

Renewable Energy & Human Rights Benchmark 2023 Company Profile

Company name Duke Energy
Sub-sector Project developer
Overall score 11.1% weighted average

Section score	Weighting	For section
22.1%	20%	1. UNGP core indicators
4.5%	40%	2. Salient human rights risks
0.0%	20%	3. Serious allegations
24.5%	20%	4. ACT assessment as conducted by the World Benchmarking Alliance*

Please read the disclaimer at the end of this scorecard and refer to the full methodology when perusing this scorecard. The methodology as well as additional analysis can be found here: business-humanrights.org

The use of the label "Not met" in the research does not necessarily mean that the company does not meet the requirements as they are described in the accompanying bullet point short text. Rather, it means that the analysts could not find information in public sources that met the requirements as described in full in the 2023 Renewable Energy & Human Rights Methodology document. It is possible that a Company meets the criteria without yet publishing the relevant evidence of doing so. This may include cases where a company has claimed to meet the criteria in the engagement phase or otherwise but where the public record was still not sufficient to meet the criteria by the relevant cut off dates.

Important note: Duke Energy's website (and documents) can only be accessed from certain locations, including the U.S. In future assessments, the company needs to make sure all human rights related policies, procedures and practices are accessible from all locations.

Detailed assessment

1. UNGP core indicators based on the 2022 CHRB methodology (20% of total)

A. Policy commitments and governance

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.1.1	Commitment to respect human rights	2	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Met: Universal Declaration of Human rights (UDHR): The Company states that 'Duke Energy respects international human rights principles, including those identified in the United Nations Universal Declaration of Human Rights'. [Duke Energy Human Rights Policy, 2023: p-micro.duke-energy.com] Score 2 <ul style="list-style-type: none"> Met: Commitment to UNGPs: The Company states that 'Duke Energy respects international human rights principles, including those identified in [...] and the United Nations Guiding Principles on Business and Human Rights.' [Duke Energy Human Rights Policy, 2023: p-micro.duke-energy.com]
A.1.2.a	Commitment to respect the human rights of workers: ILO Declaration on Fundamental Principles and Rights at Work	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not Met: Commitment to ILO core principles: See below Not Met: Explicitly lists all four ILO core principles: The Company indicates that it 'recognises its role to [...] treat employees fairly and without discrimination [and] prohibit the use of forced labor, child labor and any form of human trafficking'. However, no mention of respecting the right of workers to freedom of association

* For information on the ACT methodology and scoring criteria please refer to the [World Benchmarking Alliance](https://worldbenchmarkingalliance.com).

Indicator Code	Indicator name	Score (out of 2)	Explanation
			and collective bargaining was found. [Duke Energy Human Rights Policy, 2023: p-micro.duke-energy.com] Score 2 <ul style="list-style-type: none"> • Not Met: Expects suppliers to commit to ILO core principles: See below • Not Met: Explicitly lists all four ILO core principles for suppliers: The Company states that 'Employment of underage workers, forced or indentured labor, harassment, discrimination, retaliation or violence or intimidation of any kind is prohibited, and workers must be allowed to join or not join any association as protected by law.' However, it is not clear whether the right to freedom of association is to be respected under all circumstances. It is also not clear whether suppliers are expected to respect the right to collective bargaining. [Supplier Code of Conduct, 12/2018: p-cd.duke-energy.com]
A.1.4	Commitment to remedy	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not Met: Commitment to remedy adverse HRs impacts • Not Met: Expects suppliers to make this commitment Score 2 <ul style="list-style-type: none"> • Not Met: Commitment to collaborate with judicial or non-judicial mechanisms • Not Met: Commitment to work with suppliers on remedy
A.2.1	Commitment from the top	0.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Met: Board level responsibility for HRs: The Company indicates that the Audit Committee is charged with 'Oversight for matters related to the security of, and risks related to, information technology systems and procedures and all ESG matters' [2022 Impact Report, 2022: p-cd.duke-energy.com] • Not Met: Describes HRs expertise of Board member Score 2 <ul style="list-style-type: none"> • Not Met: Board member/CEO signal importance of HRs in their communications

B Embedding respect and human rights due diligence

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.1.1	Responsibility and resources for day-to-day human rights functions	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not Met: Score of 1 on A.1.2.a • Not Met: Senior responsibility for HRs implementation and decision making: The Company states 'The Legal, Ethics & Compliance, Supply Chain, and ESG teams are actively engaged in our human rights program [...] The ESG team keeps current on best practices and potential human rights risks in collaboration with Legal. Human rights activities also are discussed at least annually by the ESG Strategy and Disclosure Committee, and as needed with the Board of Directors.' However, no clear statement outlining the senior management responsible for human rights implementation and decision making could be found. [2022 Impact Report, 2022: p-cd.duke-energy.com] Score 2 <ul style="list-style-type: none"> • Not Met: Describes day-to-day responsibility for implementing HRs commitments • Not Met: Day-to-day resources and expertise allocation in own operations • Not Met: Resources and expertise allocation in supply chain: The Company states in the Impact Report 2022 that 'The Legal, Ethics & Compliance, Supply Chain, and ESG teams are actively engaged in our human rights program.' However, no clear description of how resources are allocated could be found. [2022 Impact Report, 2022: p-cd.duke-energy.com]
B.2.1	Identifying human rights risks and impacts	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not Met: Describes process of identifying risks in own operations: The Company indicates in its Human Rights Policy that 'DukeEnergy seeks to operate the business in ways that protect the environment and mitigate adverse impacts from operations'. However, this statement is not a description of a process to identify human rights risks. [Duke Energy Human Rights Policy, 2023: p-micro.duke-energy.com] • Not Met: Describes process for identifying risks in business relationships Score 2 <ul style="list-style-type: none"> • Not Met: Describes global risk identification system incl. stakeholder consultation • Not Met: Describes how risk identification system is triggered by new circumstances • Not Met: Describes risks identified in relation to new circumstances

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.2.2	Assessing human rights risks and impacts	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes assessment process and discloses salient HRs risks: The Company indicates that 'Duke Energy will conduct periodic human rights assessments to determine whether its processes and systems used to identify and investigate any alleged violations are appropriate.' However, it is not clear if this is already being carried out, or if it is an aspiration for the future. Furthermore, it appears that this assessment is used only for the processes an system used where human rights violations are already alleged to have taken place. It is not clear if the Company also applies this to assess human rights risks. <p>The Company further states in its 2022 impact report that 'In 2022, we increased our engagement by engaging a third party to perform a human rights assessment across the enterprise assessing our Human Rights Policy and human rights risks relative to appropriate business units.' However, no description of the process used for the assessment was found. [Duke Energy Human Rights Policy, 2023: p-micro.duke-energy.com]</p> <ul style="list-style-type: none"> • Not Met: Describes how process applies to supply chain • Not Met: Public disclosure of results of HRs risk assessment <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Not Met: Describes how assessment involved affected stakeholders
B.2.3	Integrating and acting on human rights risks and impact assessments	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes system to prevent, mitigate and remediate HRs issues • Not Met: Describes how global system applies to supply chain • Not Met: Example of actions decided on at least 1 salient HRs issue <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Not Met: Describes how stakeholders involved in decisions about actions taken
B.2.4	Tracking the effectiveness of actions to respond to human rights risks and impacts	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes system for evaluation effectiveness of actions • Not Met: Example of lessons learned from evaluation effectiveness of actions <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Not Met: Involves stakeholders in evaluation effectiveness of actions
B.2.5	Communicating on human rights impacts	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Provides two examples of comms with stakeholders <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes challenges to effective comms and how it is working to address them

C. Remedies and grievance mechanisms

Indicator Code	Indicator name	Score (out of 2)	Explanation
C.1	Grievance mechanism(s) for workers	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Grievance mechanism accessible to all workers: The Company indicates that there is a grievance mechanism available to all workers. [2022 Impact Report, 2022: p-cd.duke-energy.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Grievance mechanism available in appropriate languages and workers made aware • Met: Describes how workers in supply chain access grievance mechanism: Workers in the supply chain can report to Duke Energy's grievance mechanism. [Supplier Code of Conduct, 12/2018: p-cd.duke-energy.com] • Not Met: Expects suppliers to convey expectation to their suppliers
C.2	Grievance mechanism(s) for external individuals and communities	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Grievance mechanism accessible to all external individuals and communities: The Company indicates that the Ethics line is available to 'Employees, suppliers, customers and other stakeholders can report a human rights concern'. [Duke Energy Human Rights Policy, 2023: p-micro.duke-energy.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Grievance mechanism available in appropriate languages and affected stakeholders made aware • Not Met: Describes how external individuals/communities access grievance mechanism

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Not Met: Expects supplier to convey expectation to their suppliers
C.7	Remedying adverse impacts	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes approach taken to remedy adverse HRs impacts: The Company states in its impact report that it provides remedy mechanisms but no details of the process or approach taken was found. [2022 Impact Report, 2022: p-cd.duke-energy.com] • Not Met: Describes how remedy would be provided if no adverse impact identified <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes changes to systems, processes and practices to prevent future impacts: The Company indicates that it is updating its' Human Rights policy. However, it is unclear if this is undertaken to prevent future impacts after reports of human rights violations. [2022 Impact Report, 2022: p-cd.duke-energy.com] • Not Met: Describes approach to monitoring/implementing agreed remedy • Not Met: Describes approach to learning from incidents if no adverse impacts identified

CSI. Responsible lobbying and political engagement fundamentals

Indicator Code	Indicator name	Score (out of 2)	Explanation
CSI.18	Responsible lobbying and political engagement fundamentals	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Publicly available policy statement(s) (or policy(ies)) setting out lobbying and political engagement approach.: The Company states that 'Duke Energy principles governing corporate political expenditures and Political Action Committee contributions, and engagement of corporate political consultants and external lobbyists: Political expenditures shall reflect the company's interests and not those of its individual officers or directors. No political expenditure shall be made in anticipation of, in recognition of, or in return for any official act. Political expenditure decisions will be made based upon the following principles: promotion of sound and sustainable energy and environmental policies; efficient and effective regulatory systems; and; commitment to our company values of Safety, Integrity and Service.' However, this statement was not made in a formal policy document. [Political expenditure webpage, N/A: duke-energy.com] • Not Met: Publicly available policy statement that specifies the Company does not make political contributions <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Met: Disclosure of expenditures on lobbying activities: The Company has a publicly available corporate political expenditure report listing its contributions to political candidates, parties, committees and organisations. [Corporate Political Expenditure report, July 2022: p-cd.duke-energy.com] • Not Met: Requirement for third-party lobbyists to comply with the Company's lobbying and political engagement policy (or policies)

2. Salient human rights risks (40% of total)

D. Indigenous Peoples' and Affected Communities' Rights

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.1.PD	Commitment to respect indigenous peoples' rights	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commitment to respect indigenous peoples' rights with explicit reference to UN Declaration <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Description of process for identifying indigenous persons and customary lands. <p>Commitment to FPIC (in line with ILO No.169)</p> <ul style="list-style-type: none"> • Not Met: Recent example of obtaining FPIC or not pursuing indigenous people's land/resources
D.2.PD	Engagement with all affected communities	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes how local communities identified and engaged in the last two years • Not Met: Provides two examples of engagement with communities • Not Met: Examples of engagement refer to marginalised groups and provide additional detail <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Analysis of stakeholder views on company's HRs issues

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Not Met: Describes how stakeholders views influenced company's HRs approach
D.3.PD	Benefit and ownership sharing policy	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commitment to identify benefit and ownership sharing • Not Met: Commitment includes right to decide own priorities for communities <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Disclosure of statistics for each project describing demographics of benefit/ownership sharing • Not Met: Disclosure how affected communities participated in decision-making
D.4.PD	Local wind & solar energy access, affordability	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Actions taken to support access and affordability of renewable energy in the value chain: Investing in zero-carbon wind power is one way Duke Energy are trying to reduce our environmental footprint and meet the demand for reliable, affordable, and increasingly clean electricity. The Company further states that 'Duke Energy strives to strengthen and build infrastructure that will deliver reliable and affordable energy' However, no clear statement of actions taken to support access and affordability of renewable energy in the Company's entire value chain was found. [2022 Impact Report, 2022: p-cd.duke-energy.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Including a timebound actions plan and reporting targets • Not Met: Public support for government policies addressing energy access

E. Land and resource rights

Indicator Code	Indicator name	Score (out of 2)	Explanation
E.1.PD	Respect for land and natural resource tenure rights	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commitment to respect land ownership/natural resources as in VGGT. Discloses how identifies legitimate tenure holders. • Not Met: Disclosure of locations of projects including numbers in urban, rural, natural areas <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Extends expectation to business relationships • Not Met: Steps taken to use leverage to resolve land rights issues or disclosure that no such issues arose
E.2.PD	Just and fair physical and economic displacement policy implementation including free, prior and informed consent	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commitment to follow IFC PS 5 for physical and economic displacements • Not Met: Commitment not to relocate without FPIC and to providing compensation <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Publishes statistics on numbers affected by relocations (current and planned projects) • Not Met: Publishes regular reviews of living conditions after relocation • Not Met: Description of approach to physical and economic displacement

F. Security and conflict-affected areas (incl. responsible mineral sourcing)

Indicator Code	Indicator name	Score (out of 2)	Explanation
F.1.PD	Operating in or sourcing from conflict-affected areas	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commitment to heightened HRDD in conflict affected areas • Not Met: Steps taken to assess and mitigate these risks with conflict sensitive lens <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: How stakeholders are involved in the process to mitigate risks
F.2.PD	Evidence of security provider human rights assessments	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Regularly conducts risk assessment regarding security forces <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Commitment to Voluntary Principles on Security and HRs • Not Met: If applicable, discloses use of private security providers and uses only ICoCA members. <p>If direct employment of security, commitment to follow ICoCA itself.</p>
F.3.PD	Responsible sourcing of minerals: Arrangements with suppliers	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Statement on OECD Guidance aligned due diligence • Not Met: Requirement on OECD Guidance aligned due diligence in contracts/codes with suppliers

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Not Met: Describes work with suppliers on risk assessment and improving DD Score 2 <ul style="list-style-type: none"> • Not Met: Disclosure of supply chain mapping
F.4.PD	Responsible sourcing of minerals: Risk identification in mineral supply chains	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not Met: Describes risk identification and disclosure in line with OECD Guidance Score 2 <ul style="list-style-type: none"> • Not Met: Expectation of suppliers to disclose supply chain mapping • Not Met: Risk identification process covers all minerals
F.5.PD	Responsible sourcing of minerals: Risk management in the mineral supply chain	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not Met: Suppliers using minerals in equipment provided to describe steps taken to respond to risks in supply chain • Not Met: Those suppliers to describe monitoring of risk prevention/mitigation measures • Not Met: Those suppliers to disclose significant improvement over time Score 2 <ul style="list-style-type: none"> • Not Met: How suppliers and affected stakeholders engaged on strategy • Not Met: Processes cover all minerals

G. Protection of human rights and environmental defenders

Indicator Code	Indicator name	Score (out of 2)	Explanation
G.1.PD	Commitment to respect the rights of human rights and environmental defenders	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not Met: Zero tolerance of threats/attacks on HRDs • Not Met: Expectation on business partners in value chain to make this commitment Score 2 <ul style="list-style-type: none"> • Not Met: Description of how working with HRDs to create safe and enabling environment

H. Labour rights (incl. protection against forced labour)

Indicator Code	Indicator name	Score (out of 2)	Explanation
H.1.PD	Health and safety	0.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Met: Discloses quantitative H&S information (injury rates or lost days, and fatalities): The Company discloses the following 'Employee lost workday case rate' in 2022) 0.16 and 'Employee total incident case rate' 0.40 inn 2022. [2022 Impact Report, 2022: p-cd.duke-energy.com] • Not Met: Expectation extends to relevant business relationships Score 2 <ul style="list-style-type: none"> • Not Met: Sets targets for H&S performance (including injury rates or lost days and fatalities): The Company states that ' Our goal is to achieve a zero-injury workplace' However, no information regarding targets for fatalities was found. [2022 Impact Report, 2022: p-cd.duke-energy.com] • Not Met: Met targets or explains why not or how improve H&S management systems
H.2.PD	Forced labour risk management	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not Met: Board level oversight over policies on forced labour in supply chain. How relevant stakeholders informed board discussions: The Company states that it 'Prohibit the use of forced labor, child labor and any form of human trafficking'. It also indicates that 'Employment of [...] forced or indentured labor [...] is prohibited' for its suppliers. However, it is not clear if there is board level oversight over forced labour in the Company's supply chain. Furthermore, no statement was found on how relevant stakeholders inform discussions on the issue of forced labour in the supply chain. [Duke Energy Human Rights Policy, 2023: p-micro.duke-energy.com] & [Supplier Code of Conduct, 12/2018: p-cd.duke-energy.com] • Not Met: Suppliers to have these arrangements in place Score 2 <ul style="list-style-type: none"> • Not Met: Discloses ongoing efforts to prevent and mitigate forced labour in own ops and supply chain • Not Met: Factors to be considered when ending a business relationship

Indicator Code	Indicator name	Score (out of 2)	Explanation
H.3.PD	Prohibition of forced labour: Wage practices	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Requirements on paying in full and on time in supplier codes and contracts: The Company indicates that 'Suppliers must compensate workers in a manner that meets all legal requirements associated with wages [...] and benefits.' However, no requirement to pay workers in full and on time in all circumstances was found. [Supplier Code of Conduct, 12/2018: p-cd.duke-energy.com] • Not Met: Describes work with suppliers on paying workers regularly, in full and on time <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment scope of failure to pay workers in full and on time in supply chain • Not Met: Analysis of trends demonstrating progress
H.4.PD	Prohibition of forced labour: Restrictions on workers	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Requirements on free movement in supplier codes and contracts • Not Met: Describes working with suppliers on free movement of workers <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment of scope of restriction of movement in supply chain • Not Met: Capacity building to enable suppliers to cascade forced labour policies down supply chain
H.5.PD	Freedom of association and collective bargaining	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commitment on FoA/CB and requirements in suppliers codes and contracts: The Company states that 'workers must be allowed to join or not join any association as protected by law.' However, it is not clear whether this includes the protection of the rights to FoA and CB under all circumstances. Furthermore, no statement requiring the suppliers to prohibit retaliation and harassment against workers who are members or representatives of trade unions or equivalent worker bodies was found. [Supplier Code of Conduct, 12/2018: p-cd.duke-energy.com] • Not Met: Describes work with suppliers on FoA/CB <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment of scope of restriction of FoA/CB in supply chain • Not Met: Analysis of trends demonstrating progress
H.6.PD	Living wage (in supply chains)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Requirements on living wage in supplier codes and contracts • Not Met: Describes work with suppliers on living wage, beyond tier 1 suppliers <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Requirement for suppliers to regularly review definition of living wages with relevant trade unions

I. Right to a healthy and clean environment

Indicator Code	Indicator name	Score (out of 2)	Explanation
I.1.PD	Environmental impact assessment and remediation	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Conducts public EIA and CIA for renewable energy projects • Not Met: Assessments comply with Espoo Convention and/or the EU Environmental Impact Assessment Directive and fulfil certain standards <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Reports on compliance with government-mandated remediation fund requirements • Not Met: Reports on how an entity guarantees payment for environmental restoration or compensation
I.2.PD	Life cycle assessment	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Expectation for suppliers to conduct regular public life cycle assessments (including risks related to raw material sourcing, waste, and decommissioning) <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Requires suppliers to have action plans to address adverse impacts identified

J. Transparency and anti-corruption

Indicator Code	Indicator name	Score (out of 2)	Explanation
J.1.PD	Anti-corruption due diligence and reporting	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Commitment to prohibiting bribes to public officials: The Company states in the Code of Ethics: 'We comply with U.S. and international anti-corruption laws, including the Foreign Corrupt Practices Act (FCPA). We do not offer or accept bribes, kickbacks, illegal gratuities or similar payments, and we will never punish an employee for refusing to pay a bribe, even if it results in lost business.' [Code of Business Ethics, 03/10/2016: p-cd.duke-energy.com] • Not Met: Expectation extends to relevant business relationships: The Company indicates that 'Suppliers must comply with the letter and spirit of applicable U.S. and international laws, including those prohibiting bribery, kickbacks, corruption and other unethical business practices intended to obtain an improper advantage.' However, no statement on the OECD Convention was found. [Supplier Code of Conduct, 12/2018: p-cd.duke-energy.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Reports on any complaints on corruption and bribery • Not Met: Reports that no such complaints were made
J.2.PD	Payments to governments & contract transparency	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Publishing a tax CbCR in line with GRI 207-4, or discloses payments made to governments at project-level including for purchase or rent of land or natural resources related to its renewable energy projects: The Company states that 'We do not centrally track the annual accrual of tax credits, subsidies and other incentives from our many governmental entities.' No disclosure of payments made at project level was found. In future assessments, the Company will be expected to demonstrate it publishes a tax CbCR and a report on its payments to governments at project level, including for purchase or rent of land or natural resources related to its renewable energy projects [2022 Impact Report, 2022: p-cd.duke-energy.com] • Not Met: Disclosure of terms, contracts, agreements for those payments <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Supports governments to disclose contracts and licenses on renewable energy project in line with EITI

K. Diversity, equality and inclusion

Indicator Code	Indicator name	Score (out of 2)	Explanation
K.1.PD	Diversity, equality & inclusion training for management and employees	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Provides mandatory and regular training as per ILO No 190: The Company states that it provides DEI training, however, it is not clear if this is provided for the entire workforce. It is also unclear if this training covers the principles set out in ILO convention No 190 or whether the content of the training is aligned with this convention. [2022 Impact Report, 2022: p-cd.duke-energy.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Requires suppliers to do the same • Not Met: Provides materials and access to resources for trainings
K.2.PD	Gender balance and sensitivity	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Timebound action plan to integrate gender lens to all relevant documents including on value chain • Not Met: Demonstrates progress through annual reporting <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Women and non-binary people make up at least 40% of the Company's board of directors and executives, or executive board: The Company states that '7 out of 14 director nominees are female or identify as part of a minority group'. However, it is not clear what percentage of this is women. Furthermore, the Company states that women make up 21.9% of all leadership. However, no statement was found indicating that women make up between 40-60% of Board of Directors or Executives. [2022 Impact Report, 2022: p-cd.duke-energy.com]
K.3.PD	Gender wage gap reporting	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Has closed gender wage gap • Not Met: Timebound commitment to close gender wage gap • Not Met: Reports information at company level across multiple pay bands <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Expects business relationships to do the same

JT. Just transition[†]

Indicator Code	Indicator name	Score (out of 2)	Explanation
JT.1	Fundamentals of social dialogue and stakeholder engagement in a just transition	0	The individual elements of the assessment are met or not as follows: <ul style="list-style-type: none"> • Not Met: Public commitment to engage in social dialogue with appropriate parties for purposes of bipartite or tripartite negotiations • Not Met: Discloses the categories of stakeholders it engages with on a Just Transition and how they were identified. • Not Met: Disclosure of steps taken to engage with identified stakeholders and its approach to supporting a just transition. • Not Met: Demonstrates social dialogue and meaningful engagement with stakeholders on all aspects of a just transition.
JT.2	Fundamentals of just transition planning	0	The individual elements of the assessment are met or not as follows: <ul style="list-style-type: none"> • Not Met: Demonstrates how it engages in social dialogue, especially with unions and with stakeholders, in the development of its transition planning. • Not Met: Sets time-bound and measurable indicators to mitigate the social impacts of low carbon transition on workers. • Not Met: Sets time-bound and measurable indicators to mitigate the social impacts of low carbon transition on affected stakeholders • Not Met: Sets time-bound and measurable indicators to mitigate social impacts of low carbon transition on business relationships.
JT.3.PD	Fundamentals of creating and providing or supporting access to green and decent jobs for an inclusive and balanced workforce	1	The individual elements of the assessment are met or not as follows: <ul style="list-style-type: none"> • Met: Public Commitment to create and provide or support access to green and decent jobs, as part of the low carbon transition. • Not Met: Assesses and discloses the risk of employment dislocation caused by low carbon transition and related impacts on affected stakeholders. • Met: Demonstrates measures taken to create and support access to green and decent jobs for affected stakeholders. • Not Met: Demonstrates measures taken to ensure green and decent jobs promoting equality of opportunity for women and vulnerable groups
JT.4.PD	Fundamentals of retaining and re-and/or up-skilling workers for an inclusive and balanced workforce	1	The individual elements of the assessment are met or not as follows: <ul style="list-style-type: none"> • Met: Public commitment to re-and/or up-skills workers displaced by the transition to a low carbon economy. • Not Met: Disclosure of its process(es) for identifying skills gaps for workers and affected stakeholders, in the context of the low carbon transition. • Met: Demonstrates measures taken to provide re-and/or upskilling, training or education opportunities for relevant stakeholders. • Not Met: Demonstrates measures taken to ensure that the re-and/or upskilling, training or education opportunities promoting equality of opportunity for women and vulnerable groups.
JT.5.PD	Fundamentals of social protection and social impact management for a just transition	0	The individual elements of the assessment are met or not as follows: <ul style="list-style-type: none"> • Not Met: Discloses contribution to social protection systems for relevant stakeholders, and expectations on business relationships to contribute to social protection of affected stakeholders. • Not Met: Discloses its processes for identifying impacts of low carbon transition on workers' and affected stakeholders' social protection. • Not Met: Demonstrates contribution to addressing the impact of the low carbon transition on workers' social protection. • Not Met: Demonstrates contribution to addressing the impact of the low carbon transition on affected stakeholders' social protection.
JT.6.PD	Fundamentals of advocacy for policies and regulation on green and decent job creation, employee retention, education and reskilling, and social protection supporting a just transition	0	The individual elements of the assessment are met or not as follows: <ul style="list-style-type: none"> • Not Met: Discloses process(es) for aligning its lobbying activities with policies and regulation supporting the just transition. • Not Met: Discloses where its lobbying activities do not align with policies and regulation that support the just transition. • Not Met: Discloses action plan addressing misalignment of lobbying activities with policies and regulation that support just transition. • Not Met: Demonstrates lobbying for just transition and regulations enabling green and decent jobs, reskilling and/or social protection

[†] Assessment for this sub section has been conducted by the World Benchmarking Alliance, see: <https://www.worldbenchmarkingalliance.org/climate-and-energy-benchmark/>

M. Responses to Serious Allegations (20% of total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
M(0).0	Serious risks of supply chain forced labour		<p>According to recent data, approximately 35% of the world's polysilicon, and 32% of global metallurgical grade polysilicon, the material from which polysilicon is made, is produced in Xinjiang Uyghur Autonomous Region (XUAR). Investigations by UN bodies, academics and journalists have presented evidence on a number of human rights abuses including the use of forced labour in XUAR. In its July 2022 report to the UN General Assembly, the UN Special Rapporteur on Contemporary Forms of Slavery "regards it as reasonable to conclude that forced labour among Uyghur, Kazakh and other ethnic minorities has been occurring in the Xinjiang Uyghur Autonomous Region of China" and finds that some instances of forced labour in the Region "may amount to enslavement as a crime against humanity". The Special Rapporteur states he "considers that indicators of forced labour pointing to the involuntary nature of work rendered by affected communities have been present in many cases" in the context of "State-mandated systems". Further analysis by independent UN experts concluded that the violations in the Region "may constitute international crimes, in particular crimes against humanity" and have urged China to address their "repeatedly raised concerns about widespread violations of the rights of Uyghurs and other Muslim minorities in the Xinjiang Uyghur Autonomous Region (XUAR) on the basis of religion or belief and under the pretext of national security and preventing extremism".</p> <p>Duke Energy is a project developer active in the solar sector and therefore faces a risk of potential exposure to Uyghur forced labour through its solar panel supply chain. [United Nations General Assembly, 19/07/2022, "Contemporary forms of slavery affecting persons belonging to ethnic, religious and linguistic minority communities - Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences": documents-dds-ny.un.org] [United Nations Special Procedures, 07/09/2022, "Xinjiang report: China must address grave human rights violations and the world must not turn a blind eye, say UN experts": ohchr.org] [Sheffield Hallam University, May 2021, "In Broad Daylight - Uyghur Forced Labour and Global Solar Supply Chains": shu.ac.uk] [Business and Human Rights Resource Centre, 02/08/2021, "China: Significant proportion of global solar value chain vulnerable to alleged forced labour in Uyghur Region, says major study": business-humanrights.org]</p>
M(0).1	Publication of independently verified full solar panel supply chains to raw materials level, including names of suppliers and locations for all destination markets	0	<ul style="list-style-type: none"> Not Met: The Company states that 'We have talked directly with vendors to certify the materials we have procured from them do not contain materials from the XinJiang region. In addition, we have focused our spend away from vendors that present heightened XinJiang risk, both for the CBP risk, and unrelated tariff risks, by limiting our solar panel providers to two manufacturers (First Solar and Canadian Solar) until at least 2027, which we will then reassess.' However, this does not indicate independently verified disclosure of the Company's full solar supply chain. [Duke Energy's response]

Indicator Code	Indicator name	Score (out of 2)	Explanation
M(0).2	<p>If mapping identifies suppliers linked to regions where there is a high risk of forced labour including those identified by UN bodies, the company explains steps taken and how these align with steps expected by the UN Guiding Principles (including reference to assessment of severity of risks, leverage, and crucial nature of business relationships). The company indicates that this information is relevant to all destination markets.</p> <p>•Note: Any disengagement needs to be verified and decision-making to continue engagement with “crucial business relationships” in high-risk area needs to be explained, in line with OHCHR Guidance on Business & Human Rights in Challenging Contexts: “Where a business enterprise has determined that a relationship is indeed “crucial” within the meaning of Guiding Principle 19, and that it will be continuing with the relationship on that basis, it should be transparent with stakeholders and the public at large about the decision-making process used to arrive at that determination and the criteria used, which should be objectively reasonable.”</p>	0	<p>• Not Met: The Company states that 'We have proactively discussed the forced labor issues with all current battery and solar panel suppliers to ensure they are not sourcing materials from XinJiang region. In 2021, we changed our terms and conditions to ensure that suppliers affirm they are not sourcing materials from XinJiang.' However, the statement is not sufficient evidence for full, verified disengagement as outlined in the indicator. In addition, no information was found on whether the Company has conducted an assessment of severity of risks, leverage and crucial nature of business relationships. [Duke Energy's response]</p>

Disclaimer

This scorecard is based on assessments of publicly available documents on companies' websites by the EIRIS Foundation and BHRRC. Preliminary assessments were shared with companies for feedback. Feedback provided by companies has been analysed and incorporated when relevant to the indicator assessed. Information published or provided by companies after established and communicated cut-off dates[‡] are not included for this year's Benchmark. As such this scorecard should be seen as a reflection of feedback received as of September 2023[§].

The use of the label "Not met" in the research does not necessarily mean that the company does not meet the requirements as they are described in the accompanying bullet point short text. Rather, it means that the analysts could not find information in public sources that met the requirements as described in full in the 2023 Renewable Energy & Human Rights Methodology document. It is possible that a Company meets the criteria without yet publishing the relevant evidence of doing so. This may include cases where a company has claimed to meet the criteria in the engagement phase or otherwise but where the public record was still not sufficient to meet the criteria by the relevant cut off dates.

While the EIRIS Foundations and BHRRC have made reasonable endeavours to ensure that the methodology reflects best and emerging business and human rights practice in identifying, preventing, mitigating and remedying human rights harms as well as other responsible business conduct, it is not currently possible to measure certain human rights harms or other negative impacts directly. As such, a low score in respect of a particular indicator should not be read as implying that harms are necessarily taking place: rather it is a sign that companies have not demonstrated the steps set out in the methodology to reduce the risk of such harms or to uphold other responsible business conduct in the ways described. Conversely, a high score in a particular section or for a specific indicator should not be interpreted as a guarantee of future absence of human rights harm.

Scores for companies in the different project developer sub-categories (electric utilities, oil and gas, independent power producers) should not be compared to one another as these categories have been designed to allow for integration of an assessment of efforts towards full decarbonisation of energy production for electric utilities and oil and gas companies, based on the World Benchmarking Alliance's Oil & Gas and Electric Utilities Benchmark, using ACT methodologies. **Scores for equipment (wind turbines and solar) manufacturers should not be compared to project developer scores** as indicators have been tailored to reflect their position in renewable energy value chains.

Caution should be exercised in interpreting small differences in scores between companies within the same category and particularly small differences in the overall weighted scores because of the diversity of independent elements that are combined to produce the overall weighted scores. Scores should be understood in the context of the methods and weightings explained in the Methodology.

BHRRC does not make any guarantee or other promise, representation, or warranty as to the truth, accuracy, reliability or completeness of the statements of fact contained within, or any results that may be obtained from using its content. BHRRC does not have any

[‡] Cut-off dates: 30 June 2023 for companies that did not engage with the benchmark; the expiration of the feedback period (between Aug/Sep 2023) for companies that engaged with the benchmark.

[§] Further outreach and engagement with a subset of companies on the specific issue of exposure to forced labour risks was conducted in October 2023.

obligation to provide the users of the Benchmark with additional information or to update the information contained therein or to correct any inaccuracies. That said, the assessment process has been conducted by BHRRRC and its research partner the EIRIS Foundation in good faith and in the spirit of dialogue and cooperation.

Neither this content, nor any examples cited, constitute investment advice, nor should it be used to make any investment decision without first consulting one's own financial advisor and conducting one's own research and due diligence. BHRRRC does not receive any payment, compensation, or fee for the use or citation of any information included in this content. To the maximum extent permitted by law, BHRRRC disclaims any and all liability in the event any information, commentary, analysis, opinions, advice, and/or recommendations prove to be inaccurate, incomplete, or unreliable, or result in any investment or other losses. We reserve the right to disallow users from further using our data if, in our assessment, these are used to attempt, perpetuate, or cause harm and violations of human rights.

This work is the product of the Business & Human Rights Resource Centre, licensed under a Creative Commons [Attribution-NonCommercial-ShareAlike 4.0 International License](https://creativecommons.org/licenses/by/4.0/). Commercial use of this material or any part of it will require a license. Those wishing to commercialise the use of this work should contact the Business & Human Rights Resource Centre. Indicators in Themes A, B, C, L and first section of M and Low-Carbon Transition scores (ACT) are the product of the World Benchmarking Alliance. Our work is licensed under the Creative Commons Attribution 4.0 International License. To view a copy of this license, visit <https://creativecommons.org/licenses/by/4.0/>