OPEN VOICE
NETWORK
Voice for everyone

April 22, 2021

Dr. Andrea Jelinek
Chair
European Data Protection Board
Rue Wiertz 60
B-1047 Brussels

Dear Dr. Jelinek,

Congratulations on the publication of Version 1.0 of Guidelines 02/2021 on Virtual Voice Assistants (VVA). We at the Open Voice Network applaud your human-centric approach toward personal data protection. This is a strong start to supporting a sound industry environment geared toward making voice technology worthy of user trust and suitable for commerce.

The Open Voice Network is a neutral, non-profit industry association dedicated to the development of the standards and ethical use guidelines that will make voice worthy of user trust. It operates as an open source community within The Linux Foundation, and is independently funded and governed with participation from more than 120 voice practitioners and enterprise leaders from 12 countries worldwide.

Open Voice Network welcomes this opportunity to comment, collaborate, and share our view as you address your next iteration.

Key areas of agreement and Open Voice Network focus

The Open Voice Network community agrees whole-heartedly with EDPB's position on the need for informed explicit consent about privacy policy for users. We agree that the VVA should provide those whose account is linked by the VVA to other independent services, such as email or online purchases, a clearly separated section on how each processes personal data. Similarly, Open Voice Network community agrees that VVAs that allow third-party functionality should sufficiently inform the user of the boundaries between various controllers during use of the device. They should be informed of the facts on how, by whom, and how much their data is processed in a specific query. EDPB's call for an "online data store" that allows user access to privacy policy (preferably) prior to device setup but at least before personal data is obtained supports informed consent.

We also agree with setting configuration default options to the minimum of stored user information needed and presenting options in an objective design that gives "equal weight" to the choices. This is in keeping with our shared human-centric focus.

We support the individual user's right to access their personal data being processed by a VVA. Not only must users have the information needed to install or use a VVA app, they should
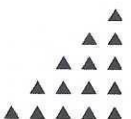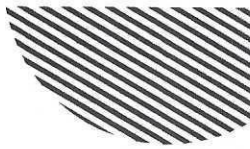
receive the data at their convenience in a form they are able to access and use without additional equipment.

We appreciate that this is in keeping with a fundamental principle of "Universal Design," which is to design products for all, regardless of physical abilities. This is why a PDF would not meet voice requirements. And it is why we agree that any mandatory information related to setting up, installing, or using a VVA or VVA app should be available in a voice-based interface provided by the VVA or VVA app. This direction advances voice technology as part of global industry that puts users in control of their data while holding data collectors accountable for protecting their privacy and security and providing greater transparency overall.

The Open Voice Network includes within its guidelines a variety of "ethical use" considerations. Increasing use of VVA's in conjunction with inadequately balanced access rights by law enforcement authorities could produce a chilling effect that would undermine fundamental rights such as freedom of speech. As you noted, because VVA's are in various "states" during use, users should be given an indication of these and have a clear indication that a device is "listening." Therefore, we especially welcome the EDPB's paragraph 130 that requires VVAs to await the user's initiative before being activated. Moreover, the VVA should also be required to process only the data of users who gave their prior consent, instead of processing any data, including those of accidental users or users identified through profiling activities.

Inclusion of guidelines for creating profiles and processing information legally for children under age 16 is critical. We see the importance of requiring it to be done only with consent of those with parental authority, even for VVAs embedded in devices aimed at children.

For EDPB's next iteration

We strongly encourage the EDPB to look closely at the market transitions now reshaping virtual voice assistance. A key consideration guiding Open Voice Network community's work is the market transition we see moving toward an expanding hybrid environment made up of general-purpose platforms and enterprise-owned VVAs, such as Deutsche Telekom's "Magenta Voice." The growth of platform-independent virtual voice assistance portends a web-like ecosystem of hundreds and thousands, soon millions, of independent conversational agents. In the coming years, instead of smart speaker virtual voice assistants, we'll gain voice assistance from our cars, smart phones, homes, appliances, and community infrastructure. The new, non-cloud voice assistance technology architectures offer significant opportunities to protect user privacy and should therefore be reflected in the EDPB's guidelines. In addition, storage on the terminal device of the user would decrease the risks in case of a security threat for the (meta)-data stored in the cloud.

Given the rapidly advancing analysis of metadata in voice, such as real-time sentiment analysis and the use of biomarker data, we encourage you to continue to monitor the rapidly emerging use cases, many of which warrant a call-out and detailed examination.
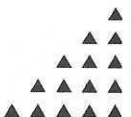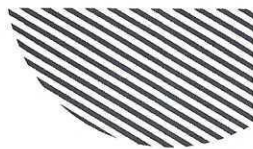
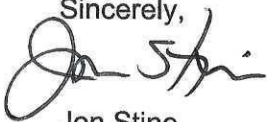Open Voice Network recommends considering the following:

- Address ethics, privacy, and security of the user data in the responsibilities of the actors so that these ethical decisions are not left to designers alone. Open Voice Network would be happy to share the work that our community has done on that.
- Encourage VVA developers to orient all users to a VVA by creating guidelines for interactive just-in-time help on demand for all aspects of a VVA.
- Provide guidelines for developing common machine-readable formats that ease interoperability of the data format between VVA systems, including standard formats for voice data and control functions.
- Expand coverage of user security and privacy risks, for example address multiple VVAs in the same environment with potential to listen to, interact with, and/or control each other as well as all manner of sensitive devices, from insulin pump and environmental systems to an individual's car.
- Make only general specifications on uptime for emergency calling because the emergency case could have many variances given the user journey with devices.

We are happy to connect and share our current efforts with you. Open Voice Network community's work at present is focused in four areas: 1) interoperability, defined as the ability for conversational agents to share dialogs (and accompanying context, control, and privacy), 2) destination registration and management, the ability of users to confidently find a destination of choice through specific requests, and for the providers of goods and services to register a verbal "brand" (similar to the DNS of the internet); 3) privacy, with voice-specific guidance for both the protection of individual user data and that of commercial users; and 4) security, with a focus on voice-specific threats and harms.

You can find Open Voice Network's first pass at privacy guidelines informed by the GDPR, CCPA and recent commentary out for review on our Github repo here: https://github.com/open-voice-network/docs/blob/master/Privacy%20Guidelines%20and%20Capabilities.md.

Thank you for this important work.

Sincerely,

Jon Stine
Executive Director
Open Voice Network