

FGV's Guidelines on Respecting and Protecting Children's Rights



1.0 Introduction

Guided by the Group Sustainability Policy of FGV Holdings Berhad (FGV), FGV is committed to respecting and protecting children's rights, in line with applicable national laws and international human rights standards, including:

- Universal Declaration of Human Rights (UDHR)
- United Nations Convention on the Rights of the Child (CRC)
- Child Act 2001
- Children and Young Persons (Employment) Act 1966
- Minimum Age Convention (International Labour Organization-ILO)
- Worst Forms of Child Labour Convention (ILO)
- United Nations Guiding Principles on Business and Human Rights (UNGPs)
- Children's Rights and Business Principles

These Guidelines are developed to guide FGV's actions and programmes in respecting and protecting children's rights throughout its business operations.

2.0 Purpose

The purpose of these Guidelines is to support FGV in adopting a holistic approach in respecting and protecting children's rights throughout FGV's business operations.

3.0 Scope

The Guidelines shall apply to the FGV Group as a whole, including its listed and non-listed subsidiaries worldwide, in which FGV has management control. FGV also expects its contractors, consultants, suppliers, vendors and all other third party companies to adhere to and comply with this Guidelines.

4.0 Definition / Acronym

- 4.1. “**Child**” refers to any persons who has not reached the age of 18 years.
- 4.2. “**Child labour**” refers to work that are dangerous or unsuitable for children. Whether or not the work performed by children is defined as child labour depends on the child’s age, the type of work and the working conditions. Child labour includes:
 - 4.2.1. young persons who are undertaking “hazardous work” that interferes with their education, or is harmful to their health or physical, mental or spiritual, moral or social development at any stage of the employment;
 - 4.2.2. slavery or practices similar to slavery (e.g. trafficking of children, debt bondage, forced or compulsory labour or recruitment);
 - 4.2.3. using, procuring or offering a child for use in criminal activities such as drug smuggling, stealing or similar abuses.
- 4.3. “**GMU**” refers to FGV’s Grievance Management Unit.
- 4.4. “**GSD**” refers to FGV’s Group Sustainability Division.
- 4.5. “**Young person**” refers to any person who has reached the age of 15 and has not reached the age of 18.
- 4.6. “**Hazardous work**” refers to work which can be dangerous or harmful to one’s health and could result in injury, illness or death. Hazardous work may include work involving lifting of heavy goods or materials, working underground or at dangerous heights, use of machinery and equipment, and the application of agricultural chemicals, pesticides and fertilisers.
- 4.7. “**Violence against children**” refers to all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse.

5.0 Reference

- 5.1. Universal Declaration of Human Rights (UDHR)
- 5.2. United Nations Convention on the Rights of the Child (CRC)
- 5.3. Child Act 2001
- 5.4. Children and Young Persons (Employment) Act 1966
- 5.5. Employment Act 1955
- 5.6. Employees' Minimum Standards of Housing, Accommodations and Amenities Act 1990
- 5.7. Employees' Minimum Standards of Housing, Accommodations and Amenities Regulations 1990
- 5.8. Employees' Minimum Standard of Housing, Accommodations and Amenities (Nurseries) Regulations 1990
- 5.9. Employees' Minimum Standard of Housing, Accommodations and Amenities (Accommodation and Centralized Accommodation) Regulations 2020
- 5.10. Employees' Minimum Standard of Housing, Accommodations and Amenities (Processing Fees for Application of Certificate for Accommodation) Regulations 2020
- 5.11. Minimum Age Convention (International Labour Organization – ILO)
- 5.12. Worst Forms of Child Labour Convention (ILO)
- 5.13. United Nations Guiding Principles on Business and Human Rights
- 5.14. Children's Rights and Business Principles
- 5.15. FGV's Group Sustainability Policy

6.0 Responsibility

- 6.1. GSD, as the owner of the Guidelines, is responsible for the review and update of the Guidelines.
- 6.2. GSD is responsible to socialise the content of this Guidelines and ensure that the information regarding the Guidelines is easily accessible.
- 6.3. GMU is responsible to manage all child-related grievances raised by stakeholders, including children, and shall act as the secretariat in managing the grievances, in accordance with FGV's Standard Operating Procedures (SOP) for grievance management.

7.0 FGV's Guidelines on Respecting and Protecting Children's Rights

7.1. Equal Treatment of Children

- 7.1.1. All children shall be treated equally regardless of the child's or his or her parents' or legal guardians' gender, race, religion, age, disability, sexual orientation, gender identity, nationality, political opinion, social group, ethnic origin, reproductive rights or other status.
- 7.1.2. All children should be provided with equal access to basic needs and facilities such as education, healthcare and childcare, and transportation, among others.
- 7.1.3. FGV shall strive to consult children in the decision-making process on matters relating to children. This includes providing a safe and inclusive space for children to express freely their views and opinions.

7.2. Child Protection

- 7.2.1. FGV is committed to ensuring that children are protected from any forms of violence or exploitation including child labour and sexual abuse.

- 7.2.2. Child-related grievances may be reported to the GMU via the following channels:
- a. Grievance module via E-wallet system – Merchant Trade
 - b. Email: grievance.m@fgvholdings.com
 - c. Whistleblowing channels
 - d. FGV Careline
- 7.2.3. The grievance mechanism shall ensure that the child’s dignity is respected at all times. The child is treated with the same respect as any other person, in which any views expressed or necessary information and responses provided by the child are not undermined.
- 7.2.4. The best interests of the child shall be taken into account throughout the grievance process. The child shall be consulted throughout the grievance process to obtain their views and perspectives relating to the grievance.
- 7.2.5. The child shall be informed of the grievance process, including its procedure, timeframe, progress and outcome of the complaint in a language they understand.
- 7.2.6. The complaints relating to children shall be handled in a child-sensitive and confidential manner. If information sharing is required for legitimate purposes, the child shall be properly informed of the reason including what information will be shared and the parties who will have access to the information.
- 7.2.7. As part of the grievance process, FGV shall undertake or facilitate the necessary corrective measures or remedial actions to ensure the safety and well-being of the children concerned. The remedial actions may include removing the child from the worksite, medical care for the child, assistance to facilitate the child’s return to school, among others.
- 7.2.8. FGV shall ensure that all of its staff who work with children meet the necessary requirements and are trained in childcare and protection.

- 7.2.9. Any promotional and advertising materials or activities featuring children shall be developed with written consent from their parents or legal guardians. The personal information of the children, including name, visual information, family background or medical conditions, shall be handled with caution and the best interests of children in mind.
- 7.2.10. FGV shall maintain an updated record of children of workers for the purpose of assessment and design of programmes and interventions to effectively address the issues of children's rights and potential risks such as child labour, access to childcare and protection, and access to education. All information relating to children shall be maintained in a secure and confidential manner.
- 7.2.11. Lack of legal documentation such as birth certificate can lead to deprivation of children's rights to basic needs and protection, and exploitation. Wherever applicable, FGV shall support children's access to birth registration through, but not limited to, raising awareness on the importance of birth registration and providing support in terms of paid leave and transport for birth registration purposes.

7.3. Adequate Living Conditions for Children's Development

- 7.3.1. FGV is committed to safeguarding the health, safety and wellbeing of all children present within its operations, in particular children living with parents working in its plantations.
- 7.3.2. FGV shall provide childcare facilities that are safe for children in compliance with the applicable laws and regulations, and ensure that their living quarters are equipped with safe water, sanitation and hygiene installation, and have access to healthy and affordable food.
- 7.3.3. All caregivers at the childcare facilities or centres shall be trained accordingly to manage the safety and protection of children.
- 7.3.4. FGV shall ensure that adequate washing and sanitation facilities are available at worksite and that workers have suitable storage spaces for their clothing and safety equipment. This is to avoid workers from bringing these items home and expose their family members and children to the hazardous substances such as chemical residues.

7.4. Access to Education

- 7.4.1. FGV respects the right to education for all children and recognises that it can develop children's full potential and contribute towards the prevention of child abuse and / or exploitation including child labour.
- 7.4.2. Where access to education is a challenge, FGV shall provide support for employees' children in this matter including, among others, transportation or collaboration with other relevant organisation to facilitate access to education for children.
- 7.4.3. For children and young persons who are unable to attend formal education, FGV shall support their access to alternative education including community learning centres.

7.5. Prevention of Child Labour

- 7.5.1. FGV shall ensure that children are protected from child labour.
- 7.5.2. While FGV is committed to employing only persons of 18 years and above, FGV also recognises that Malaysian laws allow for young persons to be engaged in certain forms of employment. Therefore, no person under the age of 15 shall be employed and any employment of young persons shall not be in a manner that is likely to be hazardous, or to interfere with their education, or harmful to their health, physical, mental, spiritual, moral or social development at any stage of the employment. Please refer to **Para 8.1 for the List of Hazardous Work for Children and Young Persons.**

7.5.3. The forms of child labour which may occur include the following:

| No. | Types of child labour | Example |
|-----|---|--|
| 1. | Worst types of child labour in any context | Any form of slavery, debt bondage or child trafficking |
| 2. | Unacceptable child labour in the form of employment or work in any occupation | <p>Children under 15 years of age (or minimum age as per national law), employed by a mill, plantations or palm grower, or by a service provider at the mill or plantations. This can include a smallholder context, if they employ workers who are under-age.</p> <p>Young workers who perform hazardous work, overtime or are working at inappropriate hours of the day or night and/ or hours that affect their attendance to school.</p> |
| 3. | <p>Unacceptable child labour in family farm operations</p> <p>Note: Family farm operations refer to family-based agricultural activities managed and operated by a family and predominantly reliant on family labour.</p> | <p>Children under 15 years of age who help their parents and either undertake this work during school hours (instead of going to school), or for too many hours, affecting their performance and attendance at school</p> <p>Young persons below the age of 18 who perform hazardous work at their parents' farm or are working during school hours.</p> |

- 7.5.4. To prevent any child labour in our operations, FGV shall:
- 7.5.4.1. Ensure that a more rigorous vetting is undertaken during the recruitment process with young applicants and that no young persons are recruited for hazardous work;
 - 7.5.4.2. Maintain detailed records of young persons, if any (i.e. age, date of employment, description of tasks given), including those working under third party contractors;
 - 7.5.4.3. Ensure that young persons have access to information related to children's rights and education as well as their employment terms and conditions in the language that they and their parents or legal guardians understand;
 - 7.5.4.4. Conduct awareness-raising activities to increase workers' (parents) and relevant parties' understanding on children's rights, including child labour and its impacts towards children and the organisation as a whole. The relevant parties include contractors, consultants, suppliers, vendors and all other third party companies.

7.6. Promotion of Children's Rights

- 7.6.1. FGV shall promote the rights of children throughout our supply chain including with smallholders, and shall work with stakeholders including child experts to conduct awareness raising activities on child rights.
- 7.6.2. FGV shall communicate this Guidelines to all of its employees, suppliers and contractors.

7.7. Review of the Guidelines

This Guidelines will be reviewed as and when required unless there are changes in the organisation's policies and procedures or in relevant national legislation.

8.0 Appendix

8.1. List of Hazardous Work for Children and Young Persons

The types of hazardous work for children and young persons in the mills, plantations or other settings include:

| Enhanced Definitions of Hazardous Work Based on the Children and Young Persons (Employment) Act 1966 | Types of hazardous work |
|--|---|
| Work in an environment with extreme temperature and moisture or high-speed wind | <ul style="list-style-type: none"> • Harvesting fresh fruit branches, cutting fruit stalks and palm fronds • Carrying overload sacks of palm fruits to carts, climbing palm trees |
| Working at a height which can lead to serious injury | |
| Manual handling works which may lead to high risks such as lifting, lowering, pushing, carrying or moving a load | |
| Work in a dusty environment which is detrimental to one's health | |
| Work in relation to production, processing, handling, storage, transport, removal, disposal or treatment of hazardous chemicals as defined in the Occupational Safety and Health (Classification, Labelling and Safety Data Sheet of Hazardous Chemicals) Regulations 2005; or pesticides and scheduled waster as defined in the Pesticides Act 1974 and the Environmental Quality (Scheduled Wastes) Regulations 2005 | Spraying, transport fertiliser and chemicals, weeding and pest control |

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|---|--|
| <p>Any machine tools or production machine which can lead to high risk such as drilling machines, grinding machines, cutting machines, lathes machines, scraping machines, power press machine, knitting machines, weaving machines, packaging machines and bottling machines</p> | <p>Kernel crushing plant, handling heavy machineries, loading ramp</p> |
| <p>Heavy-duty machinery such as tractors, rock breakers, graders, asphalt mixers, piling machine and agriculture machinery</p> | |
| <p>Usage of manual tools such as bush knives and machete which can expose to serious injury</p> | <p>Manual weeding</p> |