



12 September 2018

Daniel Hajj Aboumrad
Chief Executive Officer
Lago Zürich No. 245,
Edif. Telcel Piso 16, Ampliación Granada,
Miguel Hidalgo, Ciudad de México,
Mexico, 11529,

Dear Mr. Hajj Aboumrad,

Access Now is a global organization fighting to defend and extend human rights in the digital age, particularly for users most at risk. We are writing to draw your attention to your company's performance in the [2018 Ranking Digital Rights Corporate Accountability Index](#) and to invite you to offer a public response.

As you may be aware, the Index evaluated 22 of the world's leading internet, mobile, and telecommunications companies, including yours, and found that all companies could make significant improvements in disclosing policies and commitments that affect their users' rights to freedom of expression and privacy. For América Móvil, the Index evaluated the pre- and post-paid mobile services for the company's Mexican operating company, Telcel.

América Móvil ranked fifth out of 10 companies in its category, and saw a 0.39% increase in its Index score from 2017. This slight increase can be attributed to América Móvil's improvement in disclosure of policies affecting users' freedom of expression rights.

However, América Móvil's 2018 ranking showcases significant transparency gaps. This company lagged behind most telecommunications companies in the governance category. América Móvil failed to disclose sufficient information about company policies and practices that affect users' freedom of expression and privacy rights. Your company disclosed minimal information about the type of user information it collects, shares, as well as the purpose for this processing. América Móvil also did not provide information on data retention periods.

América Móvil also demonstrated a serious lack of transparency on issues related to the company's handling of government and private requests to restrict content or accounts, despite the fact that there are no laws in Mexico that prevent companies from disclosing this type of information.

We would like to draw your attention to several concrete steps that your company can take to improve disclosure of policies affecting users' rights. We recognize that in some instances, legal obligations may prevent companies from disclosing certain types of information about specific policies and practices. However, the Ranking Digital Rights team has consulted with legal experts and identified steps that your company can take in the immediate future to improve disclosure within the current legal environment.

- América Móvil should be transparent about **policies affecting user's freedom of expression**. The company should disclose more about how it responds to government



requests to block content, restrict user accounts, and shut down networks.

- The company should **disclose data about the number of government and private request its receives** to remove content and accounts and to hand over user information.
- América Móvil should **clearly articulate and communicate its policy for handling data breaches** to users.
- América Móvil should **join the Global Network Initiative (GNI)**, whose members not only make human rights commitments but also undergo independent assessments to verify whether they have implemented and institutionalized them. Your company should also participate in multi-stakeholder forums including the [RightsCon](#) Summit Series.

Transparency on these issues is not only important from a human rights perspective, but also key to ensuring user trust. Investors also depend on companies to be transparent about these issues to verify they are making sound choices that are encouraging user growth.

We encourage you and the relevant officers within your company to read through the Index findings and recommendations, and the [“report card” for your company](#) in particular, and develop a public response to the issues raised here. This is an opportunity to distinguish your company from others in the sector as a leader on these issues, and to demonstrate a commitment to your users to respect their rights. The full results and raw data can be found at: <https://rankingdigitalrights.org/index2018>. For your convenience I am also attaching PDFs of the full report as well as your company’s report card.

This letter will be published this week on the website of the Business and Human Rights Resource Centre, alongside letters to each of the other companies evaluated in the Index. Company responses will be published in a timely manner on the same website upon receipt. A similar set of letters and company responses were published in 2016, visible at: <https://business-humanrights.org/en/access-now-sends-digital-rights-demands-to-tech-and-telco-firms>

We encourage you to send a response for publication by September 26, 2018, to demonstrate to your users and stakeholders that your company is serious about upholding freedom of expression and privacy. Please send your letter via email to Peter Micek <peter@accessnow.org> with Ana Zbona <zbona@business-humanrights.org> in copy.

The Access Now team would be happy to speak with you about your results and provide feedback as you develop your response.

Sincerely,

Peter Micek
General Counsel, Access Now
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