

August 8, 2008

FCCC LAUNCHES KNOW YOUR RIGHTS CAMPAIGN FOR FOREIGN CORRESPONDENTS

AUG.8 2008 -- As the 2008 Beijing Games open, the Foreign Correspondents' Club of China urges China to make good on its Olympic promise of an open reporting environment, to put a stop to violence against foreign reporters, and to better enforce its own laws and regulations.

The FCCC welcomes President Hu Jintao's August 1 statement that China will "welcome foreign journalists and facilitate their reporting in China whether before or after the Beijing Olympic Games." We are also encouraged by a promise from Liu Binjie, minister of the General Administration of Press and Publication, that "China's open door to the foreign media will not close after the Games."

But much more needs to be done to put these words into action. In the past two weeks the FCCC has been informed of violence by law enforcement personnel against Japanese, European and Hong Kong journalists. Several reporters suffered injuries or damage to their equipment. On the eve of the Olympics, China still blocks many internet sites, and foreign correspondents face interference when they seek to report on foreign and domestic critics of the Chinese government. Chinese sources report being intimidated or warned not to speak out. Promised reporting freedoms all too often wither away as soon as a subject becomes sensitive, as was apparent after the Tibetan unrest and the Sichuan earthquake. The authorities need to be more consistent.

"Despite progress in some areas, the FCCC is disappointed that the Chinese government has neither fully lived up to its Olympic promise of a free media environment nor made a clear-cut and enduring commitment to further openings after the Games," said FCCC president Jonathan Watts. "We strongly urge China to match its growing global influence with greater accountability." The easing of Internet restrictions and travel regulations should be made permanent.

To improve the professional environment for journalists, the FCCC has prepared a pocket legal guide to inform foreign correspondents of their rights when faced with some of the most common violations. Copies of a laminated card are available through the FCCC. The information is also available on our website www.fccchina.org. Please contact fccadmin@gmail.com for further information.

The Foreign Correspondents' Club of China (FCCC) is a Beijing-based professional organization of some 400 members from 30 countries.

LEGAL RIGHTS OF FOREIGN CORRESPONDENTS IN CHINA

YOU MAY INTERVIEW ANYONE WHO CONSENTS.

Article 6, Regulations on Reporting Activities in China by Foreign Journalists during the Beijing Olympic Games and the Preparatory Period

《北京奥运会及其筹备期间外国记者在华采访规定》第6条

外国记者在华采访，只需征得被采访单位和个人的同意。

1. IF LAW ENFORCEMENT OFFICERS STOP YOU.

Ask the officer to show his/her identification, as required by law. Write down the information. Law enforcement officers are entitled to inspect your passport.

《公安机关办理行政案件程序规定》第35条:

公安机关在调查取证时，人民警察不得少于两人，并应当向被调查取证人员表明执法身份。

2. IF THE QUESTIONING DRAGS ON.

Phone your embassy, employer, or a trusted person. Tell them where you are, what you are being questioned about, and the officers' ID information.

《维也纳领事关系公约》第36条：遇有领馆辖区内有派遣国国民受逮捕或监禁或羁押候审、或受任何其他方式之拘禁之情事，经其本人请求时，接受国主管当局应迅即通知派遣国领馆。该当局应将本款规定之权利迅即告知当事人。

3 IF AUTHORITIES SEEK TO SEARCH YOUR BELONGINGS.

The search must be documented, and signed by the law enforcement authorities, you and witnesses. If the police confiscate articles, they should give you a list with their signatures.

《治安管理处罚法》87、88、89条:

进行检查时，检查人员不得少于2人，且应出示证件。检查应制作笔录，由(i)进行检查的工作人员，(ii)被检查人和(iii)见证人签字。对于没收的物品，警察应出具清单。警察也应对扣押的物品出具清单。

4. IF AUTHORITIES SEEK TO ERASE IMAGES OR RECORDINGS, OR DESTROY YOUR PROPERTY.

Private property is protected by law. If police illegally destroy your property, collect evidence and contact information for witnesses. You are entitled to take legal action.

《物权法》《行政诉讼法》及《治安管理处罚法》第114条和第117条:

公安机关及其人民警察违法行使职权，侵犯公民、法人和其他组织合法权益的，应当赔礼道歉；造成损害的，应当依法承担赔偿责任。

5. IF YOUR CIVIL RIGHTS HAVE BEEN VIOLATED.

You can bring administrative and civil litigation against the persons and entities involved. You should collect evidence, record names and contact information for witnesses, and consult a lawyer.

《治安管理处罚法》第114条和第117条;《行政诉讼法》

These recommendations were prepared by the Foreign Correspondents' Club of China in consultation with experts in PRC law. The Chinese cites laws and regulations that support the action recommended in English, and is not a

direct translation. The FCCC is not responsible for the consequences of any actions taken based on these recommendations.