



# 2022 Transparency act report

This report has been prepared in accordance with the Norwegian Transparency Act (the “Transparency Act”) section 5 and summarises the policies and procedures in Aker BP ASA (“Aker BP”) with respect to safeguarding of human rights and decent working conditions and provides information on the implementation and results of Aker BP’s due diligence.

## ABOUT AKER BP

Aker BP ASA is an upstream oil and gas company residing in Norway with a total turnover of USD 13,010 million in 2022 and total assets of USD 37,562 million as of 31 December 2022. The number of permanent employees is 2,457. The company’s headquarter is in Fornebu, outside Oslo, Norway. We also have offices in Lysaker, Harstad, Trondheim, Sandnessjøen and Stavanger.

The company engages in exploration, development and production activities on the Norwegian continental shelf (NCS), and operates five hubs: Alvheim, Edvard Grieg & Ivar Aasen, Skarv, Ula and Valhall. We are also a partner in the Johan Sverdrup field. We do not engage in, nor do we control midstream or downstream activities, and as such do not interact directly with end-user segments.

With a total production of ~400 mboepd, Aker BP is the second-largest operating company on the NCS and one of the largest independent listed oil and gas companies in Europe. The company is listed on the Oslo stock exchange (AKRBP), and major shareholders are Aker ASA (21 percent), BP PLC (16 percent) and Nemesia S.A.R.L (14 percent).

## OUR COMMITMENT TO HUMAN RIGHTS AND DECENT WORKING CONDITIONS

Aker BP acknowledges all internationally recognised human and labour rights standards as set out in the International Bill of Human Rights and the International Labour Organization’s Declaration on Fundamental Principles and Rights at Work. Our human rights work is guided by the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises. We align our work with the United Nation’s Sustainable Development Goals.

Aker BP works to ensure that our business operations do not cause or contribute to, or is directly linked to, actual or potential adverse impact on human rights and decent working conditions.

In 2022, Aker BP worked proactively in strengthening our work in safeguarding human rights and decent working conditions. Some of the measures included updating our internal policies and procedures related to human rights and conducting in depth analysis of our actual and potential risk of adverse human rights impacts. We conducted 10 supplier human rights assessments in 2022 and identified key areas for human rights due diligence for 2022-2023. We also provided general human rights training to employees and more extensive human rights training to employees in high-risk roles such as supply chain, business development, people and organisation.

## GOVERNANCE OF HUMAN RIGHTS AND DECENT WORKING CONDITIONS

### Policies and governing documents

Aker BP’s human rights policy describes Aker BP’s approach to managing human rights risks in our operations and compliments Aker BP’s Code of Conduct. It sets out our obligation to perform human rights impact assessment and due diligence to understand and mitigate potential and actual adverse impact and ensure that Aker BP, through its operations, does not cause or contribute to adverse human rights impacts.

Aker BP’s human rights commitments are embedded in our internal policies, procedures and processes such as the diversity and inclusion policy, the anti-corruption policy, the health and working environment policy, the business partner integrity procedure and sustainability framework. Our supplier declaration sets expectations to our suppliers to act with respect for human rights and labour standards. Aker BP’s Sustainability strategy governs environmental, social and governance (“ESG”) activities and aims to mitigate adverse impacts of Aker BP’s operations.

### Responsibilities

Aker BP’s Board of Directors has the oversight responsibility of the management of the company. The strategic direction is anchored with the board directors, where material environmental, social and governance issues are an integral part of the annual strategy process.

The Board of Directors approves Aker BP’s human rights policy and the principles therein.

The board of directors has two subcommittees, both with functions related to ESG topics. The Audit and Risk Committee assists management in evaluating the risk management and effectiveness of internal controls and has been given a review role related to ESG topics, including risk of adverse impacts on human rights and decent working conditions. The organisational development and compensation committee is responsible for ensuring that the remuneration arrangements support the company strategy, including the integral aspect of sustainability matters, such as the climate transition plan.

The CEO holds the responsibility for managing ESG risks including impacts on human rights and decent working conditions, supported by the executive management team (EMT), which is accountable for ensuring the effectiveness of the risk management processes and review of mitigation efforts for identified impacts. This includes assessing and managing risks of adverse impact on human rights and decent work related to Aker BP’s operations. The CEO reports to the Board on a regular basis.

Aker BP’s VP internal audit and compliance and VP strategy sustainability are responsible for more detailed implementation processes related to human rights management, including training and establishment of risk-based assessment, monitoring and control procedures. Aker BP’s Compliance

department and Sustainability department regularly report to the Audit and Risk committee on ESG risks including impact on human rights and decent working conditions.

As part of the implementation process of the requirements of the Norwegian Transparency Act, Aker BP established a procedure for handling information requests. The Lead Compliance Officer and VP Communications are responsible for regular monitoring and follow-up of incoming requests for information.

### **Aker BP's approach to managing human rights risks and promoting decent working conditions**

Our overall approach to ensuring respect for human rights and decent working conditions throughout our operations and supply chain includes stakeholder involvement and cooperation through industry initiatives. Our employees and their union representatives are involved in governance and management through their unions. Aker BP supports employees' rights to form and join trade unions, and equally also their right to remain non-unionised. Employees are informed of their trade union rights during onboarding and unions may promote themselves freely. Approximately 68 percent of Aker BP employees are organised in one of the following unions: Industri Energi, Tekna, Safe, Lederne or NITO. Employees who remain non-unionised are still covered by collective bargaining agreements. We also follow the principles of diversity and inclusion as stated in our diversity and inclusion policy.

We collaborate regularly with relevant stakeholders and rightsholders to inform them on our ongoing work to ensure respect for human rights and include feedback into our work

in reducing actual and potential human rights risks. Our stakeholders include employees, authorities, local communities, NGOs, business partners, suppliers, contractors, investors and other counterparties.

Aker BP cooperates with peer operators on the Norwegian continental shelf to improve workers' conditions in supply chains. Since 2019, Aker BP has been a member in the human rights working group for supplier assessments in the energy sector as part of Collabor8 by Offshore Norge. The Joint qualification system (Magnet JQS) provides a possibility to nominate suppliers for human rights assessments and audits of human rights, and to share the results of these assessments with participating companies.

We aim at reflecting our expectations related to ethical business conduct in contractual documents with suppliers. Our supplier declaration includes expectations for suppliers in relation to internationally recognised human rights standards, HSSEQ standards, living wages and the ILO core conventions. Aker BP has included an obligation to carry out human rights due diligence pursuant to the OECD Guidelines for Multinational Enterprises as part of our standard special conditions of contract with our suppliers.

Aker BP has implemented an integrity procedure for M&A transactions which governs management of issues related to responsible business practices in M&A transactions, including identifying and addressing risk of adverse impacts on human rights.

Aker BP has mechanisms in place to report circumstances that are in violation of laws and regulations, Aker BP's Code of Conduct or ethical norms that are generally accepted in society. We encourage employees, hire-ins and external parties to raise concerns and report suspected violations of applicable laws and regulations to our integrity channel. All reports made in good faith shall be dealt with according to internal procedure. Aker BP has a clear no retaliation policy.

As part of its awareness and training activities, Aker BP conducts annual Code of Conduct training with its employees. At the end of the course, employees are requested to sign off that they have read and understood the Code of Conduct and will act in accordance with it. In 2022, a separate human rights module was included in the annual Code of Conduct course to inform employees about the Norwegian Transparency Act.

## **DUE DILIGENCE WITH RESPECT TO HUMAN RIGHTS AND DECENT WORKING CONDITIONS**

Aker BP undertakes ongoing due diligence to identify, prevent, mitigate and account for actual or potential adverse impacts on human rights and decent working conditions and provide for or co-operate in remediation where required.

Our human rights due diligence process is integrated in relevant business processes, such as risk assessments, environmental impact assessments, supplier pre-qualification and due diligence processes, procurement practices, M&A processes and HSSEQ assessments.

In line with the principles of the Transparency Act and the OECD Guidelines for multinational enterprises, as well as the United Nations Guiding Principle on Business and Human Rights, we apply a risk-based approach when evaluating risks of adverse impact on human rights and decent working conditions. This involves looking at the location and context of operations, nature of activity, the number of people that are potentially affected and severity and probability of impact.

## **RISK ANALYSIS**

The risk assessment takes its starting point in the general risk for adverse human rights impact related to geographical location and industry sector. Aker BP operates in a low-risk environment with regard to human rights impact as all our operations are located in Norway, which on international human rights indexes has a very low risk, and where general and industry specific regulations safeguard human rights. Despite significant Norwegian content, we remain dependent on global suppliers. Our suppliers' fabrication yards are often located in countries that are exposed to certain human rights risks. We do recognise a risk of forced and compulsory labour, risk related to safety and security at the workplace and risk related to migrant workers among our suppliers in Asia and the Middle East.

In 2022, we performed 10 human rights assessments in relation to managing sourcing and awarding contracts in accordance with Aker BP requirements. The nomination of these assessments is based on an overall risk mapping of our supply chain, and in line with the risk-based approach in the Transparency Act, taking into consideration the context of our operations and structure of our supply chain.

Our risk mapping is based on identifying the most salient potential negative impacts on human rights, using factors such as severity of adverse impacts in terms of their gravity, scale and remediability on one side, and likelihood of occurring on the other. Additional risk factors, such as industry risks, sector-specific risks, spend category and geographical risk factors as well as known supplier risks, were also taken into consideration.

The assessments are managed through the cross-operator platform Magnet JQS, where audit findings are shared among the major operators on the Norwegian continental shelf. The findings related to gaps in the supplier business management framework as regards safeguarding human rights and decent working conditions have been noted, and corrective action plans to close the gaps have been put in place jointly with respective suppliers.

For the next phase of our human right due diligence, we plan to conduct nine audits focusing on human rights and decent working conditions, in addition to 15 audits in relation to health, safety and environment evaluation criteria.

Based on our risk assessment, Aker BP has defined the following key risk areas for human rights due diligence for 2022-2023:

- Marine construction and installation services
- Construction of fixed oil and gas facilities
- Drilling and well services

## MITIGATION OF RISK

Based on our risk analysis, we have not identified actual adverse impacts on fundamental human rights and decent working conditions linked to our own operations. Human rights due diligence assessments of selected suppliers have identified some gaps in the supplier business management framework related to safeguarding of human rights and decent working conditions. We are working to mitigate these gaps by implementing corrective action plans jointly with suppliers.

## SPECIFIC INSTANCE PROCESS BEFORE THE OECD CONTACT POINT FOR RESPONSIBLE BUSINESS CONDUCT

On 31 May 2022, Aker BP received a complaint filed with the Norwegian OECD Contact Point for Responsible Business Conduct (the NCP) by eight civil society organizations<sup>1)</sup>, regarding the acquisition of Lundin Energy Norway AS from Lundin Energy AB (new name Orrön Energy AB). Although not required for this account of our due diligence under the Transparency Act, we include information about the case here. The complaints relate to well-known allegations that Lundin Energy AB has caused or contributed to adverse human rights impact relating to its operations in Sudan during the period 1999–2003, and claims that the transaction has left Orrön Energy AB incapable of providing remedy for their alleged contribution to human rights violations. In relation to the transaction, Aker BP was very conscious that

Orrön Energy AB should have sufficient financial capabilities to undertake all potential obligations related to the Sudan activities. The NCP has offered a dialogue and mediation process regarding the human rights due diligence in connection with the transaction, which Aker BP will participate in.

## FOCUS IN 2022 AND PLANS FOR 2023

During 2022, our efforts, with respect to human rights and decent working conditions, have been focused on:

1. Updating policies and procedures related to human rights management
2. Anchoring roles and responsibilities for human rights management
3. Strengthening supplier risk assessments processes related to human rights and decent working conditions
4. Conducting human rights and decent working conditions risk assessments and supplier risk mapping
5. Conducting human rights and decent working conditions due diligence desktop assessments of suppliers
6. Providing human rights training to Aker BP's employees
7. Participating in the human rights working group for supplier assessments in the energy sector managed by Offshore Norge

Going forward, we are intending to strengthen our work related to safeguarding human rights and decent working conditions. In 2023, Aker BP plans the following activities:

8. Continuous monitoring of actual and potential risks of negative impact on human rights and decent working condition in our supply chain
9. Working proactively on identifying meaningful KPIs related to supplier human rights risk identification
10. Providing training and awareness to the organisation on human rights topics

1) Civil Society Coalition On Natural Resources, Global Idé, Liech Victims Voices, Norwegian Church Aid, Norwegian People's Aid, PAX, South Sudan Council Of Churches and Swedwatch.

## SIGNATURES - BOARD OF DIRECTORS

The Board of Directors and the CEO of Aker BP ASA  
Fornebu, 15 March 2023



ØYVIND ERIKSEN  
Chairman of the board



ANNE MARIE CANNON  
Deputy chair



KJELL INGE RØKKE  
Board member



TROND BRANDSRUD  
Board member



CHARLES ASHLEY HEPPENSTALL  
Board member



KATE THOMSON  
Board member



MURRAY AUCHINCLOSS  
Board member



TERJE SOLHEIM  
Board member



INGARD HAUGEBERG  
Board member



TORE VIK  
Board member



HILDE KRISTIN BREVIK  
Board member



KARL JOHNNY HERSVIK  
Chief Executive Officer



VALBORG LUNDEGAARD  
Board member