

Recent Mechanisms of State Control Over the Chinese Internet

Presentation of XIAO Qiang, Director, China Internet Project, The Graduate School of Journalism, University of California at Berkeley.

Before the U.S.-China Economic and Security Review Commission

Hearing on Access to Information in the People's Republic of China

July 31, 2007

Chairman Bartholomew, Commissioner Houston, and Distinguished Commission members,

My name is XIAO Qiang. I am the Director of the China Internet Project of the Graduate School of Journalism of UC Berkeley, and the Founder and Editor-in-Chief of China Digital Times, an independent news aggregator. Over the last four years, my research has focused on China's information revolution and its impact, including how the Chinese government actually controls the Internet, and the creative use of interactive media to advance the world's understanding of China. It is an honor to be among my distinguished fellow panelists, in front of this important commission.

In today's testimony, I would like to summarize the general mechanisms of Internet control by the Party-state of the People's Republic of China, especially the recent trend of intensified censorship measures.

Let me start with some basic data on China's Internet development. The Internet has been continuing to grow rapidly in China. According to the latest survey from the official China Internet Network Information Center, there were about 168 million internet users in China by the end of June 2007, and an estimated 122 million Chinese have broadband access to the Internet. Compare with the estimated current Internet population in the United States, which ranges from 165 million to 210 million, China is set to overtake the U.S. in the total number of Internet users very soon. I also want to point out the related and even more phenomenal growth in the mobile phone market in China. Currently there are more than 440 million mobile phone users in China, many of whom carry phones with wireless and short message services (SMS) capabilities.

Political Controls

Since the introduction of the Internet in China, the Party-state has been very ambivalent towards this new force in Chinese society: on the one hand, it considers both the Internet and Information and Communication Technologies (ICT) generally as essential parts of the country's economic development, and has actively (and successfully) supported

online businesses and e-government projects. On the other hand, it has consistently and tirelessly worked to improve and expand its ability to control online speech and to silence voices that are considered too provocative or challenging to the status quo.

In early 2007, in a talk to the Political Bureau of the Central Committee of Communist Party of China on January 23, President Hu called on government authorities to strengthen Internet controls. Saying, “Whether we can cope with the Internet is a matter that affects the development of socialist culture, the security of information, and the stability of the state,” he called on officials to improve the technologies, content controls and network security that are used to monitor the Internet.

To achieve effective control over online content, the Party-state relies on different and overlapping methods: technical filters, regulations and administrative rules, newly established Internet police forces, and, above all, self-censorship from both website administrators and users.

Several political bodies are in charge of Internet content. The most important are the Central Propaganda Department, which ensures that media and cultural content follows the official line as mandated by the Communist Party, and the State Council Information Office (SCIO). The former is a Party organ: it is notoriously secretive about their operations and is one of the only major party or government offices that does not have a website or any other channel for public information. The latter is an official office of the State Council. It oversees all websites that publish news, including the official sites of news organizations as well as independent sites that post news content. Counterpart offices at the provincial and city levels have also been established. Every provincial and city government has “information and publicity” offices, as lower level counterparts to SCIO’s national-level Bureau. All of these offices together comprise a vast and rather effective network that monitors online information and controls online content.

It is worth pointing out that in addition to being in charge of content censorship in Chinese cyberspace, SCIO is the same Party-state organ mandated to provide “external propaganda” for the PRC. In other words, SCIO is responsible for China’s “perception management” to the international community.

While the SCIO is chiefly responsible for Internet content, the **Ministry of Information Industry** oversees regulation of the telecommunications and software industries. The government website defines the MII as “a regulatory body in charge of the manufacture of electronic and information products, the communications and software industry, as well as the promotion of informatization of the national economy and social services in the country.”

The MII is also responsible for licensing and registering all websites in the country. The Non-Commercial Web Site Registration Regulations, which were enacted in March 2005, require all independent domain names and China-based IP addresses to register with the MII. Previous regulations on website registration had focused on commercial sites.

Since the MII is primarily responsible for the construction and management of China's Internet infrastructure, it is also responsible for building up surveillance and filtering technologies, known collectively as The Great Firewall. The unit which is responsible for this activity is called the National Management Center for Internet and Information Security. All Internet service providers (ISPs) are required to register with the MII in order to connect through the nine gateways to the global Internet.

The Ministry of Public Security, the national law enforcement agency under the State Council, is responsible for monitoring online content and using law enforcement powers to arrest those who violate the regulations.

The Ministry of Public Security established the “Public Information Internet Monitoring Bureau” in 2000, with sub-divisions at every provincial and municipal level. These Internet police monitor websites for “illegal” content, and can order hosting server companies to warn or shut down an offending site.

Internet police are responsible for the following tasks: implementing Internet control policies; together with the MII, developing surveillance and encryption technologies; monitoring online content; forbidding non-media websites from using reporters and publishing independent news content; preventing foreign capital from controlling mainland media; strictly reviewing the licensing process for Internet companies and websites, particularly focusing on information which potentially “threatens national security;” preventing people from using the Internet to organize and mobilize collective actions; and finally, blocking certain overseas online content.

Content and administrative controls

In September 2005, the SCIO and the MII promulgated the Provisions on the Administration of Internet News Information Services, which limited the publishing of news content to websites that have been approved and licensed by the SCIO in an attempt to centralize and regulate online news. The Provisions outline banned content in a vague and general way, which leaves the government with a lot of leeway in determining who has violated the guidelines. The Provisions state:

Neither the News Information posted or transmitted, nor the current event electronic bulletin service provided, by Internet News Information Service Work Units may include any of the following content:

- (1) violating the basic principles as they are confirmed in the Constitution;
- (2) jeopardizing the security of the nation, divulging state secrets, subverting of the national regime or jeopardizing the integrity of the nation's unity;
- (3) harming the honor or the interests of the nation;
- (4) inciting hatred against peoples, racism against peoples, or disrupting the solidarity of peoples;

- (5) disrupting national policies on religion, propagating evil cults and feudal superstitions;
- (6) spreading rumors, disturbing social order, or disrupting social stability;
- (7) spreading obscenity, pornography, gambling, violence, terror, or abetting the commission of a crime;
- (8) insulting or defaming third parties, infringing on the legal rights and interests of third parties;
- (9) inciting illegal assemblies, associations, marches, demonstrations, or gatherings that disturb social order;
- (10) conducting activities in the name of an illegal civil organization; and
- (11) any other content prohibited by law or rules.

Most websites are not allowed to act as independent news gatherers, and may only reprint news that has been published by official media outlets. According to Article 11 of the Provisions, websites must obtain an Internet news content service license from the SCIO, which has only been granted to a select group of sites, including Sina.com, China's largest online portal. Baidu became the first search engine to obtain one at the end of 2006.

One recent development in administrative control measures is MII's registration rules. In March 2006, the MII passed the Non-commercial Internet Information Service Management Law, which extended existing registration rules for commercial sites to private sites.

Under the regulations, non-commercial websites with independent domain names and IP addresses from mainland China must register with the MII by providing their real name, address, cell phone number and email address, which are all verified before registration is approved. Web sites that refuse to register, or that post banned content, risk being shuttered by any of the agencies responsible for Internet oversight: their hosting ISP, the local PSB, local Communist Party committees, government "Information and Publicity Departments," which act as the local arms of the SCIO, or other government agencies.

Self-censorship by Internet Companies

Outside of the frequently issued lists of specific taboo topics and forbidden words, the vast majority of online content that is frequently blocked in Chinese cyberspace is not made explicit by the country's censors. Rather, operators of websites, BBSes, blogs and other online forums use their own judgment and informal discussions with government agencies to formulate their own lists of words banned on their services. The Party-state censors' main Internet control strategy is to hold Internet Service Providers and Internet Access Providers responsible for the behavior of their customers, so those business operators have real incentive to proactively censor content on their sites. In Guangdong, for example, regulations posted by the Guangdong Provincial Communications Administration require all BBS systems to have an individual who is responsible for the content of each individual section of the site. The regulations state, "The system operator

will be responsible for the contents of his/her area, using technical means as well as human evaluation to filter, select and monitor. If there should be any content in a BBS area that is against the regulations, the related supervisory department will hold the BBS as well as the individual operator responsible.”

Human monitors also manually filter blog posts that contain sensitive terms or topics. For example, Sina.com, one of China’s largest portals which also hosts blogs, has a team of monitors which reads over blog posts at all hours. This mechanism actually applies to all electronic forums and blog hosting services

Real name registration

While the MII registration regulations impose real name registration for operators of individual domain names, and not for sites hosted under another domain, the government has been experimenting with expanding the regulations to individual Internet users on a broader scale.

In 2005, the BBS’s (Bulletin board systems, or Internet forums) of eight universities in China required students to register using their real names and contact information. At universities in China, BBS remain the most popular and active online forum, and the most popular can have tens of thousands of people online at the same time. Some of the BBS systems, including those at China’s top colleges Peking University and Tsinghua University, also blocked access from outside the university, including from alumni.

After the implementation of the real name registration at university BBS’s, usage of these forums dropped dramatically. The forum of Wuhan University previously had up to 10,000 users online at peak times, but after the registration rules went into effect, the number dropped to about 1,000.

In late 2006, the Ministry of Information Industry began to conduct research on the technological and legal issues involved in implementing real name registration for blogs. However, the plans for blog real-name registration, which were announced in Chinese media reports, spurred a rare heated public debate. The China Youth Daily wrote in an editorial that. “‘anonymity onstage, true identity offstage,’ while it may seem to allow web users to avoid facing most people [online] using their own identities, [while it may seem] to preserve their freedom to write, actually means that at no time and in no place will they be free of scrutiny from a set of strange eyes.” Facing public outrage, strong resistance from blog-hosting companies and technical hindrances, MII has not made any further effort to implement real-name registration in nation-wide blogging systems.

Conclusion:

Until now, the Chinese Party-state has been quite effective in controlling the political

impact of the Internet by developing a multi-layered strategy to control Internet content and monitor online activities at every level of Internet service and content networks. The Party-state still possesses enormous resources for social control, in particular in preventing online public opinion leading to collective action in real space.

However, beneath the surface of these constantly increasing and intensified control measures, there is a rising level of public information and awareness in Chinese society, facilitated by information and communication technologies -- particularly cellphones and the Internet. The erosion of the Party's old ideological and social control is underway, as recent news events, from environment protests in Xiamen to Shanxi brick kilns vividly demonstrated. The long-term implications of this process can have profound and far-reaching consequences, for Chinese society as well as for China's relations with the U.S. and other countries.