

**Company Name** Nintendo  
**Industry** ICT (Supply Chain only)  
**Overall Score (\*)** 12.7 out of 100

Theme Score	Out of	For Theme
2.3	10	A. Governance and Policies
2.6	25	B. Embedding Respect and Human Rights Due Diligence
0.8	15	C. Remedies and Grievance Mechanisms
3.2	20	D. Performance: Company Human Rights Practices
2.5	20	E. Performance: Responses to Serious Allegations
1.3	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	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>Met: International Bill of Rights: The company indicates that it "supports and adheres to international human rights principles and standards, such as the International Bill of Human Rights and the Guiding Principles on Business and Human Rights, both from the United Nations". [Human Rights Policy, 18/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>Met: UNGPs: The company states that it "supports and adheres to international human rights principles and standards, such as the International Bill of Human Rights and the Guiding Principles on Business and Human Rights, both from the United Nations". [Human Rights Policy, 18/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>
A.1.2	Commitment to respect the human rights of workers	1.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>Met: ILO Core: The company points out that it "supports and adheres (...) the Declaration on Fundamental Principles and Rights at Work, from the International Labour Organization (ILO)". [Human Rights Policy, 18/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>Met: Explicitly list ALL four ILO for ICT suppliers: The company expects its suppliers to commit to: prohibit discrimination, prohibit child labor, prohibit forced labor. In relation to freedom of association and collective bargaining, the Company requirement states the following: "Production partners will respect workers' right to organize as a means to realise agreement between labor and management on issues such as the work environment and wage standards. Respecting the right of workers to organize refers the freedom of association (...), freedom to join labor</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>unions, freedom to public protest and the freedom to participate in workers' council meetings (...)"'. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</p> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Explicit commitment to All four ILO Core: The company states that it "supports and adheres (...) the Declaration on Fundamental Principles and Rights at Work, from the International Labour Organization (ILO)". It then goes on enlisting each of the four core ILO principles, however, it is not clear that there is a commitment to each of them. [Human Rights Policy, 18/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Respect H&amp;S of workers</li> <li>• Met: H&amp;S applies to ICT suppliers: The company states that "production partners will establish an appropriate and effective compliance process to ensure that customer requirements as well as regulations covered by these guidelines that are applicable to labor, health and safety, the environment and ethics are identified, monitored, understood and upheld". [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: working hours for workers: The company indicates that "Nintendo of Europe often goes beyond what is legally required and is extremely cooperative when parents, especially mothers, want to change their working hours". However, no further commitment to respect working hours of workers of the entire company was found including maximum working hours and rest periods. [CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Working hours for ICT suppliers: The company states that "production partners will appropriately manage workers' working hours, holidays and vacations so that legal limits are not exceeded". It then goes on giving examples of appropriate management includes. However, it is not clear the commitment for suppliers in terms of maximum working hours and rest periods. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>
A.1.3.ICT.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"> <li>• Not met: Responsible mineral sourcing in conflict areas: The procurement guideline indicates that 'Nintendo has a clear policy on the non-use of conflict minerals in our products. Conflict minerals (tin, tantalum, tungsten and gold) are mined in the Democratic Republic of Congo or its adjoining countries and become a funding source for armed groups that are associated with environmental destruction and human rights violations. To ensure that the supply chain is free of conflict minerals, production partners will establish a policy that prohibits the use of conflict minerals'. In addition, Conflict minerals policy states that 'Nintendo is committed to socially responsible raw material procurement practices and works closely with production partners to ensure that as a basic policy, minerals (including tin, tantalum, tungsten, gold, and cobalt, etc.) that become a source of finances for organizations associated with human rights violations such as child labor, environmental destruction, and the inhumane use of military force, are not used in Nintendo products'. However, no evidence found of a commitment to responsible sourcing (financing/benefiting armed groups and respecting human rights) going beyond Democratic Republic of the Congo and adjoining countries. The Company defines in the CSR report conflict minerals as those 'from regions where human rights violations and other risks are high (referred to below as "minerals from conflict-affected and high-risk areas")'. However, no evidence found of the actual commitment covering also high risk areas beyond DRC and adjoining countries. [Conflict Minerals Policy, n/a: <a href="http://nintendo.co.jp">nintendo.co.jp</a> &amp; CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Met: Based on OECD Guidance: It then goes on indicating that 'we referred to the Due Diligence Guidance for Conflict Minerals from the Office of Economic Cooperation and Development to create the Conflict Minerals Guidelines, which set forth the chain of responsibility and investigation methods for the handling of conflict minerals'. [CSR 2017, 07/2017: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Requires responsible mineral sourcing from suppliers: Also, 'we require production partners to establish a policy that prohibits the use of minerals from conflict-affected and high-risk areas in their respective supply chains'. However, it is not clear suppliers are required to have their company's policy commitments based on the OECD Guidance. [Conflict Minerals Policy, n/a: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Responsible conflict mineral sourcing covers all minerals: The Company indicates that 'Nintendo is committed to socially responsible raw material procurement practices and works closely with production partners to ensure that as a basic policy, minerals (including tin, tantalum, tungsten, gold, and cobalt, etc.)'. However, it is not clear that the commitment covers all minerals from conflict affected and high-risk areas. [Conflict Minerals Policy, n/a: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Not met: Suppliers expected to make similar requirements of their suppliers</li> </ul>
A.1.3.ICT.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"> <li>• Not met: Women's Rights</li> <li>• Not met: Children's Rights: The Company explains that 'the Declaration on Fundamental Principles and Rights at Work includes eight conventions, broken down into four categories: Freedom of Association and the Effective Recognition of the Right to Collective Bargaining, Elimination of All Forms of Forced or Compulsory Labour, Effective Abolition of Child Labour, and Elimination of Discrimination in Respect of Employment and Occupation'. However, no evidence found of a publicly available statement of policy committing it to children's rights. [Human Rights Policy, 18/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Migrant worker's rights</li> <li>• Not met: Expecting suppliers to respect these rights</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: CEDAW/Women's Empowerment Principles</li> <li>• Not met: Child Rights Convention/Business principles</li> <li>• Not met: Convention on migrant workers</li> <li>• Not met: Expecting suppliers to respect these rights</li> </ul>
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"> <li>• Not met: Commits to stakeholder engagement: The company indicates that it "strives to communicate with related stakeholders through a variety of means, and incorporates opinions from external experts to ensure that our activities do not negatively affect human rights in the countries and regions where we conduct business". However, CHRB is looking for a formal commitment to engage with affected or potentially affected stakeholders, which was not found. [Human Rights Policy, 18/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Regular stakeholder engagement: The company indicates various channels of communication with different stakeholders, such as "various programs designed to give back to local communities, CSR report, etc" for communities and "president's address, code of conduct, employee handbook, training, periodic evaluations, health and safety committees, health consultation rooms, information sharing via corporate intranet sites, CSR report, etc" for employees. However, it is not clear that if there were dialogues between the company and its affected or potentially affected stakeholders about how the company affects them and work on that. No further evidence was found. [CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Commits to engage stakeholders in design</li> <li>• Not met: Regular stakeholder design engagement</li> </ul>
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"> <li>• Not met: Commits to remedy: The company indicates that "in the event that through the process of identifying and evaluating human rights risks, and addressing prioritized issues, it becomes clear that Nintendo has negatively affected human rights through our business activities, or been involved in activities in this regard, we will act to rectify the situation". However, it is not clear if the company has a commitment to remedy. [Human Rights Policy, 18/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Not obstructing access to other remedies: The company indicates that "production partners will identify the status of work-related accidents and illnesses, and implement appropriate countermeasures for remedy or prevention. Appropriate countermeasures refer to systems and policies that make it possible to encourage worker reporting, categorize and record accidents and illnesses, provide treatment when required, investigate past work-related accidents and illnesses and implement corrective measures to eliminate causes, and encourage workers to return to work (including workers' compensation). Countermeasures may include required governmental procedures according to the stipulations of law". However, the methodology is looking for a policy commitment which recognizes its approach to remedy should not obstruct access to other remedies, or it includes commitments to collaborating in initiatives that provide access to remedy in its own operations. No further information was found. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Collaborating with other remedy initiatives</li> <li>• Not met: Work with ICT suppliers to remedy impacts: The company declares that "from the risks identified through our on-site inspections and third-party audits, we report any matters requiring improvement to our production partners and request</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			corrective action ". However, CHRB is looking for a wide commitment which includes working with its suppliers to remedy adverse impacts through the suppliers' mechanism or developing third party non-judicial mechanism. No such commitment was found. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> ]
A.1.6	Commitment to respect the rights of human rights defenders	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Zero tolerance attacks on HRs Defenders (HRDs) Score 2 • Not met: Expects ICT 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	0.5	The individual elements of the assessment are met or not as follows: Score 1 • Met: CEO or Board approves policy: The Representative Director and President Nintendo Co., signs the human rights policy and it "has been approved by the Nintendo Co., Ltd. Board of Directors". [Human Rights Policy, 18/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> ] • Not met: Board level responsibility for HRs: No specific board member or board committee which is tasked with specific governance oversight of one or more areas of respect for human rights found. [Modern Slavery Transparency Statement, 09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> & Human Rights Policy, 18/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> ] Score 2 • Not met: Speeches/letters by Board members or CEO
A.2.2	Board discussions	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Board/Committee review of salient HRs: The company indicates that "to consider ways to advance our human rights due diligence, Nintendo advances discussions at the global level and involves opinions from external experts". No evidence found, however, on whether a board committee is involved or has process to discuss human rights. [Human Rights Policy, 18/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> & Annual Report 2018, 31/03/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> ] • Not met: Examples or trends re HR discussion Score 2 • Not met: Both examples and process
A.2.3	Incentives and performance management	0	The individual elements of the assessment are met or not as follows: Score 1 • Not met: Incentives for at least one board member • Not met: At least one key ICT HR risk, beyond employee H&S Score 2 • Not met: Performance criteria made public

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

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

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.1.1	Responsibility and resources for day-to-day human rights functions	0	The individual elements of the assessment are met or not as follows: Score 1 • Met: Commits to ILO core conventions: See A.1.2 • Not met: Senior responsibility for HR: The company indicates that "at Nintendo Co., Ltd., the General Manager of the Human Resources Department ensures that Nintendo employees in Japan receive training about, and comply with, all relevant laws and regulations, the Nintendo Standards of Behavior and human rights. Similarly, each of our subsidiaries has appointed a department or person who is responsible for educating employees to ensure compliance with laws and regulations, and the respective codes of conduct". However, it is not clear that there is a senior manager responsible for human rights issues and policy. [Modern Slavery Transparency Statement, 09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> ]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> <li>Not met: Day-to-day responsibility: The Company indicates in its CSR Report 2019 that "A cross-functional team, consisting of members responsible for CSR promotion and procurement at Nintendo Co., Ltd., works together to understand external trends and communicate with stakeholders. The team reports as appropriate to the management of Nintendo Co., Ltd., regarding progress on CSR procurement activities and to discuss necessary actions to mitigate associated risks." However, it is not clear which departments / divisions / teams are responsible for managing human rights issues in the Company. [CSR Report 2019 - Supply Chain - web, 09/2019: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>Not met: Day-to-day responsibility for ICT in supply chain</li> </ul>
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"> <li>Not met: Senior manager incentives for human rights</li> <li>Not met: At least one key ICT HR risk, beyond employee H&amp;S</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Not met: Performance criteria made public</li> </ul>
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"> <li>Not met: HR risks is integrated as part of enterprise risk system: The company indicates that it believes "that placing a special focus on labor environment issues, human rights issues and risk management results in higher quality products and parts, decreased risks, and mutually improved corporate value and competitiveness". However, it is not clear how attention to human rights risks is integrated into its broader enterprise risk management system(s). No further evidence found. [CSR 2017, 07/2017: <a href="http://nintendo.co.jp">nintendo.co.jp</a> &amp; Annual Report 2018, 31/03/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Not met: Audit Ctte or independent risk assessment</li> </ul>
B.1.4.a	Communication /dissemination of policy commitment(s) within Company's own operations	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>Met: Commits to ILO core conventions: See A.1.2</li> <li>Not met: Communicates its policy to all workers in own operations: The company indicates that "Nintendo educates everyone employed by Nintendo about this Policy to ensure effective integration and implementation into every aspect of our business activities". It is not clear, though, how it communicates its human rights policy to all workers. [Human Rights Policy, 18/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Not met: Commits to all 4 ILO core conventions</li> <li>Not met: Communication of policy commitments to stakeholder</li> <li>Not met: How policy commitments are made accessible to audience</li> </ul>
B.1.4.b	Communication /dissemination of policy commitment(s) to business relationships	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 all 4 ILO core conventions for suppliers: See A.1.2</li> <li>Met: Requiring ICT suppliers to communicate policy down the chain: Regarding the Nintendo CSR Procurement Guidelines, the company indicates in us CSR Report 2019 that it "distribute[s] these guidelines to all first-tier suppliers, who are required to formally agree to them." The company indicates in its Guidelines that "We also ask our production partners to notify all business partners and labor-outsourcing partners (including temporary employment agencies and independent contractors) about the Guidelines". [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> &amp; CSR Report 2019 - Supply Chain - web, 09/2019: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Met: How HR commitments made binding/contractual: As stated above, the company indicates that "all production partners must agree to comply with these guidelines". In addition, in its CSR Report 2019, the Company states that it has "incorporated provisions regarding compliance with these guidelines [CSR Procurement Guidelines] into the Basic Partner Agreement and obtain agreement from all first-tier suppliers for future transactions." [Modern Slavery Transparency Statement, 09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> &amp; CSR Report 2019 - Supply Chain - web, 09/2019: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>Not met: Including on ICT suppliers: The company indicates that it requires their production partners "to conduct activities in line with the intent of the Guidelines(...). We also ask our production partners to notify all business partners and labor-outsourcing partners (including temporary employment agencies and independent contractors) about the Guidelines". Not clear, however, if supplies cascade down commercial contracts or binding arrangements to the supplier code. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.1.5	Training on Human Rights	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Scores at least 1 on A.1.2</li> <li>• Not met: Trains all workers on HR policy commitments: It points out that “at Nintendo, we conduct the following training to inform employees about human rights topics: we conduct online and/or face-to-face training for employees to ensure a full understanding of the Standards or codes of conduct, and take appropriate measures to address any violation of the Standards or codes of conduct”. Moreover, “in addition to human rights training for new recruits and when being promoted, we are considering plans to regularly conduct training for all employees”. However, it is not clear that all workers are actively trained on its human rights policies commitments. [CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> &amp; Modern Slavery Transparency Statement, 09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Trains relevant ICT managers including procurement: The company mentions Primary Training followed by education based on the Nintendo CSR Procurement Guidelines. Moreover, it indicates that it “continuous training of new members who conduct on-site inspections (including a certification program for employees performing on-site inspections)”. However, it is not clear that procurement managers receive human rights training. [CSR 2017, 07/2017: <a href="http://nintendo.co.jp">nintendo.co.jp</a> &amp; Working With Our Business Partners - CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</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: 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>• Met: Scores at least 1 on A.1.2</li> <li>• Not met: Monitoring implementation of HR policy commitments</li> <li>• Met: Monitoring ICT suppliers: The company points out that “Nintendo may conduct on-site inspections, or employ the services of a third party to conduct audits, to verify the status of CSR activity implementation based on the Guidelines [...] and that since fiscal year 2013, Nintendo has utilized third-party auditing to enhance transparency in the procurement process. The third-party auditing team interviews managers and workers, reviews relevant documents, inspects production facilities and dormitories, and uses a sampling method to verify employment contracts and policies to ensure that production partners comply with the Nintendo CSR Procurement Guidelines and its goals of providing safe working conditions, ensuring responsible sourcing, and avoiding modern slavery”. [Modern Slavery Transparency Statement, 09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> &amp; CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Score of 2 on A.1.2: See A.1.2</li> <li>• Not met: Describes corrective action process: The company indicates that “from the risks identified through our on-site inspections and third-party audits, we report any matters requiring improvement to our production partners and request corrective action.” In its CSR Report 2019, it highlights: “In fiscal year 2018, we identified risks in areas such as labor management and practices, and health and safety. We are working with these production partners to implement corrective action.” However, no further description found of corrective action plan process and numbers of incidences. [Working With Our Business Partners - CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> &amp; CSR Report 2019 - Supply Chain - web, 09/2019: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Example of corrective action</li> <li>• Not met: Discloses % of ICT supply chain monitored: The company points out that “In fiscal year 2018, we carried out on-site inspections at the facilities of 19 production partners and requested improvements deemed necessary in areas such as young worker protection and improving visibility of fire extinguishers and emergency evacuation routes”. However, the proportion of its suppliers that it represents is not clear. [CSR Report 2019 - Supply Chain - web, 09/2019: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>
B.1.7	Engaging business relationships	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: HR affects ICT selection of suppliers: The company points out that “when selecting production partners and continuous transactions for the procurement of products and component parts, priority shall be given to companies that (...) comply with laws and social norms, with an emphasis on human rights and environmental considerations”, however, it is not clear how does it. [Working With Our Business Partners - CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Not met: HR affects on-going ICT supplier relationships</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: Both requirement under score 1 met</li> <li>• Not met: Working with ICT suppliers to improve performance: The Company indicates that 'In fiscal year 2018, we identified risks in areas such as labor management and practices, and health and safety. We are working with these production partners to implement corrective action'. However, details found on how specifically works with them to improve their human rights performance. [CSR Report 2019 - Supply Chain - web, 09/2019: <a href="http://nintendo.co.jp">nintendo.co.jp</a> &amp; Working With Our Business Partners - CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>
B.1.8	Approach to engagement with potentially affected stakeholders	0.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not met: Stakeholder process or systems: The company does list a series of different stakeholders, however, it is not clear the process or system used to define them and how engages. [CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Frequency and triggers for engagement: The company indicates that "stakeholder expectations are increasing each year regarding the resolution of supply chain issues". However, it is not clear if it triggers for engagement of affected or potentially affected stakeholders and frequency of engagement. [CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Met: Workers in ICT SC engaged: In its CSR Report 2019, the Company indicates that "During third-party audits, the auditors interviewed managers and workers employed at the production site in their native language [...]". On-site inspections are carried out regularly. [CSR Report 2019 - Supply Chain - web, 09/2019: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Communities in the ICT SC engaged: The company indicates that "as members of society, production partners are encouraged to take voluntary initiative to contribute to the advancement of the international and local community. Some specific examples are coordination with local authorities in emergency response, worker volunteers, support of NPO/NGO activities, donations and the transmission or provision of various information". However, it is not clear that suppliers are engaged with communities on a dialogue about human rights issues that may concern the latter. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: Analysis of stakeholder views and company's actions on them</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	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not met: Identifying risks in own operations: The company indicates that "to consider ways to advance our human rights due diligence, Nintendo advances discussions at the global level and involves opinions from external experts". However, it is not clear what the process(es) to identify its human rights risks and impacts is, either in specific locations or activities, covering its own operations. [Human Rights Policy, 18/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Identifying risks in ICT suppliers: Regarding CSR Procurement, the company indicates that "through consultation with an external specialist, we re-assessed the risks within the Nintendo supply chain and once again identified where those risks exist. We also revised the Business Status Survey to better enable our understanding of our production partners' situations". However, the process previously described is part of the CSR Procurement Process Flow, which is more of a procurement guideline monitoring, than a proactive process of identification of human rights risks. [CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> &amp; Modern Slavery Transparency Statement, 09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: Ongoing global risk identification: The company indicates that "Nintendo Co., Ltd. requires each of its production partners to complete a written CSR compliance questionnaire each year. Based on various selection criteria, including the results of the questionnaire and the production partner's role in the supply chain, we send personnel to conduct on-site inspections of selected production partners to ascertain the current on-site situation and improvement status". However, it is not clear if there is a proactive ongoing global risk identification, not only a CSR compliance procedure. [Modern Slavery Transparency Statement, 09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: In consultation with stakeholders</li> <li>• Not met: In consultation with HR experts</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Not met: Triggered by new circumstances</li> </ul>
B.2.2	Assessing: Assessment of risks and impacts identified (salient risks and key industry risks)	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: Salient risk assessment (and context): However the process(es) for assessing its human rights risks and impacts is not clear.</li> <li>• Not met: Public disclosure of salient risks</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not 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</li> <li>• Not met: Including in ICT supply chain</li> <li>• Met: Example of Actions decided: Regarding the issue of forced labour, the company indicates that "when Nintendo hires employees, we take the following measures to reduce the risk of modern slavery: all employees are bound by written employment contracts; we use reputable employment agencies to source temporary workers; we require each recruitment agency we use to provide the terms on which workers will be engaged by them, including minimum wages to be paid, before accepting employees from those agencies; we periodically review our terms with employment agencies and require all agencies to confirm their compliance status with all related laws and regulations; we have an anonymous procedure employees can use to report any legal violations or suspected issues, including a violation of the Nintendo Standards of Behavior". [Modern Slavery Transparency Statement, 09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Both requirements under score 1 met</li> </ul>
B.2.4	Tracking: Monitoring and evaluating the effectiveness of actions to respond to human rights risks and impacts	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: System to check if Actions are effective</li> <li>• Not met: Lessons learnt from checking effectiveness</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Both requirement under score 1 met</li> </ul>
B.2.5	Communicating : Accounting for how human rights impacts are addressed	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: Comms plan re identifying risks</li> <li>• Not met: Comms plan re assessing risks</li> <li>• Not met: Comms plan re action plans for risks: See indicator B.2.3. Although the Company discloses and gives an example of action taken, to tackle the problem of forced labour, it is not clear how it communicates externally its impact and its effectiveness.</li> <li>• Not met: Comms plan re reviewing action plans</li> <li>• Not met: Including ICT suppliers</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	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: Channel accessible to all workers: The company indicates that "Nintendo Co., Ltd. has established a system, called the Compliance Hotline, for the internal reporting of compliance-related issues. Using the Hotline, employees can confidentially report suspected illegal actions or other misconduct directly to the President, the Audit and Supervisory Committee, or both if desired. It is established to protect employees from any disadvantage when they use this Hotline. Information about the Hotline is shared with new recruits during orientation training". [Reliable and Trustworthy Business Practices - CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Number grievances filed, addressed or resolved</li> <li>• Not met: Channel is available in all appropriate languages</li> </ul>



Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Not met: Expect ICT supplier to have equivalent grievance systems</li> <li>• Not met: Opens own system to ICT supplier workers</li> </ul>
C.2	Grievance channel(s)/mechanism(s) to receive complaints or concerns from external individuals and communities	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: Grievance mechanism for community: The company indicates that "Nintendo Co., Ltd. has established a system, called the Compliance Hotline, for the internal reporting of compliance-related issues. Using the Hotline, employees can confidentially report suspected illegal actions or other misconduct directly to the President, the Audit and Supervisory Committee, or both if desired". It is not clear there is a grievance mechanism for the community in general. [Reliable and Trustworthy Business Practices - CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Describes accessibility and local languages</li> <li>• Not met: Expects ICT supplier to have community grievance systems: The company indicates that "production partners will perform activities in order to prevent illegal actions and prepare a reporting system for early detection and response". It is not clear what those systems are and that suppliers are required to have community grievance systems. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: ICT supplier communities use global system</li> </ul>
C.3	Users are involved in the design and performance of the channel(s)/mechanism(s)	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: Engages users to create or assess system</li> <li>• Not met: Description of how they do this</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Engages with users on system performance</li> <li>• Not met: Provides user engagement example on performance</li> <li>• Not met: ICT suppliers consult users in creation or assessment</li> </ul>
C.4	Procedures related to the mechanism(s)/channel(s) are publicly available and explained	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: Response timescales</li> <li>• Not met: How complainants will be informed</li> <li>• Not met: Who is handling the complaint</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Escalation to senior/independent level: The company indicates that "using the Hotline, employees can confidentially report suspected illegal actions or other misconduct directly to the President, the Audit and Supervisory Committee, or both if desired. (...) In the unlikely event that employees at one of our subsidiaries become aware of any misconduct by a member of their executive management, the system in place enables any employees to report the incident directly to the President of Nintendo Co., Ltd". However, no evidence found of this being extensive to all external individuals and communities. [Reliable and Trustworthy Business Practices - CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>
C.5	Commitment to non-retaliation over complaints or concerns made	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 statement prohibiting retaliation: The Company indicates that 'the following are examples of reporting systems for the early detection and response to illegal actions: establish a hotline regarding illegal actions inside or outside the company to enable early detection of illegal actions by the management; maintain the informant's confidentiality and give proper protection against retaliation or threats'. However, it is not clear that it prohibits retaliation against workers and other stakeholders (including those that represent them) for raising human rights related complaints or concerns. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Practical measures to prevent retaliation: The company indicates that it has 'an anonymous procedure employees can use to report any legal violations or suspected issues, including a violation of the Nintendo Standards of Behavior'. However, it is not clear the same procedure can be used by someone who is not an employee. [Modern Slavery Transparency Statement, 09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Has not retaliated in practice</li> <li>• Not met: Expects ICT suppliers to prohibit retaliation</li> </ul>
C.6	Company involvement with State-based judicial and non-	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: Won't impede state based mechanisms</li> <li>• Not met: Complainants not asked to waive rights</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Will work with state based or non judicial mechanisms</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
	judicial grievance mechanisms		<ul style="list-style-type: none"> <li>• Not met: Example of issue resolved (if applicable)</li> </ul>
C.7	Remediating adverse impacts and incorporating lessons learned	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: Describes how remedy has been provided</li> <li>• Not met: Says how it would remedy key sector risks</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Changes introduced to stop repetition</li> <li>• Not met: Approach to learning from incident to prevent future impacts</li> <li>• Not met: Evaluation of the channel/mechanism</li> </ul>

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

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.4.1.b	Living wage (in the 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"> <li>• Not met: Living wage in supplier code or contracts: The company indicates that "production partners will comply with wage-related laws such as the legal minimum wage, overtime and legal benefits for all workers, and will not reduce wages unfairly (...). Minimum wage refers to the minimum wage stipulated by the wage-related laws in the countries where production partners are present". However, it is not clear if the company is referring to a living wage, which should be sufficient to cover food, water, clothing, transport, education, health care and other essential needs for workers and their officially entitled dependents and provide some discretionary income. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Improving living wage practices of suppliers</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Both requirements under score 1 met</li> <li>• Not met: Provide analysis of trends demonstrating progress</li> </ul>
D.4.2	Aligning purchasing decisions with human rights	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not met: Avoids business model pressure on HRs: The company indicates that "production partners will perform procurement transactions based on contracts, sincerely and fairly, and will not act to abuse their dominant bargaining positions. Abuse of a dominant bargaining position is using one's position as a purchaser or a consignor to unilaterally determine or change transaction conditions with suppliers and others, or imposing unreasonable demands or obligations on them. In addition, laws regarding abuse of a dominant bargaining position must be observed in those countries that have these laws established". However, it is a supplier requirement, it is not clear the same policy is used by its own procurement team. No further information was found on how it adopts practices to avoid business considerations undermining human rights. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Positive incentives to respect human rights</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Both requirements under score 1 met</li> </ul>
D.4.3	Mapping and disclosing the 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"> <li>• Not met: Identifies suppliers back to product source</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Discloses significant parts of supply chain and why: The company discloses its smelters supply chain. However, it is not clear these are the most significant parts of its supply chain. Neither is clear how has defined what are the most significant parts of its supply chain. [Smelter list 2018, 22/02/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>
D.4.4.b	Prohibition on child labour: Age verification and corrective actions (in the 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"> <li>• Not met: Child Labour rules in codes or contracts: The Company indicates that 'production partners will implement appropriate and effective policies and procedures to ensure that children who have not reached the minimum employment age are not employed, and will request the same of temporary employment agencies and independent contractors (...). Even in countries that have no legal definitions regarding working ages, acting contrary to the minimum age convention and recommendations of the ILO is considered to be engaging in child labor'. However, no evidence of requirements on remediation programmes found. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Not met: How working with suppliers on child labour: The third party audit team 'used a sampling method to validate compliance on the respect for human rights, employment contracts, prohibition of child labor'. Also, the Company makes reference to different community and corporate giving activities undertaken by Nintendo of America. However, no further information found about how the company works with suppliers on child labour issues. [Working With Our Business Partners - CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a> &amp; CSR Web, 29/08/2019: <a href="http://nintendo.com">nintendo.com</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: Both requirements under score 1 met</li> <li>• Not met: Provide analysis of trends demonstrating progress</li> </ul>
D.4.5.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"> <li>• Not met: Debt and fees rules in codes or contracts: The company indicates that "workers will not be obligated to pay employers' or agents' recruitment fees or other related fees for their employment". However, it is not clear that whenever fees were paid in the first place, they have to be repaid to workers by supplier (in this case their employer). Neither is it clear that suppliers are required to cover all recruitment cost. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: How working with suppliers on debt &amp; fees</li> <li>• Not met: Both requirements under score 1 met</li> <li>• Not met: Provide analysis of trends in progress made</li> </ul>
D.4.5.d	Prohibition on forced labour: Restrictions on workers (in the supply chain)	1	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Met: Free movement rules in codes or contracts: The company indicates that "production partners will implement appropriate and effective policies and procedures to ensure that all workers are employed of their own free will and will not force workers to work, and will request the same of temporary employment agencies and independent contractors". It then goes on quoting "requiring a worker to deposit identification, passports or work permits with the employer" as an example of forced labour. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: How these practices are implemented and monitored for agencies, labour brokers or recruiters</li> <li>• Not met: Both requirements under score 1 met</li> <li>• Not met: Provide analysis of trends in progress made</li> </ul>
D.4.6.b	Freedom of association and collective bargaining (in the supply chain)	1	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Met: FoA &amp; CB rules in codes or contracts: The company indicates that "production partners will respect workers' right to organize as a means to realize agreement between labor and management on issues such as the work environment and wage standards. Respecting the right of workers to organize refers the freedom of association without retaliation, intimidation or harassment, freedom to join labor unions, freedom to public protest and the freedom to participate in workers' council meetings without retaliation, threats or harassment". [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: How working with suppliers on FoA and CB</li> <li>• Not met: Both requirements under score 1 met</li> <li>• Not met: Provide analysis of trends in progress made</li> </ul>
D.4.7.b	Health and safety: Fatalities, lost days, injury rates (in the supply chain)	0.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Met: Sets out clear Health and Safety requirements: The company sets health and safety requirement for suppliers to observe laws and regulations concerning occupational health and safety, and continually improve the work environment; prevent work-related accidents and ensure worker safety; create a safe, clean workplace environment and facilities, and give consideration to worker health. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: Injury rate disclosures</li> <li>• Not met: Lost days or near miss disclosures</li> <li>• Not met: Fatalities disclosures</li> <li>• Not met: Occupational disease rates</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> <li>Not met: How working with suppliers on H&amp;S: The company indicates that "in fiscal year 2017, we identified risks in areas such as (...)health and safety. We are working with these production partners to implement corrective action". However, no further information about how it is working with suppliers was found, apart from the procurement guidelines on health and safety. [Working With Our Business Partners - CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>Not met: Provide analysis of trends in progress made</li> </ul>
D.4.8.b	Women's rights (in the supply chain)	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: Women's rights in codes or contracts: The company indicates that "production partners will take reasonable steps to minimize any workplace health and safety risks and include reasonable accommodations for pregnant women and nursing mothers". Moreover, "production partners will not discriminate in recruiting and employment practices, and will ensure equal opportunity and fair treatment. Discrimination is a difference in opportunity or treatment in employment, advancement, compensation, training opportunities and other benefits not based on legitimate factors such as personal ability, aptitude or performance. Examples of discriminatory components include race, ethnicity, nationality, birthplace, color, age, sex, sexual orientation, sexual identity, disability, religion, political opinion, membership in an association or marital status. In addition, if a medical examination or pregnancy test causes a loss of equal opportunity or fair treatment, it will be considered a discriminatory act". [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>Not met: How working with suppliers on women's rights</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Not met: Both requirement under score 1 met</li> <li>Not met: Provide analysis of trends in progress made: The company provides graphics of the percentage of women in its own labour force, however, no evidence of a analysis of trends demonstrating progress within its suppliers was found. [CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>
D.4.9.b	Working hours (in the 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"> <li>Not met: Working hours in codes or contracts: The company indicates that "production partners will appropriately manage workers' working hours, holidays and vacations so that legal limits are not exceeded". It then goes on giving examples of what appropriate management includes. However, no further evidence about the Company requiring suppliers to respect applicable international standards was found, neither was a reference to minimum breaks. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>Not met: How working with suppliers on working hours: The company pointed out that it adopts "a third-party auditing process to enhance our CSR procurement transparency". The audit team "used a sampling method to validate compliance on the respect for human rights, employment contracts, prohibition of child labor and forced labor, legal minimum wages, management of working hours, and workplace health and safety". No further information about how it works with suppliers to improve their practices in relation to working hours was found. [Working With Our Business Partners - CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>Not met: Both requirements under score 1 met</li> <li>Not met: Provide analysis of trends in progress made</li> </ul>
D.4.10.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"> <li>Not met: Responsible mineral sourcing due diligence in supplier contracts: The company points out that "to ensure that the supply chain is free of conflict minerals, production partners will establish a policy that prohibits the use of conflict minerals, and investigate the source of raw materials and report the results of this investigation using the Responsible Minerals Initiative (RMI) reporting tool". However, it is not clear that it is incorporated into written contracts with suppliers requirements to conduct this due diligence in accordance with OECD. [CSR 2017, 07/2017: <a href="http://nintendo.co.jp">nintendo.co.jp</a> &amp; CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Not met: Builds capacity with smelters/refiners: The company indicates that "we have also been working on strengthening our investigation system and improving investigation methods. As a part of these efforts, we visit production partners and interview them on investigation methods and issues to be addressed". However, no further details found about how it specifically works with smelters/refiners and suppliers to improve their capacity in risk assessment and due diligence performance.. [CSR 2017, 07/2017: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Disclosure of smelter information in supplier requirements: The company indicates that "to ensure that the supply chain is free of conflict minerals, production partners will establish a policy that (...) investigate the source of raw materials and report the results of this investigation using the Responsible Minerals Initiative (RMI) reporting tool". It is not clear that the company includes in commercial contracts or agreements requirements to disclose to the Company updated smelter/refiner information. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Responsible conflict mineral sourcing covers all minerals</li> </ul>
D.4.10.b	Responsible Mineral Sourcing: Risk Identification in Mineral Supply Chain	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: Risk identification and disclosure in line with OECD Guidance: The company indicates that "since 2013, we have used the internationally recognized Conflict Minerals Reporting Template to conduct our supply chain survey with the cooperation of our first-tier suppliers to identify and assess risk". No further information found on how this process of identifying and prioritizing risks and impacts works. It is not clear what the risks identified were either. [Working With Our Business Partners - CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Met: Identification of smelter/refiners and OECD due diligence: The Company that "approximately 70 production partners supply parts that constitute this products [3TG]". Since 2013 it has used the Conflict Minerals Reporting Template to survey first tier suppliers to identify and assess risk. "When inconsistencies or omissions are found in responses from production partners, we require them to correct any issues and resubmit their response.. The response rate to the survey is 100%". it points out that "according to our investigation, Nintendo's supply chain consists of 339 smelters and refiners (...). We compared these smelters and these smelters and refiners against the RMI smelter lists to analyze the certification status of each mineral. As a result, 320 of the smelters and refiners reported were on the RMI Standard Smelter List, and among them, 256 were certified as RMAP Conformant Smelters and Refiners. We assessed the results and conducted direct interviews with high risk production partners to accurately understand the situation and aim for mutual understanding". [Working With Our Business Partners - CSR 2018, 07/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not met: Discloses smelters/refiners judged in line with OECD due diligence: The company discloses a "Smelters and Refiners on the RMI (Responsible Minerals Initiative) Standard Smelter List in Nintendo's Supply Chain. However, it is not clear which were independently judged to conform to the due diligence process covered by the OECD Guidance. [Smelter list 2018, 22/02/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Responsible conflict mineral sourcing covers all minerals</li> </ul>
D.4.10.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"> <li>• Not met: Describes mineral risk management plan for supply chain: The company indicates that "if it is determined that conflict minerals are being used, steps should be taken to replace them with substitute materials. Once a validated conflict-free supply chain is established through initiatives such as the RMI Responsible Minerals Assurance Process (RMAP) program, minerals should be procured through that validated supply chain. Nintendo will conduct a survey of production partners' initiatives to ensure that conflict minerals are not being used in our products, and production partners will cooperate with this survey". However, it is not clear the steps taken to manage and respond risks identified in its mineral supply chain. [CSR Procurement Guidelines, 28/09/2018: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> <li>• Not met: Monitoring, tracking and whether better risk prevention/mitigation over time: The company indicates that "the Nintendo CSR Procurement Guidelines have been revised regularly, we have been investigating our supply chain to address the conflict minerals issue and we brought in a third party to conduct monitoring of our production partners' sites". However, it is not clear how this monitoring tracks both mitigation and risk prevention performance. Nor if there is a measurable improvement in risk prevention and mitigation over time. [CSR 2017, 07/2017: <a href="http://nintendo.co.jp">nintendo.co.jp</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			Score 2 <ul style="list-style-type: none"> <li>• Not met: Supplier and stakeholders engaged in risk management strategy</li> <li>• Not met: Responsible conflict mineral sourcing covers all minerals</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		No allegations meeting the CHRB severity threshold were found, and so the score of 10.18 out of 80 points scored in themes A-D & F has been applied to produce a score of 2.54 out of 20 points for theme E.

### F. Transparency (10% of Total)

Indicator Code	Indicator name	Score	Explanation
F.1	Company willingness to publish information	1.27 out of 4	Out of a total of 44 indicators assessed under sections A-D of the benchmark, Nintendo made data public that met one or more elements of the methodology in 14 cases, leading to a disclosure score of 1.27 out of 4 points.
F.2	Recognised Reporting Initiatives	0 out of 2	The individual elements of the assessment are met or not as follows: Score 2 <ul style="list-style-type: none"> <li>• Not met: Company reports on GRI</li> <li>• Not met: Company reports on SASB</li> <li>• Not met: Company reports on UNGPRF</li> </ul>
F.3	Key, High Quality Disclosures	0 out of 4	Nintendo met 0 of the 8 thresholds listed below and therefore gets 0 out of 4 points for the high quality disclosure indicator. Specificity and use of concrete examples <ul style="list-style-type: none"> <li>• Not 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>• Not 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> Discussing challenges openly <ul style="list-style-type: none"> <li>• Not 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> Demonstrating a forward focus <ul style="list-style-type: none"> <li>• Not met: Score 2 for A.2.3 : Incentives and performance management</li> <li>• Not met: Score 2 for B.1.2 : Incentives and performance management</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.

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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.