**Business & Human Rights Resource Centre Survey Questions**

**For companies operating or investing in Ukraine**

**Nature of involvement**

1. How long has your company or subsidiary been operating or investing in Ukraine? In summary, can you briefly describe the nature, sector, scale, and geographic area of these operations or investments?

**Assessing risks**

1. How is your company enhancing its due diligence to identify, prevent, and mitigate heightened human rights risks and comply with international humanitarian law?
   1. What measures is your company taking to ensure it relies and acts upon robust monitoring of the situation, including through consultation with your workers, affected communities, human rights groups, and/or humanitarian organizations?

**Mitigating risks and tracking effectiveness**

1. What measures is your company or subsidiary taking to ensure that your business relationships, products, services, operations, or other actions do not contribute to Russian military activities or occupation in Ukraine (including Crimea and occupied parts of Donetsk and Luhansk Oblasts)?
2. Is your company or subsidiary planning to scale-down or suspend your operations in Ukraine? If so, what are the immediate and longer-term steps that your company has taken or is prepared to take to mitigate the negative impacts of this decision on affected communities and your workers?
3. What steps is your company or subsidiary taking to ensure that your risk prevention and/or mitigation measures do not negatively impact Ukrainian civilians?

**Exercising leverage**

1. Is your company or subsidiary taking any other actions to promote respect for humanitarian law, human rights, democracy, and peace in Ukraine?

**Answer:**

The attack on Ukraine ordered by the Russian government questions the deepest values on which our society and civilization are built and fills us all with deep concern. War has returned to Europe. We condemn this aggression and are hoping that this war ends as fast as possible. We are very concerned about all the people affected by the conflict, particularly our colleagues in Ukraine and their loved ones, who are currently experiencing unimaginable hardship.

BASF has been active in Ukraine since 1992 through BASF T.O.V. Limited Liability Company and since 2018 also through Nunhems Ukraine Limited Liability Company. BASF’s main office in Ukraine is located in Kyiv, with an additional regional office in Lviv (in western Ukraine). BASF does not have any production sites in Ukraine. As of today, approximately 220 employees work for BASF T.O.V. LLC (including leased personnel) and 15 employees work for Nunhems Ukraine LLC (including leased personnel). Ukraine accounted for 0.2% of BASF's global sales in 2021. BASF's business in Ukraine is mainly focused on the agriculture sector.

We are not questioning our commitment in Ukraine, and we will continue our business there.

The safety of our employees is our top priority. Therefore, we are monitoring the situation in Ukraine very closely and the BASF's offices in Ukraine are closed.

We are supporting our employees as best as we can in this difficult situation. Most of our employees are still in Ukraine. We are taking measures to ensure their personal safety. A few employees and their family members already crossed the border and are supported by BASF teams in neighboring countries.

We also support Ukrainian population: Following the attack on Ukraine ordered by the Russian government, the civilian population is suffering from the escalating violence. Hundreds of thousands are on the run. To help the people in the country, BASF has provided €1 million in emergency aid. The amount will go immediately to the German Red Cross (GRC). This organization has been working tirelessly in the crisis region for several days.

In addition to the emergency aid mentioned above of €1 million, BASF will double the amount donated by employees. The global employee donation campaign in favor of BASF Stiftung (BASF Foundation) will help BASF colleagues and other affected people from Ukraine directly or through the UN Refugee Agency UNHCR (United Nations High Commissioner for Refugees). The donation campaign runs until April 14, 2022.

The war in Ukraine has the potential to trigger a global food crisis. Ukrainian farmers contribute with significant exports to the global food production. For example, Ukraine accounts for 10% of global wheat exports and an even more significant portion of other important crops, such as barley (around 15%) and sunflower oil (nearly 50%).

Russian farmers also contribute to the global food production with significant exports. As an example, about one tenth of global wheat production stem from Russia and its wheat exports amount to an overall share of 18% globally. A significant amount of this wheat is exported to developing countries, whose population is highly dependent on these imports.

In light of these facts, we continue to support business activities and our customers in Ukraine as much as possible to prepare for the upcoming season and continue to supply customers in Russia with products supporting food production.

**For companies operating or investing in Russia**

**Nature of involvement**

1. How long has your company or subsidiary been operating or investing in Russia? In summary, can you briefly describe the nature, sector, scale, and geographic area of these operations or investments?

**Assessing risks**

1. How is your company enhancing its due diligence to identify, prevent, and mitigate heightened human rights risks and comply with international humanitarian law?
   1. What measures is your company taking to ensure it relies and acts upon robust monitoring of the situation, including through consultation with your workers, affected communities, human rights groups, and/or humanitarian organizations?

**Mitigating risks and tracking effectiveness**

1. As the situation in Ukraine unfolds, is your company or subsidiary planning to cease operations in or divest from Russia? If so:
   1. What have been the key considerations informing this decision and did you consult with your workers and/or other affected stakeholders as part of your decision-making process?
   2. What are the immediate and longer-term steps that your company has taken or is prepared to take to mitigate any negative impacts of your exit on affected communities and your workers, including addressing any loss of income?

1. If your company or subsidiary chooses to continue operating in Russia, what human rights due diligence has been undertaken and how are you planning to mitigate harm in Ukraine?
2. What kind of due diligence measures does your company use to ensure that it does not have any business relationships with sanctioned Russian individuals and entities? Beyond sanctions compliance, how does your company ensure that it does not have any business relationships with individuals or entities with a track record of rights violating conduct?

**Exercising leverage**

1. How does your company intend to use your leverage to protect the rights of your workers and communities affected by your operations in Russia, including freedoms of association and expression?
2. Is your company providing any support to Russian activists who are taking action against the war and in support of democracy and peace in Ukraine?

**Answer:**

BASF has been active in Russiafor more than 145 years. Currently, around 700 employees – including temporary staff – work for BASF in Russia: local production is carried out at 12 sites for the most important customer industries such as agriculture, health and care, automotive and construction. In 2021, Russia accounted for 1.0% of the BASF Group's total sales.

Since March 3, BASF does not conduct new business in Russia and Belarus. An exception are products supporting food production, as the war holds the risk to trigger a global food crisis. We are following political decisions and are adhering to applicable laws, regulations and international rules. We also take responsibility for the safety of our chemical production sites in Russia and continue with their maintenance.

BASF will evaluate these decisions and other matters related to this evolving situation on an ongoing basis.

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In light of these facts, we continue to support business activities and our customers in Ukraine as much as possible to prepare for the upcoming season and continue to supply customers in Russia with products supporting food production in line with the position stated above.