

## Forced Labor Due Diligence Process

Guided by our Code of Conduct for Fluence Business partners and Third-Party Intermediaries ("[Supplier Code of Conduct](#)") and [Forced Labor Commitment letter](#), Fluence strives to respect human rights across all its operations, through its business relationships and in its local communities. We have established a due diligence process and management system to reasonably identify and address potential and actual forced labor impacts. We recognize that forced labor due diligence is a process of continuous improvement, and we will be reviewing and refining our approach on an ongoing basis.

### **UFLPA: The Uyghur Forced Labor Prevention Act (United States)**

Adopted on June 21, 2022, the UFLPA establishes a "rebuttable presumption" that any products manufactured whole or in part in the Xinjiang region in the People's Republic of China are made using forced labor and therefore are subject to detention or seizure. The law shifts the burden of proof to importers to provide clear and convincing evidence that their products are free of forced labor. The UFLPA is enforced and importers may utilize various tools to help adhere to the requirements of the UFLPA, including a risk-based approach that prioritizes dynamic, high-risk goods based on current data and intelligence available to the primary enforcement agencies, including US Customs and Border Protection.

### **Our Position**

Fluence wants to emphasize its zero tolerance towards the violation of basic human rights, including but not limited to forced labor in its supply chain. We strive to ensure ethical sourcing and have a strict human rights policy in place, included in our Supplier Code of Conduct.

At Fluence, we view our supply chain as a key component of our overall business framework and expect all suppliers to adhere to the same level of integrity and ESG (Environmental, Social and Governance) requirements to which we hold our own operations accountable. We make all reasonable efforts to ensure our suppliers know what is expected of them and have systems in place to help ensure compliance. We do this by:

- **Selecting Suppliers based on adherence to our Supplier Code of Conduct**
  - The execution of the Supplier Code of Conduct is the first step in ensuring that our responsible sourcing vision is communicated with our business partners. Suppliers must accept and agree in writing to the Fluence Supplier Code of Conduct as part of the supplier onboarding and contracting process.
- **Maintaining a mandatory program of Supplier Self-Assessment**
  - The Fluence Responsible Sourcing team ("RS team") will share the Self-Assessment Questionnaire ("SAQ") with suppliers for initial risk assessment identification. The RS team will review and evaluate the supplier risk and categorization based on the completed questionnaire.
- **Ensuring Supplier Commitment Through Third-Party Compliance Reports**

Each supplier needs to submit an internationally recognized social compliance standard/program's latest audit report to the RS team which was conducted by a 3rd party audit firm. It is expected that in the applicable audit results and report, each supplier has complied with applicable human rights regulations and standards, including those relating to forced labor, in their operations. Further, this process occurs based on a score rating (06 months to 02 years).
- **Conducting due diligence for suppliers**
  - Fluence may conduct unannounced, random audits through 3rd party firms to help further ensure suppliers' compliance with the Fluence supplier code of conduct on an ongoing basis.

NOTE: The above four-step process will help us to ensure compliance with the Fluence supplier code of conduct and eliminate forced labor, as well as other human rights violations, in our supply chain. The RS team may also conduct unannounced visits and audits of Suppliers. If you need any further assistance related to this process,

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