

Business and Human Rights

February 2016

Introduction

The purpose of these questions is to identify companies that have an active commitment to respecting human rights, which includes a statement of policy commitment, a due diligence process, and processes to enable remediation. For companies, respecting human rights means:

- A. Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur
- B. Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.

We want to know whether companies are systematically identifying and managing their human rights risks across the value chain and with its business partners. We apply following elements of the UN guiding principles:

- A. Policy commitment
- B. Human rights due diligence
- C. Remediation

These questions are an update to those asked in the 2015 assessment and are follows:

1. Human Rights Commitment
2. Human Rights Assessment
3. Human Rights Due Diligence
4. Human Rights Disclosure

PLEASE NOTE: The question texts and methodology presented are preliminary and might be subject to change at any time before April 5th 2016 at the discretion of RobecoSAM. In addition, questions might look different in the Online Assessment Tool in terms of question structure and lay out.

Updated questions

Question 1: Objective

The purpose of these questions is to identify companies that have an active commitment to human rights. A policy should be company specific and only being a signatory to external entities such as the UN Global Compact is not sufficient. We are looking a companywide commitment and not a single site, business unit, or project. The supporting document will be assessed for the following evidence to demonstrate commitment:

- Coverage of business relationships
- A due diligence process
- A processes to enable remediation

References:

Office of the High Commissioner for Human Rights:

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

Business & Human Rights Resource Center:

<http://business-humanrights.org/en/un-guiding-principles>

Definitions

We apply the definitions provided in the UN Guiding Principles.

Respecting human rights

- (a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur
- (b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.

Business Relationship

Those relationships a business enterprise has with business partners, entities in its value chain and any other non-State or State entity directly linked to its business operations, products or services. They include indirect business relationships in its value chain, beyond the first tier, and minority as well as majority shareholding positions in joint ventures.

Question 1: Human Rights – Commitment

Does your company have a policy in place for its commitments to respect human rights in accordance with the UN guiding principles on Human Rights? Please provide supporting documentation

- Yes. We have a policy for our commitments to human rights that is in accordance with the UN Guiding Principles. The policy covers the following business activities (check all that apply):
 - Our direct activities
 - Our value chain (upstream or downstream)
 - Our joint ventures
- No. We do not have a human rights policy

Question 2: Objective

The purpose of this question is to assess the extent of the due diligence process which outlines a systematic approach to identify issues and vulnerable people, to develop appropriate mitigation actions and a monitoring process.

Definitions

Adverse human rights impact: An “adverse human rights impact” occurs when an action removes or reduces the ability of an individual to enjoy his or her human rights.

Due diligence: due diligence comprises an ongoing management process that a reasonable and prudent enterprise needs to undertake, in the light of its circumstances (including sector, operating context, size and similar factors) to meet its responsibility to respect human rights.

Mitigation: actions taken to reduce the likelihood of a certain adverse impact occurring

Data requirement

Supporting documentation should be recent, provide a clear description of the due diligence process, indicate the coverage of business activities and demonstrate it is an ongoing activity.

Question 2: Human Rights – Due Diligence

Has your company developed and implemented a due diligence process to identify, prevent, mitigate, and account for how to address its impacts on human rights? The process should enable the remediation of any adverse human rights impacts a company causes or contributes to.

- Yes we have developed and are implementing a due diligence process which covers the following (select all that apply). Please provide relevant document
 - Identification of potential human rights issues
 - Identification of vulnerable groups
 - Mitigation actions
 - Monitoring
- We are developing a due diligence process, but it has not been implemented yet. Please provide information indicating the status and expected completion

- No we have not implemented a due diligence process

Question 3: Objective

The purpose of this question is to assess the extent your company's exposure is known and managed. We are looking for the following evidence in the supporting documentation:

- Assessment of business activities to determine exposure
- Classification of risk based upon assessment
- Status of mitigation plans for sites or business relationships for at risk sites
- Identification of vulnerable groups assessed

Data requirement

Supporting documentation should be recent, provide a clear description of the assessment status for the past 3 years.

Question 3: Human Rights – Assessment

Of the parts of your business activities with exposure to human rights issues, what percent have been assessed within the last 3 years? If no assessment has been conducted enter 0.

- Percent

Of the parts of your business activities that have been assessed within the last 3 years, what percent is determined to be at risk? If none are determined to be at risk, enter 0 and provide a comment to explain

- Percent

Of the parts of your business activities that are determined to be at risk, what percent have mitigation plans in place?

- Percent

Which vulnerable groups have been specifically assessed? Check all that apply. Please provide supporting documentation

- Children
- Indigenous people
- Migrant labor
- Others, please explain

- We don't know

Question 4 : Objective

The purpose of this question is to assess the extent companies are publicly disclosing its human rights efforts. We are looking for the following evidence in the public domain:

- Our policy is publicly available
- Our due diligence process is publicly available
- We report number of sites with mitigation plans in place
- We report on the main human rights issues, vulnerable groups
- We report on remediation actions taken

Data requirement

Copy of, or link to: Company website, annual report, sustainability report, other public communication

Question 4: Human Rights – Disclosure

Does your company publicly disclose its commitments and the status of its human rights assessment? Please provide document or web link. Check all boxes that apply.

- Our policy is publicly available
- Our due diligence process is publicly available
- We report number of sites with mitigation plans in place
- We report on the main human rights issues, vulnerable groups
- We report on remediation actions taken
- We do not publicly disclose this information