



YEAR

BIRTHDAY

# #GoodTogether

## MTN Group Limited

Transparency Report for the year  
ended 31 December 2019

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# Introduction

MTN is a digital operator with over **250 million** customers across **21** emerging markets in Africa and the Middle East.

We believe **everyone deserves** the benefits of a **modern connected life**. We are **accelerating** digital and financial inclusion by connecting the unconnected and ensuring that people **reap** the social, economic and developmental **dividends** of being online.

Technology transforms economies and societies and supports the achievement of the United Nations Sustainable Development Goals (UN SDGs). It also provides greater opportunities for people to enjoy their rights.

MTN works to create and protect shared value for MTN and our stakeholders through responsible economic, environmental, social and governance practices.

MTN is committed to respecting human rights and endeavours to

protect the rights of all people using our services in the respective jurisdictions in which we operate in accordance with globally defined standards, while remaining compliant with the terms of its various jurisdictional legal obligations and licence conditions.

MTN endorses the position of the UN that the rights held by people offline must also be protected online. With a view to increase the disclosure of our impact on society, human rights and the environments in which we operate, we publish a suite of complementary reports.

This first edition of MTN's Transparency Report seeks to provide an understanding of our operating environment, risks and approach to digital human rights across our footprint.





# and sustainability framework

## Our strategy

# Our strategy and sustainability framework

## MTN's BRIGHT strategy

Telecommunications is a rapidly changing industry, vibrant with emerging technologies and competitive disruptors that are altering established business models and creating new opportunities and risks.

Guided by our BRIGHT strategy, we are building a digital operator, to function at the intersection of three complementary industry trends – those of the evolving telco, the fintech player and the digital player.

In this context and with a growing market of digital natives, our agility as a business and ability to adapt to changing demands are crucial to the sustainability of our business.

Our future-focused sustainability framework supports the BRIGHT strategy, by creating and protecting shared value for our stakeholders and MTN through responsible economic, environmental, social and governance practices.

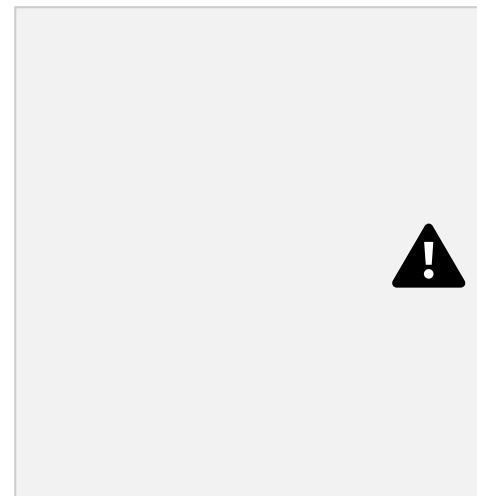
Sound corporate governance, ethical conduct, robust risk management and regulatory compliance are the foundations of our shared-value approach and our long-term sustainability.

Our commitment to digital human rights is an integral part of our business strategy and sustainability framework and is embedded in the highest levels of our governance structures.



Voice Enterprise Wholesale Data Digital Fintech

## Group sustainability framework: pillar and focus areas



- Climate: Energy efficiency and alternative energy investments to reduce greenhouse gas outputs.
- Green offices: Reduce impact, cost, use and waste from natural resources.
- E-waste: Electronic and electrical waste management and reduction.

### Support vibrant and successful communities

- Human rights: Online freedom of expression, privacy, information security and child online safety.
- Workplace: Healthy and safe working conditions, skills to manage innovation disruptions in the workplace, diversity and inclusion.
- Corporate social investment: Investing in communities and the broader society.
- Supply chain: Ethical, sustainable and environmentally responsible supply chain partners.

- Ethics: Ethics and anti corruption.
- Risk: Effective risk management.
- Compliance: Continuous compliance.

Reduce our environmental impact

Strong governance and ethical culture

## Our operating context

As an emerging market operator, the environment in which we work is complex, presenting unique challenges as well as exciting and valuable opportunities.

Many of the markets in which MTN operates have the lowest mobile penetration rates globally. The countries in which we operate have fast-growing, youthful populations.

Governments in all our markets recognise the importance of connectivity to promote investment and drive economic growth. Investing in these markets allows MTN to provide vital communications services, ensuring people have access to basic and emergency services and a means of sharing information and staying connected.

MTN's presence enables people to realise their basic human rights. Notwithstanding, the risk of human rights incidents in our countries of operations exists. Such risks are a factor of doing business in these markets and are not strictly limited to MTN.

Digital and financial innovation that enhances lives education.

- Digital and financial solutions to close the digital and financial divide.
- Addressing barriers to inclusion: coverage, handsets, affordability, service bundling and ease of access
- Internet of Things (IoT), smart and other enterprise solutions that address specific social and environmental requirements.



In some of our markets we rely on third-party internet service providers for international connectivity. When internet services are restricted or shut down, we may be limited in our ability to manage the impacts on our customers.

The rights of various stakeholder groups are balanced against each other as the company strives to avoid or minimise any negative human rights impact and contribute positively to the advancement of the societies in which we operate.

To ensure that we remain agile, we are continuously innovating the way we conduct our business. Our digital human rights approach is ever evolving to remain abreast of the complex and rapid evolution of technology and regulation, as well as the macro-social and political climate.



# Our human rights policy

More people than ever before across the world have access to information, services and opportunities, with instant connections that transcend locations and borders. This has created significant innovations and opportunities for people to enhance their lives and enjoy greater access to rights.

MTN's networks, products and services are supplied with the intention of facilitating digital communications and brightening the lives of the societies in which the company operates.

Our response to digital human rights is underpinned by a sound policy and due diligence framework. Our approach is consistent with internationally recognised principles while ensuring that MTN remains compliant with the terms of our various jurisdictional legal obligations and licence conditions.

MTN is guided by the following globally defined standards:

- The Universal Declaration on Human Rights
- The United Nations "Protect, Respect and Remedy" Framework and Guiding Principles
- African Union Convention on Cyber Security and Personal Data Protection
- ECOWAS Supplementary Act A/SA.1/01/10 on Personal Data Protection (2010)
- SADC Model Law on Data Protection (2012)

MTN is a member of these key bodies:

- Signatory of the United Nations Global Compact
  - Member of GSMA (Global System for Mobile Communications): – Sustainability Network includes human rights – Data Protection and Privacy Working Group
- Center for Internet Security
- Information Security Forum
- GSM Association

Our Digital Human Rights Policy applies to all our directors, officers, employees and representatives of the company, whether permanent, temporary or on contract.

We expect our intermediaries, agents, contractors, suppliers and business partners to uphold the same standards. Our Supplier Code of Conduct outlines the minimum standards, including human rights, that each supplier of products or services must comply.

We provide detailed training to staff and partners based on the extent of their roles and

## Key principles of MTN's Digital Human Rights Policy

MTN respects the rights of all persons and opposes any actions that undermine people's human rights and that discriminates against people or may be contrary to our values and beliefs.

We respect people's rights irrespective of race, ethnicity, colour, age, language, religion, gender, sexual orientation, political or other affiliation, ability, jurisdictional or international status.

We believe in the rights of all people using digital communications to freely communicate and share information and opinions, and to enjoy the right to privacy and information security without interference.

We respect and endeavour to comply with the laws of the countries in which we operate.

We strive to create platforms to enable stakeholders to discuss their concerns with us and to escalate their concerns where they believe their rights have been infringed.

We value the trust that our customers place in us when they provide personal information. We endeavour to stipulate the data we capture, retain, process, use and provide to key stakeholders.

We work to limit the scope, extent or duration of human rights impacts, in instances where we do not have direct control, by engaging with third parties, internet service providers, regulators or other stakeholders who may have control of and/or access to our facilities, infrastructure or services.

We may restrict access to services, where MTN owns, operates or has technical control over online platforms, in instances where potential exists to harm the rights of people. Restrictions would be applied after assessing if the content is illegal or harmful as defined in terms of prevailing national laws or the UN Universal Declaration of Human Rights.

MTN seeks solutions to reduce digital human rights risks and adverse impacts through stakeholder collaboration and engagement.



# Our human rights policy continued

## Key complementary policy developments

We are deeply committed to respecting digital human rights. Our Freedom of Expression, Data Privacy and Protection, Information Security, and Treating Customers Fairly rights and principles are an integral part of our Digital Human Rights Policy and due diligence framework.

Across various human rights issues, we ensure that we remain abreast of new developments, review lessons learnt and continue to update our processes and policies to align to international standards.

Our revised Digital Human Rights Policy, reviewed in 2019 and approved in 2020, places greater emphasis on proactive risk detection and mitigation.



This is complemented by the following policies:

## Managing customers' privacy rights

- The Data Privacy and Protection Policy, approved in 2020, informs customers of their rights and sets MTN's standard for the protection of personal information of customers and frames the group's collection, use and protection of user information. The policy considers data privacy/data protection developments and regulations in MTN's markets and globally.

## Enhancing information security

- The Group Information Security Policy was last updated in 2020. The policy sets out requirements for securing the group's information, systems and people, using a formal information security management system (ISMS). The system is based on global leading practice including ISO/IEC 27001:2013, Center for Internet Security controls and the National Institute of Standards (NIST) cybersecurity framework.

## Empowering customers through fair treatment

- MTN implemented a group-wide framework on treating customers fairly (TCF) to facilitate transparency and customer control. The framework serves to enable customers to remain aware of the costs they incur, the services they use and how to control and remove access to these services.

## Protecting children online

- MTN is committed to ensuring the safety of children online. In 2019, we deepened our commitment by launching the child online protection programme, prioritising our focus on child sexual abuse material. We formalised our commitment by becoming members of the Internet Watch Foundation. We have thereby extended our ability to fight against the use of our networks to share child sexual abuse material (CSAM).

**Scanned over 10 billion URLs**  
**suspected as hosting CSAM and blocked**  
**close to 2 million abusive URLs**

# Our due diligence framework

MTN’s due diligence framework has been drawn from the UN Guiding Principles for Business and Human Rights framework (“Protect, Respect and Remedy”).

The framework, supported by a toolkit, outlines the steps that all MTN operations would follow before, during and after the occurrence of a digital human rights incident.

Incidents would come in the form of a request or instance where an authority or non-governmental entity approaches MTN on a matter related to freedom of expression, data privacy and information security.

This framework includes

assessing potential incidents and potential impacts of the incidents that may affect customers’ rights and enabling our teams to respond to incidents through a clearly defined process which includes identifying remedies for affected customers.

The same process is followed irrespective of whether it is a non-judicial government demand or court order from local or foreign government jurisdictions.

MTN will attempt to avoid negative human rights impacts

where it identifies a risk of these rights being infringed. Continuous risk assessments are conducted prior to any request

Request validation from legally authorised body to confirm that the request is official and determine the urgency and impact of the request

Request

assessment to confirm compliance with laws and licence terms, as well as to determine the implications for human rights, human lives and other factors

Explore and act upon all possible options (seek and request amendment, reject where possible, comply

partially and, as a last resort, comply fully with request)

Provide solutions where relevant, monitor request to ensure compliance and provide updates to relevant stakeholders

## MTN’s digital human rights due diligence framework

Receive Assess Action

Close



## Our due diligence framework continued

### 1. Before: Proactive management

- Conducting risk and impact assessments: Digital human rights risk and mitigation plans are reviewed on a quarterly basis. Impact assessments are done on an annual to bi-annual basis.
- Engaging stakeholders: Engage with regulatory authorities, industry players and other stakeholders to discuss legislation, licence requirements and solutions in relation to human rights risks, issues and opportunities.

### 2. During: Incident management

- Managing requests or incidents:

In determining MTN's response to requests received from authorities and non-governmental entities, the following key steps are undertaken:

- All requests that may limit freedom of expression, access to information or privacy, or harm the information security of MTN's customers are evaluated following a due diligence approach to determine if the authorities and non-governmental entities are legally authorised to make the request and have followed the prevailing legal processes.
- MTN engages with relevant stakeholders to seek guidance prior to responding to requests in order to clarify the request, seek amendment to the request, or seek that the request be set aside where possible.
- Review request in accordance with the laws and applicable regulatory requirements of the countries in which we operate. Where multi jurisdictions are concerned, the various applicable laws, including international laws, will also be assessed.

- MTN assesses whether engaging with authorities to reject the request (or partially comply with it) will increase the risk to the safety of employees or compromise MTN's ability to continue operations.

- Following the due diligence and evaluation in terms of good governance, legal and risk management processes, we would respond in any of the following ways:
  - Reject the request where possible

- Partially comply with the request
- Fully comply with the request

- Mitigating the impact of disruptions: MTN ensures that it communicates with impacted parties on the basis of applicable law. We work to safeguard employees, customers and partners for whom we are responsible and ensure that the integrity of our infrastructure is maintained.
- Situational stakeholder engagement: MTN engages with various stakeholders to ensure their perspectives are obtained; to identify potential mitigations; and to manage the situation as effectively as possible. Grievances can be logged through our in-country customer complaints lines and via e-mail to [HumanRights@mtn.com](mailto:HumanRights@mtn.com).

### 3. After: Post-incident management

- Record-keeping: To facilitate corporate learning and to obtain information required for stakeholder engagement and reporting, MTN strives to maintain a documented trail of evidence relating to relevant events, decisions and actions.
- Remedies for affected customers and stakeholders: MTN works to offer remedies to customers negatively impacted on a case-by-case basis.



## The legal basis under which we comply

MTN respects and endeavours to comply with the laws of the countries in which we operate. We conduct our business in accordance with applicable legislative, regulatory and licence requirements, with the intention of:

- protecting the rights of our customers to access information and express themselves online;
- protecting personal information; and
- providing safe communication services in the respective jurisdictions in which we carry out our operations.

MTN is committed to fair dealing when conducting its business and strives to always act with due skill, care and diligence. We have a low risk appetite towards non-compliance with respect to legislative and regulatory requirements.

We strive to conduct our business in accordance with the letter and spirit of the applicable regulatory and legislative requirements in the markets in which we operate.

All requests are reviewed in accordance with the legislative, regulatory, licence conditions rules, guidelines, ministerial/national security orders or directives, including directives relating to public safety (where applicable) and other related requirements with which MTN is required to comply.

The lawful initial reason provided or the requirement for which requests related to digital human rights is made, or as otherwise prescribed by regulatory requirements, is carefully considered.

MTN will fulfil its responsibilities to relevant regulatory authorities, where applicable, with a view to conduct business in an ethical, open and transparent manner.

Where laws and/or licence conditions are not definitive or are in clear conflict with any international norms, we may seek further legal guidance and will evaluate all possible risks associated with complying with or rejecting requests.



## Reasons why MTN would comply:

- support application of the law by any public body
- comply with a regulatory requirement
- support the conducting of any legal proceedings
- lawful purposes related to licence obligations

## Case study



As a telecommunications operator, we sometimes have a challenging role to play to ensure that we continue operating despite delicate situations. Given the number of people who rely on us, it is critical that we continue to operate.

We always strive to protect, respect and uphold the rights of our customers. It is not always possible to act in opposition to the law or the terms of our licence in the markets where we operate.

In June 2019, Sudan experienced a month-long near-total internet shutdown due to the unrest which took place in the country.

MTN followed its robust risk-based process which included understanding the options available before any decision was made to comply or reject the requests. The process also considered the safety and security risks to employees, customers and operations.

All operators in Sudan were affected by social media restrictions during this time. MTN Sudan was commended by its customers for being one of the last operators to shut down and one of the first to reinstate services.

This was testament to MTN Sudan's tireless efforts to minimise the impact to customers and to the robust engagements it held with key stakeholders, ensuring services were back online in the shortest time possible.

“MTN proved that it was ethical and respectful to customers. It was the first operator to restore the



service and the last to disconnect:  
#longliveprofessionalethics.”

– MTN Sudan customer

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# Scope of the report

## Compilation of this report

- This report covers MTN's digital human rights activities for the period commencing 1 January 2019 and ending 31 December 2019.
- The report aims to provide a summary of the legal regime concerning the rights to freedom of expression, data protection as well as information security (collectively, "digital human rights") in the countries in which we operate.
  - Scope and boundaries:
    - Included: Benin, Cameroon, Congo-Brazzaville, eSwatini, Ghana, Guinea-Bissau, Guinea-Conakry, Iran, Ivory Coast, Liberia, Nigeria, Rwanda, South Africa, South Sudan, Sudan, Uganda and Zambia (collectively, the "markets").
    - Excluded: Afghanistan, Syria, Mascom Botswana and Yemen have been excluded due to insufficient information during the reporting period.
  - Sustainability and digital human rights reporting standards and guidelines: Our disclosures are primarily guided by the Global Reporting Initiative (GRI) Sustainability Reporting Standards, the United Nations Global Compact (UNGC, as a signatory member), UN Guiding Principles on Business and Human Rights, Ranking Digital Rights, GSMA Human Rights Guidance for the Mobile Industry and the Financial Times Stock Exchange/Johannesburg Stock Exchange Responsible Investment Index.

## Data collection process

- This report was compiled using information collected by MTN Group from each of the markets, with the assistance of a third party to safeguard the integrity of the information.
- The markets relied on their internal records as well as certain public documents to compile their responses. In preparing this report, the MTN markets provided information concerning:
  - the laws applicable to their market and the manner in which these laws protect the digital human rights of the market's subscribers;
  - the regulators, authorities, courts and/or state bodies in each territory that exercise jurisdiction over the market (each an "authority");
  - the requests received by the markets from the authorities and the manner in which the markets have responded to these requests (in particular, whether the markets have complied with, partially complied with or denied requests); and
  - the requests received by the markets from private individuals, private companies or attorneys or third parties authorised on their behalf (each a "non-government entity") and the manner in which the markets have responded to these requests.
- Due to legal restrictions in some of the countries in which we have a presence, certain markets are prevented from publicly disclosing certain information. Where this is the



- case, we have omitted this information from the report in view of the rule of law.
- In addition, there are instances where we do not detail the number of requests received from non-governmental entities. This has been intentionally omitted for reasons including:
  - the relevant market has not received requests from non-governmental entities; or
  - in certain jurisdictions, we are not legally permitted to disclose information from non-governmental entities.
- In certain markets due to legal restrictions, MTN is not permitted to notify affected customers when requests are received from authorities or non governmental entities.
- Additionally, MTN may also not be permitted to notify users when it shuts down network/internet or restricts access to a service.
- As a rule, the markets do not share subscriber data with non-governmental entities unless requested to do so by the subscriber or where a market is required to do so pursuant to an order from an authority or other legal obligation.

## Categories of requests from authorities

- The markets have detailed the requests received from (i) the authorities and (ii) non-governmental entities. Given the broad range of laws and requirements

- applicable to the markets, we have categorised the types of requests received from authorities as follows:
- Data requests pursuant to criminal investigations: Requests by authorities that are submitted pursuant to the terms of applicable laws or by virtue of a court order for information of subscribers in the context of criminal investigations, such as subscriber identification, call and SMS information, billing statement and historic location data. These requests do not include requests by authorities for the content of the underlying communications.
  - Data requests for location disclosure: Requests by authorities that are legally permitted by applicable laws or by virtue of a court order for the current location of a subscriber.
  - Data requests for lawful interception: Requests by authorities that are legally permitted by applicable laws or by virtue of a court order for the lawful interception of a subscriber's communication.
  - Data requests pursuant to governmental or regulatory oversight: Requests by authorities for information required by the authorities in order to perform their designated governmental or regulatory functions, including their oversight of telecommunication service providers.

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restriction orders and internet shutdown: Requests by authorities that are legally permitted by applicable laws or by virtue of a court order obliging

# Scope of the report continued

## Requests from authorities

- Data requests pursuant to suspension of MSISDNs, SIM cards, service

mobile network operators to block a service, suspend/deactivate Subscriber Identification Module cards ("SIM cards") or Mobile Subscriber Integrated Services Digital Network numbers ("MSISDNs") of subscribers.

- We have categorised the types of requests received from non-governmental entities as follows:
  - Data requests pursuant to civil litigation: These requests generally consist of requests made by non-governmental entities engaged in civil litigation with, or on behalf of subscribers, and subscriber requests for their own

80 000 60 000 40 000 20 000 0  
84 359  
69 789

## Categories of requests from non-governmental entities

140 000 120 000 100 000

## of MTN's digital human rights requests from authorities across

Data requests pursuant to criminal investigations

Data requests for location disclosure

Data requests pursuant to suspension of MSISDNs, SIM cards, service restriction orders and internet shutdowns

Data requests for lawful interception

Data requests pursuant to governmental or regulatory oversight

data.

- Data requests for personal and private use: Subscribers may request access to their own data for a number of reasons, including to comply with a requirement from an embassy or a visa requirement.
- There may be, to some extent, an overlap between the abovementioned categories of requests as certain requests received by a market may be broader than others.

## Overview of major digital human rights developments The key highlights

our markets include:

- All of the requests from authorities are driven by legal and regulatory obligations of MTN.

- 75% of the requests are to aid with criminal investigations and court orders

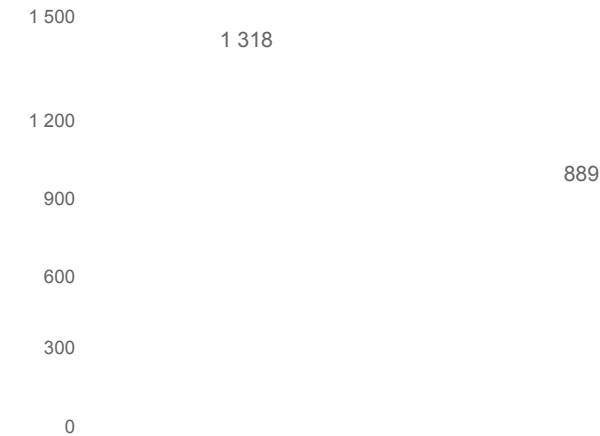
pertaining to location disclosure.

- 25% pertain to data requests pursuant to suspension of MSISDNs, SIM cards

and service restriction orders.

The key highlights of MTN's digital human rights requests from non-governmental entities across our markets include:

- The majority of these requests come from civil litigation related cases. • 60% of requests are in support of civil litigation cases. • 40% are based on subscriber requests for personal or private use.



## Requests from authorities and non-governmental

MTN has been present in Benin since 2006. MTN has approximately

2,5

**5,5 million** customers in Benin. In 2019, MTN's revenue in Benin was **R4,5 billion**.

2,0

## Lawful interceptions

1,5

### • Legal framework

0,5

• article 21 of the Constitution (Law 2019-40 of 7 November 2019 amending the Constitution of 11 December 1990);

0  
2

1,0

• article 12, 437, 438, 441 and 451 of the Digital Code (Law 2017-20 of 20 April 2017);

1

• the African Charter on Human and People's Rights;  
• the Information and Communication Code (Law 2015-07 of 20 March 2015); • article 57 of the MTN operating licence and cahier des charges; and • the Criminal Code and Code of Criminal Procedure.

### • Authorities

• the Ministry of Justice;  
• the Human Rights Commission of Benin;  
• the Constitutional Court;  
• the Courts and Tribunals of the country;  
• the Digital and Communication Ministries;  
• the Ministry of the Interior;

• the Economic Crimes and Terrorism Court;  
• the Authority of Post and Electronics Communication;  
• the Regulatory Authority; and  
• the Personal Data Protection Authority.

Data requests pursuant to governmental or regulatory oversight  
Data requests pursuant to civil litigation

Note: An instance of internet suspension impacted MTN customers in Benin in 2019. This was not as a result of a direct request to MTN Benin but rather a third-party internet service provider that MTN Benin relies on for connectivity.

• Number of notifications made to affected subscribers in relation to requests submitted by the authorities: 1  
• Authority requests fulfilled: 1  
• Authority requests declined: 1

- Service interruptions
- In instances where MTN Benin's subscribers experience service interruptions or restrictions pursuant to the terms of a request from an authority or a non

governmental entity, MTN Benin may take measures to provide solutions or compensate subscribers for these interruptions, such as allocation of internet packages and providing airtime refunds to the subscribers.

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MTN's revenue in Cameroon was **R5,4 billion**.

# MTN Cameroon

## Introduction

MTN has been present in Cameroon since 2000. MTN has approximately **10 million** subscribers in Cameroon. In 2019,

35  
Lawful interceptions

- 30
- 25
- Legal framework

- 20
- the Preamble of Cameroon's Constitution;

- 15
- article 42 and 44 of Law No. 2010/012 of 21 December 2010 relating to

## Requests from authorities

50  
45  
40

- 10
- cybersecurity and cyber criminality in Cameroon;

- 5
- article 54 and 80 of Law No. 2010/013 of 21 December 2010 relating to

- article 45 of Law No. 2010/021 of 21 December 2010 relating to electronic commerce in Cameroon;
- article 5-11 of Decree No. 2013/0399/PM of 27 February 2013 laying down conditions for the protection of consumers of electronic communication services;
- article 17-20 of Decree No. 2015/3759 of 3 September 2015 laying down conditions for the identification of subscribers and terminal equipment of electronic

communications networks;

- article 12 of Decree No. 2017/2580/PM of 6 April 2017 laying down conditions for the establishment and exploitation of electronic communication networks that are subject to the regime of authorisation; and
- article 7.3 and 7.4 of the MTNC concession agreement of 11 March 2015 terms of reference.

- Authorities
  - the Minister of Posts and Telecommunications;
  - the Telecommunications Regulatory Board; and
  - the National Agency of Information and Communications Technology.
- Data requests for lawful interception
- Data requests pursuant to criminal investigations • Authority requests fulfilled: 47

# MTN Congo-Brazzaville



## Introduction

MTN has been present in Congo-Brazzaville since 2005. MTN has approximately **2,6 million** subscribers in Congo-Brazzaville. In 2019, MTN's revenue in Congo-Brazzaville was **R2,6**

## billion.

### Lawful interceptions

- Legal framework
- article 26 of the Constitution of the Republic of the Congo of 6 November 2015;
- article 1-4 and 6 of Law No. 08-2001 of 12 November 2001 on freedom of information and communication;
- article 5 and 6 of Law No. 29-2019 of 10 October 2019 on data privacy;

Requests from authorities

- article 3 of Law No. 30-2019 of 10 October 2019 on the creation of the national agency for the security of information systems;
- article 4 and 6 of Law No. 26-2020 of 5 June 2020 on cybersecurity; • Law No. 27-2020 of 5 June 2020 on cybercrime;
- article 125 and 156 of Law No. 9-2009 of 25 November 2009 on the

regulation of the electronic communications sector;

- article 18-20 of Law No. 073/84 of 17 October 1984 on Family Code; • article 43 and 47 of the Law for the intervention of communications of 2010; and
- article 11 and 378 of the Penal Code.

- Authorities
  - the General Assembly;
  - the President of the Republic;
  - Ministers; and
  - Regulators.

Data requests pursuant to criminal investigations • Authority requests fulfilled: 1 600

Introduction

MTN has been present in eSwatini since 1998. The joint venture has approximately 937 000 subscribers in eSwatini. In 2019, MTN's revenue in eSwatini was R1,2 million.

Lawful interceptions	4 000
• Legal framework	3 500
• section 24(1) and 24(2) of the Constitution of the Kingdom of Swaziland Act 1 of 2005;	3 000
• section 10(4) of the SIM Registration Regulations, 2016;	2 500
• clause 15(4) and 15(5) of the MTN Services and Network Licence 2018;	2 000
• the Data Privacy Bill; and	1 500
	1 000
	500
	0
	3 661

Requests from authorities

- the Ministry of Information Communication and Technology; • the eSwatini Communications Commission;
- the Anti-Corruption Commission;
- the eSwatini Revenue Authority; and
- the Royal eSwatini Police.

Data requests pursuant to criminal investigations • Authority requests fulfilled: 3 661

- section 49(1) of the Criminal Procedure and Evidence Act 1938.

- Authorities

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# MTN Ghana

## Introduction

MTN has been present in Ghana since 2006. MTN has approximately **19,8 million** subscribers in Ghana. In 2019, MTN's revenue in Ghana was **R13,8 billion**.

### Lawful interceptions

- Legal framework
  - article 20(1)(e) of the 1992 Constitution; and
  - article 43 and 47 of the Law for the intervention of communications of 2010.
- Authorities
  - the Courts;

## Requests from authorities

2 000  
1 595  
1 600  
1 200  
800  
400  
47  
0

Data requests pursuant to criminal investigations

- Statutory Bodies;
- Governmental Agencies;
- Ministries (Ministry of Communications, Ministry of Finance and Ministry of Interior);
- the National Communications Authority;
- the Ghana Revenue Authority; and



- Security and Law Enforcement Agencies (Ghana Police Service, Bureau of National Investigations, National Security, Ghana Prisons Service, Ghana Immigration Service and Ghana Armed Forces).  
Data requests pursuant to suspension of MSISDNs, SIM cards, service restriction orders and internet shutdown

- Authority requests declined: 1
- Authority requests fulfilled: 1 641

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- article 36 of the Supplementary Act A/SA 1/01/10.

# MTN Guinea-Bissau

## Introduction

MTN has been present in Guinea-Bissau since 2005. MTN has approximately **3,9 million** subscribers in Guinea-Bissau. In 2019, MTN's revenue in Guinea-Bissau was **R424 million**.

### Lawful interceptions

- Legal framework
- the Constitution of the Republic of Guinea-Bissau;
- article 3-5 and 10 of the Press Law 1/2013;
- article 1, 2, 6 and 7 of the Press Freedom Law;
- article 141, 142 and 219 of the Criminal Code; and

## Requests from authorities

6  
5  
5  
4  
3  
2  
1  
0

- Authorities
- the Government of the Republic of Guinea-Bissau;
- the Attorney General's Office; and
- the Regulator (Agence Nationale de la Sécurité des Systèmes

d'information (ARN)).  
Data requests pursuant to criminal investigations • Authority requests fulfilled: 5

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# MTN Guinea-Conakry



## Introduction

MTN has been present in Guinea-Conakry since 2005. MTN has approximately **3,9 million** subscribers in Guinea-Conakry. In 2019, MTN's revenue in Guinea-Conakry

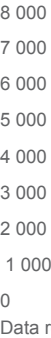
was **R1,2 billion**.

### Lawful interceptions

- Legal framework
- part 1, chapter X, article 31, 2013 and 105 of Law No. L/2016/037/AN relating to cybersecurity and the protection of personal information in the Republic of Guinea dated 28 July 2016.

- Authorities
- the Autorité de régulation des postes et télécommunications (Regulatory body); and
- the Agence nationale de la sécurité des systèmes information (National Agency for Information Systems Security).

### Requests from authorities



# MTN Irancell

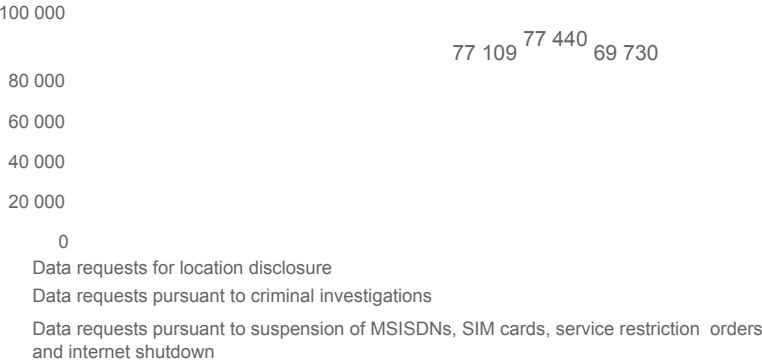


## Introduction

MTN has been present in Iran since 2006. The MTN Irancell joint venture has approximately **46,8 million** subscribers in Iran. In 2019, its revenue was **R8,0 billion**.

Lawful interceptions

- Legal framework
  - article 25 of the Iranian Constitution, 3 December 1979;
  - article 1-3, 8 and 9 of the Cyber Crime Law;
  - article 58 and 59 of the Electronic Commerce Law;
  - article 17, 18, 21 and 22 of the Procedure for Identification and Separation of Privacy-related Information and the Personal Information from Public Information;
  - article 8.3, 8.7 and 10.1 of the licence agreement; and
  - article 150 of the Code of Criminal Procedure.
- Authorities
  - the judiciary; and
  - the Communications Regulatory Authority of Iran.



Note: Please note that while the breakdown is done to ensure consistency in the application of our classifications, all of these requests are made pursuant to criminal investigations.

Requests from authorities

# MTN Ivory Coast



## Introduction

MTN has been present in the Ivory Coast since 2005. MTN has approximately **12,4 million** subscribers in Ivory Coast. In 2019, MTN's revenue in Ivory Coast was an

estimated **R6,9 billion**.

### Lawful interceptions

- Legal framework
  - article 19 of the Constitution of the Republic of Côte d'Ivoire dated 8 November 2016;
  - Law No. 2013-450 dated 19 June 2013 related to data privacy; • Law No. 2013-451 dated 19 June 2013 combatting cybercrime; • article 15 of Law No. 2015-493 dated 7 July 2015 combatting terrorism; and

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2 000  
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### Requests from authorities

- Ministry of Justice and Human Rights; • Ministry of Security;
- Ministry of Defence; and
- Police administrations.

Data requests pursuant to criminal investigations •

Authority requests fulfilled: 4 215

- article 15 of the telco operators' licence.

- Authorities

## MTN Liberia

### Introduction

MTN has been present in Liberia since 2005. MTN has approximately **1,6 million** subscribers in Liberia. In 2019, MTN's revenue in Liberia was **R560 million**.

#### Lawful interceptions

- Legal framework
  - the Kamara Abdullah Kamara Act of Press Freedom; and
  - article 49-52, 69, 70 and 71 of the Liberia Telecommunications Act 2007.
- Authorities
  - the Liberia Telecommunications Authority;
  - the Ministry of Justice; and
  - the Court of Liberia.



Requests from non-governmental entities

40 35 30 25 20 15 10 5  
0  
39

1

Data requests pursuant to civil litigation  
Data requests pursuant to suspension of MSISDNs, SIM cards, service restriction orders and internet shutdown

- 01 Introduction framework
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MTN has been present in Nigeria since 2001. MTN has approximately

MTN Nigeria

Introduction

64 million subscribers in Nigeria. In 2019, MTN’s revenue in Nigeria was an estimated R46,6 billion.

Lawful interceptions

- Legal framework
- section 37-39 of the Constitution of the

Federal Republic of Nigeria 1999 (as amended);  
• part 3 1-16 of the Nigerian Data Protection Regulation 2019; • article 38-45 of the ECOWAS Data Protection Act 2010;  
• article 13-23 of the African Union Convention on Cybersecurity and Data  
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Data requests for lawful interceptions

Requests from authorities and non-governmental entities

54 10 57

Protection;

- section 47(1)(e) of the Mutual Assistance in Criminal Matters Act 2019; •
- section 38(5) of the Cybercrimes (Prohibition, Prevention, etc.) Act, 2015; •
- section 8 of the Nigerian Communications (Enforcement Process, etc.) Regulations, 2019;
- section 20, 26 and 28 of the National Identity Management Commission Act, 2007;
- the Data Protection Bill, 2019 (HB 504);
- the Data Protection Bill, 2019 (HB 564);
- the Digital Rights and Freedom Bill, 2019;
- the Protection of Personal Information Bill, 2019;
- the Protection from Internet Falsehood and Manipulations (Est, etc.) Bill, 2019; and
- the Integrated Data Management Commission (Est, etc.) Bill, 2019.

• Authorities

- the Nigeria Communications Commission;
- Nigerian Courts;
- the ECOWAS Court and Institutions;
- All Courts of Human Rights and Institutions;

- Relevant authorities defined under section 20 of the Nigerian Communications (Enforcement Process, etc.) Regulations, 2019; • the National Identity Management Commission; and
- the National Information Technology Development Agency.

Data requests pursuant to criminal investigations

Data requests pursuant to governmental or regulatory oversight

Data requests for location disclosure

Data requests for lawful interception

Data requests pursuant to suspension of MSISDNs, SIM cards, service restriction orders and internet shutdowns

Data requests pursuant to civil litigation

Data requests for personal or private use

- Authority requests declined: 24
- Authority requests fulfilled: 4 751
- Non-governmental requests declined: 5
- Non-governmental requests fulfilled: 791



## Introduction

MTN has been present in Rwanda since 1998. MTN has approximately **5 million** subscribers in Rwanda. In 2019, MTN's revenue in Rwanda was **R1,9 billion**.

### Lawful interceptions

- Legal framework
  - article 10-12, 17 and 39 of the draft regulations governing the use of personal data;

- article 123, 124, 197, 209 and 211-213 of Law governing Information and Communication Technologies No. 24/2016 of 18/06/2016;
- article 6, 14 and 16 of the Regulations governing Telecom Network Security No. 001/R/TD-ICS/RURA/016 of 06/05/2016;
- article 14 of the Regulation governing the Electronic Money Issuers No. 08/2016 of 01/12/2016; and
- article 24 of the MTN Rwandacell Limited Cellular Mobile licences (issued in 2008).

- Authorities
  - the Ministry of ICT and Innovation;
  - the Rwanda Utilities Regulatory Authority; and
  - the National Bank of Rwanda.

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Data requests pursuant to criminal investigations  
Data requests pursuant to civil litigation

Requests from authorities and non-governmental entities • Authority requests fulfilled: approximately 602 • Non-governmental requests declined: 7

- 01 Introduction
- 02 Our strategy and sustainability

framework

## MTN South Africa

### Requests from authorities and non-governmental entities 18

000

### Introduction

MTN has been present in South Africa since 1994. MTN has approximately **29 million** subscribers in South Africa. In 2019, MTN's revenue in South Africa was **R45,4 billion**.

- section 14-16 of the Constitution of the Republic of South Africa, 1996; • section 4 of the Protection of Personal Information Act 4 of 2013; and

16 000 14 000 12 000 10 000  
8 000 6 000 4 000 2 000 0  
15 903

783

#### Lawful interceptions

- Legal framework
- The right to privacy:
  - section 11 of the Promotion of Access to Information Act 2 of 2000; and
  - section 12 of the Regulation of Interception and Provision of Communication
- Lawful intercept:
  - section 12 of the Regulation of Interception and Provision of Communication

Related Information Act 70 of 2002.

- Authorities
  - the Department of Justice;
  - the National Prosecuting Authority;

- the South African Police Service;
- the State Security Agency; and
- the Information Regulator.

Data requests pursuant to criminal investigations Data requests pursuant to civil litigation

- Authority requests fulfilled: 15 903
- Non-governmental requests fulfilled: 783

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- 02 Our strategy and sustainability

# MTN South Sudan

## Introduction

MTN has been present in South Sudan since 2011. MTN has approximately **1,54 million** subscribers in South Sudan. In 2019, MTN’s revenue in South Sudan was **R1,5 billion**.

### Lawful interceptions

- Legal framework
  - section 22(1)-22(3) of the Right of Access to Information Act 2013, No. 65.
  - Transitional Constitution of South Sudan as amended 2011, article 24 & 32;
  - Media Authority Act 2013, No. 64;

- Broadcasting Corporation Act 2013, No. 63; and
- National Communication Act 2012, No. 24.

- Authorities
  - Ministry of Information ICT & Postal Services
  - National Communication Authority
  - Ministry of Justice
  - National Security Agencies

### Requests from authorities and non-governmental entities

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1 200	

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Data requests pursuant to criminal investigations

Data requests for personal or private use

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01 Introduction

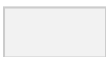
02 Our strategy and sustainability

framework

MTN Group Limited Transparency Report for the year ended 31 December 2019 27

- article 6, 8, 18, 23, 26, 35 and 36 of the Criminal Information Act of 2018,

## MTN Sudan



### Introduction

MTN has been present in Sudan since 2005. MTN has approximately **9 million** subscribers in Sudan. In 2019, MTN's revenue in Sudan was **R1,9 billion**.

#### Lawful interceptions

- Legal framework
  - article 6, 73 and 74 of the Telecommunication and Postal Regulation Act of 2018;

### Requests from authorities and non-governmental entities

6 000

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- data privacy, crime and copyrights;
- article 5 of the MTN Licence Agreement 2003;

1 000

Data requests pursuant to criminal investigations

- article 166 of the Law for Criminal of 1991;
- the Criminal Information Act 2018;
- Criminal Law 1991;
- the Electronic Transactions Act 2007; and
- Competition Law 2007.

Authorities

1

- the Sovereign Council and Ministry Council;
- the National Information Centre;
- the Telecommunication and Postal Regulatory Authority; and
- the Society of Customer Protection.

Data requests pursuant to suspension of MSISDNs, SIM cards, service restriction orders and internet shutdown

- Authority requests fulfilled: 5 105

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01 Introduction

framework

02 Our strategy and sustainability

revenue in Uganda was R6,6 billion.

Lawful interceptions

- Legal framework
- article 27(2) and 29 of the Constitution of the Republic of Uganda;
- section 7 and 9-28 of the Data Privacy and Protection Act and Regulations;
- the MTN Uganda Licence;
- section 50 , 56 and 79 of the Communications Act and Regulations;
- section 2-4, 8-12 and 15 of the Regulation of Interception of

14  
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8

MTN Uganda

Introduction

MTN has been present in Uganda since 1998. MTN has approximately 13 million subscribers in Uganda. In 2019, MTN's

## Electronic Transactions Act.

## • Authorities

- the Uganda Police Force and Ministry of Security; • the Uganda Communications Commission; • the National Information Technology Authority; and • the Bank of Uganda.

Data requests pursuant to criminal investigations •

Communications Act;

- section 64 and 65 of the National Payments Bill; • guideline 12(c) of the Mobile Money guidelines; • section 11, 24 and 26 of the Computer Misuse Act; and • section 31 and 32 of the

Authority requests fulfilled: 12

## 01 Introduction

## 02 Our strategy and sustainability

## framework

MTN Zambia 

MTN has been present in Zambia since 2005. MTN has approximately **7,0 million** subscribers in Zambia. In 2019, MTN's revenue in Zambia was **R2,7 billion**.

## Lawful interceptions

- Legal framework
- article 20 of the Constitution, 1996;
- section 41-43 and 64 of the Electronic

Communications and Transactions Act No. 21 of 2009; and

- regulation 40 of Statutory Instrument No. 71 of 2011.

• Cyber Security and Cyber Crimes Bill (Not yet law and is undergoing

## Introduction

Requests from authorities



- the Zambia Information and Communications Technology Authority; • Bank of Zambia;
- the Zambia Police Service;
- the Drug Enforcement Commission;
- the Anti-Corruption Commission;
- the Human Rights Commission; and
- the Financial Intelligence Centre.

Data requests pursuant to criminal investigations • Authority requests fulfilled: 8 294

drafting).

- Authorities