

April 2, 2021

Daniel Ek
Co-Founder & CEO, Spotify
Regeringsgatan 19
SE-111 53 Stockholm
Sweden

Dear Mr. Ek,

It has come to Access Now's attention that Spotify's [speech-recognition patent](#) was recently approved.¹ The always-on technology claims to be able to [detect](#), among other things, "emotional state, gender, age, or accent" to better recommend music.

This technology is dangerous, a violation of privacy and other human rights, and should be abandoned. We have major concerns with the technology, outlined below:

1. **Emotion manipulation:** Serious doubts have been raised about the scientific basis of emotion recognition technology and whether it works. While the [majority of criticism](#) has focused on inferring emotion using facial recognition systems, many of these criticisms apply equally to speech-based approaches. And even if it did work properly, monitoring emotional state, and making recommendations based on it, puts Spotify in a dangerous position of power in relation to people using the service. Spotify has an incentive to manipulate a person's emotions in a way that encourages them to continue listening to content on its platform — which could look like playing on a person's depression to keep them depressed. A private company should not wield this kind of responsibility over a person's well-being.
2. **Gender discrimination:** You cannot infer gender without discriminating against trans and non-binary people. If you infer gender, according to a male-female binary from voice data, you will likely misgender trans people, and place non-binary people into a gender binary that undermines their identity. In addition, if you are categorizing people by their gender, you will create gender filter bubbles based on simplistic, outdated ideas of gender determinism. This means that men will likely be nudged towards an exaggerated stereotype of "masculinity," and women will likely be prodded toward an extreme stereotype of "femininity." Spotify should not undermine an individual's right to self-identify.

¹ [Access Now](#) defends and extends the digital rights of users at risk around the world.

3. **Privacy violations:** Based on reporting, the device would always be on, which means that it would be constantly monitoring, processing voice data, and likely ingesting sensitive information. The patent even states that your technology would be able to detect the number of people in a room. No one wants a machine listening in on their most intimate conversations. This is a serious intrusion into your customers' personal lives.
4. **Data security:** Once Spotify collects conversations, data security is a concern. Harvesting this kind of data could make Spotify a target for third parties seeking information, from snooping government authorities to malicious hackers. Without strong security protections in place, people's privacy will likely be even more compromised.

These concerns lead us to ask a pressing question: **Did Spotify undertake any form of human rights due diligence to understand and identify the human rights risks associated with this speech-recognition technology?** Further, what specific security measures do you have in place to protect against unauthorized access to your users' data? What are your policies for responding to government requests for user information?

As outlined in the UN Guiding Principles on Business and Human Rights, the OECD Principles, and the European Union's General Data Protection Regulation, private companies have a duty to respect and promote users' human rights. Spotify is no exception.

Finally, the argument that Spotify needs this intrusive technology to better recommend music to its users is not persuasive. Spotify already has [troves of data](#) on the people that use its service, down to the [specific neighborhoods](#) where they live. Spotify claims it is removing the inconvenience users face in providing the company with additional personal information to receive more desirable songs. However, that alleged "inconvenience" is actually people's consent to profiling.

We call on you to abandon the surveillance technology immediately and to publicly respond to the questions we outlined above by April 16. Spotify users deserve respect and privacy, not covert manipulation and monitoring.

Sincerely,

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