

METHODOLOGICAL TOOLS

# HUMAN RIGHTS

## COMMITMENTS AND IMPLEMENTATION



INTERNAL DOCUMENT  
FOR GROUP'S EMPLOYEES

RESPECT  
INTEGRITY  
LOYALTY  
HONESTY  
ETHICS & COMPLIANCE



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# TOOLS OVERVIEW

**Methodological tools support the operational implementation of the human rights Referential "commitments and implementation".**

They aim to help managers establish the processes required by the Referential, in particular:

- **the overall preliminary analysis of any project regarding human rights**, with the human rights check list to analyze for a project (see pages 14 to 17) ;
- **the annual human risk analysis**, with the human rights check-list to analyze for the annually ethical risk review (see pages 18 to 25).

The country rating tool (see pages 26 to 35) enables **to analyze for each country the human rights risk of carrying out its business activity**. To do so, it associates to each country a rating and a related color, the Referential providing for a specific study for projects in countries codified in red or orange. This tool may be also used for the annual risk analysis, because it describes synthetically "high-risk" human rights in a considered country.

Employees can also build on available **awareness and training tools** to implement the Referential (see page 4).

These tools are also accompanied by **short fact-sheets on the main human rights** (see pages 5 to 13) as defined by reference international standards, with which the Group is committed to comply.

**All these tools are available in electronic format on SPOT (intranet dedicated to ethics):**

[http://collaboration.gdfsuez.net/sites/genman/SPOT/Ethics\\_Compliance\\_EN/Pages/SPOT\\_home.aspx](http://collaboration.gdfsuez.net/sites/genman/SPOT/Ethics_Compliance_EN/Pages/SPOT_home.aspx)

**or from the Ethics & Compliance Division:**

[ethics-communication@gdfsuez.com](mailto:ethics-communication@gdfsuez.com)



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# I. HUMAN RIGHTS AWARENESS AND TRAINING TOOLS

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## ➤ "BUSINESS AND HUMAN RIGHTS" ONE-DAY TRAINING

The Group proposes a one-day training to raise awareness of the issue of human rights in companies, organised through the "EDH - Companies for human rights" association.

This face-to-face one-day training module has two main objectives:

- To raise the level of awareness of human rights challenges in business.
- To integrate the human rights component into managerial decision-making and subsequent implementation.

Inter-company sessions take place in Paris in French or English. They are facilitated by senior-level, academic or expert participants who are recognised in the field.

**This day may be adapted to an "intra-company" format for Divisions and entities who wish to attend it.**

**To register or for more information:**

[http://collaboration.gdfsuez.net/sites/genman/SPOT/ethics\\_compliance\\_EN/Pages/dates.aspx](http://collaboration.gdfsuez.net/sites/genman/SPOT/ethics_compliance_EN/Pages/dates.aspx)

## ➤ AWARENESS-RAISING E-LEARNING MODULE ON HUMAN RIGHTS

A 30 minutes e-learning module, developed by the EDH association is accessible to all employees.

It is an awareness-raising module for learning how to identify every day human rights issues, as well as the highest risk areas and activities, and how to develop responses to manage these risks.

**To register or for more information:**

[http://collaboration.gdfsuez.net/sites/genman/SPOT/ethics\\_compliance\\_EN/Pages/dates.aspx](http://collaboration.gdfsuez.net/sites/genman/SPOT/ethics_compliance_EN/Pages/dates.aspx)



## II. "HUMAN RIGHTS" DEFINED BY INTERNATIONAL STANDARDS

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### ➔ THE PROHIBITION OF FORCED LABOR

#### REFERENCE TEXTS

- ILO Convention No. 29 on Forced Labor (1930, 175 ratifications).
- ILO Convention No. 105 on Abolition of Forced Labor (1957, 169 ratifications).

#### DEFINITION

Article 2 of ILO Convention No. 29: "the term forced or compulsory labor shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily".

The labor relationship must be freely chosen and free of any threat. "The menace of any penalty" does not make specific reference to a criminal sanction. It may be threat of physical violence, psychological coercion (threats on family members, for example), removal of property (the confiscation of identity papers is a widespread practice in human networks) or of an advantage. The "menace" should be assessed subjectively, from the victim's point of view: for example, being in an irregular situation creates one of latent threat for the worker which an employer can exploit for their own profit, by dangling the promise of regularizing their situation or, conversely, threatening to report them.

#### EXAMPLES OF FORCED LABOR PRACTICES

- **Slavery or practices similar to slavery<sup>1</sup> / the human trafficking<sup>2</sup>**. Migrant workers, women and children are particularly vulnerable to these practices.
- **Debt bondage** (or any other similar labor-contracting arrangement): any form of labor that is demanded for the repayment of a debt; the level of the debt in proportion with the money paid for the labor is such that it is impossible or very difficult to ever repay this debt. Debt bondage is a very widespread form of forced labor in a certain number of developing countries. The obligation can be transferred from one family member to another, even to children, and from one generation to the next. The service that must be provided is rarely defined or limited in its duration, so that the debt is never repaid. The worker is tied to the middleman or to the owner and works in conditions close to slavery.
- **Any practice that prevents workers from leaving their job voluntarily:**
  - demanding the imposition of an excessive deposit;
  - excessive notice periods;
  - hefty or inappropriate fines;
  - the loss or late payment of wages.
- **Excessive restriction on freedom of movement** (such as confiscating identity papers or locking workers in the workplace).
- The **work of inmates and work in detention centers, for the profit of a private company**, will be considered to be forced labor, if the prisoners have not volunteered or if they are not paid at a rate equivalent to the current market rate for this work.

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<sup>1</sup> Slavery is defined as "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.", Article 1 para 1, UN Slavery Convention, 1926.

<sup>2</sup> "The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs", Article 3 para a, Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, UN, 2000.



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### **EXCEPTIONS**

Article 2 para 2 of ILO Convention No. 29:

- compulsory military service, providing that the work performed is purely military in nature;
- any work or service that forms part of the normal civil duties of citizens of a self-governing country (e.g. jury service, duty to assist a person in danger);
- resulting from a sentence imposed by the Court (providing that the work is carried out under the supervision and control of public authorities and that the person is not given or made available to individuals or private companies);
- any work or service demanded in the event of force majeure (wars, disasters or the threat of disaster, etc.).

### **For more information on forced labor:**

[http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS\\_DOC\\_ENT\\_HLP\\_FL\\_FAQ\\_EN/lang--en/index.htm](http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS_DOC_ENT_HLP_FL_FAQ_EN/lang--en/index.htm)



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### ➔ THE PROHIBITION OF CHILD LABOR

#### REFERENCE TEXTS

- ILO Convention No. 138 on Minimum Age (1973, 155 ratifications).
- ILO Convention No. 182 on Worst Forms of Child Labor (1999, 171 ratifications).

#### DEFINITION

Child labor is understood to be the work carried out by children (any person under the age of 18):

- That is economically exploitative.
- Or that interferes with the child's education.
- Or that is dangerous or harmful for the child's health or physical, mental, spiritual, moral or social development.
- Or that does not adhere to the conditions on minimum working age.

The ILO Conventions provide the framework for national legislation to prescribe a minimum age for admission to employment and work.

Age	ILO Rules
0-12 years (inclusive)	All work prohibited (even of a very limited duration).
13-14 years <sup>3</sup> (inclusive)	Possibility of performing "light work", during limited periods of time, which must not under any circumstances threaten children's health and safety or interfere with their education.
15-17 years <sup>4</sup> (inclusive)	Authorized to work up to a maximum of 40 hours a week if the work is appropriate for the child's age. The minimum age for admission to employment at national level must not be lower than the age for finishing compulsory schooling, nor in any case under the age of 15. No work that is hazardous <sup>5</sup> to the health, safety or morals of children under the age of 18.

#### For more information on child labor:

[http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS\\_DOC\\_ENT\\_HLP\\_CHL\\_FAQ\\_EN/lang--en/index.htm](http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS_DOC_ENT_HLP_CHL_FAQ_EN/lang--en/index.htm)

<sup>3</sup> Possible exceptions for countries in which the economy and school institutions are insufficiently developed: lowered to 12 years. This decision must be declared to the ILO and regularly justified.

<sup>4</sup> Possible exceptions (see note No. 3): lowered to 14 years.

<sup>5</sup> Types of hazardous employment or work are not listed by the ILO, and must be determined by national legislation. Examples of hazardous work include: work with exposure to physical, psychological or sexual abuse; underground, underwater, at dangerous heights or in confined spaces; with dangerous machinery, equipment or tools or involving the handling of heavy loads; in unhealthy environments exposing the worker to hazardous substances, agents, processes, temperatures, noise or vibration damaging to their health; under difficult conditions such as long hours, working late at night, or confinement by the employer.



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## ➤ FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

### REFERENCE TEXTS

- ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize Convention (1948, 150 ratifications).
- Convention No. 98 on Rights to Organize and Collective Bargaining Convention (1949, 160 ratifications).

### DEFINITIONS

- **Freedom of association:** article 2 of ILO Convention No. 87: "Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without prior authorization."
  - *"without distinction whatsoever"*: the freedom of association is recognized without any distinction (occupation, sex, color, race, beliefs, etc.) for workers in both the private and public sectors (possible exceptions for the armed forces and the police);
  - *"without previous authorization"*: there is no need to obtain any authorization whatsoever in order to establish an organization. The formalities prescribed by law must not be too detailed, nor applied in such a way as to delay the formation of organizations. They must be simple publicity-related formalities only;
  - *"of their own choosing"*: this implies the possibility of creating organizations independent of those already existing and of creating several organizations per company.
- **Collective bargaining:** article 2 of ILO Convention no. 154: "*all negotiations which take place between an employer, a group of employers or one or more employers' organizations, on the one hand, and one or more workers' organizations, on the other, for*
  - a. determining working conditions and terms of employment; and/or
  - b. regulating relations between employers and workers; and/or
  - c. regulating relations between employers or their organizations and a workers' organization or workers' organizations."

### CONDITIONS FOR EXERCISING THE FREEDOM OF ASSOCIATION:

- There must be no interference<sup>6</sup> capable of limiting the right to association or independence of organizations, which includes:
  - the right to freely develop their statutes and administrative rules as well as to elect their representatives;
  - the right to organize the way they manage and practice their activities (financial independence) and to formulate their plan of action.
- Bargaining must be free, voluntary and in good faith: social partners must enjoy real autonomy and freedom of bargaining without any party being able to impose any constraints upon them.

In practice, the company must:

- Not interfere with workers' rights to establish or join a workers' organization.
- Not discourage, punish or discriminate against workers who are members of an organization.
- Respect the role of workers' organizations and allow them to act entirely independently, particularly by giving them reasonable access to the information, resources and means necessary to accomplish their missions.
- Respect workers' rights to collective bargaining.
- In countries where freedom of association and/or right to collective bargaining are restricted by law (or non-existent), the company must make a commitment to workers to resolve matters relating to working conditions and employment terms and to find alternative methods for them to effectively exercise their rights (without contravening domestic law).

### For more information on the freedom of association:

[http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS\\_DOC\\_ENT\\_HLP\\_FOA\\_FAQ\\_EN/lang--en/index.htm](http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS_DOC_ENT_HLP_FOA_FAQ_EN/lang--en/index.htm)

### For more information on the right to collective bargaining:

[http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS\\_DOC\\_ENT\\_HLP\\_CB\\_FAQ\\_EN/lang--en/index.htm](http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS_DOC_ENT_HLP_CB_FAQ_EN/lang--en/index.htm)

<sup>6</sup> Deemed as acts of interference are "any act which are designed to promote the establishment of workers' organisations under the domination of employers or employers' organisations, or to support workers' organisations by financial or other means, with the object of placing such organisations under the control of employers or employers' organisations" (article 2, ILO Convention No. 98).





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### ➔ THE PRINCIPLE OF NON-DISCRIMINATION

#### REFERENCE TEXTS

- ILO Convention No. 100 on equal remuneration (1951).
- ILO Convention No. 111 on discrimination (Employment and Occupation) (1958, 170 ratifications).

#### DEFINITION

Article 1 of ILO Convention No. 111:

- "[...] The term "discrimination" includes:
  - a. any distinction, exclusion or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation;
  - b. such other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined by the Member [country] concerned after consultation with representative employers' and workers' organizations, where such exist, and with other appropriate bodies.
- Any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof shall not be deemed to be discrimination."

Many countries have also considered as discriminatory factors the following personal characteristics age, disability, marital status, state of health, maternal status, HIV positivity, sexual orientation, etc.

**Direct discrimination** is characterized when the company's policies, practices or procedures target a particular group of people on the basis of distinctive personal characteristics, and treat this group differently to others, to its detriment.

**Indirect discrimination** is characterized when the concrete application of a company policy, procedure or practice disadvantages a particular group of people, even if these policies, procedures or practices seem neutral.

#### PROHIBITED PRACTICES

- Making recruitment decisions based on personal characteristics with no relation to the inherent requirements of the position.
- Taking discriminatory measures regarding any aspect whatsoever of labor relationships, for example recruitment and appointment, remuneration (particularly wages and social contributions), working conditions and employment terms, access to training, position allocation, promotion, end of service or retirement and disciplinary measures / Possibility of positive discrimination measures (compensation for past discriminatory practices) or of selection for a specific position, based on the inherent requirements of this position, subject to compliance with domestic law.
- Not taking measures to prevent and address harassment, intimidation and/or exploitation, particularly of women.
- Not ensuring the protection of the rights of disabled persons within the framework of all their human resources policies and procedures: working conditions, access and movement of disabled persons. Procedures must be accessible to disabled persons (large font, Braille, accessibility requirements, etc.).

#### **For more information on non-discrimination:**

[http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS\\_DOC\\_ENT\\_HLP\\_BDE\\_FAQ\\_EN/lang--en/index.htm](http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS_DOC_ENT_HLP_BDE_FAQ_EN/lang--en/index.htm)



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### ➤ WORKING TIME (WORK-WEEK AND PAID LEAVE)

#### REFERENCE TEXTS<sup>7</sup>

- ILO Convention No.1 on Hours of Work Convention (Industry, 1919) / ILO Convention No. 30 on Hours of Work (Commerce and Offices, 1930) / ILO Convention No. 116 on Reduction of Hours of Work Recommendation (1962).
- ILO Convention No.14 on Weekly Rest (Industry, 1921) / ILO Convention No.106 on Weekly Rest (Commerce and Offices, 1957).
- ILO Convention No.132 on Holidays with Pay (1970).
- ILO Convention No.138 on Maternity Protection (2000).

#### BASIC RULES ON HOURS OF WORK

Working time for industry and commerce and offices is **a maximum of 8 hours a day and 48 hours a week<sup>8</sup>**. In the event that the working day is less than 8 hours on certain days, it may be increased on other days of the week, within the limits of 9 hours a day for industry and 10 hours a day for commerce and offices.

**Overtime** must be **occasional** and **must not exceed 12 hours a week or 36 hours a month**. Overtime must be compensated with leave or paid at a higher rate of pay than normal (minimum 1.25 higher).

**Rest periods** are defined as periods during which staff are not at the disposal of the employer. Every worker has the right to a rest of at least **24 consecutive hours over a period of 7 days** (2 days for persons under the age of 18)<sup>9</sup>.

**The duration of paid annual leave** must not be less than **three weeks for one year's service**. Bank and customary holidays may not be counted within the minimal period of three weeks. The same applies for periods of incapacity resulting from sickness or accident. The worker must receive at least their normal or average pay for the entire period of their annual leave. The minimum leave period may only be replaced by compensation in the event of the termination of the employment contract.

**Maternity leave** may not be less than **14 weeks**, including 6 compulsory weeks after childbirth (except for agreement at national level). In addition, a breastfeeding mother has the right to one or more daily breaks or a reduction in daily working time, without any negative impact on remuneration.

Employers must make all aware of hours of work, as well as the agreed rest periods that are not part of working hours. They must keep a record of overtime.

#### For more information on working time:

[http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS\\_DOC\\_ENT\\_HLP\\_TIM\\_FAQ\\_EN/lang--en/index.htm](http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS_DOC_ENT_HLP_TIM_FAQ_EN/lang--en/index.htm)

<sup>7</sup> Specific ILO provisions exist for night work (Night Work (Women) Convention (No. 4), Night Work of Young Persons Convention (No. 6), Night Work Convention (No. 171) and Recommendation (No. 178)) and for part-time work (Part-Time Work Convention (No. 175) and Recommendation (No. 182)).

<sup>8</sup> The ILO Conventions provide for the possibility of exemptions in exceptional circumstances (the set limits cannot be applied), for example in the case of companies with seasonal activities. Changes are also possible in the context of work in teams or for factories that must operate continuously (industry sector). There are also permanent exemptions for people whose work is intermittent by nature, for those whose tasks must be performed outside of normal hours etc., as well as temporary exemptions in the event of accident or imminent accident, urgent works to be performed, or force majeure; or in order to deal with unusually excessive workloads or special tasks such as stock-taking, assessments, etc.

<sup>9</sup> Exceptions are provided for by the ILO texts, particularly regarding social and economic considerations.



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### ➔ MINIMUM WAGE

#### **REFERENCE TEXTS**

- ILO Convention No. 131 on Minimum Wage Fixing and Recommendation No.135 (1970).
- ILO Convention No. 95 on Protection of Wages (1949) and Recommendation No.85.

#### **DEFINITION**

The minimum wage refers to "the minimum sum which must be paid to the worker for the work carried out or services rendered over a determined period of time, regardless of how it is calculated, hourly or incentive-based; minimum sum below which it is prohibited to descend, both in an individual contract and in a collective agreement, which is guaranteed by law and which may be fixed to allow the worker and their family to meet their basic needs, taking into account the country's economic and social situation"<sup>10</sup>.

The minimum wage may be fixed by law or collective agreements. If this is not the case or if this is manifestly insufficient to cover worker's basic needs, it will fall to the company to calculate a "minimum wage". The "basic needs" cover food, water, housing, clothing, healthcare, etc. They must be assessed in concrete terms, taking into account the situation of the worker and their family, and not in absolute terms.

#### **METHODS OF CALCULATING THE MINIMUM WAGE**

The minimum wage must be determined according to the needs of workers and their families, taking into account the general wage level in the country, the cost of living, social security contributions and standards of living compared with other social groups. When making this calculation, it is necessary to take into account costs related to housing, food, water, clothing and transport, but also dependants, education, available income and social benefits such as health insurance, social security or pension.

#### **WAGE-RELATED REQUIREMENTS**

- The wage must be paid directly to the worker, exclusively in legal tender currency.
- Payments must be transparent and clearly indicate the wages, gross amounts, deductions and purposes of such, and the net wages to be received. It may only have wage deductions as prescribed by law, collective agreements or arbitration award. Deductions for loss or damages affecting goods must only be authorized when it can be established that the worker in question is responsible. It is prohibited to make deductions on wages for which the aim is to ensure a payment to the employer or to any intermediary whatsoever, with a view to obtaining or keeping a job.
- Wages must be paid at regular intervals.
- The level of pay must also ensure equal pay between the male and female members of the workforce, for a job of equal value.
- Any merchandise sold or service provided by the company will be done so at a fair and reasonable price. No pressure must be placed upon the workers for them to make use of these goods or services.

#### **For more information on wages:**

[http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS\\_DOC\\_ENT\\_HLP\\_WAG\\_FAQ\\_EN/lang--en/index.htm](http://www.ilo.org/empent/areas/business-helpdesk/faqs/WCMS_DOC_ENT_HLP_WAG_FAQ_EN/lang--en/index.htm)

<sup>10</sup> The relevant ILO rules do not give a precise definition of the minimum wage. It was defined as such by the International Labour Office (Report of the Meeting of Experts on Minimum Wage Fixing and Related Problems, with Special Reference to Developing Countries, 1967).



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### ➔ THE USE OF SECURITY FORCES

Security measures taken to protect the company's personnel and assets will essentially depend upon the risks associated with the work environment, production operations, personnel, products to be protected. In all cases, the principle of proportionality must be applied to assess the opportunity of such or such measure: from night-watchman to the request for private or public security forces.

In cases of employment (direct or within the context of a contract) of **private security agents** for ensuring the safety of personnel, it is necessary to ensure that domestic laws and international practices are adhered to<sup>11</sup> in terms of recruitment, rules of conduct, training, equipment and supervision of these agents. This includes the prevention of excessive use of force, of the abuse of power and of any other violation of human rights by security personnel in contact with workers or members of local communities.

To do so, the company can:

- Conduct regular risk assessments relating to security, including human rights.
- Select security agencies based on information about their professional competence, their staff's level of training, the quality of their equipment, any potential involvement in human rights violations, their links with political organizations and any other appropriate criteria.
- Ensure that security agents receive adequate training on the principles to be complied with when using force (in particular: restraint; proportionality and graduated response; anticipation and prevention in order to avoid extreme situations) and appropriate conduct towards workers and the surrounding communities; ensure that they receive clear instructions on their work goals and authorized actions.
- Include in their contracts provisions on the duty of inquiry and disciplinary measures in the event of inappropriate conduct, and the possibility to terminate the contract in the event of actions contrary to these principles, etc.
- Investigate any credible allegation of criminal acts or violations by security personnel; take measures to prevent these actions from reoccurring; inform the public authorities of criminal and abusive acts.

**In the event of the use of public security forces**, collaboration with the authorities must promote adequate behavior in compliance with the principles and duties formulated for private security firms.

**For more information on the Voluntary Principles on security and human rights:**

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

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<sup>11</sup> Practices compliant with the Code of conduct for those responsible for law enforcement (UN) and with the Basic Principles on the use of force and the use of firearms by those responsible for law enforcement (UN).



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### ➤ INDIGENOUS POPULATIONS AND OTHER VULNERABLE GROUPS

International law grants specific protection to certain groups of people considered vulnerable: children, women, indigenous populations, persons belonging to minority groups, disabled persons or migrant workers, etc. The vulnerability of a certain group may depend on a specific context.

Particular attention must be given to vulnerable persons who are exposed to a particular risk of being victim of discrimination or any other negative impact related to the infringement of human rights. These are often people who are weak, disadvantaged, marginalized or excluded from society.

Indigenous populations are often particularly vulnerable to the negative effects of commercial development and economic activities. There is no single definition of indigenous peoples. One criterion that is common to most of the definitions is self-identification. The ILO Convention No. 169 on Indigenous and Tribal Peoples Convention specifies that they are:

- a. "tribal people in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;
- b. people in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions."

**For more information on indigenous populations:**

[http://www.unglobalcompact.org/docs/issues\\_doc/human\\_rights/IndigenousPeoples/BusinessGuide.pdf](http://www.unglobalcompact.org/docs/issues_doc/human_rights/IndigenousPeoples/BusinessGuide.pdf)



## III. HUMAN RIGHTS CHECK-LIST TO ANALYZE FOR A PROJECT<sup>12</sup>

[PROVIDE DOCUMENTS JUSTIFYING THE RESPONSES AS PART OF THE PROJECT ANALYSIS]

### ➔ PROJECT RISK

1. **Impact on human rights:** has the project been subject to a detailed preliminary analysis with a view to measuring the impact it could have on human rights and determining the measures to be taken to reduce or cancel out this impact?  
YES  NO

**If yes:**

- with measures meeting the requirements of the applicable law
- with measures exceeding the requirements of the applicable law

### ➔ LAND ACQUISITION AND INVOLUNTARY RESETTLEMENT

2. **Expropriation – Land acquisition – Displacement:** does the project involve measures of expropriation or land acquisition (whole or partial) and population displacement (including indigenous people)?  
YES  NO

**If yes:**

- Does local legislation provide for:
  - A **consultation procedure** enabling the various stakeholders (affected populations, local NGOs, local authorities, etc.) to express their opinion on the project and to promote their rights?

YES  NO

**If no,** have useful measures been taken within the specific framework of the project to enable the various stakeholders to express their views and to promote their rights?

YES  NO

- A **right to appeal** against the competent public authority's decision decreeing expropriation (or, depending on the case, the land acquisition) and ordering displacement?

YES  NO

**If no,** is a consultation and claim settlement procedure involving the various stakeholders (affected populations, local NGOs, local authorities, etc.) planned within the specific framework of the project?

YES  NO

- **Fair and adequate compensation** (in kind or in cash) covering the loss of assets at replacement cost (market value of assets + transaction cost) and ensuring the resettlement of affected populations in an environment and housing similar to those of which they are deprived (particularly in terms of the quality of housing, access to essential resources, security of goods and people, and public transport links, etc.)?

YES  NO

**If no,** are there plans within the specific framework of the project for resettlement or restoration of livelihoods with the aim of providing this fair and adequate compensation?

YES  NO

<sup>12</sup> The terms used in this document have the same meaning and scope as those given to them in the human rights Referential "commitments and implementation".



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– The obligation to obtain the **free, prior and informed consent** of indigenous people?

YES  NO

• If local legislation provides for the required guarantees (consultation - appeal - fair and adequate compensation - free, prior and informed consent of indigenous peoples), has this legislation been properly applied and complied with by the competent authorities?

YES  NO

**If no**, have appropriate measures (such as a global remedial plan specific to the project) been adopted?

YES  NO

**3. Critical cultural heritage of indigenous people:** does the project involve an appropriation of the critical cultural heritage of indigenous people?

YES  NO

**If yes,**

• has the free, prior and informed consent of the affected communities of indigenous people been obtained?

YES  NO

• have these people been correctly informed of their rights in terms of local legislation, the exact nature of the project and its consequences?

YES  NO

• has an appropriate plan been adopted to minimize the impacts of the project on this heritage (for example, by providing for it to be moved in cases where this option is possible)?

YES  NO

## ➔ COMMUNITY HEALTH AND SAFETY

**4. Sensitive infrastructures:** for projects involving sensitive infrastructures such as dams, waste retention or fly ash storage basins which, in the event of failure or malfunction, could compromise the safety of communities, has an impact and risk study been instructed and carried out by an internationally recognized independent expert?

YES  NO

**5. IGMP standards:** have the design, construction, exploitation and decommissioning of structural elements or components of the project been planned in compliance with International Good Manufacturing Practices (IGMP), taking into account specific risks to which third parties or communities affected by the project may be exposed?

YES  NO

**6. Hazardous materials and substances:** if the project involves the use of materials and substances that are hazardous to health and to which communities are likely to be exposed, have adequate protective measures been considered and/or put in place (according to the project's state of progress)?

YES  NO

**7. Ecosystems:** if the project is the type to possibly affect ecosystems and consequently cause negative sanitary and safety impacts on the communities affected by the project (for example, loss of natural buffer zones such as wetlands and mangroves which reduce the effects of natural disasters such as floods, landslides, etc.), have adequate protective measures been considered and/or put in place (according to the project's state of progress)?

YES  NO

**8. Disease:** if the project is likely to be a vector for the transmission of water-borne and/or water-related diseases as well as infectious diseases to which communities may be particularly vulnerable, have adequate protective measures been considered and/or put in place (according to the project's state of progress)?

YES  NO



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### ➔ COMMUNITY SECURITY

9. **Private security forces:** if the project involves the use of private security forces, have the risks posed by their use been evaluated and has the personnel hired been subject to adequate diligence procedures in order to ensure their reputation and integrity?

YES  NO

Do contracts signed with companies to make such private security forces available:

- Comply with the basic principles (in particular: restraint; proportionality and graduated responses; anticipation and prevention in order to avoid extrem situations) that the United Nations Organization recommends public security forces to apply in terms of the use of force and firearms?

YES  NO

- Contain provisions allowing for the organization of inquiry and the application of disciplinary measures in the event of failures being observed, as well as the possibility of terminating the contract for non-performance of the provider's obligations in the event of the most serious failings?

YES  NO

Have training programs been put in place in order to raise personnel's awareness of the principles to be complied with in the performance of their tasks (in particular: restraint; proportionality and graduated response; anticipation and prevention in order to avoid extrem situations)<sup>13</sup>?

YES  NO

### ➔ LABOR AND WORKING CONDITIONS

10. **HR:** has an HR organization been put in place that is effective, transparent and suited to the size of the project, explaining the Group's approach in terms of employee management and ensuring they receive adequate information on their rights and obligations?

YES  NO

11. **Working conditions and terms of employment and dismissal:** are working conditions and terms of employment and dismissal compliant with the rules of the International Labor Organization ("ILO") and/or local law – if the latter are more favorable than those of the ILO – particularly in terms of working hours, minimum wage and reasonable notice period?

YES  NO

12. **Accommodation services:** are accommodation services provided to employees on a non-discriminatory basis and do they satisfy basic requirements in terms of:

- minimum space;
- drinking water supply;
- sewerage and waste disposal services;
- protection against heat, cold, damp, noise, fire and disease-carrying animals;
- sanitary and washing facilities;
- ventilation of accommodation;
- cooking and storage equipment;
- natural and artificial lighting;
- medical services?

YES  NO

<sup>13</sup> <http://www.voluntaryprinciples.org/>





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**13. Employees' organizations:** does local law authorize employees to establish and join employees' organizations and to bargain collectively?

YES  NO

If local law imposes significant restrictions in terms of employee representation, have other means of expressing grievances been put in place within the framework of the project?

YES  NO

**14. Child labor and forced labor:** have measures been taken to ensure that:

- employees involved within the framework of the project are aged 15 or over;
- employees aged between 15 and 18 are not exposed to and do not perform work that is hazardous or harmful to their health or physical, mental, spiritual or moral development;
- no forced labor is practiced.

YES  NO

**15. Hygiene and safety at work:** have measures been taken to guarantee a work environment that is safe and healthy, taking into account the nature of the project (physical, chemical, biological or radiological hazards, and dangers that women are specifically exposed to) in compliance with international good practices for the activity sector in question (as they are reflected in internationally recognized sources, such as the World Bank Group Environmental, Health and Safety Guidelines)?

YES  NO

**16. Complaints mechanism:** do employees (and their organization, if applicable) have access to an effective complaints settlement mechanism allowing them to assert their labor conditions-related concerns?

YES  NO

**17. Contract workers employed by third parties:** have the reputation and integrity of third parties who recruit workers within the framework of the project been checked (due diligence)?

YES  NO

Is the Ethic Clause applicable to the contract concluded with GDF SUEZ's suppliers been inserted in the contracts entered into with those third parties?

YES  NO

Have reasonable checking measures been taken to ensure that these third parties adhere to the provisions set out in points 10 to 15 above?

YES  NO

**18. Supply chain:** Is the Ethic Clause applicable to the contract concluded with GDF SUEZ's suppliers been inserted in the contracts entered into with primary suppliers?

YES  NO

Have the reputation and integrity of those suppliers been checked (due diligence)?

YES  NO

Have reasonable measures been taken to verify that those suppliers are immune from practices involving child labor or forced labor or endangering the workers' life (for contracts in the process of being performed)?

YES  NO



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# IV. HUMAN RIGHTS CHECK LIST<sup>14</sup> TO ANALYZE FOR THE ANNUAL ETHICAL RISK REVIEW<sup>15</sup>

THE ANALYSIS ENABLES THE ENTITY TO IDENTIFY ITS RISKS AND TO DEFINE ITS ACTION PRIORITIES.

## ➔ HUMAN RIGHTS INTEGRATION

**1- HAS THE ENTITY IMPLEMENTED EVALUATION, RISK ANALYSIS AND MONITORING PROCESSES RELATING TO ITS ACTIVITIES IN TERMS OF HUMAN RIGHTS?**

YES

FURTHER ATTENTION REQUIRED

NO

NOT APPLICABLE

Indicators for analysis:

- the entity has implemented measures to understand the risk related to the country and region in which it intends to establish or develop an activity or in which it already operates (using external competences, country risk mapping, particular attention to countries with weak governance, etc.);
- the entity has implemented procedures to analyze and assess the impact of its activities on human rights (for example, when a new project, new business relationship or new activity is launched, as well as at regular intervals throughout its activities);
- the priority risks have been identified and are subject to a risk management action plan.

**2- DOES THE ENTITY ENSURE THAT HUMAN RIGHTS ARE INCORPORATED IN THE MANAGERIAL DECISION-MAKING PROCESS AND POLICIES?**

YES

FURTHER ATTENTION REQUIRED

NO

NOT APPLICABLE

Indicators for analysis:

- operational responses have been implemented to prevent and reduce the potential or actual negative effects identified in advance;
- the human rights approach is structured within the entity (methods, resources, responsibilities, etc.) ;
- employees are aware of and receive training on the issue of human rights;
- collective or individual incentive measures to promote appropriate behaviors on the part of employees, and dissuasion measures have been put in place;
- employees are encouraged to share good practice and feedback.

<sup>14</sup> This questionnaire has been developed based on:

- the human rights Compliance Assessment Quick Check developed by the Danish Institute on human rights;
- the Global Compact Self-Assessment Tool developed by the Danish Institute on human rights, the Confederation of Danish Industries, the Ministry of Economic and Business Affairs and the Danish Industrialisation Fund for Developing Countries.

<sup>15</sup> The terms used in this document have the same meaning and scope as those given to them in the human rights Referential "commitments and implementation".



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### 3- HAS THE ENTITY IMPLEMENTED FOLLOW-UP SYSTEMS TO ASSESS ACTIONS IMPLEMENTED AND THEIR EFFICIENCY?

YES  FURTHER ATTENTION REQUIRED  NO  NOT APPLICABLE

Indicators for analysis:

- the actions/policies implemented are followed-up, monitored and reviewed regularly (permanent improvement process);
- there are performance monitoring indicators for actions implemented to the benefit of human rights;
- incidents are reported in INFORM'ethics.

### 4-A. DOES THE ENTITY INCLUDE A CONTRACTUAL CLAUSE IN ALL ITS CONTRACTS WITH ITS SUPPLIERS, SUBCONTRACTORS AND PARTNERS, REQUIRING THAT THEY ADHERE TO THE GROUP'S HUMAN RIGHTS COMMITMENTS?

YES  FURTHER ATTENTION REQUIRED  NO  NOT APPLICABLE

### 4-B. DOES THE ENTITY GIVE PRIORITY TO PRELIMINARY INVESTIGATIONS TO VERIFY THE INTEGRITY AND REPUTATION OF ITS SUPPLIERS, SUBCONTRACTORS AND PARTNERS?

YES  FURTHER ATTENTION REQUIRED  NO  NOT APPLICABLE

## ➔ EMPLOYEE RIGHTS AND WORKING CONDITIONS

### 1- DOES THE ENTITY TAKE ALL NECESSARY MEASURES TO ENSURE THAT IT DOES NOT PARTICIPATE IN, OR BENEFIT FROM ANY FORCED LABOR WHATSOEVER?

YES  FURTHER ATTENTION REQUIRED  NO  NOT APPLICABLE

Indicators for analysis:

- employees providing services related to the company's main activities have fair, transparent employment contracts with understandable provisions. Employees receive their contract before beginning their activities;
- employees are permitted to leave the company's premises (rest, end of day, etc.);
- notice periods are reasonable;
- neither the entity nor its recruitment agencies demand recruitment commissions or money deposits from employees;
- neither the entity nor its recruitment agencies retain identity cards, passports or travel documents, or any other personal property without which employees cannot leave their job;
- the entity pays a living wage within the context of normal working hours and does not oblige its employees to commit to a cycle of wage advances to cover their living expenses and those of their families;
- overtime is paid, voluntary and not imposed by means of threatening wage deductions, dismissal or other sanctions;
- loans or advances on wages are based on fair conditions that are clearly explained to employees, are limited and do not require the employee to remain at the company until they are repaid in full.



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### 2- DOES THE ENTITY ENSURE IT ADHERES TO APPLICABLE STANDARDS ON THE MINIMUM AGE FOR ADMISSION TO EMPLOYMENT?

YES  FURTHER ATTENTION REQUIRED  NO  NOT APPLICABLE

Indicators for analysis:

- the entity has a procedure in place to verify the age of young candidates by means of a birth certificate, other official documents, or alternative means such as physical appearance or the knowledge of historical events;
- the entity does not employ children aged below 15; if the entity discovers that it employs children aged between 13 and 15, it immediately terminates the activities of the individuals concerned<sup>16</sup>;
- if the entity employs people aged between 15 and 18, it establishes a list of jobs that can be performed by these persons (the work must not be hazardous or harmful for their health or physical, mental, spiritual or moral development).

### 3- DOES THE ENTITY ENSURE THAT ITS EMPLOYMENT DECISIONS ARE BASED ON RELEVANT AND OBJECTIVE CRITERIA?

YES  FURTHER ATTENTION REQUIRED  NO  NOT APPLICABLE

Indicators for analysis:

- the entity has procedures in place to ensure that its decisions on recruitment, appointment, remuneration, promotion, training, discipline, retirement and dismissal are founded solely on relevant and objective criteria;
- each position is the subject of a written description, giving the salary level and qualifications required for the job / job offers do not make reference to discriminatory criteria, except if it expressly forms part of the equal opportunities policy and a process of positive discrimination;
- candidates are not questioned on their marital status, pregnancy status, intention to have children, number of dependants, or similar information that may result in discriminatory choices;
- managers and recruiters are trained in the company's non-discrimination policies / employees have access to a complaints mechanism allowing them to file a grievance for discrimination and they are informed of the existence of this procedure;
- the entity takes reasonable measures to enable disabled persons or those suffering from illness to obtain job opportunities.

### 4- DOES THE ENTITY ENSURE IT ADHERES TO ITS EMPLOYEES' RIGHTS TO FREEDOM OF ASSOCIATION, INCLUDING THE RIGHT TO COLLECTIVE BARGAINING?

YES  FURTHER ATTENTION REQUIRED  NO  NOT APPLICABLE

Indicators for analysis:

- the entity recognizes employee organizations as legitimate for matters relating to collective bargaining and has procedures in place to ensure regular collective bargaining with employee representatives on work-related matters;
- the entity prohibits discrimination or any negative action against employee representatives or employees based on their participation or non-participation in legal trade union activities;
- the entity allows employee representatives access to collective bargaining agreements, to premises, to employees and to any other documentation that may be useful to their tasks;
- the entity has a committee including elected employee representatives, which is responsible for hearing and dealing with disciplinary cases and employee complaints;
- if trade unions are not authorized or if only the organizations recognized by the State are authorized, alternative measures enable employees to meet independently to discuss work-related matters (authorization to hold regular meetings to freely discuss working conditions, employee information about their right to form an independent collective representation in the workplace / to be involved in regular collective bargaining, regular meetings between management and employee representatives to discuss work-related matters, etc.).

<sup>16</sup> Unless it makes sure that the children carry out only « light » work within limited time periods; that the works performed do not in any way threaten their health and safety or undermine their education; that the children are enrolled on a remedial education program and that their families receive compensation for loss of income.



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### 5-A. DOES THE ENTITY ENSURE THAT ITS EMPLOYEES PERFORM THEIR TASKS ON SAFE, APPROPRIATE AND SALUBRIOUS PREMISES? ARE THEY INVOLVED IN THE HEALTH AND SAFETY DECISION-MAKING PROCESS?

YES  FURTHER ATTENTION REQUIRED  NO  NOT APPLICABLE

Indicators for analysis:

- the entity has policies and procedures in place to prevent sanitary and professional risks in compliance with national and international industrial standards;
- responsibilities relating to health, safety and hygiene are clearly defined;
- the entity regularly verifies its manufacturing processes, its machinery and equipment in order to ensure they present no danger and are in good working order;
- employees and managers are trained to respond to emergency situations in the workplace, first aid kits and fire extinguishers are easily accessible, and emergency exits are clearly marked and free of any obstacle;
- the workplace is kept clean and in suitable conditions of ambient temperature, ventilation and lighting; the toilet facilities are appropriate for both sexes;
- the accommodation or night facilities for employees are safe and salubrious, and meet their basic needs (safety, space, temperature, lighting, ventilation, food, water, toilets, respect for privacy and accessibility);
- the entity supplies drinking water to the employees and allows them to store food and to eat in suitably clean conditions;
- if applicable, the entity has taken specific health and safety measures for pregnant women, disabled persons, night employees, young employees or any other vulnerable group;
- the entity consults employees on matters relating to health and safety, either directly or via freely elected representatives;
- there is a health and safety committee with employee representatives and management representatives;
- health and safety incidents are reported, inquiries are conducted, including employee(s) involved and corrective actions are taken to prevent them from reoccurring;
- incidents that have not given rise to injury are recorded and investigations are conducted to help improve workplace safety;
- health and safety accidents are monitored and measured.

### 5-B. DOES THE ENTITY PROVIDE THE PROTECTIVE EQUIPMENT AND TRAINING NECESSARY TO CARRY OUT TASKS IN COMPLETE SAFETY?

YES  FURTHER ATTENTION REQUIRED  NO  NOT APPLICABLE

Indicators for analysis:

- the entity has a procedure in place to ensure that all employees have protective equipment, cost- and deposit-free / it undertakes to ensure that employees use this equipment and understand why it is necessary;
- the entity ensures that all employees have the training necessary to perform their tasks to the best of their ability and informs them fully, in an appropriate language and format, of health and safety procedures;
- there is appropriate monitoring of trained persons and of the content of training courses;
- a department or person within the entity is responsible for keeping informed of scientific and technological advances relating to health and safety risks and protective equipment;
- employees regularly receive (particularly when they are assigned new tasks) adequate training on the safe use of equipment and on procedures.



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### 6-A. DOES THE ENTITY ENSURE THAT THE WORKING WEEK IS LIMITED TO 48 HOURS, THAT OVERTIME IS OCCASIONAL AND RESTRICTED, AND THAT EMPLOYEES HAVE ACCESS TO REASONABLE BREAK AND REST PERIODS?

YES

FURTHER ATTENTION REQUIRED

NO

NOT APPLICABLE

Indicators for analysis:

- the number of working hours in the entity is limited to 48 hours a week, both in policy and in practice (or less if domestic laws, collective agreements or industrial standards provide for it);
- overtime is occasional, paid at a higher rate and must not exceed 12 hours a week or 36 hours a month;
- the entity has a system for organizing, calculating and monitoring the number of hours worked by each worker and regularly assesses whether the number of employees is sufficient to meet production targets without resorting to overtime;
- employees have the right to 24 consecutive hours of rest (or more if it is provided for in domestic laws or industrial standards) for each 7-day work period;
- the entity ensures that employees benefit from a minimum of 30 minutes' break for each 4-hour work period (or more if it is provided for by domestic laws or industrial standards) and that they are permitted to go to the toilet whenever necessary and not during planned break times.

### 6-B. DOES THE ENTITY ENSURE THAT EMPLOYEES HAVE PAID LEAVE, SICK LEAVE AND PARENTAL LEAVE, IN ACCORDANCE WITH INTERNATIONAL STANDARDS?

YES

FURTHER ATTENTION REQUIRED

NO

NOT APPLICABLE

Indicators for analysis:

- employees benefit from at least 3 weeks of paid leave per year (or more if it is provided for by domestic laws or collective agreements); part-time or temporary employees benefit from a period of paid leave proportional to the number of hours worked and calculated at a rate equal to that of full-time employees;
- employees have the right to paid sick leave in accordance with national legislation. If the latter does not provide for any, the entity consults trade union representatives or employees to set alternative measures of protection in the event of sickness or accident.

### 6-C. DOES THE ENTITY PROVIDE A LIVING WAGE THAT ENABLES EMPLOYEES TO MEET THEIR BASIC NEEDS AS WELL AS THOSE OF THEIR FAMILY?

YES

FURTHER ATTENTION REQUIRED

NO

NOT APPLICABLE

Indicators for analysis:

- the entity has a policy in place, in line with local standards, for providing employees a living wage to meet their needs in terms of food, housing and clothing, and a complementary basic income for them and their dependants;
- if no national minimum wage exists, or if it is insufficient to meet the basic needs of employees and their families, the entity calculates a minimum wage based on the cost of living in the region where the activity is carried out, taking local standards into account.

### 7- DOES THE ENTITY PROTECT ITS EMPLOYEES FROM ALL FORMS OF HARASSMENT AND ILL TREATMENT?

YES

FURTHER ATTENTION REQUIRED

NO

NOT APPLICABLE

Indicators for analysis:

- the entity undertakes to prevent harassment in the workplace;
- the entity investigates all reports and takes appropriate preventive and disciplinary measures, including reporting criminal action to the competent authorities.



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### 8- DOES THE ENTITY RESPECT THE PRIVACY OF ITS EMPLOYEES WHEN IT GATHERS PRIVATE INFORMATION OR IMPLEMENTS MONITORING MEASURES IN THE WORKPLACE?

YES  FURTHER ATTENTION REQUIRED  NO  NOT APPLICABLE

Indicators for analysis:

- the entity has a procedure in place which establishes the types of monitoring authorized and which personal data are stored / where they are stored / who has access to them and why they are necessary;
- employees are informed of all monitoring systems (cameras, internet or email control) and of the purpose of them;
- workers have access to all data collected on them, including data relating to disciplinary measures, to their HR record, or data obtained by monitoring systems.

## ➔ COMMUNITY IMPACT

### 1- DOES THE ENTITY TAKE MEASURES TO ENSURE THAT THE CONDITIONS IN WHICH ITS SECURITY IS ENSURED ARE COMPLIANT WITH INTERNATIONAL PRINCIPLES?

YES  FURTHER ATTENTION REQUIRED  NO  NOT APPLICABLE

Indicators for analysis:

- the entity conducts regular risk assessments relating to the private security forces it uses to ensure the security of assets and persons, and makes sure that security measures, such as the deployment of guards, are proportional to the risk;
- the risk assessment includes risks of human rights abuses;
- the entity verifies the integrity and reputation of security agencies prior to their selection ("track record", level of personnel training, quality of their equipment, links with political organizations); contracts with security agencies include provisions relating to principles of international law on law enforcement and the use of force; they impose inquiries and disciplinary measures in the event of illegal or abusive conduct committed by security agents; and provide for the termination of the contract as a result of such action;
- there is a document defining the roles of security personnel and all security agents have received training on the appropriate rules of conduct with regard to international law;
- if public forces are protecting the entity's facilities, the entity ensures the transparency of its relationship with the public security authority and shows its willingness to see security assignments carried out in compliance with international standards;
- the entity has a procedure in place for recording security-related incidents, including a mechanism for addressing complaints from staff and local communities regarding the behavior of security agents, and for following-up to the competent authorities credible allegations of human rights abuses;
- the entity has a procedure in place for monitoring and assessing security measures (proportionality, community impact, impact on existing local conflicts or tensions, allegations of human rights abuses, etc.) and representatives from the local communities are involved in this monitoring.

### 2- DOES THE ENTITY ENSURE THAT ITS ACTIVITIES DO NOT INFRINGE THE RIGHTS OF LOCAL COMMUNITIES SURROUNDING ITS SITES, IN PARTICULAR THEIR RIGHT TO HEALTH AND TO A HEALTHY ENVIRONMENT, THEIR RIGHT TO OWN PROPERTY, THEIR RIGHT TO AN ADEQUATE STANDARD OF LIVING (WATER, FOOD, HOUSING) AND THEIR ACCESS TO NATURAL RESOURCES?

YES  FURTHER ATTENTION REQUIRED  NO  NOT APPLICABLE



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### 3-A. DOES THE ENTITY CONSULT AND HOLD A DIALOGUE WITH LOCAL COMMUNITIES ON THE ACTUAL AND POTENTIAL HUMAN RIGHTS-RELATED RISKS OF THEIR ACTIVITIES?

YES

FURTHER ATTENTION REQUIRED

NO

NOT APPLICABLE

Indicators for analysis:

- the entity has made a commitment in favor of an open dialogue with the communities surrounding its sites, before, during and after performing an activity that may negatively affect (i) their access to resources (food, water, land) or (ii) their living conditions and livelihoods (fishing, hunting, etc.);
- the entity maintains a regular dialogue with local communities;
- the entity takes measures to respond to the legitimate concerns of local communities related to the negative impacts of its activities on their way of life and livelihoods, as well as their access to natural resources.

### 3-B. DOES THE ENTITY ESTABLISH FORMAL GRIEVANCES MECHANISMS TO RECEIVE AND HANDLE STAKEHOLDERS GRIEVANCES ?

YES

FURTHER ATTENTION REQUIRED

NO

NOT APPLICABLE





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## ➔ SUMMARY TABLE

TOPICS			Covered	Further Attention Required	Not Covered	Not Applicable	Comments (planned or ongoing processes/actions, specific risks identified, incident monitoring and reporting system, etc.)	
1. Human rights integration	1- Risk assessment		Covered	Further Attention Required	Not Covered	Not Applicable		
	2- Integration into processes		Covered	Further Attention Required	Not Covered	Not Applicable		
	3- Performance monitoring and tracking		Covered	Further Attention Required	Not Covered	Not Applicable		
	4- Business relationships	a)		Covered	Further Attention Required	Not Covered	Not Applicable	
		b)		Covered	Further Attention Required	Not Covered	Not Applicable	
2. Employee rights and working conditions	1- Forced labour		Covered	Further Attention Required	Not Covered	Not Applicable		
	2- Child labour		Covered	Further Attention Required	Not Covered	Not Applicable		
	3- Non-discrimination		Covered	Further Attention Required	Not Covered	Not Applicable		
	4- Freedom of association and collective bargaining	a)		Covered	Further Attention Required	Not Covered	Not Applicable	
		b)		Covered	Further Attention Required	Not Covered	Not Applicable	
	5- Hygiene, health and safety	a)		Covered	Further Attention Required	Not Covered	Not Applicable	
		b)		Covered	Further Attention Required	Not Covered	Not Applicable	
	6- Hours of work, leave and remuneration	a)		Covered	Further Attention Required	Not Covered	Not Applicable	
		b)		Covered	Further Attention Required	Not Covered	Not Applicable	
		c)		Covered	Further Attention Required	Not Covered	Not Applicable	
	7- Harassment of workers		Covered	Further Attention Required	Not Covered	Not Applicable		
8- Respect for privacy		Covered	Further Attention Required	Not Covered	Not Applicable			
3. Community impact	1- Security		Covered	Further Attention Required	Not Covered	Not Applicable		
	2- Communities rights		Covered	Further Attention Required	Not Covered	Not Applicable		
	3- Dialogue with communities	a)		Covered	Further Attention Required	Not Covered	Not Applicable	
		b)		Covered	Further Attention Required	Not Covered	Not Applicable	



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# V. COUNTRIES RATING TOOL

The **Maplecroft database**, open to all Group<sup>17</sup> employees, provides country-by-country scores with regard to different human rights, enabling specific local risks to be assessed. It provides an overall score relating to human rights "human rights Risk 2014" (see column No. 1), comprising different scores relating to the rule of law, security, workers' rights, civil and political rights and access to remedy (see columns No.2 to No.6).

Legend: ■ 0-2,5 ■ >2,5-5,0 ■ >5,0-7,5 ■ >7,5-10

Country	human rights Risk 2014 score	Complicity and Rule of Law 2014 score	Human Security Risk 2014 score	Labour Rights and Protection 2014 score	Civil and Political Rights 2014 score	Access to Remedy Risk 2014 score
Afghanistan	0,57	0,63	0,63	0,63	0,54	0,55
Albania	5,31	4,68	7,14	3,65	5,28	3,47
Algeria	2,83	2,87	2,97	2,78	2,41	3,57
Andorra	9,28	9,53	9,58	8,63	8,88	9,8
Angola	3,10	2,24	4,08	2,32	3,28	1,23
Antigua and Barbuda	8,01	8,15	8,67	7,16	7,32	8,12
Argentina	5,81	5,6	7,39	4,4	5,5	4,9
Armenia	4,70	3,95	5,86	3,88	4,2	3,18
Australia	8,41	8,72	8,72	7,9	7,87	9,32
Austria	8,17	8,15	8,34	8,05	7,78	8,72
Azerbaijan	3,46	2,94	4,48	3,38	1,4	2,63
Bahamas	6,50	6,55	6,72	5,52	6,93	5,93
Bahrain	2,92	2,68	3,87	2,82	1,01	3,15
Bangladesh	1,42	1,53	1,65	1,02	1,12	2,23
Barbados	7,66	7,84	8,39	6,33	7,91	8,67

<sup>17</sup> In order to access to the data base, it is required to create an account on the maplecroft website ([www.maplecroft.com](http://www.maplecroft.com)) by using one's own professional e-mail address.



## METHODOLOGICAL TOOLS

HUMAN RIGHTS REFERENTIAL  
"COMMITMENTS AND IMPLEMENTATION"

Country	human rights Risk 2014 score	Complicity and Rule of Law 2014 score	Human Security Risk 2014 score	Labour Rights and Protection 2014 score	Civil and Political Rights 2014 score	Access to Remedy Risk 2014 score
Belarus	2,97	2,35	4,85	2,01	1,18	2,22
Belgium	8,21	8,61	8,9	7,22	7,51	9,3
Belize	6,76	6,48	7,87	5,12	7,46	5,5
Benin	5,56	5,19	7,04	3,55	6,53	4,38
Bhutan	6,53	7,01	7,42	5,12	5,65	7,53
Bolivia	4,61	3,86	6,09	2,97	5,27	3
Bosnia-Herzegovina	5,10	4,82	7,01	3,37	3,99	3,45
Botswana	5,96	6,23	7,11	3,85	6,16	5,85
Brazil	3,73	3,64	4,98	2,68	3,08	3,77
Brunei	5,82	6,3	7,8	4,53	2,91	6,12
Bulgaria	6,04	5,52	7,29	5,29	5,14	5,35
Burkina Faso	4,94	4,39	6,46	3,47	5,25	3,22
Burundi	2,79	2,15	3,68	2,3	2,24	2,03
Cambodia	3,00	1,83	3,93	1,9	3,38	0,57
Cameroon	2,82	2,16	4,54	1,08	2,47	1,58
Canada	8,44	8,73	8,56	8,03	7,95	9,28
Cape Verde	7,99	7,72	8,59	7,29	8,45	6,5
Central African Republic	1,55	1,38	0,94	1,73	2,81	1,43
Chad	1,72	1,25	1,83	1,6	2,36	0,68
Chile	5,87	6,04	7,35	5,12	4,35	7,03
China	1,32	1,29	2,16	0,57	0,57	1,03
Colombia	1,82	2,16	1,29	1,71	2,29	3,17



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Country	human rights Risk 2014 score	Complicity and Rule of Law 2014 score	Human Security Risk 2014 score	Labour Rights and Protection 2014 score	Civil and Political Rights 2014 score	Access to Remedy Risk 2014 score
Comoros	5,70	5,08	7,86	4,3	4,39	4,17
Congo	4,02	3,59	5,08	2,72	4,08	1,63
Costa Rica	6,49	6,52	8,05	4,14	6,81	6,02
Côte d'Ivoire	2,42	1,88	2,08	2,8	2,73	1,47
Croatia	6,82	6,84	8,42	4,88	6,2	5,58
Cuba	3,87	2,99	5,7	2,93	2,03	1,95
Cyprus	6,98	7,38	7,73	5,73	6,45	8,23
Czech Republic	7,26	6,87	8,26	6,14	7,12	6,27
Denmark	9,03	9,19	8,98	8,9	8,68	9,65
Djibouti	4,64	4,45	5,96	2,77	4,07	3,52
Dominica	8,61	8,47	9,44	8,15	7,68	7,32
Dominican Republic	4,17	4,22	5,17	2,64	3,8	5,02
DR Congo	0,43	0,29	0,25	0,2	1,19	0,03
Ecuador	3,99	3,82	4,96	2,96	3,33	3,42
Egypt	1,39	1,13	1,58	1,44	0,83	1,32
El Salvador	4,20	3,87	5,31	3,22	4,43	2,13
Equatorial Guinea	3,62	2,37	4,66	3,28	3,47	0,78
Eritrea	1,19	1,12	1,73	0,63	0,51	1,27
Estonia	8,01	8,25	8,82	6,28	8,5	8,37
Ethiopia	2,03	2	2,64	1,79	0,72	2,77
Fiji	5,02	4,14	6,63	4,28	3,84	2,97
Finland	8,80	8,95	8,93	8,5	8,46	9,33



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Country	human rights Risk 2014 score	Complicity and Rule of Law 2014 score	Human Security Risk 2014 score	Labour Rights and Protection 2014 score	Civil and Political Rights 2014 score	Access to Remedy Risk 2014 score
France	7,78	7,94	7,72	7,6	7,57	8,27
Gabon	4,80	4,26	6,34	3,1	4,63	3,6
Gambia	3,91	3,2	4,79	3,42	3,7	3,17
Georgia	4,79	4,87	5,4	4,19	3,48	4,98
Germany	8,25	8,57	8,38	7,8	7,69	9,22
Ghana	4,91	4,88	6,05	2,53	5,47	5,7
Greece	5,19	5,32	5,1	4,61	5,01	6,23
Grenada	8,38	8,31	9,16	7,97	7,24	7,72
Guatemala	2,52	2,06	3,94	1,45	2,35	1,45
Guinea	2,60	1,89	3,71	1,67	3,09	0,78
Guinea-Bissau	3,81	2,51	4,89	2,62	5,19	0,92
Guyana	5,67	5	6,79	4,58	5,83	4,17
Haiti	2,63	1,86	3,42	1,77	2,99	0,77
Honduras	2,68	2,34	3,97	1,37	2,73	2,15
Hong Kong (China)	7,33	7,1	7,69	6,75	6,89	7,58
Hungary	6,59	6,41	7,7	5,77	5,31	5,77
Iceland	9,12	9,13	9,65	8,58	8,86	9,33
India	1,45	2,16	1,17	0,93	1,93	2,6
Indonesia	2,26	2,19	3,7	1	1,17	2,7
Iran	1,06	0,75	1,86	0,72	0,1	0,43
Iraq	0,82	1	0,75	0,89	0,37	1,43
Ireland	8,41	8,53	9,02	7,87	8,31	8,53



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Country	human rights Risk 2014 score	Complicity and Rule of Law 2014 score	Human Security Risk 2014 score	Labour Rights and Protection 2014 score	Civil and Political Rights 2014 score	Access to Remedy Risk 2014 score
Israel	4,19	4,56	3,38	4,95	3,38	5,78
Italy	6,52	6,3	6,81	6,02	6,31	5,52
Jamaica	5,45	5,17	6,31	4,33	5,92	4,75
Japan	7,10	7,42	7,93	5,28	7,41	7,37
Jordan	3,67	3,68	4,88	2,65	2,26	4,15
Kazakhstan	3,18	2,57	4,44	2,18	2,45	2,02
Kenya	2,80	2,52	3,22	2,42	2,38	2,83
Kiribati	7,77	7,86	9,15	6,56	7,05	7,95
Kuwait	4,55	4,37	6,18	3,12	2,73	5,08
Kyrgyzstan	3,37	3,08	3,83	3,37	2,49	2,73
Laos	4,22	3,53	5,91	3,18	3,05	1,62
Latvia	7,32	6,79	7,87	7,12	6,69	5,45
Lebanon	3,04	2,78	3,21	2,87	2,81	2,78
Lesotho	6,16	5,75	7,37	4,37	7,33	6,12
Liberia	4,53	3,8	5,62	3,42	4,98	2,42
Libya	1,45	1,23	0,95	2,32	1,06	0,82
Liechtenstein	9,49	9,53	9,53	9,57	9,07	9,57
Lithuania	7,41	7,64	8,35	6,27	6,66	8,1
Luxembourg	9,08	9,25	9,48	8,33	9,45	9,33
Macao (China)	7,75	7,37	8,84	6,32	7,92	7,15
Macedonia	5,95	5,37	6,96	5,47	4,95	4,47
Madagascar	3,47	2,49	5,06	2,43	3,13	1,57



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Country	human rights Risk 2014 score	Complicity and Rule of Law 2014 score	Human Security Risk 2014 score	Labour Rights and Protection 2014 score	Civil and Political Rights 2014 score	Access to Remedy Risk 2014 score
Malawi	4,56	4,38	5,58	3,1	4,26	4,53
Malaysia	3,80	3,86	4,52	2,81	2,97	4,27
Maldives	5,39	5,01	6,96	4,88	3,37	4,13
Mali	1,67	1,82	1,97	1,68	1,53	2,22
Malta	8,03	8,26	8,15	7,35	8,12	8,27
Marshall Islands	7,63	7,68	8,97	5,92	7,65	7,47
Mauritania	3,28	2,79	5,12	1,43	3,42	3,05
Mauritius	6,91	6,92	7,54	5,8	6,7	7,38
Mexico	1,77	2,11	1,71	1,71	1,79	2,83
Micronesia	8,06	8	8,65	7,29	8,14	8,08
Moldova	4,81	4,21	6,37	3,7	4,2	4,15
Monaco	9,56	9,36	9,57	9,82	9,35	9,32
Mongolia	5,57	4,81	7,11	4,55	4,72	3,72
Montenegro	6,04	5,96	7,41	4,63	5,31	5,97
Morocco	3,44	3	4,59	2,46	2,52	2,92
Mozambique	4,28	3,44	5,41	2,89	5,15	2,77
Myanmar	0,82	0,51	1,29	0,58	0,58	0,12
Namibia	5,86	6,2	7,12	3,98	5,55	5,82
Nauru	8,71	8,53	9,18	8,07	8,35	8,32
Nepal	2,66	2,6	3,02	2,16	2,36	2,62
Netherlands	8,52	8,94	8,81	7,98	7,98	9,32
New Zealand	8,87	9,13	9,28	8,08	8,77	9,33



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Country	human rights Risk 2014 score	Complicity and Rule of Law 2014 score	Human Security Risk 2014 score	Labour Rights and Protection 2014 score	Civil and Political Rights 2014 score	Access to Remedy Risk 2014 score
Nicaragua	3,78	2,99	5,51	2,86	3,1	2,33
Niger	3,75	3,45	4,34	2,43	5,15	3,02
Nigeria	1,01	1,04	1,11	1,16	0,58	1,12
North Korea	1,11	0,71	1,8	0,57	0,46	0,27
Norway	8,86	9,04	9	8,5	8,46	9,5
Oman	4,56	4,56	5,76	3,65	2,51	5,32
Pakistan	0,52	0,68	0,72	0,22	0,41	1,38
Palau	7,86	8,33	9,44	5,51	7,88	8,63
Palestinian Occupied Territory	2,44	2,84	2,05	2,68	1,35	4,02
Panama	5,38	4,92	6,7	4,01	5,09	4,05
Papua New Guinea	4,60	4,54	5,9	3,31	4,42	4,35
Paraguay	4,46	3,88	5,79	3,11	4,74	3,47
Peru	3,45	3,74	4,47	2,15	3,21	4,57
Philippines	1,94	2,2	2,01	1,41	2,19	2,43
Poland	6,73	6,84	7,63	5,22	6,48	6,13
Portugal	7,61	7,51	8,12	6,42	8,83	7,63
Qatar	4,65	5	6,78	2,35	2,9	6,35
Romania	5,67	5,37	7,67	4,03	4,82	4,82
Russia	1,61	1,59	1,82	1,33	1,28	2,25
Rwanda	3,33	3,52	2,95	3,53	3,38	3,8
Saint Kitts and Nevis	8,43	8,38	8,6	8,55	7,78	8,13
Saint Lucia	7,20	7,19	7,27	6,47	7,97	7,22





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Country	human rights Risk 2014 score	Complicity and Rule of Law 2014 score	Human Security Risk 2014 score	Labour Rights and Protection 2014 score	Civil and Political Rights 2014 score	Access to Remedy Risk 2014 score
Saint Vincent and The Grenadines	7,75	7,38	8,53	7	7,83	6,75
Samoa	7,99	7,68	8,88	7,2	7,68	7,37
San Marino	9,69	9,58	9,87	9,5	9,45	9,33
Sao Tome and Principe	7,81	6,9	9,02	6,78	8,14	5,53
Saudi Arabia	2,29	2,22	3,87	1,09	0,36	2,88
Senegal	3,69	3,29	4,35	2,73	3,62	3,1
Serbia	5,20	5,06	6,29	3,99	4,26	3,87
Seychelles	7,22	6,67	7,9	6,41	7,29	5,62
Sierra Leone	4,57	4,55	6,36	2,12	4,94	3,83
Singapore	6,05	5,97	7,01	5,19	4,87	6,98
Slovakia	6,92	6,12	7,68	6,7	6,56	4,78
Slovenia	8,08	8	9,31	6,83	7,37	6,67
Solomon Islands	7,16	7,15	8,75	5,49	6,95	6,2
Somalia	0,52	0,21	0,75	0,77	0,1	0
South Africa	4,18	4,56	4,49	2,85	3,98	4,85
South Korea	6,97	6,93	7,56	5,48	7,28	8,07
South Sudan	1,16	0,84	1,08	1,33	1,32	0,42
Spain	7,09	7,09	7,4	6,15	7,41	7,32
Sri Lanka	2,07	1,97	1,77	2,52	1,94	2,33
Sudan	0,38	0,32	0,18	0,78	0,19	0,2
Suriname	6,03	5,88	7,9	4,46	5,44	5,75
Swaziland	3,87	3,39	5,49	2,47	2,79	3,72



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Country	human rights Risk 2014 score	Complicity and Rule of Law 2014 score	Human Security Risk 2014 score	Labour Rights and Protection 2014 score	Civil and Political Rights 2014 score	Access to Remedy Risk 2014 score
Sweden	8,47	8,76	8,79	7,98	8,1	9,32
Switzerland	8,22	8,54	8,35	7,77	7,43	9,18
Syria	0,31	0,34	0,1	0,47	0,37	0,43
Taiwan	7,40	7,4	8,39	5,55	7,11	7,72
Tajikistan	3,54	2,82	4,5	3,43	2,28	1,78
Tanzania	3,62	3,37	5,19	2,28	2,76	3,37
Thailand	2,94	3,16	3,37	2,33	2,69	4,08
Timor-Leste	5,61	4,83	6,61	4,63	6,08	3,3
Togo	4,13	3,09	5	3,65	4,08	2,27
Tonga	7,28	7,11	8,77	5,75	6,73	6,65
Trinidad and Tobago	6,41	6,26	7,1	5,15	7,31	6,15
Tunisia	3,72	3,32	3,97	3,83	2,3	3,33
Turkey	3,94	4,2	3,94	4,15	2,04	4,98
Turkmenistan	3,18	2,38	4,52	2,84	1,18	2,13
Tuvalu	8,39	8,5	9,36	7,8	7,06	8,63
Uganda	2,68	2,92	3,03	2,23	1,78	3,15
Ukraine	3,57	3,22	4,66	2,61	2,59	2,32
United Arab Emirates	3,69	3,93	5,33	2,13	1,35	5,3
United Kingdom	7,85	8,32	7,86	7,47	7,65	8,55
Uruguay	7,43	7,73	8,4	5,58	7,98	7,32
USA	6,83	7,1	6,89	5,95	7,1	7,2
Uzbekistan	2,31	1,8	3,46	1,48	1,16	1,45



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Country	human rights Risk 2014 score	Complicity and Rule of Law 2014 score	Human Security Risk 2014 score	Labour Rights and Protection 2014 score	Civil and Political Rights 2014 score	Access to Remedy Risk 2014 score
Vanuatu	7,71	7,17	8,26	7,27	7,55	5,52
Venezuela	2,59	1,85	3,39	2,48	2,57	1,65
Viet Nam	2,90	2,19	4,83	1,53	1,86	1,22
Yemen	0,99	0,96	0,77	1,47	0,73	1,02
Zambia	4,25	3,7	5,34	2,8	4,39	2,8
Zimbabwe	1,78	1,36	2,47	0,79	1,78	0,58

### OTHER RESOURCES ON HUMAN RIGHTS BY COUNTRY CAN BE FOUND ON THE FOLLOWING WEBSITES:

#### Office of the High Commissioner for human rights website

<http://www.ohchr.org/EN/Countries/Pages/HumanRightsintheWorld.aspx>

#### International Labor Organization website

[http://www.ilo.org/dyn/natlex/natlex\\_browse.home?p\\_lang=en](http://www.ilo.org/dyn/natlex/natlex_browse.home?p_lang=en)

#### U.S. Department of State website: country report

<http://www.state.gov/j/drl/rls/hrrpt>

#### Maplecroft website

<http://www.maplecroft.com/>

#### Amnesty International

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

#### human rights Watch

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



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