
CEYHAN PROPANE DEHYDROGENATION - POLYPROPYLENE PRODUCTION PROJECT

HUMAN RIGHTS IMPACTS ASSESSMENT

(ANNEX-M)

FEBRUARY 2023

ANKARA

CEYHAN PROPANE DEHYDROGENATION - POLYPROPYLENE PRODUCTION PROJECT

HUMAN RIGHTS IMPACTS ASSESSMENT

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TABLE OF CONTENTS

| | <u>Page</u> |
|--|-------------|
| 1. INTRODUCTION..... | 3 |
| 2. REGULATORY FRAMEWORK | 4 |
| 3. HUMAN RIGHTS CONTEXT..... | 17 |
| 3.1 Social Baseline..... | 17 |
| 3.2 Overview of Human Rights Context in Turkey | 20 |
| 3.3 Women Rights..... | 22 |
| 3.4 Human Trafficking | 25 |
| 3.5 Forced Labour | 25 |
| 3.6 Child Labor..... | 25 |
| 3.7 Gender Equality and Discrimination Context | 26 |
| 3.8 Security | 26 |
| 4. KEY AFFECTED RIGHTS-HOLDERS AND KEY DUTY-BEARERS | 27 |
| 5. ASSESSMENT OF POTENTIAL HUMAN RIGHT IMPACTS..... | 29 |
| 5.1 Construction | 29 |
| 5.2 Operation | 36 |
| 6. MITIGATION MEASURES FOR THE POTENTIAL HUMAN RIGHT RISKS | 42 |
| 6.1 Development of the Project Management and Policy Documents..... | 42 |
| 6.2 Ensuring the Anti-Discrimination Approach and Equal Opportunity | 43 |
| 6.3 Reporting of Gender Based Violence and Harassment | 44 |
| 6.5. Remedy Actions..... | 45 |
| 6.6. Remedies for the Effectiveness of the SEP and Grievance Mechanism | 45 |
| 7. STAKEHOLDER ENGAGEMENT..... | 47 |
| 7.1 Integration of the Grievance Redress Mechanism | 47 |
| 7.2 Internal (Worker) Grievance Management Process | 48 |
| 7.3 External Grievance Management Process | 48 |
| 8. MONITORING AND EVALUATION | 51 |
| 9. REFERENCES..... | 53 |

LIST OF TABLES

| | <u>Page</u> |
|---|-------------|
| Table 2-1. National Requirements and International Standards..... | 6 |
| Table 3-1. Land ownership status in the Aol..... | 18 |
| Table 3-2. Common Economic Activities within the Aol | 18 |
| Table 3-3. Vulnerable groups within the Social Aol..... | 19 |
| Table 4-1. Key Rights-holders and Duty-bearers..... | 27 |
| Table 5-1. Assessment of Potential Human Right Impacts for the Project’s Construction Phase | 29 |
| Table 8-1. Monitoring Activities Related to Human Rights | 51 |

ABBREVIATIONS

| | |
|-------------------|--|
| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women |
| CPIR | Ceyhan Petrochemical Industrial Region |
| EBRD | European Bank for Reconstruction and Development |
| EIA | Environmental Impact Assessment |
| ESIA | Environmental and Social Impact Assessment |
| EU | European Union |
| GRM | Grievance Redress Mechanism |
| HRIA | Human Rights Impacts Assessment |
| HREIT | Human Rights and Equality Institution of Turkey |
| ILO | International Labour Organization |
| MoEUCC | Ministry of Environment, Urbanization and Climate Change |
| MoIT | Ministry Of Industry And Technology |
| OHCHR | Office of the United Nations High Commissioner for Human Rights |
| OHS | Occupational Health and Safety |
| PP | Polypropylene Production |
| PR | Performance Requirements |
| SEP | Stakeholder Engagement Plan |
| Terminal Facility | Jetty and Propane Storage Tank |
| UN | United Nations |
| UNDP | United Nations Development Programme |
| UNEP | United Nations Environment Programme |
| WB | World Bank |
| WHO | World Health Organization |

1. INTRODUCTION

This Human Rights Impacts Assessment (HRIA) study is prepared for the Ceyhan Propane Dehydrogenation - Polypropylene Production Project (The Project) in Turkey carried out to support requirements inline with the requirements of Equator Principles IV (dated July 2020).

The main purpose of this HRIA is to define the human rights related risks, and establish how the mitigation commitments made through the Project process will be implemented, monitored and sustained. A HRIA is an instrument for examining policies, legislation and programs to identify and measure their effects on human rights. Their fundamental purpose is to help prevent negative effects and to maximize positive effects. As such, HRIAs are an indispensable part of making human rights considerations operational in a range of legal and policy contexts.

Human rights are a set of principles and standards which seek to promote fundamental freedoms and human dignity. According to the Office of the United Nations High Commissioner for Human Rights (OHCHR), the principal United Nations office for human rights: “Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible”.

Human rights impacts are influenced largely by the local human rights context and the nature of a project’s specific activities. To be consistent with the UN Guiding Principles, the full range of human rights impacts needs to be considered, including those caused or contributed to by the Project, cumulative impacts, and those directly linked to the Project, e.g., through business relationships. An adverse human rights impact occurs when an action removes or reduces the ability of an individual to enjoy her or his human rights. The human rights due diligence process, as articulated by the UN Guiding Principles on Business and Human Rights (2011), focuses companies on identifying and addressing adverse impacts; this is, therefore, the main focus of this assessment. It is important to note that potential issue areas typically considered in ESIAAs are similar to those that are key to human rights including but not limited to resettlement, community health and livelihoods topics. The HRIA uses methodology similar to the one used for the ESIA process, which is described in *Chapter 4: Scope and Methodology*,

2. REGULATORY FRAMEWORK

This report has been prepared in consideration of the below international standards / guidelines and national legislative requirements. The national regulations listed below are updated and changed over time. Updates and revisions in the relevant regulations and changes that will take place during the Project implementation will be followed and implemented by Rönesans.

This report has been prepared in consideration of the Equator Principles IV, International Finance Corporation (IFC) Performance Standards (PSs) and European Bank for Reconstruction and Development (EBRD) Performance Requirements (PRs). Although the IFC / EBRD provisions do not have specific provisions on HRIA, these are also referred to in this document as they cover issues relevant to human rights.

Equator Principles IV (dated July 2020)

- Principle 1: Review and Categorization***
- Principle 2: Environmental and Social Assessment***
- Principle 3: Applicable Environmental and Social Standards***
- Principle 4: Environmental and Social Management System and Equator Principles Action Plan***
- Principle 5: Stakeholder Engagement***
- Principle 6: Grievance Mechanism***
- Principle 7: Independent Review***
- Principle 8: Covenants***
- Principle 9: Independent Monitoring and Reporting***
- Principle 10: Reporting and Transparency***

IFC Performance Standards (dated January 2012)

- PS 1: Assessment and Management of Environmental and Social Risks and Impacts***
- PS 2: Labour and Working Conditions***
- PS 3: Resource Efficiency and Pollution Prevention***
- PS 4: Community Health, Safety and Security***
- PS 5: Land Acquisition and Involuntary Resettlement***
- PS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources***
- PS 7: Indigenous Peoples***
- PS 8: Cultural Heritage***

EBRD Performance Requirements (dated April 2019)

- PR 1: Assessment and Management of Environmental and Social Risks and Impacts***
- PR 2: Labour and Working Conditions***
- PR 3: Resource Efficiency and Pollution Prevention and Control***
- PR 4: Health, Safety and Security***
- PR 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement***
- PR 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources***
- PR 7: Indigenous Peoples***
- PR 8: Cultural Heritage***
- PR 9: Financing Intermediaries***
- PR 10: Information Disclosure and Stakeholder Engagement***

National requirements and international standards are described in Table 2-1 below.

Table 2-1. National Requirements and International Standards

| Subject | National Legislation | International Standards |
|--------------------------------------|---|---|
| Labour and Working Conditions | <p>The Turkish Republic regulate the working conditions and work-related rights and obligations of employers and employees working under an employment contract. There is also secondary legislation that may apply to the Project which include regulations on annual leave, working hours, overtime work, minimum wage, female and child employees. The Ministry of Labor and Social Security has published various communiques and circulars that set ground for the implementation of the Labor Law which may also be referenced during Project implementation.</p> <ul style="list-style-type: none"> • Labour Law (No: 4857) (Official Gazette date/no: 10.06.2003/25134) • Regulation on Working Duration Related to Labour Law (Official Gazette date/no: 06.04.2004/25425) • Regulation on Excess Work and Work in Excess Periods on Labour Law (Official Gazette date/no: 06.04.2004/25425) • Regulation on Special Principles in Works Carried out by Employing Workers in Shifts (Official Gazette date/no: 07.04.2004/25426) • Regulation on the Minimum Wage (Official Gazette date/no: 01.08.2004/25540) • Regulation on Suspension of Work in Workplaces (Official Gazette date/no: 30.03.2013/28603) • Regulation on Health and Safety Measurements Related to Carcinogens and Mutagens at Work(Official Gazette date/no: 06.08.2013/28730) • Regulation on the Works in Which Workers Shall Work Maximum Seven and Half Hours or Less in a Day in Terms of Health Rules (Official Gazette date/no: 16.07.2013/28709) • Regulation on the Procedures and Principles for the Employment of Children and Young Persons (Official Gazette date/no: 06.04.2004/25425) | <p>Detailed analysis of labour and working conditions requirements, including analysis of gaps between national requirements and international standards, is provided in ESIA Chapter 16 Labour and Working Conditions.</p> <p>Turkey is party to a multitude of ILO conventions, including but not limited to conventions on equal treatment of employees, gender equality, child labor, forced labor, Occupational Health and Safety (OHS), right of association and minimum wage. Accordingly, the current Turkish Labor Law (No.4857) is to large extent consistent with international requirements.</p> <p>According to IFC PS2 and EBRD PR2– Labor and Working Conditions, following objectives have been defined;</p> <p>To promote the fair treatment, non-discrimination, and equal opportunity of workers.</p> <p>To establish, maintain, and improve the worker-management relationship.</p> <p>To promote compliance with national employment and labor laws.</p> <p>To protect workers, including vulnerable categories of workers such as children, migrant workers, workers engaged by third parties, and workers in the client’s supply chain.</p> <p>To promote safe and healthy working conditions, and the health of workers.</p> <p>To avoid the use of forced labor.</p> |

| Subject | National Legislation | International Standards |
|--|---|--|
| <p>Occupational Health and Safety</p> | <p>The recently ratified Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) entered into force for Turkey in 16 January 2015. According to its accompanying Recommendation No. 197, members should prepare and regularly update a national profile which summarizes the existing situation on occupational safety and health and the progress made towards achieving a safe and healthy working environment. It is against this background and taking into account the guidance provided in Recommendation No. 197 that the present National OHS profile has been prepared. The Ministry of Labour and Social security is the main responsible organization in this field, in collaboration with other ministries and stakeholders, and is responsible for developing, implementing and enforcing legislation.</p> <p>National regulations covering directly the essential aspects of Occupational Health and Safety are;</p> <ul style="list-style-type: none"> • Occupational Health and Safety Law (No: 6331) (Official Gazette date/no: 30.06.2012/28339); • Occupational Health and Safety Risk Assessment Regulation (Official Gazette date/no: 29.12.2012/28512); • Regulation on the Provisions of Occupational Health and Safety Training of Employees (Official Gazette date/no: 15.05.2013/28648); • Regulation on Occupational Health and Safety Services (Official Gazette date/no: 29.12.2012/28512); • Regulation on Health and Safety Measures in Works with Chemical Substances (Official Gazette date/no: 12.08.2013/28733); • Regulation on Protection of Workers from Dangers of Explosive Environments (Official Gazette date/no: 30.04.2013/28633); • Regulation on Machinery Safety (Official Gazette date/no: 03.03.2009/27158) (last amended on 01.01.2017); • Regulation on Occupational Training of the Employee to Work in Dangerous and Very Dangerous Class Workplace (Official Gazette date/no:13.07.2013/28706); | <p>Turkey hosts international activities in collaboration with the international organizations ILO, World Health Organization (WHO), European Union (EU), United Nations Environment Programme (UNEP), United Nations Development Programme (UNDP), and many others organizations. On the other hand, trade unions and employers' organizations have relationships and collaborative activities with their international partner organizations regarding occupational safety and health.</p> <p>According to IFC PS4 and EBRD PR4 – Community Health, Safety and Security, The Project will anticipate and avoid adverse impacts on the health and safety of the Affected Community during the Project life from both routine and non-routine circumstances.</p> <p>The Project will ensure that the safeguarding of personnel and property is carried out in accordance with relevant human rights principles and in a manner that avoids or minimizes risks to the Affected Communities in accordance with the IFC PS4 and EBRD PR4.</p> |

| Subject | National Legislation | International Standards |
|---|---|--|
| | <ul style="list-style-type: none"> • Law on the Protection of Life and Property (No. 4922) (Official Gazette date/no: 14.6.1946/6333). | |
| <p>Participation – Stakeholder engagement and community consultation</p> | <p>In terms of Turkish regulatory requirements, the scope of both terrestrial and marine sections of the Project falls within the scope of the Turkish Environmental Impact Assessment (EIA) Regulation (Official Gazette date/number: 25.11.2014/29186)¹. In the EIA regulation, petrochemical facilities (i.e. terrestrial section) and ports (i.e. marine section) fall under Annex I (i.e. Item 31 – Storage Facilities for Oil, Natural Gas, Petrochemical and Chemical Substances with Capacity of 50,000 m3 and above, Item 6/a – Production of organic chemicals for terrestrial section and Item 9/b – Water ways, ports and shipyards; Commercial ports, jetties, quays and dolphins suitable for marine vessels with 1,350 DWT weight or above); therefore, the Project is subject to full EIA process. At the time of preparation of this Draft ESIA Report, the Final EIA Report for the Polypropylene Production Facility and the Draft EIA Report for the Raw Material Supply, Storage and Port Facility Project (CPIR Port) have been submitted to Ministry of Environment, Urbanization and Climate Change (MoEUCC). The EIA decisions for both Projects are currently awaiting. Key Legislation in European Union and International Reference Documents that are relevant to the Project are presented below:</p> <ul style="list-style-type: none"> • Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment • Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information | <p>IFC PS1 and EBRD PR2 establishes the importance of effective community engagement through disclosure of Project-related information and consultation with local communities on matters that directly affect them. In addition, PS5 and PR5 Land Acquisition and Involuntary Resettlement includes the following statement on the Stakeholder engagement:</p> <ul style="list-style-type: none"> - Effective resettlement planning requires regular communication and consultation with a wide range of Project stakeholders, - For the purpose of PS 5 and PR 5, the key takeholders groups are the displaced persons and the host community, - Early communication helps to manage public expectations concerning the impact of a project and its expected benefits. <p>When international standards are evaluated, it is seen that the stakeholder participation process is considered as a process that should be continued uninterruptedly from the beginning of the expropriation decision-making process to the end of the Project.</p> <p>The Stakeholder Engagement Plan will describe how engagement with identified stakeholders will be carried out throughout the Project life cycle, including the timing and methods of engagement, the information to be disclosed, disclosure language(s) and the type of information to be sought from stakeholders. The SEP will be tailored to take into account the main characteristics (including gender) and interests of the Project-affected parties and other interested parties and distinguish between the different levels and methods of engagement that might be appropriate for each. The level of detail needed will be determined on a case-by-case basis. Resources available for stakeholder engagement will be outlined within the SEP. The SEP will be updated as necessary during the Project life cycle.</p> |

¹ Turkish Environmental Impact Assessment (EIA) Regulation was updated on 29.07.2022, but the decision dated 2014 was applied for the Project.

| Subject | National Legislation | International Standards |
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| Child Labor | <p>Turkey attaches special importance to elimination of child labour, has been actively combating against child labour since the beginning of 1990s and provides coordination and cooperation between public institutions and organizations, workers' and employers' organizations, non-governmental organizations working on child labour. The definition of child labour was made in Article 4 of the Regulation on the Procedures and Principles of Employing Children and Young Workers, which was issued on the basis of Article 71 of the Labour Law No. 4857. Turkey has approved the United Nations Convention on the Rights of the Child, which is one of the most widely accepted human rights documents in the world today, in 1994, the ILO Conventions which are the fundamental conventions of the International Labour Organization, No. 138 concerning Minimum Age for Admission to Employment in 1998 and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour in 2001.</p> <p>The Turkish Labour Law allows children to perform light work that does not interfere with their school attendance from the age of 14 and establishes 16 as the minimum age for regular employment. The law prohibits children younger than 16 from performing arduous or dangerous work. The government prohibited children younger than 18 from working in certain professions or under hazardous conditions.</p> <p>In 2018, Turkey made an advancement in efforts to eliminate the worst forms of child labor. The government signed a Joint Declaration on the Elimination of Child Labor, declaring 2018 as the Year of Elimination of Child Labor. In addition, 355 labor inspectors, 81 provincial directors, and 320 teachers were trained on child labor. "National Time-Bound Policy and Programme Framework for the Elimination of the Child Labour (2005-2015)" was prepared in 2005 in accordance with the ILO Convention No.182 by our Ministry with the contributions of all relevant institutions and organizations and implemented. The policy and programme framework, which was completed in 2015, was updated for the 2017-2023 period and the National Programme on the Elimination of Child Labour (2017-2023) was prepared.</p> | <p>As stated in IFC PS2² and EBRD PR2, the client will not employ children in a manner that is economically exploitative, or is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral, or social development. Young people below the age of 18 years will be identified by the client and will not be employed in hazardous work. All work of persons under the age of 18 shall be subject to an appropriate risk assessment prior to the work commencing and regular monitoring of health, working conditions, and hours of work.</p> <p>The adverse impacts associated with supply chains will be considered where low labor cost is a factor in the competitiveness of the item supplied. The client will inquire about and address child labor and forced labor in its supply chain, consistent (with paragraphs 14 and 15) above.</p> |
| Prohibition of Forced or Compulsory Labor | Turkey has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention. | According to IFC PS2 and EBRD PR 2, The client will not employ forced labor, which consists of any work or service not voluntarily |

² https://www.ifc.org/wps/wcm/connect/8c69d835-c64e-405a-9f6a-2283f592bbd6/PS_2_LaborWorkingConditions.pdf?MOD=AJPERES&CVID=jqeA.Qn

| Subject | National Legislation | International Standards |
|------------------------|---|---|
| | <p>The main measure within the Turkish legal system is the Article 18 of the Constitution which bans every type of forced labour. Articles 80 and 117 of the Turkish Penal Code (as amended on 6.12.2006 by the Act No.5560) also punish forced labour. The Labour Act provisions are and in cases outside of its scope, provisions of the Code of Obligations apply. The key authority for the effective and sustained suppression of all forms of forced or compulsory labour is the General Directorate of Labour under the Ministry of Family, Labour and Social Services. Furthermore, the General Directorate of Migration Management under the Ministry of Interior is responsible for combatting human trafficking and providing protection to the victims of forced or compulsory labour within the human trafficking process.</p> <p>A National Task Force was established under the Ministry of Foreign Affairs in October 2002 to coordinate the activities of the public authorities and institutions in combatting human trafficking. Furthermore, "Regulation Concerning Combatting Human Trafficking and Protection of Victims" was put into effect by its publication in the Official Gazette on 17.03.2016.</p> | <p>performed that is exacted from an individual under threat of force or penalty. This covers any kind of involuntary or compulsory labor, such as indentured labor, bonded labor or similar labor-contracting arrangements.</p> |
| Migrant Workers | <p>The key law concerning migrant workers in Turkey, the International Labour Force Law (ILFL, 2016), defines a migrant worker using the term 'foreigner' as; someone who is not a citizen of the Republic of Turkey. This Law continues to define a foreigner (in the context of migrant workers) similar to its predecessor, the Law on Work Permits for Foreigners (LWPF, 2003), which takes the Citizenship Law (CL, 2009) as guidance.</p> <p>Act No. 6735 on International Labour Force dated 28 July 2016</p> <p>Act No. 6552 dated 10.09.2014 to amend the Labour Act and some Acts and Decrees having force of Law and restructuring some public receivables.</p> <p>Act No. 5951 amending the Act No. 6183 concerning debt collection procedures by public law and amending some other Acts.</p> <p>Regulations of 29 August 2003 for the application of the Act on work permits for foreigners.</p> <p>Employment laws in Turkey apply to Turkish nationals and foreign nationals alike. In addition, special provisions exist which regulate the</p> | <p>The Project will implement the requirements of the IFC PS2 and EBRD PR2 – Labor and Working Conditions which are;</p> <p>To promote the fair treatment, non-discrimination, and equal opportunity of workers.</p> <p>To establish, maintain, and improve the worker-management relationship.</p> <p>To promote compliance with national employment and labor laws.</p> <p>To protect workers, including vulnerable categories of workers such as children, migrant workers, workers engaged by third parties, and workers in the client's supply chain.</p> <p>To promote safe and healthy working conditions, and the health of workers.</p> <p>To avoid the use of forced labor.</p> |

| Subject | National Legislation | International Standards |
|---|--|---|
| | <p>employment and residence permits of foreign nationals who intend to work in Turkey.</p> <p>The government implemented a work permit system for registered Syrian adults with special temporary protected status; however, applying for a work permit was the responsibility of the employer, and the procedure was sufficiently burdensome and expensive that relatively few employers pursued legally hiring refugees. As a consequence, the vast majority of both conditional refugees and Syrians under special temporary protection remained without legal employment options, leaving them vulnerable to exploitation, including illegally low wages, withholding of wages, and exposure to unsafe work conditions.</p> <p>Women, refugees, and migrants were vulnerable to labor trafficking. Although government efforts to prevent trafficking continued with mixed effect, authorities made improvements in identifying trafficking victims nationwide. Penalties for conviction of trafficking violations were sufficiently stringent compared with other serious crimes.</p> | |
| <p>Equal opportunities, non-discrimination</p> | <p>The Law on Human Rights and Equality Institution became effective with its publication in the Official Gazette of 20 April 2016. With this law, which comprises 30 articles, protection against discrimination is strengthened in Turkey.</p> <p>The constitution permits measures, including positive discrimination, to advance gender equality. To encourage the hiring of women, the state paid social services insurance premiums on behalf of employers for several months for any female employee older than age 18. Laws introduced as a gender justice initiative provided for maternity leave, breastfeeding time during work hours, flexibility in work hours, and required child care by large employers.</p> <p>Turkey had its Human Rights Institution established by Law no. 6332 in June 2012. The Human Rights Institution has now been restructured and replaced by the Human Rights and Equality Institution. The Human Rights and Equality Institution, a public legal entity with administrative and financial autonomy, is attached to the Prime Ministry (Article 8). The Human Rights and Equality Board is the decision-making body of the Institution (Article 10/1). The Board shall consist of eleven members, including a President and a Vice President. Three members shall be appointed by the President of the Republic and eight members by the</p> | <p>According to IFC PS2 and EBRD PR2, The client will not make employment decisions on the basis of personal characteristics unrelated to inherent job requirements. The client will base the employment relationship on the principle of equal opportunity and fair treatment, and will not discriminate with respect to aspects of the employment relationship, including recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, promotion, termination of employment or retirement, and discipline. In countries where national law provides for nondiscrimination in employment, the client will comply with national law. When national laws are silent on non-discrimination in employment, the client will meet this Performance Standard. Special measures of protection or assistance to remedy past discrimination or selection for a particular job based on the inherent requirements of the job will not be deemed discrimination.</p> |

| Subject | National Legislation | International Standards |
|---|--|---|
| | <p>Cabinet (Article 10/2). The Human Rights and Equality Institution is tasked with three functions (Article 1):</p> <p>Protection and enhancement of human rights;</p> <p>To ensure the right to equal treatment and to prevent discrimination in using rights and freedoms; and</p> <p>To serve as national prevention mechanism in the framework Optional Protocol to the Convention against Torture (OPCAT). (Human Rights Institution established by Law no. 6332 in June 2012 was entrusted this task with the Governmental Decree of 9 December 2013. Official Gazette 28 January 2014, No. 28896).</p> | |
| Gender Equality | <p>Turkey has also ratified various international agreements that can serve as tools to protect women from violence and prevent discrimination. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention) are good examples of such international agreements. According to the Law No. 5170 Article 90 of the Turkish Constitution, international agreements duly put into effect have the force of law, and in case of a conflict between international agreements concerning fundamental rights and freedoms and the laws, the provisions of international agreements shall prevail. This provision enables, or in fact obliges, the provisions of the CEDAW convention to be applied even in the absence of comprehensive anti-discrimination legislation.</p> | <p>According to IFC PS2 and EBRD PR2, The client will not make employment decisions on the basis of personal characteristics unrelated to inherent job requirements. The client will base the employment relationship on the principle of equal opportunity and fair treatment, and will not discriminate with respect to aspects of the employment relationship, including recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, promotion, termination of employment or retirement, and discipline. In countries where national law provides for nondiscrimination in employment, the client will comply with national law. When national laws are silent on non-discrimination in employment, the client will meet this Performance Standard. Special measures of protection or assistance to remedy past discrimination or selection for a particular job based on the inherent requirements of the job will not be deemed discrimination.</p> |
| Land Acquisition and Expropriation | <p>The right to property is protected and instituted as fundamental right by the Turkish Constitution. As a result, it is possible to restrict expropriation to what is only necessary for the public good. In this respect, partial expropriation and servitudes of immovables are just as possible as its total expropriation.</p> <p>In the scope of Turkish legal framework, land acquisition / expropriation is based on the Expropriation Law No: 2942 (amended by Law No: 4650 in 2001). In addition, Article 46 of the Turkish Constitution explains that state and legal public entities, in cases of public benefit, are entitled to</p> | <p>PS5 and PR5 encourages the use of negotiated settlements to avoid expropriation and forced evictions. Expropriation is only to be used as a last resort, if good faith negotiations fail and those affected reject compensation that meets the requirements of PS5 and PR5.</p> <p>The IFC's focus is to mitigate the adverse impacts of a project where any adverse impacts occur according to project land acquisition; loss of livelihood or income should be compensated by the Project.</p> |

| Subject | National Legislation | International Standards |
|---------|--|-------------------------|
| | <p>entirely or partially expropriate immovable properties in private possession, on condition that the real value of those immovable properties are paid in advance and in cash; and to establish easement rights on these immovable properties in compliance with the procedures and principles set by expropriation law. In other words; Turkish Constitution implies that any immovable property cannot be confiscated unless its expropriation compensation is paid to the owner/s in advance and in cash.</p> | |

In addition to the IFC's Environmental and Social Sustainability Policy and IFS Performance Standards Equator Principles are also considered as the criteria of the Project. The Equator Principles is defined as “a baseline and framework for developing individual, internal environmental and social policies, procedures and practices”.

EP have 10 principles which are given as follows:

- Principle 1: Review and Categorisation

When a project is proposed for financing, the EPFI will, as part of its internal environmental and social review and due diligence, categorise the Project based on the magnitude of potential environmental and social risks and impacts, including those related to Human Rights, climate change, and biodiversity. Such categorisation is based on the International Finance Corporation's (IFC) environmental and social categorisation process.

- Principle 2: Environmental and Social Assessment

The EPFI will require the client to conduct an appropriate Assessment process to address, to the EPFI's satisfaction, the relevant environmental and social risks and scale of impacts of the proposed Project (which may include the illustrative list of issues found in Exhibit II). The Assessment Documentation should propose measures to minimise, mitigate, and where residual impacts remain, to compensate/offset/remedy for risks and impacts to Workers, Affected Communities, and the environment, in a manner relevant and appropriate to the nature and scale of the proposed Project.

- Principle 3: Applicable Environmental and Social Standards

The Assessment process should, in the first instance, address compliance with relevant host country laws, regulations and permits that pertain to environmental and social issues.

- Principle 4: Environmental and Social Management System and Equator Principles Action Plan

For all Category A and Category B Projects, the EPFI will require the client to develop and / or maintain an Environmental and Social Management System (ESMS).

- Principle 5: Stakeholder Engagement

For all Category A and Category B Projects the EPFI will require the client to demonstrate effective Stakeholder Engagement, as an ongoing process in a structured and culturally appropriate manner, with Affected Communities, Workers and, where relevant, Other Stakeholders. For Projects with potentially significant adverse impacts on Affected Communities, the client will conduct an Informed Consultation and Participation process.

- Principle 6: Grievance Mechanism

For all Category A and, as appropriate, Category B Projects, the EPFI will require the client, as part of the ESMS, to establish effective grievance mechanisms which are designed for use by Affected Communities and Workers, as appropriate, to receive and facilitate resolution of concerns and grievances about the Project's environmental and social performance.

- Principle 7: Independent Review Project Finance and Project-Related Corporate Loans

For all Category A and, as appropriate, Category B Projects, an Independent Environmental and Social Consultant, will carry out an Independent Review of the Assessment process including the ESMPs, the ESMS, and the Stakeholder Engagement process documentation in order to assist the EPFI's due diligence and determination of Equator Principles compliance. The Independent Environmental and Social Consultant will also propose or opine on a suitable EPAP capable of bringing the Project into compliance with the Equator Principles, or indicate where there is a justified deviation from the applicable standards

- Principle 8: Covenants An important strength of the Equator Principles is the incorporation of covenants linked to compliance.

For all Projects, where a client is not in compliance with its environmental and social covenants, the EPFI will work with the client on remedial actions to bring the Project back into compliance. If the client fails to re-establish compliance within an agreed grace period, the EPFI reserves the right to exercise remedies, including calling an event of default, as considered appropriate.

- Principle 9: Independent Monitoring and Reporting Project Finance and Project-Related Corporate Loans

For all Category A and, as appropriate, Category B Projects¹⁰, in order to assess Project compliance with the Equator Principles after Financial Close and over the life of the loan, the EPFI will require independent monitoring and reporting. Monitoring and reporting should be provided by an Independent Environmental and Social Consultant; alternatively, the EPFI will require that the client retain qualified and experienced external experts to verify its monitoring information, which will be shared with the EPFI in accordance with the frequency required in Principle 8b.

- Principle 10: Reporting and Transparency

The client will ensure that, at a minimum, a summary of the ESIA is accessible and available online and that it includes a summary of Human Rights risks and impacts.

All studies carried out within the scope of the Project will be developed in accordance with "The eight fundamental Conventions of the ILO".

The ILO Governing Body has identified eight “fundamental” Conventions, covering subjects that are considered to be fundamental principles and rights at work: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation³.

The eight fundamental Conventions are:

1. Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);
2. Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
3. Forced Labour Convention, 1930 (No. 29) (and its 2014 Protocol);
4. Abolition of Forced Labour Convention, 1957 (No. 105);
5. Minimum Age Convention, 1973 (No. 138);
6. Worst Forms of Child Labour Convention, 1999 (No. 182);
7. Equal Remuneration Convention, 1951 (No. 100);
8. Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

³ <https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang-en/index.htm>

3. HUMAN RIGHTS CONTEXT

3.1 Social Baseline

This section presents general information of Adana province and Ceyhan district respectively and move on to further details within the borders of the Area of Influence (Aol).

Adana has a total of 15 districts as; Seyhan, Çukurova, Sarıçam, Yüreğir, Aladağ, Ceyhan, Feke, İmamoğlu, Karaisalı, Karataş, Kozan, Pozantı, Saimbeyli, Tufanbeyli and Yumurtalık. Also the Province has 21 towns, 37 municipalities, 467 villages and 400 neighbourhoods. The ratio of the rural population to the total population is 12.66% (Turkish Statistical Institute, 2020).

Adana's population is 2.263.373 which includes 1.132.511 women (50,03%) and 1.130.862 men (49,97% (TurkSTAT, 2021). Besides, there are 654.558 people under the age of 18 (28,91%) and 205.553 over the age of 65 (9,08%) live in Adana. The population of Ceyhan is 159.955 which includes 79.432 women (49,65%) and 80.523 men (50,35%). Besides, there are 51.399 people who are under 19 years of age (32,13%) and there are 16.812 people over the age of 65 (10,51%).

There has been a decrease in the population of villages/neighbourhoods over the years due lack of employment opportunities, especially young people are moving towards the city centers for jobs.

Adana Coastal Mediterranean Basin consists of Ceyhan, Çukurova, İmamoğlu, Karaisalı, Karataş, Kozan, Sarıçam, Seyhan, Yumurtalık and Yüreğir districts. The portion of the Coastal Mediterranean Basin within the borders of Adana is 843,800 ha. This area constitutes 60.14% of Adana. There is an agricultural area of 468,320 ha in the Adana Coastal Mediterranean Basin.

In terms of employment indicators, the manufacturing sector has high importance in Adana; 25.5% of the workplaces evaluated within the scope of the Aol are engaged in the manufacturing business. Following the manufacturing sector, significant number of establishments operate in the construction sector; 23.1% of the business in the city are operating in construction sector. Overall, nearly half of the establishments employing 20 or more employees in Adana are engaged either in the manufacturing or construction sector.

Kurtpınarı, Kurtkulagi, Sarımazı and Gölovası neighbourhoods are considered to be within the Primary Social Aol, which is 8 km. Furthermore, the overall Aol of the Project covers neighbourhoods within a radius of approximately 15 km in order to understand potential impacts and appropriate mitigation measures to minimize impacts that may affect local residents' life quality, e.g. stress impact caused by traffic movement, etc. More detail on the Social Aol, including Primary and Secondary Aol is provided in *Chapter 14: Socioeconomics*. During the social field study conducted in July 2021 (see Table 3-1), the participants interested in agricultural activities were also asked about the ownership status of

the lands they use (see below). As a result, it was observed that the majority of the households own their land that used for agriculture activities, there are also households who used state-owned treasury lands for agriculture activities by renting. It observed that, renting owned lands among the locals is not common income generation activity within the social area of influence.

Table 3-1. Land ownership status in the Aol

| Property status | Frequency | (%) |
|--|------------|------------|
| Owned and used by the household | 58 | 55.4 |
| Treasury land | 30 | 29 |
| Leased | 6 | 5.9 |
| Owned by the household and product is shared | 6 | 5.9 |
| Owned by the household and leased | 4 | 3.8 |
| Total | 104 | 100 |

Source: Field Survey, 2021

The overall income activities within the Aol were also asked during the field study, results of the surveys for each settlement within the primary Aol can be found in below Table 3-2.

Table 3-2. Common Economic Activities within the Aol

| Neighbourhood | Kurtpınarı | Kurtkulağı | Sarımazı | Gölovası |
|---------------------------------|------------------|------------------|------------------|------------------|
| First Common Economic Activity | Farming | Farming | Farming | Fishing |
| Second Common Economic Activity | Animal Husbandry | Animal Husbandry | Animal Husbandry | Farming |
| Third Common Economic Activity | Fishing | Trading | Trading | Animal Husbandry |

Source: Field Study, 2021

According to interview with Kurtpınarı Mukhtar although olive cultivation is the main agricultural activity in İncirli locality; fishing stated to be common activity whether for household consumption or income generation. He stated that there was a decrease in fishing activities compared to previous years, especially the BOTAŞ-BIL facility port limited the field of activity of coastal fisheries.

The head of Kurtkulağı stated that farming is quite common income activity as majority of the locals are retired, they produce sunflower, olive, corn, wheat, and cotton. Olive cultivation is also main agricultural activity in Kurtkulağı and Sarımazı neighbourhoods and locals also breed cattle and sheep for income generation.

Although fishing seems to be the primary activity in Gölovası district, the headman of Gölovası stated that fishing is decreasing every year due to the industrial facilities nearby. The headman of Gölovası stated that due to the ports of these facilities extending to the shore, fishing activities are restricted, fishing is allowed up to a certain distance from the ports, but because this distance is too far, the costs of the boats increase by using excess diesel.

Ceyhan has very important industrial infrastructure such as crude oil pipelines, free zone, energy specialization zone and organized industrial zone. In Adana, the educational services

are provided in 540 primary schools, 377 secondary school. Information on the vulnerable groups were asked during the Community Level Survey with the head of neighbourhoods and following groups were identified within the scope of field study.

Vulnerable groups are people who might be directly and differentially or disproportionately affected by a project because of their disadvantaged or vulnerable status. This disadvantaged or vulnerable status may stem from an individual's or group's race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status (IFC PS 1). The criteria used for evaluating an individual or group as vulnerable was based on the IFC definition described above and included:

- Race;
- National or social origin;
- Color;
- Language;
- Age;
- Disability;
- Poverty;
- Civil Status;
- Living off the unique resources of a project area.

Vulnerable groups within the Social Aol are described below in Table 3-3.

Table 3-3. Vulnerable groups within the Social Aol

| Type of Vulnerability | Kurtpınarı | Kurtkulağı | Sarımazı | Gölovası |
|--|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| Children (Population Under 18) | Approximately 200 people | Approximately 100 people | Approximately 400 people | Between 100-150 people |
| People Aged 65+ | More than a quarter of the population | More than a quarter of the population | More than a quarter of the population | More than a quarter of the population |
| Chronical Diseased or Special Care Needed People | Between 5-10 people | 2 or 3 persons | At least 1 person | No information available |
| Disabled People (Mental & Physical) | 2 persons | 6 persons | 2 persons | 1 persons |
| People Who Do not Have Health Insurance | At least 10 households | Approximately 15 households | At least 10 households | Unknown number |

| Type of Vulnerability | Kurtupınarı | Kurtkulağı | Sarımazı | Gölovası |
|---|---|--------------------------|--------------------------|--------------------------|
| People whos Income is below the Minumum Wage/ Receiving Donations from the State or Foundaitons | No information available | No information available | No information available | No information available |
| Female-headed Households | At least 15 households (one of these households is affected by the CPIR expropriation activities) | No information available | No information available | No information available |

Source: Field Study, 2021

As part of the ESIA, two focus group interviews were conducted with women within the social AoI. These interviews were also decisive in determining whether women should be defined as vulnerable group for the ESIA purposes. During the focus groups, women requested to take part in consultations together with men, not specific consultations with women only. They also stated that women take part in in decision-making processes at the same grounds as men, and are not particularly vulnerable in this matter. For these reasons, women are not considered as part of vulnerable groups for the ESIA purposes. However, women might be part of other identified vulnerable groups (i.e. as part of such groups as female-headed households, etc.).

According to the population census, there are 3,535,898 Syrian refugees in Turkey. There are 252,080 registered Syrian refugees in Adana and 10,983 in Ceyhan. However, no Syrian refugees were identified within the Project Social AoI during the field survey and analysis of secondary data. Therefore, Syrian refugees are not included in vulnerable groups for the purposes of this ESIA.

More detailed information on socio-economic characteristics of the social AoI is provided in the ESIA document.

3.2 Overview of Human Rights Context in Turkey

"General Assembly National report of Turkey" and "Amnesty International Report 2020/21"⁴ evaluated Turkey's current human rights situation within the scope of international requirements. Within the scope of Amnesty International 2021/22 Report, the following evaluations were made regarding the current situation in Turkey: "Deep flaws in the judicial system were not addressed. Opposition politicians, journalists, human rights defenders and others faced baseless investigations, prosecutions and convictions. Turkey withdrew from the

⁴ <https://www.amnesty.org.tr/public/uploads/files/Rapor/UAO%CC%88%202020-21%20Y%C4%B1I%C4%B1k%20Rapor%20-%20Tu%CC%88rkc%CC%A7e%20070421.pdf>

Istanbul Convention. Government officials targeted LGBT people with homophobic rhetoric. Freedom of peaceful assembly was severely curtailed. A new law unduly restricted freedom of association for civil society organizations. Serious and credible allegations of torture and other ill-treatment were made. Turkey hosted 5.2 million migrants and refugees, but thousands of asylum seekers were denied entry. Physical attacks against refugees and migrants increased in the context of rising anti-refugee rhetoric.” In the *UN General Assembly National Report of Turkey*⁵ which is prepared by the Human Rights Council of the United Nation, the following evaluations regarding the current situation in Turkey are included under the title of "Promotion and protection of human rights";

In Turkey's constitutional system, the laws state that all individuals are equal for the law; “without any discrimination based on language, race, color, gender, political opinion, philosophical belief, religion, sect or the like”. Within the scope of anti-discrimination laws, Turkish Penal Code (TCK) (Law No. 5237), Civil Servants Law (Law No. 657), Law on Political Parties (Law No. 2820), Labor Law (Law No. 4857) and National Education Basic Law (Law No. 1739) Law No.) are laws that recognize the equality of everyone before the law and prohibit all forms of discrimination.

With the establishment of HREIT in 2016, Turkey has institutionalized its efforts to ensure the right of individuals to be treated equally and to prevent discrimination in the exercise of legally recognized rights. The founding law of HREIT (Law no. 6701), designates “anti-discrimination” as one of the three mandates of the Institution, which has administrative and financial autonomy in addition to a private budget. (Recommendation 148.17)

The Law no. 6701 serves as a comprehensive law against discrimination, prohibiting discrimination on the grounds of sex, race, colour, language, religion, faith, sect, political or other opinion, ethnicity, property, birth, marital status, state of health, disability and age; while listing forms of discrimination falling under the scope of the law: Segregation or isolation, giving instructions to discriminate against someone and following such instructions, multiple discrimination, direct discrimination, indirect discrimination, mobbing, not providing reasonable accommodations for persons with disabilities, harassment and discrimination based on presumed grounds (a situation in which a person is discriminated because he/she is wrongly presumed to have one of the discrimination grounds mentioned in the present law)

HREIT's founding law (Law No. 6701) defines “anti-discrimination” as one of the three tasks of the Institution, which has administrative and financial autonomy as well as a special budget. Law No. 6701 functions as a comprehensive anti-discrimination law prohibiting discrimination on the basis of sex, race, color, language, religion, belief, sect, political or other opinion, ethnic origin, property, birth, marital status, health condition, disability and age. When listing the forms of discrimination covered by the law: Discrimination or isolation, giving instructions to discriminate against someone and complying with these instructions, multiple discrimination, direct discrimination, indirect discrimination, mobbing, lack of reasonable accommodation for

⁵ <https://undocs.org/A/HRC/WG.6/35/TUR/1>

the disabled, harassment and discrimination based on assumed grounds (if a person wrongly a situation in which he is discriminated against because he is presumed to have one of the grounds of discrimination specified in this law).

In both reports, it is stated that written laws and regulations are egalitarian and have an approach that protects the rights of disadvantaged groups; However, it is criticized that an egalitarian and democratic approach is not displayed in the implementation of laws and regulations. Problems in practice prevent the fair functioning of the system and cause incompatibilities with international practices regarding human rights, violations of rights and discriminatory approaches.

3.3 Women Rights

On the subject of social gender and equality, the basic documents of the Council of Europe (EC) TCE, which Turkey is obliged to comply with as a member state, are as follows:

- Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence-Istanbul Convention, (Turkey signed the contract opened for signature in Istanbul on 11 May 2011. Although the contract was published in the Official Gazette on 8 March 2012, it was signed on 20 March 2021. It was withdrawn from the contract by the decision of the President);
- Convention on the Protection of Children Against Sexual Harassment and Sexual Abuse (Lanzarote Convention);
- Action Plan: Gender Equality Strategy Document 2018-2023;
- GREVIO Monitoring Reports;
- Decisions of the European Court of Human Rights (ECHR), which is the Human Rights Control Mechanism (Turkey also recognized the right of individual application to the ECHR in 1987 and accepted the jurisdiction of the ECHR in 1989);
- Recommendations (Recommendation CM/Rec (2019)) with particular emphasis on the relationship between gender stereotypes, gender inequality, sexism and violence against women and girls.

Gender Equality Monitoring Association (CEID), an institution that monitors and reports gender equality in Turkey, regularly publishes annual and quarterly gender equality monitoring reports.

In CEID reports, the main policies taken into account by considering the UN-Sustainable Development Goals 2015-2030 Document on Gender Equality and the Council of Europe 2018-2023 Gender Equality Strategy Document are as follows:

- Elimination of all forms of discrimination against women;
- Elimination of all forms of violence against women;

- Elimination of gross violations of rights such as child, early and forced marriages;
- Consideration of responsibility sharing in the family in public services, infrastructure and social protection policies of women's unpaid domestic labor;
- Ensuring the equal participation of women in all kinds of decisions;
- Guaranteeing sexual and reproductive rights;
- Reforms that provide women with equal access to economic resources, the right to own property and land, and the opportunity to enjoy equal access to financial services, inheritance and natural resources;
- Enabling women to use technology, especially information and communication technologies;
- Giving equal opportunities to women in rural development;
- Men's participation in ensuring gender equality;
- Preventing gender discrimination in population, migration movements and refugee processes;
- Preventing and combating gender stereotypes and sexism;
- Guaranteeing women's equal access to their rights to justice;
- Protecting the rights of migrant, refugee and asylum-seeking women and girls.

CEID carried out and reported the assessments on the gender equality in the following areas for the year 2020-2021. These assessments included gender equality in policy decision making, employment rate, education, etc. Within the scope of the report, it has been stated that the regressions in the practices related to women's rights gained since 2008 and the fact that some fundamental rights have become practically unusable cause serious uneasiness and anxiety in the public. These fundamental rights include such rights as access to justice, equal treatment in the workplace, equal opportunity in education.

Within the scope of political and social problems related to women's rights in Turkey, the following evaluations came to the fore:

- Promoting childbearing by the state, barriers to the use of the right to abortion create significant obstacles to women's reproductive health and rights;
- Despite the objections of many institutions working in the field of public opinion and women's rights, as of July 1, 2021, Turkey's;
- Withdrawal from the Istanbul Convention;

- Claims that the Convention will lead to the "destruction of the family", "increasing homosexuality", "destruction of the religious and cultural structure", as the reason for Turkey's withdrawal from the Istanbul Convention;
- The ongoing negative attitudes and political statements against the Lanzarote Convention, which prohibits child marriages, and CEDAW, which are among the international conventions that Turkey has recently signed and accepted to implement;
- Limitation of women's right to alimony;
- Limiting the non-use of gender in public institutions in the field of education as a result of the criticism of the use of the concept of gender: YÖK's abolition of the "Gender Equality Attitude Document" and the Ministry of National Education's termination of the "Gender Equality in Education Project" (ETÇEP);
- The inequalities revealed by the indicators of equal opportunity in education in Turkey;
- the illiteracy of more women than men;
- The shift of female students to open education for all groups aged 13 and over;
- The majority of female students only in the field of religious education among the students in secondary education institutions consisting of vocational-technical and religious education;
- early childhood education still lags behind global standards and Plan 10 targets;
- a decrease in the enrollment rate for both male and female students in secondary and higher education.

In the COVID-19 Pandemic process, the following determinations are especially important: during the lockdown process experienced with the pandemic, women's housework load increased, services to prevent domestic violence were inadequate, and the increase in violence against women was reflected in the data.

Among the important problems of gender inequalities in Turkey, job losses issues have also become remarkable. Researches have revealed that even during the pre-COVID-19 period, job losses were mostly relevant to employment of temporary workers without social security/insurance and especially low-educated workers, and therefore women with these characteristics, and especially young women.

Considering these basic analyzes and the current situation, the measures to be taken within the scope of the Project and the measures to reduce gender inequality are of great importance in the management of the elimination of potential human rights risks. Therefore, the measures and policies determined within the scope of the Project at this area will be implemented continuously and without exception.

3.4 Human Trafficking

Due to its location, Adana is located close to the Syrian border and its job opportunities are broader comparing to the surrounding provinces. According to the Refugees Association 2022 research, the 5th city with the highest number of immigrants is Adana. Considering that not all immigrants have work permits, there is a risk of human trafficking in the region.

3.5 Forced Labour

Forced labor, as a form of human trafficking, refers to the usurpation of personal freedom and coercion to work. Forced labor through confiscation of foreign passports, debt, threats and violence is another form of human trafficking. Forced prostitution among women, abuse and forced labor of children, and forcing men to work in inhumane conditions are common within the scope of this human rights violation.

Within the scope of the Project, measures and control mechanisms will be implemented to prevent the emergence of forced labor in provinces with high risk levels.

3.6 Child Labor

Agriculture is the sector where child labor is most common in Turkey. 30.8% of working children are in agriculture, 23.7% in industry and 45.5% in service sector. 66.0% of working children work in a regular workplace, 30.4% work in the field-garden, 3.0% work in a mobile, non-fixed workplace or market place, and 0.5% work at home.

When the provinces where the Project is located are evaluated, it can be stated that the risk is high in Adana province due to the intense temporary agricultural work.

Within the scope of the Project, the following risks may exist regarding child labor:

- Employing child workers in subcontracted jobs;
- Employment of children in works such as agriculture and commerce carried out within the family;
- Employment of children in productions made in the household on a piece-by-piece basis;
- Including children in the recruitment of unskilled workers living or traveling as nomads;
- Employing children under the age of 18 in hazardous work.

It is important to implement the necessary mitigation measures. Risk management will be ensured with mitigation measures, however, child labor has been evaluated as a risk that must be taken into account and prevented.

3.7 Gender Equality and Discrimination Context

Discrimination is a risk that should be constantly monitored and may arise from many reasons. The Project aims to ensure social inclusion and gender equality of vulnerable groups and to eliminate potential risks throughout the life of the Project, in line with national and international requirements. In order to ensure that job opportunities and benefits created within the scope of the Project are equally beneficial, it will be ensured that the vulnerable groups and women are informed at a sufficient level, primarily the people affected by the Project.

Under these conditions, women and children, who are especially vulnerable groups in immigrant and asylum seeker communities, are at higher risk of being exposed to violence, harassment and ill-treatment compared to other groups.

3.8 Security

The Project area is located within a Special Security Zone announced as per the Presidential Decision as of 04.10.2019 #1649. Therefore, the provisions of the Law on Military Forbidden and Security Zones #2565 and Regulation on Military Forbidden Regions and Special Security Regions shall be taken into consideration.

As discussed in the ESIA Chapter 15 Community Health, Safety and Security, the security personnel will be provided by the Project Company and EPC Contractor during the construction phase of the Project. According to the latest information, security personnel will be assigned as unarmed. During the operation period, CPIR management company will be responsible for provision of security services. Since the CPIR area is considered a strategic zone, security personnel will be armed. Maritime safety will be provided by the Coastal Safety. The total number of security personnel to be assigned is currently unknown.

The Project Company will need to ensure that the security services provided for the Project are in line with international standards – especially when these are provided by third parties.

4. KEY AFFECTED RIGHTS-HOLDERS AND KEY DUTY-BEARERS

The key rights-holders and duty-bearers identified for the purposes of this HRIA are provided in the Table 4-1 below:

Table 4-1. Key Rights-holders and Duty-bearers

| Rights-holders / Duty-bearers | Description |
|--|--|
| Rights-holders | |
| Local communities | Communities withing the social Aol include Kurtpinari (including Incirli, which is the closest community to the Project site, as well as Karatepe, Karayilan and center of Kurtpinari), Kurtkulagi, Sarimazi and Golovasi. The communities might be affected by such Project impacts as those associated with noise and dust, traffic, workers' influx, etc. |
| Vulnerable groups | Vulnerable groups are people who might be directly and differentially or disproportionately affected by a project because of their disadvantaged or vulnerable status. The vulnerable groups identified for the Project include children, people over 65 years old, people who have chronical disorder or need special care, mentally or physically disabled people, people who do not have health insurance, people having income below the minimum wage or receiving donations from the state/foundations and female-headed households. More detailed information on the vulnerable groups is provided in ESIA <i>Chapter 14: Socioeconomics</i> . |
| Households and land owners/users affected by displacement | This category of rights-holders includes 15 houses in Incirli potentially affected by physical displacement (resettlement) and individuals/organizations affected by economic displacement. More information is provided in ESIA <i>Chapter 14: Socioeconomics, Chapter 5: Land Use and Zoning</i> and Land Acquisition Gap Analysis Report. |
| Businesses | The businesses include Cengiz Restaurant and Esentepe Kilyos Restaurant in Incirli. While the first restaurant has a potential to benefit due to opportunities created by the Project-related activities, the second (fish) restaurant is located within the boundaries of the Project site and is currently closed. |
| Fishermen | There are fishermen in Incirli and Golovasi. Their activities might be affected due to the marine traffic associated with the Project and associated facilities, relevant restrictions and safety risks. |
| Project workers, associated facilities' workers and supply chain workers | The Project workers include employees directly employed by the Company, as well as contractors' and subcontractors' workers. During the peak period of the construction, the number of Project will be approximately 4,500 and the total number of labour force to be employed during the operation phase of the Project is approximately 320. Labour rights can be adversely impacted in areas such as working conditions, differential treatment of subcontractor workers and discriminatory practices towards specific individuals such as women and minorities. The rights to freedom of assembly and collective bargaining are also often potential impact areas. |
| Duty-bearers | |
| State actors | Per definition, states are the primary human rights duty-bearers as they have a legal obligation to respect, protect and fulfil human rights. The key state-led duty-bearers include Adana Province Governorate, Ceyhan District Governorate, Adana Metropolitan Municipality and Ceyhan Municipality Their duties are substantiated by a broad range of obligations, which relate to provision of support to vulnerable groups (including state financial support to pensioners, community members living in poverty, disabled persons, etc.), environmental protection and monitoring, medical and educational services, ensuring security of the population. In |

| Rights-holders / Duty-bearers | Description |
|---------------------------------------|--|
| | addition,the CPIR area was expropriated by the MoIT in 2010 and the relevant legal land acquisition process is managed by the Ministry of Industry and Technology. |
| Company and Project | The Company and the Project (i.e. including all contractors, subcontractors and, to the extent required by the IFC PS 2, organizations within the primary supply chain) have a responsibility to respect human rights and to avoid infringing upon the rights of others and to address those impacts with which they are involved. Such responsibility is defined by both obligations imposed by applicable legal requirements of the country, and by obligations taken by the Project as part of the ESIA process. |
| Non-Governmental Organizations | |
| NGOs | <p>As discussed in the Stakeholder Engagement Plan (SEP), there is a number of NGOs that may have a potential interest in the Project, including the following:</p> <ul style="list-style-type: none"> • Yumurtalik District Ayas Aquaculture Cooperative • Adana Women's Solidarity Center and Shelter Association • European Union Harmonization, Development, Culture and Contemporary Life Association • Housewives Culture and Solidarity Association • Mediterranean Agriculture and Citrus Workers Motor Carriers Cooperative • Altı Nokta Körler Association • Adana Ceyhan Special Education and Rehabilitation Center • Çukurova Special Education and Rehabilitation Center • Ceyhan Umut Yolu Special Education and Rehabilitation Center • Mavi Boncuk Special Education and Rehabilitation Center <p>More detailed list of the NGOs is provided in the SEP. The Development of Tourism in Yumurtalik and Protection of Environment Association is the only NGO which has shown interest in the Project so far and took part in Project-related stakeholder engagement activities. The Company might also interact with relevant NGOs for identification and engagement of vulnerable groups.</p> |

5. ASSESSMENT OF POTENTIAL HUMAN RIGHT IMPACTS

5.1 Construction

Table 5-1. Assessment of Potential Human Right Impacts for the Project’s Construction Phase

| Land Acquisition | | | | | |
|---|--|-------------------------------------|--|--|------------------------------------|
| Relevance to Human Rights | Potential Impacts | Before Mitigation Impact Assessment | | Measures and Good Practices to be Considered within the scope of HRIA | After Mitigation Impact Assessment |
| Right to own property Right to adequate housing Right to a standard of living adequate for the health and wellbeing of the individual and his/her family Right to participate freely in the cultural life of community | Loss of livelihoods, improper compensation, etc. The impact of the Project on land acquisition may be also related to complaints received prior to the expropriation process. | Geographic Extent | Local (2) | <ul style="list-style-type: none"> Conduct Land Acquisition Gap Analysis to clarify compliance of land acquisition activities with the IFC PS 5; Development of Livelihood Restoration Plan (and/or Resettlement Action Plan) to ensure compliance with the IFC PS 5; Coordinate with management of the broader CPIR industrial zone on resettlement/livelihood restoration activities as appropriate. The Project Company will develop and implement the Social Investment Plan. | Low |
| | | Duration | Very Long (5) | | |
| | | Intensity | Medium (3) | | |
| | | Frequency/Likelihood | Likely (3) | | |
| | | Reversibility | Irreversible (5) | | |
| | | Impact Magnitude | 65 | | |
| | | Receptor Sensitivity | Households affected by economic and physical resettlement / Medium (3) | | |
| Impact Significance | High (195) | | | | |
| Working Conditions | | | | | |
| Relevance to Human Rights | Potential Impacts | Before Mitigation Impact Assessment | | Measures and Good Practices to be Considered within the scope of HRIA | After Mitigation Impact Assessment |

| Land Acquisition | | | | | | |
|---|--|------------------------------------|--|--|------------|--|
| <p>Treatment of workers should be consistent with the International Labour Organization (ILO) Core Labour Conventions, i.e.:</p> <ul style="list-style-type: none"> allow freedom of association and collective bargaining; prohibit the hiring of underage workers, as defined in relevant ILO Conventions ; prohibit recruitment, use and practices of forced labour; prohibit discrimination in hiring practices or pay; and | <p>Phases of the Project lifecycle will have different workforce profiles and intensities. Certain work may be subcontracted, sometimes multiple times, to various subcontractors who may hire migrant or temporary workers.</p> <p>Types of activities where worker's human rights may be at greater risk include construction services, maintenance, security, and facilities related services such as cleaning, laundry and catering.</p> | <p>Geographic Extent</p> | Project Area (1) | <ul style="list-style-type: none"> The Project Company will develop and implement HR Policy, including Code of Conduct; The Project Company will develop and implement EHSS Policy; The Project Company will develop and implement Labour and Working Conditions Management Plan for the construction stage, including: <ul style="list-style-type: none"> Personnel Selection and Employment Procedure; Worker Grievance Mechanism; The Project Company will develop and implement Subcontractor Management and Monitoring Plan; The Project Company will develop and implement Supply Chain Management Plan; The Project Company will not employ nor permit any subcontractor to use child labour, and in accordance with Turkish legislation, any person under the age of 18 may not be assigned to any hazardous work within the Project; The Project Company will prohibit the use of forced labour by ensuring full compliance with national legislation and the provisions of relevant conventions and other international standards; Further measures should be put in place to encourage female participation in indirect workforce, such as providing specific training where required, enabling flexibility and job-sharing opportunities for women with children to participate; For all contractor contracts, the Project will make explicit reference to the need to abide by IFC standards and ILO conventions in relation to labor and welfare standards, freedom of association and reference must be made to child and forced labor. Emphasis will also be placed on anti-discrimination measures. Where young people below the age of 18 years are employed, it will be made clear that they will not be employed in hazardous work and their work will be subject to an appropriate risk assessment; Under the Human Resources policy, the project proponent should provide all employees with information regarding their rights under national labour law, including their rights related to wages and benefits. The policy will cover working conditions, right to organize, | <p>Low</p> | |
| | | <p>Duration</p> | Long (4) | | | |
| | | <p>Intensity</p> | Medium (3) | | | |
| | | <p>Frequency/Likelihood</p> | Likely (3) | | | |
| | | <p>Reversibility</p> | Mid-term (3) | | | |
| | | <p>Impact Magnitude</p> | 33 | | | |
| | | <p>Receptor Sensitivity</p> | Workers including third parties / Medium (3) | | | |
| <p>Impact Significance</p> | Medium (96) | | | | | |

| Land Acquisition | | | | | |
|---|------------------------------------|-------------------------------------|--------------|---|------------------------------------|
| <ul style="list-style-type: none"> provide just and favorable working conditions | | | | <p>non-discrimination, grievance mechanisms, child labour, and forced labour;</p> <ul style="list-style-type: none"> For all contractor contracts, the Project will make explicit reference to the need to abide by IFC, EBRD and Equator Principle standards and ILO conventions in relation to labor and welfare standards, freedom of association and reference must be made to child and forced labor. Emphasis will also be placed on anti-discrimination measures. Where young people below the age of 18 years are employed, it will be made clear that they will not be employed in hazardous work and their work will be subject to an appropriate risk assessment; Workers will have contracts which clearly state the terms and conditions of their employment and their legal rights. Information will include, but not be limited to: <ul style="list-style-type: none"> entitlement to wages, hours of work, overtime arrangements and overtime compensation, and any benefits (such as leave for illness, maternity / paternity or holiday) able to join trade unions of their choice and have the right to collective bargaining contracts will be verbally explained in their native languages to all workers where this is necessary to ensure that workers understand their rights prior to any employment contract to be signed. Worker Grievance Mechanism will be developed and will: <ul style="list-style-type: none"> be open to all the staff and their contractors, be publicly advertised by the Project in the workforce, be easily accessible by workers be free of retribution allow anonymous complaints to be raised and addressed. | |
| Community health and safety | | | | | |
| Relevance to Human Rights | Potential Impacts | Before Mitigation Impact Assessment | | Measures and Good Practices to be Considered within the scope of HRIA | After Mitigation Impact Assessment |
| Right to the highest attainable | Potential impacts/risks relate to: | Geographic Extent | Regional (3) | <ul style="list-style-type: none"> Development and implementation of Community Health, Safety and Security Plan for the Project construction stage; | Low |
| | | Duration | Long (4) | | |

| Land Acquisition | | | | | |
|--|--|-----------------------------|------------------------|---|--|
| standard of physical and mental health Right to access education Right to participate freely in the cultural life of the community Right to equal access to public service in own country | <ul style="list-style-type: none"> increase migrant/foreign workers, leading to an increase in infectious diseases or STDs; potential conflicts between workers and local residents; traffic impacts; inhibiting peoples' access to, or use of, public services; creating negative impacts on the surrounding environment of the Area of the Influence; including but not limited to dust, noise and air pollution. | Intensity | Medium (3) | <ul style="list-style-type: none"> Protective barriers / fences with warning signs will be provided at the construction sites; Security personnel will be provided at the main construction sites and/or regular patrol inspections shall be arranged in the area to prevent unauthorized access; Development and implementation of the Code of Conduct for workers; Provision of induction training for personnel of the Company and contractors on the issues of interaction with local people; Development and implementation of Accommodation Management Plan to ensure that accommodation services of adequate quality are provided to the Project workers (including provision of leisure facilities, shops, etc. to minimize contacts with local residents); Training will be implemented to make personnel aware of the risk of transmitted diseases (particularly HIV/AIDS, tuberculosis, STDs), and on availability of confidential consultation services at the medical center(s) – particularly when an infection is suspected; Specific healthcare clinics providing sexual health testing will be identified for the Project and communicated to workers; Condoms will be available to the workers on open access at the on-site medical center(s) where any worker may take it anonymously; Provide hygiene materials for free and monitor the use of preventive tools for Covid-19. Conduct periodic medical checks for personnel and other mitigating measures when required; Coordinate with BOTAS regarding potential impacts on Incirli community and Incirli beach; Conducting information disclosure and consultation activities with communities and other stakeholders in line with the Stakeholder Engagement Plan (SEP); Develop and implement Traffic Management Plan; Develop and implement Emergency Preparedness and Response Plan; Close contact with affected stakeholders (Incirli residents, businesses, staff of surrounding facilities, fishermen etc.) should be maintained in order to respond effectively to potential potential issues; Implementation of grievance mechanism. | |
| | | Frequency/Likelihood | Frequent (4) | | |
| | | Reversibility | Irreversible (5) | | |
| | | Impact Magnitude | 70 | | |
| | | Receptor Sensitivity | Nearby communities (3) | | |
| | | Impact Significance | High (210) | | |

| Land Acquisition | | | | | |
|---|--|-------------------------------------|------------------------|--|------------------------------------|
| Security | | | | | |
| Relevance to Human Rights | Potential Impacts | Before Mitigation Impact Assessment | | Measures and Good Practices to be Considered within the scope of HRIA | After Mitigation Impact Assessment |
| Right to life, liberty and security of person Right to freedom from torture or cruel, inhuman or degrading treatment or punishment Right to freedom from arbitrary arrest, detention or exile Right of detained persons to humane treatment Right to freedom of assembly, freedom of association and collective bargaining Right to a fair trial | Impacts on the community, individual or worker's human rights may be more likely where: <ul style="list-style-type: none"> there is a culture of arbitrary arrest, impunity or disregard for the rights of people; state or private security forces have not received human rights training; people do not have access to a functioning legal or judicial system where they may seek remedy for potential human rights abuse by | Geographic Extent | Local (2) | The Project is implemented in a Special Security Zone. The Company will need to ensure that security services provided for the Project are in line with international standards – especially when these are provided by third parties. The measures will include: <ul style="list-style-type: none"> A Security Management Plan will be developed and implemented during the construction phase of the Project; International best practices will be applied to hiring, training and mobilizing security staff. Ceyhan PP A.Ş. will ensure that security personnel have not been involved in past abuses (including gender-related abuses) and are adequately trained. Force will only be sanctioned in preventive or defensive circumstances in proportion to the threat and security will operate within the law. The grievance mechanism will allow communities to express concerns in accordance with requirements of IFC and EBRD standards; As part of the Community Health, Safety & Security Plan the Project Company will develop and implement a series of security measures, particularly for the construction stage of the Project; these will include the installation of sufficient and adequate site boundary and access controls near settlements to prevent unauthorized entry to construction. Human rights will be included as part of the training of security forces, and if not, it will be considered making provision for human rights training so that security forces are aware of how to address workforce or community related grievances and peaceful protests. Conflict management training will be provided to security personnel. The Grievance Mechanism for the Project will capture all grievances raised in relation to security and safety issues. These will be addressed promptly, and actions will be taken. | Low |
| | | Duration | Long (4) | | |
| | | Intensity | Medium (3) | | |
| | | Frequency/Likelihood | Likely (3) | | |
| | | Reversibility | Mid-term (3) | | |
| | | Impact Magnitude | 36 | | |
| | | Receptor Sensitivity | Nearby communities (3) | | |
| Impact Significance | Medium (108) | | | | |

| Land Acquisition | | | | | |
|--|--|-------------------------------------|-----------------------|---|------------------------------------|
| Right to an effective remedy | security forces. | | | | |
| Vulnerable Groups | | | | | |
| Relevance to Human Rights | Potential Impacts | Before Mitigation Impact Assessment | | Measures and Good Practices to be Considered within the scope of HRIA | After Mitigation Impact Assessment |
| Right to nondiscrimination Right to self-determination Right to own property Right to adequate housing Right to a standard of living adequate for the health and wellbeing of the individual and his/her family Right to the highest attainable standard of physical and mental health Right to participate freely in the cultural life of | Potential impacts from projects may disproportionately affect vulnerable populations within the local community. | Geographic Extent | Local (2) | <ul style="list-style-type: none"> Engagement specifically with Vulnerable Groups should be strengthened within the framework of the Stakeholder Engagement Plan, with work underway to continue to identify and support vulnerable people It is recommended to undertake a review of potentially vulnerable or otherwise hard to reach (e.g. absentee, semi- permanent resident) stakeholders in advance of the stakeholder engagement meetings. The purpose is to ensure that as wide a cohort as possible receive the latest and most appropriate information. Separate consultations or engagement efforts will be conducted as appropriate with vulnerable groups. In certain contexts, this will be required the creation of safe spaces for discussion and awareness of local cultural sensitivities, which may be based on ethnicity, religion, race, gender or other aspects. Engagement with vulnerable groups will be conducted by diverse team of representatives to be successful. A good relationship will be established with local leaders or others who claim to represent the views of vulnerable members of the community or specific groups truly represent those members and have their permission, endorsement and support. | Low |
| | | Duration | Long (4) | | |
| | | Intensity | Medium (3) | | |
| | | Frequency/Likelihood | Likely (3) | | |
| | | Reversibility | Mid-term (3) | | |
| | | Impact Magnitude | 33 | | |
| | | Receptor Sensitivity | Vulnerable groups (5) | | |
| Impact Significance | High (180) | | | | |

| Land Acquisition | | | | | |
|---|--|--|--|--|--|
| the community | | | | | |
| Right to equal recognition and protection under the law | | | | | |
| Right to an effective remedy | | | | | |

5.2 Operation

Table 5-2. Assessment of Potential Human Right Impacts for the Project’s Operation Phase

| Working Conditions | | | | | |
|---|--|-------------------------------------|--|--|------------------------------------|
| Relevance to Human Rights | Potential Impacts | Before Mitigation Impact Assessment | | Measures and Good Practices to be Considered within the scope of HRIA | After Mitigation Impact Assessment |
| Treatment of workers should be consistent with the International Labour Organization (ILO) Core Labour Conventions, i.e.: <ul style="list-style-type: none"> allow freedom of association and collective bargaining; prohibit the hiring of underage workers, as defined in relevant ILO Conventions; prohibit recruitment, use and practices of forced labour; prohibit discrimination in hiring practices or pay; and provide just and favourable working conditions | Phases of the Project lifecycle will have different workforce profiles and intensities. Certain work may be subcontracted, sometimes multiple times, to various subcontractors who may hire migrant or temporary workers. Types of activities where worker’s human rights may be at greater risk include construction services, maintenance, security, and facilities related services such as cleaning, laundry and catering.. | Geographic Extent | Project Area (1) | Mitigation measures will be similar to applied during the construction phase. The key measures to be adopted at the construction stage include: <ul style="list-style-type: none"> Implementation of the HR Policy; Implementation of the EHSS Policy; Development and implementation of the Labour and Working Conditions Management Plan for the operation phase, including: <ul style="list-style-type: none"> Personnel Selection and Employment Procedure; Worker Grievance Mechanism. | Low |
| | | Duration | Very Long (5) | | |
| | | Intensity | Medium (3) | | |
| | | Frequency/Likelihood | Likely (3) | | |
| | | Reversibility | Mid-term (3) | | |
| | | Impact Magnitude | 36 | | |
| | | Receptor Sensitivity | Workers including third parties / Medium (3) | | |
| Impact Significance | Medium (108) | | | | |

| Livelihood | | | | | |
|--|--|-------------------------------------|------------------------|--|------------------------------------|
| Relevance to Human Rights | Potential Impacts | Before Mitigation Impact Assessment | | Measures and Good Practices to be Considered within the scope of HRIA | After Mitigation Impact Assessment |
| Right to a standard of living adequate for the health and wellbeing of the individual and his/her family Right to access food Right to work and favorable conditions of work Right to access education Right to freedom of expression and access to information Right to the highest attainable standard of physical and mental health7 | Impact of the Project on the livelihoods of stakeholders in and around the Project area. Having land acquisition complaints before the expropriation process. | Geographic Extent | Regional (3) | <ul style="list-style-type: none"> No land acquisition is anticipated at the operation stage. However, if additional land acquisition is conducted, the Project Company needs to ensure that it is implemented in line with the IFC PS 5 with the Livelihood Restoration Plan / Resettlement Action Plan developed as appropriate; Recruitment procedures will be developed and aim to: <ul style="list-style-type: none"> provide opportunities for employment of local workforce to the extent possible considering unskilled, semi-skilled, and skilled workforce; give priority to vulnerable persons (especially those who will be economically disabled); give priority to Social Area of Influence as much as possible, for the scope of good practice. The Project and its contractor will outline and require a fair and transparent, gender neutral recruitment process for all job openings; The Project Company and its contractors should encourage Subcontractors to employ local personnel (Personnel Selection and Employment Procedure will be implemented); Project should seek to maximize the benefits for local communities in terms of both direct and indirect employment opportunities and purchasing of local good and services; The Project Company will develop and implement the Social Investment Plan. | Low |
| | | Duration | Very Long (5) | | |
| | | Intensity | Medium (3) | | |
| | | Frequency/Likelihood | Likely (3) | | |
| | | Reversibility | Mid Term (3) | | |
| | | Impact Magnitude | 42 | | |
| | | Receptor Sensitivity | Nearby communities (3) | | |
| | | Impact Significance | Medium (126) | | |
| Community health and safety | | | | | |
| Relevance to Human Rights | Potential Impacts | Before Mitigation Impact Assessment | | Measures and Good Practices to be Considered within the scope of HRIA | After Mitigation Impact Assessment |
| | | Geographic Extent | Regional (3) | | |

| | | | | | |
|--|--|--|--|--|-----|
| Right to the highest attainable standard of physical and mental health Right to access education Right to participate freely in the cultural life of the community Right to equal access to public service in own country | Potential impacts/risks relate to: <ul style="list-style-type: none"> increase migrant/foreign workers, leading to an increase in infectious diseases or STDs; potential conflicts between workers and local residents; traffic impacts; physically inhibit peoples' access to, or use of, public services, etc. | Duration | Long (4) | <ul style="list-style-type: none"> Development and implementation of Community Health, Safety and Security Plan for the Project operation stage; Security personnel will be provided at the Project sites to prevent unauthorized access; Development and implementation of the Code of Conduct for workers; Provision of induction training for personnel of the Company on the issues of interaction with local people; Training will be implemented to make personnel aware of the risk of transmitted diseases (particularly HIV/AIDS, tuberculosis, STDs), and on availability of confidential consultation services at the medical center(s) – particularly when an infection is suspected; Specific healthcare clinics providing sexual health testing will be identified for the Project and communicated to workers; Provide hygiene materials for free and monitor the use of preventive tools for Covid-19. Conduct periodic medical checks for personnel and other mitigating measures when required; Coordinate with BOTAS regarding potential impacts on Incirli community and Incirli beach; Conducting information disclosure and consultation activities with communities and other stakeholders in line with the Stakeholder Engagement Plan (SEP); Develop and implement Traffic Management Plan; Develop and implement Emergency Preparedness and Response Plan; Close contact with affected stakeholders (Incirli residents, businesses, staff of surrounding facilities, fishermen etc.) should be maintained in order to respond effectively to potential issues; Implementation of grievance mechanism. | Low |
| | | Intensity | Medium (3) | | |
| | | Frequency/Likelihood | Frequent (4) | | |
| | | Reversibility | Irreversible (5) | | |
| | | Impact Magnitude | 70 | | |
| | | Receptor Sensitivity | Nearby communities (3) | | |
| Impact Significance | High (210) | | | | |
| Security | | | | | |
| Relevance to Human Rights | Potential Impacts | Before Mitigation Impact Assessment | Measures and Good Practices to be Considered within the scope of HRIA | After Mitigation Impact Assessment | |

| | | | | |
|--|---|--|--|------------|
| <p>Right to life, liberty and security of person</p> <p>Right to freedom from torture or cruel, inhuman or degrading treatment or punishment</p> <p>Right to freedom from arbitrary arrest, detention or exile</p> <p>Right of detained persons to humane treatment</p> <p>Right to freedom of assembly, freedom of association and collective bargaining</p> <p>Right to a fair trial</p> <p>Right to an effective remedy</p> <p>The industry seeks to protect people and assets in a manner that</p> | <p>Impacts on the community, individual or worker's human rights may be more likely where:</p> <ul style="list-style-type: none"> • there is a culture of arbitrary arrest, impunity or disregard for the rights of people; • state or private security forces have not received human rights training; • people do not have access to a functioning legal or judicial system where they may seek remedy for potential human rights abuse by security forces. <p>The Project's Social Aol is political stable and absence from violence, while there will be no public security forces</p> | <p>Geographic Extent</p> <p>Local (2)</p> | <p>The measures to be implemented at the operation phase will be similar to the described above for the construction phase. In particular, the key measures will include development and implementation of the Community Health, Safety and Security Plan and Security Management Plan for the construction stage.</p> | <p>Low</p> |
| | | <p>Duration</p> <p>Long (4)</p> | | |
| | | <p>Intensity</p> <p>Medium (3)</p> | | |
| | | <p>Frequency/Likelihood</p> <p>Likely (3)</p> | | |
| | | <p>Reversibility</p> <p>Mid-term (3)</p> | | |
| | | <p>Impact Magnitude</p> <p>36</p> | | |
| | | <p>Receptor Sensitivity</p> <p>Nearby communities (3)</p> | | |
| <p>Impact Significance</p> <p>Medium (108)</p> | | | | |

Annex-M: Human Rights Impacts Assessment

| respects human rights and is consistent with the Voluntary Principles on Security and Human Rights or the UN Basic Principles on the Use of Force and Firearms | and armed personnel on the Project site. | | | | |
|---|--|-------------------------------------|-----------------------|---|------------------------------------|
| Vulnerable Groups | | | | | |
| Relevance to Human Rights | Potential Impacts | Before Mitigation Impact Assessment | | Measures and Good Practices to be Considered within the scope of HRIA | After Mitigation Impact Assessment |
| Right to nondiscrimination Right to self-determination Right to own property Right to adequate housing Right to a standard of living adequate for the health and wellbeing of the individual and his/her family Right to the highest attainable standard of physical and mental health | Potential impacts from projects may disproportionately affect vulnerable populations within the local community. | Geographic Extent | Local (2) | <ul style="list-style-type: none"> Engagement specifically with Vulnerable Groups should be strengthened within the framework of the Stakeholder Engagement Plan, with work underway to continue to identify and support vulnerable people. It is recommended to undertake a review of potentially vulnerable or otherwise hard to reach (e.g. absentee, semi-permanent resident) stakeholders in advance of the stakeholder engagement meetings. The purpose is to ensure that as wide a cohort as possible receive the latest and most appropriate information. Separate consultations or engagement efforts will be conducted as appropriate with vulnerable groups. In certain contexts, this will be required the creation of safe spaces for discussion and awareness of local cultural sensitivities, which may be based on ethnicity, religion, race, gender or other aspects. Engagement with vulnerable groups will be conducted by diverse team of representatives to be successful. A good relationship will be established with local leaders or others who claim to represent the views of vulnerable members of the community or specific groups truly represent those members and have their permission, endorsement and support. | Low |
| | | Duration | Long (4) | | |
| | | Intensity | Medium (3) | | |
| | | Frequency/Likelihood | Likely (3) | | |
| | | Reversibility | Mid-term (3) | | |
| | | Impact Magnitude | 60 | | |
| | | Receptor Sensitivity | Vulnerable groups (5) | | |

| | | | | | |
|--|--|----------------------------|------------|--|--|
| Right to participate freely in the cultural life of the community Right to equal recognition and protection under the law Right to an effective remedy | | Impact Significance | High (180) | | |
|--|--|----------------------------|------------|--|--|

6. MITIGATION MEASURES FOR THE POTENTIAL HUMAN RIGHT RISKS

6.1 Development of the Project Management and Policy Documents

The Project Company will develop following Project-specific documents and remedies:

- Project-specific Human Resources (HR) Policy and implementation guideline that covers inter alia, child labour and minimum age aspects in line with IFC Guidance Note 2;
- Subcontractor Management and Monitoring Procedure (covering management of risks stemming from Project's supply chain);
- Occupational Health and Safety Management Plan;
- Labour and Working Conditions Management Plan, including Workers Grievance Mechanism;
- Accommodation Camp Management Plan;
- Supply Chain Management Plan, as a minimum to cover the following:
 - Ensure that any tendering process includes clauses and policies on minimum working age, normal working hours, freedom to collective bargaining, good working conditions and eradicating risks of forced labour;
 - Include labour management clauses (as specified in bullet point above) in procurement contracts;
 - Considering the high rate of child labor among Syrians, a zero-tolerance policy will be applied to child labor, especially for refugees. Particularly, due to the high rate of illegal work in Adana and the high risk of child labor in agricultural activities in Çukurova, periodic controls will be made to prevent child labor. AYGM will request commitment and regulation from other subcontractors that child labor will not be employed.

The internal grievance mechanism provides for the following:

- Grievances/feedback can be submitted anonymously if preferred by the grievance/feedback holder, though that will mean that feedback cannot be provided to the grievant;
- People submitting grievances/feedback will be free of retribution or retaliation/feedback;
- The use of the Grievance and Feedback Mechanism does not prevent the grievance/feedback holder from having access to other mechanisms (e.g. through the courts/law);
- External Grievance Mechanism as part of the Project SEP;

- Community Health, Safety and Security Plan.

6.2 Ensuring the Anti-Discrimination Approach and Equal Opportunity

The Project Company will develop and implement the following measures:

- Development and implementation of the HR Policy, which is to include clear provisions on non-discrimination and equal opportunities;
- Personnel Selection and Employment Procedure (that will include non-discrimination and equal opportunity);
- In order to increase the employment opportunities for local people within the Project area, the Contractor will employ local workers, preferring suitably qualified and experienced applicants from local communities close to the Project. While recruiting Syrians under temporary protection and all employees, legal work permits will be checked;
- Local people and mukhtars affected by the Project will be informed about employment opportunities and women will be encouraged to apply for job opportunities;
- Job postings will be prepared using an anti-discrimination language, and recruitment processes will be carried out in a transparent and accountable manner;
- Publish vacancies (listing the required qualifications for all categories of employment) within Project-affected communities;
- Ensure the exchange of information between Contractor and the local population on employment opportunities by visiting the mukhtars in the vicinity of the Project affected area;
- Engage CLO to respond on questions from the local population regarding employment and procurement opportunities;
- Proactively procure goods and services from local businesses and entrepreneurs in affected settlements and members of targeted disadvantaged groups (to be included in the Purchasing and Supplier Evaluation Procedure);
- Publicizing procurements and employment opportunities within the targeted geographical area or targeted group, for example at the District and neighborhood offices and via notice boards, print media (newspapers, etc.), recruitment agencies, or job and career fairs;
- In disseminating information on potential service procurement opportunities, take steps to maximize outreach, using all forms of media that may be appropriate;
- Vulnerable groups will be provided with necessary support and assistance during the employment process;
- Transparency, suitability for the job and merit criteria will be applied without exception in the recruitment processes in line with the principles and ethical rules;

- Project Company and subcontractor personnel will be provided with training on Subcontractor's conduct covering Project's approach to prevention of gender-based violence and harassment and sexual harassment at the time of employment. Trainings will cover, inter alia, the following:
 - Definition of violence against women in national and international documents;
 - Types of violence (physical, sexual, economic, emotional), and legal sanctions;
- Project Community Liaison Officer (CLO) and Contractor's HR team will be specially trained on the Human Rights issues which are included in this document;
- Contractor and subcontractor personnel trainings on the Project-specific HR Policy and labour aspects including Contractor and subcontractor personnel trainings on the SEP and Grievance Mechanism.

To mitigate gender related effects, the following measures will be implemented in addition to the abovementioned measures:

- A zero-tolerance process will be in place for discrimination against women workers;
- Grievance Mechanism will be developed to process gender-based complaints and implement necessary measures accordingly;
- All staff will be trained to prevent gender-based violence and promote a gender-sensitive work environment. Trainings will include at minimum prevention of such issues as:
 - Gender discrimination;
 - Sexual harassment;
 - Child labour;
 - Forced labour;
 - Human trafficking.

6.3 Reporting of Gender Based Violence and Harassment

Channels for anonymous reporting on Gender Based Violence and Harassment (GBVH) will be developed. Measures to be implemented to ensure GBVH cases are reported might include:

- Project workers will be provided with information regarding Code of Conduct in local languages which will include provisions for reporting, investigations, termination and disciplinary action against those perpetrating gender violence and harassment;
- The Project Company and contractors will conduct mandatory regular training and awareness raising for the workers on GBVH towards local community members and their colleagues especially women and the availability of a grievance mechanism to report any GBVH cases;

- The Project workers will be made aware of the laws and regulations that make GBVH a punishable offence which is prosecuted;
- Ensuring representation of women in the Project team performing as the CLO or as a contact person to be approached with regard to GBVH issues;
- The Project Company will work in close cooperation with local authorities in investigating any grievances regarding GBVH in the local communities where it relates to Project workers;
- Develop a monitoring system to monitor GBVH activities to assess the effectiveness of the controls, including tracking of GBVH-related grievances and actions implemented in order to address them.

6.5. Remedy Actions

The project will directly monitor the activities that may increase child labour, implements sanctions in line with human rights and principles, and reviews business relations.

- No employee or any Project consultant, contractor, sub-contractor, vendor or supplier will be involved in criminal activities, human rights violations. This commitment will be specified in all contracts and its sanctions will be defined.
- If any employee is found to have engaged in such behavior, the Project will impose its own sanctions, including dismissal, in addition to national and international regulations.
- The project will identify mitigation measures to minimize risks, consult and implement measures through open and transparent consultations with local people.

In this process, necessary arrangements and supports should be provided especially in order to prevent the loss of livelihood and income of land users. For this reason, the determination of the main users of the lands is an important element to be carried out before the construction.

6.6. Remedies for the Effectiveness of the SEP and Grievance Mechanism

Effective Use of Grievance Mechanism for these measures is one of the most important tools to prevent human rights violations and to prevent risks through early detection. For the effective use of the grievance mechanism, the GRM Procedure is being revised within the scope of the SEP document. Effective use of GRM measures are defined to improve the functioning of human rights.

Assistance will be provided to enable vulnerable groups to access the Project GRM.

Open, transparent, timely and reliable information and consultations will be proceeded with vulnerable groups, disadvantaged groups and women living in or affected by the project, on GRM and Project impacts/ opportunities which will be detailed in the SEP document.

Within the scope of the project, cooperation and partnerships will be established with institutions and/or NGOs that are experts in their fields to manage risks related to human rights and gender discrimination. These collaborations will support the management of project risks with consultancy activities that will be beneficial in the management of risks related to human rights, both legally and socially.

Announcements of the content of job opportunities and their definitions in job postings will be inclusive and will not include expressions that are indiscriminate, discriminatory, identifying or excluding.

Environmental and social arrangements will be made to ensure working conditions that take into account gender equality and offer equal opportunities to all segments in the business area, office areas and all other working areas.

Meetings will be held and briefings will be made so that all disadvantaged, marginalized and vulnerable groups can access the grievance mechanism and submit their complaints under equal conditions.

SEP disclosure meetings for the Project affected communities and Project stakeholders.

7. STAKEHOLDER ENGAGEMENT

Regular and meaningful engagement with affected communities and individuals, as well as with other relevant stakeholders, is a key component in ensuring the effective identification and management of human rights impacts. Stakeholder engagement needs to involve interactive and participatory processes and is characterized by iterative two-way communication.

Engagement and participation is the basis for building the strong, constructive and responsive relationships that are necessary for successful projects. This section of the Report includes important topics when designing and implementing a stakeholder engagement strategy during impact identification, assessment and management based on Integrating human rights into environmental, social and health impact assessments prepared by the Danish Institute for Human Rights (2013).

Furthermore, it is important for affected community members to have avenues whereby they can raise grievances regarding the impact assessment process and outcomes in a confidential or open manner. A grievance mechanism establishes a process for affected community members to contact the proponent with inquiries, concerns and formal complaints, and to guide proponents in the address of issues that arise through the grievance process. This is good practice as it supports access to and remedy for impacted stakeholders and rights holders.

Anyone affected by the Company's activities must have access to a grievance mechanism where they can report any concerns about the company's activities, without discrimination or fear of repercussion. In order to facilitate dialogue with the local community, the company must establish and maintain an effective grievance process whereby members of the local community can lodge company-related complaints. Complaints might range from dissatisfaction with company operations resulting in noise or pollution of the air or water, to claims of intimidation or abuse by company security guards. The company must properly examine all grievances pursuant to its pre-established grievance procedure.

The grievance procedure should be designed in collaboration with representatives from the local community to reflect their needs and interests and to create ownership and trust in this mechanism. Any individual or organisation filing a grievance must receive notification of the company's findings regarding the particular complaint and whether corrective action will be taken. If the individual or organisation disagrees with the decision, he or she should have recourse to some reasonable form of dispute resolution process to settle the claim with the company. Details of the Grievance Mechanism established for the Project can be obtained from the SEP.

7.1 Integration of the Grievance Redress Mechanism

The using of the tools and methods identified above in GRM Procedure and SEP implementation process will be supported by capacity building activities and trainings on the

tasks and workflow of the Project related experts. Complaints, suggestions, and opinions received through these tools will be evaluated and finalized according to the Grievance Redress Mechanism management process described in this Grievance Redress Mechanism Procedure.

Each written or verbal complaint or suggestion submitted by the Project representatives or experts will be recorded with the contact information of the stakeholder in the main database. All process will be monitored and finalized in this commonly used database, within the workflow of the grievance mechanism.

Feedback and result notification for complaints received through this channel will be made to the relevant stakeholder.

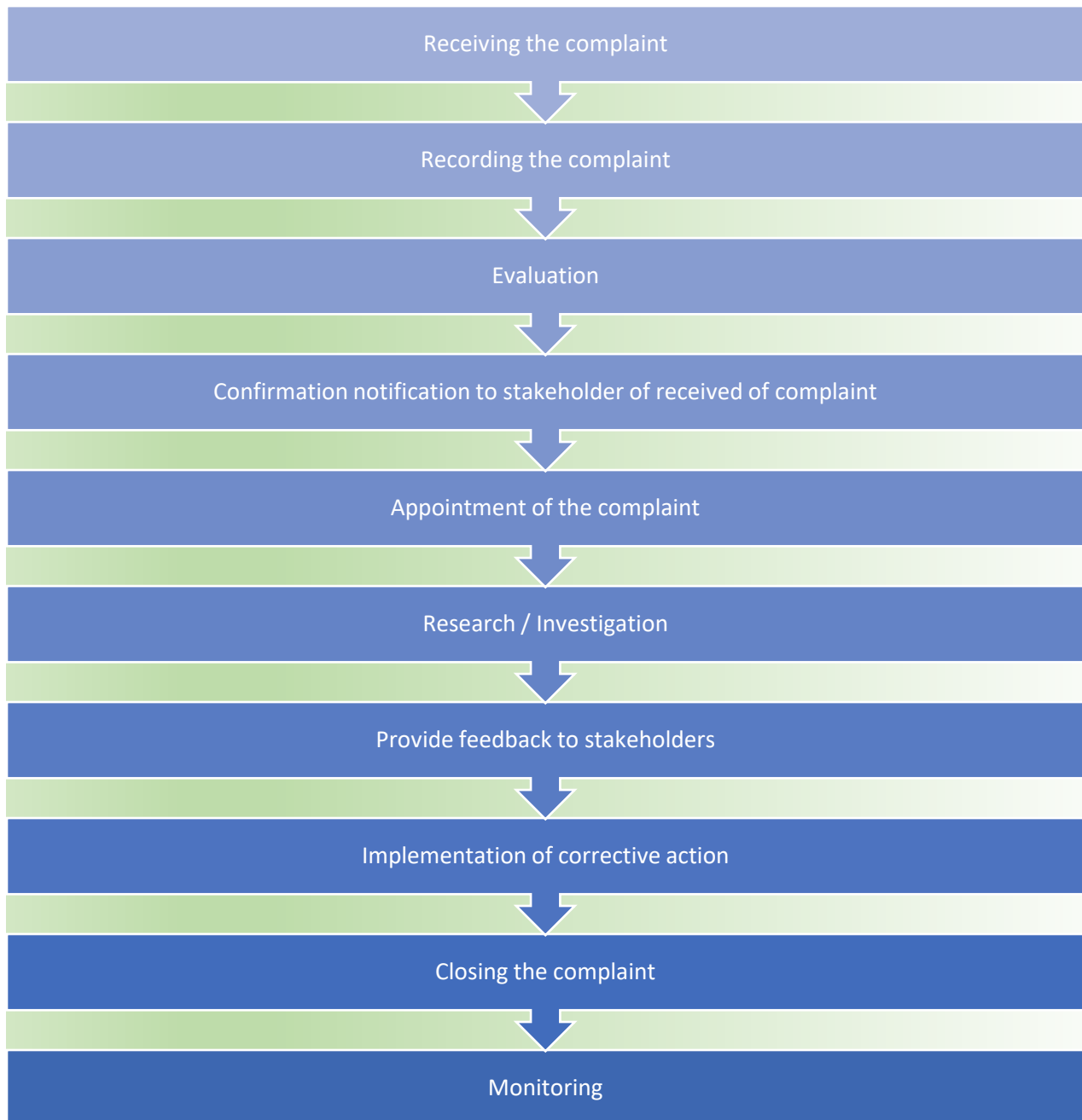
7.2 Internal (Worker) Grievance Management Process

Employees, who may be direct workers or third party/subcontractor's workers, are encouraged to submit written complaints, comments and concerns. Since the confidentiality of the complainant should be preserved, grievances are collected in grievance boxes which will be placed in areas workers can easily access, including dining rooms. Through these forms, workers will also be able to make anonymous complaints. Information on how to express complaints, opinions and suggestions to workers will be provided during the orientation training process. Written submissions will not be shared and used in any way to force or intimidate those submitting the complaints.

7.3 External Grievance Management Process

The steps of the grievance management process consist of receiving the grievance, assessing, sending acknowledgment, investigating, feedback to stakeholder, implementing the remediation activities and closeout which process are defined below sections in detail. These steps are also the management process of the internal grievance of the Project.

The functioning of the grievance redress mechanism is shown in the diagram below.



Receiving and assessment of anonymous complaints: When both external and internal stakeholders experience problems, concerns, or difficulties in providing their contact information, identification information, complaints submitted by stakeholders will be initially evaluated and recorded as anonymous complaints or anonymous suggestions.

Stakeholders can send all their wishes and complaints, without specifying their names, to the wish-complaint boxes placed at specific points for external stakeholders or via Rönesas telephone hotline.

Grievances are received anonymously and assessed by applying the steps defined in the workflow. Within the scope of the complaint, it will be evaluated through investigation /

examination processes and each stage will be recorded in the complaint mechanism system. Third parties will not be informed about complaints that need to be kept confidential.

When the complaint is concluded, although there will be no formal feedback on the solution to be implemented, if it is an issue that needs to be informed by the public and if deemed necessary, it can be announced to the stakeholders through common boards/ public and general communication tools.

8. MONITORING AND EVALUATION

The stage of monitoring and evaluation involves subjecting the HRIA itself to assessment, to determine the extent to which it has met its objectives and is acceptable to stakeholders. This step will also involve an examination of the extent to which the duty-bearers have incorporated the recommendations of the HRIAs, and it enables information-gathering about the actual impacts of the policy intervention. Information on monitoring with regard to Human Rights is provided in Table 8-1.

Table 8-1. Monitoring Activities Related to Human Rights

| Activity | Frequency | Steps | Areas For Further Attention And Considerations | Responsibility | Indicator |
|-----------------------|------------|---|---|-----------------|---|
| Reporting | Annually | <ul style="list-style-type: none"> Share with stakeholders the main findings of the HRIA and lessons learnt, and ensure that their views are adequately reflected in the report. Discuss potential mitigation measures and ensure these reflect preferred mitigations measures indicated by stakeholders. Ensure that the report is available in appropriate language and shared with participants in an accessible manner (by posting on websites, etc.). Ensure that the impact management plan adopted by the Project Company/Contractors is communicated to stakeholders. | <ul style="list-style-type: none"> Consider holding separate meetings for specific groups of stakeholders to ensure that they have the opportunity to express themselves on the recommended mitigation measures. Set a reasonable deadline for receiving comments to the HRIA report from stakeholders. | Project Company | <ul style="list-style-type: none"> Evidence of HRIA publishing Evidence of consultations with stakeholders (including affected communities) Recruitment of CLO Grievance related to human right violation |
| Engagement Activities | Continuous | <ul style="list-style-type: none"> Support the establishment of participatory monitoring mechanisms to allow stakeholders to be continuously engaged in the follow-up to the report. Suggest regular meetings are held between the Project Company and stakeholders. | <ul style="list-style-type: none"> To request ongoing feedback on impacts from stakeholders, for example through internal and external grievance mechanisms. To publicly report on progress made on the implementation of the mitigation | Project Company | <ul style="list-style-type: none"> Evidence of HRIA publishing Evidence of consultations with stakeholders (including affected communities) Recruitment of CLO |

| Activity | Frequency | Steps | Areas For Further Attention And Considerations | Responsibility | Indicator |
|----------|-----------|-------|--|----------------|--|
| | | | measures in an ongoing manner. | | <ul style="list-style-type: none"> Grievance related to human right violation |

Monitoring should, inter-alia, answer the following questions:

- What mitigating measures have been adopted by the duty-bearers to mitigate any negative effect foreseen by the HRIA?
- Has any human rights risk and impact that was foreseen by the HRIA materialized? If so, who were the relevant affected stakeholders? Have the relevant duty-bearers taken measures to try to mitigate the negative effects of those risks?
- Have there been major human rights risks and impacts unforeseen by the HRIA? If so, who were the relevant affected stakeholders?
- If some substantial change of the policy intervention took place after the HRIA was produced (e.g. replication of the policy in another area of the country, major expansion of the Project, etc.), have the relevant duty-bearers taken into account the recommendations of the HRIA when undertaking those changes?
- Have there been recurring grievances related to the policy intervention? If so, who were the relevant affected stakeholders?

The Human Rights Compliance Assessment⁶ (HRCA), developed by the Danish Institute for Human Rights designed to help companies detect potential human rights violations caused by the effect of their operations. To monitor Project's compliance in terms of human rights perspective, HRCA can be used as a tool to create indicators to follow up Project's activities for monitoring purposes.

⁶ https://www.humanrights.dk/sites/humanrights.dk/files/media/migrated/hrca_quick_check_english.pdf

9. REFERENCES

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