

# **Ranking Digital Rights: Generic Scope of Work Case Study of Multiple Internet Companies Headquartered in One Country**

## **Overview**

The Ranking Digital Rights project (<http://rankingdigitalrights.org>) is a research collaboration between the New America Foundation, the University of Pennsylvania, and Internews. The project's purpose in 2013 is to develop a methodology for evaluating and ranking the policies and practices of Internet and telecommunications companies on criteria related to free expression and privacy.

In order to develop a credible and sound methodology we are conducting a series of case studies, applying the project's draft criteria to a selection of major Internet and telecommunication companies in different parts of the world. The goal of this research is to identify: a) what are the baseline practices and policies that all companies should be expected to adhere to if they are to maximize respect for user rights no matter where in the world they operate; b) which company policies and practices require specific legal and political conditions in order to be implemented – and if so what those conditions are. The results of these case studies will enable the research team to refine and adjust the project's final ranking methodology and determine how various criteria ought to be weighted.

## **Case Study:**

The work of each team involves two main components:

- 1) Information Collection through desk research and company interviews, the results of which will be entered into a spreadsheet for internal use only by the Project Lead and other key members of the research team. This information will be used to refine and adjust the ranking methodology but will not be published.
- 2) Analytical Narrative Report, identifying the research team's conclusions about which elements of the criteria can possibly be followed by Internet companies headquartered in that particular country, given today's legal and political context. A version of the report will be published pending the authors' consent.

**Research teams will also be provided with a detailed Research Guidelines document, which all teams will be expected to follow.** Drafted by the Project Lead in consultation with the research teams in order to address practical realities and concerns of the research process, these guidelines will include: language that researchers should use in explaining the project to companies; guidelines for the

data collection and interview process; anonymization of interviewees in published documents, sourcing, handling of sensitive information, etc.

The **Information Collection** phase will include:

The case study team will apply the **Draft Phase I Criteria**, as finalized by the Project Lead before the end of June, to several Internet companies headquartered in one particular country. The exact number and list of companies will be agreed upon prior to the beginning of research between the country research team and the Project Lead.

Through desk research and company interviews, the research team will a) determine the “yes” or “no” answers to all of the criteria questions and b) in cases where the answer to a criteria question is “no,” determine “why.” Is the reason a particular company has not implemented a certain policy or practice due to factors related to the company itself (business priorities, lack of awareness, resources, etc.)? Or is the company prevented from changing its policy or practice by laws, regulations, or political conditions in either its home jurisdiction or other jurisdictions where it operates?

Research teams will be provided with spreadsheet templates into which they will record “yes” and “no” answers for each criteria question (as well as “partial” and “N/A” when appropriate), plus other information as detailed in the final version of the Research Guide and on the spreadsheet.

The **Analytical Narrative Report** for each country case study will include:

- 1) **Introduction / Summary of Conclusions**:: After applying the criteria to the selected companies, which of the policies and practices should be legally and technically possible in that country given the legal and political realities today? Which issue areas in the criteria were the most problematic? Which issue areas contained the greatest scope for company improvement without changes to the country’s laws or political environment?
- 2) **Overview of Legal and Political Climate**: This section should not require original research but rather should be a summary of existing work. The overview should address specific instances of domestic internet and/or telecommunications laws contradicting the principles of privacy and freedom of expression as well as instances where the selected companies were implicated in abuses of their users’ privacy and freedom of expression.
- 3) **Core analysis**: Structured along the three issue areas outlined in the Phase I Draft Criteria, this section will summarize the answers and explanations given by the different companies. Are these differences attributable to internal or external factors?

- 3) **Conclusion:** Overall, when it comes to respecting user and customer rights, what is reasonable to hold the selected Internet companies responsible for in the legal and political context of country where they are headquartered? If the goal of a ranking project is to a) help educate the public about the choices available to companies regarding user rights, and b) to create incentives for better policies and practices by the companies, after conducting this research what criteria does your team believe a global ranking system should emphasize?

While there is no minimum length for the narrative reports, after submitting a first draft teams may be asked to make additions if the context and analysis provided is not sufficient for outside stakeholders and experts to understand the basis for the team's conclusions. The maximum length should be no longer than 10,000 words.

**Supplementary record-keeping:** Researchers should also keep a log of all information that will be relevant for future researchers who will be applying the final methodology produced in late 2013 to rank companies in 2014. This information submitted to the Project Lead each team should include:

- all relevant contact information for each company.
- all sources of information
- other resources that were helpful
- problems to avoid in future

This document will not be published. Sensitive information about interview sources, in countries where reprisals are a concern, can be limited strictly to the Project Lead and core research team upon request by the country case study team.