

**Company Name** BHP  
**Industry** Extractives  
**Overall Score (\*)** 71.6 out of 100

Theme Score	Out of	For Theme
8.8	10	A. Governance and Policies
18.7	25	B. Embedding Respect and Human Rights Due Diligence
12.1	15	C. Remedies and Grievance Mechanisms
13.1	20	D. Performance: Company Human Rights Practices
10.6	20	E. Performance: Responses to Serious Allegations
8.3	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 2019 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	2	<p>The individual elements of the assessment are met or not as follows: Score 1</p> <ul style="list-style-type: none"> <li>Met: General HRs commitment: The Company states in its code of conduct 'We uphold international standards and guidelines, including our commitment to the United Nations Universal Declaration of Human Rights and Guiding Principles on Business and Human Rights. [...] We commit to operating in a manner consistent with the: United Nations (UN) Universal Declaration of Human Rights; UN Guiding Principles on Business and Human Rights; Ten Principles of the UN Global Compact; International Council of Mining and Metals (ICMM) indigenous peoples and mining position statement; Voluntary Principles on Security and Human Rights' [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>Met: UNGC principles 1 &amp; 2: As above [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>Met: UDHR: As above [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Met: UNGPs: See above [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
A.1.2	Commitment to respect the human rights of workers	0.5	<p>The individual elements of the assessment are met or not as follows: Score 1</p> <ul style="list-style-type: none"> <li>Met: UNGC principles 3-6: The Company states: 'We commit to operating in a manner consistent with the: United Nations (UN) Universal Declaration of Human Rights; UN Guiding Principles on Business and Human Rights; Ten Principles of the</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>UN Global Compact; International Council of Mining and Metals (ICMM) indigenous peoples and mining position statement; Voluntary Principles on Security and Human Rights'. The Company is a signatory to the UN Global Compact. [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</p> <ul style="list-style-type: none"> <li>• Not met: Explicitly list All four ILO apply to EX BPs: The Company's Code of Business Conduct states that: 'We expect our suppliers to apply our human rights related zero tolerance requirements in relation to child labour, inhumane treatment of employees, forced or compulsory labour, non-discrimination and diversity, freedom of association, living wage, workplace health and safety and community interaction. We encourage our non-operated joint ventures and minority interests to adopt similar principles and standards to BHP's.' Although the Company's collective bargaining agreements are publicly available, and these documents show that collective bargaining rights are being respect in its operations, this subindicator looks for a formal and explicit statement of commitment to respect each ILO core area in the Company's formal policies, and its policy documents do not include a clear commitment to respect the right to collective bargaining, neither in the Code of Conduct nor in the 'Supply - Our Requirements' document. [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a> &amp; Our requirements for Supply, Apr 2019: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Explicit commitment to All four ILO Core: Although the Company's collective bargaining agreements are publicly available, and these documents show that collective bargaining rights are being respected at operations, this indicator looks for a formal and explicit statement of commitment to respect each ILO core area in the Company's formal policies, including the provision of equivalent worker bodies where these rights are restricted under law). [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Respect H&amp;S of workers: See above [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: H&amp;S applies to EX BPs: In its Modern Slavery Act 2018, the Company indicates: 'The Our Requirements for Supply standard sets minimum mandatory requirements for all our suppliers of nontraded goods and services, including zero tolerance in relation to child labour, forced or compulsory labour, freedom of association, living wage, non-discrimination and diversity, workplace health and safety, community interaction and treatment of employees (Zero Tolerance Requirements)' [Our requirements for Supply, Apr 2019: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
A.1.3.EX	Commitment to respect human rights particularly relevant to the industry (EX)	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Voluntary Principles (VPs) participant: The Company is a signatory to the Voluntary Principles on Security and Human Rights. In its Code of Conduct states: 'When engaging a security provider you should communicate in writing our commitment to the Voluntary Principles on Security and Human Rights and our expectations of them and provide training if required. If you are engaging a private security provider, they must be a signatory to, or agree in writing to align with, the International Code of Conduct for Private Security Service Providers.' [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Uses only ICoCA members: See above [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Respecting indigenous rights: The Company code of business conduct states 'We commit to operating in a manner consistent with the: [...]International Council of Mining and Metals (ICMM) indigenous peoples and mining position statement ' [...] We recognise the traditional rights of Indigenous peoples and acknowledge their right to maintain their culture, identity, traditions and customs.' [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Expects BPs to respect these rights: The Code of Conduct states: 'We expect our suppliers to apply our human rights related zero tolerance requirements in relation to child labour, inhumane treatment of employees, forced or compulsory labour, non-discrimination and diversity, freedom of association, living wage, workplace health and safety and community interaction. We encourage our non-operated joint ventures and minority interests to adopt similar principles and standards to BHP's.' In addition, in its document 'Supply: Our Requirements', the Company presents a table with all the 'Zero tolerance requirements for Suppliers. At the end of this table the Company includes 'Locally defined HSEC and business conduct requirements that require local interpretation and may not be applicable in all countries</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>', which includes Indigenous rights. [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a> &amp; Our Requirements for Supply Standard, 29/05/2018: <a href="http://bhp.com">bhp.com</a>]</p> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: FPIC commitment: The Company has an indigenous peoples strategy. In the Indigenous Peoples Strategy the Company clarifies that they are consistent with the ICMM Position Statement on Indigenous Peoples and Mining, which covers FPIC. [BHP Indigenous Peoples Policy Statement, 04/06/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Not met: Voluntary Guidelines on Tenure Rights</li> <li>• Met: IFC performance standards: In the Company's sustainability report the Company states: 'if resettlement is required (voluntary or involuntary), we are committed to implement programs consistent with the International Finance Corporation's Performance Standards 5, Land Acquisition and Involuntary Resettlement. This includes acting in a participatory manner that leads to demonstrable improvement in the livelihoods of displaced people or communities.' [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Not met: Zero tolerance for land grabs</li> <li>• Met: Respecting the right to water: In its Annual Report 2018, the Company indicates: 'Our global strategy on water stewardship includes a social and human rights perspective. This includes mapping the project vision and activities against good practices in relation to human rights and reviewing trends and expectations regarding the human right to water and sanitation.' And in its Annual Report 2017, it states that in line with SDG 6 (ensure access to water and sanitation for all) the Company will collaborate to enable integrated water resource management in all catchments where they operate by FY2030. The Company 2017 Sustainability Report states that "access to water is a human right" (page 37). [Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1 &amp; Annual Report, 2017: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Not met: Expects BPs to commit to all these rights</li> </ul>
A.1.4	Commitment to engage with stakeholders	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Regular stakeholder engagement: In its Sustainability Report 2018, the Company presents a list of its Key stakeholders and summarizes the methods and frequency of engaging. For instance: 'At a regional and local level, each asset is required to plan, implement and document stakeholder engagement activities. This includes community forums, newsletters and reports; community perception surveys and consultation groups; implementing community complaints and grievance mechanisms; representation on specific industry association committees and initiatives; and engagement to develop community programs. As a key stakeholder group, we also engage with our people (employees and contractors) via tailored internal channels. These channels include our intranet; email and newsletters; town halls; and by inviting feedback and comment through employee perception surveys. Key internal announcements and videos are made available in English and Spanish.' [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Regular stakeholder design engagement: In its Sustainability Report 2018, the Company indicates: 'Society increasingly expects businesses to respect human rights throughout the value chain and we continue to work closely with our stakeholders to understand opportunities to make a positive contribution towards human rights.' In addition, in its Sustainability Report 2017, the Company discloses diagram which shows their collaborate community approach and how engaging with stakeholders influences the development of plans and grievance mechanisms. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a> &amp; Sustainability Report, 2017: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
A.1.5	Commitment to remedy	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Commits to remedy: The Company's code of business conduct indicates to its workers to 'Ensure human rights concerns and complaints are investigated and remedied, if appropriate, and the outcomes are reported to relevant stakeholders.' In addition, the Company has put in place a grievance mechanisms and remedy 'For any adverse human rights impacts that may be caused, or contributed to by BHP'. Its Modern Slavery Act 2018, indicates: 'Asset-level complaints and grievance mechanism procedures must be communicated to stakeholders and [...] undertake appropriate remedial actions where a complaint is legitimate.' In its Sustainability Report 2017 the Company states that it 'seek to remediate any adverse human rights impacts we have caused or to which we have contributed.' [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> <li>Met: Not obstructing access to other remedies: In its Modern Slavery Act 2018, the Company indicates: 'Asset-level complaints and grievance mechanism procedures must be communicated to stakeholders and [...] not impede access to judicial or administrative remedies' [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>Not met: Work with EX BPs to remedy impacts: No evidence found in relation to how the Company is committed to work with extractive business partners to remedy adverse impacts linked to their operations through the extractive business partners own mechanism or through collaborating with those business partners in the development of third party non-judicial remedies. The Company provided sources to CHRB in relation to this indicator but they were not material as they were not related to remedy actions which imply the compensation to victims/communities affected. [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
A.1.6	Commitment to respect the rights of human rights defenders	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"> <li>Met: Zero tolerance attacks on HRs Defenders (HRDs): The Company Code of Conduct states that it has Zero tolerance for retaliation: 'We don't allow any form of punishment, discipline or retaliatory action to be taken against anyone for speaking up, or cooperating with an investigation.' The Code indicates its workers to never ' threaten, punish or take disciplinary or retaliatory action against anyone, inside or outside of BHP, for raising or helping to address a human rights concern.' The Company provided information to CHRB in relation to this indicator but it was not material. [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Not met: Expects EX BPs to reflect company HRD commitments: We could not identify an statement in regards to zero tolerance for retaliation. [Our requirements for Supply, Apr 2019: <a href="http://bhp.com">bhp.com</a>]</li> </ul>

## A.2 Policy Commitments (5% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.2.1	Commitment from the top	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>Met: CEO or Board approves policy: The Code of Business Conduct, which covers human rights, is signed by the Chief Executive Officer Andrew Mackenzie. [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>Met: Board level responsibility for HRs: The Company indicates in its Annual Report 2018 that 'The Board oversees our sustainability approach, with the Board's Sustainability Committee assisting with governance and monitoring. The Sustainability Committee also oversees HSEC-related risks, legal and regulatory compliance and overall HSEC and other human rights performance. [Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Met: Speeches/letters by Board members or CEO: Andrew Mackenzie spoke about human rights at the Melbourne Mining Club 100th Luncheon on the 5th of December, 2017. The CEO stated 'Business must not just wishfully count on the universal values of democracy, human rights and open trade. We have to champion them and live them, along with beliefs in fairness, inclusion and cultural diversity.' [Andrew Mackenzie, BHP Chief Executive Officer, at the Melbourne Mining Club 100th Luncheon (Speech), 05/12/2017: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
A.2.2	Board discussions	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>Met: Board/Committee review of salient HRs: The 2017 Annual Report details that the Sustainability Committee is responsible for overseeing and monitoring material health, safety, environmental and community matters (including human rights risks). The board Human Rights risks are identified as a salient sustainability risk in the Company 2017 annual report. In addition, in its Sustainability Report 2018, the Company indicates: 'BHP's Board oversees our sustainability approach, with the Board's Sustainability Committee assisting with governance and monitoring. The Sustainability Committee also oversees health, safety, environment, community (HSEC) and other human rights matters, including the adequacy of the systems in place to identify and manage HSEC-related risks, legal and regulatory compliance and overall HSEC and other human rights performance.' [Annual Report, 2017: <a href="http://bhp.com">bhp.com</a> &amp; Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> <li>Met: Examples or trends re HR discussion: Human Rights risks are identified as a salient sustainability risk in the Company 2017 annual report. This assessment was</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>carried out by the board. Discussion relating to these issues are also detailed in the report. [Annual Report, 2017: <a href="http://bhp.com">bhp.com</a> &amp; Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</p> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Both examples and process: As above.</li> </ul>
A.2.3	Incentives and performance management	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Incentives for at least one board member: The Company's Executive Director has short-term KPI incentives on HSEC performance. In its Annual Report 2018, the Company discloses information about the HSEC Scorecard targets for the CEO which include the following: Fatalities, environmental and community incidents; TRIF and occupational illness; Risk management; Health, environmental and community initiatives. [Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> <li>• Met: At least one key EX RH risk, beyond employee H&amp;S: The Sustainability Committee assists the Remuneration Committee in determining appropriate HSEC metrics to be included in the KPI scorecard and also assists in relation to assessment of performance against those measures. Sustainable HSEC and financial performance measures are built into incentive plans. The Company clarifies that HSEC Scorecard targets include environmental and community incidents, risk management, health, environment and community initiatives - with regards to quality of life, community perceptions and community complaints. Some of these are encompassed as elements of human rights. [Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Performance criteria made public: The performance criteria is detailed in the 2018 annual report. [Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> </ul>

## 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	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Commits to ILO core conventions: See indicator A.1.2 [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Senior responsibility for HR: Responsibility of the code is set at CEO, Manager, and individual employee level. The Company states that Management have primary responsibility for the design and implementation of an effective HSEC management system. The Company also states that 'Each of our operations assigns accountability for compliance with our mandatory human rights performance requirements to appropriate senior managers and leaders'. Chief External Affairs Officer has accountability for human rights policy and process. No new relevant evidence was found in the latest report. [Modern Slavery Act 2015 (UK) FY2017 Statement, 2017: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Day-to-day responsibility: The Company also states that 'Each of our operations assigns accountability for compliance with our mandatory human rights performance requirements to appropriate senior managers and leaders.' The Company has clarified to the CHRB The Chief External Affairs Officer has day to day accountability for Human Rights policy and process. BHP's Board oversees our sustainability approach, with the Sustainability Committee assisting with governance and monitoring. The Sustainability Committee also oversees health, safety, environment, community (HSEC) and other human rights matters, including the adequacy of the systems in place to identify and manage HSEC-related risks, legal and regulatory compliance and overall HSEC and human rights performance. Members of the Sustainability Committee are Non-executive Directors who have been determined by the Board to be appropriately skilled in HSEC matters. No new relevant evidence was found in the latest report. [Modern Slavery Act 2015 (UK) FY2017 Statement, 2017: <a href="http://bhp.com">bhp.com</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>Not met: Day-to-day responsibility for EX BRs: In its Sustainability Report 2018, the Company indicates: 'We engage with our NOJV partners and operator companies through our Non-Operated Joint Ventures team, to sustainably maximise returns and manage risks of our investment in NOJVs. The team engages with our NOJV partners and companies and other relevant internal and external stakeholders and provides a single point of accountability for all NOJVs within BHP. While NOJVs have their own operating and management standards, we seek to influence operator companies to adopt appropriate governance and risk management standards (within the limits of the relevant joint venture agreements).' However, CHRB could not find further information describing how day-to-day responsibility for managing human rights issues with the rest of its business partners is allocated. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
B.1.2	Incentives and performance management	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>Met: Senior manager incentives for human rights: Other Executives KMP have incentives for Health, Safety, Environment and Community (HSEC) KPIs. In its Annual Report 2018, it indicates that 'STI performance measures for other Executive KMP are similar to those of the CEO', 25 per cent of the short-term incentive opportunity for Executive KMP was based on HSEC performance during FY2018. This includes a listing of the four elements of the HSEC metrics for this scorecard: Fatalities, environmental and community incidents; Significant safety events, TRIF and occupational illness; Risk management; Health, environmental and community initiatives. [Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> <li>Met: At least one key EX HR risk, beyond employee H&amp;S: See above. [Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Met: Performance criteria made public: See above. This information is detailed in the Annual Report. [Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> </ul>
B.1.3	Integration with enterprise risk management	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"> <li>Met: HR risks is integrated as part of enterprise risk system: In its Annual Report 2018, the Company indicates: 'The most relevant human rights risks for BHP are rights related to occupational health and safety, security, labour conditions and the rights of Indigenous peoples and communities impacted by our operations. Human rights are integrated into BHP's risk management system through the Our Requirements standards. We seek to identify and manage human rights risks and perform due diligence across all our activities. We engage regularly with communities, investors, civil society and industry associations on human rights-related issues and impacts of our operations on communities.' In its section about Principal Risks', the Company include a Sustainability Risks Group, which include: 'Safety, health, environmental and community impacts, incidents or accidents may adversely affect our people, assets and reputation or licence to operate' [Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Not met: Audit Ctte or independent risk assessment: The HSEC Community also undertakes an assessment of the Company's risks related to health, safety, the environment and community - which is inclusive of human rights risks. The Company's annual reporting also undergoes a process of internal audit carried out by the Group Risk Assessment and Assurance (RAA) that provides assurance of the risk management systems at BHP. No new relevant evidence found in latest reports, however, of the Company assessing adequacy of the system in managing Human rights risks that has been either carried out by an independent third party or reviewed by the Board's Audit Committee. [Annual Report, 2017: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
B.1.4.a	Communication /dissemination of policy commitment(s) within Company's own operations	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"> <li>Met: Commits to ILO core conventions: See indicator A.1.2</li> <li>Met: Communicates its policy to all workers in own operations: The Company states that 'All our people are required to undertake annual training on Our Code'. The code is available in 5 languages. [Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1 &amp; Our Code, 31/05/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Not met: Commits to all 4 ILO core conventions: See indicator A.1.2</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Not met: Communication of policy commitments to stakeholder: In its Annual Report 2018, the Company indicates: 'Our Code is accessible to all our people and external stakeholders online at <a href="http://bhp.com">bhp.com</a>'. In addition, in its Modern Slavery Act Statement 2018, the Company states: 'BHP uses standard contract templates for the supply of goods and services, wherever possible, which include: a requirement for the supplier to comply with our Zero Tolerance Requirements in its business with BHP, and to ensure subcontractors do likewise; and express acknowledgement of our expectation that the supplier will read, understand and adhere to Our Code of Conduct. Recognising that some of our suppliers have their own business conduct codes or commitments, we may agree to alternative contractual provisions that require the supplier to adopt and adhere to similar standards, practices or processes, as applicable.' However, no evidence found describing how the Company communicates its policy commitments to other stakeholders, such as local communities and other potentially affected stakeholders. [Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1 &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Not met: How policy commitments are made accessible to audience: See above [Annual Report 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> </ul>
B.1.4.b	Communication /dissemination of policy commitment(s) to business relationships	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not met: Commits to all 4 ILO core conventions for suppliers: See indicator A.1.2</li> <li>• Met: Communicating policy to EX contractors and joint ventures: In its 'Modern Slaver Act 2018 Statement, the Company indicates: 'HSEC standards are also applicable to contractors working at our assets and we proactively engage with and encourage our suppliers, agents and service providers to maintain business practices and workplace standards that are comparable to our own. [...] BHP uses standard contract templates for the supply of goods and services, wherever possible, which include: a requirement for the supplier to comply with our Zero Tolerance Requirements in its business with BHP, and to ensure subcontractors do likewise; and express acknowledgement of our expectation that the supplier will read, understand and adhere to Our Code of Conduct.' In addition, in its Code of Conduct, the Company indicates: 'We encourage our non-operated joint ventures, minority interests and industry associations to maintain similar standards of conduct. We expect our employees working with our third parties to hold them accountable.' [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a> &amp; Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Including to EX BPs (removed)</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: How HR commitments made binding/contractual: See above. [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Including on EX BPs: See above.</li> </ul>
B.1.5	Training on Human Rights	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not met: Scores at least 1 on A.1.2</li> <li>• Met: Trains all workers on HR policy commitments: According to its Modern Slavery Act 2018 Statement: 'all our people are required to undertake annual training on Our Code. All new employees are provided with guidance to access Our Code (which includes the human rights commitments and standards described in the Governance and policies in relation to slavery &amp; human trafficking section of this Statement, at page 9) upon commencement with BHP. In FY2018, the Ethics team and key Human Resources representatives who have EthicsPoint accountabilities (Ethics Leaders) received training to develop their ability to identify, investigate and escalate as necessary any modern slavery concerns at BHP or in our supply chain reported via EthicsPoint or to Human Resources personnel.' [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Trains relevant EX managers including security personnel: The Company trains all staff (including managers) on the code of conduct. Training of higher-risk security contractors, which are applied through the company's mandatory requirements for security contractors includes compliance with the VPs (and appropriate training) and are set out in the company's Our Requirements for Security and Emergency Management standard. The Company states that during FY2017, over 99% of the Company's security employees and contractors completed security training (which includes the Company's requirements for Safety and Security standard that ensures human rights are upheld). The Company annually reviews alignment with the voluntary principles and implements improvement plans to address any gaps.</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>No new relevant evidence found in latest report. [Sustainability Report, 2017: <a href="http://bhp.com">bhp.com</a>]</p> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Score of 2 on A.1.2</li> <li>• Met: Both requirements under score 1 met</li> </ul>
B.1.6	Monitoring and corrective actions	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not met: Scores at least 1 on A.1.2</li> <li>• Met: Monitoring implementation of HR policy commitments: The Company states that 'everyone involved in our operations, our global operated assets, Marketing and Supply, and functions is guided in the execution of these accountabilities by Our Charter and supported by Our Code of Conduct and the 'Our Requirements' standards. These outline mandatory minimum performance and establish the requirements for management systems at our assets. These include human rights. It indicates that 'our assets and functions are required to identify and manage material risks across our business activities, functions and processes in accordance with the 'Our requirements for risk management' standard. This is designed to allow consistently apply a risk-based approach to sustainability. Risks are to be identified in assessments and then it states that 'we look for ways to continuously improve the way we embed risk management into our work processes and critical business systems. We employ multiple levels of risk management throughout BHP, including verification by risk owners, functional assurance, and independent assurance by our Internal Audit and Advisory function'. In relation to risk assessments it also states that Human rights risks management plans are required to be implemented and reviewed annually. Operations must conduct a human rights impact assessment every three years. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Monitoring EX BP's: In its Modern Slavery Act Statement 2018, the Company states: 'In FY2018, we introduced our new Global Contracting Management System (GCMS) to strengthen our compliance controls, particularly in relation to anti-corruption, sanctions and human rights. It includes a human rights risk assessment matrix, assessing suppliers through a series of tailored questions and data inputs across 'Core' and 'Focused Risk' components to produce an 'Overall Risk Score' that triggers further due diligence and screening, as required. [...] Over 3,000 suppliers were invited to complete registration in the first round after the launch, and over 72% of these suppliers are now registered. The remaining suppliers, over 28,000, will be required to complete the registration progressively.[...] In FY2018, we completed the next phase of work to improve the transparency and confidence of human rights risk management in our supply chain. The project: defined the vision of BHP's ethical supply chain and its road map; identified best practice and benchmarks on human rights practice in supply chains; identified opportunities to improve human rights risk assessment in BHP's supply chain; and developed a process to integrate human rights due diligence into the supply chain.' [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Score of 2 on A.1.2</li> <li>• Not met: Describes corrective action process</li> <li>• Not met: Example of corrective action: In its Modern Slavery Act Statement 2018, the Company discloses information about its 'project with Business for Social Responsibility (BSR) to better understand the human rights and ethics risks to which seafarers may be exposed on our charter vessels and to develop an inspection process designed to identify such exposures and any violations via physical inspections and interviews.' According to this report: 'The project has identified potential opportunities to work with RightShip to include additional questions regarding human rights risks for seafarers in its existing health and wellness assessment. [...] In FY2019, we intend to work with RightShip to propose inclusion of seafarers' human rights in its assessments, including those issues covered under the Maritime Labour Convention. We hope this will enable BHP and other RightShip customers to help drive global improvements in seafarers' human rights.' However, we could not find evidence that the actual corrective action has been implemented. [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Not met: Discloses % of EX supply chain monitored: The Company indicates that 'Over 3,000 suppliers were invited to complete registration in the first round after the launch, and over 72% of these suppliers are now registered. The remaining suppliers, over 28,000, will be required to complete the registration progressively.' However, it is not clear what is the percentage of the EX supply chain that is</li> </ul>



Indicator Code	Indicator name	Score (out of 2)	Explanation
			actually monitored. [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a> ]
B.1.7	Engaging business relationships	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: HR affects selection EXs business partners: In its Modern Slavery Act 2018 Statement, the Company indicates: 'The Our Requirements for Supply standard requires that each prospective supplier must be pre-qualified before being invited to tender or being set up as a vendor. Pre-qualification includes processes to identify and assess risks, applying the Zero Tolerance Requirements. Additional controls are then required to avoid or mitigate the risks identified during pre-qualification.' [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: HR affects on-going EX business partner relationships: The Company has document titled Our Requirements for Supply standards, which sets out the specific human rights considered which are zero tolerance requirements. The Our Requirement for Supply Standards applies to anyone involved in engaging, contracting or transacting with suppliers.' According to its Code of Conduct the Company: 'Undertake due diligence on our suppliers to assess their alignment with human rights.' In addition, in its Modern Slavery Act 2018 Statement, the Company states that ' no BHP supplier has been terminated due to identification of a slavery or human trafficking violation during FY2018.' [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Both requirement under score 1 met: See above</li> <li>• Met: Working with EX business partners to improve performance: In its Annual Report 2018 the Company states: 'We work closely with our partners in these joint ventures through formal governance structures and technical exchanges to learn and improve performance. We encourage all our partners to embed a strong safety, security and human rights culture in their workforces, and have a two-way process for sharing health and safety practices including fatality prevention initiatives, such as critical risk management (CRM) and learning critical lessons.' For instance, with respect Tailings and Dams, the Company indicates in its Sustainability Development Report 2018: 'at our non-managed operations, we work with our partners to minimise the environmental and social impacts and risks associated with tailings management'. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a> &amp; Annual Report 2018, Sep 2018: <a href="https://bhp.com/companies/list-of-disclosure-excel-format.xlsx#BHP!E1">https://bhp.com/companies/list-of-disclosure-excel-format.xlsx#BHP!E1</a>]</li> </ul>
B.1.8	Approach to engagement with potentially affected stakeholders	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Stakeholder process or systems: In its Sustainability Report 2018, the Company indicates: 'We plan, implement, evaluate and document stakeholder engagement activities, ensuring we include a range of culturally and socially inclusive engagement activities and update our plans annually. Tools include stakeholder mapping, complaints and grievance reporting procedures, perception surveys, social impact and opportunity assessments and human rights impact assessments.' The Company also has a Stakeholder Engagement Management Plan. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a> &amp; Community Requirements GLD, 29/05/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Frequency and triggers for engagement: The Company states how they will every five years 'Complete and update a social impact and opportunity assessment following Appendix 1 to identify gaps and opportunities for community engagement, development and social investment.' and every three years 'complete a community perception survey'. The Company also states that they will 'Identify human rights impacts by performing a human rights impact assessment by following Appendix 1 and verify with stakeholders every three years. Review if there are changes that may affect the impact profile. If operating in a country where the Maplecroft Human Rights Risk Index is less than 5.0, validate the impact assessment every three years with a qualified human rights specialist.' [Community Requirements GLD, 29/05/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Engagement includes EX business partners workers: The Company's Community GLD applies to contractors and employees (this covers operated Joint Ventures). [Community Requirements GLD, 29/05/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Analysis of stakeholder views and company's actions on them: In its Sustainability Report 2018 the Company summarizes the analysis of concern of its stakeholders by region and how it responded to these concerns. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul>

## 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	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Identifying risks in own operations: The Company states in its 2018 Modern Slavery Statement that: 'Human rights are integrated into BHP's risk management system through the relevant Our Requirements standards. We seek to identify and manage human rights risks and perform due diligence across all our activities. We engage regularly with communities, investors, civil society and industry associations on human rights-related issues and impacts of our operations on communities.' In addition, in its Sustainability Report 2018 it indicates that its 'asset teams are required to identify and document key potential human rights risks by undertaking a Human Rights Impact Assessment (HRIA), which is reviewed whenever there are changes that may affect the impact profile. Where a HRIA identifies a material risk, a Human Rights Management Plan (HRMP) is required to be implemented and reviewed annually. [...] Decisions around acquisitions and divestments, new activities in high-risk countries and major capital projects are required to take a risk-based approach that includes consideration of human rights risks and community impact issues.' [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: identifying risks in EX business partners: The Company states that 'assets' or 'operations' cover operated joint ventures. The 2017 Modern Slavery Statement also states that the Company 'requires the human rights implications of all our activities to be considered and for due diligence to be undertaken on our partners and contractors to assess their alignment with our human rights standards'. In 2018, the Company introduced some changes which includes the launch of the Global Contracting Management System (GCMS). According to its Modern Slavery Act 2018 the Company's new project included the development of a 'process to integrate human rights due diligence into the supply chain.' In addition, it indicates: 'BHP recognises that integrating human rights due diligence into our supply chain requires a multi-year, cross-functional approach, designed to align, formalise and continuously review and deepen our understanding and assessment of suppliers. This includes engaging with our direct suppliers to assess and encourage continuous improvement in their own capacity to manage human rights risks (including modern slavery) in their subcontractors and broader supply chain.' . [Modern Slavery Act 2015 (UK) FY2017 Statement, 2017: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Ongoing global risk identification: The Company states that at all times they 'Identify human rights impacts by performing a human rights impact assessment by following Appendix 1 and verify with stakeholders every three years. Review if there are changes that may affect the impact profile. If operating in a country where the Maplecroft Human Rights Risk Index is less than 5.0, validate the impact assessment every three years with a qualified human rights specialist.' [Community Requirements GLD, 29/05/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: In consultation with stakeholders: The Company indicates that 'We seek to identify and manage human rights risks and perform due diligence across all our activities. We engage regularly with communities, investors, civil society and industry associations on human rights-related issues and impacts of our operations on communities'. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: In consultation with HR experts: If operating in a country where the Maplecroft Human Rights Risk Index is less than 5.0, the Company validates the HRIA every three years with a qualified human rights specialist. No new relevant evidence found in latest report. [Sustainability Report, 2017: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Triggered by new circumstances: In the 2018 Modern Slavery Statement, the Company indicates: 'A HRIA is also required for investment in major capital projects, in accordance with the relevant Our Requirements standards, for each of the key project phases.' [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Explains use of HRIAs or ESIA (inc HR): The Company details the use and method of Human Rights Impact Assessments in the Community GLD. [Community Requirements GLD, 29/05/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
B.2.2	Assessing: Assessment of risks and impacts identified (salient risks)	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Salient risk assessment (and context): In its Modern Slavery Act Statement the Company discloses information regarding the Company's salient risk assessment and management. This information is in the Due Diligence section and the Risk Assessment section of the Statement and includes information regarding</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
	and key industry risks)		<p>how different factors impact the assessment . The Company states that their risk identification and assessment processes in relation to human rights apply the risk management framework to specific business activities. [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</p> <ul style="list-style-type: none"> <li>• Met: Public disclosure of salient risks: The Company discloses in its 2018 Sustainability Report that the 'most relevant human rights risks for BHP are rights related to occupational health and safety, security, labour conditions and the rights of Indigenous peoples and communities impacted by our operations.' In addition, it indicates that 'In FY2018, a HRIA was conducted at our Escondida asset in Chile, focusing on the rights of Indigenous peoples and water, with findings concluding that the engagement and participation approach is both rights based and above the national standard. As no material risks were identified, a HRMP was not required.' [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Both requirements under score 1 met</li> </ul>
B.2.3	Integrating and Acting: Integrating assessment findings internally and taking appropriate action	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"> <li>• Not met: Action Plans to mitigate risks: The Company states in its Sustainability report 2018: 'Where a HRIA identifies a material risk, a Human Rights Management Plan (HRMP) is required to be implemented and reviewed annually. However, no further details found of descriptions regarding its system to prevent, mitigate or remediate its salient issues. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Not met: Including amongst EX BPs: In its 2018 Modern Slavery Statement, the Company introduced some changes in order to develop a 'process to integrate human rights due diligence into the supply chain.' In addition, it indicates: 'BHP recognises that integrating human rights due diligence into our supply chain requires a multi-year, cross-functional approach, designed to align, formalise and continuously review and deepen our understanding and assessment of suppliers. This includes engaging with our direct suppliers to assess and encourage continuous improvement in their own capacity to manage human rights risks (including modern slavery) in their subcontractors and broader supply chain.' However, CHRB could not find further information describing how the Company is responding to the salient human rights issues found in its due diligence process in its extractive partners. [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Example of Actions decided: In its Modern Slavery statement, in relation to seafarers, the Company indicates that to better understand risks, including the potential of forced labour or unacceptable working conditions to which charter vessels may be exposed to and validate an inspection process designed to identify as many as of these impacts as possible, carried out a project proposal with 'Business for Social Responsibility'. It aims to review and build the current assessment. In the 2018 statement, it indicates that it identified opportunities to work with Rightship to include additional questions regarding human rights risks for seafarers in its existing health and wellness assessment. [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK) FY2017 Statement, 2017: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Both requirements under score 1 met: See above</li> </ul>
B.2.4	Tracking: Monitoring and evaluating the effectiveness of actions to respond to human rights risks and impacts	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: System to check if Actions are effective: In its 2018 Modern Slavery Statement, the Company indicates: 'IAA evaluates the design and effectiveness of our sustainability processes every year. These results are considered in the development of plans to address improvements where required. Results are reported to the Executive Leadership Team and senior operational leaders, with summary reports provided to the Sustainability Committee and the Risk and Audit Committee. We obtain assurance of operational compliance with our human rights commitments and relevant standards through independent internal audits.' [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Lessons learnt from checking effectiveness: Examples of learning from tracking include the Samarco case under the heading 'What it means for BHP Billiton - what we will do differently' in the 2016 Sustainability Report and further material under the heading of "Human Rights Impact Assessments". 'In response to the panel's finding and our work to date, BHP Billiton has identified a number of immediate actions that we will take in our management of tailings dams and non-operated minerals joint ventures, including: • creating a centralised dam management function that will bring additional specialist expertise in-house at BHP Billiton; • assessing technology options to enhance dam management across</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>the portfolio; • applying at all of our operated minerals assets the process for dam safety reviews developed by the Canadian Dam Association, which is considered to be the most rigorous in the industry; centralising management of all major non-operated minerals joint ventures in the Minerals Americas operating group; establishing a new BHP Billiton global standard for non-operated minerals joint ventures. 170 rural properties attended to between Mariana and the Risolet Neves power plant. BHP Billiton Sustainability Report 20 [Sustainability Report, 2017: <a href="http://bhp.com">bhp.com</a> &amp; Sustainability Report, 2016: <a href="http://bhp.com">bhp.com</a>]</p> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Both requirement under score 1 met: As above.</li> </ul>
B.2.5	Communicating : Accounting for how human rights impacts are addressed	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Comms plan re identifying risks: The Company has demonstrated as per indicator B.2.1 how it communicates the system to identify human right risks and impacts for both own operations and extractive business partners.</li> <li>• Met: Comms plan re assessing risks: The Company has demonstrated as per indicator B.2.2 how it communicates the system to assess human right risks and impacts and which are its salient issues.</li> <li>• Not met: Comms plan re action plans for risks</li> <li>• Not met: Comms plan re reviewing action plans</li> <li>• Not met: Including EX business partners</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Responding to affected stakeholders concerns</li> <li>• Not met: Ensuring affected stakeholders can access communications</li> </ul>

### 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	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Channel accessible to all workers: EthicsPoint is BHP Billiton's 24-hour, multilingual business conduct hotline and online case management system, which is managed by an independent third party. EthicsPoint can be accessed by anyone (including all workers) to raise any concerns regarding the behaviour of BHP Billiton employees or those representing BHP Billiton. EthicsPoint also links to the Code of Business Conduct - which covers human rights - and sets the standard for behaviour and guidance. [Ethics Point website, Mar 2019: <a href="https://secure.ethicspoint.com/domain/media/en/gui/23435/index.html#secure.ethicspoint.com">https://secure.ethicspoint.com/domain/media/en/gui/23435/index.html#secure.ethicspoint.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Number grievances filed, addressed or resolved: The Company discloses the percentage of business conduct cases by category. This includes 6% of cases related to health and safety and 15% of Other cases which includes among other: maintaining supplier relationships; engaging with our communities; and respecting human rights. This includes concerns that have been raised through line managers or Human Resources Personnel and through EthicsPoint.</li> </ul> <p>The Company discloses that there were no significant security-related incidents with possible human rights implications in FY2018.</p> <p>The Company also discloses that 'No significant community events were recorded in FY2018. Two grievances raised in FY2016, related to BHP Billiton Mitsubishi Alliance's (BMA) operational activities (referenced in the Sustainability Report 2017) were addressed during the FY2018 period. In addition, no new social, environmental or human rights grievance cases were recorded by our asset teams during FY2018. We received 71 community complaints through our local complaints and grievance mechanisms' [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</p> <ul style="list-style-type: none"> <li>• Met: Channel is available in all appropriate languages: The Code of Conduct states the EthicsPoint is a 'a global service that can be contacted if you wish to speak up or ask questions. EthicsPoint can be accessed online or over the phone 24/7, and you can choose to remain anonymous.' EthicsPoint website can be accessed in English, Spanish, Portuguese, and Chinese. There are also numbers to call across Australia, Asia, Europe, Africa and the Americas. However, it is unclear whether operators are available in all appropriate languages. [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Not met: Expect EX BPs to have equivalent grievance system</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Met: Opens own system to EX BPs workers: In its Sustainability Report 2018, the Company indicates: 'Reports can also be raised by anyone through EthicsPoint, a 24-hour, multilingual service for confidential reporting of potential misconduct. This service is accessible online or via the phone and is managed by an independent third party. Reports can be raised anonymously.' [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
C.2	Grievance channel(s)/mechanism(s) to receive complaints or concerns from external individuals and communities	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Grievance mechanism for community: The Company states in its Sustainability Report 2018 that: 'Reports can also be raised by anyone through EthicsPoint, a 24-hour, multilingual service for confidential reporting of potential misconduct. This service is accessible online or via the phone and is managed by an independent third party. Reports can be raised anonymously'. In addition, the Company indicates that 'At a regional and local level, each asset is required to plan, implement and document stakeholder engagement activities. This includes newsletters and reports; community perception surveys and consultation groups; implementing community complaints and grievance mechanisms; and representation on specific industry association committees and initiatives.' [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Describes accessibility and local languages: In its Sustainability Report 2018, the Company indicates that its EthicsPoint is a '24-hour, multilingual service for confidential reporting of potential misconduct. This service is accessible online or via the phone and is managed by an independent third party. Reports can be raised anonymously'. The EthicsPoint site is available in English, Spanish, Portuguese, Chinese. Furthermore there are free call numbers for countries across Asia, Africa, United Kingdom and across the Americas and Caribbean. [Ethics Point website, Mar 2019: <a href="https://secure.ethicspoint.com/domain/media/en/gui/23435/index.html#secure.ethicspoint.com">https://secure.ethicspoint.com/domain/media/en/gui/23435/index.html#secure.ethicspoint.com</a> &amp; Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Not met: Expects EX BPs to have community grievance systems</li> <li>• Met: EX BPs communities use global system: See above. EthicsPoint can be used by anyone to raise any questions or concerns regarding the behaviour of BHP Billiton employees or those representing BHP Billiton - which includes contractors (as emphasised in the Code of Conduct as well). [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a> &amp; Ethics Point website, Mar 2019: <a href="https://secure.ethicspoint.com/domain/media/en/gui/23435/index.html#secure.ethicspoint.com">https://secure.ethicspoint.com/domain/media/en/gui/23435/index.html#secure.ethicspoint.com</a>]</li> </ul>
C.3	Users are involved in the design and performance of the channel(s)/mechanism(s)	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"> <li>• Met: Engages users to create or assess system: The 'Our Collaborative Community Approach' diagram in the 2018 Sustainability Report highlights how working together with the community can influence complaints and grievance mechanisms. The Company also states 'Aligned with the UN Guiding Principles on Business and Human Rights, all our assets are required to have local mechanisms to support our engagement with the community, record complaints and grievances, and address these in a timely, culturally appropriate and consistent manner.' [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Description of how they do this: The Company indicates in its Sustainability Report 2018 that its 'community practitioners manage complaints and grievances through informal interactions, community forums and formal complaint procedures, with the aim of having ongoing and proactive communication and achieving resolution.' In the 'Our Collaborative Community Approach' diagram in the 2018 Sustainability Report the Company highlights how working together and 'understanding communities', which includes identifying stakeholders, conducting social baseline studies, understanding the local human rights contexts and associated impacts, working with local people to identify and secure indigenous cultural heritage, can shape complaints and grievance mechanisms. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Engages with users on system performance: Although the Company complaints and grievance analysis is included in the 'Our Collaborate Community Approach' diagram, it is unclear whether the company engages with users on system performance explicitly. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Not met: Provides user engagement example on performance</li> <li>• Not met: EX BPs consult users in creation or assessment</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
C.4	Procedures related to the mechanism(s)/channel(s) are publicly available and explained	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>Met: Response timescales: Ethics Point - the business conduct hotline and online case management system is managed by an independent third party. The Company also states that individuals can speak to 'your line leader, 2up leader, Human Resources Representative, Ethics and Compliance or EthicsPoint.' In its EthicsPoint FAQ document, the Company states that complainants will receive an initial response within three working days of complainants raising a concern through EthicsPoint. [EthicsPont FAQs, 03/06/2018: <a href="https://secure.ethicspoint.com">secure.ethicspoint.com</a> &amp; Our Code of Conduct, Ag 2018: <a href="https://bhp.com">bhp.com</a>]</li> <li>Met: How complainants will be informed: Complainants raising a grievance through EthicsPoint will be provided with a 'report key' and be asked to create a password. This will allow complainants to access the case to review the progress of the concern, include additional information or upload attachments, follow up on the concern or answer any questions to assist with the assessment of the case. [EthicsPont FAQs, 03/06/2018: <a href="https://secure.ethicspoint.com">secure.ethicspoint.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Met: Escalation to senior/independent level: The escalation process is also described in the EthicsPoint FAQ sheet '...may need to refer the matter to a subject matter expert or independent investigator. If you are an employee or contractor and are concerned about your Asset's involvement, you can request that the matter is investigated independently to your Asset.' [EthicsPont FAQs, 03/06/2018: <a href="https://secure.ethicspoint.com">secure.ethicspoint.com</a>]</li> </ul>
C.5	Commitment to non-retaliation over complaints or concerns made	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>Met: Public statement prohibiting retaliation: The Code of Business Conduct includes a Zero tolerance for retaliation policy: 'We don't allow any form of punishment, discipline or retaliatory action to be taken against anyone for speaking up, or cooperating with an investigation.' [Our Code of Conduct, Ag 2018: <a href="https://bhp.com">bhp.com</a>]</li> <li>Met: Practical measures to prevent retaliation: The Company allows grievances to be made anonymously, and the grievance mechanism is operated by an independent third party. The Company states in the Code of Business Conduct: 'If you feel that you have been retaliated against for speaking up you should report it immediately [...]' [Ethics Point website, Mar 2019: <a href="https://secure.ethicspoint.com/domain/media/en/gui/23435/index.html#secure.ethicspoint.com">https://secure.ethicspoint.com/domain/media/en/gui/23435/index.html#secure.ethicspoint.com</a> &amp; Our Code of Conduct, Ag 2018: <a href="https://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Met: Has not retaliated in practice: The Company states in the CHRB Tracker Response that 'it has never brought retaliatory suit against those with credible cases of human rights impacts or the lawyers representing them or fired workers who have brought cases against it on human rights issues or engaged in violent acts or threats against livelihood, careers or reputation of claimants of their lawyers'. [CHRB 2016 Response, 31/05/201: <a href="https://business-humanrights.org">business-humanrights.org</a>]</li> <li>Met: Expects EX BPs to prohibit retaliation: The Company opens its own mechanisms in C.1 and C.2 [Our Code of Conduct, Ag 2018: <a href="https://bhp.com">bhp.com</a>]</li> </ul>
C.6	Company involvement with State-based judicial and non-judicial grievance mechanisms	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>Met: Won't impede state based mechanisms: In its Modern Slavery Act 2018 Statement, the Company indicates: 'Asset-level complaints and grievance mechanism procedures must be communicated to stakeholders and [...] not impede access to judicial or administrative remedies'. The 2016 Sustainability Report, the Company states 'We would provide reasonable cooperation and seek to participate constructively in the event a claim were brought against BHP Billiton through a recognised state-based non-judicial grievance mechanism. We would seek to agree the most appropriate forum, if a claim were brought through more than one mechanism or through a mechanism without a reasonable nexus'. The Company does not disclose something similar in the 2017 or 2018 Sustainability Report. [Sustainability Report, 2016: <a href="https://bhp.com">bhp.com</a> &amp; Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="https://bhp.com">bhp.com</a>]</li> <li>Met: Complainants not asked to waive rights: The 2016 Sustainability Report states that the Company does not require affected individuals or communities permanently to waive their legal rights to bring a claim through a judicial process as a condition of participating in a BHP Billiton grievance mechanism. [Sustainability Report, 2016: <a href="https://bhp.com">bhp.com</a> &amp; Sustainability Report 2018, 09/2018: <a href="https://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Met: Will work with state based or non judicial mechanisms: The 2016 Sustainability Report, the Company states 'We would provide reasonable cooperation and seek to participate constructively in the event a claim were</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>brought against BHP Billiton through a recognised state-based non-judicial grievance mechanism. We would seek to agree the most appropriate forum, if a claim were brought through more than one mechanism or through a mechanism without a reasonable nexus'. [Sustainability Report, 2016: <a href="http://bhp.com">bhp.com</a> &amp; Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</p> <ul style="list-style-type: none"> <li>• Not met: Example of issue resolved (if applicable): In 2019, the Company sent a response to BHRRC to face a complaint about a 'Crew Neglected aboard Ship at BHP Terminal 'made by the International Transport Workers Federation ("ITF"). According to this response: 'The Australian Maritime Safety Authority ("AMSA") [...] representatives confirmed to BHP that the crew had food provisions for a further seven days and that additional provisions would be supplied on 1 March 2019, prior to the vessel leaving port. After conducting interviews with a number of the crew members, AMSA confirmed to BHP that there is no cause for concern regarding wage underpayment.' However, this indicator refers to state-based non-judicial mechanisms and how it was resolved (here it seems that there was no cause for concern regarding wage underpayment). [Response to Business and Human Rights Resource Centre, Mar 2019: <a href="http://business-humanrights.org">business-humanrights.org</a>]</li> </ul>
C.7	Remedying adverse impacts and incorporating lessons learned	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Describes how remedy has been provided: The Company details the resettlements at Cerrejon in the 2016, 2017 and 2018 Sustainability Report. The Company highlights a range of concerns that have been expressed by the surrounding community associated with resettlements, health, sustainable livelihoods and drought conditions. A roundtable process has been established so that the resettled communities and Cerrejon can address common issues and concerns post resettlement, including livelihood creation.</li> </ul> <p>In the 2017 Sustainability Report the Company details that 'Resettled communities and Cerrejón have collectively discussed and addressed common issues and concerns to work towards mutually agreed solutions. Work is continuing to follow up on progress and identify solutions required to close any remaining gaps.' [Sustainability Report, 2017: <a href="http://bhp.com">bhp.com</a> &amp; Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</p> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Changes introduced to stop repetition: The Company also provides in depth details of their response to the Samarco dam disaster, including changes to systems and new practices adopted to prevent similar adverse impacts. The Company publicly committed to disclosing results of their investigation into the disaster and has committed to preventing a similar event from occurring. [Sustainability Report, 2017: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Approach to learning from incident to prevent future impacts: As above</li> <li>• Not met: Evaluation of the channel/mechanism: Although the Company has discussed the Cerrejon and Samarco case studies, the Company does not provide information regarding the evaluation of the effectiveness of the grievance channel/mechanism. The Company provided information to CHRB in relation to this indicator but it was not material.</li> </ul>

#### 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	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not met: Living wage target timeframe or achieved: The Company states that it set mandatory requirements for all suppliers and relevant contractors, including in relation to a living wage. In its Requirements for Supply, the Company indicates: 'Wages and benefits, including overtime, paid must satisfy, at a minimum, national legal standards or local industry benchmarks, whichever is higher. In nation states where no minimum wage legislation exists, the supplier must seek to establish a living wage that provides an adequate standard of living for all its employees and their dependants.' However, no details found on whether it pays living wage to all its workers, or has a timeframe for doing so. Minimum legal wages not necessarily cover an adequate standard of living (living wage). [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a> &amp; Our requirements for Supply, Apr 2019: <a href="http://bhp.com">bhp.com</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Not met: Describes how living wage determined: The Company states in its 2018 Modern Slavery Act statement that 'Wages and benefits paid for a standard working week must satisfy, at a minimum, national legal standards or local industry benchmarks, whichever is higher. In nation states where no minimum wage legislation exists, the supplier must seek to establish a living wage that provides an adequate standard of living for all its employees and their dependants.' However, no details found on how it determines living wage, including the involvement of relevant trade unions. [Modern Slavery Act 2015 (UK)FY2018 Statement, Sep 2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Pays living wages</li> <li>• Not met: Reviews livings wages definition with unions</li> </ul>
D.3.2	Transparency and accountability (in own extractive operations, which includes JVs)	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Member of EITI: The Company is an EITI supporting Company. [Governance and Transparency, 01/06/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Reports of taxes and revenues beyond legal minimums: The Company publishes an 'economic contribution report'. The report includes country-by-country reports of its payments to governments in 2017. [BHP Economic Contribution Report, 2017: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Reports taxes and revenue by country: The Company publishes tax revenue by country in the 2017 Economic Contribution Report. [BHP Economic Contribution Report, 2017: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Steps taken re non EITI countries: Represented on the Board of the Extractive Industries Transparency Initiative (EITI), whose 2016 Standard requires the 52 EITI implementing countries to develop 'road maps' towards the establishment of Beneficial Ownership Registers. The Company also supports the introduction of public disclosure requirements relating to beneficial ownership.</li> </ul>
D.3.3	Freedom of association and collective bargaining (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"> <li>• Not met: Commits not to interfere with union rights and collective bargaining and prohibits intimidation and retaliation: The Company 'Our Requirements for Supply Standard' document includes provisions relating to Freedom of Association. This states that a supplier must '- adopt an open attitude towards the legitimate activities of trade unions; - allow their workers' representatives to carry out their legitimate representative functions in the workplace and not be discriminated against.' This is one of the company's 'zero tolerance requirements.' However, it is not clear whether these 'zero tolerance requirements' are applicable to the Company's own workers, and no evidence found of the Company committed to respect the right of collective bargaining. [Our Requirements for Supply Standard, 29/05/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Discloses % covered by collective bargaining: The Company states in FY2017, 55 per cent of employees were covered by collective arrangements. Sustainability Report 2018 did not report data on this. [Sustainability Report, 2017: <a href="http://bhp.com">bhp.com</a> &amp; Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Both requirement under score 1 met</li> </ul>
D.3.4	Health and safety: Fatalities, lost days, injury rates (in own extractive operations, which includes JVs)	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Injury Rate disclosures: The Company reports a total recordable injury frequency rate (calculated based on the number of recordable injuries per million hours worked) of 4.4. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Fatalities disclosures: The Company reports 2 work-related fatalities in FY2018 [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Set targets for H&amp;S performance: The Company has a target for zero fatalities and a target for year-on-year improvement with their total recordable injury frequency. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul>



Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>Met: Met targets or explains why not: The Company states ' BHP has a goal of zero work-related fatalities. In pursuit of that goal, we set a priority in FY2018 to enhance how we investigate and share lessons from safety incidents. We reviewed how we investigate incidents and found there were opportunities to improve process, leadership and culture so that we can more effectively embed the lessons from safety incidents across our business. As a result, during FY2018 we implemented the Our Requirements for HSEC Event and Investigation Management standard for investigations following health, safety, environment and community (HSEC) incidents. This standard sets out a consistent approach to investigations that applies to all our assets and functions, and is supported by standardised tools and templates. We prioritise near misses and injuries with fatality potential for in-depth investigation and appoint those with investigation expertise to facilitate and lead these investigations. [...] Total recordable injury frequency (TRIF) performance increased by five per cent during FY2018 to 4.4 per million hours worked, compared to 4.2 in FY2017. This was due to an increase in low severity sprain and strain type injuries in Minerals Australia, which occurred primarily in Western Australia Iron Ore and Olympic Dam. These events were not injuries that had fatal or serious potential. Through Field Leadership engagement and formal awareness programs, we are improving the identification and management of the hazards that cause sprain and strain injuries in task-based risk assessments done by the workforce every day. The increase in TRIF performance at Minerals Australia was offset by an 18 per cent reduction in TRIF performance in Minerals Americas to a level less than two'. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
D.3.5	Indigenous peoples rights and free prior and informed consent (FPIC) (in own extractive operations, which includes JVs)	2	<p>The individual elements of the assessment are met or not as follows: Score 1</p> <ul style="list-style-type: none"> <li>Met: Process to identify indigenous rights holders: The Company presents its 'collaborative community approach', in its Sustainability Report 2018. This approach has 4 stages: Understanding communities, Comprehensive planning, Effective implementation, Monitoring performance'. In the first stage includes the following actions: 'Defining host community boundaries; Identifying stakeholders; Conducting social baseline studies; Assessing social impacts and opportunities; Understanding the local human rights context and associated impacts; Working with local people to identify and secure Indigenous cultural heritage'. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>Met: How engages with communities in assessment: The Company has committed to implement an 'Indigenous Peoples Strategy' across all assets through the deliver of regional Indigenous Peoples Plans. The Company states 'Our Indigenous Peoples Strategy (Strategy) details how we implement the Statement and focuses our engagement with Indigenous peoples on four priority areas: governance; economic empowerment; social and cultural support; and public engagement'. The Sustainability report 2018 describes the 'collaborative community approach'. This approach has 4 stages. The third one, Effective implementation, includes the following actions: 'Culturally aware staff; Inclusive and culturally appropriate decision-making and engagement; Collaborative management of community partner performance; Robust governance frameworks and community partner due diligence for social investment activities; Timely response to community incidents' [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a> &amp; Sustainability Report, 2017: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Met: Commits to FPIC (or ICMM): The Company's Indigenous Peoples Policy statement commits to the ICMM Indigenous Peoples and Mining Position Statement which covers Free Prior and Informed Consent. [BHP Indigenous Peoples Policy Statement, 04/06/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>Met: Gives recent example FPIC or dropping deal: The Company provides an example of a new agreement with the Yinhawangka people and in the 2016 sustainability report a case study of an agreement with the Banjima people. [Sustainability Report, 2016: <a href="http://bhp.com">bhp.com</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.3.6	Land rights (in own extractive operations, which includes JVs)	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not met: Approach to identification of land tenure rights holders: The Company states in their 2015 sustainability report ' At a very early stage of a project, we seek to identify customary owners, occupiers and users of the land on which we intend to operate, as well as conduct land usage surveys. Knowing who is connected to the land and how it is used is critical to establishing effective community consultation and engagement. This helps to ensure people potentially affected by our operations are fully aware of our activities and have an opportunity to express their concerns and aspirations. In instances where land may be used for customary purposes and no formal land title has been issued, information is requested from relevant organisations, including government authorities with responsibilities for customary land uses, and Indigenous peoples' representative organisations, such as land and tribal councils. Further enquiries are also made directly with the people in the area to help identify those with connections to the land. Arising from this engagement, the operational work plan may be amended to reduce potential impacts on landowners and users '. However, this evidence is more than three reporting years old. The Company states in their 2018 sustainability report 'We seek to identify the customary owners, occupiers and users of land who may be affected by our activities. Following this identification process and collaboration with Indigenous peoples' representative organisations, we may amend work plans to reduce potential impacts on landowners and users.' However, no evidence found in relation to the process followed as it was in the past. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a> &amp; Sustainability Report, 2015: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Not met: Describes approach to doing so if no recent deals</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: How valuation and compensation works: The Company describes in its Sustainability Report 2018 the resettlement process in Bento Rodrigues, Paracatu and Gesteira: 'The process involves the identification and acquisition of land, design and planning for the urban development, including all services and public buildings (schools, health centres, squares, covered sports grounds and religious buildings) and construction of new houses for the affected people. The resettlement also involves the employment of community members and provision of support services to help them resume their way of life. The resettlement of Bento Rodrigues is progressing, with active participation of community members, government agencies and local prosecutors. [...] Fundação Renova has distributed around 9,500 financial assistance cards to those whose livelihoods were impacted by the dam failure, including registered and informal commercial fishermen who are unable to fish due to the imposition of fishing bans in the Rio Doce and along the coast of Espírito Santo. The payments are designed to ensure that those impacted have the capacity to support themselves and their families pending the re-establishment of conditions that enable them to resume their economic activities.' In addition, in its Sustainability Report 2017, the Company commits to implement programs consistent with the IFC's Performance Standards 5, Land Acquisition and Involuntary Resettlement. The Company has detailed how for the Samarco Fundao dam disaster, socio-economic programs have been developed to address matters such as 'financial assistance and compensation, resettlement, livelihood and economic development, education, health, culture Indigenous and traditional people, and social dialogue.' The Company discloses how 'around 400,000 people are expected to be entitled to compensation for interruption to water supplies along the Rio Doce. As at 22 July 2017, over 186,000 claims have been accepted for payment, with over 82,000 paid. Over 14,000 families have registered for compensation for other damages, such as property loss or business impacts.' The Company also discloses that around 8000 financial assistance cards have been distributed to people whose livelihoods were impacted. [Sustainability Report, 2017: <a href="http://bhp.com">bhp.com</a> &amp; Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Steps to meet IFC PS 5 in state deals: In its Sustainability Report 2018, the Company indicates: 'While our projects are designed to avoid or minimise the resettlement of individuals and communities, if resettlement is required (voluntary or involuntary), we are committed to implement programs consistent with the International Finance Corporation's Performance Standards 5, Land Acquisition and Involuntary Resettlement. This includes acting in a participatory manner that leads to demonstrable improvement in the livelihoods of displaced people or communities.'</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			In addition, in its Sustainability Report 2017, the Company commits to implement programs consistent with the IFC's Performance Standards 5, Land Acquisition and Involuntary Resettlement. The Company states 'this includes acting in a participatory manner that leads to demonstrable improvement in the livelihoods of displaced people or communities.' [Sustainability Report, 2017: <a href="http://bhp.com">bhp.com</a> & Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a> ]
D.3.7	Security (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"> <li>• Met: How implements security (inc VPs or ICOC): The Company is committed to the Voluntary Principles on Security and Human Rights. The Company's Our Requirements for Safety and Security standard and commitment to the external Voluntary Principles on Security and Human Rights require that the Company's security programs are managed to ensure human rights and fundamental freedoms are upheld. The Company annually reviews alignment with the Voluntary Principles on Security and Human Rights and implements improvement plans to address any gaps. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a> &amp; Security and Emergency Management - Our Requirements, May 2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Example of respecting HRs in security: The Company states that Security and security-related human rights training is conducted regularly. During FY2017, over 99 per cent of the Company's security employees and contractors completed security training. The Company also states that 'there were no significant security-related incidents with possible human rights implications in FY2018'. [Sustainability Report, 2017: <a href="http://bhp.com">bhp.com</a> &amp; Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Met: Ensures Business Partners follow security approach: The Company states that across the Group, the Company's operations (incl. operated joint ventures) conduct an annual review for alignment with the VPs and implement an improvement plan to close identified gaps. During FY2017, over 99 per cent of the Company's security employees and contractors completed security training. Therefore, contractors are also covered by the security approach. No new relevant evidence found in latest report. [Sustainability Report, 2017: <a href="http://bhp.com">bhp.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Assesses and involves communities: The Company states 'Through our commitment to the Voluntary Principles on Security and Human Rights, we seek to protect people from material security risks by applying our performance requirements and engaging relevant stakeholders to develop and manage security programs that respect human rights'. However, it is not clear whether the 'relevant stakeholders' include the local community. [Our Approach - Respecting Human Rights and UK Modern Slavery Act Statement, 04/06/2018: <a href="http://bhp.com">bhp.com</a>]</li> <li>• Not met: Working with local community</li> </ul>
D.3.8	Water and sanitation (in own extractive operations, which includes JVs)	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Action to prevent water and sanitation risks: The Company states in its Water Report 2018: 'we have established a water stewardship strategy comprising five pillars'. This Report includes an analysis of water related risks areas, including an overview of each risk area, and examples of our approach to managing relevant risks. The Company identified 11 significant water-related risk areas. For instance, the Company indicates: 'The remote nature of many of our operations means that BHP is often the supplier of water for the purposes of drinking and sanitation, and the manager of effluent with respect to our workforce. In some instances this role extends beyond our operations to our neighbouring communities. In those circumstances, we are committed to providing access to safe and reliable drinking water (potable water) and appropriate sanitation and hygiene facilities.' [Water Report 2018, Ag 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Water targets considering local factors: In its Water Report 2018, the Company indicates: 'Reducing the amount of fresh water we use is important, as this is generally the most important water resource for our host communities and the environment. In FY2017, we announced a new five-year water target of reducing FY2022 fresh water withdrawal<sup>15</sup> by 15 per cent from FY2017 levels across our operated assets. [...] Together with our FY2022 water target, we have set a longer-term goal aligned with the United Nations Sustainable Development Goals (UN SDGs). In line with UN SDG 6 ('Ensure availability and sustainable management of water and sanitation for all'), BHP will collaborate to enable integrated water resource management in all catchments where we operate by FY2030.' [Water Report 2018, Ag 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>Met: Reports progress in meeting targets and shows trends in progress made: In its Water Report 2018, the Company indicates: 'In FY2018, we achieved a two per cent reduction of fresh water withdrawal against our new five-year water target of reducing FY2022 fresh water withdrawal by 15 per cent from FY2017 levels. This was largely attributable to the commissioning of the desalination plant at Escondida and the reduction of reliance on the region's aquifers.' [Water Report 2018, Ag 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]</li> </ul>

## 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		<ul style="list-style-type: none"> <li>Headline: Samarco Dam Burst</li> <li>Area: Health &amp; Safety/Environmental damage</li> <li>Story: On 5 November 2015, a dam holding back waste water from the Germano iron ore mine in Brazil burst, causing mudslides that engulfed a nearby town and killed at least 16 people. The mine is owned by Samarco, a joint venture between Vale and BHP Billiton. In February 2016, it was reported that Brazilian authorities had charged the president of Samarco and six others – five Samarco executives and one contractor - with homicide over the dam disaster. An official report by the Brazilian police into the incident concluded that it was caused by excess water in the dam, lack of proper monitoring, faulty equipment and failure of the drainage system. It discarded the possibility of any minor earthquakes during the incident and said that Samarco's emergency plan to warn nearby villagers was insufficient.</li> </ul> <p>In March 2018, IndustriAll along with other trade unions filed a OECD complaint with the UK NCP. According to the labour organizations, the companies failed to provide adequate remedy and establish a legitimate remediation process that involves affected communities and workers.</p> <p>In June 25th, 2018, Samarco and parent companies Vale and BHP Billiton have signed a deal with Brazilian authorities to settle a BRL 20 billion (USD 5.3 billion) lawsuit related to Samarco disaster. Under this agreement, the companies agreed to establish a fund for clean-up costs and remediation and for compensation of impacts relating to the Fundão tailings dam failure. The agreement settled the billion Civil Claim, enhances community participation in decisions related to the remediation and compensation programs under the Framework Agreement (Programs), and establishes a process to renegotiate those Programs over two years and to progress settlement of the BRL155 billion (USD 41 billion) Civil Claim (Governance Agreement).</p> <p>In March 2018, IndustriAll along with other trade unions filed a OECD complaint with the UK NCP. According to the labour organizations, the companies failed to provide adequate remedy and establish a legitimate remediation process that involves affected communities and workers.</p> <p>In November 2018, more than 240,000 plaintiffs, including Brazilian municipalities and Krenak indigenous communities, filed a lawsuit at the UK High Court in Liverpool against BHP Billiton. The lawsuit seeks compensation for damages caused by the dam collapse. Additionally, In May 2018, shareholders filed lawsuits against BHP Billiton in Australia, alleging that the company misled them as it was aware of the safety risks prior to the disaster. In December 2018, one of the suits was allowed to proceed. In August 2018, the company settled a similar lawsuit filed by US shareholders, agreeing to a \$67 mln. compensation without admitting liability.</p> <ul style="list-style-type: none"> <li>Sources: [The Guardian, 08/11/2015: <a href="http://theguardian.com">theguardian.com</a>][The Guardian, 13/11/2015: <a href="http://theguardian.com">theguardian.com</a>][BBC News, 17/11/2015: <a href="http://bbc.com">bbc.com</a>][Company press release, 08/01/2016: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
E(1).1	The Company has responded publicly to the allegation	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>Met: Public response available</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Met: Response goes into detail: The Company has responded to the allegations through press releases, reports, joint statements and in the press. Samarco issued a report on 5 January 2016.</li> </ul> <p>Following the accident, Samarco said in an initial statement that it had not yet determined why the dam burst or the extent of the disaster. It also stated that</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>competent authorities, such as the Civil Police, were carrying out investigations into the causes of the accident and that Samarco was supplying all the information necessary to expedite the process. It stated: 'In parallel, the Company is counting on the support of international firms, which are working on the investigations and collecting as much information as possible. The objective is for the data obtained – with the participation of experts in geotechnical engineering, geology, seismology and soil mechanics, among others – to explain the causes of the accident and also provide input for potential improvements in the Samarco's production and safety procedures. There is no set date for the completion of the investigations, but in view of the complexity of the accident, it is expected that conclusive reports will be issued within six to twelve months'.</p> <p>Vale and BHP issued a joint statement on 11 November, having visited the site. It included the following: 'As an immediate step, Vale and BHP Billiton pledge to support Samarco in creating an Emergency Fund for rebuilding works and to help the affected families and communities. It is our intention to work with the authorities to get this fund functioning as soon as possible. Vale and BHP Billiton also have health, safety, environment and geotechnical experts onsite supporting Samarco's response. We have also had discussions with Samarco and the authorities about the additional support we can provide. Investigations are continuing and Samarco will provide further updates relating to the response and operations.'</p>
E(1).2	The Company has appropriate policies in place	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Company policies address the general issues raised: The company has a statement of policy committing it to respecting the Health and Safety of workers.</li> <li>• Met: Policies apply to the type of business relationships involved: The Company has a health and safety policy which applies to business relationships</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Policies address the specific rights in question: In its 2018 Sustainability Report the company discloses qualitative information on H&amp;S related to total recordable injury frequency and also workplace fatalities. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
E(1).3	The Company has taken appropriate action	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Engages with affected stakeholders: The Company states that it engaged with the community throughout the process it undertook to reach its framework for compensatory actions and the remediation of the impacts from the failure.</li> <li>• Met: Provides remedies to affected stakeholders: The company agreed to pay USD 181 million in financial support to the Renova Foundation and Samarco Mineração until June 30th, 2018. The Company details the steps it has taken in response to the Samarco dam failing on pages 2-5 of its Sustainability Report 2016: "In March 2016, an agreement was entered into by Samarco, BHP Billiton Brasil, Vale and the Brazilian Authorities to provide a framework for compensatory actions and the remediation of the impacts from the failure." This agreement includes "17 environmental and 22 socio-economic programs, to restore and compensate the communities and environment affected by the dam failure". However, it does not provide evidence that &lt;75% of affected community members are satisfied with the compensation arrangements.</li> <li>• Met: Has reviewed management systems to prevent recurrence: Following the dam failure, BHP undertook a governance review of its non-operated joint venture operations and made changes to its risk management and processes; accountability and structure and training to staff on risks. It also conducted a risk review was conducted of all significant dams across their operated assets and joint ventures</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Remedies are satisfactory to the victims: Though the company reached an agreement with the Brazilian authorities, a class action lawsuit was filed on behalf of more than 240,000 plaintiffs in UK courts against the company.</li> <li>• Met: Has improved systems and engaged affected stakeholders</li> </ul>
E(2).0	Serious allegation No 2		<ul style="list-style-type: none"> <li>• <b>Headline:</b> Colombia's Constitutional Court decided to suspend Cerrejon's permit to divert stream over lack of consultations with local indigenous groups.</li> <li>• <b>Area:</b> Access to water/Land rights/Right to livelihood/Right to security of persons</li> <li>• <b>Story:</b> BHP Billiton is a joint-venture partner (with Anglo American and Glencore) in the Cerrejon coal mine in Colombia.</li> </ul> <p>It is alleged that on February 27, 2016, Afro-Colombian villagers at Roche were violently evicted by Colombian police. Villagers returned to their previous village, due to frustration at conditions in a relocation settlement constructed by Cerrejon Coal. The Colombian ESMAD (Mobile Anti-Disturbance Squadron) unit is alleged to</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>have used excessive violence to expropriate and destroy the home of the Ustate Fuentes family in the community of Roche, an African-descendant community resisting involuntary resettlement in the municipality of Barrancas, La Guajira, Colombia. Several people were injured in the incident, with injuries being reportedly caused by the ESMAD unit.</p> <p>In addition, on August 21, 2017 Colombia's Constitutional Court suspended Cerrejon's permit to divert a stream because of inadequate consultation with local indigenous groups. The court postponed the start of mining activity towards the natural course of Bruno Creek for a period of three months while it considered an application for the protection of constitutional rights (tutela) relating to the communities of La Horqueta, Paradero and Gran Parada. In November the court found the project to divert the river would indeed threaten fundamental rights. The Constitutional Court also ordered that works continue on the maintenance, stabilization, and preservation of the new course in accordance with the respective environmental plan and the authorizations granted by the environmental authorities. It is also alleged that the transnational mining conglomerate Carbones del Cerrejón, who owns the El Cerrejón mine, consumes 24 million liters of water per day in a department like Guajira where 87 percent is desert. The population is experiencing a dramatic shortage of water, which in the last two years has reportedly caused the death of hundreds of children due to malnutrition and the diseases caused by water scarcity. The Indigenous Wayuu people of Colombia have also alleged that when the Cerrejon coal mine opened the river they rely on to grow crops began to dry up and became contaminated. The Guardian also stated in an October 2018 article that: "In the neighbouring department of El Cesar, three Drummond mine union leaders were murdered in 2001. More recently in La Guajira, activists who resist Cerrejón's expansion plans have received renewed death threats. Despite the 2016 Colombian Peace Agreement, there has been a spike in assassinations of social leaders nationwide. At least 123 were murdered in the first six months of 2018".</p> <ul style="list-style-type: none"> <li>• Sources: [Business &amp; Human Rights Centre - 21/08/2017 -: <a href="https://www.business-humanrights.org/">business-humanrights.org</a>][ Mines and Communities - 27/02/2016 : <a href="https://www.londonminingnetwork.org/">londonminingnetwork.org</a>][The Guardian, 1/10/2018: <a href="https://www.theguardian.com/">theguardian.com</a> -]</li> </ul>
E(2).1	The Company has responded publicly to the allegation	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"> <li>• Not met: Public response available: Though Cerrejon itself has responded in detail, BHP has not responded publicly to the allegations, nor has it pointed to Cerrejon's comments and therefore does not meet CHRB indicator. [Cerrejon response, November 2018: <a href="https://cerrejon.com/">cerrejon.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Response goes into detail: Though Cerrejon itself has responded in detail, BHP has not responded publicly to the allegations, nor has it pointed to Cerrejon's comments and therefore does not meet CHRB indicator. [Cerrejon response, November 2018: <a href="https://cerrejon.com/">cerrejon.com</a>]</li> </ul>
E(2).2	The Company has appropriate policies in place	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not met: Company policies address the general issues raised: On its 'Our Approach' website the company says "Within our operations, we contribute to the realisation of human rights...while also respecting the land tenure rights of landowners and the rights of communities that live near our operations. "However BHP also states that as part of its risk management process "If community resettlement is required, it must be undertaken in accordance with the International Finance Corporation Performance Standard 5: Land Acquisition and Involuntary Resettlement". This is therefore not a clear commitment to respecting ownership and use of land. In its 2018 Water Report the BHP states "Respecting human rights is critical to the sustainability of BHP's business and we recognise water access and sanitation are basic human rights. Taking a rights-based approach to water means we take into account risks to people and communities, not just to our business. This includes assessing the direct impacts on people, the interrelationship with other human rights, such as Indigenous spiritual and cultural rights, and any specific implications for vulnerable and/or marginalised groups". This is a sufficient commitment. The company also commits to the UDHR. [Water Report 2018, Ag 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1 &amp; Sustainability Report 2018, 09/2018: <a href="https://bhp.com">bhp.com</a>]</li> <li>• Met: Policies apply to the type of business relationships involved: In its CoC BHP states, "All employees, directors, officers, contractors and suppliers (where under relevant contractual obligation) and controlled entities must adhere to the Code, regardless of location or role. Non-controlled joint ventures and minority interests</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>are encouraged to adopt similar principles and standards" [Our Code of Conduct, Ag 2018: <a href="http://bhp.com">bhp.com</a>]</p> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Policies address the specific rights in question: The Company states in their 2018 Sustainability report 'We seek to identify the customary owners, occupiers and users of land who may be affected by our activities. Following this identification process and collaboration with Indigenous peoples' representative organisations, we may amend work plans to reduce potential impacts on landowners and users.' However, there is no description of the process that is undertaken to identify land tenure rights, thus this is not sufficient. The company is a member of the CEO Water Mandate. The company is a participant of the Voluntary Principles of Security and Human Rights. [Sustainability Report 2018, 09/2018: <a href="http://bhp.com">bhp.com</a>]</li> </ul>
E(2).3	The Company has taken appropriate action	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Engages with affected stakeholders: In a letter published online, Lina Echeverri, Vice President of Public Affairs and Communication at Cerrejon, says that the company has engaged in consultations with the members of the Roche community to discuss issues of re-settlement, water shortages and compensation payments. Additionally the company also outlines the consultations undertaken with nearby communities in relation to the modification of the Bruno Creek riverbed. [Cerrejon letter Bruno Creek, 09/05/2019: <a href="http://cerrejon.com">cerrejon.com</a> &amp; Cerrejon letter Roche Community, 29/01/2019: <a href="http://business-humanrights.org">business-humanrights.org</a>]</li> <li>• Not met: Encourages linked business to engage affected stakeholders: The CHRB was unable to find any publicly available evidence of BHP Billiton encouraging its linked business (Cerrejon) to engage with the affected stakeholders.</li> <li>• Not met: Provides remedies to affected stakeholders: The letter from Cerrejon's Lina Echeverri, states that internal conflicts between the Roche Black Afro-descendent Community Council and its legal representatives resulted in "a situation preventing an agreement being reached" of which subsequently the Ministry of the Interior officially protocolised the consultation without an agreement. The letter states "We understand that, with this result, the expectation of many families who hoped to gain access to the compensations and indemnification have not been met". On the basis of this evidence no remedy has been provided to the affected community stakeholders. [Cerrejon letter Bruno Creek, 09/05/2019: <a href="http://cerrejon.com">cerrejon.com</a> &amp; Cerrejon letter Roche Community, 29/01/2019: <a href="http://business-humanrights.org">business-humanrights.org</a>]</li> <li>• Not met: Has reviewed management systems to prevent recurrence: The CHRB has not identified any publicly available evidence that Cerrejon has reviewed its management systems in light of the engagement with the Roche community to prevent similar complications and impacts occurring in the future. [Cerrejon letter Bruno Creek, 09/05/2019: <a href="http://cerrejon.com">cerrejon.com</a> &amp; Cerrejon letter Roche Community, 29/01/2019: <a href="http://business-humanrights.org">business-humanrights.org</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Remedies are satisfactory to the victims: Cerrejon has not provided any compensation to the 33 families identified as beneficiaries on the basis Council of State of criteria defined by the Council of State, thus remedy cannot be considered satisfactory. [Cerrejon letter Bruno Creek, 09/05/2019: <a href="http://cerrejon.com">cerrejon.com</a> &amp; Cerrejon letter Roche Community, 29/01/2019: <a href="http://business-humanrights.org">business-humanrights.org</a>]</li> <li>• Not met: Has improved systems and engaged affected stakeholders: The CHRB has not identified any publicly available evidence that Cerrejon has improved its management systems in light of the engagement with the Roche community to prevent similar complications and impacts occurring in the future. [Cerrejon letter Bruno Creek, 09/05/2019: <a href="http://cerrejon.com">cerrejon.com</a> &amp; Cerrejon letter Roche Community, 29/01/2019: <a href="http://business-humanrights.org">business-humanrights.org</a>]</li> </ul>

## F. Transparency (10% of Total)

Indicator Code	Indicator name	Score	Explanation
F.1	Company willingness to publish information	3.89 out of 4	Out of a total of 38 indicators assessed under sections A-D of the benchmark, BHP Billiton made data public that met one or more elements of the methodology in 37 cases, leading to a disclosure score of 3.89 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"> <li>• Met: Company reports on GRI: The Company utilises the GRI as the basis of reporting for their sustainability report. This is confirmed in the independent assurance of the report. The Company's Sustainability Report Navigator includes a</li> </ul>

Indicator Code	Indicator name	Score	Explanation
			GRI mapping table. [Sustainability Report Navigator 2018, Sep 2018: <a href="https://bhp.com">https://bhp.com</a> companies list of disclosure - excel format.xlsx#BHP!E1]
F.3	Key, High Quality Disclosures	2.4 out of 4	<p>BHP Billiton met 6 of the 10 thresholds listed below and therefore gets 2.4 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"> <li>• Met: Score 2 for A.2.2 : Board discussions</li> <li>• Not met: Score 2 for B.1.6 : Monitoring and corrective actions</li> <li>• Met: Score 2 for C.1 : Grievance channel(s)/mechanism(s) to receive complaints or concerns from workers</li> <li>• Not met: Score 2 for C.3 : Users are involved in the design and performance of the channel(s)/mechanism(s)</li> </ul> <p>Discussing challenges openly</p> <ul style="list-style-type: none"> <li>• Met: Score 2 for B.2.4 : Tracking: Monitoring and evaluating the effectiveness of actions to respond to human rights risks and impacts</li> <li>• Not met: Score 2 for C.7 : Remedying adverse impacts and incorporating lessons learned</li> </ul> <p>Demonstrating a forward focus</p> <ul style="list-style-type: none"> <li>• Met: Score 2 for A.2.3 : Incentives and performance management</li> <li>• Met: Score 2 for B.1.2 : Incentives and performance management</li> <li>• Not met: Score 1 for D.3.1 : Living wage (in own extractive operations, which includes JVs)</li> <li>• Met: Score 2 for D.3.4 : Health and safety: Fatalities, lost days, injury rates (in own extractive operations, which includes JVs)</li> </ul>

## 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 2019 Key Findings report and technical annex for more details of the research process.

The Benchmark is made available on the express understanding that it will be used solely for general information purposes. The material contained in the Benchmark should not be construed as relating to accounting, legal, regulatory, tax, research or investment advice and it is not intended to take into account any specific or general investment objectives. The material contained in the Benchmark does not constitute a recommendation to take any action or to buy or sell or otherwise deal with anything or anyone identified or contemplated in the Benchmark. Before acting on anything contained in this material, you should consider whether it is suitable to your particular circumstances and, if necessary, seek professional advice. The material in the Benchmark has been put together solely according to the CHRB methodology and not any other assessment models in operation within any of the project partners or EIRIS Foundation as provider of the analyst team.

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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.