

Company Name BYD
Industry Automobiles
Overall Score (*) 2.7 out of 100

Theme Score	Out of	For Theme
0.3	10	A. Governance and Policies
0.9	25	B. Embedding Respect and Human Rights Due Diligence
0.0	15	C. Remedies and Grievance Mechanisms
0.0	20	D. Performance: Company Human Rights Practices
1.3	20	E. Performance: Responses to Serious Allegations
0.2	10	F. Transparency

(*) While other sectors are being measured against a reduced set of CHRB Core UNGP Indicators this year the Automotive Manufacturing sector is being measured against the full CHRB Methodology as it is the first year that the sector has been analysed.

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 2020 Methodology document. For example, a "Not met" under "General HRs Commitment", which is the first bullet point for indicator A.1.1, does not necessarily mean that the company does not have a general commitment to human rights. Rather, it means that the CHRB could not identify a public statement of policy in which the company commits to respecting human rights.

Detailed assessment

A. Governance and Policies (10% of Total)

A.1 Policy Commitments (5% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.1.1	Commitment to respect human rights	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: General HRs commitment Not met: UNGC principles 1 & 2 Not met: UDHR Not met: International Bill of Rights Score 2 <ul style="list-style-type: none"> Not met: UNGPs Not met: OECD
A.1.2	Commitment to respect the human rights of workers	0.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: ILO Core: The Company indicates: 'Based on the Labor Law, the Labor Contract Law, and standards such as ISO 9001, ISO 14001, OHSAS 18001, and SA8000, we have developed the BYD Human Resource Management policy following the guideline of "equal opportunity, based on capability". Discrimination based on age, gender, geographic location, ethnic group, tradition, social caste, religion, physical disability, and political tendency are strictly prohibited in the recruitment process. Child and forced labor are prohibited'. However, no evidence found of commitment to ILO declaration, or each core labour standards, including

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			<p>freedom of association and collective bargaining. [2019 CSR Report, 2020: byd.com]</p> <ul style="list-style-type: none"> • Not met: UNGC principles 3-6 • Not met: Explicitly list ALL four ILO for MO suppliers <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Explicit commitment to All four ILO Core • Met: Respect H&S of workers: The Company indicates: 'Protecting the health and safety of employees all the times is a core value in the production safety of BYD. BYD implements the OHSAS18001 Occupational Health and Safety Management System and establishes safety standards, implements production safety accountability system, arranges various types of production safety training and nurtures employees' rule-observing operation and safe operation practice of prior awareness of danger'. [2016 CSR Report, 2016: byd.com] • Not met: H&S applies to MO suppliers • Not met: Working hours for workers • Not met: Working hours for MO suppliers
A.1.3.MO.a	Commitment to responsible sourcing of minerals	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"> • Not met: Responsible mineral sourcing in conflict areas • Not met: Based on OECD Guidance • Met: Requires suppliers to follow the OECD Guidance: The Company indicates, in its 2016 CSR Report, that 'BYD checks the source of metals of its suppliers annually for their compliance with OECD Due Diligence Guidelines for Responsible supply chains of Minerals from Conflict-Affected and High-Risk Areas. BYD requires every supplier to certify that they understand and support the EICC-GeSI actions'. This disclosure is from 2016 and no equivalent information has been found for the last three reporting years. To alleviate the reporting burden for companies during the Covid-19 crisis, the CHRB will (on an exceptional basis) relax the three-year timeframe and include information from 2016 in the 2020 assessment. Moreover, in its 2019 CSR Report, the Company indicates: ' In 2019, we optimized and updated the BYD Supplier Requirements, Specific Measures for BYD Suppliers Review, Specific Measures for Supplier Corporate Social Responsibility Management and other supplier management policies with new international, national, local, and industry laws and regulations, as well as requirements regarding customer complaints. Now these documents explicitly prohibit suppliers from purchasing conflict minerals. The same prohibition extends to downstream suppliers, whom will be investigated by BYD'. However, the documents mentioned above could not be found in the public domain. [2016 CSR Report, 2016: byd.com & 2019 CSR Report, 2020: byd.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Responsible conflict mineral sourcing covers all minerals • Not met: Suppliers expected to make similar requirements of their suppliers
A.1.3.MO.b	Commitment to respect human rights particularly relevant to the industry (ICT)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Women's Rights • Not met: Children's Rights • Not met: Migrant worker's rights • Not met: Expecting suppliers to respect these rights <p>Score 2</p> <ul style="list-style-type: none"> • Not met: CEDAW/Women's Empowerment Principles • Not met: Child Rights Convention/Business principles • Not met: Convention on migrant workers • Not met: Respecting the right to water • Not met: Expecting suppliers to respect these rights
A.1.4	Commitment to engage with stakeholders	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Commits to stakeholder engagement: The Company states: 'BYD works closely with stakeholders to hear their demands and optimize corporate management accordingly. We have organized many activities with stakeholder participation, including meetings, events, questionnaire surveys, academic workshops, and various work groups' and provides a table with each stakeholder and the "Methods/channel of communication". However, there is no statement of policy committing it to engage with its potentially and actually affected stakeholders or evidence that the company regularly engages with potentially and actually affected stakeholders. [2019 CSR Report, 2020: byd.com] • Not met: Regular stakeholder engagement <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Commits to engage stakeholders in design

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Not met: Regular stakeholder design engagement
A.1.5	Commitment to remedy	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Commits to remedy <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Not obstructing access to other remedies • Not met: Collaborating with other remedy initiatives • Not met: Work with MO suppliers to remedy impacts
A.1.6	Commitment to respect the rights of human rights defenders	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Zero tolerance attacks on HRs Defenders (HRDs) <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Expects MO suppliers to reflect company HRD commitments

A.2 Policy Commitments (5% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.2.1	Commitment from the top	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: CEO or Board approves policy: The Company indicates that its CSR Report is approved by the board of directors (the “Board”) of the Company. However, there is no explicit human rights policy commitment. [2019 CSR Report, 2020: byd.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Board level oversight for HRs • Not met: Speeches/letters by Board members or CEO
A.2.2	Board discussions	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Board/Committee review of salient HRs • Not met: Examples or trends re HR discussion <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Both examples and process
A.2.3	Incentives and performance management	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Incentives for at least one board member • Not met: At least one key MO HR risk, beyond employee H&S <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Performance criteria made public

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

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

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.1.1	Responsibility and resources for day-to-day human rights functions	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Commits to ILO core conventions • Not met: Senior responsibility for HR [2016 CSR Report, 2016: byd.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Day-to-day responsibility • Not met: Day-to-day responsibility for MO in supply chain
B.1.2	Incentives and performance management	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Senior manager incentives for human rights • Not met: At least one key MO HR risk, beyond employee H&S <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Performance criteria made public
B.1.3	Integration with enterprise risk management	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: HR risks is integrated as part of enterprise risk system: The Company states: ‘BYD has formed a dedicated committee to formulate CSR management regulations and work plans. The objective is to create a unified CSR organizing and management system within the company. For promises of compliance and sustained improvement, BYD has declared a steadfast stance on social and environmental responsibilities and appointed specific executive representatives to ensure that all operations and product families of BYD are abide by applicable laws, regulations, and client demands, while recognizing and reducing operational risks.’ However, it is not clear whether human rights risks (labour, health and safety)

Indicator Code	Indicator name	Score (out of 2)	Explanation
			potentially identified are included in the Company's general enterprise risk management. [2019 CSR Report, 2020: byd.com] Score 2 • Not met: Audit Ctte or independent risk assessment
B.1.4.a	Communication /dissemination of policy commitment(s) within Company's own operations	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Commits to ILO core conventions • Not met: Communicates its policy to all workers in own operations Score 2 • Not met: Commits to all 4 ILO core conventions • Not met: Communication of policy commitments to stakeholder • Not met: How policy commitments are made accessible to audience
B.1.4.b	Communication /dissemination of policy commitment(s) to business relationships	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Commits to all 4 ILO core conventions for suppliers • Not met: Communicating policy down the whole MO supply chain • Not met: Requiring MO suppliers to communicate policy down the chain Score 2 • Not met: How HR commitments made binding/contractual • Not met: Including on MO suppliers
B.1.5	Training on Human Rights	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Scores at least 1 on A.1.2 • Not met: Trains all workers on HR policy commitments: The Company indicates: 'BYD has established a complete training system and provides employees with adequate training and promotion opportunity, helping their development and realization of personal value. We provide training for new recruits and skill trainings and have a mentor system for fresh graduates'. It also states 'BYD organised and completed full-time safety management training for key responsible staff such as factory directors and production managers'. However, no evidence of human rights training. [2016 CSR Report, 2016: byd.com] • Not met: Trains relevant MO managers including procurement Score 2 • Not met: Score of 2 on A.1.2 • Not met: Both requirements under score 1 met
B.1.6	Monitoring and corrective actions	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Scores at least 1 on A.1.2 • Not met: Monitoring implementation of HR policy commitments: BYD indicates: 'The Company has a Law and Regulation Management Committee which monitors, supervises and inspects, regularly and from time to time, the management and implementation of laws and regulations in various departments, and evaluates their implementation and compliance in such areas'. However, no evidence found of monitoring compliance with human rights. [2016 CSR Report, 2016: byd.com] • Not met: Monitoring MO suppliers Score 2 • Not met: Score of 2 on A.1.2 • Not met: Describes corrective action process • Not met: Example of corrective action • Not met: Discloses % of MO supply chain monitored
B.1.7	Engaging business relationships	1	The individual elements of the assessment are met or not as follows: Score 1 • Met: HR affects MO selection of suppliers: The Company states: 'In accepting any new supplier, BYD will examine whether it can satisfy the terms concerning corporate social responsibility set out in the "BYD Supplier BSR Review Table" which has stipulated overriding items, not fulfilling only one of such item will lead to rejection of the supplier. BYD adopts strict environmental protection standards, labour practice standards and human rights standard in the selection of suppliers and requires suppliers to have ISO14001 environmental management system certification, comply the terms concerning environmental protection, labour and human rights set out in the "Suppliers Corporate Social Responsibility Agreement" and "BYD Supplier BSR Review Table" and sign the "Toxic and Hazardous Materials Agreement" and "BYD Environmental Management Material Standard for the IT Business Group"'. This disclosure is from 2016 and no equivalent information has been found for the last three reporting years. To alleviate the reporting burden for companies during the Covid-19 crisis, the CHRB will (on an exceptional basis) relax the three-year timeframe and include information from 2016 in the 2020 assessment. [2016 CSR Report, 2016: byd.com]

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			<ul style="list-style-type: none"> • Not met: HR affects on-going MO supplier relationships: BYD indicates: 'In the "BYD Supplier Requirements" and "BYD Management and Operation Rules on Suppliers' Corporate Social Responsibility", we set out and communicate the requirements for BYD's existing and potential suppliers and the basis for the recognition and operation risk analysis of suppliers, and the basis for constant improvement and development of suppliers. BYD spelled out detailed standards and requirements for the suppliers in respect of quality management, environmental management, occupational health and safety, corporate social responsibility, intellectual property, material and production management, etc., and stipulated an overriding requirement under the corporate social responsibility that no supplier will be accepted if it violates labour law or laws on the protection of rights and interests of women and children, no matter how high it scores under other criteria'. However, no further details found including how actual performance could affect existing relationship. [2016 CSR Report, 2016: byd.com] Score 2 <ul style="list-style-type: none"> • Not met: Both requirement under score 1 met • Not met: Working with MO suppliers to improve performance
B.1.8	Approach to engagement with potentially affected stakeholders	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Stakeholder process or systems • Not met: Frequency and triggers for engagement: The Company indicates it conducts various stakeholder engagement activities and gives examples. However, it does not describe how it has identified and engaged with stakeholders in the last two years and the frequency and triggers for engagement on human rights issues. [2019 CSR Report, 2020: byd.com] • Not met: Workers in MO SC engaged • Not met: Communities in the MO SC engaged Score 2 <ul style="list-style-type: none"> • Not met: Analysis of stakeholder views and company's actions on them

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

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.2.1	Identifying: Processes and triggers for identifying human rights risks and impacts	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Identifying risks in own operations: The Company indicates: 'BYD has formed a dedicated committee to formulate CSR management regulations and work plans. The objective is to create a unified CSR organizing and management system within the company. For promises of compliance and sustained improvement, BYD has declared a steadfast stance on social and environmental responsibilities and appointed specific executive representatives to ensure that all operations and product families of BYD are abide by applicable laws, regulations, and client demands, while recognizing and reducing operational risks'. However, no description found on the process to identify potential human rights risks and impacts. [2019 CSR Report, 2020: byd.com] • Not met: Identifying risks in MO suppliers: The Company states: 'Our supplier management policy clear laid out social responsibility requirement for our supply chain partners in terms of labor standard, occupational health and safety, environment protection, trade safety, anti-corruption and bribery. BYD's risk management committee has a procurement taskforce to collect and review risk information from the supply chain, set risk thresholds, and devise corresponding countermeasures. We regularly review and analyze our existing risk management strategies for effectiveness and reasonability, and constantly amend or optimize according to actual situations'. However, evidence seems to refer to risk management processes rather than processes for potential human rights risks identification. [2019 CSR Report, 2020: byd.com] Score 2 <ul style="list-style-type: none"> • Not met: Ongoing global risk identification • Not met: In consultation with stakeholders • Not met: In consultation with HR experts • Not met: Triggered by new circumstances
B.2.2	Assessing: Assessment of risks and impacts identified (salient risks)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Salient risk assessment (and context) • Not met: Public disclosure of salient risks Score 2 <ul style="list-style-type: none"> • Not met: Both requirements under score 1 met

Indicator Code	Indicator name	Score (out of 2)	Explanation
	and key industry risks)		
B.2.3	Integrating and Acting: Integrating assessment findings internally and taking appropriate action	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Action Plans to mitigate risks • Not met: Including in MO supply chain • Not met: Example of Actions decided Score 2 <ul style="list-style-type: none"> • Not met: Both requirements under score 1 met
B.2.4	Tracking: Monitoring and evaluating the effectiveness of actions to respond to human rights risks and impacts	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: System to check if Actions are effective • Not met: Lessons learnt from checking effectiveness Score 2 <ul style="list-style-type: none"> • Not met: Both requirement under score 1 met
B.2.5	Communicating : Accounting for how human rights impacts are addressed	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Comms plan re identifying risks • Not met: Comms plan re assessing risks • Not met: Comms plan re action plans for risks • Not met: Comms plan re reviewing action plans Score 2 <ul style="list-style-type: none"> • Not met: Including MO suppliers • Not met: Responding to affected stakeholders concerns • Not met: Ensuring affected stakeholders can access communications

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

Indicator Code	Indicator name	Score (out of 2)	Explanation
C.1	Grievance channel(s)/mechanism(s) to receive complaints or concerns from workers	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Channel accessible to all workers Score 2 <ul style="list-style-type: none"> • Not met: Number grievances filed, addressed or resolved • Not met: Channel is available in all appropriate languages • Not met: Expect MO supplier to have equivalent grievance systems • Not met: Opens own system to MO supplier workers
C.2	Grievance channel(s)/mechanism(s) to receive complaints or concerns from external individuals and communities	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Grievance mechanism for community Score 2 <ul style="list-style-type: none"> • Not met: Describes accessibility and local languages • Not met: Expects MO supplier to have community grievance systems • Not met: MO supplier communities use global system
C.3	Users are involved in the design and performance of the channel(s)/mechanism(s)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Engages users to create or assess system • Not met: Example of how they do this Score 2 <ul style="list-style-type: none"> • Not met: Engages with users on system performance • Not met: Provides user engagement example on performance • Not met: MO suppliers consult users in creation or assessment
C.4	Procedures related to the mechanism(s)/channel(s) are publicly	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Response timescales • Not met: How complainants will be informed • Not met: Who is handling the complaint

Indicator Code	Indicator name	Score (out of 2)	Explanation
	available and explained		Score 2 • Not met: Escalation to senior/independent level
C.5	Commitment to non-retaliation over complaints or concerns made	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Public statement prohibiting retaliation • Not met: Practical measures to prevent retaliation Score 2 • Not met: Has not retaliated in practice • Not met: Expects MO suppliers to prohibit retaliation
C.6	Company involvement with State-based judicial and non-judicial grievance mechanisms	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Won't impede state based mechanisms • Not met: Complainants not asked to waive rights Score 2 • Not met: Will work with state based or non judicial mechanisms • Not met: Example of issue resolved (if applicable)
C.7	Remedying adverse impacts and incorporating lessons learned	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Describes how remedy has been provided • Not met: Says how it would remedy key sector risks Score 2 • Not met: Changes introduced to stop repetition • Not met: Approach to learning from incident to prevent future impacts • Not met: Evaluation of the channel/mechanism

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

D.5 Automotive Manufacturing

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.5.1.a	Living wage (in own production or manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Living wage target timeframe • Not met: Describes how living wage determined Score 2 • Not met: Achieved payment of living wage • Not met: Regularly review definition of living wage with unions
D.5.1.b	Living wage (in the supply chain)	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Living wage in supplier code or contracts • Not met: Improving living wage practices of suppliers Score 2 • Not met: Both requirements under score 1 met • Not met: Provide analysis of trends demonstrating progress
D.5.2	Aligning purchasing decisions with human rights	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Avoids business model pressure on HRs • Not met: Positive incentives to respect human rights Score 2 • Not met: Both requirements under score 1 met
D.5.3	Mapping and disclosing the supply chain	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Identifies suppliers back to product source Score 2 • Not met: Discloses significant parts of supply chain and why
D.5.4.a	Prohibition on child labour: Age verification and corrective actions (in own production or manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Does not use child labour: The Company states that child and forced labor are prohibited. [2019 CSR Report, 2020: byd.com] • Not met: Age verification of job applicants and workers Score 2 • Not met: Remediation if children identified

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.5.4.b	Prohibition on child labour: Age verification and corrective actions (in the supply chain)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Child Labour rules in codes or contracts • Not met: How working with suppliers on child labour Score 2 <ul style="list-style-type: none"> • Not met: Both requirements under score 1 met • Not met: Provide analysis of trends demonstrating progress
D.5.5.a	Prohibition on forced labour: Debt bondage and other unacceptable financial costs (in own production or manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Pays workers in full and on time • Not met: Payslips show any legitimate deductions Score 2 <ul style="list-style-type: none"> • Not met: How these practices are implemented and monitored for agencies, labour brokers or recruiters
D.5.5.b	Prohibition on forced labour: Debt bondage and other unacceptable financial costs (in the supply chain)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Debt and fees rules in codes or contracts • Not met: How working with suppliers on debt & fees Score 2 <ul style="list-style-type: none"> • Not met: Both requirements under score 1 met • Not met: Provide analysis of trends in progress made
D.5.5.c	Prohibition on forced labour: Restrictions on workers (in own production or manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Does not retain documents or restrict movement Score 2 <ul style="list-style-type: none"> • Not met: How sure about agencies or brokers
D.5.5.d	Prohibition on forced labour: Restrictions on workers (in the supply chain)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Free movement rules in codes or contracts • Not met: How these practices are implemented and monitored for agencies, labour brokers or recruiters Score 2 <ul style="list-style-type: none"> • Not met: Both requirements under score 1 met • Not met: Provide analysis of trends in progress made
D.5.6.a	Freedom of association and collective bargaining (in own production or manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Commits not to interfere with union rights and collective bargaining and prohibits intimidation and retaliation • Not met: Discloses % covered by collective bargaining Score 2 <ul style="list-style-type: none"> • Not met: Both requirement under score 1 met
D.5.6.b	Freedom of association and collective bargaining (in the supply chain)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: FoA & CB rules in codes or contracts • Not met: How working with suppliers on FoA and CB Score 2 <ul style="list-style-type: none"> • Not met: Both requirements under score 1 met • Not met: Provide analysis of trends in progress made

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.5.7.a	Health and safety: Fatalities, lost days, injury rates (in own production of manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Injury Rate disclosures • Not met: Lost days or near miss disclosure • Not met: Fatalities disclosures Score 2 <ul style="list-style-type: none"> • Not met: Set targets for H&S performance • Not met: Met targets or explains why not
D.5.7.b	Health and safety: Fatalities, lost days, injury rates (in the supply chain)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Sets out clear Health and Safety requirements: The Company indicates: 'our supplier management policy clear laid out social responsibility requirement for our supply chain partners in terms of labor standard, occupational health and safety, environment protection, trade safety, anti-corruption and bribery. BYD's risk management committee has a procurement taskforce to collect and review risk information from the supply chain, set risk thresholds, and devise corresponding countermeasures'. However, the documents mentioned were not found, including health and safety requirements for suppliers. [2019 CSR Report, 2020: byd.com] • Not met: Injury rate disclosures • Not met: Lost days or near miss disclosures • Not met: Fatalities disclosures Score 2 <ul style="list-style-type: none"> • Not met: How working with suppliers on H&S • Not met: Provide analysis of trends in progress made
D.5.8.a	Women's rights (in own production or manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Process to stop harassment and violence • Not met: Working conditions take account of gender • Not met: Equality of opportunity at all levels: The Company states: 'BYD upholds the principle of "equal opportunity and talent-based hiring" and prohibits any discrimination on the basis of age, gender, ancestry, race, customs, social class, religion, disability or political attribute in the course of recruitment'. However, it is not clear how it monitors equal opportunities at all levels. [2016 CSR Report, 2016: byd.com] Score 2 <ul style="list-style-type: none"> • Not met: Meets all of the requirements under score 1
D.5.8.b	Women's rights (in the supply chain)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Women's rights in codes or contracts • Not met: How working with suppliers on women's rights Score 2 <ul style="list-style-type: none"> • Not met: Both requirement under score 1 met • Not met: Provide analysis of trends in progress made
D.5.9.a	Working hours (in own production or manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Respects max hours, min breaks and rest periods in its own operations Score 2 <ul style="list-style-type: none"> • Not met: How it implements and checks this
D.5.9.b	Working hours (in the supply chain)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Working hours in codes or contracts • Not met: How working with suppliers on working hours Score 2 <ul style="list-style-type: none"> • Not met: Both requirements under score 1 met • Not met: Provide analysis of trends in progress made

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.5.10.a	Responsible Mineral Sourcing: Arrangements with Suppliers and Smelters/Refiners in the Mineral Resource Supply Chains	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Due diligence in accordance with OECD Guidance in supplier contracts: In its 2016 CSR Report, the Company states: 'BYD checks the source of metals of its suppliers annually for the compliance with the OECD Due Diligence Guidelines for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas. BYD requires every supplier to certify that they understand and support the EICC-GeSI actions, and will not deliberately purchase conflict minerals from the Democratic Republic of Congo or surrounding countries. Suppliers are also required to provide evidence that they have completed the EICC-GeSI Conflict Minerals Reporting Template, and sign the undertaking of not using conflict minerals'. However, it is not clear if there are contracts/written agreements to carry out due diligence in accordance with OECD Guidelines. Moreover, in its 2019 CSR Report, it indicates: 'In 2019, we optimized and updated the BYD Supplier Requirements, Specific Measures for BYD Suppliers Review, Specific Measures for Supplier Corporate Social Responsibility Management and other supplier management policies (...). Now these documents explicitly prohibit suppliers from purchasing conflict minerals. The same prohibition extends to downstream suppliers, whom will be investigated by BYD'. No further evidence found that it incorporates into commercial contracts/written agreements with suppliers requirements to conduct due diligence in accordance with the OECD Guidance for at least 3TG. [2016 CSR Report, 2016: byd.com & 2019 CSR Report, 2020: byd.com] • Not met: Works with smelters/refiners and suppliers to build capacity: The Company indicates: 'BYD supports the Conflict Free Smelter (CFS) Initiative and other programs to ensure the sourcing of materials from responsible and sustainable sources. BYD will reassess a supplier if its supply chain is found to include metals from conflict areas'. However, no evidence on how it works with smelters/refiners and with suppliers to contribute to building their capacity in risk assessment and improving their due diligence performance. No further evidence found in the latest report. [2016 CSR Report, 2016: byd.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Contractual requirement to disclosure smelter/refiner information • Not met: Contractual requirement covers all minerals
D.5.10.b	Responsible Mineral Sourcing: Risk Identification in Mineral Supply Chain	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Risk identification and disclosure in line with OECD Guidance • Not met: Identification of smelter/refiners and OECD Guidance <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Discloses smelters/refiners judged in line with OECD Guidance • Not met: Risk identification and disclosure covers all minerals
D.5.10.c	Responsible Mineral Sourcing: Risk Management in the Mineral Supply Chain	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Describes mineral risk management plan for supply chain • Not met: Monitoring, tracking and whether better risk prevention/mitigation over time <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Disclose better risk prevention/mitigation over time • Not met: Suppliers and stakeholders engaged in risk management strategy • Not met: Risk management and response processes cover all minerals
D.5.11	Responsible Materials Sourcing	[SD.5.10]	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Due diligence for raw materials in supplier code/contracts • Not met: Works with suppliers to build capacity in risk assessment and due diligence <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Meets all requirements under score 1 • Not met: Identify the sources of high-risk raw materials in its supply chain

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"> • Headline: Report links Apple, Dell, Huawei and other smartphone companies to child labor in Congolese mines • Area: child labour • Story: On November 15, 2017, Amnesty International, a Human Rights NGO, released a report which reveals that electronic and electric vehicle companies, including BMW, are still not doing enough to stop human rights abuses entering their cobalt supply chains. <p>The report assessed the policies and practices of 29 companies and how much their cobalt-sourcing practices have improved since its previous report published in January 2016. More than half of the world's cobalt, a key element in lithium-ion batteries, is from the Democratic Republic of Congo (DRC), where Amnesty has found human rights abuses. Amnesty International stated that about a fifth of the country's cobalt production is mined by informal miners including children, often in dangerous conditions.</p> <p>The electronics companies and the automobile manufacturers included in the report are: Apple, Samsung SDI, Dell, HP, BMW, Tesla, LG Chem, Sony, Samsung Electronics, General Motors, Volkswagen, Fiat-Chrysler, Daimler, Hunan, Shanshan, Amperex Technology, Tianjin Lishen, Microsoft, Lenovo, Renault, Vodafone, Huawei, L&F, Tianjin B&M, BYD, Coslight, Shenzhan BAK and ZTE.</p> <ul style="list-style-type: none"> • Sources: [Lifegate - 09/03/2017: lifegate.it][Amnesty International - 19/01/2017: amnesty.org][Amnesty International - 15/11/2017: amnesty.org]
E(1).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"> • Not met: Public response available <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Response goes into detail
E(1).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"> • Met: Company policies address the general issues raised: The Company has a policy against child labour. [2016 CSR Report, 2016: byd.com] • Not met: Policies apply to the type of business relationships involved <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Policies address the specific rights in question
E(1).3	The Company has taken appropriate action	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not met: Engages with affected stakeholders • Not met: Provides remedies to affected stakeholders • Not met: Has reviewed management systems to prevent recurrence <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Remedies are satisfactory to the victims • Not met: Has improved systems and engaged affected stakeholders

F. Transparency (10% of Total)

Indicator Code	Indicator name	Score	Explanation
F.1	Company willingness to publish information	0.2 out of 4	Out of a total of 60 indicators assessed under sections A-D of the benchmark, BYD Company made data public that met one or more elements of the methodology in 3 cases, leading to a disclosure score of 0.2 out of 4 points.
F.2	Recognised Reporting Initiatives	0 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"> • Not met: Company reports on GRI: Although the Company refers to which GRI indicators (by code, not by topic) the different areas of the report are related, no GRI index was found. [2019 CSR Report, 2020: byd.com] • Not met: Company reports on SASB • Not met: Company reports on UNGPRF
F.3	Key, High Quality Disclosures	0 out of 4	<p>BYD Company met 0 of the 10 thresholds listed below and therefore gets 0 out of 4 points for the high quality disclosure indicator.</p> <p>Specificity and use of concrete examples</p> <ul style="list-style-type: none"> • Not met: Score 2 for A.2.2 : Board discussions • Not met: Score 2 for B.1.6 : Monitoring and corrective actions • Not met: Score 2 for C.1 : Grievance channel(s)/mechanism(s) to receive complaints or concerns from workers • Not met: Score 2 for C.3 : Users are involved in the design and performance of the channel(s)/mechanism(s) <p>Discussing challenges openly</p>

Indicator Code	Indicator name	Score	Explanation
			<ul style="list-style-type: none"> • Not met: Score 2 for B.2.4 : Tracking: Monitoring and evaluating the effectiveness of actions to respond to human rights risks and impacts • Not met: Score 2 for C.7 : Remedying adverse impacts and incorporating lessons learned Demonstrating a forward focus <ul style="list-style-type: none"> • Not met: Score 2 for A.2.3 : Incentives and performance management • Not met: Score 2 for B.1.2 : Incentives and performance management • Not met: Score 1 for D.5.1.a: Living wage (in own production or manufacturing operations) • Not met: Score 2 for D.5.7.a: Health and safety: Fatalities, lost days, injury rates (in own production of manufacturing operations)

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 2020 Key Findings report and the 2019 technical annex for more details of the research process.

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As WBA, 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.

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