

Response from Natural Cycles to Business & Human Rights Resource Centre

September 16, 2022

Assessing & Mitigating Risks

1. ***What action has your company taken, or intends to take, to evaluate and respond to the implications of the recent U.S. Supreme Court's decision restricting access to abortion and reproductive rights?***

Protecting user data has always been a top priority for Natural Cycles and as sensitive data became more sensitive with the U.S. Supreme Court's decision, we took immediate action to make sure user data is safe with us. The actions we took included:

- Committing and making users aware of strong protections already in place (i.e. never selling user data, etc.)
- Working with third party security researchers - such as the Mozilla Foundation - to assess Natural Cycles' privacy policies.
- Building an anonymous experience for users with the goal of making it so no one - not even us at Natural Cycles - can link sensitive data to an identity.
- Working with legal counsel to monitor and adapt privacy policies in this changing environment (including to account for new data privacy laws that may come into play).

2. ***Does your company carry out due diligence to identify, prevent, and mitigate human rights risks associated with data collected from users of your products and services that could be used to restrict access to abortion and reproductive rights? If so, what risks have you identified?***

Yes. The biggest risk we've identified is a risk that any digital product (fertility app, ride sharing app, messaging app) has - which is being subpoenaed for information that could lead to prosecution. We are mitigating this risk by exploring our legal rights to not provide such information, but also setting our app up in a way that will not even allow us to provide this information (see above).

- a. ***What steps is your company taking to protect users' rights to freedom of expression and data privacy?***

We understand the trust our users place in us when they share their sensitive information and we do not take that lightly. That's why we've always maintained a very high level of privacy protections and have taken the actions above to protect their rights in a changing environment. We have also taken several steps to tighten security and will continue this work in response to the elevated risk.

- b. ***What policies or mechanisms does your company have in place for people to raise concerns or complaints on the use of their data?***

We always encourage our users to ask questions or raise concerns directly with our customer support team. In addition, We have appointed a Data Protection Officer (“DPO”) and provide users with the DPO’s contact information within our privacy policy.

3. ***Has your company conducted an exercise to identify the types of data that could be used to target people seeking abortion care or restrict access to abortion and reproductive rights? a. If so, what steps is your company taking to prevent and mitigate the identified risks?***

Given the nature of our product, it’s clear what data could be used to target people seeking an abortion. Which is why we protect it as if its our own data.

4. ***Does your company carry out due diligence to identify, prevent, and mitigate human rights risks associated with allowing third-party access to user data?***

Yes.

- a. ***If your company allows third-party access to user data or sells data to third parties, does your company conduct due diligence on the third parties’ data privacy policies? b. What steps is your company taking to restrict the sale or disclosure of user data to third parties that could be used to target people seeking, offering, or facilitating abortion access and the exercise of reproductive rights?***

Natural Cycles has never - and never will - sell any user data. Natural Cycles does not share sensitive data with third parties with the exception of anonymized, minimized data we share with researchers to perform clinical studies - and only if users consent for their data to be used in such a way.

Any researchers must agree to and sign Natural Cycles’ data sharing agreement.

Responding to Government Requests

5. ***What policies does your company have in place to respond to government requests for user data that could be used to restrict access to abortion and the exercise of reproductive rights?***

Natural Cycles is committed to protecting user data from any group or party that the user has not given explicit consent to share with - that includes the government. We have never received a government request for such information and are currently exploring with legal counsel on how to best respond with the goal of protecting our user’s data.

- a. ***Does your company publish information on government requests for user data, including information broken down by location, type of information requested, and reasons for the request?***

We do not because we have never received such a request.

- b. ***What policies does your company have in place to notify users when you disclose their data in response to government requests?***

We have never received a request and therefore have never had to notify any user but if we did receive such a request, we would make any and all reasonable attempts to notify the user.

6. ***What steps is your company taking to challenge unlawful government or law enforcement requests for user data?***

We are mitigating this risk by exploring our legal rights to not provide such information, but also setting our app up in a way that will not even allow us to provide this information.