

**Renewable Energy & Human Rights Benchmark 2023
Company Profile**

Company name First Solar
Sub-sector Solar Panel Manufacturer
Overall score 24.8% weighted average

| Section score | Weighting | For section |
|---------------|-----------|--|
| 44.1% | 20% | 1. UNGP core indicators |
| 15.2% | 40% | 2. Salient human rights risks |
| N/A | 20% | 3. Serious allegations |
| N/A | 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.

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 | <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: General HRs commitment: The Human Rights policy states that 'First Solar is committed to complying with the laws established to protect human rights in each country where we operate and respecting the rights set forth in the International Labour Organization (ILO) 1998 Declaration on Fundamental Principles and Rights at Work and the UN Guiding Principles on Business and Human Rights, which provide further instruction to companies dedicated to preventing adverse impacts on the communities with which they are involved.' [Labor and Human Rights Policy, N/A: firstsolar.com] <p>Score 2</p> <ul style="list-style-type: none"> Met: Commitment to UNGPs: See above. The Company commits to respecting the rights set forth in the UN Guiding principles on Business and Human Rights, 'which provide further instruction to companies dedicated to prevent impacts on the communities with which they are involved'. [Labor and Human Rights Policy, N/A: firstsolar.com] |
| A.1.2.a | Commitment to respect the human rights of workers: ILO Declaration on Fundamental | 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 ILO core principles: The Labor and Human Rights Policy states that: 'First Solar is committed to [...] respecting the rights set forth in the International Labour Organization (ILO) 1998 Declaration on Fundamental Principles and Rights at Work' [Labor and Human Rights Policy, N/A: firstsolar.com] |

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

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|-------------------------------|------------------|--|
| | Principles and Rights at Work | | <ul style="list-style-type: none"> • Not Met: Explicitly lists all four ILO core principles: The Company commits itself to the RBA Code of Conduct 'As a member of the responsible Business Alliance ("RBA"), we implement the RBA Code of Conduct within our operations and our supply chain.' The Company also states that respect for human rights is expressed in its company's workplace policies and practices, including freely chosen employment (forced labour), child labour prohibition, non-discrimination, and freedom of association. Regarding freedom of association, the Company states that 'First Solar recognizes that in the locations where we operate, employees have the right to freely associate or not associate with third-party labour organizations, along with the right to bargain or not bargain collectively in accordance with local laws.' No evidence found the Company has policy for respect collective bargaining and freedom of association in all contexts, or the Company has an alternative system for employees to bargain collectively in the locations where it is not allowed. [Labor and Human Rights Policy, N/A: firstsolar.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Expects suppliers to commit to ILO core principles • Not Met: Explicitly lists all four ILO core principles for suppliers: The Company states that it implements the RBA Code of Conduct within its operations and supply chain. However, the RBA Code of Conduct states that 'in conformance with local law, participants shall respect the right of all workers to form and join trade unions of their own choosing, to bargain collectively', the Company has not alternative mechanisms in place where these rights are not legal. [Labor and Human Rights Policy, N/A: firstsolar.com] |
| A.1.4 | Commitment to remedy | 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: Commitment to remedy adverse HRs impacts: The Company states that 'Subject to the requirements of local law, and after due diligence and full and fair investigation, any employee found to have directly engaged in or knowingly engaged suppliers engaged in slave labor or human trafficking will be subject to immediate termination of employment.' However, no evidence found on a policy commitment to remedy adverse human rights impact on individuals, workers, and communities. The Company indicates in it's human rights policy that 'We work with suppliers to drive improvements and to remedy adverse impacts.' However, it is not clear if the Company is committed to remedying adverse human rights impacts regardless of supplier connections. [Sustainability Report 2022, 31/12/2022: firstsolar.com] • Not Met: Expects suppliers to make this commitment <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Commitment to collaborate with judicial or non-judicial mechanisms • Met: Commitment to work with suppliers on remedy: The Labor and Human Rights Policy states that 'We work with suppliers to drive improvements and to remedy adverse impacts'. [Labor and Human Rights Policy, N/A: firstsolar.com] |
| A.2.1 | Commitment from the top | 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: Board level responsibility for HRs: The Company states that 'First Solar's Board of Directors' Nominating and Governance committee has overall oversight of the company's environmental, social, governance (ESG) strategy and policies'. The Company reports that the key strategic ESG areas includes responsible sourcing and human rights. The company further indicates that 'The Board's Nominating and Governance committee takes an active role in reviewing and overseeing the company's climate change goals and strategy, monitoring progress on environmental targets, as well as reviewing and overseeing the company's human rights due diligence efforts. The full Board of Directors approves the Company's Modern Slavery Statement on an annual basis.' [Sustainability Report 2022, 31/12/2022: firstsolar.com] & [Sustainability Report 2023, 15/08/23: firstsolar.com] • Not Met: Describes HRs expertise of Board member: The Company provided feedback to this indicator. However, no evidence of the human rights expertise of individual board members was found. <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Board member/CEO signal importance of HRs in their communications: The 2023 Sustainability Report includes a message by the CEO, however this indicator is looking for evidence of the statements being made outside of the Company's usual sustainability reporting. The Company provided further evidence regarding the indicator, however the sources provided were either not material for the assessment or not available in the public domain. The Company provided further evidence of the CEO speaking out in several articles against forced labour in China. However, the focus of these articles is not the issue of forced labour or why |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|----------------|------------------|--|
| | | | it is considered important for the the Company. [Sustainability Report 2023, 15/08/23: firstsolar.com] |

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 | 0.5 | <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: Score of 1 on A.1.2.a • Met: Senior responsibility for HRs implementation and decision making: In its 2022 Sustainability Report, the Company states that 'Our Chief Compliance Officer manages First Solar's Global Compliance Organization which oversees our ethics and compliance program. The goal of this organization is to implement policies, processes, training, monitoring and general awareness programs to promote ethics and compliance with applicable legal and regulatory standards.' [Sustainability Report 2022, 31/12/2022: firstsolar.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes day-to-day responsibility for implementing HRs commitments: The Company indicates that 'First Solar's ESG and Sustainability team coordinates the cross-functional taskforce of ESG focus leaders responsible for defining, measuring and reporting on progress to the ESG Steering Committee on a quarterly basis. First Solar's ESG focus leaders help advance the company's approach to Responsible Solar by driving progress on key strategic ESG areas including: [...] Responsible Sourcing and Human Rights'. However, it is not clear how responsibility is assigned across relevant departments. [Sustainability Report 2023, 15/08/23: firstsolar.com] • Met: Day-to-day resources and expertise allocation in own operations: The Company states that 'We provide Transparency across Supply Chain training to all First Solar associates involved in procurement. The training includes the following objectives: recognizing and communicating awareness of human trafficking risks relevant to First Solar's business; ensuring compliance with the California Transparency in Supply Chains Act (SB 657) and global human rights regulations; and identifying and avoiding trafficked labor in each specific business unit at First Solar [...] In early 2023, First Solar provided a global internal training on forced labor, the Uyghur Forced Labor Prevention Act, the company's commitment to Responsible Solar and approach to responsible sourcing to associates involved in procurement, legal and global trade compliance.' [Sustainability Report 2023, 15/08/23: firstsolar.com] • Not Met: Resources and expertise allocation in supply chain: The Company's Supplier Quality manual communicates its expectation regarding the RBA Code of Conduct to its suppliers. However, it is unclear how this provides expertise to the supply chain. Furthermore, the company indicates that 'Following our VAP audit in Malaysia, we organized an RBA briefing session for our onsite service providers and a full day of training on RBA labor standards for relevant First Solar teams.' However, it is unclear if this applies to the supply chain. [Sustainability Report 2023, 15/08/23: firstsolar.com] & [Supplier Quality Manual, 13/09/2021: firstsolar.com] |
| B.2.1 | Identifying human rights risks and impacts | 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: Describes process of identifying risks in own operations: The Company states that it became a member of the RBA in 2021 and completed their first Validated Assessment Programme in 2022 in the Ohio manufacturing facilities achieving platinum standard. However, this subindicator looks for evidence of how the Company conducts a due diligence process to identify what are the risks and impacts related to human rights in its own operations. The Company provided feedback for this indicator, however the evidence refers only to risk identification in the supply chain and was already used to award subindicator B below. It was not material for the assessment of this subindicator that is focused on risk identification in the company's own operations. Regarding its own operations the Company states that 'We recognize that the presence of vulnerable groups such as migrant workers is associated with a higher modern slavery risk. In our operations, modern slavery risks are predominantly associated with onsite service providers e.g. security, janitorial, landscaping, warehouse operation and facilities maintenance.' However, no further information was found on how risks are identified in the Company's own operations. [Sustainability Report 2022, 31/12/2022: firstsolar.com] & [Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com] • Met: Describes process for identifying risks in business relationships: The Company states that it 'takes a comprehensive approach to responsible sourcing |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--|------------------|--|
| | | | <p>and supply chain management in order to identify, prevent and mitigate potential adverse human rights and environmental impacts'. The approach includes verification, audits and remediation, contracts, internal accountability, training, and ethics hotlines. Within verification, the Company states that 'We regularly map our supply base and conduct an annual risk assessment to identify potential high-risk suppliers. We leverage third-party tools and indices on global slavery, forced labour and other environmental, social, governance (ESG) aspects to identify high-risk suppliers based on industry, geography and spend. Based on globally recognized indices, such as the Global Slavery Index and the U.S. Department of Labor's List of Goods Produced by Child Labor or Forced Labor, the following countries in our supply chain present a higher risk of modern slavery: China, Malaysia, and Vietnam. Suppliers may be deemed high risk based on their Self-Assessment Questionnaire (SAQ) score, an alternative risk assessment method, or through the presence of any open disqualifying audit findings. We recognize that the presence of vulnerable groups such as migrant workers is associated with a higher modern slavery risk. In our operations, modern slavery risks are predominantly associated with onsite service providers e.g. security, janitorial, landscaping, warehouse operation and facilities maintenance.'</p> <p>[Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes global risk identification system incl. stakeholder consultation: The Company provided feedback regarding this subindicator indicating stakeholder engagement with NGOs on topics of 'Circular economy, Community impact, Environmental compliance & eco-efficiency, Hazardous materials, Health & safety, Job creation, Labor practices, Responsible sourcing & human rights, Sustainable products & innovation'. However, it is not clear how stakeholders are included in the process of risk identification. [Sustainability Report 2023, 15/08/23: firstsolar.com] • Not Met: Describes how risk identification system is triggered by new circumstances: The Company indicates that 'All new suppliers undergo a rigorous qualification process using a balanced scorecard which focuses on Quality, Cost, Flexibility, Service, Technology and Sustainability.' However, it is not clear that this means the process for risk identification outlined above is triggered. [Sustainability Report 2023, 15/08/23: firstsolar.com] • Not Met: Describes risks identified in relation to new circumstances: The Company provided feedback to regarding this indicator. It states in its Transparency in Supply Chains and Modern Slavery Statement that 'Through our Malaysia audit, we identified four onsite service providers with foreign migrant workers subjected to unethical recruitment including the payment of recruitment fees in their home countries, passport retention, and the unlawful retention of wages. Our onsite service providers have since returned all passports and unlawful wage detentions to the workers, and we updated our site service agreements to prevent future fees. First Solar contracted a third party to conduct an investigation and help develop a reimbursement plan. We are working with our onsite service providers to ensure the recruitment fees in their home country and fees during their employment in Malaysia are paid back to both current and recently departed workers in accordance with RBA guidelines and best practices.' However, this subindicator is looking for risks identified in relation to new circumstances not for rights violations detected through auditing processes. [Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com] |
| B.2.2 | Assessing human rights risks and impacts | 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: Describes assessment process and discloses salient HRs risks: The Company provided feedback for this indicator, however the evidence refers only to risk assessment in the supply chain and was already used to award subindicator B below. It was not material for the assessment of this subindicator that is focused on risk identification in the company's own operations. Regarding its own operations the Company states that 'We recognize that the presence of vulnerable groups such as migrant workers is associated with a higher modern slavery risk. In our operations, modern slavery risks are predominantly associated with onsite service providers e.g. security, janitorial, landscaping, warehouse operation and facilities maintenance.' However, no further information was found on how risks are assessed in the Company's own operations. [Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com] • Met: Describes how process applies to supply chain: The Company states that 'We regularly map our supply base and conduct an annual risk assessment to identify potential high-risk suppliers. We leverage third-party tools and indices on |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|---|
| | | | <p>global slavery, forced labour and other environmental, social, governance (ESG) aspects to identify high-risk suppliers based on industry, geography and spend. Based on globally recognized indices, such as the Global Slavery Index and the U.S. Department of Labor's List of Goods Produced by Child Labor or Forced Labor, the following countries in our supply chain present a higher risk of modern slavery: China, Malaysia, and Vietnam. Suppliers may be deemed high risk based on their Self-Assessment Questionnaire (SAQ) score, an alternative risk assessment method, or through the presence of any open disqualifying audit findings. We recognize that the presence of vulnerable groups such as migrant workers is associated with a higher modern slavery risk. In our operations, modern slavery risks are predominantly associated with onsite service providers e.g. security, janitorial, landscaping, warehouse operation and facilities maintenance.'</p> <p>[Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com]</p> <ul style="list-style-type: none"> • Not Met: Public disclosure of results of HRs risk assessment: The Company also states that 'Through our Malaysia audit, we identified four onsite service providers with foreign migrant workers subjected to unethical recruitment including the payment of recruitment fees in their home countries, passport retention, and the unlawful retention of wages'. Although the Company highlights the issue of modern slavery risk, it is not clear whether risks related to modern slavery include all relevant salient topics. The Company provided feedback regarding this subindicator pointing toward its disclosure of RBA Validated Assessment Program (VAP) audits results. However, this subindicator is looking for a disclosure of the human rights risks the Company considers to be the most salient for its operation. The evidence presented by the Company are findings of individual cases of human rights violations uncovered through auditing. [Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com] & [Sustainability Report 2023, 15/08/23: firstsolar.com] <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: The Company provided feedback for this subindicator, pointing to the RBA VAP audits that were conducted across its manufacturing facilities. However, it is unclear how affected stakeholders were involved in the auditing process. Furthermore, this subindicator is looking for ways that affected stakeholders are involved in the assessment of salient human rights risks of the Company, not how affected stakeholders contributed to audits of individual facilities. [Sustainability Report 2023, 15/08/23: firstsolar.com] |
| 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: The Company provided feedback regarding this subindicator. It states that it conducted corrective actions after uncovering cases of noncompliance through its audits: 'Our onsite service providers have since returned all passports and unlawful wage detentions to the workers and updated their policies to prevent future fees. In addition to organizing an RBA briefing session for our onsite service providers, First Solar contracted a third-party to conduct an investigation and develop a reimbursement plan. We are working with our onsite service providers to ensure the recruitment fees are paid back to both current and recent workers in accordance with RBA guidelines and best practices. [...] First Solar scheduled a monitoring report to track weekly hours of work to ensure hours worked in a workweek do not exceed 60 hours and to ensure at least one day off in every seven days of work.' However, no evidence was found of a systematic approach to prevent, mitigate and remediate human rights issues. [Sustainability Report 2023, 15/08/23: firstsolar.com] • Not Met: Describes how global system applies to supply chain: The Company states that 'We work with suppliers to drive improvements and to remedy adverse impacts through Corrective Action Plans'. However, no further details found including the system by which it implements action plans in relation to the different salient issues in the supply chain. The Company provided feedback regarding this indicator, however it was not material to the assessment. [Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com] • Not Met: Example of actions decided on at least 1 salient HRs issue: The Company reports that it identified four onsite service providers involving unethical recruitment. As a result, the Company took actions against it as 'Our onsite service providers have since returned all passports and unlawful wage detentions to the workers, and we updated our site service agreements to prevent future fees. First |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--|------------------|---|
| | | | <p>Solar contracted a third party to conduct an investigation and help develop a reimbursement plan. We are working with our onsite service providers to ensure the recruitment fees in their home country and fees during their employment in Malaysia are paid back to both current and recently departed workers in accordance with RBA guidelines and best practices'. However, this subindicator looks for evidence that the Company takes proactive action to face at least one salient issue. Current evidence seems to focus in implementing corrective action plans following non-compliances found. The Company provided feedback regarding this subindicator. However, core evidence was already in use. [Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com] & [Sustainability Report 2023, 15/08/23: firstsolar.com]</p> <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: The Company provided feedback regarding this subindicator. It states that 'Our decision to join the Responsible Business Alliance in 2021 was driven by our commitment to continuous improvement and recognition that not all audit programs are created equal. Our experience with the RBA's Validated Assessment Program in 2022 further affirms our belief that it is one of the most robust and credible social auditing protocols available. We will continue to work with our suppliers to ensure they conduct their business in line with First Solar values to help improve the lives of workers across our supply chain.' However, no evidence was found of a systematic approach to evaluate the effectiveness of actions taken to prevent, mitigate or remediate the Company's salient human rights risks. [Sustainability Report 2023, 15/08/23: firstsolar.com] • Not Met: Example of lessons learned from evaluation effectiveness of actions: The Company provided feedback regarding this subindicator. It states that 'Through our Malaysia audit, we identified four onsite service providers with foreign migrant workers subjected to unethical recruitment including the payment of recruitment fees in their home countries, passport retention, and the unlawful retention of wages. [...] we updated our site service agreements to prevent future fees.' However, no evidence was found of the Company evaluating the effectiveness of actions implemented to prevent, mitigate or remediate its salient human rights risks and lessons learned from the process of evaluation. [Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com] <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 Labour and Human Rights Policy states that 'Any associate, employee of First Solar, supplier and other external stakeholder can report concerns toll-free via our Ethics Hotline'. [Labor and Human Rights Policy, N/A: firstsolar.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Grievance mechanism available in appropriate languages and workers made aware: The Ethics Hotline webpage is available in various languages. However, no information on how workers are made aware of the mechanism was found. [Ethics Hotline, N/A: firstsolar.com] • Met: Describes how workers in supply chain access grievance mechanism: The Company mentions that suppliers can report concerns via the Ethics Hotline. [Sustainability Report 2022, 31/12/2022: firstsolar.com] • Not Met: Expects suppliers to convey expectation to their suppliers |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|---|
| C.2 | Grievance mechanism(s) for external individuals and communities | 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 external individuals and communities: The Company states that external stakeholders can raise Human Rights concerns via the Ethics Hotline. [Labor and Human Rights Policy, N/A: firstsolar.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Grievance mechanism available in appropriate languages and affected stakeholders made aware: The Ethics Hotline is available in various languages. However, no information was found on how external stakeholders are made aware of the mechanism. [Ethics Hotline, N/A: firstsolar.com] • Met: Describes how external individuals/communities access grievance mechanism: The Company indicates that 'Any associate of First Solar, supplier and other external stakeholder can report concerns toll-free via our Ethics Hotline'. [Sustainability Report 2023, 15/08/23: firstsolar.com] & [Ethics Hotline, N/A: firstsolar.com] • Not Met: Expects supplier to convey expectation to their suppliers [Labor and Human Rights Policy, N/A: firstsolar.com] |
| C.7 | Remedying adverse impacts | 2 | <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: Describes approach taken to remedy adverse HRs impacts: The Company indicates that 'Through our Malaysia audit, we identified four onsite service providers with foreign migrant workers subjected to unethical recruitment including the payment of recruitment fees in their home countries, passport retention, and the unlawful retention of wages. Our onsite service providers have since returned all passports and unlawful wage detentions to the workers, and we updated our site service agreements to prevent future fees. First Solar contracted a third party to conduct an investigation and help develop a reimbursement plan. We are working with our onsite service providers to ensure the recruitment fees in their home country and fees during their employment in Malaysia are paid back to both current and recently departed workers in accordance with RBA guidelines and best practices.' [Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Describes changes to systems, processes and practices to prevent future impacts: The Company indicates that after discovering the forced labour violations in Malaysia it 'has also updated site service agreements to prevent any recurrence of the issue.' [Know the Facts: First Solar On-Site Social Audits, 16/08/23: firstsolar.com] • Met: Describes approach to monitoring/implementing agreed remedy: The Company indicates that closure audits are part of the Validated Assessment Program. [Sustainability Report 2023, 15/08/23: firstsolar.com] • 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"> • Met: Publicly available policy statement(s) (or policy(ies)) setting out lobbying and political engagement approach.: The Company states that 'Consistent with federal and state law, First Solar makes bipartisan contributions to political candidates and initiatives that support strong public policy and sustainable market growth for First Solar's business. In making such contributions, we evaluate a candidate's position on issues of concern to the Company. Contributions are not based on the personal preferences of individual company leaders. We base our contribution decisions on the best interests of the Company, and on what we believe would support sound public policy. All political activities carried out on behalf of First Solar are managed by the Public Affairs Department'. [Political Activity Statement, N/A: firstsolar.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 • Not Met: Disclosure of expenditures on lobbying activities • 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.M | 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: Expectation of project developer clients to have a public commitment to respect indigenous rights: The Company indicates that 'First Solar is a proud foundational funder of the Clean Energy Buyers Institute's (CEBI) Beyond the Megawatt Initiative, which aims to create a resilient, equitable, and environmentally sustainable energy system by leveraging energy customer demands for clean energy. The initiative is developing procurement guidance to help energy buyers embed environmental sustainability, social equity and resilience in energy buyers' clean energy procurement process. In June 2023, First Solar joined more than 18 other leading companies representing over \$498 billion in annual revenues to become a signatory of the Principles for Purpose Driven Energy Procurement.' However, these industry initiatives are not considered proxys for a clear expectation for clients to have public commitments to respect indigenous rights. [Sustainability Report 2023, 15/08/23: firstsolar.com] • Not Met: Expectation for suppliers in contracts or supplier codes of conduct to have public commitment to respect indigenous rights <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Commitment to only work with business partners that respect FPIC (in line with ILO No.169) |
| D.2.M | 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: For manufacturers, this criteria is looking for a process to engage with communities on potential impacts related to the operational phase of the project the manufacturer is involved in (ie: impacts of the construction, operation/maintenance on communities for example). The Company states that regarding local communities, the Company engages with them on-going basis through meetings& Town Councils, presentations to community organizations, school visits, local tours, and training programs. However, no further evidence found that how the Company has identified and engaged with affected communities on human rights issues. [Sustainability Report 2022, 31/12/2022: firstsolar.com] • Not Met: Provides two examples of engagement with communities • Not Met: Examples of engagement refer to marginalised groups and provide additional detail: For manufacturers, this criteria is looking for an expectation that project developers have these elements in place in the consultations they undertake. <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Analysis of stakeholder views on company's HRs issues • Not Met: Describes how stakeholders views influenced company's HRs approach |
| D.3.M | 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: Rewards for clients that have a commitment to identify potential benefit and ownership sharing <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Rewards for clients for disclosing statistics for each project (demographics of ownership sharing) |
| D.4.M | 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 • Not Met: Including a timebound action plan and reporting targets on supporting energy access and affordability in consultation with communities <p>Score 2</p> <ul style="list-style-type: none"> • 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.M | 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: Expectation for clients to have commitment to respect land ownership/natural resources as in VGGT • Not Met: Expectation for suppliers to have commitment to respect land ownership/natural resources as in VGGT |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|---|
| | | | Score 2 • Not Met: Steps taken to use leverage to resolve land rights issues or disclosure that no such issues arose |
| E.2.M | Just and fair physical and economic displacement policy implementation including free, prior and informed consent | 0 | The individual elements of the assessment are met or not as follows: Score 1 • Not Met: Expectations for clients to commit to IFC PS 5 for physical and economic displacements • Not Met: Expectations for suppliers to commit to IFC PS 5 for physical and economic displacements • Not Met: Expectation for suppliers to have a commitment not to relocate without FPIC and to providing compensation Score 2 • Not Met: Expectation for clients to disclose statistics on relocations (current and planned projects) • Not Met: Expectation for suppliers to publish statistics on relocations (current and planned projects) • Not Met: Expectation for clients to disclose reviews of living conditions of relocated communities • Not Met: Expectation for suppliers to publish reviews of living conditions of relocated communities • Not Met: Describes approach in relation to relocation |

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

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|--|
| F.1.M | Operating in or sourcing from conflict-affected areas | 0 | The individual elements of the assessment are met or not as follows: Score 1 • Not Met: Commitment to heightened HRDD in conflict affected areas • Not Met: Steps taken to assess and mitigate these risks with conflict sensitive lens Score 2 • Not Met: How stakeholders are involved in the process to mitigate risks |
| F.2.M | Evidence of security provider human rights assessments | 0 | The individual elements of the assessment are met or not as follows: Score 1 • Not Met: Expectations for clients to regularly conduct risk assessments regarding security forces • Not Met: Expectations for suppliers to regularly conduct risk assessments regarding security forces • Not Met: Regularly conducts risk assessment regarding security forces Score 2 • Not Met: Expectation for clients to have commitment to Voluntary Principles on Security and HRs • Not Met: Expectation for suppliers to have commitment to Voluntary Principles on Security and HRs • Not Met: If applicable, discloses use of private security providers and uses only ICoCA members. If direct employment of security, commitment to follow ICoCA itself. |
| F.3.M | Responsible sourcing of minerals: Arrangements with suppliers | 1 | The individual elements of the assessment are met or not as follows: Score 1 • Met: Statement on OECD Guidance aligned due diligence and requirement in contracts/codes with suppliers: The Company indicates that 'Under the terms of First Solar's contract agreements, suppliers and onsite service providers must commit to comply with the RBA Code and require their suppliers and subcontractors to do the same. Suppliers must also represent, warrant, and covenant that they will not use child, slave, prisoner, or any other form of forced or involuntary labor or engage in abusive employment in the supply of goods or provision of services.' The RBA Code states that 'Participants shall adopt a policy and exercise due diligence on the source and chain of custody of the tantalum, tin, tungsten, and gold in the products they manufacture to reasonably assure that they are sourced in a way consistent with the Organisation for Economic Co-operation and Development (OECD) Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas or an equivalent and recognized due diligence framework'. The Company also follows the RBA Code. [Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com] & [RBA Code of Conduct, N/A: responsiblebusiness.org] |

| 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: The Company provides training and resources on the RBA Code to its suppliers. However, no evidence was found on specific capacity building on the risk assessment and due diligence performance regarding conflict affected and high risk areas. [Supplier Quality Manual, 13/09/2021: firstsolar.com] & [Sustainability Report 2023, 15/08/23: firstsolar.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Disclosure of supply chain mapping: The Company provided feedback for this indicator. However, it was not material for the assessment. |
| F.4.M | Responsible sourcing of minerals: Risk identification in mineral supply chains | 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: Describes risk identification and disclosure in line with OECD Guidance: In support of the Mineral Policy, the Company ‘exercises reasonable country of origin inquiries (RCOI) and due diligence with relevant suppliers in accordance with the OECD guidelines and require our suppliers to do likewise.’ ‘In accordance with the Rules, we undertook due diligence efforts to determine the country, mine, or location of origin and facilities used to produce the conflict minerals used in our products. We designed our due diligence measures to conform in all material respects with the internationally recognized due diligence framework as set forth in the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (“OECD Framework”) and related supplements for 3TG.’ Its due diligence process included: 1) establish a company management system; 2) identify and assess risks in supply chain (conducting surveys leveraging the CMRT); 3) design and implement a strategy to respond to identified risks; 4) independent third-party audit of smelter/refiner due diligence practices; 5) report annually on supply chain due diligence. However, no evidence found on the details of risk identified. <p>The Company provided feedback for this indicator. However, no evidence was found disclosing risks identified in the specific context of conflict minerals. [Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com]</p> <ul style="list-style-type: none"> • Met: Describes process to identify smelters/refiners and assessment of whether these carried out due diligence in accordance with OECD Guidance: See above. Also, regarding smelters/refiners, the Company states that ‘as we do not source directly from smelter or refiner facilities, we rely on the RMAP to oversee and coordinate third-party audits of these facilities. The RMAP audit protocols and procedures were designed by the RMI. These audit protocols and procedures require the smelters or refiners to engage specially trained third-party auditors to independently verify that these smelters and refiners can be considered conflict free’. <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Discloses smelters/refiners assessed in line with OECD Guidance: The Company reports that its suppliers provided with lists of facilities that may have processed the necessary conflict minerals used in its products during 2022. The Company has listed 49 Smelters or Refiners. However, no evidence found that the Company has independent judgement to conform the due diligence processes conducted is in accordance with OECD Guidance. • Not Met: Risk identification process covers all minerals |
| F.5.M | Responsible sourcing of minerals: Risk management in the mineral supply chain | 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: Steps taken to respond to risks in mineral supply chain: The Company states that ‘as part of our internal conflict minerals policy, we have a conflict minerals risk mitigation plan that defines supplier risk management strategies, including (i) continued procurement, (ii) assistance in identifying alternate sources of supply, and (iii) disengagement, the severity of which is at the discretion of our executive management.’ However, no evidence found on the process to prevent or mitigate adverse impacts in its mineral supply chain. Evidence provided seems the Company current mitigation plan refers to decision of continuing or discontinuing the relationship. |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|----------------|------------------|---|
| | | | <ul style="list-style-type: none"> • Not Met: Description of process to monitor performance of risk mitigation measures: The Company indicates that 'First Solar audits new and high-risk suppliers annually on quality as well as environmental management, health and safety, labor, human rights, and ethics by leveraging the RBA Code as a framework. In 2022, First Solar assessed 100% of its new suppliers using social and environmental criteria and conducted three onsite audits at supplier sites. We work with suppliers to drive improvements and to remedy adverse impacts through Corrective Action Plans'. However, this subindicator looks for evidence of the specific process it has in place to monitor performance of measures to respond to risks (as expected in previous subindicator) related to responsible mineral sourcing from conflict affected and high risk areas. [Sustainability Report 2023, 15/08/23: firstsolar.com] • Not Met: Disclosure of significant improvements over time <p>Score 2</p> <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.M | Commitment to respect the rights of human rights and environmental defenders | 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: Zero tolerance of threats/attacks on HRDs: The Company states that 'We do not tolerate retaliation of any kind against anyone who reports an issue, nor do we tolerate unlawful threats, intimidation, physical or legal attacks against human rights defenders in relation to our operations'. [Labor and Human Rights Policy, N/A: firstsolar.com] • Not Met: Expectation on business partners in value chain to make this commitment <p>Score 2</p> <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.M | Health and safety | 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: Discloses quantitative information on H&S in own operations (injury rate or lost days and fatalities) in last reporting period: The Company reports that the global recordable injury rate (per 200,000 hours) was 0.52, global lost time injury rate (per 200,000 hours) was 0.15, and number and rate of work-related fatalities was 0 in 2021. [Sustainability Report 2022, 31/12/2022: firstsolar.com] • Not Met: Expects disclosure of H&S information of relevant business relationships <p>Score 2</p> <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 an injury-free workplace'. However, no evidence was found on a target regarding fatalities. [Sustainability Report 2023, 15/08/23: firstsolar.com] • Not Met: Met targets or explains why not or how improve H&S management systems |
| H.2.M | Forced labour risk management | 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: Board level oversight over policies on forced labour in supply chain. How relevant stakeholders informed board discussions: The Company states that 'The Board's Nominating and Governance committee takes an active role in reviewing and overseeing the company's climate change goals and strategy, monitoring progress on environmental targets, as well as reviewing and overseeing the company's human rights due diligence efforts. The full Board of Directors approves the Company's Modern Slavery Statement on an annual basis'. However, no evidence was found of specific board level committee on forced labour issues. Furthermore, it is not clear if relevant stakeholder information informed board discussions on the issue. [Sustainability Report 2023, 15/08/23: firstsolar.com] • Not Met: Suppliers to have these arrangements in place |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--|------------------|---|
| | | | <p>Score 2</p> <ul style="list-style-type: none"> • Met: Discloses ongoing efforts to prevent and mitigate forced labour in own ops and supply chain: The Company states that ' We provide Transparency across Supply Chain training to all First Solar associates involved in procurement. The training includes the following objectives: recognizing and communicating awareness of human trafficking risks relevant to First Solar's business; ensuring compliance with the California Transparency in Supply Chains Act (SB 657) and global human rights regulations; and identifying and avoiding trafficked labor in each specific business unit at First Solar. Following our VAP audit in Malaysia, we organized a half day RBA briefing session for our onsite service providers and a full day of training on RBA labor standards for First Solar's local purchasing, manufacturing, warehouse operation, human resources and facilities teams. In early 2023, First Solar provided a global internal training on forced labor, the Uyghur Forced Labor Prevention Act, the company's commitment to Responsible Solar and approach to responsible sourcing to associates involved in procurement, legal and global trade compliance.' [Transparency in Supply Chains and Modern Slavery Statement, N/A: firstsolar.com] • Not Met: Factors to be considered when ending a business relationship |
| H.3.M | 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: Pays workers regularly, in full and on time: The Company states that 'Suppliers must commit to comply with the RBA Code of Conduct and require their suppliers to do the same. Suppliers must also represent, warrant, and covenant that they will not use child, slave, prisoner or any other form of forced or involuntary labor or engage in abusive employment in the supply of goods or provision of services.' However, no evidence found on whether the Company itself pays workers both in full and on time. [Labor and Human Rights Policy, N/A: firstsolar.com] & [RBA Code of Conduct, N/A: responsiblebusiness.org] • Not Met: Payslips show wages and legitimate deductions: The Company states that its suppliers must commit to comply with the RBA Code of Conduct, which states that 'for each pay period, workers shall be provided with a timely and understandable wage statement that includes sufficient information to verify accurate compensation for work performed.' However, it is not clear whether Company itself provides payslips in accordance with the RBA Code of Conduct. [RBA Code of Conduct, N/A: responsiblebusiness.org] & [Labor and Human Rights Policy, N/A: firstsolar.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Description of implementation and monitoring of this practice • Not Met: Assessment scope of failure to pay workers directly in supply chain • Not Met: Analysis of trends demonstrating progress |
| H.4.M | Prohibition of forced labour: Restrictions on workers | 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: Does not retain documents or restrict movement of workers: The Company states that 'under the terms of First Solar's supplier agreements, its suppliers must commit to comply with the RBA Code of Conduct, which states that 'There shall be no unreasonable restrictions on workers' freedom of movement in the facility in addition to unreasonable restrictions on entering or exiting company- provided facilities including, if applicable, workers' dormitories or living quarters. All work must be voluntary, and workers shall be free to leave work at any time or terminate their employment without penalty if reasonable notice is given as per worker's contract. Employers, agents, and sub-agents' may not hold or otherwise destroy, conceal, or confiscate identity or immigration documents, such as government-issued identification, passports, or work permits.' [RBA Code of Conduct, N/A: responsiblebusiness.org] & [Labor and Human Rights Policy, N/A: firstsolar.com] • Not Met: Describes working with suppliers on free movement of workers: The Company indicates that 'As a result of the findings and First Solar's corrective actions, the service providers are cooperating and have since returned all passports and retained wages to the workers. First Solar has also updated site service agreements to prevent any recurrence of the issue.' However, no evidence was found of capacity building work on this issue. [Know the Facts: First Solar On-Site Social Audits, 16/08/23: firstsolar.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Description of implementation and monitoring of this practice |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--|------------------|--|
| H.5.M | 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 its suppliers must commit to comply with the RBA Code of Conduct, which states that 'in conformance with local law, participants shall respect the right of all workers to form and join trade unions of their own choosing, to bargain collectively, and to engage in peaceful assembly as well as respect the right of workers to refrain from such activities. Workers and/or their representatives shall be able to openly communicate and share ideas and concerns with management regarding working conditions and management practices without fear of discrimination, reprisal, intimidation, or harassment'. <p>However, it is not clear whether the Company requires to respect those rights in all contexts, as it indicates 'in conformance with local law'. In these cases (companies referring to local laws in freedom of association and collective bargaining), companies are expected to require alternative mechanisms or equivalent workers bodies where the right to freedom of association and collective bargaining is restricted under law. [RBA Code of Conduct, N/A: responsiblebusiness.org]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes work with suppliers on FoA/CB • Not Met: Assessment of scope of restriction of FoA/CB in supply chain • Not Met: Analysis of trends demonstrating progress |
| H.6.M | 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 <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: The company provides evidence that its suppliers pay a living wage • 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.M | 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: Commitment to only supply projects that conduct public EIA and CIA <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Commitment to only supply projects that guarantee compensation for environment and people affected |
| I.2.M | Life cycle assessment | 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: Conducts regular public life cycle assessments (including risks related to raw material sourcing, waste, and decommissioning): The Company states that it 'implements a robust change management system (CMS) to ensure product changes do not negatively impact product safety, reliability, environmental footprint or recyclability. Process changes and module design improvements undergo several test and validation runs before receiving final approval and being implemented across manufacturing facilities. Life cycle analysis is performed for significant product and manufacturing process modifications to assess environmental, health and safety impacts before any changes are implemented.' It further states that the life cycle assessment includes raw material sourcing to end-of-life recycling. However, it is not clear whether the life cycle analysis is conducted regularly as per ISO 14040. <p>The Company has provided the following evidence regarding this indicator: the 2021 EPEAT Disclosure Report which states that 'First Solar conducted a life cycle assessment (LCA) of its Series 6 PV modules, which was published in the IEEE Journal of Photovoltaics'. However, the article mentioned is not publicly available. It was furthermore published in 2018, thereby outside of the 3 year period that is the focus of this benchmark. It further states that 'The LCA quantifies the following mid-point indicators according to ILCD 2011 for First Solar Series 4 modules and First Solar Series 6 modules.' However, it is not clear from this if the life cycle assessment is conducted regularly and according to the ISO 14040 standard. The Company further provided the Environmental Product Declaration issued by epd-norge for its Series 6 Photovoltaic Module. According to this document this declaration is 'in accordance with ISO 14025, 21930 and EN 15804. [Sustainability Report 2022, 31/12/2022: firstsolar.com] & [EPEAT Disclosure Report 2021, 30/09/2022: firstsolar.com]</p> |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|----------------|------------------|---|
| | | | <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Action plans to address adverse impacts identified: The Company has provided evidence to the BHRRC. However, the evidence shared was published outside of the 3 year reporting period that is the focus of this benchmark. • Met: Reports on progress made on action plan (including recycling/end-of-life): The Company reports on its manufacturing waste recycled vs. disposed in its sustainability reporting 'This graph depicts waste recycled and disposed by First Solar's manufacturing and recycling facilities in Ohio, Malaysia, and Vietnam. The data includes modules that we recycle onsite; both manufacturing line scrap and modules returned from the field, along with many other manufacturing byproducts that are recycled. The data does not include modules that are being recycled at our recycling facility in Germany. The amount of waste recycled decreased in 2022 due to recycling downtime in Ohio to install our fourth generation recycling tools. Overall, of the total material First Solar sends off-site, 82% is sent for beneficial reuse and not to landfill' [Sustainability Report 2022, 31/12/2022: firstsolar.com] |

J. Transparency and anti-corruption

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|---|
| J.1.M | Anti-corruption due diligence and 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: Commitment to prohibiting bribes to public officials: The Company states in its 2022 sustainability report that 'First Solar's Global Anti- Corruption Policy requires all associates to comply with the U.S. Foreign Corrupt Practices Act (FCPA) and all other applicable local anti-corruption laws. The Global Anti-Corruption Policy prohibits bribery, kickbacks, and the giving of other improper payments to obtain or retain business and covers any person engaged to perform work on behalf of First Solar including freelancers, independent contractors, temporary contractors, independent professionals, agents and consultants.' <p>However, the Anti-Corruption Policy was not found in the public domain. Furthermore, the statement does not refer to public officials. [Sustainability Report 2022, 31/12/2022: firstsolar.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Expectation extends to relevant business relationships: See above. • Not Met: Reports on any complaints on corruption and bribery • Not Met: Reports that no such complaints were made |
| J.2.M | 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 expecting project developers clients to disclose payments to governments at project level (including on land and natural resources): No information has been identified in the company's reports and policies available on its website. In future assessments, the Company will be expected to demonstrate it publishes a tax CbCR and expects project developers clients to report on its payments to governments at project level, including for purchase or rent of land or natural resources related to their renewable energy projects. • Not Met: Disclosure of terms, contracts, agreements for those payments • Not Met: Expectation for business relationships to disclose this information <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.M | 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 provided feedback on this indicator. However, no evidence of mandatory and regular training of staff on equality, equity, diversity, anti-discrimination, and the Company's policies and mechanism addressing those issues was found. <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 |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|--------------------------------|------------------|--|
| K.2.M | 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 reports that female management counts for 23% in 2021 and 25% of its Directors are woman. However, the percentage of female managers and directors is not within the range 40%~60%. [Sustainability Report 2022, 31/12/2022: firstsolar.com] |
| K.3.M | Gender wage gap 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: Has closed gender wage gap: The Company indicates that 'We completed a global gender pay gap assessment in 2022, which showed no pay gap across all regions'. [Sustainability Report 2023, 15/08/23: firstsolar.com] • Not Met: Timebound commitment to close gender wage gap: The Company states that it is 'in the process of completing our gender pay gap assessment and in the future we intend to expand this to formally assess racial equity.' However, no evidence found that the Company has a timebound commitment to close gender wage gap. [Sustainability Report 2022, 31/12/2022: firstsolar.com] • 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.3.M | Fundamentals of creating and providing or supporting access to green and decent jobs for an inclusive and balanced workforce | 2 | <p>The individual elements of the assessment are met or not as follows:</p> <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.: The Company states that 'First Solar is a proud foundational funder of the Clean Energy Buyers Institute's (CEBI) Beyond the Megawatt Initiative, which aims to create a resilient, equitable, and environmentally sustainable energy system by leveraging energy customer demands for clean energy. The initiative is developing procurement guidance to help energy buyers embed environmental sustainability, social equity and resilience in energy buyers' clean energy procurement process. In June 2023, First Solar joined more than 18 other leading companies representing over \$498 billion in annual revenues to become a signatory of the Principles for Purpose Driven Energy Procurement.' The Principles are 'Environmental Sustainability: Respecting and conserving our lands, waters, and biodiversity through avoidance, minimization, and mitigation measures when siting, designing, developing, and operating clean energy projects. Resilience: Valuing the long-term efficiency and adaptive capacity of our energy systems to a changing environment by increasing investments in the resilience of regional grid infrastructure and clean energy supply chains. Social Equity: Advancing an equitable and just energy transition that upholds human rights and empowers and restores communities — including historically marginalized and frontline communities who have been harmed by energy development — and ensures those communities are active participants, decision-makers, and beneficiaries across all stages of the project life cycle.' The Company also states that 'First Solar has the Western Hemisphere's largest solar manufacturing footprint in Ohio, USA.' The jobs provided in this context can be considered to be in the context of the low carbon transition. [Sustainability Report 2023, 15/08/23: firstsolar.com] • Met: Demonstrates measures taken to create and support access to green and decent jobs for affected stakeholders.: The Company states that 'In total, we estimate we have created over 42,000 direct, indirect and induced jobs across the supply chain worldwide. [...] In 2022, First Solar spent over \$1 billion on American materials and services per year, supporting jobs in industries such as glass producers, steel producers, silica miners, soda ash miners, copper miners, crate and pallet makers, automated manufacturing toolmakers, research scientists, truck drivers, logistics workers and more. These industries that have historically been the lifeblood of the American economy are finding new purpose in the American Solar supply chain.' [Sustainability Report 2022, 31/12/2022: firstsolar.com] • Met: Demonstrates measures taken to ensure green and decent jobs promoting equality of opportunity for women and vulnerable groups: The Company indicates that 'In addition to working with local universities, First Solar is also partnering with external organizations such as Women in Cleantech and Sustainability, to foster an industry network of professionals with a mission to further the roles of women in |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|---|------------------|---|
| | | | growing the green economy and making a positive impact on the environment.' [Sustainability Report 2022, 31/12/2022: firstsolar.com] |
| JT.4.M | Fundamentals of retaining and re-and/or up-skilling workers for an inclusive and balanced workforce | 0 | <p>The individual elements of the assessment are met or not as follows:</p> <ul style="list-style-type: none"> • Not Met: Public commitment to re-and/or up-skills workers displaced by the transition to a low carbon economy.: The Company provided feedback regrading this subindicator. It states that 'In 2022, First Solar spent over \$1 billion on American materials and services per year, supporting jobs in industries such as glass producers, steel producers, silica miners, soda ash miners, copper miners, crate and pallet makers, automated manufacturing toolmakers, research scientists, truck drivers, logistics workers and more. These industries that have historically been the lifeblood of the American economy are finding new purpose in the American Solar supply chain.' However, no information was found on whether this included efforts of re- or upskilling of these workers. [Sustainability Report 2023, 15/08/23: firstsolar.com] • Not Met: Disclosure of its process(es) for identifying skills gaps for workers and affected stakeholders, in the context of the low carbon transition. • Not Met: Demonstrates measures taken to provide re-and/or upskilling, training or education opportunities for relevant stakeholders.: The Company provided feedback regarding this sub indicator. It states that 'Meeting net-zero ambitions will require automation and upskilling of the labor force, which provides opportunities for meaningful career growth and wealth creation. In 2022, First Solar Malaysia received the Productivity-Linked Wages System Human Resources Minister Award. This award recognizes employers' best practices in implementing various additional incentives linked to productivity and profitability to enhance associates' total income. First Solar's Global Career Framework gives associates control over their own futures and provides career pathways for all associates by transparently describing the job and critical skill requirements needed to facilitate talent movement, from entry-level to executive leadership-level positions. Our Training Academy is available to all our associates to ensure training is equitably distributed.' However, no evidence as found regarding affected stakeholders. [Sustainability Report 2023, 15/08/23: firstsolar.com] • 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. : The Company provided feedback regarding this sub indicator. It states that 'In India, we are committed to supporting women in rural areas by providing female graduates with three months of specialized training at Nettur Technical Training Foundation (NTTF), a public-private partnership initiative. Through this initiative, we have hired several hundred women to date.' However, no information was found regarding vulnerable groups. [Sustainability Report 2023, 15/08/23: firstsolar.com] |
| JT.6.M | 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 | 1 | <p>The individual elements of the assessment are met or not as follows:</p> <ul style="list-style-type: none"> • Met: Discloses process(es) for aligning its lobbying activities with policies and regulation supporting the just transition.: The Company states that 'First Solar's VP of Global Policy, Public Sentiment and Sustainability is part of the cross functional environmental, social, and governance (ESG) taskforce that is responsible for identifying strategic ESG risks, opportunities, gaps and challenges, anticipating ESG trends that could impact the company, and proposing new ESG policies, practices, targets, metrics and disclosures. First Solar's ESG focus leaders help advance the company's approach to Responsible Solar by driving progress on key strategic ESG areas including Public Policy and Public Sentiment among other topics. Our commitment to 'Responsible Solar' drives our company's ESG strategy and differentiation and is interwoven into every aspect of our business and product lifecycle from raw material sourcing to end-of-life recycling. This includes manufacturing using less energy, water and semiconductor, enabling faster decarbonization through lower embodied carbon, and maximizing resource recovery to enhance circularity. First Solar engages with universities and the wider scientific community to drive our R&D efforts, reduce the environmental footprint of our products, advance PV recycling technology and enhance circularity in line with our commitment to Responsible Solar and our overarching ESG strategy. In our external communications, we frequently highlight the urgent need for a responsible approach to solar manufacturing and deployment as the fight against climate change accelerates and companies and governments commit to going Net Zero to limit global warming to 1.5 degrees Celsius.' [2023 CDP Questionnaire, 28/07/2023: firstsolar.com] • Not Met: Discloses where its lobbying activities do not align with policies and regulation that support the just transition.: The Company states that 'First Solar may not necessarily agree with every position taken by each organization of which it is a member or of the other members of such organizations, but believes that, on |

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|----------------|------------------|---|
| | | | <p>balance, membership in and contributions to such organizations are consistent with promoting public policy aligned with the Company's overall business objectives.' However, it does not present details of misalignment it identified. [Political Activity Statement, N/A: firstsolar.com]</p> <ul style="list-style-type: none"> • Not Met: Discloses action plan addressing misalignment of lobbying activities with policies and regulation that support just transition.: The Company provided feedback regarding this sub indicator. However, it was not material for the assessment. • Met: Demonstrates lobbying for just transition and regulations enabling green and decent jobs, reskilling and/or social protection: The Company outlines its support and political engagement activities in the context of the Inflation Reduction Act ("IRA") established tax credits for domestic solar manufacturers to help boost the U.S. solar supply chain, create American jobs'. [2023 CDP Questionnaire, 28/07/2023: firstsolar.com] |

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

| Indicator Code | Indicator name | Score (out of 2) | Explanation |
|----------------|----------------------------|------------------|--|
| M(1).0 | Serious allegation No 1 | | No allegations meeting the REB severity threshold were found |

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.

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[†] 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.

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