



December 11, 2018

Rep. Bob Goodlatte, Chair
House Committee on the Judiciary
2240 Rayburn House Office Building
Washington, D.C. 20515

RE: December 11 hearing on “Transparency & Accountability: Examining Google and its Data Collection, Use and Filtering practices”

Dear Chairman Bob Goodlatte, Ranking Member Jerrold Nadler, and members of the House Judiciary Committee,

On behalf of Amnesty International USA (AIUSA) and our more than two million members and supporters and members nationwide, we submit this statement for the hearing record.

Amnesty calls on the U.S. House of Representatives Judiciary Committee to urge Google CEO Sundar Pichai to drop Project Dragonfly, the company’s secretive plan to launch a censored search app in China. The capitulation of Google to China’s repressive internet censorship and surveillance would have a profoundly disastrous impact for human rights in China, internet freedom around the world, and risk making the company complicit in the arrest and detention of people in China simply for expressing their views online.

In 2010, Google shut down its Chinese search operations over intense state surveillance, announcing that the company had been targeted by cyber attacks aimed at “accessing the Gmail accounts of Chinese human rights activists”. The company’s decision to do so reflected their unofficial motto “don’t be evil” that [voiced](#), “ It’s about providing our users unbiased access to information, focusing on their needs and giving them the best products and services that we can. But it’s also about doing the right thing more generally – following the law, acting honorably, and treating co-workers with courtesy and respect”.

In 2018, Google appears to have abandoned its values and promises to users and employees by building a prototype search app under “Project Dragonfly” that would enable rights violations by Chinese authorities. If Google launches Dragonfly, it would be the perfect gift for the Chinese government, facilitating and legitimising its model of pervasive surveillance and censorship and stifling freedom of expression in favor of the government’s political agenda.

Over 700 Google employees have [joined](#) Amnesty International in calling Google to cancel project Dragonfly, objecting to “technologies that aid the powerful in oppressing the vulnerable”. There have been protests at Google headquarters in nine countries, including in the U.S., and a [petition](#) calling on Sundar Pichai to drop Dragonfly and protect whistleblowers. In August, several human rights organizations sent a [letter](#) to

Google outlining our concerns and calling on the company to commit not to provide censored search engine services in China; disclose what steps the company is taking to safeguard human rights; and to protect whistleblowers. In response, Google committed to respect the fundamental rights of its users. However, the company failed to follow our calls and explain how it would square this commitment with a project that appears to accept censorship and surveillance.

The Chinese government has long been on the wrong side of history for its repressive laws on freedom of expression online. Thousands of websites are blocked and many phrases are censored, such as the 1989 Tiananmen Square crackdown and references to protests, human rights, dissidents, and criticisms of China's President Xi Jinping. It is highly likely that Google would be held to the same standard if it enters the Chinese market. Confidential Google documents obtained by The [Intercept](#) indicate that Google's Chinese search app will automatically identify and filter banned websites and blacklist sensitive queries so that "no results will be shown" when people search certain words or phrases such as "human rights".

Reports detailing the systematic oppression of ethnic minorities in China, especially targeting Uighurs, Kazakhs and other predominantly Muslim ethnic groups in the Xinjiang Uygur Autonomous Region (XUAR), is a stark example of the type of information that Google would be forced to censor through an app like Dragonfly. Amnesty's report, [China: Where are they? Time for answers about mass detentions in Xinjiang Uighur Autonomous Region](#), documents Xinjiang as a "no rights zone". Atazhurt, a Kazakh rights organization, has collected [more than 1,000 testimonies](#) from families of ethnic Uighurs and Kazakhs who are alleged to have disappeared into mass detention camps in XUAR. Human Rights Watch [has reported on](#) the Chinese government's mass, systematic campaign of human rights violations in XUAR. Such reports are not accessible through domestic Chinese search engines – and Google's Dragonfly would have no choice but to replicate this state-sanctioned silence.

Under China's Cybersecurity [Law](#) (CSL), which took effect in June last year, companies doing business in China are obligated to proactively censor politically sensitive content and report it to the authorities. The law also criminalizes content which encourages "overthrowing the socialist system," fabricates or disseminates false information to "disturb economic order," or undermines "national unity." The Cybersecurity Law's data localization and other requirements mean it is also likely that Google would be enlisted in surveillance abuses and its users' data would be much more vulnerable to government access. This is particularly worrying given that human rights defenders and journalists are routinely arrested and imprisoned solely for expressing their views online.

The potential risk to human rights defenders, activists, and journalists is not just theoretical but based on history. In 2007, Yahoo was forced to apologize after it was [revealed](#) that the company had turned over private information about two dissidents at the request of the Chinese government, leading to their imprisonment for ten years.

A recent [report in the Intercept](#) highlighted troubling further details of Google's decision making around the project, citing former and current Google staffers - including former Google engineer Yonatan Zunger. The report indicates that Google was well aware of the serious human rights risks linked to Project Dragonfly, but chose to ignore internal warnings and even exclude and sideline the company's Privacy and Security team – inconsistent with the company's commitment to carry out human rights due diligence. Furthermore, the report further contradicts claims by Sundar Pichai and Google that the company was merely “exploring” the possibility of re-entering the China search market – according to an internal Google source quoted by the Intercept, the company had “100% intention to launch from day one”.

If Google launched Project Dragonfly it would also be a dark day for internet freedom, as it would legitimize China's model of internet repression for other governments and set a precedent for tech companies compromising human rights in exchange for access to new markets. Actively aiding the Chinese government's censorship and surveillance regime would set a terrible precedent for human rights and press freedoms worldwide. Many governments look to China's example, and a major industry leader's acquiescence to such demands will likely cause many other regimes to follow China's lead, provoking a race to the bottom in standards. It would also undermine efforts by Google and other companies to resist government surveillance requests in order to protect users' privacy and security, emboldening state intelligence and security agencies to demand greater access to user data.

Google needs to decide whether it will defend a free and open internet for people globally, or help create a world where people in some countries are shut out from the benefits of the internet and routinely have their rights undermined online. Google is the world's most popular search engine, and has an outsize influence in digital ads, marketing, and brands. The company needs to demonstrate that it will continue to stand up to the Chinese government and not make concessions to its censorship and surveillance regime. U.S. companies should respect universal human rights principles and the values the U.S. claims to espouse in this regard.

The United States has been one of the most outspoken critics on China's worsening human rights record and have supported China's human rights defenders in gaining their freedom. In October, Vice President Pence [called](#) on Google to “immediately end” project Dragonfly, arguing that it will “strengthen the Communist Party's censorship and compromise the privacy of Chinese customers”. We thank leadership on both the [House of Representatives](#) and the [U.S. Senate](#) for expressing their concern with Project Dragonfly already and we believe this hearing presents a unique opportunity to delve deeper into those concerns.

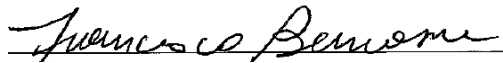
Human rights commitments must be followed by action. If Google claims to be committed to “respecting the fundamental rights of its users,” developing Project Dragonfly is a seriously distorted response.

We call on members of Congress to urge Google to:

- Drop the Dragonfly project and commit not to provide censored search engine services in China.
- Stipulate its position on censorship in China and the safeguard against human rights violations related to Project Dragonfly and its other Chinese mobile app offering.
- Ensure that whistleblowers and other Google employees speaking out are protected.

If you have any further inquiries, please contact Francisco Bencosme at (202) 845-5075 or fbencosme@aiusa.org.

Sincerely,



Francisco Bencosme

Asia Advocacy Manager

Advocacy and Government Affairs