

OCEAN BOUND PLASTIC

BENCHMARK

Of OBP and SOCIAL + OBP against the European, French and German Due Diligence laws or directives.



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Organizations interested to use the OBP certification program as a mean to improve or ensure compliance with the below mentioned regulations should do their own benchmark make their own assessment of how to use the OBP Certification Program in their compliance efforts.

Scope

This document is only intended to give an overview of how the OBP and Social+ OBP certifications compare with the requirements of the European Directive on Corporate Sustainability Due Diligence (Directive 2024/1760) , The French LAW n ° 2017-399 of March 27th, 2017 on the duty of vigilance for parent and instructing companies and the German Act on Corporate Due Diligence Obligations in Supply Chains Of July 16 2021.

This document is not a part of the OBP certification program documentation.

References

The directive and laws used in this benchmark can be found below in their original language and translated when needed.

DIRECTIVE ON CORPORATE SUSTAINABILITY DUE DILIGENCE

(Directive 2024/1760) https://commission.europa.eu/business-economy-euro/doing-business-eu/sustainability-due-diligence-responsible-business/corporate-sustainability-due-diligence_en

GESETZ ÜBER DIE UNTERNEHMERISCHEN SORGFALTPFLICHTEN ZUR VERMEIDUNG VON MENSCHENRECHTSVERLETZUNGEN IN LIEFERKETTEN

(<https://www.gesetze-im-internet.de/lksg/>)

Translation in English : Act on Corporate Due Diligence Obligations in Supply Chains Of July 16 2021 (https://www.csr-in-deutschland.de/SharedDocs/Downloads/EN/act-corporate-due-diligence-obligations-supply-chains.pdf?__blob=publicationFile#linkicon)



LOI n° 2017-399 DU 27 MARS 2017 RELATIVE AU DEVOIR DE VIGILANCE DES SOCIÉTÉS MÈRES ET DES ENTREPRISES DONNEUSES D'ORDRE

(<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000034290626/>)

Translation in English : LAW n ° 2017-399 of March 27th, 2017 on the duty of vigilance for parent and instructing companies (<https://vigilance-plan.org/wp-content/uploads/2019/06/2019-VPRG-English.pdf#page=80>)



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1. INTRODUCTION

Consumer awareness and concerns to understand what is “behind” the products they buy, and whether there are possible unethical practices in their supply chains are growing. In response, governments, especially in Europe, are adopting due diligence directives or laws for companies. These establish legally binding obligations to identify and prevent adverse impacts resulting from their activities and operations throughout their supply chains. In other words, corporate accountability in a globalised economy.

These new regulations ensure that investors and other stakeholders have access to the information they need to assess to measure the impact of companies on people and the environment, and subsequently, assess financial risks and opportunities arising from climate change and other sustainability issues. These regulations also ensure the identification, monitoring and remediation of possible human rights and environmental risks by companies.

The absence of developing a plan to address these requirements, or faults in the plan’s implementation, empower potentially affected people to hold companies accountable and exposes the company involved to penalties, fines or other punishments.

Within the strategies implemented by companies to ensure compliance with such regulations, a very common practice is to have their supply chains comply with internal or external standards. Due to the variety of regulations and supply chains, companies may need to analyse and rely on multiple standards to match the requirements. To facilitate this work in the area of using certified recycled Ocean Bound Plastic as raw materials, ZPO has revised 3 different European regulations:

- The EU Directive on Corporate Sustainability Due Diligence 2024
- The French Corporate Duty of Vigilance Law 2018
- And the German Act on Corporate Due Diligence Obligations in Supply Chains, 2023,

to benchmark the specified risks established in each of these 3 regulations, and how they can be addressed if using OBP and Social + OBP¹ material in their supply chains.

Each of the three regulations analysed have their particularities regarding: (i) whether an Organization falls within the scope of requiring to comply with the specific regulation or not (depending on nature/geography/size/operations), (ii) how they should establish and implement their plan and procedures, and the extent to which they should address

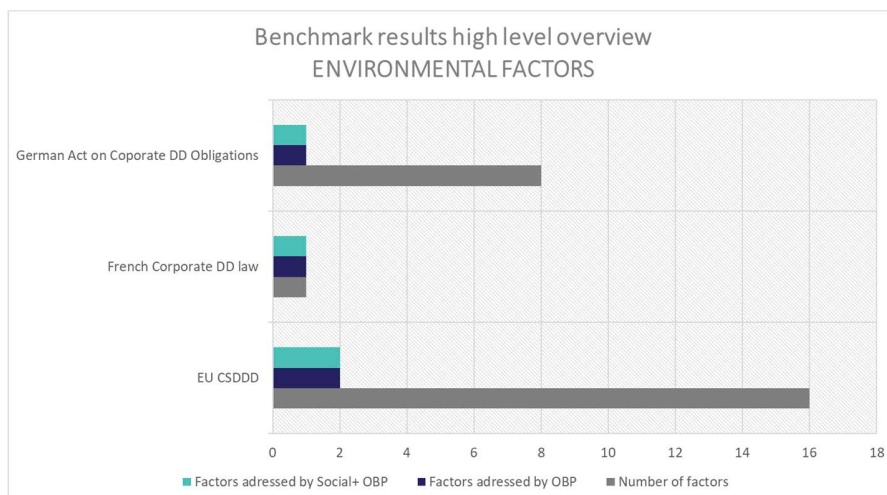
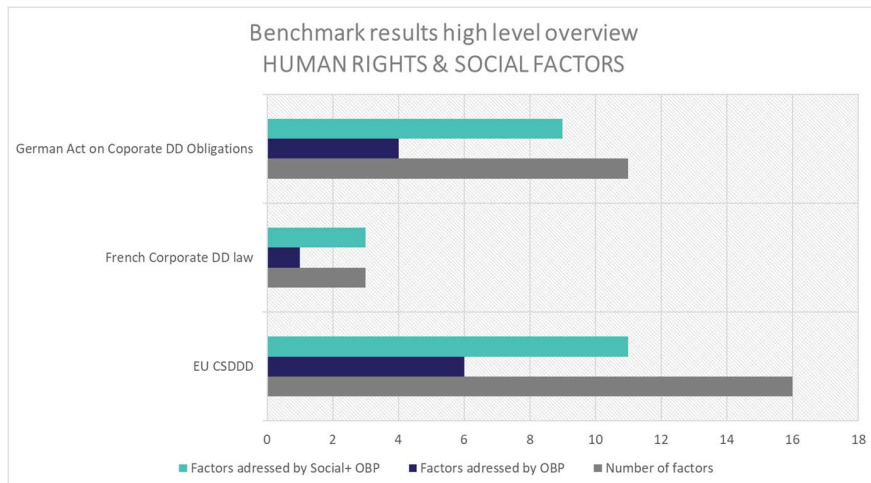
¹ Social + OBP is particularly efficient addressing ethical and social risks for recycled plastic because it is the only program that includes informal waste pickers within its certification scope, which is the first step in the recycled plastic supply chain.



prevention, correction and monitoring of determined risks, and, (iii) the type of penalties, procedures, and periods for correction in cases of non-compliance with some aspects of the regulation. These aspects fall outside the scope of our benchmark and need to be revised in detail by interested organizations. We do attempt however to address in detail the identified environmental and social risks established in each of them, and how our standards can help minimise risks.

2. HIGH LEVEL OVERVIEW OF COVERAGE

The below graphics provide an overview of how many requirements present in the directive or laws are also addressed in the OBP or Social+ OBP Certification. For each you will find a more detailed benchmark in the annexes of this document.



Note: Most of the environmental factors addressed in the laws or directive are not relevant to plastic collection or recycling, so the coverage of OBP certification is naturally low



3.ANNEX 1: BENCHMARK WITH THE EUROPEAN DIRECTIVE ON CORPORATE SUSTAINABILITY DUE DILIGENCE

ANNEX	COMPANY DUE DILIGENCE SHOULD ENCOMPASS THE BELOW HUMAN AND ENVIRONMENTAL RIGHTS	FACTORS ADDRESSED BY USING OBP MATERIAL IN SUPPLY CHAIN (SOURCE)	FACTORS ADDITIONALLY ADRESSED BY USING OBP SOCIAL + MATERIAL IN SUPPLY CHAIN (SOURCE)
PART I	RIGHTS AND PROHIBITIONS INCLUDED IN INTERNATIONAL HUMAN RIGHTS INSTRUMENTS		
1.	The right to life, interpreted in line with Article 6(1) of the International Covenant on Civil and Political Rights. The abuse of that right includes, but is not restricted to, private or public security guards protecting the company’s resources, facilities or personnel causing the death of a person due to a lack of instruction or control by the company;		The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified organizations with the COL-STD and Social + Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 9 - No harsh or inhumane treatment is allowed.
2.	The prohibition of torture, cruel, inhuman or degrading treatment, interpreted in line with Article 7 of the International Covenant on Civil and Political Rights. This includes, but is not restricted to, private or public security guards protecting the company’s resources, facilities or personnel subjecting a person to torture or cruel, inhuman or degrading treatment due to a lack of instruction or control by the company;		The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified organizations with the COL-STD and Social + Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 9 - No harsh or inhumane treatment is allowed.
3.	The right to liberty and security, interpreted in line with Article 9(1) of the International Covenant on Civil and Political Rights;		



4.	The prohibition of arbitrary or unlawful interference with a person’s privacy, family, home or correspondence and unlawful attacks on their honour or reputation, interpreted in line with Article 17 of the International Covenant on Civil and Political Rights;		
5.	The prohibition of interference with the freedom of thought, conscience and religion, interpreted in line with Article 18 of the International Covenant on Civil and Political Rights;		The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified organizations with the COL-STD and Social + Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 7 - No discrimination is practiced.
6.	The right to enjoy just and favourable conditions of work, including a fair wage and an adequate living wage for employed workers and an adequate living income for self-employed workers and smallholders, which they earn in return from their work and production, a decent living, safe and healthy working conditions and reasonable limitation of working hours, interpreted in line with Articles 7 and 11 of the International Covenant on Economic, Social and Cultural Rights;	Both the OBP-COL-STD and the OBP-REC-STD address that Organizations shall have social policies in place ensuring that workers are at least paid minimum legal wages applicable. In both documents in Section 5.1- Legal compliance, child labor, fair working conditions, point d.	The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 8 - Regular employment is provided, Point 6 - Working hours are not excessive, Point 5 - Living wages are paid, Point 3 - Working conditions are safe and hygienic. Additional to the employees, the waste pickers selling the plastic waste to the collection organization receive support on identifying working conditions, occupational health and safety risks, searching for possible solutions, and monitoring their progress in point 5.3 of the Social + OBP Component, and they receive a premium payment for their plastic collected in point 5.6 - Compensation.

7.	The prohibition to restrict workers' access to adequate housing, if the workforce is housed in accommodation provided by the company, and to restrict workers' access to adequate food, clothing, and water and sanitation in the workplace, interpreted in line with Article 11 of the International Covenant on Economic, Social and Cultural Rights;	N.A	N.A
8.	The right of the child to the highest attainable standard of health, interpreted in line with Article 24 of the Convention on the Rights of the Child; the right to education, interpreted in line with Article 28 of the Convention on the Rights of the Child; the right to an adequate standard of living, interpreted in line with Article 27 of the Convention on the Rights of the Child; the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, interpreted in line with Article 32 of the Convention on the Rights of the Child; the right of the child to be protected from all forms of sexual exploitation and sexual abuse and to be protected from being abducted, sold or moved illegally to a different place in or outside their country for the purpose of exploitation, interpreted in line with Articles 34 and 35 of the Convention of the Rights of the Child;	The OBP-COL-STD and the OBP-REC-STD address there will be no child labor in any way, demonstrate compliance with the national minimum age for employment and/or the age of completion of compulsory education, whichever is higher. In no case shall the Organization rely on work performed by children under the age of 14. In both documents - Section 5.1- Legal compliance, child labor, fair working conditions, point b.	The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 4 - Child Labour shall not be used. Additional to the employees, the waste pickers selling the plastic waste to the collection organization receive support on child protection identifying child labor risks, searching for possible solutions, and monitoring their progress in point 5.2 of the Social + OBP Component.

9.	<p>The prohibition of the employment of a child under the age at which compulsory schooling is completed and, in any case, is not less than 15 years, except where the law of the place of employment so provides in line with Article 2(4) of the International Labour Organization Minimum Age Convention, 1973 (No 138), interpreted in line with Articles 4 to 8 of the International Labour Organization Minimum Age Convention, 1973 (No 138);</p>	<p>The OBP-COL-STD and the OBP-REC-STD address there will be no child labor in any way, demonstrate compliance with the national minimum age for employment and/or the age of completion of compulsory education, whichever is higher. In no case shall the Organization rely on work performed by children under the age of 14. In both documents - Section 5.1- Legal compliance, child labor, fair working conditions, point b.</p>	<p>The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 4 - Child Labour shall not be used. Additional to the employees, the waste pickers selling the plastic waste to the collection organization receive support on child protection identifying child labor risks, searching for possible solutions, and monitoring their progress in point 5.2 of the Social + OBP Component.</p>
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10.	<p>The prohibition of the worst forms of child labour (persons below the age of 18 years), interpreted in line with Article 3 of the International Labour Organization Worst Forms of Child Labour Convention, 1999 (No 182). This includes:</p> <p>(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, as well as forced or compulsory labour, including the forced or compulsory recruitment of children for use in armed conflicts;</p> <p>(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;</p> <p>(c) the use, procuring or offering of a child for illicit activities, in particular for the production or trafficking of drugs; and</p> <p>(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children;</p>	<p>The OBP-COL-STD and the OBP-REC-STD address there will be no child labor in any way, demonstrate compliance with the national minimum age for employment and/or the age of completion of compulsory education, whichever is higher. In no case shall the Organization rely on work performed by children under the age of 14. In both documents - Section 5.1- Legal compliance, child labor, fair working conditions, point b.</p>	<p>The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 4 - Child Labour shall not be used. Additional to the employees, the waste pickers selling the plastic waste to the collection organization receive support on child protection identifying child labor risks, searching for possible solutions, and monitoring their progress in point 5.2 of the Social + OBP Component.</p>
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11.	The prohibition of forced or compulsory labour, which means all work or service that is exacted from any person under the menace of any penalty and for which the said person has not offered himself or herself voluntarily, for example as a result of debt bondage or trafficking in human beings, interpreted in line with Article 2(1) of the International Labour Organization Forced Labour Convention, 1930 (No 29). Forced or compulsory labour shall not mean any work or services that comply with Article 2(2) of the International Labour Organization Forced Labour Convention, 1930 (No 29) or with Article 8(3), points (b) and (c) of the International Covenant on Civil and Political Rights;	The OBP-COL-STD and the OBP-REC-STD address there will be no forced or compulsory labor as defined by ILO convention 29 and shall especially forbid itself to create any condition that will generate an unfair dependence of workers towards the Organization (such as retaining identity documents, salaries, generating debts). In both documents - Section 5.1- Legal compliance, child labor, fair working conditions, point c.	The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 1 - Employment is freely chosen.
12.	The prohibition of all forms of slavery and slave-trade, including practices akin to slavery, serfdom or other forms of domination or oppression in the workplace, such as extreme economic or sexual exploitation and humiliation, or human trafficking, interpreted in line with Article 8 of the International Covenant on Civil and Political Rights;	The OBP-COL-STD and the OBP-REC-STD address there will be no forced or compulsory labor as defined by ILO convention 29 and shall especially forbid itself to create any condition that will generate an unfair dependence of workers towards the Organization (such as retaining identity documents, salaries, generating debts). In both documents - Section 5.1- Legal compliance, child labor, fair working conditions, point c.	The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 1 - Employment is freely chosen.



<p>13. The right to freedom of association, of assembly, and the rights to organise and collective bargaining, interpreted in line with Articles 21 and 22 of the International Covenant on Civil and Political Rights, Article 8 of the International Covenant on Economic, Social and Cultural Rights, the International Labour Organization Freedom of Association and Protection of the Right to Organise Convention, 1948 (No 87), and the International Labour Organization Right to Organise and Collective Bargaining Convention, 1949 (No 98). Those rights include the following:</p> <ul style="list-style-type: none"> (a) workers are free to form or join trade unions; (b) the formation, joining and membership of a trade union must not be used as a reason for unjustified discrimination or retaliation; (c) trade unions are free to operate in line with their constitutions and rules, without interference from the authorities; and (d) the right to strike and the right to collective bargaining; 		<p>The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 2 - Freedom of association and right to collective bargaining are respected.</p>
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<p>14. The prohibition of unequal treatment in employment, unless this is justified by the requirements of the employment, interpreted in line with Articles 2 and 3 of the International Labour Organization Equal Remuneration Convention, 1951 (No 100), Articles 1 and 2 of the International Labour Organization Discrimination (Employment and Occupation) Convention, 1958 (No 111), and Article 7 of the International Covenant on Economic, Social and Cultural Rights. This includes, in particular:</p> <p>(a) the payment of unequal remuneration for work of equal value; and</p> <p>(b) discrimination on grounds of national extraction or social origin, race, colour, sex, religion, political opinion;</p>		<p>The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified organizations with the COL-STD and Social + Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 7 - No discrimination is practiced. Additional to the employees, the waste pickers selling the plastic waste to the collection organization receive training and skill development through point 5.5 - Empowerment of the Social + OBP Component.</p>
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<p>15. The prohibition of causing any measurable environmental degradation, such as harmful soil change, water or air pollution, harmful emissions, excessive water consumption, degradation of land, or other impact on natural resources, such as deforestation, that:</p> <p>(a) substantially impairs the natural bases for the preservation and production of food;</p> <p>(b) denies a person access to safe and clean drinking water;</p> <p>(c) makes it difficult for a person to access sanitary facilities or destroys them;</p> <p>(d) harms a person’s health, safety, normal use of land or lawfully acquired possessions;</p> <p>(e) substantially adversely affects ecosystem services through which an ecosystem contributes directly or indirectly to human wellbeing; interpreted in line with Article 6(1) of the International Covenant on Civil and Political Rights and Articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights;</p>		
<p>16. The right of individuals, groupings and communities to lands and resources and the right not to be deprived of means of subsistence, which entails the prohibition to unlawfully evict or take land, forests and waters when acquiring, developing or otherwise using land, forests and waters, including by deforestation, the use of which secures the livelihood of a person, interpreted in line with Article 1 and 27 of the International Covenant on Civil and Political Rights and Article 1, 2 and 11 of the International Covenant on Economic, Social and Cultural Rights.</p>		



ANNEX	COMPANY DUE DILIGENCE SHOULD ENCOMPASS THE BELOW HUMAN AND ENVIRONMENTAL RIGHTS	FACTORS ADDRESSED BY USING OBP MATERIAL IN SUPPLY CHAIN (SOURCE)	FACTORS ADDITIONALLY ADDRESSED BY USING OBP SOCIAL + MATERIAL IN SUPPLY CHAIN (SOURCE)
PART II PROHIBITIONS AND OBLIGATIONS INCLUDED IN ENVIRONMENTAL INSTRUMENTS			
1. to 6.	Non applicable to waste plastic collection/recycling/treatment	N.A	N.A
7.	The prohibition of the unlawful handling, collection, storage and disposal of waste, interpreted in line with Article 6(1), point (d), points (i) and (ii) of the POPs Convention and Article 7 of Regulation (EU) 2019/1021;	The OBP-COL-STD and the OBP-REC-STD address organizations shall have enforced waste management procedures that prioritize reduction, reuse and Recycling of all its production wastes whenever possible. Additionally, they shall provide evidence of the environmentally adequate final disposition of waste ensuring all reasonable precautions are taken to avoid it may become abandoned in the environment or open air burned (commercial documents, transport documents and/or final disposition site acceptance documents are requested for waste transactions with details of weight, dates and involved parties and contact details). OBP-COL-STD Section 5.7 - Final destination of collected OBP, and OBP-REC-STD Section 5.9 - Waste Management.	Same as OBP
8. to 15.	Non applicable to waste plastic collection/recycling/treatment	N.A	N.A



16.	The obligation to prevent, reduce and control pollution of the marine environment by dumping, interpreted in line with Article 210 of the United Nations Convention on the Law of the Sea of 10 December 1982 (UNCLOS) and applicable law in the relevant jurisdiction.	Specific focus on Ocean Bound Plastic, by the certification program definition - "abandoned plastic waste that will eventually end up discharged in the ocean by the effect of winds, rainfall, river flow or tides", protects water and marine resources. This is addressed in the OBP-COL-STD section 5.4 - Collection system implementation and monitoring, which ensures the plastic collected is real OBP: https://www.obpcert.org/wp-content/uploads/OBP-COL-STD-V2.1-EN.pdf . Additionally, both the OBP-COL-STD and the OBP-REC-STD address organizations shall have enforced waste management procedures that prioritize reduction, reuse and Recycling of all its production wastes whenever possible, and for produced waste, they shall provide evidence of its environmentally adequate final disposition ensuring all reasonable precautions are taken to avoid it may become abandoned in the environment or open air burned (commercial documents, transport documents and/or final disposition site acceptance documents are requested for waste transactions with details of weight, dates and involved parties and contact details). OBP-COL-STD Section 5.7 - Final destination of collected OBP, and OBP-REC-STD Section 5.9 - Waste Management.	Same as OBP
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4. ANNEX 2: BENCHMARK WITH THE FRENCH DUTY OF VIGILANCE FOR PARENT AND INSTRUCTING COMPANIES LAW

SECTION IN THE LAW	RISKS THAT NEED TO BE ADDRESSED IN THE VIGILANCE PLAN	FACTORS ADDRESSED BY USING OBP MATERIAL IN SUPPLY CHAIN (SOURCE)	FACTORS ADDITIONALLY ADDRESSED BY USING OBP SOCIAL + MATERIAL IN SUPPLY CHAIN (SOURCE)
Article 1, third paragraph	Serious infringement to Human Rights and Fundamental Freedoms	The OBP-COL-STD and the OBP-REC-STD address there will be no child labor in any way, demonstrate compliance with the national minimum age for employment and/or the age of completion of compulsory education, whichever is higher. In no case shall the Organization rely on work performed by children under the age of 14. There will be no forced or compulsory labor as defined by ILO convention 29 and shall especially forbid itself to create any condition that will generate an unfair dependence of workers towards the Organization (such as retaining identity documents, salaries, generating debts). In both documents - Section 5.1-Legal compliance, child labor, fair working conditions, points b and c.	The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 1 - Employment is freely chosen, and point 4 - Child Labour shall not be used. Additional to the employees, the waste pickers selling the plastic waste to the collection organization receive support on child protection identifying child labor risks, searching for possible solutions, and monitoring their progress in point 5.2 of the Social + OBP Component.

Article 1, third paragraph	Serious bodily injury		<p>The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 6 - Working hours are not excessive, Point 3 - Working conditions are safe and hygienic. Additional to the employees, the waste pickers selling the plastic waste to the collection organization receive support on identifying working conditions, occupational health and safety risks, searching for possible solutions, and monitoring their progress in point 5.3 of the Social + OBP Component.</p>
Article 1, third paragraph	Health risks		<p>The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 6 - Working hours are not excessive, Point 3 - Working conditions are safe and hygienic. Additional to the employees, the waste pickers selling the plastic waste to the collection organization receive support on identifying working conditions, occupational health and safety risks, searching for possible solutions, and monitoring their progress in point 5.3 of the Social + OBP Component.</p>

Article 1, third paragraph	Environmental Damage	<p>Specific focus on Ocean Bound Plastic, by the certification program definition - "abandoned plastic waste that will eventually end up discharged in the ocean by the effect of winds, rainfall, river flow or tides", tackles ocean pollution. This is addressed in the OBP-COL-STD section 5.4 - Collection system implementation and monitoring, which ensures the plastic collected is real OBP: https://www.obpcert.org/wp-content/uploads/OBP-COL-STD-V2.1-EN.pdf. Both the OBP-COL-STD and the OBP-REC-STD, address waste management procedures. In the first standard, section 5.7 - Final destination of collected OBP, evidence of environmentally adequate final disposition of waste is required, and evidence of all transactions with the collected OBP to ensure it doesn't become abandoned in the environment or burnt. In the second standard, section 5.9 - Waste Management, evidence of waste management practices that prioritize reduction, reuse and recycling need to be enforced, and evidence of environmentally adequate final disposition is required.</p>	Same as OBP
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5. ANNEX 3: BENCHMARK WITH THE GERMAN ACT ON CORPORATE DUE DILIGENCE OBLIGATIONS IN SUPPLY CHAINS

SECTION OF ACT SECTION 2 - DEFINITIONS	(2) HUMAN RIGHTS RISKS	FACTORS ADDRESSED BY USING OBP MATERIAL IN SUPPLY CHAIN (SOURCE)	FACTORS ADDITIONALLY ADRESSED BY USING OBP SOCIAL + MATERIAL IN SUPPLY CHAIN (SOURCE)
1.	Child Labour	The OBP-COL-STD and the OBP-REC-STD address there will be no child labor in any way, demonstrate compliance with the national minimum age for employment and/or the age of completion of compulsory education, whichever is higher. In no case shall the Organization rely on work performed by children under the age of 14. In both documents - Section 5.1- Legal compliance, child labor, fair working conditions, point b.	The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 4 - Child Labour shall not be used. Additional to the employees, the waste pickers selling the plastic waste to the collection organization receive support on child protection identifying child labor risks, searching for possible solutions, and monitoring their progress in point 5.2 of the Social + OBP Component.

2.	Worst Forms of Child Labour		The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. The Social + Component addresses worst forms of child labor by helping waste picker families with child protection, identifying child labor risks, searching for possible solutions, and monitoring their progress in point 5.2 of the Social + OBP Component. Only forbidding child labour does not address the risks and may result in worst forms of child labor or hidden child labor.
3.	Forced Labour	The OBP-COL-STD and the OBP-REC-STD address there will be no forced or compulsory labor as defined by ILO convention 29 and shall especially forbid itself to create any condition that will generate an unfair dependence of workers towards the Organization (such as retaining identity documents, salaries, generating debts). In both documents - Section 5.1- Legal compliance, child labor, fair working conditions, point C.	The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 1 - Employment is freely chosen.
4.	Slavery	The OBP-COL-STD and the OBP-REC-STD address there will be no forced or compulsory labor as defined by ILO convention 29 and shall especially forbid itself to create any condition that will generate an unfair dependence of workers towards the Organization (such as retaining identity documents, salaries, generating debts). In both documents - Section 5.1- Legal compliance, child labor, fair working conditions, point C.	The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 1 - Employment is freely chosen.

5.	Occupational Safety and Health Obligations		<p>The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 6 - Working hours are not excessive, Point 3 - Working conditions are safe and hygienic. Additional to the employees, the waste pickers selling the plastic waste to the collection organization receive support on identifying working conditions, occupational health and safety risks, searching for possible solutions, and monitoring their progress in point 5.3 of the Social + OBP Component.</p>
6.	Freedom of Association		<p>The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 2 - Freedom of association and right to collective bargaining are respected.</p>
7.	Discrimination		<p>The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 7 - No discrimination is practiced.</p>

8.	Adequate Wages	The OBP-COL-STD and the OBP-REC-STD, address there will be social policies in place ensuring that workers are at least paid minimum legal wages applicable. In both documents - Section 5.1- Legal compliance, child labor, fair working conditions, point d.	The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 5 - Living wages are paid. Additional to the employees, the waste pickers selling the plastic waste to the collection organization receive a premium payment in point 5.6 - Compensation.
9.	Soil change/ water and air pollution/ Harmful noise/ Excessive water consumption	Specific focus on Ocean Bound Plastic, by the certification program definition - "abandoned plastic waste that will eventually end up discharged in the ocean by the effect of winds, rainfall, river flow or tides", tackles ocean pollution. This is addressed in the OBP-COL-STD section 5.4 - Collection system implementation and monitoring, which ensures the plastic collected is real OBP: https://www.obpcert.org/wp-content/uploads/OBP-COL-STD-V2.1-EN.pdf . Both the OBP-COL-STD and the OBP-REC-STD, address waste management procedures. In the first standard, section 5.7 - Final destination of collected OBP, evidence of environmentally adequate final disposition of waste is required, and evidence of all transactions with the collected OBP to ensure it doesn't become abandoned in the environment or burnt. In the second standard, section 5.9 - Waste Management, evidence of waste management practices that prioritize reduction, reuse and recycling need to be enforced, and evidence of environmentally adequate final disposition is required.	Same as OBP
10.	Unlawful eviction and unlawful taking of land		

11.	Abusive use of security forces		The first step of the supply chain is the collection of the plastic waste as Social + OBP by certified collection organizations to the COL-STD and the Social+ Component. Employees of the certified collection organisation comply with the ETI Base Code (Ethical Trading Initiative): Point 9 - No harsh or inhumane treatment is allowed.
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SECTION OF ACT: SECTION 2 - DEFINITIONS	(3) ENVIRONMENT RELATED RISKS	FACTORS ADDRESSED BY USING OBP MATERIAL IN SUPPLY CHAIN (SOURCE)	FACTORS ADDITIONALLY ADDRESSED BY USING OBP SOCIAL + MATERIAL IN SUPPLY CHAIN (SOURCE)
1.	Mercury added products		
2.	Use of mercury and mercury compounds in manufacturing		
3.	Treatment of mercury waste		
4.	Production and use of prohibited chemicals in Stockholm Convention		



5.	Inadequate waste handling, collection, storage and disposal	Specific focus on Ocean Bound Plastic, by the certification program definition - "abandoned plastic waste that will eventually end up discharged in the ocean by the effect of winds, rainfall, river flow or tides", tackles ocean pollution. This is addressed in the OBP-COL-STD section 5.4 - Collection system implementation and monitoring, which ensures the plastic collected is real OBP: https://www.obpcert.org/wp-content/uploads/OBP-COL-STD-V2.1-EN.pdf . Both the OBP-COL-STD and the OBP-REC-STD, address waste management procedures. In the first standard, section 5.7 - Final destination of collected OBP, evidence of environmentally adequate final disposition of waste is required, and evidence of all transactions with the collected OBP to ensure it doesn't become abandoned in the environment or burnt. In the second standard, section 5.9 - Waste Management, evidence of waste management practices that prioritize reduction, reuse and recycling need to be enforced, and evidence of environmentally adequate final disposition is required.	Same as OBP
6.	Export of hazardous waste according to Basel Convention		
7.	Export from countries listed in Annex VII of Basel Convention to countries not listed in Annex VII		
8.	Import of hazardous waste		

