



Human Rights Impact Assessment - Gulhifalhu Land Reclamation Project, Maldives

Final Report

28 July 2021

Project No.: 0595934

www.erm.com

Document details	This document summarises the standalone Human Rights Impact Assessment (HRIA) as part of the supplementary E&S Impact Assessment for the Gulhifalhu Land Reclamation Project.
Document title	Human Rights Impact Assessment - Gulhifalhu Land Reclamation Project, Maldives
Document subtitle	Final Report
Project No.	0595934
Date	28 July 2021
Version	3.0
Author	ERM
Client Name	Boskalis Westminster Contracting Ltd., Maldives Branch

Document history

Version	Revision	Author	Reviewed by	ERM approval to issue		Comments
				Name	Date	
Draft	1.0	Mayanka S.	Rutuja T.	Piers Touzel	14.06.2021	For Boskalis' internal review
Draft Final	2.0	Mayanka S.	Rutuja T.	Piers Touzel	02.07.2021	Addressing Boskalis comments
Final	3.0	Mayanka S.	Rutuja T.	Piers Touzel	28.07.2021	Addressing Boskalis comments

Signature Page

28 July 2021

Human Rights Impact Assessment - Gulhifalhu Land Reclamation Project, Maldives

Final Report

ERM (Shanghai) Limited
Suite 2005, Shanghai Litong PLAZA
No. 1350 Sichuan North Road
Shanghai China

© Copyright 2021 by ERM Worldwide Group Ltd and/or its affiliates ("ERM").
All rights reserved. No part of this work may be reproduced or transmitted in any form,
or by any means, without the prior written permission of ERM.

CONTENTS

EXECUTIVE SUMMARY	I
1. INTRODUCTION	1
1.1 Background.....	1
1.2 Aims and Objectives	1
1.2.1 Applicable Standards	2
1.2.2 Scope Elements.....	2
1.3 Approach and Methodology	3
1.3.1 Task 1: Information Review	3
1.3.2 Task 2: Scoping of Project Activities	3
1.3.3 Task 3: Engagement Plan with Rights holders.....	3
1.3.4 Task 4: Screening of Salient Human Rights Risks.....	5
1.3.5 Task 5: Human Rights Baseline.....	6
1.3.6 Task 6: Impact Assessment.....	6
1.3.7 Task 7: Management and Monitoring Measures	6
1.4 Limitations.....	6
1.5 Layout of the Report	8
2. PROJECT DESCRIPTION	9
2.1 Project Background	9
2.2 Land and Natural Resources Footprint	10
2.2.1 Project Proponents	12
2.2.2 Roles and Responsibilities	12
2.2.3 Larger Port Development Context.....	12
2.3 Contractors and Suppliers	13
2.4 Summary of Stage 1 Activities	14
2.5 Safeguards and Embedded Controls	15
3. HUMAN RIGHTS CONTEXT IN THE MALDIVES	19
3.1 Overview.....	19
3.1.1 Country-level Human Rights Issues.....	19
3.1.2 Human Rights Issues in Greater Male Atoll	21
3.2 Vulnerability to Climate Change.....	23
3.3 Human Rights Framework	24
3.3.1 National Legal Overview of Human Rights	24
3.3.2 Regulatory Framework on Human Rights in the Maldives	28
3.3.3 Maldives Ratification of Core ILO Conventions.....	30
3.3.4 Maldives Ratification of Core Human Rights Conventions.....	31
3.4 Key International Standards.....	34
3.5 Gap Analysis of National and International requirements	37
4. SALIENT HUMAN RIGHTS RISKS AND BASELINE	41
4.1 Risk Factor 1: Trafficking in Persons	42
4.1.1 Overview	42
4.1.2 Human Rights Practice in the Maldives	42
4.1.3 Rights-holders linked to the Project	42
4.2 Risk Factor 2: Labour and Working Conditions.....	43
4.2.1 Overview	43
4.2.2 Human Rights Practice in the Maldives	43
4.2.3 Rights holders linked to the Project.....	44
4.3 Risk Factor 3: Supply Chain Risks.....	44
4.3.1 Overview	44

4.3.2	Human Rights in Practice	44
4.4	Risk Factor 4: Potential Livelihood Loss for Dive Centres	46
4.4.1	Overview	46
4.4.2	Human Rights Practice in the Maldives	46
4.4.3	Rights holders linked to the Project.....	47
4.5	Risk Factor 5: Community Engagement	47
4.5.1	Overview	47
4.5.2	Human Rights Practice in the Maldives	47
4.5.3	Rights holders linked to the Project.....	47
4.6	Risk Factor 6: Engagement of Security Personnel	48
4.6.1	Overview	48
4.6.2	Human Rights Practice in the Maldives	48
4.6.3	Rights holders linked to the Project.....	48
4.7	Risk Factor 7: Community Health	48
4.7.1	Overview	48
4.7.2	Human Rights in Practice	48
4.7.3	Rights holders linked to the Project.....	49
5.	IMPACT ASSESSMENT FOR SCREENING OF SALIENT HUMAN RIGHTS RISKS	51
5.1	Impact Assessment Methodology	51
5.1.1	Severity of the Impact	51
5.1.2	Irremediability of the Impact.....	52
5.2	Key Human Rights Impacts	52
5.3	Human Rights Risk Factors for Other Developments	58
6.	MANAGEMENT OF HUMAN RIGHTS RISKS AND IMPACTS	59
6.1	Proposed Roles and Responsibilities	59
6.2	Summary of Safeguards	59
6.3	Access to Remedy.....	66
6.4	Proposed Monitoring and Oversight	66
6.5	Conclusion	67
APPENDIX A	SUMMARY OF INFORMATION REVIEWED (AS OF 12 JULY 2021)	
APPENDIX B	SCREENING OF SALIENT HUMAN RIGHTS RISKS	
APPENDIX C	KEY BASELINE DATA AND STAKEHOLDER INSIGHTS – EIA/ESIA	

List of Tables

Table 1-1	Stakeholder Consultations	4
Table 2-1	Sub-contractor and Suppliers Engaged	13
Table 2-2	Safeguards and Embedded Controls.....	15
Table 3-1	Human Rights in Maldives- Legal Overview	24
Table 3-2	Maldives Human Rights and Labour Acts.....	28
Table 3-3	Maldives Ratification of Core ILO Conventions	30
Table 3-4	Maldives Ratification of Core Human Rights Conventions	31
Table 3-5	Key International Standards.....	34
Table 3-3	Gap Analysis of National and International Requirements	38
Table 4-1	Risks and Rights holders	41
Table 4-2	External Factors Review on Ecocoast	45
Table 5-1	Qualitative Descriptor of Scale/Vulnerability	51
Table 5-2	Qualitative Descriptor of Scope/Intensity	51
Table 5-3	Overall Impact Severity Classification	52

Table 5-4	Descriptors for Irremediability	52
Table 5-7	Assessment of Human Rights Impacts: Gulhifalhu Land Reclamation Project	53
Table 6-1	Summary of Management Measures.....	60
Table 6-1	Monitoring Indicators.....	67

List of Figures

Figure 2-1	Project Overview	11
Figure 6-1	Project Organogram.....	59

Acronyms and Abbreviations

Name	Description
Aol	Area of Influence
BHD	Back-hoe Dredger
CIFL	Capital Investment Finance Limited
CPI	Corruption Perceptions Index
EDA	Economic Displacement Assessment
EIA	Environmental Impact Assessment
EP4	Equator Principles
ERP	Emergency Response Plan
ESG	Environmental Social and Governance
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
GEF	Global Environment Facility
GoM	Government of Maldives
GPD	Global Projects Development
HDI	Human Development Index
HRCM	Human Rights Commission of Maldives
HRIA	Human Rights Impact Assessment
ICCPR	Universal Declaration of Human Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICPAPED	International Convention for the Protection of All Persons from Enforced Disappearance
IFC	International Finance Corporation
ILO	International Labour Organisation
LRA	Labour Regulation Authority
MCH	Male Commercial Harbour
MCS	Maldives Correction Services
MED	Ministry of Economic Development

Name	Description
MNPHI	Ministry of National Planning, Housing and Infrastructure
MPS	Maldives Police Services
MWSC	Maldives Sewerage and Water Company
NAHTC	National Anti-Human Trafficking Steering Committee
NGO	Non-governmental Organisation
PHTA	Prevention of Human Trafficking Act
PPE	Personal Protective Equipment
SAP	Strategic Action Plan
SIDS	Small Island Developing States
SOP	Standard Operating Procedures
TIP	Trafficking in Persons
TSDH	Trailing Suction Hopper Dredger
TVPA	Trafficking Victims Protection Act
UDHR	International Covenant on Civil and Political Rights
UNDP	United Nations Development Programme
UNGPs	United National Guiding Principles
UPR	Universal Periodic Review
WHSE	Worker Health and Safety Plan

EXECUTIVE SUMMARY

A Human Rights Impact Assessment (HRIA) has been conducted for screening the salient human rights risks and impacts associated with the Dredging, Reclamation and Revetment Works for the Gulhifalhu Port Development in Maldives Project, to be implemented by Boskalis Westminster Contracting Ltd.

The HRIA was assessed against the IFC Performance Standards (2012), Equator Principles (2020), other applicable international standards and national regulations in the Maldives (*Refer Section 3*).

The HRIA has identified rights holders based on previous stakeholders engaged by Boskalis, as well as through the scoping process of this study. The salient human rights risks and impacts screened for the Project were limited to Boskalis' contracted activities and included the engagement of third party entities (contractors), associated facilities (i.e. borrow areas) and the supply chain (for the supply of material, inclusive of rock supplies, geotextile and fuel supply to construct the revetment) (*Refer Section 4*).

The results of the human rights screening identified the following salient human rights risks and impact areas that are linked to the Project activities:

- Potential Trafficking in Persons (TIP) specifically linked to potential forced labour linked to foreign workers engaged by CIFL (sub-contractor);
- Potential impact of workers' rights related to labour and working conditions;
- Potential livelihood loss impacts for dive centres;
- Potential impacts on rights and safety of workers in the supply chain;
- Potential risks related to freedom of movement due to retention of travel documents of supply chain workers engaged for the transportation of rocks;
- Potential community health risks related to sedimentation plumes;
- Potential community health risks related to chemical/oil spills;
- Potential inability of stakeholders to participate and/or access remedy; and
- Potential impacts in the event security personnel are engaged during Stage 2.

The HRIA has also identified the additional management measures and safeguards that are required to mitigate the screened salient human rights risks and impacts associated with the proposed Project (*Refer to Section 6, Table 6.1*). The summary of the key safeguards to be implemented by Boskalis' are as follows:

- Implement Boskalis' Policy and Procedures related to Human Resources, Human Rights and Labour;
- Develop a Corrective Action Plan (CAP) as part of the Environmental, Social and Governance (ESG) Supply Chain Management Plan;
- Develop a Security Management Plan as part of the existing Health, Safety and Environment (HES) Plan, in the event security personnel are engaged;
- Enrol workers, including migrant workers into social welfare programmes related to pension, health insurance and accident insurance schemes, where applicable;
- Ensure CIFL develops a Labour Management Plan (LMP) for monitoring aspects related to worker recruitment, worker grievance management, trainings, health screening, and non-engagement of child labour, forced labour and gender-based violence;

- Facilitate the implementation of livelihood restoration measures as outlined in the Economic Displacement Assessment (EDA);
- Ensure CIFL receives consent in writing from workers, prior to handover of passports during the transportation of rocks;
- Coordinate with the Marine Traffic Police and Coast Guard with regard to vessel movement;
- Update Emergency Response Plan to include an analysis of potential receptors and mechanisms for dealing with oil/chemical spills; and
- Update the Project's Stakeholder Engagement Plan to incorporate specific safeguards from EP 4 and IFC PS 1.

Boskalis through its policies and management procedures as identified, will be responsible for the mitigations of the potential human rights impacts identified in the Project, which should be applicable to the sub-contractors as well as suppliers. The specific roles and responsibilities for Boskalis and its sub-contractor have been defined. (Refer to *Section 6, Table 6.1*).

A monitoring plan for the HRIA has also been developed, which includes the measurable outcomes and frequency of monitoring (Refer to *Section 6.2 and 6.4*).

1. INTRODUCTION

1.1 Background

Boskalis Westminster Contracting Ltd., Maldives Branch (“Boskalis”), commissioned ERM (Shanghai) Limited (“ERM”) to perform a supplementary Environmental and Social Impact Assessment (“ESIA”) to support Boskalis’ Dredging, Reclamation and Revetment Works for the Gulhifalhu Port Development in Maldives (“the Project”). The proponent of the Project is the Ministry of National Planning, Housing and Infrastructure (MNPHI), which is the government authority responsible for planning and development of public infrastructure on islands of the Maldives and also for the development of the Gulhifalhu Port (planned to be commissioned in 2022).

For the remainder of the report, the reference to the planned development in Gulhifalhu is consistently discussed as follows:

- Phase 0: Gulhifalhu island and lagoon as they were until May 2020;
- Phase I: The Project Contracted to Boskalis, i.e. the Dredging, Reclamation and Shore Protection, or “the Project”, consisting of:
 - Stage 1: 6 million m3 of sand for which dredging was initiated in June 2020 and revetment works were completed in March 2021 and
 - Stage 2: 18 million m3 of sand for which dredging is planned to be initiated in September 2021 onwards; and
- Phase II: Port development on top of the reclamation by the MNPHI.

Boskalis is responsible for the Dredging, Reclamation and Revetment Works components (Phase I) for the Gulhifalhu Port Development. The land reclamation will be part of the preliminary construction activities/early workers as indicated in the Master Plan dated 2019-2023. The construction of the Gulhifalhu Port (Phase II) will relocate certain activities from the Port of Male, enlarge its capacity and allow current port and warehousing activities to be moved off the island of Male.

An Environmental Impact Assessment (EIA) for the Project or for Phase I (Stage 1 and Stage 2) was developed by CDE (local consultant) for Boskalis’ scope of work, i.e. dredging, land reclamation and revetment in 2020-2021. In March 2021, ERM undertook a gap analysis of the EIA was carried out against IFC Performance Standards (2012); Equator Principles (2020) and other applicable standards¹. Following the gap analysis, Boskalis commissioned a Supplementary ESIA which included specialist technical studies, such as a Human Rights Impact Assessment (HRIA) as a stand-alone technical study (this report).

This report summarizes the outcomes of the HRIA for the Project on the basis of review of available information provided by Boskalis and CDE; review of information on the human rights context in the Maldives in order to scan for key risks and issues; and stakeholder consultations undertaken between 26th of May and 1st July, 2021.

1.2 Aims and Objectives

ERM was commissioned by Boskalis to complete a standalone Human Rights Impact Assessment (HRIA) to align with the requirements of the Equator Principle 4 (2020), among other applicable standards. The HRIA is intended to screen ‘salient’ human rights risks and impacts associated with the Project (limited to Boskalis’ contracted activities), the engagement of third party entities (contractors), associated facilities (i.e. borrow areas) and the supply chain (for the supply of material, inclusive of rock supplies, geotextile and fuel supply to construct the revetment).

¹ General Code of Business Conduct, 2018, Boskalis; OECD Guidelines for Multinational Enterprises, 2011, (“OECD Guidelines”) (focusing on the aspects of Disclosure, Human Rights, Employment and Industrial Relations, Environment under Part I of OECD Guidelines).

In the context of the Project, salient human rights risks and impacts are those issues considered to be at risk of resulting in the most severe negative impacts due to a company's activities or business relationships.²

The objective of the HRIA intends to assess what, if any, additional management measures or safeguards are required to mitigate salient human rights risks and impacts associated with the proposed Project. The HRIA also discusses certain external factors (i.e. human rights risks prevalent in the Maldives) wherein the Government of Maldives and the specific project proponent, i.e. MNPHI, are accountable in terms of their responsibility to protect, but which are to be acknowledged by Boskalis.

1.2.1 *Applicable Standards*

The HRIA focuses on the rights set out in and protected by the International Bill of Rights, which comprises the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR). In addition, the eight Fundamental Conventions of the International Labour Organisation (ILO) have been considered.

The **Human Rights Impact Assessment** considers the following standards as reference frameworks:

- Applicable national laws, policies and regulations on human rights in the Maldives;
- International Bill of Rights (across UDHR, ICCPR, ICESCR);
- ILO Fundamental Conventions including the core conventions on labour;
- Boskalis' Policy on Human Rights and Labour;
- United National Guiding Principles on Business and Human Rights (UNGPs), 2011;
- Equator Principles 4 (2020);
- Guidance Note on Implementation of Human Rights Assessments under the Equator Principles 4 (2020);
- Danish Institute of Human Rights (2020), Human Rights Impact Assessment Guidance and Toolbox;
- Voluntary Principles on Security and Human Rights, 2000;
- IFC Good Practice Handbook: Use of Security Forces, 2017; and
- IFC Good Practice Note: Managing Risks Associated with Modern Slavery, 2018; and
- IFC Good Practice Note: Addressing gender-based violence and harassment, 2020.

1.2.2 *Scope Elements*

The HRIA has been scoped to consider the following:

1. To provide an overview and understanding of national, regional and local human rights context which includes review of:
 - a. Applicable laws, policies, regulations on safeguarding human rights in Maldives³;
 - b. Review of actual level of human rights in Maldives and those relevant in project location, including history of any violations;
 - c. Review of level of access to remedy, in the event of adverse human rights impacts.

² See: <https://www.ungpreporting.org/resources/salient-human-rights-issues/>

³ Certain suppliers (e.g. rock and geotextile) as well as transporters of these suppliers are located outside of the Maldives. The assessment has therefore considered the prevailing human rights issues around labour and working conditions as well as gender (as applicable) in these regions/geographies basis a review of public domain information.

2. To undertake a screening of actual and potential human rights risks relevant to Boskalis' project activities (including third party contractors and the supply chain) and determine salient human rights risks and impacts;
3. To assess the baseline context, potential impacts and the likelihood and severity of each of the salient human rights risks and impacts;
4. To identify the relevant rights holders such as the workers, suppliers, government entities, and local community, including vulnerable groups, who may be impacted by the Project;
5. To assess the existing policies and management procedures in place to prevent and remedy any human rights issues;
6. To recommend remediation measures for any identified human rights impacts; and
7. To define a high-level monitoring, evaluation and reporting plan to be implemented by Boskalis and their contractors and suppliers (as necessary), which includes appropriate objectives and indicators.

1.3 Approach and Methodology

1.3.1 Task 1: Information Review

ERM commenced the HRIA with an information review on the human rights context in the Maldives and a scan of the risks landscape in and around Greater Male atoll as a starting point to identify potential risks and issues that may be relevant to the Project and the associated rights holders. Based on a desktop review of the ESIA (2020) as well as secondary information in the public domain (see references provided as footnotes across the report); an overview of the national, regional and local human rights context has been developed. Specific insights from CDE on the evolving regulatory landscape for human rights issues were also incorporated, where relevant.

Appendix A provides an overview of the information reviewed to complete the HRIA.

1.3.2 Task 2: Scoping of Project Activities

A desktop review of relevant information, including documentation provided by Boskalis and CDE, such as relevant corporate policies and procedures, as well as, publications from local and international government and non-governmental organisations was undertaken. Basis the same, a scoping process has been used to identify potential project activities and sources of human rights impacts that may be anticipated or experienced by potential rights holders⁴. This was based on discussions with Boskalis as well as CDE. It may be noted that the spatial context for scoping of the activities of the Project, including the associated facilities was limited to the Maldives, while scoping of labour and gender aspects also included prevailing issues in the geographies of suppliers located in outside the Maldives.

The outcome of the scoping process included:

- A description of the Project, including key activities (including associated facilities) that may contribute to or cause impacts;
- Identification of likely rights holders among the general set of stakeholders; and
- Mapping of the proposed work force (third party entities) and supply chain (for rock, geotextiles, fuel supply and transport up to site).

1.3.3 Task 3: Engagement Plan with Rights holders

In line with the guidance provided in the UNGPs, the process of identifying human rights impacts should involve meaningful consultation with potentially affected groups and other relevant stakeholders. Rights holders were identified based on previous stakeholder engagement undertaken by Boskalis as well as the results of the scoping process.

⁴ Rightsholders are those whose rights may be negatively impacted by a project's activities, such as right to life, liberty and personal security, or right to freedom of assembly and association.

In coordination with Boskalis and CDE, a data collection plan was prepared, outlining priority rights holders and stakeholders to be engaged. Engagement was done virtually through interviews and focus group discussions with various stakeholders which include human rights NGOs, Project sub-contractors and suppliers, as well as some rights holders such as representatives of the dive centres. Engagement tools (e.g. interview guides, checklists) were used to guide the interviews and focus groups.

It may be noted that there have also been previous and on-going dredging and reclamation projects that have contributed to the reported impacts and/or concerns shared by various stakeholders during the consultations. Therefore, it was not always possible to distinguish the concerns that were specifically related to this Project.

Table 1-1 Stakeholder Consultations

Entity	Date of Consultation	Key Discussion Points
Ministry of National Planning and Infrastructure (MNPHI)	26 th May 2021	<ul style="list-style-type: none"> ■ Project information; ■ Other major infrastructure projects and potential cumulative impacts; ■ Issues and concerns raised by the community; ■ Stakeholder engagement and grievances raised during Stage 1.
Dive Centres	27 th May 2021	<ul style="list-style-type: none"> ■ Dive sites accessed; ■ Perceptions of the Project; ■ Grievances raised to the Project and status of grievance; ■ Potential livelihood loss.
Capital Investment and Finance Ltd.- Project Sub-Contractor	28 th May, 2021	<ul style="list-style-type: none"> ■ Project activities; ■ Details of workforce; ■ Policies and procedures including monitoring of suppliers in India, especially on H&S aspects; ■ Grievance mechanisms for workers and external community;
Sri Venkateswara Construction Materials & Industries- Rock Supplier (Quarry)- Contracted by CIFL	28 th May, 2021	<ul style="list-style-type: none"> ■ Activities at the quarry; ■ Details of workforce engaged at the quarry; ■ Recruitment and compensation of workforce at the quarry; ■ Health and safety policies and any accidents/injuries; ■ Engagement with sub-contractors; ■ Grievance mechanisms
Hari & Co. International LLP- Transportation of Rocks- Contracted by CIFL	28 th May, 2021	<ul style="list-style-type: none"> ■ Details of workforce engaged for transportation of rocks, at the barges; ■ Recruitment and compensation policies/procedures of workforce; ■ Health and safety mechanisms; ■ Grievance mechanisms.
Mission for Migrant Workers Maldives (MMWM);	27 th May, 2021	<ul style="list-style-type: none"> ■ Discussed on the key human rights issues in the Maldives. Main issues raised were on: ■ Exploitation of migrant labour with regard to recruitment, labour and working conditions in the construction and service sector;
Transparency Maldives	31 st May, 2021	<ul style="list-style-type: none"> ■ Human trafficking, including forced labour, sex and child trafficking;

Entity	Date of Consultation	Key Discussion Points
Maldives Red Crescent (MRC)	31 st May, 2021	<ul style="list-style-type: none"> ■ Access to remedy for migrant/undocumented labourers; ■ Key regulatory bodies and their effectiveness.
Advocating the Rights of Children (ARC)	2 nd June, 2021	
Public Interest Law Centre (PILC)	2 nd June, 2021	
Save the Beach	9 th June, 2021	
Human Rights Commission of Maldives (HRCM)	9 th June, 2021	
Villijaoli	1 st June, 2021	
Fuel Supply Maldives	1 st July, 2021	<ul style="list-style-type: none"> ■ Activities in fuel supply; ■ Labour and recruitment aspects; ■ Health and safety policies and plans; ■ Grievance mechanism.

1.3.4 Task 4: Screening of Salient Human Rights Risks

The human rights risks that are salient to the Project were initially screened while development of the scope of work as well as the table of contents (submitted to Boskalis on 26 May 2021). Basis the outcomes of the stakeholder consultations as well as review of information, specific issues and impacts with directly relevance to the project, and therefore to Boskalis' commitment to respect human rights, as per the UNGPs were screened in whereas all other applicable rights with limited relevance to the project and which are largely under the purview of the Government of Maldives to protect where scoped out. The rights have been screened used a screening tool which has been attached as *Appendix D*. The salient human rights at risk identified through the screening where thereafter thematically assessed as follows:

- Potential risks linked to trafficking in persons;
- Potential risks linked to use of migrant workers for project activities (labour and working conditions);
- Risks linked to the workforce engaged as part of the project's supply chain;
- Livelihood loss for certain project affected entities and the resultant implications (linked to standard of living);
- Community health for specific islands in and around the reclamation area; and
- Engagement of security personnel.

1.3.5 Task 5: Human Rights Baseline

Section 3 of this report further elaborates on the current human rights baseline in the larger context of the Maldives as well as for the specific issues above that were assessed on the basis of the salient human rights risks screened into the assessment as part of Task 4. Insights from stakeholders as well as available information/data was thereafter analysed to compile the baseline context specific to the project's activities for the salient human rights risks and issues identified. The engagement process was also used to understand the views and perspectives of rights holders for the Stage 1 of the reclamation activities/the project that were already completed. Appendix D and E provides contextual information for the same.

1.3.6 Task 6: Impact Assessment

The human rights baseline, developed as part of Task 5, was used as a starting point to analyse the potential human rights impacts (or changes) that may result from construction and operation of the Project. The UNGPs indicate that the significance of human rights impacts should be determined by considering the scale, scope (severity) and irremediability of the impact. The proposed approach to assess severity and irremediability as prescribed by the Danish Institute of Human Rights and the Community Insights Group (2020) was contextualised to the project as discussed in Section 5.

1.3.7 Task 7: Management and Monitoring Measures

This involved identifying management and monitoring measures required to assist in mitigating potential human rights impacts evaluated for the project. The level of management was determined based on the significance of the impact – e.g. impacts with a higher severity or more likely to occur will require a greater level of management. The HRIA also includes a high-level monitoring, evaluation and reporting plan to be implemented by Boskalis and their contractors and suppliers (as necessary), with appropriate objectives and indicators as well as linkages to other management plans being concurrently developed.

1.4 Limitations

Presently, the scope of the Human Rights Impact Assessment is limited to the activities of Boskalis and their contractors. Therefore, the assessment does not incorporate the larger context of human rights at risk in view of the port development, other anticipated developments (e.g. Hulhumale reclamation project as well as the Thilafushi bridge project) and the Government of Maldives and MNPHI's responsibility to protect human rights. As part of the human rights context, baseline and impact assessment; certain overarching risk factors from the external environment have emerged that are beyond Boskalis' control. These have been highlighted, where relevant.

Other key limitations are as follows:

- ERM was not able to engage with the geotextile supplier directly. An external factors review has been used to identify any key concerns for the baseline context;
- With respect to fuel suppliers, ERM has considered the main entity that manages the fuel depot in the Maldives i.e. Fuel Supply Maldives and a consultation has been conducted with them on 01 July 2021. As per the information shared by Boskalis, no additional sources of fuel are envisaged. Should Boskalis engage additional fuel suppliers, their supply chain safeguards will apply. It should be noted that all other suppliers (e.g. rock suppliers and transporters) have indicated that they rely on publically available fuel sources which are imported by countries (E.g India) and therefore, the assessment has not extended to the sources of publically available fuel;
- It may be noted that there have also been previous and on-going dredging and reclamation Projects that have contributed to the reported impacts and/or concerns shared by various stakeholders during the consultations. Therefore, it was not always possible to distinguish the concerns that were specifically related to this Project.

- There is limited longer-term livelihood related monitoring data available for likely project affected entities around the Gulhifalhu lagoon. Therefore, insights from stakeholders and rights holders (e.g. dive centre representatives) have been used to provide qualitative information on potential human rights impacts;
- Baseline information available on health in the Demographic and Health Survey of the Ministry of Health was limited to information at the atoll level for Greater Male and this has therefore been used as a source of secondary baseline information on the health of the local communities in Villingili;
- ERM understands that the Maldives Red Crescent undertook a survey in 2021 of 99 migrant workers living and working in the Maldives (name of employer not specified), including in Gulhifalhu and Villingili, in terms of their documentation status as well as access to healthcare. The outcomes of the survey are being processed by the Maldives Red Crescent and have not been publically disclosed as on the date of the HRIA submission;
- The details of CIFL on safeguards/provisions linked to social security benefits to their workers and also from CIFL's suppliers on specific locations of quarries and payroll date, were not shared for review;
- ERM understands that Boskalis may not engage security personnel for Stage 2 of Phase I or the Project. This assessment has included security and human rights concerns as a safeguard to ensure coverage/screening of the issue, in the form of a Security Management Plan as a sub-component of the HSE Plan. This plan will be required to be developed only in the event Boskalis and/or CIFL plan to engage any security agencies (including on any equipment such as the dredger);
- As human rights risks persist for specific themes/topics and within the overarching regulatory context of a country, there is no specific area of influence. Every issue that has been identified basis the screening of salient human rights risks presents the context within which a particular impact has been assessed. The spatial scale of that context varies from site specific to being localised to a specific geography altogether, such as Thoothkudi in India and available information on the general human rights issues around labour and working conditions were considered.
- ERM is not engaged in consulting for the purpose of advertising, sales promotion, or endorsement of any Boskalis' interests, including raising capital or recommending investment decisions or other publicity purposes. Boskalis acknowledges that any reports prepared by ERM are for the exclusive use of Boskalis and agrees that ERM's reports or correspondences will not be used or reproduced in full or in part for such promotional purposes, and may not be used or relied upon in any prospectus or offering circular. Boskalis also agrees that none of its advertising, sales promotion, or other publicity matter containing information obtained from this assessment and report will make reference to ERM's trade name.
- ERM may grant other third parties ("Other Parties") involved in the financing of the project the right to rely on Services or work product generated by or for ERM pursuant to the Contract ("Work Product"), provided that each Reliant Party is specifically identified by name, an agreed consideration is paid, and that these Other Parties delivers to ERM a signed copy of ERM's standard reliance letter. The reliance letter shall govern the Other Parties' right to rely on the Work Product, and the limitation of liability set forth in this Proposal and Attached Terms and Conditions shall apply in aggregate to the Client and these Other Parties.
- ERM acknowledges that Boskalis has the right to share and publically disclose the HRIA. Any party seeking reliance would need to agree to the terms of ERM's third party reliance agreement.
- The information provided under this proposal is not be construed as legal advice. ERM assumes no liability for the information provided under this proposal. To the extent that the services require judgment, there can be no assurance that fully definitive or desired results will be obtained, or if

any results are obtained that they will be supportive of any given course of action. The services may include the application of judgment to scientific principles and to that extent certain results of this work may be based on subjective interpretation.

1.5 Layout of the Report

The report has been structured as follows:

Section	Particulars
Section 1 (<i>this section</i>)	Introduction
Section 2	Project Description
Section 3	Human Rights Context in Maldives
Section 4	Salient Human Rights Risks and Baseline
Section 5	Impact Assessment for Screening of Salient Human Rights Risks
Section 6	Management and Monitoring of Human Rights Risks and Impacts
Appendix A	Summary of Information Received
Appendix B	Screening of Salient Human Rights Risks
Appendix C	Key Baseline Data and Stakeholder Insights- EIA/ESIA

2. PROJECT DESCRIPTION

2.1 Project Background

Gulhifalhu lagoon is a ringed reef located on the southern rim of North Male' Atoll with Thilafushi to the west and Vilingili to the east. With a width of about 1.6 km and roughly 2.8 km in length, Gulhifalhu Reef is one of the largest reef system in the Male' Urban Region with a total surface area of approximately 365 ha. Gulhifalhu is in close proximity to Viligilli Island (0.4 km), Thilafushi Island (0.3 km) and Male' (2.5 km).

The Government of Maldives (GoM) is reclaiming and developing the rest of Gulhifalhu Lagoon for Malé Commercial Port Activities, and as a logistics and warehousing centre for Malé Urban Region. The existing Malé Commercial Harbor (MCH) and port related activities located in Malé has been constrained for years due to the limited land area and port-berthing facilities. At present, the port is located on the North West corner of Malé with no scope for further physical expansion.

Therefore, relocating the Malé Commercial Harbour has become a priority to support the economic growth in the country and is the focus of the current Government's development targets. To meet these challenges, the Ministry of National Housing, Planning and Infrastructure (MNPHI) has put forward a Plan to develop Gulhifalhu lagoon to accommodate the port and its related activities, including warehousing and redistribution of cargo to the rest of Maldives. This plan forms part of a vision to develop the Greater Malé Region including the development of industrial activities and bulk cargo related activities on Thilafushi, and connecting the Malé, Villigili, Gulhifalhu and Thilafushi via a bridge.

The Project consists of two stages. Stage 1 involved a six million cubic meter (m³) of sand reclamation and four km temporary and permanent revetment to allow start of construction of quay walls on the outside reef. Stage 2 involves a 18 million m³ sand reclamation to create the land mass inside the lagoon and ~2.5 km revetment on the southern reef. An Environmental Impact Assessment (EIA) was conducted to national standards for the entire dredging, land reclamation and revetment scope of ~24 million m³ of sand by local consultant CDE. The Maldives Environmental Protection Agency (EPA) granted a dredging and reclamation permit for the first phase based on this EIA.

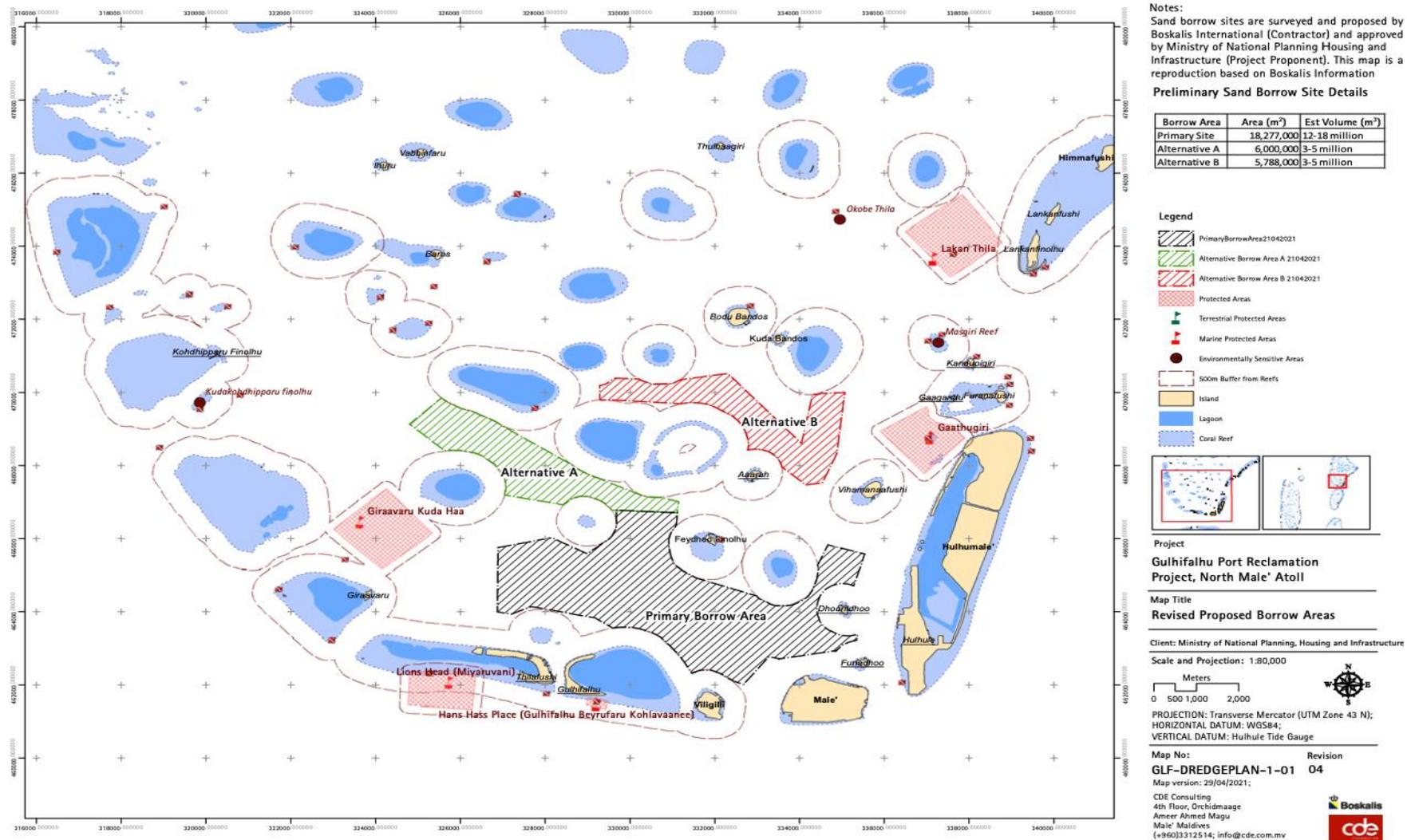
The Project activities include:

- Preparatory Works: Mobilize equipment to survey the potential sand sources within north Malé Atoll and identify the sand borrow sites; mobilize the back-hoe dredger and excavators to site and prepare containment sand bunds; dredge new entrance on the northern side of the Site where the permanent channel will be located during the commencement of the Project, as such, no new entrance to the lagoon will require to be dredged for Stage 2;
- Dredging and Reclamation: Mobilize the dredger and support equipment for reclamation works and undertake dredging and reclamation works. Bunding or containment measures are taken to enclose the reclamation area to minimise sediment plumes leaving the project footprint during filling. Meanwhile, the level of turbidity and sedimentation rate at selected locations are monitored to verify that the sediment containment measures are effective.
- Construction of shore protection works: Mobilize excavators and rock required for shore protection; Construct revetments to protect all ocean facing sides of the reclamation works (only in Stage 1); All inner lagoon facing areas will be protected as part of port and harbour construction works;
- Demobilization: Handover and demobilize equipment.
- The reclamation area consists of shallow reef flat and lagoon. The sand borrow area is located close to Gulhifalhu within the atoll basin of north Malé atoll. All dredged material will be used for land reclamation, except for a relatively small volume of material that has been dredged for the temporary access channel (approximately 8,000 to 24,000 m³).

2.2 Land and Natural Resources Footprint

Gulhifalhu lagoon, at present, contains a 26 Ha reclaimed island on its western side housing Maldives Sewerage and Water Company (MWSC) water production facility and light industrial facilities. The island was originally reclaimed and developed for housing and light commercial activities by Global Projects Development Co. Pvt. Ltd (GPD) but the Government voided the agreement in early 2016. The development of port is proposed by reclaiming land on the eastern and southern half of the lagoon. It is proposed to reclaim much of the rest of the lagoon under this project.

Figure 2-1 Project Overview



The scope of project specific activities that may lead to human rights risks include:

- Localised activities around Gulhifalhu lagoon for reclamation and shore protection areas;
- Location for dredging/sand borrow areas and specific habitations within the sedimentation plume, if any;
- Workforce accommodation areas (Gulhifalhu Island and interactions with Villingili Island);
- Pathways used for economic activities extending up to the borrow areas identified; and
- Location of suppliers engaged for the supply of rocks, fuel supply within the Maldives, transportation of rocks and geo textile materials.

2.2.1 Project Proponents

The proponent of this project is Ministry of National Planning, Housing and Infrastructure (MNPHI). The MNPHI is the government authority responsible for planning and development of public infrastructure on islands of the Maldives. The project contractor is Boskalis Westminster Contracting Limited.

2.2.2 Roles and Responsibilities

2.2.2.1 MNPHI

The proponent of this project is Ministry of National Planning, Housing and Infrastructure (MNPHI). The MNPHI is the government authority responsible for planning and development of public infrastructure on islands of the Maldives. MNPHI is implementing this phase of the project in two stages. The first stage is funded by the PSIP budget of the Government of Maldives and the second stage is planned to be funded through foreign bank loans.

2.2.2.2 Boskalis

The contractor to be implementing the Project reclamation and dredging activities is Boskalis Westminster Contracting Limited. The key activities to be undertaken by Boskalis include the following:

- Mobilisation of Back-Hoe Dredger (BHD) for outer bund construction;
- Mobilisation of pipelines, auxiliary equipment, personnel and setting-up of site facilities;
- Installation of floating pipeline and shore line at the proposed Gulhifalhu reclamation area;
- Mobilisation of the Trailing Suction Hopper Dredger (TSHD);
- Execution of the reclamation works at Gulhifalhu;
- Conducting bathymetric and topographic surveys to check the progress of the reclamation works;
- Mobilisation of revetment materials to Gulhifalhu and commencing with placement of rock materials into temporary stockpiles to be used for revetment construction works;
- Construction of revetments as per the approved designs at the locations indicated in the drawings;
- Handover the reclaimed area to MNPHI;
- Demobilisation of the dredging spread and personnel from Gulhifalhu.

2.2.3 Larger Port Development Context

Gulhifalhu Port development is part of the broader economic diversification strategy defined in the Presidents Strategic Action Plan (SAP) 2019-2023. The aim of the Gulhifalhu Port and associated infrastructure development is to provide the support infrastructure for diversification of the economy.

Other activities that will take place in the area include any secondary reclamation activities for Hulhumale and the Male to Thilafushi Bridge project. These are under the direct oversight of the Government of Maldives as illustrated below:

- The Greater Male Connectivity Project (GMCP) is a 6.7 km bridge and causeway network connecting Male, Villingil, Gulhifalhu and Thilafushi. The project aims to connect Hulhumale, Hulhule and Male with the proposed Gulhifalhu Port and Thilafushi Industrial Zone. The Project is composed of three (3) navigation bridges of 140 m main span across the deep channel between each island, marine viaducts in deep water, shallow water and/or land, and 2.96 km of at-grade roads. The land interchanges on Male' and Villingili will be signalised junctions, while there will be roundabouts at Gulhifalhu and Thilafushi. Bus terminals are also planned on each island near the junctions with the mainline.
- Establishment of a Regional Waste Management Facility at Thilafushi: To address the issue of solid waste management in the Maldives, the Ministry of Environment (MoE) has proposed for the development of a disaster and climate-resilient Regional Waste Management Facility, which is expected to generate 8MW of electricity as well as account for increase in demand.
- Construction of a sewage outfall pipeline at Hulhumale Phase 1: The Male Water and Sewerage Company (MWSC) which is the licensed sewer network operator for Hulhumale Phase-1 is constructing a sewage outfall pipeline in Hulhumale Phase 1, for the purpose of increasing the efficiency of the sewerage network, reduce the cost and maintenance and solve issues related to flow.

2.3 Contractors and Suppliers

The contractors and suppliers engaged in the Project are presented below:

Table 2-1 Sub-contractor and Suppliers Engaged

Contractor/ Sub-contractor/ Supplier Name	Activity	Location	Origin of Employees/ Labour	Status of Consultation
Capital Investment and Finance Ltd.	<i>Sub-contractor:</i> Supply and Installation of Revetment Works	Has operations in Maldives, UK, Sri Lanka and Singapore	All employees (operators) are long-term, originating from Sri Lanka, India and Bangladesh.	Yes, consultation conducted on 28 th May, 2021.
Sri Venkateswara Construction Materials & Industries	<i>Supplier:</i> Rock (Quarry)	Thoothukudi (Tuticorin), Tamil Nadu, India	All workers/labourers are from the nearby communities, who commute to work every day. (There is no labour accommodation)	Yes, consultation conducted on 28 th May, 2021.
Hari & Co. International LLP	<i>Supplier:</i> Transportation of rocks	Thoothukudi (Tuticorin), Tamil Nadu, India	Indian	Yes, consultation conducted on 28 th May, 2021.
Sri Paramasakthi Building Materials	<i>Supplier:</i> Supply of Rocks (quarry)	<i>No information</i>	<i>No information</i>	No consultation has been conducted
Eco coast	<i>Supplier:</i> Geotextiles	Dubai, UAE	N/A	No consultation has been conducted, an

Contractor/ Sub-contractor/ Supplier Name	Activity	Location	Origin of Employees/ Labour	Status of Consultation
				External Factors Review (EFR) has been presented in <i>Section 4.2</i>
Goodwill	Shipping Agent	Maldives	Local	No consultation conducted
Fuel Supply Maldives	Fuel Suppliers – Maldives	Maldives	Local	Yes, consultation conducted on 1st July, 2021

2.4 Summary of Stage 1 Activities

The first Stage of the project involved dredging and placing 6 million cubic meters of sand. Sand was dredged from an area inside of North Male Atoll, just north of Male, Vilimale and Gulhifalhu. Stage 1 also involved developing 4 km temporary and permanent revetments to allow for construction of quay walls on the outside reef. The construction of Stage 1 commenced in late May 2020, with the reclamation works finished by the end of August 2020, and revetment works and finished in March 2021.

The key project activities during Stage 1 include the following:

- Reclamation of a temporary work site on the south-eastern shallow reef flat of Gulhifalhu using in situ material dredged using a backhoe dredger;
- Deployment of big sandbags on the eastern reef flat of Gulhifalhu, outside the planned sand bund boundary using an excavator mounted on a barge;
- Construction of sand bund on the eastern reef flat using in-situ material dredged using a backhoe dredger;
- Dredging of the entrance channel on the northern side of Gulhifalhu;
- Closing of the entrance channel on the eastern side of Gulhifalhu;
- Dredging sand from atoll basin of North Malé Atoll using a Trailing Suction Hopper Dredger (TSHD);
- Reclamation of the eastern shallow reef flat and inner lagoon of Gulhifalhu;
- Construction of revetment; and
- Relocation of coral from Gulhifalhu to recipient sites.

The coral relocation process started with an initial survey of the Gulhifalhu lagoon and reef to determine numbers and types of live coral colonies available for relocation. Based on the survey results, a selection was made of which areas to focus harvesting activities. It may be noted that the Boskalis workers in Stage 1 were accommodated on the dredging vessel.

Discussions with various stakeholders on their perceptions on the activities of Stage 1, undertaken as part of this HRIA, indicated the following:

- Representatives from dive centres indicated that Project activities (in concert with previous projects and other activities, such as Hulhumale Phase II dredging) have impacted the reefs as well as localised water quality thereby causing loss of access to diving sites. Hans Haas Place is one such dive site lost, among approximately 30 others. The dive centre representatives also

highlighted that they had requested for geo-textile screens to be added to the sand slopes to prevent erosion and sedimentation.⁵

- Representatives from local NGO Villjaoli as well as Save the Beach indicated that there not enough timely engagement to incorporate stakeholder views and focused disclosure around project activities, timelines, likely impacts and measures proposed considering activities were ongoing between August 2020 to March 2021 even after severe lockdown related restrictions were reportedly relaxed;
- Representatives from resorts such as Bandos Maldives and Sheraton raised mainly raised concerns about increased prices, limited sites to show tourists as well as impacts to reputation as the turbid waters as a result of dredging activities from reclamation projects, are visible to the tourists;
- Opinions/concerns shared via twitter with regard to the Project activities were mainly related to environment such as the usage of a Marine Protected Area for reclamation activities;
- The consultations did not indicate any adverse issues linked to labour and working conditions linked to the workforce deployed for Stage 1. Maldives Red Crescent (MRC) did indicate that there is an ongoing project of tracking potential undocumented workers and that a survey linked to access to health infrastructure was conducted within approximately 99 individuals on Gulhifalhu. Access to this information has not been made available.
- The Project has a Grievance Mechanism which is managed by Boskalis and also accessed by the MNPHI. Grievances can also be raised through the website of the Gulhifalhu Project (<https://www.gulhifalhu.mv/>), which is being managed by Boskalis, and accessed by the MNPHI. The grievances raised are maintained in a grievance register, which also includes a tracking mechanism. A review of the grievance register indicates that grievances (received up to August 2020) were mainly related to concerns of sedimentation in the reefs which were raised by dive centres and Save the Beach as well as suggestions on improving the grievance process and engagement. As per information shared in the register, these grievances were addressed based on decisions taken during the grievance committee discussions. Discussions with CIFL representatives however indicated that all grievances, even if directly related to their activities, are not directly raised to them.

2.5 Safeguards and Embedded Controls

Concurrent to the implementation of Stage 1 and looking forward to commencement of Stage 2 activities, MNPHI and Boskalis have put in place the following embedded controls:

Table 2-2 Safeguards and Embedded Controls

Safeguards	Brief Description	Existing or Proposed?
Project Website	A website has been developed for the Project where people can share their concerns and feedback (https://www.gulhifalhu.mv/)	■ Existing since Stage 1
Project Stakeholder Engagement and	■ Project stakeholder engagement and grievance redressal is being managed CDE.	■ Existing Grievance Redressal Mechanism

⁵As per information shared by Boskalis, the request for usage of geotextile screens were not directly received by the Project: the request was not raised in the Statutory EIA's Stakeholder Consultation chapter nor through the Grievance Mechanism via the Project Website. Boskalis however informed that silt screens were placed in the water throughout the entire duration of the Project, at the northern tip of the bund, on the inside of the lagoon. However, these were only limitedly effective in containing turbidity due to prevailing currents underneath and around the screens. A test with silt screens on the outer side of the bund proved that silt screens were neither effective nor practical to contain turbidity generated by bund construction, therefore silt screens were only used on the inside of the lagoon.

Safeguards	Brief Description	Existing or Proposed?
Grievance Management	<ul style="list-style-type: none"> ■ Grievances are received through email and recorded in a register (excel format) which includes a tracking mechanism. The grievances are screened and categorised according to priority. Additionally, information, opinions and concerns about the Project shared by the public on twitter are also being tracked and recorded by CDE in a media register. ■ Boskalis has a corporate level external Grievance Policy and the mechanism for receiving worker grievances is included in the Human Resources Management Plan, which will be updated for Stage II and renamed to Labour and Local Content Management Plan. 	<ul style="list-style-type: none"> ■ Proposed Stakeholder Engagement Plan for Stage II basis the findings of the supplementary ESIA
Silt Screens	<ul style="list-style-type: none"> ■ During Stage 1, Boskalis included a few hundred metres of silt screen connecting at the Northern tip of the bund/reclamation, towards the South, to make the reclamation as closed off as possible ■ Boskalis intends to follow the requirements of the EIA for Stage 2 (2021), i.e. “Where practical silt screens or a similar curtain can be used to complement the sand bunds and contain sediment plumes at any turbid water exist points, and protect marine life”; 	<ul style="list-style-type: none"> ■ Existing since Stage 1
HR Policies and Procedures of Boskalis and CIFL	<ul style="list-style-type: none"> ■ Boskalis has a Human Resources Management Plan which includes the following aspects: <ul style="list-style-type: none"> - Labour standards which include guidelines on working hours and conditions as well as accommodation; - Health and safety screening, preventative measures for Covid-19; - Policy on child labour, forced labour and human trafficking; - Workforce grievance mechanism; - Recruitment and local hiring procedures; and - Procurement policy. - This Plan will be updated for Stage II and renamed to Labour and Local Content Management Plan. 	<ul style="list-style-type: none"> ■ Existing since Stage 1 and will be updated and renamed to Labour and Local Content Management Plan for Stage 2.

Safeguards	Brief Description	Existing or Proposed?
	<ul style="list-style-type: none"> ■ Boskalis also has a Human Rights and Labour Relations Policy which includes the following aspects: <ul style="list-style-type: none"> - No forced labour, modern slavery or human trafficking; - No child labour; - Freedom of association, right to collective bargaining and employee representation; - Work culture; - No discrimination and harassment; - Equal opportunities, talent development and diversity; - Safety and health; - Labour conditions; and - Community engagement. ■ Boskalis also has a Speak-up Policy, for reporting misconducts within the Company, ■ CIFL has a Human Resources Policy which mainly covers information related to the code of conduct of workers engaged by them. 	
<p>Health, Safety and Environment (HSE) Procedures of Boskalis and CIFL</p>	<ul style="list-style-type: none"> ■ Boskalis' Health and Safety measures have been included in a Health, Safety and Environment (HSE) Plan for Stage 1, which will be updated for Stage 2. ■ CIFL has a Work Health, Safety and Environment (WHSE) 	<ul style="list-style-type: none"> ■ Existing since Stage 1
<p>Supply Chain Management Systems</p>	<p>Boskalis has the following supply chain procedures and checklists:</p> <ul style="list-style-type: none"> ■ Supplier Code of Conduct; ■ Supply Chain ESG Selection and Management Plan; ■ Supply Chain ESG Selection Procedure and Checklist; ■ Supply Chain/ ESG Questionnaire for Supplier/Subcontractors; and ■ ESHS Risk Assessment Tool and Performance Assessment Checklists. 	<ul style="list-style-type: none"> ■ Supplier Code of Conduct Existing since Stage 1 ■ Supply Chain ESG Selection and Management Plan, and associated procedures have been developed pre-Stage 2.

Safeguards	Brief Description	Existing or Proposed?
Emergency Response Plans	<ul style="list-style-type: none"> ■ Boskalis has an Emergency Spill Response Plan which is attached as an addendum to the EIA ■ CIFL also has an Emergency Response Plan developed for the Project. 	<ul style="list-style-type: none"> ■ Existing since Stage 1
Supplementary ESIA and ESMP (under preparation by CDE and ERM China)	<p>The Supplementary ESIA prepared for the Project includes an Environmental and Social Management Plan (ESMP).</p> <p>The following plans and procedures were developed as part of Stage 1:</p> <ul style="list-style-type: none"> ■ Environmental Management Plan; ■ Environmental Monitoring Plan; ■ Emergency Response and Preparedness; ■ Grievance Redress Mechanism. 	<p>Existing Management Plans from Stage 1:</p> <ul style="list-style-type: none"> - Environmental Management Plan; - Environmental Monitoring Plan; - Emergency Response and Preparedness; - Grievance Redress Mechanism - Supplementary ESIA and ESMP developed for Stage 2 (including any residual concerns from Stage 1 if relevant)
Covid-19 Procedures	<p>Boskalis has developed a Covid-19 Procedure for the Project which includes prevention measures at the sand-fill areas as well as the vessels. This also applies to suppliers and sub-contractors engaged at the Project</p>	<ul style="list-style-type: none"> ■ Existing since Stage 1

3. HUMAN RIGHTS CONTEXT IN THE MALDIVES

3.1 Overview

Globally recognised indices have been compiled to assess the overarching state of human rights in the Maldives. These are summarised as follows:

- In 2020, Maldives was ranked 75th out of 198 countries assessed by Transparency International's Corruption Perceptions Index⁶ (CPI 2020), scoring 43 on a scale of 0 (highly corrupt) to 100 (highly clean). The CPI is based on how corrupt a country's public sector is perceived to be by experts and business executives;
- Across the four categories of the Human Development Index (HDI), Maldives is regarded as having "high human development" and ranked 95th out of the 189 countries included in the measure. The HDI is a summary measure of average achievement in key dimensions of human development, which are all key human rights.
- Freedom House, a non-governmental organization, has assessed the political rights and civil liberties in 210 countries and territories. Maldives scored 43 out of 100 (100 represent top score) in 2020 and classified as "Partly Free". Some of the main issues under this category include allegations of torture by government authorities as well as shortcomings in investigative mechanism; issues related to judicial independence, and human trafficking, which includes exploitation of both domestic and migrant workers, including minors.

3.1.1 Country-level Human Rights Issues

A literature review⁷ of the human rights context in Maldives identified human rights issues mainly related to civil and political rights, as well as labour rights that have been the subject of scrutiny by the international community. The key issues are summarised below.

- Trafficking in Persons:
 - Human trafficking is a significant human rights issue in Maldives. Approximately 169,000 documented and 65,000 undocumented foreign workers in the construction and service sectors, primarily from Bangladesh and India, are subjected to practices indicative of forced labour, fraudulent recruitment, confiscation of identity and travel documents, withholding or non-payment of wages, and debt-based coercion.⁸ Reportedly, the fraudulent recruitment takes place in source countries in South Asia such as Bangladesh, India, Sri-Lanka, Pakistan, Nepal;⁹
 - Additionally, victims from Maldives are also exploited by sex traffickers abroad, in countries such as Sri Lanka. Minors are also forced into transportation of drugs for criminal groups.
- Restriction on workers' freedom of association:
 - In the Maldives, workers organisations are treated as civil society organisations who however do not have the right to engage in collective bargaining. Additionally, the Freedom of Peaceful Assembly Act prohibits strikes by workers engaged in the resort, health, power, water, telecom and prison sectors.¹⁰

⁶ Transparency International, Corruption Perceptions Index 2020. <https://www.transparency.org/en/cpi/2020/table/nzl>

⁷ Maldives 2020: Human Rights Report, Bureau of Democracy, Human Rights, and Labor, US Department of State, March 30, 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/maldives/>. Accessed May 6, 2021.

⁸ 2020 Trafficking in Persons Report: Maldives, Office to Monitor and Combat Trafficking in Persons, US Department of State, June 2020, <https://www.state.gov/reports/2020-trafficking-in-persons-report/maldives/>. Accessed May 7, 2021.

⁹ Ibid. US Department of State, June 2020,

¹⁰ Maldives 2020: Human Rights Report, Bureau of Democracy, Human Rights, and Labor, US Department of State, March 30, 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/maldives/>. Accessed May 6, 2021.

- Engagement of child labour:
 - Reportedly, there are cases of child labour engaged for the purpose of sexual exploitation as well as transport of drugs for criminal gangs. NGOs and civil society groups also expressed concerns that minors were engaged in the construction and service sectors, including being engaged in domestic work as forced labourers.¹¹
- Conditions of Work for Migrant Workers:
 - A Human Rights Watch report¹² highlights that migrant workers are reportedly more vulnerable and prone to exploitation such as deceptive recruitment practices, receiving low wages, working and living in unsafe conditions, particularly those in the construction sector as well as in the tourism industry. Such issues are exacerbated during the current Covid-19 pandemic where workers are faced with job losses, unpaid leave and work without pay.¹³ Reportedly, migrant workers from Bangladesh are vulnerable to forced labour especially in the construction sector, as well as Sri Lankan and Indian women engaged as domestic workers.
- Allegations of torture by government authorities:
 - As per the 2020 report on Human Rights, by the US State Department, the Human Rights Commission of Maldives (HRCM) reported receiving several complaints of torture, accusing public officials from institutions such as Maldives Police Service (MPS), Maldives Corrections Service (MCS) as well as some state run children’s homes. Additionally, shortcomings were observed in the investigative mechanisms as such reports were mostly dismissed, reportedly due to lack of evidence.¹⁴
- Issues related to judicial independence:
 - Allegations of judicial impropriety and abuse of power by the judiciary has been reported, including reports of intimidation and bribery of judicial officials, attorneys and prosecutors.¹⁵

Consultations conducted with the Human Rights Commission of Maldives (HRCM) on 9th June, 2021 to assess the key human rights issues in Maldives indicated prominence of labour and working exploitation of migrant workers. Some of the issues raised were inadequate food, housing, non-payment and partial payment of wages, unsafe working conditions, inadequate access to health care, long working hours, inadequate leave, inadequate access to remedy/courts, and language barriers. Reportedly, prior to the entry into the Maldives, the workers are required to submit valid contracts to the government. However upon arrival in the Maldives, their passports are confiscated which increases their risk to forced labour and can also deny them access to healthcare. Majority of the workers engaged in forced labour are linked to construction sites of resorts as well as housing projects.

Additionally, the national report submitted to the United Nations Human Rights Council as part of the Universal Periodic Review (UPR) of human rights in the Maldives, dated 4th November, 2020, has been reviewed. Some of the findings are included below:

- *Human Rights Commission:* Over the past four years, HRCM has undertaken several initiatives to prevent torture in detention facilities, which included collaborations with relevant State institutions, reviewing draft legislations pertaining to fundamental rights, conducted Human Rights Clinics

¹¹ Ibid., 26.

¹² Maldives: Covid-19 Exposes Abuse of Migrants.” Human Rights Watch, 20 Aug. 2020, <https://www.hrw.org/news/2020/08/25/maldives-covid-19-exposes-abuse-migrants>

¹³ Maldives: World Report 2021. Human Rights Watch, 2020. <https://www.hrw.org/world-report/2021/country-chapters/maldives>

¹⁴ Maldives 2020: Human Rights Report, Bureau of Democracy, Human Rights, and Labor, US Department of State, March 30, 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/maldives/>. Accessed May 6, 2021.

¹⁵ Ibid., 8.

since 2012, created awareness on human rights within island communities, and engaged constructively with international mechanisms to reflect the human rights situation of the country.

- *Migrant Labour*: Regulation of the migrant labour population continues to remain a major challenge. Moreover, a skills mismatch in the labour market has amplified the need for migrant workers. Moreover, population projections predict a rise in the number of foreign resident population to approximately 32% by 2020.
- *Trafficking in Persons*: Maldives acceded to the Trafficking in Persons Protocol to the UN Convention against Transnational Organized Crime on 14 September 2016. Following the enactment of the Anti-Human Trafficking Act, the National Steering Committee on Human Trafficking was established in 2016. The Committee held regular meetings until 2017, when lack of commitment, staff shortages and issues of the composition resulted in a lapse in the workings of the Committee. As a result, the Committee was defunct until it was reconstituted and reconvened in 2019.
- *Waste*: Issues relating to waste management continue to have a direct impact on human health, marine life and ecosystems. The Government is committed to implement decentralized, region-specific waste disposal mechanisms for sustainable waste management practices. As such, the first Regional Waste Management Strategy and Action Plan was launched in 2019.
- *Education*: Maldives has achieved near-universal literacy rate and ensures provision of quality education across the country, despite the geographical challenges. By the end of 2018, 88211 students were enrolled in educational institutions across the nation
- *Life Expectancy*: Life expectancy at birth in Maldives has increased from 70 to 73 years for men, and from 70.1 to 74.7 years for women during the period 2000-2016. The Infant Mortality Rate fell from 17 per 1000 live births in 2001 to 6.8 per 1000 live births in 2017.
- *Judicial Reform*: The judiciary has faced long-standing allegations of corruption, political influence and inefficiency. The Government's vision is to establish an independent judiciary that is accountable, accessible to the public, upholds fundamental freedoms and serves justice in a timely manner.
- *Rights of Women*: The Government prioritizes empowerment of women at all levels of the State, and recognizes that significant efforts are needed to ensure gender equality and effective protection of women.

3.1.2 Human Rights Issues in Greater Male Atoll

3.1.2.1 Gender Sensitivities and Gender-based Violence

Gender-based violence is an issue of concern in the Maldives and has largely been a taboo subject, as matters arising from it are considered as a private family affair. Reportedly, one in every four ever-partnered women has experienced some form of violence from an intimate partner, in their lifetime. From January to September 2020, over 600 cases of GbV and domestic violence were reported to the Family Protection Authority (FPA).¹⁶

The Ministry of Gender, Family and Social Services (MoGFSS) has also received reports of rape, sexual offences, and domestic violence and has conducted social inquiry assessment of cases that have been submitted to the MPS.¹⁷ Most of the reported cases to MoGFSS involved physical abuse,

¹⁶ United Nations Population Fund, Gender-based Violence During Covid-19 Pandemic in the Maldives: An Analysis of Reported Cases, available from <https://maldives.unfpa.org/en/publications/gender-based-violence-during-covid-19-pandemic-maldives-analysis-reported-cases>

¹⁷ Maldives 2020: Human Rights Report, Bureau of Democracy, Human Rights, and Labor, US Department of State, March 30, 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/maldives/>. Accessed May 6, 2021.

verbal and psychological abuse and over 90% of the survivors who reported the cases were female and span across all age groups.¹⁸

Additionally, during the lockdown period, women aged between 19 to 40 years were more than four times more likely to report as a survivor of GBV/DV than their males, which shows that the risk of violence have been magnified during the lockdown period, when survivors had to live in close proximity to their purported perpetrators. Additionally, the public's awareness of laws and the availability of services are limited, and lockdown further limited the access to such services.¹⁹

3.1.2.2 *Trafficking in Persons*

Trafficking in Persons (TIP) is an issue of major concern in the Maldives and in particular within the Greater Male Atoll. Maldives was categorised as a Tier 2 country by the 2020 Trafficking in Persons Report (Department of State 2020), this ranking is provided based on the government's efforts to eliminate trafficking in persons (TIP) and demonstrates that the Maldives government does not fully meet the minimum standards for the elimination of trafficking. The report specifies that recruitment agencies in the source countries often collude with employers and agents in Maldives to facilitate fraudulent recruitment and forced labour of migrant workers, who are mainly engaged in the construction and service sectors. The report indicates that human traffickers exploit domestic and foreign victims in Maldives as forced labour on fishing and cargo boats, as well as domestic workers. Sex traffickers also exploit women and minor girls from Maldives and other South Asian countries, sometimes under the guise of tourism. There have been reports that Maldivian minors are exploited in child sex tourism and concerns that traffickers use resorts and guesthouses to facilitate such activities. It is also reported that some parents act as traffickers themselves, allowing sex traffickers to exploit their children in exchange for financial assistance.²⁰

3.1.2.3 *Human Trafficking & Exploitation of Migrant Labour*

The Prevention of Human Trafficking Act (PHTA) came into effect in 2013 followed by amendments in 2020. The National Anti-Human Trafficking Steering Committee (NAHTC) was reconstituted in 2019, after a period of inactivity. Additionally, the National Anti-Human Trafficking Action Plan 2020-2022 was also developed for tackling the issue across the country.

According to the NAHTAP 2020-22, Maldives has experienced a rise in the trafficking of local and foreign workers, which include a large number of undocumented workers.

The US State Department's 2020 Trafficking in Person Report placed Maldives in "Tier 2" Watch List, which indicates that the Government of Maldives does not fully meet the standards for the elimination of trafficking but is making significant efforts to do so. Tier 1 Countries are those that fully comply with the Trafficking Victims Protection Act (TVPA)'s minimum standards and include the following aspects:

- The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;
- There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecutions, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or
- The determination that a country is making significant efforts to meet the minimum standards was based on commitments by the country to take additional future steps over the next year.

¹⁸ United Nations Population Fund, Gender-based Violence During Covid-19 Pandemic in the Maldives: An Analysis of Reported Cases, available from <https://maldives.unfpa.org/en/publications/gender-based-violence-during-covid-19-pandemic-maldives-analysis-reported-cases>

¹⁹ Ibid., 25.

²⁰ 2020 Trafficking in Persons Report: Maldives, Office to Monitor and Combat Trafficking in Persons, US Department of State, June 2020, <https://www.state.gov/reports/2020-trafficking-in-persons-report/maldives/> . Accessed May 7, 2021.

As per information shared by HRCM, the lack of implementation of the Human Trafficking Act, 2013 and relevant regulations has further led to TIP in the Maldives.

The key trafficking risk identified is related to forced labour, especially of migrant workers. These workers are mainly from South Asia and are primarily engaged in the construction and service sectors where they are subjected to practices indicative of forced labour such as fraudulent recruitment, delayed or non-payment of wages, confiscation of travel/identity documents and debt bondage.

Migrant workers who have been subjected to fraudulent recruitment practices, normally have their passport confiscated upon arrival in the Maldives, therefore making them undocumented. As undocumented workers, they are vulnerable to forced labour risks. Discussions with the various human rights NGOs and HRCM revealed that undocumented migrant workers are often reluctant to approach authorities out of fear of being arrested. The report further states that despite several indications and reports of trafficking among migrant workers which include non-payment of wages and passport retention, the government did not hold the recruitment agencies accountable. Moreover, out of the 31,000 identified undocumented workers, the government did not adopt the Standard Operating Procedures (SOPs) which include victim identification, protection and referral, and not a single trafficking victim has been identified²¹.

3.2 Vulnerability to Climate Change

Low-lying Small Islands Developing States (SIDS) such as the Maldives, are most vulnerable to the impacts of climate change such as rising sea levels. Human rights are inextricably linked to climate change as these impacts can undermine rights related to life, health, food, land, adequate standard of living, housing, property and water.

Moreover, climate change undermines the two largest sectors of the Maldives economy, namely tourism and fisheries and if unmitigated, the natural resources upon which these economic activities rely on will continue to degrade, which could threaten the job security of thousands of Maldivians directly and indirectly engaged in these sectors as well as public health.

Climate change impacts are also expected to increase the exposure of Maldivians to health hazards and undermine access to health, clean water, safe housing, and sanitation facilities. There could also be reduction in the size of the freshwater lenses available in the islands of the Maldives.

It may be noted that reclaimed land/islands, are often higher than natural islands, therefore being more resistant to the impacts of rising sea levels. For instance, the reclamation of Hulhumalé saw the new island rise two meters above sea level, which is twice as high as Male.²²

Reclamation and dredging activities may however have potential impacts for tourism stakeholders such as dive centres and resorts, specifically with regard to loss of access to dive sites, as well as impacts on the reefs. Therefore, such activities may further add-on to the vulnerability of the region and economy, caused by climate change.

However there have been initiatives by local stakeholders such as NGO with regard to environmental preservation and restoration. Coral reef restoration was conducted by NGO Save the Beach where they rehabilitated the Villingili reef over a span of two years; this was conducted with support from Global Environment Facility (GEF) and UNDP. The project focussed on preventing marine pollution, reef damage and biodiversity loss sustainably through a community-based approach.

²¹ 2020 Trafficking in Persons Report: Maldives, Office to Monitor and Combat Trafficking in Persons, US Department of State, June 2020, <https://www.state.gov/reports/2020-trafficking-in-persons-report/maldives/> . Accessed May 7, 2021.

²² Retrieved from <https://earthobservatory.nasa.gov/images/148158/preparing-for-rising-seas-in-the-maldives>

3.3 Human Rights Framework

3.3.1 National Legal Overview of Human Rights

The following table presents the ratified conventions and associated laws and regulations that protect human rights in the Maldives. A description of the regulations and their applicability to the Project have been summarised below.

Table 3-1 Human Rights in Maldives- Legal Overview

S. No	Human Rights	Brief Description	Applicability
A	Constitution of Maldives		Applicable for all projects in country
1.	Right to life , Article 21	Everyone has the right to life, liberty and security of the person, and the right not be deprived thereof to any extent except pursuant to a law made in accordance with Article 16 of the Constitution.	No risks identified for the Project
2.	Equality, Article 20	Every individual is equal before and under the law, and has the right to the equal protection and equal benefit of the law.	No risks identified for the Project
3.	Non-discrimination, Article 17	Everyone is entitled to the rights and freedoms included in this Chapter without discrimination of any kind, including race, national origin, colour, sex, age, mental or physical disability, political or other opinion, property, birth or other status, or native island.	No risks identified for the Project
4.	Freedom from Restraint, Article 19	A citizen is free to engage in any conduct or activity that is not expressly prohibited by Islamic Shari'ah or by law. No control or restraint may be exercised against any person unless it is expressly authorised by law.	No risks identified for the Project
5.	Economic and Social Rights, Article 23	Every citizen the following rights pursuant to this Constitution, and the State undertakes to achieve the progressive realisation of these rights by reasonable measures within its ability and resources: <ul style="list-style-type: none"> ■ adequate and nutritious food and clean water; ■ clothing and housing; ■ good standards of health care, physical and mental; ■ a healthy and ecologically balanced environment; 	The Project will have potential livelihood and community health impacts

S. No	Human Rights	Brief Description	Applicability
		<ul style="list-style-type: none"> ■ equal access to means of communication, the State media, transportation facilities, and the natural resources of the country; ■ the establishment of a sewage system of a reasonably adequate standard on every inhabited island; ■ the establishment of an electricity system of a reasonably adequate standard on every inhabited island that is commensurate to that island. 	
6.	Protection of the Environment, Article 22	The State has a fundamental duty to protect and preserve the natural environment, biodiversity, resources and beauty of the country for the benefit of present and future generations. The State shall undertake and promote desirable economic and social goals through ecologically balanced sustainable development and shall take measures necessary to foster conservation, prevent pollution, the extinction of any species and ecological degradation from any such goals.	The EIA and Environmental Management Plan has documented impacts linked to project activities under Boskalis. These will be updated as part of the ESMP basis the supplementary studies
7.	Privacy, Article 24	Everyone has the right to respect for his private and family life, his home and his private communications. Every person must respect these rights with respect to others.	No risks identified for the Project
8.	No slavery or forced labour, Article 25	No one shall be held in slavery or servitude, or be required to perform forced labour.	The Project will be engaging workers which include migrant workers, who may be especially vulnerable.
9.	Right to vote and run for public office, Article 26	<p>Unless otherwise provided in this Constitution, every citizen of the Maldives eighteen years of age or older has the right:</p> <ul style="list-style-type: none"> ■ to vote in elections, and in public referendums, which shall be held by secret ballot; ■ to run for public office; ■ to take part in the conduct of public affairs, directly or through freely chosen representatives. 	No risks identified for the Project
10.	Freedom of Expression, Article 27	Everyone has the right to freedom of thought and the freedom to communicate opinions and	No risks identified for the Project

S. No	Human Rights	Brief Description	Applicability
		expression in a manner that is not contrary to any tenet of Islam.	
11.	Freedom of the Media, Article 28	Everyone has the right to freedom of the press, and other means of communication, including the right to espouse, disseminate and publish news, information, views and ideas. No person shall be compelled to disclose the source of any information that is espoused, disseminated or published by that person.	No risks identified for the Project
12.	Freedom of acquiring and imparting knowledge, Article 29	Everyone has the freedom to acquire and impart knowledge, information and learning.	No risks identified for the Project
13.	Freedom to form political parties, associations and societies, Article 30	<p>Every citizen has the right to establish and to participate in the activities of political parties.</p> <p>Everyone has the freedom to form associations and societies, including the following:</p> <ul style="list-style-type: none"> ■ The right to establish and participate in any association or society for economic, social, educational or cultural or purposes; ■ The right to form trade unions, to participate or not participate in their activities. 	No risks identified for the Project
14.	Right to strike, Article 31	Every person employed in the Maldives and all other workers have the freedom to stop work and to strike in order to protest.	No risks identified for the Project
15.	Freedom of Assembly, Article 32	Everyone has the right to freedom of peaceful assembly without prior permission of the State.	No risks identified for the Project
16.	Right to marry and establishment of the family, Article 34	Every person of marriageable age as determined by law has the right to marry, and to establish a family as specified in law. The family, being the natural and fundamental unit of society, is entitled to special protection by society and the State.	No risks identified for the Project
17.	Special protection to children, young, elderly and	Children and young people are entitled to special protection and special assistance from the family, the community and the State. Children and young people shall not be harmed, sexually abused, or discriminated	No risks identified for the Project.

S. No	Human Rights	Brief Description	Applicability
	disadvantaged people, Article 35	against in any manner and shall be free from unsuited social and economic exploitation. No person shall obtain undue benefit from their labour.	
18.	Right to education, Article 36	Everyone has the right to education without discrimination of any kind.	No risks identified for the Project
19.	Right to work, Article 37	Every citizen has the right to engage in any employment or occupation.	Workers will be engaged for the construction activities
20.	Right to participate in cultural life, Article 39	Everyone has the right to participate in the cultural life of the nation, and to benefit from literary and artistic endeavours.	Not Applicable as no specific risks identified for the Project.
21.	Right to acquire and hold property, Article 40	Every citizen has the right to acquire, own, inherit, transfer or otherwise transact of such property.	No risks identified for the Project
22.	Freedom of movement and establishment, Article 41	Every citizen has the freedom to enter, remain in and leave the Maldives, and to travel within the Maldives.	Workers will be engaged for the construction activities.
23.	Fair and transparent hearings, Article 42	In the determination of one's civil rights and obligations or of any criminal charge, everyone is entitled to a fair and public hearing within a reasonable time by an independent court or tribunal established by law.	No risks identified for the Project
24.	No unlawful arrest or detention, Article 45	Everyone has the right not to be arbitrarily detained, arrested or imprisoned except as provided by law enacted by the People's Majlis in accordance with Article 16 of this Constitution.	No risks identified for the Project
25.	No degrading treatment or torture, Article 54	No person shall be subjected to cruel, inhumane or degrading treatment or punishment, or to torture.	No risks identified for the Project
26.	Humane treatment of arrested or detained	Everyone deprived of liberty through arrest or detention as provided by law, pursuant to an order of the court, or being held in State care for social reasons, shall be treated with	No risks identified for the Project

S. No	Human Rights	Brief Description	Applicability
	persons, Article 57	humanity and with respect for the inherent dignity of the human person.	
27.	Right to appeal, Article 56	Everyone related to a matter has the right to appeal a conviction and sentence, or judgement or order in a criminal or civil matter.	No risks identified for the Project
28.	Application to court to obtain a remedy, Article 65	Anyone whose rights or freedoms, as guaranteed by this Chapter, have been infringed or denied may apply to a court to obtain a just remedy.	Grievances may be raised by Project workers or the local community.

3.3.2 Regulatory Framework on Human Rights in the Maldives

The relevant human rights Acts and regulations applicable to the Project have been provided below.

Table 3-2 Maldives Human Rights and Labour Acts

S. No	Relevant Acts	Overview
1.	Human Rights Commission Act, 2006 (Act No: 6/2006)	To protect, promote and sustain human rights in the Maldives in accordance with Shari'ah and the Constitution of the Republic of Maldives. b. To protect, promote and sustain human rights in the Maldives in accordance with regional and international conventions and declarations which the Maldives is a party to.
2.	Anti-Human Trafficking Act, 2013 (Act No. 12/2013)	The main objectives of the Anti-Human Trafficking Act include preventing trafficking of persons through and across the Maldives; establishing the crimes of trafficking in persons and prescribes the punishment; provide for prosecution of perpetrators of trafficking in persons; providing protection and assistance to victims of human trafficking; promote and protect human rights of trafficked victims; and engage in cooperation with local and international NGOs working against human trafficking to combat trafficking in persons.
3.	Employment Act, 2008, (2/2008)	The Act provides the legal framework and the fundamental principles of employment of employment relationship in Maldives. The scope of the Act includes, among other matters, the recruitment, hire, employment agreement, training, wages, statutory implied rights including statutory minimum leave entitlements, promotion, discipline, dismissal, safety at work place. The Act further provides for the establishment of Labour Relations Authority with the core mandate of creating awareness and implementation of the Act, including labour inspection, and establishment of Employment Tribunal. The fundamental principles of employment relationship include the prohibition of forced labour, non-discrimination and equal treatment in matters of employment (which includes every state of employment), and special protection for employment of minors.
4.	Regulation on Employment of Foreign Workers	The regulation (2011/R-22) requires employers to apply for a foreign worker quota, pay a security deposit for the foreign migrant worker, ensure that work permits are issued before a foreign migrant worker can commence work, apply for a work permit

S. No	Relevant Acts	Overview
	in the Maldives (2011/R-22)	card within 15 days of arrival of the foreign migrant worker to the Maldives, apply for a work visa within 30 days of arrival of the foreign migrant worker to the Maldives, pay a work visa fee of MVR 250 per month, receive the foreign migrant worker at port of entry to the Maldives, and register the foreign migrant worker at the registry maintained by the applicable island council or city council.
5.	Migrant Worker Regulation, (2020/R-62)	This regulation, published in 2020, further cements employers' responsibility for arranging migrants' arrival in the Maldives, in regard to accommodations, registration, and repatriation (cost secured).
6.	Employment Agency Regulation, (2016, R-21)	The aim of Employment Agency Regulation is to regulate employment agencies which assist Maldivians to get employment opportunities abroad and to help foreigners to get employment in the Maldives. The regulation also ensures that the recruitment process is carried out without affecting the rights of any employer and also the process is carried out according to provisions of International Conventions on labour rights (Article 3). Parties which wish to operate as an employment agency are required to obtain a permit from the Ministry of Economic Development (Article 5).
7.	Immigration Act, (1/2007)	Lays down the rules for the departure and entry of Maldivian nationals, and entry, departure and deportation of foreign nationals. This Act repeals Act Number 2/92 (The Act on Fees Chargeable for Foreign Nationals with a Resident Permit in the Maldives).
8.	Salary Enforcement Regulation, (2016/R-98)	This regulation deals with the payment of basic salary, service charge, and other monies as part of a foreign employee's remuneration package, and actions to be taken against employers who fail to pay salary and other benefits to such employees.
9.	Maldives Pension Act (2009)	The Pension Act mandates the Pension Office to administer and manage pension schemes established under the Act. It also mandates provision of retirement pension, pay old-age basic pension, formulate regulations, standards and guidelines to operate schemes established under the Act, conduct awareness programmes on schemes, and administer a housing finance collateralization scheme of RSA Funds aimed at Maldives Retirement Pension Scheme (MRPS) members.
10.	Health and Safety Regulation for Construction Industry (2019/R-156)	This regulation provides minimum standard for safety and security of the community and labour force. The regulation suggests that if the value of the project exceeds 1.5 million Maldivian Rufiyaa, health and safety aspects regarding the project needs to be defined and training given to the labour force. It states that safety nets need to be installed and other precautionary measures taken such that the neighbouring households are not impacted as a result of the project. It also stipulates that Personal Protective Equipment (PPE) that is relevant to the work undertaken should be worn. In this regard, it states that safety helmets, safety shoes, safety goggles, welding mask and gloves need to be used where required.
11.	Climate Emergency Act (9/2021)	The Climate Emergency Act stipulates actions to address the climate emergency resulting from the swift acceleration of the severity of the repercussions from climate change. It introduces the legal structure and guidelines for addressing issues and concerns related to climate change, including reporting, ensuring the sustainability of

S. No	Relevant Acts	Overview
		natural resources, overcoming negative impacts and allocation of funds for renewable energy sources.
12.	Covid-19 Measures and Procedures	<p>The Ministry of Health Maldives developed a Labour Management Procedure, under the Covid-19 Emergency Response and Health Systems Preparedness Project. This document has specific measures related to construction and civil works.</p> <p>In addition, to address the economic impacts of Covid-19, the Government of Maldives introduced the Economic Recovery Programme (ERP) which included an Income Support Allowance scheme, which was initiated in April 2020. The scheme provided an allowance of up to MVR 5,000 for individuals whose employment was affected by the crisis, as well as for self-employed individuals who faced income loss due to the crisis. The income support programme was extended until December 2020.</p>

3.3.3 Maldives Ratification of Core ILO Conventions

The following table provides an overview of the Core ILO Conventions that have been ratified by the Maldives.

Table 3-3 Maldives Ratification of Core ILO Conventions

S. No	ILO Conventions	Overview
1.	Forced Labour Convention, 1930	The convention was introduced to abolish the forced labour. The convention defines 'forced or compulsory labour' as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.
2.	Equal Remuneration Convention, 1951	The Equal Remuneration Convention, 1951 lays down the general principle that each State which ratifies it shall promote and in so far as consistent with the methods in operation in its country for determining rates of remuneration, ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.
3.	Abolition of Force Labour Convention, 1957	The Convention on the Abolition of Forced Labour obligates each Member of the International Labour Organization which ratifies this Convention to undertake to suppress, not to make use of any form of and to take effective measures to secure the immediate and complete abolition of any form of forced or compulsory labour.
4.	Discrimination (Employment and Occupation) Convention, 1958	The Discrimination (Employment and Occupation) Convention or the Convention concerning Discrimination in Respect of Employment and Occupation (ILO Convention C111) provides for the protection of all workers against discrimination on the basis of race, colour, sex, religion, political opinion, national extraction, social origin, and other criteria as may be determined by a ratifying state after consultation with representative employers' and workers' organizations.
5.	Minimum Age Convention, 1973	This convention sets the general minimum age for admission to employment or work at 15 years (13 for light work) and the minimum age for hazardous work at 18 (16 under certain strict conditions). It provides for the possibility of initially setting

S. No	ILO Conventions	Overview
		the general minimum age at 14 (12 for light work) where the economy and educational facilities are insufficiently developed.
6.	Worst Forms of Child Labour Convention	This convention defines as a "child" a person under 18 years of age. It requires ratifying states to eliminate the worst forms of child labour, including all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; child prostitution and pornography; using children for illicit activities, in particular for the production and trafficking of drugs; and work which is likely to harm the health, safety or morals of children. The convention requires ratifying states to provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration. It also requires states to ensure access to free basic education and, wherever possible and appropriate, vocational training for children removed from the worst forms of child labour.

3.3.4 Maldives Ratification of Core Human Rights Conventions

The following table provides an overview of the Human Rights Conventions that have been ratified by the Maldives.

Table 3-4 Maldives Ratification of Core Human Rights Conventions

S. No	Convention	Description	Applicability
1.	International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	The International Convention on the Elimination of All Forms of Racial Discrimination defines and condemns racial discrimination, and commits state parties to change their national laws and policies which create or perpetuate racial discrimination. Treaty define racial discrimination as "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life."	Not Applicable as risks related to this Convention have not been identified.
2.	International Covenant on Civil and Political Rights (ICCPR)	The treaty commits its parties to respect the civil and political rights of individuals, including the right of self-determination, right to life, freedom of religion, freedom of speech, freedom of assembly, electoral rights and rights to due process and a fair trial. The Covenant elaborates further the civil and political rights and freedoms listed in the Universal Declaration of Human Rights.	Not Applicable as risks related to this Convention have not been identified

S. No	Convention	Description	Applicability
3.	International Covenant on Economic, Social and Cultural Rights (ICESCR)	<p>The Covenant contains some of the most significant international legal provisions establishing economic, social and cultural rights. The key Social, Cultural and Economic Rights recognized by ICESCR are:</p> <ul style="list-style-type: none"> ■ Right to non-discrimination; ■ Right to just and favourable conditions of work; ■ Right to food; ■ Trade union rights; ■ Right to social security; ■ Right to housing and adequate standard of living; ■ Right to health; ■ Right to education; and ■ Right to participate in cultural life. 	Applicable as risks related to this Convention has been identified.
4.	International Covenant on Civil and Political Rights	<p>The United Nations International Covenant of Civil and Political Rights (ICCPR) attempts to ensure the protection of civil and political rights. It was adopted by the United Nations' General Assembly on December 19, 1966, and it came into force on March 23, 1976. The International Covenant on Economic Social and Cultural Rights, the Universal Declaration of Human Rights, and the ICCPR and its two Optional Protocols, are collectively known as the International Bill of Rights.</p>	Not Applicable as risks related to this Convention have not been identified
5.	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	<p>The treaty addressed a specific phenomenon: discrimination against women on the basis of sex. Per the CEDAW discrimination against women defined as, "any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."</p>	Not Applicable as risks related to this Convention have not been identified
6.	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	<p>The Convention provides for each State to take effective measures to prevent torture and other similar treatment or punishment from being practised within its jurisdiction; criminalize all acts of torture or those which constitute participation, complicity, incitement or an attempt to commit torture; recognize rights of persons who allege that they have been subjected to torture or similar treatment to complain</p>	Not Applicable as risks related to this Convention have not been identified

S. No	Convention	Description	Applicability
		to, and to have their cases impartially examined by the competent authorities of the State concerned; redress and compensate victims of torture; and prohibition of using as evidence any statement made as a result of torture or of other cruel, inhuman or degrading treatment or punishment.	
7.	Convention on the Rights of the Child (CRC)	The United Nations Convention on the Rights of the Child is a human rights treaty setting out the civil, political, economic, social, health and cultural rights of children. The Convention generally defines a child as any human being under the age of eighteen, unless an earlier age of majority is recognized by a country's law.	Not Applicable as risks related to this Convention have not been identified
8.	Optional Protocol To The Convention On The Rights Of The Child On The Involvement Of Children In Armed Conflict	The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict aims to protect children from recruitment and use in hostilities.	Not Applicable as risks related to this Convention have not been identified
9.	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	The Optional Protocol to the Convention on the Rights of Persons with Disabilities is a side-agreement to the Convention which allows its parties to recognise the competence of the Committee on the Rights of Persons with Disabilities to consider complaints from individuals.	Not Applicable as risks related to this Convention have not been identified
10.	International Convention on Protection of the Rights of All Migrant Workers and members of their Families (ICMRW)	<p>The key rights of migrant workers recognized by the treaty are:</p> <ul style="list-style-type: none"> ■ Right to leave and return to the state of origin; ■ Right to life; ■ Prohibition of cruel, inhuman or degrading treatment; ■ Prohibition of slavery or servitude and of forced or compulsory labour; ■ Freedom of thought, conscience and religion; ■ Right to hold and express his opinion; ■ Respect of honour, of dignity and of privacy; ■ Prohibition of arbitrary depriving of property; ■ Necessity to ensure an equitable procedure of resource to migrant workers and members of their family; ■ Prohibition of arbitrary expulsion; 	Applicable as risks related to this Convention has been identified.

S. No	Convention	Description	Applicability
		<ul style="list-style-type: none"> Equal treatment to nationals of the State of employment. 	
11.	Convention on the Rights of Persons with Disabilities (CRPD)	The purpose of the Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.	Not Applicable as risks related to this Convention have not been identified
12.	Optional Protocol to the Convention on the Rights of Persons with Disabilities	The Optional Protocol to the Convention on the Rights of Persons with Disabilities is a side-agreement to the Convention which allows its parties to recognise the competence of the Committee on the Rights of Persons with Disabilities to consider complaints from individuals.	Not Applicable as risks related to this Convention have not been identified
13.	International Convention for the Protection of All Persons from Enforced Disappearance (ICPAPED)	The Convention aims to prevent enforced disappearances, uncover the truth when they do occur, punish the perpetrators and provide reparations to the victims and their families. The convention defines enforced disappearance as, “the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.”	Not Applicable as risks related to this Convention have not been identified

3.4 Key International Standards

The key international standards on human rights applicable to the Project are presented below:

Table 3-5 Key International Standards

Standards & Guidance Notes	Brief Description
International Bill of Rights	<p>The International Bill of Human Rights consists of the five core human rights treaties of the United Nations that function to advance the fundamental freedoms and to protect the basic human rights of all people. The Bill influences the decisions and actions of Government, State and Non-State actors to make economic, social and cultural rights a top-priority in the formation and implementation of national, regional and international policy and law. The International Bill of Human Rights lays the foundation to the following documents:</p> <ul style="list-style-type: none"> Universal Declaration of Human Rights; International Covenant on Economic, Social and Cultural Rights;

Standards & Guidance Notes	Brief Description
	<ul style="list-style-type: none"> ■ International Covenant on Civil and Political Rights; ■ Optional Protocol to the International Covenant on Civil and Political Rights; ■ Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.
Equator Principles 4 (2020)	<p>EP4 increases focus on sustainability and sustainable finance, and environmental, social and governance (ESG) issues globally. EP4 expands the types of financial products to which the Equator Principles apply and may introduce more onerous requirements for project financing in developed countries. EP4 is the result of a commitment on the part of the signatories to the Equator Principles to update the principles based on their implementation experience and emerging best practices.</p>
Guidance Note on Implementation of Human Rights Assessments under the Equator Principles	<p>This guidance note supports the effective implementation of the updated Equator Principles, EP4. The volume of guidance available is considerably more than for any other previous version of the Equator Principles, and represents a significant step forward for the EPA and its stakeholders. The Guidance is a practical aid to EPFIs, as well as clients, consultants, and technical experts etc. to enable them to best implement the requirements of the EPs. It does not set any new requirements but is a tool to ensure consistent, effective implementation of the EPs.</p>
United Nations Guiding Principles on Business and Human Rights (UNGPs), 2011	<p>These Guiding Principles are grounded in recognition of States' existing obligations to respect, protect and fulfil human rights and fundamental freedoms; the role of business enterprises as specialized organs of society performing specialized functions, required to comply with all applicable laws and to respect human rights; the need for rights and obligations to be matched to appropriate and effective remedies when breached.</p> <p>Note: Specific obligations on business and private sector are included below this table.</p>
Voluntary Principles on Security and Human Rights, 2020	<p>Voluntary Principles on Security and Human Rights' works towards a dialogue between the authorities, the private sector and civil society. By adhering to the principles voluntarily, companies that often operate in complex or even fragile environments have a set of guidelines to identify the risks they are exposed to, for example when working with state law enforcement agencies or private security companies, which protect their activities. This enables them to take steps to prevent human rights abuses or to avoid exacerbating certain conflicts.</p>
ILO Fundamental Conventions including the core conventions on labour	<p>The eight ILO fundamental Conventions are: the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182).</p>

Standards & Guidance Notes	Brief Description
IFC Good Practice Handbook: Use of Security Forces, 2017	The handbook provides practical, project-level guidance for companies to better understand and implement the requirements outlined in Performance Standard 4. Chapters focus on risk assessment, managing private security, managing the relationship with public security, preparing a security management plan, and assessing allegations or incidents related to security personnel.
IFC Good Practice Note (GPN): Managing Risks Associated with Modern Slavery, 2018	This GPN provide practical tools to support environmental and social due diligence, as well as monitoring processes that many investors and companies already have in place. It also aims to provide an understanding of why action is necessary, how to manage and address issues, and the need for cooperation with others. The GPN is of relevance and practical use for a range of company functions, including management, human resources, sustainability and procurement.
Danish Institute Human Rights Impact Assessment- Guidance and Toolbox	The Danish Institute of Human Rights provides detailed practical tools and guidance for conducting, commissioning, reviewing or monitoring human rights impact assessments of business projects and activities. Structured around a five step process, the toolbox guides users through the impact assessment process from planning and scoping to reporting and evaluation.

Note: The concept of defining business or private sector ‘Involvement’ in a potential human rights impact where the State has the responsibility to protect is important for the application of the UNGPs as it directly relates to the level and nature of responsibility that a company has to take action on or remedy that impact.

As per the United Nations Guiding Principles on Business and Human Rights, the responsibility to respect human rights requires that business enterprises avoid causing or contributing to adverse human rights impacts through their own activities, and address and prevent such impacts when they occur; as well as seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts. These have been further elaborated below:

- Where a business enterprise causes or may cause an adverse human rights impact, it should take the necessary steps to cease or prevent the impact.
- Where a business enterprise contributes or may contribute to an adverse human rights impact, it should take the necessary steps to cease or prevent its contribution and use its leverage to mitigate any remaining impact to the greatest extent possible. Leverage is considered to exist where the enterprise has the ability to effect change in the wrongful practices of an entity that causes a harm.
- Where a business enterprise has not contributed to an adverse human rights impact, but that impact is nevertheless directly linked to its operations, products or services by its business relationship with another entity, the situation is more complex. Among the factors that will enter into the determination of the appropriate action in such situations are the enterprise’s leverage over the entity concerned, how crucial the relationship is to the enterprise, the severity of the abuse, and whether terminating the relationship with the entity itself would have adverse human rights consequences²³.

²³ United Nations Human Rights, Corporate Responsibility to Respect Human Rights (2012), available from <https://www.ohchr.org/Documents/Issues/Business/RtRInterpretativeGuide.pdf>

It is also important for businesses to conduct appropriate human rights due diligence to address the risk of legal claims against them by showing that they took every reasonable step to avoid involvement with an alleged human rights abuse. However, business enterprises conducting such due diligence should not assume that, by itself, this will automatically and fully absolve them from liability for causing or contributing to human rights abuses.²⁴

The UNGPs also specify that businesses should establish operational-level grievance mechanisms for individuals of communities who may be adversely impacted. These perform two key functions regarding the responsibility of business enterprises to respect human rights:

- First, they support the identification of adverse human rights impacts as a part of an enterprise's ongoing human rights due diligence. They do so by providing a channel for those directly impacted by the enterprise's operations to raise concerns when they believe they are being or will be adversely impacted. By analysing trends and patterns in complaints, business enterprises can also identify systemic problems and adapt their practices accordingly;
- Second, these mechanisms make it possible for grievances, once identified, to be addressed and for adverse impacts to be remediated early and directly by the business enterprise, thereby preventing harms from compounding and grievances from escalating.

The Human Rights Impact Assessment and mitigation proposed has considered the above.

3.5 Gap Analysis of National and International requirements

This section includes a gap analysis of the national and international requirements of the rights that have been screened in for the Project (see Appendix D):

²⁴ Ibid. (UN)

Table 3-6 Gap Analysis of National and International Requirements

S. No.	Aspect	International Requirements	Maldives Regulations	Description of Gaps/Issues
1.	Right to liberty and security	UDHR 3 and 9; ICCPR 9	Right to liberty and security, Article 21, Constitution of Maldives	No gaps identified, has provision in Constitution. Migrant workers, both who have legal and illegal status are vulnerable to conditions indicative of forced labour such as fraudulent recruitment, withholding and/or non-payment of wages and debt bondage.
2.	Right not to be subjected to slavery, servitude or forced labour	UDHR 4; ICCPR 8; ILO No.29; ILO No.105	No slavery or forced labour, Article 25, Constitution of Maldives Human Rights Commission Act, 2006 (Act No: 6/2006) Anti-Human Trafficking Act, 2013 (Act No. 12/2013) Immigration Act, (1/2007)	No gaps identified, has provision in Constitution. TIP an issue of major concern in the Maldives, there has been inadequate screening and protection efforts by the government. The Anti-Human Trafficking Act was passed in 2013 but there has been very limited implementation and monitoring of the Act, as human rights abuses have continued which include forced labour, child labour and sex trafficking.
3.	Right to access to effective remedies	UDHR 8; ICCPR 2	Application to court to obtain a remedy, Article 65, Constitution of Maldives	No gaps identified, has provision in Constitution. Issues related to access to grievances by workers in the Project and local community have been identified.
4.	Right to freedom of movement and residence	UDHR 13; ICCPR 12	Freedom of movement and establishment, Article 41, Constitution of Maldives	No gaps identified, has provision in Constitution.

S. No.	Aspect	International Requirements	Maldives Regulations	Description of Gaps/Issues
5.	Right to adequate standard of living	UDHR 25; ICCPR 24; ICESCR 11; ILO No.182	Economic and Social Rights, Article 23, Constitution of Maldives	Fisheries are an open access resource in the Maldives. Any specific livelihood implications linked to loss of access to natural resources are not required to be formally assessed, other than as part of the EIA and therefore, certain provisions of IFC Performance Standard 5 (such as identification of project affected entities, due compensation and livelihood restoration) are not clearly specified. An Economic Displacement Assessment has been undertaken as part of the Supplementary ESIA to address this gap.
6.	Right to work, to enjoy just and favourable conditions of work	UDHR 23; ICESCR 6	Right to work, Article 37, Constitution of Maldives Employment Act, 2008, (2/2008) Employment Agency Regulation, (2016, R-21) Regulation on Employment of Foreign Workers in the Maldives (2011/R-22) Migrant Worker Regulation, (2020/R-62) Health and Safety Regulation for Construction Industry (2019/R-156)ives	No gaps identified, has provision in Constitution. The key issues identified in Maldives were mainly related to inadequate food, housing, non-payment and partial payment of wages, unsafe working conditions, inadequate access to health care, long working hours, inadequate leave, inadequate access to remedy/courts, and language barriers.
7.	Right to health	UDHR 25; ICESCR 12	Economic and Social Rights, Article 23	No gaps identified, has provision in Constitution.

S. No.	Aspect	International Requirements	Maldives Regulations	Description of Gaps/Issues
				Project may have potential impacts on human health specifically related to potential to sedimentation plumes and potential chemical spills.

4. SALIENT HUMAN RIGHTS RISKS AND BASELINE

The assessment has identified a number of potential salient human rights risks and impacts associated with the Project activities. The human rights risks were screened through a Human Rights Screening and Scoping Tool which has been attached as *Appendix D*.

The focus of the assessment is on the rights holders that may be impacted by the Project. The key risks associated right holders are presented below:

Table 4-1 Risks and Rights holders

Risk	Rights holder
Potential Trafficking in Persons (TIP)	Workers (which include all categories of staff include security guards, housekeeping staff and secretaries) contracted by CIFL engaged at the reclamation and dredging sites
Potential impact of workers' rights related to labour and working conditions (including gender and gender-based violence)	Workers contracted by CIFL engaged at the reclamation and dredging sites.
Potential livelihood loss impacts	Dive centre entities and as well as employees engaged at the dive centres
Potential labour and working conditions risks to workers in the supply chain (including gender and gender-based violence)	Workers engaged by suppliers of rock and geotextile material for construction of the revetment structures
Potential risks related to freedom of movement due to retention of travel documents	Crew, captain and workers engaged in the transportation of rocks
Potential community health risks related to sedimentation plumes	Local community at Villingli and the islands near the borrow areas; Divers/dive centres accessing the water bodies.
Potential community health risks related to chemical/oil spills	Local community at Villingli and the islands near the borrow areas; Divers/dive centres accessing the water bodies.
Potential inability of stakeholders to participate and/or access remedy ²⁵	Local community at Villingli and the islands near the borrow areas; Tourist resorts; Local NGOs and organisations.
Potential impacts due to the employment of security personnel	Local community at Villingli and the islands near the borrow areas; Boats and small vessels in and around areas of work

²⁵ It may be noted that Boskalis has a Grievance Mechanism in place. This aspect is related to potential limitations in access to remedy by various stakeholders.

4.1 Risk Factor 1: Trafficking in Persons

4.1.1 Overview

As per the UDHR, human trafficking violates the *Right not to be subjected to slavery, servitude or forced labour (UDHR 4)* and *Right to liberty and security (UDHR 3)*. As mentioned above, TIP is an issue of major concern in the Maldives as well as in Greater Male atoll, where there has been a continuous rise in the number of trafficked migrant and local workers.

4.1.2 Human Rights Practice in the Maldives

TIP continues to be an issue of major concern in the Maldives in spite of recent efforts by the government. The Anti-Human Trafficking Act was passed in 2013 but there has been very limited implementation and monitoring of the Act (as reported by NGOs consulted), as human rights abuses have continued which include forced labour, child labour and sex trafficking. There has also been inadequate screening by the government for any indicators of trafficking among the undocumented workers, including potential labour and sex trafficking victims.²⁶ Even in instances where trafficking cases were identified and investigated by the Immigration Department and Maldives Police Services (MPS), there has been very few convictions.

While the standard operating procedures (SOPs) for identification, protection, and referral of victims was finalised by the NAHTC in 2016, these SOPs were not formally and uniformly adopted by the relevant agencies.

Recruitment agencies and employers are key players in TIP in the Maldives; there have been several cases where recruitment agencies have violated the formal recruitment practices through illegal recruitment. An investigation by the Immigration Department in March 2019 revealed that several employers have been engaged in “quota trading”, with invalid documentation where they obtained quotas for project workers, in excess of the actual project requirements. Reportedly, there are approximately 169,000 documented and over 65,000 undocumented foreign workers, mainly from Bangladesh and India and are primarily engaged in the construction and service sectors.

Considering the issues related to quota and employment, the Ministry of Economic Development (MED), recently took over the mandate for setting quotas and regulating the issuance of visas and work permits for foreign workers. Additionally, in 2019, the Government introduced the “regularization program” for registering undocumented workers, where over 31,000 undocumented migrant workers were registered.

Consultations with various human rights NGOs²⁷ including the Human Rights Commission of the Maldives (HRCM) reveals that practices that are indicative of forced labour are mainly linked to the construction and service sectors.

4.1.3 Rights-holders linked to the Project

As mentioned earlier, forced labour as a TIP risk in the Maldives has mainly been linked to the construction and service sectors. During ERM’s consultations with the Maldives Red Crescent (MRC), the stakeholders indicated that certain undocumented workers were found among the 99 individuals (living and working on Gulhifalhu) who were surveyed as part of an initiative on access to healthcare for migrant workers. While specific numbers are not available; in view of the risk to some of these workers being part of the project’s workforce in Stage II (considering their presence on Gulhifalhu), this risk has been scoped-in.

In addition, basis consultations with CIFL, it is understood that the Project will be engaging between 35-50 workers from various countries including South Asian countries who will be identified through recruitment agencies. The rights holders linked to the Project in relation to this identified risk are the

²⁶ Retrieved from https://www.state.gov/reports/2020-trafficking-in-persons-report/maldives/#report-toc__exec-summary

²⁷ Consultations were conducted with the Mission for Migrant Workers Maldives (MMWM), Transparency International Maldives, Advocating the Rights of Children

project workers to be engaged at the reclamation and associated facilities at Gulhifalhu, which include those working in the sand-fill areas, on board the trailing sucking hopper dredgers (TSHD), the backhoe dredger (BHD) and those engaged by the sub-contractor, CIFL, including any contractor laydown and accommodation areas on Gulhifalhu.

4.2 Risk Factor 2: Labour and Working Conditions

4.2.1 Overview

The risks related to labour and working conditions are covered under the UHDR Article 23 on the *Right to work and right to enjoy favourable conditions of work* as well as UDHR Article 13 on *Right to freedom of movement and residence*. Without appropriate safeguards, there is potential for the rights of workers to be impacted, which includes workers directly employed by the Project, as well as by contractors, sub-contractors and suppliers. If appropriate safeguards are not in place, it may lead to various impacts such as mistreatment of labour, restriction on workers' freedom of association, restriction on access to social security, forced labour and restrictions on access to remedy. The prevailing gender and gender-based scenario in the Maldives also make such concerns relevant for the workforce (including their engagement with local communities).

Consultation with various human rights NGOs and desk research reveals that migrant workers in the Maldives are often subjected to poor living conditions, especially those engaged in the construction sector. This aspect will also consider any potential risks to workers engaged in the supply chain, specifically those engaged with the rock suppliers and transporters, based in India.

4.2.2 Human Rights Practice in the Maldives

Migrant workers working in the construction sector in the Maldives often live in highly congested accommodation with limited access to water, sanitation, and health care. Such issues have been exacerbated during the Covid-19 pandemic, where there have been reports of several migrant workers testing positive for the Covid-19 virus.

Apart from the living conditions, there have been several reports of migrant workers engaged in a construction sites being subjected to delayed payment or non-payment of wages; and those who complained about non-payment of wages were often fired. There have also been reports of migrant workers being forced to work long hours with no days off, which is not in compliance with the Maldives Employment Act. There are also several reports of the travel and identification documents of the migrant workers being retained by the employers.

Migrant workers engaged in the construction sites, often work without adequate safety equipment, which has led to workplace injuries and deaths. Reportedly, workplace accidents are the leading cause of deaths for migrant workers.

Employees in the formal sector are required to enrol in the Maldives Retirement Pension Scheme (MRPS) where employer and employee are required to equally contribute (7% of pensionable wage) to the scheme. Foreign workers can also participate in this scheme voluntarily.²⁸

In 2012, the universal health insurance scheme *Aasandha* which covers all Maldivians, was introduced, which covers medical services up to MRF 100,000. Additionally, in 2015 the Maldives Immigration Department launched a mandatory health insurance scheme which mandates employers employing migrant workers to enrol them in a health insurance scheme²⁹, which provides cashless health care treatment from all hospitals in Male' and the atolls, up to a coverage of MVR 100,000.³⁰ Employers may also enrol workers into group personal accident insurance through private insurance companies.³¹

²⁸ <https://thedocs.worldbank.org/en/doc/537761548878987514-0160022019/original/2pmJan18PensionsHaleemTheCaseoftheMaldives.pdf>

²⁹ Allied Insurance Company of the Maldives Private Limited

³⁰ <https://www.trade.gov.mv/dms/199/1460879386.pdf>

³¹ Dhivehi Insurance Company Private Limited

4.2.3 Rights holders linked to the Project

While specific risks to migrant workers have not been identified in the Gulhifalhu project area, this risk has been scoped-in because the Project will be engaging workers from various countries including South Asian countries. As per information shared by Boskalis, the crew to be engaged at the Project will be accommodated in hotels and apartments in Male and/or Villingili; it is also anticipated that only Boskalis payroll staff will be engaged during the construction and they will be governed by Human Resources Policies.

The rights holders linked to the Project in relation to this identified risk are the project workers to be engaged at the reclamation and associated facilities at Gulhifalhu, which include those working in the sand-fill areas, on board the trailing sucking hopper dredgers (TSHD), the backhoe dredger (BHD) and those engaged by the sub-contractor. These workers also include the 35-50 workers to be engaged by CIFL to support Boskalis's dredging activities, transportation of revetment material as well as the revetment constructions.

4.3 Risk Factor 3: Supply Chain Risks

4.3.1 Overview

Depending on the nature of a company's relationship with its suppliers as well as the particular circumstances, the absence of appropriate oversight mechanism, may lead to some human rights risks in the supply chain, especially with regard to the rights and workers and communities. Without appropriate safeguards such as policies and procedures, there may be risks such as labour non-compliances, accidents, injuries as well as health and safety risks in the stone quarries, as well as during the transportation of material up to the docks in Maldives, and to the Site. It is thus important to identify any supply chain risks and provide remedy linked with the international requirements and best practices.

4.3.2 Human Rights in Practice

The rights holders for this particular risk also include the supply chain workers engaged for the Project which extends beyond the Maldives. The sub-contractor for the Project, CIFL is engaging suppliers for rocks, rock transportation and geotextiles. Discussions with the CIFL management indicated that they are still in the process for developing procedures for monitoring sub-contractors/suppliers engaged by them. The suppliers and transporter of rocks are based in India while the geotextiles supplier is based in the UAE. Consultations were conducted with the rock supplier (quarry) i.e. Sri Venkateswara Construction Materials & Industries as well as the rock transporter Hari & Co. International LLP, which are both based in Tamil Nadu India. The key findings including risks are presented below:

4.3.2.1 Rock Supplier- Sri Venkateswara

- Discussions with the representative of the rock supplier (quarry) Sri Venkateswara Construction Materials & Industries, revealed that approximately five workers are engaged for handling the machinery while ten other workers are subcontracted for assisting around the quarry.
- All workers are from the local community, therefore there is no labour accommodation on site.
- The supervisor indicated that the recruitment of the workers handling the machines is mainly based on their prior experience and must also have the license to operate the machinery, but there is no formal screening mechanism in place.
- While the supervisor indicated that the workers abide by certain health and safety policies, these have not been shared for review. No specific safeguards linked to usage of PPE and/or preventive safety measures deployed specific to activities and their hazards were made available.
- There is no contractual agreement between the rock supplier and the sub-contractor it engages, as well as no oversight over the mechanism for recruitment and payment of the sub-contractual workers.

4.3.2.2 Rock Transporter- Hari & Co

- Discussion with the representative of the rock transporter Hari & Co., revealed that the company does not have a health and safety policy.
- The recruitment of the workers is mainly screened through the company’s technical team. The crew members engaged in the barge are directly employed by Hari and Co. and as reported by the representative, there are routine health and safety checks for the crew members.
- There is however no oversight over the mechanism for recruitment and payment of the sub-contractual workers.
- It was also revealed that the barge crew are mandated to handover their travel and identity documents over to the barge captain while they are on-board. It was however specified that this practice is mainly for the safekeeping purposes. It may be noted that while the retention of travel documents for safe keeping (provided there is unrestricted access and that this is based on documented consent) does not constitute as forced labour, however, it can restrict the movement of persons.
- Discussions with the suppliers who are engaged in the supply and transportation of rocks for the Project, indicated that any grievances raised by the workers are addressed informally to their supervisors, and there is no formalised grievance redress mechanism.

4.3.2.3 Geotextile Supplier- Ecocoast

As per information shared by the sub-contractor CIFL, a geotextile supplier i.e. Ecocoast will be engaged for the Project. This supplier will provide geo tubes used for the temporary revetment which will be placed on the prepared sand slopes, for the purpose of preventing sedimentation and turbidity of the water. As consultations could not be conducted with the supplier, an external factors review has been conducted. Ecocoast is based in Dubai, United Arab Emirates (UAE) and is primarily engaged in the designing, manufacturing and distribution of marine protection and demarcation products. The main results of desktop review of news did not indicate any human rights risks and issues for the Project. Specific articles linked to EcoCoast are provided below:

Table 4-2 External Factors Review on Ecocoast

SL 1	Content	Date
1.	<p>“Ecocoast Protects Blue Carbon Ecosystems”</p> <p>This article makes a reference to the Ecocoast’s products from protecting the marine environment and preventing marine disasters. The article can be accessed here.</p>	9 th June, 2021
2.	<p>“Enerwhere Awards Ecocoast for Foundations of First Floating Solar Project in the Middle East”</p> <p>This article makes a reference to Ecocoast winning a bid for providing mooring systems for a floating solar Project in Abu Dhabi. The article can be accessed here.</p>	27 th November, 2020

4.3.2.4 Potential Fuel Supplier- Fuel Supply Maldives

Discussions were conducted with representatives of the fuel supplier for the Project, Fuel Supply Maldives, which is a subsidiary of the State Trading Organisation (STO). The key discussion points are as follows.

- FSM supplies fuel across the Maldives for industrial and commercial purposes as well as to individual entities;
- There a total of 450 staff spread across their various facilities which include 18 barges and 12 bowzers which carry fuel to inland areas of Male and Thilafushi, and over eight fuel sheds.
- The type of fuel imported is refined fuel i.e. Marine Gas Oil (MGO) 500 PPM and Unleaded Gasoline (ULG) 95 RON grade. The fuel is imported by FSM's parent company STO, from Saudi Aramco, Saudi Arabia, and FSM is mainly responsible for the distribution of the fuel across the Maldives.
- The imported fuel arrives in Funadhoo (an island between Male and Hulhumale) and is unloaded into smaller tankers and barges of FSM. The FSM barges then carry the fuel to the respective destinations across the Maldives.
- FSM has a general Environmental, Health and Safety (EHS) Policy as well as a Safety Committee. The policies are communicated to the team through the managers who in turn communicate them to their employees. They also conduct regular safety trainings for their employees.
- It was indicated that the Human Resource Policies of FSM are in line with national regulations. FSM also has committees on Dispute Resolution and Prevention of Harassment. Through the committee, employees can raise their concerns. FSM also has a Whistle-blower Policy whereby any concerns can be reported anonymously.
- Grievances may be raised in writing, through email or directly in person to the HR department. Any grievances raised will be discussed by the Grievance Committee.
- There are approximately 60 migrant workers in the workforce who are mainly from Bangladesh, India and Nepal. These workers are mainly working as welders, operators, bowser drivers as well as housekeeping staff. Majority of the migrant workers are engaged through a recruitment agency. They also advertise some of their posts and also reach out to candidates directly and conduct the interview process accordingly;
- No specific safeguards on gender and gender-based violence are available as standalone policies, except any regulatory requirements included in the Human Resource Policies;
- Regarding managing potential oil spills, FSM indicated that all their captains and crews are trained in handling spillages and they have a Safety Procedures document that specifies all this.

4.4 Risk Factor 4: Potential Livelihood Loss for Dive Centres

4.4.1 Overview

Livelihood loss as a risk is covered under the UDHR Article 24 *Right to adequate standard of living*. This risk is specifically linked to the potential loss of livelihood for the dive centres accessing the various reefs, which are impacted due to the dredging activities. Many coral reef communities are sensitive to accumulating sediments as a result of dredging and require long time periods for recolonization. Sediments can also have a major effect on the distribution of coral species and the overall composition of the reef community. While reef fishing is also an activity, it is mainly for recreational purposes; to complement typical commercial fishing related incomes and for sale in view of consumption at the tourist resorts. Reef fishes are not primarily consumed by the Maldivian population; pelagic fish such as tuna are mainly consumed.³²

4.4.2 Human Rights Practice in the Maldives

Discussions with dive centres and local NGOs revealed that generally land reclamation and dredging activities (including previous projects and other activities, such as Hulhumale Phase II dredging) have

³² Retrieved from <http://www.fao.org/3/x5627e/x5627e0a.htm>

had an impact on the diving activities, specifically for the diving centres, as it has led to a loss of access to diving sites located in the areas or in the vicinity where dredging activities are taking place. Such loss of access to diving sites has also been attributed to the various other land reclamation projects in the area. A detailed analysis of the potential livelihood loss for the dive centres has been included in the Economic Displacement Assessment (EDA), conducted for this Project.

4.4.3 Rights holders linked to the Project

The key rights holders linked to the Project are the dive centre entities as well as workers engaged at the dive centres. Discussions with dive centre owners include dive centres of the tourist resorts, revealed that as a result of the dredging activities which include those conducted for the Gulhifalhu project as well as other activities, such as Hulhumale Phase II, the dive centres have had to access different diving sites which are often further from the original diving sites, therefore incurring more costs such as fuel, as well as time.

They indicated that finding alternative sites has increasingly become difficult as more and more reefs in the region are being damaged. COVID-19 has also had an incremental impact on the income of the dive centres, as the lockdown and localised travel restrictions, have also caused livelihood loss, as they have had to shut their services (specifically catered to Maldivian tourists and the general population) during this period.

4.5 Risk Factor 5: Community Engagement

4.5.1 Overview

Access to remedy and grievance mechanisms is covered under the UDHR Article 8 on *Right to access to effective remedies*. Workers engaged in the Project and supply-chain should have adequate access to remedies, in the event any grievances are raised with regard to labour and working conditions. Additionally, communities in the vicinity of the project should also have access to grievance mechanisms, should any issues related to the Project arise.

4.5.2 Human Rights Practice in the Maldives

Discussions with various human rights NGOs revealed that many migrant workers in the Maldives face difficulties with regard to access to remedies due to various issues. Many employers do not have mechanisms for the workers to express grievances with regard to their working conditions and terms of employment, and in many cases workers are penalised when they raise complaints to the employers. Discussions with HRCM representatives revealed that undocumented migrant workers are especially reluctant to raise their grievances and are also often limited by the language barriers.

Discussions with community stakeholders such as the dive centres, have raised concerns about the general dredging and reclamation activities, which include the Gulhifalhu Project, especially with regard to the impacts of the environment and loss of livelihood. They however indicated that despite raising their grievances and concerns, they have not been taken into consideration by the Project authorities.

4.5.3 Rights holders linked to the Project

The rights holders linked to the Project are the project workers, the workers engaged in the supply chain as well as the local community in Villingili and Male.

Discussions with representatives from the dive centres indicated that there are certain grievances that were raised to the Project during Stage 1, with regard to the sedimentation caused by the dredging. The dive centre representatives also highlighted that they had requested for geo-textile screens to be added to the sand slopes to prevent erosion and sedimentation.³³

³³ As per information shared by Boskalis, the request for usage of geotextile screens were not directly received by the Project: the request was not raised in the Statutory EIA's Stakeholder Consultation chapter nor through the Grievance Mechanism via the Project Website. Boskalis however informed that silt screens were placed in the water throughout the entire duration of the

4.6 Risk Factor 6: Engagement of Security Personnel

4.6.1 Overview

Engagement of security personnel at the Project, should also take into consideration the potential impacts security arrangements may have on local communities. It is thus important that the persons engaged in providing security are adequately screened for any past abuses, adequately trained on the use of force as well as dealing with the local community, and should also have a mechanism whereby communities can raise their grievances or concerns related to the security arrangements and personnel.

4.6.2 Human Rights Practice in the Maldives

Desktop review revealed that there have been reports of public security forces specifically the Maldives Police Services (MPS)³⁴ engaged in the torture of persons, however no specific abuses by private security agencies has been identified. Recently, the Maldives Police Service Act, (34/2020) was passed which includes guidelines for streamlining policing across the country, as well as ensuring the safety of the public, in line with human rights and best practices. This Act however does not cover the private security agencies.

4.6.3 Rights holders linked to the Project

The rights holders linked to the Project are the local community in Villingili in the vicinity of the Project, who may be impacted by the Project activities as well as occupants of smaller boats and vessels in and around the area of operations.

Discussions with Boskalis indicated that there is no site-specific Security Management Plan. It may be noted that as per the Selection and Hiring Criteria of Boskalis' Human Resources Management Plan³⁵, applicants may be required to provide a criminal record certification and solvency of the police to probe their behavioural and judicial background.

4.7 Risk Factor 7: Community Health

4.7.1 Overview

The Project activities may lead to impacts to public health, which include potential chemical or oil spills as well as impacts related to the sedimentation plumes as a result of dredging activities. Receptors to such impacts include the local community utilising these areas, including the dive centres. Such risks fall under UDHR Article 24 on Right to Health.

4.7.2 Human Rights in Practice

This section presents a baseline of the health of communities in area. Information on the health baseline was taken from the 2016-17 Maldives Demographic and Health Survey, conducted by the Ministry of Health. It may be noted that the survey does not contain information at the settlement level; the information is only limited to the national, regional and atoll level.

The key findings are below:

- **Infant and Child Mortality:** The national infant mortality rate is 18 deaths per 1,000 live births and under-5 mortality is 20 deaths per 1,000 live births. For the Central region, where the Kaafu atoll is located, the under-five mortality rate is also 20 deaths per 1000. Childhood mortality has increased very slightly since 2009 and more prevalent among children born less than 2 years

Project, at the northern tip of the bund, on the inside of the lagoon. However, these were only limitedly effective in containing turbidity due to prevailing currents underneath and around the screens. A test with silt screens on the outer side of the bund proved that silt screens were neither effective nor practical to contain turbidity generated by bund construction, therefore silt screens were only used on the inside of the lagoon.

³⁴ Retrieved from <https://www.state.gov/wp-content/uploads/2021/03/MALDIVES-2020-HUMAN-RIGHTS-REPORT.pdf>

³⁵ This Plan will be updated for Stage II and renamed to Labour and Local Content Management Plan.

after a previous birth. It is also generally higher among children from wealthier households. Across the Maldives, over 73% of children age 12-23 months received all basic vaccinations.

- *HIV*: Over 11% of women and 13% of men (aged 15-49) surveyed were tested for HIV.
- *Hypertension*: Over 4% of women and 2% of men age 15-49 in Maldives reported that they have ever been told by a doctor or other health professional that they have high blood pressure. Among those with hypertension, about half are taking prescription medicine to control it. In the Kaafu atoll, it is 2.5% for women and 2.3% for men.
- *Diabetes*: Also, 4% of women and 2% of men in Maldives say that they have been told by a health professional that they have diabetes. In the Kaafu atoll, it is 4.2% for women and 2.8% for men.
- *Other non-communicable diseases*: Only 1% or less of women and men age 15-49 have ever had a heart attack, a stroke, renal failure or cancer; however, 11% of women and 7% of men report having either chronic obstructive lung disease (COPD) or asthma. In Kaafu atoll, less than 1% of women reported ever having a heart attack, cancer, 1.2% reported having a stroke and 11% reported having COPD. Less than 1% men in Kaafu atoll reported having renal failure and cancer, over 2% reported having has a stroke and a heart attack while 7% reported having COPD.
- *Thalassemia*: Almost all women and men surveyed have heard of thalassemia and a large majority indicated that they have tested for it. Over 16% of women and 11% of men reported that they tested positive. In Kaafu atoll, over 99% of women have heard of thalassemia, 72% have tested for thalassemia, with 19.6% testing positive. Over 93.6% of men in Kaafu atoll have heard of thalassemia, 57.3% have tested for thalassemia, with 13.3% testing positive.
- *Tuberculosis (TB)*: More than 9 in 10 women and men have heard of TB and among them, 60-70% are aware that TB is spread by coughing. In Kaafu atoll over 93.9% of women have heard of TB while 90.3% of men have heard of TB.

4.7.3 Rights holders linked to the Project

The rights holders linked to the Project include the local communities in Villingili and those living in the islands near the borrow areas, well as those accessing the water bodies for recreational and livelihood purposes such as the divers and dive centres.

4.7.3.1 Sedimentation Plumes

Dredging activities can increase the turbidity of the water within the project area, which thus reduces the visibility of the surface water. As presented in the EIA, poor visibility of surface water may lead to increased risk of accidents in high marine traffic areas, especially for boats manned by captains who use visual cues from reefs to navigate. Sedimentation plumes can also have an impacts related to access by dive centres, which have been discussed in Section 4.4 above.

The EIA has however proposed the construction of a temporary entrance channel to manage marine traffic flow in the project area as well as included measures such as ensuring coordination with the Marine Traffic Police and Coast Guard.

4.7.3.2 Emergency Chemical/Oil Spill

In the event there is a chemical spill as a result of the reclamation and dredging activities, there may be contamination of the water bodies, thereby posing a risk to the health of the water ecosystems and as well as the local communities. Therefore, during the construction phase, extreme precaution is required to avoid spillage or leakage of wastewater and/or chemicals from the vessels and other project components. Boskalis has an Emergency Spill Response Plan, which is attached as an addendum to the EIA. This document however does not have a detailed analysis of the potential

receptors who may be impacted in the event a larger chemical/oil spill take place. There is also no mechanism in place for responding to the particular receptors in the event a spill takes place.

5. IMPACT ASSESSMENT FOR SCREENING OF SALIENT HUMAN RIGHTS RISKS

5.1 Impact Assessment Methodology

This section provides a customised impact assessment methodology which adapts the guidance provided by the Danish Institute of Rights and Community Insights Group. The UNGPs indicate that the significance of human rights impacts should be determined by considering the scale and scope (severity) and irremediability of the impact. In assessing the impacts of salient human rights risks that were screened in as relevant to the Gulhifalhu Project, the precautionary principle³⁶ was applied and the significance of the predicted and likely impacts³⁷ was determined based on the following:

5.1.1 Severity of the Impact

5.1.1.1 Scale and Vulnerability of the Impact

The scale and vulnerability of the impact is based on a rights holder's particular circumstance, their ability to respond to change and the implication on the seriousness of the impact. For the project the following descriptors for scale and vulnerability of the impact were considered:

Table 5-1 Qualitative Descriptor of Scale/Vulnerability

Scale/Vulnerability	Description
Low	Good ability to anticipate, cope with or resist project-related impacts, such that the impact may be less severe or less likely to become a human rights violation
Medium	Some risk of being unable to anticipate, cope with, resist and recover from Project-related impacts to human rights resulting in a tangible infringement of rights and access to infrastructure/assets/ecosystem services ascertained to highly valued
High	High risk of being unable to anticipate, cope with, resist and recover from Project-related impacts to human rights, and/or high risk of experiencing human rights impacts more severely with potential implications on health, life and longevity of life of rights holders

5.1.1.2 Scope and Intensity of the Impact

Scope and intensity of the impact considers the extent of people affected (within the rights holder cohort), not just linked to numbers but also potential impacts that may be biased towards a subsection which may be proportionally more severely impacted. For the project, the following descriptors for scope and intensity of the impact were considered:

Table 5-2 Qualitative Descriptor of Scope/Intensity

Scope/Intensity	Description
Minor	<ul style="list-style-type: none"> ■ Isolated clusters of the local population are impacted without any differentiated impacts on a specific community group; ■ Duration of the impact is temporary in nature

³⁶ Where there is uncertainty in relation to the likelihood or severity of an impact, a higher impact ranking will be assigned in order to ensure sufficient management measures are put in place (Danish Institute, 2020)

³⁷ Likelihood of these impacts is based on the local operating context, extent to which there are existing protections and management measures

Moderate	<ul style="list-style-type: none"> ■ Less than 25% of the local population is impacted with minor or negligible set of differentiated impacts on a specific community group; ■ Duration of the impact is short to medium term
Major	<ul style="list-style-type: none"> ■ A significant part of the local population (at least 25%) is impacted with differentiated impacts on a specific community group; ■ Duration of the impact is medium to long term

Basis the above, severity of the impact is therefore the extent or degree of change caused by the impact as depicted subsequently:

Table 5-3 Overall Impact Severity Classification

Scale/Vulnerability	Scope/Intensity		
	Minor	Moderate	Major
Low	Negligible	Negligible	Moderate
Medium	Negligible	Moderate	Severe
High	Moderate	Moderate	Severe

5.1.2 Irremediability of the Impact

This parameter assesses the potential to mitigate and/or remediate the impact based on the obligations of the private sector and business (and in this case for Boskalis and CIFL) in terms of their requirements to respect human rights, provide remedy linked to activities with direct accountability and provide access to a grievance mechanism in terms of the following:

Table 5-4 Descriptors for Irremediability

Aspect	Description
Difficult	<ul style="list-style-type: none"> ■ Unprecedented with complex technical requirements, involving various stakeholders with the potential for limited acceptance of remediation by the identified group; ■ Limited capacities to support implementation and no viable remedy for loss of impact
Moderate	<ul style="list-style-type: none"> ■ Existing precedents with potential cost and time implications but that have the potential of acceptance by the identified group; ■ There are capacities that can be utilized for remediation
Easy	<ul style="list-style-type: none"> ■ Within control and where existing mitigation measures with some increased focused can be dovetailed with informed consultation and participation of identified groups and local stakeholders

5.2 Key Human Rights Impacts

Review of project activities, resource requirements, human rights landscape of the Project's area of influence and the prevailing baseline context of the salient human rights risks has been assessed in the subsequent table in terms of impacts and their significance. Basis the nature of the potential risk as either being caused by Boskalis, contributed by Boskalis and their contractors/suppliers as well as linkage to Boskalis a colour has been assessed as follows:

Table 5-5 Assessment of Human Rights Impacts: Gulhifalhu Land Reclamation Project

Cause		Contribute	Linkage					
Impact Category	Potential Risk	Rights Holders	Impact Description and Likelihood	Human Rights at Risk	Severity		Irremediability	Mitigation Measures
					Scale	Scope		
Potential TIP	Potential forced labour linked to foreign workers engaged by CIFL	Workers contracted by CIFL engaged at the reclamation and dredging sites	<p>As Maldives is a destination country for TIP, without appropriate screening mechanisms for recruitment and hiring, there is potential for the rights of workers to be impacted, which includes workers contracted by CIFL.</p> <p>As per discussion with CIFL, apart from the local staff, workers are also recruited from other countries, which include highly/semi-skilled workers from Sri Lanka, as well as some unskilled labourers from Bangladesh; majority of the Bangladesh workers recruited are those who are already in the Maldives, and are unemployed. The key risks are as follows:</p> <ul style="list-style-type: none"> As there is a likely presence of undocumented migrant workers on Gulhifalhu, there is a possibility for them to be engaged by CIFL as part of the workforce for Stage II; The CIFL team informed that they do not have a formalised recruitment and hiring policy for ensuring that recruitment is in compliance with the legal requirements. Reportedly this policy is still in the process of development. In the absence of a thorough screening mechanism, recruitment of workers by CIFL may lead to certain risks such as non-compliance with the minimum wage requirements. While TIP is not a direct risk linked to the recruitment of workers by CIFL, such risks may be exacerbated in the event external recruitment agencies are involved, as there have been several reports in the Maldives where workers being subjected to deceptive recruitment practices, and are often not employed for the purpose they thought they were recruited for. <p>Boskalis indicated that a Supply Chain Risk Assessment will be conducted prior to start of Stage II</p>	<ul style="list-style-type: none"> Right to work and right to enjoy favourable conditions of work (UDHR 23); Right to liberty and security (UDHR 4); Right to not be subjected to slavery, servitude or forced labour (UDHR 3) 	High	Moderate	Moderate	<p>As part of the Supply Chain Risk Assessment which will be undertaken prior to the start of construction activities for Stage II, Boskalis to also ensure the following:</p> <ul style="list-style-type: none"> Boskalis to ensure CIFL develops a recruitment/hiring policy and procedure ensuring recruitment of all categories of workers, including migrant workers, are in compliance with national regulations as well as international standards. This should also include a policy for non-engagement of child labour, forced labour and TIP as well as gender and gender-based violence; Boskalis to regularly monitor and audit CIFLs implementation of the procedure and incorporate ILO's 11 Indicators of Forced Labour as part of the assessment protocol for third-party workers³⁸
Labour and working conditions	Potential impact on workers' rights related to labour and working conditions	Workers contracted by CIFL engaged at the reclamation and dredging sites.	<p>Without appropriate safeguards, there is potential for the rights of workers to be impacted, which includes workers contracted by CIFL. While specific risks to migrant workers have not been identified in the Gulhifalhu project area, this risk has been scoped-in because the CIFL will be engaging workers from various countries including South Asian countries.</p> <p>Moreover, CIFL does not have site-specific procedures for managing risks related to labour and working conditions. In the absence of certain safeguards and based on analysis of the typical risks related to labour and working conditions identified in infrastructure projects in the Maldives, the following impacts may occur:</p>	<ul style="list-style-type: none"> Right to work and right to enjoy favourable conditions of work (UDHR 23) Right to freedom of movement and residence (UDHR 13) 	Medium	Moderate	Moderate	<p>CIFL to ensure the following provisions for its workers:</p> <ul style="list-style-type: none"> Include any contractual workers in the Maldives into the voluntary Maldives pension scheme (MRPS); migrant workers who may be interested, may also enrol in the scheme; Enrol (migrant) workers in the Maldives into the group personal accident insurance scheme; and Enrol its (migrant) workers in the Maldives into the health insurance scheme. <p>Boskalis to check and monitor that these provisions have been put in place by CIFL.</p>

³⁸ https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-yangon/documents/publication/wcms_227848.pdf

			<ul style="list-style-type: none"> ■ Potential inadequate accommodation for workers engaged at the Project, especially migrant workers; ■ Potential delayed or non- payment of wages for migrant workers; ■ Potential limitations on access to remedy due to language barriers or non-formalised grievance redressal mechanisms. <p>Reportedly, the crew for the Project will be accommodated in hotels and apartments in Male and/or Villingili; while the Boskalis TSHD crew will be staying on the dredging vessel. It is also anticipated that only Boskalis payroll staff will be engaged during the construction and they will be governed by Boskalis' Human Resource Policies.</p>					<p>CIFL to develop a Labour Management Plan which shall include:</p> <ul style="list-style-type: none"> ■ Policy to ensure labour recruitment of all categories of workers, including migrant workers, are in compliance with national regulations as well as international standards, including applicable policies for wages and benefit structures, working hours, and overtime. ■ A policy for non-engagement of child labour, forced labour and TIP as well as gender and gender-based violence. ■ Measures for worker accommodation, in line with IFC PS2, ILO and EBRD requirements. ■ The plan should also include policies for labour recruitment, wages and benefit structures, working hours and overtime. ■ A mechanism for screening the health of workers as well as measures for management of Covid-19. ■ A mechanism for receiving workers' grievances, aligned with Boskalis Project Worker Grievance Procedure. ■ Mandatory training for all workers to be aware of their role in the stakeholder engagement and community grievance mechanism process, and to follow Boskalis' Code of Conduct. <p>Boskalis shall ensure CIFL develops the Labour Management Plan, and regularly monitor and audit CIFLs implementation of the above management procedures.</p>
Livelihood Loss	Potential livelihood loss for dive centres	Dive centre entities and as well as employees engaged at the dive centres.	<p>Many concerns with regard to the dredging activities have been raised by the dive centres who are operating within the Project Aol. The dive centres, include those engaged as part of the resorts, indicated that the dredging and reclamation activities have led to a reduction in the number of diving sites they can access.</p> <p>Specifically the following impacts have been identified:</p> <ul style="list-style-type: none"> ■ Loss of access to certain diving sites by dive centres and resorts; ■ Loss of livelihood for diving centres and persons engaged with the dive centres. <p>It is thus important for the Project's activities to meet the requirements of IFC PS and EP4 especially with regard to addressing any potential temporary or permanent displacement resulting from Project construction activities.</p>	<ul style="list-style-type: none"> ■ Right to adequate standard of living (UDHR 25; ICCPR 24; ICESCR 11; ILO No.182) 	High	Moderate	Moderate	<p>An Economic Displacement Assessment (EDA) has been conducted assessing the extent of livelihood loss impacts for the dive centres and workers engaged with them. Mitigation discussed as part of livelihood restoration measures proposed in the EDA will be implemented by MNPHI.</p>

Supply Chain	Potential impact on worker's rights and their safety	Workers engaged by suppliers of rock and geotextile material for construction of the revetment structures	<p>There are a number of fundamental principles and rights at work that may be at risk for the employees and workers that are engaged by the suppliers of rock and geotextile material. These risks are exacerbated in view of Boskalis' lead contractor (CIFL) having limited oversight mechanisms as well as any safeguards to leverage the suppliers.</p> <p>There is therefore potential, without appropriate safeguards, for the Gulhifalhu Project's supply chain to result in violation of worker's rights in view of the following:</p> <ul style="list-style-type: none"> ■ Accidents, injuries or other health and safety risks due to excessive working hours and lack of safety controls that may have been put in place, especially in the stone quarries and during transport of material up to the ports/dock for further transport up to the site; ■ Potential adverse implications to women workers engaged in manual labour within the scope of the rock suppliers activities; and ■ Potential non-compliances with the prevailing labour laws which may lead to non-payment of minimum wages and overtime wages with implications for forced labour. <p>For specific settings, such as the rock suppliers in India, the risk of an impact in terms of labour violations are heightened in view of potential use of localised explosives, lack of policies and procedures for the supplier entities and increased public scrutiny of the licenses/permits based on the prevailing regulations in Tamil Nadu and the Middle East.</p> <p>Based on consultations with the Maldives Fuel Supply Maldives, it is assessed that policies and procedures governing EHS, human resources and labour and working conditions are in place and are aligned to the national requirements. Therefore, potential gaps in the regulations (as assessed in Section 3.5) may also be relevant in terms of the practices. An external factors review does not indicate any major human rights issues or concerns. FSM also has certain internal policies on human rights³⁹ however, the status of their implementation cannot be ascertained. As FSM is the only supplier and distributor of fuel in the Maldives, Boskalis will not have any leverage and can only ensure that any local issues linked to supply from this agency for CIFL and its own equipment can be communicated through its grievance process.</p>	<ul style="list-style-type: none"> ■ Right to work and right to enjoy favourable conditions of work (UDHR 23); ■ Right to just and favourable remuneration (UDHR 23) 	High	Moderate	Moderate	<p>It is understood that the Project and CIFL may not have sufficient leverage to be able to influence the rock suppliers, FSM for fuel supply and the geotextile suppliers to put in place specific mitigation measures.</p> <p>However, the following is to be undertaken:</p> <ul style="list-style-type: none"> ■ Boskalis to develop a Corrective Action Plan (CAP) as part of its Environmental, Social and Governance Supply Chain Management Plan, prior to the commencement of Stage 2. The CAP will address ESG gaps identified as part of the Supply Chain Risk Assessment and capture recommendations based on this Human Rights Impact Assessment, and propose actions to be undertaken by subcontractors and suppliers to address these gaps within defined timeframes. ■ The CAP shall further: <ul style="list-style-type: none"> - Assess information received from the Supply Chain Questionnaires from suppliers, including Fuel Supply Maldives (FSM) (to the extent access and information is provided), and complete in case of any gaps in information; - Include guidance to audit as per the 11 ILO indicators of forced labour⁴⁰; - Mandate an annexure to any further purchase orders by CIFL requiring suppliers to provide an undertaking specifying the suppliers' obligations to confirm with the applicable laws on employment terms as well as working conditions as well as Boskalis Supplier Code of Conduct. <p>Boskalis' will undertake monitoring of subcontractors and supplier based on the Supplier Code of Conduct</p>
Retention of Travel Documents	Potential risks related to freedom of movement due to retention of travel documents	Crew, captain and workers engaged in the transportation of rocks	<p>Discussion with supplier for transportation of rocks, Hari & Co. indicated that barge crew engaged in the transportation of rocks are required to hand over their travel documentation such as passports, during the course of their travel. It was however informed that this was done for safekeeping purposes.</p> <p>While retention of travel documents for safe keeping (provided there is unrestricted access and that this is based on documented</p>	<ul style="list-style-type: none"> ■ Right to freedom of movement and residence (UDHR 13; ICCPR 12) 	Low	Moderate	Easy	<ul style="list-style-type: none"> ■ CIFL to ensure that the supplier Hari & Co receives consent in writing from the workers, prior to their handover of the passports and that a copy is retained to enable access to any health care/other services; ■ CIFL to ensure that passports for its workers are not retained.

³⁹ https://s3-us-west-2.amazonaws.com/ungc-production/attachments/59631/original/COP_FSM_%283%29.pdf?1389869964

⁴⁰ https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-yangon/documents/publication/wcms_227848.pdf

			<p>consent) does not constitute as forced labour, however, it can restrict the movement of persons.</p> <p>There is a possibility for CIFL to also retain the passports and identify documents of the workers it engages for construction activities which will in turn have risks associated with freedom of movement and potentially access to services.</p>					<ul style="list-style-type: none"> ■ Boskalis to monitor the implementation of this recommendation.
Community Health- Sedimentation Plumes	Impact on community health due to sedimentation plumes	Local community at Villingli and the islands near the borrow areas; Divers/diver centres accessing the water bodies.	<p>Dredging activities can increase the turbidity of the water within the project area, which thus reduces the visibility of the surface water.</p> <p>As presented in the EIA, poor visibility of surface water may lead to increased risk of accidents in high marine traffic areas, especially for boats manned by captains who use visual cues from reefs to navigate.</p> <p>The EIA has however proposed the construction of a temporary entrance channel to manage marine traffic flow in the project area as well as included measures such as ensuring coordination with the Marine Traffic Police and Coast Guard.</p>	<ul style="list-style-type: none"> ■ Right to health (UDHR 25; ICESCR 12) 	Low	Moderate	Moderate	<ul style="list-style-type: none"> ■ Boskalis to regularly coordinate with the Marine Traffic Police and Coast Guard with regard to movement of their vessels. The boats and ferries operating within the Male region should also be continuously kept updated about the dredging activities, as proposed in the EIA.
Community Health- Potential chemical/oil spills	Potential chemical/oil spills	Local community at Villingli and the islands near the borrow areas; Divers/diver centres accessing the water bodies.	<p>In the event there is a chemical spill as a result of the reclamation and dredging activities, there may be contamination of the water bodies, thereby posing a risk to the health of the water ecosystems and as well as the local communities. Therefore during the construction Stage, extreme precaution is required to avoid spillage or leakage of wastewater and/or chemicals from the vessels and other project components.</p> <p>Boskalis has an Emergency Spill Response Plan which is attached as an addendum to the EIA. This document however does not have a detailed analysis of the potential receptors who may be impacted in the event a larger chemical/oil spill take place. There is also no mechanism in place for responding to the particular receptors in the event a spill takes place.</p>	<ul style="list-style-type: none"> ■ Right to health (UDHR 25; ICESCR 12); ■ Right to adequate standard of living (UDHR 25; ICCPR 24; ICESCR 11; ILO No.182). 	Low	Moderate	Easy	<ul style="list-style-type: none"> ■ Boskalis to update the Emergency Spill Response Plan prepared in the EIA to include an analysis of potential receptors and mechanisms for informing them in the event of an oil/chemical spill.
Engagement	Potential inability of stakeholders to participate and/or access remedy	Local community at Villingli and the islands near the borrow areas; Tourist resorts; Save the Beach	<p>Stakeholder engagement, participation and grievance mechanisms in accordance to international standards (EP 4, 2020 and IFC PS 1, 2012) are important determinants in the Project's ability to respect human rights and provide access to remedy. Based on a review of the existing mechanisms on informed consultation and participation as well as grievance redressal by MNPHI and Boskalis; especially given the constraints linked to the ongoing COVID-19 pandemic, there is a potential that stakeholders may not be able to participate in the engagement process and/or grievance process; especially certain vulnerable groups that are yet to be mapped out by the Project's Stakeholder Engagement Plan.</p> <p>The Project has a Grievance Mechanism which is managed by Boskalis and also accessed by the MNPHI. Grievances can also be raised through the website of the Gulhifalhu Project (https://www.gulhifalhu.mv/), which is being managed by Boskalis, and accessed by the MNPHI. The grievances raised are maintained in a grievance register, which also includes a tracking mechanism. A review of the grievance register indicates that grievances were mainly related to concerns of sedimentation in the reefs which were raised by dive centres and Save the Beach. As per information</p>	<ul style="list-style-type: none"> ■ Right to access to effective remedies (UDHR 8; ICCPR 2) 	Low	Moderate	Easy	<p>Review and update the Project's Stakeholder Engagement Plan to incorporate specific safeguards from EP 4 (2020) and IFC PS 1 (2012) which will include:</p> <ul style="list-style-type: none"> ■ Develop a mechanism (website and in-person meetings) to disseminate information on the project status, ongoing activities, likely impacts and control measures (including islands around borrow areas); this can be done on an on-going basis, to be determined by the SEP to be developed; ■ Ensure vulnerable groups within identified stakeholders are specifically mapped out and included for engagement; ■ Ensure implementation of Grievance Mechanism by CIFL. Any grievances received by CIFL from external stakeholders may be directed to Boskalis' grievance mechanism for overall coordination and monitoring (recording, tracking and redressal). However,

			<p>shared in the register, these grievances were addressed based on decisions taken during the grievance committee discussions.</p> <p>Discussions with CIFL representatives however indicated that all grievances, even if directly related to their activities, are not directly raised to them. It is therefore important for the Project to monitor the implementation of the GM by sub-contractors such as CIFL, so that any internal or external grievances raised in relation to their activities can be adequately addressed.</p> <p>Any lack of engagement by all relevant stakeholders of the Project could constrain a community's right to freedom of opinion, information and expression' and right to access to information'. Potentially affected stakeholders also have the right to access remedy, including the provision to lodge grievances anonymously.</p>					<p>grievances raised by workers of CIFL should also be raised to and addressed by CIFL;</p> <ul style="list-style-type: none"> ■ Ensure that all workers (including contractor workers) are aware of their role in the engagement, Code of Conduct as well as Worker Grievance Mechanism as part of mandatory trainings; ■ Boskalis and MNPFI to record and document all stakeholder engagement activities in a central database; ■ Recruit and engage Project Community Liaison Officer(s) (CLOs), to be deputed full time during the reclamation activities and before/after through appropriate engagement techniques (commensurate with projects activities - i.e. there will not be full engagement post-construction.).
Security management risks	Potential impacts due to the employment of security personnel	Local community at Villingli and the islands near the borrow areas;	<p>Engagement of security personnel at the Project, should also take into consideration the potential impacts security arrangements may have on local communities. It is thus important that the persons engaged in providing security are adequately screened for any past abuses, adequately trained on the use of force as well as dealing with the local community, and should also have a mechanism whereby communities can raise their grievances or concerns related to the security arrangements and personnel.</p>	<ul style="list-style-type: none"> ■ Right to liberty and security (UDHR 4); 	Low	Moderate	Easy	<ul style="list-style-type: none"> ■ In the event security personnel are engaged at the Site, Boskalis to develop a Security Management Plan, as a sub- component of the HSE plan. This plan will consider the risks and impacts of the Project to the community and provide specific mitigation measures for addressing them. The Plan should be in line with IFC PS 4 requires as well as also include measures for screening, recruitment, training and monitoring of the security personnel and in line with the IFC Good Practice Handbook: Use of Security Forces: Assessing and Managing Risks and Impacts (ifc.org).

5.3 Human Rights Risk Factors for Other Developments

The bridge links, as well as the Gulhifalhu reclamation project, has come under heavy criticism from local NGOs (as indicated during consultations), environmental movements and conservationists that assert that the mega-infrastructure project will result in irreversible damage to a fragile marine environment. The bridge seeks to connect four islands: the capital city of Malé, the residential island Villingili, the industrial and waste-processing island Thilafushi, and Gulhifalhu.

Discussions with various stakeholders such as the dive centres and local NGOs indicated that the project activities as well as development of the greater Male region has led to the damage of reefs. The dive centres specifically indicated that finding alternative sites has increasingly become difficult as more and more reefs in the region are being damaged. There have also been reports over the concerns of the infrastructure projects on other water activities such as surfing and snorkelling.

Waste, especially in the capital city Male is a major problem, most of which is then dumped in Thilafushi industrial island. Apart from the potential human health impacts for persons engaged in the dumpsites, seepage of the industrial waste from the island may potentially damage the coral reefs and have impacts to the marine ecosystems. Smoke burning from the dumpsite in the islands may also have potential health impacts to the workers on-site, the residents in the vicinity as well as the surrounding resorts.

Apart from the health impacts, Covid-19 has also had an impact on the income of entities engaged in the provision of water sport activities, as they have not been able to operate their businesses during the extended lockdown.

While the impacts on the ecosystem services are a result of the overall development/activities in the Greater Male region, project activities may come under specific scrutiny in case of any incremental impacts.

Finally, the planned construction workers associated with the other projects are likely to result into localised in-migration into Gulhifalhu and Villingili of migrant workers as well as any Maldivian nationals. While this may lead to implications on management of large scale workforce, the area and the larger construction project will be under regulatory and civil society scrutiny in view of existing campaigns and initiatives on the recruitment of migrant workers and potential human trafficking concerns. A Cumulative Impact Assessment (CIA) has also been conducted for the Project, that has identified Valued Environmental and Social Components (VECs), which are likely to be the most sensitive receptors to the impacts of a proposed project or the cumulative impacts of several projects.

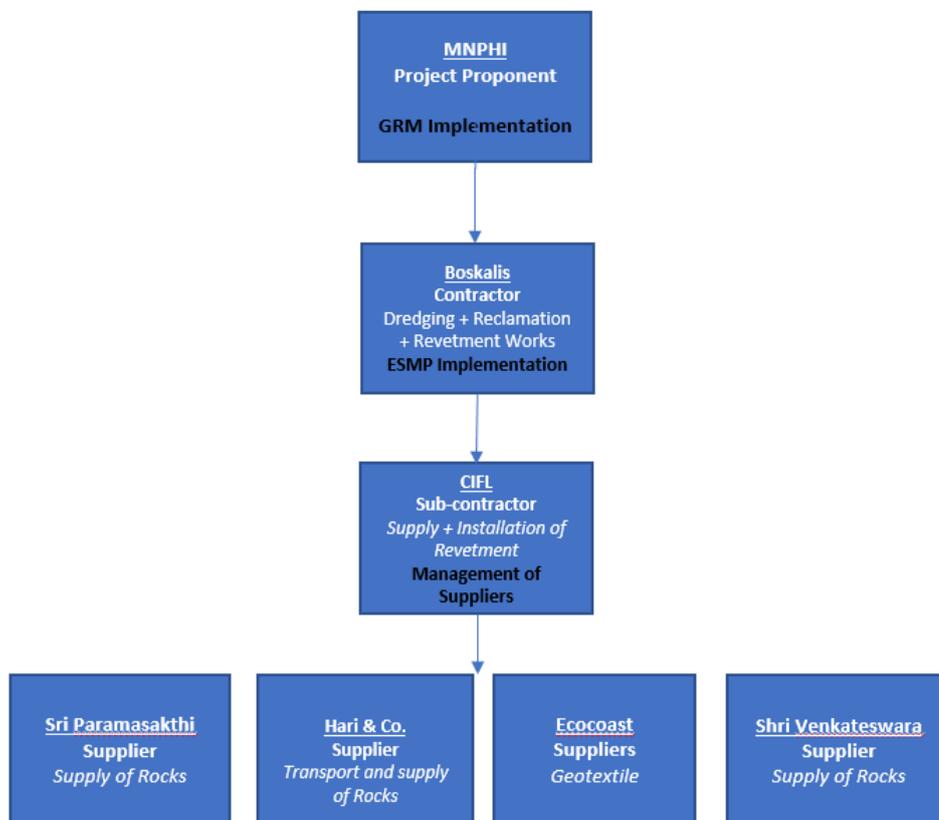
6. MANAGEMENT OF HUMAN RIGHTS RISKS AND IMPACTS

6.1 Proposed Roles and Responsibilities

To minimize the potential for a human rights risks or impacts to occur, management measures should be established. Human rights risks, impacts and management measures should be monitored overtime to ensure they appropriately mitigate the potential risks and impacts that have been identified in the screening process. Boskalis through its policies and management procedures identified in above will be responsible for the mitigations of the potential human rights impacts identified in the Project, which should be applicable to the sub-contractors as well as suppliers.

CIFL to also ensure that the suppliers engaged should also be screened as the relevant policies and procedures which have been detailed in the following section.

Figure 6-1 Project Organogram



Boskalis is currently in the process of identifying specific roles and responsibilities for the staff designated to implement Stage II that can also address human rights issues. Boskalis will also engage community liaison officer(s) (CLOs) for the duration of the Stage II activities and handover to MNPHI to ensure that the updated SEP and grievance redressal mechanism are implemented.

6.2 Summary of Safeguards

The following table provides a summary of management measures that have emerged as an outcome

Table 6-1 Summary of Management Measures

Management Plan Recommendation	Roles and Responsibilities	Implementation Timeline	Measurable Outcome	Frequency of Monitoring
<p>Implement Boskalis' Human Resources Management Plan which will be renamed as Labour and Local Content Management Plan. The following aspects are presently covered and will be further updated for Stage II:</p> <ul style="list-style-type: none"> ■ Labour standards which include guidelines on working hours and conditions as well as accommodation; ■ Health and safety screening, preventative measures for Covid-19; ■ Policy on child labour, forced labour and human trafficking; ■ Workforce grievance mechanism ■ Recruitment and local hiring procedures; and ■ Procurement policy. 	<p>Boskalis</p>	<p>Prior to start of Stage 2 activities and to be implemented throughout Project</p>	<p>Updated Labour and Number of grievances/ issues related to labour and working conditions during Project activities, raised and addressed.</p>	<p>Monthly</p>
<p>Implement Boskalis' Human Rights and Labour Policy</p> <p>The following aspects are covered:</p> <ul style="list-style-type: none"> ■ No forced labour, modern slavery or human trafficking; ■ No child labour; ■ Freedom of association, right to collective bargaining and employee representation; ■ Work culture; ■ No discrimination and harassment; ■ Equal opportunities, talent development and diversity; ■ Safety and health; ■ Labour conditions; and ■ Community engagement. 	<p>Boskalis</p>	<p>Prior to start of Stage 2 activities and to be implemented throughout Project</p>	<p>Updated HR Procedure; Number of grievances/human rights issues related to labour, working conditions, community health and security during Project activities raised and addressed.</p>	<p>Monthly</p>

Management Plan Recommendation	Roles and Responsibilities	Implementation Timeline	Measurable Outcome	Frequency of Monitoring
<p>In the Labour and Content Management Plan include measures on addressing Gender-based Violence and Harassment (GBVH), which should be in line with IFC's Good Practice Note on Addressing Gender-Based Violence and Harassment in the Private Sector. The plan should specify the project's commitment to non-tolerance of GBVH also specify the behaviours expected of workers, as well as training and reporting requirements.</p>				
<p>Boskalis to develop a Corrective Action Plan as part of its Environmental, Social and Governance Supply Chain Management Plan, prior to the commencement of Stage 2. The Corrective Action Plan will assess ESG gaps identified as part of the Supply Chain Risk Assessment and capture recommendations based on this Human Right Impact Assessment, and propose actions to be undertaken by subcontractors and suppliers to address these gaps within defined timeframes.</p> <p>The Corrective Action Plan shall further:</p> <ul style="list-style-type: none"> ■ Assess information received from the Supply Chain Questionnaires from suppliers, including FSM (basis information and access provided), and complete in case of any gaps in information ■ Include guidance to audit as per the 11 ILO indicators of forced labour ■ Mandate an annexure to any further purchase orders by CIFL requiring suppliers to provide an undertaking specifying the suppliers' obligations to confirm with the applicable laws on employment terms as well as working conditions as well as Boskalis Supplier Code of Conduct. 	<p>Boskalis</p>	<p>Development of Supply Chain Corrective Action Plan developed and agreed with subcontractors and suppliers, prior to start of Stage 2 activities</p> <p>Corrective actions to and further mitigations developed as required through-out Project, based on monthly monitoring and audits.</p>	<p>Corrective Action Plan developed, and updated on a monthly basis based upon supply chain monitoring.</p> <p>Number of grievances/issues related to labour and working conditions in the supply chain raised and addressed.</p>	<p>One time check upon completion of the Corrective Action Plan.</p> <p>One-time check during finalization of suppliers' purchase orders.</p> <p>Monthly monitoring during suppliers' contract period with Boskalis/CIFL.</p>

Management Plan Recommendation	Roles and Responsibilities	Implementation Timeline	Measurable Outcome	Frequency of Monitoring
Boskalis' will undertake monitoring of subcontractors and supplier based on the Supplier Code of Conduct				
	Boskalis	Prior to start of Stage 2 activities	Audit Guidance Note as per provisions of ILO 11 Forced Labour Conventions developed.	One-time check upon completion of audit guidance preparation; Monthly monitoring during suppliers'/ contractors' contract period with Boskalis.
Develop and implement Boskalis' Security Management Plan, to be integrated into the existing HSE Plan. This plan is applicable in the event security personnel/ agencies are engaged at the Site.	Boskalis	Prior to start of Stage 2 activities (if security personnel are to be engaged)	Updated HSE Plan	One-time check upon completion of updating plan.
Labour and Working Conditions				
<p>CIFL to ensure the following provisions for its workers:</p> <ul style="list-style-type: none"> ■ Include any contractual workers in the Maldives into the voluntary Maldives pension scheme (MRPS); migrant workers who may be interested, may also enrol in the scheme; ■ Enrol (migrant) workers in the Maldives into the group personal accident insurance scheme; and ■ Enrol its (migrant) workers in the Maldives into the health insurance scheme. 	CIFL Boskalis	Prior to Stage 2 activities and to be implemented throughout Project	Labour Management Plan developed by CIFL	<p>One-time check upon completion of Plan preparation;</p> <p>Monthly monitoring during CIFL's contract period with Boskalis.</p> <p>Weekly monitoring for grievance mechanism</p>

Management Plan Recommendation	Roles and Responsibilities	Implementation Timeline	Measurable Outcome	Frequency of Monitoring
<p>Boskalis to check and monitor that these provisions have been put in place by CIFL.</p>				
<p>CIFL to develop a Labour Management Plan which shall include:</p> <ul style="list-style-type: none"> ■ Policy to ensure labour recruitment of all categories of workers, including migrant workers, are in compliance with national regulations as well as international standards, including applicable policies for wages and benefit structures, working hours, and overtime. ■ A policy for non-engagement of child labour, forced labour and TIP as well as gender and gender-based violence. ■ Measures for worker accommodation, in line with IFC PS2, ILO and EBRD requirements. ■ The plan should also include policies for labour recruitment, wages and benefit structures, working hours and overtime. ■ A mechanism for screening the health of workers as well as measures for management of Covid-19. ■ A mechanism for receiving workers' grievances, aligned with Boskalis Project Worker Grievance Procedure. ■ Mandatory training for all workers to be aware of their role in the stakeholder engagement and community grievance mechanism process, and to follow Boskalis' Code of Conduct <p>Boskalis shall ensure CIFL develops the Labour Management Plan, and regularly monitor and audit CIFLs implementation of the above management procedures.</p>	<p>CIFL Boskalis</p>	<p>Prior to start of Stage 2 activities and to be implemented throughout Project</p>	<p>Labour Management Plan developed by CIFL</p>	<p>One-time check upon completion of Plan preparation; Monthly monitoring during CIFL's contract period with Boskalis. Weekly monitoring for the workers grievance mechanism</p>

Livelihood Impacts

Management Plan Recommendation	Roles and Responsibilities	Implementation Timeline	Measurable Outcome	Frequency of Monitoring
Boskalis will facilitate the implementation of livelihood restoration measures as outlined in the Economic Displacement Assessment (EDA) basis IFC PS (5) requirements for private sector responsibilities	MNPFI	As per timelines defined in EDA	As per the outcomes defined in the EDA	As per frequency defined in the EDA
Supply Chain Impacts⁴¹				
CIFL to ensure that the supplier Hari & Co receives consent in writing from the workers, prior to their handover of the passports. Boskalis to monitor the implementation of this recommendation.	CIFL Boskalis	Prior to handover of travel documents/passports	Signed Consent Forms from each crew member	Prior to transportation of rocks. Monthly monitoring during suppliers' contract period with CIFL.
Community Health Risks				
Regularly coordinate with the Marine Traffic Police and Coast Guard with regard to movement of their vessels. The boats and ferries operating within the Male region should also be continuously kept updated about the dredging activities, as proposed in the EIA.	MNPFI	Prior to start of Stage 2 activities/ and/or as per requirement.	Records of communication with MTP and Coast Guard	Monthly monitoring during Stage II activities.
Boskalis to update the Emergency Spill Response Plan prepared in the EIA to include an analysis of potential receptors and mechanisms for informing them in the event of an oil/chemical spill.	Boskalis	Prior to start of Stage 2 activities	Updated Emergency Spill Response Plan	One-time check upon completion of updating plan.
Stakeholder Engagement				

⁴¹ The mitigation measures will be conducted as part of the Supply Chain Risk Assessment to be undertaken by Boskalis for Stage II.

Management Plan Recommendation	Roles and Responsibilities	Implementation Timeline	Measurable Outcome	Frequency of Monitoring
<p>Review and update the Project's Stakeholder Engagement Plan to incorporate specific safeguards from EP 4 (2020) and IFC PS 1 (2012) which will include:</p> <ul style="list-style-type: none"> ■ Develop a mechanism (website and in-person meetings) disseminate information on the project status, ongoing activities, likely impacts and control measures (including islands around borrow areas); this can be done on an on-going basis, to be determined by the SEP to be developed; ■ Ensure vulnerable groups within identified stakeholders are specifically mapped out and included for engagement; ■ Ensure implementation of Grievance Mechanism by CIFL. Any grievances received by CIFL from external stakeholders may be directed to Boskalis' grievance mechanism for overall coordination and monitoring (recording, tracking and redressal). However, grievances raised by workers of CIFL should also be raised to and addressed by CIFL; ■ Boskalis and MNPFI to record and document all stakeholder engagement activities in a central database; ■ Recruit and engage Project's Community Liaison Officer(s) (CLO(s)), to be deputed full time during the reclamation activities and before/after through appropriate engagement techniques (commensurate with projects activities as there will not be full engagement post-construction). 	<p>MNPFI (responsible for the overall Project Stakeholder Engagement Programme)</p> <p>Boskalis (to ensure stakeholder engagement linked to its activities are done in accordance with IFC PS 1 and EP 4)</p>	<p>Prior to start of Stage 2 activities and to implement across Project Cycle.</p>	<p>Number of grievances/human rights issues related to labour, working conditions, community health and security (during project activities) raised and addressed;</p> <p>Corrective actions taken.</p>	<p>One-time check upon completion of plan preparation.</p> <p>Weekly monitoring of grievances received.</p>

6.3 Access to Remedy

Boskalis has existing grievance mechanisms in place which covers both internal and external stakeholders. Grievances can also be raised through the website of the Gulhifalhu Project (<https://www.gulhifalhu.mv/>), which is being managed by Boskalis, and accessed by the MNPHI. The grievances raised are maintained in a grievance register, which also includes a tracking mechanism. The project workers are covered through the Worker Grievance Mechanism, as part of its site-specific Human Resources Management Plan, while the external stakeholders are covered through the Community Grievance Mechanism. Boskalis also has a Grievance Policy.

A review of the grievance register indicates that grievances were mainly related to concerns of sedimentation in the reefs which were raised by dive centres and Save the Beach. Save the Beach had suggested to Boskalis to construct a higher barrier of big bags to reduce sediment moving to Vilingili / Vilimale, which was implemented by Boskalis. The implementation was however slightly delayed due to the monsoons.

As per information shared in the register, these grievances were addressed based on decisions taken during the grievance committee discussions.

Boskalis to also ensure CIFL and any other sub-contractors implement the Project Grievance Mechanism, so that any internal or external grievances raised in relation to their activities can be addressed. Boskalis should also ensure that all workers (including contractual workers) are aware of their role in the engagement and grievance mechanism as part of mandatory trainings.

Discussions with workers engaged by the suppliers and transporters of rocks in India, which as sub-contracted by CIFL, revealed that there is no formalised grievance mechanism for those workers. Boskalis should thus ensure the implementation of its Grievance Policy is extended to the activities conducted by its sub-contractor CIFL as well as suppliers engaged for the Project.

6.4 Proposed Monitoring and Oversight

The human rights risks and impacts and the corresponding management measures should be monitored and evaluated throughout the life of the Project. The objectives of monitoring are to:

- Verify the predicted risks and issues;
 - Verify that the management measures are being implemented as planned;
 - Assess the effectiveness of the management measures;
 - Correct and re-align measures that have been proven to not be working or effective; and
 - Provide data for any necessary internal reporting.
- Monitoring should be a continuous process of data collection and review. The review of information collected should be used to help identify issues of concern early and inform opportunities for improvement. As part of the Project's internal reporting systems, any human rights related incidents and issues should be reported. Reporting should record details of the incident or issue, a description of the non-compliance, engagement activities, any corrective actions taken, and the outcomes for the rights holders. Due to the increasing pressure on organisations to manage their potential human rights risks and impacts, further reporting may be required by external parties, including government agencies and lenders. This should be monitored to ensure the Project remains compliant with reporting requirements.

Table 6-2 Monitoring Indicators

Category/ Indicator	Variables
Input Indicator	<ul style="list-style-type: none"> ■ Project funds allocated; ■ Linkage of mitigation measures to other studies/ESMP ■ Update of HR Policies/Procedures and management systems; ■ Update of Stakeholder Engagement and Grievance Management Process ■ Extension of supplier screening to all other suppliers coordinated by CIFL
Process Indicators	<ul style="list-style-type: none"> ■ Training across Boskalis, CIFL and among contract workers ■ Information disclosure to stakeholders and rightsholders ■ Proactive and confidential process to make the grievance mechanism accessible for coverage of any human rights issues which includes opportunities to raise concerns directly to the CLO(s); ■ Mechanism made accessible to third party workers and local communities (including informed consultation and participation measures incorporated, basis stakeholder insights) ■ Number of human rights issues related to labour, working conditions, community health and security identified during Project activities; ■ Implementation of relevant policies and management procedures.
Output Indicators	<ul style="list-style-type: none"> ■ Number of grievances/human rights issues related to labour, working conditions, community health and security raised during Project activities; ■ Timeline for response and remedy ■ Monitoring of remedy
Impact Indicators	<ul style="list-style-type: none"> ■ Number of grievances/human rights issues related to labour, working conditions, community health and security (during project activities) addressed; ■ Corrective actions taken.

6.5 Conclusion

The results of the human rights screening identified the following salient human rights risks and impact areas that are linked to the Project activities:

- Potential Trafficking in Persons (TIP);
- Potential impact of workers' rights related to labour and working conditions;
- Potential livelihood loss impacts;
- Potential impacts of workers in the supply chain;
- Potential risks related to freedom of movement due to retention of travel documents;
- Potential community health risks related to sedimentation plumes;
- Potential community health risks related to chemical/oil spills;
- Potential inability of stakeholders to participate and/or access remedy; and

- Potential impacts in the event security personnel are engaged during Stage 2.

Specific safeguard measures have been identified for each identified impact on the rights holder. The Project should ensure continued engagement with the rights holders throughout the Project life-cycle, in link with the engagement mechanisms proposed in the project.

APPENDIX A

SUMMARY OF INFORMATION REVIEWED (AS OF 12 JULY 2021)

S. No	Boskalis
1.	Total Workforce including those engaged by contractors/sub-contractors; number of contractors
2.	Details on origins of workforce and duration of engaging at Project Site
3.	Details on worker accommodation
4.	Sources of supply of the revetment materials in Sri Lanka
5.	Trawlers and barges that will dredge from sand borrow areas up to reclamation
6.	Details on the decommissioning process (for example- dismantling of any temporary infrastructure)
7.	Sample Contractual Agreements with Workers, Contracting Agencies and Suppliers
8.	Human Resources Management Plan
9.	Human Rights and Labour Policy
10.	Employee Code of Conduct
11.	Grievance Policy
12.	Supplier pre-qualification checklist
13.	Supply Chain Policy
14.	Details on community development initiatives/ community relations
15.	List of grievances received and documented during Stage I of the reclamation activities
	CDE
16.	Environmental and Social Impact Assessment & Attached Environmental and Social Management Plan
17.	Environmental Impact Assessment
	External Publications
18.	Trafficking in Persons Report, US Department of State
19.	Human Rights Practices: Maldives
20.	Universal Periodic Review - Maldives- UN Human Rights Council

APPENDIX B SCREENING OF SALIENT HUMAN RIGHTS RISKS

S. No	Rights at Risk	Sources of Potential Impact	Prevailing Regulation in the Maldives	Potential Rights holder	Description of Potential Implication	Relevance to the Reclamation Area	Relevance to the Borrow Areas	Scoped In or Out
1.	Right to life (UDHR 3; ICCPR6)	<ul style="list-style-type: none"> > Security and community / workforce interaction > Occupational and community health impacts associated with operation/ project activities > Government security / police force approach to workforce / affected community protests 	Constitution of the Republic of Maldives, 2008- Article 21	Project Workers (Contracted and Sub-contracted); Community in Villingil and Male	The 'right to life' means that no one, including the Government can try to end your life. Based on review of primary and secondary information on human rights in the Maldives, the 'right to life' is not curtailed. Therefore, this aspect is scoped out for the Project.	No	No	Out
2.	Right to liberty and security (including freedom from arbitrary arrest, detention or exile) (UDHR 3 and 9; ICCPR 9)	<ul style="list-style-type: none"> > Security and community / workforce interaction > Government security / police force approach to workforce / affected community protests 	Constitution of the Republic of Maldives, 2008- Article 21	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	<p>Human trafficking/ Trafficking in Persons is a significant human rights issue in the Maldives, affecting both migrant and domestic workers. Reportedly, migrant workers are sought by recruitment agencies where high recruitment fees are demanded from them and many enter the country illegally. Moreover, upon arrival in Maldives, their passports/travel documents are also confiscated, therefore making them undocumented.</p> <p>Majority of migrant workers in the Maldives are from Bangladesh, followed by India and Sri Lanka and they mainly work in the construction and service sectors.</p> <p>Thus the migrant workers, both who have legal and illegal status are vulnerable to conditions indicative of forced labour such as fraudulent recruitment, withholding and/or non-payment of wages and debt bondage.</p> <p>While human trafficking is an issue in the Maldives as a whole, it is not specifically a risk for this project as majority of the workforce engaged in the project are long- term employees. It may be noted that while the supplier engaged in the transportation of rocks from India to Maldives has crew members from India, they mainly reside on-board the ship upon their arrival in the Maldives and as reported by the supplier, their travel documents are often kept with the captain. While retention of travel documents does not constitute as forced labour, it can restrict the movement of persons and increase the risk of such persons becoming victims of forced labour.</p>	Yes	No	In
3.	Right not to be subjected to slavery, servitude or forced labor (UDHR 4; ICCPR 8; ILO No.29; ILO No.105)	<ul style="list-style-type: none"> > Labor and working conditions of employed workforce > Labor and working conditions of contractors and sub-contractors > Labor and working conditions in the supply chain 	Constitution of the Republic of Maldives, 2008- Article 25 Anti-Human Trafficking Act, 2013 (Act No. 12/2013).	Project Workers (Contracted and Sub-contracted); Community in Villingil and Male Supply chain workers for rock and geotextile	<p>As mentioned above human trafficking is a significant human rights issue in the Maldives, affecting both migrant and domestic workers.</p> <p>Migrant workers, both who have legal and illegal status are vulnerable to conditions indicative of forced labour such as fraudulent recruitment, withholding and/or non-payment of wages and debt bondage.</p> <p>Additionally, sex traffickers also exploit women and minor girls from Maldives and other South Asian countries, sometimes under the guise of tourism. There are also reports of Maldivian children being forced into domestic work in Maldivian households as well as subjected to sexual abuse.</p> <p>While human trafficking is an issue in the Maldives as a whole, it is not specifically a risk for this project as majority of the workforce engaged in the project are long- term employees. It may be noted that while the supplier engaged in the transportation of rocks from India to Maldives has crew members from India, they mainly reside on-board the ship upon their arrival in the Maldives and as reported by the supplier, their travel documents are often kept with the captain. While retention of travel documents does not constitute as forced labour, it can restrict the movement of persons and increase the risk of such persons becoming victims of forced labour.</p>	Yes	No	In
4.	Right not to be subjected to torture, cruel, inhuman and/or degrading treatment or	<ul style="list-style-type: none"> > Security and community / workforce interaction > Security response measures relying on detention in prisons 	Anti-Torture Act, 2013	Community in Villingili and Male	Review of secondary data revealed that the Human Rights Commission of Maldives (HRCM) has reported receiving several complaints of torture, accusing public officials from institutions such as Maldives Police Service (MPS), Maldives Corrections Service (MCS) as well as some state run children's homes. Additionally, shortcomings were observed in the investigative mechanisms as such reports were mostly dismissed, reportedly due to lack of evidence.	No	No	Out

S. No	Rights at Risk	Sources of Potential Impact	Prevailing Regulation in the Maldives	Potential Rights holder	Description of Potential Implication	Relevance to the Reclamation Area	Relevance to the Borrow Areas	Scoped In or Out
	punishment (UDHR 5; ICCPR 7)				Based on review of primary and secondary information and as per consultations with the local human rights NGOs, there have been no reports or complaints of torture or abuse linked to this Project.			
5.	Right to recognition as a person before the law (UDHR 6; ICCPR 16)	<ul style="list-style-type: none"> > Approach to recruitment processes for the operation/ projector by contractors > Approach to management and resolution of issues in the workplace (direct employees or contractors) > Participation of vulnerable groups in impact assessment / compensation processes 	Equality, Article 20, Constitution of Maldives	Community in Villingili and Male; Project Workers (Contracted and Sub-contracted);	The Constitution of Maldives has provisions on equality and non-discrimination. This aspect has been scoped out of the Project as no specific issues have been identified in the Project.	No	No	Out
6.	Right to equality before the law, equal protection of the law, non-discrimination (UDHR 7; ICCPR 26; ILO No.111)	<ul style="list-style-type: none"> > Approach to recruitment and promotion processes for the operation/ project or by contractors > Approach to management and resolution of issues in the workplace (direct employees or contractors) > Participation of vulnerable groups in impact assessment / compensation processes 	Constitution of the Republic of Maldives, 2008- Article 18, 20 Gender Equality Act (Act No. 18/2016).	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	While the law prohibits gender discrimination including in workplaces, educational institutions, and service providers, such as hospitals, but discrimination against women remained a problem. Women's rights activists reported that women who initiated divorce proceedings faced undue delays in court as compared with men who initiated divorce proceedings.	No	No	Out
7.	Right to freedom from war propaganda, and freedom from incitement to racial, religious or national hatred (UDHR 7; ICCPR 20)	<ul style="list-style-type: none"> > Approach to recruitment and promotion processes for the operation/ project or by contractors > Approach to management and resolution of issues in the workplace (direct employees or contractors) > Participation of vulnerable groups in impact assessment / compensation processes 	Religious Unity Act - 3rd Amendment (Act No. 24/2016)	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	No specific issues related to this aspect has been identified in the Maldives and the Project	No	No	Out
8.	Right to access to effective remedies (UDHR 8; ICCPR 2)	> Management of concerns / grievances from workforce and community	Employment Act, 2008, (2/2008);	Project Workers (Contracted and Sub-contracted); Workers in Supply Chain Community in Villingili and Male	Unaddressed grievances may lead to certain groups becoming disadvantaged as well as potential reputational risks for the Project. Discussions with the suppliers who are engaged in the supply and transportation of rocks for the Project indicated that any grievances raised by the workers are addressed informally and there is no formalised grievance redress mechanism. Discussions with representatives from the dive centres indicated that there are certain grievances that were raised to the Project, with regard to the sedimentation caused by the dredging. They indicated that they requested for geo-textile screens to be added to the sand slopes to prevent erosion and sedimentation. ⁴²	Yes	Yes	In

⁴² As per information shared by Boskalis, the request for usage of geotextile screens were not directly received by the Project: the request was not raised in the Statutory EIA's Stakeholder Consultation chapter nor through the Grievance Mechanism via the Project Website. Boskalis however informed that silt screens were placed in the water throughout the entire duration of the Project, at the northern tip of the bund, on the inside of the lagoon. However, these were only limitedly effective in containing turbidity due to prevailing currents underneath and around the screens. A test with silt screens on the outer side of the bund proved that silt screens were neither effective nor practical to contain turbidity generated by bund construction, therefore silt screens were only used on the inside of the lagoon.

S. No	Rights at Risk	Sources of Potential Impact	Prevailing Regulation in the Maldives	Potential Rights holder	Description of Potential Implication	Relevance to the Reclamation Area	Relevance to the Borrow Areas	Scoped In or Out
9.	Right to a fair trial (UDHR 10; ICCPR 14)	> Operation/ project involvement or association with court cases	Constitution of the Republic of Maldives, 2008- Article 42	Project Workers (Contracted and Sub- Workers in Supply Chain Community in Villingili and Male	Review of secondary information reveal that there have been allegations of judicial impropriety and abuse of power by the judiciary in the Maldives, including reports of intimidation and bribery of judicial officials, attorneys and prosecutors. This aspect however is not relevant to the project activities.	No	No	Out
10.	Right to be free from retroactive criminal law (UD12HR ; ICCPR 15)	> Operation/ project involvement or association with court cases	Constitution of the Republic of Maldives, 2008- Article 42	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	Review of secondary information reveal that there have been allegations of judicial impropriety and abuse of power by the judiciary in the Maldives, including reports of intimidation and bribery of judicial officials, attorneys and prosecutors. This aspect however is not relevant to the project activities.	No	No	Out
11.	Right to privacy (UDHR 12; ICCPR 17)	> Handling of personal information, such as information associated with: whistleblowing, grievance management, stakeholder engagement, and storage and use of human resource information	Constitution of the Republic of Maldives, 2008- Article 24	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	There have been no recent reports of violations of right to privacy of citizens in the Maldives. This aspect has thus been scoped out of the Project.	No	No	Out
12.	Right to freedom of movement and residence (UDHR 13; ICCPR 12)	> Labor and working conditions of employed workforce with regard to forced labor > Labor and working conditions of contractors and sub-contractors with regard to forced labor > Physical displacement	Constitution of the Republic of Maldives, 2008- Article 41	Project Workers (Contracted and Sub-contracted); Workers in Supply Chain	Retention of identity documents restricts the movement of workers, which may increase the risk of the workers becoming victims of forced labour. Discussions with the suppliers who are engaged in the transportation of rocks from Tuticorin, India to the Maldives, indicated that the passports of the workers in the vessels are kept with the captain.	Yes	No	In
13.	Right to seek asylum from prosecution in other countries (UDHR 14)	> Handling of migrant workers seeking asylum by security / human resources	N/A	Migrant project Workers (Contracted and Sub-contracted);	The Maldives does not have an asylum system and refugee protection mechanism and is also not party to the 1951 Refugee Convention, therefore no protection mechanism for persons leaving the Maldives who fear persecution. Additionally, specific issues related to migrant workers seeking asylum has not been identified for the Project.	No	No	Out
14.	Right to have a nationality (UDHR 15)	> Handling of migrant workers by security & human resources > Labor and working conditions of employed workforce with regard to forced labor > Labor and working conditions of contractors and sub-contractors with regard to forced labor	N/A	Local Project Workers Community in Villingili and Male	As per the Constitution of Maldives, only Muslims (Sunni Islam) are allowed to be citizens of the country. Therefore persons practicing other minority religions are prevented from becoming citizens. This aspect is however not relevant to the Project activities.	No	No	Out
15.	Right to adequate standard of living (UDHR 25; ICCPR 24; ICESCR 11; ILO No.182)	> Social and health impacts associated with the operation/ project construction and operation > Displacement impacts and livelihood impacts associated with the operation/ project from land and natural	Constitution of the Republic of Maldives, 2008- Article 23	Project Workers (Contracted and Sub-contracted); Workers in Supply Chain Community in	Consultations with Human Rights NGOs and review of secondary information revealed that there have been several cases of poor labour accommodation for migrant workers in the Maldives, specifically those engaged in construction activities. Reportedly, the shared accommodation are congested and have limited access to food and water, and such issues have been further exacerbated during the Covid-19 pandemic.	Yes	Yes	In

S. No	Rights at Risk	Sources of Potential Impact	Prevailing Regulation in the Maldives	Potential Rights holder	Description of Potential Implication	Relevance to the Reclamation Area	Relevance to the Borrow Areas	Scoped In or Out
		<p>resources requirement</p> <p>> Impacts to vulnerable groups – mothers and children as a result of the construction or operation of the operation/ project</p> <p>> Standards of workforce accommodation</p> <p>> Workforce code of conduct - demand for prostitution in a country where girls are trafficked from neighboring countries for prostitution and single mothers are known to be engaged in prostitution</p>		Villingili and Male and islands around the borrow areas	Reclamation of land may also have an impact on the dive sites being utilised by divers, for their livelihoods and those that engage in artisanal reef fishing. Discussions with owners of dive centers indicated that their livelihoods have been impacted by the land reclamation, where they have not been able to utilise various sites.			
16.	Right of protection for the child and mothers (UDHR 25; ICCPR 24; ICESCR 10; ILO No.182)	<p>> Labor and working conditions of employed workforce with regard to child labor</p> <p>> Labor and working conditions with regards to gender discrimination</p>	Children's Rights Protection Act, 2019 (Act No. 19/2019);	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	Reportedly, there are cases of child labour engaged for the purpose of sexual exploitation as well as transport of drugs for criminal gangs. NGOs and civil society groups also expressed concerns that minors were engaged in the construction and service sectors, including being engaged in domestic work as forced labourers. Discussions with NGOs also revealed that migrant workers may also be below the age of 18, but cannot be fully ascertained as the travel documentation provided to the recruitment agencies are often changed to meet the legal requirement. While no issues related to engagement of child labour has been identified in the Project, apart from a labour declaration which specifies the non-engagement of child labour, no specific documents such as HSE and HR policies have been shared by the suppliers. However, the contractor for the Project CIFL has a Child Labour and Protection Policy.	No	No	Out
17.	Right to marry and form a family (UDHR 16; ICCPR 23; ICESCR 10)	<p>> Labor and working conditions of employed workforce with regard to forced labor</p> <p>> Approach to recruitment and promotion processes for the operation/ project or by contractors (discrimination)</p> <p>> Approach to management and resolution of issues in the workplace (direct employees or contractors)</p> <p>> Social impacts associated with the operation/ project construction and operation</p>	Constitution of the Republic of Maldives, 2008- Article 34	Community in Villingili and Male	The Constitution of Maldives has provisions for Right to marry and establishment of the family. This aspect has been scoped out of the Project as no specific issues have been identified in the Project.	No	No	Out
18.	Right to own property (UDHR 17; ICESCR 15)	<p>> Displacement impacts associated with the operation/ project and level of compensation, including forced evictions</p> <p>> Vulnerable groups including those without ownership rights</p>	Constitution of the Republic of Maldives, 2008- Article 40	Community in Villingili and Male	While the Constitution of Maldives has provisions for right to own property, except for matters related to religion, there have been reports that the government has not taken stern action on those sending death threats and attacks on people who are critic	No	No	Out
19.	Right to freedom of thought, conscience and	> Approach to recruitment and promotion processes for the operation/ project or by contractors (discrimination)	Constitution of the Republic of Maldives, 2008- Article 14	Project Workers (Contracted and Sub-contracted);	The Constitution of Maldives designates Islam as the state religion, requires all citizens to be Muslim, specifically followers of Sunni Islam. The Penal Code also permits the administration of certain sharia punishments, such as flogging, stoning, and amputation of hands. The government also prohibits resident foreigners and foreign tourists from practicing any religion other than Islam in public. This	No	No	Out

S. No	Rights at Risk	Sources of Potential Impact	Prevailing Regulation in the Maldives	Potential Rights holder	Description of Potential Implication	Relevance to the Reclamation Area	Relevance to the Borrow Areas	Scoped In or Out
	religion (UDHR 18; ICCPR 18)	<ul style="list-style-type: none"> > Approach to management and resolution of issues in the workplace (direct employees or contractors) > Approach to stakeholder engagement associated with assessment and management of impacts > Access to remedy 		Community in Villingili and Male	aspect has been scoped out of the Project as no specific issues related to curtailing of religious freedom and thought has been identified in the Project.			
20.	Right to freedom of opinion, information and expression (UDHR 19; ICCPR 19)	<ul style="list-style-type: none"> > Access to remedy > Security and community / workforce interaction > Government security / police force approach to workforce / affected community protests 	Constitution of the Republic of Maldives, 2008- Article 27	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	While the Constitution of Maldives has provisions for freedom of expression, except for matters related to religion, there have been reports that the government has not taken stern action on those sending death threats and attacks on people who are critical of Islam. This aspect has been scoped out of the Project as no specific issues related to curtailing of freedom of expression has been identified in the Project.	No	No	Out
21.	Right to freedom of assembly (UDHR 20; ICCPR 21)	<ul style="list-style-type: none"> > Security and community / workforce interaction > Government Security / Police Force approach to workforce / affected community protests > Approach to collective bargaining 	Constitution of the Republic of Maldives, 2008- Article 32 Freedom of Peaceful Assembly Act (Act No. 1/2013).	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	In the Maldives, workers organisations are treated as civil society organisations who however do not have the right to engage in collective bargaining. Therefore trade unions are not recognized officially. Additionally, the Freedom of Peaceful Assembly Act, 2013 prohibits strikes by workers engaged in the resort, health, power, water, telecom and prison sectors. Moreover, an amendment to the Act in 2016 restricted the designated areas for lawful protests in the capital city. This aspect has been scoped out of the Project as no specific issues related to curtailing of freedom of assembly has been identified in the Project.	No	No	Out
22.	Right to freedom of association (UDHR 20; ICCPR 22; ILO No.87)	<ul style="list-style-type: none"> > Approach to collective bargaining > Approach to stakeholder engagement – community groups may be restricted therefore identifying appropriate community representatives / understanding the range of community perspectives may require additional time 	Constitution of the Republic of Maldives, 2008-Article 30 Associations Act, 2003 (Act No: 1/2003)	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	In the Maldives, workers organisations are treated as civil society organisations who however do not have the right to engage in collective bargaining. Therefore trade unions are not recognized officially. Additionally, the Freedom of Peaceful Assembly Act prohibits strikes by workers engaged in the resort, health, power, water, telecom and prison sectors. This aspect has been scoped out of the Project as no specific issues related to curtailing of freedom of association has been identified in the Project.	No	No	Out
23.	Right to participate in public life (UDHR 21; ICCPR 25)	<ul style="list-style-type: none"> > Stakeholder engagement and inclusion of appropriate representatives > Approach to involvement of vulnerable groups in stakeholder engagement 	Constitution of the Republic of Maldives, 2008- Article 26	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	No laws limit participation of women in the political process, and they did participate. Women's rights activists highlighted a lack of government and political party effort to encourage political participation of women	No	No	Out
24.	Right to social security, including social insurance (UDHR 22; ICESCR 9)	<ul style="list-style-type: none"> > Support to workforce and contractors 	Maldives Pension Act; National Social Health Insurance Act	Project Workers (Contracted and Sub-contracted); Workers in Supply Chain	The Maldives has relevant Acts related to right to social security. This aspect has been scoped out of the Project as no specific issues has been identified in the Project.	No	No	Out
25.	Right to work (UDHR 23; ICESCR 6)	<ul style="list-style-type: none"> > Approach to recruitment for the operation/ project or by contractors (discrimination and treatment of vulnerable groups) 	Constitution of the Republic of Maldives, 2008- Article 37	Project Workers (Contracted and Sub-contracted);	Review of secondary information and discussions with human rights NGOs revealed that Maldives does not have a national policy on minimum wage and there is also a disparity in the wages being received by local workers and migrant workers; often migrant workers are receiving lower wages. There have also been reports on delayed payment as well as non-payment of wages for migrant	Yes	No	In

S. No	Rights at Risk	Sources of Potential Impact	Prevailing Regulation in the Maldives	Potential Rights holder	Description of Potential Implication	Relevance to the Reclamation Area	Relevance to the Borrow Areas	Scoped In or Out
		<p>> Approach to management and resolution of issues in the workplace (direct employees or contractors)</p> <p>> Approach to performance management and dismissal for direct employees and contractors, including addressing concerns related to discrimination and treatment of vulnerable groups</p>		Workers in Supply Chain	<p>workers.</p> <p>Additionally, climate change undermines the two largest sectors of the Maldives economy, namely tourism and fisheries. If climate change continues unmitigated, the natural resources upon which these economic activities are based will continue to degrade. Harm to these sectors will threaten the job security of tens of thousands of Maldivians, and eliminate the income that supports the lives of many thousands more.</p>			
26.	Right to enjoy just and favourable conditions of work (including rest and leisure) (UDHR 23 and 24; ICESCR 7)	> Labor and working conditions for direct employees and contractors	Constitution of the Republic of Maldives, 2008- Article 37 Employment Act, 2008, (2/2008);	Project Workers (Contracted and Sub-contracted); Workers in Supply Chain	As mentioned above, migrant workers are especially subjected to practices such as deceptive recruitment practices, wage theft, confiscation of travel documents as well as unsafe living and working conditions and excessive work demands. Reportedly, such issues have been exacerbated during the current pandemic where many workers have been faced with job losses, unpaid leave, reduced salaries and work without pay.	Yes	No	In
27.	Right to form trade unions and join the trade unions, and the right to strike (UDHR 23; ICESCR 8; ILO No.98)	> Approach to collective bargaining and negotiation with trade unions for direct employees and contractors	Constitution of the Republic of Maldives, 2008- Article 30	Project Workers (Contracted and Sub-contracted)	As mentioned above, trade unions are not officially recognised in the Maldives. This aspect has been scoped out as there have been no specific reports on curtailing of rights to strike related to the Project. In addition, Boskalis has a grievance process which enables workers to register their concerns on work place matters.	No	No	Out
28.	Right to health (UDHR 25; ICESCR 12)	<p>> Health impacts associated with the operation/ project in particular impacts to water</p> <p>> Occupational health and safety</p>	Constitution of the Republic of Maldives, 2008- Article 23	Project Workers (Contracted and Sub-contracted); Community in Villingili and around the islands near the borrow areas (Himafushi, Hura and Thulusdhoo)	<p>Review of secondary information revealed that there are no national standards for health and safety measures in the workplace and such measures are often at the discretion of the employers.</p> <p>Discussion with human rights NGOs indicated that although employers are legally obligated to provide workers with health insurance, the coverage is minimal and many are not informed that they have insurance. Moreover, workers are reportedly not allowed to take sick leave, without it being deducted from their salaries. Such issues are exacerbated especially for undocumented migrant workers whose travel documents may be confiscated.</p> <p>Since the Project involves the engagement of workers during the construction and operations Stage, this aspect has been scoped in for the Project. Moreover, a lack of a Health, Safety and Environment (HSE) among suppliers engaged in the Project may increase the risk to the workers in the supply chain.</p>	Yes	Yes	In
29.	Right to education (UDHR 26; ICESCR 13 and 14)	<p>> Potential restrictions on access to education from population influx or displacement</p> <p>> Improvements in access to education through delivery of direct operation/ project benefits</p> <p>> Approach to inclusion of vulnerable groups in delivery of benefits</p>	Constitution of the Republic of Maldives, 2008- Article 36	Community in Villingili and Male	In the Maldives, education is free, compulsory, and universal through secondary school. The Maldives 2020 Human Rights Report, indicated that there were a few cases of children being deprived of education, in some cases based on religious reasons. NGOs also reported that religious extremism on child rights was an emerging issue.	No	No	Out

S. No	Rights at Risk	Sources of Potential Impact	Prevailing Regulation in the Maldives	Potential Rights holder	Description of Potential Implication	Relevance to the Reclamation Area	Relevance to the Borrow Areas	Scoped In or Out
30.	Right to take part in cultural life, benefit from scientific progress, material and moral rights of authors and inventors (UDHR 27; ICESCR 15)	<ul style="list-style-type: none"> > Approach to stakeholder engagement as part of assessment of impacts, particularly with regard to living heritage > Protection of intellectual property > Approach to delivery of benefits and consideration of potential contribution to broader cultural life 	Constitution of the Republic of Maldives, 2008- Article 39	Community in Villingili and Male	Review of information revealed that public statements against the government's policy on religion and interpretation of Islam is prohibited. There have also been several reports that academics practiced self-censorship. This aspect has been scoped out of the Project as no specific issues related to curtailing of participation of cultural rights has been identified in the Project.	No	No	Out
31.	Right to self-determination and natural resources (UDHR 21; ICCPR 1; ICESCR 1)	<ul style="list-style-type: none"> > Displacement impacts associated with the operation/ project and level of compensation, including forced evictions > Environmental, social and health impacts associated with the operation/ project, in particular impacts to livelihoods and heritage > Approach to stakeholder engagement 	Environment Protection and Preservation Act (Law No. 4/93) (EPPA).	Greater Male Atoll citizens and government authorities	Maldives being a low lying Small Island Development State (SIDS) has a lack of natural resources. Its exposure to global economic factors such as rising food and fuel prices, and vulnerability to severe weather events mean that it remains highly dependent on foreign loans.	No	No	Out
32.	Right of detained persons to humane treatment	<ul style="list-style-type: none"> > Security and community / workforce interaction > Security response measures relying on detention in prisons 	Constitution of the Republic of Maldives, 2008- Article 5, 57	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	There have been reports of the government detaining migrant workers in the Maldives who were protesting the lack of unpaid wages and lack of access to food and essential supplies. Reportedly, several migrant workers who were detained have been deported, without receiving the wages due to them. As reported by CIFL, no migrant worker engaged in Stage I has been detained.	No	No	Out
33.	Right not to be subjected to imprisonment for inability to fulfil a contract (ICCPR 11)	<ul style="list-style-type: none"> > Operation/ project brings charges against an individual unable to pay a debt or fulfil a contract pay – incarceration is possible 	Constitution of the Republic of Maldives, 2008- Article 55	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	As per the Constitution of Maldives, no imprisonment for non-fulfilment of contractual obligation is allowed, Article 55. This aspect has been scoped out of the Project as no specific issues related to this aspect has been identified in the Project.	No	No	Out
34.	Right of aliens due process when facing expulsion (ICCPR 13)	<ul style="list-style-type: none"> > Handling of migrant workers seeking asylum by human resources 	Immigration Act, (1/2007)	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	The Maldives does not have an asylum system and refugee protection mechanism and is also not party to the 1951 Refugee Convention. As mentioned above, the government has deported several migrant workers who were detained and many of the deportees were not paid their wages, before deportation. However, specific issues related to migrant workers seeking asylum has not been identified for the Project.	No	No	Out
35.	Rights of minorities (ICCPR 27)	<ul style="list-style-type: none"> > Approach to recruitment and promotion processes for the operation/ project or by contractors > Approach to management and resolution of issues in the workplace (direct employees or contractors) > Participation of vulnerable groups in impact assessment / compensation processes 	Non-discrimination, Article 17; Equality, Article 20, Constitution of Maldives	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	While the Constitution has provisions for non-discrimination of any kind, including race, national origin, colour, sex, age, mental or physical disability, political or other opinion, property, birth or other status, or native island; all citizens of the Maldives are required to be Muslim.	No	No	Out

S. No	Rights at Risk	Sources of Potential Impact	Prevailing Regulation in the Maldives	Potential Rights holder	Description of Potential Implication	Relevance to the Reclamation Area	Relevance to the Borrow Areas	Scoped In or Out
36.	Right to clean water and sanitation (UN General Assembly adoption)	> <i>Environmental impact assessment identifies potential impacts to quality or availability of water</i>	<i>Constitution of the Republic of Maldives, 2008- Article 23</i>	Project Workers (Contracted and Sub-contracted); Community in Villingili and Male	<p>Climate change impacts are expected to increase the exposure of Maldivians to health hazards and undermine the key determinants of health, including clean water, safe housing, and sanitation facilities. Moreover, climate change is likely to result in both temporary disruptions of water supply that deprive portions of the population from access to water, as well as the overall reduction in the size of the freshwater lenses available in the islands of the Maldives.</p> <p>The project does not directly impact any water sources that are used by the local communities for drinking and/or domestic consumption as these are understood to be directly supplied through the Greater Male Municipal Council.</p>	No	No	Out

**APPENDIX C KEY BASELINE DATA AND STAKEHOLDER INSIGHTS –
EIA/ESIA**

The following table summarises key takeaways from a review of consultations undertaken by Boskalis and CDE from 2019-2021 as part of the EIA/ESIA process that was reviewed to help develop the human rights baseline context:

S. No.	Stakeholder Overview	Date	Type of Consultation	Source of Information	Key Takeaways
1	Tourist Resorts- Kurumba Maldives	19 th February, 2020	Meeting	EIA	<p>During the Phase 1 of Hulhumalé Reclamation Project, the eastern house reef of the Kurumba Maldives Resort was severely impacted.</p> <p>The sedimentation impact was felt as far as Bandos Maldives Resort. Cleaning the sediment-covered reef required a substantial effort from divers and marine biologists. The impacted reef area is still not fully recovered from the impact. In Phase 2 of this project, a protection wall was used to mitigate the impacts. The biggest concern of the resort is that the Dredging and Reclamation works for this project will impact the popular Kurumba house reef used for snorkelling.</p>
2	Save the Beach	27 th February, 2020	Meeting	EIA	<p>There are 12 dive sites in the Gulhifalhu area, which the Dive schools such as Divers Lodge and Moodhubulhaa uses for diving and snorkelling.</p> <p>Villigili house reef is also used on a daily basis for diving and snorkelling. Gulhifalhu reclamation will have detrimental environmental impacts on these areas and the life in the Villigili house reef (live corals, boulder rocks, Porites and many fish species) may completely disappear.</p>
3	Villijaoli	1 st March, 2020	Meeting	EIA	<p>It is the government's policy and campaign promise to eliminate centralization and adopt a decentralization approach for projects and policies.</p> <p>However, it is highly concerning that the main port of the Maldives will be developed in the Greater Malé Region. There are other ports in the Maldives in the North and South regions. It is important to further develop these areas rather than spending extensively for one central port near Malé.</p> <p>The Greater Malé Region is already a highly congested zone. Developing a large</p>

S. No.	Stakeholder Overview	Date	Type of Consultation	Source of Information	Key Takeaways
					port nearby will further congest and make the area very overcrowded.
4	Divers Associations of Maldives	19 th February 2020	Meeting	EIA	<p>During Hulhumalé Phase II reclamation, a lot of impacts were observed in the Malé Atoll</p> <p>The sedimentation was extremely widespread and the impact was observed in the entire area up to Bandos Resort.</p> <p>Reclamation has impacts on the currents in any area. The currents in the channels and the areas near Hulhumalé has changed since Phase II reclamation.</p> <p>Gulhifalhu lagoon is very diverse at the moment and has very beautiful blockcorals and eagle rays in the area. However, the area is also covered in patches of silty sediments from reclamation activities.</p> <p>It was noted that very fine sand is observed near Thilafushi. The association members have not had any issues with anchoring during or due to dredging and reclamation activities. It usually makes it easier to anchor due to the muddy layer of sediments sitting on the lagoon floor.</p> <p>The association does not recommend relocating corals. They highlighted that moving corals from their natural habitat usually kills them. They also added that there are no cases of successful coral transplantation observed in Maldives and it has been scientifically proven to be unviable.</p>
5	Save The Beach	June-July 2020	Email Exchange	Boskalis	<p>Concerns on sedimentation plumes with potential implications for Villingili;</p> <p>Information about the proposed information disclosure through a dedicated project website. Save the Beach suggested to Boskalis to construct a higher barrier of big bags to reduce sediment moving to Vilingili / Vilimale, which was implemented by Boskalis. The implementation was however slightly delayed due to the monsoons.</p>

ERM has over 160 offices across the following countries and territories worldwide

Argentina	The Netherlands
Australia	New Zealand
Belgium	Norway
Brazil	Panama
Canada	Peru
Chile	Poland
China	Portugal
Colombia	Puerto Rico
France	Romania
Germany	Russia
Ghana	Senegal
Guyana	Singapore
Hong Kong	South Africa
India	South Korea
Indonesia	Spain
Ireland	Sweden
Italy	Switzerland
Japan	Taiwan
Kazakhstan	Tanzania
Kenya	Thailand
Malaysia	UAE
Mexico	UK
Mozambique	US
Myanmar	Vietnam

ERM China

Suite 2005, Shanghai Litong PLAZA
No.1350 North Sichuan Road
Shanghai China

T: +86 21 53853050

F: +86 21 64692185

www.erm.com