

Corporate Human Rights Benchmark 2018 Company Scoresheet



Company Name China Shenhua Energy
Industry Extractives
Overall Score (*) 4.2 out of 100

Theme Score	Out of	For Theme
0.0	10	A. Governance and Policies
0.0	25	B. Embedding Respect and Human Rights Due Diligence
0.0	15	C. Remedies and Grievance Mechanisms
1.3	20	D. Performance: Company Human Rights Practices
0.8	20	E. Performance: Responses to Serious Allegations
2.1	10	F. Transparency

(*) Please note that any small differences between the Overall Score and the added total of Measurement Theme scores are due to rounding the numbers at different stages of the score calculation process.

Please note also that the "Not met" labels in the Explanation boxes below do not necessarily mean that the company does not meet the requirements as they are described in the bullet point short text. Rather, it means that the analysts could not find information *in public sources* that met the requirements *as described in full* in the CHRB 2018 Methodology document. For example, a "Not met" under "General HRs Commitment", which is the first bullet point for indicator A.1.1, does not necessarily mean that the company does not have a general commitment to human rights. Rather, it means that the CHRB could not identify a public statement of policy in which the company commits to respecting human rights.

Detailed assessment

A. Governance and Policies (10% of Total)

A.1 Policy Commitments (5% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.1.1	Commitment to respect human rights	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: General HRs commitment: However, the Company CSR Report states 'China Shenhua standardizes recruitment, prevents employment discrimination, ensures male and female employees get equal pay for equal work, precludes the use of child labor and forced labor, and provides job opportunities for the disabled, minorities and veterans.' [China Shenhua Energy Company, 2017: shenhuachina.com] • Not met: UNGC principles 1 & 2 • Not met: UDHR • Not met: International Bill of Rights <p>Score 2</p> <ul style="list-style-type: none"> • Not met: UNGPs • Not met: OECD
A.1.2	Commitment to respect the human rights of workers	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: ILO Core: The Company does not cover the core labour areas. However, the CSR Report states the Company prohibits child labour and is committed to ensure 'equal pay for equal work' and providing job opportunities to the disabled and ethnic minority . In addition, the Company states that it has established a labour union and enters into labour contracts with its employees in accordance with the relevant laws and regulations. But it is unclear whether the Company

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>ensures employees' right to freedom of association and collective bargaining in all their operations [China Shenhua Energy Company, 2017: shenhuachina.com]</p> <ul style="list-style-type: none"> • Not met: UNGC principles 3-6 • Not met: All four ILO apply to EX BPs <p>Score 2</p> <ul style="list-style-type: none"> • Not met: All four ILO Core • Not met: Respect H&S of workers • Not met: H&S applies to Ex BPs
A.1.3.EX	Commitment to respect human rights particularly relevant to the industry (EX)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Based on UN Instruments • Not met: VPs participant • Not met: Uses only ICoCA members • Not met: Respecting indigenous rights • Not met: ILO 169 • Not met: UNDRIP • Not met: Expects BPs to respect these rights <p>Score 2</p> <ul style="list-style-type: none"> • Not met: FPIC commitment • Not met: Vol Guidelines on Tenure • Not met: IFC performance standards • Not met: Zero tolerance for land grabs • Not met: Respecting the right to water • Not met: Expects BPs to respect all these rights
A.1.4	Commitment to engage with stakeholders	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Commits to stakeholder engagement: The Company states that they disclose a social responsibility report 'with an eye to enhancing communication and liaison with all stakeholders'. The Company also states 'After publication of the CSR Report every year, the Company solicits opinions from investors, employees, customers and other stakeholders on corporate operation and management as well as report preparation, and adopts those that are reasonable.' The Company also states 'Honesty is the China Shenhua various stakeholders on the solemn commitment. Stakeholder support is the survival and development [sic]....Companies with stakeholders to maintain adequate communication , maximizing the introduction of stakeholders involved in the company for sustainable development , with the majority of stakeholders together to promote social responsibility. [sic]'However, it is not clear how the company interacts with potentially and actually affected stakeholders and their legitimate representatives. [China Shenhua Energy Company, 2017: shenhuachina.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Regular stakeholder engagement
A.1.5	Commitment to remedy	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Commits to remedy <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Not obstructing access to other remedies • Not met: Collaborating with other remedy initiatives • Not met: Work with EX BPs to remedy impacts
A.1.6	Commitment to respect the rights of human rights defenders	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Zero tolerance attacks on HRs Defenders (HRDs) <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Expects EX BPs to reflect company HRD commitments

A.2 Policy Commitments (5% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.2.1	Commitment from the top	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: CEO or Board approves policy • Not met: Board level responsibility for HRs <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Speeches/letters by Board members or CEO

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.2.2	Board discussions	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Board/Committee review of salient HRs • Not met: Examples or trends re HR discussion Score 2 <ul style="list-style-type: none"> • Not met: Both examples and process
A.2.3	Incentives and performance management	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Incentives for at least one board member • Not met: At least one key EX RH risk, beyond employee H&S Score 2 <ul style="list-style-type: none"> • Not met: Performance criteria made public

B. Embedding Respect and Human Rights Due Diligence (25% of Total)

B.1 Embedding Respect for Human Rights in Company Culture and Management Systems (10% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.1.1	Responsibility and resources for day-to-day human rights functions	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Senior responsibility fo HR (inc ILO) Score 2 <ul style="list-style-type: none"> • Not met: Day-to-day responsibility • Not met: Day-to-day responsibility for EX BRs
B.1.2	Incentives and performance management	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Senior manager incentives for human rights • Not met: At least one key EX HR risk, beyond employee H&S Score 2 <ul style="list-style-type: none"> • Not met: Performance criteria made public
B.1.3	Integration with enterprise risk management	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: HR part of enterprise risk system Score 2 <ul style="list-style-type: none"> • Not met: Audit Ctte or independent risk assessment
B.1.4.a	Communication /dissemination of policy commitment(s) within Company's own operations	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Communicates its policy to all workers in own operations Score 2 <ul style="list-style-type: none"> • Not met: Communication of policy commitments to stakeholder • Not met: How policy commitments are made accessible to audience
B.1.4.b	Communication /dissemination of policy commitment(s) to business relationships	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Steps to communicate policy commitments to BRs • Not met: Including to EX BPs Score 2 <ul style="list-style-type: none"> • Not met: How HR commitments made binding/contractual • Not met: Including on EX BPs
B.1.5	Training on Human Rights	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Trains all workers on HR policy commitments • Not met: Trains relevant managers including security personnel Score 2 <ul style="list-style-type: none"> • Not met: Both requirements under score 1 met
B.1.6	Monitoring and corrective actions	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Monitoring implementation of HR policy commitments • Not met: Monitoring EX BP's Score 2 <ul style="list-style-type: none"> • Not met: Describes corrective action process • Not met: Example of corrective action • Not met: Discloses % of supply chain monitored
B.1.7	Engaging business relationships	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: HR affects selection extractives business partners • Not met: HR affects on-going business partner relationships

Indicator Code	Indicator name	Score (out of 2)	Explanation
			Score 2 <ul style="list-style-type: none"> Not met: Both requirement under score 1 met Not met: Working with business partners to improve performance
B.1.8	Approach to engagement with potentially affected stakeholders	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Stakeholder process or systems Not met: Frequency and triggers for engagement Not met: workers in SP engaged Not met: communities in the SC engaged Score 2 <ul style="list-style-type: none"> Not met: Analysis of stakeholder views and company's actions on them

B.2 Human Rights Due Diligence (15% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.2.1	Identifying: Processes and triggers for identifying human rights risks and impacts	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Identifying risks in own operations: The Company does a materiality assessment (called the identification of substantive issues). However, this does not cover human rights. [China Shenhua Energy Company, 2017: shenhuachina.com] Not met: identifying risks in EX business partners Score 2 <ul style="list-style-type: none"> Not met: Ongoing global risk identification Not met: In consultation with stakeholders Not met: In consultation with HR experts Not met: Triggered by new circumstances Not met: Explains use of HRIAs or ESIA (inc HR)
B.2.2	Assessing: Assessment of risks and impacts identified (salient risks and key industry risks)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Salient risk assessment (and context): The Company identifies substantive issues for the Company, however this does not include human rights related issues. [China Shenhua Energy Company, 2017: shenhuachina.com] Not met: Public disclosure of salient risks Score 2 <ul style="list-style-type: none"> Not met: Both requirements under score 1 met
B.2.3	Integrating and Acting: Integrating assessment findings internally and taking appropriate action	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Action Plans to mitigate risks Not met: Example of Actions decided Not met: Including amongst EX BRs Score 2 <ul style="list-style-type: none"> Not met: Both requirements under score 1 met
B.2.4	Tracking: Monitoring and evaluating the effectiveness of actions to respond to human rights risks and impacts	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: System to check if Actions are effective Not met: Lessons learnt from checking effectiveness Score 2 <ul style="list-style-type: none"> Not met: Both requirement under score 1 met
B.2.5	Communicating : Accounting for how human rights impacts are addressed	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Comms plan re identifying risks Not met: Comms plan re assessing risks Not met: Comms plan re action plans for risks Not met: Comms plan re reviewing action plans Not met: Including EX BRs Score 2 <ul style="list-style-type: none"> Not met: Responding to affected stakeholders concerns Not met: Ensuring affected stakeholders can access communications

C. Remedies and Grievance Mechanisms (15% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
C.1	Grievance channel(s)/mechanism(s) to receive complaints or concerns from workers	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Channel accessible to all workers Score 2 <ul style="list-style-type: none"> Not met: Number grievances filed, addressed or resolved: The Company discloses in its 2015 CSR Report that 55 grievances were filed, addressed and resolved through formal grievance mechanisms. However, there is no evidence of more recent disclosures, and they do not cover other human rights related complaints. Furthermore, it is not clear what the company's formal grievance mechanisms are. Not met: Channel is available in all appropriate languages Not met: Expect EX BPs to have equivalent grievance system Not met: Opens own system to EX BP workers
C.2	Grievance channel(s)/mechanism(s) to receive complaints or concerns from external individuals and communities	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Grievance mechanism for community Score 2 <ul style="list-style-type: none"> Not met: Describes accessibility and local languages Not met: Expects EX BP to have community grievance systems Not met: EX BP communities use global system
C.3	Users are involved in the design and performance of the channel(s)/mechanism(s)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Engages users to create or assess system Not met: Description of how they do this Score 2 <ul style="list-style-type: none"> Not met: Engages with users on system performance Not met: Provides user engagement example on performance Not met: EX BPs in creation or assessment
C.4	Procedures related to the mechanism(s)/channel(s) are publicly available and explained	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Response timescales Not met: How complainants will be informed Score 2 <ul style="list-style-type: none"> Not met: Escalation to senior/independent level
C.5	Commitment to non-retaliation over complaints or concerns made	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Public statement prohibiting retaliation Not met: Practical measures to prevent retaliation Score 2 <ul style="list-style-type: none"> Not met: Has not retaliated in practice Not met: Expects EX BRs to prohibit retaliation
C.6	Company involvement with State-based judicial and non-judicial grievance mechanisms	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Won't impede state based mechanisms Not met: Complainants not asked to waive rights Score 2 <ul style="list-style-type: none"> Not met: Will work with state based or non judicial mechanisms Not met: Example of issue resolved (if applicable)
C.7	Remedying adverse impacts and incorporating lessons learned	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Describes how remedy has been provided Not met: Says how it would remedy key sector risks Score 2 <ul style="list-style-type: none"> Not met: Changes introduced to stop repetition Not met: Approach to learning from incident to prevent future impacts Not met: Evaluation of the channel/mechanism

D. Performance: Company Human Rights Practices (20% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.3.1	Living wage (in own extractive operations, which includes JVs)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Living wage target timeframe • Not met: Describes how living wage determined Score 2 <ul style="list-style-type: none"> • Not met: Pays living wages • Not met: Reviews livings wages definition with unions
D.3.2	Transparency and accountability (in own extractive operations, which includes JVs)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Member of EITI • Not met: Reports of taxes beyond legal minimums: The Company discloses that the total tax paid was 48,694 (RMB Million). However, a breakdown of these taxes has not been provided. [China Shenhua Energy Company, 2017: shenhuachina.com] Score 2 <ul style="list-style-type: none"> • Not met: Reports taxes and revenue by country • Not met: Steps taken re non EITI countries • Not met: Disclosures contract terms where not a requirement
D.3.3	Freedom of association and collective bargaining (in own extractive operations, which includes JVs)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Commits not to interfere with union rights and collective bargaining and prohibits intimidation and retaliation • Not met: Discloses % covered by collective bargaining: The Company states 'In 2017, 90% of second-tier enterprises have established labour unions, with 99.7% of employees having joined as members.' However, it's not clear what number of 'first-tier' employees are covered by collective bargaining agreements. [China Shenhua Energy Company, 2017: shenhuachina.com] Score 2 <ul style="list-style-type: none"> • Not met: Both requirement under score 1 met
D.3.4	Health and safety: Fatalities, lost days, injury rates (in own extractive operations, which includes JVs)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Injury Rate disclosures: The Company discloses in 2017 'there were no relatively major or more serious safety accidents'. The Company also has a graph where they break down the investment of each segment in safe production in 2017. However, this is not sufficient to receive this indicator. [China Shenhua Energy Company, 2017: shenhuachina.com] • Not met: Lost days or near miss disclosures • Met: Fatalities disclosures: The Company discloses a fatality rate per million tone of coal produced from 2013 to 2017. [China Shenhua Energy Company, 2017: shenhuachina.com] Score 2 <ul style="list-style-type: none"> • Not met: Set targets for H&S performance • Not met: Met targets or explains why not
D.3.5	Indigenous peoples rights and free prior and informed consent (FPIC) (in own extractive operations, which includes JVs)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Process to identify indigenous rights holders: The Company does highlight 'the community' as potential stakeholders, but does not specify indigenous communities as a potential stakeholder, nor do they highlight a process to identify indigenous rights holders. [China Shenhua Energy Company, 2017: shenhuachina.com] • Not met: How engages with communities in assessment Score 2 <ul style="list-style-type: none"> • Not met: Commits to FPIC (or ICMM) • Not met: Gives recent example FPIC or dropping deal
D.3.6	Land rights (in own extractive operations, which includes JVs)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Approach to identification of land tenure rights holders • Not met: Describes approach to doing so if no recent deals Score 2 <ul style="list-style-type: none"> • Not met: How valuation and compensation works • Not met: Steps to meet IFC PS 5 in state deals • Not met: Describes approach if no recent deals
D.3.7	Security (in own extractive operations, which includes JVs)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: How implements security (inc VPs or ICOC) • Not met: Example of respecting HRs in security • Not met: Ensures Business Partners follow security approach Score 2 <ul style="list-style-type: none"> • Not met: Assesses and involves communities

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Not met: Working with local community
D.3.8	Water and sanitation (in own extractive operations, which includes JVs)	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Action to prevent water and sanitation risks: The Company highlights that it aligns itself to SDG 8 - Clean Water and Sanitation. The Company has stated that it does this by assisting in safeguarding safe drinking water of impoverished households in Puge Country, Liangshan Prefecture, Sichuan Province. The Company also states that it is managing water resources to reduce utilization and sewage emission and the Company is increasing recycled water use. In addition the company states that 5.2 million tonnes of desalinated sea water was used in 2017. [China Shenhua Energy Company, 2017: shenhuachina.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Water targets considering local factors • Not met: Reports progress in meeting targets and shows trends in progress made

E. Performance: Responses to Serious Allegations (20% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
E(1).0	Serious allegation No 1		No allegations meeting the CHRB severity thresholds were found, and so the score of 3.36 out of 80 points scored in themes A-D & F has been applied to produce a score of 0.84 out of 20 points for theme E.

F. Transparency (10% of Total)

Indicator Code	Indicator name	Score	Explanation
F.1	Company willingness to publish information	0.11 out of 4	Out of a total of 38 indicators assessed under sections A-D of the benchmark, China Shenhua Energy made data public that met one or more elements of the methodology in 1 cases, leading to a disclosure score of 0.11 out of 4 points.
F.2	Recognised Reporting Initiatives	2 out of 2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 2</p> <ul style="list-style-type: none"> • Met: Company reports on GRI: The Company maps their disclosures to the GRI in their CSR Report in Appendix 2. [China Shenhua Energy Company, 2017: shenhuachina.com] • Not met: Company reports on SASB • Not met: Company reports on UNGPRF
F.3	Key, High Quality Disclosures	0 out of 4	<p>China Shenhua Energy met 0 of the 10 thresholds listed below and therefore gets 0 out of 4 points for the high quality disclosure indicator.</p> <p>Specificity and use of concrete examples</p> <ul style="list-style-type: none"> • Not met: Score 2 for A.2.2 : Board discussions • Not met: Score 2 for B.1.6 : Monitoring and corrective actions • Not met: Score 2 for C.1 : Grievance channel(s)/mechanism(s) to receive complaints or concerns from workers • Not met: Score 2 for C.3 : Users are involved in the design and performance of the channel(s)/mechanism(s) <p>Discussing challenges openly</p> <ul style="list-style-type: none"> • Not met: Score 2 for B.2.4 : Tracking: Monitoring and evaluating the effectiveness of actions to respond to human rights risks and impacts • Not met: Score 2 for C.7 : Remedying adverse impacts and incorporating lessons learned <p>Demonstrating a forward focus</p> <ul style="list-style-type: none"> • Not met: Score 2 for A.2.3 : Incentives and performance management • Not met: Score 2 for B.1.2 : Incentives and performance management • Not met: Score 1 for D.3.1 : Living wage (in own extractive operations, which includes JVs) • Not met: Score 2 for D.3.4 : Health and safety: Fatalities, lost days, injury rates (in own extractive operations, which includes JVs)

Disclaimer

A score of zero for a particular indicator does not mean that bad practices are present. Rather it means that we have been unable to identify the required information in public documentation.

See the 2018 Key Findings report for more details of the research process.

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As CHRB Ltd, we want to emphasise that the results will always be a proxy for good human rights management, and not an absolute measure of performance. This is because there are no fundamental units of measurement for human rights. Human rights assessments are therefore necessarily more subjective than objective. The Benchmark also captures only a snap shot in time. We therefore want to encourage companies, investors, civil society and governments to look at the broad performance bands that companies are ranked within rather than their precise score because, as with all measurements, there is a reasonably wide margin of error possible in interpretation. We also want to encourage a greater analytical focus on how scores improve over time rather than upon how a company compares to other companies in the same industry today. The spirit of the exercise is to promote continual improvement via an open assessment process and a common understanding of the importance of the UN Guiding Principles on Business and Human Rights.