



Tim Cook
CEO
Apple
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Cupertino, CA
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Dear Mr. Cook,

Historically Apple has been an ally in the fight for a free and open Internet, setting an example in standing up for Internet privacy rights and encryption technologies. Thus, your decision to remove certain virtual private network (VPN) applications from the China App Store at the demand of the Chinese government seems a troubling departure from previous efforts.

Last year dozens of companies filed an [Amicus Brief](#) supporting Apple's fight against the U.S. government's attempt to access encrypted iPhone communications. We applauded your resistance and refusal to build "backdoors" into your products. Your argument that the government's demands violated due process and went against the First Amendment were lauded by consumers and companies alike, and Apple was respected for its stance.

In recent months, China has clearly escalated its effort to ban or censor news outlets, VPN providers, search engines, and even academic sites. Your company's most recent decision to remove certain VPN applications the Chinese government deemed illegal drew [comparisons](#) to the U.S. situation. In response you stated: "[t]hey're very different. In the case of the U.S., the law in the U.S. supported us. It was very clear." We question your characterization of the U.S. legal fight as "very clear." If the matter were clear, filing an Amicus Brief would have been unnecessary. Your own executives foresaw the linking of the U.S. and China issues, as illustrated in a [New York Times article](#): "[Apple executives] have said their defiance was not a business choice. But cooperating with the government now could quickly lead to murkier situations internationally, especially in China, where officials have been pushing for greater control over the encryption and security of technology sold there."

What was clear in the U.S. fight was that Apple was willing to stand up for its principles (even to the government), and provide transparency along the way. Apple's recent actions in China have been incongruous by comparison. There has been little transparency into these decisions that seemingly display a strong cooperation with the Chinese government. Unfortunately, it appears this "murky situation" your executives referred to has become anything but.



We understand laws in China work differently than in the United States. We also know that to obtain a license to operate the China App Store, Apple agreed to strict obligations in compliance with what Chinese regulators dictate as “the law.” With no independent judiciary, your agreement with China is, in effect, forcing you to choose between company values and compliance with Chinese regulatory decree. While there has been considerable publicity around Apple removing the New York Times app in January 2017 and VPN applications this month, it is not known how many other applications you've willingly removed in compliance with Chinese "laws." As these actions perpetuate censorship and restrict access to information, we find the lack of transparency especially troubling.

This is more than a simple business decision or compliance issue. The United Nations declared the right to privacy a fundamental human right, as detailed in [Article 19](#) of the Universal Declaration of Human Rights (USDR). VPNs are a tool people in China and around the world use to achieve this human right. When you eliminate access to VPNs, you make a statement about your feelings on human rights - even if it's an implicit one.

Therefore, we are appealing to Apple to provide greater transparency into the issues you face with Chinese regulators, and offer explanations on company decisions. We also encourage you to publicly partner with like-minded groups globally, to help leverage your unique position as a technology leader in China. We encourage you to use this position as an opportunity to champion the Internet freedom and privacy you stand for in other nations around the world.

Sincerely,

Sunday Yokubaitis
President of Golden Frog

Martin Johnson and Charlie Smith
Co-Founders of Greatfire.org