

Escalating Chinese Government Internet Controls: Risks and Responses

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Chairman Rubio, Co-Chairman Smith, and members of the commission, it is an honor to testify before you today. I have divided my comments into four parts:

- I. A brief overview of internet controls in China and their recent evolution
- II. Analysis of the costs these controls impose on Chinese and international actors
- III. Recommendations for steps the U.S. government can take to support freedom of expression and access to information in China
- IV. Concluding thoughts based on Freedom House experience of how such measures can have a real-world impact

Internet Control Strategies in China

The number of internet users in China has grown exponentially over the past 15 years, reaching an estimated 772 million people as of the end of 2017, and about 97.5 percent of users connect via mobile phones.¹ Although such connectivity engenders many benefits, it also personalizes censorship and surveillance practices to an unprecedented degree. These figures help put the issues we are discussing today in perspective – they do not affect only a small contingent of people, but rather a group more than double the size of the population of the United States.

Alongside this increased access to internet services, China's ruling Communist Party has developed a robust apparatus of controls built upon three pillars: censorship, manipulation, and surveillance.

¹ Masha Borak, "Chinese internet users grow to 772 million," *Technode*, January 31, 2018, <https://technode.com/2018/01/31/chinese-internet-users-772-million/>.

- **Censorship** seeks to restrict users' access to information that the party-state deems undesirable either by blocking websites or forcing deletion of sites, articles, social media accounts, and individual posts.
- **Manipulation** aims to insert the party's perspective into online public debate and news consumption. This is achieved by dictating the headlines on popular news sites or aggregator apps or by paying commentators to distract netizens from government criticism.
- **Surveillance** and restrictions on anonymity serve to monitor communications, track the true identity of users even when they use pseudonyms, and facilitate arrest and imprisonment of those who cross the party's "red lines." It also encourages self-censorship among online journalists, bloggers, and ordinary users.

The Chinese authorities often claim that the content being targeted for censorship, monitoring, or punishment involves violence, pornography, or other information that might be recognized internationally as legitimately restricted. However, time and again, from individual incidents to broad research studies, it is evident that massive amounts of information vital to the public interest are systematically restricted. Freedom House analysis of leaked censorship and propaganda directives issued from 2015 through 2017 found that CCP manipulation not only targets coverage of the "usual suspect" topics of official wrongdoing, historic crimes, and human rights violations against ethnic and religious minorities. Restrictions also routinely encompass areas like public health and safety, foreign affairs, the economy, and the censorship system itself.²

Although China has long been home to the most multi-layered and sophisticated internet control apparatus in the world, recent years have seen new waves of tightening in areas of free expression or dissemination channels that were previously tolerated. For the past three years, China has thus been the worst abuser of internet freedom among 65 countries assessed in Freedom House's annual *Freedom on the Net* report.³

Over the past year alone and particularly since a new Cybersecurity Law came into effect in June 2017, online censorship and surveillance have expanded dramatically alongside increasing arrests of Chinese citizens, particularly for content shared on the popular instant

² Sarah Cook, "Chinese Journalism, Interrupted," *Foreign Policy*, January 6, 2016, <http://foreignpolicy.com/2016/01/06/chinese-journalism-interrupted-what-government-censored-in-2015/>; Sarah Cook, "All the News Unfit to Print: What Beijing Quashed in 2016," *Foreign Policy*, December 16, 2016, <http://foreignpolicy.com/2016/12/16/all-the-news-unfit-to-print-what-beijing-quashed-in-2016/>; Sarah Cook, "The News China Didn't Want Reported in 2017," *The Diplomat*, January 27, 2018, <https://thediplomat.com/2018/01/the-news-china-didnt-want-reported-in-2017/>.

³ Freedom House, *Freedom on the Net 2017*, November 2017, <https://freedomhouse.org/report/freedom-net/freedom-net-2017>.

messaging platform WeChat. Technical and regulatory innovation and experimentation is constantly underway. Additions to the censorship and surveillance toolbox from the past year include: large-scale shuttering of social media accounts rather than just deleting posts and particularly influential accounts, developing the ability to automatically scan images for subversive text rather than relying solely on human censors, forcing the removal of hundreds of mobile phone apps that enable users to reach blocked websites, and requiring residents of Xinjiang to install an app on their mobile phones that sends copies of their photos and other files back to the authorities.⁴

What are the costs of this tightening for various actors and individuals inside and outside China?

For Chinese netizens – The space for ordinary Chinese to obtain and share information on a wide range of both political and apolitical topics has noticeably shrunk, while the risks of punishment for even facetious comments deemed unacceptable to the authorities have risen. These shifts have affected hundreds of millions of users in China. Although not all may be aware of the full set of changes, many have been forced to alter their online habits due to increasing censorship and real-name registration requirements. For target populations like activists, religious believers, or members of ethnic minorities, the consequences have been more dire. Lawyers, bloggers, and website administrators who have for years been publishing information about human rights abuses, protests, or worker strikes have been imprisoned and tortured. Numerous Tibetan monks, Uighur Muslims, and Falun Gong practitioners have been jailed for expressing birthday greetings to the Dalai Lama in WeChat, viewing videos about Islam on their phones, or downloading information from blocked websites about rights abuses to share with fellow citizens.⁵ Christians recently discovered that they will no longer be able to purchase Bibles via e-commerce websites.⁶

For Chinese society – On a daily basis, vital information on health, public safety, and the judicial system is kept from the Chinese public, while people’s ability to discuss the current and future direction of their country has been severely constrained. This was especially evident in the run-up to the 19th Party Congress in October and constitutional changes last

⁴ Freedom House, *China Media Bulletin*, No. 121, September 11, 2017, <https://freedomhouse.org/china-media/china-media-bulletin-party-congress-censorship-vpn-crackdown-surveillance-upgrades-no-121>;

Freedom House, *China Media Bulletin*, No. 127, March 23, 2018, <https://freedomhouse.org/china-media/china-media-bulletin-risks-of-xis-power-grab-npc-censorship-xinjiang-reprisals-issue-no-127>.

⁵ Sarah Cook, *The Battle for China’s Spirit: Religious Revival, Repression, and Resistance under Xi Jinping*, Freedom House, February 28, 2017, <https://freedomhouse.org/report/china-religious-freedom>.

⁶ James Griffiths, “Bibles pulled from online stores as China increases control of religion,” CNN, April 5, 2018, <https://www.cnn.com/2018/04/05/asia/china-bible-online-christianity-intl/index.html>.

month. As the country underwent some of the most significant political events in its recent history, deletion of social media posts and accounts spiked. The vast majority of Chinese citizens were not only shut out of the conversation, but also risked severe punishment should they even try to take part from afar.

For Chinese tech companies – Chinese technology companies operate between a rock and a hard place. On the one hand, they try to innovate and serve customers in a competitive domestic market. At the same time, they are required to monitor and delete massive amounts of user-generated content in an ever-changing and arbitrary regulatory environment. In just the past month, several extremely popular applications providing news or enabling the sharing of humorous content to tens of millions of users have been suspended or shut down for failing to “rectify” their content sufficiently. One such live-streaming app Kuaishou is now seeking to hire 3,000 more internal censors alongside an existing team of 2,000 to monitor user content.⁷ As Chinese tech firms come under increased pressure to cleanse their networks and communities of “harmful” information, recent weeks have also featured a spate of new cases involving users punished or interrogated by police for communications that were ostensibly shared privately with friends. Many of these cases involved Tencent’s WeChat platform.⁸

For Foreign tech firms – Many of the world’s top technology and social media companies are banned or extremely constrained in their ability to provide services to Chinese internet users. Notably, the websites of Facebook and Twitter are blocked, while restrictions on Google have expanded from its search engine to its email client, translation services and more. Foreign companies that do operate in China or work with Chinese firms are increasingly forced to comply with censorship demands. LinkedIn restricts users in China from accessing profiles or posts by people based outside the country that are deemed to contain politically sensitive information.⁹ Earlier this year, Apple removed more than 600 applications from its mobile store that facilitated Chinese users’ ability to access blocked websites.¹⁰

⁷ Emma Lee, “Kuaishou is hiring more people to filter content after crackdown on “vulgar” content,” *Technode*, April 8, 2018, <https://technode.com/2018/04/08/kuaishou-content-patrols/>.

⁸ Sarah Cook, “China’s Ever-Expanding Surveillance State,” *Diplomat*, April 25, 2018, <https://thediplomat.com/2018/04/chinas-ever-expanding-surveillance-state/>.

⁹ Paul Mozur and Vindu Goel, “To Reach China, LinkedIn Plays by Local Rules,” *New York Times*, October 5, 2014, <https://www.nytimes.com/2014/10/06/technology/to-reach-china-linkedin-plays-by-local-rules.html>.

¹⁰ Letter from Cynthia C. Hogan, Apple Vice President for Public Policy in the Americas to Senators Patrick Leahy and Ted Cruz, November 21, 2017, <https://www.leahy.senate.gov/imo/media/doc/Apple%2011212017.pdf>.

Foreign companies operating in China also increasingly risk accusations of complicity in politicized arrests or violations of user privacy. Last year's Cybersecurity Law stipulates that foreign companies must store Chinese users' cloud data on servers located in China. To meet this requirement, Apple announced in January that iCloud data would be transferred to servers run by Guizhou on the Cloud Big Data (GCBD), which is owned by the provincial government.¹¹ Apple and GCBD now both have access to iCloud data, including photos and other content. In February, the U.S.-based note-taking app company Evernote similarly announced that Chinese users' data would be transferred to Tencent Cloud by mid-2018 to comply with data localization rules in the Cybersecurity Law.¹² Airbnb recently alerted its hosts that starting on March 30, "Airbnb China may disclose your information to Chinese government agencies without further notice to you."¹³ And one of the biggest investors in the artificial intelligence (AI) firm SenseTime, which provides facial recognition technologies to some local police and at least one prison in China, is U.S. chipmaker Qualcomm.¹⁴

For the Chinese Communist Party – The CCP is leading the drive for increased internet controls, in large part in order to protect its hold on power and shield itself from criticism and organized political opposition. Yet this project does not come without its own costs for the party, be it in terms of legitimacy or in trying to discourage users from exploring content beyond the Great Firewall. An academic study published this month found that after Instagram was blocked in 2014, users were more motivated to seek out tools to circumvent censorship and reach the platform, encountering a much wider array of otherwise censored content along the way. The authors conclude that such sudden censorship "can politicize previously apolitical citizens, and can accumulate collective action potential that it often seeks to suppress."¹⁵ Indeed, even as censors work vigorously to scrub voices of dissent from the internet, with each monthly announcement of new restrictions that negatively affect millions of users, signs of public backlash are evident.

¹¹ BBC, "Apple: Chinese firm to operate China iCloud accounts," January 10, 2018, <http://www.bbc.com/news/business-42631386>.

¹² Freedom House, *China Media Bulletin*, No. 126, February 27, 2018, <https://freedomhouse.org/china-media/china-media-bulletin-resisting-beijings-influence-new-year-gala-metoo-in-china-issue-no-126#a4>.

¹³ Twitter post by Bill Bishop with screenshot of AirBnb notice, March 28, 2018, <https://twitter.com/niubi/status/978945772971614209>.

¹⁴ Reuters, "Qualcomm invests in Chinese AI facial recognition startup SenseTime," November 14, 2017, <https://www.reuters.com/article/us-sensetime-fundraising-qualcomm/qualcomm-invests-in-chinese-ai-facial-recognition-startup-sensetime-idUSKBN1DF0HE>.

¹⁵ William R. Hobbs and Margaret E. Roberts, "How Sudden Censorship Can Increase Access to Information," April 2, 2018, <https://www.cambridge.org/core/journals/american-political-science-review/article/how-sudden-censorship-can-increase-access-to-information/A913C96E2058A602F611DFEAC43506DB>.

The constitutional changes enacted last month that removed term limits for President Xi Jinping are a case in point. The sheer scale of the censorship and the content deleted points to a sizeable contingent of Chinese citizens who disagreed with the move. On February 25, when the pending change was first announced, data from Hong Kong University's Weiboscope project showed a spike in deletions on the popular Sina Weibo microblogging platform.¹⁶ Much of the dissent emerged in the form of ridicule aimed directly at Xi. The combined weight of the term-limit announcement and the related censorship provoked concerns and resentment among a wide swath of Chinese citizens who might otherwise consider themselves apolitical. These people began expressing their worries about China's direction to acquaintances and looking for ways around censorship. Numerous foreign and Chinese observers noted the stunned reaction of many ordinary people to the news, using words like "shock," "betrayal," and "regression."¹⁷ A statement by overseas students describes how "even the least politically savvy people among our friends started to express their doubt, disapproval, and anger on social media."¹⁸

A 2015 Freedom House report on the first two years of Xi's rule noted his early steps to dispense with various "survival strategies" and adaptations made by the party in the aftermath of prodemocracy protests and their violent suppression in 1989.¹⁹ Political scientists have credited those very strategies for the CCP's political longevity to date. Among them were forms of "containment" in which the party sought to limit both the scope of its repression and the blame for any abuses. For example, by decentralizing and diversifying policymaking via more collective leadership within the CCP, the party was able to blame shortcomings and even systemic abuses on lower-level officials or individual scapegoats, preserving its overall legitimacy. As Xi amasses personal power and the party increases control over state agencies as part of a government shake-up, however, the space for such plausible deniability shrinks. If (or perhaps when) a serious crisis erupts—in the economy, the environment, public health, or security—Xi and the party as a whole are more likely to be blamed by the public. Similarly, as the scope of repression and censorship expand to affect more and more people, the number of those feeling disillusioned, disempowered, or resentful toward the party is also likely to increase.

¹⁶ Weiboscope, Hong Kong University, accessed April 24, 2018, <http://weiboscope.jmsc.hku.hk/>.

¹⁷ Joanna Chiu, "Chinese grumble about 'emperor' as congress fetes Xi," Agence-France Presse, March 6, 2018, <https://sg.news.yahoo.com/chinese-grumble-emperor-congress-fetes-xi-064458540.html>.

¹⁸ Xi's Not My President, "The Future Lasts Forever," Medium, March 12, 2018, <https://medium.com/@xisnotmypresident/the-future-lasts-forever-566b2cd7dfb7>.

¹⁹ Sarah Cook, *The Politburo's Predicament: Confronting the Limitations of Chinese Communist Party Repression*, Freedom House, January 2015, https://freedomhouse.org/sites/default/files/12222014_FH_ChinaReport2014_FINAL.pdf

Despite these costs and periodic Chinese government or tech company concessions to public outcries, it is hard to image any voluntary loosening of restrictions in the coming years. On the contrary, we are likely to see more tightening, more government demands for companies' cooperation, and more arrests of innocent users.

Meanwhile, as China's global influence rises, the impact of CCP censorship, propaganda and the nuanced contestation surrounding it is also being felt beyond the borders of Mainland China.²⁰ Alongside increased pressure on overseas media to self-censor, the Chinese government has also invested billions of dollars over the past decade to expand state media entities and state-affiliated educational institutes to dozens of countries around the world, actively attempting to influence global information flows and public discourse, particularly about China and how it is governed. Similar trends are affecting academia, the technology sector, and the performing arts, entertainment, and literary worlds.

In the realm of surveillance, there are initial signs that some advanced technology and innovations are being shared with other undemocratic governments. On April 13, Reuters reported that Yitu, a Chinese artificial intelligence firm, recently opened its first international office in Singapore, and is preparing a bid for a government surveillance project that will include facial recognition software deployed in public spaces.²¹ Last week, *Nikkei* reported that Yitu had supplied "wearable cameras with artificial intelligence-powered facial-recognition technology to a local law enforcement agency" in Malaysia.²² Both countries are rated only Partly Free in Freedom House's global assessment of political rights and civil liberties, and their governments have a long track record of suppressing political opposition and peaceful protesters.²³

Recommendations

The U.S. government and international community should be ready to respond to recent events and future trends. Earlier this week, as part of our *China Media Bulletin* project,

²⁰ Sarah Cook, *The Long Shadow of Chinese Censorship: How the Communist Party's Media Restrictions Affect News Outlets Around the World*, The Center for International Media Assistance, National Endowment for Democracy, October 22, 2013, http://www.cima.ned.org/wp-content/uploads/2015/02/CIMA-China_Sarah%20Cook.pdf.

²¹ Aradhana Aravindan and John Geddie, 'Singapore to test facial recognition on lampposts, stoking privacy fears,' Reuters, April 13, 2018, <https://www.reuters.com/article/us-singapore-surveillance/singapore-to-test-facial-recognition-on-lampposts-stoking-privacy-fears-idUSKBN1HK0RV>.

²² CK Tan, "Malaysian police adopt Chinese AI surveillance technology," *Nikkei*, April 18, 2018, <https://asia.nikkei.com/Business/Companies/Chinas-startup-supplies-AI-backed-wearable-cameras-to-Malaysian-police>.

²³ Freedom House, *Freedom in the World 2018*, January 2018, <https://freedomhouse.org/report/freedom-world/freedom-world-2018>.

Freedom House launched a new resource section, which includes a comprehensive set of recommendations for the Chinese government, foreign governments, and societal actors like tech firms, media companies, philanthropists, and educators on how to support and advance free expression in China.²⁴ The following are a few select recommendations most relevant to the U.S. government:

Public Policy and Diplomacy

- **Bilateral engagement:**
 - Consistently raise the issues of press freedom and internet freedom in China publicly and in private meetings with Chinese counterparts, including at the highest levels. Stress that universal rights like free expression apply to China;
 - Note the negative impact of certain policies or laws on foreign companies and China's World Trade Organization commitments;
 - Urge the release of imprisoned journalists and free expression activists (see [here](#) for sample list);
 - Highlight the harm done to Chinese citizens when reporting on topics of public concern—like health, safety, and corruption—is constrained.
- **Responding to violations:**
 - React with strong and immediate diplomatic action (press statements, phone calls, meetings, letters) to any violations of media freedom or free expression involving U.S. citizens or media outlets, including detentions in China, violence against journalists, restrictions on media access, blocking of websites, and efforts by Chinese diplomats to interfere with press freedom within the United States.
 - Press allies to take similar actions.
- **Targeted sanctions:**
 - Impose targeted sanctions, such as travel bans and asset freezes, on individual Chinese officials involved in serious abuses against those who have exercised their right to free expression.
- **Role of the business community:**
 - Press companies doing business in China to do no harm, whether it be turning private citizen data over to the Chinese government or providing surveillance or law enforcement equipment used by Chinese authorities to violate individual rights.

Funding

- **Countering censorship:**

²⁴ Freedom House, "China Media Bulletin Resources: Recommendations for policymakers, media, donors, and others," accessed April 24, 2018, <https://freedomhouse.org/content/china-media-bulletin-recommendations-policymakers-and-media>.

- Support groups that develop and disseminate tools to enable Chinese users on a large scale to access blocked websites, including from mobile phones.
- Create an emergency fund that can be activated quickly during moments of crisis or political turmoil to rapidly enhance the server capacity of circumvention tools facing increased demand from China as periodically happens when the number of Chinese people seeking uncensored information spikes.
- Support efforts to monitor, preserve, and recirculate censored content within China, including news articles and social media posts that have been deleted by censors.
- **Overseas Chinese media:**
 - Support independent or critically minded diaspora Chinese media and other offshore initiatives that aim to provide uncensored news and diverse political analysis to readers, viewers, and internet users inside and outside China. Such support can take the form of trainings, cybersecurity protections, or other forms of capacity building that are typically provided to independent media within foreign countries.
 - Ensure that such outlets are eligible for funding aimed at media freedom inside China, or consider allocating dedicated resources for these outlets.
- **Awareness raising:**
 - Support research and outreach initiatives that inform Chinese audiences about the censorship and surveillance apparatus, imprisoned journalists and online activists, the regime's human rights record overall, and how democratic institutions function. Existing studies and surveys have shown that netizen awareness of censorship often yields a greater desire to access uncensored information, assist a jailed activist, or take steps to protect personal communications.

Conclusion

Despite the Chinese government's ever escalating efforts to censor and monitor citizens' access to information, steps like those cited above by the United States and other international actors can have a real-world impact, a dynamic Freedom House has observed repeatedly in our work. I have personally interviewed several prisoners who were the subject of rescue campaigns and testified to better treatment, less torture in custody, and sometimes early release thanks to international pressure.

In addition, as part of the *China Media Bulletin* project, we have been working with partners who run circumvention tools like GreatFire's FreeBrowser or overseas Chinese outlets who gain traffic via tools like FreeGate and Ultrasurf. These channels garner millions of

impressions each month and bring tens of thousands of readers from inside China to the bulletin, many of whom stay on the page for long periods to read the content or subscribe to the newsletter directly. This is just one example of the eagerness with which a notable contingent of Chinese people are actively seeking out uncensored, credible information about their country and the media controls in place.

Earlier this year, we conducted a survey among Chinese readers of the bulletin. The impact on their own behavior of gaining a better understanding of censorship and surveillance in China was palpable. Significantly, 55 percent of Chinese respondents reported being more careful when using Chinese social media applications after reading the bulletin and over 45 percent reported making a greater effort to seek out uncensored information. In addition, 18 percent of Chinese readers reported deciding to take some action to support free expression or an individual activist.

From that perspective, I would like to conclude with a quotation from one of those readers as a testament to the importance of international support for free expression and access to information in China.

I am a lower class worker in Chinese society and I don't speak English. An independent Chinese media like you, that does in-depth reports about the situation in China, gives me a better understanding of China's current situation and future development. And it also helped my personal life and work. On a macro scale, China is the largest authoritarian country in the world, the Chinese Communist Party oppresses its citizens, blocks information flows, and also threatens the existing world order. I think the flow of information and freedom of speech are very important to China's future development. Birds in cages long to fly, even if we can't fly out now, hearing the chirping of birds outside can still give us hope and faith!