

Communications Service Providers and Global Human Rights

October 21, 2010

On October 8, the Telecommunications Regulatory Authority (TRA) of the United Arab Emirates [announced](#) [1] that BlackBerry services were now "[compliant](#) [2]" with the UAE's regulatory framework, thus averting the government's threatened suspension of BlackBerry services. (The ban was originally scheduled to go into effect on October 11.) On October 18, RIM announced a [partnership](#) [3] with the TRA to develop applications for e-government and specialized consumer services, as well as mobilizing enterprise services for the Middle East.

The implications of these two announcements are unclear. On the surveillance issues, neither RIM nor the UAE would clarify whether RIM made concessions (and of what nature) or whether the government simply backed down in the face of pressure from the domestic business community.

As we have pointed out [before](#) [4], however, surveillance issues go well beyond RIM. The ongoing [private negotiations](#) [5] between companies and governments and the [public debate](#) [6] over how to best balance legitimate law enforcement needs with the rights of users have so far not addressed the issues CDT raised in our [previous](#) [7] [posts](#) [4].

All companies must provide greater transparency about how they comply with government demands for design features and for assistance in carrying out surveillance. While companies understandably do not want to give terrorists a blueprint for shielding their communications—or fodder for governments to demand even greater access—the relationships between governments and service providers need to be more open. Users should know what is subject to government interception, legally and technologically.

It is hard for any one company to offer such transparency in isolation. Among other concerns, an individual company is reluctant to publicize its dealings with one country for fear that it will immediately set a floor for demands by every other country. The only way we see to resolve this conundrum is by joint action: Companies, human rights advocates, and governments that care about privacy and Internet freedom must work together to define limits on government surveillance mandates, to bring greater transparency to such arrangements, and to set high standards for governmental access to communications. The [Global Network Initiative](#) [8] provides one platform for such collaborative action between industry and human rights groups.

Finally, the US must also get its own house in order, even as it [engages diplomatically](#) [9] with governments with poor privacy and human rights records. The recently announced FBI proposal to extend wiretapping capabilities to a wide range of Internet services undermines our nation's renewed support for global Internet freedom. If enacted, not only would the FBI's proposed expansion raise serious privacy and security concerns, such a shift in US policy would critically undermine the Obama Administration's work to restore America's moral leadership in the world and advance global Internet freedom.

- [TRA](#)
- [UAE](#)
- [United Arab Emirates](#)
- [Telecommunications Regulatory Authority](#)
- [surveillance](#)
- [Global Network Initiative](#)

- [Middle East](#)
- [RIM](#)
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- [1] http://news.cnet.com/8301-1009_3-20019011-83.html
- [2] http://www.tra.ae/news_Important_Announcement-199-1.php
- [3] <http://www.fastcompany.com/1696405/research-in-motion-signs-egovernment-deal-with-uae>
- [4] <http://www.cdt.org/blogs/cdt/uae-blackberry-fight-highlights-global-internet-freedom-risks>
- [5] <http://abcnews.go.com/Technology/wireStory?id=11832763>
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- [9] <http://www.pcmag.com/article2/0,2817,2367485,00.asp>