

Microsoft's Response to Access Now's September 12, 2018 Letter

We appreciate Access Now's September 12, 2018 letter on Microsoft's scoring on the Ranking Digital Rights Corporate Accountability Index, which recognizes areas of strength in Microsoft's policies and reporting on privacy and freedom of expression protections and also offers suggestions for possible enhancements.

As background, Microsoft's respect for human rights reflects our longstanding commitment to empowering individuals around the world. As articulated in [Microsoft's Global Human Rights Statement](#), we work to ensure that we respect human rights across all aspects of our business, and we seek to apply the power of technology to promote human rights globally. We have a responsibility and commitment to operate our business in a way that respects universal rights such as privacy, freedom of expression and the right to access information. In managing our online services, we've carefully considered how to comply with legal requirements restricting certain content and addressing threats to public safety posed by terrorist content or child pornography.

To help us responsibly address these issues, Microsoft is a founding member and sits on the board of the Global Network Initiative (GNI), a collaborative effort between ICT companies, civil society organizations, socially responsible investors, and academics. GNI provides a set of Principles and Implementation Guidelines regarding practical steps and policies ICT companies can adopt to respect and advance the freedom of expression and privacy rights of their users when faced with governmental demands.

We would also like to highlight a few recent examples of our efforts regarding the privacy rights of our users:

- In May 2018, we [announced](#) that "we will extend the rights that are at the heart of GDPR to all of our consumer customers worldwide. Known as Data Subject Rights, they include the right to know what data we collect about you, to correct that data, to delete it and even to take it somewhere else. Our [privacy dashboard](#) gives users the tools they need to take control of their data." Since extending Data Subject Rights globally, by September more than [5 million users from 200 countries – including 2 million Americans – had used Microsoft's privacy tools to manage their data](#).
- In an effort to modernize international laws governing cross-border access to digital evidence, Microsoft initiated a legal challenge regarding a U.S. government search warrant and litigated that issue [to the U.S. Supreme Court](#). While the litigation was important, [we noted the need](#) for "new legislation and new international agreements to reform the process by which law enforcement officials around the world gather digital evidence and investigate crime" and that these agreements "must have strong protections for privacy and other human rights." The U.S. Congress passed the Clarifying Lawful Overseas Use of Data (CLOUD) Act in March 2018, which created the foundation for a new generation of international agreements that allows governments to engage with each other to create lasting rules to protect privacy and facilitate legitimate law enforcement access to evidence. As part of our continuing effort to ensure that these agreements elevate privacy protections for those around the world, Microsoft [outlined six principles](#) that will guide our advocacy as governments shape these international legal frameworks.



Information about the policies and practices we take to protect our customer's privacy and to foster freedom of expression is available at www.microsoft.com/transparency , www.microsoft.com/privacy , and in our [2017 Corporate Social Responsibility Report](#) .

We value the ongoing opportunities we have to learn from the perspectives of all stakeholders. We look forward to continuing our dialogue with members of the human rights community.