



January 24, 2022

To:

Arvind Ganesan

Director, Business and Human Rights Division

Human Rights Watch

Re: **You Letter to Shalev Hulio Dated January 20, 2022**

Dear Mr. Ganesan,

We are in receipt of your letter dated January 20, 2022. We take any allegation of the misuse of our system against a human rights defender most seriously. In accordance with our Whistleblower Policy ([https://www.nsogroup.com/wp-content/uploads/2019/09/External-Whistleblowing-Policy\\_September19.pdf](https://www.nsogroup.com/wp-content/uploads/2019/09/External-Whistleblowing-Policy_September19.pdf)), we are opening an initial assessment to determine whether this concern should result in an investigation and if so- the scope of any such investigation. If this assessment shall determine that an investigation is warranted then an investigator will be appointed and we shall conduct the investigation in accordance with our Product Misuse Investigation Procedure (the “**Procedure**”). Such Investigation may result in a recommendation for remedial action if it shall be determined that a misuse did indeed occur. Such remedial action can also result in the termination of a contract with a customer.

As set out in our Procedure the following information, if available, is instrumental to facilitate an investigation and should be obtained, if possible, from anyone reporting an allegation (a “**Reporter**”) or where an allegation has been raised through other means:

- Phone number, name, or MSISDN (the Mobile Station International Subscriber Directory Number);
- Evidence Reason(s) for belief that Reporter or individual was targeted using an NSO Group product;
- Date(s) when Reporter or individual believes they were targeted using an NSO Group product;
- Circumstances leading Reporter or individual to believe they were targeted using an NSO Group product;
- Agency(ies) that Reporter or individual believes is using NSO Group product; and
- Any other relevant information.

We would most appreciate if this information could be provided to us, as without it may be extremely difficult to fully investigate this matter.

As we have previously stated in our Transparency Report (<https://www.nsogroup.com/wp-content/uploads/2021/06/ReportBooklet.pdf>), NSO does not know the individuals which its State Customers might be investigating nor the plots they are trying to disrupt. Sovereign states normally do not, will not and should not share that extraordinarily sensitive information. However, in the course of an investigation our customers are contractually obligated to provide necessary information to us to verify any allegations of misuses. If this is not provided this would constitute a material breach of our contracts and shall be dealt with severely.



As of the date of this letter we are not aware of any active customer using our technology against a Human Rights Watch staff member. Any such use against such a staff member, or any other individual for that matter, would be a serious misuse of our technology, unless there was a reasonable suspicion that such person was involved in a serious crime or terrorist activity. Any such misuse would be against our company's policies and the terms of our contract with our customers and would be dealt with by us most severely. Any assessment or investigation of whether such misuse has occurred will require that we demand such information from our customers, therefore we will most probably need more than mere dates and country networks to investigate this matter.

For more details on the risk assessment conduct by our company and the steps we take to prevent clients from using our products to target human rights defenders, you are invited to read our Transparency Report which such issues are discussed in detail. As we are always looking to further enhance our controls in this area, we would invite you to provide any insights that you may have into steps that can be taken to tighten these controls.

From the minimal details that were provided in your letter we cannot at this time provide a more specific response to the issues you raised. We would most appreciate if you could send us additional information as mentioned above to help us focus our assessment of this matter.

Best regards,

Chaim Gelfand, Adv.

VP, Compliance  
NSO Group

Cc: Shalev Hulio