

September 8, 2005

Open Letter to President Clinton

Dear President Clinton:



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We, the undersigned organizations, urge you, as the keynote speaker of the 2005 China Internet Summit at West Lake in Hangzhou, China, to call for the release of Shi Tao, a journalist and Internet activist serving a 10-year sentence for divulging state secrets. This Summit provides a prime opportunity to address the controversy over the role of U.S. Internet companies operating in China. We would like you to talk directly with Jerry Yang, cofounder of Yahoo!, who will be a speaker at this event, about the role that Yahoo Holdings (Hong Kong) Ltd. played in providing the Chinese authorities with information that was used to convict Shi Tao.

Shi Tao, a journalist at the *Contemporary Business News* and an online essayist, was detained shortly after he sent an e-mail to an overseas Web site regarding instructions issued by the Central Propaganda Department on maintaining social stability on the 15th anniversary of the June 4th crackdown. On April 27, 2005, Shi was convicted of "illegally providing state secrets abroad," and sentenced to ten years in prison; his appeal was denied on June 2, 2005. The April 27 judgment of the Changsha Intermediate People's Court in Hunan states that Yahoo Holdings (Hong Kong) Ltd. provided the Chinese investigating organs with detailed information linking Shi's personal e-mail account and the message at issue to the IP address and physical location of his computer.

Shi's conviction is part of an alarming trend on the part of the PRC government of clamping down on the legitimate activities of journalists who report on failings in China's system. Yahoo provided evidence that contributed to Shi's arrest and conviction for activities that did not threaten China's national security, but merely represented the exercise of his right to free expression and to criticize the government, as protected by China's own constitution.

In the spirit of this year's China Internet Summit theme of "Connecting China and the World," we urge you to underscore the international human rights obligations of both states and transnational corporations and other business enterprises. Specifically, we urge you to take this opportunity to highlight the following issues of concern to the business community and to the Chinese government:

- **Support the unconditional release of Shi Tao**, whose conviction stems from his exercise of his right to freedom of expression, and a review of cases of other journalists convicted on charges stemming from the discharge of their professional duties;
- **Encourage foreign businesses to implement the *UN Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights***, under which transnational corporations must refrain from any activity that supports or encourages States to abuse human rights;
- Call on the PRC government to **implement the WSIS Declaration of Principles** that it has adopted. These Principles seek to build a "people-centered, inclusive, and development-oriented Information Society" that respects the right to freedom of opinion and expression, which "includes freedom to hold opinions without interference and to seek, receive and impart information."

As you understand so well, these are challenging times for human rights work, especially in the context of China. We urge you to take advantage of this important opportunity to address these challenges and to exercise clear corporate and international leadership.

Sincerely,

Sharon Hom
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