

MAY 2017

Human Rights Impact Assessment

Telia Lietuva, AB

About This Report

Telia Company commissioned BSR to undertake a human rights impact assessment (HRIA) for Telia Lietuva, AB (hereafter referred to as Telia Lithuania), the company's subsidiary in Lithuania.

BSR undertook this HRIA in June and July 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, Lithuania.
- » **For Telia Lithuania**, we make recommendations for how to manage and mitigate human rights impacts in Lithuania.

ACKNOWLEDGEMENTS

BSR wishes to thank all Telia Company and Telia Lithuania 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.

SUGGESTED CITATION

BSR, 2016. "Human Rights Impact Assessment: Telia Lithuania."

Contents

1. Executive Summary	3
2. Project Overview	6
3. Methodology	8
4. Country and Industry Context	11
5. Human Rights at Telia Company	17
6. Risks and Opportunities for Telia Lithuania	22
7. Conclusions	26
8. Recommendations	30
9. References	37

1. Executive Summary

1.1 INTRODUCTION

Telia Company commissioned BSR to undertake a human rights impact assessment (HRIA) for Telia Lithuania, the company's subsidiary in Lithuania. 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 June and July 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 LITHUANIA

The Republic of Lithuania is bordered by Latvia, Poland, Belarus and Kaliningrad Oblast, a Russian enclave. Lithuania has an estimated population of 2.9 million, of which 84% are of Lithuanian ethnicity, 7% Polish, 6% Russian, and 3% other ethnicities. Over half a million live in the capital, Vilnius.

In March 1990 Lithuania became the first Soviet republic to declare itself independent of the Soviet Union. Today the Republic of Lithuania is a constitutional, semi-presidential, multi-party parliamentary democracy. The Head of State of Lithuania is the President, who is elected for a maximum of two five-year terms. The President appoints the Prime Minister and then the rest of the Cabinet on the nomination of the Prime Minister. The current president is Dalia Grybauskaitė, the first female President of Lithuania and the second President to be elected to a second term. President Grybauskaitė is independent, while the governing coalition (following elections in October 2016) is formed of the Lithuanian Farmers and Greens Union and the Social Democratic Party of Lithuania.

Lithuania joined the Organisation for Security and Cooperation OSCE in 1991, the Council of Europe in 1993, NATO in 2004, the European Union in 2004, and the Eurozone in 2015. Lithuania is also a member of the Schengen area.

1.3 HUMAN RIGHTS AT TELIA COMPANY

Telia Company has stated its commitment to 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

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/>

approved by the Telia Company CEO and go into more detail by describing the objectives and requirements that apply to that issue.

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 HRIsAs to explore the application of international human rights standards in the local context. This report implements that recommendation for Telia Lithuania.

1.4 KEY CONCLUSIONS

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

At a global level, Telia Company has made substantial progress addressing human rights since the DIHR assessment in 2013. The company can draw upon a significant human rights infrastructure of policies, instructions, and processes when implementing respect for human rights in Lithuania, and BSR found a high level of awareness among senior managers in Telia Lithuania and Telia Company of these expectations. In addition, Lithuania's status as established liberal democracy and EU member is a source of significant human rights protections, and substantially reduces Telia Lithuania's risk.

However, the current geopolitical situation could constrain human rights protections, and cause increased human rights risks for Telia Lithuania, especially in the areas of freedom of expression and privacy. Social attitudes, sometimes re-enforced by discriminatory laws, constrain a number of human rights protections, especially in the area of non-discrimination. The size of the local informal economy increases labor risks in Telia Lithuania's extended supply chain.

Telia Lithuania can address human rights risk in a number of ways. Risks relating to non-discrimination can be addressed internally (such as through training, awareness raising, and internal statements) and externally (such as through multi-stakeholder collaborations, public statements, and sponsorships). Risks relating to freedom of expression and privacy can be addressed by continuing to apply Telia Company's policies, and by increasing dialogue with government officials, the judiciary, and law enforcement agencies. There are also opportunities to increase multi-stakeholder dialogue and collaboration in Lithuania, such as with other businesses, civil society, policy influencers, and government officials.

Telia Company can support Telia Lithuania's human rights efforts by exploring new human rights dilemmas in the media and entertainment industry that result from becoming a next generation telco, and by continuing to advocate for increased transparency in its Law Enforcement Disclosure reporting.

1.5 RECOMMENDATIONS FOR TELIA COMPANY

While the majority of BSR's recommendations for Telia Lithuania, we do have three key recommendations for Telia Company at Group HQ level:

- » Continue engaging with local authorities in Lithuania with the objective of further increasing transparency
- » Investigate new human rights risks that may arise in the TV and entertainment sector that may not be foreseen by Telia Company's existing freedom of expression policy.
- » Continue to proactively support the human rights program and activities of Telia Lithuania.

1.6 RECOMMENDATIONS FOR TELIA LITHUANIA

BSR recommends the creation of a human rights management and mitigation plan by Telia Lithuania. This plan should focus on the most severe human rights impacts, while recognizing the local context and limited leverage.

Anti-Discrimination	Freedom of Expression & Privacy	Governance
<ul style="list-style-type: none"> » Undertake discrimination awareness and unconscious bias training » Undertake an equal pay review » Support multi-stakeholder approaches to protecting and supporting vulnerable groups, such as children, LGBT, women, and people with disabilities » Establish a women's career development program 	<ul style="list-style-type: none"> » Engage the Government of Lithuania in a dialogue about Lithuania's participation in the Freedom Online Coalition » Engage the Government of Lithuania in a dialogue about ideal policy frameworks for freedom of expression and privacy » Initiate shared learning workshops with judges and law enforcement agencies about best practices in freedom of expression and privacy 	<ul style="list-style-type: none"> » Maintain a steering committee to oversee and implement the recommendations contained in this report. » Integrate human rights into Telia Lithuania ethics and integrity training » Continue to focus responsible procurement efforts on ensuring that "informal economy" companies are not present in Telia Lithuania's supply chain. » Share insights from this human rights impact assessment with business and non-business stakeholders » Engage with local external rights holders and stakeholders about the implementation of these recommendations

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 Lithuania. 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 Lithuania 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 Lithuania 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 Lithuania 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 LITHUANIA

Telia Company's operations in Lithuania take place via the company's Telia Lithuania subsidiary.³

Telia Lithuania (formerly named as "Lietuvos telekomas") started operations as a state owned enterprise in 1992, and was privatized in 1998 with a sale of 60% of the company's shares to Swedish Telia AB and Finnish Sonera Oy. Today, Telia Company owns more than 88 per cent of the Telia Lithuania's shares, with the remainder quoted on Nasdaq Vilnius.

At the time of writing, Telia Lithuania held leading positions in broadband (number one, 33% market share), pay-TV (number one, 30% market share), and fixed voice (number one, 88% market share), as well as in IT infrastructure.⁴

In 2016 Telia Lithuania acquired a 100% stake in Omnitel from Telia Company. For nearly 20 years Omnitel provided mobile communications products and services in Lithuania, and at the time of the assessment was the second largest operator with 30% market share.⁵ In the beginning of 2017, Omnitel was merged into Teo Lithuania, adopting the Telia Lithuania brand name.

³ Telia Lithuania, www.telia.lt

⁴ <http://www.teliacompany.com/en/about-the-company/markets-and-brands/overview/>

⁵ <http://www.teliacompany.com/en/about-the-company/markets-and-brands/overview/>

At the time of the assessment Telia Lithuania also owned Lintel, the largest provider of call center services in Lithuania, as well as directory inquiry, telemarketing, and customer care services, and Baltic Data Center. At the time of final HRIA editing, these entities had been merged into Telia Lithuania and part of the Telia Lithuania legal entity.

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 Rights⁶
- » The International Covenant on Economic, Social, and Cultural Rights⁷
- » The eight ILO Core Conventions⁸
- » The Convention on the Rights of the Child⁹
- » ILO Convention 169 on Indigenous Peoples¹⁰

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 Lithuania, 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

⁶ OHCHR, "International Covenant on Civil and Political Rights," <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

⁷ OHCHR, "International Covenant on Economic, Social and Cultural Rights," <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

⁸ ILO, <http://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm>

⁹ OHCHR, "Convention on the Rights of the Child," <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

¹⁰ ILO, <http://www.ilo.org/indigenous/Conventions/no169/lang--en/index.htm>

organizations, including Telia Lithuania, Telia Company HQ, and external stakeholders informed the Telia Lithuania 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 June and July 2016. This included one week visiting Telia Lithuania and local stakeholders in Lithuania, 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, 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 Lithuania	<ul style="list-style-type: none"> » What is Telia Company and Telia Lithuania's existing human rights policy and management approach, globally and in Lithuania? » What products, services, and technologies are provided in Lithuania? » Who are Telia Lithuania's main customers/customer segments? » What is the governance and ownership structure in Lithuania? » Who are the key internal and external stakeholders and rights holders in Lithuania? » What is the human rights context in Lithuania, 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 Lithuania, such as relevant human rights reports » Interviews with Lithuania 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 Lithuania? 	<ul style="list-style-type: none"> » Interviews with 10+ relevant Telia Company and Telia Lithuania staff in Lithuania » 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 Lithuania address the identified impacts, risks, and opportunities? » Where should Telia Company and Telia Lithuania 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 Lithuania put in place? » What leverage does Telia Company and Telia Lithuania have over these risks and opportunities? » What measures should Telia Company and Telia Lithuania take over the short, medium, and long term? » What information should be published externally, and what information left confidentially for Telia Company and Telia Lithuania? 	<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 LITHUANIA

The Republic of Lithuania is bordered by Latvia, Poland, Belarus and Kaliningrad Oblast, a Russian enclave. Lithuania has an estimated population of 2.9 million, of which 84% are of Lithuanian ethnicity, 7% Polish, 6% Russian, and 3% other ethnicities. Over half a million live in the capital, Vilnius.¹¹



In March 1990 Lithuania became the first Soviet republic to declare itself independent of the Soviet Union. Soviet troops entered Lithuania in January 1991, but in September of that year the Soviet Union recognized Lithuania's independence.

Today the Republic of Lithuania is a constitutional, semi-presidential, multi-party parliamentary democracy. The Head of State of Lithuania is the President, who is elected for a maximum of two five-year terms. The President appoints the Prime Minister and then the rest of the Cabinet on the nomination of the Prime Minister.



The current president is Dalia Grybauskaitė, the first female President of Lithuania and the second first President to be elected to a second term. After re-election in 2014, President Grybauskaitė quickly announced a blacklist of prominent individuals suspected of being involved in corruption, and eight vice-ministers all resigned. The most recent presidential elections (2014) and parliamentary elections (2016) were categorized by observers as generally free and fair.

President Grybauskaitė is independent, while the governing coalition (following elections in October 2016) is formed of the Lithuanian Farmers and Greens Union and the Social Democratic Party of Lithuania. Lithuania joined the Organisation for Security and

Cooperation OSCE in 1991, the Council of Europe in 1993, NATO in 2004, the European Union in 2004, and the Eurozone in 2015. Lithuania is also a member of the Schengen area.

In the 2015 Freedom House report, Lithuania was designated as a free country and received a top score for its freedom, civil liberties and political rights ratings.¹² Laws that provide for freedom of speech and the press are generally respected, and many legal protections exist in the areas of anti-discrimination, labor rights, health and safety, and privacy. However, a number of human rights concerns remain, especially in the areas of LGBT rights, ethics and anti-corruption (especially a sizeable informal sector), child rights, and non-discrimination.

BSR does not repeat here the thorough assessments of the human rights context in Lithuania contained in publicly available reports. For more depth, readers can refer to reports published by the Business Anti-

¹¹ CIA World Factbook, <https://www.cia.gov/library/publications/the-world-factbook/geos/lh.html>

¹² Freedom House, "Freedom in the World 2016," <https://freedomhouse.org/report/freedom-world/freedom-world-2016>

Corruption Portal,¹³ Freedom House,^{14, 15} the Human Rights Monitoring Institute,¹⁶ ILGA-Europe,¹⁷ and the U.S State Department.¹⁸ These reports were key sources for the BSR assessment and surfaced the following key issue areas:

- » Freedom of expression
- » Privacy
- » Nondiscrimination
- » Child rights
- » Labor rights
- » Ethics and anti-corruption

4.2 TELECOMMUNICATIONS IN LITHUANIA

The legal framework relating to privacy and freedom of expression has changed substantially following independence from the Soviet Union, and is now considerably different than the situation in other ex-Soviet republics.

The Constitution of Lithuania states that “private life shall be inviolable” and “personal correspondence, telephone conversations, telegraph messages, and other communications shall be inviolable”, protected by law and the courts.¹⁹ Moreover, the State Security Department is increasingly transparent about the extent of access:

“In order to be able to carry out investigations and collect intelligence in accordance with the Intelligence Requirements, VSD (State Security Department) has to obtain a court authorization to carry out the activities set in the Law on Intelligence, i.e. monitoring personal communication by phone or on the Internet, access to private premises, examination of documents and other items. In 2014 VSD activities authorized by regional courts were carried out against 1953 individuals – 1017 Lithuanian citizens, 904 foreign nationals and 32 legal persons. Intelligence collected by court-authorized activities is conveyed to the Heads of State.”²⁰

Telia Lithuania has been denied permission to publish law enforcement request data, including 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). However, the Lithuanian Human Rights Monitoring Institute has successfully secured data relating to all telecommunications companies collectively (i.e. not limited to Telia Lithuania) via a freedom of information request. This data shows that in 2014 there were 12,332 requests “for the collection of information transmitted through electronic communications networks” (i.e. historical data, not subscriber data) to the courts, of which 12,178 (98.8%) were granted.”²¹

¹³ Business Anti-Corruption Portal, <http://www.business-anti-corruption.com/country-profiles/europe-central-asia/lithuania/snapshot.aspx>

¹⁴ Freedom House, “Freedom in the World 2016,” <https://freedomhouse.org/report/freedom-world/freedom-world-2016>

¹⁵ Freedom House, “Nations in Transit 2016,” <https://freedomhouse.org/report/nations-transit/nations-transit-2016>

¹⁶ Human Rights Monitoring Institute, “Human Rights in Lithuania 2013 – 2014,” <http://hrmi.lt/en/publications/>

¹⁷ IGLA Europe, “Rainbow Europe 2016,” <http://ilga-europe.org/resources/rainbow-europe/2016>

¹⁸ US State Department, “Lithuania 2015 Human Rights Report,” <http://www.state.gov/documents/organization/253081.pdf>

¹⁹ <http://www.lrkt.lt/en/about-the-court/legal-information/the-constitution/192>

²⁰ Lithuania State Security Department, “Annual Report 2015,” <http://www.vsd.lt/Files/Documents/635948636434075000.pdf>

²¹ Human Rights Monitoring Institute, “Human Rights in Lithuania 2013 – 2014,” <http://hrmi.lt/en/publications/>

The Lithuanian Human Rights Monitoring Institute is concerned that this high approval ratio suggests that insufficient scrutiny is applied to data collection requests made to the courts, especially considering the high success rate when appeals against data collection requests are made.

The Constitution of Lithuania establishes protections for freedom of expression, speech, and the press (though with some notable conditions relating to hate speech and defamation), and these rights are generally well respected:

“Everyone shall have the right to have his own convictions and freely express them. No one must be hindered from seeking, receiving, or imparting information and ideas. The freedom to express convictions, as well as to receive and impart information, may not be limited otherwise than by law when this is necessary to protect human health, honour or dignity, private life, or morals, or to defend the constitutional order. The freedom to express convictions and to impart information shall be incompatible with criminal actions—incitement to national, racial, religious, or social hatred, incitement to violence or to discrimination, as well as defamation and disinformation.”

However, restrictions to freedom of expression in Lithuania have recently emerged in two areas—propaganda, and content deemed objectionable.

The “Law on Provision of Information to the Public” lists information that the Radio and Television Commission of Lithuania has the power to restrict, especially information deemed to be propaganda promoting war. While this law maintains that everyone has the right to freely express ideas and convictions, it also provides for very high fines for companies deemed to be broadcasting propaganda or information deemed harmful to minors. During the BSR assessment, a number of interviewees expressed concern that this law is unequally applied, by being used strictly on issues of national sovereignty and symbols, but not used at all in cases of hate speech against vulnerable communities.

For this assessment it is important to note that the Law on Provision of Information to the Public has in the recent past been used to require Telia Company (and other TV companies) to block programs of TV channels NTV Mir and RTR Planeta. Telia Company appealed against this block, and today the channels are available on pay-to-view basis.²²

The “Law on Protection of Minors Against The Detrimental Effect Of Public Information” forbids the spread information that would promote sexual relations or other conceptions of concluding a marriage or creating a family, other than between a man and women. This law has been used to restrict communications promoting LGBT rights and social change.

Telia Lithuania is regulated by the Communications Regulatory Authority of the Republic of Lithuania, an independent national institution regulating communications sector in Lithuania. This Authority exists to promote competition in electronic communications and postal sectors, and regulate relationships among communications market participants in the interests of service users.

²² <http://www.teliacompany.com/en/newsroom/news/news/news-articles/2014/respecting-freedom-of-expression-blocking-of-tv-in-lithuania-/>

Telia Lithuania is also regulated by the Radio and Television Commission of Lithuania, an independent body accountable to parliament which regulates and supervises the activities of radio and television broadcasters, on-demand audiovisual media service providers, and re-broadcasters.

Key laws relevant to telecommunications in Lithuania are detailed in the table below.

Law	Requirement
<i>On National Security</i>	
Law On The Basics Of National Security	<ul style="list-style-type: none"> » Establishes the basics of ensuring the national security of Lithuania, and describes the powers of State Security Department » Describes the objectives of national security policy: <ul style="list-style-type: none"> - develop and strengthen democracy - ensure the safe existence of the nation and internal and exterior security of the State - deter any potential aggressor, and defend the independence, territorial integrity and constitutional order of the State of Lithuania » Establishes that the State Security Department is accountable to the Parliament and President. » Describes tasks of the State Security Department: <ul style="list-style-type: none"> - engage in intelligence and counterintelligence - investigate, analyze and forecast public political and economic processes related to threats to national security - disclose in a timely manner the acts posing a threat to the security, sovereignty, inviolability and integrity of the territory, constitutional order, national interests, defense and economic power of the State - prevent these acts and to eliminate them in accordance with the procedure laid down by law - co-ordinate the fight of institutions of the Republic of Lithuania against terrorism.
<i>On Freedom of Expression</i>	
Law on Provision of Information to the Public	<ul style="list-style-type: none"> » Expands the authority of the Radio and Television Commission of Lithuania » Article 19 lists information that is prohibited to be published in the media. This includes information that: <ul style="list-style-type: none"> - incites to change the constitutional order through the use of force - instigates attempts against the sovereignty of the Lithuania, its territorial integrity, and political independence - instigates war or hatred, sneer, scorn, instigates discrimination, violence, harsh treatment of a group of people or a person belonging to it on the basis of gender, sexual orientation, race, nationality, language, origins, social status, religion, beliefs or standpoints - disseminates, propagates or advertises pornography as well as propagates and/or advertises sexual services and paraphilias - propagates and/or advertises addictions and narcotic or psychotropic substances - disinformation and information which is slanderous and offensive to a person or degrades human dignity and honor - information which violates the presumption of innocence or which may obstruct the impartiality of judicial authorities » Maintains that everyone has the right to freely express ideas and convictions, maintain one's opinion, and seek, receive and disseminate information and ideas in accordance with the conditions and procedure set out in law

	<ul style="list-style-type: none"> » Allows unrestricted reception and re-broadcasting of television programs from EU member states and other European countries which have ratified the Council of Europe Convention on Transfrontier Television » Article 10 prohibits censorship of public information, except where provided for by law » Article 17 is intended to protect minors from information which “might have a detrimental effect on their physical, mental or moral development, in particular public information that involves pornography and/or violence or disseminates information encouraging addictions” » Fine amounting to 3% of annual income for broadcasting war propaganda or information that calls for violent change in the constitutional framework of Lithuania or encroachment on the sovereignty, territorial integrity and political independence of the country, as well as information that foments war or hatred » Re-broadcasters may also be subject to a fine of up to 3% of annual income if they fail to comply with the Commission’s decision to ensure conformity of re-broadcast programs with national requirements and if they repeatedly select and prepare for transmission such programs.
Law on Protection of Minors Against The Detrimental Effect Of Public Information	<ul style="list-style-type: none"> » Forbids the “spread information that would promote sexual relations or other conceptions of concluding a marriage or creating a family other than established in the Constitution or the Civil Code”, which defines marriage as being between a man and women » Has been used to restrict freedom of expression by LGBT organizations, such as Baltic Pride adverts, or communications promoting social change » The law was unsuccessfully cited to ban the Baltic Pride in 2010 and Baltic Pride in 2013, and successfully referenced to declare one advertisement related to Baltic Pride 2013 as appropriate to be broadcast at night time only and with the adult content logo » Has been used to restrict the distribution of children’s books with stories related to same-sex relationships » Fear of breaching the law was used by TV stations not to broadcast a video clip of a gay rights organizations promoting tolerance towards the LGBT community » Upheld by Office of Inspector of Journalist Ethics, who stated that same-sex depiction is “homosexual propaganda”
On Privacy	
Law on Electronic Communications	<ul style="list-style-type: none"> » Article 61 protects confidentiality of communications, overseen by the State Data Protection Inspectorate » Articles 66 and 77 require that, for the purposes of investigation, detection and prosecution of criminal offences of serious and particularly serious crimes, communications traffic and personal data must be held for 6 months » Article 77 covers supervision and monitoring of electronic communications traffic, and the provision of data to criminal intelligence services, pre-trial investigation institutions, prosecutors, courts or judges. » Companies must provide electronic communications networks and/or services immediately, free of charge, and in electronic form in response to the enquiries of approved institutions » Can require data to be stored for an additional six months
Law on Cyber Security	<ul style="list-style-type: none"> » Provides wide powers to systematically collect electronic personal data, specifically “information necessary for the prevention or investigation of potentially criminal breaches of the law in cyberspace”
Law on Intelligence	<ul style="list-style-type: none"> » This law stipulates the legal grounds for activities of intelligence institutions <ul style="list-style-type: none"> - Objectives, areas and principles of activities - Rights, duties, and structure of the institutions

	<ul style="list-style-type: none"> - Grounds for and ways of exercising of control / oversight of their activities » The main aim of activities of intelligence institutions shall be to strengthen national security by collecting information on risks, dangers and threats, and providing this intelligence to institutions ensuring national security and eliminating these risks, dangers and threats » When sanctioned by a court, this law allows “monitoring and recording of the content of information transmitted by electronic communications networks, correspondence and other personal communications” » Limits to surveillance are established, such as surveillance targets and timeline, and how data is used—for example, intelligence institutions shall use intelligence information solely to implement the tasks assigned and only for the purposes for which information has been collected
Law on Criminal Intelligence	<ul style="list-style-type: none"> » Stipulates the legal grounds for activities of criminal intelligence institutions as well as allows monitoring and recording of the content of information
<p>General Data Protection Regulation</p> <p>Regulation of the European Parliament and of the Council, May 2018</p>	<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 » 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

5. Human Rights at Telia Company

5.1 POLICY

Telia Company has stated its commitment to 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 and a member of the Telecommunications Industry Dialogue on Freedom of Expression and Privacy.

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 the issue. The following table is a summary on the policies and instructions relevant for human rights at Telia Company:

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 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.²³

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 Responsible Business 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 Lithuania 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,²⁴ include aspects such as sustainability reporting, anti-corruption, and human rights standards.

²³ Telia Company, <http://www.teliacompany.com/en/about-the-company/corporate-governance/board-of-directors/>

²⁴ 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 Lithuania in Lithuania.

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.²⁵ 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.

It is important to note that Telia Company has been denied permission to include Lithuanian law enforcement requests statistics in the report. However, Telia Company has published details of one major event relating to TV blocking.²⁶

²⁵ Telia Company, <http://www.teliacompany.com/en/sustainability/reporting/law-enforcement-disclosure-report/>

²⁶ <http://www.teliacompany.com/en/newsroom/news/news/news-articles/2014/respecting-freedom-of-expression-blocking-of-tv-in-lithuania-/>

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.

5.5 HUMAN RIGHTS AT TELIA LITHUANIA

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."

In Lithuania all of the Telia Company policies listed in 5.1 above have been adopted by Telia Lithuania's Board. In addition, Telia Lithuania keeps a record of the extent of implementation, covering whether:

- » Localized versions are available on the company intranet in the local language
- » The content is known by all employees
- » Processes and ways of working are implemented
- » Compliance criteria are in place
- » A local owner has been assigned

At Telia Lithuania, all of these have been assigned the status "yes," with the exception of the Communications Policy, which is in the process of being approved. In addition, at the time of writing, a number of policies and instructions—such as the Freedom of Expression in Telecommunications policy—had been recently updated by Telia Company at HQ level and local versions are in the process of being implemented by Telia Lithuania.

The adoption of this human rights policy infrastructure at Telia Lithuania represents a significant step forward in respect for human rights at the company. In the assessment BSR found that awareness of these policies was high among Telia Lithuania management, and there was a positive commitment to maintaining and enhancing their implementation in the coming years. This was especially true of policies and instructions relating to freedom of expression, customer privacy, procurement, and occupational health and safety.

A number of programs and initiatives relating to hiring, procurement, diversity, nondiscrimination, security, employee satisfaction, and anti-corruption have been established and implemented in recent years. A large amount of performance data relating to these programs and initiatives is published online by Telia Lithuania, including gender diversity, employee turnover, health and safety, pay, training and development, whistleblowing, and collective bargaining.²⁷

²⁷ <https://www.telia.lt/eng/sustainability/reporting>

6. Risks and Opportunities for Telia Lithuania

BSR's assessment identified actual and potential human rights impacts in Lithuania, 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. It should be noted that these risks are impacts that might occur, and are not facts or current practice observed during the assessment.

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 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 Lithuania and the presence of relevant Telia Lithuania policies, processes, and procedures.

In addition, in line with the Principle 19 of the UNGPs, we considered whether Telia Lithuania or its owners are 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 Lithuania 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, supporting Clear Wave on anti-corruption initiatives, 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 Lithuania. 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 Lithuania 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	Unlikely	Cause	High
		New regulatory requirements (e.g. SIM card registration) may result in overbroad access to personal data	Large	Minor	Possible	Likely	Linked	Medium
Medium	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	Moderate	Possible	Unlikely	Linked	Low
		Telia Lithuania may receive demands to block, restrict, or take down certain Internet or TV content	Medium	Moderate	Remediable	Likely	Linked	Medium
		Telia Lithuania 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
Medium	Anti-Discrimination	Rights holders in Telia Lithuania (employees) may be discriminated against based on characteristics such as gender, LGBT status, ethnicity, language, pregnancy, or disability—for example, through reduced career opportunities, owing to local context	Medium	Moderate	Likely	Likely	Cause	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
		Child labor may be found in Telia Lithuania's supply chain	Very Small	Major	Remediable	Very Unlikely	Contribute	Medium

		Children may access inappropriate material online	Medium	Minor	Remediable	Likely	Linked	Medium
Low	Security	Inappropriate actions by law enforcement agencies may result in customer or employee data captured from Telia Lithuania'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 Lithuania (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 Lithuania's supply chain may have certain labor rights violated, such as in the areas of remuneration, working hours, right to family life, and free association, owing to local context	Medium	Moderate	Remediable	Possible	Contribute	Medium
Low	Health and Safety	Rights holders in Telia Lithuania (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 Lithuania's suppliers 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	Land Rights	Local level corruption (e.g., involvement in land grabbing/ confiscation) relating to land acquisition for network equipment by local subcontractors	Very Small	Very Minor	Remediable	Very Unlikely	Linked	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

7. Conclusions

Before making recommendations it is important to share some high-level conclusions about Telia Company's human rights impacts in Lithuania and its room for maneuver to address them.

The following observations are essential factors that influence BSR's recommendations:

- **At a global level, Telia Company has made substantial progress addressing human rights since the DIHR impact assessment undertaken in 2013. The company now has a significant human rights infrastructure to draw upon when implementing respect for human rights in local markets.**

Telia Company has introduced new group policies, instructions, and procedures in the areas of freedom of expression, privacy, supply chain standards, human resources, and anti-bribery and corruption (described in section 5). Among other things, these changes have included new procedures for recording and escalating major events impacting freedom of expression and privacy, new “speak-up” whistle-blowing processes and protections, and substantially increased transparency through Law Enforcement Disclosure reporting. BSR found a high level of awareness among senior managers in both Telia Company and Telia Lithuania of these expectations, which appeared to be well known, well understood, and clear. During the assessment we noted a number of specific examples of policies being applied in the right way, such as responding to requests to block certain TV channels, communications with the State Security Department requesting greater transparency, and the diligent application of the privacy policy. BSR also witnessed good awareness of emerging challenges, such as new SIM card registration requirements, and new privacy laws.

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

The implementation of European Union directives and regulations creates strong legal protections for rights holders, such as in the area of privacy, gender equality, and employment law. For example, discrimination on the basis of race, sex, gender, social status, age, ethnic background, sexual orientation, nationality, religion, and disability is prohibited by law, and employment laws are well enforced. In addition, respect for rule of law in Lithuania 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 ongoing progress towards full membership of the OECD and the implementation of the joint Lithuania-OECD action plan is having a similar positive impact. Lithuania is also a member of the Freedom Online Coalition.²⁸ That said, a number of interviewees noted the gap between formal legal commitments and social and cultural attitudes existing in Lithuania as a whole which impact the implementation of these commitments (especially in the area of non-discrimination), and the risk that this gap could increase over time. In other words, the need to meet EU membership requirements resulted in significant progress in the Lithuanian legal framework, but now that aim has been achieved, there is a risk that the effective implementation of these laws will decline.

²⁸ <https://www.freedomonlinecoalition.com/>

- **The current geopolitical situation could constrain some human rights protections, and cause increased human rights risk for Telia Lithuania.**

Tensions between Baltic states and Russia have increased in recent years as a result of events in Ukraine and differing perspectives on the role of NATO in the region—for example, recent reports from the Lithuanian State Security Department have emphasized a growing threat to Lithuania’s security from Russia.^{29, 30} For Telia Lithuania this tension will likely increase human rights risk, especially in the areas of freedom of expression (where the Telia Lithuania may receive an increased volume of requests to restrict TV channels, TV content transmitted over the internet, or other internet based content) and privacy (where Telia Lithuania may receive an increased number of data requests). For example, amendments have already been made to the “Law on Provision of Information to the Public” to broaden the range of information that should not be published, while during the BSR assessment concerns were raised by both internal and external stakeholders that legislation could be introduced designed to increase the ease of law enforcement access to customer data and communications.

- **Social attitudes relating to certain non-discrimination rights, sometimes re-enforced by discriminatory laws, also constrain a number of human rights protections. Taken together, these two factors increase human rights risks for Telia Lithuania in the area of non-discrimination.**

Social attitudes in Lithuania are a cause of human rights risk. Attitudes towards the LGBT community are often negative, and perceptions about the role of women in society likely results in workplace discrimination—for example, despite equal pay laws, the pay gap between men and women in Lithuania in 2014 was 13.7 percent.³¹ In addition, during the assessment BSR heard concerns from internal and external stakeholders about discrimination on the basis of age, disability, and ethnicity, both in the work place and in terms of access to products, services, and technologies existing in Lithuania as a whole. In some areas these social attitudes are re-enforced by discriminatory laws. For example, the “Conceptual Framework for National Family Policy” (which applies only to arrangements involving marriage) reduces the legal status of unmarried couples with children, single-parent families, and same-sex couples, while Lithuania remains the only EU country without the ability to form civil partnerships. It is illegal to publish material deemed detrimental to minors, and this can serve as a legal basis to limiting LGBT communications.

- **There are opportunities for Telia Lithuania to make progress on non-discrimination rights internally.**

While there are limits to Telia Lithuania’s ability to influence attitudes that exist across society as a whole, there are opportunities for Telia Lithuania to increase a culture of respect for human rights inside the organization. This can include anti-discrimination training, integrating human rights into existing ethics training, and proactive communications of policies, perspectives, and points of view that express support for vulnerable populations.

²⁹ Lithuania State Security Department, “Annual Report 2014,” <http://www.vsd.lt/Files/Documents/635718603371696250.pdf>

³⁰ Lithuania State Security Department, “Annual Threat Assessment 2014” <http://www.vsd.lt/Files/Documents/635664369272603750.pdf>

³¹ US State Department, “Lithuania 2015 Human Rights Report,” <http://www.state.gov/documents/organization/253081.pdf>

- **There are opportunities for Telia Lithuania to participate in external dialogues and initiatives where a private sector leverage could be used to improve human rights protections.**

While Telia Lithuania has less leverage outside the company than inside, there are opportunities to influence the broader social context through the use of a strong private sector voice, especially when used in combination with other companies. Examples of exercising this wider influence are diverse, and can include: initiatives that advance the role of women and girls in technology careers; expressing private sector support for LGBT rights (including future Baltic Pride events); promoting whistleblower protection; and participating in efforts to eliminate the shadow economy. As one of the largest companies in Lithuania, Telia Lithuania has an opportunity to alter the discourse on human rights in Lithuania by conveying strong messages of support, thereby reducing Telia Lithuania's human rights risks by improving the social context.

- **There is a need for increased multi-stakeholder dialogue and collaboration in Lithuania.**

During BSR's assessment it was striking how little cross-sector collaboration takes place on human rights issues compared to other markets. This has led BSR to conclude that there are opportunities to break down barriers between sectors, engage in mutually beneficial learning, and address systemic human rights challenges. Examples identified during the assessment include: shared learning sessions with judges and law enforcement officials about human rights, privacy and data requests; increased private sector participation in the work of the Equal Opportunities Ombudsperson; and utilizing platforms (such as Clear Wave or the Baltic Institute for Corporate Governance) to increase business and civil society interactions. A specific opportunity exists to share this HRIA methodology and outcome once it is complete, while an excellent example of previous Telia Lithuania efforts is provided by the sponsorship of the Lithuanian Center for Human Rights conference "Expression of Opinion Online: Human Rights, Ethics, and Case Studies".

- **Telia Lithuania may increasingly face human rights dilemmas in the media industry relating to (1) content diversity and (2) the relationship between freedom of expression and "responsible content" where there are few established norms and guidelines to follow.**

Telia Lithuania has successfully applied its freedom of expression policy when faced with demands to remove access to certain TV channels. However, while well-established principles and guidelines exist for how companies should respond to government requests to limit access to internet based content, these principles and guidelines were not written with TV based content in mind, especially where companies may become involved in curating and distributing content, rather than simply enabling access to it. For example, Telia Lithuania's recent proactive efforts to offer a new Russian TV station has a positive impact on the right to freedom of expression, but is not covered by Telia Company's existing human rights policy. In short, new freedom of expression dilemmas, choices, and challenges may arise that are not foreseen by Telia Company's existing policies.

- **There are opportunities for Telia Lithuania to address the informal sector, both alone and in collaboration with others, which will reduce overall human rights risk.**

While freedom from corruption is not a human right, it can be a cause of increased human rights risks—for example, in the areas of equal pay, worker rights, or health and safety. In Lithuania, this

takes the form of the large informal sector which, while shrinking, continues to constitute a significant portion of the Lithuanian economy. Telia Lithuania's largest and most strategic suppliers are not in the informal sector, but Telia Lithuania can continue to address these risks by focusing on smaller and less strategic suppliers in industry segments common to the informal sector, such as cleaning services, construction supplies, and catering. For example, external stakeholders emphasized the role of long term supplier relationships as a method of reducing informal sector involvement.

- **Telia Lithuania can continue to push the boundaries of transparency.**

Telia Lithuania is already proactive in its transparency efforts, such as publishing a comprehensive sustainability report, and seeking permission from local authorities to publish law enforcement relationships statistics. Telia Lithuania can continue to make the case for publishing law enforcement statistics (for example, by highlighting Lithuania's absence from its Law Enforcement Relationships report) but increase transparency in other areas covered in this assessment too, such as the publication of diversity data (in addition to gender data already published), transparency around lobbying and public policy efforts, and increased communication of whistleblowing protection efforts. Two points are noteworthy: first, that the State Security Department has increased its transparency over recent years, and this may be a source of opportunity to secure permission for increased transparency at Telia Lithuania; second, that Google³² and Facebook³³ both already publish data requests for Lithuania, and this may set a helpful precedent.

³² <https://www.google.com/transparencyreport/userdatarequests/countries/>

³³ https://www.facebook.com/about/government_requests

8. Recommendations

8.1 RECOMMENDATIONS FOR TELIA COMPANY

While the majority of BSR’s recommendations for Telia Lithuania in Lithuania, we do have three key recommendations for Telia Company at Group HQ level.

Recommendation	Explanation
<p>Continue engaging with the Lithuania State Security Department with the objective of further increasing transparency.</p> <p>Lithuania is one of only two non-Business Region Eurasia markets not to have law enforcement authority request statistics included in Telia Company’s Law Enforcement Relationship Report. Telia Company should continue to seek permission to include statistics relating to historical data, subscription data, and requests challenged or rejected—and if logs are kept, lawful intercept statistics as well.</p> <p>Telia Company should continue to include any relevant “major events” in its communications.</p>	<p>Over recent years there has been an increase in transparency about law enforcement requests and relationships in Lithuania, such as the inclusion of lawful intercept data in the Lithuania State Security Department Annual Report, and the release of historical data to the Human Rights Monitoring Institute Report. In addition, Facebook and Google both include statistics for Lithuania in their law enforcement reports. This suggests that the timing could be good to secure additional transparency through inclusion in the Telia Company report.</p> <p>Principle 21 of the UNGPs states that, in order to account for how they address their human rights impacts, business enterprises whose operations or operating contexts pose risks of human rights impacts should report formally on how they address them. Communications should provide information sufficient to evaluate the adequacy of the company’s approach, but not pose risks to affected stakeholders, personnel, or to legitimate requirements of commercial confidentiality.</p> <p>The Telecommunications Industry Dialogue Principle 8 states that companies should report externally on their progress in implementing the principles, and as appropriate on major events occurring in this regard.</p>
<p>Investigate new human rights risks that may arise in the TV and entertainment sector that may not be foreseen by Telia Company’s existing freedom of expression policy.</p> <p>This investigation could include commissioning a short white paper, engaging with stakeholder groups focused on the TV, media, and entertainment sector, and / or internal discussions with product and service managers at Telia Company. The results of this effort could be shared with other telecoms companies entering the TV, media, and entertainment sectors, such as those expanding into the sector through quad play offerings or acquisitions. The research could include subjects such as media diversity, responsible content, and the limits/extent of editorial freedom. Alternatively, this research could be initiated by Telia Company within the</p>	<p>While well-established principles and guidelines exist for responding to government requests to limit access to internet based content, these principles and guidelines were not written with TV based content in mind, especially where companies may become involved in curating, commissioning, and distributing content, rather than simply enabling access to it.</p> <p>For example, Telia Lithuania’s recent proactive efforts to offer a new Russian TV station has a positive impact on the right to freedom of expression, but is not covered by Telia Company’s existing human rights policy. Over time, if Telia Company is increasingly involved in the TV and entertainment sector, then new freedom of expression dilemmas, choices, and challenges may arise that are not foreseen by Telia Company’s existing policies.</p>

<p>Global Network Initiative or Telecommunications Industry Dialogue.</p>	<p>Principle 2 of the Telecommunications Industry Dialogue Principles states that companies should conduct regular human rights impact assessments and use due diligence processes to identify, mitigate and manage risks to freedom of expression and privacy, including those associated with particular technologies, products, services, or countries.</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>Telia Company should continue to proactively support the human rights program and activities of Telia Lithuania.</p> <p>This support can include activities that characterize engaged ownership, such as shared learning, company visits, and the monitoring of policy implementation successes and challenges.</p>	<p>During all BSR HRIAs for Telia Company it has been striking how important engagement, direction, and support from the HQ is for the management of human rights risks and opportunities in local subsidiaries.</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>

8.2 RECOMMENDATIONS FOR TELIA LITHUANIA

BSR recommends the creation of a human rights management and mitigation plan by Telia Lithuania. This plan should focus on the most severe human rights impacts, while recognizing the local context and limited leverage.

Recommendation	Explanation
<p>Integrate human rights into Telia Lithuania ethics and integrity training.</p> <p>Telia Lithuania already provides mandatory e-learning on its code of responsible business conduct and anti-corruption policy for all employees, and additional face-to-face training is carried out for higher risk employees, such as those working with the public sector, or in procurement.</p> <p>Telia Lithuania can integrate key elements of its human rights commitments into this training, such as a basic introduction to business and human rights, and a summary of Telia Lithuania and Telia Company policy commitments and activities on human rights.</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>Undertake discrimination awareness and unconscious bias training.</p> <p>Telia Lithuania can take proactive efforts—especially training and awareness raising—to reduce discrimination risk at the company, such as discrimination on the basis of gender, LGBT status, age, ethnicity, language, and disability, and position the company as a local leader upholding these values</p> <p>Anti-discrimination or unconscious bias training should be accompanied by clear internal communications and statements that Telia Lithuania does not tolerate discrimination in any form. It will be important to ensure 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>During the assessment it was often stated that discrimination should not and does not exist in Telia Lithuania. While this represents a positive statement about company culture, bias and discrimination may still exist unconsciously, especially given credible reports of discrimination in Lithuania more broadly—for example, despite equal pay laws, the pay gap between men and women in Lithuania in 2014 was 13.7 percent, while significant prejudice exists against the LGBT community.</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. 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>Undertake an equal pay review.</p> <p>Telia Lithuania can continue addressing concerns about discrimination (for example, on the basis of gender) by undertaking an equal pay review to ascertain whether equal pay is provided for equal work. This should include an exploration as to whether pay differentials between different functions (e.g. engineering vs customer service) results in discriminatory pay practices for employees within the same job grade.</p>	<p>Equal pay reviews are emerging as a key practice in the area of business and human rights.³⁴</p> <p>Article 23 of the Universal Declaration of Human Rights states that “everyone, without any discrimination, has the right to equal pay for equal work”.</p> <p>Principle 19 of the UNGPs states that companies should integrate the findings from their impact assessments across relevant internal functions and processes, and take appropriate action.</p>
<p>Support multi-stakeholder approaches to protecting and supporting vulnerable groups, such as children, LGBT, women, and people with disabilities.</p> <p>Telia Lithuania could continue and further fund and promote initiatives aimed at reducing discrimination and supporting vulnerable groups in Lithuanian society. This could include increasing a corporate and brand presence at key events or initiatives, such as through sponsorship (e.g. Baltic Pride, International Women’s Day), participation, or hosting.</p> <p>This should include identifying opportunities for collaboration with the office of the Equal Opportunities Ombudsperson, which would benefit from greater private sector involvement in its work.</p>	<p>During the assessment it was often said that Telia Lithuania’s room for maneuver on anti-discrimination was constrained by society-wide factors, such as lack of support for LGBT communities and perceptions about the role of women in society—though it was also noted that this situation may improve over time.</p> <p>Principle 19 of the UNGPs states that leverage may be increased by collaborating with other actors.</p>

³⁴ For example, see Intel: <http://www.intel.com/content/www/us/en/diversity/diversity-2015-annual-progress-report.html>

<p>Establish women’s career development program.</p> <p>Telia Lithuania can take proactive efforts to further advance career development opportunities for women, especially in the technology / engineering side of the business.</p> <p>BSR suggests that this program focus outside the company as well as inside. This can include working with other local companies and organizations to address the root causes of female under-representation in technology careers—for example, by promoting different approaches to the teaching of science and maths at schools, and challenging stereotypes.</p>	<p>BSR’s assessment revealed many opportunities for career advancement by women, including senior roles in functions often held by men. We also reviewed Telia Lithuania gender diversity statistics, which are tracked by seniority and function. However, we also heard perspectives that, consistent with the rest of the telecom industry, further progress can be made—especially for technology-based roles.</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>Principle 19 of the UNGPs states that leverage may be increased by collaborating with other actors.</p>
<p>Engage the Government of Lithuania in a dialogue about Lithuania’s participation in the Freedom Online Coalition.</p> <p>At its most basic, this dialogue should lead to a shared understanding of mutual policy priorities and activities for freedom of expression online. Once that is achieved, the dialogue could explore opportunities for collaboration, such as blogs, meetings, or joint activities (e.g. joint statements) designed to advance the objectives of the Freedom Online Coalition.</p>	<p>Lithuania is a member of the Freedom Online Coalition (FOC). FOC Members are countries committed to protecting and promoting online freedoms domestically and abroad, working together through joint FOC activities and adhering to existing FOC commitments.</p> <p>The Telecommunications Industry Dialogue Principle 9 states that companies should help to inform the development of policy and regulations to support freedom of expression and privacy, including in cooperation with other entities.</p> <p>Principle 19 of the UNGPs states that leverage may be increased by collaborating with other actors.</p>
<p>Engage the Government of Lithuania in a dialogue about ideal policy frameworks for freedom of expression and privacy.</p> <p>This can include, for example, meetings with regulators and policy makers, or participation in / convening of policy discussions and workshops.</p>	<p>A number of recent developments (e.g. Law on Provision of Information to the Public) and potential future developments (e.g. SIM card registration, blocking of website broadcasting TV shows online) suggest that the freedom of expression and privacy policy framework in Lithuania is in flux.</p> <p>Principle 19 of the UNGPs states that leverage may be increased by collaborating with other actors.</p> <p>Principle 9 of the Telecommunications Industry Dialogue Principles states that companies should inform the development of policy and regulations to support freedom of expression and privacy including, alone or in cooperation with other entities, seeking to mitigate potential negative impacts from policies or regulations/</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,</p>

<p>Initiate shared learning workshops with judges and law enforcement agencies about best practices in freedom of expression and privacy.</p> <p>The purpose of the workshops (or similar activities) would be to share and discuss best practices for achieving freedom of expression and privacy protections alongside other legitimate societal needs, such as national security, public safety, non-discrimination, law enforcement, and protection of children.</p> <p>This workshop could be hosted by Telia Lithuania, and could include experts from outside Telia Lithuania, such as Telia Company representatives, policy makers, or local human rights experts.</p>	<p>civil society, investors, supra-national organizations, and other affected stakeholders.</p> <p>Lithuanian courts provide oversight for law enforcement requests for personal information transmitted electronically. However, BSR’s assessment revealed a concern that requests for lawful intercept are too easily granted by judges—for example, according to HRMI, in 2014 over 98.8% of requests were granted. A number of interviewees proposed training and dialogue to develop relationships between telecoms companies and law enforcement relationships that are privacy-protective, and don’t result on overbroad requests.</p> <p>Principle 19 of the UNGPs states that leverage may be increased by collaborating with other actors.</p> <p>Principle 7 of the Telecommunications Industry Dialogue Principles states that companies should share knowledge and insights, where relevant with stakeholders to improve understanding of the applicable legal framework and the effectiveness of these principles in practice.</p> <p>Principle 9 of the Telecommunications Industry Dialogue Principles states that companies should inform the development of policy and regulations to support freedom of expression and privacy including, alone or in cooperation with other entities, seeking to mitigate potential negative impacts from policies or regulations.</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>Share insights from this human rights impact assessment with business and non-business stakeholders.</p> <p>Once this assessment is final and Telia Lithuania has initiated a human rights work plan, the company can usefully share insights, lessons learned, and next steps with a broad group of stakeholders. This could include, but not be limited to, Investors Forum/Clear Wave, the Baltic Institute for Corporate Governance, the Lithuanian Center for Human Rights, the Center for Equality Advancement, Freedom House, the Human Rights Monitoring Institute, Transparency International, the Lithuanian Responsible Business Association, and various foreign Embassies.</p>	<p>During the assessment it was often stated that this is likely the first ever human rights impact assessment undertaken in Lithuania. It was also stated that multi-stakeholder dialogue and collaboration in Lithuania is not as vibrant as it could be, and that there are opportunities to break down barriers between sectors and engage in mutually beneficial learning.</p> <p>Principle 21 of the UNGPs states that businesses should communicate externally on how they address human rights. The UNGPs state that communication can take a variety of forms, including in-person meetings, online dialogues, consultation with affected stakeholders, and formal public reports.</p> <p>The Telecommunications Industry Dialogue Principles also state that the advancement of freedom of expression and privacy globally can be best achieved</p>

<p>This sharing could also be used to stimulate ideas for greater multi-stakeholder dialogue and collaboration in Lithuania.</p>	<p>through engagement between governments, industry, civil society, investors, supra-national organizations, and other affected stakeholders.</p> <p>Implementing this recommendation would also support the efforts of the Government of Lithuania to implement its National Action Plan on Business and Human Rights.³⁵</p>
<p>Continue to focus responsible procurement efforts on ensuring that “informal economy” companies are not present in Telia Lithuania’s supply chain.</p> <p>These efforts should focus on smaller and less strategic suppliers in industry segments common to the informal sector, such as cleaning services, construction supplies, and catering. These efforts can also continue to be undertaken in collaboration with other entities and initiatives, such as Clear Wave.</p>	<p>Freedom from corruption is not itself a human right, it can be a cause of increased human rights risks, for example in the areas of equal pay, worker rights, or health and safety.</p> <p>During the BSR assessment a number of stakeholders raised the concern that the “informal economy” is still a major issue in Lithuania, with a relatively high portion of economic activity taking place in the grey economy. While this is unlikely to be a risk for Telia Lithuania’s major areas of spend (such as network equipment and IT hardware), it could still be of concern among less strategic supply chain segments. It is suspected by stakeholders that human rights violations, such as in the areas of worker rights, will be much more prevalent in this sector than elsewhere.</p> <p>Article 24 of the UNGPs states that, where it is necessary to prioritize actions to address human rights impacts, companies should first seek to prevent and mitigate “those that are most severe or where delayed response would make them irremediable.” This prioritization method stands in contrast to other business criteria, such as spend or revenue.</p>
<p>Maintain a steering committee to oversee and implement the recommendations contained in this report.</p> <p>This report (and other related materials) represent a significant body of work for Telia Lithuania. The implementation of recommendations contained in this report can be overseen by a suitable cross-functional steering committee. This committee might, for example, establish a stakeholder relationships action plan or a human rights action plan.</p>	<p>Principle 19 of the UNGPs states that companies should integrate the findings from their impact assessments across relevant internal functions and processes, and take appropriate action.</p>
<p>Engage with local external rights holders and stakeholders about the implementation of these recommendations.</p> <p>Now that this initial assessment has been completed, Telia Lithuania is able to supplement this assessment with additional perspectives from rights holders and</p>	<p>Now that this assessment is complete, Telia Company and Telia Lithuania have improved insights into the local rights holder and stakeholder landscape, including opportunities for dialogue and collaboration.</p> <p>In Lithuania, we note both the existence of diverse civil society organizations (such as Transparency</p>

³⁵ Lithuania’s Action Plan on the Implementation of the UN Guiding Principles on Business and Human Rights, http://www.ohchr.org/Documents/Issues/Business/NationalPlans/Lithuania_NationalPlanBHR.pdf

<p>external stakeholders—especially as it relates to the implementation of these recommendations.</p> <p>This engagement should incorporate a mixture of perspectives on human rights, including representatives of government, business, and civil society.</p>	<p>International, the Human Rights Monitoring Institute, the Lithuanian Center for Human Rights, and the Center for Equality Advancement), and the need to significantly increase the capacity of civil society to engage with the private sector.</p> <p>Implementing this recommendation would also support the efforts of the Government of Lithuania to implement its National Action Plan on Business and Human Rights.³⁶</p> <p>Principle 18 of the UNGPs states that human rights due diligence should involve meaningful consultation with potentially affected groups and other relevant stakeholders, and seek to understand the concerns of potentially affected stakeholders by consulting them directly.</p>
--	--

³⁶ Lithuania's Action Plan on the Implementation of the UN Guiding Principles on Business and Human Rights, http://www.ohchr.org/Documents/Issues/Business/NationalPlans/Lithuania_NationalPlanBHR.pdf

9. References

Freedom Online Coalition

<https://www.freedomonlinecoalition.com/>

Global Network Initiative

<http://www.globalnetworkinitiative.org/>

Lithuania National Action Plan on Business and Human Rights

http://www.ohchr.org/Documents/Issues/Business/NationalPlans/Lithuania_NationalPlanBHR.pdf

OECD, Anti-Bribery Convention

<http://www.oecd.org/corruption/oecdantibriberyconvention.htm>

OHCHR, “Convention on the Rights of the Child”

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

OHCHR, “International Covenant on Civil and Political Rights”

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

OHCHR, “International Covenant on Economic, Social, and Cultural Rights”

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

OHCHR, UN Guiding Principles on Business and Human Rights

http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

Office of the Government of Sweden, “Action Plan for Business and Human Rights”

<http://www.government.se/contentassets/822dc47952124734b60daf1865e39343/action-plan-for-business-and-human-rights.pdf>

Stockholm Internet Forum

<http://www.stockholminternetforum.se/>

Telecommunications Industry Dialogue

<https://www.telecomindustrydialogue.org/>

UN Human Rights Council

<http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>

US State Department Lithuania 2015 Human Rights Report

<http://www.state.gov/documents/organization/253081.pdf>

World Bank

<http://data.worldbank.org/country/Lithuania>

Page left intentionally blank

About BSR

BSR is a global nonprofit organization that works with its network of more than 250 member companies to build a just and sustainable world. From its offices in Asia, Europe, and North America, BSR develops sustainable business strategies and solutions through consulting, research, and cross-sector collaboration. Visit www.bsr.org for more information about BSR's more than 20 years of leadership in sustainability.