

Peter Micek  
General Counsel  
Access Now

2<sup>nd</sup> October 2018

Dear Peter,

Let me answer your letter first of all by highlighting Telefonica's commitment with Human Rights for more than a decade. Indeed, in 2006 we already approved our Business Principles which reflect the full respect for internationally recognized human rights and the settlement of fundamental pillars of the way we do businesses: "honesty, integrity and trust, respect for the law and for human rights." In 2012 we became pioneers in conducting a comprehensive Human rights impact assessment in our operations, based on the UN Guiding Principles on Business and Human Rights. From 2013 onwards Telefónica has been increasing its commitment with Human rights integrating it into our operations. We have followed the blueprint proposed by the Ruggie principles: public commitment, due diligence process and remedies. In 2014 we published a Global Human Rights Commitment Statement which,

- Proclaims respect for all human rights
- Defines "human rights" by referencing UDHR, as well as ICCPR, ICESCR and the ILO Core Conventions
- Commits to proactively avoid human rights abuses and complicity in abuses by business partners.

In 2014 also started building a **systematic approach to remediation:**

- Defining the extent and limits of our company's responsibility to remediate in each defined project.
- Defining the role of operational-level grievance mechanisms.
- Mapping local relevant external organization with grievance mechanisms.

In 2017 we carried out an update of our human rights impact assessment analyzing the progress made with regard to the potential impacts that had been identified in the previous assessment and delving more deeply into the new challenges related to technological advances and new proposals for Company value.

In addition, our Integrated reports, our Transparency reports and the participation in reaching organizations and fora such as Global Network Initiatives, ICT4Peace, Council of Europe, Eurodig, IGF, Rightscom, Freedom Online Coalition, Global Compact, are only some examples of our active commitment for contributing not only to a more human centric digitalization but also to a better society based on ethical values, like fairness and non-discrimination, responsibility, inclusiveness, accountability, transparency and choice. We do believe that all of them need to be protected and applied equally online as they are offline.

In the last report of Ranking Digital Rights, Telefónica was ranked third out of 10 telecommunications companies. And as you pointed out in your letter, the company made numerous improvements in the 2018 Index, including clarifying its process for handling government requests to shut down networks and providing more data about government requests for user data.

Thinking ahead, our vision is clearly to focus on improving internal processes for the sake of protecting the rights to freedom of expression and privacy rights.

It is a pleasure for us to respond to the recommendations given by Ranking Digital Rights.

- Telefónica should provide more details about how it handles both government and private requests to block content or accounts of users.

**Response:** Government requests are handled in accordance with a global procedure (our Global Law Enforcement Requirements Procedure) which we have shared with RDR. The reason we do not provide more information on private requests is because we do not respond to these types of requests.

- The company should be more transparent about the types of user information it shares and retains, and also whether users may obtain the information Telefónica holds on them.

**Response:** Since RDR's evaluation, in May 2018, Telefonica Spain published a new privacy policy in which we inform the customer as well as anyone who is interested in these issues. In addition, in September 2018 the Board of Directors of Telefonica, S.A. approved a new Global Privacy Policy which we will be publishing on our Global Privacy Center shortly

- Telefónica should clearly communicate how it keeps user information safe, including how it handles employee access to information.

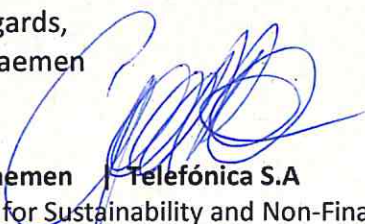
**Response:** We publish all the information about Security (Governance, policies, Quality management, Network security, Cybersecurity, management of vulnerabilities, and breaches) in our yearly Integrated Report [page 189-197]. In addition, Telefonica Spain has a special section in the commercial website Movistar.es on Security issues, in which you can find all the information you are referring to.

Moreover, we have Global Security Regulations on the Classification and Processing of Information in which we define what security controls employees must apply depending on the type of information concerned. This particular regulation is not public, for security reasons

We are supporters of initiatives like the Global Network Initiative, Ranking Digital Rights and Access Now, as they allow us to better understand the stakeholders perspective and they help us to improve on these issues.

We are happy to discuss any of these topics in further detail.

Best regards,  
Geert Paemen



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