

MAY 2017

Human Rights Impact Assessment

Telia Sweden



About This Report

Telia Company commissioned BSR to undertake a human rights impact assessment (HRIA) for Telia Sweden, the company's subsidiary in Sweden.

BSR undertook this HRIA in September and October 2016, using a methodology based on the UN Guiding Principles on Business and Human Rights. This assessment identifies human rights impacts, risks, and opportunities, reaches conclusions about those impacts, and make recommendations for their mitigation and management. This HRIA was funded by Telia Company, though BSR has editorial control over its contents. As with other BSR HRIAs, some content of the original HRIA may have been removed from this public version owing to legal restrictions.

BSR makes recommendations in two distinct categories:

- » **For Telia Company**, we make recommendations for how to integrate human rights into its company-wide strategy, governance, and management. These recommendations include, but are not limited to, Sweden.
- » **For Telia Sweden**, we make recommendations for how to manage and mitigate human rights impacts in Sweden.

ACKNOWLEDGEMENTS

BSR wishes to thank all Telia Company and Telia Sweden employees, rights holders, and stakeholders who participated in these assessments.

DISCLAIMER

The conclusions presented in this report represent BSR's best professional judgment based upon the information available and conditions existing as of the date of the review. In performing its assignment, BSR must rely upon publicly available information, information provided by Telia Company, and information provided by third parties. Accordingly, the conclusions in this report are valid only to the extent that the information provided to BSR was accurate and complete. This review is not intended as legal advice, nor is it an exhaustive review of legal or regulatory compliance. BSR makes no representations or warranties, express or implied, about the business or its operations. BSR maintains a policy of not acting as a representative of its membership, nor does it endorse specific policies or standards. The views expressed in this publication are those of its authors and do not necessarily reflect those of BSR members.

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1. Executive Summary

1.1 INTRODUCTION

Telia Company commissioned BSR to undertake a human rights impact assessment (HRIA) for Telia Sweden, the company's subsidiary in Sweden. The objectives of the HRIA are to identify human rights impacts, risks, and opportunities, reach conclusions about these impacts, and make recommendations for how they can be managed and mitigated.

BSR undertook this assessment during September and October 2016 using a methodology based on the UN Guiding Principles on Business and Human Rights (UNGPs).¹ This methodology involves identifying actual and potential human rights impacts in a stakeholder inclusive manner, prioritizing impacts based on criteria contained in the UNGPs, and making recommendations for their management.

1.2 SWEDEN

Sweden is a constitutional monarchy and parliamentary democracy. Sweden is a member of the United Nations, the Nordic Council, the Council of Europe, the World Trade Organization, and the Organisation for Economic Co-operation and Development. Sweden joined the European Union in 1995. However, Sweden is not a member of NATO, and declined to join the Eurozone following a referendum.

Sweden maintains a social welfare system that provides universal health care and tertiary education for its citizens. It has the world's eighth-highest per capita income and ranks highly in numerous metrics of national performance, including quality of life, health, education, protection of civil liberties, economic competitiveness, equality, prosperity and human development.

In the 2016 Freedom House report, Sweden was designated as a free country and received a top score for its freedom, civil liberties, and political rights ratings. Sweden was one of five countries to receive perfect 100 score. Freedom of speech is guaranteed by law, and the government does not restrict access to the internet. Hate-speech laws prohibit threats or expressions of contempt based on race, color, national or ethnic origin, religious belief, or sexual orientation.

1.3 HUMAN RIGHTS AT TELIA COMPANY

Telia Company has stated its support for the United Nations' Universal Declaration of Human Rights (UDHR), the core conventions of the International Labour Organization, and the OECD Guidelines for Multinational Enterprises. Telia Company is a signatory of the United Nations Global Compact and a member of the Telecommunications Industry Dialogue on Freedom of Expression and Privacy.²

Telia Company's approach to human rights is set out in a collection of Group Policies and Group Instructions. Group Policies are approved by the Telia Company Board of Directors and contain the scope and purpose, principles, and roles and responsibilities that apply to the issue. Group Instructions are approved by the Telia Company CEO and go into more detail by describing the objectives and requirements that apply to that issue.

¹ OHCHR, "UN Guiding Principles for Business and Human Rights," http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

² Telia Company, <http://www.teliacompany.com/en/sustainability/impacts/our-commitments/>

In 2013 Telia Company commissioned the Danish Institute for Human Rights (DIHR) to undertake a global company-wide HRIA, and one of their key recommendations was to undertake country-specific HRIAs to explore the application of international human rights standards in the local context. This report implements that recommendation for Telia Sweden.

1.4 KEY CONCLUSIONS

BSR makes a number of high-level observations that provide an essential context for Telia Sweden's human rights impacts, risks, and opportunities, as well as its room for maneuver to address them.

Sweden's status as an established liberal democracy is the source of significant human rights protections, and substantially reduces the severity of Telia Sweden's human rights risk. However, the status of human rights protections in Sweden are very relevant to human rights protections elsewhere in the world—any shortcomings in Sweden could be referenced by other governments to justify their own shortcomings. For that same reason, Sweden also has the opportunity to lead by example on human rights. This is relevant for Telia Company's ongoing international presence and investments.

This leadership by example opportunity is greatest in the field of privacy, national security, and law enforcement relationships. While many meaningful protections are in place, there are also a number of shortcomings in the oversight and privacy protections in Sweden's legal framework on these issues, and Telia Sweden is well placed to express a point of view on these shortcomings and advocate for improvements.

In the area of consumer privacy, Telia Sweden's efforts to comply with the General Data Protection Regulation (GDPR) will significantly enhance privacy protections. However, Telia Sweden's success in the Internet of Things, big data analytics, and other adjacent market opportunities will rely on user trust that their personal data will be protected, and not used to generate discriminatory outcomes. There is a need to shape and communicate the future norms, principles, and practices relating to privacy, non-discrimination, and the Internet of Things.

Many human rights risks and opportunities for Telia Sweden are directly related to government policies, regulations, and enforcement. There are opportunities for Telia Sweden to comment on government policies and proposals in ways that address human rights risks and create new opportunities to increase the realization of human rights in Sweden. These opportunities include lowering barriers for asylum seeker participation in formal employment, advocating for more robust oversight of law enforcement and national security agencies, and proposing more transparent and accountable methods of blocking child sexual abuse material.

Finally, here is a need to deliberately increase the awareness of the discrimination risks faced by vulnerable populations in Sweden, and address human rights risks among sub-contractors deep in the company's local supply chain, or in the informal sector.

1.6 RECOMMENDATIONS FOR TELIA SWEDEN

BSR recommends the creation of a human rights management and mitigation plan by Telia Sweden that focusses on the most severe human rights impacts. BSR also recommends that the Telia Sweden human rights management and mitigation plan inform Telia Sweden's new enterprise risk management system, which identifies and mitigates business risks.

Privacy	Freedom of Expression	Vulnerable Populations
<ul style="list-style-type: none"> » Multi-stakeholder dialogue on the future of privacy and anti-discrimination protections in an era of the Internet of Things and big data analytics. » Raise consumer awareness about the future of privacy in the era of the Internet of Things » Formal privacy decision making forum where new business developments are reviewed for consistency with regulations, company policies, and ethics-based considerations. » Propose an ideal law enforcement relationship policy and legal framework for telecom network operators. » Explore, as part of long term product, service, and technology development, the role of encryption in improving privacy protections for users. 	<ul style="list-style-type: none"> » Continue to advocate for increased transparency and oversight of the Swedish legal framework relating to Child Sexual Abuse Material. » Continue to tackle hate speech, and promote counter speech. 	<ul style="list-style-type: none"> » Undertake a Child Rights Impact Assessment using the UNICEF the child rights impact self-assessment tool for mobile operators, and the UNICEF child online safety assessment tool. » Verify whether there are land rights risks relating to telecoms network infrastructure in areas inhabited by Sami. » Multi-stakeholder dialogue on the integration of asylum seekers into the Swedish workforce and broader economy, such as access to products, services, and technologies.
Labor Rights	Non-Discrimination	Process
<ul style="list-style-type: none"> » Examine high-risk parts of Telia Sweden’s supply chain for evidence of human rights violations. 	<ul style="list-style-type: none"> » Undertake discrimination awareness and unconscious bias training. » Audit Telia Sweden job descriptions, requirements, postings, and adverts for potentially discriminatory content and other related features. 	<ul style="list-style-type: none"> » When the Government of Sweden provides opportunities for consultation on policy proposals, provide comments that incorporate human rights considerations and priorities.

2. Project Overview

2.1 HUMAN RIGHTS IMPACT ASSESSMENT

Telia Company commissioned BSR to undertake a human rights impact assessment (HRIA) for the company's operations in Sweden. The **objectives** of the HRIA are to:

- » Identify actual and potential human rights impacts, risks, and opportunities.
- » Make recommendations for an action plan to address impacts, mitigate the risks, and maximize the opportunities relating to the policies, processes, plans, and activities of Telia Sweden and Telia Company.
- » Build capacity and increasingly empower relevant staff to lead constructive dialogue with stakeholders, and improve management of human rights

The **desired outcome** of the project is that Telia Sweden and Telia Company possess the knowledge, insights, and perspectives to integrate human rights responsibilities into its management. This should include (1) understanding how to prevent, mitigate, or address adverse human rights impacts that Telia Sweden and Telia Company might be directly involved in or linked to via their operations, services, or business relationships, and (2) creating a human rights strategy to exercise appropriate levels of leverage over any adverse human rights impacts, and maximize any human rights opportunities.

The **desired impact** of the project is that, over the coming decades, investments in ICT products, services, technology, and operations result in improved realization of human rights, such as privacy, security, freedom of expression, labor rights, and economic, social, and cultural rights.

2.2 TELIA COMPANY IN SWEDEN

Telia Company's operations in Sweden take place via the company's Telia Sweden subsidiary, which is 100% by Telia Company.

Telia Company offers a large range of telecommunication services in Sweden and is the leading supplier in the Swedish telecom market. Its services are marketed under the following brands:

- » Telia, for telecommunication services to businesses, consumers and organizations.
- » Halebop, for mobile services directed primarily at the young adult segment.
- » Skanova, for infrastructure services, such as copper and fiber-based capacity products.
- » Cygate, for systems integration.

Telia Sweden is the largest service provider for mobile (37 per cent market share), broadband (39 per cent market share), and fixed voice (57 per cent market share). Telia Sweden is the third largest TV service provider (16 per cent market share).³ Telia Sweden had revenues of nearly \$5bn in 2015, and in total Telia Company and Telia Sweden employed around 8,000 people in Sweden.⁴

³ <http://www.teliacompany.com/en/about-the-company/markets-and-brands/overview/>

⁴ Telia Company, "Annual + Sustainability Report 2015," <http://annualreports.teliasonera.com/en/2015/download-center/>

3. Methodology

3.1 IDENTIFICATION AND PRIORITIZATION

BSR's HRIA methodology is aligned with the UNGPs and uses the international legal human rights framework as the basis for defining the scope of the term "human rights." Companies today are expected to respect all human rights, and it is understood that businesses can potentially impact any of them. Human rights issues also cut across a diverse range of business activities and company functions. Therefore, our HRIA methodology uses as its baseline the universe of rights codified in the following international instruments:

- » The Universal Declaration of Human Rights
- » The International Covenant on Civil and Political Rights⁵
- » The International Covenant on Economic, Social, and Cultural Rights⁶
- » The eight ILO Core Conventions⁷
- » The Convention on the Rights of the Child⁸
- » ILO Convention 169 on Indigenous Peoples⁹

Where appropriate, in areas of armed conflict, we broaden this baseline universe to include relevant aspects of humanitarian law contained in the Geneva Conventions.

BSR's HRIA methodology identifies human rights impacts, and the human rights risks and opportunities arising from those impacts. BSR's HRIA methodology also prioritizes human rights using factors contained in the Principles 19 and 24 of the UNGPs, such as:

- » Scope—How many people could be affected by the harm/opportunity?
- » Scale—How serious are the impacts for the victim?
- » Remediability—Will a remedy restore the victim to the same or equivalent position before the harm?
- » Likelihood—What is the likelihood of the impact occurring?
- » Leverage—How much leverage does Telia Company have to influence the impact?

3.2 RIGHTS HOLDER ENGAGEMENT

Effective human rights due diligence requires meaningful engagement with "rights holders"—people whose human rights may be impacted by the company. Particular attention should be paid to human rights impacts on individuals from groups or populations that may be at heightened risk of vulnerability or marginalization. BSR engaged with rights holders and stakeholders in Sweden, but for reasons of consistency with HRIAs undertaken in higher risk locations, the identities of the individuals and organizations we consulted are being kept confidential. In total, interviews with around 50 individuals and

⁵ OHCHR, "International Covenant on Civil and Political Rights," <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

⁶ OHCHR, "International Covenant on Economic, Social and Cultural Rights," <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

⁷ ILO, <http://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang-en/index.htm>

⁸ OHCHR, "Convention on the Rights of the Child," <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

⁹ ILO, <http://www.ilo.org/indigenous/Conventions/no169/lang-en/index.htm>

organizations, including Telia Sweden, Telia Company HQ, and external stakeholders informed the Telia Sweden HRIA.

3.3 ADDITIONAL ASPECTS

There are three additional key points to understand about the BSR methodology:

- » There is significant overlap of rights in international human rights instruments. Our assessment methodology accounts for this overlap and is based on a single list of all the relevant rights categorized into business-relevant groupings, such as labor, privacy, freedom of expression, security, community, and health, safety, and environment, etc. We use these groupings to make the assessment more actionable for the company.
- » An appreciation of the local context is critical for the success of the assessment, so the BSR tool includes the identification of dimensions such as extent of rule of law, relevant laws and regulations, priority stakeholders, and relevant human rights history in the country.
- » It is often more effective to describe issues in plain language when “on the ground,” both with local stakeholders and staff in-country. As part of our HRIA approach, we “translate” specific human rights into operational issues and ask questions that address human rights with non-technical language. After the assessment, we map our findings back to the universe of human rights issues that forms the basis of the HRIA.

In this assessment, BSR provides analysis, reaches conclusions, and makes recommendations for the management of human rights. We accomplish this based on a review of Telia Company documentation, desk-based research, interviews with Telia Company executives and employees, interviews with rights holders and stakeholders, and observations from site visits.

However, it is important to note that BSR’s assessment is not an audit and does not apply a specific professional auditing standard. BSR has not undertaken a complete examination of all data, records, operations, and performance information, and we have not reached a formal auditor’s opinion.

3.4 PHASES AND TIMELINE

BSR undertook this HRIA in September and October 2016. This included one week visiting Telia Sweden and local stakeholders in Sweden, as well as conversations with staff at Telia Company’s HQ in Stockholm. In addition, BSR benefited from knowledge about Telia Company’s global approach to human rights gained during our previous HRIAs in Azerbaijan, Georgia, Kazakhstan, Lithuania, Moldova, Tajikistan, and Uzbekistan. BSR’s HRIA process is summarized in the table below.

Phase	Key Questions	Method
IMMERSION Building knowledge of Telia Company and Telia Sweden	<ul style="list-style-type: none"> » What is Telia Company and Telia Sweden's existing human rights policy and management approach, globally and in Sweden? » What products, services, and technologies are provided in Sweden? » Who are Telia Sweden's main customers/customer segments? » What is the governance and ownership structure in Sweden? » Who are the key internal and external stakeholders and rights holders in Sweden? » What is the human rights context in Sweden, such as extent of rule of law, relevant regulations, main stakeholders, and human rights history? 	<ul style="list-style-type: none"> » Reviewed BSR's previous interviews with relevant Telia Company staff at HQ » Reviewed relevant Telia Company documentation » Desk-based research of Sweden, such as relevant human rights reports » Interviews with Sweden country experts » Identification of rights holder groups and stakeholders
MAPPING Identifying and testing relevant issues and opportunities through rights holder/stakeholder mapping and interviews	<ul style="list-style-type: none"> » What are the relevant human rights impacts, risks, and opportunities in Sweden? 	<ul style="list-style-type: none"> » Interviews with 10+ relevant Telia Company and Telia Sweden staff in Sweden » Interviews with relevant local stakeholders and rights holders » Identify human rights impacts, risks, and opportunities
PRIORITIZATION Prioritize human rights risks and opportunities to determine where Telia Company should focus resources	<ul style="list-style-type: none"> » In what order should Telia Company and Telia Sweden address the identified impacts, risks, and opportunities? » Where should Telia Company and Telia Sweden allocate resources? 	<ul style="list-style-type: none"> » Prioritize human rights impacts, risks, and opportunities on the basis of severity (scale, scope, remediability), likelihood, and leverage
MANAGEMENT Develop recommendations for mitigation measures in the short, medium, and long term, in line with prioritization	<ul style="list-style-type: none"> » What action plan should Telia Company and Telia Sweden put in place? » What leverage does Telia Company and Telia Sweden have over these risks and opportunities? » What measures should Telia Company and Telia Sweden take over the short, medium, and long term? » What information should be published externally, and what information left confidentially for Telia Company and Telia Sweden? 	<ul style="list-style-type: none"> » Provide recommendations on how to address impacts, risks, and opportunities » Draft report » Conduct workshops to discuss and revise findings and recommendations » Final report

4. Country and Industry Context

4.1 SWEDEN

Sweden borders Norway to the west and Finland to the east, and is connected to Denmark in the southwest by a bridge-tunnel. Sweden is the third-largest country in the European Union by area, with a total population of 10 million. Sweden consequently has a low population density of 21 people per square kilometer, though approximately 85% of the population lives in urban areas.¹⁰



Sweden is a constitutional monarchy and parliamentary democracy. A monarch is head of state, executive power is exercised by a government chaired by the prime minister, and legislative power is vested in the 349-member unicameral Riksdag. Sweden is a unitary state, divided into 21 counties and 290 municipalities.

Sweden is a member of the United Nations, the Nordic Council, the Council of Europe, the World Trade Organization, and the Organisation for Economic Co-operation and Development. Sweden joined the European Union in 1995. However, Sweden is not a member of NATO, and declined to join the Eurozone following a referendum.



Sweden maintains a social welfare system that provides universal health care and tertiary education for its citizens. It has the world's eighth-highest per capita income and ranks highly in numerous metrics of national performance, including quality of life, health, education, protection of civil liberties, economic competitiveness, equality, prosperity and human development.

In the 2016 Freedom House report, Sweden was designated as a free country and received a top score for its freedom, civil liberties, and political rights ratings. Sweden was one of five countries to receive perfect 100 score.¹¹

Freedom of speech is guaranteed by law, and the government does not restrict access to the internet. Hate-speech laws prohibit threats or expressions of contempt based on race, color, national or ethnic origin, religious belief, or sexual orientation.

Corruption rates are low in Sweden, which was ranked 4 out of 176 countries and territories surveyed in Transparency International's 2016 Corruption Perceptions Index.¹²

Sweden is considered by many to be a global leader in gender equality. Approximately half of Riksdag members and the same proportion of government ministers are women. More than 70 percent of women

¹⁰ CIA World Factbook, <https://www.cia.gov/library/publications/the-world-factbook/geos/sw.html>

¹¹ Freedom House, "Freedom in the World 2016," <https://freedomhouse.org/report/freedom-world/freedom-world-2016>

¹² Transparency International, "Corruption Perceptions Index 2015," <http://www.transparency.org/cpi2016>

work outside the home, earning the equivalent of 94 percent of men's wages, when differences in age, sector, and experience are taken into account.¹³

In 2015, Sweden received more asylum seekers per capita than any other EU member, and its approval rate of over 70 percent for asylum applications was among the highest in the EU.

BSR does not repeat here the thorough assessments of the human rights context in Sweden contained in publicly available reports. For more depth, readers can refer to reports published by the Business Anti-Corruption Portal,¹⁴ Freedom House,¹⁵ ILGA-Europe,¹⁶ the UN Human Rights Council,¹⁷ and the U.S State Department.¹⁸ These reports were key sources for the BSR assessment and surfaced the following key issue areas:

- » Privacy
- » Freedom of Expression
- » Nondiscrimination
- » Child rights
- » Labor rights
- » Access to products and services

4.2 TELECOMMUNICATIONS IN SWEDEN

The policy and legal framework relating to telecommunications, privacy, and law enforcement relationships has evolved significantly in Sweden over the past decade, and will likely continue to evolve over the coming decade.

The right to express an opinion, without it being censored, is a constitutional right in Sweden. The government does not restrict or disrupt access to the internet or censor online content (aside from child sexual abuse material) and according to the Swedish Institute, 95 percent of the country's residents between the ages of nine and 55 used the internet on a daily basis.¹⁹

The legal framework includes access to communications traffic crossing the Swedish border by the National Defense Radio Establishment (FRA). The FRA is only authorized to use this access in accordance with court orders provided by the Defense Intelligence Court, which is independent of the FRA and appointed by the Government. However, telecoms network operators and service providers are required to provide the Inspection of Defense Intelligence (IDI) with direct access to international communications traffic at certain interaction points, and the IDI in turn transmits traffic to the FRA when presented with a court order. As a result, Telia Sweden is unable to track how often and for what purpose communications traffic is accessed by the FRA.

¹³ Freedom House, "Freedom in the World 2016," <https://freedomhouse.org/report/freedom-world/freedom-world-2016>

¹⁴ Business Anti-Corruption Portal, <http://www.business-anti-corruption.com/country-profiles/sweden>

¹⁵ Freedom House, "Freedom in the World 2016," <https://freedomhouse.org/report/freedom-world/freedom-world-2016>

¹⁶ ILGA Europe, "Rainbow Europe 2016," <http://ilga-europe.org/resources/rainbow-europe/2016>

¹⁷ UN Human Rights Council, <http://www.ohchr.org/EN/Countries/ENACARegion/Pages/SEIndex.aspx>

¹⁸ US State Department, "Sweden 2015 Human Rights Report," <http://www.state.gov/documents/organization/253117.pdf>

¹⁹ US State Department, "Sweden 2015 Human Rights Report," <http://www.state.gov/documents/organization/253117.pdf>

This system of direct access sits alongside a more conventional law enforcement request system whereby law enforcement agencies request assistance from telecommunications companies for historical traffic data (such as who called whom, when, and for how long) and subscription data (e.g., the subscriber identity of a specific telephone number). In these cases Telia Sweden is able to count how often assistance is requested, what type of data is requested, and for what purpose.

This legal framework is summarized in the table below.

Law	Requirement
<i>On National Security</i>	
Electronic Communications Act, 2003	<ul style="list-style-type: none"> » Establishes the general principle that the interception of content data and the monitoring meta data associated with electronic communications are prohibited, but sets out important exceptions. » Specifically, telecoms network operators and service providers are required to <ul style="list-style-type: none"> - Construct their network in a manner that enables the execution of court orders for secret interception of electronic communications messages - Conduct their business in a manner that enables the execution of such court orders for secret interception without disclosure of such interceptions. » Requires telecoms network operators and service providers that own cables transmitting signals over the Swedish border to transmit such signals to certain interaction points chosen by the network operator or service provider, and notify the FRA of the location of these interaction points. » This allows the Inspection of Defense Intelligence (IDI) to gain access to electronic signals at the interaction points, and transmit them to the FRA, in accordance with the Defense Signals Intelligence Act of 2008 (see below). » A number of other exceptions to the confidentiality of content data and meta data not requiring a court order re listed, such as: <ul style="list-style-type: none"> - Customer subscription details relating to crimes investigated by the Public Prosecution Authority, the Police Authority, the Swedish Security Service, or any other government agency investigating a suspected crime - Missing persons and serious risk of harm - Customer subscription details, upon request by the Tax Agency » Requires the telecoms network operator or service provider to retain for six months (and thereafter permanently delete) the customer subscription details and other information necessary to track and identify: the source of the communication; the ultimate destination of the communication; date, time and duration of the communication; type of communication; communication equipment; and localization of mobile communication equipment at the commencement and end of the communication.²⁰ » Requires the telecoms network operator or service provider to decrypt data that has been encrypted by the network operator or service provider.
Defense Signals Intelligence Act, 2008	<ul style="list-style-type: none"> » Grants a mandate to the FRA to search and access data from electronic signals transmitted over the Swedish border, after obtaining a court order from the Defense Intelligence Court.

²⁰ This provision related to the EU “Data Retention Directive”, which in 2014 was declared invalid by the Court of Justice of the European Union. However, the validity of the data retention obligations of network operators and service providers was subsequently upheld by the Administrative Court of Stockholm.

	<ul style="list-style-type: none"> » However, since the FRA already has access to electronic signals transmitted over the Swedish border, this court order does not need to be presented to the telecoms network operator or service provider. As a result: <ul style="list-style-type: none"> - The network operator or service provider is obliged to provide the IDI with access to communications without a court order or warrant - The network operator or service provider does not know how often communications traffic—content data and meta data—are accessed by the FRA, and for what purpose. » These requirements are limited to national defense intelligence conducted to support the Swedish foreign, security and defense policies and for mapping external threats to the country. » The FRA is required to formulate and apply search terms such that the impact on individuals is limited.
Code of Judicial Procedure, 1942	<ul style="list-style-type: none"> » Established the general obligation for telecoms network operators and service providers to provide interception assistance, qualified by the requirement that the requesting government agency obtains and presents a court order authorizing interception. » A request for interception may only be granted in investigations relating to certain serious crimes—crimes where the prescribed minimum penalty is imprisonment for two years or more, and offences such as sabotage, arson, espionage, and terrorism. In addition, the interception must be of exceptional importance for the purpose of facilitating the criminal investigation in question.
Collection of Data in Electronic Communication in the Crime Combatting Authorities Intelligence Services Act, 2012	<ul style="list-style-type: none"> » Requires a telecoms network operator or service provider to supply meta data to the Police Authority, the Swedish Security Service or the Customs Agency, following a court order, when the meta data will prevent or discover criminal activities for crime which is sanctioned with no less than two years imprisonment.
Publicity and Secrecy Act, 2009	<ul style="list-style-type: none"> » The government has the legal authority to prevent a telecoms network operator or service provider from publishing aggregate data relating to intercept requests or acquisitions of metadata when it may jeopardize or impair an investigation. » Confidentiality applies to activities such as those aiming to prevent, detect, investigate or prosecute crime, conducted by prosecutors, the police and the Swedish Security Service, among others.
<i>On Freedom of Expression</i>	
Freedom of Press Regulation, 1949, and Freedom of Speech Constitution, 1991	<ul style="list-style-type: none"> » Prohibition against censorship. » The right to express an opinion, without it being censored, is a constitutional right in Sweden.
Code of Judicial Procedure, 1942	<ul style="list-style-type: none"> » Government agencies have the right to prevent customer communications from reaching its recipient in an investigation for offences such as hacking, child pornography and drug offences. » Government agencies also have the right to switch off a phone number in critical situations to prevent a suspect from connecting his or her accomplices or receiving warning calls.
Electronic Notice Boards Act, 1998	<ul style="list-style-type: none"> » Requires the removal of messages that violate provisions of Swedish law relating to incitement, incitement to racial hatred, child pornography, unlawful depictions of violence, or copyright.
<i>On Privacy</i>	
General Data Protection Regulation Regulation of the European Parliament and of the Council, May 2018	<ul style="list-style-type: none"> » Aims to protect all EU citizens from privacy and data breaches » Covers personal data—any information relating to an individual, whether it relates to his or her private, professional or public life » The regulation does not apply to the processing of personal data for national security activities or law enforcement

	<ul style="list-style-type: none"> » Mandates “Privacy by Design and by Default”, requiring that data protection is designed into the development of business processes, products, and services » Requires privacy settings to be set at a high level by default » Data Protection Impact Assessments have to be conducted when specific risks occur to the rights and freedoms of data subjects » Risk assessment and mitigation is required and a prior approval of the relevant Data Protection Authority for high risks » Mandates that Data Protection Officers be appointed for all companies processing more than 5000 data subjects within 12 months, to ensure compliance within organizations » Breach notification mandatory where a data breach is likely to “result in a risk for the rights and freedoms of individuals”. This must be done within 72 hours of first having become aware of the breach » Right for data subjects to obtain confirmation as to whether or not personal data concerning them is being processed, where and for what purpose » Organizations in breach of GDPR can be fined up to 4% of annual global turnover
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These laws and regulations also establish an oversight framework designed to protect privacy rights. The key features of the oversight framework are as follows:

- » **Judicial oversight:** Where a court order is required for interception or the collection of information, the competent court and relevant public prosecutor have supervisory roles.
- » **Swedish Post and Telecommunications Authority (PTA):** Supervises telecoms network operator and service provider compliance with respective obligations.
- » **Inspection of Defense Intelligence (IDI):** Supervises the secret defense intelligence activities performed by the FRA, for example by only permitting the FRA to intercept signals which are covered by a court order from the Defense Intelligence Court. The IDI is obliged to launch an investigation whenever someone suspects they are the target of an unauthorized search—however, the IDI is not authorized to review decisions made by the Defense Intelligence Court.
- » **Ombudsman to the Defense Intelligence Court:** A special ombudsman from the court is tasked to monitor and argue for the privacy rights of individuals in the context of the Defense Intelligence Court’s work.
- » **Swedish Data Protection Authority:** A public authority organized under the Ministry of Justice tasked with protecting privacy in the information society. The agency ensures that privacy legislation is complied with and undertakes inspections of companies, organizations, and government agencies. The latter includes the FRA—for example, in 2010, the agency published a report on the activities of the FRA, concluding that they were within the bounds of legislation.
- » **State Inspection for Defense Intelligence Activity (SIUN):** The main oversight institution for Swedish intelligence agencies, including the FRA, the Swedish Armed Forces, and the Swedish Defense Research Agency. Among other activities, SIUN oversees how the Swedish intelligence agencies access and manage personal information to ensure compliance with privacy legislation. In 2015, SIUN undertook 32 examinations, and one case regarding FRA’s management of personal data resulted in a complaint to the Swedish Data Protection Agency, where SIUN had concerns about FRA interpretation of the Personal Data Act. However, the case under review and the findings were not made public. SIUN has also questioned how the FRA is managing personal data within the framework of the Counter Terrorism Cooperation Council. This resulted in government investigation, but no action was taken.

Telia Company has a policy of encouraging governments to be transparent about their use and scope of surveillance of communications, and in Sweden there exists a good level of transparency about the scale of law enforcement requests. Specifically:

- » An annual report from the **Government of Sweden Ministry of Justice** describes the enforcement of laws relating the secret interception of electronic communications (i.e. voice traffic), the secret surveillance of electronic communication (i.e. messages), and the use of hidden cameras and bugging in the investigation of criminal cases. These criminal activities include crimes against national security, terrorist offenses, and crimes with a minimum imprisonment of two years. However, the report does not cover the National Intelligence Service, IDI, or FRA—though proposals do exist to include the National Intelligence Service in future reports. The most recent report stated that, in 2014, 1,235 people were under secret interception (up from 1,251 in 2013) and 2,022 were under secret surveillance (down from 2,381 in 2013).
- » The bi-annual **Telia Company Law Enforcement Disclosure Report** contains statistics relating to the number of requests received from the police or other authorities, based on a court order or other legal demand. During 2015, Telia Sweden received 2,950 requests for lawful interception (down from 3,381 in 2014), 1,850 requests for historical data (down from 1,954 in 2014), and 4,017 requests for subscription data (up from 3,100 in 2014). Telia Sweden challenged or rejected 236 requests. It should be noted that differences in counting methods (e.g. number of requests vs. number of people affected) mean that these statistics are not directly comparable to those for Sweden as whole.

Important for this assessment, the policy and legal framework described above has surfaced a few key points of debate that bring implications for privacy and security protections in Sweden, especially in relation to the role and powers of the FRA's access to communications. It should be noted that these points of debate raise very important dilemmas about how to address legitimate concerns about national security and terrorism, while maintaining the right to privacy. The application of specific principles and concepts (such as the notion that limitations to privacy should be “necessary and proportionate” and clearly delineated within a strong legal framework with the right checks and balances) will play an important role in efforts to navigate these challenges over the coming years.

- » **International traffic:** In law, the FRA is limited to monitoring and searching communications transmitted over the Swedish border. However, this restriction is subject to two major challenges:
 - The architecture of communications networks today means that much domestic traffic (i.e. traffic initiated and terminated in Sweden) may travel over international borders via international data centers or gateways. It is unclear the extent to which this “domestic” traffic is deleted by FRA as being beyond their powers to access, and both the Swedish Data Protection Agency and the Post and Telecom Authority have expressed concern about the technical ability to remove domestic communications traffic.²¹
 - With major international data centers located in Sweden, significant communications traffic unrelated to Swedish national security concerns can pass over the Swedish border.

²¹ Civil Rights Defenders, DFRI, and Privacy International, “Submission to Human Rights Council”, March 2016, https://privacyinternational.org/sites/default/files/HRC_Sweden_0.pdf

It is unclear the extent to which the FRA accesses this traffic, and shares insights with agencies outside Sweden.

- » **Purpose:** At present, the FRA is only able to use surveillance for the following eight reasons: external military threats; participation in peace support operations and international humanitarian efforts; strategic matters regarding international terrorism or other serious transnational crime that could threaten important national interests; development and proliferation of weapons of mass destruction; military equipment and items referred to in the law on the control of dual-use items and technical assistance; serious external threats to the public infrastructure conflicts abroad with ramifications for international security; foreign intelligence operations against national interests; or a foreign powers actions or intentions of vital importance to Swedish foreign policy or security and defense policy. However, concerns have been expressed that this list could expand over time, or that a significant amount of data is already automatically analyzed that is not of interest or relevance to investigations covering these eight criteria—for example, that the data collected and analyzed relies on automated programs that are insufficiently targeted, and rely on large selectors (such as web logs) rather than targeted identifiers (such as IP and email addresses).²²
- » **Sharing Between Domestic Agencies:** Initially, the only entities able to make use of the FRA's surveillance capabilities were the Government, the Government's Offices, and the Swedish Armed Forces. However, in 2013 that was expanded to include the Swedish Security Service and the Swedish National Police. Given today's emphasis on increased information sharing and collaboration between government agencies in the fight against terrorism, there is a distinct possibility that the list of agencies having access could increase over time. For example, at the time of writing, a new proposal had recently been put forward that would allow information sharing and sharing of personal data electronically within the Swedish Counter Terrorism Cooperation Council. The Counter-Terrorism Cooperation Council consists of fourteen different agencies and works to increase Sweden's ability to counter terrorism.²³
- » **Sharing Between International Agencies:** The emphasis on increased information sharing and collaboration between agencies in the fight against terrorism exists internationally as well as domestically. Civil Rights Defenders have noted FRA's participation as a third party to the "Five Eyes" international signals intelligence network to raise the concern that bulk data in raw unfiltered form (rather than finished or analyzed data) collected in Sweden may be shared with international agencies without effective oversight or controls. The only Swedish legislation regulating intelligence sharing with foreign intelligence agencies is that the sharing be in the interests of the Swedish Government and national security.²⁴
- » **Transparency:** There are a number of important areas where the current situation is unclear, including the extent of sharing with non-Swedish national security agencies and the extent of FRA access to communications traffic. For example, knowledge of national security related activity is lower than in the USA, where companies are not subject to direct access and are able to report

²² Civil Rights Defenders, DFRI, and Privacy International, "Submission to Human Rights Council", March 2016, https://privacyinternational.org/sites/default/files/HRC_Sweden_0.pdf

²³ <http://www.gov.se/pressmeddelanden/2016/08/effektiva-terrorismbekampning-pa-remiss/>

²⁴ Civil Rights Defenders, DFRI, and Privacy International, "Submission to Human Rights Council", March 2016, https://privacyinternational.org/sites/default/files/HRC_Sweden_0.pdf

(within certain bands) the number of National Security Letters and Foreign Intelligence Surveillance Act requests received.

- » **Discrimination:** The FRA is prohibited from the collection of signals where both the recipient and the sender are located in Sweden. However, since Swedish citizens are more likely to communicate with other Swedes in Sweden, there is a risk of discrimination and adverse impact on the privacy of non-Swedish citizens. The UN Special Rapporteur on counter terrorism and human rights has noted how regimes that distinguish between the obligations owed to nationals and non-nationals, or residents and non-residents, are potentially discriminatory and incompatible with Article 26 of the ICCPR.²⁵

- » **Hacking:** The role of hacking in law enforcement has ambiguous status. For example, while hacking can be used to aid surveillance and monitor communications, it has additional capabilities, such as the ability to alter the content of communications or cause harm by modifying data or physical systems. The UN Special Rapporteur on Freedom of Opinion and Expression and a number of civil society organizations have recorded concerns about the potential impact of hacking on human rights.²⁶

²⁵ Civil Rights Defenders, DFRI, and Privacy International, “Submission to Human Rights Council”, March 2016, https://privacyinternational.org/sites/default/files/HRC_Sweden_0.pdf

²⁶ Access Now, “A Human Rights Response to Government Hacking,” September 2016, <https://www.accessnow.org/GovernmentHackingDoc/>

5. Human Rights at Telia Company

5.1 POLICY

Telia Company has stated its support for the United Nations' Universal Declaration of Human Rights, the core conventions of the International Labour Organization, and the OECD Guidelines for Multinational Enterprises. Telia Company is a signatory of the United Nations Global Compact, a member of the Telecommunications Industry Dialogue on Freedom of Expression and Privacy, and an observer of the Global Network Initiative.

Telia Company's approach to human rights is set out in Group Policies and Group Instructions. Group Policies are approved by the Telia Company Board of Directors and contain the scope and purpose, principles, and roles and responsibilities that apply to the issue. Group Instructions are approved by the Telia Company CEO and go into more detail by describing the objectives and requirements that apply to the issue. The following table summarizes the policies and instructions relevant for human rights:

Issue	Group Policy and Instruction
Freedom of Expression in Telecommunications	<ul style="list-style-type: none"> » Standards for supporting and respecting the freedom of expression. » Apply when governments or national authorities have unconventional requests or demands relating to the surveillance of communications. » Defines Telia Company's commitments in relation to requests or demands that potentially could seriously impact the freedom of expression in telecoms. Such requests or demands addressed to Telia Company may relate to: <ul style="list-style-type: none"> - 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 services, websites, or content - Blocking or restricting customers' access to services or networks - Obligations to transmit mandatory communications - Significant changes or proposed changes in the law, or significant imposed or proposed operational changes, in the context of freedom of expression in telecommunications » Principles include public advocacy to promote freedom of expression, and commitments in relation to requests and demands with potentially serious impacts on freedom of expression. » Accompanied by a form for assessments and escalation of potentially major freedom of expression events. The form is designed to assist the country CEO assess whether a request or demand could have potentially serious impacts on freedom of expression and how/when to escalate the request or demand within Telia Company Group. This includes five assessments relating to legal status, seriousness of impact, precision of the request, business impact, and safety impact.
Anti-Bribery and Corruption	<ul style="list-style-type: none"> » Commits Telia Company to the highest norms of business conduct, advocating for free and fair trade, and striving for open and fair competition and ethical conditions within the legal frameworks of the countries where the company operates. » Sets common standards for all Telia Company businesses regarding compliance with a zero tolerance policy towards any form of bribery and corruption, and compliance with local laws of the countries where Telia Company operates.
Communication	<ul style="list-style-type: none"> » Covers external and internal communication to make sure it is performed in a coordinated, efficient, and professional manner.

Customer Privacy	<ul style="list-style-type: none"> » Support and respect for international laws and standards on human rights. The purpose of the policy is to set high and consistent Telia Company standards to respect privacy of customers. » Primary objective is to ensure that customers feel confident that Telia Company respects and safeguards their privacy. The second objective is to reduce legal and regulatory risks as well as reputational and brand exposure in this respect. » Includes Telia Company's objective to live by the letter and spirit of the law. » Defines the type of personal data Telia Company collects about individuals, when Telia Company collects it, and how Telia Company processes it. These may be further regulated in contractual terms by local legislation.
Procurement	<ul style="list-style-type: none"> » Sets out desire to reach a sustainable competitive cost level and minimize business risk, secure the right quality, and fulfill Telia Company demands on specification, sustainability, and supply. » Includes principle that all procurement activities should be conducted in such a way that Telia Company meets its ethical, environmental, and social sustainability standards across the entire supply chain. » Includes commitment to sustainability across the whole supply chain, where Telia Company's suppliers are expected to meet the same high standards. » Includes commitment that Telia Company interact with suppliers in such a way that Telia Company is viewed as fair and professional, operating to the highest standard of business ethics and procurement practices.
Risk Management	<ul style="list-style-type: none"> » Sets out belief that risk management is essential for safeguarding customers, employees, shareholders, assets, and brands. Risk management is not to avoid risk as such, and not only to focus on the negative, but to acknowledge that successful risk management is fundamental to grasping business and growth opportunities. » Telia Company shall have a business focused risk management process that identifies potential threats to the business and ensures plans to prevent and rectify problems in the continuity of the business. » The Telia Company enterprise risk management framework emphasizes that management of risks is part of daily operations and that all business units shall continuously identify, assess, and monitor risks in their activities. » Risk management shall be fully integrated into the business planning and control processes. The risk management procedures shall be transparent, feasible, and traceable. Management shall ensure that a personal sense of responsibility and common view and awareness of risk is established. It will also facilitate accountability of risks in daily decision-making.
Security	<ul style="list-style-type: none"> » This is the Telia Company Group Security Policy stating the mandatory security requirements for the group. » The governance of security within Telia Company is coordinated by Group Security in cooperation with all parts of the organization. It aims to control, facilitate, and implement well-balanced security measures throughout our operation. » Security measures shall be characterized by appropriate security and risk awareness, prevention, preparedness, and the ability to respond to, and recover from, incidents and changes in the environment. The main drivers for security are: <ul style="list-style-type: none"> - Protection of shareholders' value and the company's assets and investments - Ensuring that customers' expectations and business agreements are met - Ensuring that the business strategies and objectives are not jeopardized - Ensuring laws and regulatory security requirements are complied with
Sponsorship and Donations (Instruction not Policy)	<ul style="list-style-type: none"> » States belief that Telia Company is a vital part of the social and economic infrastructure in the markets where it operates. » Describes commitment to bridge the digital divide, improve the accessibility of telecom services, promote digital literacy, and support projects that contribute to sustainable developments within local communities. » Only give donations for bona fide philanthropic or charitable purposes.

People	<ul style="list-style-type: none"> » States Telia Company’s responsibility to provide a sustainable working environment with fair terms of employment for all employees. » This Policy is guided by international human rights standards. It includes the following components: Human Rights; Non-Discrimination and Equal Opportunities; Child Labour; Forced Labour; Freedom of Association and Collective Bargaining; Occupational Health and Safety (OHS); Drugs, alcohol and smoking of tobacco substances; Total remuneration and working hours; Integrity; Disclosure of interests.
Recruitment	<ul style="list-style-type: none"> » Defines uniform standards for recruitment. » States that all Telia Company recruitments are based on respect for the individual regardless of age, gender, marital or parental status, color, religion, race, ethnic origin, nationality, disability, sexual orientation, or political opinion. » States that the selection processes shall be fair, based on objective and transparent criteria, and include proper feedback to all applicants.

5.2 GOVERNANCE

The Board of Directors has overall responsibility for oversight for sustainability, ethics, and human rights at Telia Company. Implementation activities related to sustainability risks, opportunities, and compliance are discussed within the Board Sustainability and Ethics Committee.²⁷

In addition, Group Executive Management and Governance, Risk, Ethics and Compliance (GREC) meetings are main discussion and decision-making forums for Telia Company’s human rights activities. These GREC meetings happen both globally and regionally on at least a quarterly basis.

Telia Company’s Sustainability Strategy function and Ethics and Compliance Office are responsible for the overall development and oversight of the sustainability work. Additionally, other functions, such as the Risk and Compliance function in Group Procurement, Enterprise Risk Management, and Group Communications are responsible for other respective issues and focus areas. Operational responsibility for implementing the Code of Ethics and Conduct, policies, and related sustainability initiatives lies with Telia Company’s operational units, with support from Group functions.

Telia Company operates a whistle-blowing “Speak-Up” line where employees, customers, business partners, and other stakeholders are encouraged to report concerns they may have about Telia Company policies being violated. Reports are handled confidentially and Telia Company prohibits any retaliation related to reported concerns. The “Speak-Up” line is marketed primarily for anti-corruption and bribery issues, though human rights whistle-blowing in Sweden is not excluded.

Telia Company is 37 percent owned by the government of Sweden. While Telia Company is not a state-owned enterprise, Telia Company is expected by the Swedish government to be a role model in the application of sustainability and human rights expectations that the government of Sweden has established for state-owned enterprises. These expectations, set out in Sweden’s Business and Human Rights Action Plan,²⁸ include aspects such as sustainability reporting, anti-corruption, and human rights standards.

²⁷ Telia Company, <http://www.teliacompany.com/en/about-the-company/corporate-governance/board-of-directors/>

²⁸ Office of the Swedish Government, “Action Plan on Business and Human Rights,” <http://www.government.se/contentassets/822dc47952124734b60daf1865e39343/action-plan-for-business-and-human-rights.pdf>

5.3 ASSESSMENT

In 2012 Telia Company commissioned the Danish Institute for Human Rights to undertake a group-wide human rights impact assessment. This was completed in April 2013.

The objectives of the assessment were to identify and assess potential adverse human rights impacts in which Telia Company may be involved through its activities and its business relationships and to recommend and prioritize corresponding mitigation measures to address these potential impacts. The assessment had a heightened focus on freedom of expression and privacy, two issues pre-identified by both the Danish Institute for Human Rights and Telia Company as being particularly material.

The assessment identified key findings and recommendations in the areas of policy commitments (such as the need for improved privacy, freedom of expression, and supply chain policies), impact assessments (such as country level human rights impact assessments), and integration (such as improved processes for handling and escalating government requests, and increasing staff awareness of policies, processes, and expectations for human rights and anti-corruption).

One important recommendation in the final report was to conduct country-level human rights impact assessments. This human rights impact assessment implements that recommendation for Telia Sweden.

5.4 REPORTING AND TRANSPARENCY

Telia Company has published annual sustainability reports since 2004. Recently Telia Company introduced a model whereby annual-plus-sustainability reports are published annually every March, complemented by a sustainability update every October.

Significantly for this assessment, every six months since mid-2014 Telia Company has also published Law Enforcement Disclosure Reports with statistics covering requests from the police and other authorities in Denmark, Estonia, Finland, Nepal, Norway, Spain, and Sweden. Georgia and Moldova were added to the report covering the first six months of 2015, and have been included ever since.²⁹ Telia Company's aim is to add similar statistics from additional markets to the reporting, and is analyzing the situation in other geographies to see how much additional disclosure is possible.

In addition to the reporting of statistics, the Law Enforcement Disclosure Report provides information on "unconventional requests" or demands from governments, such as those defined in Telia Company policy, with potentially serious impacts on the freedom of expression. These exceptional and unconventional requests and demands are called "major events" by Telia Company, and could include incidents such as a request or demand in relation to direct network access set up, shutdown of networks, blocking of access to the internet or specific websites, or substantial upgrades to a surveillance system. The Report also includes links to relevant laws relating to direct network access for all Telia markets.

Finally, the Law Enforcement Disclosure Report also provides an overview of Telia Company's law enforcement relationships policies, procedures, and public policy positioning. For example, the report describes Telia Company's advocacy that governments should not have direct access to a company's networks and systems, and its support for clear and transparent legal provisions on proportionality and necessity for all government surveillance of communications.

²⁹ Telia Company, <http://www.teliacompany.com/en/sustainability/reporting/law-enforcement-disclosure-report/>

5.5 HUMAN RIGHTS AT TELIA SWEDEN

It is Telia Company's intention that its Group Policies are approved by the Boards of the local subsidiaries, with the local CEO being responsible for implementation via execution of the accompanying "instructions." However, as Telia Sweden is 100% owned by Telia Company, separate Board approval is not required, and consequently all of the Telia Company policies listed in 5.1 above automatically apply to Telia Sweden.

A Telia Sweden GREC meeting takes place on a quarterly basis to review, discuss, and make decisions relating to governance, risk, ethics, and compliance, including human rights. The Telia Sweden GREC consists of the entire Telia Sweden Management Team, and recent meetings have focused on issues relating to enterprise risk management, technology, security, privacy, and health and safety. GREC reports relevant material issues to the Telia Company Board of Directors Sustainability and Ethics Committee.

6. Risks and Opportunities for Telia Sweden

BSR's assessment identified actual and potential human rights impacts in Sweden, including both risks and opportunities. Actual and potential impacts are defined as follows:

- » **Actual impacts** are defined in the UNGPs as impacts that have already occurred. In this HRIA, BSR has listed actual impacts as overall impact categories of known impact, such as privacy and labor standards.
- » **Potential impacts** are defined by the UNGPs as human rights risks and adverse impacts that might occur in the future. In this HRIA BSR has listed a number of detailed human rights risks for each actual impact category—however, given the power of telecommunications to support the realization of human rights, we have also listed human rights opportunities.

Companies are expected to address their actual adverse human rights impacts through remediation and their potential adverse impacts through prevention or mitigation. However, while companies are expected to address all their adverse human rights impacts, it is not always possible to address them simultaneously. For this reason, and consistent with Principles 14 and 24 of the UNGPs, we have used the BSR HRIA toolkit to categorize these impacts as high, medium, or low priority based on the severity of the impact. Severity is judged by:

- » **Scope**—How many people could be affected by the harm/opportunity? (large, medium, small, very small)
- » **Scale**—How serious are the impacts for the victim (major, moderate, minor, very minor)?
- » **Remediability**— Will a remedy restore the victim to the same or equivalent position before the harm (not possible, possible, likely, remediable)?

For potential impacts, we have also considered the **likelihood** of the potential impact on rights holders occurring in the next two to three years (very likely, likely, possible, unlikely, very unlikely). When judging the likelihood of an impact occurring BSR considered both the human rights context in Sweden and the presence of relevant Telia Sweden policies, processes, and procedures. In addition, in line with the Principle 19 of the UNGPs, we considered whether Telia Sweden is connected to the human rights impact in any of the following ways:

- » **Caused the impact**, in which case the company should take the necessary steps to cease or prevent the impact.
- » **Contributed to the impact**, in which case the company should take the necessary steps to cease or prevent its contribution and use its leverage to mitigate any remaining impact to the greatest extent possible.
- » **Linked to the impact** by its products, services, operations, or business relationship, in which case the company should determine action based on factors such as the extent of leverage over the entity concerned, how crucial the relationship is to the enterprise, the severity of the abuse, and whether terminating the relationship with the entity itself would have adverse human rights consequences.

It is important to note that telecommunications companies will often be linked to human rights impacts that they do not cause or contribute to. For example, telecommunications companies will be linked to hate speech, child sexual abuse material, and hacking that takes place over their networks, even though they

do not cause or contribute to these adverse human rights impacts themselves. When a company is linked to human rights impacts the UNGPs expect companies to take action, though the nature of the action will be very different than had the company caused or contributed to these impacts. Examples of Telia Sweden taking action where it is linked to human rights impacts might include collaboration with child rights organizations, sponsorship of initiatives seeking to reduce hate speech, and the implementation of robust network security measures.

Finally, and also in line with Principle 19 of the UNGPs, we have considered the extent to which Telia Lithuania and its owners have **leverage** over the human rights impact, where leverage is defined ability to effect change in the wrongful practices of an entity that causes a harm.

It is important to note that BSR's prioritization of these impacts would likely be similar (though not necessarily identical) for companies with comparable products and services in Sweden. For example, the scope, scale, and remediability of law enforcement agencies successfully making overbroad requests for personal data will be the same for the rights holder, no matter which company is involved. That said, there could be significant differences between companies in the likelihood of the potential impact occurring—for example, a robust company process might significantly reduce the likelihood of the risk occurring.

Priority	Impact	Description	Severity			Likelihood	Connection	Leverage
			Scope	Scale	Remediable			
Medium	Privacy	Law enforcement agencies may make overbroad requests for personal data, or access overbroad data following a court order.	Medium	Moderate	Possible	Likely	Linked	Low
		Telia Sweden or related commercial entities (such as advertising partners) may retain, process, or access more personal information than required for the stated purpose.	Large	Minor	Possible	Possible	Cause	High
		Telia Sweden may develop innovative products and services (such as in relation to the Internet of Things or other adjacent markets) without adequate privacy protections in place.	Large	Moderate	Possible	Possible	Cause	High
Medium	Anti-Discrimination	Rights holders in Telia Sweden (employees and potential employees) may be discriminated against based on characteristics such as gender, LGBT status, national origin, ethnicity, language, pregnancy, or disability—for example, through reduced career opportunities.	Medium	Moderate	Likely	Likely	Cause	Medium
		Rights holders (customers and users) may experience discrimination as a result of certain big data analytics applications and algorithms being used without anti-discrimination factors designed in	Medium	Moderate	Possible	Likely	Linked	Medium
Medium	ICT and Development	Rights holders (customers and users) can increase their well-being by using mobile technology to access public services, such as money, health, education, and other government services	Large	Very Minor	Not Applicable	Very Likely	Cause	Medium
Medium	Human Trafficking	Internet/telecom services may be used to facilitate illegal trafficking in people	Very Small	Major	Possible	Possible	Linked	Low
Medium	Child Rights	Internet/telecom services may be used to facilitate illegal trafficking in children	Very Small	Major	Possible	Possible	Linked	Low
		Children may access inappropriate material online	Medium	Minor	Remediable	Likely	Linked	Medium
		Telia Sweden may undertake business activities inappropriate for children, such as sales, data	Medium	Moderate	Remediable	Likely	Cause	High

		collection, payments, and certain types of advertising.						
		Child Sexual Abuse Material (CSAM) may be transmitted over Telia Sweden networks	Small	Major	Remediable	Likely	Linked	Medium
Low	Security	Inappropriate actions by law enforcement agencies may result in customer or employee data captured from Telia Sweden’s systems (e.g. by law enforcement request or direct access following a court order) being used to violate the security of persons.	Very Small	Major	Not Possible	Very Unlikely	Linked	Low
Low	Labor Standards	Rights holders in Telia Sweden (employees) may have certain labor rights violated, such as in the areas of remuneration, working hours, right to family life, and free association	Small	Minor	Remediable	Unlikely	Cause	High
		Rights holders in Telia Sweden’s suppliers and sub-contractors may have certain labor rights violated, such as in the areas of remuneration, working hours, right to family life, social security, and free association.	Medium	Moderate	Remediable	Likely	Contribute	Medium
Low	Health and Safety	Rights holders in Telia Sweden (employees) may suffer negative impacts on their health and well-being as a result of poor health and safety procedures.	Very Small	Moderate	Likely	Very Unlikely	Cause	High
		Rights holders in Telia Sweden’s suppliers and sub-contractors may suffer negative impacts on their health and well-being as a result of poor health and safety procedures, especially in field services/ network maintenance.	Very Small	Moderate	Likely	Very Unlikely	Contribute	Medium
Low	Freedom of Expression/ Assembly/ Association	Fear of surveillance and its consequences (both perceived and real) may result in rights holders not able to exercise their right to freely express themselves or assemble/associate	Very Small	Very Minor	Remediable	Very Unlikely	Linked	Low
		Telia Sweden may over-block legitimate content during efforts to block access to Child Sexual Abuse Material.	Very Small	Very Minor	Remediable	Likely	Linked	Low
		Telia Sweden may receive demands to block, restrict, or take down certain Internet or TV content.	Very Small	Very Minor	Remediable	Very Unlikely	Linked	Medium

		Telia Sweden may receive demands to take down parts of the telecoms network during times of political or geopolitical uncertainty.	Large	Moderate	Remediable	Very Unlikely	Linked	Low
Low	Land Rights	Local indigenous populations (e.g. Sami) could have historical land rights violated during the construction and maintenance of Telia Sweden's network.	Very Small	Very Minor	Remediable	Very Unlikely	Cause	Medium
Low	Security in Conflict Zones	In the event of threats to national security, security services could violate human rights during efforts to protect the network from vandalism or attack.	Small	Minor	Possible	Very Unlikely	Linked	Medium
		Conflict minerals may exist in Telia Sweden's supply chain	Small	Major	Possible	Likely	Linked	Low

7. Conclusions

Before making recommendations it is important to share some high-level conclusions about Telia Company's human rights impacts in Sweden and its room for maneuver to address them. The following observations are essential factors that influence BSR's recommendations:

- » **Sweden's status as an established liberal democracy is the source of significant human rights protections, and substantially reduces the severity of Telia Sweden's human rights risk.**

The reliable implementation of Swedish laws and European Union directives and regulations creates strong legal protections for rights holders, such as in the areas of privacy, freedom of expression, non-discrimination, and employment law. For example, discrimination on the basis of race, color, gender, gender identity, national origin, citizenship, social status, age, sexual orientation, religion, HIV status, and disability is prohibited by law, and employment laws are well enforced. In addition, respect for rule of law in Sweden is such that the personal security consequences for rights holders arising from privacy breaches are far less severe than in countries with less respect for rule of law, more corrupt judicial systems, or inadequate detention facilities.

- » **The status of human rights protections in Sweden are very relevant to human rights protections elsewhere in the world—any shortcomings in Sweden could be referenced by other governments to justify their own shortcomings. For that same reason, Sweden also has the opportunity to lead by example on human rights.**

During the assessment BSR spoke to civil society organizations and academics focused on advancing human rights protections in Sweden, especially privacy, security, and non-discrimination. It became clear that their reasons for doing so were two-fold: first, to protect human rights in Sweden; and second, to allow Sweden to lead by example on the international human rights stage. Interviewees were especially concerned that any weaknesses introduced into the Swedish privacy and national security framework could be replicated in countries that lack Sweden's system of rule of law and checks and balances, with negative implications for human rights. While the implications of this conclusion for Telia Company will be less critical following the company's withdrawal from Business Region Eurasia, it will remain relevant for Telia Company's ongoing stake in Turkcell and operations in the Baltic states, where human rights protections are less well established.

- » **While many meaningful protections are in place, there are also a number of shortcomings in the oversight and privacy protections contained in Sweden's legal framework governing law enforcement and national security. These shortcomings increase human rights risks for Telia Sweden, and provide an imperfect example for other countries lacking Swedish standards of rule of law.**

Examples of these shortcomings include the sharing of communications data with international agencies outside Sweden, the unclear status of "international" communications traffic, a lack of transparency on national security issues, and a mode of direct access to communications traffic that bypasses the telecoms network operator. There are opportunities to correct these shortcomings.

- » **Telia Sweden’s efforts to comply with the General Data Protection Regulation (GDPR) will significantly enhance privacy protections, though uncertainties remain about how to apply the GDPR in an Internet of Things era.**

During the assessment BSR was informed about extensive efforts to comply with the GDPR. This included efforts to purge data, deliver privacy training, bring legacy systems up to date, and transform Telia Sweden’s IT infrastructure. BSR was also informed about improvements to Telia Sweden’s privacy impact assessment approach, with a well-established approach for major projects (such as a new product) now being complemented by a second approach for smaller projects (such as a revised product purpose). However, uncertainties remain with (1) adequate resourcing and skills for the increased number of product impact assessments required moving forward, and (2) how to secure permission and consent for the additional use of personal data suggested by Telia Sweden’s “Framework for Winning 2018” strategy, over and above delivering basic services.

- » **Telia Sweden’s success in the Internet of Things, big data analytics, and other adjacent market opportunities will rely on user trust that their personal data will be protected, and not used to generate discriminatory outcomes. There is a need to shape and communicate the future norms, principles, and practices relating to privacy, non-discrimination, and the Internet of Things.**

Reaping the full social and commercial benefits of developments such as the Internet of Things and big data analytics will require that personal data is deployed for a much wider range of uses and applications. This will necessitate many more deliberate decisions about how data is shared, how it is combined with other data, and how it is protected—and this in turn will require a step change in user awareness, company transparency, and government policy. There exists today a moment in time opportunity for organizations with a stake in the success of these developments to think deliberately about these issues, raise dilemmas and potential privacy tradeoffs, and develop strategies to address them. Telia Sweden can play an active role in shaping this paradigm shift, with user awareness, informed decision making, and policy maker awareness being especially important to develop. As implied by the previous conclusions, getting this right in Sweden first would have positive implications for human rights protections in other higher risk countries through the power of example.

- » **Many human rights risks and opportunities for Telia Sweden are directly related to government policies, regulations, and enforcement. There are opportunities for Telia Sweden to comment on government policies and proposals in ways that address human rights risks and create new opportunities to increase the realization of human rights in Sweden.**

During the BSR assessment a number of interviewees highlighted areas where a Telia Sweden voice on public policy issues could improve the human rights context in Sweden. These opportunities included: lowering barriers for asylum seeker participation in formal employment, such as a more rapid validation process; advocating for more robust oversight of law enforcement and national security agencies, including increased transparency requirements; increased distinction between law enforcement powers for reasons of national security, and law enforcement powers for other crimes.

- » **There is a need to deliberately increase the awareness of the discrimination risks faced by vulnerable populations in Sweden.**

During the assessment BSR explored the human rights risks faced by certain vulnerable populations in Sweden, such as asylum seekers, ethnic minorities (e.g. Roma, Sami), religious minorities, women, and those with Swedish as a second language. A common theme emerging from this exploration was the need to increase the awareness of discrimination risks among those with decision making authority, such as hiring managers, product designers, and sales and marketing staff. A number of interviewees felt that an undue level of complacency exists in Sweden that discrimination is a not a risk—and that this complacency and lack of awareness results in higher levels of unconscious bias and discrimination.

- » **There are opportunities for Telia Sweden to address human rights risks among sub-contractors deep in the company's local supply chain, and/or in the informal sector.**

Employment protections in Sweden are strong, and most of Telia Sweden's procurement spend is with large and reputable companies, even for less strategic suppliers, such as those providing catering or cleaning services. However, a number of civil society and government interviewees advised Telia Sweden to be aware of human rights risks among sub-contractors low down in the company's supply chain in Sweden. Specific risk areas referenced to BSR included sub-contractors installing fiber in the home, construction suppliers, catering suppliers, and providers of cleaning services. While Telia Sweden has procurement controls in place, there is a risk that it could miss sub-contractors making use of black market labor, paying wages that are not sufficient for an adequate standard of living, not placing reasonable limits on working hours, or undercutting health and safety protections. This conclusion is reinforced by guidance in the UNGPs that companies should focus their human rights efforts on the most severe human rights violations no matter where in the value chain they occur, rather than those closest to the company's sphere of influence. Telia Sweden's reliance on tier one suppliers to pass minimum standards down to the next tier down may not be sufficient.

- » **Telia Sweden can increase engagement with vulnerable rights holders, such as children, asylum seekers, and the elderly, to better identify their needs and priorities.**

During this assessment we held a number of discussions with Telia Sweden staff and external stakeholders relating to the perspectives, priorities, and needs of vulnerable rights holders. This included discussions about children who may be victims of bullying, minorities who may be victims of hate speech, rural populations who may lack access to public services, or the elderly who may be unable to make full use of technology. However, owing to issues of time and scope, BSR was only able to hear about others' engagement with these rights holders, rather than engage with them ourselves. While we heard of a number of positive Telia Sweden activities to engage with rights holders (such as Children's Advisory Panels), there are opportunities to further increase these activities.

8. Recommendations

BSR recommends the creation of a human rights management and mitigation plan by Telia Sweden that focusses on the most severe human rights impacts.

The Telia Sweden human rights management and mitigation plan should also inform Telia Sweden’s new enterprise risk management system, which identifies and mitigates business risks. Unlike the enterprise risk management system, this HRIA prioritizes risks and makes recommendations based on the severity of the human rights impact, rather than on the scale of the business impact—however, the two are not unrelated, as the most severe human rights violations can impact business success factors such as trust, reputation, and social license to operate.

We note that some of the recommendations (those marked ***) could have relevance and value for other subsidiaries in the Telia Company Group, beyond Telia Sweden.

Recommendation	Explanation
<p>Strengthen the company’s human rights infrastructure by establishing a single human rights policy from which the existing issue-specific policies cascade.***</p> <p>Telia Company and Telia Sweden should establish a single human rights policy. This policy should be approved by the Telia Company Board of Directors and set out Telia Company’s human rights expectations of personnel, business partners and other parties directly linked to its operations, products or services.</p>	<p>While Telia Company and Telia Sweden have many of the right constituent parts of a human rights policy, they are not tied together into a single policy statement.</p> <p>Principle 16 of the UNGPs states that, as the basis for embedding their responsibility to respect human rights, business enterprises should express their commitment to meet this responsibility through a statement of policy.</p> <p>A recent survey of 275 international companies found that 46% have a formal stand-alone human rights policy in place. For companies over \$10bn in revenue, the figure is 84%.</p>
<p>Initiate (or participate in) a Sweden-focused multi-stakeholder dialogue on the future of privacy and anti-discrimination protections in an era of the Internet of Things, big data analytics, and other potentially transformative innovations.***</p> <p>This dialogue should bring together a range of different interested parties and sources of expertise, including technologists, policy makers, regulators, and civil society organizations. There should be a special focus on vulnerable populations (such as the elderly, ethnic minorities, children, immigrants, and the disabled), and the deliberate consideration of scenarios where the rights of vulnerable populations may be placed at risk.</p> <p>The dialogue can consider questions such as different protections for different types of data, the sharing of data among partners, future proofing regulations and processes, and the long term sustainability of the GDPR. The dialogue should consider not just where things are today, but where they could be in two, five, and ten years’ time.</p>	<p>The combination of Telia Company’s “Framework for Winning 2018” strategy and rapid developments in the ICT industry create a moment-in-time need and opportunity to shape the future norms, principles, and practices relating to privacy and non-discrimination in the sector. This recommendation will help Telia Company achieve its ambition of supporting responsible business and an inclusive world, while pursuing its strategy of exploring business opportunities adjacent to its core business.</p> <p>During the assessment, regulators and civil society organizations expressed interest in Telia Sweden taking a lead on these issues, while many Telia Sweden interviews expressed a desire for more proactive and structured civil society relationships.</p> <p>Principle 18 of the UNGPs states that when gauging human rights risk, companies should involve meaningful consultation with potentially affected groups and other relevant stakeholders—especially prior to major changes in markets and products.</p>

<p>At the same time, this dialogue can also consider opportunities to utilize the Internet of Things, big data analytics, and other potentially transformative innovations in the service of human rights protections.</p>	<p>Principle 9 of the Telecommunications Industry Dialogue Guiding Principles states that companies should help inform the development of policy and regulations to support freedom of expression and privacy, including in collaboration with other entities.</p> <p>The Telecommunications Industry Dialogue Principles also state that the advancement of freedom of expression and privacy globally can be best achieved through engagement between governments, industry, civil society, investors, supra-national organizations, and other affected stakeholders.</p>
<p>Maintain a formal privacy decision making forum where new business developments relating to the Internet of Things, big data analytics, and other potentially transformative innovations are reviewed for consistency with regulations, company policies, and ethics-based considerations.</p> <p>This decision making forum will need to thrive on balance: considering major privacy issues thoroughly while recognizing the business need for rapid decision making; understanding how Telia Sweden can both use personal data and protect it; appreciating the need for compliance, while also promoting privacy as part of the company culture and value system.</p> <p>This decision making forum could be a good location to review the findings of privacy impact assessments, including trends, patterns, and lessons learned.</p>	<p>During the assessment both internal Telia Sweden employees and external stakeholders emphasized the importance of deliberate and informed decision making on the future of privacy and business growth.</p> <p>Principle 17 of the UNGPs states that in order to identify, prevent, mitigate and account for how they address their adverse human rights impacts, business enterprises should carry out human rights due diligence, including assessing actual and potential human rights impacts, and acting upon the findings.</p> <p>Principle 18 of the UNGPs states that when gauging human rights risk, companies should draw upon internal expertise.</p> <p>Principle 19 of the UNGPs states that in order to prevent and mitigate adverse human rights impacts, business enterprises should integrate the findings from their impact assessments across relevant internal functions and processes, and take appropriate action. This should include internal decision-making, budget allocations, and oversight processes that enable effective responses to such impacts.</p>
<p>Through proactive communications and other forms of transparency, raise consumer awareness about the future of privacy in the era of the Internet of Things in Sweden.</p> <p>These communications should serve the purpose of increasing the “social license” to pursue the full human, social and commercial benefits of the Internet of Things, while raising awareness of the privacy issues at stake and how to make informed decisions about privacy. The communications should take place over an extended period of time, and could be undertaken in collaboration with companies and partners elsewhere in the ICT industry also shaping the Internet of Things.</p>	<p>During the assessment both internal Telia Sweden employees and external stakeholders emphasized the critical importance of transparency, communications, and informed decision making in the future of the Internet of Things. There was a consensus that transparency is key to obtaining a “social license” to succeed.</p> <p>Principle 21 of the UNGPs states that In order to account for how they address their human rights impacts, business enterprises should be prepared to communicate this externally, particularly when concerns are raised by or on behalf of affected stakeholders. This communication should be of a form and frequency that are accessible to its intended audiences.</p>

<p>The communications could include both broad campaigns about overall trends, and product-specific disclosures and clear terms and conditions that inform individual decisions.</p> <p>In short, Telia Sweden should create a strategy for transparency with customers about how their data is collected, protected, and used.</p>	<p>Principle 7 of the Telecommunications Industry Dialogue Guiding Principles emphasizes the importance of sharing knowledge and insights with all relevant and interested stakeholders.</p>
<p>When the Government of Sweden provides opportunities for consultation on policy proposals, provide comments that incorporate human rights considerations and priorities.</p> <p>These could include government consultations on policy issues such as privacy, immigration, asylum seekers, employment law, national security, law enforcement, non-discrimination, and child sexual abuse material. For example, it was referenced during the assessment that Telia Sweden could call for a lowering of barriers to the registration and validation of asylum seekers for employment, or to make part time employment a more attractive option.</p>	<p>In discussions with external stakeholders—including policy makers, regulators, and civil society organizations—it was frequently referenced that incorporating human rights factors into Telia Sweden’s comments on policy proposals would be welcome and influential.</p> <p>Principle 9 of the Telecommunications Industry Dialogue Guiding Principles states that companies should help inform the development of policy and regulations to support freedom of expression and privacy, including in collaboration with other entities.</p> <p>Principle 19 of the UNGPs states that If the company has leverage to prevent or mitigate the adverse impact, it should exercise it—and if it lacks leverage, seek to increase it by, for example, offering capacity-building or other incentives to the related entity, or collaborating with other actors.</p>
<p>Alone or in combination with others, propose an ideal law enforcement relationship policy and legal framework for telecom network operators and service providers in Sweden.***</p> <p>This proposal could cover topics such as: ideal public oversight frameworks; appropriate information, data, and analysis sharing between agencies inside Sweden and internationally; appropriate role of hacking in law enforcement; ideal data retention periods; government and company transparency; handling of domestic and international communications traffic; encryption issues; legitimate purpose for intercept and surveillance; difference between national security, and domestic law enforcement. The proposal would consider lessons learned from other international jurisdictions.</p> <p>This proposal could be developed by Telia Sweden, or by an independent entity (or entities) funded by Telia Sweden.</p>	<p>During the assessment it was often stated that the status of human rights protections in Sweden are very relevant to human rights protections elsewhere in the world, and that Sweden also has the opportunity to lead by example on human rights.</p> <p>However, during the assessment it was also stated that local civil society organizations have found it challenging to secure funding to pursue human rights protections in Sweden, as distinct from higher risk markets. There is interest among Swedish human rights defenders to increase their focus on Sweden—both to defend vulnerable populations in Sweden, and to develop best practice approaches that “lead by example” internationally.</p> <p>Principle 9 of the Telecommunications Industry Dialogue Guiding Principles states that companies should help inform the development of policy and regulations to support freedom of expression and privacy, including in collaboration with other entities.</p>
<p>Explore, as part of long term product, service, and technology development, the role of encryption in improving privacy protections for users.</p>	<p>Increased encryption can provide additional privacy protections for users, and is increasingly deployed by smart phone manufacturers and internet services providers. However, the Swedish Electronic</p>

<p>This exploration could include, for example, the use of applications that allow for end-to-end encryption, especially in the context of the Internet of Things and other adjacent business opportunities.</p>	<p>Communications Act requires telecoms network operators to decrypt data that they have encrypted, which appears to remove options for Telia Company to encrypt SMS messages or voice communications. However, as Telia Company explores adjacent business opportunities, there could be an opportunity to integrate encryption into other product, service, and technology developments.</p> <p>Principle 18 of the UNGPs states that companies should integrate human rights factors into product launch.</p>
<p>Initiate (or participate in) a multi-stakeholder dialogue on the integration of asylum seekers into the Swedish workforce and broader economy, such as access to products, services, and technologies.</p> <p>This dialogue should bring together a range of different interested parties and sources of expertise, including companies, technologists, policy makers, regulators, and civil society organizations. The dialogue should result in very practical recommendations and outcomes that can be implement by companies, policy makers, and regulators.</p> <p>This dialogue can include topics such as the employment authorization and validation processes, skills and training needs, media diversity, and product, service, and technology needs.</p> <p>The dialogue could result in new multi-sector or multi-stakeholder partnerships that seek to accomplish together more than one company could accomplish alone.</p>	<p>During the assessment a number of interviewees, both inside Telia Sweden and outside, emphasized the importance of shifting focus from the recent asylum seeker emergency situation towards longer term solutions and integration. It was often observed that all sectors have a role to play in developing and implementing these solutions, including the private sector. It was emphasized that a needs-based dialogue is important, rather than making assumptions—for example, on the type of internet and communications access needed by asylum seeker communities.</p> <p>Some internal Telia Sweden interviewees expressed desire for a more stable and long term multi-stakeholder effort to discuss and coordinate business action on these issues.</p> <p>The UNGPs should be implemented with particular attention to the rights and needs of, as well as the challenges faced by, individuals from groups or populations that may be at heightened risk of becoming vulnerable or marginalized.</p> <p>Principle 18 of the UNGPs states that companies should undertake meaningful consultation with potentially affected groups and other relevant stakeholders. Principle 18 also states that consideration of human rights should take place in response to or anticipation of changes in the operating environment, such as rising social tensions.</p>
<p>Audit Telia Sweden job descriptions, requirements, postings, and adverts for potentially discriminatory content and other related features.</p> <p>Examples of potentially discriminatory content or features could include: inclusion of Swedish or English language requirements when they are not necessary for the job; not distinguishing between verbal and written language skills; over-specific academic requirements; use of web-based tools without accessibility features; overly-narrow targeting and communications channels.</p>	<p>During the assessment it was highlighted by a number of stakeholders external to Telia Sweden—such as regulators, academics, and civil society organizations—that certain features of the job application process can result in discriminatory outcomes, such as on the basis of ethnicity, national origin, language, age, disability, or race.</p> <p>The UNGPs should be implemented with particular attention to the rights and needs of, as well as the challenges faced by, individuals from groups or</p>

<p>Telia Sweden could also identify specific job categories (such as technical jobs, or certain retail jobs) where different types of language skills are needed.</p>	<p>populations that may be at heightened risk of becoming vulnerable or marginalized.</p> <p>Article 2 of the UDHR states that everyone is entitled to all the rights and freedoms set forth in the UDHR, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p> <p>Principle 13 of the UNGPs states that companies should seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships.</p> <p>Principle 17 of the UNGPs states that In order to identify, prevent, mitigate and account for how they address their adverse human rights impacts, business enterprises should carry out human rights due diligence.</p>
<p>Examine high-risk parts of Telia Sweden’s supply chain for evidence of human rights violations.</p> <p>Specific risk areas to examine include contractors installing fiber in the home, construction suppliers, catering suppliers, network dismantling, and providers of cleaning services, especially those deeper in the Telia Sweden supply chain. Rather than undertaking full audits, Telia Sweden could liaise with informed stakeholders and human rights defenders to identify key red flags to look for.</p> <p>In making this recommendation, we have assumed that other supply chain risks (e.g. labor standards in the supply chain, and conflict minerals) are adequately managed by existing processes.</p>	<p>While Telia Sweden has procurement controls in place, there is a risk that it could miss sub-contractors making use of black market labor, paying wages that are not sufficient for a reasonable standard of living, not placing reasonable limits on working hours, or undercutting health and safety protections. As a worst case scenario, given the influx of asylum seekers, there may be a risk of modern forms of forced and bonded labor. Telia Sweden’s reliance on tier one suppliers to apply minimum standards to the next tier down may not be sufficient to detect these risks.</p> <p>The UNGPs imply that companies should prioritize human rights based on the severity of the violation, rather than the supply chain tier.</p>
<p>Undertake discrimination awareness and unconscious bias training.</p> <p>Telia Sweden can take proactive efforts—especially training and awareness raising—to reduce discrimination risk at the company, such as discrimination on the basis of gender, age, ethnicity, language, national origin, and disability.</p> <p>These efforts should raise awareness of the discrimination risks specifically relevant in Sweden, such as the situation relating to ethnic minorities, asylum seekers, the Roma, and the elderly.</p> <p>Anti-discrimination or unconscious bias training should be accompanied by clear internal communications and statements that Telia Sweden does not tolerate discrimination in any form. It will be important to ensure</p>	<p>Telia Sweden has already embarked on a trial of unconscious bias training, which could become mandatory. During discussions with external stakeholders—especially regulators, academics and civil society organizations—the importance of unconscious bias training was often referenced. It was frequently referenced that many employers and decision makers in Sweden are less aware of certain types of discrimination risk than they should be, and that increasing awareness of these risks would be important as Swedish society becomes more diverse.</p> <p>The UNGPs should be implemented with particular attention to the rights and needs of, as well as the challenges faced by, individuals from groups or populations that may be at heightened risk of becoming vulnerable or marginalized, and with due regard to the different risks that may be faced by women and men.</p>

<p>that all dimensions of potential discrimination are covered, including hiring, promotion, pay, customer service, product and service design, and procurement decisions.</p> <p>Finally, these non-discrimination messages can be accompanied by positive messages that emphasize the value of diversity in all its forms.</p>	<p>Article 14 of the UNGPs state that human rights commitments should be supported by any necessary training for personnel in relevant business functions.</p>
<p>Verify whether there are land rights risks relating to telecoms network infrastructure in areas inhabited by the Sami.</p> <p>This verification should include consultation with the Sami community, such as members of the Sami parliament.</p>	<p>It is known that there have been tensions between Sami and the government over land, natural resources persisted, and reindeer grazing rights. However, during the assessment, BSR was unable to ascertain whether there are any risks or tensions related to the use of land for the development of telecoms infrastructure.</p> <p>Principle 18 of the UNGPs states that when gauging human rights risk, companies should involve meaningful consultation with potentially affected groups and other relevant stakeholders.</p> <p>The United Nations Declaration on the Rights of Indigenous Peoples establishes the concept of Free Prior Informed consent—consultation of an Indigenous Population prior to the beginning of a development on ancestral land or using resources within the Indigenous Population's territory.</p>
<p>Continue to tackle hate speech, and promote counter speech.</p> <p>This could include continuing recent “we hate hate” advertising campaigns, and partnerships with relevant entities such as schools, community organizations, and policy makers. This should pay special attention to vulnerable groups, such as children, LGBTQI, and asylum seekers, and continue to involve consultation with rights holders (such as children). Telia Sweden should be alert to new and evolving types of social media.</p>	<p>The European Commission and a collection of internet companies are implementing a code of conduct that includes a series of commitments to combat the spread of illegal hate speech online in Europe. There are opportunities for telecoms companies to participate in this work and examine the specific contribution they can make given their products, services, and technologies—though in doing so, companies need to be mindful of different opinions about the merits of the code of conduct.</p> <p>Principle 13 of the UNGPs states that companies should seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships.</p> <p>Principle 18 of the UNGPs states that they should be implemented with particular attention to the rights and needs of, as well as the challenges faced by, individuals from groups or populations that may be at heightened risk of becoming vulnerable or marginalized.</p> <p>Principle 19 of the UNGPs states that leverage may be increased by collaborating with other actors.</p>

<p>Undertake a Child Rights Impact Assessment using the UNICEF the child rights impact self-assessment tool for mobile operators, and the UNICEF child online safety assessment tool</p> <p>The assessment should be tailored to the needs of Telia Sweden (rather than various issues that will be more relevant in emerging markets). The assessment should also review the risk that political speech is not over-blocked during the blocking of otherwise inappropriate content for children.</p>	<p>During the assessment BSR learned of significant Telia Sweden efforts to protect child rights, including the blocking of CSAM as both an employer and service provider, providing tools to parents to filter content, and engage with children as rights holders. However, BSR was not able to undertake the in-depth assessment implied by the UNICEF child rights impact assessment tool, which may take more than a year to implement.</p> <p>Article 25 of the UDHR recognizes the need of childhood to special protection and assistance, and the right of all children to social protection.</p> <p>The UN Declaration of the Rights of the Child sets out principles for the protection of children's rights, including the right to special protection.</p> <p>The UNGPs should be implemented with special attention to individuals from groups or populations that may be at heightened risk of becoming vulnerable or marginalized.</p> <p>Principle 17 of the UNGPs states that In order to identify, prevent, mitigate and account for how they address their adverse human rights impacts, business enterprises should carry out human rights due diligence.</p>
<p>Continue to advocate for increased transparency and oversight relating to the blocking of Child Sexual Abuse Material (CSAM).</p> <p>This could include, for example, formulating and communicating proposals for multi-stakeholder oversight of the blocked materials list, an appeals and remedy process, increased transparency (such as annual reports of activity, methodology, and blocking trends), and improved accountability (such as audits or human rights assessments).</p> <p>Advocacy should be undertaken in combination with other organizations, such as companies, academics, and civil society organizations, and be focused on a rights-based approach.</p>	<p>During the assessment a range of internal and external stakeholders—including regulators, academics, and civil society organizations—expressed a concern that well intentioned efforts to block CSAM may result in unintended negative consequences. This concern arises from a lack of transparency or oversight for what content is blocked, and a fear that the ability to block CSAM will become a “slippery slope” for other undesirable but legal content.</p> <p>Principle 13 of the UNGPs states that companies should seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships.</p> <p>Principle 18 of the UNGPs states that when gauging human rights risk, companies should involve meaningful consultation with potentially affected groups and other relevant stakeholders.</p> <p>Principle 19 of the UNGPs states that leverage may be increased by collaborating with other actors.</p> <p>Principle 4 of the Telecommunications Industry Dialogue Guiding Principles states that, when faced with challenges of over-blocking, companies should</p>

	<p>seek alternative measures that would minimize or mitigate the practical impact on freedom of expression.</p> <p>Principle 7 of the Telecommunications Industry Dialogue Guiding Principles states that companies should share knowledge and insights with relevant and interested stakeholders to improve understanding of the applicable legal frameworks.</p>
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