

Animal Law Reform South Africa Outreach

From: Animal Law Reform South Africa Outreach
Sent: Thursday, 14 March 2024 14:24
To: Responsible Sourcing
Cc: [REDACTED]
Subject: RE: ALRSA_Hilton_PAIA_Request_13_12_2023

| Tracking: | Recipient | Read |
|-----------|------------|------------|
| | [REDACTED] | |
| | [REDACTED] | [REDACTED] |
| | [REDACTED] | |
| | [REDACTED] | |

Good day

I trust you are well.

We acknowledge receipt of your correspondence dated 6 February 2024 in response to our PAIA request. Thank you for the information provided.

We wish to address claims in your letter under reply that undermine transparency and corporate accountability demanded by ss 32 and 24 of the Constitution of the Republic of South Africa, 1996, among other provisions. We reserve the right to respond more fully in due course, should the need arise. We wish to place the following on record and give Hilton a further opportunity to be transparent and accountable in the interests of the welfare of chickens in South Africa.

As you are no doubt aware, PAIA gives effect to the right to access to information in terms of s 32 of the Constitution. Its constitutionally ordained purpose is to promote transparency, accountability, and ensure effective governance of all bodies in South Africa, including corporations such as Hilton. PAIA is further to be interpreted in a generous and purposive manner. Following this approach, it has been held that information in private hands with a demonstrable and sufficient connection to the exercise or protection of any rights legitimately belongs in the public domain.

The contents of paragraph 2 of your letter amount to a refusal on the part of Hilton to grant access to the requested information based on s 55 of PAIA. However, this refusal does not meet the requirements contemplated in s 55 of PAIA. To the extent that Hilton claims that information is not in its possession, it is incumbent upon Hilton to provide, in terms of s 55 of PAIA, an affidavit detailing the steps taken by you to locate the information, and to clarify precisely which information is not in its possession. You have not done so. We accordingly request access, alternatively the requisite affidavit. We find it problematic that whilst Hilton has a “Responsible Sourcing Policy” in place, it appears to take no steps whatsoever to enforce this policy so as to hold its suppliers to account. Kindly confirm, in an affidavit, that this is the case.

Furthermore, we wish to highlight that Hilton has not complied with its obligations in terms of section 71 of PAIA in respect of the information requested. In particular, there is no indication that Hilton has informed its suppliers of our request, nor sought their consent to disclose the information we requested.

Hilton’s 2022 Responsible Sourcing Goals Progress Update states that one of its goals is to “[s]ource 100% of our shell, liquid and egg products across our global portfolio (owned, managed and franchised hotels) from cage-free sources by the end of 2025”.

Hilton further reports its progress across regions namely the Americas, Europe, the Middle East, and Africa, but not South Africa. Further, no reference is made to cage-free progress in respect of South Africa within the 2022 ESG Report provided.

We trust that Hilton will adjust its approach so as to advance transparency and accountability in relation to the environment, noting the Supreme Court of Appeal's remark that:

“Corporations operating within our borders, whether local or international, must be left in no doubt that in relation to the environment...there is no room for secrecy and that constitutional values will be enforced”.

Should you fail to do so, we reserve our rights to exhaust the legal remedies available to us, including but not limited to, approaching the Information Regulator to lodge a complaint in respect of Hilton, and/or approaching the courts.

Kindly respond to this correspondence by no later than **28 March 2024**, given that we are currently preparing our public report in which we will rate Hilton relative to its transparency and stance on animal welfare and environmental sustainability, among other matters. The rating will be informed by your response to this correspondence, as well as the previous correspondence and records provided.

Kindly acknowledge receipt of this email.

Kind regards

Outreach: External Liaison
Animal Law Reform South Africa
outreach@animallawreform.org



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From: Responsible Sourcing [REDACTED]
Sent: Tuesday, February 6, 2024 9:45 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: ALRSA_Hilton_PAIA_Request_13_12_2023

Thank you for your patience. After reviewing your request, we would like to defer to the information we previously shared in February of 2023, as this information remains accurate at this time. I have re-attached the letter here.

Since February of 2023, we released our [2022 ESG Report](#) and accompanying [2022 Responsible Sourcing Goals Progress Update](#), publicly available at the embedded links provided. These reports include all available information on Hilton's animal welfare progress made in 2022 and includes the extent to which we are able to provide ALRSA information.

Best,
Hilton Responsible Sourcing & Sustainability Team

From: [REDACTED]
Sent: Thursday, February 1, 2024 10:24 AM
To: [REDACTED]
Subject: RE: ALRSA_Hilton_PAIA_Request_13_12_2023

Hello,

We have received your email and will respond to your request as soon as possible.

Thank you,
Hilton Responsible Sourcing & Sustainability Team

From: Animal Law Reform South Africa Outreach [REDACTED]
Sent: Tuesday, January 30, 2024 6:26 AM
To: [REDACTED]
Subject: RE: ALRSA_Hilton_PAIA_Request_13_12_2023

Dear Information Officer

This email concerns the request for access to information in terms of the Promotion of Access to Information Act 2 of 2000 (“PAIA”) delivered to Hilton Hotels Worldwide Holdings Inc. (“Hilton Hotels”) on behalf of Animal Law Reform South Africa on **13 December 2023**. In terms of our request, and subsequent extension granted, your response to our request was due by no later than **15 January 2024**.

We hereby notify you that your non-response to our request amounts to a refusal in terms of PAIA. Hilton Hotels will be rated accordingly in our forthcoming public report relating to corporate accountability in the egg supply chain.

You are hereby given a final opportunity to respond to our request by no later than **6 February 2024** given that we are currently preparing our public report.

Should you fail to do so, we reserve our rights to exhaust the legal remedies available to us, including but not limited to, approaching the Information Regulator to lodge a complaint in respect of Hilton Hotels, and/or approach the courts.

Kindly acknowledge receipt of this email.

[REDACTED]

Outreach: External Liaison
Animal Law Reform South Africa
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From: Animal Law Reform South Africa Outreach

Sent: Wednesday, December 13, 2023 10:55 AM

To: [REDACTED]

Subject: ALRSA_Hilton_PAIA_Request_13_12_2023

Dear Information Officer

I trust you are well.

We reach out to you once again to request access to information from Hilton Hotels Worldwide Holdings Inc. in its role as a stakeholder in South Africa's egg supply chain.

Kindly find attached a request for access to information in terms of the Promotion of Access to Information Act 2 of 2000, as well as a covering letter with more information in respect thereof.

We look forward to receiving your completed Google forms (see cover letter and attached PDF document entitled "ALRSA_PAIA_List_of_Requests" for more details), within 30 days of the date hereof (**i.e., by no later than 15 January 2024**). Furthermore, kindly find attached the required confirmation of appointment and authorisation to submit the aforementioned PAIA request on behalf of Animal Law Reform South Africa.

Kindly acknowledge receipt hereof.

Kind regards

[REDACTED]

Outreach: External Liaison
Animal Law Reform South Africa
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