

Beirut, February 29, 2008

Ref:

Dear Madam, Sir,

**Subject:** The Confidentiality of User Personal Information and Communications

Established by Law 431 of 2002, the TRA effectively started operations after the nomination of its board members and has taken in charge the handling of all Service Providers in regards to regularizing outstanding licenses and issuing new ones.

Accordingly, and further to many received complaints, the TRA would like to draw your attention to the necessity of respecting the confidentiality of user personal information and communications (“User Confidentiality Obligations”) both by your company and by any third party with whom you may deal including for example value added service providers and all other third persons and companies with whom you may deal. Personal information and User Confidentiality Obligations include all information relating to the person of the user such as the user’s mobile phone number, fixed phone number, address, birth date, calls and message history and contents, and any other information relating to the user.

As you know, User Confidentiality is protected by existing applicable laws and regulations including for example the Lebanese Constitution, the Lebanese Criminal Code, the Lebanese Consumer Protection Law as well as general principles of law and other applicable rules and regulations.

In addition, the **Consumer Affairs Regulation** launched for public consultation in July 2007 and expected to be issued in April 2008, clearly expresses the TRA position related to this issue with the following mentioned terms:

***USER COMMUNICATIONS & CONFIDENTIALITY***

***User Communications***

*Service Providers shall take all reasonable measures to ensure the confidentiality of User communications.*

*Service Providers shall not alter or modify or interfere with User communications.*

**PERSONAL INFORMATION**

*Consumers and Users have the right to personal privacy, to have protection from unauthorized use of their personal records and information, and to reject invasive communications.*

*All Service Providers shall observe and respect Users' rights and shall maintain the confidentiality of, and refrain from disclosing, transferring or using, in any way whatsoever, save as otherwise expressly provided, any:*

*A. Personal Information and other confidential and or proprietary information and records obtained in the course of their business from any User, where such information originates from any such User;*

*B. information regarding usage of a licensed network or a licensed service; or*

*C. information received or obtained in connection with the operation of a licensed network or the provision of a licensed service;*

*Consumers and or Users may give consent to the disclosure of Personal Information and calling patterns provided that such consent shall be obtained in a clear manner and in writing.*

In order to avoid any restrictive measure, we officially require that you provide us in writing with the following as soon as possible and, in any event, no later than 30 days from the date of this letter:

- Your company's current practice and position related to User Confidentiality, including notably a description of (a) how your company has used, is using, and/or will be using in the future, any of the users' personal information and (b) the measures taken by your company (and such measures that your company intends to take) in view of protecting the users' personal information and any disclosure of such information and/or unauthorized use.
- Inform the TRA about all ongoing contracts between your company and third parties where such contracts include or refer or relate to users' personal information. We also request that you inform us of any contract that would be deemed to be in breach of Consumers Affairs Regulation provisions referred to in this letter. We invite to provide your suggestion on how to render these contracts compliant with the said regulation upon its issuance (Soft and/or hard copies to be submitted to the TRA).

- Suggest to the TRA any action that your company could undertake to prevent use or abuse of Personal Information by any third person, and any suggestion that could be undertaken by the TRA or other in order to stop such breaches.

Kindly note that this letter will be published on the TRA website,

Hoping to receive your prompt feedback,

Best regards,

**Kamal S. Shehadi, PhD**

Chairman and CEO

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