

致 中国水电建设集团国际工程有限公司
项目管理部 许江龙 总经理

2014 年 7 月 21 日

尊敬的许经理：

国际河流组织非常高兴能够有机会对中国水电建设集团国际工程有限公司（以下称中水电）的企业社会责任政策提出建议。我们的建议代表了一个关注世界河流的环保组织的观点。中水电以成为国际领先企业为目标，所以在制定和践行企业社会责任方面也应有更高的标准，从而承担全球责任，并鼓励企业行为对社会产生积极影响。虽然中水电进入全球市场的时间尚短，但鉴于其相当大的规模和市场份额，如今的全球影响力已非常大，所以现在制定企业社会责任政策是非常及时的。

我们综合考虑中水电面临的风险以及管理中存在的机会，提出如下企业社会责任政策建议，以帮助确保商业行为对社会负责：

第一，中水电应承诺在所有大型项目中获得并维持社会运营执照，作为企业社会责任政策的基石。

- 中水电作为大型基础建设项目（如大型水电项目）的主要承包商，公司的商业行为会对项目的利益相关方有着众多的直接或间接的影响，这些利益相关方包括当地雇员、当地政府官员、民间社会团体以及受影响的当地社区。所以，若想在预算内按时完成项目，中水电必须与这些利益相关方建立良好的关系，遵守法律，诚信经营，得到认可，这通常被称作社会运营执照。
- 承诺社会运营执照是许多领先的国际企业对社会责任的基本承诺，对商业的成功至关重要。社会运营执照可以通过以下方面获得：与所有利益相关者建立良好关系；相互尊重，进行开放和持续的沟通以及在项目建设过程中保持信息公开和透明。为了保持社会运营执照，企业必须恪守诚信；对社区的关切和要求做出回应；确保所有利益相关者能获得并理解相关信息；在项目周期的各个阶段都要对当地社区负责；企业不从事欺骗或不负责任的行为。
- 中水电的社区投资应该回馈于社区并与社区保持互惠互利的关系。我们建议通过投资卫生、教育、社会服务以及环境项目来改善当地社区的生活质量。社区协商和合作伙伴关系应该是所有社区投资计划的先决条件，从而在尊重当地文化的前提下真正提高当地社区的生活水平。

第二，中水电应承诺尊重人权。中水电的业务遍布全球很多国家，在社会、经济和政治方面面临种种挑战。不尊重人权会导致运作延误、触犯法律、声誉受损，甚至有时还会引起暴力事件。许多国际领先的企业都承诺保护人权，通过采取充足的预防和减轻措施或必要的补救措施来确保人权得到尊重。

- 我们鼓励中水电在企业社会责任政策中承诺支持和尊重联合国《世界人权宣言》中提出的人权，制定尊重关键利益相关者的人权的方法。因此，我们建议应特别细化如何保护和尊重员工的人权和受影响社区的人权，并说明如何与供应商和客户一同践行该承诺。
- 制定关于员工的政策，对童工、强迫或强制用工应采取零容忍政策，同时还要确保员工，特别是本地员工有结社的自由，及组织工会活动的自由。
- 国际惯例中一般对土著居民都有特殊规定，对于任何影响土著居民的项目，应保证符合国际标准，获取如国际劳工组织公约第 69 条中的“自由事先知情同意（FPIC）书”。如不能获得土著居民的同意，应该尽所能确保在开工之前取得“自由事先知情同意书”。不从事或者参与任何会引发或者促使侵犯人权的活动。
- 最后，我们建议中水电对所有大型项目进行人权风险评估以落实承诺。

第三，中水电应承诺提高信息透明度，公开大型项目的社会和环境影响。

- 许多国际大型能源和矿业公司主动公布其项目的主要环境影响和社会影响数据。例如在网站上的系统的公布项目数据，有助于确保满足各相关利益者（如中国政府、客户、民间社团和当地社区）的诉求，进而和关键利益相关者之间建立信任。主动公布项目环境管理计划有助于吸引国际银行和机构增加投资或融资，因为主动公开管理其社会和环境问题会增加公司的可信度。同时，增加透明度也可以尽早发现潜在的问题和债务，节省时间和金钱。
- 我们还建议，企业社会责任政策中应体现中国政府 2013 年 1 月发布的《对外投资合作环境保护指南》中的第二十条标准，倡导企业建立与社区的沟通方式和对话机制，就本企业建设项目和经营活动的环境影响听取意见和建议。建立以项目为基础的申诉和投诉机制不仅是对中国政府相关规定的落实，也能够传达企业愿意对其行为负责并加强社区参与的信息。申诉和投诉机制可作为重要的风险管理工具。通过申诉的性质和数量可以尽早发现项目遇到的困难，提前进行管理和安排。

国际领先的企业应该遵守领先的国际标准，包括环境和企业社会责任政策。作为承包商的中水电，会因为没有社会运营执照、环境影响没有得到彻底缓解而承担所有风险，也会因为受影响的社区没有得到足够补偿而成为人们申诉的焦点。

我们期待您的回复，并继续与贵公司开展具有建设性的对话。

此致

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附件 企业社会责任建议概要

中国水电建设集团国际工程有限公司承诺：

获得并维护社会运营执照。认真听取利益相关者的建议并对其关心的问题做出回应，在工程所在的社区中有诚信、有道德的开展工作。在合作与协商的基础之上对卫生、教育、社会服务及环境等领域进行社区投资。

尊重人权，履行中国政府签署的《联合国人权宣言》。尊重员工和项目所在地社区居民的人权，同时通过供应商和客户亦贯彻该承诺。不允许任何侵犯人权的行为，不从事或者参与任何会引发或者促使侵犯人权的活动。

提高大型项目的信息透明度以及对环境和社会影响的公开。公开如环境管理计划等关于如何遵守规章制度要求的相关信息。对当地社区关心的问题或申诉做出回应，履行其社会责任，确保对项目所在地产生积极影响。

Dear Manager Xu

On behalf of International Rivers, we appreciate the opportunity to provide you our comments and suggestions regarding Sinohydro's Corporate Social Responsibility Policy. Our recommendations represent the views of an environmental protection organization concerned about the world's rivers. At the same time, we understand that Sinohydro aims to be a leading global company. Leading global companies are expected to have leading corporate social responsibilities that embrace its global responsibilities and encourage a positive impact from its business activities. We understand that Sinohydro is still a relatively new to the global market place, however given the size and market share of the company; its impacts are now sizeable and large. It is therefore timely that Sinohydro is now developing a Corporate Social Responsibility (CSR) Policy.

Our CSR recommendations address the risks that Sinohydro faces and opportunities the company management has to ensure that its activities are responsible.

First, Sinohydro should commit to obtaining and maintaining a Social License to Operate in all its large projects as a cornerstone of Sinohydro's CSR Policy.

As a major contractor in large infrastructure projects – such as large hydropower dams, Sinohydro's activities can have a wide range of direct and indirect impacts on a range of stakeholders including locally engaged work force, locally government officials, civil society groups and affected local communities. However, for such projects to be completed on time and on budget, Sinohydro must have good relationships build on legitimacy, credibility and trust – commonly referred to as a Social License to Operate.

A commitment to a Social License to Operate is fundamental CSR commitment of many leading international companies, as it is viewed as essential to their financial success. A Social License to Operate may be obtained by: Developing a good relationship with all stakeholders; Communication based on mutual respect, open and ongoing communication; and Plain disclosure of information and transparency in the project construction process. To maintain a Social License to Operate: A company must keep their promises and commitments; Respond to community concerns and requests; Ensure that information is given and understood by all stakeholders; Be accountable to local communities at all stages of the project cycle; and The company not engage in dishonest or irresponsible behavior.

Sinohydro should make community investments that result in and maintain mutually beneficial relationships with communities. We recommend Sinohydro commit to improving the quality of life of its host communities through making investments health, education, social services and the environmental programs. Community consultation and partnerships should be a prerequisite for all community investment programs, so as to result in genuine and culturally appropriate improvements in the standard of living of local communities.

Second, Sinohydro should commit to respect for human rights. Sinohydro operates in many countries across the world – with challenging social, economic and political environments. Failure to respect human rights can lead to operational delays, legal challenges, and reputational harm and in some cases violence. At the same time many leading companies commit to protecting human

rights and ensuring they are respected, by taking adequate measures for their prevention, mitigation and where appropriate remediation.

In its CSR Policy, we encourage Sinohydro to commit to supporting and respecting human rights set out in the **United Nations Universal Declaration of Human Rights**. Sinohydro's CSR Policy should set out how it will respect human rights with its key stakeholder groups. We therefore recommend that the Sinohydro CSR policy specifically detail how it will protect and respect the **human rights of its employees**, the **human rights of impacted communities** and **how it will work with its suppliers and clients to do this**.

With regards to its employees, Sinohydro should have a zero tolerance policy for the employment of child labor, use of forced or compulsory labor, whilst ensuring that its workers particularly engaged in host countries have the freedom of association – i.e. have an open attitude to the activities of trade unions.

With respect to Indigenous Peoples who receive special treatment under international practice, Sinohydro should ensure that regarding any of its projects impacting indigenous peoples that the project developer ensure that the Free Prior and Informed Consent (FPIC) is obtained in accordance with international standards such as ILO Convention Number 69. If the consent of the affected indigenous peoples is not sought, Sinohydro should any leverage it has to ensure that FPIC is obtained before project construction begins. Sinohydro should not engage or be complicit in any activity that solicits or encourages human rights abuses.

Finally, in order to implement these commitments, we recommend that Sinohydro commit to conducting **human rights risk assessment in all large projects**.

Third, Sinohydro should commit to increased transparency and disclosure of the social and environmental impacts of large projects. Many large international energy and mining companies voluntarily disclose key environmental and social impact data related to their projects. Systematic disclosure of project data such as via Sinohydro's website, can help assure stakeholders (the Chinese government, the Client, civil society groups and local communities) that the company is meeting regulatory requirements to build trust between the company and key stakeholders. Proactive disclosure of project Environmental Management Plans can help to attract increased investment or funding from international banks and institutions because the company can see to be trusted because it is publicly managing its social and environmental impacts. Increased transparency can lead to early identification of potential problems and liabilities to save money and time for Sinohydro.

We also recommend that the Corporate Social Responsibility Policy reflect the standard established by the *Chinese Government's Guidelines for Environmental Protection in Foreign Investment and Cooperation* (January 2013) regarding community relations that require Chinese companies to establish a communications and dialogue mechanism, and solicit opinions and suggestions with respect to environmental impacts of construction projects (Article 20). Project based grievance and complaints mechanisms facilitate the implementation of the Chinese government's requirements because they send a message that the company wants to be held accountable for its behavior and enhances community engagement. Grievance and complaints

mechanisms can serve as important risk management tools. The nature and number of grievances can be an early indication that the project is in difficulty and requires additional management attention.

Leading global actors are expected to follow leading global standards, including in the field of environmental and corporate social responsibility policy. As a construction contractor, Sinohydro bears the all the risk if its projects do not have a social license to operate, if environmental impacts are not be thoroughly mitigated or becomes the focus of grievances if affected communities not adequately compensated.

We look forward to your response, and to continuing our constructive dialogue with you and your staff.

Appendix:

Summary of Recommendations for Corporate Social Responsibility Policy

Sinohydro commit to:

- Obtaining and maintaining a social license to operate. This requires Sinohydro to listen carefully to its stakeholders, respond to concerns, and work with integrity and ethics in the communities that host them. Sinohydro's community Investments in the areas of health, education, social services and the environment shall be made on a collaboration and consultative basis with host communities.
- Respect for human rights as recognized by the Chinese government's support for the United Nations Universal Declaration on Human Rights. Sinohydro will respect the human rights of its employees and host communities and carry through such commitments through its suppliers and with its clients. Sinohydro will not tolerate human rights abuses, and will not engage or be complicit in any activity that solicits or encourages human rights abuses.
- Increased transparency and disclosure of the environmental and social impacts of Sinohydro's large projects. This includes relevant information on how Sinohydro will meet regulatory requirements, such as Environmental Management Plans. Sinohydro will also respond to local community concerns and grievances to meet its responsibilities and ensure a positive impact in the areas it operates.