



Together we can do it

International RBC Agreement for the Renewable Energy Sector
Integrating sustainability and human rights in the energy transition

Contents | Towards a world of renewable energy

Foreword Kees Vendrik	3	Interviews and Statements	22
About the International RBC Agreement for the Renewable Energy Sector	5	Vattenfall	
The first year in brief	8	Sunrock	
Cooperation and action	10	Holland Solar	
Monitoring / assessment	18	The Danish Institute for Human Rights	
Looking ahead to year 2	20	Dutch Government	
		NedZero	
		Colophon	32



Foreword | Kees Vendrik

'Noblesse oblige'

If there is one sector that is green and that attaches great importance to sustainability, it is the renewable energy sector. Nevertheless, much progress is still to be made. After all, sustainability is not just about producing energy without CO2 emissions, but also about the quality of the supply processes in value chains. There lies a major challenge. Many of the raw materials for wind turbines and solar panels come from countries where human rights, the environment and biodiversity are under threat.

[The International Responsible Business Conduct Agreement for the Renewable Energy Sector](#) was launched in March 2023 to address and prevent risks of human rights abuses and environmental damage within value chains. Companies, industry associations, governments, knowledge institutions and NGOs all work together to achieve this. Because it is only together that we can achieve sustainable change.

The change has already begun. In the coming years, international responsible business conduct (IRBC) will occupy a prominent place on the agenda of companies, partly due to European and national IRBC legislation. The government has confirmed the importance of the International RBC Agreement for the Renewable Energy Sector by including participation in the International RBC Agreement (or a similar initiative) as part of tenders for wind farms in the IJmuiden Ver wind energy area. Such criterion will also become relevant for combined solar, wind, storage initiatives and the like. This makes the Agreement particularly interesting for companies.

The Agreement provides practical support to help companies comply with the new obligations. In the first year of the Agreement, a lot of time and energy has been invested in developing an assessment framework, an online self-assessment and knowledge base documents. The first collective project has also been launched.

The Agreement encourages companies to take concrete steps where due diligence is concerned. The first step is to map out all the links in value chains to gain insight into material flows and associated risks. This is a difficult task, but NGOs, knowledge institutions, trade unions and government can help. They already know what the risks are for a number of major material flows and can help companies identify them. The second step is to prevent and limit these risks. This means that companies, individually or collectively, engage with the parties responsible for such risks to address them and improve the situation 'on the ground'.

The first assessment, the results of which are expected after the summer, will give individual companies an insight into where they stand and what they need to do in the area of due diligence. The results will also help set priorities for the second year of the Agreement. If we know where companies stand and where the bottlenecks are, we can provide the right support and undertake joint activities. This is how we continue to align ourselves with what businesses need and keep each other in the loop within the Agreement.

As a leader in the green transition, the renewable energy sector enjoys a great deal of public goodwill. However, this sector will also be closely monitored to see whether companies are making progress in preventing and remedying human rights abuses and environmental damage. This progress will not come easily, as the problems are persistent, complex and often politically sensitive. We have seen this in previous IRBC Agreements.

Many solar and wind energy companies feel a responsibility to take action where due diligence is concerned. They are determined to be part of the solution, not part of the problem. Over the coming years, we sorely need this spirit in the Agreement. Companies that take responsibility, social organisations that share their knowledge and networks, and a government that continues to embolden companies to make their supply chains more sustainable through their procurement policies. The renewable energy sector can make a difference to people and their environment. It is important for the sector to show leadership, precisely because this is 'noblesse oblige'.

Kees Vendrik,
chair of the International RBC Agreement for the Renewable Energy Sector





About the Agreement

About the International RBC Agreement for the Renewable Energy Sector | multi-stakeholder collaboration



The [International RBC Agreement for the Renewable Energy Sector](#) is a partnership between wind and solar energy companies, industry associations, the Dutch government, knowledge institutions, civil society organisations and trade unions.

A green and sustainable economy calls for an increase of the availability of renewable energy, but also in the level of awareness that the production of renewable energy is not free of risks to people, the natural environment and biodiversity. Through this Agreement, the parties aim to work together to prevent and address severe actual and potential adverse impacts on people, the natural environment and biodiversity in renewable energy supply chains. They intend to do this by supporting and monitoring the efforts of the companies to identify, prevent, mitigate and account for such actual and potential adverse impacts, and by using their collective leverage to undertake action that will positively impact the more wide-ranging renewable energy sector supply chains.

Companies that sign the Agreement, commit themselves to applying recognised international responsible business conduct standards throughout their operations, namely [the OECD Guidelines for Multinational Enterprises](#) and the [UN Guiding Principles on Business and Human Rights](#). Other participants, such as civil society organisations, trade unions, industry associations, knowledge institutions, government, supporting organisations, contracting authorities and renewable energy technology platforms in the Agreement commit themselves to taking specific action aimed at fostering and monitoring the actions of these companies. This multi-stakeholder collaboration aims to offer shared solutions to address problems that companies are unable to solve completely on their own.





The Agreement entered into force on 1 May 2023 for a period of 5 years. The Agreement aspires to scale up in terms of numbers and (geographical) diversity and undertakes outreach activities with the aim of raising awareness about the RBC Agreement. The Agreement is open for all relevant organisations, initiatives and companies to join that endorse its goals and aspirations at the national and European level.

The Dutch Social and Economic Council (SER) provides the secretariat for the Agreement.

Interested to learn more?

Check out the [brochure](#) or the [executive summary](#).

Explanation of the Due Diligence process

Due diligence is a continuous process made up of six steps (see figure 1):

- 1 Embed responsible business conduct into policies and management systems
- 2 Identify and assess adverse impacts in operations, supply chains and business relationships
- 3 Cease, prevent or mitigate adverse impacts
- 4 Track implementation and results
- 5 Communicate how impacts are addressed
- 6 Provide for or cooperate in remediation, when appropriate

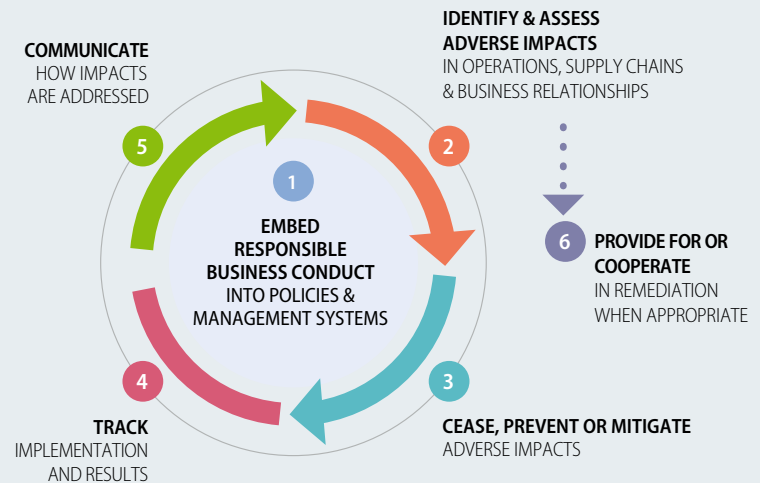


Figure 1: [The 6 steps](#) of the Due Diligence cycle

For more information:

[OECD Due Diligence Guidance for Responsible Business Conduct Due Diligence Guide](#), published by the SER in Dutch.

Year 1 in brief



Year 1 in brief | key results

In the first year of the [International RBC Agreement for the Renewable Energy Sector](#) the foundation was laid for achieving concrete results in the following years. The focus was on developing human rights and environmental due diligence tools, an assessment framework, setting up working groups, establishing a complaints and dispute mechanism, sharing knowledge and making agreements about cooperation. The first year delivered the next key results:

- The signatories of the International RBC Agreement for the Renewable Energy Sector grew from 34 organisations to 52, including 33 companies. See the list of [participants](#).
- The parties established a [Renewable Energy Complaints and Disputes Committee](#): a mechanism to resolve disputes and to address complaints from third parties about actions or omissions by companies that may have led to adverse impacts.



- The Due Diligence Working Group developed an Assessment Framework (Maturity Assessment Tool) and webtool. At the end of year 1, the first baseline assessment was started.
- The parties and the secretariat organised a number of knowledge sessions, training courses, and stakeholder engagement session on topics such as human rights and environmental due diligence, transparency and traceability, worker welfare.
- The parties joined forces in the development of the first collective positive impact project. The project focuses on artisanal and small-scale copper mining in Peru.
- The parties engaged in outreach activities within the Netherlands and beyond to raise awareness about the Agreement.
- During the year parties also worked on setting up various processes for the effective functioning of the Agreement, such as the development of a membership admission process based on the Agreement, setting up a selection committee for the Renewable Energy Complaints and Disputes Committee and so on.

The outcomes of these are clarified in the following sections.



Cooperation and action

Cooperation and action | core areas and associated goals

The signatories of the Agreement work together to achieve the set goals. Focus is on the following core areas and associated goals:

- 1. Individual Company and Collective Due diligence:** Supporting and monitoring the efforts of companies to improve their business practices where human rights and environmental due diligence are concerned. This also includes exploring practical ways for incorporating RBC requirements in wind and solar farms procedures (permits).
- 2. Collective projects and increasing collective leverage:** Initiating impact projects and activities to address human rights and environmental risks in the supply chain that companies cannot deal with on their own and increasing the collective influence of the solar and wind energy sector to achieve a positive impact in their supply chains.

In order to accomplish these goals, the parties established the following working groups and sub-groups in the first year of the Agreement:

- **Due Diligence Working Group:** This group is mandated to work with the secretariat to develop due diligence tools and templates, distil lessons learned and areas for collective due diligence, and ensure alignment of the process with recognised international due diligence processes and guidelines.
- **Collective Action and Increasing Leverage Working Group:** This group has the mandate to take action to recruit new parties and to initiate, implement and support projects with a collective positive impact.
- **Communication Working Group:** This group is responsible for the development and implementation of actions related to the internal and external communication of the Agreement and its deliverables.
- **Tender and Procurement Processes Sub-Working Group:** This group aims to explore practical ways to incorporate RBC requirements in procedures for wind and solar farms (permits).

The parties have also established a complaints and disputes mechanism in order to enable access to remedy to affected stakeholders.

The following paragraphs explain what action has been taken and what results have been achieved.

Individual company and collective Due Diligence | working on a solid foundation

The Due Diligence Working Group developed an assessment process and due diligence tools. The working group also organised sessions and training courses to support companies in improving their due diligence practices.

Assessment process

By signing the Agreement, the companies committed to carry out risk-based due diligence as prescribed by the OECD Due Diligence Guidance for Responsible Business Conduct (the OECD Guidance). In order to monitor this effectively, the parties in the first year developed and agreed on an Assessment Framework. This Framework, consisting of 44 criteria, is an effective way to monitor how companies implement the six due diligence steps outlined in the OECD Guidance.

The assessment process started with a baseline assessment, which was carried out from March to July 2024 to measure where companies stand at the beginning of the assessment process. Monitoring takes place with the help of a webtool developed with financial support from the Dutch government and which was launched at the end of February 2024. The webtool is linked to useful guidelines and documents that companies can use in their due diligence process (see next page: Due diligence tools).

The assessment process is split into three parts:

- **Maturity assessment questionnaire:** companies fill these questions to the best of their knowledge and are given scores based on the questionnaire results.
- **Due diligence action plan:** companies make action plans with the activities they plan to undertake to improve their scores and to meet the targets defined in the Assessment Framework.
- **Assessment interviews:** one-on-one interviews held by the secretariat with companies to discuss the results of the assessment and to provide advice and assistance on how to further improve due diligence practices.

Due diligence tools

During year 1, the parties collectively worked on preparing the following due diligence tools:

- **Practical action steps:** a set of recommendations on human rights due diligence for the sourcing of solar panels.
- **Human rights policy template:** a human rights policy model, adjusted to the specificities of the renewable energy sector, in accordance with the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct.

Knowledge sessions and training courses

Parties and the secretariat organised a range of trainings and knowledge sessions in the first year of Agreement.

- **Due diligence roadshow trainings:** the CNV International trade union, in collaboration with the RBC Agreements for Renewable Energy, Metals and Natural stone, organised a number of due diligence training courses that were well attended. The two-day events focused on building on basic knowledge on responsible business conduct and gave practical examples on how to start a due diligence process in the raw materials sector. The roadshow training courses were attended by industry associations, NGOs and companies from the

renewable energy sector. The training was also used as a baseline initiative to provide more in-depth training for one RBC Agreement company. Several parties to the Agreement expressed a desire to organise this training for new organisations and staff in the future.

- **Brainstorming sessions with financial institutions and solar energy companies:** the first session (September 2023) was a brainstorming workshop to understand the challenges that the solar sector faces in conducting human rights due diligence. This led to two follow-up events in January and March 2024, organised by the industry association Holland Solar and the secretariat, which focused on brainstorming criteria surrounding RBC and circularity. The sessions led to the development of an action plan with a set of criteria on transparency, due diligence, material use and carbon footprint. The action plan and criteria will be fine-tuned further in the coming period.
- **Doing business in China and human rights session:** this session, organised by the Dutch Ministry of Foreign Affairs, the Netherlands Enterprise Agency, the secretariat (held 14 February 2024) and moderated by the Dutch Ministry of Economic Affairs and Climate Policy, was attended by companies and industry



associations from the wind and solar energy sector and the metals sector. During the first part, the government informed participants about specifics of the Dutch human rights policy and policies in the field of foreign economic relations and trade, the upcoming EU due diligence legislation, trade promotion and economic framework activities, and the different types of RBC support and tools available for companies. In the second part, several companies shared their experiences and gave recommendations.

- **Knowledge session on revised OECD Guidelines and OECD Handbook on Environmental Due Diligence:** this was a joint session for the RBC Agreements for Renewable Energy and Metals sector (held 24 January 2024). The secretariat gave a short introduction on the history and relevance of the OECD Guidelines. The Ministry of Foreign Affairs informed participants about the latest revision of the OECD Guidelines on climate change, technology, corruption and other topics. The National Committee of the Netherlands of the International Union for Conservation of Nature finished the session with specific updates on the chapter about environment in the Guidelines and the OECD Handbook on Environmental Due Diligence in Mineral Supply Chains.
- **Knowledge session on biodiversity impacts in the upstream and downstream value chain:** a joint session for the RBC Agreements for Metals and Renewable Energy sector (held 17 April 2024). The National Committee of the Netherlands of the International Union for Conservation of Nature, steel producer Tata Steel and wholesaler MCB International shared their experiences on the topic of biodiversity in metal value chains. Mining activities worldwide have huge impacts on biodiversity. Deforestation and pollution of local ecosystems are examples of adverse impacts that are directly linked to biodiversity. Through the sectoral multi-stakeholder Agreements, participants work together to cease, prevent or mitigate adverse impacts.
- **Knowledge session on respecting rights in the renewable energy sector:** (held 24 April 2024) the goal of the session, organised by the secretariat, was to acquaint participants with the research paper titled '[Respecting Rights in Renewable Energy: Addressing forced labour of Uyghurs and other Muslim and](#)

[Turkic-majority peoples in the production of green technology](#)', carried out by Anti-Slavery International, Investor Alliance for Human Rights, and the Helena Kennedy Centre for International Justice at the Sheffield Hallam University.

- **Thematic sessions:** during several thematic sessions, the following topics were explored: The disclosure of supply chain data through the [Open Supply Hub](#), a platform that makes supply chain data open, accessible and trustworthy for the public good, as well as its value to the renewable energy sector. Other topics included: what due diligence for migrant and posted workers can look like in practice; various responsible mining and sourcing initiatives and how they can be used in corporate due diligence processes.

Collective action and increasing leverage | impact on the ground

The aim of the Collective Action and Increasing Leverage Working Group is to initiate projects that address human rights and environmental risks that companies are unable to effectively address on their own. In its first year, the group focused on following main themes: mining; transparency and traceability; worker welfare; and rare earth elements (REE) & polysilicon. In the first year, the parties also brainstormed on potential projects revolving around large-scale copper mining in Peru, nickel mining in Indonesia and mica mining in Madagascar.

Peru Copper project

The first project that the Agreement undertakes is a copper project in Peru. The submitted project application was granted a subsidy in 2024 from the European Partnership for Responsible Minerals (EPRM). The following parties participate in the project: Sunrock, the Danish Institute for Human Rights, SER as secretariat of the RBC Agreement, Alliance for Responsible Mining, the International Institute for Environment and Development and Copper Mark, a responsible sourcing standard for the copper industry.

The project aims to integrate artisanal and small-scale copper mining (ASCM) production in Peru into formal globally responsible supply chains. The two year project will foster positive interactions within the ASCM sector, promote respect for human rights, encourage the adoption of better mining practices and support the integration of ASCM production into responsible supply chains. This will help improve the living standards of ASCM miners and their communities in Peru.

The project aims to develop a multi-stakeholder roadmap for integrating ASCM into responsible supply chains in Peru, including representatives of all stakeholders in the copper value chain. The project will strengthen the due diligence mechanism as a way to address the specific challenges faced by indigenous communities and environmental and human rights defenders. Viable ASCMs will be approached and selected to participate in the project.

Transparency and traceability

At Vattenfall's initiative, a joint mapping of the value chain in the wind and solar sector has been started. This mapping will be worked out in more detail in the coming year and will serve as a basis for conducting due diligence in accordance



with European due diligence legislation. The parties are also exploring data-driven supply chain transparency solutions in order to increase the transparency of their key materials such as copper and steel. The parties are looking into using the [Pilot Reporting Template of Responsible Minerals Initiative](#) for this purpose. The developments within the [Solar Stewardship Initiative of Solar Power Europe](#) are closely monitored to avoid duplication.

Worker welfare project

Several parties, including Eneco, Vattenfall, Shell, Sunrock, Ørsted, Powerfield, SSE Renewables, the FNV trade union and the Danish Institute for Human Rights joined forces to come up with a collective action centered on worker welfare on renewable energy sites, where the focus is on posted and migrant workers. The parties would like to gain a better understanding of the risks involved in the use of posted and migrant workers in renewable energy projects in the Netherlands. The first brainstorming session took place in March 2024. In the coming year, the parties will seek to make the goals and outcomes more concrete, for example by developing sector-specific standards for the treatment of migrant workers on renewable energy project sites, and by raising awareness of the legal standards that apply to their business among employment agencies responsible for sending workers to project sites.

Rare earth elements & polysilicon

The secretariat organised a stakeholder engagement session with rightsholders. The aim of this session with affected rightsholders, held on 4 December 2023, was to listen, share experiences and learn from each other's perspectives. Rightsholders shared their perspectives on how they have been affected by adverse impacts in the wind and solar value chains. The session inspired the solar company Sunrock to organise a similar event within their company.

In the case of rare earth elements, the parties are exploring various avenues, such as conducting risk analysis and obtaining supply chain data.

Collective influence | impact through outreach

The signatories to the Agreement are seeking to increase their collective influence in order to have a positive impact on the solar and wind energy supply chains. This is done both within the sector, by increasing the number of signatories, as well as through outreach events aimed at the world outside the sector.



The number of signatories grew in year 1 from 34 to [52 organisations](#). In the first year, the number of companies increased from 16 to 33, out of which a total of 19 come from the wind sector, 12 from solar sector and 2 from both the wind and solar sector.

In the first year, the following outreach events were organised. These outreach events raised more awareness about the Agreement.

- **North Seas Energy Cooperation (NSEC) side-session on non-price criteria, responsible business conduct and circularity**, held at the WindEurope Annual Event in Copenhagen (April 25, 2023). The side-session organised by the Dutch Ministry of Economic Affairs and Climate Policy, attended by the Danish

Institute for Human Rights, wind companies from the Agreement and the Secretariat introduced the Agreement to the NSEC government representatives, the wind industry and other stakeholders.

- **OECD partner session: A just transition towards renewable energy for all parties**. The side-session (held April 25, 2023) was organised by the CNV International trade union for the RBC Agreements for Renewable Energy and Metals sectors within the OECD Forum on Responsible Mineral Supply Chains in Paris. The session, where the Dutch Ministry of Foreign Affairs, CNV International and Vattenfall were among the speakers, explored the multi-stakeholder approach to improve labour conditions in metal mines. As the demand for metals and minerals continues to grow in tandem with the renewable energy sector, it is crucial to ensure that the labour conditions in the mining industry are sustainable and ethical. A multi-stakeholder approach involving companies, governments and trade unions has emerged as a viable solution to address these issues.
- **Solarplaza Summit the Netherlands**, in Amsterdam (held 11 May, 2023). The Agreement parties Sunrock and the Dutch Ministry of Economic Affairs and Climate Policy spoke at the panel dedicated to building a resilient solar energy market.
- **Side-session on Responsible Business Conduct, WindDay**, in Lelystad (held 15 June, 2023). The session, organised by NedZero and the secretariat, highlighted the human rights and environmental impacts within the wind energy value chain and the importance of working together to mitigate these risks.
- **German Energy Sector Dialogue session**. In this session (held 29 June, 2023), facilitated by the German Development Cooperation (GIZ), the secretariat presented the International RBC Agreement for the Renewable Energy Sector. The meeting focused on the initiation and implementation of collective projects. The [German Energy Sector Dialogue](#) is a multi-stakeholder forum comprised of relevant players from the energy industry, civil society organisations and the German government, with the purpose of improving human rights and environmental conditions in the energy value chains.

- **Responsible Energy Initiative session: circularity and resilient supply chains** (held August 2, 2023). The secretariat presented the Agreement to members of the [Responsible Energy Initiative](#) in India. This is a multi-year programme designed to ensure that renewable energy in Asia delivers positive environmental and social outcomes and creates value in an environmentally safe and socially just way that respects rights.
- **Outreach with the European Commission** (October 24, 2023). The secretariat and the Dutch Ministry of Economic Affairs and Climate Policy presented the Agreement to the representatives of the Directorate General (DG) for the Internal Market, Industry, Entrepreneurship and SMEs of the European Commission.
- **UN Forum on Business and Human Rights** (November 27 – 29, 2023). Several parties to the Agreement and the secretariat attended the Forum. Ørsted highlighted the RBC Agreement at the session dedicated to the just transition within the energy and extractive industries, which was organised with the support of, among others, the Danish Institute for Human Rights. As part of the Forum, the Dutch Permanent Representation to the UN, WTO and other international organisations in Geneva organised a networking event on responsible business practices. Sunrock, a party to the Agreement, was one of the speakers at the event.
- **Engagement with Dutch missions.** During the first year of the Agreement, the Dutch Ministry of Foreign Affairs established contacts with the Dutch missions in London, Berlin, Stockholm, Beijing and Shanghai to explore potential ways for collaboration in the support of businesses.
- **Solar Charter.** In April 2024, the Netherlands, together with other European Member States, the European Commission and the solar industry, signed the “Solar Charter” within the margins of the informal Energy Council. With this charter, the European Commission aims to improve the competitiveness and strength of the solar PV value chain. Among other things, the charter calls for the incorporation of RBC criteria in renewable energy auctions.



Tender and procurement processes | RBC as a distinctive factor

The Tender and Procurement Processes Sub-Working group (under the auspices of the Due Diligence Working Group) focused on identifying the challenges facing public and private procurement processes in relation to human rights and environmental due diligence and the lessons learned from best practices. The aim of the group is to promote the embedding of due diligence criteria in public tendering and procurement processes.

During the first year, [the Solar Buyer Group](#) presented their research on sustainable solar PV procurement. Agreement party Vereniging Eigen Huis (the Dutch Homeowner’s Association) shared their current procurement process. The Danish Institute for Human Rights, the knowledge institution of the Agreement shared the learnings from their toolkit: [‘Driving change through public procurement. A toolkit on human rights for procurement policy makers and practitioners’](#). The objective of this toolkit is to enable public procurement policy makers and contract managers to implement requirements to foster respect for human rights among their suppliers.

Presently, the Dutch government is exploring whether and how to include RBC criteria in the renewable energy subsidy instruments of the Ministry of Economic Affairs and Climate Policy. RBC criteria are included in the Alpha and Beta sites of the Ijmuiden Ver Wind Farm Zone, the largest Dutch tender for offshore wind energy to date.

Access to remedy | from negative impact to recovery

Occupational hazards, worker exploitation, child labour and the destruction of critical natural ecosystems can be prevalent in companies' supply chains. Such harm to people and the natural environment can result from the actions or inactions of one or more actors in the supply chain. For companies, access to remedy is therefore an essential part of their due diligence process. It is about giving victims of adverse impacts the opportunity to seek redress from a company that has caused or contributed to the harm.

In the first year of the Agreement, the parties succeeded in establishing an operational, independent Renewable Energy Complaints and Disputes Committee (RECDC), a mechanism to resolve disputes and to address complaints. The term dispute refers to a matter between the independent secretariat and a company arising from the exercise of the secretariat's mandate to monitor due diligence. The term complaint refers to a matter between a stakeholder (or its mandated representative) and a company concerning a human rights violation, an injury, loss or (environmental) damage of material significance, suffered individually by a stakeholder or a group that the stakeholder belongs to, due to a violation of an RBC Agreement.

The Agreement commits to aligning the RECDC rules of procedure at all times with the Principles 30 and 31 of the 2011 UN Guiding Principles on Business and Human Rights ("Effectiveness criteria for non-judicial grievance mechanism"). In the

event of any inconsistency in the RECDC Rules of Procedure, Principles 30 and 31 of the UNGPs shall prevail.

The RECDC currently comprises 3 permanent members (Martin Scheltema, Manon Wolfkamp, Liesbeth Enneking) and 2 alternate members (Paul van der Heijden, Victoria Marquez Mees). The RECDC is operational as of May 1, 2024.



Monitoring



Monitoring | a preparatory year

The secretariat assesses, advises and monitors individual companies on a yearly basis on their due diligence performance and progress. In order to create a good basis for monitoring, the Assessment Framework was jointly developed by the Agreement parties in the first year. This framework is used by the secretariat to assess and rate the due diligence maturity level of each company.


Annually, all companies complete a self-assessment due diligence questionnaire, based on the Assessment Framework. Companies also share with the secretariat their individual company due diligence action plan, which sets out concrete targets to improve their due diligence performance in line with the OECD Guidelines for Responsible Business Conduct.

The assessment process also includes one-on-one meetings with each company, involving the relevant departments, where the secretariat discusses the assessment results and provides advice and guidance.

The maturity assessment, that was started in the first implementation year of the Agreement (from March till July 2024), will serve as the baseline for measuring the progress made by the individual companies in the subsequent Agreement implementation years. The answers and scores of each company are confidential. Information from the completed assessment will be used by the secretariat to provide the parties with insight (at an aggregated level) into the due diligence maturity level of, and progress made by, the companies from year to year. The principle of continuous improvement is fundamental in the implementation of due diligence.

The parties repeat the assessment each year. This makes the progress transparent during the duration of the Agreement.





Looking ahead to year 2

Looking ahead to year 2 | Preview and priorities

Looking ahead to the second year, here are some of the planned activities:

- The secretariat will analyse the results of the baseline assessment and generate an aggregated and anonymised sector-wide gap analysis for the parties. On the basis of this analysis, parties will explore various topics in the field of human rights, environment and biodiversity. This can be in the form of knowledge sessions, but also by sharing best practices and experiences within the Agreement. Where necessary, different tools and guidance for companies will be developed based on the results of the sector-wide gap assessment.
- At the request of the parties, particular emphasis will be placed on raising awareness of issues such as forced labour, a just energy transition, effective implementation of due diligence and purchasing practices (tendering and procurement processes).
- Work on collective actions will continue. Implementation of the Peru copper project will begin. The results of the project will be shared with the Agreement as it progresses.
- Issues such as transparency and traceability, polysilicon, rare earth elements and worker welfare will be crystallised further into practical deliverables.
- In the light of legislative developments in Europe, the Agreement will pay more attention to preparing companies for effective and meaningful implementation of due diligence legislation, such as the Corporate Sustainability Due Diligence and Corporate Sustainability Reporting Directives, as well as the EU Regulation prohibiting products made with forced labour.



Interviews and Statements

Vattenfall Arjan Pouw and Kristin Tallbo

Sunrock Manuella Appiah

Holland Solar Wijnand van Hooff and Derek Steeman

The Danish Institute for Human Rights Gabriela Factor

Dutch Government

NedZero Mike Zwart



Arjan Pouw and Kristin Tallbo



For Vattenfall, cooperation is essential to address the most salient risks in the renewable energy sector. That is why they have continued to push for the expansion of the Agreement. Arjan Pouw, Senior Advisor Corporate Sustainability, and Kristin Tallbo, Social Sustainability Specialist within the Business Area Wind (which includes solar and batteries), have set ambitious goals for the years ahead.

Why is this Agreement so important for Vattenfall and other companies?

Arjan Pouw (member of the Steering Committee): “No company can tackle today’s challenges on its own. We need to work together to bring more transparency in the supply chain, we need to standardise the due diligence requirements that all companies must comply with. The multi-stakeholder approach helps to build mutual understanding. Discussions may be tough, but they are always amenable. Whether it concerns biodiversity or human rights, our interests ultimately align.”

Kristin Tallbo (a member of the working groups): “There is a disparity when it comes to resources and knowledge among companies. There is a core group of large companies that are active in most of the working groups. The Agreement gives smaller companies, which don’t have the same resources, a chance to learn from the bigger ones. So, it is also a learning pool.”

What do you expect from the collective Peru project?

Tallbo: “In discussing collective action, we quickly came to the conclusion that we wanted to do something about copper. We decided to focus on Peru, which is the second or third largest copper producer in the world. Many farmers in Peru are switching from agriculture to small-scale copper mining because of the rise in copper prices due to the energy transition. They are often unofficial or ‘illegal’ and not paid properly.

Together with the Alliance for Responsible Mining (ARM), we have submitted a project proposal to the European Partnership for Responsible Minerals (EPRM). We hope to launch the project later this year. Our aim is to improve human rights and the environmental impact of artisanal and small-scale copper mining in Peru. Ultimately, the ►

‘Knowing your risks is crucial’

aim is to create a more sustainable and equitable copper supply chain through stakeholder engagement and working groups on the ground there.

Copper is recognised as one of the key raw materials for Vattenfall, and there is a good chance that we do have copper from Peru in the products that we use to generate electricity. It would be great to launch two more projects as part of our five-year Agreement, one of which could involve nickel from Indonesia.

It is important that the companies in the Agreement have a seat at the table in these collective projects and are

involved on the ground as well. If there is stakeholder engagement in Peru, we should be there to build on knowledge within the company. In particular, for example, concerning the inclusion of vulnerable groups. How do you make sure that women are involved? How do you involve indigenous groups? We also need to raise people's awareness of the kinds of risks that are very real and why we need to work together on them."

What are your priorities for the second year of the Agreement?

Pouw: "The first year was marked by a lot of energy, a lot of activity, a lot of effort. We should keep up that

momentum, even though the number of participants is still growing. The second year is about delivering results, as in: the outcome of the first assessment, the impact of the incentives on tendering and purchasing, the implementation of projects that are in the pipeline. We should aim to share the lessons learned from due diligence. Not only within our own company, but also among other companies, organisations and further initiatives in Europe or even beyond. Not to impose our Dutch way of working with agreements, but to show what a multi-stakeholder approach can achieve. Together, we are taking international responsible business conduct to the next level."

INTERVIEW | SUNROCK



Manuella Appiah

ESG Manager Sunrock

No matter how green the renewable energy sector is, much still needs to be done before companies can genuinely consider themselves to be sustainable. Manuella Appiah, a former International RBC policy officer at the SER, has been working as an Environmental, Social & Governance manager at Sunrock for two years now. "It starts with supply chain transparency."

"The solar energy sector is still in its infancy. Companies within this sector are focused on the energy transition and CO2 reduction. However, no company can claim to be completely sustainable. There is inevitably a risk of negative impacts somewhere in the value chain - on the environment, biodiversity, communities or individuals. Only by acknowledging this can you begin to minimise your negative impact and perhaps even create a positive one. ►

The Agreement helps companies take steps towards exercising due diligence. It provides information and tools in a very accessible and cost-effective way. Hiring consultants to do this would have significant financial implications. It is quite a challenge to get an entire company on board to address risks throughout the chain. Therefore, we have to make sure that not only ESG employees, but also procurement and other departments in companies understand and are aligned with our ESG objectives.”

Human right risks

“Something can always be done to address negative impacts, but it is essential to understand the structure of your value chain and the associated risks. For instance, given we don’t yet have full transparency on our supply chain, we cannot at this moment be 100% certain that there are no incidences of child labour linked to our supply chain. That is something we need to investigate further. However, we are aware of various reports that point to the possibility of forced labour in procurement of solar panels through contractors from companies linked to Xinjiang. This is an area in China where, according to the reports, Uyghurs are exploited as forced labour. We perceive this as a significant risk and one that we are focused on addressing.

‘The truth is that the industry is still looking for a solution’

To gain a better understanding of the issue, we invited several representatives from the Uyghur community to our office in Amsterdam in February this year to share their experiences. We also extended invitations to our competitors, suppliers, and partners to engage in dialogue and deepen our insights.”

Steering in the right direction

“The industry today is not sure what the solution is. All solar companies rely on Chinese raw materials and products. More than 80% of the world’s solar panels are manufactured in China. But change is needed. Luckily within our organisation everyone is united by the goal to invest in better, fairer and more sustainable panels.

First of all, we are striving to make our entire supply chain as transparent as possible, so that we can identify risks at every step along the way. We use the Open Supply Hub platform to do this. If other companies do the same, we can identify and address common risks together.

Secondly, we are investing in alternative, proven and more sustainable sources of solar panels. Although these panels are substantially more expensive than conventional models, we aim to demonstrate that the market is willing to pay extra for a just energy transition. As demand for sustainably manufactured panels grows, their cost will eventually come down. Government can play an important role in incentivising this transition by creating favourable economic and financial conditions for the production and procurement of more sustainably manufactured solar panels.

We cannot eradicate all human rights and environmental risks in the value chain on our own. However, we can do something and take action to build partnerships and alliances. I want to be able to go to sleep knowing that we are continually pushing our company and the sector in the right direction, and that we are continuing to make a positive impact on an ongoing basis.”

Wijnand van Hooff and Derek Steeman

Holland Solar is the industry association for the Dutch solar energy sector. The larger project developers, producers and wholesalers in particular are part of the Agreement. General director Wijnand van Hooff and CSR branch specialist Derek Steeman aim to significantly increase the number of participants in the Agreement over the coming year.



‘Knowledge about sustainability is not something to compete over, but something to share with each other.’

What are the challenges for your sector where sustainability is concerned?

Wijnand van Hooff: “We face a dilemma. On the one hand, the Netherlands needs far more solar energy systems to meet its climate targets. On the other hand, there are risks and problems in the global production chains of these systems. Everyone knows the stories of Uyghur forced labour in China. For many companies, that is an important reason to join this Agreement. The whole sector is more or less dependent on China. Efforts are being made to set

up European factories for the production of raw materials and semi-finished products for solar panels. Nonetheless, setting up your own manufacturing industry is a long and difficult process.”

Derek Steeman: “Another challenge is to make sure that today’s solutions do not become tomorrow’s problems. That’s why we need to combine CSR and sustainability with circularity.”

Are there solutions to these challenges?

Van Hooff: “As an industry association, we are currently working with our members on a ‘growth trajectory’ that sets out where we want to go as a sector in the coming years and the steps we need to take to get there. We follow the OECD Guidelines for responsible business conduct. Our growth trajectory serves as important input for the Agreement. The ultimate goal is to be fully circular, PFAS-free and free of child labour and forced labour. Companies that want to contribute to the growth trajectory ►

and its implementation should all join the Agreement. The Agreement not only develops tools, but also shares best practices and knowledge. The secretariat organises regular knowledge sessions, for example, on European due diligence legislation.”

Is the upcoming RBC legislation a reason to join the Agreement?

Van Hooff: “The main European directive in this area, the Corporate Sustainability Due Diligence Directive (CSDDD), was recently formally adopted, albeit in a significantly weakened form unfortunately. You might think that this makes it less urgent for companies to join the Agreement, but I believe the opposite to be the case. Clear government policy can help, but even without strict legislation, our sector can do a lot. I think most companies in our sector see it that way too. They are inherently motivated to tackle the problems in the sector.”

What role can the financial sector play in this?

Steeman: “Banks and investors are increasingly imposing sustainability requirements on project financing. However, these so-called ‘non-price criteria’ vary per bank or institution. Some banks compile ‘blacklists’ of companies they do not want to invest in for reasons to do with sustainability, except it is not clear when and why a company ends up on such a list. We want to make agreements about these criteria so that companies know where they stand and a level playing field is created. That



is why we organised two knowledge sessions in February and March this year, inviting representatives from the financial sector, the Agreement parties, and our own members. The aim was to come up with a set of criteria for project financing together, in line with the growth trajectory we are currently working on. We have already compiled a list of possible criteria for project financing and are now working them out in detail further. For instance, the requirement for companies to have a Supplier Code of Conduct by 2025 and the requirement to have an action plan that addresses suppliers.”

What are your priorities for the second year of the Agreement?

Steeman: “It is important that we make real progress when it comes to transparency. Companies need to investigate what their supply chains look like and make that data public so that companies facing the same problems in the same field or with the same supplier can act together. The more companies that participate, the

more cooperation will take place in this area. That’s why it is important to increase the number of participants in the Agreement. We currently have about 33 companies, but this number should increase significantly in the coming years.”

Van Hooff: “The challenge is to show companies that the Agreement adds value. Because it provides practical support as far as due diligence is concerned, but also because it is about the future of the sector. If you want to have real impact, you have to be an active participant. Otherwise, others will decide what your business will look like. When companies say that they have made great progress with their own due diligence, I say: then become a member to share that knowledge with others. Help the whole sector move forward. Let us work together to define the minimum sustainability requirements that we as a sector want to meet. Knowledge about sustainability is not something to compete over, but something to share with each other.”



Gabriela Factor

Chief Advisor at the Danish Institute for Human Rights

This is the first time the Danish Institute for Human Rights has participated in a Dutch International RBC Agreement. Gabriela Factor, chief advisor at the knowledge institution, is looking forward to seeing positive changes in the value chains of the renewable energy sector. ‘We have to make changes on the ground for those affected.’

“The International RBC Agreement for the Renewable Energy Sector is the first Agreement we are participating in. The Danish Institute is the national human rights institution in Denmark, and also has project offices in other

‘We can contribute to the formalisation and inclusion of small-scale producers.’

countries. We are responsible for protecting and promoting human rights in Denmark by monitoring and reporting on the human rights and equality situation in Denmark. We also have a mandate at international level to promote respect for human rights, including the implementation of the UN Guiding Principles on Business and Human Rights. We support national human rights institutions, civil society organisations, as well as sectoral and multi-stakeholder initiatives such as this Agreement.”

Aim of the Peru project

“Efforts in the first year of the Agreement have focused on getting organised, identifying priorities and developing key tools and plans. But increasingly, the focus should be on making a real difference in the companies and on the ground for the people affected. That is why it is so important to work together on the Peru project, which focuses on small-scale copper mining. The energy transition is creating a huge demand for minerals and, as a result, a new artisanal and small-scale mining sector. Not just copper in Peru, but lithium in Zimbabwe among

many other countries. First of all, artisanal mining is not necessarily illegal, nor is it necessarily problematic. In fact, it is a livelihood strategy and a source of income for many people, including those displaced by conflict and climate change who do not have access to land and other opportunities. There are not many women miners in large-scale mining, but in artisanal and small-scale mining they can make up 30 per cent or more of the workforce.

The Danish Institute for Human Rights facilitated the contact with a locally based NGO that is leading the project. Companies participating in this project will have first-hand access to the voices on the ground, opportunities to become involved and learn about the impacts, opportunities and challenges faced by workers and communities in mining operations.

The crucial question is how can we better support small-scale mining organisations in their efforts towards formalisation, responsible production and legal and transparent access to markets. And how to apply ►

the principles of responsible mining and improve its environmental and human rights governance, working conditions and gender equality. Rather than excluding small-scale producers from renewable energy supply chains, we can contribute to their inclusion and improved production and marketing conditions through engagement, capacity building, tools and frameworks that enable them to grow and develop.”

Priorities for the second year

“In the second year of the Agreement, the focus should be more ‘on the ground’. Companies are busy drawing up

their action plans. Much will be learned from the proper implementation of the action plans. As Civil Society Organisations, trade unions and knowledge institutions, we have a special vantage point and could play an even greater role in raising awareness of less obvious risks and impacts, and in guiding the private sector to take effective action to address these. We are on the ground, we talk to the rights holders, we should have the space to say: These are the issues you should be paying attention to. These are the environmental and human rights themes and approaches that members of the Agreement should be considering.

Communities and workers are at the front line of these impacts. We need to talk about the whole range of rights that are at risk due to the demand for minerals and the development of renewable energy. Not just forced labour, but also environmental degradation and gender-based violence, among other issues. We should listen to rights holders, gain a better understanding of the impact of business activities on workers and communities. And more importantly, take individual and collective action to improve the situation on the ground throughout the renewable energy value chain.”

STATEMENT | Dutch Government

An increase in the proportion of renewable energy is essential in achieving the ambitions of the Dutch climate agreement. At the same time, it is clear that the production processes for renewable energy are not without risks to human and environmental safety. The International RBC Agreement for the Renewable Energy Sector seeks to prevent and address actual and potential adverse impacts to people, environment and biodiversity in the renewable energy supply chain. A transition that poses significant challenges and one in which governments also have a role to play.

Government parties on the first year of the IRBC Agreement

Year 1 results

In the first year of the Agreement, the main focus was on mapping out risks and the development of a due diligence assessment framework for companies participating in this Agreement. This objective has been achieved. Participants have actively been engaged in working groups and have initiated projects focusing on forced labour in supply chains and on responsible mining at copper mines.

Creating greater transparency about potential and actual negative impacts on human and environmental well-being in supply chains is a complex undertaking. Companies often have limited access to information about production processes and locations. Some companies have already mapped out key risks and are sharing their knowledge under the Agreement on approaches to gain deeper insight into their supply chains. ►

'Addressing significant challenges in the renewable energy sector'

Role of the Dutch government

The Dutch Ministries of Foreign Affairs (MFA) and Economic Affairs and Climate Policy (MEACP) represent the Dutch government as members of the Agreement and support it financially as well as substantively. Both ministries attach great importance to a fair, socially just and sustainable responsible energy transition. Both ministries actively participate in the General Assembly, the Steering Committee, various working groups, and in promoting the Agreement at home and abroad.

Domestic activities

In the Netherlands, MFA and MEACP have been participants and guest speakers at various knowledge sessions concentrating on the Agreement. For example, MFA organised a knowledge session about doing business in China and human rights as part of the Agreement centred on RBC and the government's role to support companies in improving their due diligence. Furthermore, sessions have been held on policy developments, particularly related to European RBC legislation and the inclusion of RBC in renewable energy policy instruments.

During the past years, MEACP has implemented a pilot to explore opportunities for integrating RBC in the MEACP's

funding schemes for businesses. In addition, RBC criteria have been included in the Alpha and Beta sites of IJmuiden Ver Wind Farm Zone (4 gigawatts), the largest Dutch tender for offshore wind energy to date. This tender closed on 28 March 2024; the permit holders have committed to the RBC criteria. For onshore solar, the possibility of integrating RBC into the SDE++ scheme has also been explored. This is proving to be challenging due to the generic nature of the SDE++ scheme and the large number of applicants. The possibility of setting requirements to foster supply chain responsibility are currently being explored further.

International activities

MFA and MEACP are also promoting international responsible business conduct beyond Dutch borders. For example, in the first year of the Agreement, MFA participated in various knowledge sessions abroad. Including a partner session by CNV International during the OECD Forum on Responsible Mineral Supply Chains in April 2023. Along with a networking event at the Permanent Representation of the Kingdom of the Netherlands to the United Nations, the World Trade Organisation and other international organisations in Geneva during the 2023 UN Business and Human Rights Forum. MFA has also contacted diplomatic posts in London, Berlin, Stockholm, Beijing and

Shanghai to explore ways of working together to support businesses.

In April 2024, the Netherlands signed the Solar Charter during the informal meeting of the Energy Council, demonstrating the European Commission's intention to improve the competitive position and strength of the solar PV value chain. Among other things, the charter calls for the inclusion of RBC criteria in renewable energy auctions and for buyers.

Year 2 focus

In the second year of the Agreement, it is important to set the focus on working towards raising awareness and the impact of upcoming legislation. Projects initiated in the first year are expected to start being implemented in the second year. In addition, it is encouraged to provide more attention to the implementation of European RBC legislation, such as the Forced Labour Regulation and the EU Corporate Sustainability Due Diligence Directive (CSDDD) and the Corporate Sustainability Reporting Directive (CSRD). The Agreement provides participants with tools to prepare for these forms of legislation.

**Mike Zwart**NedZero industry
association director

Industry association NedZero (formerly the Dutch Wind Energy Association; NWEA) is one of the driving forces behind the International RBC Agreement for the Renewable Energy Sector. Director Mike Zwart took up his post six months ago and immediately jumped fullheartedly on board: "The wind energy sector wants to make progress in both energy transition and sustainability."

"The wind energy sector plays an important role in the energy transition. Wind energy is needed in order to meet the climate targets. On land, but especially at sea. In the last ten years, about 5 gigawatts of offshore wind energy has been realised; in the next 8 years this will increase to 21 gigawatts and eventually to 72 gigawatts. This can also make industry sustainable, although it remains to be seen how this will be done, through electrification or by means of hydrogen.

Our industry association was the initiator of the Agreement. As an industry, our aim is not only to contribute to the energy transition, but also to sustainability. So, we have to think about where our raw materials come from, how they are extracted, what the working conditions are and how the environmental aspects are dealt with. I have the impression that many of our members have an intrinsic motivation to take action against abuses. At the same time, the RBC legislation is also becoming more and more important and more compelling. A company that does not comply with sustainability requirements is at great risk. You are putting the continuity of your business at stake. At some point, you will be sidelined.

The government has sent out an important signal by making qualitative criteria a substantial factor in the awarding of offshore wind farms. This was and is an incentive for companies to join the Agreement. It is to be hoped that the government will continue to use these non-price criteria in the tendering system as an important weighting factor in addition to the price. This will help to ensure that companies do not compete on price at the expense of sustainability. This is what we are discussing with the Ministry of Economic Affairs and Climate Policy. Let us keep what has worked well in the past. Non-price criteria are driving sustainability thinking.

Half of the participants in the Agreement are companies in the wind energy sector. We organise an annual Wind Day where we present ourselves as a sector, share knowledge and information and strengthen networks. We drew attention to the Agreement there last year. That is bound to have attracted a number of new signatories. In fact, all wind energy companies should become members. Firstly, because it is important to share knowledge on Responsible Business Conduct. In this way, companies can strengthen each other and achieve far more together. Secondly, because it is important as a sector to be transparent about where raw materials and semi-finished products come from. If you know your chain, you can do a better job of analysing risks and managing them.

The due diligence assessment framework developed in the first year of the Agreement will clarify where the sector stands in terms of transparency and traceability. Based on this, priorities can be set for the second year of the Agreement. What are the biggest risks, where are they most prevalent and how can they be addressed? The renewable energy sector is still a very young sector. I'm hoping that this will make it easier for the sector and for companies to take steps towards becoming sustainable. The SER secretariat has a great role to play here as a catalyst, organising working groups and knowledge sessions, and helping to develop tools. This will make sure that everyone gets moving."

Colophon

This first progress report of the International RBC Agreement for the Renewable Energy Sector covers the period from May 2023 to May 2024. This annual report was published in July 2024.

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