

## **INTERVIEW REQUEST TO COMPANIES THAT PRODUCE OR DISTRIBUTE TECHNOLOGY WITH SURVEILLANCE CAPABILITIES IN LATIN AMERICA**

We invited the companies to an interview as the last chance to contact them in the cases they have not answered before, and to do a follow up if they had.

We received no answer to the interview request from BGH Tech Partner, Security Team Network S.A, Danaide, Hikvision, Full Tecnología FullTec CIA. LTDA, Huawei, Oi, Unitech S.A, Idemia, Oosto (formerly known as Anyvision), RC International, Unión Eléctrica S.A., ZTE, Dahua, IBM, Verint.

These are the answers we got to the interview request from other companies:

### **RESPONSES TO ACCESS NOW INTERVIEW REQUEST**

#### **— CELLEBRITE**

**From:** Gaspar Pisanu <[gaspar@accessnow.org](mailto:gaspar@accessnow.org)>  
**Sent:** Thursday, June 2, 2022 13:25  
**To:** Jacqueline [REDACTED]  
**Cc:** Angela Alarcón <[angela@accessnow.org](mailto:angela@accessnow.org)>; Isedua Oribhabor <[isedua@accessnow.org](mailto:isedua@accessnow.org)>  
**Subject:** Re: Access Now - [Invitation to answer] Surveillance technology in Argentina

Dear Jacqueline,

Thanks for your response and for pointing us to the resources on Cellebrite's website. Cellebrite's [corporate responsibility commitment](#) is remarkable but an important part of adhering to that commitment under the [UN Guiding Principles on Business and Human Rights](#) is providing transparency through meaningful engagement with stakeholders to understand the real world impacts of your products and services.

As we mentioned in our previous outreach, this topic touches on the human rights of people throughout the Latin America region and we would appreciate the opportunity to speak with the Cellebrite team in more detail about how they enforce their policies and about the impacts we as civil society see on human rights.

Please let me know if you have any questions. Can we arrange a time to talk with the Cellebrite team in the coming weeks? Our Business & Human Rights Lead, Isedua, is copied here.

Best regards,

Jacqueline [REDACTED]  
To: Gaspar Pisanu <gaspar@accessnow.org>  
Cc: Angela Alarcón <angela@accessnow.org>, Isedua Oribhabor <isedua@accessnow.org>

Fri, Jun 3, 2022 at 9:57 AM

Gaspar,

Thank you for your note. We appreciate your interest, but we are not able to accommodate your request to arrange a conversation with the Cellebrite team.

Best regards,  
Jacqueline

— NEC

From: Angela Alarcón <angela@accessnow.org>  
Sent: Thursday, August 4, 2022 7:41:38 PM  
To: Cristian [REDACTED]  
Cc: Gaspar Pisanu <gaspar@accessnow.org>; Isedua Oribhabor <isedua@accessnow.org>  
Subject: Re: Access Now - [Invitation to answer] Surveillance technology in Argentina

Greetings again from Access Now, I'm the campaigner for Latin America and I'm stepping in for a follow up.

An important part of adhering to the [UN Guiding Principles on Business and Human Rights](#) is providing transparency through meaningful engagement with stakeholders to understand the real world impacts of your products and services.

As we mentioned in our previous outreach, this topic touches on the human rights of people throughout the LATAM region and we would appreciate the opportunity to speak with the NEC team in more detail about how they enforce their policies and about the impacts we as civil society see on human rights.

**Can we arrange a time to talk with someone in your team in the coming weeks?** We will wait for your answer until August 19. Our Business & Human Rights Lead, Isedua, is copied here.

Regards,

NEC [REDACTED] Tue, Aug 16, 2022 at 1:24 AM  
To: angela@accessnow.org  
Cc: gaspar@accessnow.org, isedua@accessnow.org [REDACTED]

Dear Angela,

Thank you for your follow up inquiry.

We'd like to communicate through emails rather than phone calls for accuracy because there are many stakeholders involved.

Also, we're working to provide transparent information in accordance with UNGPs, so all of our information on the human rights is disclosed on our website to the extent possible.

Please take a look at our latest information on "Respecting Human Rights" here:

[https://www.nec.com/en/global/csr/society/human\\_rights.html](https://www.nec.com/en/global/csr/society/human_rights.html)

We appreciate your understanding.

Sincerely,

\*\*\*\*\*  
NEC Corporation  
[REDACTED]  
[REDACTED]  
Yurie [REDACTED]  
\*\*\*\*\*

Angela Alarcón <angela@accessnow.org>

Wed, Aug 31, 2022 at 12:09 PM

To: NEC [REDACTED]  
Cc: Gaspar Pisanu <gaspar@accessnow.org>, Isedua Oribhabor <isedua@accessnow.org> [REDACTED]

Dear Yurie,

We really appreciate your answers and for engaging with us, especially for your disposition to give answers to our queries via email. We know NEC already [answered](#) the questions to the Business and Human Rights Resource Center, and we will like to do a follow-up on some of those answers.

You mentioned that some of its products were introduced in Argentina. **Were any other technologies with surveillance capabilities developed by your company sold or donated to authorities in other countries of the region?**

The company mentioned that it provides solutions that use biometric authentication technologies. We know that for example these technologies are used for example in Argentina in airports' customs controls. Besides that, **are there any other authorities that acquired these technologies in Latin America? Can you let us know which offices and specifically what product?**

A very important aspect for us related to transparency is to understand how agreements with authorities are made and what they look like. **In that order, could you provide some insights on the agreements with authorities in LATAM, including figures, purposes, signatories, and especially data treatment specificities?** If you have a model or some reference document it would be appreciated.

You mentioned that the company follows the "NEC Group AI and Human Rights Principles", an effort that we really appreciate. As a follow-up to that insight, **have you ever denied the sale of products or services to any authority in LATAM? If so, was that decision made based on those principles, or were there any other reasons?**

Also, **does NEC periodically reevaluate the human rights context in places where they have already sold surveillance solutions? If so, does NEC have any policy to stop providing support for system maintenance or any other support to client authorities that no longer respect human rights?**

Finally, we'd like to know if there are any mechanisms for civil society to denounce potential human rights abuses or misuses of your products or services, and if there are local representatives we could reach for similar reasons. This would be especially important so we can work together towards the same goal: keeping people safe.

On a separate note, and as you may know, recently there was a [security issue with the RENAPER](#) in Argentina which is linked to some of the technologies and services you provided to Argentinian offices. There are only official statements but we were never able to check the information or determine what exactly happened as the government is reluctant to share information with anyone. We wanted to know if you received any notifications related to this issue or if you held any communications with public officials to receive further information and/or an explanation. If so, did any measures were taken?

We are interested in cultivating transparent communication with NEC, something that does not always happen with companies in this sector. We welcome your sincere answers, which will be shared on our website to give continuity to the answers provided to the BHRRC.

Thanks again,

NEC [REDACTED]

Tue, Sep 27, 2022 at 2:18 AM

To: Angela Alarcón <angela@accessnow.org>

Cc: Gaspar Pisanu <gaspar@accessnow.org>, Isedua Oribhabor <isedua@accessnow.org>, [REDACTED]

Dear Angela,

Thank you for your follow up inquiry,

We've given you all the information we can provide.

We will publish the newest Sustainability Report (2022) on September 29<sup>th</sup> here; <https://www.nec.com/en/global/csr/report/index.html>

We hope that will be useful to you.

Best regards,

Yurie [REDACTED]

# — INTELBRAS

Angela Alarcón <angela@accessnow.org>

Tue, Sep 13, 2022 at 4:38 PM

CC: Gaspar Pisanu <gaspar@accessnow.org>

Dear Fabio,

Greetings from Access Now. We really appreciate the [answers](#) you sent to the Business and Human Rights Resource Center in regard to your technology with surveillance capabilities. We are particularly pleased to read that your company does not perform any personal data treatment. The Center told us you are also willing to engage in an email interview. In that line, we will like to do a follow-up on some of your answers. Feel free to respond in English or Portuguese.

You mentioned that just a small portion of your business in Brazil is dedicated to agreements with public bodies. **Could you share a list with those public bodies and what type of product or service you provide to them?** We also noted that Dahua [owns](#) 10% of your business. **Is this 10% dedicated to certain products or services in particular, or is Dahua a co-owner of the whole business? What kind of decisions are taken by Dahua?** We'd appreciate any information that gives us an idea of Dahua's involvement with your company.

In the same linked prospect, it's mentioned that Intelbras benefits from Dahua's research and development team in China. In that line, **we wanted to know if either Intelbras or Dahua conducts an impact assessment - especially an algorithmic impact assessment- during the product design and development phase and if either Intelbras or Dahua adopts the concepts of privacy by design.** If the answer is yes, and with the purpose of active transparency, **could you make the result of such assessment available respecting trade and industrial secrets?**

Regarding the involvement of third parties in the reselling of your products. Could you please mention **which partners resell your technology with surveillance capabilities?** We also appreciate that you shared an excerpt of your [Data Privacy Policy](#), which indicates that the responsibility for the protection of third-party data relies on the user (as you also mentioned in your answers). According to the [UN Guiding Principles for Business and Human Rights](#), "[business enterprises] should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved." And "[a]ddressing adverse human rights impacts requires taking adequate measures for their prevention, mitigation and, where appropriate, remediation." Moreover, "[q]uestions of complicity may arise when a business enterprise contributes to, or is seen as contributing to, adverse human rights impacts caused by other parties." **Does Intelbras have any policies or processes to guarantee that third-party data is not being abused?**

In the previous questions shared by the BHRRC, we wanted to know Intelbras process to decide if a potential client, including authorities, should be vetoed. We appreciate that you are interested in high ethical standards, but we would like to know more details. Especially, **does Intelbras do a pre-sell background review of a potential client, including authorities, for the consideration of previous human rights violations from that actor? Has Intelbras ever denied the sale of a product or service to an authority? If so, why?**

You also mentioned that there are available channels to report violations to the ethical principles. **What are the mechanisms for civil society to denounce potential human rights abuses or misuses of your products or services?** We'd really appreciate a channel to collaborate with you.

Finally, we acknowledge the effort to have done to comply with the Brazilian Data Protection Law, but we are worried about the risks to individuals' privacy by the collection of their biometric data. In that line, **we want to know if Intelbras has any measures to prevent the profiling of individuals with their technology.**

We welcome your sincere answers, which will be shared on our website to give continuity to the answers provided to the BHRRC.

Thanks again,

—  
Ángela Alarcón  
Shel/ner  
Campaigner for Latin America & the Caribbean  
Access Now | [accessnow.org](https://www.accessnow.org)

Lizandra [REDACTED]

Thu, Sep 22, 2022 at 1:45 PM

To: Angela Alarcón <angela@accessnow.org> [REDACTED]  
Cc: Gaspar Pisanu <gaspar@accessnow.org>, Isedua Oribhabor <isedua@accessnow.org>

Hi, Angela and team,  
How are you?

I work with Fabio at Trama Comunicação and he is on vacation.

Please find attached the interview answered by Bruno [REDACTED]

Do you know when the interview will be published? Can you send us the link please?

If you have any doubt, please do let me know.

Thanks in advance.

Best regards;

Lizandra [REDACTED]

[www.tramaweb.com.br](http://www.tramaweb.com.br)

Siga o nosso perfil no [LinkedIn](#)

- **Could you share a list with those public bodies and what type of product or service you provide to them? We also noted that Dahua [owns](#) 10% of your business. Is this 10% dedicated to certain products or services in particular, or is Dahua a co-owner of the whole business?**

[Bruno Machado Teixeira] Nossos produtos são comercializados via canal de distribuição construído ao longo dos nossos 46 anos de história, presente em todo território brasileiro, de forma que os negócios com órgãos públicos representam pouca relevância em nosso ambiente de negócios. Esses negócios são públicos e podem ser acessados através das ferramentas de transparência em todas as esferas do governo brasileiro.

A Dahua possui 10% das ações da Intelbras S/A, sendo, portanto, um acionista minoritário, conforme dados publicados em nosso site de relações com investidores: <https://ri.intelbras.com.br/governanca-corporativa/composicao-acionaria/>

- **What kind of decisions are taken by Dahua?**

[Bruno]: A Dahua, como acionista, não toma decisões. Em nossa estrutura de governança, está prevista a participação de 1 membro apontado por eles em nosso conselho de administração e portanto é parte do processo decisório emitindo suas opiniões e contribuindo para o negócio, mas de forma minoritária.

- **We wanted to know if either Intelbras or Dahua conducts an impact assessment -especially an algorithmic impact assessment- during the product design and development phase and if either Intelbras or Dahua adopts the concepts of privacy by design. If the answer is yes, and with the purpose of active transparency, could you make the result of such assessment available respecting trade and industrial secrets?**

[Bruno]: Em nosso processo de desenvolvimento todos os cuidados com a privacidade e respeito à legislação vigente são levados em consideração, incluindo mas não se limitando à LGPD. Não divulgamos relatórios internos e processos de desenvolvimento.

- Regarding the involvement of third parties in the reselling of your products. Could you please mention **which partners resell your technology with surveillance capabilities?**

[Bruno]: Atualmente nossa base de revendedores possui capilaridade em todo o território nacional, adquirindo e comercializando nossos produtos através de nossos distribuidores autorizado, com presença em todo o país. As mais de 80.000 revendas que se relacionam de maneira frequente com nosso canal de distribuição são capacidades e habilitadas a oferecer e instalar os projetos de segurança por meio de treinamentos disponibilizados pela Intelbras (<https://cursos.intelbras.com.br/portal/layout/927/intelbras/home.asp?workspaceID=1250>).

- **Does Intelbras have any policies or processes to guarantee that third-party data is not being abused?**

[Bruno]: Nossos produtos foram desenvolvidos prevendo chaves de acesso e níveis de acesso a serem configurados pelos usuários. Todos possuem chaves de acesso que ficam sob gestão dos clientes que os adquiriram. A Intelbras também disponibiliza nossas políticas de compliance e código de ética a todos os envolvidos e faz negócios de acordo com estas políticas. <https://ri.intelbras.com.br/governanca-corporativa/estatuto-codigos-e-politicas/>

- **Does Intelbras do a pre-sell background review of a potential client, including authorities, for the consideration of previous human rights violations from that actor? Has Intelbras ever denied the sale of a product or service to an authority? If so, why?**

[Bruno]: Nossos negócios são realizados em base nossos valores, políticas e código de ética e são focados no Brasil. Não fazemos negócios com qualquer cliente que viole nossos princípios.

- **What are the mechanisms for civil society to denounce potential human rights abuses or misuses of your products or services?**

[Bruno]: Contamos com 14 frentes de canais de comunicação com o público em geral. Destacamos nossos canais de denúncia que conta com um telefone para contato direto e com site seguro para que a denúncia possa ser anonimamente realizada: <https://www.intelbras.com/pt-br/canal-de-denuncia>

- **We want to know if Intelbras has any measures to prevent the profiling of individuals with their technology.**

[Bruno]: Não há ajustes que permitam o uso da tecnologia para fins de elaboração de perfis de indivíduos em nossos produtos.