

## Plant Siting Due Diligence

## Human Rights Assessment Tool



## Global Workplace Rights



For additional information visit the website at:  
<http://www.coca-colacompany.com/our-company/human-workplace-rights>

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## Why Conduct a Human Rights Due Diligence Assessment?

The Company's success is built on high standards of quality, integrity and excellence. We are committed to being a valued member of the communities in which we operate. Our Human Rights Statement and Workplace Rights Policy confirm the Company's commitment to respecting the human rights of our employees and those in the community.

There is an increasing expectation from our customers and from the public that we will demonstrate our respect for human rights across our value chain, including agriculture, plant siting, production and product distribution.

Although each prospective plant siting will pose different risks and challenges, human rights risk assessment and community engagement should be at the heart of any mitigation strategy. Other multinational corporations have experienced unrelenting public campaigns as a result of their failure to engage the community in plant siting activities (see the case study, below). By conducting a human rights assessment at the outset, we can identify and mitigate human rights risks.

### Case Study

*In 2008, an automobile manufacturer worked closely with the Indian government to obtain land on which to produce the world's cheapest car. After reaching a deal with the Indian government to purchase the land from local farmers and beginning construction, the company faced protest from as many as 40,000 community members at the site for failing to engage them directly. The company pulled out of the area amid public pressure, despite the \$350 million already invested in the project.*

## How Do I Use This Assessment Tool?

The purpose of this Assessment is to identify the potential human rights-related risk as the result of plant siting activities. The Assessment questions will require you to identify:

- ✓ Low risk activities
- ▲ High risk activities

A low risk identification means that there is a low human rights-related risk with respect to that activity and further action may not be necessary or that a limited and manageable response action may mitigate or eliminate the risk. A high risk identification, on the other hand, suggests that further inquiry or action may be needed in order to mitigate against potential human rights-related risk. In the case of a high risk identification, one or more of the following actions could be taken:

- ☑ Perform the action suggested in the assessment question.
- 📄 Obtain further information about the subject matter before determining next steps.
- 🗣️ Contact internal subject matter experts (SME) (e.g., Global Workplace Rights, Legal, Environmental, etc.) for further guidance on addressing the situation.
- ↔️ Engage community stakeholders in a discussion about the proposed activity (see the next page of this Tool for guidance).
- ✍️ Attempt to obtain free prior informed consent from external stakeholders before performing the proposed activity (see the next page of this Tool for guidance).

**This human rights self-assessment tool focuses on the principal indicators of potential human rights impact. The questions are not exhaustive and local conditions may require examination and remediation of additional factors.**

# Community Engagement

## Community Engagement ⇄

Community engagement is at the center of due diligence activities. We believe that local issues are most appropriately addressed at the local level and we are committed to engaging with community stakeholders to listen to, learn from and take into account their views as we conduct our business.

## Free, Prior, Informed Consent ✎

Community engagement may involve the concept of free, prior, informed consent in situations such as the relocation of land inhabitants. The goal is to obtain consent to advance the project in the form of a formal, written agreement that includes a process for future dispute resolution.

- **Free:** Consent that is not coerced by actors under the government's or the Company's control or influence.
- **Prior:** Consent should be sought before the prospect action is taken, which may mean setting a realistic timeline for the community decision-making process to run its course.
- **Informed:** Informed consent means the Company shares both potential positive and negative impacts with the community in a culturally appropriate manner

## Complicity

We are committed to upholding human rights including avoiding complicity in another's abuse of human rights. Charges of complicity are generally raised when a company knew, or should have known, that it indirectly contributed to a human rights violation.

### Case Study

*In 2005, a former oil company reached a settlement after a decade long lawsuit alleging complicity with Myanmar's military junta's human rights abuses (forced labor) during the construction of its gas pipeline. While the company did not commit the violations, the company knowingly benefited from the abuses. Complicity could also result from affirmative acts. For example, encouraging the government to forcibly evict indigenous peoples, or lobbying the government to exempt a new plant from laws precluding employers from retaining worker's original travel documents.*

# The Human Rights Due Diligence Assessment

**KEY:** Low risk High risk  Perform Action Obtain further info Contact SME Engage Community Attempt to obtain free prior informed consent

## Land Management

*A land claim and title check reaching back 50 years (or more, if required by local law) should be performed before completing these questions.*

- Are there peoples with nomadic lifestyles within the area or the locality of the prospective plant? (Or were these people in the locality in the case of an already-developed parcel of land?)  
 NO YES
- Are there any conflicts of interest negatively affecting legitimate land claimants and rights holders? (Or were there conflicts of interest in the case of an already-developed parcel of land?)  
 NO YES
- Do land inhabitants need to be relocated in order for the project to be completed? (Or were inhabitants relocated in the case of an already-developed parcel of land?)  
 NO YES
- Do nomadic peoples have a right to enter onto the land for passage or other resources?  
 NO YES

## Water Quality, Sufficiency & Accessibility

- Does the plant siting and/or operations have the potential to negatively impact the physical or economical accessibility, quality or quantity of water in the local area?  
 NO YES

## Cultural Impact

- Does the land have important cultural value to the community (such as architectural, archeological, paleontological, artistic, historical or environmental)?  
 NO YES

## Security Arrangements

*Before completing these questions, a background check of private security forces considered for employment should be performed.*

- Have private security forces considered for employment been trained in the bounds of their authority and mandate, including the use of appropriate force?  
 YES NO

## Operational Environment

- Does natural resource usage relating to plant operations have the potential to affect detrimentally the community's access to or use of these resources?  
 NO YES
- Would plant operations disrupt a local farming community, wildlife or fishing areas, or do such operations have the potential to negatively affect the local environment through the introduction of new or increased levels of pollution or contaminants?  
 NO YES

## Complicity

- Has local or national government action in connection with the Company's plant siting adversely impacted any issues discussed above or other recognized human rights?  
 NO YES