



May 11, 2022

Tim Cook

CEO Apple Inc

Dear Mr. Cook,

Recognizing the role of Apple as one of the Tech Giants in the information technology industry which is an inalienable part of modern society including giving to people more opportunities for exercising their human rights, at the same time we underline that these technologies are frequently used for infringement of these rights.

We have already [referred](#) to Apple in January, 2022 in connection with posting and disseminating by the Belarusian authorities and pro-State bloggers through the Telegram resources some video and text materials, violating human rights and contained radical forms of hate speech towards LGBTQ people (“confession videos”, which is now a common practice of Belarusian law enforcement agencies and comments). We have not got a direct answer, but we could see the result - most of the materials from the annex to our previous letter have been removed. We appreciate such a reaction.

With regret we again would like to draw your attention to the facts of “confession videos”. This time with participation of children. These videos are published on official channels of law enforcement agencies and distributed by state propaganda.¹

We are stressing the degrading and traumatic nature of these practices. The victims in this case - children – are an extremely vulnerable group, which increases the negative effect of such “public executions”. It can be seen from the video that the teenagers are clearly scared - most likely they were under psychological, and possibly physical pressure. Such a practice can leave a deep mark on the psycho-emotional state of the child. Moreover, the state propaganda, publishing such videos, uses extremely offensive language, labeling the teenager as a criminal, which not only violates the presumption of innocence, but also casts doubt on the possibility of full-fledged development for him.

¹ <https://t.me/zheltyeslivy/8482>; <https://t.me/zheltyeslivy/25122>; <https://t.me/ontnews/19505>; <https://t.me/zheltyeslivy/38851>; <https://t.me/zheltyeslivy/9734>; <https://t.me/pressmvd/2055>



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These practices, first of all, are a violation of the right of children to freedom from degrading treatment (Art. 37 of the Convention on the Rights of the Child), the right to privacy (Art. 16 of the Convention) and the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others (Art. 40 of the Convention).

In March, 2022 Belarusian Helsinki Committee [has sent](#) this information to the UN Special Rapporteurs on torture, on freedom of expression and opinion, on the right to health, on the right to privacy and on the human rights situation in Belarus.

We draw your attention to these facts because Telegram can be downloaded through AppStore and thus Telegram is in your supply chain. Today's standards of conducting business are formed based on and contained in the [2011 UN Guiding Principles on Business and Human Rights](#) which says that business has an obligation to assess and prevent not only its abuses but abuses are linked to its operations, products, or services through its supply chain.

In its [Human Rights Policy \(Commitment to Human Rights\)](#) Apple reaffirms its commitment to respect internationally recognized human rights and recognizes the 2011 UN United Nations Guiding Principles as the global standard on business and human rights. As well as Apple reaffirms that throughout its supply chain prohibits harassment, discrimination, violence, and retaliation of any kind and that Apple has zero tolerance for violations motivated by any form of prejudice or bigotry.

We consider it is important to emphasize that we highly appreciate the importance of freedom of speech and freedom of expression, but these materials cannot be qualified as such because the only obvious purpose of their posting is the humiliation of the human dignity of representatives of one of the most vulnerable groups - children as well as instill a sense of fear in their peers, aiming to nip in the bud the children's attempts to exercise their rights (including rights to express an opinion).

Taking into account all the above-mentioned, we call on Apple to use the leverage of its partnership and address the Telegram demanding to prevent using the Telegram resources for human rights violations, in particular:

- To block access to the materials, mentioned in this letter;
- Totally block the channel <https://t.me/zheltyeslivy>, which produces the largest amount of human rights abusive, discriminatory content, systematically used by the State for



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licking data, promoting violence and personal data and are main sources for reposting (taking into consideration information from our previous letter);

- To issue a warning to named channels about non-admissibility of further posting and disseminating of such materials;
- Taking into account the fact that such practices in the Belarusian segment of Telegram from the State-affiliated channels are very common, and even blocking of some channels cannot be effective enough in some cases, because new ones of the same content can be immediately created – focus Telegram’s attention on this area in respect to more thorough human rights due diligence, including more detailed assessing risks of human rights violations made via Telegram resources.

Sincerely,



Aleh HULAK,

Chairman of the Belarusian Helsinki Committee



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