

Customer Due Diligence 2022 - Amazon.com, Inc.

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.

Whereas: Amazon Web Services (AWS) is a leading cloud provider that serves multiple government customers with a history of human rights abuses, and Amazon’s surveillance technologies may enable mass surveillance globally.

“Know Your Customer” due diligence mitigates clients’ risks and human rights impacts and informs business decision-making.¹ It reveals whether technologies will be used to facilitate governmental human or civil rights or civil liberties violations.² The Atlantic Council recommended the United States and NATO “create know-your-customer (KYC) policies” with surveillance companies.³ The United Nations found that states and businesses have “often rushed to incorporate AI applications, failing to carry out due diligence.”⁴

Inadequate due diligence presents material privacy and data security risks, as well as legal, regulatory, and reputational risks. These risks are present even if surveillance products are used according to Amazon’s guidelines. Amazon fails to address how its facial analysis products enable discrimination.⁵ Even after police used Amazon’s Ring to surveil anti-racist protesters⁶ and a UK court found Ring infringed customer privacy,⁷ Ring continues to expand its thousands of police partnerships.⁸ Senators expressed concerns⁹ that Amazon’s palm recognition payment system violates privacy.¹⁰ In 2021, Amazon was fined \$887 million for violating the European Union General Data Protection Regulation.¹¹

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

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<https://www.humanrights.dk/sites/humanrights.dk/files/media/document/Phase%20-%20Impact%20prevent>

² <https://www.eff.org/deeplinks/2018/07/should-your-company-help-ice-know-your-customer-standards-evaluating-domestic>

³ <https://www.atlanticcouncil.org/wp-content/uploads/2021/11/Surveillance-Technology-at-the-Fair.pdf>

⁴ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27469&LangID=E>

⁵ <https://venturebeat.com/2021/09/03/bias-persists-in-face-detection-systems-from-amazon-microsoft-and-google/>

⁶ <https://www.eff.org/deeplinks/2021/02/lapd-requested-ring-footage-black-lives-matter-protests>

⁷ <https://www.digitalcameraworld.com/news/your-amazon-ring-camera-could-land-you-in-trouble-with-the-law-after-shock-ruling>

⁸ <https://www.theverge.com/2021/1/31/22258856/amazon-ring-partners-police-fire-security-privacy-cameras>

⁹ <https://www.klobuchar.senate.gov/public/cache/files/5/e/5ebfd9e0-b230-4a86-8db4-09cacd0c25a6/0DA3E8409AD9EB20E056BC005E5858B1.8.12.21-letter-to-amazon.pdf>

¹⁰ <https://news.sky.com/story/amazon-introduces-palm-swiping-technology-to-concert-venue-in-us-12407679>

¹¹ <https://www.theverge.com/2021/7/30/22601661/amazon-gdpr-fine-cnpd-marketplace-antitrust-data>

- U.S. immigration enforcement agencies use AWS in detention and deportation programs;
- AWS will host the Department of Homeland Security’s biometric database, which will impact millions of immigrants’ and citizens’ “ability to exercise their rights to protest, assemble, associate, and to live their daily lives”;
- Amazon has purchased thermal cameras from Chinese technology firm Dahua,¹² which was blacklisted by the U.S. Government due to its role in the mass surveillance, internment, torture, and forced labor of the ethnic Uyghur minority;
- The Israeli military and government’s “Project Nimbus”, protested by Amazon employees,¹³ uses AWS to support and expand the apartheid system under which Palestinians in occupied territory are surveilled, unlawfully detained and tortured, and subjected to acts of forced displacement.¹⁴ The Israel Land Authority plans to use AWS as it expands illegal settlements and enforces segregation; and
- The United Arab Emirates government, which deploys a state surveillance apparatus against human rights defenders, journalists, and political dissidents, will partner with Amazon to develop three data centers in 2022.

Amazon’s existing policies¹⁵ appear insufficient in preventing customer misuse and establishing effective oversight, yet Amazon continues releasing surveillance products.

¹² <https://www.theguardian.com/technology/2020/apr/29/amazon-thermal-cameras-china-dahua>

¹³ <https://www.theguardian.com/commentisfree/2021/oct/12/google-amazon-workers-condemn-project-nimbus-israeli-military-contract>

¹⁴ <https://www.un.org/unispal/wp-content/uploads/2020/06/AHRC43NGO185.pdf> ;

<https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution#>

¹⁵ <https://sustainability.aboutamazon.com/people/human-rights/principles> ;

<https://ir.aboutamazon.com/corporate-governance/documents-and-charters/code-of-business-conduct-and-ethics/default.aspx> ; <https://aws.amazon.com/agreement/>