

## **An Open Letter to the Directors of Telenor**

The Burma Environmental Working Group is a national network of environmentally-focused NGOs working inside Myanmar. Our member organisations advocate for, and raise awareness of, the potentially harmful effects of investment in business activities in Myanmar, as well as communities' right to free, prior, and informed consent regarding development decisions.

As Telenor has just been granted licence to operate in Myanmar, we would like to learn more about how you intend to work in what is currently a highly fraught context. Myanmar's civil society has called on international companies to ensure that their operations do no harm, and in particular, that they do not exacerbate conflict or land-grabbing. We therefore have the following questions:

- What is your plan for operating in Myanmar? Please tell us in what areas you intend to operate (and how you selected these areas); what the initial timeline for your operations is; and with what partners, local and international, you intend to work.
- What steps will Telenor take to publicly disclose the contracts it signs, as well as any environmental or social impact assessments it carries out?
- The national legal structure and the rule of law are still underdeveloped in Myanmar, especially when it comes to oversight for business. What international standards will Telenor follow for conducting and reporting on its work in Myanmar?
- Corruption remains an endemic problem within the Myanmar government. Transparency International's 2012 Corruption Perception Index ranked Myanmar the fifth most corrupt country in the world, only ahead of Sudan, Afghanistan, North Korea, and Somalia. How will Telenor ensure full financial transparency for its work, and how will you address the risk of corruption among government partners?
- Myanmar's legal framework around land tenure is dangerously weak. Many of Myanmar's rural poor, especially in the ethnic states, have never received legal title to the lands their families have worked for generations. Moreover, Myanmar's 2008 constitution states that the government has ultimate ownership of all land in the country, and the government also passed two controversial land laws in 2012 that have made it even easier to confiscate local people's land without compensation. What measures will Telenor take to ensure that any land used for telecommunications infrastructure projects (and associated projects, such as roads or power lines) has not been unethically seized?
- How does Telenor intend to engage with the people of Myanmar on the development of the new telecommunications system? What plans do you have to ensure that the people's right to free, prior, and informed consent is respected in infrastructure development projects? Will you commit to giving notice to affected communities well in advance, and in the local language

(where that is not Burmese); to publishing the outcomes of community consultations; and to giving affected communities a voice in whether and where telecommunications infrastructure will be built, as well as in how the benefits will be distributed?

- Will you take any measures to help make mobile service accessible to the poorer sectors of society?
- Given Telenor's commitment to a significant surety bond that must be paid if the network is not delivered on schedule, how do you intend to ensure that your work includes full research and consultation with affected communities, and that these crucial aspects are not rushed in order to meet the deadline?
- Armed groups in Myanmar's ethnic states have been at war with the central government for decades. Some of these groups currently have ceasefire agreements with the government, but conflicts still rage in some states, and have been reported even in ceasefire areas. Typically, control over communal resources (which, in this case, would include airwaves) and over the development of infrastructure projects has served to deepen and prolong these conflicts. If Telenor intends to work in conflict zones or ceasefire areas, or if your work will affect these areas, how will you ensure that your work does not exacerbate conflict?
- Does Telenor intend to allow the government of Myanmar to intercept or listen in on mobile phone calls under any circumstances? What are your guidelines regarding the protection of users' privacy and information?

We hope that Telenor will be able to provide us with a written answer to these points for the public record, as we feel this would go a very long way towards establishing Telenor's good faith, as well as opening up engagement with Myanmar's civil society. BEWG can be reached at [info@bewg.org](mailto:info@bewg.org).

Yours faithfully,

Burma Environmental Working Group and its member organisations:

Arakan Oil Watch (AOW)

Bridging Rural Integrated Development and Grassroots Empowerment (BRIDGE)

EarthRights International (ERI)

Kachin Development Networking Group (KDNG)

Karen Environmental and Social Action Network (KESAN)

Lahu National Development Organisation (LNDO)

Network for Environmental and Economic Development (NEED-Burma)

Pa-Oh Youth Organisation (PYO)

Shan Sapawa Environmental Organisation

Shwe Gas Movement (SGM)