



The Telecommunications Industry Dialogue's commitment to respect user privacy

Respect for our customers' privacy and maintaining the trust of our users are matters of paramount importance to companies in the Telecommunications Industry Dialogue. We recognize that legitimate access to user data by governments for security reasons is essential in their efforts to confront crime and terrorism; however, protecting the privacy of persons must be fundamental to the way each government operates every day.

The Industry Dialogue believes that laws that regulate the interception of communications and access to communications-related data should protect the right to privacy of persons. Intrusions on privacy should be clearly prescribed by law, necessary to achieve a legitimate purpose, and a proportionate means to achieving that purpose. The Industry Dialogue believes that clear rules must govern the use of the data that is collected, and data should only be retained for the amount of time that is strictly necessary to achieve the purpose for which it was collected. Thus the "data minimization" principle should be respected. The law should keep pace with advances in technology, and it must allow companies to challenge data requests that are unlawful and/or overly broad and protect companies that respond pursuant to law to such requests.

The Industry Dialogue advocates that government surveillance programs should be subject to ongoing review by an independent judiciary or other independent governmental authority. Communications providers should only be required to participate in the most intrusive measures, such as communications content interception, pursuant to a prior judicial determination (absent emergencies) or established law. Furthermore, we advocate that governments should not conduct any type of registry, search, or surveillance by means of direct access to companies' infrastructure without any technical control by the company or without the company controlling the scope of the data collection.

As telecommunications companies, we recognize the responsibilities that come from providing communications infrastructure, products and services. By creating the Industry Dialogue and signing onto its Guiding Principles, member companies have confirmed our commitment that respect for privacy and freedom of expression are part of our everyday business operations. Meaningful transparency and openness are also fundamental tenets of our Principles, and we are currently exploring ways to make our operations more transparent. At the same time, the primary duty of transparency rests with governments. We support governments making public to the extent permissible the practices that govern the interception of communications and access to any communications-related data, as well as the use, impact and effectiveness of such practices. For our part, the Industry Dialogue will continue to engage with stakeholders in order to find solutions that maintain the security of users' communications on the basis of shared values.