The Industry Dialogue represents a number of telecommunications operators and vendors that have come together to address the issues of privacy and freedom of expression as they relate to the telecommunications sector. The companies are also engaging with a range of stakeholders including other Telecoms Providers, NGOs, civil society organisations, and government officials, to gather their input and raise interest in this issue.

This is a collection of views and inputs from various companies involved in the industry. The Industry Dialogue welcomes the opportunity to comment on this draft guidance document and acknowledges that the Ruggie principles need to be implemented across the different parts of the ICT sector. The Industry Dialogue, for its part. also intends to share its guiding principles on freedom of expression and privacy, as they relate to the telecommunications industry, within the coming weeks. Moreover, we look forward to further contributing to this valuable sector guidance work.

One of the key wishes from the Industry is to get support and guidance in practical implementation of the Ruggie principles on the ground. Although issues like benchmarking and reporting are important and have their place, it would be very helpful to look at potential methods or tools that can be used to help companies embed the Ruggie principles into their everyday operations. Are there examples from different companies that could be included in the guidance as practical support?

General comments

For the telco industry, it is important to first underline the positive role of telecommunications in all countries (on poverty, education, healthcare, environmental sustainability, commerce). This role should not be underplayed, especially when the Guide is called "Guidance for the ICT sector on Human Rights" (as a global issue).

How will the guidance document help companies embed human rights into their policies and processes and their global development strategies? It needs to give examples and ideas on how best to do this, acknowledging that every company is different and it will not necessarily be a cookie-cutter model that each company can implement in exactly the same way.

How should ICT companies deal with the issue of internal governance challenges between different company structures, as well as dealing on the practical level with local implementation?

Currently there are various specific guidelines that have been published on the implementation of the UN Ruggie Principles:
- OECD Guidelines
- European and local CSR plans
- National Plans on Human Rights: in 2011, 17 countries made a commitment to the European Commission to carry out their national plans on due diligence. For example the UK will publish shortly.
-Global Reporting Initiative, Dow Jones Sustainability Index and UN Global Compact Advanced Level which all offer very precise requirements for the implementation of human rights freedom of express ion and privacy for telecommunications companies

What is the level of dependence/relationship, if any, between these initiatives & ICT Guidance? What is the level of demand that companies have to face in order to simultaneously comply with all?

What guidance does the document give to companies on dealing with potential contradictions between national and international law? For example:

HRW says that : *article 15 of Tunisian project of Constitution, which states that "Respect for international conventions is compulsory if they do not contravene this constitution." The language may tempt judges and legislators to disregard these treaties on the pretext that they contradict the new constitution (comment from HRW)*

What about the duty of companies to protect the safety (lives) of their employees on the ground? It is critical that we can raise awareness of these people on the ground and the positions they can find themselves in. We would welcome guidance on practical training and a way of working when faced with potential Human Rights issues eg when a government 'requests' a network shutdown.

A greater understanding is also needed of timeframes for some of the potential volatile Human Rights situations. An order to respond to a government request often has a very short timeframe and can also be backed up by potential physical threat. Could there be guidance on how to deal with such situations?

Any tools that are developed need to be practical and adaptable to each company's situation. We are sure there are any number of companies that could share their tools, methods and basic approaches at some level to different challenges within this topic…maybe we can learn from each other rather than reinventing the whole wheel.

Finally, we appreciate the amount of time and effort that has gone into this guidance draft but believe in order to reach maximum usability, the guidance should perhaps be even more concise, sector specific and include examples (as described above).

We look forward to further development of the guidance and thank you for this opportunity to be involved in its development