Fortescue™

Supplier Information Pack: Foundational Human Rights

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OUR VALUES

Fortescue™

- Family
- Empowerment
- Frugality
- Stretch Targets
- Integrity
- Enthusiasm
- Safety
- Courage and Determination
- Generating Ideas
- Humility

What are Human Rights?

Human Rights are the basic rights and freedoms, that every person is equally entitled without discrimination regardless of where they live, how they live, what they believe, their sex or gender, nationality, social status or on any other basis.

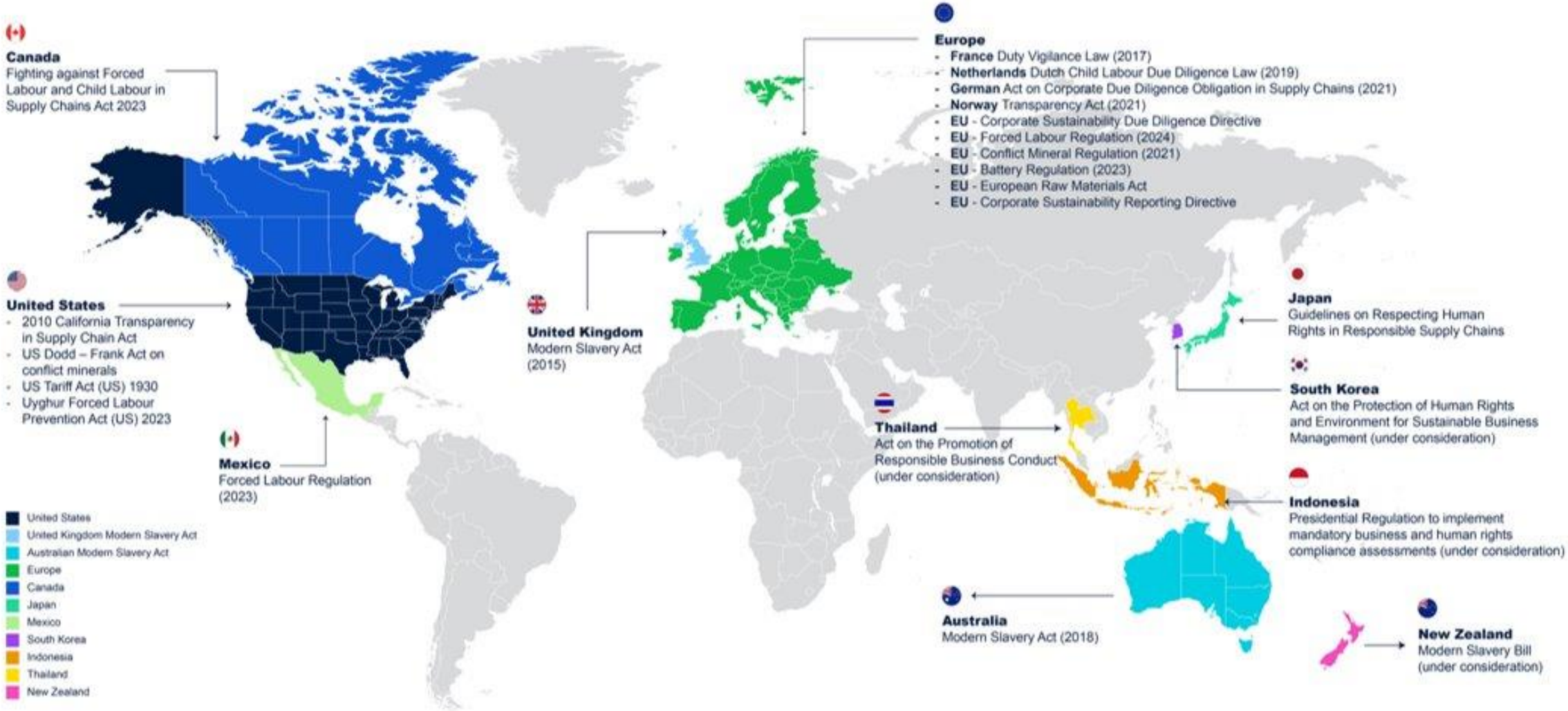
Businesses have a responsibility to respect human rights.

Universal Declaration of Human Rights

The UDHR sets out the 30 fundamental human rights…

1. We are all born free and equal
2. Everyone has rights despite differences
3. All have the right to live, and live in safety
4. No one may enslave you
5. No one may torture you
6. You have rights no matter where you travel
7. All are equal before the law
8. Human rights are protected by law
9. No one should be unfairly detained
10. All have a right to a fair trial
11. All accused are innocent until proven guilty
12. All have a right to privacy
13. All have the right to move freely
14. All may enjoy asylum from persecution
15. All have a right to nationality
16. All may marry and establish families
17. All may own property
18. All may think freely, including religion
19. All may freely express opinions
20. All may assemble peacefully
21. All may participate in governing
22. All have rights to dignity and social protections
23. All have free choices of employment
24. All have rights to rest and leisure
25. All have the right to an adequate standard of living
26. All have a right to education
27. All have rights to intellectual property
28. All have the right to a world that enables and protects rights
29. All rights have responsibilities and can only be limited when infringing on other's rights
30. No one can take away your human rights

Global Regulatory Landscape



Examples of human rights and/or modern slavery reporting and due diligence regulations active or under consideration. Not an exhaustive list and subject to change.

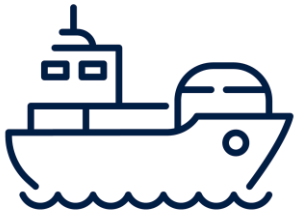
Why is it important for your business?

Protects people from harm

Compliance with local labour laws

Aligns with regulatory obligations & international standards

Access to markets and investors



Increased supply chain resilience

Increased brand value and reputation

Our expectations of our suppliers

Respecting human rights in our supply chain means:

Zero tolerance of Modern Slavery, including Child and Forced Labour, Forced Prison Labour, Servitude, Bonded Labour, Deceptive Recruitment, Human Trafficking and Slavery.

Compliance with all applicable laws and regulations on labour, employment and working conditions. (i.e. International Labour Organisation (ILO) and the United Nations Guiding Principles on Business and Human Rights (UNGP))

Recruitment processes are fair, ethical and transparent.

What is Modern Slavery?

Situations where one person has taken away another person's freedom – their freedom to control their body, their freedom to choose to refuse certain work or to stop working – so that they can be exploited.

Freedom is taken away by threats, violence, coercion, abuse of power and deception. The net result is that a person cannot refuse or leave the situation.

WALK FREE FOUNDATION

What is modern slavery?

Modern Slavery can take many forms, key definitions include:

Forced labour

All work or service which is extracted from any person under the threat of a penalty and for which the person has not offered themselves voluntarily.

Trafficking persons

The recruitment, transportation, transfer, harboring or receipt of persons through means of force, coercion, deception, or abuse of power, for the purposes of explitation.

Child Labour

Work that deprives children of their childhood, potential and dignity, and is harmful to their physical and mental development

Slavery

Conditions where a person is treated like property by another who makes decisions about their work, education, personal life. Victim may be offered for sale and/or traded.

What is modern slavery?

Modern Slavery can take many forms, key definitions include:

Debt Bondage (bonded labour)

Where a person is forced to work to repay a debt or obligation, where the value of the work is less than the original debt, and the debt is unlikely to ever be repaid.

Deceptive Recruitment

Practices where workers are misled or false promises are made about the nature, conditions or terms of employment e.g. location, legality, pay etc.

Domestic Servitude

Form of forced labour that occurs within private households. Victim's personal freedoms are significantly restricted, and they are not free to stop working or leave.

Forced Marriage

One or both individuals are married without their full, free, and informed consent, often forced through coercion, threats, or deception

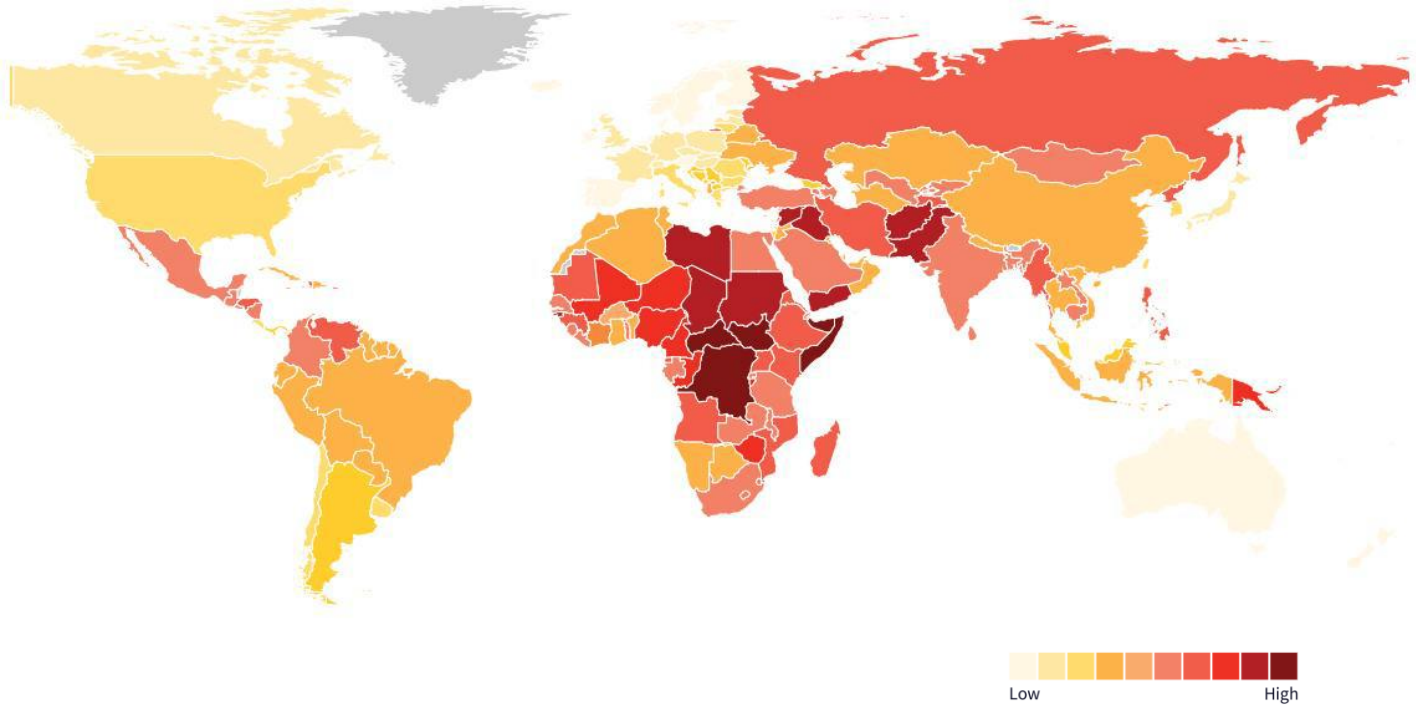
Modern slavery in a global context

Globally there are estimated **49.6 million people** in conditions of modern slavery, **27.6 million** of which in conditions of forced labour (2023).

There are estimated **15.1 million** people in forced labour in the **Asia Pacific region**, representing 55% of the global total (2022).

Forced labour most commonly occurring in services; agriculture; manufacturing; construction; mining and quarrying industries.

Estimated Vulnerability to Modern Slavery By Country



Source: Global Estimates of Modern Slavery 2022 | Walk Free, World | The Global Slavery Index, 2023 Global Slavery Index

When does forced labour occur?

Forced labour and sub standard working conditions can happen at **all tiers of the supply chain** from critical material extraction to production and transportion of goods.

Forced labour

- Worker cannot refuse or cease work because of coercion, threats or deception
- Worker may also be deprived of personal freedom

Dangerous or sub standard working conditions

- Worker can refuse or cease work but doing so may lead to detriment
- Worker is not paid fairly and does not receive some or all entitlements
- Worker may be required to work excessive hours
- Workplace is unsafe

Decent work

- Worker's rights respected
- Worker free to refuse or cease work
- Worker paid fairly (at least minimum wage)
- Workplace is safe

What are indicators of forced labour?

Accommodation

- Little or no private space
- Poor or substandard accommodation
- Sleep and work in the same place

Conditions

- Excessive working hours
- Restricted communication and movement
- Identity or travel documents held

Transport

- Picked up / dropped off at unusual hours
- No access to personal or public transportation

Contracts

- No formal employment contract
- Irregular salary deductions
- Paid in cash

Demeanour and Appearance

- Reluctance to interact
- Withdrawn, frightened or anxious.
- Injuries from assault
- Few personal belongings
- Clothes unsuitable for work

Workplace

- Poor health and safety practises
- Poor environmental practises

What is ethical recruitment?

**Ethical recruitment is the process of hiring workers in a lawful, fair, and transparent manner that respects and protects their rights.
This includes ensuring that workers are not charged recruitment fees, their freedom of movement is respected, and they have clear and transparent terms and conditions of employments.**

INTERNATIONAL LABOUR ORGANIZATION (ILO)

Ethical recruitment practices

DO'S

- ✓ Provide contracts that are clear, transparent and in a language the worker understands
- ✓ Clearly communicate job conditions and wages ensuring legal and company standards are met
- ✓ Conduct fair and transparent recruitment practices free from discrimination and coercion
- ✓ Ensure workers have access to grievance mechanisms to raise concerns without fear of retaliation.

DON'TS

- ✗ Charge workers recruitment fees or related costs
- ✗ Withhold workers' passports or identity documents
- ✗ Mislead workers with false promises about wages, hours, location or conditions, or coerce them into accepting a job
- ✗ Restrict workers from leaving their job freely by using threats or penalties.

Recruitment Fees and Related Costs – ILO, Guidelines for Fair Recruitment ILO

What actions can you take?

Start by building a basic framework

Public policy or CEO statement on respecting human rights

Provide training to your employees

Appoint a responsible person within your business

Develop a Supplier Code of conduct

Conduct due diligence across your supply chain

Establish a grievance mechanisms

Developing a Human Rights Policy

Commitment to respect human rights

A human rights policy sets out a businesses' commitment to respecting internationally recognised human rights, its responsibilities and expectations of key stakeholders (employees, suppliers and other business partners). Developing a human rights policy is an opportunity to start conversations about responsibilities and actions and set the tone in your business.

Resources

- United National Global Compact, 'A Guide for Business: How to Develop a Human Rights Policy'
- UN Guiding Principles Reporting Framework – Chapter 3.1 Policy Commitment

Checklist

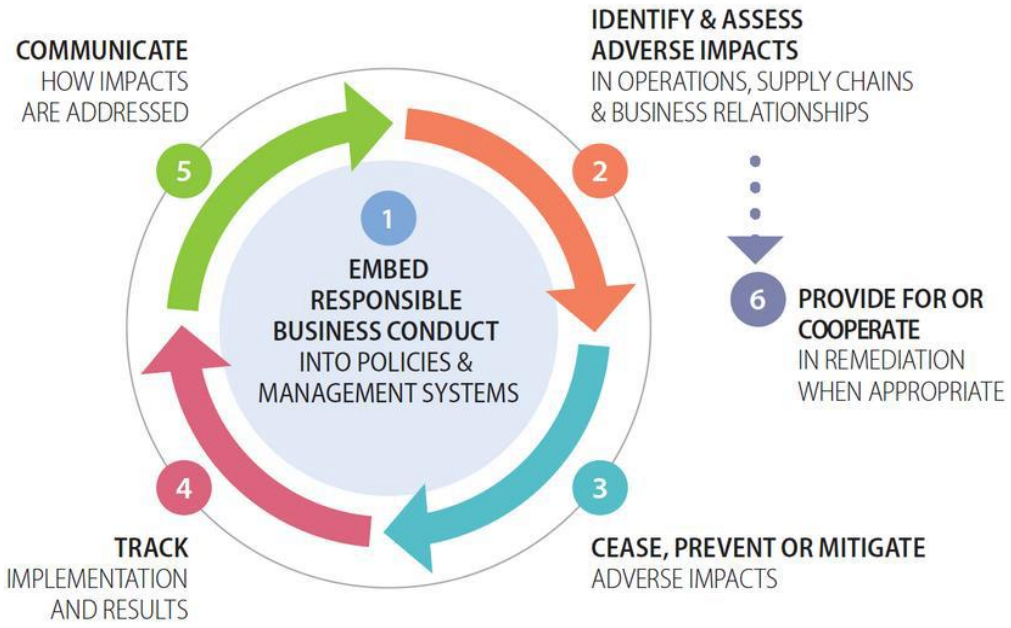
- ☑ Sets out commitment and responsibilities to respect internationally recognised human rights.
- ☑ Policy approved by most senior leader/level
- ☑ Informed by internal and external expertise
- ☑ Sets out expectations of employees, suppliers and other business partners
- ☑ Publicly available and communicated
- ☑ Embedded in relevant operational policies and procedures across the business

United Nations Guiding Principles on Business and Human Rights – Principle 16

What is due diligence?

An ongoing process which identifies, prevents, mitigates and accounts for how adverse human rights impacts are addressed

OECD Due Diligence Approach



Due diligence helps businesses to respect human rights, manage risks and meet stakeholder expectations

- ✓ **Start small**: Begin with basic steps and improve over time
- ✓ **Fit for your business**: Make it practical for your business size and scale

Resources

- OECD Due Diligence Implementation Guidance for Responsible Business Conduct
- UN Guiding Principles on Business and Human Rights

Grievance Mechanisms

What is it?

It is a safe **mechanism for workers and other to raise concerns with the business** about working conditions including pay, health and safety and other issues that is **confidential**, free from repercussions and provide options to raise concerns **anonymously**.

Checklist

- ☑ Establish a **reporting channel** (e.g. apps, hotline, online platform, physical comment box)
- ☑ Ensure channel is safe and confidential
- ☑ Explain to workers how to **use** it
- ☑ Investigate concerns raised and provide **remedy** where needed

Modern Slavery Remediation Guidance - Walk Free, UN Guiding Principles on Business and Human Rights

Fortescue's grievance mechanism

SPEAK UP

Have you seen or experienced behaviour that seemed harmful, unethical, unfair or goes against our values?

Raise your concern

Visit EthicsPoint

or, scan the QR code

Speak Up is open for anyone in our value chain – suppliers, workers, contractors and partners.

External resources

Business and Human Rights Information

- United Nations Guiding Principles for Human Rights (pdf)
- The UN Guiding Principles on Business and Human Rights: An Introduction – YouTube (video)

Tools to Help

- Modern Slavery Benchmarking Tool | Walk Free

Self-assessment tool that helps businesses check and improve how they manage modern slavery risks.

- Modern Slavery SAQ Guidance – WalkFree

Self-assessment tool to use or share with suppliers to identify modern slavery risks, improve transparency, and guide next steps in due diligence.

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