

2020

Human Rights Policy



TABLE OF CONTENTS

1 Introduction	2
1.1 Justification	2
1.2 Goal	2
2 Scope of application	3
3 Regulatory of framework	4
4 Our commitments	6
4.1 Basic principles of conduct	6
4.1.1 Due Diligence	6
4.1.2 Complaints	6
4.1.3 Training	7
4.1.4 Integrity	7
4.1.5 Privacy of information	7
4.2 Suppliers	7
5 Employees – Work practices	8
5.1 General	8
5.2 Decent employment	8
5.3 Equality and non-discrimination	8
5.4 Forced labour and child labour	9
5.5 Health and safety	9
5.6 Training	9
5.7 Freedom of association	10
6 Communities	11
6.1 General	11
6.2 Ethnic minorities and indigenous people	12
7 Environment	13
7.1 Environment	13
7.2 Security	13
8 Compliance procedures	14
8.1 Execution and control	14
8.2 Noncompliance	14
8.3 Communication and consultation	15
8.4 Approval	15
8.5 Revision	15
9 Definitions	--

1. Introduction

A unique way of working

1.1 Justification

Ecoener has always held a **long-term view** and has committed itself to **value creation** ensuring the balance and respect for the natural environment and **for the development of communities** where it operates its projects.

Through the Human Rights Policy, Ecoener expresses its **commitment, support, respect and contribution to the protection of basic Human Rights** recognized internationally and guarantees its compliance in carrying out its activity.

1.2 Goal

With this policy, Ecoener formalizes its commitment to human rights, recognized in national and international legislation. This framework of action **establishes the principles and basic guidelines that define its conduct with regard to** compliance with human and labour rights **in all places where it is present**.

Ecoener assumes the commitment to respect human rights and to prevent the development of its activities from causing, directly or indirectly, negative consequences, responding to possible adverse effects when they occur to remedy them. It assumes the commitment to **encourage the adoption of these principles and values** and to **not be complicit in any form of abuse or violation** of human rights among its employees, suppliers, partners and investors and in the communities that are affected by the development of its activity.

2. Scope of application

Ecoener is committed to defending respect, compliance and the protection of internationally recognized human rights in **all its activities, labour and commercial relations and in the different geographical areas** where it is present, paying special attention to human rights in which there exists a greater risk of violation in the development of the activity.

The policy establishes commitments in three areas of action:

1. **Basic principles of conduct.**
2. **Employees- work practices.**
3. **Communities.**
4. **Environment.**

Ecoener promotes respect for human rights and adherence to these principles by its contractors, suppliers and commercial partners, and gives particular attention to situations of conflict and high risk.

3. Regulatory framework

Ecoener is a company that recognizes and respects human rights. This commitment to action is in line with the provisions in the **United Nations (UN) Universal Declaration of Human Rights** and its principal instruments, as well as the **principles established by the International Labour Organization (ILO)** relating to the Basic Principles and Rights in the Workplace.

In this regard, with this policy Ecoener not only **commits itself to respecting internationally recognized human rights**, but adopts as its own the established requirements in different international standards that establish the importance of performing actions aimed at protecting and ensuring respect for dignity of persons and their rights. Ecoener shares and promotes, in each of its actions, respect for all rights expressed in the **European Convention on Human Rights**, conventions 107 and 169 of the ILO on the rights of indigenous and tribal peoples and the United Nations Convention on **Children's rights**.

In line with the above, for the implementation of its projects and the development of its activity, Ecoener will proceed in accordance with the principles and good practices stated in various **international reference standards**, and which have been validated by authorities in the subject. Likewise, Ecoener is committed to considering the provisions in some voluntary initiatives, among which are, but not limited to, the following:

- The 2030 Agenda of the **Sustainable Development Goals (SDGs)**.
- The United Nations **10 Principles of the Global Pact**.
- The guidelines of the **Organization for Economic Co-operation and Development (OECD)** for Multinational Companies.
- The United Nations **Guiding Principles on Business and Human Rights**.
- The Corporate Responsibility to Respect Human Rights: An interpretive 2012 guide by the United Nations.
- The Tripartite Declaration of **Principles on Multinational Companies** and the Social Policy of the ILO.
- The **Equator Principles**.
- The United Nations Basic Principles and Guidelines on **Evictions and Displacement induced by Development**.
- The voluntary principles of **safety and human rights**.
- United Nations Basic Principles on the **use of force** and firearms by Law Enforcement Officials.
- The International Covenant on **Civil and Political Rights**.
- The International Covenant on **Economic, Social and Cultural Rights**.
- The Guidelines of the *Global Reporting Initiative* (GRI).
- Other pertinent standards.

This Policy supplements the provisions in the **Code of Conduct**, the **Sustainability Policy** and the Eoner **Community Relations Policy**, and in any case, it must be evaluated as an integral system that reflects the commitment of the company to human rights and sustainability. In those countries where the national legislation or regulation could come into conflict with compliance with human rights, Ecoener will establish the measures and actions for risk control and mitigation as established in this regulatory framework.

4. Our commitments

4.1 Basic principles of conduct

Protecting, respecting and mitigating:

Ecoener is committed to protecting, respecting and ensuring compliance with human rights, in all its actions and in the development of its activities and to not producing, participating in or being complicit in actions compromising human rights.

To achieve this goal Ecoener has established the following basic principles of conduct, which must be taken into account in each of the projects and geographical zones where it carries out its activity:

4.1.1 Due Diligence

Ecoener is committed to **proceeding with due diligence** with regard to human rights in all its activities; for this purpose, when carrying out its activities, its commitment is to:

- **Identify, prevent and evaluate** continuously the potential impacts on human rights in the development of its projects from beginning to end; that is, during the stages of design, development, construction and operation.
- Establish commitments and **take appropriate and necessary measures to prevent or mitigate negative impacts** on human rights directly relating to the development of its activities and repair the impacts in the event that they should appear.
- To correct bad practices that may be detected with regard to compliance with human rights, and when appropriate, to report the situation to the competent authorities.
- To periodically monitor and evaluate the effectiveness of the diligence system.
- To communicate the measures and actions taken to prevent or mitigate the consequences of its activities on human rights.
- To report publicly any situation detected as a serious violation of human rights.

4.1.2 Complaints

As part of its commitment to human rights, Ecoener assumes the commitment to have mechanisms for complaints and claims to attend to possible cases of violation of human rights, facilitating for all persons, external and internal to the organization, the task of making known to the company any situation that can affect compliance with this policy.

For this purpose, Ecoener is committed to:

- Having **mechanisms for complaints and claims** with appropriate procedures for their resolution.
- Monitoring the effectiveness of the measures taken to resolve the reported situation.

4.1.3 Training

Ecoener **promotes a culture of respect for** human rights throughout its value chain; for this purpose, its commitment is to:

- Communicate the Human Rights Policy to all persons who carry out activities and actions with Ecoener.
- Carry out related awareness processes with employees, suppliers and partners.
- Develop training activities on human rights targeting the local communities in the development of new projects.

4.1.4 Integrity

Ensuring compliance with legislation, transparency and ethics in business is a commitment.

Ecoener rejects corruption in all its forms and strives to avoid carrying out activities that incite or encourage practices that can be considered dishonest or corrupt.

4.1.5 Privacy of information

The information and privacy of persons is a valuable asset. As part of the commitment established to always act ethically and responsibly, Ecoener makes the commitment to:

- Respect the confidentiality and the right to privacy of all persons with whom it deals.
- Use all information correctly and not disclose confidential information.

4.2 Suppliers

The main suppliers of Ecoener and their employees must show in the performance of their activities, commitment to respect for human rights. For this purpose, they must **ensure that they take the measures required to prevent any abuse or violation in this regard**. Therefore, they agree to promote decent employment in their workplaces, to eliminate all forms or modalities of forced or obligatory labour, to reject child labour, to respect the right to freedom of association and to collective bargaining, and to respect the local regulations in force.

5. Employees – Work practices

Respect for the dignity of persons and their rights constitute a premise inherent to the company. Regardless of the location, the position or the level of responsibility of the persons, Ecoener always promotes decent, just and favourable working conditions for all employees.

With the aim of ensuring the best work practices with regard to human rights, Ecoener establishes the following commitments:

5.1 General

- **To respect the human rights of all employees.**
- To foster and encourage a culture of respect for human rights among the employees.

5.2 Decent employment

Ecoener understands decent employment to mean the possibility that persons can have a job that helps them to fulfil their personal and professional aspirations, a job that recognizes their dignity as persons and that ensures their development and growth. For this purpose, Ecoener assumes the following commitments in this regard:

- **To promote decent employment**, in all places where it operates.
- To guarantee just and decent remuneration, so that this compensation can contribute to improving the quality of life of all its employees and that of their families. The minimum remuneration received by the employees of Ecoener cannot be less than the minimum stated in the collective agreements and in the labour regulations in force in each country where it is present.
- To take into account the **principle of fair compensation** for work and to respect the principle of equality in remuneration.
- To guarantee the right to rest.
- To establish and promote actions that facilitate the reconciliation between personal and professional life.

5.3 Equality and non-discrimination

Offering a **work environment with maximum respect for the dignity of persons**, respecting diversity and preventing all forms of discrimination is one of the main objectives. Ecoener has the commitment to reject all forms of discrimination, and to ensure the treatment of all persons with respect for their diversity. For this purpose, the following commitments are established:

- To guarantee equality of opportunity among its employees and to reject all forms of discrimination due to sex, ethnic origin, religion, age, disability, political affinity, sexual orientation, nationality, citizenship, civil status, socioeconomic status or any other distinction.
- To prevent and reject all forms of harassment, threats, intimidation or violence – whether verbal, physical, moral, sexual or psychological – in the workplace, or any other conduct that intimidates or offends the rights of persons.

5.4 Forced labour and child labour

Ecoener is committed to ensuring that, in all its actions, and regardless of the place where they are carried out, children's rights and the human rights of all persons with whom it relates are respected and guaranteed. Thus, its commitment is to:

- Respect the right of persons to not be victims of forced or obligatory labour.
- Reject forced labour in all its forms and any form of labour exploitation.
- Recognize children's rights and guarantee that under no circumstances will child labour be encouraged or promoted.
- Guarantee that the minimum working age is respected, in accordance with the regulations in force in the country where the activity is carried out and in accordance with the standards of the ILO.

5.5 Health and safety

To offer a work environment of decent, safe and health work in all places where Ecoener operates is a premise. For this purpose, it is committed to:

- **Ensuring the safety and health** of all employees and personnel that work in its installations, whether its own or external recruits.
- Complying with the legal requirements in the places where the activities are carried out.
- Adopting the best practices, standards and procedures with regard to risk prevention and occupational health and safety.
- Promoting the adoption of the highest standards with regard to risk prevention.
- Promoting **a culture of safety among the employees**, encouraging responsible behaviour and risk prevention in the work environment.

5.6 Training

Ecoener recognizes the importance of facilitating spaces for professional growth and development of its employees; for this purpose, it is committed to **encouraging vocational training** and to taking the necessary measures to facilitate training actions when they are required.

5.7 Freedom of association

Recognizing and respecting **the freedom of affiliation, association and the right to collective bargaining**, is one of the commitments assumed by Ecoener; therefore, it has made the commitment to:

- **Respect the exercise of union activity**, and other forms of representation in accordance with the legislation and the practices in force in the different countries where it operates.
- Support its employees when, in the exercise of their professional obligations, they may be arbitrarily arrested.

6. Communities

Fostering sustainable development and fuelling the social development of the places where it is present is the driving force of Ecoener. Recognizing the dignity of persons with whom it maintains relations and interacts is an unescapable commitment for the company. Thus, Ecoener acts and will always act in the best manner, ensuring that its activities do not cause or are cannot possibly cause adverse impacts to human rights and especially to communities affected by the development of its projects.

When it involves relations with the communities, the **goal** of Ecoener is **to be able to facilitate value creation and establish consolidated relationships of trust**, and this indisputably requires recognizing and respecting their rights.

6.1 General

Ecoener respects, and does not accept the violation of human rights of persons with whom it has relations, as well as of its suppliers, partners and local communities where it operates; therefore, it is committed to:

- **Respecting the rights of persons and of communities.**
- Complying with the provisions in the Ecoener **Community Relations Policy**.
- Paying **special attention to the most vulnerable communities**, specifically the indigenous populations and ethnic minorities.
- Respecting the right of the communities to access to food, water and energy, and to enjoying a wholesome and healthful environment.
- Recognizing the right to the freedom of opinion and expression and the freedom of thought and religion.
- Impelling and supporting projects of development that benefit the communities.
- **Reducing the impact on the communities to a minimum**, and encouraging dialogue and close interaction.
- Making just compensation when the project can involve the relocation of local communities. In the event that in the course of its activities and operations, the eviction of persons occurs, the provisions in the Basic Principles and Guidelines on Evictions and Displacement induced by Development will be strictly applied.

6.2 Ethnic minorities and indigenous peoples

Ecoener assumes the responsibility for developing, with the participation of the stakeholder peoples, a coordinated and systematic action with a view to protecting the rights of these peoples and guaranteeing respect for their integrity. For this purpose, it assumes the commitment to:

- Recognize and respect the **rights of ethnic minorities and of the indigenous peoples**.
- Respect the right to maintain their customs and traditional ways of life.
- Encourage transparent, open and continuous dialogue.
- Guarantee the appropriate procedures and in particular, through its representative institutions. The consultations carried out must be made in good faith and in a manner appropriate to the circumstances, with the aim of reaching an agreement or obtaining consent with regard to the proposed measures.
- Have the means necessary to avoid negative impact on their ways of life, habits and their customs.
- Ensure equitable compensations in the event of being affected negatively as a result of the actions carried out.

7. Environment

Ecoener conducts its activities in different locations around the world; thus, **ensuring the sustainable development** of these places is also a responsibility assumed by the company when it carries out its projects.

To promote the development of the territory and to preserve the environment, Ecoener will ensure the development of responsible actions around all its projects. Thus, the company is committed to act with integrity, to look after the environment, to ensure that with its actions, it provides a safe environment.

7.1 Environment

The activity carried out by Ecoener depends on the natural resources, and their protection ensures the well-being of all. This is why the priority in each of the projects is to take care of the environment and to treat each location as what it is: something unique, a space that must be preserved. With this consideration, the following commitments are assumed:

- To respect the **right to the environment** of all the communities that are affected by the different activities pursued.
- To minimize the negative environmental impacts, always ensuring the preservation of nature and the environment.
- To establish the measures necessary to evaluate, prevent and mitigate the possible negative impacts on the environment.

7.2 Security

Ensuring that the actions pursued do not compromise the safety and physical integrity of the environment or of third parties is a priority for the company. Ecoener is committed to taking the measures necessary to ensure that their resources are not used to commit violations of human rights, establishing the following principles of action:

- **Evaluate the security risks and the potential abuses** of human rights in the regions in conflict or with low institutional presence.
- **Interact respectfully with public security.**
- Ensure that the private security forces that protect the personnel and the properties of Ecoener **act in accordance with international law, legislation** and the national regulations in force.
- **Evaluate the background of the security personnel**, and avoid hiring those persons who have been involved in cases of abuse of human rights.

8. Compliance procedures

8.1 Execution and control

All employees of Ecoener have the obligation to know, understand and comply with the provisions contained in this Policy, regardless of the country or region where they are located. In addition, they must report regarding any possible impact or noncompliance in this regard. Ecoener expects a great commitment by its employees for compliance with these provisions.

Ecoener is committed to devoting the mechanisms required to ensure the effective implementation of this policy in all the places where it is present, taking special care regarding its correct application in all those places with greater risk of violation of human rights.

8.2 Noncompliance

The persons who violate the Human Rights Policy may be putting the company in danger; thus, they may be subject to disciplinary measures and legal sanctions.

Each noncompliance will be analysed individually and in the event that it is necessary, will be sanctioned in accordance with the agreements and the legally applicable regulations.

In the event that it is necessary, the question will be referred to the competent judicial authority.

The following may be subject to disciplinary measures:

- Persons who do not take due diligence to detect an offence.
- Persons who do not collaborate with investigations and specifically, those who destroy or hide information relevant to an investigation, or provide false, incomplete or misleading statements.
- Those persons who attempt to retaliate against anyone who has reported “in good faith” a possible offence or who is collaborating in an investigation.

8.3 Communication and consultation

The Human Rights Policy will be **available on the website**.

In the event that an employee or an external person* deems that there exists a situation contrary to the provisions in our Human Rights Policy, they may communicate this in the following manner:

- By email: canaletica@ecoener.es
- By post: Cantón Grande, nº 6, 6º. 15003 La Coruña. Spain.

*Ecoener will act responsibly to **protect the identity of the informants**, unless the applicable legislation establishes otherwise, **in such a way that any form of retaliation, discrimination or penalization is avoided**.

8.4 Approval

This Sustainability Policy was approved by Board of Directors, on **10 June 2020**.

8.5 Revision

This policy will be revised periodically to ensure its effective implementation, and in the event that it is necessary, the pertinent adjustments can be made.

All revisions and adjustments must be approved by the Board of Directors and will be made known in the General Shareholders Meeting.

In the event of any significant change, Ecoener will communicate and make known the content of the new Policy to all its employees and other stakeholder groups.

9. Definitions

Value chain: The value chain of an organization encompasses the activities that transform an input into a product, adding value to it. It includes the entities with which the organization has a direct or indirect commercial relationship and which (a) supply products or services that add value to the products or services of the organization itself or (b) receive products or services from the organization.

Source: The Corporate Responsibility to Respect Human Rights: An interpretive 2012 guide by the United Nations (UN).

Local community: Persons or groups of persons that live or work in any area that has been the object of economic, social or environmental impact (positive or negative) of the operations of an organization.

Source: Global Report Initiative.

Corruption: "Abuse of entrusted power for private gain", which can be instigated by individuals or organizations.

Source: Transparency International.

Due Diligence: process of identification, prevention, mitigation and explanation of how an organization addresses its potential and real negative impacts.

Source: GRI, Guidelines of the Organization for Economic Co-operation and Development (OECD) for Multinational Companies of 2011 and The United Nations Guiding Principles on Business and Human Rights.

Discrimination: Act and result of unequal treatment of persons by the imposition of unequal burdens or negation of benefits, instead of treating each person in a just manner and on the basis of individual merit. The discrimination can also include harassment, defined as a series of comments or undesirable actions or that should be recognized as undesirable toward the person to whom they are directed.

Source: Global Report Initiative.

Child labour: all work that deprives children of their childhood, their potential and their dignity and that is harmful to their physical and psychological development. Hence, it refers to the work that: is dangerous and harmful for the physical, mental or moral well-being of the child; interferes with their schooling as it deprives them of the possibility of attending classes; forces them to leave school prematurely, requires them to combine study with heavy labour and that is highly time-consuming.

Source: International Labour Organization.

Forced or obligatory labour: All work or service required from an individual under the threat of any penalty and which said individual does not offer to do voluntarily.

Source: International Labour Organization.

Indigenous and tribal populations

The term is applied:

- (a) to the tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sectors of the national community, and that are governed totally or partially by their own customs or traditions or by a special legislation;
- (b) to the peoples in independent countries, considered indigenous on account of their descent from populations which inhabited the country or a geographical region to which the country pertained in the time of the conquest or the colonization or of the establishment of the present state boundaries and that, whatever their legal situation may be, retain all or part of their own social, economic, cultural and political institutions.

Source: Convention 169 of the International Labour Organization.



GRUPO ECOENER, S.A.

CIF: A-70611538

Cantón Grande N°6 – 6º,
15003, La Coruña