

Customer Due Diligence

Resolved: Shareholders request the Board of Directors commission an independent third-party report, at reasonable cost and omitting proprietary information, assessing Amazon’s customer due diligence process to determine whether customers’ use of its products and services with surveillance, computer vision, or cloud storage capabilities contributes to human rights violations or violates international humanitarian law.

Whereas: Amazon Web Services (AWS) serves multiple governmental customers with a history of human rights abuses. This raises the risk of product misuse by AWS customers with poor human rights records, as Amazon’s technologies may enable mass surveillance globally, as well as facilitate the targeting of human rights defenders, journalists, and political dissidents.

Since the universal endorsement of the United Nations Guiding Principles for Business and Human Rights in 2011,¹ conducting human rights due diligence (HRDD) has become the de-facto standard in the tech sector.² Conducting HRDD, which includes customer risk assessments, mitigates clients’ risks and human rights impacts and informs business decision-making by helping to identify the likelihood of technology misuse to facilitate governmental human or civil rights violations.³ Furthermore, the Atlantic Council has recommended the US create know-your-customer policies with surveillance companies.⁴

Inadequate customer due diligence presents material privacy and data security risks, as well as legal, regulatory, and reputational risks, which are particularly pertinent when considering the sale and use of sensitive and emerging technologies. Amazon’s product portfolio contains several products with potentially grave misuse capabilities. Despite Amazon’s indefinite moratorium of its Rekognition face comparison feature, it has not clarified how Rekognition is still used by police outside of “criminal investigations.”⁵ Additionally, Amazon’s Ring continues to infringe on citizens’ privacy, despite an audit and Ring’s resulting changes.⁵ Its vague standards regarding information sharing with law enforcement, absent consent, led to sharing of videos with law enforcement at least 11 times in 2022.⁶ Ring continues to expand its thousands of police partnerships.⁶

At the same time, Amazon’s government-affiliated customers with a history of rights-violating behavior pose risks to the company, including:

¹ https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf

²

https://www.humanrights.dk/sites/humanrights.dk/files/media/document/Phase%20-%20Impact%20prevent%20mitigation%20and%20remediation_ENG_accessible.pdf

³

https://www.humanrights.dk/sites/humanrights.dk/files/media/document/Phase%20-%20Impact%20prevent%20mitigation%20and%20remediation_ENG_accessible.pdf;

<https://www.eff.org/deeplinks/2018/07/should-your-company-help-ice-know-your-customer-standards-evaluating-domestic>

⁴ <https://www.atlanticcouncil.org/wp-content/uploads/2021/11/Surveillance-Technology-at-the-Fair.pdf>

⁵ https://s2.q4cdn.com/299287126/files/doc_financials/2022/ar/Amazon-2022-Proxy-Statement.pdf

⁶ https://www.markey.senate.gov/imo/media/doc/amazon_response_to_senator_markey-july_13_2022.pdf

- AWS will host the Department of Homeland Security’s biometric database, which will reportedly be used to “assemble target lists for ICE raids, expand the tech border wall, and to facilitate surveillance, arrests, immigrant detention and deportation”;⁷
- The Israeli government’s “Project Nimbus,” protested by Amazon employees,⁸ uses AWS to support the apartheid system under which Palestinians are surveilled, unlawfully detained, and tortured.⁹ Israel plans to use AWS as it expands illegal settlements and enforces segregation. The UN has clearly indicated war crimes may have been committed by Amazon’s major customer, the Israel Defense Forces, since October 7, 2023.¹⁰

Amazon’s existing policies appear insufficient in preventing customer misuse and establishing effective oversight, yet Amazon continues releasing surveillance products. Moreover, the company’s disclosures make no mention of customer due diligence, nor is there any relevant information about the process on its website.

⁷ <https://www.immigrantdefenseproject.org/wp-content/uploads/HART-Attack.pdf>

⁸ <https://www.forbes.com/sites/richardnieva/2022/09/09/google-and-amazon-protest-project-nimbus-ai-contract-israel/?sh=68609827d162>

⁹ <https://www.hrw.org/news/2021/11/24/mass-surveillance-fuels-oppression-uyghurs-and-palestinians>;

<https://www.amnesty.org/en/documents/mde15/5141/2022/en/>;

https://www.gov.il/en/departments/news/press_01082023_b

¹⁰ <https://www.ohchr.org/en/press-releases/2023/10/commission-inquiry-collecting-evidence-war-crimes-committed-all-sides-israel>