

## APPENDIX 1 – GUIDELINES

### Child labour

The rule of thumb of SAMPENSION: What is in the best interest of the child.

According to ILO Convention No. 138 (1973), the individual country is in charge of specifying the minimum age for admission to employment or work. ILO has determined that this age must be not less than 15 years. In case of light work, the limit may be as low as 13 years. The Convention permits developing countries to specify lower minimum ages; 14 and 12 years, respectively. Even though SAMPENSION generally supports these guidelines, we also acknowledge that in certain situations it is in the best interest of the child to contribute to the family income.

SAMPENSION (as well as many others) distinguishes between child labour and child work, child labour being physically and/or mentally harmful to the child. Child work is not harmful, but might even be beneficial to the child's development.

In accordance with the 1999 ILO Convention (No. 182) concerning the Worst Forms of Child Labour, SAMPENSION does not accept child labour. There is, however, a grey zone between child labour and child work. When assessing cases in this grey zone, SAMPENSION attaches great importance to what is in the best interest of the child.

SAMPENSION acknowledges that in certain situations, e.g. in very poor countries, a child's contribution to the family income is necessary in order for the family and the child to survive. In such situations it would not be in the best interest of the child, nor the family's, to prevent the child from working. In such situations the attitude of SAMPENSION is that the employer must ensure that the work is not harmful or dangerous to the child. The employer must also make sure that the child is not prevented from attending school if the child has access to a school. SAMPENSION will also urge the employer to sponsor local schools and other kinds of education. In the long run it will benefit the employer to have a better educated labour force.

Finally SAMPENSION finds that the employer should hire the parents rather than the children if possible in any way.

### Equality regardless of sex, race and religion

Decisions on employment, dismissal, promotion and the like at companies invested in by SAMPENSION must be based solely on qualifications. This means that there must be no discrimination due to sex, race or religion, in accordance with ILO Convention (No. 111) concerning Discrimination in Respect of Employment and Occupation (1958). SAMPENSION also expects the companies not to discriminate any disabled fellow human beings. Positive discrimination is, however, an exemption to this rule.

In accordance with Article 23(2) of the Universal Declaration of Human Rights (1948) and ILO Convention (No. 100) concerning Equal Remuneration (1951), SAMPENSION also expects equal pay for equal work, regardless of sex, race and religion.

### Labour rights

#### The individual's right to be a member of a lawful trade union

SAMPENSION supports Article 23(4) of the Universal Declaration of Human Rights (1948), which lays down that everyone has the right to form and to join trade unions for the protection of his interests, and ILO Convention (No. 87) concerning Freedom of Association and Protection of the Right to Organise (1948).

SAMPENSION also supports ILO Convention (No. 98) concerning the Right to Organise and Collective Bargaining ((1949), which lays down the following (quote):

*Anti-union discrimination:* 'Workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment. Such protection shall apply more particularly in respect of acts calculated to --

- make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership;
- cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the employer, within working hours.' (Article 1)

The same principles are supported by ILO Convention (No. 154) concerning Collective Bargaining (1981).

In some countries the population does not enjoy the right to freely form trade unions. However, SAMPENSION does not want to generally disqualify companies with activities in such countries; but SAMPENSION will not accept companies exploiting the circumstance that their employees do not enjoy the right to freely form trade unions by treating them worse than in comparable countries.

### **Forced labour**

In accordance with ILO Convention (No. 29) concerning Forced Labour (1930) and ILO Convention (No. 105) concerning the Abolition of Forced Labour (1957), SAMPENSION does not want to invest in companies using forced labour.

## **Environmental awareness**

SAMPENSION expects the companies invested in to observe the national environmental law in all countries where they operate. This also applies to health and safety in the working environment (cf. the ILO Conventions concerning health and safety, hours of work and sweatshops).

SAMPENSION also urges the companies to prepare environmental reports and to reduce their environmental impact by:

- formulating an environmental policy
- pursuing environmental best practice
- assessing the environmental impact of all decisions

Certain industries, such as the oil industry, are characterised in that their products as well as the extraction and refining process of oil, are polluting. When investing in such industries, we aim to avoid the least environmentally conscious companies.

## **Manufacture of weapons**

Anti-personnel mines strike entirely arbitrarily and they severely affect the civilian population of the affected territories. In accordance with the so-called Mine Ban Convention (Ottawa, 3-4 December 1997, signed by Denmark and ratified on 8 June 1998; acceded to by a total of 147 countries world-wide), SAMPENSION does not want to invest in companies that manufacture anti-personnel mines or their components.

In accordance with the UN Conventions concerning weapons of mass destruction:

- Treaty on the Non-Proliferation of Nuclear Weapons (entered into force in 1970)
- Biological Weapons Convention (entered into force in 1975)
- Chemical Weapons Convention (entered into force in 1997)

SAMPENSION does not want to invest in companies doing research in, producing, supplying parts for, transporting or otherwise promoting the development and proliferation of biological, chemical or nuclear weapons.