



# Statement of Commitment on Human Rights

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This Statement of Commitment on Human Rights formalizes and specifies the commitment of EMS to support and respect human rights for all people, as outlined in the EMS Code of Conduct.

## **Subject matter and objective**

The objective of this Statement of Commitment is to provide a common framework for the company's responsibility to respect human rights that is globally valid and underlies all its business activities and partnerships. It shall introduce a more effective and proactive management approach on human rights for the Group.

This Statement of Commitment clarifies:

- the relevant international human rights frameworks that EMS subscribes to
- the company's salient human rights issues
- the company's human rights due diligence framework describing the appropriate policies and processes to implement its human rights commitment.

## **Purpose**

As stated in its Code of Conduct, EMS supports and respects the protection of internationally proclaimed human rights and labor standards. The company fully respects the personal dignity, privacy and individual rights of its employees, customers, suppliers and other stakeholders.

EMS aspires to play a leading role in responsible business conduct. Respecting human rights is an integral part of responsible business and builds on trust. The company wants to maintain the trust of all our stakeholders by treating people respectfully and with dignity.

EMS acknowledges that all companies can potentially have an impact on human rights: either directly through their operations or via business relations. EMS recognizes the importance of human rights and already expressed its position in its annual Communication on Progress as a member of the UN Global Compact. For EMS, respecting human rights means doing the right thing and continuously putting efforts into ensuring that day-to-day business decisions contribute to upholding and do not infringe human rights.

## **Framework of reference**

EMS is committed to high standards of business ethics and integrity including the support and respect of internationally proclaimed human rights and labor standards as outlined in international human rights frameworks such as:

- Universal Declaration of Human Rights (UDHR)
- OECD Guidelines for Multinational Enterprises
- United Nations Guiding Principles on Business and Human Rights (UNGPs)
- ILO Core Labour Conventions
- ILO Conventions on child labour No 138 and 182,
- ILO-IOE Child Labour Guidance Tool for Business
- Ten Principles of the UN Global Compact (UNGC)
- OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas

EMS complies with the laws and regulations in the markets it operates. Where local laws are less stringent than the company's policies and the above named internationally recognized human rights and employment standards, EMS is guided by the more stringent policies and standards and also encourages its suppliers and business partners to follow these standards and principles.

### **Focus and salient human rights issues**

EMS is committed to respecting internationally recognized human rights and does not attribute more importance to one human right over another. However, for the implementation of its human rights commitment, EMS prioritizes human rights issues that are most salient to the business – identified via a formal human rights saliency assessment conducted in accordance with the UNGPs.

Among the broader human rights issues identified along the value chain, EMS commits to focus on the following salient human rights issues:

- health and safety;
- environmental impact (e.g. water pollution, dust and other emissions, CO2 emissions);
- working conditions in our operations and particularly our supply chain;
- discrimination and harassment.

In prioritizing these issues, EMS recognizes that for certain groups negative human rights impacts may be particularly severe due to their vulnerability or marginalization. EMS recognizes that the evaluation of the severity of potential impacts may change and that other issues may grow in importance over time. It will therefore regularly reevaluate the salient issues based on further assessments and regular dialogues with internal and external stakeholders.

### **A. Policy commitment**

As outlined in this Statement, EMS recognizes the important role the company has in respecting human rights, in line with the “Protect, Respect, Remedy” framework provided by the UNGPs, which defines:

- the state duty to **protect** against human rights abuses by third parties, including business;
- the corporate responsibility to **respect** human rights; and.
- greater access by victims to effective **remedy**, both judicial and non-judicial.

The company’s commitment to respect human rights also extends to all individuals

throughout the value chain, and EMS uses its relationships with independent suppliers and other business partners to encourage and promote the principles of this Statement throughout its network.

## **B. Assess actual and potential impacts**

EMS identified its most salient human rights issues in accordance with the UNGPs and will regularly re-assess its human rights risks based on internal and external stakeholder feedback and expert judgments, recognizing that salient human rights issues may change over time.

Through this process, the company focuses on proactive stakeholder engagement as a tool to identify and mitigate potential risks and develop positive opportunities for impacted individuals.

Salient issues and expected high risk areas will be analyzed in more details through in-depth human rights risk assessments in order to identify appropriate measures.

## **C. Integrate findings & take appropriate action**

Based on the human rights-related risks and impacts identified, EMS develops prevention and mitigation measures integrated into company's operations, training programs, policies and management systems. This is achieved through the development and implementation of action plans approved by the Executive Management. The roadmap assigns clear responsibilities to related initiatives and is monitored, updated and revised annually.

## **D. Track & communicate performance**

EMS tracks the effectiveness of its actions and influence to ensure human rights are respected in its value chain through a system with clearly defined targets and key performance indicators monitoring the implementation of the human rights action plans. Where possible, EMS strives to measure the actual impacts of its actions on the human rights of potentially affected rightsholders.

Respect for human rights is an integral part of the global sustainability strategy and the company transparently reports on the progress of its efforts in its annual sustainability report to publicly account for how human rights issues are addressed.

## **E. Remediate adverse impacts**

### ***Access to grievance***

EMS attaches great importance to an open corporate culture, where every employee is encouraged to speak up if they become aware of compliance risks. This includes issues as relates to human rights. Employees are encouraged to make use of the reporting channels outlined in the Code of Conduct. EMS does not retaliate or permit retaliation against anyone who raises questions or concerns in good faith about corporate activities. The company is committed to investigating these issues thoroughly and providing appropriate responses and remedies.

### ***Access to remedy***

When adverse human rights impacts are uncovered due to the company's business activities or from linkages to its operations, EMS is committed to taking timely and transparent action to remediate in a fair and equitable manner in line with the UNGPs.

Where EMS finds impacts directly linked to its business relationships, it will use its influence to encourage suppliers and business partners to respect human rights, whether through corrective action plans or termination on a case-by-case basis.

### **Scope of application**

The Statement covers fully consolidated operations of EMS-CHEMIE Holding AG worldwide, including those of direct and indirect subsidiaries and applies to all EMS employees and managers, including part-time and temporary workers as well as casual workers (e.g. day labor workers).

### **Validity**

The Statement comes into force from January 1, 2023 onwards and remains valid until further notice.

### **Responsibility**

All questions related to the content may be addressed to the e-mail address [info@ems-group.com](mailto:info@ems-group.com).

This Statement will be reviewed periodically and updated as required to amend it to changed business processes, regulatory requirements as well as political and societal expectations.

### **Communication and Implementation**

This Statement is made publicly available on the EMS corporate website for the company's external stakeholders, suppliers and business partners. It is also made available on the company's internal communications channels. Furthermore, every manager must ensure that EMS employees become aware of this Statement, understand it and adhere to it.

December 20, 2022



Bernhard Merki  
Chairman of the Board of Directors