

Owner  
Chief External Affairs, Governance and Trust Officer

Security  
Public

Approval Date  
2022-03-18

Version  
6

Approved by  
Board of Directors

No.  
T 22264-13 Uen

Related  
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## GROUP POLICY - FREEDOM OF EXPRESSION & SURVEILLANCE PRIVACY

ICT has the potential to enable the exchange of ideas and access to information in a way that supports economic opportunity, advances knowledge and improves quality of life.

### 1 PURPOSE

This Policy defines Telia Company's commitments in relation to unconventional requests or demands from governments that potentially could seriously impact the freedom of expression and surveillance privacy of our users.

Requests or demands from governments addressed to Telia Company may relate to such as;

- targeted surveillance in exceptional cases
- mass surveillance, where the authorities demand unrestricted real-time network access
- shutdown of all or parts of a network
- blocking or restricting access to specific services, Internet websites or content
- blocking or restricting individual customers' access to services or networks

as well as;

- obligations to transmit mandatory communications issued by government authorities
- significant changes or proposed changes in the law, or significant imposed or proposed operational changes, in the context of freedom of expression and surveillance privacy
- requests, in the context of freedom of expression and surveillance privacy, not based on law

In this Policy document, the umbrella term "*surveillance of communications*" is used to cover all the above types of unconventional requests or demands ('major events').

Telia Company has adopted these principles to define our commitments to respect, promote and advance the freedom of expression and respect and work to protect the surveillance privacy of our users when confronted with government demands, laws and regulations which suppresses freedom of expression or compromises surveillance privacy, or to remove content or otherwise limit access to communications, ideas and information in a manner inconsistent with internationally recognized laws and standards.

Companies, including Telia Company, should comply with all applicable laws and also have a responsibility to respect internationally recognized human rights, wherever they operate. If national laws, regulations and policies do not conform to international standards, companies should work to protect the freedom of expression and surveillance privacy of their users by seeking to avoid or minimize negative impact, or otherwise address the adverse impact of government demands, laws, or regulations, and seek ways to honor the principles of internationally recognized human rights to the greatest extent possible. Companies, including Telia Company, should employ protections with respect to personal information in order to protect the privacy rights of users. Companies should also be able to demonstrate their efforts in this regard.



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Telia Company does not engage in or comment on party politics of the countries where we operate. However, Telia Company expresses its views on regulations that affect our could affect our business. Telia Company therefore adopted these principles to be applied when encountering requests or demands with potentially serious impacts on the freedom of expression and surveillance privacy of our users.

Telia Company supports international standards on human rights. Our principles are based on internationally recognized laws and standards for human rights, including the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The application of these Principles is informed by the Global Network Initiative (GNI) Principles and Implementation Guidelines on Freedom of Expression and Privacy, the UN Guiding Principles on Business and Human Rights (UN Guiding Principles), and the OECD Guidelines for Multinational Enterprises.

Freedom of opinion and expression and privacy are fundamental human rights derived from the inherent dignity of all persons.

The primary purposes of this Policy are to reduce human rights risks, and to make sure our customers and users feel confident that Telia Company will - whenever possible - support, respect and safeguard their freedom of expression and privacy when we receive requests or demands from governments in relation to the surveillance of communications.

Through this Policy we aim to anticipate, address and minimize any potential impacts on freedom of expression and surveillance privacy that may arise when governments make requests or demands that are unlawful, or where governments or national authorities are believed to be misusing products or technology in violation of the human right to freedom of expression and privacy.

## **2 PRINCIPLES**

The positions and principles shall apply for the activities governed by this Group Policy;

### **A. Public advocacy promoting freedom of expression and surveillance privacy**

1. We advocate clear and transparent legal provisions on proportionality and necessity for all government surveillance of communications. Vague, non-transparent and broadly conceived legal provisions are not appropriate when freedom of expression and surveillance privacy is at stake. We engage governments and international institutions to promote the rule of law and the adoption of laws, policies and practices to protect, respect and fulfill freedom of expression and surveillance privacy.

2. We argue that all government surveillance of communications, including international collaboration between authorities, should be conducted under the supervision of a court or some other independent judicial body. This will help to ensure transparency and accountability in relation to requests or demands made by governments.

3. We advocate that governments should not have direct access to a company's networks and systems. The company should retain operational and technical control.



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4. We encourage governments to be transparent about their use and scope of surveillance of communications. We report transparently on Telia Company's efforts in relation to surveillance of communications. We inform stakeholders about unconventional requests ('major events' as listed above) whenever this is appropriate and within what is legally permissible.

### **B. Commitments in relation to unconventional requests and demands with potentially serious impacts on freedom of expression and surveillance privacy**

5. We always strive to act in the best interest of our customers and the company. Risks to customers and users, including children and youth, relating to freedom of expression and surveillance privacy are integrated into our risk management processes to minimize possible negative impacts of government requests or demands.

6. We comply with requests or demands relating to surveillance of communications only to the extent required by law, including binding regulations and license requirements. We also argue that all such requests or demands are submitted in writing and are signed by the appropriate government official.

7. We enhance internal decision making to efficiently determine whether a request or demand could be in conflict with international standards of human rights because of serious impacts on freedom of expression and surveillance privacy. Where such impacts seem to exist, we pursue all available lawful and feasible measures to avoid compliance, and/or minimize any negative impacts on freedom of expression and surveillance privacy. If in doubt, we always treat requests or demands as potentially having serious impacts on freedom of expression and surveillance privacy. Whenever governments demand real-time network access, we make high-level reviews (e.g. at Group CEO level). We also regularly review existing demands regarding real-time network access.

8. We have defined clear criteria, processes and responsibilities for assessing and determining the likelihood and seriousness of impacts on freedom of expression and surveillance privacy whenever we receive requests or demands relating to the surveillance of communications. We provide guidance to the relevant personnel which explains how they should interpret and react to such requests or demands. We also engage in dialogue on such issues for staff within key functions and for our technical specialists. These criteria and guidance are regularly reviewed.

9. We always seek to prioritize and ensure the safety and liberty of company personnel who may be put at risk when applying this Policy.

### **C. Other commitments**

10. We engage actively with other companies and other stakeholders taking a collaborative approach to problem solving and sharing our experiences and identify best practices in our field. We utilize guidance from the UN, the EU and other supranational organizations. We also provide accessible, secure and independent grievance mechanisms.

These principles apply to the extent that they do not place Telia Company in violation of domestic laws and regulations.



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### 3 ROLES AND RESPONSIBILITIES

This Group Policy applies to Telia Company AB and its Subsidiaries<sup>1</sup> and Joint Operations<sup>2</sup> as their own binding policy to all directors, members of the boards, officers and employees. In addition, Telia Company works towards promoting and adopting this Policy's principles and objectives in other associated companies where Telia Company does not have control but has significant influence.

Each Group Executive reporting to the CEO of Telia Company is responsible for ensuring that this Group Policy is duly communicated and implemented, and that the employees within his/her area of responsibility are familiar with and follow this Group Policy.

Each country CEO is responsible for ensuring that all relevant entities within the CEO's geographic location has adopted and implemented this Group Policy.

### 4 BREACHES AGAINST THE POLICY

Any Telia Company employee who suspects violations of the Code of Responsible Business Conduct or this Group Policy must speak up and raise the issue primarily to their line manager, and secondly to the Human Resources department, to Group Governance, Risk and Compliance, or through the Speak-Up Line. The Speak-Up Line is available on Telia Company's internal and external webpages.

Telia Company expressly forbids any form of retaliation for people who speak up. For specific requirements, please see our Group Instruction on Internal Reporting and Non-Retaliation.

Violations against this Group Policy can lead to disciplinary action, up to and including termination.

### 5 TARGET GROUP

This Group Policy is applicable and most relevant for personnel within;

- CEO's;
- Communications;
- Risk and Compliance;
- Legal;
- Risk management, including risks to the freedom of expression and surveillance privacy of users;
- Security, including personnel acting upon government requests; and
- Sustainability.

### 6 EXEMPTIONS

A Subsidiary-specific corresponding policy shall be compliant with this Group Policy while adapting to the concerned business activities, local laws, local circumstances and language. If a deviation or exemption from this Group Policy is deemed necessary, the Country CEO shall escalate the matter to the Group

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<sup>1</sup> All entities over which Telia Company AB has majority control.

<sup>2</sup> The joint operations over which Telia Company AB has joint control and management responsibility.



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General Counsel.

## 7 GROUP GOVERNANCE FRAMEWORK

This Group Policy is part of the Group Governance Framework, which includes without limitation:

- a) Code of Responsible Business Conduct, Purpose and Values, Strategy, Group Policies, and Instructions for the CEO as approved by the Board of Directors;
- b) Decisions made by the CEO, the Delegation of Obligations and Authority as approved by the CEO, Group Instructions as approved by the CEO or by the responsible Head of Group Function; and
- c) Guidelines, best practices, process descriptions, templates or working routines developed within the area of responsibility of Head of Group Function.

## 8 TERMS AND ABBREVIATIONS

Terms and abbreviations	Definition
Direct access	Real-time network access without requests, i.e. signals intelligence (intelligence gathering through analysis and processing of communication signals) and technical systems for more extensive monitoring of telecommunications, Telia Company has no insight or control into the extent of such surveillance.
Freedom of Expression and Opinion	Freedom of expression and opinion is defined using e.g. Article 19 of the Universal Declaration of Human Rights: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."
ICT	Information and Communications Technology
Rule of Law	A system of transparent, predictable and accessible laws and independent legal institutions and processes, which respect, protect, promote and fulfil human rights such as freedom of opinion and expression and privacy.
Surveillance of Communications	Requests or demands from governments addressed to Telia Company may relate to such as; <ul style="list-style-type: none"> <li>- targeted surveillance in exceptional cases;</li> <li>- mass surveillance, where the authorities demand unrestricted real-time network access;</li> <li>- shutdown of all or parts of a network;</li> <li>- blocking or restricting access to specific services, Internet websites or content;</li> <li>- blocking or restricting individual customers' access to services or networks; as well as;</li> <li>- obligations to transmit mandatory communications issued by government authorities;</li> <li>- significant changes or proposed changes in the law, or significant imposed or proposed operational changes, in the context of freedom of expression and surveillance privacy; and</li> </ul>



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Terms and abbreviations	Definition
	- requests, in the context of freedom of expression and surveillance privacy, not based on law  In this document, the umbrella term “ <i>surveillance of communications</i> ” is used to cover all the above types of requests or demands.
Surveillance Privacy	The right to privacy is widely understood as fundamental for the right to freedom of expression, meaning we have commitments also as to surveillance privacy when authorities mandate access to user data.
Unconventional requests	These types of requests or demands are distinct from normal, “uncontroversial”, conventional and routine requests for lawful targeted surveillance. Lawful targeted surveillance includes requests for Telia Company to provide details of specific individual customers’ communications, usually historic communications metadata, traffic data and location data, and/or content. Those requests form part of many investigations made by law enforcement authorities in criminal cases as well as by other authorities such as tax and customs.
User	Any individual using a publicly available electronic communications service, for private or business purposes, with or without having subscribed to this service.

**NOTE!** For further information, also read the ‘Group Instruction – Freedom of Expression & Privacy’. The Instruction also includes a short summary checklist for use in emergency situations in relation to urgent government requests or demands.

