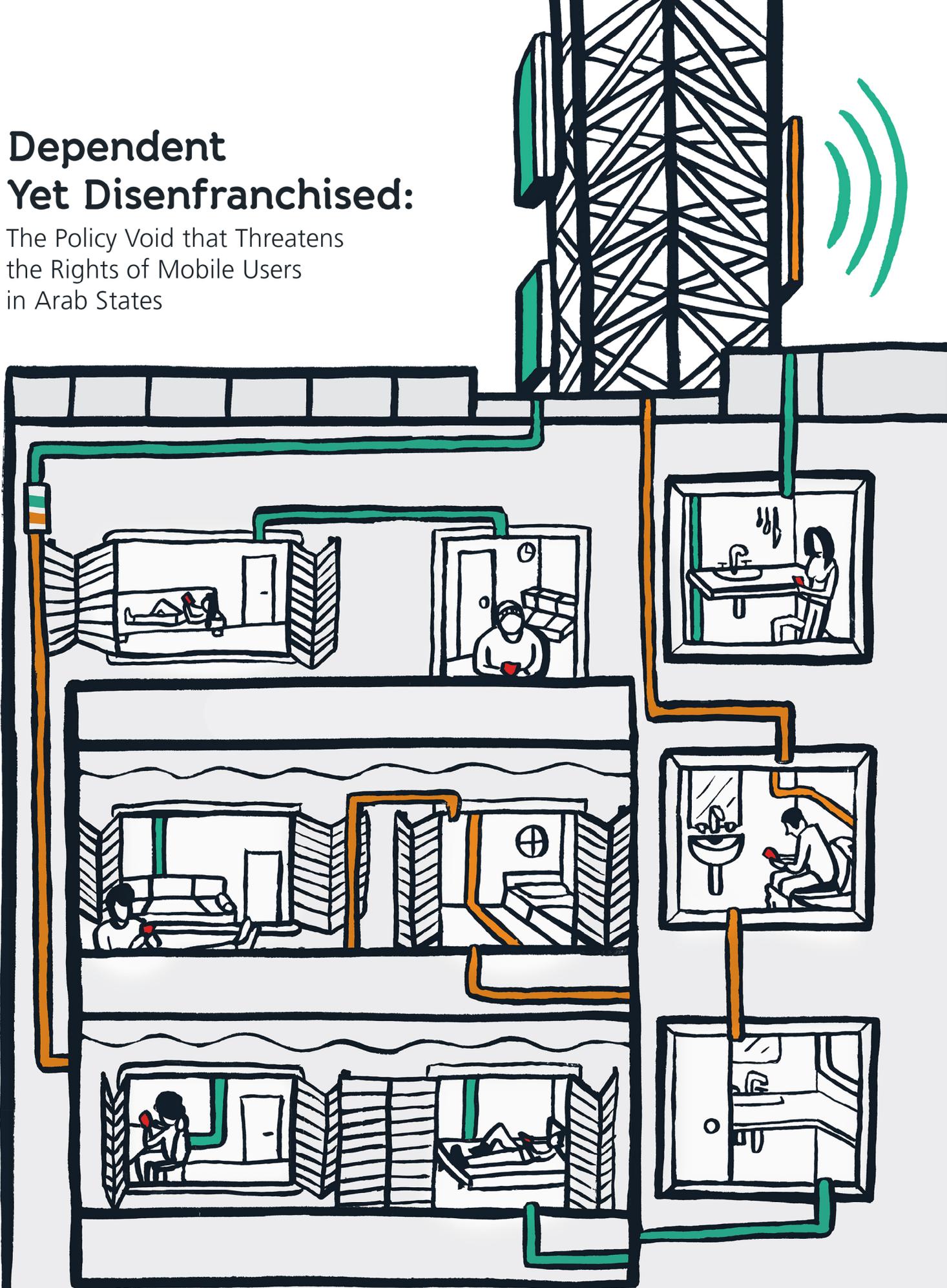


Dependent Yet Disenfranchised:

The Policy Void that Threatens
the Rights of Mobile Users
in Arab States



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SMEX is a Beirut-based media development and digital rights organization working to advance self-regulating information societies. Our mission is to defend digital rights, promote open culture and local content, and encourage critical engagement with digital technologies, media, and networks through research, knowledge-sharing, and advocacy.

Design, illustration concept, and layout are by **Salam Shokor**, with assistance from **David Badawi**. Illustrations are by **Ahmad Mazloun** and **Salam Shokor**.

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A 2018 Publication of SMEX

Kmeir Building, 4th Floor, Badaro, Beirut, Lebanon

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Acknowledgments

Afef Abrougui conceptualized this research report and designed and oversaw execution of the methodology for data collection and review. Research was conducted between April and July 2017. **Talar Demirdjian** and **Nour Chaoui** conducted data collection. **Jessica Dheere** edited the report, with proofreading assistance from **Grant Baker**. All errors and omissions are strictly the responsibility of **SMEX**.

This study would not have been possible without the guidance and feedback of **Rebecca Mackinnon**, **Nathalie Maréchal**, and the whole team at **Ranking Digital Rights** (www.rankingdigitalrights.org). RDR works with an international community of researchers to set global standards for how internet, mobile, and telecommunications companies should respect freedom of expression and privacy. The 2017 Corporate Accountability Index ranked 22 of the world's most powerful such companies on their disclosed commitments and policies that affect users' freedom of expression and privacy. The methodology developed for this research study was based on the RDR/CAI methodology.

We are also grateful to EFF's **Katitza Rodriguez** and Access Now's **Peter Micek**, both of whom shared valuable insights and expertise into how our research might be transformed and contextualized for local campaigns. We also thank the organizers of the Internet Freedom Festival (www.internetfreedomfestival.org/), RightsCon (www.rightscon.org/), and the Stockholm Internet Forum (www.stockholminternetforum.se/) for offering us a platform to discuss our methodology and preliminary findings with others pursuing similar research goals.

Funding support was generously provided by **Access Grants** (www.accessnow.org/grants/). Thank you.

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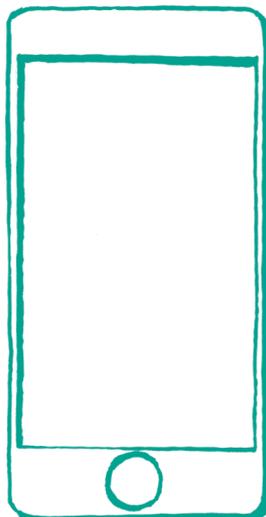
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■ Introduction

More than any other device, mobile phones, and particularly “smart,” internet-enabled phones, are fast becoming the hub of daily life, enabling us to extend our bodies and our minds to anywhere from anywhere. Nearly everything we do as humans—call family, read the news, shop and bank, post to Facebook and Twitter, reply to work email, watch movies, listen to music, play games, order food, fill out government forms, learn about new subjects, vote, meet mates, and even marry—is being done via mobile phones. In a 2014 U.S. Supreme Court decision, *Riley v. California*, it was even acknowledged that “you really don’t have a choice these days if you want to have a cellphone.”¹

“ In a 2014 U.S. Supreme Court decision, *Riley v. California*, it was even acknowledged that ‘you really don’t have a choice these days if you want to have a cellphone.’ ”

But smartphones do not only bring convenience. Designed to be a single point of access to all the goings-on in our daily lives, their use also carries with it the risk that they become a single point of interference or control by governments, companies, or malicious actors. Furthermore, despite their growing dependence on these devices and networks, mobile users have very little input into the policies that govern the ways in which smartphones can be used or the data they generate. The companies that build the phones, create the applications, and manage the networks on which they run develop policies according both to their needs and the legal requirements imposed by governments in the jurisdictions where they operate. In many cases, these policies are not public, making it difficult for users to comply with the rules on the one hand



or to evaluate a service based on its terms of service (ToS) on the other. Few tech and telecom companies consider the implications of these policies for users’ rights and those that do are prone to apply these policies and human rights principles inconsistently.

Increasingly, norms are evolving, however, to guide businesses on how they can respect and promote human rights in their operations. One such set of norms is the United Nations Guiding Principles on Business and Human Rights,² also known as the Ruggie Principles. Grounded in the Universal Declaration of Human Rights³ and the International Covenant on Civil and Political Rights,⁴ these principles reinforce the State’s duty to respect, protect, and fulfill the human rights of its citizens, even when threatened by third parties, such as businesses. In addition, the principles outline the general responsibilities of businesses:⁵

Private enterprises should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.

To tangibly demonstrate their respect for human rights, the Ruggie Principles advise that “business enterprises should express their commitment to meet this responsibility through a statement of policy.”⁶ Further, these statements of policy should be approved at the “most senior level,” incorporate both internal and external expertise, set the same standards for business partners and personnel, be reflected in operational policies, and be “publicly available and communicated internally and externally to all personnel, business partners and other relevant parties.”⁷ The principles outline guidance on due diligence and remediation as well.

Norms like the Ruggie Principles are increasingly being applied to the digitally networked sphere and leveraged to hold technology and telecom companies accountable through initiatives such as the Ranking Digital Rights (RDR) Corporate Accountability Index (CAI).⁸ The annual index has integrated these principles and others into a methodology for ranking the human rights commitments of publicly traded, multinational tech and telecom companies. In turn, organizations, such as SMEX, are now experimenting with localizing the CAI methodology in hopes of opening new fronts for regional digital rights advocacy in the private sector. This report represents one such initiative.

In the context of growing government control of mobile networks and a lack of transparency by both governments and companies in making these controls visible, this report seeks to document the public disclosure of key policies by all mobile operators in the 22 countries of the Arab

region, specifically terms of service and privacy policies. In addition, we aim to assess the extent to which those disclosures address the right to free expression, and to a lesser extent the right to privacy, using a selection of indicators from the RDR/CAI methodology.

Our objective is to provide evidence to inform the efforts of corporate and government policymakers, journalists, activists, and researchers. Most important, we aim to foster increased transparency between mobile operators and their users in order to develop a business culture in which customers' demands for their rights to privacy and free expression are powerful enough to persuade technology and telecom service providers to: first publish and publicize rights-respecting corporate policies; second, differentiate themselves from competitors based on these policies; and, third, defend mobile users in the region from government and corporate overreach.

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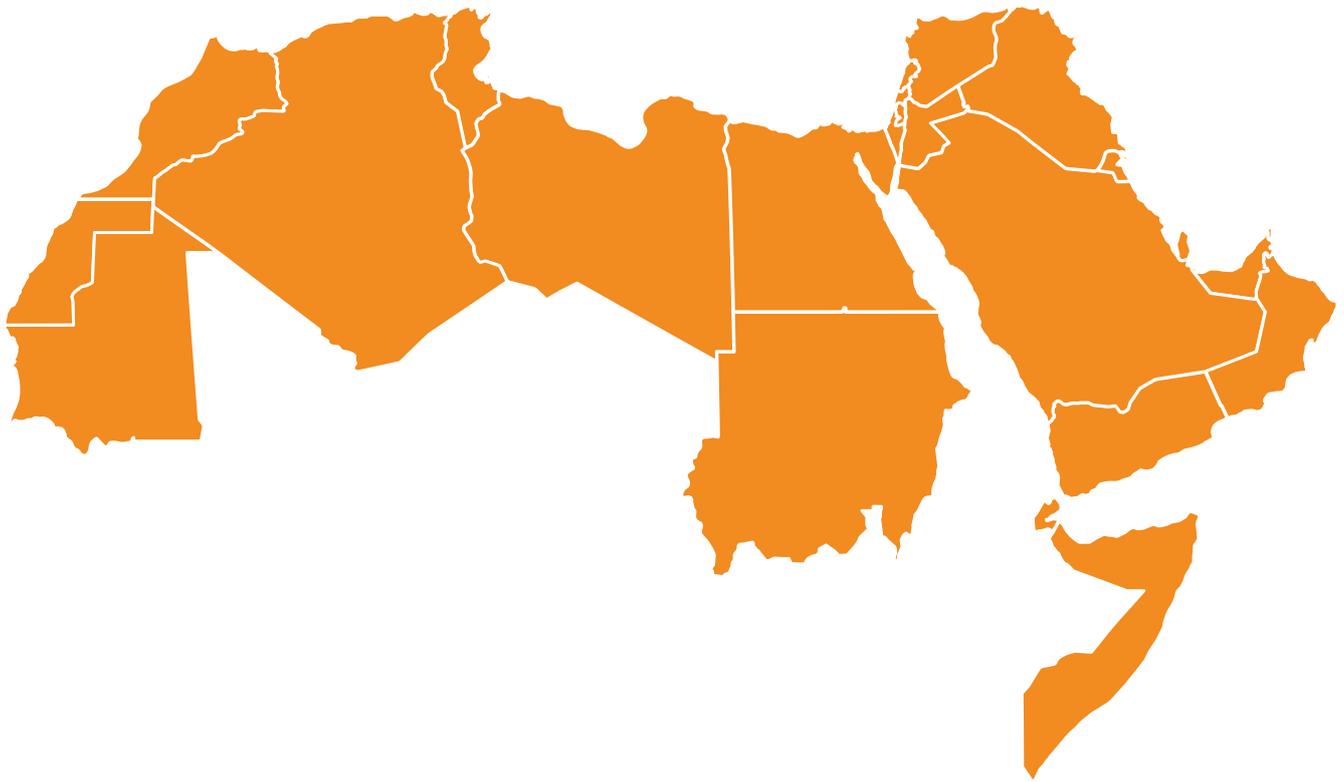
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■ Regional Snapshot

For the purposes of this report, the Arab region is defined as the member countries of the League of Arab States.⁹ In mid-2016, 60% of the region's population, or about 339 million unique subscribers, had a mobile phone, and accounted for 415 million subscriptions, of which 186 million, or 45%, represented active mobile broadband subscriptions.¹⁰ Meanwhile, the number of internet users reached 162 million in 2016 and is projected to increase to 173 million by the end of 2017.^{11,12}

Given the lack of fixed broadband infrastructure, ready access to internet-enabled mobile devices, and affordable data plans that often let users surf at higher speeds than fixed DSL or broadband, internet users in Arab states, like their compatriots around the world, are going online through mobile data networks in increasing numbers.¹³ By mid-2016, mobile broadband (3G and above) accounted for more than 40% of connections. Continued growth will yield 62% penetration by 2020, according to some estimates.¹⁴

For example, in Algeria, out of a total number of nearly 30 million internet subscriptions in 2016, about 90% were mobile broadband connections.¹⁵ As of May 2017, the situation was the same in Tunisia.^{16,17} The trend continues in the eastern part of the region. In Saudi Arabia, there were 25.25 million mobile broadband subscriptions¹⁸ as of the third quarter of 2016, compared to only 3.1 million fixed broadband subscriptions. In Egypt, the region's most populous country with one of the lowest internet penetration rates, there were more than 33 million mobile

broadband subscriptions, compared to 4.49 million ADSL subscriptions, as of March 2017.¹⁹

Mobile telecom services have become the primary point of both communications and internet access for people across the Arab region and are offered by 66 operators²⁰ in 22 national markets. Many operators in the region are state-owned or controlled, and the independence of telecom regulatory authorities varies greatly across the region.

“ [T]he mobile internet landscape in particular, has in recent years been characterized by government interference and blocking... ”

The mobile landscape, and the mobile internet landscape in particular, has in recent years been characterized by government interference and blocking that largely began with the popular protests and revolutions of 2011. States are using a range of techniques, including anti-cybercrime and anti-terror legislation, internet shutdowns, and a ban on the use of mobile technologies like Voice over Internet Protocol (VoIP), to restrict people's rights and access to the internet.

For example, in 2011 in Egypt, authorities ordered telecom operators to shut down their internet services, as protests against the rule of Hosni Mubarak were gaining momentum. In the Bahraini village of Duraz,

where anti-government protests are common, ISPs were “deliberately disrupting” fixed-line and mobile data services, an August 2016 report published by the rights group Bahrain Watch concluded.²¹ Since 2014, the Iraqi government has resorted to shutting down networks to prevent students from cheating in exams.²² Finally, in Lebanon residents of the town of Aarsal were without access to 3G and 4G mobile networks for nearly three years. The measure was taken for security reasons after ISIS and Al-Qaeda affiliated fighters raided the town and kidnapped 27 Lebanese soldiers and a member of the country's security forces.²³

Several countries across the region partially or entirely block VoIP applications.²⁴ Although governments, including those of Morocco and Saudi Arabia, have taken steps to remove or ease the blocking of VoIP, restrictions on the

use of internet-based calls and messaging remain. In fact, while Morocco completely reversed its controversial ban on VoIP services in November 2016,²⁵ Saudi Arabia still blocks WhatsApp and Viber, despite unblocking other applications such as FaceTime, Skype, Line, and Snapchat.²⁶

It is at the nexus of the strong growth in subscribers, the escalating government control of mobile networks, and the lack of transparency by both governments and companies in making these controls visible that this report seeks to document the public disclosure of key policies by mobile operators in Arab states and assess the extent to which those disclosures address the rights to free expression and privacy.

Selected mobile data subscriptions vs. fixed internet subscriptions, 2016, 2017

Country (year)	Fixed internet subscriptions (in millions)	Mobile broadband subscriptions (in millions)	Population (2017 estimation)	Mobile broadband penetration rate
Algeria (2016)	2.8	26.7	41,063,753	65.0%
Tunisia (2017)	0.7	7.2	11,494,760	63.1%
Saudi Arabia (2016)	3.1	25.3	32,741,664	77.4%
Egypt (2017)	4.5	33.0	95,215,102	34.7%

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■ Research Methodology

Our impetus for this initiative was to pilot a localized application of the RDR/CAI methodology in the Arab region so that we could test its relevance and evaluate its potential applications for advocacy. Given the recent exponential growth of the mobile market in the Arab region, as well as the rapidly increasing potential for mobile devices and services to become a locus of government control, we elected to focus our research on mobile telecom operators rather than on internet service providers or other types of telecom or technology companies.

Still, we needed to further define the scope of the research according to the local context and resources available. With no known mapping of mobile operators in the region, we began by surveying the landscape of mobile telecom operators across the 21 countries that are currently members of the Arab League, and Syria.^{27,28} We counted a total of 66 operators.

We also noted that 20 operators were fully or partially owned by telecommunication companies included in RDR's 2017 Corporate Accountability Index, including Etisalat, MTN, Ooredoo, Orange, and Vodafone. From this observation, we derived a question about whether the policy commitments of parent companies were carried through in the commitments of their subsidiaries. Being able to connect some operators to parent groups that had been ranked in the CAI, we proposed, could help establish points of comparison for at least some operators surveyed. We were concerned, however, that the small size of this subset of subsidiary operators could lead to a dead end if there were few or no publicly available declarations or disclosures of terms of ToS or other policies. Ultimately, this concern was substantiated.

Only five of the subsidiary operators published publicly available ToS and only two published privacy policies. The data did not allow enough depth for further application of the RDR/CAI indicators or useful comparison. We attempted to expand the inquiry to include another subset of companies — those owned by operators based in the region that had not been ranked by RDR/CAI — to see if we would get different results. There are 11 such subsidiaries owned by Zain (based in Jordan), STC (Saudi Arabia), and Batelco (Bahrain). Unfortunately, we found that only two publish their ToS. One operator has a publicly available privacy policy. Thus, owing to the prevalent lack of publicly available ToS, we ruled out a comparative

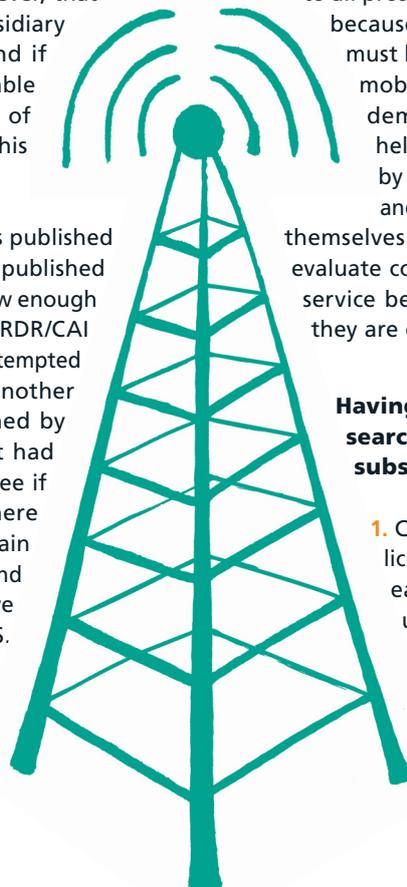
analysis between subsidiaries and their parent telecommunication companies included in the 2017 CAI, or an evaluation of regional operators' ToS. Given the near total absence of privacy policies, we ruled out analysis of privacy policies (beyond whether or not one exists), opting instead to focus on ToS. In addition, because the RDR/CAI methodology²⁹ is a ranking methodology that relies almost exclusively on open, online access to corporate policies, we had to establish a minimum level of disclosure to qualify a company for even the simplest comparative analysis. With this in mind, we determined that the minimum level of disclosure would be to have a publicly available ToS.

We used the data and observations gathered during this preliminary phase, including the general lack of disclosures, to design the final research goal, which was to document for the first time the public disclosures of ToS and privacy policies by all mobile telecom operators in Arab states and to evaluate public ToS policies according to their free expression–related commitments.

A note: Our research relies solely on publicly available documents that can be accessed by any person — not just subscribers — through the companies' websites. We do not assert that the mobile telecom operators fail to make their terms of service or privacy policies available to paying subscribers, although that may be the case in some instances. Throughout the report, we use the terms "users" and "subscribers" interchangeably to refer to all prospective and current users in a market, because we believe that policy statements must be available in advance of choosing a mobile service provider. Companies that demonstrate respect for human rights help users make informed choices both by being transparent about their policies and by using those policies to differentiate themselves from competitors. If a user cannot evaluate companies according to their terms of service before engaging in a service contract, they are deprived of such agency.

Having mapped the operators, the research process then consisted of two subsequent phrases:

1. Conduct a disclosure inventory of publicly available ToS and privacy policies for each of the mobile telecom operators, using the preliminary mapping of all 66 mobile telecom operators and RDR/CAI indicators.
2. Of those operators with publicly



available ToS, evaluate the commitments made to free expression principles, according to relevant indicators adapted from the 35 indicators addressing human rights commitments established by the RDR/CAI methodology.

Phase 1: Inventory Policy Disclosures Across 66 Mobile Telecom Operators

For each operator, the inventory sought to determine whether mobile operators publish terms of service, privacy policies, human rights policies, and transparency reports using six questions adapted from the 2017 RDR/CAI indicators:³⁰

D1. Does the operator have a publicly available and legible Terms of Service (ToS)?³¹

D2. Does the operator have a publicly available and legible privacy policy?³²

D3. Does the operator have a publicly available human rights policy making an explicit commitment to respect users' free speech rights?³³

D4. Does the operator have a publicly available human rights policy making an explicit commitment to respect users' privacy rights?³⁴

D5. Does the operator publish a transparency report on government requests for content/service restrictions?³⁵

D6. Does the operator publish a transparency report on government requests for user data?³⁶

“Of the 66 operators, our research revealed that 14, or about 21% of operators, had publicly available ToS.”

The disclosure inventory did not evaluate the substance of the policies catalogued or the ease with which they could be accessed. As a result, there are only two possible answers for each question: Yes or No. An operator that publishes a ToS receives a Yes answer, regardless of whether the ToS is easy to find and understand. Similarly, a company that publishes a transparency report gets a Yes, regardless of how much data that report reveals.

To highlight the relationship between the policies of subsidiaries and their parent companies, we added a “Partial” answer option for indicators D3 and D4, which query companies' explicit commitments to respect users' free speech and privacy rights. The reason behind this approach is that often companies make commitments at the group level that subsidiaries in other markets do not inherit. Our hope is that by documenting this divergence, we will create an opportunity to advocate for subsidiaries to uphold the same standards as their parent companies and that parent companies will make

explicit commitments to respect human rights wherever they operate. Thus, there are three possible answers to questions D3 and D4:

“**Yes**”: A company makes an explicit commitment to respect users' free speech or privacy rights

“**Partial**”: A commitment is made, but only at the group level

“**No**”: No evidence found of a company's human rights commitment

Again, the limited availability of disclosures from mobile operators drove this mostly binary approach. But documenting the existence of policies yielded the first known comprehensive list of mobile telecom operators in the region and their public ToS and privacy policies, and provided baseline data for the second research phase.

“Companies that demonstrate respect for human rights help users make informed choices both by being transparent about their policies and by using those policies to differentiate themselves from competitors.”

Of the 66 operators, our research revealed that 14, or about 21% of operators, had publicly available ToS. We determined that this number of policies provided a set large and substantive enough to apply at least some of the RDR/CAI indicators to analysis of their content and commitments to free expression.

Phase 2: Evaluate Available ToS for Their Commitments to Free Expression Principles

Having identified the 14 mobile operators that publish at least ToS, we examined these policies to determine the rights-related themes they address. The themes were: banned content and activities, reasons for service restriction, process for receiving complaints, and changes to terms of service. Based on this analysis of themes, we selected four relevant indicators from the 2017 RDR/CAI methodology that we could use to assess the 14 companies' public commitments to free expression. Below are the four indicators we selected. Each indicator comprises several “elements,” each of which contributes to the overall credit a company gets for that indicator. We included definitions and detailed explanations about how to interpret and assess the different elements in each of the four indicators in the research guidance (see Appendix).

Indicators

F1. Access to terms of service

The company should offer Terms of Service (ToS) that are easy to find and easy to understand.

1. Are the company's Terms of Service (ToS) easy to find?
2. Are the Terms of Service (ToS) available in the language(s) most commonly spoken by the company's users?
3. Are the Terms of Service (ToS) presented in an understandable manner?

F2. Changes to terms of service

The company should clearly disclose that it provides notice and documentation to users when it changes its terms of service.

1. Does the company clearly disclose that it notifies users about changes to its terms of service?
2. Does the company clearly disclose how it will directly notify users of changes?
3. Does the company clearly disclose the timeframe within which it provides notification prior to changes coming into effect?
4. Does the company maintain a public archive or change log?

F3. Process for terms of service enforcement

The company should clearly disclose the circumstances under which it may restrict content or user accounts.

1. Does the company clearly disclose what types of content or activities it does not permit?
2. Does the company clearly disclose the reasons why it may restrict a user's account?
3. Does the company clearly disclose information about the processes it uses to identify content or accounts that violate the company's rules?
4. Does the company clearly disclose whether any government authorities receive priority consideration when flagging content to be restricted for violating the company's rules?
5. Does the company clearly disclose whether any private entities receive priority consideration when flagging content to be restricted for violating the company's rules?
6. Does the company clearly disclose its process for enforcing its rules?
7. Does the company provide clear examples to help the user understand what the rules are and how they are enforced?

G.6 Remedy

The company should have clearly disclosed grievance and remedy mechanisms to address users' freedom of expression concerns.

1. Does the company clearly disclose its processes for receiving complaints?
2. Does the company clearly disclose that its process

includes complaints related to freedom of expression?

3. Does the company clearly disclose its process for responding to complaints?
4. Does the company report on the number of complaints received related to freedom of expression?
5. Does the company provide clear evidence that it is responding to complaints?

Implementing the Methodology: The Research Process & Data Coding

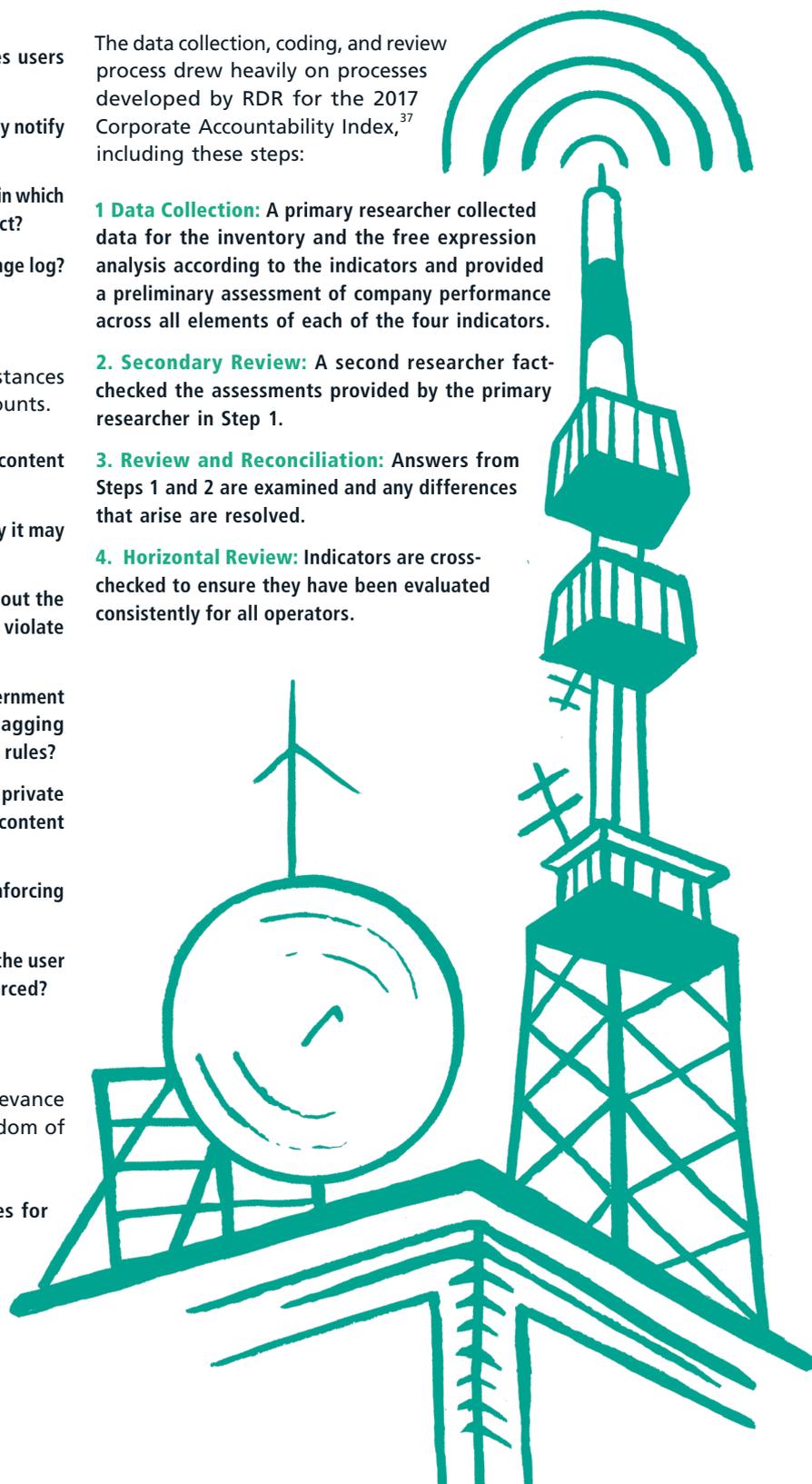
The data collection, coding, and review process drew heavily on processes developed by RDR for the 2017 Corporate Accountability Index,³⁷ including these steps:

1 Data Collection: A primary researcher collected data for the inventory and the free expression analysis according to the indicators and provided a preliminary assessment of company performance across all elements of each of the four indicators.

2. Secondary Review: A second researcher fact-checked the assessments provided by the primary researcher in Step 1.

3. Review and Reconciliation: Answers from Steps 1 and 2 are examined and any differences that arise are resolved.

4. Horizontal Review: Indicators are cross-checked to ensure they have been evaluated consistently for all operators.



Following the RDR/CAI methodology, we also sought to contact companies to give them an opportunity to comment on our initial findings. However, we only successfully managed to contact 11 out of the 14 companies.³⁸ While companies were given three weeks to reply, we did not hear back from any of the companies we reached.

The evaluation of each indicator includes an assessment of disclosure for every element, coded according to one of the following possible answers:

“Yes”: Company disclosure meets the element requirement.

“Partial”: Company disclosure has met some but not all aspects of the element, or the disclosure is not

comprehensive enough to satisfy the full scope of what the element is asking for.

“No disclosure found”: Researchers were not able to find information provided by the company on their website that answers the element question.

“No”: Company disclosure exists, but it specifically does not disclose to users what the element is asking. This is distinct from the option of “no disclosure found,” although both result in no credit.

“N/A”: Not applicable. This element does not apply to the company or service. Elements marked as N/A will not be counted for or against a company in the scoring process.³⁹

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32 The original 2017 Corporate Accountability Index indicator is: P1. Access to privacy policies, which requires companies to offer privacy policies that are easy to find and easy to understand: <https://rankingdigitalrights.org/index2017/indicators/#P1>

33, 34 The original 2017 Corporate Accountability Index indicator is: G1. Policy commitment, which requires companies to publicly commit to respect users’ human rights to freedom of expression and privacy: <https://rankingdigitalrights.org/index2017/indicators/#G1>

35 The original 2017 Corporate Accountability Index indicator is: F6. Data about

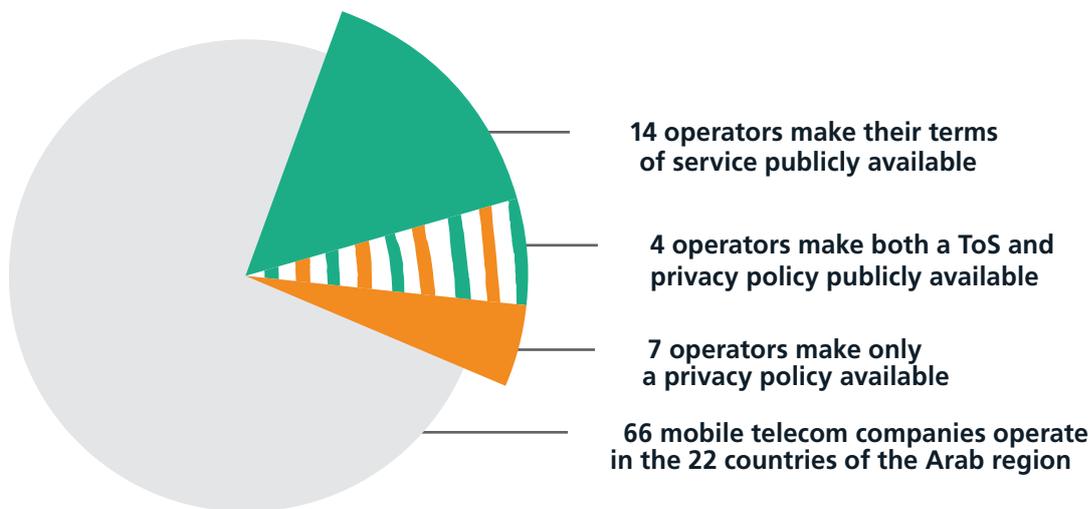
government requests for content or account restriction. It requires companies to regularly publish data about government requests (including judicial orders) to remove, filter, or restrict content or accounts: <https://rankingdigitalrights.org/index2017/indicators/#F6>

36 The original 2017 Corporate Accountability Index indicator is: P11. Data about third-party requests for user data. Under this indicator, companies should regularly publish data about government and other third-party requests for user information: <https://rankingdigitalrights.org/index2017/indicators/#P11>

37 “2017 Research Process.” Ranking Digital Rights. <https://rankingdigitalrights.org/2017-research-process>

38 The 11 companies contacted were: AsiaCell, Du, Etisalat UAE, LycaMobile, Ooredoo Qatar, Orange Egypt, Orange Jordan, SyriaTel, Virgin Mobile KSA, Viva Kuwait, Vodaphone Qatar. We were unable to locate an email address of one company. For another company, we located an address but after contacting the company we received a mail delivery failure message. For the third company, the email we sent bounced.

39 N/A here is only relevant to elements 4 and 5 of indicator F3, which requires companies to disclose whether any government authorities or private entities receive priority consideration when flagging content to be restricted for violating the company’s rules. These two elements are applicable to internet companies only, while this research addresses mobile operators.



■ Phase 1 Findings: Inventory of Policy Disclosures Across 66 Mobile Telecom Operators in MENA

Overall, the disclosure inventory revealed that ToS and privacy policy disclosures are very limited in the Arab region (see Appendix). Out of 66 mobile telecom operators, 14 publish terms of service and 7 publish privacy policies. Forty-nine operators publish neither terms of service nor privacy policies. Four publish both terms of service and privacy policies. They are Zain Jordan, Vodafone Qatar, Virgin Mobile KSA, and LycaMobile Tunisia.

Not a single company publishes human rights policies making an explicit commitment to respect users' free expression and privacy rights (indicators D3 and D4). Ten companies were awarded partial scores for these two indicators, however, because they are partially or fully owned by telecommunications companies that do make commitments to these rights at the group level. Meanwhile, only Orange Jordan and Orange Tunisia receive credit for indicator D5, which requires companies to publish a transparency report on government requests for user data. This credit comes thanks to the group's global transparency report, which includes numbers for these two countries.⁴⁰ No operator publishes data about government requests for service or content restrictions.

Geographic distribution of disclosures

With only about one-fifth of the region's mobile telecom

operators publishing ToS, it is difficult to discern patterns of practice or other correlations based on geography or subregional groupings. That said, out of 14 companies that publish terms of service, 8 are based in the Arabian Gulf subregion (in Kuwait, Oman, Qatar, Saudi Arabia, and UAE). In addition, the only three countries where all operators publish ToS are based in this subregion. They are Oman, UAE, and Qatar, each of which has just two operators. Two of the 14 companies that publish ToS are in the North Africa subregion (Orange Egypt and LycaMobile Tunisia). Of the remaining four operators, two are based in Jordan, one operator is in Syria, and the fourth is in Iraq.

Distribution of disclosures by ownership

Of the companies that publish ToS, nine are owned by telecommunication companies based in the Arab region, including the RDR-ranked companies Ooredoo⁴¹ and Etisalat.⁴² Five are subsidiaries of EU-based mobile telecom operators. Four out of seven operators that publish privacy policies are subsidiaries of European telecommunications companies. None of the operators that receive partial credit for committing to respect users' human rights are subsidiaries of telecommunication groups based in the region. Only subsidiaries of MTN, Orange, and Vodafone groups receive credit for human rights commitments.

To review the coding for Phase 1, please visit bit.ly/MobileFindings1 and view the sources and findings for each country by tab.

14 companies publish terms of service		7 companies publish privacy policies
AsiaCell (Iraq)	Orange Egypt	Almadar Aljadeed (Libya)
Du (UAE)	Orange Jordan	Golis Telecom (Somalia)
Etisalat (UAE)	SyriaTel	LycaMobile Tunisia
LycaMobile Tunisia	Virgin Mobile KSA	Virgin Mobile KSA
OmanTel	Viva Kuwait	Vodafone Egypt
Ooredoo Oman	Vodafone Qatar	Vodafone Qatar
Ooredoo Qatar	Zain Jordan	Zain Jordan

Analysis

Most mobile telecom operators in the region do not keep their users informed about their policies and commitments to human rights by making terms of service and privacy policies publicly available.

Together, these companies have hundreds of millions of users, and in some markets they are the only mobile telecom provider or one of two. For example, Ooredoo has more than 5.7 million mobile subscribers in Tunisia,⁴³ more than 13 million active subscriptions in Algeria,⁴⁴ more than 12.2 million users in Iraq,⁴⁵ 800,000 users in Palestine,⁴⁶ more than 3 million mobile subscriptions in Qatar,⁴⁷ and a customer base of 2.3 million in Kuwait.⁴⁸ Yet the terms of service and privacy policies of the companies to which these tens of millions of users are subscribed are not publicly available. Even in Qatar and Iraq, where AsiaCell and Ooredoo Qatar do publish terms of service, the documents reveal little information about the two companies' policies, as the second part of the research, which assesses operators' free speech disclosures, shows.

In other examples, in Tunisia⁴⁹ and Morocco,⁵⁰ where subsidiaries of Orange have 3.7 million and 15 million mobile subscribers, respectively, terms of service and privacy policies cannot be publicly accessed. Similarly, millions of MTN users in countries across the region cannot access that company's terms of service and privacy policies.

Companies disclose more information in their home markets than at subsidiary level. Our data shows that EU-based and regional telecommunication companies are inconsistent in how much information they reveal in their home countries and at subsidiary levels. For instance, while in France, Orange makes its ToS available to the public,⁵¹ its Tunisian and Moroccan subsidiaries do not. Orange Jordan and Orange Egypt, however, do make their ToS available to their users. Similarly, Ooredoo publishes ToS in Qatar, Oman, and Iraq,

but such information is not made available publicly in Algeria, Kuwait, Palestine, and Tunisia.

While in the 2017 Corporate Accountability Index, MTN receives credit for publishing ToS⁵² and a privacy policy⁵³ in its home market of South Africa, the company does not make such documents publicly available in Sudan, Syria, and Yemen. Etisalat, which also gets credit for publishing ToS in the 2017 Corporate Accountability Index, does not publish ToS in Saudi Arabia (Mobily), Mauritania (MauriTel), Egypt (Etisalat Misr), and Morocco (Maroc Telecom). Finally, in a departure from its peers, Vodafone publishes privacy policies for both its subsidiaries operating in the region: Vodafone Qatar and Vodafone Egypt. The company also publishes ToS in Qatar.

“Our data shows that EU-based and regional telecommunication companies are inconsistent in how much information they reveal in their home countries and at subsidiary levels.”

Companies do not explicitly commit to respect the free expression and privacy rights of users in the region.

Among mobile telecom operators based in the region, no company gets credit for committing to respect users' free speech and privacy rights. Although some regional companies do have corporate social responsibility (CSR) policies and strategies, these policies are usually concerned with charity work, labor rights, the environment, or education, and fall short on making commitments to freedom of expression and privacy rights. For instance, the 2012 Etisalat CSR Report mentions that the group “as a 60% Government-owned organisation follows the high standards of the United Arab Emirates and therefore, Human Rights are widely

applied throughout its operations” and that [the group] is “proud to follow a zero tolerance policy with regards to abuses of human rights within its value chain.”⁵⁴ At no point, however, does the company mention that this policy applies to freedom of expression and privacy. On the other hand, Ooredoo’s CSR strategies include activities and programs aimed at empowering women, encouraging youth entrepreneurship, and reducing poverty.⁵⁵

Kuwait-based Zain Group makes a commitment to respect customers’ privacy rights. In its 2015 Sustainability Report, the company makes the following commitment:

Zain maintains adherence with the GSMA Mobile Privacy Principles and is committed to protecting the personal information of its customers. The company applies all prudent measures to avoid data leaks, theft and/or loss. The Company also aims to respond to such issues with the utmost precaution and diligence. Zain complies with all laws and regulations related to the protection of customer privacy and data and takes steps to align with ISO certifications related to the matter.⁵⁶

This commitment is not enough to satisfy indicator D4, however, which asks for “an explicit commitment to respect users’ privacy rights,” because it is not part of a human rights policy document that has gone through an evaluation process and received approval at the highest levels of the company. The 2017 Corporate Accountability Index methodology does not count general commitments or statements made in non-policy documents.

EU-based telecom groups fare better than regional and national operators. Nevertheless, the three non-regional operators whose subsidiaries get partial credit for making human rights commitments — Orange, MTN, and Vodafone — only make these commitments at the group level and not at their subsidiary level. This seems to contradict affirmations made in documents such as Orange’s “The Digital World, Caring for Human Rights,” in which it states: “respect for human rights applies to all levels of the company, from employees to suppliers and subcontractors.”⁵⁷ Similarly, Vodafone ensures: “wherever we operate, we work to ensure that we do not infringe human rights through our operations or business relationships.”⁵⁸ MTN group has developed four “digital human rights” policies, including a “Freedom of Expression, Privacy and Security (Human Rights) Policy.”⁵⁹

In the 2017 Corporate Accountability Index, companies and services are awarded full credit for human rights commitments at the group level. We believe, however, that this credit should be tempered by practices at the subsidiary level, so that full credit is granted only if all subsidiary policies are consistent with those at the group level. Qualifying the measure could provide an incentive to companies operating in repressive environments to

help counter abuses of free expression in the region, including network shutdowns,⁶⁰ criminalization of online speech,⁶¹ and privacy violations.

Companies awarded partial credit for human rights commitments made at the Group level	
Orange ⁶²	Orange Egypt
	Orange Jordan ⁶⁵
	Orange Morocco ⁶⁶
	Korek Telecom ⁶⁷
Vodafone ⁶³	Vodafone Egypt ⁶⁸
	Vodafone Qatar ⁶⁹
MTN ⁶⁴	MTN Sudan ⁷⁰
	MTN Syria ⁷¹
	MTN Yemen ⁷²

Transparency reporting is an uncommon practice among mobile operators in the region. The only two companies in our survey that receive credit for transparency reporting are subsidiaries of the Orange group: Orange Tunisia and Orange Jordan. Both operators receive credit for publishing information about government requests for user data. The 2016 “Orange Transparency Report on Freedom of Expression and Privacy Protection” includes numbers on government requests for customer data.⁷³ For Tunisia, these numbers are divided into requests for “interceptions” and “customer data.” For Jordan, Orange only publishes an overall number that does not specify how many requests were made for “interceptions” or “customer data.” Further, the report does not include numbers for the Egyptian government’s requests for customer data. Orange explains why it does not publish data for some countries: “in certain cases, this is due to the country’s policies and laws, while in other cases the authorities may have direct access to the content of communications, regardless of the technique used.” Regulations in some countries ban telecommunications companies from revealing data about government requests. In its 2015 law enforcement disclosure report, Vodafone did not publish numbers of government requests from Egypt or Qatar, also citing regulations that make the disclosure of such data unlawful.⁷⁴

Not a single operator publishes data about government requests for content/service restrictions. Even the EU-based telecom companies do not publish

this data. The Orange transparency report mentions that in 2016 the group “saw seven major events” related to freedom of expression, without specifying the countries where the events took place. These “major events” include network shutdowns and blocking access to social media.⁷⁵ The company explains why it does not provide more information: “Major events make it impossible to publish details on the requests, including the list of countries, dates, and the circumstances and justification provided. Publishing this information could put Group employees in those countries at risk.”⁷⁶ Vodafone also does not publish such information, citing among its reasons a prohibition in many countries on “the publication of any form of statistical information relating to national security demands.”⁷⁷

The lack of transparency reporting on content and service restrictions reflects a broader trend for telecommunication companies worldwide. Internet companies are still ahead of telecom operators when it comes to making such information available to their users, according to the findings of the 2017 Corporate Accountability Index. Of 12 internet companies, 7 publish transparency reports on government requests for content/service restrictions, while only 2 out of 10 telecommunication companies included in the 2017 CAI publish such data.⁷⁸ Not a single telecommunication company publishes information about private requests for content restriction. Seven internet companies publish such data.⁷⁹

40 Orange Transparency Report on Freedom of Expression and Privacy Protection. Orange Corporate Website. 2017.

https://www.orange.com/en/content/download/43262/1315009/version/2/file/2017%20RAPPORT%20DE%20TRANSPARENCE_20.06.2017_final_eng.pdf

41 Earning a score of 5 in the 2017 CAI, the Qatar-based Ooredoo has the most subsidiaries (6) with the broadest geographic distribution, in addition to its parent-level operations. In Algeria, Iraq, Kuwait, Oman, and Tunisia, Ooredoo has a share ownership rate above 50%; in Palestine, its share ownership is 44%. The Qatari government has a 69% stake in the Ooredoo Group through Qatar Holding and other government entities. From Ooredoo Q.S.C.: Group Structure and Presence. Ooredoo Corporate Website.

http://ooredoo.com/wp-content/uploads/2016/08/201608_Ooredoo_Ownership_Structure.pdf

42 Earning a score of 8 in the 2017 CAI, Etisalat has four subsidiaries (Egypt, Morocco, Saudi Arabia, and Mauritania) in the region, with varying percentages of ownership, in addition to its parent-level operations. The Emirati group has majority stakes in all of its subsidiaries, but only in Egypt does the company have an ownership rate above 50% (the group's share in Etisalat Egypt is 66%). Through the Emirates Investment Authority, the UAE government has a 60% stake in the Etisalat group. From Ownership Structure. Etisalat Corporate Website.

<http://etisalat.com/en/ir/corporateinfo/ownership-structure.jsp>

43 “Suivi des principaux indicateurs du marché de la téléphonie mobile en Tunisie - Avril 2017.” Instance Nationale des Télécommunications. April 2017.

http://www.intt.tn/upload/files/TB2_Tel-Mobile1%20-%20Avril%202017.pdf

44 “Observatoire du marché de la téléphonie mobile en Algérie Année 2016.” Autorité de Régulation de la Poste et des Télécommunications. 2016.

https://www.arpt.dz/fr/doc/obs/etude/2016/Observatoire_Mobile_2016.pdf

45 “Chairman message.” AsiaCell.

<https://www.asiacell.com/index.html#about/chairman-message?lang=ar>

46 “2016 Annual Report.” Ooredoo Kuwait. 2016.

<http://www.ooredoo.com/kw/Frontend/Reports/Annual%20Report-2016-En.pdf>

47 “2014/2015 Annual Report.” Communications Regulatory Authority of Qatar.

<http://cra.gov.qa/sites/default/files/Communications%20Regulatory%20Authority%20%E2%80%932014-2015.pdf>

48 “2016 Annual Report.” Ooredoo Kuwait. 2016.

<http://www.ooredoo.com/kw/Frontend/Reports/Annual%20Report-2016-En.pdf>

49 “Suivi des principaux indicateurs du marché de la téléphonie mobile en Tunisie - Avril 2017.” Instance Nationale des Télécommunications. April 2017.

http://www.intt.tn/upload/files/TB2_Tel-Mobile1%20-%20Avril%202017.pdf

50 “Observatoire de La Téléphonie Mobile au Maroc.” Agence Nationale de Régulation des Télécommunications. 2017.

https://www.anrt.ma/sites/default/files/publications/2017_t3_tb_mobile_fr_0.pdf

51, 52, 53 “2017 Corporate Accountability Index: Indicators (F1, P1)”:

<https://rankingdigitalrights.org/index2017/indicators/>

54 “Etisalat CSR & Sustainability Report.” Etisalat Group. 2012.

http://etisalat.com/en/system/docs/reports/Etisalat-CSR-Sustainability-Report-2012_lowres.pdf

55 “Social Responsibility.” Ooredoo Group. http://ooredoo.com/en/social_responsibility

56 “Zain Sustainability Report: Addressing key challenges to human rights.” Zain Group. 2015. <https://www.interactivepreview.com/zain-report/uploads/addressing-key-challenges-to-human-rights-1464339326.pdf>

57 “The digital world, caring for human rights.” Orange Group 2016.

<https://www.orange.com/en/Commitments/Responsibility/Our-responsible-commitment/Folder/Human-rights>

58 “Human rights.” Vodafone Group.

<https://www.vodafone.com/content/sustainabilityreport/2015/index/operating-responsibly/human-rights.html>

59 “Digital human rights.” MTN Group.

<https://www.mtn.com/en/mtn-group/sustainability/sustainable-societies/Pages/digital-human-rights.asp>

60 Olukotun, Deji and Micek, Peter. “Five years later: the internet shutdown that rocked Egypt.” Access Now. 21 January 2016. <https://www.accessnow.org/five-years-later-the-internet-shutdown-that-rocked-egypt>

61 Ben Hassine, Wafa. “The Crime of Speech: How Arab Governments Use the Law to Silence Expression Online.” Electronic Frontier Foundation. <https://www.eff.org/pages/crime-speech-how-arab-governments-use-law-silence-expression-online>

62 Orange has operations in five countries in the region: Egypt, Iraq, Jordan, Morocco, and Tunisia. Ownership rates range from 20% (Korek in Iraq) to 98.92% (Orange Egypt). In Morocco and Tunisia, the group has a stake of 49%.

63 Vodafone only has two subsidiaries: one in Egypt, with 54.93% share ownership, and another in Qatar. In Qatar, Vodafone has a stake of 23%, while the semi-private Qatar Foundation owns 27% of shares in the company. The remaining shares are divided between foreign and Qatari investors. From Shareholder Structure. Vodafone Qatar. 2015. <http://www.vodafone.qa/en/investor-relations/shareholder-centre/shareholder-structure>

64 MTN has three subsidiaries, in Sudan, Syria, and Yemen, all with greater than 50% share ownership.

65 Shareholders: Orange S.A.; Joint Investment Telecommunications Co.; Jordan Telecommunications Company (Jordan Telecom).

66 Orange group has a 49% share in its Moroccan subsidiary:

<https://www.orange.com/en/Press-Room/press-releases-2017/press-releases-2016/Meditel-becomes-Orange-in-Morocco>

67 Orange has a 20% minority stake in Korek Telecom: <https://www.orange.com/en/Group/Global-footprint/countries-Non-controlling-equity-interest-Iraq>

68 Shareholders: Vodafone Group (54.93%) and Telecom Egypt (44.94%)

69 Vodafone Qatar is 70% Qatari owned. The Vodafone Group has a 22.95% share: <http://www.vodafone.qa/en/investor-relations/shareholder-centre/shareholder-structure>.

70 MTN Group has an 85% share in MTN Sudan: http://www.mtn-investor.com/mtn_ar09/book1/pdf/go_structure.pdf

71 Shareholders: MTN Group Ltd. (75%); Investcom LLC:

http://www.mtn-investor.com/mtn_ar09/book1/pdf/go_structure.pdf

72 MTN Group has an 83% share in MTN Yemen:

http://www.mtn-investor.com/mtn_ar09/book1/pdf/go_structure.pdf

73 Orange Transparency Report on Freedom of Expression and Privacy Protection. Orange Corporate Website. 2017. https://www.orange.com/en/content/download/43262/1315009/version/2/file/2017%20RAPPORT%20DE%20TRANSPARENCE_20.06.2017_final_eng.pdf

74 “Law Enforcement Disclosure Report”. Vodafone Group. 2015. http://www.vodafone.com/content/dam/vodafone-images/sustainability/downloads/vodafone_law_enforcement_disclosure_report_2015-4.pdf

75, 76 Orange Transparency Report on Freedom of Expression and Privacy Protection. Orange Corporate Website. 2017.

https://www.orange.com/en/content/download/43262/1315009/version/2/file/2017%20RAPPORT%20DE%20TRANSPARENCE_20.06.2017_final_eng.pdf

77 “Law Enforcement Disclosure Report.” Vodafone Group. 2015.

http://www.vodafone.com/content/dam/vodafone-images/sustainability/downloads/vodafone_law_enforcement_disclosure_report_2015-4.pdf

78, 79 “2017 Corporate Accountability Index: Indicators (F6, F7)”:

<https://rankingdigitalrights.org/index2017/indicators/>

■ Review of Terms of Service by Operator



AsiaCell,⁸⁰ a subsidiary of the Qatari group Ooredoo, is one of four mobile operators in Iraq. The Sulaymaniyah–based company has more than 12.2 million users.⁸¹ It offers prepaid and postpaid mobile services.

Access to terms of service: AsiaCell publishes a document called “Subscriber Rules Affairs,” which explains the company’s rules to its customers. These rules are easy to find. They can be accessed by clicking on “assistance” on the homepage and then scrolling down to “Subscribers Rules Affairs.” The rules are available in Arabic, but not in Kurdish. AsiaCell is based and operates in the autonomous Kurdistan region, which has an estimated population of 5.2 million people.⁸²

Changes to terms of service: AsiaCell does not disclose that it has a policy of notifying its users about changes to its terms of service.

Process for terms of service enforcement: The company does provide some information about the circumstances under which it may restrict access to content and its services, but this information remains limited and vague. For instance, AsiaCell mentions that it may suspend a user’s access to the service in a number of cases, including but not limited to fraud, libel, threatening others, disturbing others, and violating the privacy of others. The fact that the company uses the expression “including but not limited to” implies that there are other activities and types of content that the company does not allow but does not mention. It is for this reason that AsiaCell was awarded partial scores for elements 1 and 2 of indicator F3 instead of full scores. The company does not reveal any information about the processes it uses to identify infringing accounts and banned content (F3.3) and its process for enforcing its rules (F3.6), nor does it provide examples to help users understand these rules (F3.7).

Remedy: The company discloses its process for receiving and responding to complaints; however, it does not specify whether such process includes complaints related to freedom of expression.

⁸⁰ “Company Overview of Asiaccell Communications PJSC.” Bloomberg. <https://www.bloomberg.com/research/stocks/private/snapshot>.

⁸¹ “Chairman message.” AsiaCell. <https://www.asiacell.com/index.html#/about/chairman-message?lang=ar>

⁸² “The people of the Kurdistan Region.” Kurdistan Regional Government. <http://www.gov.krd/p/p.aspx?!=12&p=214>

The Emirates Integrated Telecommunications Company,⁸³ commercially known as Du, is one of two telecommunication companies operating in the United Arab Emirates (UAE). The company offers both mobile and fixed broadband services, and it had 8.2 mobile subscriptions as of the end of first half of 2017.⁸⁴

Access to terms of service: Du publishes the following terms of service documents that apply to its mobile services: the standard agreement for consumer services⁸⁵ (in English), the general terms and conditions for consumer services⁸⁶ (in Arabic), mobile terms and conditions⁸⁷ (in Arabic), the acceptable user of service policy⁸⁸ (in English), and the customer code of practice⁸⁹ (in English). Du does not make its documents available in both English and Arabic, thus the company did not receive full credit for element F1.2, which requires companies to make their terms available in the languages most commonly spoken by their users.

Changes to terms of service: Du's disclosures about its policy of notifying users of changes to terms of services is contradictory. While in the Consumer Code of Practice, the general terms and conditions, and mobile terms, Du discloses that it notifies users of changes to its terms, in the Acceptance Use of Service Policy, the company states that it "reserve[s] the right to modify the Policy at any time, and it is the end user's responsibility to stay current."

Process for terms of service enforcement: Du reveals more information than any other operator evaluated here on its process for terms of service enforcement. The company receives credit (partial or full) on all of the five elements relevant to telecommunication companies. The company receives full credit for disclosing what types of content and activities it does not allow and the reasons why it may restrict a user's access to its services. This includes the transmission of "offensive and illegal materials," "the transmission of material that contains software viruses or any other disabling or damaging programs,"⁹⁰ copyright infringement, and the use of VPNs.⁹¹

Du mentions one process it uses to enforce its rules, that of relying on user-submitted reports on "violations or any attempted violations."⁹² The company explains its process for enforcing its rules in cases of non-payment, but not in other cases (F3.6) and provides some examples in its Acceptable Use of Service Policy to help its users understand its rules (F3.7).

Remedy: The company receives full credit for disclosing its process for receiving and responding to complaints (G6.1 and G6.3); however, Du does not disclose that this process includes complaints related to freedom of expression.

83 "Company Overview of Emirates Integrated Telecommunications Company PJSC." Bloomberg. <https://www.bloomberg.com/research/stocks/private/snapshot.asp?privcapId=26935772>

84 "UAE mobile subscribers rise 2.4% in the first half." Gulf News. 2017. <http://gulfnnews.com/business/sectors/telecoms/uae-mobile-subscribers-rise-2-4-in-first-half-1.2070964>

85 "Standard Agreement for Consumer Services." Du.ae. December 2014. <http://www.du.ae/docs/default-source/downloads/general-terms-and-conditions-for-mobile-homeaf2c-09283c496e4896d2ff5a00702077.pdf?sfvrsn=0>

86 "General terms and conditions for consumer services (arabic)." Du.ae. http://www.du.ae/docs/default-source/downloads/20091110_general-tcsar.pdf

87 "Mobile terms and conditions for consumer services (arabic)." Du.ae. http://www.du.ae/docs/default-source/downloads/20091110_mobile-tcs-for-consumer-ar.pdf

88 "Acceptable use of service policy." Du.ae. <http://www.du.ae/legal/acceptable-use-of-service-policy>

89 "Consumer Code of Practice." Du.ae. http://www.du.ae/docs/default-source/downloads/20080226_du-consumer-code-of-practice-v1-0-2.pdf

90 "Standard Agreement for Consumer Services." Du.ae. December 2014. <http://www.du.ae/docs/default-source/downloads/general-terms-and-conditions-for-mobile-homeaf2c-09283c496e4896d2ff5a00702077.pdf?sfvrsn=0>

91, 92 "Acceptable use of service policy." Du.ae. <http://www.du.ae/legal/acceptable-use-of-service-policy>



From 1997 to 2006, the Emirates Telecommunications Corporation (known by its brand name, Etisalat)⁹³ was the sole telephone and telecommunication provider in the UAE. The company offers a wide range of mobile and fixed broadband services. As of the first half of 2017, the company had 10.5 million mobile subscriptions in the UAE.⁹⁴

Access to terms of service: Etisalat UAE publishes its general terms and conditions in both English and Arabic. These terms “apply in relation to the provision of a Service by Etisalat to a Customer,”⁹⁵ including mobile services.

Changes to terms of service: The company discloses that it does not notify users of changes to its terms (F2). “Any changes to any part of the Agreement, excluding price changes, shall be published on the Digital Channels and will be binding on the parties from the date on which the change is published,” Etisalat discloses in section 25(c) of its terms and conditions.

Process for terms of service enforcement: Etisalat receives full credit for three elements out of five. The company clearly discloses types of content and activities it does not allow (element 1), and the reasons why it may restrict a user’s access to a service (element 2). This includes using the service “in a way which violates the laws of the UAE” and the publication of material deemed “abusive, offensive, indecent, defamatory, obscene or menacing,” the company explains in section 8 on “customer obligations and restrictions.” The company does not disclose the processes it uses to identify infringing content and users (element 3), nor does it provide examples (element 7). Still, Etisalat receives full credit for clearly explaining its process for enforcing its rules (element 6).

Remedy: Although it receives credit for explaining its process for receiving complaints (G6.1), Etisalat UAE does not disclose whether this process includes complaints related to freedom of expression (G6.2), nor does it explain its process for responding to complaints (G6.3).

93 “Corporate Information.” Etisalat Group. <http://www.etisalat.com/en/ir/corporateinfo/overview.jsp>

94 “UAE mobile subscribers rise 2.4% in the first half.” Gulf News. 8 August 2017. <http://gulfnews.com/business/sectors/telecoms/uae-mobile-subscribers-rise-2-4-in-first-half-1.2070964>

95 “Consumer General Terms and Conditions.” Etisalat UAE. 2015. <http://www.etisalat.ae/en/system/docs/personal/misc/General-Terms-and-Conditions-Consumer.pdf>



LycaMobile, a mobile virtual network operator (MVNO) operating in 21 countries, entered the Tunisian telecommunications market in late 2015. The company, which provides prepaid services only, offers low-cost calls and mobile data plans. In competition with the three other telecom operators that dominate the market in Tunisia, LycaMobile had almost 280,000 active subscriptions as of April 2017.⁹⁶

Access to terms of service: The company publishes a document called: "general sale conditions of the prepaid service."⁹⁷ This document, however, is only available in French.

Changes to terms of service: LycaMobile does commit to notify its users in Tunisia of any contractual changes by a registered letter within 60 days of those changes coming into effect (F2).

Process for terms of service enforcement: The operator discloses the types of content or activities it does not allow and the reasons it may restrict a user's access to a service (F3.1 and F3.2). This includes the use of the company's service for commercial purposes and the non-usage of the SIM card for 180 days. The company does not explain how it identifies infringing accounts, but it does provide some information about its process for enforcing its rules (element 6) and does provide some examples to help its users understand its rules (element 7). For example, in article 5.2, the company explains what may represent an "inappropriate use of the service." This includes the use of LycaMobile services for purposes that are not personal, and the partial or full transfer or reselling of the service.

Remedy: The company discloses its process for receiving complaints, but does not reveal whether such process includes complaints related to freedom of expression.

⁹⁶ "Suivi des principaux indicateurs du marché de la téléphonie mobile en Tunisie - Avril 2017." Instance Nationale des Télécommunications. April 2017.

http://www.intt.tn/upload/files/TB2_Tel-Mobile1%20-%20Avril%202017.pdf

⁹⁷ "Termes et Conditions." Lyca-Mobile Tunisia. <http://www.lycamobile.tn/fr/termsandconditions>





Partially owned by the Omani government, Oman Telecommunications Company (OmanTel) is the first telecommunications provider in Oman. The company, which offers fixed and mobile broadband services, had a total subscriber base of 3.356 million as of March 2017. Its mobile market share is estimated at 57.5%.⁹⁹

Access to terms of service: OmanTel publishes the following documents in both Arabic¹⁰⁰ and English¹⁰¹: the Standard Customer Agreement and the Mobile Standard Agreement.

Changes to terms of service: The company does not directly notify its users of changes to its terms and conditions.

Process for terms of service enforcement: As for indicator F3, OmanTel clearly discloses the types of content and activities it does not allow (element 1) and the reasons why it may restrict a user's account (element 2). This includes reselling the service, "mischievous and unsolicited calls and messages," and the "improper, immoral, fraudulent or unlawful use of the service." The company does not disclose the processes it uses to identify infringing content or accounts (element 3), but it does provide information about its process for enforcing its rules in cases of non-payment (element 6).

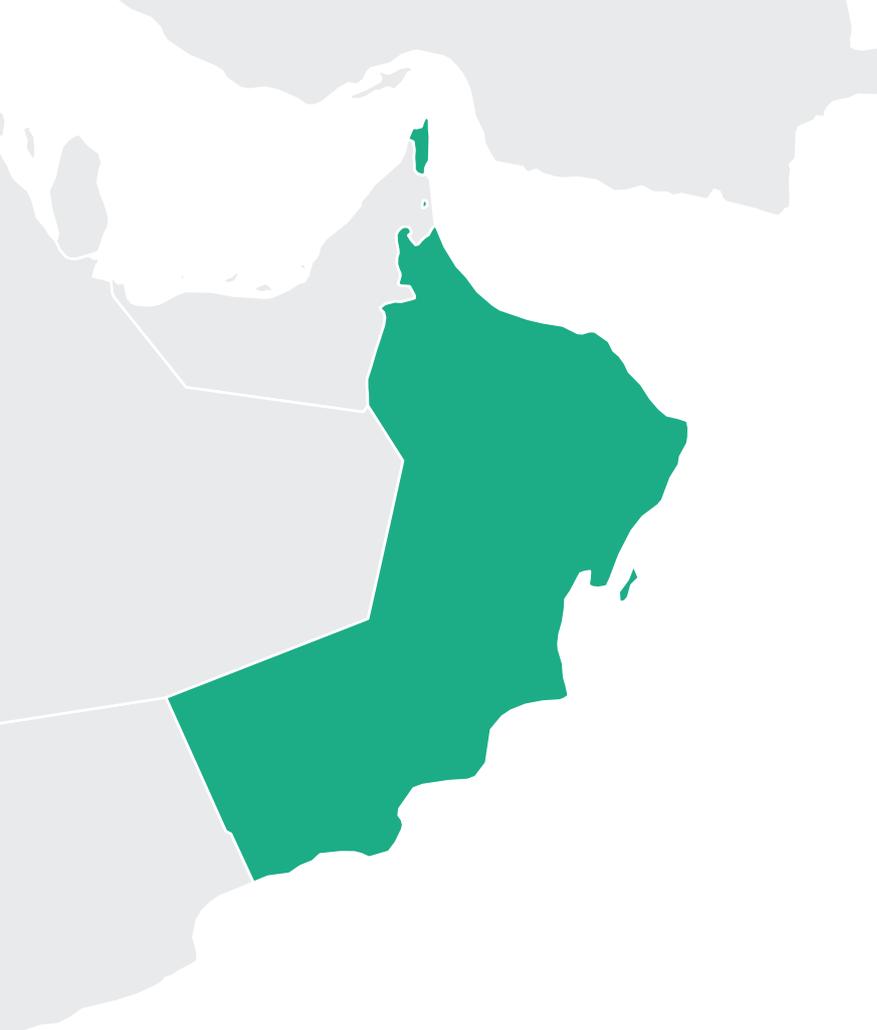
Remedy: OmanTel discloses its process for receiving complaints but does not reveal whether this process includes complaints related to freedom of expression.

⁹⁸ This represents the total subscriber base and not the number of mobile subscriptions.

⁹⁹ "Board of Directors' Report for First Quarter Results – Year 2017." OmanTel. 2017.
https://www.omantel.om/wps/wcm/connect/6060af09-1009-4ace-9db2-26bb5cc4a07f/Chairman%27s+Report.pdf?MOD=AJPERES&CONVERT_TO=URL&CACHEID=6060af09-1009-4ace-9db2-26bb5cc4a07f

¹⁰⁰ "Standard Customer Agreement." OmanTel.
<https://www.omantel.om/wps/portal/Omantel/Footer2/StandardCustomer-Agreement>

¹⁰¹ "Standard Customer Agreement (Arabic)." OmanTel.
<https://www.omantel.om/wps/portal/Omantel/Footer2/StandardCustomer-Agreement>



Ooredoo Oman, a subsidiary of the Qatari group Ooredoo, is Oman’s second mobile operator and the first privately held telecommunication company in the Sultanate. The company, which offers both mobile and fixed broadband services, had 2.727 million mobile subscriptions as of the first quarter of 2016.¹⁰²

Access to terms of service: Ooredoo Oman publishes terms of conditions for its prepaid and postpaid services in both Arabic and English.

¹⁰² "Ooredoo Oman Investor Presentation." Ooredoo Oman. 2016. <http://ooredoo.om/Portals/0/pdf/IR/CC/Ooredoo-Q1-2016-Conf-call.pdf>

Changes to terms of service: The company does not directly commit to notify users of changes to its terms and conditions.

Process for terms of service enforcement: Ooredoo Oman clearly discloses the types of content and activities it does not permit (element 1) and the reasons why it may restrict a user’s access to a service (element 2). However, no further information is provided on the processes used to identify infringing users or content (element 3), or how the company enforces its rules (element 6).

Remedy: The company does not clearly disclose that it has a process for receiving and responding to complaints. The company only tells its customers: “please do contact us if you experience any problems with your service or if you think we can help in any way.”

Previously branded as QTel, Ooredoo, was formally established in 1987 as the first telecommunications company in Qatar. The company, which offers both mobile and fixed broadband services, had more than 3 million mobile subscriptions in 2015, a market share of 70%.¹⁰³

Access to terms of service: Ooredoo Qatar publishes “General Terms and Conditions for Consumer Services” in both English¹⁰⁴ and Arabic.

Changes to terms of service: The company discloses that it provides a “reasonable notice” to its customers when making changes to its terms and conditions, but does not disclose a specific timeframe nor does it explain how it will directly notify users (indicator F2).

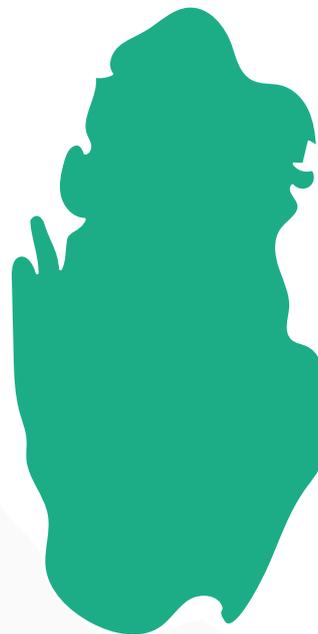
Process for terms of service enforcement: The company only discloses the types of content and activities it does not permit, and the reasons why it may restrict a user’s access to a service.

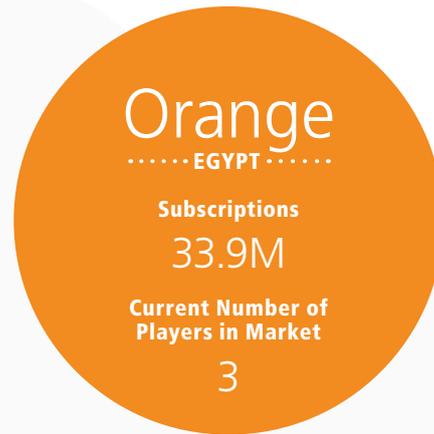
Remedy: Ooredoo Qatar discloses a process for receiving complaints but does not specify that this process includes complaints related to freedom of expression.

¹⁰³ “Annual Report 2014/2015.” Communications Regulatory Authority of Qatar.

<http://cra.gov.qa/sites/default/files/Communications%20Regulatory%20Authority%20%E2%80%93%20Annual%20Report%202014-2015.pdf>

¹⁰⁴ “General Terms and Conditions for Consumer Services.” Ooredoo Qatar. <https://www.ooredoo.qa/portal/OoredooQatar/ar/general-terms-and-conditions>





A subsidiary of the group Orange, Orange Egypt offers a wide range of pre-paid and postpaid mobile services, including internet connectivity via USB modems and through wireless routers. At the end of 2016, the company had a mobile subscriber base of 33.9 million.

Access to terms of service: Orange Egypt publishes its contract terms and conditions in Arabic.¹⁰⁵

¹⁰⁵ "Contract Terms (Arabic)." Orange Egypt. <https://www.orange.eg/ar/legal#contract-terms>

Changes to terms of service: The operator discloses that it notifies its subscribers of any changes to these terms without specifying a method or timeframe.

Process for terms of service enforcement: The company provides very little information. Although it discloses that it may suspend or terminate a service if the subscriber misuses the service or violates existing regulations, Orange Egypt does not explain what these regulations are and what constitutes a misuse of the service. The company only discloses that it may suspend a service in the case of non-payment and provides some explanation as to how it enforces its rules in such cases.

Remedy: The company discloses its process for receiving complaints but does not state whether such process includes complaints related to freedom of expression.



Orange Jordan is one of three mobile operators in Jordan. The company, which offers both fixed broadband and mobile services, had 3.8 million mobile customers at the end of 2016.¹⁰⁶

Access to terms of service: Orange Jordan publishes the following terms in both Arabic and English: "Terms and Conditions for Mobile Postpaid Services," "Terms and Conditions of Prepaid Services," "Terms and Conditions for Postpaid Mobile Broadband Services," and "Terms and Conditions for Prepaid Mobile Broadband Services."

¹⁰⁶ "Welcome to Orange Jordan." Orange Group. 2017. <https://www.orange.com/en/Group/Global-footprint/countries/Welcome-to-Orange-Jordan>

Changes to terms of service: Orange Jordan's policy of notifying its users about changes to its terms is not clear. The company states that "amendments [to its terms and conditions] shall become valid 30 days after its announcement in any of the media means, or after sending a copy to the subscriber," but fails to specify the "media means" to which it refers.

Process for terms of service enforcement: Orange Jordan does list the types of content and activities it does not allow (element 1) and discloses the reasons it may restrict a user's access to a service (element 2). This includes the use of the service to commit fraud or violate public morality. The company also reveals some information about its process for enforcing its rules (element 6) in the case of non-payment, and when a subscriber provides falsified or incorrect information. Orange Jordan, however, fails to provide information about the processes it uses to identify infringing content and users (element 3) and does not provide examples to help users understand its rules (element 7).

Remedy: The company discloses a process for receiving complaints, though it does not mention that this process includes complaints related to freedom of expression.

Syrian Telecom (SyriaTel) is one of only two mobile providers in Syria. The company, launched in 2000, is partially owned by Rami Makhlouf, a cousin of Syrian President Bashar al-Assad.¹⁰⁷ In 2015, the company had 8 million subscribers, representing a market share of 58%.¹⁰⁸

Access to terms of service: SyriaTel's Terms of Service ("conditions to benefit from SyriaTel services") are available in Arabic.¹⁰⁹

Changes to terms of service: The company does not commit to directly notifying users about changes to its terms of service.

Process for terms of service enforcement: SyriaTel does disclose the types of activities and content it does not allow, and the reasons why it may restrict a user's access to a service. These include abuse, fraud, gambling, and pornography. The company does not disclose, however, the processes it uses to identify infringing content and users, nor does it provide users with examples and explanations to help them understand its rules. Some information is provided on how the company enforces its rules in cases of non-payment.

Remedy: SyriaTel does disclose a process for receiving complaints and provides some information about how it responds to them. The company does not disclose whether such process includes complaints related to freedom of expression.

¹⁰⁷ "Syrian Arab Republic." Refworld.org. <http://www.refworld.org/pdfid/502a0c520.pdf>

¹⁰⁸ "Syriatel mobile telecom annual report for 2015." SyriaTel. <http://investorrelations.syriatel.sy/AnnualReports.aspx>

¹⁰⁹ "Conditions of benefiting from SyriaTel services (Arabic)." SyriaTel. <http://www.syriatel.sy/ar/the-conditions-of-benefitting-from-syriatel-services>



Virgin Mobile SA is part of the Virgin Mobile brand. Virgin Mobile Saudi Arabia was awarded a license by the Communications and Information Technology Commission to operate as a Mobile Virtual Network Operator in April 2014. The company, which has over 2 million users in Saudi Arabia, is formally called the Virgin Mobile Saudi Consortium and it has local, regional, and global shareholders.¹¹⁰

Access to terms of service: Virgin Mobile SA publishes terms and conditions in both Arabic and English.¹¹¹

¹¹⁰ Virgin Mobile KSA company profile on LinkedIn. <https://www.linkedin.com/company/virgin-mobile-ksa108>

Changes to terms of service: The company's policy of notifying users about changes to its terms and conditions is vague. Virgin Mobile SA tells its users that changes "may be notified to you and/or on our Website from time to time."

¹¹¹ "Terms and Conditions (Arabic)." Virgin Mobile KSA. <http://virginmobile.sa/legal-stuff>

Process for terms of service enforcement: The company discloses the types of content and activities it does not allow, and the reasons why it may restrict a user's access to a service. These include using the service for "unlawful," "improper," and "commercial" purposes. The company does not disclose the processes it uses to identify infringing content or users but provides some information about its process for enforcing its rules in cases of non-payment. No examples or explanations are provided to help users understand these rules.

Remedy: Virgin Mobile SA discloses a process for receiving complaints but fails to mention whether this process includes complaints related to freedom of expression.





Viva Kuwait is one of three mobile telecom operators in Kuwait. The Saudi Telecom Company (STC) has a 51.8% majority stake in Viva Kuwait, while a combined five Kuwaiti government entities own a 24% share. The remaining shares are distributed among individual Kuwaiti investors.¹¹² At the end of 2016, the company had a customer base of 2.4 million subscribers.

Access to terms of service: Viva Kuwait publishes Contract Terms and Conditions in both Arabic¹¹³ and English.¹¹⁴

Changes to terms of service: The company does not disclose a policy of notifying its users about changes to its terms.

Process for terms of service enforcement: Viva Kuwait reveals little information about its process for enforcing its rules. The company does not disclose the types of content and activities it does not allow and only reveals the reasons why it may restrict a user's access to a service. No explanations or examples are provided to help users understand the rules, and the company does not disclose the processes it uses to identify infringing content or accounts.

Remedy: The company discloses a process for receiving complaints, but does not mention whether that process includes complaints related to freedom of expression.

¹¹² "2016 Annual Report." Kuwait Telecommunications Company (Viva). 2016. https://www.viva.com.kw/viva-publish-1.0/pdf/Annual_Report_2016_ENG.pdf

¹¹³ "Contract Terms and Conditions (Arabic)." Viva Kuwait. <http://www.viva.com.kw/ar/Contract-Terms-and-Conditions>

¹¹⁴ "Contract Terms and Conditions (English)." Viva Kuwait. <http://www.viva.com.kw/en/Contract-Terms-and-Conditions>



Vodafone Qatar is the second mobile operator in Qatar, in addition to Ooredoo. A subsidiary of the British multinational telecommunications company Vodafone Group, Vodafone Qatar is 70% owned by Qatari shareholders, including a 27.05% share owned by the Qatar Foundation. Vodafone Group has a 23% stake in the company.¹¹⁵ In 2015, the company had 1.5 million mobile subscriptions.¹¹⁶

Access to terms of service: Vodafone Qatar publishes terms and conditions for its postpaid¹¹⁷ and prepaid¹¹⁸ consumer services in both Arabic and English.

Changes to terms of service: The company’s policy of notifying its users about changes to its terms and conditions is vague, as it discloses that it publishes these amendments on its website or “in any other relevant way available to us, including by SMS and voicemail.”

Process for terms of service enforcement: Vodafone Qatar discloses the types of content and activities it does not allow and the reasons why it may restrict a user’s access to a service. This includes offensive, fraudulent, and abusive activities. The company does not disclose the processes it uses to identify infringing users and activities, nor does it provide examples or explanations to help its subscribers understand the rules. Vodafone Qatar explains its process of enforcing its rules only in cases of non-payment (element 6).

Remedy: Vodafone Qatar discloses a process for receiving complaints but does not mention whether this process includes complaints related to freedom of expression.

115 “Shareholder Structure.” Vodafone Qatar. 2015. <http://www.vodafone.qa/en/investor-relations/shareholder-centre/shareholder-structure>

116 “Annual Report 2014/2015.” Communications Regulatory Authority of Qatar. <http://cra.gov.qa/sites/default/files/Communications%20Regulatory%20Authority%20%E2%80%93%20Annual%20Report%202014-2015.pdf>

117 “Postpaid Terms and Conditions for Consumer.” Vodafone Qatar. <http://www.vodafone.qa/en/legal-and-regulatory/terms-and-conditions/vodafone-postpaid-terms-and-conditions>

118 “Prepaid Terms and Conditions for Consumer Services.” Vodafone Qatar. 2013. <http://www.vodafone.qa/en/legal-and-regulatory/terms-and-conditions/vodafone-terms-and-conditions>



Zain Jordan (previously branded as Fastlink) was acquired by the subsidiary of the Kuwaiti telecommunication group Zain in 2003. The Zain group has a 96.52% stake in Zain Jordan,¹¹⁹ which has more than 5.9 million customers.¹²⁰ The company is one of three providing mobile services in Jordan.

Access to terms of service: Zain Jordan publishes its terms and conditions in Arabic.¹²¹

Changes to terms of service: The company’s policy of notifying its users about changes to its terms and conditions is not clear. Changes to the terms and conditions become effective 30 days after they are published in any of the media means or after a copy (of the changes) is sent to the subscriber, Zain Jordan discloses, without specifying what these “media means” are.

Process for terms of service enforcement: Zain Jordan only discloses the types of content and activities it does not allow and the reasons why it may restrict a user’s access to a service.

Remedy: The company discloses a process for receiving complaints but does not mention whether this process includes complaints related to freedom of expression.

¹¹⁹ “Zain Group Financial Results.” Zain Group. 2015. https://www.zain.com/media/investor-relations/presentations/Zain_GroupFinancialResults_Presentation_Q1-15.pdf

¹²⁰ “About us.” Zain Jordan. <http://www.zain.jo/arabic/media/aboutus/Pages/default.aspx>

¹²¹ “Zain Jordan Terms of service (Arabic).” Zain Group. <https://www.jo.zain.com/arabic/consumer/Rules/Pages/default.aspxments/%D8%A7%D9%84%D8%B4%D8%B1%D9%88%D8%B7%20%D9%88%D8%A7%D9%84%D8%A3%D8%AD%D9%83%D8%A7%D9%85.pdf>

■ Comparative Analysis of Free Speech Policies

RDR indicators, including 3 out of 11 indicators in the free expression category, and one indicator in the commitment category. As we explain in the methodology, we selected only four indicators because our preliminary assessment illustrated that operators do not reveal much information about their free expression policies. Yet, companies still do not adequately satisfy the requirements of these four indicators. We have thus determined that the 14 mobile operators do not reveal enough information to make any definitive statements about whether and how they protect free expression.

Although all 14 companies publish at least one ToS document, only eight get full credit for all three elements of indicator F1. They are OmanTel, Ooredoo Oman, Ooredoo Qatar, Orange Egypt, Orange Jordan, Virgin Mobile KSA, Viva Kuwait, and Vodafone Qatar. The remaining companies fail to get full credit because their ToS are not easy to find (element 1), they are not available in the languages most commonly spoken by their users (element 2), or they are not written in easily understandable language (element 3).

It is important that companies make their ToS available in the languages most commonly spoken by their users. While Arabic remains the official language in most of the region's countries, some countries have large communities and minorities that speak languages other than Arabic. For instance, in Iraq, where Kurds represent the largest minority making up between 17% and 20% of the population,¹²² Kurdish is considered an official language. Yet AsiaCell does not publish its "subscriber rules" in Kurdish. On the other hand, while Du publishes several terms of service documents, these documents are not all available in both Arabic and English. Arabic is the official language, while English is the most widely spoken language in the UAE, where the expat community makes up more than 80% of the population. In another example, LycaMobile in Tunisia publishes its terms only in French. An Arabic version is not available, despite Arabic being the country's official language. Meanwhile, Zain Jordan fails to get credit for element 3 because the layout of the document and the lack of spacing make the terms difficult to read.¹²³

All companies fail to either partially or fully satisfy all of the three elements of indicator F2. Six operators (AsiaCell, Etisalat, OmanTel, Ooredoo Oman, SyriaTel, Viva Kuwait) get no credit at all because they do not disclose a policy of directly notifying their subscribers of changes to their terms of service. Other companies disclose policies, but these policies are vague or contradictory. Du, for example, discloses that it notifies users of changes to its terms in its Consumer Code of Practice document, while in the "Acceptable

Use of Service Policy," the company states that "it is the end user's responsibility to stay current" about policy changes.¹²⁴ Ooredoo Qatar discloses that it provides a "reasonable notice" without specifying a timeframe and how notice is given.¹²⁵ Only LycaMobile Tunisia discloses a clear policy by specifying a clear timeframe (60 days before changes come into effect) and a direct notification method (by registered mail). The company, however, does not get a full score for indicator F2 because it does not disclose that it maintains publicly available records of previous terms so that people can understand how the company's terms have evolved over time (element F2.4). In fact, only 2 out of the 10 telecommunications companies included in the 2017 Corporate Accountability Index get credit for element F2.4.

Eleven of the 14 regional mobile telecom operators included in this study receive full credit for the first two elements of indicator F3, which require companies to reveal the types of content or activities they do not allow (element 1) and the reasons why they restrict a user's access to a service (element 2). One operator, AsiaCell, receives partial credit for both elements. In their terms, several operators state that it is their users' obligation to respect existing legislation and regulations, though most do not specify these laws. In its terms, Orange Egypt states that its users must commit not to use the service "in a way that violates the law,"¹²⁶ while Ooredoo Qatar subscribers are not allowed to use the service "in any way that violates any applicable law, the Applicable Regulatory Framework."¹²⁷

Virgin Mobile SA refers to the rules and regulations of the Communications and Information Technology Commission (CITC), the telecom industry regulator in Saudi Arabia, and, more specifically, a March 2008 document called "Terms of Service of Mobile Telecommunication." The 18-page document, available in Arabic and English,¹²⁸ serves as a common terms of service for mobile operators in Saudi Arabia. The document sets out: "service application procedures," the obligations of the service provider and the subscriber, the procedures to transfer a service and number portability, the reasons a service provider may suspend or terminate a service, and a policy for receiving and resolving complaints. All five mobile operators in Saudi Arabia (Lebara SA, Mobily, STC, Virgin Mobile SA, and Zain KSA) refer and link to these terms on their websites. This does not meet the standard of disclosure set by the RDR/CAI indicators, however, because it leaves open the question of whether the company sets additional terms. Only Virgin Mobile SA publishes its own ToS document, in addition to referencing the CITC terms.

Du's "Acceptable Use of Service Policy" serves as another

example of how company policies are affected by the laws and regulations of the countries in which they operate. In its policy, Du lists the types of activities it does not allow in accordance with regulations and laws of the UAE government and the Telecommunications Regulatory Authority. These include copyright violation, hacking, the use of virtual private networks (VPNs) to bypass filtering, and "transmit[ting] any unsolicited commercial email or unsolicited bulk email."

Even when they do not explicitly refer to specific laws and regulations, language used by mobile operators appears consistent with existing legislation and regulations in the countries where they operate.

Across most of the region's countries, these regulations often ban or restrict content, activities, or speech that are guaranteed by international human rights law. For example, Du and Etisalat do not allow the use of VoIP applications, in accordance with a UAE regulatory policy dating back to 2009, which allows only licensed operators to provide VoIP services.¹²⁹ Orange Jordan discloses that it may suspend or terminate a service if a subscriber uses it "in violation of public morality." Jordan has in place legislation that bans speech that violates public morals. Ooredoo Qatar does not allow "offensive, abusive, defamatory obscene, [and] menacing" material. Qatar's anti-cybercrime law prescribes a jail sentence of up to three years in jail against those who slander, insult, or blackmail others "through an information network or information technology technique."¹³⁰ Across the region, operators are required to abide by these rights-infringing laws and regulations, or they could risk punishments that include fines and the suspension of their licenses. For example, under the UAE's telecommunication law, operators can be fined up to 10 million AED (about \$2.7 million USD) for violating regulations and the regulator's instructions.¹³¹ The country's Telecom Regulatory Authority has myriad powers, which include setting licensing conditions; approving, suspending, and revoking operators' licenses; enforcing existing regulations, such as those banning the use of VoIPs and VPNs; and deciding on censorship policies.¹³² In Egypt, under vague provisions of the country's telecom law, state authorities have the power to "subject to their administration" operators in cases "of natural or environmental disasters or during declared periods of general mobilization...or any other cases concerning National Security."¹³³

When it comes to keeping their users informed about the procedures they follow to enforce their rules (element 6), of the 14 operators, 9 get credit. This element requires companies to explain what kind of actions they take when they find prohibited content or activities. These actions include suspending or restricting a user's access to the service or restricting access to prohibited content. Only one operator, Etisalat, gets a full score for this element. The company explains

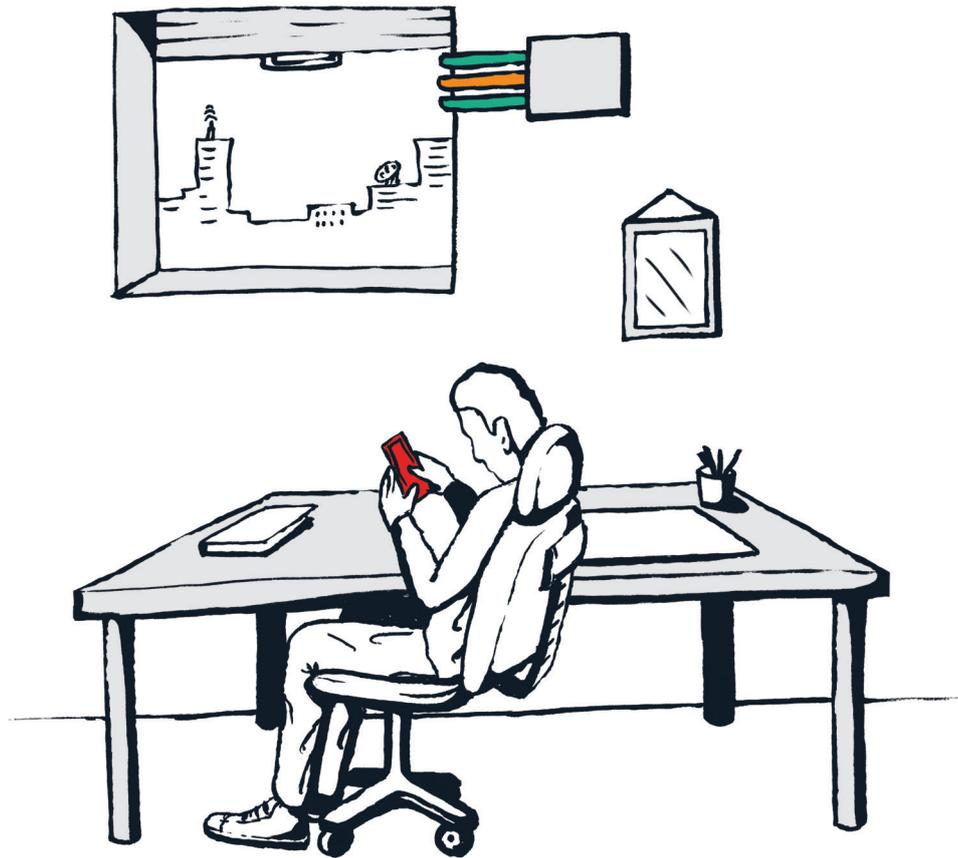
that it "may suspend/disconnect or terminate" access to its services for a number of reasons that include breaching the company's ToS, "fraudulent activity," and when the customer fails to "pay any Charges that fall due within the relevant timeframe." In such cases, Etisalat "may suspend / disconnect or terminate immediately the use of part or all of the Service and/or the Agreement, with or without notice and without exposing itself to any liability." In the event of suspension, the company will reactivate the service "only when [it] is satisfied that the reason for suspension has been resolved."

Only two companies, Du and LycaMobile, obtained credit for revealing information beyond what elements F3.1, F3.2, and F3.6 require.

Both Du and LycaMobile Tunisia receive partial credit for providing examples to help users understand their rules. For instance, in its Acceptable Use of Service Policy, Du lists "pyramid schemes, ponzi schemes and chain letters" as examples of what it considers as "the use of the service to advance any financial scams."¹³⁴ LycaMobile Tunisia provides examples about what may represent an "inappropriate usage" of its service, including the use of its services for purposes that are not personal and the partial or full transfer or reselling of the service. Du further gets a partial credit for disclosing a process it uses to identify content and users that violate its rules (F3.3). This process consists of a reporting mechanism whereby users can report "any violations or attempted violations" via an email address.¹³⁵

Finally, all operators reveal a process for receiving complaints (C6.1), but Ooredoo Oman receives only partial credit for this element because it does not explicitly state that users can contact the company to make complaints and provides methods of communication for its customers only in case they need help.

Eight operators disclose information about their processes for responding to complaints (C6.3), with only four operators obtaining a full credit for this element. No operator discloses that its process includes complaints related to freedom of expression (C6.2). None of the 14 operators provide evidence that they are responding to complaints (C6.5), nor do they report on the number of complaints received that are related to freedom of expression (C6.4). This is consistent with the findings of the 2017 Corporate Accountability Index, where only 3 of 10 telecommunications companies got credit for revealing that their complaints policies include complaints related to freedom of expression. Not a single telecom company in the 2017 CAI reported on the number of complaints related to freedom of expression or provided evidence that they respond to complaints.¹³⁶



122 "Iraqi Kurdistan profile." BBC. 31 October 2017.
<http://www.bbc.com/news/world-middle-east-28147263>

123 "Terms and Conditions (Arabic)." Zain Jordan.
<http://www.jo.zain.com/arabic/consumer/Rules/documents/%D8%A7%D9%84%D8%B4%D8%B1%D9%88%D8%B7%20%D9%88%D8%A7%D9%84%D8%A3%D8%AD%D9%83%D8%A7%D9%85.pdf>

124 "Acceptable Use of Service Policy." Du.ae.
<http://www.du.ae/legal/acceptable-use-of-service-policy>

125 General Terms and Conditions for Consumer Services." Ooredoo Qatar.
<https://www.ooredoo.qa/portal/OoredooQatar/general-terms-and-conditions>

126 "Contract Terms." Orange Egypt.
<https://www.orange.eg/ar/legal#contract-terms>

127 General Terms and Conditions for Consumer Services." Ooredoo Qatar.
<https://www.ooredoo.qa/portal/OoredooQatar/general-terms-and-conditions>

128 "Terms of Service of Mobile Telecommunication Services." Communications and Information Technology Commission. March 2008.
http://www.citc.gov.sa/en/RulesandSystems/RegulatoryDocuments/Termstoprovide/Documents/PL-SP-314-E-Terms%20of%20Mobile_Fixed_Data%20Services_01.pdf

129 "Regulatory Policy. Voice over Internet Protocol. Version 2.0." UAE Telecommunications Regulatory Authority. 30 December 2009.

130 http://chato.ci/blog/files/QatarCybercrimeLaw_unofficial_translation.pdf

131 "United Arab Emirates. Federal Law by Decree No. 3 of 2003 on Telecom Law." WIPO. <http://www.wipo.int/wipolex/en/details.jsp?id=13893>

132 "Freedom on the Net 2017. United Arab Emirates Country Profile." Freedom House. <https://freedomhouse.org/report/freedom-net/2017/United-arab-emirates>

133 "Egypt: Telecommunication Regulation Law." Article19. 2015. <https://www.article19.org/data/files/medialibrary/37966/Egypt-telecoms-report---English.pdf>

134, 135 "Acceptable Use of Service Policy". Du.ae.
<http://www.du.ae/legal/acceptable-use-of-service-policy>

136 "2017 Corporate Accountability Index: Indicators (G6)."
<https://rankingdigitalrights.org/index2017/indicators/>

■ Conclusion

When embarking on this research, we expected, frankly, that we would not find many mobile operator policies in the region that considered the implications of their services on human rights. We did not expect, however, that basic policies, such as terms of service and privacy policies, would be published by such a small minority of mobile telecom operators.

As the data reveals, no mobile telecom operator in the Arab region, even subsidiaries of multinationals, appears to consider, much less commit to respect, human rights online in the formulation of their terms of service and privacy policies. Many do not even make these core policy documents publicly available.

Of the region's 66 mobile telecom operators, for instance, only 14 publish terms of service; just 7 publish privacy policies. Among the companies that do publish ToS, some do not publish them in the primary languages of their users. Moreover, there is little consistency among companies in their commitments to notify users of changes in service or to make clear the processes used to enforce their ToS. In fact, while most companies provide information on the types of content and activities they do not allow, it remains unclear which procedures they follow to enforce their rules. This includes providing information on which actions they take against infringing users and accounts such as decisions to suspend or terminate a service; or to restrict access to certain types of content, and how such decisions are made.

While most operators provide some means for customers to submit complaints, no existing remedy mechanism includes either a process for addressing grievances related to freedom of expression or evidence that the company is responding to complaints. Finally, not one Arab-country operator publishes a transparency report (some are prevented from doing so by law).

Despite these shortcomings, there are bright spots. Four companies — LycaMobile Tunisia, Virgin Mobile KSA, Vodafone Qatar, and Zain Jordan — publish both a ToS and a privacy policy. Du, in the UAE, emerged as a relative leader in informing and educating its users regarding processes for enforcing its policies. Subsidiaries of MTN, Orange, and Vodafone — multinational operators based outside the region — received partial credit for human rights commitments, thanks to the leadership of their parent companies. Still, there is vast room for improvement.

By documenting these shortcomings and glimmers of potential across the region and making them visible to both the companies and their users, we want to spur operators to move in the right direction. We have included juxtaposition with multinational and RDR/CAI-ranked companies to illustrate trends at the global level that might aid this push. Additionally, because this is the first analysis of its kind and incorporated only four indicators and also because our intent is to encourage not shame the companies evaluated, we chose not to assimilate the data collected into a numerical ranking or score, as the 2017 Corporate Accountability Index does. In future evaluations, however, we may reconsider this approach.

“ [W]e hope that Arab region–based free expression, digital rights, and consumer rights groups will use the data provided herein...to [ensure] respect for users’ rights in line with international business and human rights standards. ”

Further, we hope that Arab region–based free expression, digital rights, and consumer rights groups will use the data provided herein to advocate not only for making terms of service and privacy policies publicly available at the operator level but also for the inclusion of language that ensures respect for users’ rights in line with international business and human rights standards. To our knowledge, this report is a unique source of such data and sets a baseline of knowledge that can support demands for a more rights-respecting business environment generally and in digitally networked spaces, in particular. This is especially urgent, since in recent years, these spaces have become the primary locales of both our private and public discourse and must be protected as such.

Finally, we offer recommendations to operators on how to incorporate these standards, and to consumer and human rights advocates on what they should consider and demand as rights-respecting behavior below.

■ Recommendations

1. Operators should make their terms of service easily accessible to their users. Users should be able to locate these terms on the homepage or in a place where it can logically be found.
2. Operators should make their terms of service available in the language or languages most commonly spoken by their users.
3. Companies should ensure that their terms of service are presented in an easy-to-understand manner, for example, by using section headers, a readable font size, graphic features, or writing the terms using readable, non-legal syntax.
4. Companies should disclose a policy of notifying their users about changes to their terms of service (and privacy policies). This policy should include a specific timeframe and methods of direct notification. It is not enough that an operator publishes these changes on its website or social media channels. Instead, companies should take steps to document that users have been made aware of these amendments before they come into effect.
5. Operators should make it possible for users to understand how their policies have evolved over time. For instance, operators should provide previous versions of the terms of service, offer annotated explanations of the changes over time, or keep a change log that highlights specific changes in the policy.
6. Operators should use clear language and formatting to help users understand what kind of content or activities they do not allow and the reasons they may restrict a user's access to a service. Du's Acceptable Use of Service Policy is a good example for its readable language and bullet points, as well as for its examples and explanations.
7. Operators should disclose detailed information about how they enforce their rules, what kinds of processes are used to identify violations (such as human-based reporting mechanisms or machine-based monitoring software that detects and filters certain keywords/content), and the types of actions taken against users for violating their rules, such as suspension or termination of service. In the case of suspensions, policies should note the duration of the suspension and what steps must be taken to have service restored.
8. Companies should disclose a process of receiving and responding to complaints. They should also explicitly state that this process includes complaints related to freedom of expression and privacy rights.
9. Where the law permits, operators should disclose their policies and reasoning when responding to government requests for the flagging and removal of content, the removal or restriction of accounts, or to shutdown a service or network. The implementation and outcomes of these policies should be documented in periodic transparency reports.

■ Appendix

Research Guidance

F1. Access to terms of service

The company should offer Terms of Service (ToS) that are easy to find and easy to understand.

1. Are the company's Terms of Service (ToS) easy to find?
2. Are the Terms of Service (ToS) available in the language(s) most commonly spoken by the company's users?
3. Are the Terms of Service (ToS) presented in an understandable manner?

Definitions

"Terms of Service" – This document may also be called Terms of Use, Terms and Conditions, etc. The terms of service "often provide the necessary ground rules for how various online services should be used," as stated by the Electronic Frontier Foundation, and represent a legal agreement between the company and the user. Companies can take action against users and their content based on information in the terms of service.

"Easy to find" – The ToS is located one or two clicks away from on the homepage of the company or service.

"Understandable manner" – The company has taken steps to help users actually understand the Terms of Service. This includes, but is not limited to, providing summaries, tips, or guidance that explain what the terms mean, using section headers, readable font size, or other graphic features to help users understand the document, or writing the terms using readable syntax.

Research guidance

A company's Terms of Service (ToS) agreement outlines the relationship between the user and the company, and often these terms directly affect if and how users exercise their freedom of expression rights. Companies can also take action against users for violating the conditions described in the terms. Given this, we expect companies to commit to helping users access these terms and to understand what they mean.

This indicator evaluates how clearly companies present their terms of service policies. It expects companies to provide terms of services that are easy to find, are available in the languages of the primary markets in which the company operates, and to ensure that the policies are easy to understand.

A document that is "easy to find" should be located on the homepage of the company or service, or at most,

three or four clicks away from the home page. The terms should be in a logical place where users will find it. If the company offers multiple products and services, it should be clear to what products and services the terms apply.

A company's ToS should be available in the major language(s) of the primary operating market. In addition, the ToS should be presented in an understandable manner. This includes, but is not limited to, providing summaries, tips, or guidance that explain what the terms mean, using section headers, readable font size, or other graphic features to help users understand the document, or writing the terms using readable syntax.

This indicator includes a review of other documents such as "community guidelines" or Service specific rules that further explain to users what the terms mean. Privacy policies are NOT included in this indicator since they are covered in separate indicators in the "Privacy" section.

Potential sources

Company terms of service, terms of use, terms and conditions, etc.

Company acceptable use policy, community guidelines, rules, etc.

F2. Changes to terms of service

The company should clearly disclose that it provides notice and documentation to users when it changes its terms of service.

1. Does the company clearly disclose that it notifies users about changes to its terms of service?
2. Does the company clearly disclose how it will directly notify users of changes?
3. Does the company clearly disclose the timeframe within which it provides notification prior to changes coming into effect?
4. Does the company maintain a public archive or change log?

Definitions

"Clearly disclose(s)" – The company presents or explains its policies or practices in its public-facing materials in a way that is easy for users to find and understand.

"Notice" – The company communicates with users or informs users about something related to the company or service.

"Documentation" – The company provides records that users can consult.

"Terms of Service" – This document may also be called Terms of Use, Terms and Conditions, etc. The terms of service "often provide the necessary ground rules for how various online

services should be used," as stated by the EFF, and represent a legal agreement between the company and the user. Companies can take action against users and their content based on information in the terms of service.

"Change log" – A record that depicts the specific changes in a document, in this case, a terms of service document.

"Public archive" – A publicly available resource that contains previous versions of the terms of service or comprehensively explains each round of changes the company makes to its terms of service.

Guidance

It is common for companies to change their terms of service as their business evolves. However these changes can have significant impact on users' freedom of expression rights. We therefore expect companies to clearly disclose its procedures for notifying users when they change these terms and to provide users with information to understand what these changes mean.

This indicator seeks clear disclosure by companies of the method and timeframe in which companies notify users about changes in its terms of service agreements. We expect companies to clearly disclose that it directly notifies users of these changes prior to their taking effect and how it communicates these changes to users. For Element 2, the method of direct notification may differ based on the type of service. For services that contain user accounts, direct notification may involve sending an email or an SMS. For services that do not require a user account, direct notification may involve posting a prominent notice on the main page where users access the service. This indicator also seeks evidence that a company provides publicly available records of previous terms so that people can understand how the company's terms have evolved over time.

Potential sources

Company terms of service, terms of use, terms and conditions, etc.

Company acceptable use policy, community guidelines, rules, etc.

Internal research notes

Element 1: Does the company clearly disclose that it notifies users about changes to its terms of service?

To receive any credit on this indicator, companies must at a minimum satisfy the criteria for this element. This element expects companies to clearly disclose that it has a policy of notifying users about changes to ToS.

If a company has no clearly disclosed policy for notifying users of changes to its ToS agreements, then the company should receive "no disclosure found" for Element 1.

If a company has a clearly disclosed policy that specifies they will NOT notify users of changes to its ToS agreements, then it should receive a "No" for this element.

If a company has a clearly disclosed policy committing to notify users of changes to ToS agreements but do not say how or when, it can receive credit on Element 1 but would not receive credit on Elements 2 or 3.

In other words: For companies that receive no credit on Element 1, they cannot receive credit on Element 2 or 3.

Element 2: Does the company clearly disclose how it will directly notify users of changes?

With this element, we expect companies to clearly disclose the method of communication they will use to directly notify users of changes to its ToS.

If a company does not have a clearly disclosed policy of direct notification, then the researcher should fill in the answer "no disclosure found" on the spreadsheet.

Direct notification could be sending an email or an SMS to the user.

If a company discloses that it posts a notification at the top of the ToS page, this does NOT constitute direct notification. In this case, researchers should answer "NO" in the spreadsheet.

Element 3: Does the company clearly disclose the time frame within which it provides notification prior to changes coming into effect?

For this element, we expect companies to clearly disclose a time frame for informing users of changes to ToS policies before the changes in a terms of service take effect.

If companies do not clearly disclose a policy of prior notification, then the company will receive no credit.

If a company has a clearly disclosed policy of prior notification, but that policy does not specify a time frame for prior notification, then the company should be given partial credit.

Element 4: Does the company maintain a public archive or change log?

For this element, we expect companies to provide the public with information to understand how the company's terms of service have changed over time. This can include previous versions of the terms, comprehensive explanations of the changes over time, or a change log that shows specific changes in the terms.

F3. Process for terms of service enforcement

The company should clearly disclose the circumstances under which it may restrict content or user accounts.

Does the company clearly disclose what types of content or activities it does not permit?

Does the company clearly disclose the reasons why it may restrict a user's account?

Does the company clearly disclose information about the processes it uses to identify content or accounts that violate the company's rules?

Does the company clearly disclose whether any government authorities receive priority consideration when flagging content to be restricted for violating the company's rules?

Does the company clearly disclose whether any private entities receive priority consideration when flagging content to be restricted for violating the company's rules?

Does the company clearly disclose its process for enforcing its rules?

Does the company provide clear examples to help the user understand what the rules are and how they are enforced?

Definitions

"Clearly disclose(s)" – The company presents or explains its policies or practices in its public-facing materials in a way that is easy for users to find and understand.

"Terms of Service" – This document may also be called Terms of Use, Terms and Conditions, etc. The terms of service "often provide the necessary ground rules for how various online services should be used," as stated by the EFF, and represent a legal agreement between the company and the user. Companies can take action against users and their content based on information in the terms of service.

Content – The information contained within wire, oral, or electronic communications (e.g., a conversation that takes place over the phone or face-to-face, the text written and transmitted in an SMS or email).

Account/ User Account – A collection of data associated with a particular user of a given computer system, service, or platform. At a minimum, the user account comprises a username and password, which are used to authenticate the user's access to his/her data.

"Account restriction" – The company limits, suspends, deactivates, deletes, or removes a specific user account or permissions on a user's account.

Guidance

Through terms of service agreements, a company establishes rules about what content users can post or what

activities users can engage in on its services.

Companies can also restrict a user's account, meaning that the user is unable to access the service, for violating these rules. When companies create and enforce rules about what content or activities are permissible, they are making important decisions about users' ability to exercise their freedom of expression rights that are guaranteed in international human rights law.

We therefore expect companies to clearly disclose what the rules are, how they learn of content or activities that violate these terms, and what processes the company has in place to decide on how to enforce them. For example, companies may employ staff to review content and/or user activity or they may rely on community flagging system that allows users flag content and/or activity for company review. We also expect companies to clearly disclose whether they give certain flaggers priority status (eg "super flaggers") for alerting the company of violations to terms of service rules.

In its disclosure, the company should also provide examples to help users understand what these rules mean. For mobile ecosystems, we expect companies to disclose the types of apps they would restrict, which can include an end user's account or a developer's account.

Potential sources

Company terms of service, terms of use, terms and conditions, etc.

Company acceptable use policy, community guidelines, rules, etc.

Internal research notes

In general, company policies should not limit users' freedom of expression. However, even human rights law is not absolute on freedom of expression: the right can be restricted in a necessary and proportionate manner when it infringes on or threatens other rights. Certain types of speech and activities are illegal in most jurisdictions, and companies tend to mirror these restrictions in their own terms of service and other rules. For example, companies typically prohibit users from posting or transmitting images of child sexual abuse (which are illegal) and from using services to engage in illegal activity. Certain types of hate speech might be illegal in certain jurisdictions.

However, we are not advocating that companies explicitly prohibit content on the sole basis that it is illegal. For example, in Turkey, making fun of Ataturk is illegal but we do not expect that companies must prohibit Ataturk satire. In other countries, blasphemy very broadly defined is illegal and we are not advocating that companies prohibit such content entirely on their platforms based solely on the fact that it is illegal in some places.

For the purpose of this indicator, “process for enforcing [the company’s] rules” includes cases where a company blocks, filters, removes, deletes, or otherwise renders a piece of content inaccessible. It also includes cases where a company shuts down, blocks, or otherwise denies service (either by deleting user accounts or shutting down the service) to an individual or group of individuals due to something the user(s) have done on the service.

Element 1: Does the company clearly disclose what types of content or activities it does not permit?

For this element, we expect companies to clearly explain what types of content or activities it does not permit.

Element 2: Does the company clearly disclose the reasons why it may restrict a user’s account?

For this element, we expect that a company’s terms of service agreement or related policies to clearly explain the reason(s) why it may restrict a user’s account.

There might be some overlap between this element and Element 1, particularly in terms of where researchers find disclosure on the company’s website. However, a company might restrict a user’s account for other reasons beyond the user posting prohibited content, and this element seeks disclosure related to those other reasons as well.

Element 3: Does the company clearly disclose information about the processes it uses to identify content or accounts that violate the company’s rules?

For this element, we are looking for clear disclosure by companies of how it learns of violations to its ToS or related rules. While we know that companies restrict content and accounts for violating their rules, it’s not clear how companies become aware of possible breaches.

Element 4: Does the company clearly disclose whether any government authorities receive priority consideration when flagging content to be restricted for violating the company’s rules?

Element 5: Does the company clearly disclose whether any private entities receive priority consideration when flagging content to be restricted for violating the company’s rules?

Elements 4 and 5 set the expectation that companies should disclose information about priority status when it comes to moderating content, even if they do not engage it. If a company has no priority flaggers and doesn’t mention anything about it, they would get a score of “no disclosure found” and consequently lose points. That company would have to say explicitly that it does not have these types of flaggers to receive a “YES” on these elements (meaning full credit).

Element 6: Does the company clearly disclose its process for enforcing its rules?

For this element, we are looking for companies to clearly disclose its procedures for enforcing ToS and related rules. The company should explain what it will do when it finds prohibited content or activities (or when someone reports prohibited content or activities to the company). This disclosure applies to the company’s procedures with regard to enforcing its own rules, as well as the actions the company takes with regard to illegal content or activities on its service. This explanation should include how the company decides whether to remove content. It should also include whether and how the company penalizes the user (e.g., account suspension, restricted access to the service) who posts the prohibited content or engages in the prohibited activity.

The disclosure should say something about restricting content AND restricting accounts to get full credit (meaning a “yes” in the spreadsheet). Mentioning one only would receive partial credit.

Element 7: Does the company provide clear examples to help the user understand what the rules are and how they are enforced?

For this element, we are looking for companies to offer some examples of prohibited content and what the implications are for users if they violate these rules.

G6. Remedy and grievance

The company should have clearly disclosed grievance and remedy mechanisms to address users’ freedom of expression.

1. Does the company clearly disclose its processes for receiving complaints?
2. Does the company clearly disclose that its process includes complaints related to freedom of expression?
3. Does the company clearly disclose its process for responding to complaints?
4. Does the company report on the number of complaints received related to freedom of expression?
5. Does the company provide clear evidence that it is responding to complaints?

Definitions

“Clearly disclose(s)” – The company presents or explains its policies or practices in its publicfacing materials in a way that is easy for users to find and understand.

“Grievance” – “[A] perceived injustice evoking an individual’s or a group’s sense of entitlement, which may be based on law,

contract, explicit or implicit promises, customary practice, or general notions of fairness of aggrieved communities.” (p. 32 of 42)

Source: “Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy Framework,” 2011, http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

“Remedy” – “Remedy may include apologies, restitution, rehabilitation, financial or nonfinancial compensation and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of nonrepetition. Procedures for the provision of remedy should be impartial, protected from corruption and free from political or other attempts to influence the outcome.” (p. 22 of 27)

Source: “Report of the Special Representative of the Secretary General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie. Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework,” 2011, <http://businesshumanrights.org/sites/default/files/media/documents/ruggie/ruggieguidingprinciples21mar2011.pdf>

Also see: the Telco Remedy Plan by Access: https://s3.amazonaws.com/access.3cdn.net/fd15c4d607cc2cbe39_0nm6ii982.pdf

Guidance

This indicator examines whether a company discloses any information about remedy and grievance mechanisms to receive complaints and provide remedy to individuals who believe that the company has violated or directly facilitated violation of their freedom of expression rights. This aligns with the third pillar of the UN’s “Protect, Respect, Remedy” framework on business and human rights.

The third pillar on remedy supports both preceding pillars on the state duty to protect

human rights and the corporate responsibility to respect them. Human rights can only be protected and respected if people have redress when they believe their rights have been violated. We expect companies to provide remedy mechanisms and explain to their users how the company responds to complaints or grievance reports from users. This indicator is scored using a checklist, meaning companies can only receive full credit if they demonstrate that their remedy and grievance mechanism includes all elements in the checklist.

Potential sources

Company terms of service or equivalent user agreements

Company content policies

Company privacy policies, privacy guidelines, or privacy resource site

Company CSR/sustainability report

Company help center or user guide

Company transparency report (for the number of complaints received)

Internal research notes

The indicator comment should briefly explain how the company meets each checklist element, providing examples or excerpts from sources as necessary. Most companies probably won’t do well on this indicator.

From a freedom of expression perspective, this remedy should include a user’s ability to appeal a company’s decision to remove a piece of content, since such a decision could directly affect that user’s rights to freedom of expression. This remedy does not need to include a user’s ability to report content they find inappropriate.

Element 1: Does the company clearly disclose its processes for receiving complaints?

In this element, we are looking for companies to clearly disclose the process by which users can issue complaints.

If a company only explains what they do after receiving a complaint (Element 3), but doesn’t indicate to users how to file/send a complaint, the company would not get credit on this element.

Note: sometimes a company does not list its process for receiving complaints in its ToS but rather in other places on its website, for instance at the bottom of their homepage or in their Contact Us page.

Element 2: Does the company clearly disclose that its process includes complaints related to freedom of expression?

For this element, we are looking for disclosure by companies that its remedy and grievance process includes issues related to freedom of expression.

Element 3: Does the company clearly disclose its process for responding to complaints?

A company can only receive “Yes” on this element if it received “Yes” on element 1. Otherwise, the most it can receive is “Partial.”

Element 4: Does the company report on the number of complaints received related to freedom of expression?

Companies should have a framework for disclosing the number of complaints it receives related to freedom of expression and privacy.

Evidence that the company is responding to complaints may include compliance rates, examples of outcomes, etc.

Element 5: Does the company provide clear evidence that it is responding to complaints?

Inventory of Policy Disclosures Across 66 Mobile Telecom Operators in MENA

Country	Company	Parent Company/ Main Shareholder	Parent Comp/ Shareholder evaluated by RDR?	Terms of Service Publicly Available	Privacy Policy Publicly Available
Algeria	Djezzy	Veon	No	No	No
	Mobilis	Algérie Telecom	No	No	No
	Ooredoo Algérie	Ooredoo Group	Yes	No	No
Batelco	Batelco	Batelco Group	No	No	No
	Viva Bahrain	Saudi Telecommunications Company (STC)	No	No	No
	Zain Bahrain	Zain Group, previously known as MTC (Mobile Telecommunications Company)	No	No	No
Comoros	Comores Telecom	N/A	No	No	No
	Telma	Telma Mobile	No	No	No
Djibouti	Djibouti Telecom	N/A	No	No	No
Egypt	Etisalat Egypt	Etisalat Group	Yes	No	No
	Orange Egypt	Orange Group	Yes	Yes	No
	Vodafone Egypt	Vodafone Group	Yes	No	Yes
Iraq	AsiaCell	Ooredoo Group	Yes	Yes	No
	Korek Telecom	Agility/Orange	Yes	No	No
	Itisaluna	N/A	No	No	No
	Alkafeel Omnea	N/A	No	No	No

Country	Company	Parent Company/ Main Shareholder	Parent Comp/ Shareholder evaluated by RDR?	Terms of Service Publicly Available	Privacy Policy Publicly Available
Iraq	Zain Iraq	Zain Group	No	No	No
Jordan	Orange Jordan	Orange Group	Yes	Yes	No
	Umniah	Batelco Group	No	No	No
	Zain	Zain Group	No	Yes	Yes
Kuwait	Ooredoo Kuwait	Ooredoo Group	Yes	No	No
	Viva	STC	No	Yes	No
	Zain Kuwait	Zain Group	No	No	No
Lebanon	Alfa	Government owned, managed by Orascom Tele- com Media and Technology	No	No	No
	Touch	Government owned, managed by Zain group	No	No	No
Libya	Almadar	N/A	No	No	Yes
	Libyana	N/A	No	No	No
Mauritania	Chinguitel	SudaTel	No	No	No
	Mattel	Tunisia Telecom	No	No	No
	MauriTel	Etisalat Group/ Maroc Telecom	Yes	No	No
Morocco	Maroc Telecom (IAM)	Etisalat Group	Yes	No	No
	Inwi	Wana Corporate	No	No	No
	Orange Maroc	Orange Group	Yes	No	No
Oman	OmanTel	OmanTel	No	Yes	No
	Ooredoo Oman	Ooredoo Group	Yes	Yes	No
Palestine	Jawwal	Paltel Group	No	No	No

Country	Company	Parent Company/ Main Shareholder	Parent Comp/ Shareholder evaluated by RDR?	Terms of Service Publicly Available	Privacy Policy Publicly Available
Palestine	Wataniya Mobile	Ooredoo Group	Yes	No	No
Qatar	Ooredoo	Ooredoo Group	Yes	Yes	No
	Vodafone	Vodafone Group	Yes	Yes	Yes
Somalia	Golis Telecom	N/A	No	No	Yes
	Hormuud Telecom	N/A	No	No	No
	National Link	N/A	No	No	No
	Somtel	N/A	No	No	No
	Sahal Telecom	N/A	No	No	No
	Somafone	N/A	No	No	No
Saudi Arabia	Lebara KSA	Lebara	No	No	No
	Mobily	Etisalat Group	Yes	No	No
	STC	STC Group	No	No	No
	Zain KSA	Zain Group	No	No	No
	Virgin Mobile KSA	Virgin Group	No	Yes	Yes
Sudan	Canar Telecom- munication	N/A	No	No	No
	MTN Sudan	MTN Group	Yes	No	No
	Sudani	Sudatel Group	No	No	No
	Zain Sudan	Zain Group	No	No	No
Syria	SyriaTel	N/A	No	Yes	No
	MTN Syria	MTN Group	Yes	No	No
Tunisia	LycaMobile Tunisie	LycaMobile Group	No	Yes	Yes
	Ooredoo Tunisie	Ooredoo Group	Yes	No	No

Country	Company	Parent Company/ Main Shareholder	Parent Comp/ Shareholder evaluated by RDR?	Terms of Service Publicly Available	Privacy Policy Publicly Available
Tunisia	Orange Tunisie	Orange Group	Yes	No	No
	Tunisie Telecom	N/A	No	No	No
UAE	Etisalat	Etisalat Group	Yes	Yes	No
	Du or Emirates Integrated Tele- communications Company	N/A	No	Yes	No
Yemen	MTN Yemen	MTN Group	Yes	No	No
	Sabafon	Al Ahmar Group for Trading & Industry/Bateclo group	No	No	No
	Yemen Mobile	Predominant- ly govern- ment-owned	No	No	No
	Y Telecom	N/A	No	No	No

Additional Sources and Notes by Company

Djezzy <https://www.bloomberg.com/news/articles/2014-04-18/vimpelcom-to-sell-51-djezzy-stake-to-algeria-for-2-64-billion>

Ooredoo Algérie http://ooredoo.com/wp-content/uploads/2016/08/201608_Ooredoo_Ownership_Structure.pdf

Batelco http://www.batelcogroup.com/media/61131/batelco_ar_2015_english_corporate_governance.pdf

Viva Bahrain <https://www.viva.com.bh/content/about-us>

Zain Bahrain https://d2eiv94jj0lpuu.cloudfront.net/media/filer_public/18/e6/18e6e826-24c6-4918-8019-bf28805d33a7/ir_q2_2017_v1a.pdf

Telma <http://www.telma.km/home/about>

Djibouti Telecom <http://www.djiboutitelecom.dj/djibouti-telecom-a-propos-phil-de-djibouti-telecom-sa.html>

EgyptEtisalat Egypt <http://etisalat.com/en/system/docs/12-4-2013/Etisalat-AnnualReport2015-English.pdf>

Orange Egypt <https://www.orange.eg/en/about/company-overview/shareholders>

Vodafone Egypt <http://www.vodafone.com.eg/vodafoneportalWeb/en/P613722281289132343406>

AsiaCell http://ooredoo.com/wp-content/uploads/2016/08/201608_Ooredoo_Ownership_Structure.pdf

Korek Telecom <https://www.reuters.com/article/agility-iraq/kuwaits-agility-files-380-mln-telecoms-arbitration-case-vs-iraq-idUSL5N1FU2FM>

Itisaluna This company seems to have closed during the research process.

Zain Iraq https://d2eiv94jj0lpuu.cloudfront.net/media/filer_public/18/e6/18e6e826-24c6-4918-8019-bf28805d33a7/ir_q2_2017_v1a.pdf

Orange Jordan https://www.orange.jo/en/documents/annual_report/orange-annual_report_2015_en.pdf

Umniah http://www.batelcogroup.com/media/60887/batelco_ar_2015_english.pdf

Zain https://d2eiv94jj0lpuu.cloudfront.net/media/filer_public/18/e6/18e6e826-24c6-4918-8019-bf28805d33a7/ir_q2_2017_v1a.pdf

Viva <http://www.viva.com.kw/en/IR-Shareholders-Structure>

Zain Kuwait https://d2eiv94jj0lpuu.cloudfront.net/media/filer_public/18/e6/18e6e826-24c6-4918-8019-bf28805d33a7/ir_q2_2017_v1a.pdf

Almadar <https://www.almadar.ly/ar/Pages/Home.aspx>

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