

Company Name Nintendo
Industry ICT (Supply Chain only)
Overall Score 10.3 out of 100

Theme Score	Out of	For Theme
1.7	10	A. Governance and Policies
2.6	25	B. Embedding Respect and Human Rights Due Diligence
1.0	20	C. Remedies and Grievance Mechanisms
2.9	25	D. Performance: Company Human Rights Practices
2.1	20	E. Performance: Responses to Serious Allegations

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 2022 Methodology document for the sector concerned. 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 • Met: International Bill of Human Rights: The Human Rights Policy 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: nintendo.co.jp] Score 2 • Met: Commitment to the UNGPs: The HR policy states that the Company '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: nintendo.co.jp]
A.1.2.a	Commitment to respect the human rights of workers: ILO Declaration on Fundamental Principles and Rights at Work	0.5	The individual elements of the assessment are met or not as follows: Score 1 • Met: Company has a commitment to the ILO Core: The HR policy states 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: nintendo.co.jp] • Not Met: Company has a explicit commitment to All four ILO Core: It also indicates that 'supports and adheres (...) the Declaration on Fundamental Principles and Rights at Work, from the International Labour Organization (ILO)'. It then goes on listing each of the four core ILO principles (in a note to the statement), however, it is not clear that there is a commitment to each one of them. [Human Rights Policy, 18/09/2018: nintendo.co.jp]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> Met: Company expect suppliers to commit to ILO Core: The Company's CSR Procurement Guideline covers each ILO Core commitment: discrimination, forced labour, child labour, freedom of association and collective bargaining, as indicated below. As for the CSR Procurement Guidelines, the webpage section 'CSR Procurement Policy' indicates: 'We distribute these Guidelines to all first-tier suppliers and require their formal agreement'. [CSR Procurement Guidelines - updated 2021, 13/05/2021: nintendo.co.jp] & [CSR Procurement Policy, n/a: nintendo.co.jp] Met: Company explicitly list All four ILO for suppliers: According to the CSR Procurement Guideline, suppliers are expected to: Prohibit Child Labor, Prohibit Discrimination, Prohibit Forced Labor. Regarding freedom of association and collective bargaining, it indicates that 'Production partners will protect workers' right to organize and right to collective bargaining as a means to facilitate discussion between labor and management on issues such as the work environment and wage standards. Protecting the right of workers to organize and right to collective bargaining refers to 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 - updated 2021, 13/05/2021: nintendo.co.jp] & [CSR Procurement Policy, n/a: nintendo.co.jp]
A.1.2.b	Commitment to respect the human rights of workers: Health and safety and working hours	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: Commitment to respect H&S of workers: The Company provided feedback to this datapoint. However, Sustainability Report is not considered a suitable source for policy statements under CHRB's revised approach. Not Met: Respect ILO labour standards on working hours or Commits to 48 hours regular work week <p>Score 2</p> <ul style="list-style-type: none"> Met: Expect suppliers to commit to H&S of their workers: The CSR Procurement Guidelines indicates 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 [...] are identified, monitored, understood and upheld'. Regarding the CSR Procurement Guidelines, the webpage section 'CSR Procurement Policy' indicates: 'We distribute these Guidelines to all first-tier suppliers and require their formal agreement'. [CSR Procurement Guidelines - updated 2021, 13/05/2021: nintendo.co.jp] & [CSR Procurement Policy, n/a: nintendo.co.jp] Not Met: Expect suppliers to commit to ILO labour standard or to 48 hours regular work week: The CSR Procurement Guidelines indicates that 'Production partners will appropriately manage workers' working hours (...) so that legal limits are not exceeded. Appropriate management includes the following examples: The annual number of working days does not exceed the legal limit; The number of working hours per week (or per month), including overtime, (excluding emergencies) does not exceed the legal limit; (...) The establishment of policies, systems and procedures necessary for the administration of highly reliable records of workers' work hours (including overtime); Obtainment of worker consent when implementing overtime'. However, no formal commitment about respecting the ILO conventions on working hours was found. Alternatively, the Company would achieve this by committing to a 48 hours regular working week, and consensual overtime paid at a premium rate. [CSR Procurement Guidelines - updated 2021, 13/05/2021: nintendo.co.jp] & [CSR Procurement Policy, n/a: nintendo.co.jp]
A.1.3.a.ICT	Commitment to respect human rights particularly relevant to the industry – responsible sourcing of minerals (ICT)	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: Responsible mineral sourcing: 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.) 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'. [Responsible Mineral Procurement Policy on web, n/a: nintendo.co.jp] Not Met: Based on OECD Guidance Met: Requires suppliers to commit to responsible mineral sourcing: The Procurement Guidelines state that 'Nintendo has set a clear policy that our products will not use tin, tantalum, tungsten, gold, cobalt, and other minerals that fund organizations associated with child labor and other human rights violations,

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>environmental destruction, or inhumane armed conflict. (...) These minerals will not be used in the manufacture or production of any Nintendo products or components. To achieve this, we have set a clear policy not to use such minerals, and we request that you perform audits upstream through the supply chain in accordance with the OECD (Organization for Economic Co-operation and Development) Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas'. Regarding the CSR Procurement Guidelines, the webpage section 'CSR Procurement Policy' indicates: 'We distribute these Guidelines to all first-tier suppliers and require their formal agreement'. [CSR Procurement Guidelines - updated 2021, 13/05/2021: nintendo.co.jp] & [CSR Procurement Policy, n/a: nintendo.co.jp]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Commits to follow OECD Guidance for 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 if it is extensive to all minerals. [Responsible Mineral Procurement Policy on web, n/a: nintendo.co.jp] • Not Met: Suppliers expected to make similar requirements of their suppliers
A.1.3.b.ICT	Commitment to respect human rights particularly relevant to the industry – vulnerable groups (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: Company provided feedback, but evidence is not material. Sustainability Report is not considered a suitable source for policy statements under CHRB's revised approach. • Not Met: Children's rights • Not Met: Migrant worker's rights • Not Met: Expects suppliers to respect at least one of these rights: According to the CSR Procurement Guidelines: 'Production partners will respect the rights of all persons, and will not abuse workers (all directly employed personnel, including temporary, migrant, (...) and any other type of worker), or engage in any kind of harassment or other inhumane treatment'. However, it is not clear the Company expects suppliers to respect the rights of migrant workers. Regarding the CSR Procurement Guidelines, the webpage section 'CSR Procurement Policy' indicates: 'We distribute these Guidelines to all first-tier suppliers and require their formal agreement'. [CSR Procurement Guidelines - updated 2021, 13/05/2021: nintendo.co.jp] & [CSR Procurement Policy, n/a: nintendo.co.jp] <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: Expecting suppliers to respect these rights
A.1.4	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: The Company 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: nintendo.co.jp] • Not Met: Company expect suppliers to make this commitment <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Collaborating with other remedy initiatives • Not Met: Work with suppliers to remedy impact
A.1.5	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) • Not Met: Company expect suppliers to make this commitment <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Work with HRD to create safe and enabling environment

A.2 Policy Commitments (5% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.2.1	Commitment from the top	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not Met: Board level responsibility for HRs: The Company provided feedback to this indicator, but evidence was not material. It is not clear if there is a Board member responsible for Human Rights. Not Met: Describe HR expertise of Board member Score 2 <ul style="list-style-type: none"> Not Met: Speeches/letters by Board members or CEO
A.2.2	Board responsibility	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not Met: Board/Committee review HRs strategy: 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. No evidence found on latest report. [Human Rights Policy, 18/09/2018: nintendo.co.jp] Score 2 <ul style="list-style-type: none"> Not Met: Examples/trends re HR discussion in the last reporting period Not Met: Meets both requirements under score 1 Not Met: How affected stakeholders/HR experts informed discussions
A.2.3	Incentives and performance management	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not Met: Incentives for at least one board member Not Met: At least one key HR risk, beyond employee H&S Score 2 <ul style="list-style-type: none"> Not Met: Performance criteria made public Not Met: Review of other board performance criteria
A.2.4	Business model strategy and risks	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not Met: Board process to review business model and strategy Not Met: Describe frequency and triggers for reviewing Score 2 <ul style="list-style-type: none"> Not Met: Meets both requirements under score 1 Not Met: Example of actions decided

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

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

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.1.1	Responsibility and resources for day-to-day human rights functions	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not Met: Score of 1 on A.1.2.a: See indicator A.1.2.a Not Met: Senior responsibility for HR implementation and decision making: 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 - Updated 2021, 10/2021: nintendo.co.jp] Score 2 <ul style="list-style-type: none"> Not Met: How it assigns 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: nintendo.co.jp] Not Met: Day-to-day resources and expertise allocation in own ops Not Met: Resources and expertise allocation in the supply chain

Indicator Code	Indicator name	Score (out of 2)	Explanation
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 HR risk, beyond employee H&S <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Performance criteria made public • Not Met: Review of other senior management performance
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 • Not Met: Provides an example <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Audit Ctte or independent risk assessment
B.1.4.a	Communication /dissemination of policy commitment(s) to workers and external stakeholders	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: Score of 1 on A.1.2.a: see indicator A.1.2.a • Met: Communicates its policy to all workers in own operations: The company says: "The Nintendo group employs people with a wide variety of unique talents, who all work to bring smiles to everyone they interact with. As a global entity, while establishing an appropriate awareness of human rights issues, we introduce systems and initiatives suited to each country and region to create a work environment that supports and empowers our employees, who are the source of Nintendo's competitive edge." In addition, the company indicates that "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." [CSR Report 2021, 2021: nintendo.co.jp] & [Modern Slavery Transparency Statement - Updated 2021, 10/2021: nintendo.co.jp] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Communication of policy commitments to stakeholder: The company states: "To further ensure that we fulfil our social responsibility throughout our supply chain, we established the Nintendo CSR Procurement Guidelines in 2011. We distribute these guidelines to all of our production partners and require that they adhere to them." [CSR Report 2021, 2021: nintendo.co.jp] • Not Met: How policy commitments are made accessible to audience
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"> • Met: Meets ILO requirement for suppliers on A.1.2.a: See indicator A.1.2.a • Not Met: Steps to communicate policy commitments to supply chain [Modern Slavery Transparency Statement - Updated 2021, 10/2021: nintendo.co.jp] • Met: Requires suppliers to communicate policy requirements: Regarding the Nintendo CSR Procurement Guidelines, the Company indicates in its 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 - updated 2021, 13/05/2021: nintendo.co.jp] & [CSR Report 2019 - Supply Chain - web, 09/2019: nintendo.co.jp] <p>Score 2</p> <ul style="list-style-type: none"> • 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 - Updated 2021, 10/2021: nintendo.co.jp] & [CSR Report 2019 - Supply Chain - web, 09/2019: nintendo.co.jp] • Not Met: Company requires suppliers to cascade down to their 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 - updated 2021, 13/05/2021: nintendo.co.jp]

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B.1.5	Training on Human Rights	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Scores at least 1 on A.1.2.a: See indicator A.1.2.a • Met: How workers are trained 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". [Modern Slavery Transparency Statement - Updated 2021, 10/2021: nintendo.co.jp] • Not Met: Trains relevant managers including procurement <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Score of 2 on A.1.2.a: See indicator A.1.2.a • Not Met: Meets both requirements under score 1 • Not Met: Trains suppliers to meet company's HR commitment • Not Met: Disclose % trained
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"> • Not Met: Scores at least 1 on A.1.2.a: See indicator A.1.2.a • Met: Monitoring implementation of HR policy commitments across global ops and supply chain: 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 - Updated 2021, 10/2021: nintendo.co.jp] • Not Met: Proportion of 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: nintendo.co.jp] • Not Met: Describe how workers are involved in monitoring <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Score of 2 on A.1.2.a: See indicator A.1.2.a • 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. [CSR Report 2019 - Supply Chain - web, 09/2019: nintendo.co.jp] • Not Met: Disclose findings and number of corrective action
B.1.7	Engaging and terminating 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"> • Not Met: HR affects selection of suppliers: The Company state that 'When selecting suppliers or extending existing transactions for the procurement of products and components, priority will be given to companies that satisfy the following criteria: Comply with laws and social standards, with an emphasis on human rights and environmental considerations; Engage in sound business operations; Meet appropriate standards for quality, price and delivery times [...]' However, it is not clear if Human Rights are taking into consideration. [CSR Procurement Guidelines - updated 2021, 13/05/2021: nintendo.co.jp] • Not Met: HR affects on-going supplier relationships <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describe positive incentives offered to respect human rights • Not Met: Working with suppliers to meet HR requirements: 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

Indicator Code	Indicator name	Score (out of 2)	Explanation
			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: nintendo.co.jp]
B.1.8	Approach to engagement with affected 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: Stakeholder process or systems to identify and engage with workers/communities in the last two years: Company provided feedback to this datapoint, but information was not material. • Not Met: Discloses stakeholders that HRs may be affected • Not Met: Provides two examples of engagement with stakeholders <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Analysis of stakeholder views on company's HR issues • Not Met: Describe how views influenced company's HR approach

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

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.2.1	Identifying 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"> • 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: nintendo.co.jp] • Not Met: Identifying risks through relevant business relationships: 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 Report 2021, 2021: nintendo.co.jp] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describe ongoing global risk identification in consultation with stakeholder/HR experts: 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 - Updated 2021, 10/2021: nintendo.co.jp] • Not Met: Triggered by new circumstances • Not Met: Describes risks identified
B.2.2	Assessing 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"> • Not Met: Describe process for assessment of HR risks and discloses salient HR issues • Not Met: How process applies to supply chain • Not Met: Public disclosure of the results of HR assessment <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Not Met: How it involved affected stakeholders in the assessment
B.2.3	Integrating and acting on human rights risks and impact assessments	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"> • Not Met: Action Plans to mitigate risks • Not Met: Description of how global system applies to supply chain • Met: Example of actions decided on at least 1 salient HR issues: 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

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			<p>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 - Updated 2021, 10/2021: nintendo.co.jp]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Not Met: Involve stakeholders in decisions about actions
B.2.4	Tracking 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"> • Not Met: System for tracking or monitor if actions taken are effective • Not Met: Lessons learnt from checking system effectiveness <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets both requirements under score 1 • Not Met: Involve stakeholders in evaluation of actions taken
B.2.5	Communicating on human rights 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"> • Not Met: Provides two examples of comms with stakeholders <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describe challenges to effective comms and how it is working to address them

C. Remedies and Grievance Mechanisms (20% 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"> • 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: nintendo.co.jp] & [Governance- CSR 2019, 2019: nintendo.co.jp] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Channel is available in all appropriate languages and workers aware • Not Met: Describe how workers in the supply chain have access to grievance mechanism • Not Met: Expect Suppliers to convey expectation to their own suppliers
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"> • 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. [CSR Report 2021, 2021: nintendo.co.jp] & [Governance- CSR 2019, 2019: nintendo.co.jp] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes accessibility and local languages and stakeholder awareness • Not Met: Communities access mechanism direct or through suppliers: The company does not provides a grievance mechanism for community. • Not Met: Expect supplier to convey expectation to their own suppliers: 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 - updated 2021, 13/05/2021: nintendo.co.jp]
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"> • Not Met: Engages users to create or assess system • Not Met: Examples (at least two) of how they do this <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Engages with potential or actual users on the improvement of the mechanism • Not Met: Provides user engagement example (at least two) on improvement

Indicator Code	Indicator name	Score (out of 2)	Explanation
C.4	Procedures related to the mechanism(s)/channel(s) are equitable, 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"> • Not Met: Response timescales and how complainants will be informed • Not Met: Describe support (technical, financial, etc) available for equal access by complainants <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describe types of outcome to complainant through use of mechanism • 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, and that the escalation to senior or independent parties can be made at complainants discretion. [Governance- CSR 2019, 2019: nintendo.co.jp]
C.5	Prohibition of retaliation for raising complaints or concerns	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 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 - updated 2021, 13/05/2021: nintendo.co.jp] • Not Met: Practical measures to prevent retaliation: Although the company claims to be against retaliation, it does not describe in any document what practices are taken when this happens. [Modern Slavery Transparency Statement - Updated 2021, 10/2021: nintendo.co.jp] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Company indicate it will not retaliate against workers/stakeholders • Not Met: Expects suppliers to prohibit retaliation against workers/stakeholders
C.6	Company involvement with state-based judicial and non-judicial grievance mechanisms	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: Complainants not asked to waive rights • Not Met: Company does not require confidentiality provisions <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Will work with state based non judicial mechanisms • Not Met: Example of issue resolved (if applicable)
C.7	Remedying adverse 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"> • Not Met: Describes how remedy has been provided • Not Met: Says how it would provide remedy for victims if no adverse impact identified <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Changes to systems, processes and practices to stop similar impact • Not Met: Describe approach to monitoring implementation of agreed remedy • Not Met: Approach to learning from incident to prevent future impacts
C.8	Communication on the effectiveness of grievance mechanism(s) 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"> • Not Met: Number grievances filed, addressed or resolved and outcome achieved • Not Met: How lessons from mechanism improve management system <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Evaluation of the channel/mechanism and changes made as result • Not Met: Describes procedures to address delays of outcomes agreed with stakeholders

D. Performance: Company Human Rights Practices (25% 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"> Not Met: Discloses living wage requirements 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 - updated 2021, 13/05/2021: nintendo.co.jp] Not Met: Improving living wage practices of suppliers <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Assessment of number affected by payment below living wage Not Met: Provides analysis of trends demonstrating progress
D.4.2	Aligning purchasing decisions with human rights	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Avoids business model pressure on HRs (purchasing practices): 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'. [CSR Procurement Guidelines - updated 2021, 13/05/2021: nintendo.co.jp] Not Met: Practices adopted to pay suppliers in line with agreed timeframes Not Met: Review own operations to mitigate negative impact <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Meets all requirements under score 1 Not Met: Examples of how it assessed, addressed and change purchasing practices
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"> Not Met: Identifies direct and indirect suppliers back to manufacturing sites (factories or fields) <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Discloses names and locations of significant parts of SP and why: The previous explanation read: 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. Not Met: Discloses which direct or indirect suppliers is involved in higher-risk activities
D.4.4.b	Prohibition of 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"> 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 - updated 2021, 13/05/2021: nintendo.co.jp] 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. [CSR Web, 29/08/2019: nintendo.com] <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Assessment of number affected by child labour in supply chain Not Met: Analysis of trends in progress made

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.4.5.b	Prohibition of forced labour: Recruitment fees and costs (in the 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"> • Met: Debt and fees rules in codes or contracts: CSR Guidelines state that 'workers will not be obligated to pay employers' or agents' recruitment fees or other fees for their employment'. It also requires 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. Forced labor includes the following examples:[...] Debt labor that limits a worker's right to freely terminate a job by requiring the repayment of debts or loans'. [CSR Procurement Guidelines - updated 2021, 13/05/2021: nintendo.co.jp] • Not Met: How working with suppliers on debt & fees <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment of the number affected by payment of recruitment fees • Not Met: Analysis of trends in progress made
D.4.5.d	Prohibition of forced labour: Wage practices (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"> • Not Met: Requirement for suppliers to pay workers in full and on time in codes or contracts • Not Met: How working with supply chain to pay workers regularly and on time <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment of the number affected by failure to pay directly • Not Met: Provides analysis of trends demonstrating progress
D.4.5.f	Prohibition of forced labour: Restrictions on workers (in the 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"> • 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 - updated 2021, 13/05/2021: nintendo.co.jp] • Not Met: How working with suppliers on free movement <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment of the number affected by retaining docs or restricting movement • Not Met: Provides analysis of trends demonstrating progress
D.4.6.b	Freedom of association and collective bargaining (in the 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"> • Met: FoA & 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 - updated 2021, 13/05/2021: nintendo.co.jp] • Not Met: How working with suppliers on FoA and CB <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment of the number affected by restrictions to FoA and CB in the SP • Not Met: Provides analysis of trends demonstrating progress
D.4.7.b	Health and safety: Fatalities, lost days, injury, occupational disease rates (in the 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"> • 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 - updated 2021, 13/05/2021: nintendo.co.jp] • Not Met: Injury rate disclosures and lost days (or near miss disclosures) for the last reporting period • Not Met: Fatalities disclosures for lasting reporting period • Not Met: Occupational disease rates for the last reporting period <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: How working with suppliers on H&S

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Not Met: Assessment of the number affected by H&S issues in the SP • Not Met: Provide analysis of trends in progress made
D.4.8.b	Women's rights (in the 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"> • 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 - updated 2021, 13/05/2021: nintendo.co.jp] • Not Met: How working with suppliers on women's rights <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment on the number affected by discrimination or unsafe working conditions • 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. No evidence found on latest reports. [CSR Report 2021, 2021: nintendo.co.jp]
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"> • 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 and maximum hours for regular working week. [CSR Procurement Guidelines - updated 2021, 13/05/2021: nintendo.co.jp] • 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. [CSR Report 2021, 2021: nintendo.co.jp] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment of number affected by excessive working hours • Not Met: Provide analysis of trends in progress made
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"> • Not Met: Due diligence in accordance with OECD Guidance 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 Report 2019 - Supply Chain - web, 09/2019: nintendo.co.jp] & [CSR Procurement Guidelines - updated 2021, 13/05/2021: nintendo.co.jp] • Not Met: Works with smelters/refiners and suppliers to build capacity: 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. No further evidence found in more recent sources in relation to this requirement. [CSR Report 2019 - Supply Chain - web, 09/2019: nintendo.co.jp] & [CSR Report 2017, 07/2017: nintendo.co.jp]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Contractual requirement to disclosure smelter/refiner information: 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 - updated 2021, 13/05/2021: nintendo.co.jp] • Not Met: Contractual requirement covers all minerals
D.4.10.b	Responsible mineral sourcing: Risk identification and responses 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.4.10.c	Reporting on responsible sourcing of minerals	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: 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 - updated 2021, 13/05/2021: nintendo.co.jp] • 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 in relation to conflict minerals. Nor if there is a measurable improvement in risk prevention and mitigation over time. [CSR Report 2017, 07/2017: nintendo.co.jp] & [CSR Report 2019, 07/2019: nintendo.co.jp] • Not Met: Disclose better risk prevention/mitigation over time <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Suppliers and stakeholders engaged in risk management strategy • Not Met: Risk management and response processes cover all minerals

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"> Area: Forced labour; discrimination Headline: Nintendo among companies accused of using suppliers linked to forced labour in China Story: On March 1st, 2020, the Australian Strategic Policy Institute (ASPI) released a report called "Uyghurs for sale" that named Nintendo among 83 companies benefiting from the use of potentially abusive labour transfer programmes. According to the report, more than 80,000 Uighur residents and former detainees from the north-western region of Xinjiang, China have been transferred to factories, implicating global supply chains. It is alleged that Muslim minorities are working in forced labour conditions across the country. The ASPI report said that workers live in segregated dormitories, are required to study Mandarin and undergo ideological training. In addition, the think tank said that the workers were allegedly transferred out of Xinjiang between 2017 and 2019 and claimed that people are being effectively "bought" and "sold" by local governments and commercial brokers. <p>The ASPI used open-source public documents, satellite imagery, and media reports, allowing to identify 27 factories in nine Chinese provinces that have used labourers. The press stated that while Nintendo is obviously not directly connecting with these camps, it is reportedly using parts sourced by these camps for the production of its video game hardware.</p> <p>ASPI researchers stated: "This report exposes a new phase in China's social re-engineering campaign targeting minority citizens, revealing new evidence that some factories across China are using forced Uighur labour under a state-sponsored labour transfer scheme that is tainting the global supply chain". The report calls on companies mentioned to "conduct immediate and thorough human rights due diligence on its factory labour in China, including robust and independent social audits and inspections."</p> <p>[Nintendo Life, 02/03/2020, "Nintendo Named And Shamed As Benefiting From The Use Of Chinese Forced Labour Camps": nintendolife.com] [ABC, 01/03/2020, "Apple, Nike and other major companies implicated in Muslim forced labour in China": abc.net.au] [Australian Strategic Policy Institute, 01/03/2020, "Uyghurs for sale": aspi.org.au] [The Guardian, 01/03/2020, "China transferred detained Uighurs to factories used by global brands – report": theguardian.com]</p>
E(1).1	The company has responded publicly to the allegation	1	<p>The individual elements of the assessment are met or not as follows: Score 1</p> <ul style="list-style-type: none"> Met: Public response: In an investor Q&A, Nintendo president Shuntaro Furukawa responded to the allegations of the ASPI's report, stating that: "We are aware of the reports that question whether there is forced labor of Uyghurs in factories in Nintendo's supply chain. However, as far as we have been able to investigate, there is no record of the reported factories among Nintendo's business partners. In addition, we have not received any reports of forced labor within Nintendo's supply chain up to this point." Furukawa also clarified that "Nintendo has long-established CSR procurement policies to ensure that prison labor and forced labor do not occur in our supply chain, and we ask that our business partners comply with the Nintendo CSR Procurement Guidelines, which summarize these policies, in their business activities. Nintendo operates under the policy of ceasing business transactions when there is actual or serious risk of forced labor involving anyone, not limited to Uyghurs." <p>On May 7, 2021, Nintendo responded to the letter of the Working Group on Business and Human Rights on the allegation of forced Uighur labour in its supply chain (OTH 139/2021), stating that: "Nintendo prohibits the use of forced and prison labour in all parts of our supply chain. No evidence of the labour conditions described in the information received by the UN has been found in our supply chain. [...] Nintendo takes its responsibility seriously and is vigilant about preventing forced labour of any kind in our supply chain. In the event conditions of forced labour were to be discovered, our policy is to discontinue the manufacturing or procurement relations". [GameSpot, 07/07/2021, "Nintendo Responds To Forced Uyghur Labor Claims": gamespot.com] [Nintendo response to joint communication by UN Special Rapporteurs dated 12/03/21 (OTH 139/2021), 07/05/2021: spcommreports.ohchr.org]</p>

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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