

Human Rights Policy



endesa

Endesa's (part of the Enel Group) stakeholders believing a violation of this policy might have occurred may appeal to the Audit Function via one of the following communication channels:

- Through the ethics channel that the company makes available to all stakeholders on its website (<https://www.endesa.com/es/accionistas-e-inversores/gobierno-corporativo/conducta-etica>). And in the case of Endesa employees, the company's intranet may also be used.
- By e-mail: Endesa code of ethics mailbox: eticaycumplimiento@endesa.es .
- By writing to the following address: Endesa, S.A. Dirección General de Auditoría, Calle Ribera del Loira, 60, 28042 Madrid

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1. ENDESA'S COMMITMENT TO RESPECTING HUMAN RIGHTS

Endesa, as part of the Enel group, is focused on creating sustainable value shared with all its internal and external stakeholders, innovating, and pursuing excellence and leveraging the respect for diversity throughout the entire value chain of the businesses in which it operates.

Innovation and sustainability are inseparable parts of our strategy, together with the spirit of service and care for the well-being of people and the society in which we operate. We belong to the territory, and we are an essential element in the lives of people, businesses, and society at large.

Our journey started by fostering access to electricity to an increasing number of people: we have then opened to new technologies, new services, new ways of using energy, new partnership models, engaging all our stakeholders as much as possible to create a more sustainable future together.

A sustainable strategy and an integrated business model enable contribution to the United Nations Sustainable Development Goals while balancing risks.

We placed SDG 13 “Action to combat climate change” at the centre. As a leader in energy transition, which is a true transformation process, we would like to: **decarbonize the *energy mix*** and drive the growth of renewable capacity (SDG 7 “Clean and affordable energy”); electrify consumption, empower resilient and efficient infrastructure (SDG 9 “Industry, innovation and infrastructure”) and digital platforms and services (SDG 11 “Sustainable cities and communities”).

A fair and inclusive transition does not leave anyone behind and takes into account the needs of **all the stakeholders, and, specifically, those who are most vulnerable**. To this end, our commitment is to:

- **proactively consider** the needs and priorities of people and society at large because this leads to process and product innovation which is key for a competitive, inclusive and sustainable business model, including the adoption of circularity principles, protection of natural capital and of biodiversity.
- promote the involvement of the main external and internal stakeholders to **enhance** awareness and develop a constructive dialogue that can make a valuable contribution to the creation of solutions that mitigate climate change.

We believe that business has the capability to contribute to positive impacts on society: **Respect for Human Rights** is a fundamental element to empower sustainable progress beyond simple compliance with existing regulations.

Through this Policy hereof we are committed to respecting all Human Rights, and specifically the ones more strictly connected to our value chain, following the outcome of our stakeholders’ consultation (internal stakeholders, companies, suppliers, human rights experts, think tanks, NGOs) held in line with the “UN Global Compact Guide for business: how to develop a Human Rights Policy”.

We are committed to monitoring the implementation of the policy i) through a specific due diligence process, ii) the promotion of practices in line with a just and inclusive transition, and

iii) by reporting evidence of action plans developed to prevent and remedy should critical issues occur.

This policy hereof was approved by the Board of Directors of Endesa S.A. on 24 June 2013, reviewed and updated on 4 May 2020 and updated again on 21 December 2021. It sets out the commitment and responsibilities that all the people working in our corporation (Endesa S.A. and its subsidiaries¹) undertake in Human Rights, and especially those applicable to our business activities and corporate operations, as well as the standards that our stakeholders should abide by.

1.1 INTERNATIONAL REFERENCES

This Policy supports the following essential fundamental values of International and European Law and applies their founding principles:

1. The International Bill of Human Rights of the United Nations (UN):
 - a) Universal Declaration of Human Rights.
 - b) International Covenant on Civil and Political Rights.
 - c) International Covenant on Economic, Social and Cultural Rights.
2. The core conventions of the International Labour Organization (ILO) nº. 29, 87, 98, 100, 105, 111, 138, 182 - and the Declaration on Fundamental Principles and Rights at Work.
3. The United Nations Convention on the Rights of the Child.
4. ILO Conventions nº. 107 and nº. 169 on the Rights of Indigenous and Tribal Peoples.
5. The European Convention on Human Rights.

The latest versions of the following business standards and voluntary initiatives were also taken into consideration:

1. The UN Global Compact principles.
2. The Guidelines of the Organization for Economic Cooperation and Development (OECD) for Multinational Enterprises.
3. The ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy.
4. The "UN Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework.
5. UN Declaration on Indigenous Peoples.
6. The UK Modern Slavery Act 2015.
7. International Finance Corporation Standard no. 5 governing "Performance standards on Environmental and Social Sustainability".

1.2 INTERNAL REFERENCES

The following internal documents are linked to and support the principles set out in this Policy:

1. Code of Ethics.
2. Zero Tolerance of Corruption Plan and Enel Group Global Compliance Programme.
3. Endesa's Criminal and Anti-Bribery Risk Prevention Model.
4. International Framework Agreement with Global Unions.
5. Spanish organic law 3/2018, of 5 December, on the Protection of Personal Data and Guarantee of Digital Rights,
6. Application of (EU) General Data Protection Regulation 2016/679 ("GDPR").
7. General Procedure nº 9 on Health Monitoring, in accordance with the ISO 45001 regulation.
8. Global Diversity and Inclusion Policy, nº. 27.
9. Action protocol for the prevention and eradication of sexual, gender and workplace harassment. (ANNEX 18 V FRAMEWORK COLLECTIVE AGREEMENT).
10. Endesa Sustainability Policy.
11. Endesa Environmental Policy.
12. Endesa Biodiversity Policy.

2. PRINCIPLES

The principles included in this section are based on their relevance to our business activities and relationships, and on the outcome of the above-mentioned consultation with the stakeholders

We are committed to respecting these principles in any country where we operate, with due regard for the cultural, social, and economic diversities from one country to another and require that each stakeholder deals with us in accordance with them, with a particular attention to conflict affected and high-risk contexts.

By stakeholders, we refer to any party with a direct or indirect interest in Endesa's activities, such as customers, people working in the corporation, whether they are executives or employees, suppliers, contractors, partners, other companies and trade associations, the financial community, civil society, local, indigenous and tribal communities, national and international institutions, the media, and the organizations and institutions that represent them.

Specifically, in addition to guaranteeing the necessary quality standards, suppliers are requested to adopt best practices in terms of human rights and working conditions (including suitable working hours, rejection of forced or child labour, respect for personal dignity, non-discrimination and inclusion of diversity, freedom of association and collective bargaining), occupational health and safety, environmental responsibility, and respect for data protection by design and by default.

With our commitment we are striving for sustainable progress, to make our company and the communities in which we operate more prosperous, more inclusive and more resilient, without leaving anyone behind.

2.1 EMPLOYMENT PRACTICES

2.1.1 Rejection of forced or compulsory labor and child labor

We reject the use of any form of forced or compulsory labour² and any form of slavery and human trafficking - as defined by ILO Convention n^o. 29 - and we do not confiscate either money or identity papers to retain workers against their will.

We consider children and young workers as groups mostly likely affected, that is why we take the utmost care in respecting their rights across all the activities connected to the value chain.

We reject the use of child labour. Workers' minimum age is defined by the existing legislation in the country where the activities are conducted, and in any case, the age should not be lower than the minimum age established by ILO Convention n. 138.

2.1.2 Respect for diversity and non-discrimination³

We promote the principles of diversity, inclusion, and equal treatment and opportunity, and we are committed to guaranteeing the right to working conditions that are respectful of personal dignity, as well as creating a working environment where people are treated fairly and valued for their uniqueness.

We are committed to protecting the physical and psychological integrity and individuality of each

person, and we oppose all forms of behaviour that result in discrimination regarding to gender, age, disability, nationality, sexual orientation, ethnicity, religion, political opinions, and all other forms of individual diversity, or that is detrimental to the person and their convictions or preferences. Accordingly, we promote people's freedom of expression.

We do not tolerate physical, verbal, visual, sexual, or psychological harassment that results in a working environment that is denigrating, hostile, humiliating, intimidating, offensive, or unsafe.

We are committed to providing a just energy transition for everyone also through the offer of innovative and inclusive services for our customers, regardless of their age, for weak, destitute, marginalised, vulnerable people, paying particular attention to people with disabilities.

We undertake to always respond to suggestions and complaints made by customers and consumer associations, making use of appropriate and timely communication systems (e.g., call centre services and e-mail addresses), and to address the needs of all our customers, paying particular attention to people with disabilities.

2.1.3 Freedom of association and collective bargaining

We protect the right of the people working with us to form or take part in organizations aimed at defending and promoting their interests. Likewise, we respect their right to be represented, within the various working units, by unions or other forms of representation elected in accordance with the legislation and practices in force in the varying countries where they work.

Collective bargaining is for us the preferred instrument for setting contractual conditions of the people working with us as well as regulating relations between management and unions.

2.1.4 Health, safety, and well-being

We consider the health, safety, and psychological, relational, and physical well-being of individuals the most precious asset to be protected at all times, at work, as well as at home and during leisure time.

We are committed to developing and disseminating a robust health, safety, and well-being culture throughout our Group to ensure that workplaces are free from health and safety hazards and to promoting behaviour oriented towards work-life integration.

We are actively committed to promoting personal and organisational well-being as an enabler of the engagement and innovative potential of people.

By doing so, we aim at increasing awareness of risks and promoting responsible behaviours.

Our suppliers and contractors also play an essential role in our development and awareness programmes: each person must feel that they are responsible for their own health and safety as well as for the others.

We are also committed to integrating health and safety in processes and in training activities, in a rigorous selection and management of suppliers/contractors, in sharing knowledge and in constantly benchmarking our practices.

2.1.5 Just and favorable working conditions

Every person working with us, along the entire value chain, has the right to conditions that respect their health, safety, well-being and dignity, maximum working hours, daily and weekly rest periods and an annual period of paid leave.

Remuneration of the people employed by Endesa is based on fair reward principles as well as respecting pay equality for men and women carrying out the same job (ILO Convention n. 100). The minimum salary for Endesa employees should not be lower than the minimum living wage established in the collective labour contracts and lawful regulations in force in each country in accordance with the provisions of the ILO Conventions.

We also believe in the importance of professional orientation and training for the development of our people and their skills, even more so in situations impacted by the energy transition and that prompt us to adopt a circularity-based approach which translates into requalifying and enhancing existing potential by way of reskilling and upskilling programs to foster just transition.

2.2 COMMUNITIES AND SOCIETY

2.2.1 Environment

We believe the current challenge posed by climate change phenomena is the main impediment to people's enjoying their own rights.

The [protection of the environment and natural resources](#), the fight against climate change, and the contribution to a sustainable economic development are strategic factors in the planning, performance, and development of our operations, alongside our broader commitment to accelerating the decarbonization and electrification processes to allow the global warming containment objectives to be reached in accordance with the Paris Agreement while at the same time driving to the achievement of the United Nations Sustainable Development Goals.

Our commitment is testified by the four key principles (alongside the 10 strategic objectives) of our environmental policy:

1. Protecting the environment by preventing impacts on it;
2. Improving and promoting the environmental sustainability of products and services;
3. Creating shared value for the Company and stakeholders;
4. Complying with legal obligations and voluntary commitments, promoting ambitious environmental management practices.

Our environmental policy also includes a specific commitment to respecting [biodiversity](#).

2.2.2 Respecting the rights of communities

We are aware that our activities can have a direct or indirect influence on the communities where we operate, that is why responsible community relations constitute a pillar of our strategy.

Individual conditions, economic and social development, and the general well-being of collectivity are closely connected: we therefore commit to conducting our capital expenditure in a sustainable

manner and to promoting cultural, social and economic initiatives for the local and national communities involved to advance social inclusion through education, training and access to energy.

We are also committed to ensuring that our products and services are designed to be accessible for all and do not compromise the safety and physical integrity of our customers, as far as reasonably foreseeable.

2.2.3 Respecting the rights of local communities

We are committed to respecting the rights of local communities and to contributing to their economic and social growth.

Likewise, we collaborate with suppliers, contractors and partners that respect Human Rights and contribute to the social-economic development of the communities where we operate.

This involves and is not restricted to promoting free, prior, and informed consultation activities and implementing social inclusion actions (local manpower, health and safety training, development of local projects - also in partnership with local organisations). Indeed, knowledge of specific local requirements and continuous listening to the communities needs allow us to develop robust actions also in unexpected and unprecedented emergency conditions.

More specifically, in the designing and construction of infrastructure projects, we are committed to taking due account, within proper environmental and social impact assessments, of their environmental footprint and of the respect for Human Rights in the areas where the projects will be developed.

Taking as a reference the Voluntary Principles on Security and Human Rights, we require that private security forces protecting the Endesa's personnel and assets in operating areas act in the same manner and in a way consistent with the applicable national law and regulation and international standards.

2.2.4 Respecting the rights of indigenous and tribal peoples⁴

We pay particular attention to the most vulnerable communities, such as indigenous and tribal ones, and we are committed to respecting the United Nations Declaration on the Rights of Indigenous Peoples.

Where the development of our projects affects indigenous and tribal communities, we are committed to involving them together with the other stakeholders, since we believe the active engagement of the community throughout the process is essential.

2.2.5 Integrity: Zero tolerance of corruption

We reject corruption in all its forms, both direct and indirect, since we believe it is one of the factors undermining institutions and democracy, ethical values and justice, and the well-being and development of society.

To this end, we reiterate our commitment to fighting corruption through a plan called "[Zero](#)

[Tolerance of Corruption](#)” which is one of the pillars on which our anti-bribery management system is grounded.

2.2.6 Privacy

We respect the confidentiality and right to privacy of our stakeholders and we are committed to making the correct use of the information and data relating to the people working in our organization, to our customers and to any other stakeholder.

We process personal data in compliance with the fundamental rights of data subjects and we abide by the rights and principles recognized in law, notably respect for private and family life, home location details and communications, personal data protection, freedom of thought, conscience and religion, freedom of expression and information.

Data protection by design (i.e., incorporated from the design phase for each corporate process), and by default (i.e., processing limited only to the strictly necessary extent and just to the period needed to perform data collection) are an integral part of our digitalization processes, as are risk analysis and the protection of sensitive data.

Personal privacy is assured by adopting international standards and the way data is processed and stored is defined with the support of the Data Protection Officer (DPO) in compliance with our policies and any European and national regulations.

We are also committed to monitoring all third-party companies that may be able to use the personal data of customers. To this end, dedicated clauses are included in contracts with partners who use personal data to carry out specific activities, such as sales services and customer satisfaction surveys.

2.2.7 Communications

We are committed to ensuring that institutional and commercial communications are non-discriminatory and are respectful of different cultures, while also not adversely affecting the most vulnerable audiences, such as children and the elderly.

In addition, we also require contracts and communications addressed to our customers should:

- be clear and simple, drawn up using a language as close as possible to that normally used by the people for which the message is intended to;
- abide by statutory legislation, without resorting to evasive or improper practices;
- be exhaustive and not omit any relevant item that might affect the customer’s decision;
- be available on Endesa Group companies' websites;
- accessible, in order to accommodate the needs of people with disabilities.

3. IMPLEMENTATION AND MONITORING

The implementation and monitoring of our commitment to the principles illustrated hereof relies on suitable due diligence processes.⁵

The perceived risk assessment, together with gap analysis, makes it possible to assess residual risk and define any improvement actions that may be required. Specific action plans are therefore developed for each country of presence, as well as a centrally managed improvement plan that has the objective of harmonizing and integrating, at global level, processes, and policies to be applied at local level. Any necessary remedies brought to light by this process are included in the Sustainability Plan.

Suppliers are constantly monitored insofar as Human Rights are concerned thanks to artificial intelligence tools that enable early identification of elements that may become critical and that prompt the development of the required ensuing actions.

Management of positioning on human rights is the responsibility of the Sustainability Planning & Stakeholder Management organisational unit which is also responsible for integrating the Policy on Human Rights in corporate processes and guaranteeing that due diligence activities are undertaken correctly.

Endesa's Sustainability Planning & Stakeholder Management organisational unit is responsible for implementing the Endesa Group's Human Rights Policy at the local level.

3.1 STAKEHOLDERS GRIEVANCES

Endesa's (part of the Enel Group) stakeholders believing a violation of this policy might have occurred may appeal to the Audit Function through the following communication channels:

- Through the ethics channel that the company makes available to all stakeholders on its website (<https://www.endesa.com/es/accionistas-e-inversores/gobierno-corporativo/conducta-etica>). And in the case of Endesa employees, the company's intranet may also be used.
- By e-mail: Endesa code of ethics mailbox eticaycumplimiento@endesa.es
- By writing to the following address: Endesa, S.A. Dirección General de Auditoría, Calle Ribera del Loira, 60, 28042 Madrid

The Audit function analyses the grievance and ensures uniform treatment, in compliance with company policies and local regulations.

3.2 TASKS OF ENDESA'S ASSESSMENT COMMITTEES

The Sustainability and Corporate Governance Committee, having examined the Human Rights Policy and having submitted its amendments to the Board of Directors for approval, will evaluate any further amendments or integrations thereto and forward them to the Board of Directors.

3.3 TASKS OF THE ORGANISATIONAL UNIT FOR SUSTAINABILITY PLANNING

The Organisational Unit for Sustainability Planning & Stakeholder Management has the following functions:

- Planning and coordinating the implementation of the due diligence process, in conjunction with the other relevant functions involved, within the scope of their respective areas of their responsibility, particularly with the Endesa Criminal Risk and Anti-Corruption Risk Prevention Model Supervision Committee;
- Reporting to the Sustainability and Corporate Governance Committee on the implementation of the due diligence process;
- Reporting annually within Endesa's Non-Financial Information and Performance Sustainability Statement with regard to the commitments undertaken in this document.

4. REVIEW

Based on a proposal by the Sustainability and Corporate Governance Committee, this Policy will be revised periodically to ensure its suitability and effective implementation.

All review shall be subject to approval by the Board of Directors of Endesa following a report by the Criminal Risk and Anti-Corruption Risk Prevention Model Supervision Committee.

5. COMMUNICATION AND TRAINING

The Human Rights Policy shall be circulated to internal and external stakeholders through specific communication initiatives. Training initiatives will be carried out to ensure that the Policy is properly understood by all Endesa employees and a training plan has been drawn up to promote knowledge regarding the principles contained therein.

6. DEFINITIONS

Forced and compulsory labor

All work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself/herself voluntarily.

(See Article 2.1 of ILO Convention n°. 29)

Business relationships

Relationships with business partners and enterprises in the value chain, as well as with any other government or non-government entity, directly linked to the operations, products, or services of the enterprise.

(Principle 13 "Guiding Principles on companies and Human Rights: Application of the United Nations "Protect, Respect and Remedy" framework)

Discrimination

The term discrimination includes both direct and indirect discrimination, respectively:

- a) any distinction, exclusion or preference based on race, colour, sex, age, sex orientation, religion, political opinion, national extraction or social origin, which has the effect of nullifying or diminishing equality of opportunity or treatment in employment or occupation;
- b) any distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

(See Article 1.1, ILO Convention n°. 111)

Indigenous and Tribal Peoples

These terms refer to, respectively:

- a) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of the present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions;
- b) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations.

(See Art. 1.1, ILO Convention n°. 169)

Due diligence

Within the Guiding Principles on Business and Human Rights (Principles 17-21), due diligence on human rights refers to a continuous management system that an enterprise implements according to the industry it operates in, its operating environments, the size of the enterprise and other factors, to ensure that it respects human rights and that it is not a party to the abuse of those rights. This involves "identifying, preventing, mitigating and accounting for" any potential negative impacts generated by the enterprise.

Partner

Natural persons or legal entities having an interest in Endesa related to the joint development of new projects.
(Endesa Code of Ethics)

1 "Endesa" refers to Endesa S.A. and all of its direct and indirect subsidiaries

2 Forced or compulsory labour means: all work or service which is required of any person under the menace of any penalty and for which the said person has not offered himself/herself voluntarily (See Article 2.1 of ILO Convention nº. 29).

3 The term discrimination includes both direct and indirect discrimination, respectively:

- a) any distinction, exclusion or preference based on race, colour, sex, age, sex orientation, religion, political opinion, national extraction or social origin, which has the effect of nullifying or diminishing equality of opportunity or treatment in employment or occupation;
- b) any distinction, exclusion or preference which has the effect of nullifying or diminishing equality of opportunity or treatment in employment or occupation. (See Article 1.1 of ILO Convention nº. 111)

4 These terms refer to:

- a) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;
- b) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions. (See Article 1.1 of ILO Convention nº. 169)

5 Within the Guiding Principles on Business and Human Rights (Principles 17-21), due diligence on human rights refers to a continuous management system that a company implements according to the industry in which it operates in, its operating environments, the size of the company and other factors, to ensure that it respects human rights and that it is not a party to the abuse of any of those rights. This involves "identifying, preventing, mitigating and accounting for" any potential negative impacts generated by the enterprise.

6 This is in line with the third pillar of United Nations Guiding Principles with regard to "Access to remedy"

7 Principle 4.5 of the Code of Ethics