Human Rights Annual Report

Fiscal Year 2018

Microsoft

At Microsoft, respecting human rights is a critical component of our mission to empower every person and every organization on the planet to achieve more. Focus on human rights helps our employees to make good decisions and ethical choices, and builds trust with our customers and partners.

[The Microsoft Global Human Rights Statement explains our commitment to respecting and promoting human rights >](#)

Highlights

Microsoft Technology & Human Rights Center: We conducted a review of our remedy and grievance mechanisms to assess their effectiveness with the expectations of the UN Guiding Principles, and continued to implement our 5-year partnership between Microsoft and the UN's Office of the High Commissioner for Human Rights.

Artificial Intelligence: Our book The Future Computed: Artificial Intelligence and its role in society explains our perspective on the future of AI, and we concluded our human rights impact assessment on AI.

Accessibility: We launched a new Adaptive Controller for Xbox for gamers with limited mobility, and we continued to invest in Inclusive Hiring to assist potential candidates with disabilities including autism with finding job opportunities at Microsoft.

Freedom of Expression and Privacy: The US Congress passed the Clarifying Lawful Overseas Use of Data (CLOUD) Act to protect people's privacy and other human rights.

Online Safety: The Global Internet Forum to Counter Terrorism (GIFCT) made progress in its mission to disrupt terrorists' ability to use the internet in furthering their causes, while also respecting human rights, and the we continued to grow our Digital Civility Index.

Privacy and Data Security: We trained 1,600 engineers and updated our privacy policy to prepare for the introduction of the European Union's General Data Protection Regulation (GDPR).

Contents

Introduction

Our annual human rights reports are central to our commitment to transparently communicate Microsoft's efforts to respect human rights. As defined in the UN Guiding Principles on Business and Human Rights (UNGPs), we continue our sincere endeavors to avoid infringing on the human rights of others and to address adverse human rights impacts with which we are involved. This report focuses primarily on our ongoing efforts to respect human rights, but it also touches on Microsoft's efforts to promote and advance human rights.

Our disclosures are based on a systematic review of how we have performed against our aspirations. While the report is perhaps most useful for rightsholders and stakeholders who are specifically interested in our efforts to implement the UNGPs, we invite all readers to use this objective disclosure to help us to deepen our internal and external conversations, and to drive improvements in our implementation and performance.

This report covers the Fiscal Year 2018 (FY18; July 1st 2017 to June 30th 2018), and it is made available on the human rights page on the Microsoft Global Corporate Social Responsibility (CSR) Transparency Hub. Please visit our Transparency Hub for more information on Microsoft's policies and practices related to human rights, as well as policies and practices related to other economic, social, and environmental issues.

Microsoft Technology & Human Rights Center

The Microsoft Technology and Human Rights Center was established in 2013 to prioritize and coordinate our human rights due diligence, to identify emerging risks and opportunities related to human rights, and to promote harmonized approaches to human rights across the company.

The Center also fosters dialogue to advance understanding of the human rights impacts of information communication technology (ICT). Through the Center, Microsoft engages with a broad range of human rights groups, academics, and industry groups globally to share Microsoft's experiences and lessons learned.

Our Global Human Rights Statement outlines Microsoft's commitment and approach to respecting the rights of our employees, product users, suppliers and individuals in the communities in which we operate. This statement applies to Microsoft and all its subsidiaries. This approach is aligned with the UNGPs, which is the authoritative global standard for business and human rights, and our membership in the Global Network Initiative (GNI), which is a collaborative approach to protect and promote freedom of expression and privacy in the ICT sector.

The Statement was last updated in FY17 to evolve together with the global human rights environment and to bring into the Statement the lessons we have learned through our growing human rights experience. The updated Statement includes:

- Explicit recognition that technology is increasingly an essential gateway to the exercise of human rights;
- Special consideration to vulnerable groups such as children, women and people with disabilities; and,
- Championing the rule of law informed by consideration of international norms.

The updated Statement, which is available in 12 languages, was approved by Microsoft's President and Chief Legal Officer following organized workshops and bilateral interviews with technical and policy experts across the globe to understand their experience of Microsoft's human rights work, and to uncover opportunities for continual improvement. We sponsored a workshop and meetings with academic, NGO, and practitioner experts in the fields of business, ICT and human rights across North America, Europe and Asia to ensure that Microsoft's approach reflects a broad range of stakeholder expectations.

From that initiative, we have identified a singular aspiration for the Microsoft Technology and Human Rights Center:

Microsoft aspires to leadership in business and human rights and to serve as a catalyst for action by others – in the technology sector and beyond.

To pursue the aspiration for the Microsoft Technology and Human Rights Center, we have adopted a four-part strategy:

Class-leading due diligence – We aim to conduct best-in-class human rights impact assessments on salient Microsoft action and emerging trends in business and human rights.

Rights-aware decision making – We are deploying an integrated approach to human rights decision making across key aspects of Microsoft.

Proactive engagement – We use actions and public statements to demonstrate that Microsoft is an important voice and advocate for the promotion of human rights.

Transparent leadership – We are advancing transparency in our work to respect and promote human rights through increased disclosure and engagement.

We use these categories to frame the Center's activities in our annual human rights reports.

Class-leading due diligence

We began a major, forward looking Human Rights Impact Assessment (HRIA) at the start of FY17 into Microsoft's growing portfolio and expertise in artificial intelligence (AI). The HRIA was completed in FY18, and more information is provided in the section of this report dedicated to AI.

Rights-aware decision making

In order to have robust grievance mechanisms and remedy programs, we conducted a review of some of Microsoft's existing mechanisms in the context of digital rights to

assess their effectiveness and alignment with the expectations of the UNGPs. Pillar III of UNGPs outlines the expectation of companies to provide access to effective remedy in cases where a company either causes or contributes to an adverse human rights impact. Part of this expectation is a recognition that stakeholders, including rightsholders, can raise concerns through an accessible and functioning grievance mechanism.

The assessment was conducted with support from independent external advisors at Article One through desk research of publicly available information and interviews with the mechanisms' managers. We assessed:

- The Business Conduct Hotline which provides the opportunity for stakeholders to raise concerns regarding corporate integrity.
- The Consumer Disability Answer Desk and the Enterprise Disability Answer Desk which provide technical support for people with disabilities.
- The Microsoft Privacy Support Form which provides opportunities for customers to raise questions regarding Microsoft's privacy practices.
- The Xbox Live Policy & Enforcement which preserves and promotes a safe, secure and enjoyable experience for all Live Platform and Community members.
- The Responsible Sourcing remedy mechanisms available in our global supply chains.

Overall, we concluded that the grievance mechanisms we assessed are effective in surfacing and remediating grievances related to Microsoft's products and services. Two factors can make the provision of access to remedy in the digital rights context difficult, however, and warrant further consideration.

First, the scale of potentially impacted rightsholders and the potential for large volumes of grievances can make it difficult to ensure accessibility and predictability and to process inquiries in a timely manner. Using machine learning to process inquiries can help Microsoft to swiftly resolve inquires with almost instant resolution in some cases, improving the effectiveness of enforcement. Second, there can also be great variance in the severity of impacts at the heart of complaints. Many complaints received by some of the mechanisms involve issues of low severity; however, in rare and isolated cases, it is possible that a reported harm can lead or has already led to severe follow-on human rights impacts. Our review of the mechanisms suggests that proper escalation procedures are in place for cases that may involve more severe human rights impacts, for example, in cases which need to be escalated to senior policy and product leaders or to the law enforcement request team.

Proactive engagement

We recognize the need to assess how the power of technology to stand up for human rights can be used to promote greater civic freedoms, and advance the responsibilities between governments, technology and the media in protecting democracy.

In 2018, Microsoft's Executive and Senior Leadership hosted its annual human rights roundtable companies at the World Economic Forum's Annual Meeting in Davos on the topic of foreign state interference in the democratic process with emphasis on the role of internet platforms and traditional media. The meeting was co-hosted with our longstanding partners at [New York University's Stern Center for Business and Human Rights](#).

Microsoft's membership of the World Economic Forum is an important vehicle for cross-company and cross-industry human rights collaboration to help inform and advance our

human rights priorities, and Microsoft continues to serve as a member of the [Global Future Council on Human Rights](#) where we support the Council's work on the Fourth Industrial Revolution and other topics.

To build on the meeting in Davos, we also hosted a half-day conference in June 2018 in Brussels titled *Protecting Democracy in a Changing World*. The conference was co-hosted with the UN's [Office of the High Commissioner for Human Rights](#) (OHCHR), and the Stern Center. Media, human rights, and technology experts from academia, civil society, EU institutions, government and industry explored questions including how to rebuild trust in media, technology, governments and democratic processes; how human rights is being influenced by democracy and technology; and how governments, media and technology can collaborate on cybersecurity, misinformation, and civic engagement.

In FY18 Microsoft announced the launch of our [Defending Democracy Program](#), which will work to protect election campaigns from hacking, increase political advertising transparency online, and defend against disinformation campaigns.

The meeting in Brussels was held to mark the 70 years since the Universal Declaration of Human Rights was proclaimed by the UN General Assembly. The UN's [UDHR 70](#) campaign seeks to engage a broad base of audiences the world over to help promote understanding of how the Universal Declaration empowers us all, and to encourage further reflection on the ways that each of us can stand up for rights, every day. We intend to celebrate UDHR 70 in New York and in Singapore in FY19 as well.

In FY17 we reported on the announcement of a landmark [5-year partnership](#) between OHCHR and Microsoft. The partnership includes:

- The development and use of advanced technology designed to better predict, analyze and respond to critical human rights situations, which currently appear not only to be proliferating in many parts of the world — including areas previously viewed as stable — but also growing in complexity. This technology will be called Rights View and will operate as an information "dashboard" allowing UN human rights staff to aggregate large quantities of internal and external data on specific countries and types of rights violations in real time. Rights View will help facilitate analysis, ensure early warning of emerging critical issues and provide data to guide responses, powered by cloud computing and big data analysis. Since FY17, we have worked with OHCHR to consolidate several databases into the Rights View platform, and we are considering the possibility of releasing a provisional version of the system to a subset of OHCHR staff in FY19;
- A joint work-plan to help promote broader adoption and implementation of the UNGPs throughout the private sector, and support for human rights advocacy and outreach campaigns through concrete support for the work of OHCHR in key areas like freedom of expression, data protection and privacy, and inclusion. This includes direct support for the development and promotion of corporate principles for tackling LGBTI discrimination in the workplace in line with international human rights standards; and,
- A $5 million grant from Microsoft to the UN's Human Rights Office.

FY18 saw the launch of OHCHR's new [Standards of Conduct for Business Tackling Discrimination Against Lesbian, Gay, Bisexual, Transgender and Intersex People](). Microsoft supported and participated in global consultations organized by OHCHR and the [Institute for Human Rights and Business]() in FY17 to develop these new standards which set out the actions that companies can take to protect the rights of LGBTI individuals. The actions include eliminating workplace discrimination; ensuring business

operations do not contribute to discrimination against customers, suppliers or members of the public; working with business partners to address discriminatory practices in supply chains; and encouraging companies to stand up for the rights of LGBTI people in the countries where they operate, including through advocacy and support for local organizations. Microsoft, which hosted the global launch of the Standards at our New York office in FY18, was among the first 15 corporate supporters of the Standards, and we intend to further implement the guidelines throughout FY19 and beyond.

In FY17 we reported on a [new academic partnership](#) with the University of California, Berkeley's [Human Rights & Business Initiative](#) which is a joint initiative of UC Berkeley's Haas School of Business and the Human Rights Center. Through annual technology, business and human rights conferences, student consulting projects, and other collaborative efforts, UC Berkeley and Microsoft are aiming to integrate key human rights issues such as privacy, inclusion, freedom of expression, education and employment directly into business education.

Our first joint conference in FY17 was on the topic of [Big Data and Artificial Intelligence: The Human Rights Dimension for Business](#). In FY18 our conference was on the topic of [The Future of Work](#). Concerns about how the future of work and jobs will impact human rights is an emerging focus area in the field of business and human rights. The theme is relevant to virtually all industries and highlights the role of technology as both a source of risk and opportunity as the labor market evolves. The *Future of Work* theme aligns with a key research priority of UC Berkeley's Institute for Business and Social Impact, the institute that houses the UC Berkeley's Center for Responsible Business.

Business, technology, and human rights experts from business, academia, civil society, and government explored topics including:

- How will automation impact the creation and nature of jobs and change demand for certain skills.
- How will technology mitigate risks and maximize opportunities related to the expected disruptions of labor markets.
- How can private and public sector interventions begin to address the adverse impacts of these expected disruptions of labor markets.
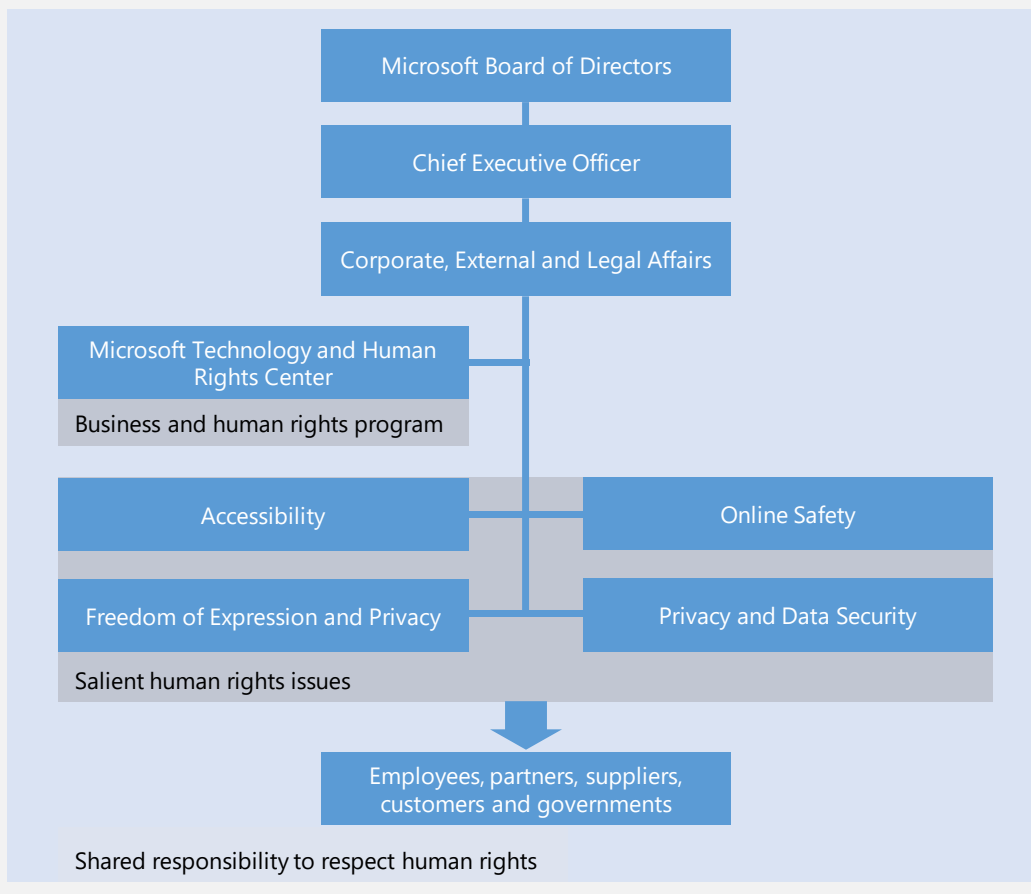
Turning to peace and security online, the Microsoft Technology and Human Rights Center continues to support Microsoft's efforts to [establish international cybersecurity norms](#) to ensure the stability of the online environment and users' trust in the security of cyberspace. Microsoft's President and Chief Legal Officer met with representatives from governments, international organizations, and civil society [in November 2017](#), at the United Nations Office at Geneva, to share our vision for the need for international norms and agreements to protect civilians from nation-state attacks and for a new Digital Geneva Convention that commits governments to defending and protecting civilians from state-sponsored cyber-attacks.

Through active engagement with Swiss authorities, we have contributed to encourage the Swiss Federal Government to launch the [Geneva Dialogue on Responsible Behaviour in Cyberspace](#). This peace and security initiative aims to analyze the roles and responsibilities of governments, companies and civil society in contributing to greater security and stability in cyberspace. The dialogue is led by the Swiss Federal Department of Foreign Affairs in cooperation with the Geneva Internet Platform, the United Nations Institute for Disarmament Research, ETH Zurich, and the University of Lausanne.

Transparent leadership

Statistical reporting comprises an important component of our transparency. On a biannual basis we support our colleagues in publishing Microsoft's Content Removal Requests Report, Law Enforcement Requests Report and the U.S. National Security Orders Report. Each report provides detailed Q&A on topics including what precisely is covered in each report, the processes we administer when adjudicating how to respond to the related requests for content moderation and user data, and, importantly, the rights of rightsholders in relation to the three reports. We hope that the reports can be a useful tool for rightsholders to determine how they can best exercise their rights online.

The Center is not alone in its efforts to ensure Microsoft respects human rights. It is complimented by numerous teams across the business who are responsible for the day-to-day management of our human rights risks.

Microsoft Board of Directors

Chief Executive Officer

Corporate, External and Legal Affairs

Microsoft Technology and Human Rights Center

Business and human rights program

Accessibility

Online Safety

Freedom of Expression and Privacy

Privacy and Data Security

Salient human rights issues

Employees, partners, suppliers, customers and governments

Shared responsibility to respect human rights

Artificial Intelligence

Innovations in artificial intelligence (AI) are being deployed in the private and public sector to advance social good, and to positively impact human rights. For example, machine learning and the availability of data are helping doctors diagnose medical conditions faster and more accurately; improvements in visual recognition are helping people living with visual impairments to understand objects, people and text; and in road safety one study predicts that AI empowered self-driving cars can help prevent up to 90% of traffic accidents, which are currently responsible for over 3,200 deaths each day.

At Microsoft, we think of AI as a set of technologies that augment human capabilities. AI enables computers to perceive, learn, reason and assist in decision-making to solve problems in ways that are similar to what people do. Key technologies include:

- Vision: the ability of computers to "see" by recognizing what is in a picture or video.
- Speech: the ability of computers to "listen" by understanding the words that people say and to transcribe them into text.
- Language: the ability of computers to "comprehend" the meaning of the words.
- Knowledge: the ability of a computer to "reason" by understanding the relationship between people, things, places, events and the like.

For the foreseeable future, our human rights reports will contain a section dedicated to AI and human rights in recognition of the important on-going work in the ICT industry,

civil society and governments to advance rights respecting AI.

We have been working on our responsibilities in developing and deploying AI for some time now. In June 2016, Microsoft's CEO, Satya Nadella, published [Principles for Responsible AI](). The principles stated that the "most critical next step in our pursuit of AI is to agree on an ethical and empathic framework for its design".

We expanded upon those principles in October 2016 when we released our free online book, [The Cloud for Global Good](). The book lays out Microsoft's policy roadmap to ensure that cloud technology is trusted, responsible and inclusive. The roadmap includes 78 policy recommendations across 15 areas including privacy, security, environmental sustainability, artificial intelligence, public and cybersecurity, human rights, education and jobs skills training. The *Cloud for Global Good* articulates Microsoft's view of the steps which governments, the technology industry, and civil society can take to build cloud technology that serves the broader good.

In FY18 we went further by also publishing our book [The Future Computed: Artificial Intelligence and its role in society](). Released in January 2018, *The Future Computed* explains our perspective on the future of AI; principles, policies and laws for the responsible use of AI; and AI and the future of jobs and work.

Principles are critical to addressing the societal impacts of AI and building trust as the technology becomes more and more a part of the products and services that people use at work and at home every day. The six principles that we believe should guide the development of AI are:

- Fairness: When AI systems make decisions about medical treatment or employment, for example, they should make the same recommendations for everyone with similar symptoms or qualifications. To ensure fairness, we must understand how bias can affect AI systems.

- Reliability: AI systems must be designed to operate within clear parameters and undergo rigorous testing to ensure that they respond safely to unanticipated situations and do not evolve in ways that are inconsistent with original expectations. People should play a critical role in making decisions about how and when AI systems are deployed.

- Privacy and security: Like other cloud technologies, AI systems must comply with privacy laws that regulate data collection, use and storage, and ensure that personal information is used in accordance with privacy standards and protected from theft.

- Inclusiveness: AI solutions must address a broad range of human needs and experiences through inclusive design practices that anticipate potential barriers in products or environments that can unintentionally exclude people.

- Transparency: As AI increasingly impacts people's lives, we must provide contextual information about how AI systems operate so that people understand how decisions are made and can more easily identify potential bias, errors and unintended outcomes.

- Accountability: People who design and deploy AI systems must be accountable for how their systems operate. Accountability norms for AI should draw on the experience and practices of other areas, such as healthcare and privacy, and be observed both during system design and in an ongoing manner as systems operate in the world.

Actions

To help ensure that these six principles are integrated into our ongoing operations, in FY18 we formed the Microsoft AI and Ethics in Engineering and Research (AETHER) Committee. This committee is a new internal organization that includes senior leaders from across Microsoft's engineering, research, consulting and legal organizations. It focuses on proactive formulation of internal policies and on how to respond to specific issues as they arise.

The AETHER Committee considers and defines engineering best practices, provides guiding principles to be used in the development and deployment of Microsoft's AI products and solutions, and helps resolve questions related to ethical and societal implications stemming from Microsoft's AI research, product and customer engagement activities.

Externally, Microsoft joined with Amazon, Facebook, Google and IBM in September 2016 to co-found the [Partnership on AI](#) (PAI). Its membership has been expanded to include academic experts and civil society. The remit of PAI is to conduct research, organize discussions, share insights, provide thought leadership, consult with relevant third parties, respond to questions from the public and media, and create educational material that advances the understanding of AI technologies including machine perception, learning, and automated reasoning.

We are also a founding sponsor of the Business Roundtable on Human Rights and AI which is being convened by Article One. The Roundtable seeks to promote the development of responsible AI using human rights as its underlying framework, through a mixture of peer learning, by supporting the member companies of the PAI, and with direct engagement of AI and human rights experts.

In all of our work, we recognize that the broader AI and ethics debate must include a dedicated application of human rights norms and principles. Continual reference to international human rights laws and norms helps us build technologies and develop safeguards that respect the rights of individuals and help avoid or minimize adverse impacts on individuals and communities, especially members of societies' most vulnerable groups.

For example, in the context of facial recognition, we know that the technology raises issues that go to the heart of fundamental human rights protections like privacy and freedom of expression. That's why, in the US, we have called for a government initiative to regulate the proper use of facial recognition technology, informed first by a bipartisan and expert commission.

That call for action does not absolve companies from taking actions, so we have identified how we can take action now. We will continue our efforts to reduce bias in facial recognition. The improvements are intended to addresses recent concerns that commercially available facial recognition technologies more accurately recognized the gender of people with lighter skin tones than darker skin tones, and that they performed best on males with lighter skin and worst on females with darker skin.

Additionally, based in part on input from the AETHER Committee, we are moving more deliberately with our facial recognition consulting and contracting work. This has led us to turn down some customer requests for deployments of this service where we have concluded that there are greater human rights risks.

We will also be an active voice in the facial recognition debate. As we move forward, we're committed to establishing a transparent set of principles for facial recognition

technology that we will share with the public. In part this will build on our broader commitment to design our products and operate our services consistent with the UNGPs.

Human Rights Impact Assessment

We reported in our FY17 report that we had begun to conduct an HRIA on AI, with the goal of completing that in FY18. We completed that assessment in June 2018. This timing of our HRIA was particularly apt, given the important role that AI plays in Microsoft's work to enable digital transformation for the era of the [intelligent cloud and the intelligent edge](#). With the principles we had outlined in *The Future Computed*, we used the HRIA process to help refine our understanding of AI's potential human rights risks and develop mitigation strategies to augment human-centered AI impacts.

From its inception the goals of this forward-looking HRIA were to:

- Identify potential risks related to the research and development (R&D) and sales of AI products and services;
- Contribute to Microsoft's continuing efforts to meet its responsibility to respect human rights through its products, services and business activities and relationships;
- Inform the public debate about benefits and risks of AI and effective policy recommendations, and;
- Position the responsible use of AI as a technology in the service of human rights.

In partnership with Article One we assessed human rights issues related to AI across Microsoft's portfolio of current and future products, services and research activities. As part of the initial desk research, Article One reviewed Microsoft resources including

website content, presentations, and reports from Microsoft and the Microsoft AI and Research Group (MSR). Article One also reviewed third-party expert reports, articles, books and presentations and conducted individual interviews with Microsoft experts across business groups.

To build on and confirm desk research, Article One facilitated roundtable discussions with members of the Microsoft Artificial Intelligence and Research Division and Microsoft's Corporate, External and Legal Affairs Department. Microsoft convened several big data and human rights workshops that brought together external experts on AI and human rights. These included:

- In partnership with CSR Europe a workshop in Brussels in January 2017;
- In partnership with Article One a roundtable discussion in San Francisco in February 2017, and;
- As part of RightsCon 2017, a broad discussion in Brussels in March 2017.

Additionally, as mentioned in this report, Microsoft and UC Berkeley hosted a conference titled *Big Data and Artificial Intelligence, the Human Rights Dimension for Business* in February 2017 and a conference on *The Future of Work* in March 2018 in Berkeley, California.

At the onset of this assessment we considered the full spectrum of human rights issues as potentially relevant. Based on the desk review and internal and external engagement outlined above, we were able to define a shorter list of salient human rights risks related to a broad range of AI applications, including:

- Universal Declaration of Human Rights, Article 2; Non-discrimination and equality before the law
- Universal Declaration of Human Rights, Article 3; Right to life and personal security
- Universal Declaration of Human Rights, Article 12; Privacy, including protection against unlawful governmental surveillance
- Universal Declaration of Human Rights, Article 18; Freedom of thought, conscience and religious belief and practice
- Universal Declaration of Human Rights, Article 19; Freedom of expression and to hold opinions without interference
- Universal Declaration of Human Rights, Article 20; Freedom of association and the right to peaceful assembly
- Universal Declaration of Human Rights, Article 23; Right to decent work
- Universal Declaration of Human Rights, Article 25; Right to an adequate standard of living

In line with our continuous human rights due diligence cycle, we will work to implement the findings of the HRIA over the course of FY19, with a view to provide transparency on our activities in our next annual human rights report, and identify risk-prioritized opportunities to conduct further AI-related due diligence.

AI for Good

Through our AI for Good platform we aim to use the benefits of AI to empower others in new and more impactful ways to help create a more sustainable future, by providing seed grants of technology to organizations, and capacity building tools and resources.

At the start of FY18, we announced the launch of our [AI for Earth](#) program. AI for Earth puts Microsoft's cloud and AI tools in the hands of those working to solve global environmental challenges. Through grants that provide access to cloud and AI tools, opportunities for education and training on AI, and investments in innovative, scalable solutions, AI for Earth works to advance environmental and ecological sustainability across the globe.

Towards the end of FY18, we also announced the launch of our [AI for Accessibility](#) program. This program harnesses the power of AI to amplify human capability for the more than one billion people around the world with a disability, since AI can empower people with disabilities with tools that support independence and productivity, as technology rapidly changes the way we live, learn, and work.

Salient Human Rights Issues

The [UN Guiding Principles Reporting Framework](#) recommends that companies focus their human rights reporting on [their salient human rights issues](#), which are the "human rights at risk of the most severe negative impact through the company's activities and business relationships."

Saliency focuses on the risk to people, not the business, whilst also recognizing that there is a strong convergence between the risks to human rights with risk to the business.

While a business can touch upon a broad spectrum of human rights, the Reporting Framework identifies that the most salient human rights issues consist of four factors:
- Most severe: based on how grave and how widespread the impact would be and how hard it would be to put right the resulting harm.
- Potential: meaning those impacts that have some likelihood of occurring in the future, recognizing that these are often, though not limited to, those impacts that have occurred in the past;
- Negative: placing the focus on the avoidance of harm to human rights rather than unrelated initiatives to support or promote human rights;
- Impacts on human rights: placing the focus on risk to people, rather than on risk to the business.

The following sections of the report focus on Microsoft's current salient human rights issues.

Accessibility

Creating and delivering technology that is accessible and functional for people of all abilities.

Human Rights Standards	Convention on the Rights of Persons with Disabilities, Article 9: Persons with disabilities have the right to access, on an equal basis with others, to information and communications technologies to live independently and participate fully in all aspects of life
Microsoft Standards	Microsoft Accessibility Standards
What this means for rightsholders	People with disabilities are respected as individuals with rights, with free and informed consent to claim those rights and make decisions for their lives in order to be active members of society.
Support	Contact us online >

Our Approach

Our Chief Accessibility Officer leads Microsoft's Accessibility team. The team is responsible for establishing and leading the implementation of our accessibility policies and practices across our business, including in engineering, human resources and marketing.

We employ three guiding principles in our approach to accessibility:

Transparency: We are open with our plans to ensure our products are accessible.

Accountability: We prioritize inclusive design and accessibility in the upstream development process of all products and services.

Inclusivity: We want everyone to be empowered – not only through our products, services and technology, but also within our culture at Microsoft.

Each product group is responsible for delivering on our corporate commitment to develop accessible products.

In support of the Accessibility team's work, a cross-company advisory team, led by our Chief Accessibility Officer, consists of technical leaders and accessibility champions within key engineering groups. This advisory team is accountable for delivering accessibility commitments across Microsoft by auditing the status of projects and by prioritizing workstreams in product roadmaps.

Working with governments and civil society organizations is a core component of our approach to delivering technology benefits to people with disabilities. For example, Microsoft is a signatory of the Charter of the Global Initiative for Inclusive Information and Communications

Technology (G3ict). The Charter encourages governments to increase digital inclusion of citizens by incorporating accessibility criteria into public procurement.

Our commitment to accessibility is publicly shared at Microsoft.com/accessibility.

Our Policies

The Microsoft Accessibility Standard (MAS) guides all product development and testing for business operations across Microsoft. The MAS is designed to support leading accessibility standards, including:

- The European Standard on accessibility requirements for Information and Communication Technologies (ICT) products and services (EN 301 549);
- Section 508 of the US Rehabilitation Act (29 U.S.C. 794d), and;
- The Web Content Accessibility Guidelines (WCAG) 2.0, ISO/IEC 40500 standard.

Policy updates and additions go through a process of discussion and vetting. Following input from external stakeholder groups, new standards are released internally, and training and implementation resources are made available to relevant staff. Application of the new standards is verified by review groups.

The MAS is regularly updated in light of evolving regulations, industry standards and market needs. We also monitor the overall risk landscape for accessible technologies. Proactive communication with NGOs, customers, policymakers and academics helps us inform and, where possible, validate our understanding of proposed changes.

Through continued dialogue with Microsoft's business functions and by evaluating the external accessibility standard ecosystem, the Accessibility team assesses the need to update the MAS on an on-going basis. The MAS received no major updates during FY18.

Our Actions

Remedy

We strive to provide rightsholders with opportunities for direct engagement and support. In the context of accessibility, we recognize our responsibility to help users resolve any queries they have related to Windows and Office, and with third-party assistive technologies. Support is provided to consumers through the Consumer Disability Answers Desk (DAD) and to enterprise customers through the Enterprise Disability Answer Desk (eDAD).

Both answer desks resolve the queries in real time or with engineering teams to identify potential future fixes. The support team is trained in using many popular assistive technologies and can help in English, Spanish, and French through phone or online chat, and American Sign Language (ASL) via videophone in the US with agents who have a hearing disability and are fluent in ASL.

How to contact a Disability Answer Desk:

DAD: Click here to connect with the Consumer Disability Answers Desk >

eDAD: Click here to connect with the Enterprise Disability Answers Desk >

In FY17 we reported that the average number of customer contacts received by the DAD per month was 20,000, which was double the average number of contacts per month in FY16. That increase coincided with the end of the free upgrade to Windows 10 and the launch of a dedicated way for customers who use assistive technology to still receive the upgrade for free, which drove significant volumes for support in the first 6 months of FY17.

The average monthly number of customer contacts received by the DAD in FY18 reduced to 16,000. We attribute that decrease to improved online self-help content enabling users to resolve queries without contacting the answers desk. The effectiveness of user support is measured through customer satisfaction surveys following interactions with DAD, as well as other metrics, including the rate and speed of issue resolution.

Average number of montly contacts with the DAD
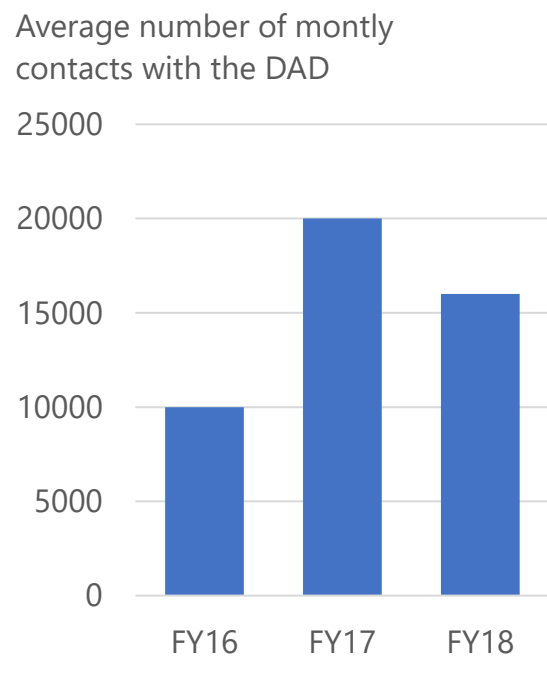
In addition to the DAD and eDAD, our dedicated Accessibility Feedback forum, also known as Microsoft Accessibility UserVoice, allows users to provide accessibility suggestions and feedback on products, features, and tools. Concerns can also be shared by rightsholders through social media inquiries, blog responses, and email.
As evidence of how seriously we treat rightsholder concerns, we began to make accessibility improvements to Skype after an update in FY18 which generated many comments and suggestions from users with disabilities. The invaluable feedback helped us to identify the fixes and improvements we need to make, including: improving visible

keyboard focus, eliminating cases where keyboard focus moves to non-actionable controls, ensuring keyboard focus moves back to the controls that opened a dialog or menu after the dialog or menu was closed, improving the accessible names and labels of controls, and improving the control types used. We will continue to make improvements in FY19.

To better support blind and low vision users, we partnered with the Be My Eyes app. The free smartphone app, available on iOS and Android, uses video calls to connect around 900,000 people across 150 countries with sighted volunteers to assist with daily tasks and activities. Microsoft is the first technology company to give Be My Eyes a direct route to receive technical assistance through a new Specialized Help function. Instead of volunteers, customers are connected with a member of Microsoft's DAD to get support on our products and services. At launch, the service was made available to app users in Australia, Canada, Hong Kong, India, Ireland, Malaysia, New Zealand, the Philippines, Singapore, South Africa, the United Kingdom and the United States.

Products

Turning to hardware, and gaming in particular, we launched a new Adaptive Controller for Xbox in FY18. The history of the controller, which is primarily intended for gamers with limited mobility, dates back to the hackathon at our 2015 Ability Summit. A group of employees teamed up to create a solution for Warfighter Engaged, a nonprofit organization that provides gaming devices to wounded veterans, using Kinect motion-sensing technology to track a gamer's movements in place of a traditional Xbox Wireless Controller. The team won the hackathon and the device was further refined at the 2016 hackathon.

In line with our drive to improve accessibility, a dedicated design team was formed to help bring an adaptive controller to the market. The Xbox Adaptive Controller is our first hardware device that was developed through an inclusive design approach with extensive consultation with gamers who have disabilities. Gamers, accessibility advocates and nonprofit organizations that work with disabled gamers provided invaluable feedback which influenced many of the controller's features, including its packaging.

The controller provides 19 jacks, the same number of inputs on a standard controller, across the back of the device in a single line to improve accessibility for people with dexterity challenges. The rectangular shape of the controller is intended to sit comfortably in gamers' laps, and three threaded inserts were added to the controller so it can be mounted with industry-standard hardware and attached to a wheelchair, lap board or desk since some gamers arrange their gaming setups on a lap board, often securing them with the help of Velcro.

We know that customers expect technology to work out of the box, and across devices and platforms, and that includes the estimated 253 million people have a form of visual impairment. So, a few weeks after announcing the launch of the Adaptive Controller, we also announced a collaboration with Apple and industry organizations to develop an USB Implementors Forum (IF) Human Interface Design (HID) standard for braille displays. The new standard will bring plug and play support for braille displays. The standard will simplify the development process by removing the need for braille devices to have custom software and drivers created for a particular operating system or screen reader, which in turn decreases product costs and the time to market. We anticipate support for the standard to start in 2019.

Employment

The ILO Fundamental Principles and Rights at Work and the UN Convention on the Rights of Persons with Disabilities establishes the right of people with disabilities to work on an equal basis with others in a workplace which is inclusive and accessible. Our strategy to respect the rights of people with disabilities includes promoting employment opportunities and career advancement for people with disabilities, within Microsoft and in other employers, through assistance in finding, obtaining, maintaining and returning to employment.

Our Inclusive Hiring site was launched in FY16 to assist potential candidates with finding job opportunities at Microsoft, including through our Autism Hiring Program. According to the UN the unemployment and underemployment rate for people on the autism spectrum can be over 80%.

Any role at Microsoft is a potential option for the Autism Hiring Program. Vacancies selected for potential hires with autism are full-time and offer a competitive salary, just like any other job listed on the Microsoft Careers website. The interview process, however, is unique. Candidates participate in a multi-week interview "academy" which is a combination of workshops and interviews to help put job candidates at ease.

The program has seen great successes in FY16, FY17 and FY18 in hiring over 50 individuals in roles including Software Engineer, Service Engineer, Build Engineer, Lab Engineer, Data Analyst or Data Scientist, and other roles in Microsoft, working on products and services like Azure, Cortana, HoloLens, Microsoft IT, Office, Windows, Windows Store and Xbox.

The Autism Hiring Program's recruitment process:

Resumes are screened for the skills and qualifications necessary in the identified open roles. A set of eligible candidates will be asked to complete an online technical assessment. Candidates may also be invited for a pre-screening interview to gauge their interest, skill and experience for the position. Candidates may then be invited to a multiple-day skills assessment program covering workability, team building, and technical skills at Microsoft's headquarters. The hiring teams will meet and engage with the candidates during program exercises and job interviews. Based on the skills assessment and hiring manager feedback, the candidate could be offered a full time job as a Microsoft employee.

In the FY16 report we reported on our 2016 Ability Career Fair which was an opportunity for candidates with disabilities to meet recruiters and hiring managers from Microsoft and 25 other companies. We built on the success of that fair again in FY17 and again in FY18 by sponsoring the third annual Autism @ Work Summit at Microsoft's global headquarters, along with EY, Ford, HPE, JPMorgan Chase and SAP in April 2018. The Autism @ Work Summit has become the leading forum for sharing best practices for developing inclusive hiring initiatives.

In FY18, as part of our annual Ability Summit, we organized and hosted an Inclusive Hiring Job Fair. The fair was open to the public, and over 1,000 candidates attended with over 20 employers participating, including Accenture, Amazon, Facebook, LinkedIn, Starbucks, and T-Mobile, among others.

Society

Turning to external policy engagement, and in addition to our efforts to promote economic, social and cultural rights, we recognize that Microsoft can support the ability of people with disabilities to exercise their civil and political rights. In FY18, longtime Microsoft partner, the Global Initiative for inclusive ICTs (G3ict) collaborated with the [International Disability Alliance](#) to publish a new report, [Technology & Effective Access to Justice](#).

Their report shows that people with disabilities worldwide face significant barriers to justice that could be reduced by justice systems more broadly adopting digital technology. The report presents findings from a survey of global organizations of persons with disabilities in 34 countries and validates that justice systems could improve access by adopting cloud based and AI enhanced technologies.

Three key takeaways from the global survey on Technology & Effective Access to Justice for Persons with Disabilities:

- The barriers to justice for people with disabilities are high. 85% of respondents said persons with disabilities face moderate to extreme barriers to the justice system.
- People with disabilities believe technology can improve access and would be willing to use it. 88% of respondents believe technology could be used to improve access to justice, and 97% said they would be willing to use technology to interact with the justice system and use technology to improve access.
- Justice systems are not taking advantage of existing technology to improve access. 81% of respondents pointed to inaccessible documents, 76% said courtroom are not using assistive technologies such as real-time captioning, and 58% said they don't have full access to remote sign language interpreters.

To help bring visibility to the report, Microsoft joined Access Partnership, Strathmore University, and G3ict in Nairobi, Kenya at a Symposium and Roundtable discussion with the COMESA Court, the East African Court of Justice, the Supreme Court of Kenya as well as the Court of Appeal of Kenya regarding digital courts, and the role that technology can play in enhancing access to justice for everyone, including people with disabilities. We appreciate G3ict's ongoing leadership on Access to Justice and technology and will continue to participate in discussion and collaboration on this important issue with justices, administrators, and civil society.

Finally, in the area of smart cities, we reported in FY17 on research which shows that most of today's smart cities are not fully accessible. In collaboration with G3ict and World Enabled, Microsoft supported the development and launch of the Smart Cities for All Toolkit. The toolkit provides a range of resources to support city leaders creating more inclusive communities that are accessible to all citizens. In order to deploy the tools in leading smart city markets, Microsoft supported the translation of the toolkit into ten languages, including Arabic, Brazilian Portuguese, French, Hebrew, Hindi, Marathi, Japanese, Korean, and Latin American Spanish.

We continue to partner with and support the Smart Cities for All (SC4A) initiative working collaboratively with G3ict and World Enabled to deepen relationships with cities such as Sao Paulo and New York City, to increase awareness and the use of the Smart Cities for All Toolkit, and create new tools and strategies for promoting accessibility and digital inclusion in cities.

FY18 highlights include Microsoft partnering with G3ict and World Enabled to showcase SC4A at the Barcelona Smart City Expo and World Congress. The initiative also made significant progress in developing a new tool to assess and benchmark digital inclusion

and ICT accessibility in smart cities, known as The Smart Cities for All Digital Inclusion Maturity Model, which will become the first maturity model targeted specifically at digital accessibility and inclusion in Smart City programs worldwide.

Freedom of Expression and Privacy

Respecting peoples' rights to freedom of expression and freedom from arbitrary or unlawful interference with privacy online.

Human Rights Standards	International Covenant on Civil and Political Rights, Article 17; No one shall be subjected to arbitrary or unlawful interference with their privacy; Article 19; Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers; and Article 20; Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.
Microsoft Standards	Microsoft Global Human Rights Statement
What this means for rightsholders	Exercising the rights to freedom of expression and privacy is essential to the enjoyment of other human rights which are fundamental pillars for democracy and good governance.
Support	Explore our Digital Trust Reports >

Our Approach

To meet our commitments to the freedom of expression and privacy rights of our users, Microsoft supports the rule of law that meets international norms and standards, including internationally recognized human rights laws and standards. Accordingly, we advocate the following principles:

- In regulating online content, conducting surveillance or accessing data, governments should fully commit to the rule of law. This means ensuring that laws and regulations, including their enactment and enforcement, are transparent and respect international human rights laws and norms. Rule of law requires that government orders and decisions should be subject to independent judicial approval and review, with meaningful and trusted opportunity for companies and individuals to appeal judicial approvals or decisions. Laws and regulations should not restrict companies from informing the public about demands from governmental authorities for content removal or access to data.
- Government restrictions to online content must be governed by clear rules that are necessary and proportionate, protective of people's rights to share even unpopular ideas, enforced in a transparent manner and without discrimination. Legal orders for the removal of illegal content must be specific, narrowly tailored, and sufficiently detailed to enable companies to identify precisely which content must be taken down.
- Government orders for access to user data must name the specific user account or identifier, and whenever possible should be directed at the person or entity most directly involved in providing the service or the customer itself.
- Except in limited cases, individuals and organizations have a right to know when governments access their digital information. Governments must provide case-

specific facts to seek judicial or other independent approval of restrictions on the service provider's ability to notify its customers of government orders for customers' data, and the restrictions must be limited in duration and scope to the narrowly defined objectives of the specific investigation.

- Although the global internet is borderless, governments should respect international borders and the sovereignty of other nations, and they should agree upon a framework for requesting data stored outside its borders while protecting privacy and human rights.

- Service providers must be permitted to challenge government orders.

The Microsoft Human Rights team leads and works across the company to develop and implement policies and practices to meet Microsoft's commitment to freedom of expression, privacy and other human rights, and to engage external stakeholders on the advancement of and policy advocacy for those rights.

Our Policies

- Freedom of Expression – Microsoft has internal processes and procedures to document and address government requests for content removal or user data, which enables us to meet our commitments to respect the freedom of expression and privacy rights of our users.

  When Microsoft receives a government request to remove content we carefully review and assess the demand to understand the reason for the request, the authority of the requesting party, the applicable internal policies or terms of use for the affected product or service, and our commitments to our customers and

users including with regard to freedom of expression. Based on these reviews, we determine whether and to what extent we should remove the content in question.

- Privacy – Microsoft adheres to the same principles for all requests from government agencies for user data, requiring governmental entities to follow the applicable laws, rules and procedures for requesting customer data. We do not provide any government with direct and unfettered access to our customers' data, and we do not provide any government with our encryption keys or the ability to break our encryption.

  If a government wants customer data, it needs to follow applicable legal process, meaning, it must serve us with a warrant or court order for content or a subpoena for subscriber information or other non-content data. We require that any requests be targeted at specific accounts and identifiers. Microsoft's compliance team reviews government demands for user data to ensure the requests are valid, rejects those that are not valid, and only provides the data specified in the legal order.

We make clear the relevance and significance of these issues and policies in several ways. We make public commitments to respect the freedom of expression and privacy rights of our users via the Microsoft Global Human Rights Statement. We engage with stakeholders including:

- The Global Network Initiative (GNI), which is a multi-stakeholder organization of technology companies, civil society, academic institutions and investors with a

collaborative approach to protect and advance freedom of expression and

privacy in the ICT sector;

- Governments around the world; and

- International organizations.

Our Actions

To help stakeholders evaluate how we are meeting our commitments to freedom of expression and privacy we produce several disclosures twice per year. Individual reports are available for:

- [Content Removal Requests](#);
- [Law Enforcement Requests](#); and,
- [US National Security Orders](#).

These [Digital Trust Reports](#) are a key component to our commitment to be transparent about governments' requests to access data or remove content. In addition to providing external transparency, the reports are also another step we take to communicate to our employees that the respect of the freedom of expression and privacy rights of our users is the responsibility of every employee, and we have internal teams that are focused on supporting employees across the company to meet that responsibility.

As a member of GNI, Microsoft participates in the [GNI Independent Assessment Process](#). Our FY17 human rights report covered the GNI's [Public Report on the 2015/16 Independent Company Assessments](#) which noted our "commitment to protecting

freedom of expression and privacy genuinely seems to have become a 'lens' through which business decisions are evaluated at various levels of the company." That was the second independent assessment, and it once again determined that Microsoft complies with the GNI Principles on freedom of expression and privacy. We expect the next independent assessment will be released in FY19.

Legal Actions and Advocacy for Reforms

We undertake legal action in response to government demands that impact users' rights. One example of our efforts to support our users' privacy rights was the search warrant case we filed against the US Government. Another example is our lawsuit against the U.S. government to stand up for our customers' right to know when the government accesses their emails or records. We also advocate for legislative reform to modernize outdated laws. These efforts contributed to two noteworthy changes in FY18.

- Secrecy Orders:

The United States Department of Justice announced in October 2017 that it had established a new policy to limit the use of secrecy orders which require service providers to keep secret legal orders issued by the US government for user data stored in the cloud. The new policy helps ensure that secrecy orders are used only when necessary and for defined periods of time.

We believe strongly that fundamental protections should not disappear just because customers store their personal information in the cloud rather than in file cabinets or desk drawers. We were not alone in this belief, as a diverse and broad array of companies, academics, business groups, civil liberties organizations and former law-enforcement officials signed amicus briefs in support of our position in the case. We are thankful for the nearly 90 technology companies, media enterprises and organizations,

academics, business groups and companies, civil liberties groups and former law-enforcement officials who signed briefs in this case, and others in the business, legal and policy communities who were concerned about these issues and have voiced their support for reforms and new legislative solutions.

- Governments' Cross-Border Requests for User Data:

The lack of modernized laws and international frameworks for accessing digital evidence across jurisdictions leads to an increase in unilateral actions by governments to seek access data stored outside their border, which threatens to erode user trust and creates legal dilemmas of conflicting laws for service providers. We believe that governments should respect the sovereignty of other nations, the existing mutual legal assistance process should be modernized and streamlined to ensure that it can continue to serve its purpose in a modern world, and governments should work together on an international framework for cross-border requests for user data. Microsoft has pursued both legal action and reform advocacy to those ends.

Throughout FY16, Microsoft pursued a case in the US Federal Court which challenged a US Government warrant for customer data stored outside the US. This case was in the United States Court of Appeals at the end of FY16, and in the first month of FY17 the Court of Appeals ruled in favor of Microsoft. In the final month of FY17 the US Government filed an appeal on that decision with the US Supreme Court.

In February 2018, Microsoft argued the case at the US Supreme Court. Microsoft reiterated that while litigation was important, we needed new legislation and new international agreements to reform the process by which law enforcement officials around the world gather digital evidence and investigate crimes, and we said

international agreements must have strong protections for privacy and other human rights.

In March 2018 the US Congress passed [the Clarifying Lawful Overseas Use of Data (CLOUD) Act](). The CLOUD Act is an important milestone to modernize the law, enable law enforcement officials to seek digital evidence across borders to investigate crimes, and protect people's privacy and other human rights.

While the CLOUD Act creates new rights under new international agreements, it also preserves the common law right of cloud service providers to go to court to challenge search warrants when there is a conflict of laws – even without these new treaties in place. This is a vital right for companies such as Microsoft, and it's a right that we'll continue to rely on.

Even more important than what the CLOUD Act preserves is what it creates. After all, our goal has always been not to make repeated visits to court to litigate contentious propositions but to establish new international rules that will avoid legal conflicts and advance privacy rights and law enforcement needs together. For example, the CLOUD Act creates the authority and framework for the US to establish international agreements that on a reciprocal basis will enable law enforcement agencies to make cross-border requests for user data to service providers for the purpose of investigating and prosecuting crimes. These 21st century agreements will supplement the Mutual Legal Assistance Treaties, or MLATs.

The CLOUD Act is an important first step, and we look forward to continuing to contribute our efforts, along with other stakeholders, towards the establishment of

international agreements that facilitate law enforcement investigation and protect privacy and other human rights.

All of these actions reflect our commitment to privacy and freedom of expression in the digital age.

Online Safety

Providing tools and resources to protect the safety and security of all online users.

Human Rights Standards	Universal Declaration of Human Rights, Article 2; Individuals have a right to not be discriminated against, directly or indirectly, on various grounds, including race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
Microsoft Standards	Microsoft Services Agreement
What this means for rightsholders	Rights holders are equally empowered to exercise their rights online through a safe and inclusive Internet
Support	Find research and resources online >

Our Approach

The dual-use nature of Internet technologies requires Microsoft to both limit certain behaviors and encourage others. We use a complementary approach of encouraging safe behaviors online by directly implementing efforts to foster civil interactions, and by offering tools and resources so that users can empower themselves.

The Microsoft Services Agreement (MSA) is the foundation of our approach to promoting online safety. The MSA's Code of Conduct outlines the acceptable behaviors in our online services. Dedicated complaint-response teams are responsible for enforcing the Code's provisions on all our hosted consumer services, for example OneDrive, Skype and Xbox Live.

Microsoft's Chief Online Safety Officer is responsible for all aspects of our online safety strategy, including cross-company policy creation and implementation, influence over consumer safety features and functionality and communications to, and engagement with, a variety of external audiences. This approach to online safety is best reflected in our four-part strategy:

Technology Strive for simple, easy-to-use products and services that are built with safety, security, and privacy in mind at the earliest stages of the development process.

Governance Devise and grow an internal self-governance program with policies, standards and procedures for addressing various customer-use and abuse scenarios.

Awareness-Raising Inform the public about existing and emerging risks. Share resources and ways in which individuals and families can protect themselves online.

Partnerships Work with others in the technology industry, civil society, academia and government, as no one organization or entity can tackle these significant, novel and nuanced issues alone.

Our Policies

The MSA became effective in September 2016. The MSA is a unified term of use to replace the previous, separate terms such as the "Xbox Live Terms of Use" or the "Skype Terms of Use". The MSA was most recently updated on May 1, 2018.

Individual users accept the terms of the agreement whenever they create a Microsoft account or a Skype account, or when they use Microsoft services, or if they continue to use our services after being notified of changes within the terms. The products, apps and services covered by the MSA are listed within the agreement.

The Code of Conduct within the MSA prohibits certain online behaviors. The Code is enforced through multiple procedures, including by professionally trained teams specializing in content moderation to implement our policy. The teams are responsible for receiving and processing cases received from customers, governments, and other groups.

When necessary, the team can stop users who do not abide by the Code of Conduct from receiving access to Microsoft services. The team can also block the delivery of

emails, instant messages and other communications to and from Microsoft services, and Microsoft can deny access to content.

The Microsoft Services Agreement Code of Conduct:

i. Don't do anything illegal.

ii. Don't engage in any activity that exploits, harms, or threatens to harm children.

iii. Don't send spam. Spam is unwanted or unsolicited bulk email, postings, contact requests, SMS (text messages), or instant messages.

iv. Don't publicly display or use the Services to share inappropriate content or material (involving, for example, nudity, bestiality, pornography, offensive language, graphic violence, or criminal activity) or Your Content or material that does not comply with local laws or regulations.

v. Don't engage in activity that is fraudulent, false or misleading (e.g., asking for money under false pretenses, impersonating someone else, manipulating the Services to increase play count, or affect rankings, ratings, or comments) or libelous or defamatory.

vi. Don't circumvent any restrictions on access to or availability of the Services.

vii. Don't engage in activity that is harmful to you, the Services or others (e.g., transmitting viruses, stalking, posting terrorist content, communicating hate speech, or advocating violence against others).

viii. Don't infringe upon the rights of others (e.g., unauthorized sharing of copyrighted music or other copyrighted material, resale or other distribution of Bing maps, or photographs).

ix. Don't engage in activity that violates the privacy or data protection rights of others.

x. Don't help others break these rules.

Our Actions

Public security

In our human rights report for FY16 we reported on our new terrorist content approach which specifically prohibits the posting of terrorist content on our hosted consumer services. We consider terrorist content to be material posted by or in support of a terrorist or terrorist organization on the [Consolidated United Nations Security Council Sanctions List](#) that depicts graphic violence, encourages violent action, endorses a terrorist organization or its acts, or encourages people to join such groups.

Our terrorist content approach continues our "notice-and-takedown" process for removal of prohibited – including terrorist – content from our hosted services when it is brought to our attention via a dedicated [web-reporting form](#). All reporting of terrorist content – from governments, concerned citizens or other groups – on any Microsoft service should be reported to us via this form.

In our human rights report for FY17, we also reported on two additional actions in support of our terrorist content approach: [a partnership with the Institute for Strategic Dialogue (ISD)](#) and the formation of the [Global Internet Forum to Counter Terrorism (GIFCT)](#).

Through our partnership with the [ISD](#), Microsoft is providing in-kind funding to serve ads on Bing which appear in response to a defined list of terrorism- and extremism-related search terms. The ads use counter-narrative content from trusted NGOs and the ISD. The partnership allows the ISD to test the efficacy of different types of messaging and video content selected to deter Internet users from radicalization. Microsoft also provided an operating grant to the ISD to recruit and train other NGOs to participate in

the program. The ISD is sharing learnings from this program so that other NGOs can also deliver counter- and alternative-messages via search-engine advertising.

The project began in FY1717 with English language ads delivered to Bing users in the UK. Initial results have been encouraging; the ads are generating an above average click-through rate and impressions. [The project was renewed in fiscal year 2018](#) and expanded to include Bing users in Canada and the US as well, with plans for a future global approach in multiple languages.

Meanwhile, the four founding company members of GIFCT – Facebook, Microsoft, Twitter and YouTube – as well as government representatives from Australia, Canada, the UK and US, representatives from the EU and UN, and NGO representatives [met in San Francisco for the first time](#) early in FY18. The Forum's mission "is to substantially disrupt terrorists' ability to use the internet in furthering their causes, while also respecting human rights. This disruption includes addressing the promotion of terrorism, dissemination of propaganda and the exploitation of real-world events through online platforms." The Forum uses a three-prong strategy:

- Employing and leveraging technology;
- Sharing knowledge, information and best practices; and,
- Conducting and funding research.

The [Forum met again](#) at a Heads of State meeting at the UN General Assembly in September 2017, at a G-7 Interior Ministers meeting in October, and at the EU Internet Forum in Brussels in December.

As part of employing and leveraging technology, the Forum launched its shared industry hash database of violent terrorism imagery in FY17. The coalition shares the digital

fingerprints of egregious terrorism images and videos that individual member companies have removed from their consumer services. This allows other member companies to identify and then remove any duplicates of the same content on other consumer services.

In June 2018, we decided to expand our counter-terrorism policy so that in addition to responding on a notice-and-takedown basis to reports of terrorism content, Microsoft now makes full use of the photos and video hashes supplied by the other member companies of the hash-sharing database, and we look for matches of those hashes on Microsoft's hosted consumer services, and when there is a match, we review the corresponding content to determine whether it violates our MSA. In FY18, the number of hashes increased to more than 80,000, and Ask.fm, Cloudinary, Instagram, Justpaste.it, LinkedIn, Oath and Snap Inc. also joined the hash-sharing consortium.

The forum held knowledge-sharing workshops in Brussels, Jakarta, New York and San Francisco over the course of the fiscal year, and almost 70 companies participated. The workshops were held in collaboration with the Tech Against Terrorism initiative, which itself has launched a Knowledge Sharing Platform with support from the Forum and from the UN Counter-Terrorism Committee Executive Directorate.

Youth empowerment

As part of our continuing efforts to promote online safety for youth, we launched a Council for Digital Good in the 2017 fiscal year. The Council consists of 15 young people from across the US and they meet to help teens and others fully appreciate and understand the risks and potential harms associated with life online.

The Council has created its own vision document, outlining members' roles, their mission and the impact they want to have. The next in-person Council event is due to

take place at the start of fiscal year 2019, and will be a more public event in Washington, DC to discuss some important online safety issues. The plan is for Council members to share their views with policymakers and other influential leaders.

The Council's [inaugural summit was held in August 2017](). The members identified five key areas of concern:
- Self-obsession and the need to constantly post and share personal information;
- "Addiction" to screens, connectedness, likes and followers;
- Social posturing to frame one's online image as positive, provocative, exciting or enviable;
- A lack of authenticity and transparency that inhibits individuals from being their true selves online, and;
- The prevalence of online hate.

We have been encouraged to see the creation of a European Council for Digital Good, which includes youth from several European countries. This Council has met at the Microsoft office in Brussels, and they have had the opportunity to connect, via Skype, with our own Council for Digital Good. The European Council for Digital Good is now creating its own list of objectives, including a focus on privacy, awareness-raising of online risks, education and advocacy.

In our FY17 human rights report we shared efforts to help to grow the evidence base for online safety with unique research focusing on digital civility. Our research is intended to shine a light on the online challenges faced by people around the world and to encourage everyone to treat each other with dignity and respect.

Findings from our first year of research were released on Safer Internet Day 2017 and included our Digital Civility Index. Teens ages 13-17 and adults ages 18-74 were surveyed in 14 countries to gauge their perceptions of digital civility across 17 online risks in four categories: behavioral, reputational, sexual and personal / intrusive. Two out of 3 respondents reported having been victim of at least one risk, and 50% reported that they were "extremely or very" worried about online life in general.

To mark World Kindness Day 2017, we released additional findings to emphasize how online users are helping to foster safer, healthier and more respectful online interactions. Eighty-eight percent of teens and 87% of adults said they treat other people with respect and dignity online, and 84% of both teens and adults reported that they show respect for other peoples' points of view. Importantly, 65% of teens and 59% of adults responded that they stand up for others online.

The second year of digital civility research was conducted at the end of FY17. The number of risks being assessed increased to 20 from 17, and the study expanded to 23 countries, up from 14 countries in 2016, and included separate regional reports for both Asia and Latin America. "Unwanted contact" was identified as the top risks, with 41% of respondents reporting that they had been contacted online by someone they did not wish to hear from. This is down 2 percentage points from 43% in the previous year's survey.

Turning to the partnerships aspect of our strategy, Microsoft, as an industry participant on the international advisory board of the WePROTECT Global Alliance to End Child Sexual Exploitation Online, joined a group of 150 experts from various disciplines and organizations around the world at the first World Congress on Child Dignity in the Digital World. The Congress was sponsored by the Centre for Child Protection at the

Pontifical Gregorian University in Rome in partnership with the WePROTECT Global Alliance and Telefono Azzurro, Italy's first helpline for children at risk.

The Congress presented a commitment, known as [The Declaration of Rome](), to Pope Francis at the Vatican, for government, religious and law enforcement leaders, as well as technology companies and other private- and public-sector groups pledging to protect children and young people in the digital age.

The declaration calls on technology companies to "commit to the development and implementation of tools and technologies to attack the proliferation of sex abuse images on the internet, and to interdict the redistribution of the images of identified child victims."

Declaration of Rome:

"In this era of the internet the world faces unprecedented challenges if it is to preserve the rights and dignity of children and protect them from abuse and exploitation. These challenges require new thinking and approaches, heightened global awareness and inspired leadership."

Privacy and Data Security

Incorporating privacy into design and development processes, offering customers meaningful privacy choices, and responsibly collecting, managing, and using the customer data that we store.

Human Rights Standards	Universal Declaration of Human Rights, Article 12; Individuals have a right to be protected from arbitrary, unreasonable or unlawful interference with their privacy, family, home or correspondence.
Microsoft Standards	Microsoft Privacy Standard
What this means for rightsholders	As online technologies bring public lives and private lives closer together, rightsholders can trust how and where their sensitive information is being collected, stored and used by Microsoft in accordance with their expectations and they have meaningful controls to empower their autonomy over the collection and use of their data.
Support	Learn more and contact us online >

Our Approach

Achieving our commitment to rightsholders' privacy requires a comprehensive privacy program across the company:

- Our Chief Privacy Officer (CPO) works within the Microsoft's Corporate, External and Legal Affairs (CELA) division, and leads the program. The CPO has global responsibility for Microsoft's privacy management program, including creating and implementing privacy policy, influencing the creation of privacy technologies and guiding engagement with external stakeholders.
- Privacy-accountable Corporate Vice Presidents work within Microsoft's business groups. They interact directly with the CPO, and they bolster the privacy program by overseeing one or more privacy program owners.
- Privacy program owners lead distinct teams of privacy managers embedded within individual products, teams, and groups across Microsoft. These privacy managers are at the heart of the company's day-to-day privacy work. They conduct privacy reviews of significant new personal data collection and use against a defined set of rules, as set out in the Microsoft Privacy Standard (MPS). The CPO administers the Privacy Management Council (PMC) which is comprised of privacy program owners.

The monitoring, verification and risk assessment of privacy compliance is conducted by three groups at Microsoft:

- The Customer Security & Trust Privacy Compliance Program produces an annual report of privacy governance and compliance, in collaboration with the CPO, and

the report is presented to the Regulatory and Public Policy Committee of the Microsoft Board of Directors.

- Microsoft's Internal Audit function and the Enterprise Risk Management also provide regular reporting into the Audit Committee of the Microsoft Board of Directors.

Microsoft engages with a broad array of individuals and groups so that we can identify stakeholder needs and keep pace with changing expectations. These can include governments, regulators, data protection authorities, advocacy groups, academics, and think tanks.

We also participate extensively within industry professional associations, including the International Association of Privacy Professionals (IAPP), and regularly engage with industry partners and peers. There is a regular cadence to these engagements, which is essential for being able to monitor changes in

Microsoft is guided by six privacy principles:

Control: We will put you in control of your privacy with easy-to-use tools and clear choices.

Transparency: We will be transparent about data collection and use so you can make informed decisions.

Security: We will protect the data you entrust to us through strong security and encryption.

Strong legal protections: We will respect your local privacy laws and fight for legal protection of your privacy as a fundamental human right.

No content-based targeting: We will not use your email, chat, files or other personal content to target ads to you.

Benefits to you: When we do collect data, we will use it to benefit you and to make your experiences better.

the legal landscape or regulatory and societal concerns.

Our Policies

We offer two distinct web-platforms to communicate with consumers, or business and enterprise customers, and to provide each group with direct access to their privacy tools.

For consumers, our [Privacy at Microsoft](#) website explains our commitment to privacy in plain language. It also provides [one single location](#) for consumer users to understand how we respect privacy in our consumer products and services and explains the types of information which Microsoft collects from online browsing and internet searches, geo-location, fitness & health, data used to target ads, sign-in & payment data, information from device sensors, Windows 10 and other online services. The site also contains our layered [privacy statement](#) with additional information relevant to particular Microsoft products, and a single location where users can manage their personalization settings, app & services permissions, and marketing & advertising preferences.

To assist our business and enterprise customers, we provide the [Microsoft Trust Center](#), which communicates how we implement and support security, privacy, compliance, and transparency in all our cloud products and services. The Trust Center is an important part of the Microsoft Trusted Cloud initiative, which explains our guidelines, requirements, and processes for delivering rigorous levels of engineering, legal, and compliance support for our cloud services.

The four pillars of our Trusted Cloud:

Security: Protecting you from external cyberthreats

We take your security very seriously. We spend over a billion dollars a year on our security practices and technologies. Our comprehensive approach to security helps protect your data wherever it may be – in a datacenter, on a phone, on a desktop, or in transit through the Internet. Learn more >

Privacy and control: Giving you control over access to your data

At Microsoft, we fundamentally believe that customers' data is their own data, whether it sits in our cloud or in their own datacenter. We invest heavily in technology development and practices to ensure we actively protect your privacy and provide the necessary tools to control both the privacy and administrative aspects of the data you put in the Microsoft Cloud. Learn more >

Compliance: Unparalleled investment in meeting global standards

Our extensive experience working with the world's largest governments and enterprises in the most highly regulated industries has been transferred to our cloud services. Our investments in compliance-related technology, resources and staff help ensure that we are proactively adopting new certifications and partnering with regulators and standards bodies to develop new regulation and standards when we identify opportunities to increase digital privacy and safety. Learn more >

Transparency: Clear insight into our policies and procedures

Transparency plays an important role in developing trust – we work tirelessly to increase not only our own transparency, but the transparency of the industry and its regulators. We publish reports detailing government requests for customer data. We notify individual customers when the government requests data from their data or applications when legally allowed to do so. Finally, we submit to a set of third-party audits and publish the results for our customers. Learn more >

Our Actions

In our previous Human Rights Reports we have covered our efforts to prepare for the introduction of the European Union's General Data Protection Regulation (GDPR). Significantly, the GDPR elevates and clarifies existing requirements to enable individuals to access, control, correct and delete data. Additionally, the GDPR creates new requirements regarding the portability of data, and the level of transparency that must be provided in association with certain algorithmically determined decisions. After years of debate and preparation since it was first proposed in 2012, the GDPR came into effect on May 25th, 2018.

General Data Protection Regulation

The GDPR applies to companies and individuals in the EU, as well as organizations outside of the EU if they collect or process personal data of EU residents. The Regulation has nearly 160 requirements covering how companies collect, store and use personal information, and it requires notification for personal data breaches within 72-hours. The GDPR builds on article 8 of the European Convention on Human Rights, which establishes that everyone has the right to protection of private and family life, in home and in correspondence.

Our philosophy towards privacy and compliance remains the same – we view privacy as a fundamental right and we are committed to complying with privacy law and regulation.

The GDPR required that we update our existing privacy standards and execute on our standards at a larger scale than ever before. We launched a companywide initiative called Next Generation Privacy (NGP). Our NGP initiative provides a comprehensive framework that includes policies, processes, technical infrastructure, and customer experiences to address privacy at all levels of our organization and the

deliver the standardization needed for compliance. Within this framework, we identified accountable executives in each of our engineering, business, and specialized organizations who have day-to-day responsibility for GDPR compliance in their group.

Using the standards, policies, and documentation provided by the NGP, our compliance and internal audit teams completed technical and process reviews to verify our compliance and provided consultation and identified improvement opportunities.

In the run up to May 25th, more than 1,600 engineers across Microsoft worked on GDPR projects. We expanded our corporate privacy training significantly to help educate our employees, partners, suppliers, and vendors about the privacy requirements affecting their roles, and how we would approach compliance. Our core internal training and GDPR readiness investments included:

- Internal webinars, workshops, online training courses, and reference materials to train our employees, partners, and vendors on the GDPR's requirements, privacy program updates, and security requirements.
- Train-the-trainer programs to empower subject matter experts to lead specialized trainings in their local hubs and divisions.
- Abbreviated technical and privacy documentation for our customers, detailing our compliance with the GDPR, and guides to help enable the secure and compliant use of our products and services.

We also hired a new [European Data Protection Officer](). The DPO represents our customers' data protection needs and rights in assessing Microsoft's data processing on an ongoing basis, as well as supporting our ongoing engagement with European regulators related to data protection matters. Our new DPO reports directly to our CPO.

But, we recognize that May 25th was not the end of our GDPR compliance journey– in fact it was the beginning of the next phase of our focus on the GDPR. That focus was reflected in our announcement to extend the rights at the heart of the GDPR to all of our consumer customers worldwide. Known as Data Subject Rights, these rights include the right to know what data we collect about you, to correct that data, to delete it and even to take it somewhere else. Our privacy dashboard gives consumers the tools they need to take control of their data.

We also updated our privacy statement governing our consumer products and services to reflect our decision to extend key rights under the GDPR to consumers around the world, such as pointing consumers to the privacy dashboard where all users with a Microsoft account can manage their data. The update also incorporates more specific information and changes related to the GDPR, and, critically, it is designed to be clearer and more transparent.

In an effort to respect the rights of children, the GDPR requires parents to provide their consent to process personal data of children younger than 16 years old. EU member states can choose to set a lower age limit, which some states have done, provided that the limit isn't lower than the age of 13. To implement parental consent requirements in the GDPR, Microsoft announced in April 2018 that it will rely on the high standards afforded under the US Children's Online Privacy Protection Act (COPPA) to verify parental consent for children's accounts across our product platforms. We rolled out the necessary notifications to our users in EU member states before the GDPR came into effect.

At Microsoft we create the technology and tools that others use to transform their own businesses and drive success. Therefore, an especially important part of our GDPR effort has been to develop tools, best practices and guidance to enable our enterprise

customers to prepare for their implementation of the GDPR. In light of the GDPR, one of our most important goals is to help businesses become trusted stewards of their customers' data, which is why we offer a robust set of tools and services to support GDPR compliance that are backed up by contractual commitments.

We also released a new book, "[Digital Transformation in the Cloud: What enterprise leaders and their legal and compliance advisors need to know](#)" to act as a guide, with Microsoft's full perspective on the challenges and concerns businesses face when embracing digital transformation. This book is designed to provide enterprise leaders and their legal and compliance advisers, in every industry or organization, with a framework for thinking about the strategic implications of digital transformation. This book includes seven customer case studies from businesses that have undergone their own transformation, including Britain's Ministry of Defense, Bank of America and the state of Indiana, among others.

Resources and tools are available on a [dedicated GDPR section](#) on the Microsoft Trust Center.

Remedy

The How to Access & Control Your Personal Data section of our Privacy Statement provides users with a direct reporting mechanism through which they can request data access and deletion, and to make choices about Microsoft's collection and use of their data. Trained professionals oversee and process user submissions daily, and they have an escalation channel to the CPO's team.

Customers can also use the Microsoft Privacy Support Form to raise questions or feedback around Microsoft's privacy practices. Customer inquiries raised through the

Privacy Support Form are incredibly valuable in helping to improve our customer experiences and to help ensure we are living up to our Privacy Principles.

When a customer submits a question to privacy support, that case is routed centrally through the office of the Chief Privacy Officer. Inquiries span almost all of Microsoft's products or services and the privacy team can follow up with the product groups when necessary to help resolve the issue. Changes are made to our products to respond to customers' requests. These actions directly support our first and second privacy principles on control and transparency.

As covered in our FY17 report, we launched a new privacy dashboard to give direct control to rightsholders on certain privacy controls. The dashboard allows users to more easily manage their privacy settings for the Microsoft products and services they use and allows them to view and clear the data that Microsoft saves to the cloud.

Microsoft privacy support responded to close to 10,000 customer inquiries in FY16, and close to 4,000 customer inquiries in both FY17 and FY18, thanks to improved controls on the privacy dashboard. In FY18, there was a notable increase in the number of queries and requests in the months surrounding the introduction of the GDPR. Many of those inquiries were from commercial customers working towards their own GDPR compliance.

Number of privacy support customer inquiries
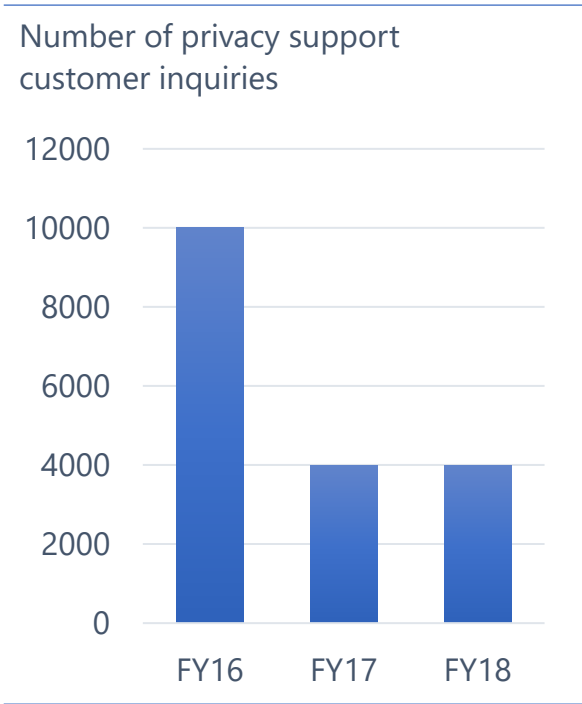
We also noted an increase in complex questions from both EU and non-EU customers which demonstrated their own enhanced awareness and understanding of their privacy rights. However, we partly attribute the consistent number of customer inquiries in both FY17 and FY18 to our ongoing investments in privacy in Windows and the increased granularity of our user controls, which has likely offset the total privacy inquiries submitted to us, even when factoring in the increase around the GDPR.

Sustainable Development Goals

The success of the [Sustainable Developments Goals](#) (SDGs) requires action and collaboration by all actors, and the SDGs explicitly call on all businesses to contribute creativity and innovation to solve sustainability challenges.

The SDGs are an ambitious global agenda for the development of all countries. The SDGs were formed through consultations and negotiations led by the UN and have been agreed to by all governments to create a 15-year global roadmap to create sustainable societies, economies and ecosystems by eliminating poverty, promoting prosperity and protecting the environment. If successful, the SDGs will build a life of dignity and opportunity for all, while safeguarding the ability of future generations to achieve the same.

Technology is increasingly an essential gateway to the exercise of human rights, and we are working to foster a sustainable future where everyone has access to the benefits it provides. Our commitment is reflected in how we apply our technology, talent, and financial resources to foster opportunity and serve the needs of communities around the globe, and is reflected in our corporate social responsibility's three key pillars: empowering people, strengthening communities and protecting the planet.

The Danish Institute for Human Rights has published a [Human Rights Guide to the SDGs](#). The Guide connects human rights instruments, and individual articles within those instruments, to all goals and targets of the SDGs. We use that guide here to provide an illustrative, but not exhaustive, list of how our efforts to respect the human rights salient to Microsoft' business may contribute to the SDGs.

Salient human rights issue	Key human rights instruments and articles	Key SDGs	Key SDG targets
Accessibility	Universal Declaration of Human Rights – Article 2	SDG 10 – Reduce inequalities	10.2 - By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.
Accessibility	Convention on the Rights of People with Disabilities – Article 9	SDG 12 – Responsible consumption and production	12.8 - By 2030, ensure that people everywhere have the relevant information and awareness for sustainable development and lifestyles in harmony with nature.
Freedom of expression and privacy	Universal Declaration of Human Rights – Article 19	SDG 16 – Peace, justice and strong institutions	16.10 - Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.
Freedom of expression and privacy	International Covenant on Civil and Political Rights – Article 19	SDG 16 – Peace, justice and strong institutions	16.10 - Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.
Online safety	Universal Declaration of Human Rights – Article 2	SDG 10 – Reduce inequalities	10.2 - By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.
Online safety	Convention on the Rights of the Child – Article 19	SDG 16 – Peace, justice and strong institutions	16.2 – End abuse, exploitations, trafficking and all forms of violence against and torture of children.
Privacy and data security	Universal Declaration of Human Rights – Article 12	SDG 16 – Peace, justice and strong institutions	16.10 - Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.
Privacy and data security	International Covenant on Civil and Political Rights – Article 17	SDG 16 – Peace, justice and strong institutions	16.10 - Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.

Glossary of Abbreviations and Technical Terms

AI	Artificial Intelligence
CPO	Chief Privacy Officer
DAD	Consumer Disability Answers Desk
eDAD	Enterprise Disability Answers Desk
GDPR	General Data Protection Regulation
G3ict	Global Initiative for Inclusive Information and Communications Technology
GIFCT	Global Internet Forum to Counter Terrorism
GNI	Global Network Initiative
IAPP	International Association of Privacy Professionals
ISD	Institute for Strategic Dialogue
MAS	Microsoft Accessibility Standard
MPS	Microsoft Privacy Standard
MSA	Microsoft Services Agreement
NGP	Next Generation Privacy
OHCHR	Office of the High Commissioner for Human Rights
SC4A	Smart Cities for All
SDGs	Sustainable Development Goals