



Summary of Vattenfall's Human Rights Assessment by BSR

Conducted Q2-Q3 2021

Working with human rights is not a standalone activity; It's embedded in all we do

Sustainability Policy

For Vattenfall, Sustainability means taking responsibility for creating generations by contributing to sustainable development – economically, environmentally and socially. We clearly believe in our contribution to the Global Goals in particular the goals for Affordable and Clean Energy (SDG 7), Industry, Innovation and Infrastructure (SDG 9), Decent Work and Economic Growth (SDG 8), Climate Action (SDG 13), Life Below Water (SDG 14), Life on Land (SDG 15) and Peace, Justice and Strong Institutions (SDG 16).

Access to affordable energy is a prerequisite for society to flourish and to live in a sustainable way. We are committed to ensuring that the energy we supply is delivered in a reliable, secure and cost-effective manner. We continuously challenge the way we work and integrate sustainability aspects in everything we do. In Vattenfall we work to bring all our customers and partners closer than ever before and ensure we respect their time and their way of life.

We commit to put high and specific accountability demands on ourselves and our partners

- We continuously identify opportunities, risks and responsibilities in relation to our activities and the activities of our employees, and the activities of our suppliers, contractors, local communities, and other stakeholders.
- We ensure that our activities do not infringe on the rights and interests of others.
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We commit to be transparent and work together with partners and employees

- Sustainability is fully integrated in our strategy, business plan, operations and all our activities.
- We ensure that our activities do not infringe on the rights and interests of others.
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Our Human Rights Policy

Our commitment

Vattenfall is committed to respecting, protecting and promoting human rights in all our activities. We ensure that our activities do not infringe on the rights and interests of others.

Managing our human rights risk with integrity

We ensure that our activities do not infringe on the rights and interests of others.

Human Rights Policy

11 Steps to 2022

Key activities to improve Human Rights performance

September 2018

Human Rights action plan

Commitment to **sustainability** is integrated in everything we do, including human rights

Our commitment to respect all **human rights**

Turning our commitments into **concrete actions**

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Why did Vattenfall conduct a human rights assessment?

Internal and external developments shift Vattenfall's human rights exposure as well as stakeholder expectations on our performance

Vattenfall's operating environment has changed and will continue to change in the coming years, mainly driven by three key developments



Strategy Shift and Climate Change

- Vattenfall's strategic cornerstone is to *make fossil-free living possible within one generation*
- The new strategy seeks to respond to the urgency of global climate change, providing energy from renewable and clean sources to fulfil rising consumer demands
- The energy transition is dramatically changing Vattenfall's operations, with some segments phasing out (e.g., coal heating) and significant investments in new sectors (e.g., e-mobility, wind, batteries, PV) with implications for local and global supply chains



Global Disruption and New Social Contract

- Since 2018, the world has been disrupted by a number of global events, not least the COVID-19 pandemic, highlighting social injustice as a major threat to sustainable development and the resilience of global value chains
- Calls for a new social contract have emerged, where the role of business as one of many actors in society needs to be redefined in a new vision of 'stakeholder capitalism'
- Regulators primarily in Europe are swiftly implementing requirements to level the field on the 'S' in ESG, with the most remarkable developments on mandatory human rights due diligence that covers the entire value chain



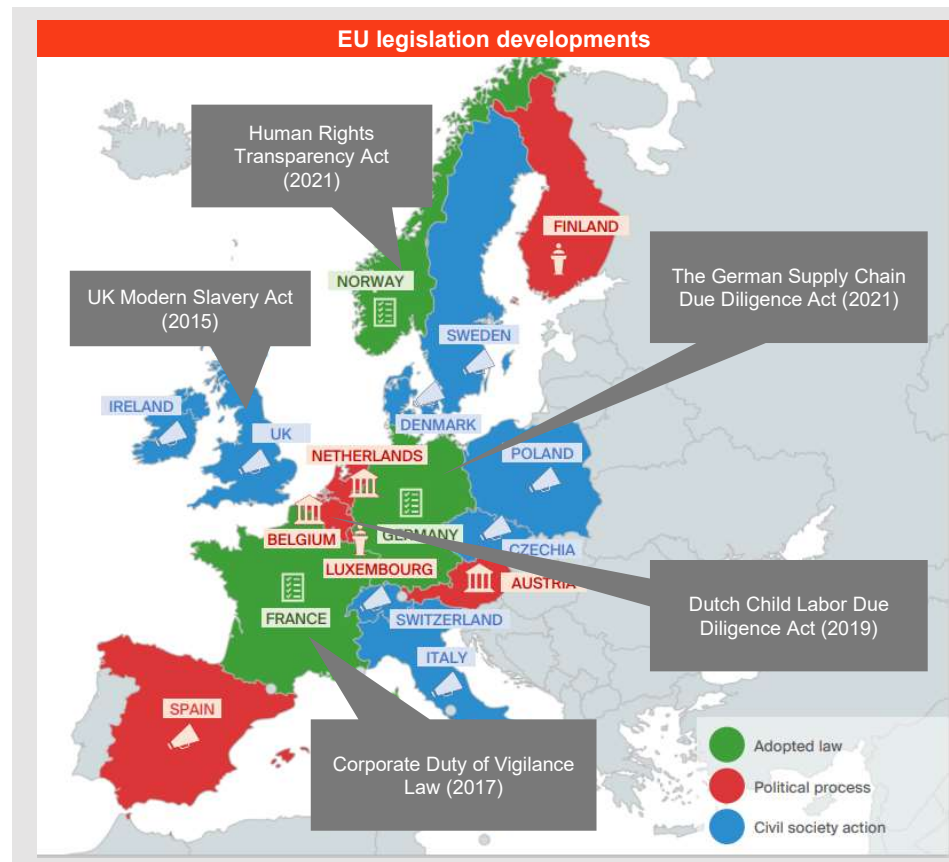
Digitalization and Tech

- Every company is set to become a tech company, as digital solutions and new disruptive technologies are integrated in products, services, and operating models
- International organizations and regulators alike are flagging the risks of disruptive technology to human rights, such as surveillance, use of AI, privacy – and new legislation is emerging
- Digitalization is also part of Vattenfall's vision for the future and it will greatly impact operations and the relationship with the end-user



Among the most consequential developments is legislation mandating human rights and environment due diligence

FRANCE	Law on the duty of vigilance of parent and outsourcing companies
GERMANY	Law on the corporate duty of care in supply chains
NETHERLANDS	Law on child labour due diligence
NORWAY	Law on business transparency and human rights and decent working conditions
AUSTRIA	Parliamentary proposal for a supply chain law
BELGIUM	Parliamentary proposal on the corporate duty of vigilance and care in value chains
FINLAND	Government commitment to due diligence legislation
LUXEMBOURG	Government commitment to due diligence legislation
NETHERLANDS	Government commitment to due diligence legislation Parliamentary proposal on responsible and sustainable international business conduct
SPAIN	Government's Annual Regulatory Plan includes a legislative initiative on due diligence



Source: corporatejustice.org (last updated 25th Jan 2022)

For the latest information, please visit www.corporatejustice.org

To secure social responsibility in a shifting landscape, we assess our human rights impacts and our governance capabilities

We engaged with BSR to give us unbiased answers to two main questions



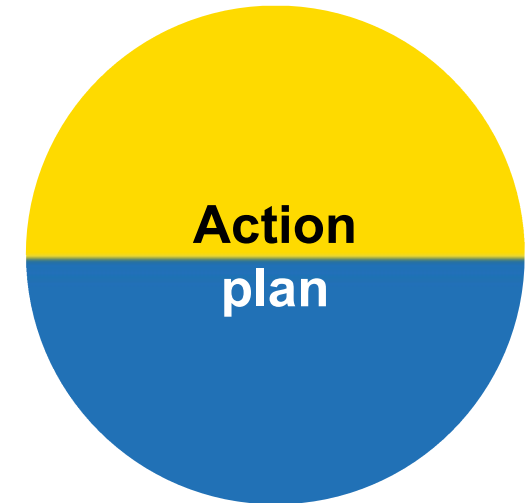
Where do we **risk** having adverse human rights impacts?



Are our current **commitments and management systems** adequate?

BSR's work consisted of desktop research, a review of 100+ Vattenfall documents, interviews with 27 internal & 5 external experts, and a stakeholder roundtable

VATTENFALL 

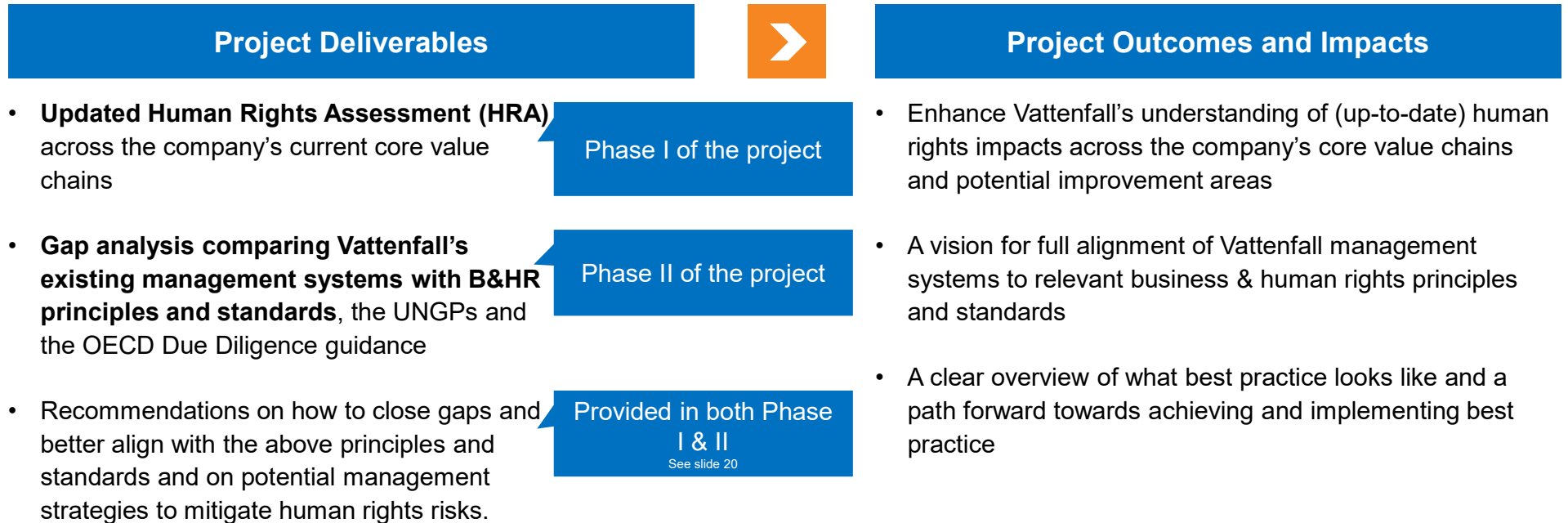


Scope and results of BSR's work

The project was done in two phases to update Vattenfall's human rights assessment and benchmark its governance systems

Project Objectives:

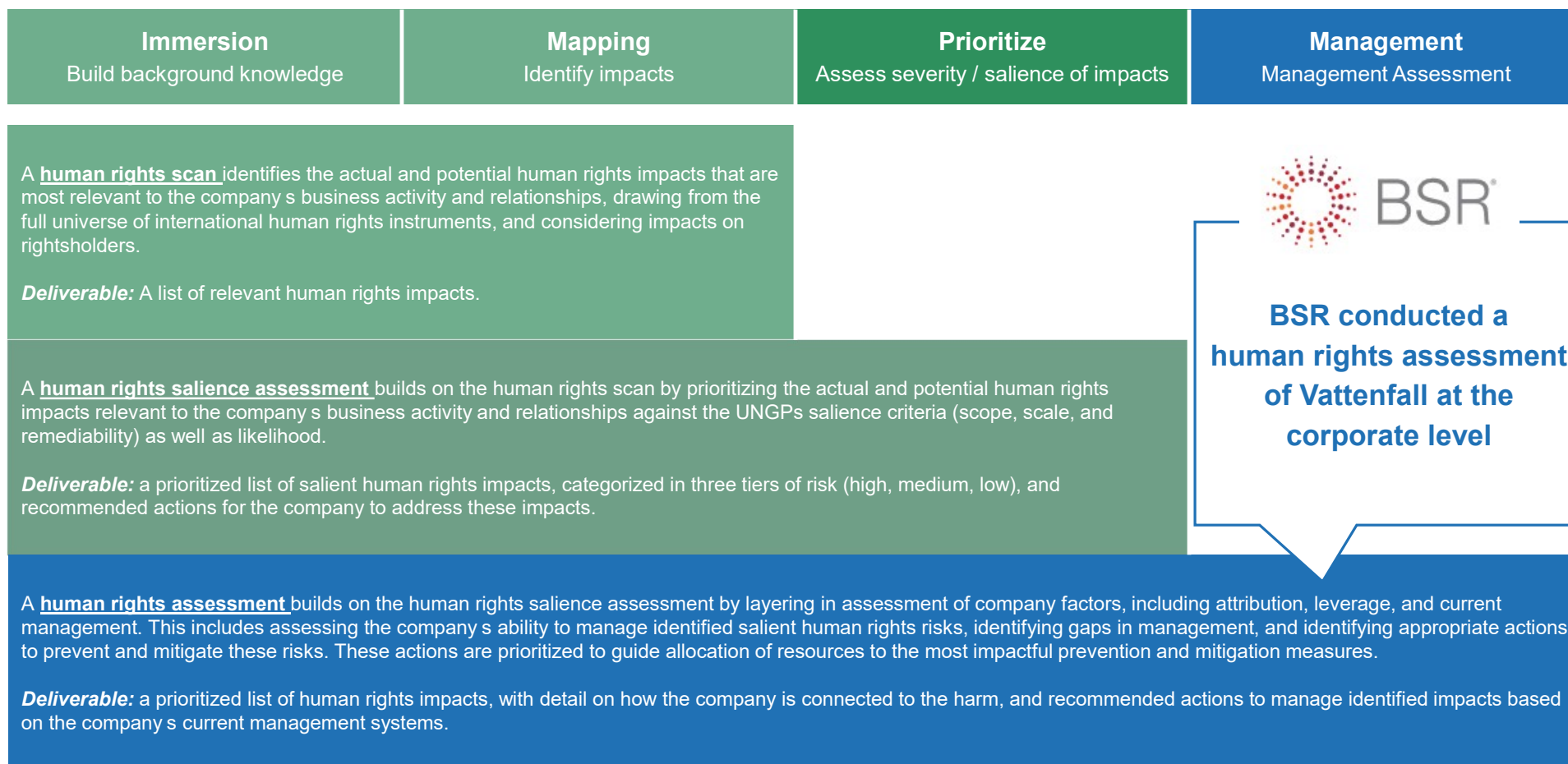
1. To update **Vattenfall Human Rights Assessment** conducted in 2016 to mirror the internal and external developments in our value chain
2. To benchmark the **company's governance systems** against international standards to identify potential gaps areas of further improvement



Phase 1

Human Rights Assessment (HRA)

BSR's Approach to Human Rights Assessment



Key Concepts of Human Rights Assessment



The UNGPs state that, where it is necessary to prioritize actions to address actual and potential adverse human rights impacts, business enterprises should first seek to prevent and mitigate those that are most severe or where delayed response would make them irremediable.



Scope: How many people could be affected by the adverse impact?



Scale: How serious would the adverse impacts be for the victim?



Remediability: Will remedy restore the victim to the same or equivalent position before the harm?

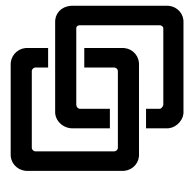


The underlying notion is that companies should prioritize action based on **risks to the rightsholder**, not risk to the business.

Key Concepts of Human Rights Assessment



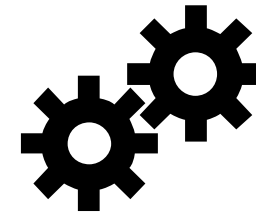
The UNGPs state that appropriate action to address human rights will vary according to whether the company causes or contributes to an adverse impact, or whether it is involved solely because the impact is directly linked to its operations, products or services by a business relationship.



If a business is **linked** it should use leverage to address impact



If a business **contributes** it should **use leverage** to mitigate remaining impact caused by the other party



If a business **causes** or may cause an adverse impact it should cease or prevent that impact

Project Methodology

A **Human Rights Assessment** uses the framework of the UN Guiding Principles on Business and Human Rights to enable the company to identify its most salient risks, and prioritize which risks **it should focus on**, keeping in mind that **all salient risks need to be addressed**.



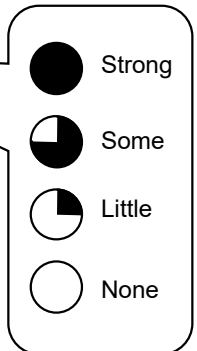
Assessment of **salient** human rights impacts based on the **severity** of impacts for rights-holders* and their likelihood of occurrence. Salience takes the **rightsholder's perspective**, not one of risks to the company



*See next slide for description of "rightsholders"



Prioritization of the issues requiring action based on **attribution** and potential **leverage** to influence positive outcomes and an evaluation of the management systems



Source: BSR [Methodology for Human Rights Assessments](#)

















Rightsholders' perspective: what do we mean by “rightsholders”, and which are relevant for Vattenfall

Rightsholders are individuals or social groups that have **particular entitlements (=rights)** in relation to specific duty-bearers. In general terms, **all human beings** are **rights-holders** under the Universal Declaration of Human Rights.

A **human rights-based** approach not only **recognizes** that the entitlements of rights-holders need to be **respected, protected** and **fulfilled**, it also considers rights-holders as **active agents** in the realisation of human rights and development – both directly and through organisations representing their interests.



Phase 1: BSR conducted a high-level assessment of our human rights impacts and our maturity in dealing with those specific impacts

Primary <small>(High in severity and likelihood, and high relevance for business action)</small>	Level of Management	Secondary <small>(Moderate severity and medium likelihood, and relevance for business action)</small>	Level of Management
<ul style="list-style-type: none"> Occupational health, safety and security 		<ul style="list-style-type: none"> Business ethics 	
<ul style="list-style-type: none"> Environmental impact 		<ul style="list-style-type: none"> Freedom of association & collective bargaining 	
<ul style="list-style-type: none"> Grievance mechanisms and access to remedy 		<ul style="list-style-type: none"> Working Conditions: Working hours, wages & benefits 	
<ul style="list-style-type: none"> Indigenous peoples 		<ul style="list-style-type: none"> Privacy, data, and cyber security 	
<ul style="list-style-type: none"> Community engagement, livelihoods, and cultural heritage 		<ul style="list-style-type: none"> Non- discrimination and equality 	
<ul style="list-style-type: none"> Supplier and contractor labor conditions, direct and indirect procurement 		<ul style="list-style-type: none"> Land use, acquisition and resettlement 	
<ul style="list-style-type: none"> Sourcing from conflict-affected or high-risk areas 		<ul style="list-style-type: none"> Responsible use and development of technology 	
<ul style="list-style-type: none"> Just transition and responsible decommissioning 		<ul style="list-style-type: none"> Human rights defenders 	



MANAGEMENT

Strong  Some  Little  None 

Phase 2

Governance Gap Analysis

Phase II – Gap analysis against the requirements outlined by the UNGPs¹ and OECD²

UNGPs	OECD
<ul style="list-style-type: none"> In order to meet business’s responsibility to respect human rights, business enterprises should have in place policies and processes appropriate to their size and circumstances, including: 	<ul style="list-style-type: none"> OECD Guidelines for Multi-National Enterprises require enterprises to carry out due diligence, which should be commensurate with risk and appropriate to a specific enterprise’s circumstances and context, the following section outlines measures:
<ol style="list-style-type: none"> A policy commitment to meet their responsibility to respect human rights → <i>The Policy commitment criteria</i> 	<ol style="list-style-type: none"> Embed Responsible Business Conduct (RBC) into the enterprise’s policies and management systems → <i>The Policy commitment, and Managing Systems criteria</i>
<ol style="list-style-type: none"> A human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights → <i>The Due Diligence criteria</i> 	<ol style="list-style-type: none"> Undertake due diligence by identify actual or potential adverse impacts on RBC issues → <i>The Due Diligence General approach / Scope criteria</i> Cease, prevent, or mitigate actual or potential adverse impacts → <i>The Due Diligence Integration criteria</i> Track implementation and results → <i>The Due Diligence Tracking criteria</i> Communicate how impacts are addressed → <i>The Due Diligence Reporting criteria</i>
<ol style="list-style-type: none"> Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute. → <i>The Remediation criteria</i> 	<ol style="list-style-type: none"> Enable remediation when appropriate → <i>The Due Diligence Remediation criteria</i>

Phase II – Gap analysis key inputs

BSR mapped alignment and preparedness of Vattenfall against the provisions of the UNGPs and OECD Guidelines for Multinational Enterprises through the following data sources



Document Review

BSR analyzed internal management processes reviewing documentation shared by Vattenfall, e.g., policies, procedures, reports, tools and others, to evaluate current level of management against human rights and due diligence standards.

Interviews

- BSR conducted interviews with internal stakeholders as part of Phase I of the project, the Human Rights Assessment, and used these insights on processes in place to inform the gap analysis however the gap analysis relied primarily on desktop review of corporate documents.

BSR Analysis

- BSR conducted the gap analysis using an assessment tool based on the OECD Guidelines for Multinational Enterprises and the UN Guiding Principles on Business and Human Rights (UNGPs).

Vattenfall's Overall Assessment Against OECD and UNGPs

Vattenfall is generally partially aligned with the requirements contained by the OECD Guidance, and the UNGPs. It is important to note that both OECD and UNGPs do not have a layered compliance approach. This means in order to be considered aligned, Vattenfall needs to meet all requirements outlined by both standards.

		OECD Guidance Preparedness level	UNGPs Preparedness level
Policy commitment		Partially Aligned	Partially Aligned
Management System		Not Aligned to Partially Aligned	Not Applicable
Due diligence	General approach / Scope	Partially Aligned	Partially Aligned
	Integration	Partially Aligned	Partially Aligned
	Monitoring	Partially Aligned	Partially Aligned
	Reporting	Partially Aligned	Partially Aligned
Remediation		Partially Aligned	Partially Aligned

Ranking Level	Level Description
Fully Aligned	Aligned with all requirements
Partially Aligned	Aligned with some requirements
Not Aligned	Missing alignment with the majority of requirements
Not Applicable	The standard does not have this criteria

Main Findings of the Gap Analysis – Good foundation, more robust integration needed

Vattenfall has publicly committed to human rights and built a good internal foundation to manage the issue. The current commitment can and should be strengthened for a clearer alignment to a human rights approach in sustainability and business strategy, and integration of key salient issues

- Overall, Vattenfall is **partially aligned** with the requirements and expectations of the UNGPs and OECD Guidelines. There is generally **a divide between high level policy commitments, external reporting, and actual implementation of human rights due diligence processes across the organization with uneven progress and integration across Business Areas/Staff Functions (BA's/SF's)**
- Efforts to integrate human rights into BA/SF operations have been ongoing through the SPOCs system. While **progress is made based on the 11 Steps to 2022*** and in areas such as **high-risk procurement categories identification, ownership and accountability for human rights at BA/SF level should be further strengthened**. The **lack of accountability by BA/SF in implementing human rights is a severe risk to the success of Vattenfall's ambitions to level up on human rights issues**
- Vattenfall has comprehensive management systems on supply chain sustainability. Aside from mandating suppliers follow its Code of Conduct for Suppliers, **direct and high-spend suppliers are covered by continuous monitoring, detailed performance evaluations, risk assessments (SRAT) and corrective measures and on-site audits**. However, **suppliers under the set spend threshold and many indirect procurement categories are not subjected to the same due diligence** as direct procurement and this represents a human rights risk
- Forms of human rights due diligence (HRDD) are conducted at various levels, including this independent HRA project by BSR. It however can and must be further strengthened by **defining frequency and triggers to repeat corporate level assessments, initiate a deep-dive assessment** (e.g., based on salience identified in the corporate level HRA, or other events) **or an ad hoc due diligence process** (e.g., due to new business operations and sourcing activities). **Ownership and responsibility on addressing past findings and prioritization** should be put in place for each risk and impact assessment that Vattenfall conducts
- In Vattenfall's Whistleblowing system handling procedure and data disclosure, there is a mention of the initiatives taken to perpetrators (# of disciplinary actions), but **no clarity on remediation provided** for the complainants/victims. Providing a grievance mechanism is first step, more importantly, a company must have **remediation process in place to address harms to rightsholders that it may have caused or contributed to**

Vattenfall's consequent priorities and next steps

Based on BSR's assessment, Vattenfall has identified seven areas to prioritise for extra attention moving forward

Primary (High in severity and likelihood, and high relevance for business action)	Level of Management	Secondary (Moderate severity and medium likelihood, and relevance for business action)	Level of Management
<ul style="list-style-type: none"> Occupational health, safety and security Environmental impact 	<p style="text-align: center;">Strong management culture, don't lose focus</p>	<ul style="list-style-type: none"> Business ethics Freedom of association & collective bargaining Working Conditions: Working hours, wages & benefits Privacy, data, and cyber security 	
<ul style="list-style-type: none"> Grievance mechanisms and access to remedy Indigenous peoples Community engagement, livelihoods, and cultural heritage Supplier and contractor labor conditions, direct and indirect procurement Sourcing from conflict-affected or high-risk areas 			<ul style="list-style-type: none"> Non-discrimination and equality Land Responsible use and development of technology <p style="text-align: center;">Continue to strengthen, but second priority</p>
<ul style="list-style-type: none"> Just transition and responsible decommissioning 		<ul style="list-style-type: none"> Human rights defenders 	



MANAGEMENT

Strong



Some



Little



None



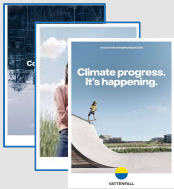
Executive management and the Board of Directors support the prioritization and the plan to translate recommendations into actions

1



Outcomes of the human rights assessment and governance gap analysis – as well as proposed next steps – presented to and approved by the Executive Group Management and Board of Directors

2



Quick-win actions to address recommendations on policies, guidelines, and transparency have already been taken as part of ongoing processes

3



Business area and staff function-specific action plans based on risks, recommendations, and prioritization to be created through dialogue with each relevant unit

4



Progress on implementation of action plans to be tracked and discussed with the CEO and Board of Directors at minimum annually, with updates and iterations to plans occurring as needed. Performance shall be reported on publicly in, e.g., the annual and sustainability report

Appendix – Explanation of terms

Glossary – explaining the most relevant human rights topics for Vattenfall

BSR's review identified the 16 most relevant human rights topics for Vattenfall, see slide 15. The topics are explained here

- **Just Transition and Responsible decommissioning:** A process involving employers, unions, governments and communities, planning and delivering the transition of economies, sectors, and companies to low carbon, socially just and environmentally sustainable activities. At the company level, a just transition is process that plans emissions reduction efforts to maximize positive impacts and minimize negative impacts on workers and communities through retention and redeployment, skills training, new job creation, social inclusion and community renewal.
- **Grievance mechanisms:** A grievance mechanism is a formal, legal or non-legal complaint process that can be used by individuals, workers, communities and/or civil society organizations that are being negatively affected by certain business activities and operations. Grievance mechanisms are sometimes also called 'complaints' or 'accountability' mechanisms
- **Access to remedy:** providing the opportunity for victims of abuse, to seek remedy from a company that caused or contributed to the abuse. Remediation can be in many forms, for example apologies, restitution, compensation or rehabilitation.
- **Human Rights Defender:** a person who acts to address any human right (or rights) on behalf of individuals or groups.
- **Environmental impacts:** impact on the environment such as water streams, biodiversity, air and land.
- **Occupational health, safety and security:** working conditions in a company's own operations which reflects the right to just and favorable conditions of work and the right to life, liberty and security.
- **Indigenous peoples:** people with ancient historical ties with respect to living in and using a specific territory, which often practice unique traditions and thereby retain social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live.
- **Community engagement, livelihoods, and cultural heritage** refers to the impact on the community in which a company operates, including how the daily lives and cultural traditions of the people are affected, as well as how the priorities and concerns of the people are taken into account before, during and after business activities are conducted.
- **Supplier and contractor labor conditions, direct and indirect procurement:** the working conditions (e.g. salary, working hours and safety) of people employed by suppliers, sub-suppliers, contractors and sub-contractors in a company's supply chain.
- **Sourcing from conflict-affected or high-risk areas:** risks related to sourcing from areas in a state of armed conflict, fragile post-conflict areas, as well as areas witnessing weak or non-existing governance and security, such as failed states, and widespread and systematic violations of international law, including human rights abuses.
- **Business ethics:** how a company prevents non-ethical business behavior such as insider trading, bribery/corruption, discrimination, conflicts of interest, sharing of sensitive information etc.
- **Freedom of association & collective bargaining:** the right of employees to associate in the pursuit of collective workplace goals. Collective bargaining is a way of attaining beneficial and productive solutions to potentially conflictual relations between workers and employers.
- **Working hours, wages & benefits:** risks related to e.g. inadequate wages, excessive overtime, insufficient breaks and insufficient allowances for paid holidays, for employees or contractors hired directly by a company.
- **Privacy, data, and cyber security:** risks related to the processing, storing, buying, selling and accessing of personal data, which might affect an individual's right to privacy.
- **Non-discrimination and equality:** the right of all people to receive equal opportunities and to not be mistreated because of e.g. their age, disability, gender reassignment, marital/civil status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.
- **Land use, acquisition and resettlement:** risks related to land rights violations such as forced resettlements and evictions or negative impact on the livelihoods of people as a consequence of land use or acquisition.
- **Responsible use and development of technology:** how a company uses and develops technology in a safe, respectful and ethical way that doesn't violate human rights, both in its own operations and in its supply chain.