

# Statement signed by 649 civil society organisations to oppose Telenor's irresponsible management of user data and its plan to sell Telenor Myanmar to a military-linked company

12 February 2022

*“Since Telenor Myanmar’s misuse of user data and decision to sell its business to a military-linked company is not only pushing its users into the hands of the military regime, but its profit will also be supporting the terrorism and violence carried out by them, the undersigned **694 civil society organisations** (149 out of them could not mention their names for security reasons) urge the Norway-based Telenor Group to stop the sale completely and to take full responsibility for its users’ data. If our requests are not taken into consideration, the company will have to be held accountable for the crimes perpetrated by the junta against Telenor users in Myanmar.”*

1. According to Myanmar Now’s article published on 4 February, Telenor is planning to sell Telenor Myanmar to Investcom by February 15. The majority shareholder of Investcom is Shwe Byain Phyu which is a military-linked business.

2. Shwe Byain Phyu Group is a crony business that initially started its first company in the 1990s, and it has been allowed to operate a number of businesses involved in gem mining, the import and export of fuel for military-owned businesses under successive military regimes. Thein Win Zaw, the president of Shwe Byain Phyu, held his position as one of the directors of Mahar Yoma Public Company until November 2021. Mahar Yoma company is a major shareholder in Myanmar National Telecom Holding Public Co. Ltd which owns shares in MyTel in which the terrorist Myanmar military is a major shareholder. Through companies registration database, Thein Win Zaw was found to step down from his position from Mahar Yoma just two weeks before acquiring the shares from Investcom Pte Ltd under the name of Shwe Byain Phyu Telecom. This action could be an attempt to hide links with the military conglomerate, Myanmar Economic Corporation (MEC), which is sanctioned in the EU, US and UK. Tin Latt Min, the wife of Thein Win Zaw, and the current managing director of the group, is also a shareholder in the EU-sanctioned Forest Products Joint Venture Corporation. Investcom's remaining shares are owned by the Lebanese-based M1 Group, which has been linked to the terrorist military and conducts business through the Cayman Islands, a tax haven and secrecy jurisdiction.

3. Telenor did not provide information to its customers on how it will be handling the user data of its 18 million subscribers, such as SIM card registration, call logs, internet logs, location data, mobile money usage and historical activity records, after the sale.

4. In consequence, if the sale to Investcom is approved, the user data of more than 18 million Telenor customers in Myanmar will fall into the hands of the military junta linked to the company. All users and their affiliates, including their family members, could be arrested and tortured based on the user data shared by Telenor to the new owner. There are high risks of unpredictable violence, including murder.

5. Moreover, before the coup in the year 2020, Telenor Myanmar earned \$ 4.055 billion in Norwegian kroner (\$ 463.95 million) - 7% of the total revenue of Telenor Group. By selling Telenor Myanmar to a group of companies that support the interests of the terrorist military, proceeds from the sale will support the military junta, which has

been prosecuted in international tribunals for a number of crimes, including genocide and crimes against humanity.

6. Telenor must follow international human rights norms and legal frameworks as a responsible company. Telenor is solely responsible for the security of its users' data in Myanmar. Telenor is also responsible for any harm that users might suffer as a result of a security breach, and for the deletion of their information if requested by the user.

7. The biggest fear of Telenor users about the sale of the company is not only having their data obtained by the junta and used against them for more oppression and violence, but also the profit from the newly obtained telecom business supporting the junta's atrocities in the future.

8. Telenor has access to the phone numbers and addresses of around 18 million Telenor subscribers in Myanmar through its service. We make the following requests to prevent the sale and transfer of data into the hands of the junta, as well as to ensure that the business' earnings are not used to support terrorist actions.

8.1 Immediately stop the sale to the military-linked Investcom.

8.2 Consider all alternatives to the sale to Investcom, including re-licensing, permanently deleting all user data, and shutting down telecommunications infrastructure.

8.3 Civil society organisations are urging Telenor not to transfer nor sell user data to anyone under any circumstances and for any reason.

8.4 Telenor is responsible for the protection of both its employees and its customers, so any action that does not take into consideration the likelihood of violence against customers as a result of sharing their information with people linked to the military regime cannot be regarded as legal. We will strongly condemn any decision that fails to consider the sale or transfer of their personal information, which is the consumer community's biggest concern.

9. **If Telenor ignores our requests and continues its sale and transfer of user data to a group linked to the military junta**, we will condemn **Telenor Group and hold it accountable according to** local and international human rights law for contributing towards **the unforeseeable crimes, including crimes against humanity and genocide perpetrated by the junta.**

❖ **To contact (Signal က တဆင့် ဆက်သွယ်ပေးပါရန်။)**

- Htaike Htaike Aung (Digital Rights Activist) - Signal + 959 784 119505
- Wai Phyo Myint (Digital Rights Activist) - Signal: +66 66 076 3257
- Ko Ye (Blood Money Campaign) - Signal: +959 966 878881
- Wut Hmon Win (Global Myanmar Spring Revolution/CRPH Support Group, Norway) - Signal: + 47 936 14 831