Orange is one of the world’s leading telecommunications operators with sales of 40.9 billion euros in 2016 and 155,000 employees worldwide at 31 December 2016, including 96,000 employees in France. Present in 29 countries, the Group has a total customer base of more than 263 million customers at 31 December 2016, including 202 million mobile customers and 18 million fixed broadband customers worldwide. Orange is also a leading provider of global IT and telecommunication services to multinational companies, under the Orange Business Services brand.
Our commitment to freedom of expression and confidentiality

As a telecommunications operator, Orange is keen to ensure that human rights are respected, particularly when using information and communication technologies (ICT). Freedom of expression and privacy are particularly significant for the telecommunications sector. That is the reason for our involvement in the "Telecommunications Industry Dialogue" (TID), of which we are a founding member. This union of telecommunications operators and manufacturers was founded in 2011, in order to create a common dialogue on human rights with stakeholders.

As a part of that initiative, Orange has contributed to defining ten guiding principles on freedom of expression and privacy for the ICT sector. These constitute a reference for the development and implementation, within the Group, of policies and processes relating to freedom of expression and the right to privacy in the ICT sector. Every year, Orange publishes a report on the actions implemented to fulfil these ten principles.

A partnership has also been started with the Global Network Initiative (GNI), a multi-stakeholder initiative involving Internet operators, NGOs, researchers and socially responsible investors, in order to hold discussions and exchange best practices on issues related to freedom of expression and privacy within the sector. In 2016, the Industry Dialogue and the GNI published a joint statement on their concerns about the increasing number of orders from governments worldwide to shutdown networks and block services. In March 2017, Orange and 6 other Industry Dialogue telecommunications operator members officially joined the GNI, thus combining their forces with those of major internet operators to provide enhanced protection for freedom of expression and privacy. Orange is committed to implementing the GNI's jointly established principles, and will be evaluated every two years in addition to its own audited reporting process.

Like all telecommunications operators, Orange must comply with government orders as defined by national security regulations and the law. This is a universal obligation which is laid out in each country's laws and regulations, as well as in licenses for telecommunications operations worldwide.

Furthermore, all governments worldwide should publish transparency reports on freedom of expression and privacy protection in order to ensure complete transparency. Certain countries already publish reports on these issues, but the practice is not widespread. In response to this inertia, Orange has made the decision to regularly publish information on the government requests it receives, where allowed by local legislation. This approach guarantees transparency in terms of monitoring government requests related to human rights, and more specifically those related to the ICT sector.

For the third consecutive year, Orange is publishing a report on government requests related to freedom of expression and privacy protection. This publication backs up the public commitment that Orange made in 2013 when it signed a charter on personal data and privacy protection.
The indicators presented in this report

We have selected two significant indicators to account for government actions related to freedom of expression and privacy:

- government requests for **interceptions**
- government requests for **customer data**

In order to enable comparisons with the various industry reports, we have chosen to use the most frequently-used indicators.

The "interceptions" and "customers data" indicators correspond to the number of government requests made to Orange. A single request may cover multiple customers, and a single customer may be involved in several successive requests during the course of the year.

These requests can take different forms depending on the authority making the request and the country in question. Orange only implements these requests if they correspond to three formal requirements:

- the authority making the request must have jurisdiction to do so
- the request must be formal
- it must comply with the country's laws and regulations

Once all of these elements have been verified, the request is either implemented, rejected, or returned with a request for the additional information required to assess the request.

1 - Interceptions

This indicator represents the number of requests made by governments or other public authorities, including requisition orders and administrative requests requiring the disclosure of the content of calls.¹

The ETSI (European Telecommunication Standardization Institute) has defined interceptions as: "legally sanctioned official access to private communications."

The standard specifies that:

- Information on how interception measures are implemented in a given telecommunications installation must not be made available to unauthorised persons.
- Information on the techniques used to target the identities and services which are the targets of the interception must not be made available to unauthorised persons.
- Only the overall figure is published, except where prohibited by an executive decision or the country's regulations. A managerial decision may be made on the basis of the 5th TID

¹ For France, the data presented includes only the requests made by intelligence services, and is drawn from the Report of the CNCTR (national commission for technical control of intelligence). See note on page 5.
principle (GNI principle 4) which we have adopted: always protecting our employees. The decision can be made by a subsidiary CEO or by Group-level executive management.

The table below does not show any figures for some countries. In certain cases, this is due to the country’s policies and laws, while in other cases the authorities may have direct access to the content of communications, regardless of the technique used. It is also possible that Orange did not receive any requests.

2 - Customer data

This indicator corresponds to the total number of requests made by different players, including the government, the judicial system, or the police, requesting data including:

- Call details (traffic data, including sender, destination, frequency, duration, etc.)
- Customer identification data (first and last names, address, date of birth, etc.)
- Geolocation (relays or GPS coordinates)
- Invoicing and payment information

The figure also consolidates all types of communications on fixed, broadband or mobile lines, regardless of the type of device used (fixed set, mobile, smartphone, TV, PC, tablet, or connected object) or the Orange offer involved.

\[\text{See previous note.}\]
<table>
<thead>
<tr>
<th>Country</th>
<th>Number of employees</th>
<th>Customer base</th>
<th>Interceptions</th>
<th>Customer data</th>
</tr>
</thead>
<tbody>
<tr>
<td>France²</td>
<td>96,218</td>
<td>74,105,292</td>
<td>8,538</td>
<td>50,268</td>
</tr>
<tr>
<td>Poland³</td>
<td>15,916</td>
<td>22,699,712</td>
<td>Not published</td>
<td>Not published</td>
</tr>
<tr>
<td>Spain</td>
<td>7,356</td>
<td>23,798,842</td>
<td>51,618</td>
<td>26,183</td>
</tr>
<tr>
<td>Belgium</td>
<td>1,523</td>
<td>4,004,615</td>
<td>49,200</td>
<td></td>
</tr>
<tr>
<td>Romania</td>
<td>3,243</td>
<td>10,083,206</td>
<td>Not published</td>
<td>Not published</td>
</tr>
<tr>
<td>Slovakia</td>
<td>1,126</td>
<td>3,044,382</td>
<td>Not published</td>
<td>21,657</td>
</tr>
<tr>
<td>Moldova</td>
<td>1,067</td>
<td>2,230,562</td>
<td>Not published</td>
<td>Not published</td>
</tr>
<tr>
<td>Morocco</td>
<td>1,107</td>
<td>13,877,327</td>
<td>Not published</td>
<td>Not published</td>
</tr>
<tr>
<td>Senegal</td>
<td>1,799</td>
<td>8,276,362</td>
<td>0</td>
<td>18,653</td>
</tr>
<tr>
<td>Mali</td>
<td>585</td>
<td>11,280,836</td>
<td>0</td>
<td>10,315</td>
</tr>
<tr>
<td>Côte d'Ivoire</td>
<td>1,441</td>
<td>12,753,418</td>
<td>0</td>
<td>4,320</td>
</tr>
<tr>
<td>Egypt</td>
<td>4,384</td>
<td>34,240,178</td>
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<td>Not published</td>
</tr>
<tr>
<td>Niger</td>
<td>430</td>
<td>1,649,853</td>
<td>0</td>
<td>2,773</td>
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<tr>
<td>Jordan</td>
<td>1,841</td>
<td>4,415,575</td>
<td>13,003</td>
<td></td>
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<tr>
<td>Madagascar</td>
<td>900</td>
<td>1,847,730</td>
<td>0</td>
<td>888</td>
</tr>
<tr>
<td>Botswana</td>
<td>353</td>
<td>909,558</td>
<td>0</td>
<td>401</td>
</tr>
<tr>
<td>Cameroon</td>
<td>578</td>
<td>5,843,854</td>
<td>0</td>
<td>25,047</td>
</tr>
<tr>
<td>Guinea</td>
<td>367</td>
<td>6,034,268</td>
<td>Not published</td>
<td>987⁵</td>
</tr>
<tr>
<td>Conakry</td>
<td>1,408</td>
<td>7,261,726</td>
<td>0</td>
<td>635</td>
</tr>
<tr>
<td>Tunisia⁶</td>
<td>1,200</td>
<td>4,000,000</td>
<td>17,158</td>
<td>3,699</td>
</tr>
</tbody>
</table>

³ The data shown in the table is from the CNCTR’s annual report (National Commission for the Control of Intelligence Techniques) and covers the period from 3 October 2015 to 2 October 2016. It represents all of the requests made by the French intelligence services, not the requests received by Orange. The “customer data” indicator also includes data on real-time geolocation (2,127).

⁴ This data is usually published in an official report by the Polish authorities. The report for 2016 has not yet been released.

⁵ Due to a change in our process, we are only publishing the data for the period from August to December 2016.

⁶ The figures on the number of customers and employees in Tunisia are not included in the Group’s published figures due to Tunisia’s non-consolidation.

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Major events related to freedom of expression

For a telecommunications operator, major events are occasional government requests which simultaneously impact a large number of customers. These events may include network shutdowns, including the internet or SMS services being interrupted; access to social media being blocked; or mass distribution of SMS (containing government information) and requests for information on our customers.

Orange’s process for responding to these major events consists of receiving a formal, traceable request, i.e. a written order signed by a public authority with the necessary jurisdiction and based on a regulation or law.

Orange reserves the right to alert the international community and supra-national authorities in the event that these formalities are not respected.

In 2016, the Group saw seven major events of this type, which is a significant increase over previous years.

Major events make it impossible to publish details on the requests, including the list of countries, dates, and the circumstances and justification provided. Publishing this information could put Group employees in those countries at risk.

This position is reflected in principle number 5 of the TID, which recommends protecting the safety and freedom of employees who could be endangered (GNI principle 4).
Content restriction requests

Orange’s position on requests for content restriction is to comply with the law of the countries where we operate. Orange complies with administrative and judicial requests to delete illegal content. We act in response to official requests involving specific cases. In most cases, the content restriction applied involves blocking a website or IP address. As a telecommunications operator, Orange does not examine internet content and cannot block specific content, only domains.

Regulatory and legal frameworks

The regulations in this area vary both by country and as the situation changes.

The Telecommunications Industry Dialogue (TID) therefore regularly publishes a review of the legal framework in a number of the countries where its members operate. The study is available at: http://www.telecomindustrydialogue.org/resources/country-legal-frameworks/.

France: Regulations on the interception of telecommunications and the legal obligation of telecommunications operators to disclose customer data

The universally recognised principle of disclosure is based on the fact that all requests must be made officially.

They can take a number of different forms:

1. Requests from the judicial system: they are based on legal decisions, by applying various laws:
   a. The Penal Procedure Code
   b. The Postal and Electronic Communications Code

2. Orders from government agencies under the supervision of a judge or an independent administrative body (CNCTR or CNIL), in application of the Internal Security Code.