

Thank you for your response regarding Microsoft's business practices in China.

Amnesty International acknowledges that the services provided by internet companies such as Microsoft can play a vitally important role in promoting human rights. Our concern, however, is that the internet itself can in certain circumstances become a tool of repression where the monitoring of communications, the censoring and filtering of information and the amassing of immense databanks of information enhance the ability of governments to restrict the basic rights of those within their jurisdiction.

While we are grateful for Microsoft's technical clarification provided on the issue of blocking searches for particular key words and filtering blog content, this has not entirely allayed our concerns. For example, in doing a search on [beta.search.mns.com.cn](http://beta.search.mns.com.cn) for a politically sensitive term such as "Tiananmen Square" a page comes up stating "Certain content was removed from the results of this search". Although MSN Spaces users are no longer prevented from using words like "democracy" "freedom" "human rights" when creating blogs, as they were when Microsoft launched MSN spaces in China in 2005, recent tests carried out in June 2006 demonstrated the continuing blocking of certain words and terms including "Tiananmen incident" in the title of blogs.

You also clarify that Microsoft has not signed China's self-censorship pledge, contrary to reports received by Amnesty International. If we were incorrect in our information, we apologize unreservedly for this mistake. However, whether Microsoft has signed China's self-censorship pledge or not, the clarification provided regarding such cases as that of Michael Anti raises the question to what extent Microsoft will continue to respond to requests from the government to shut down blogs, or censor information in any other ways therefore risking complicity with the Chinese government in violating human rights.

Finally, I would like to draw your attention to a new briefing issued by Amnesty International entitled "*Undermining Freedom of Expression in China: the role of Yahoo!, Microsoft and Google*", which is available at [www.amnestyusa.org/business](http://www.amnestyusa.org/business).

The briefing contains specific recommendations and proposals for how internet companies should take human rights considerations into account when conducting business in countries where local laws appear to require restrictions which are in conflict with international human rights principles.

We hope you will give serious consideration to these recommendations, which are aimed at preventing the further involvement of companies in human rights violations as well as enhancing the role they play in the promotion of freedom of expression and other human rights.

Yours sincerely,

Amnesty International calls on Yahoo!, Microsoft, Google and other Internet companies operating in China to:

1. **Publicly commit to honoring the freedom of expression provision** in the Chinese constitution and lobby for the release of all cyber-dissidents and journalists imprisoned solely for the peaceful and legitimate exercise of their freedom of expression.
2. **Be transparent about the filtering process** used by the company in China and around the world and make public what words and phrases are filtered and how these words are selected.
3. **Make publicly available all agreements** between the company and the Chinese government with implications for censorship of information and suppression of dissent.
4. **Exhaust all judicial remedies and appeals in China and internationally before complying with state directives** where these have human rights implications. Make known to the government the company's principled opposition to implementing any requests or directives which breach international human rights norms whenever such pressures are applied.
5. **Develop an explicit human rights policy** that states the company's support for the Universal Declaration of Human Rights and complies with the UN Norms for Business and the UN Global Compact's principle on avoiding complicity in human rights violations.
6. **Clarify to what extent human rights considerations are taken into account** in the processes and procedures that the company undertakes in deciding whether and how the company's values and reputation will be compromised if it assists governments to censor access to the Internet.
7. **Exercise leadership in promoting human rights in China** through lobbying the government for legislative and social reform in line with international human rights standards, through seeking clarification of the existing legal framework and through adopting business practices that encourage China to comply with its human rights obligations.
8. **Participate in and support the outcomes of a multi-stakeholder process** to develop a set of guidelines relating to the Internet and human rights issues, as well as mechanisms for their implementation and verification, as part of broader efforts to promote recognition of the body of human rights principles applicable to companies.