving long sentences in prison or labour camps for Internet-related offences. Three have died in custody, two of whom reportedly died as a result of torture, and there are reports that others have been tortured or ill-treated in detention.

Those tried are reported to have been denied fair trial, in violation of international standards for fair trial. Many trials were held in secret. Six of those tried are still waiting for the verdict to be announced. Sentences against others range from two to eleven years. Those detained include 14 members of the Falun Gong spiritual movement, four members of the China Democracy Party, and other political dissidents. They come from Beijing and a variety of provinces in China.

All were peacefully exercising their right to freedom of expression and opinion. The accusations against them include circulating and downloading articles calling for political and social reform, greater democracy and accountability or redress for abuses of human rights. Most have been charged with “subversion” or membership of a “heretical organization”. This latter charge has been used widely against Falun Gong practitioners and members of other Qigong or religious groups banned by the authorities. See appendix at the end of this document and the separate document entitled, *State Control of the Internet: Appeal Cases, November 2002, AI Index: ASA 17/046/2002*.

Rules and Regulations⁸

“... Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print...or through any other media of his choice”.

Article 19 of the International Covenant on Civil and Political Rights,
signed by China in 1998

The provisions set out in the Chinese Criminal Law⁹ and the recent regulations provide the authorities with the means to monitor and control the flow of information on the Internet, keep track of users, enforce responsibilities on operators and police, and punish those that violate provisions affecting the Internet.

Scores of administrative regulations governing telecommunications and the Internet have been introduced since 1994. Many update or reinforce earlier regulations as the perceived threats and challenges to the authorities of the Internet grow or change.

Many of these regulations, particularly those concerning “state secrets”, are broad and ill-defined. Their implementation has often been harsh, resulting in arbitrary arrest, imprisonment, sometimes torture, confiscation of equipment and heavy fines. Since January 2001, those who provide “state secrets” over the Internet to overseas organizations and individuals may be sentenced to death.

Regulations affecting the Internet have been issued by different Ministries within the State Council (the executive arm of central government), and as the responsibility for implementation has widened, many basic provisions of earlier regulations have been reinforced at different levels. New organizations have also been set up to control the use of the Internet, including the State Council’s Internet Propaganda Administrative Bureau, which guides and monitors the content of Chinese websites, and the Ministry of Public Security Computer, Monitoring and Supervision Bureau.

The following is a brief description of key laws and regulations introduced since 1994:

1994

The State Council issued the “*Safety and Protection Regulations for Computer Information Systems*”¹⁰. These regulations gave the Ministry of Public Security (MPS)

⁸ This paper only describes some of the key regulations affecting freedom of expression, opinion and information.

⁹ The Criminal Law of China, adopted in July 1979 and amended in 1997.

¹⁰ Regulations for the Safety Protection of Computer Information Systems (*Zhonghua renmin gongheguo jisuanji xitong anquan baohu tiali, Fazhi Ribao* (Legal Daily) February 1994 issued by

overall responsibility for “policing” the Internet “to supervise, inspect and guide the security protection work...investigate and prosecute illegal criminal cases ...and ... perform other supervising duties”.

1997

The Ministry of Public Security issued some far-reaching regulations, “*Computer Information Network and Internet Security, Protection and Management Regulations*”¹¹ which were approved by the State Council in December 1997 and elaborated on in more recent regulations.

Under these regulations, all Internet Service Providers (ISPs) and other enterprises accessing the Internet are responsible to the Public Security Bureau. Internet companies are required to provide monthly reports on the number of users, page views and user profiles. Internet Service Providers are also required to assist the Public Security Bureau in investigating violations of the laws and regulations. Serious violations of the regulations will result in the cancellation of the ISP licence and network registration. As a result some ISPs have introduced self-censoring policies to deal with the implementation of these 1997 regulations, including volunteers, who patrol chat rooms and bulletin boards to ensure observance of the regulations.

2000

On 25 January the Bureau for the Protection of State Secrets issued the “*State Secrets Protection Regulations for Computer Information Systems on the Internet*”¹². These regulations prohibit the release, discussion or dissemination of “state secrets” over the Internet. This also applies to individuals and units when making use of electronic bulletin boards and chat rooms. Operators are under an obligation to report “harmful” content to the local Public Security Bureau. All journalists and writers are required to check their written texts with the state-controlled media before publication.

Amnesty International is concerned that laws and regulations on “state secrets” have been used in the past to imprison people exercising peacefully their fundamental rights to freedom of expression and that the prohibition of “state secrets” in the Internet regulations is yet another way of limiting freedom of expression.

Tough new *Measures for Managing Internet Information Services*¹³ were issued in September 2000 by the State Council. “*The Measures for Managing Internet Information Services*” regulate the Internet services and promote the “healthy” development of these services. They also stipulate that all Internet Service Providers

State Council Order no. 147, signed by Premier Li Peng on 18 February 1994 and RAND report, *You've Got Dissent*, dated 26 August 2002, www.rand.org/hotpress.02/dissent.html.

¹¹ *Freedom of expression and the Internet in China*, September 2002, www.hrw.org/backgrounders/asia/china-bck-0701.htm

¹² State Secrets Protection Regulations for Computer Information Systems on the Internet (Jisuanji xinxi xitong guoji lianwang baomi guanli guiding)

¹³ Digital Freedom Network, 28 October 2002, <http://dfn.org/focus/china/shutdown.htm>

(ISPs) and Internet Content Providers have to keep records of all subscribers' access to the Internet, account numbers, the addresses or domain names of the websites and telephone numbers used. ISPs are also required to maintain users' records for 60 days and to provide these to "the relevant state authorities" when required.

These measures draw upon the much broader *Telecommunications Regulations of the People's Republic of China*¹⁴ also issued in September 2000 by the State Council.

Article 15 of these Measures describes information that is prohibited:

- (1) *Information that goes against the basic principles set in the Constitution;*
- (2) *Information that endangers national security, divulges state secrets, subverts the government, or undermines national unification;*
- (3) *Information that is detrimental to the honour and interests of the state;*
- (4) *Information that instigates ethnic hatred or ethnic discrimination, or that undermines national unity;*
- (5) *Information that undermines the state's policy for religions, or that propagates heretical organizations or feudalistic and superstitious beliefs;*
- (6) *Information that disseminates rumours, disturbs social order, or undermines social stability;*
- (7) *Information that disseminates pornography and other salacious materials; that promotes gambling, violence, homicide, and terror; or that instigates the commission of crimes;*
- (8) *Information that insults or slanders other people, or that infringes upon other people's legitimate rights and interests; and*
- (9) *Other information prohibited by the law or administrative regulations.*

Amnesty International is concerned that the range of information prohibited by this regulation allows the authorities to restrict freedom of expression over the Internet in a broad and sweeping manner which goes far beyond what would be regarded as legitimate restrictions under international standards.

As part of the ongoing effort to control access to information available on the Internet, new regulations were introduced by the Ministry of Information Industry and the Information Office of the State Council on 7 November 2000¹⁵. These regulations place restrictions on foreign news and the content of online chat rooms and bulletin boards.

According to these regulations, the State Council's Information Office will supervise websites and commercial web portals such as Sohu.com and Sina.com and media

¹⁴ *China's ruling body considers bill to control Internet access*, Xinhua news agency, Beijing, 20 September 2000

¹⁵ RAND Report, *You've got Dissent*, 26 August 2002, www-rand.org/hot/press.02/dissent.html

organizations may only publish information which has been subject to controls in line with the official state media.

On 28 December 2000 *The Decisions of the NPC Standing Committee on Safeguarding Internet Safety*¹⁶ were introduced. Under these regulations those spreading rumours, engaging in defamation or publishing “harmful” information, inciting the overthrow of the government or division of the country on the Internet will now be punished according to the law. Prison sentences can be passed against those who promote ‘heretical organizations’ and leak “state secrets”.

2001 – The Death Penalty for Offences Related to Use of the Internet

On 21 January, the Supreme People’s Court ruled that those who cause “especially serious harm” by providing “state secrets” to overseas organizations and individuals over the Internet may be sentenced to death:

*“Those who illegally provide state secrets or intelligence for units, organizations and individuals outside the country through Internet with serious consequences will be punished according to stipulations of the Criminal Law... in especially serious cases, those who steal, make secret inquiries or buy state secrets and intelligence and illegally provide gathered state secrets and intelligence to units outside the country will be sentenced to ten or more years of fixed-term imprisonment or imprisonment for life and their properties may concurrently be confiscated by the state. In cases of a gross violation of law and where especially serious harm is caused to the state and people, law offenders may be sentenced to death and their properties will be confiscated by the state.”*¹⁷

This ruling was believed to be a reaction to the revelations contained in *The Tiananmen Papers*¹⁸ released in the United States. Extracts of these papers were translated and posted on the Internet.

2002

In January, the Ministry of Information Industry (MII) announced new regulations¹⁹ that require Internet Service Providers (ISPs) to monitor more closely peoples’ use of the Internet. Software should be installed to ensure that messages are recorded and if they violate the law the ISP must send a copy to the Ministry of Information Industry, the Ministry of Public Security and the Bureau for the Protection of State Secrets.

¹⁶ *China Legal Change: Summary Archives*, <http://www.chinalegalchange.com/a-teleco.html>

¹⁷ “China: Supreme People’s Court on Stealing State Secrets”, Xinhua News Agency, 21 January 2001, BBC Monitoring, 23 January 2001.

¹⁸ The Tiananmen Papers were compiled from secret documents describing how the authorities dealt with the crushing of the pro-democracy protests in 1989. *The Tiananmen Papers* by Zhang Liang, Perry Link and Andrew J. Nathan; Little, Brown & Company, January 2001

¹⁹ Digital Freedom Network, 28 October 2002, <http://dfn.org/focus/china/shutdown.htm>

Tough new regulations introduced by the Ministry of Culture restricting access to the Internet and the operations of Internet cafes entered into force on 15 November 2002.²⁰ Proprietors of Internet cafes are obliged to install software preventing users from accessing information considered “harmful to state security”, as well as disseminating, downloading, copying or browsing material on “heretical organizations”, violence and pornography. Those aged under 18 years old are banned from Internet cafes. Operating licences may be withdrawn and fines imposed if these regulations are not properly implemented, (for further information, see the section on *Closure of Internet Cafes*).

Implementing the Restrictions: The Blocking and Filtering of Websites, Bulletin Boards and Search Engines

The Internet is a popular and powerful channel for the government and ordinary Chinese to hear each other and to be heard. However, the controls placed on operators and users of the Internet have increased greatly in recent years. This has taken the form of censorship and penalties against all those involved with bulletin boards, chat rooms, e-mail and search engines who contravene the provisions of the Criminal Law and the scores of regulations.

Blocking

The authorities routinely block news sites, especially foreign-based sites, including those featuring dissident views or banned groups. The blocking appears to be intermittent but more prevalent at times of heightened security such as the anniversary of the crackdown on the 1989 pro-democracy protests, the annual meeting of the National Party Congress or visits from heads of state or government.

Many websites, considered to contain politically sensitive information, such as those of human rights organizations and banned groups as well as international news sites, are all inaccessible from China. The average Internet user in China knows there are certain sites that are inaccessible, searches that cannot be done or content that cannot be looked at.

In late August 2002, the popular search engine, Google.com, could no longer be accessed from China for several weeks. Altavista.com was also reportedly blocked. Protest messages were registered on bulletin boards throughout China.

²⁰ Xinhua, Beijing, 15 October 2002 and *China passes tough new regulations on Internet access and cafes*, AFP, 11 October 2002.

Filtering

In mid-September 2002, China introduced new filtering systems based on key words, regardless of site or context. Filtering software has reportedly been installed on the four main public access networks in China. Prohibited words or strings of words on websites, e-mail, foreign news sites and search engines are affected. Users trying to access information which includes key words such as ‘human rights’, ‘Taiwan’, ‘Tiananmen’, ‘Falun Gong’ and ‘Tibet’ are blocked and browsers indicate that the “page cannot be displayed”.

- The New Culture Forum site (www.xinwenming.net), the first China-based web site started by veteran democracy activists, was closed down after four months, on 3 August 2000, by state security officials for posting “reactionary materials” on its website. The main aim of the New Culture Forum was to spread the message that Chinese politics should adopt compromise and conciliation to enable democratic change. The Forum was run by a group of dissidents from Shandong province. Xin Wenming, the site’s webmaster, issued a statement in response to the shutdown, denouncing the government’s suppression of freedom of expression on the Internet and calling for the end to the nationwide crackdown on websites that engage in political criticism.

However such groups and individuals in China have used a variety of means to overcome Internet censorship including the use of proxy servers²¹ situated outside of China, to circumvent firewalls²² and the blocking of websites.

The Closure of Internet Cafes

Following a fire at Lanjisu Internet café in Beijing in June 2002 which killed 25 people, the Public Security Ministry announced that it had closed down 2,400 Internet cafes in Beijing for safety reasons. Officials in other cities such as Shanghai and Tianjin took similar action. Since then the authorities have introduced a range of regulations affecting Internet cafes, instituted government checks and ordered filtering software to be installed.

While Amnesty International recognizes the importance of health and safety regulations for all public services including internet cafes, the organization is

²¹ A proxy server is a server that acts as an intermediary between a user and the Internet to ensure security, administrative control and caching service. Proxy servers are used to improve the performance in accessing web pages or to filter request to specific websites or content. For more information, see www.webopedia.com

²² A firewall is a system designed to prevent unauthorized access to or from a private computer network. For further information, see www.webopedia.com

concerned that the fire at the Internet café in Beijing may have been used as a pretext to crackdown still further on freedom of expression in China.

According to a recent statement issued by the Minister of Culture²³, there are 200,000 Internet cafes throughout China but only about 110,000 of them are officially registered. All Internet café owners have been obliged this year to re-register with a number of different authorities to obtain a licence and avoid being shut down or fined heavily.

Several weeks after the Beijing Internet café fire, the government ordered all Internet cafes to augment their filtering software within weeks and to keep records of all users for a 90-day period. The software prevents access to 500,000 foreign websites, such as foreign newspapers, Falun Gong websites, websites on democracy and human rights and others which are considered “reactionary” or are “politically-sensitive”. Those attempting to access these banned sites are automatically reported to the Public Security Bureau. Internet police in cities such as Xi’an and Chongqing can reportedly trace the activities of the users without their knowledge and monitor their online activities by various technical means.

Public Pledge on Self-Discipline for China Internet Industry

In addition to enforcing controls directly, the Chinese authorities are using a variety of means to force Internet companies to take greater responsibility for implementing the numerous laws and regulations controlling the use of the Internet in China. In March 2002, the Internet Society of China²⁴ issued *The Public Pledge on Self-Discipline* which entered into force in August 2002.

Signatories to the Pledge agree to:

“.....refrain from producing, posting or disseminating pernicious information that may jeopardise state security and disrupt social stability, contravene laws and regulations and spread superstition and obscenity.”

Those concerned with the restrictions placed by the authorities on freedom of expression in China regard the Pledge as another means of censoring certain types of information disseminated on the Internet which is deemed to be politically-sensitive.

²³ *China Tightens Control of Internet Cafes*, Xinhua, Beijing, 15 October 2002.

²⁴ An organization acting as the main professional association for the Internet Industry in China

In July 2002 the Pledge had been signed by over 300 signatories including the US-based search engine Yahoo!. A lawyer working at Yahoo! reportedly stated that Yahoo! will conform to local laws in countries where it operates²⁵.

While Amnesty International (AI) recognizes that Internet companies should be regulated and that restrictions on their activities may be legitimate, AI is concerned at the wide-ranging and broadly defined nature of this Pledge. The organization fears that this new instrument will be used as part of wider attempts to restrict the freedom of expression and association of Internet users in China.

Internet Freedom and Corporate Responsibility

“The Internet is helping Chinese people open their minds to the whole world”.

Ruby Yu, Chief Operating Officer,
Zhaodaola.com, a Chinese commercial website

The rapid rise of the Internet has been greatly aided by the involvement of foreign companies in China. Foreign telecommunications, software and hardware companies are investing heavily in the development of China’s Internet.

Amnesty International is concerned at reports that some foreign companies may be providing China with technology which is used to restrict fundamental freedoms.

Sohu.com, a Chinese Internet portal, reportedly funded by overseas companies, and financed by leading investment banks and other venture capital firms from the West, reminds those accessing its chat room that “topics which damage the reputation of the state” are forbidden. “If you are a Chinese national and willingly choose to break these laws, Sohu.com is legally obliged to report you to the Public Security Bureau”.

In November 2000, the Ministry of Public Security launched its “Golden Shield”²⁶ project. This project aims to use advanced information and communication technology to strengthen police control in China and a massive surveillance database system will reportedly provide access to records of every citizen. To realise this initiative, China depends on the technological expertise and investment of foreign companies.

²⁵ *Yahoo! Yields to Chinese Web laws*, CNET News.com, dated 14 August 2002, <http://news.zdnet.co.uk/story/0,,t269-s2120830,00.html>

²⁶ *China’s Golden Shield*, by Greg Walton, *China Rights Forum*, No. 1. 2002.

Foreign companies, including Websense and Sun Microsystems, Cisco Systems, Nortel Networks, Microsoft,²⁷ have reportedly provided important technology which helps the Chinese authorities censor the Internet. Nortel Networks²⁸ along with some other international firms are reported to be providing China with the technology which will help it shift from filtering content at the international gateway level to filtering content of individual computers, in homes, Internet cafes, universities and businesses.

The Universal Declaration of Human Rights calls on “every individual and every organ of society” to play its part in securing human rights for all. Amnesty International believes that multinational companies operating in China have a responsibility to contribute to the promotion and protection of fundamental human rights.

Declaration of Citizens’ Rights for the Internet

In protest against the measures taken by the authorities to control freedom of expression and freedom of information and association on the Internet, a group of 18 dissidents and intellectuals published a *Declaration of Citizens’ Rights for the Internet* on 29 July 2002.

This Declaration challenges the regulations introduced by the authorities and urges the National People’s Congress and international human rights organizations to examine the constitutionality and legitimacy of certain regulations. By October 2002 the Declaration had the support of over 1000 web publishers and Internet users.

The Declaration²⁹ cites the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights and states that,

“...a modern government should be based on the right of individual freedom of speech, the right of organizing associations, the right of questioning government decisions and the right of openly criticizing the government.

...A modern society should be an open society. At the historical juncture of the Chinese nation once again transforming itself from a traditional society to a modern society, any blockade measures are all unfavourable to China’s society joining paths with the world and the peace and progress of China’s society.

²⁷ *Multinationals making a mint from China’s Great Firewall*, by David Lee, South China Morning Post, 2 October 2002.

²⁸ *China’s Golden Shield* by Greg Walton, Rights and Democracy, www.ichrdd.ca/english/commdoc/publications/globalization/goldenShieldEng.html

²⁹ For the full text, see *Chinese Scholars Issue Declaration on Rights of Internet Users*, 29 July 2002, BBC Monitoring and the Information Centre for Human Rights and Democracy.

...Every citizen and government should undertake its responsibility and it has become extremely urgent to safeguard Internet freedom.”

One of its signatories, Wan Yanhai, a doctor and web site publisher, was detained on 25 August 2002 on suspicion of “leaking state secrets” and released on 20 September 2002 following international campaigning on his behalf by human rights organizations. He was arrested in connection with publishing a document on the internet detailing deaths from AIDS in Henan Province as a result of selling blood to government-sanctioned blood collectors.

Wan Yanhai worked at the AIDS Action Project, a Beijing-based education and activism group, whose offices were closed by the authorities in June 2002. The web site, (www.aizhi.org) an important independent source of information about the HIV/AIDS crisis in China, had promoted the rights of farmers in Henan Province who had contracted AIDS from selling blood.

On 1 August 2002, Wan Yanhai had circulated an online appeal to all independent Web publishers asking them to join him in protesting against new regulations by giving themselves up to the authorities for operating “illegal” websites³⁰. Wan Yanhai had also reportedly made use of Internet chat rooms, discussion and e-mail groups in his efforts to publicise his cause and promote freedom of opinion and expression in China.

Conclusion

The Internet – A Force for Change in China?

“China is not turning back.....It [the Internet] means more social justice, more discussion, more transparency,...The whole thing will turn China into a much more democratic society”

Charles Zhang, Chief Executive,
Sohu.com, a Chinese commercial website

The Chinese authorities have introduced scores of regulations to restrict freedom of expression over the Internet and have taken a variety of measures to control and restrict its use. They have also detained or imprisoned people who circulated “politically sensitive” information over the Internet, some of whom are serving long sentences in prison. Amnesty International is calling for their release and for a

³⁰ The Great Firewall of China, by Xiao Qiang and Sophie Beach, August 25, 2002, www.latimes.com/technology/la-op-beach25aug25.story

review of regulations and other measures in China which restrict freedom of expression in a manner going far beyond what would be regarded as legitimate restrictions under international standards.

Despite the measures introduced by the authorities to stifle freedom of expression over the Internet, the new technology is a cornerstone for economic growth in a country with over a fifth of the world's population. As the importance of the Internet grows so too will the millions of users and the demands of those seeking justice and respect for human rights in China.

List of People Detained for Internet-related Offences in China

Name	Born	Gender	Detained	Accusation	Tried	Sentence	Province	Occupation	Notes
1) Chi Shouzhu	1960	Male	18/04/2001	Printing pro-democracy material from the Internet	Not known	Not known	Jilin Province	Student	Status not known.
2) Chen Qiulan	1955	Female	July 2001				Heilongjiang Province	Not known	Died in custody on 24 August 2001; a Falun Gong practitioner. <i>See Appeal Cases, ASA 17/046/2002</i>
3) Chen Shaowen	1962	Male	06/08/2002	Subversion			Hunan Province	Writer and former police officer	Status not known. <i>See Appeal Cases, ASA 17/046/2002</i>
4) Dong Yanhong*	1972	Female	January 2001	Downloading material from Falun Gong websites and disseminating information	13/12/2001	5 years	Beijing Municipality	Qinghua University employee	Secret trial; a Falun Gong practitioner. <i>See Appeal Cases, ASA 17/046/2002</i>
5) Guo Qinghai	1965	Male	September 2000	Subversion	03/04/2001	4 years	Hebei Province	Journalist	
6) Hu Dalin	1971	Male	18/05/2001	Not known	Not known	Not known	Hunan Province	Not known	Status not known; posted several articles by his father Lu Jiaping on the Internet.
7) Huang Qi	1964	Male	03/06/2000	Subversion	13/02/2001 14/08/2001	Not known	Sichuan Province	Computer engineer	Verdict has not been announced; the first trial was postponed because of his poor health, and the second trial held in secret. <i>See Appeal Cases, ASA 17/046/2002</i>

Name	Born	Gender	Detained	Accusation	Tried	Sentence	Province	Occupation	Notes
8) Jin Haike**	1976	Male	13/03/2001	“Subverting state power”	28/09/2001	Not known	Beijing Municipality	Geophysicist	Verdict has not been announced. <i>See Appeal Cases, ASA 17/046/2002</i>
9) Li Changjun	1968	Male	16/05/2001	Subversion			Hubei Province	Civil servant	Died in custody on 27 June 2001; a Falun Gong practitioner. <i>See Appeal Cases, ASA 17/046/2002</i>
10) Li Dawei	1962	Male	14/04/2001	Subversion	May 2002	11 years	Gansu Province	Former police officer	<i>See Appeal Cases, ASA 17/046/2002</i>
11) Li Hongmin	Not known	Male	June 2001	Subversion	Not known	Not known	Hunan Province	Not known	Status not known.
12) Liu Haofeng	1973	Male	March 2001	“Endangering state security”		3 years	Beijing Municipality	Journalist	Sentenced to re-education through labour in May 2001; a member of the China Democracy Party. <i>See Appeal Cases, ASA 17/046/2002</i>
13) Liu Weifang	Not known	Male	Not known	Subversion	June 2001	3 years	Xinjiang Uygur Autonomous Region	Shopkeeper and essayist	
14) Liu Wenyu*	1973	Male	01/01/2001	Downloading material from Falun Gong websites and disseminating information	13/12/2001	3 years	Beijing Municipality	Graduate student	Secret trial; a Falun Gong practitioner. <i>See Appeal Cases, ASA 17/046/2002</i>
15) Lu Xinhua	Not known	Male	11/03/2001	Subversion	18/09/2001	4 years	Hubei Province	Not known	A member of the China Democracy Party.

16) Meng Jun*	1973	Male	31/12/2000	Downloading material from Falun Gong websites and disseminating information	13/12/2001	10 years	Beijing Municipality	Lecturer	Secret trial; a Falun Gong practitioner. Reportedly ill-treated and tortured. <i>See Appeal Cases, ASA 17/046/2002</i>
17) Qi Yanchen	1964	Male	September 1999	Subversion	31/05/2000	4 years	Hebei Province	Economist and freelance writer	Secret trial; a founding member of the China Development Union. <i>See Appeal Cases, ASA 17/046/2002</i>

Name	Born	Gender	Detained	Accusation	Tried	Sentence	Province	Occupation	Notes
18) Quan Huicheng	Not known	Male	Not known	“Downloading material on the spiritual movement and distributing it”	At the end of 2001	3 years	Hainan Province	Not known	A Falun Gong practitioner.
19) Tan Qiu	1962	Male	Autumn 2002				Guangxi Autonomous region	Former hospital worker	Status not known.
20) Wang Jinbo	1972	Male	May 2001	Subversion	14/11/2001	4 years	Shandong Province	Not known	A member of the China Democracy Party. <i>See Appeal Cases, ASA 17/046/2002</i>
21) Wang Sen	Not known	Male	30/04/2001	Subversion	30/05/2002	10 years	Sichuan Province	Not known	A member of the China Democracy Party.
22) Wang Xin*	1977	Male	Not known	Downloading material from Falun Gong websites and disseminating information	13/12/2001	9 years	Beijing Municipality	Student	Secret trial; a Falun Gong practitioner. <i>See Appeal Cases, ASA 17/046/2002</i>
23) Wang Xuefei*	Not known	Male	Not known	Downloading material from Falun Gong websites and disseminating information	13/12/2001	11 years	Shanghai Municipality	Student	Secret trial; a Falun Gong practitioner. <i>See Appeal Cases, ASA 17/046/2002</i>
24) Wang Zhenyong	1971	Male	June 2001	“Downloading articles on Falun Gong from an	Not known	Not known	Guangdong Province	University teacher	Status not known; a Falun Gong practitioner.

				overseas website”					
25) Xu Wei**	1974	Male	13/03/2001	“Subverting state power”	28/09/2001	Not known	Beijing Municipality	Reporter and editor	Verdict has not been announced. <i>See Appeal Cases, ASA</i> <i>17/046/2002</i>

Name	Born	Gender	Detained	Accusation	Tried	Sentence	Province	Occupation	Notes
26) Xue Hairong	Not known	Male	Not known	Not known	01/03/2001	7 years	Beijing Municipality	Not known	A Falun Gong practitioner: reportedly died of leukaemia when in custody on 22 March, 2001. Amnesty International hasn't been able to independently get nor confirm the information about his death or access to medical treatment.
27) Yang Zili**	1973	Male	13/03/2001	"Subverting state power"	28/09/2001	Not known	Beijing Municipality	Computer engineer	Verdict has not been announced. <i>See Appeal Cases, ASA 17/046/2002</i>
28) Yao Yue*	1973	Female	01/01/2001	Downloading material from Falun Gong websites and disseminating information	13/12/2001	12 years	Beijing Municipality	Graduate student	Secret trial; a Falun Gong practitioner. <i>See Appeal Cases, ASA 17/046/2002</i>
29) Zhang Haitao	1972	Male	29/07/2000	Subversion	Not known	Not known	Jilin Province	Computer engineer	A Falun Gong practitioner.
30) Zhang Honghai**	1974	Male	13/03/2001	"Subverting state power"	28/09/2001	Not known	Beijing Municipality	Freelance writer	Verdict has not been announced. <i>See Appeal Cases, ASA 17/046/2002</i>
31) Zhang Ji	1979	Male	October 1999	Disseminating reactionary documents via the Internet	08/11/2000	Not known	Heilongjiang Province	University student	Verdict has not been announced; a Falun Gong practitioner.
32) Zhang Yuhui	1965	Male	18/12/2000	Subversion	Not known	10 years	Macau	Business man	Secret trial; a Falun Gong practitioner. Reportedly ill-treated and tortured.

33) Zhu Ruixiang	1951	Male	07/05/2001	Subversion	10/09/2001	3 years	Hunan Province	Radio producer and lawyer	
* all six tried together: Dong Yanhong, Liu Wenyu, Meng Jun, Wang Xin, Wang Xuefei and Yao Yue.									
** all four tried together: Jin Haike, Xu Wei and Zhang Honghai set up a New Youth Study Group in May 2000, Yang Zili joined the group in August same year.									

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