

China wants telecom companies to inform on clients

April 27 2010, By GILLIAN WONG , Associated Press Writer



In this Jan. 25, 2010 file photo, people use computers at an Internet cafe in Taiyuan, in north China's Shanxi province. China is poised to pass a law requiring telecommunications and Internet companies to report any revelation of state secrets, potentially forcing businesses to collaborate with the country's vast security apparatus that stifles political dissent. The move to make communications companies monitor and inform on clients' activities, reported Tuesday, April 27, 2010, by state media, comes as China continues tightening controls on the Internet and telecommunications services. (AP Photo, File)

(AP) -- China is poised to strengthen a law to require telecommunications and Internet companies to inform on customers who discuss state secrets, potentially forcing businesses to collaborate with the country's vast security apparatus that stifles political dissent.

The move, reported Tuesday by state media, comes as [China](#) continues

tightening controls on communications services. It also follows a spat over [censorship](#) that prompted search giant Google Inc. last month to move its Chinese site to Hong Kong, which provides broader protection of civil liberties than mainland China.

A draft of amendments to the Law on Guarding State Secrets submitted to China's top legislature for review will make more explicit the requirement that telecoms operators and Internet service providers help police and state security departments in investigations about leaks of state secrets, the state-run China Daily newspaper said.

"Information transmissions should be immediately stopped if they are found to contain state secrets," the official Xinhua News Agency cited the amendment as saying. Xinhua said that according to the amendment, once a state secret leak has been discovered, records should be kept and the finding reported to authorities.

In China, state secrets have been so broadly defined that virtually anything - maps, GPS coordinates, even economic statistics - could fall under the category, and officials sometimes use the classification as a way to avoid disclosing information.

The new draft maintains that wide scope, defining state secrets as: "information that concerns state security and interests and, if leaked, would damage state security and interests in the areas of politics, economy and national defense, among others," Xinhua said. Reports did not say what penalties for violations would be under the amended law.

But its passage is unlikely to result in a significant change as communications companies are already often compelled by powerful authorities to comply with investigations.

The amended law is most likely to affect people using local Internet

service providers, but it is unclear if Google, which still runs some services on its China site such as [Google](#) Video, will fall under the radar. Many other overseas websites, like Facebook and Twitter, are already blocked in China. It probably also won't interfere with companies that do not provide China-based services or store data in the country.

In 2006, Yahoo Inc. was heavily criticized by media and human rights activists and U.S. lawmakers after it emerged that the American Internet company had given Chinese prosecutors e-mails from the account of Chinese journalist Shi Tao. Shi was jailed in 2005 for allegedly providing state secrets to foreigners. His e-mails allegedly contained notes about a government memo on media restrictions.

The draft amendments were submitted Monday to the National People's Congress Standing Committee for a third review - usually the final stage before being adopted by lawmakers.

Chinese leaders appear determined to monitor the flow of information that reaches the world's largest Internet population, with some 384 million users. The government recently also issued new regulations to tighten procedures for domain name registration and to remove websites that are not officially registered.

Chinese authorities view the control of information as key to heading off or stemming the spread of unrest. After deadly ethnic riots broke out in a Muslim region in western China in July, Beijing unplugged the Internet entirely in the region and slowed cell phone service to stifle reports about the violence. Limited Internet and phone texting services were restored in recent months.

Human rights activists say the information control is used to stifle any challenge to the Communist Party's grip on power and to identify political activists and punish them.

Beijing-based human rights lawyer Mo Shaoping said the requirements in the amended law mean communications service providers will be unable to protect the privacy of their clients.

"Such regulation will leave users with no secrets at all, since the service providers have no means to resist the police," Mo said.

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