

COMPLAINT NUMBER	20/212
ADVERTISER	Chinese Consulate General
ADVERTISEMENT	Chinese Consulate General, Print
DATE OF MEETING	2 June 20120
OUTCOME	No Grounds to Proceed

Advertisement: The Chinese Embassy print advertisement published the Chinese President H.E. Xi Jinping's speech at the World Health Assembly. The advertisement titled "Fighting COVID-19 Through Solidarity and Cooperation, Building a Global Community of Health for All" and includes a photo of H.E. Xi Jinping. The advertisement discusses China's response to the COVID-19 crisis and plans for on-going management of the pandemic.

The Chair ruled there were no grounds for the complaints to proceed.

Complaint: Does blatant propaganda from the CCP really belong in a local NZ newspaper? Its not the truth and it attempts to portray Xi Jinping as a caring individual who is concerned about the state of the world. The CCP are using their influence and wealth at a time of global pandemic to further their own revenge for what they see as the 100 year shame. Its fabrication on an unprecedented scale and hold no place in this country. I feel the Star group printed this with absolutely no journalistic integrity or use of human morale. It was all about the money the Chinese payed. Disgraceful behaviour

Complaint 2: This advertisement breaches Rule 2 (b) Truthful presentation. The advertisement claims, "China takes it as its responsibility to ensure not just the life and health of its own citizens, but also global public health." This is clearly not true and there is abundant evidence of breaches of human rights in China. I am providing some links as evidence.
<https://www.amnesty.org/en/latest/news/2019/12/sexual-violence-against-hong-kongprotesters/> <https://hongkongfp.com/2019/09/02/rape-threats-body-shaming-doctored-photos-hongkong-women-protesters-facing-troll-army/> <http://www.asianews.it/news-en/Rape,-abuse-and-sterilisation-in-Xinjiang%E2%80%99s-%E2%80%98boarding-schools%E2%80%99-for-Uyghurs-48429.html>
<https://www.npr.org/2019/11/23/782255231/chinas-treatment-of-uighurs>

The Chinese government clearly does not value the life and health of its citizens. And does not value the life or health of the global community as evidenced by the following links.
<https://rsf.org/en/news/coronavirus-information-heroes-china-silenced>
<https://www.ccn.com/chinese-government-tried-to-cover-up-coronavirus-whistleblowersdeath/>
<https://foreignpolicy.com/2020/02/03/wuhan-coronavirus-coverup-lies-chinese-officials-xijiping/> https://www.skynews.com.au/details/_6147182719001

This advertisement is clearly government propaganda to try and undo damage done by the Chinese government in it's cover up of the Covid-19 Virus, and serves no real purpose other than to spread misinformation.

Complaint 3: I believe the issue is 2 fold.

1. The page published is misleading readers to think the whole-page advertisement is an article. I do not believe the fine-print is sufficient in making clear that the paid "advertisement" is the whole-page article.

2. The content is soft propaganda paid by the Chinese Communist Party. I believe this is in violation of Rule 2 (b) Truthful presentation: Advertisements must not mislead or be likely to mislead, deceive or confuse consumers

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b), Rule 2(e);

Principle 2: Truthful Presentation: Advertisements must be truthful, balanced and not misleading.

Rule 2(b) Truthful Presentation: Advertisements must not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise. Obvious hyperbole identifiable as such is not considered to be misleading.

Rule 2(e) Advocacy advertising: Advocacy advertising must clearly state the identity and position of the advertiser. Opinion in support of the advertiser's position must be clearly distinguishable from factual information. Factual information must be able to be substantiated.

The Chair noted the concerns of the Complainants that the advertisement was spreading propaganda and misinformation and the identity of the Advertiser was not clear.

The Chair referred to the ASA Guidance Note on Advocacy Advertising, which includes the following definition of Advocacy Advertising: "Advocacy advertising is often characterised by parties having differing views that are expressed in robust terms. This is especially so when there is proposed legislation or a referendum on an issue. Examples include abortion, fluoridation, immunisation and legalisation of marijuana. Government advertising on a range of health and safety initiatives is also likely to be advocacy advertising

The Chair noted the requirements of Rule 2(e) of the Advertising Standards Code. This Rule requires the identity and position of the advertiser to be clear; opinion to be distinguished from factual information and factual information must be able to be substantiated. The Advocacy Principles developed by the Complaints Board in previous decisions considered under Rule 11 of the Code of Ethics remain relevant. They state:

1. That section 14 of the Bill of Rights Act 1990, in granting the right of freedom of expression, allows advertisers to impart information and opinions but that in exercising that right what was factual information and what was opinion, should be clearly distinguishable.
2. That the right of freedom of expression as stated in section 14 is not absolute as there could be an infringement of other people's rights. Care should be taken to ensure that this does not occur.
3. That the Codes fetter the right granted by section 14 to ensure there is fair play between all parties on controversial issues. Therefore, in advocacy advertising and particularly on political matters the spirit of the Code is more important than technical

breaches. People have the right to express their views and this right should not be unduly or unreasonably restricted by Rules.

4. That robust debate in a democratic society is to be encouraged by the media and advertiser and that the Codes should be interpreted liberally to ensure fair play by the contestants.
5. That it is essential in all advocacy advertisements that the identity of the advertiser is clear.

The Chair said the identity of the Advertiser which appeared in full size print on a red banner at the bottom of the page said "This advertisement is paid for by the Chinese Consulate," was clear. The Chair said the Advertiser's message was also clear. The advertisement therefore met the criteria for an advocacy advertisement.

The Chair said the content in the advertisement represented the views of the President of the People's Republic of China as he addressed the World Health Assembly and its delegates and was permitted under the rule for advocacy advertising. The Chair said the advertisement was clearly the Chinese Government's perspective on its response to the COVID-19 crisis and proposals for the on-going management of the pandemic.

The Chair acknowledged the Complainants' genuine concerns about the advertisement and the views expressed by the Advertiser however such expression of opinion was permitted under the Code.

The Chair said the advocacy advertisement did not meet the threshold to breach Principle 2 or Rules 2(b) and 2(e) of the Advertising Standards Code.

The Chair ruled there were no grounds for the complaints to proceed.

Chair's Ruling: Complaints No Grounds to Proceed

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.