

Microsoft Report on the GNI Independent Assessment in 2015-2016

Microsoft is a founding member of the [Global Network Initiative \(GNI\)](#), a multi-stakeholder initiative that is dedicated to advancing freedom of expression and privacy on the global internet. Two factors that uniquely define GNI are the [GNI Principles](#) and the [GNI independent assessment process](#). GNI conducted its second independent assessment of GNI member companies during 2015-2016, and again determined that Microsoft complies with the GNI Principles.

We at Microsoft have a long-standing and deep commitment to protection of the rights of our customers, as reflected in the [Microsoft Global Human Rights Statement](#), our early support for the [U.N. Guiding Principles on Business and Human Rights \(UNGPs\)](#) and the creation of our [Technology and Human Rights Center \(THRC\)](#). As we stated when we founded the THRC, we are committed to embedding the UNGP “respect” concept into consideration of the relationship between human rights and key business topics, such as specific products, services and technologies; market entry, exit and engagement; and business strategy, models and operations. Therefore, we were particularly pleased to see that the 2015-2016 independent assessment noted that Microsoft’s “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.”

Microsoft began its engagement with the GNI 2015-2016 independent assessment by participating in GNI’s orientation and training for GNI’s accredited independent assessors in May 2015 in Washington, D.C. During May to August 2015, civil society organizations, investor groups, and academic members of GNI developed a set of indicators and examples of salient risks to freedom of expression and privacy across online operating environments. In parallel, Microsoft worked with the independent assessor to identify a set of cases for review by the assessor. Microsoft and the GNI independent assessor engaged with representatives of non-company members of GNI to discuss the indicators and examples provided by the non-company members, in order to take those indicators and examples into account in the selection of cases for assessment. Microsoft and the GNI independent assessor selected a total of 15 cases for review and assessment by the assessor. The cases included seven cases of specific government requests for content removal or user data and eight cases in the category of “broad cases” in GNI independent assessment. Each of the eight broad cases focuses on a different subject matter relating to freedom of expression or privacy. For example, one of the broad cases was the Microsoft warrant case against the U.S. government.

The independent assessor conducted its assessment of the 15 cases by reviewing information and materials made available by Microsoft and publicly available information. The assessor also conducted interviews with senior-level Microsoft personnel with specific responsibility for overseeing Microsoft’s implementation of the GNI Principles. The assessor issued its report to the GNI Board in February 2016.

The GNI Board reviewed and discussed the independent assessor’s report at a GNI Board meeting in March 2016, and determined that Microsoft is compliant with the GNI Principles.

In its public report on the independent assessment of Microsoft, GNI included the following highlights:

- “.... Microsoft continues to maintain policies, procedures, and systems that expressly implement the GNI Principles across the company. The cases evaluated by the assessors and the GNI Board provided evidence that these policies and procedures are followed when governments request the personal information of users or the restriction of content.”
- “... Microsoft has assessed the impact of its partnerships and operations in jurisdictions around the world and has taken measures to mitigate the risk of negative impacts on the rights to freedom of expression and privacy.”
- Microsoft’s engagement with governments, policy makers and the media on a range of issues related to privacy and free expression, including Microsoft’s active role in the Reform Government Surveillance coalition, formed in 2013 to advocate for surveillance reform and greater government transparency in the United States.
- The Microsoft Transparency Hub, which provides statistical information on law enforcement requests, U.S. National Security Orders, and government requests for content removal.

We are glad to report the progress we have made to date, but, of course, there is always more work to be done. We remain committed to earning and building trust in all that we do, including our work to advance respect across the globe for freedom of expression and privacy in the Information & Communications Technology (ICT) sector.