



April 14, 2016

Bharti Crescent  
1, Nelson Mandela Road, Vasant Kunj, Phase – II  
New Delhi – 110 070, India

Dear Chairman Sunil Bharti Mittal,

We are writing to draw your attention to the results of the [Ranking Digital Rights Corporate Accountability Index](#). The Index ranked 16 of the world's leading internet and telecommunications companies on their disclosure with respect to privacy and freedom of expression online. As you may already be aware, the results were disappointing. Several companies performed poorly on objective indicators that measure adherence to best practices for reporting and transparency.

Now is an opportune time for you to respond publicly to these results and demonstrate your company's support for transparency and accountability.

Respecting human rights in an accountable and transparent manner is good for business. Your company's health and wealth depend on the trust of your customers. Investors require accurate and meaningful data on your firm's performance -- financial and otherwise -- to show why they should continue to commit to your growth. Policymakers seeking to protect their constituents' interests look to you for clear statements and policies to verify that you are complying with laws and norms.

This first release of results from the Corporate Accountability Index, the methodology for which was developed through years of research and consultation with a diverse range of stakeholders, shows why it is urgent that the entire sector must engage with the range of stakeholders and groups who advocate for the rights of people affected by your business.

On the bright side, a roadmap is available for you to follow. The Index's indicators on data protection, transparency about content restriction, digital security, and remedy, among other issues, show how companies can proceed on the path towards demonstrating respect for digital rights. Every company evaluated in the Index has already taken at least some steps toward meeting their responsibility to respect human rights and remedy abuses. Transparency reporting on government requests for customers' information has become a trend, and companies worldwide are publicly declaring their commitment to human rights.

Positively, for its operating company Airtel India, the company clearly discloses its processes for receiving complaints or grievances for potential infringement of users' freedom of expression and privacy. It also articulates processes for responding to the complaints in an easily understandable and apparent manner. Additionally, Airtel India's cyber security standards and protocols for informing users about potential threats to their security are indicators of positive performance, and should continue to be improved upon in the future.

However, Bharti Airtel, at the group level, should:

- Publish a human rights policy approved at the highest corporate level.
- Establish board-level, executive and management oversight over freedom of expression and privacy issues.

For Airtel, its assessed operating company in India, Bharti Airtel should:

- Make privacy policies more accessible, and publish a policy on carrier-injected tracking headers (or "supercookies");
- Provide users with clear notifications of any content restrictions, including:
  - Policy on government requests to shut down networks, with examples to help users understand the circumstances under which it may suspend service to individuals or areas. Such shutdowns have become a consistent problem in several of your regions of operations.
- Provide as much aggregate data about content restriction requests as permitted by law, as Indian law does not prevent the company from publishing more information about private requests for content restriction.

Bharti Airtel should make similar disclosures for all other operating companies to the greatest extent legally possible in those markets.

In some cases, laws restrict what companies can tell their customers. But many of these steps do *not* require a new law before a company can execute them. Your company can raise its score in the Index by taking the steps outlined above, and by joining other companies and civil society stakeholders to address sector-wide challenges through organizations like the Global Network Initiative. By doing so, you would distinguish yourself in the sector as a leader, and earn a reputation among your customers as a champion of their privacy and other human rights.

As a first step, we recommend that you convene your corporate officers to digest this first Corporate Accountability Index report and develop a response. Whether you need a cross-team task force, an independent chairperson on human rights, or additional training for your staff, we trust that your company can meet the challenge of responding to the report. However, remember that if you don't make your response public, stakeholders in your company will remain in the dark about how you treat customers' rights. Their trust hangs in the balance.

We are happy to speak with you about your results and assist you in developing a response.

Sincerely,

A handwritten signature in black ink, appearing to read 'PM', with a stylized flourish at the end.

Peter Micek  
Global Policy & Legal Counsel  
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