



12 September 2018

Jack Dorsey, CEO

Twitter

1355 Market Street, Suite 900

San Francisco, CA 94103, USA

Dear Mr. Dorsey:

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. Twitter's score was based on an evaluation of its disclosed policies for its Twitter and Periscope services.

Twitter ranked fifth out of 12 companies in its category, and saw a 4.6% increase in its Index score from 2017 (the third-highest improvement among all companies). A significant portion of that increase can be attributed to Twitter's improved transparency around content removal and account restrictions — Twitter disclosed more about policies affecting freedom of expression than any company in the Index. Likewise, the Index recognizes some important improvements in Twitter's governance, including a commitment to conduct human rights risk assessments when launching new products or entering into new markets.

However, the 2018 Index shows that Twitter did not disclose sufficient information about its governance processes to ensure that it is effectively upholding the human rights to freedom of expression and privacy, and it has fallen behind its peers who engage independent assessment processes to bolster their accountability.

Further, Twitter disclosed less than most of its U.S. peers about policies affecting users' privacy. Twitter demonstrated a serious lack of transparency on issues related to data security. This, coupled with changes to the company's privacy policy that made it much less clear for users to know how the company collects information about them from across the internet, and its failure to respect "do not track" signals, contributed to declines in Twitter's overall Index score, and represent an important area for improvement for the company to fully respect the rights of its users.

Since the close of the Index research cycle in January, Twitter has made improvements that are not reflected in its 2018 Index evaluation. Like most companies, Twitter has updated its privacy policy to comply with the General Data Protection Regulation (GDPR). However, despite some improvements, concerns about Twitter's lack of transparency in key areas remain.

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.

- Twitter 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. Twitter should also disclose whether and how it is implementing mechanisms such as **human rights impact assessments and employee training**, particularly on privacy issues, to institutionalize commitments to users' digital rights.
- The company should show a stronger commitment to protect users' privacy by **not sharing users' information for targeted advertising** unless they opt in. It should also commit to respect signals from users to not track them across third-party websites.
- Twitter should improve its disclosure of its **internal processes for securing user data**, including the company's policies for responding to data breaches and whether it encrypts user communications and private content. If Twitter does not have such practices in place, it should improve its security practices and make it clear to the public that it has done so. If the company already has robust security practices, it should disclose basic information about them.

Transparency on these issues not only supports human rights, but also helps ensure 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 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 your 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



peter@accessnow.org