



**Alba Power Station 5 Block 4  
Supplementary ESIA  
Human Rights Assessment Report**

January 2024

## Table of Contents

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Table of Contents .....	2
1 Introduction .....	3
1.1 Introduction to Alba and the Block 4 Project.....	3
1.2 Definition of Human Rights and Due Diligence in the context of the Block 4 Project .....	3
1.3 Human Rights Assessment Background.....	4
1.4 Purpose and Approach of this Document.....	4
2 Methodology.....	5
2.1 Assessment Team.....	5
2.2 Project Area of Influence .....	5
2.3 Definitions.....	5
2.4 Methodology.....	5
2.5 Outputs to this HRA process .....	8
3 Project Baseline Information.....	9
3.1 Block 4 Project.....	9
3.2 Alba’s Social Performance Monitoring.....	10
3.3 The EPC Contractor Social Performance Monitoring.....	12
4 Summary of Scoping of Salient Human Rights Issues .....	13
5 Summary of Human Rights Assessment .....	16
6 Next Steps for Alba and the EPC Contractor .....	19

## 1 Introduction

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### 1.1 Introduction to Alba and the Block 4 Project

Aluminium Bahrain B.S.C. (Alba) is located in the Askar Industrial Area, to the south of Sitra Island on the eastern coast of Bahrain, approximately 15 km south of Manama.

In 2023, Alba produced 1,620,665 million tonnes of aluminium. Its main campus comprises six reduction lines, five power stations, four cast houses and four carbon plants along with other ancillary facilities.

Alba is upgrading its production capacity through the development of a fourth power generation block for Power Station 5 (the “Block 4 Project” or the “Project”). This represents an expansion of the power generation facilities constructed and commissioned as part of the Line 6 Expansion Project and Power Station 5 capacity will increase from 1,800 MW to 2,481 MW. Construction is to the northwest of the Alba site, with Project laydown facilities located in Al Dur.

### 1.2 Definition of Human Rights and Due Diligence in the context of the Block 4 Project

Human rights are, and remain, an evolving concept. The Universal Declaration of Human Rights (1948) provides the cornerstone of modern human rights policy and legislation and sets out the thirty fundamental human rights. As summarised by the United Nations<sup>1</sup>, “*Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination*”.

Unanimously endorsed by the United Nations (UN) Human Rights Council in 2011, the UN *Guiding Principles on Business and Human Rights* (the UNGPs) have emerged as the authoritative global standard for addressing the risk of adverse human rights impacts linked to business. The UNGPs provide a common language, articulating a state duty to protect human rights, a corporate responsibility to respect human rights, and a need for both states and companies to ensure access to effective remedy for victims for adverse human rights impacts. The responsibility to *respect* is operationalised by companies carrying out human rights due diligence to identify and assess their actual and potential adverse human rights impacts (UNGPs, Principles 17-18) and to better understand the potential human rights impacts based on their severity.

In the context of *Equator Principles 4* (EP4) (2020), Alba is expected to conduct human rights due diligence in line with the UNGPs and to document that process in its Assessment Documentation (EP4, Principle 2). As indicated in Principle 2, Alba is expected “*to refer to the UNGPs when assessing Human Rights risks and impacts*” (EP4, Principle 2) (particularly Principles 17-21 of the UNGPs). Accordingly, the depth of the Assessment should be dictated by the scope of Project impacts, which will also dictate the level of detail to be included in project documentation provided (EP 4, Principle 2).

When adverse human rights impacts do arise and go unmitigated, the UNGPs indicate that government and corporate actors have a joint responsibility to ensure that victims have access to effective judicial and non-judicial remedies. In line with the UNGPs call for remedying of adverse human rights impacts, Equator Principle Finance Institutions consider that negative impacts should be avoided where

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<sup>1</sup> <https://www.un.org/en/global-issues/human-rights>

possible, and if unavoidable, should be minimised and mitigated. Where residual impacts remain, clients should provide a remedy (“EP4 Preamble”).

### 1.3 Human Rights Assessment Background

The Block 4 Project has not previously been formally impact assessed to understand potential human rights issues and understand whether effective systems are in place to manage any identified impacts.

It has been noted as part of the Block 4 financing that this is a gap with the requirements of *Equator Principles 4 (2020)* and the *United Nations Guiding Principles on Human Rights (2011)* (UNGPs); and the Block 4 Financing *Equator Principles Action Plan (EPAP)* includes a requirement to prepare a focused human rights assessment (HRA).

### 1.4 Purpose and Approach of this Document

This document is an internal HRA Report for the Alba Block 4 Project.

Conversations between Alba and the Block 4 Independent Environmental and Social Consultant (IESC) Citrus Advisors Ltd (“Citrus”) have directed Alba to prepare a focused and “fit for purpose” assessment of potential human rights issues. Due to the urgency for a HRA (noting that construction phase of the Project is well under way), the agreed approach for this HRA Report is to:

- Assess impacts on people, not impacts on business.
- Due to time constraints and with efforts to focus on obvious human rights issues, prioritise assessment of human rights issues that could affect the Project’s migrant<sup>2</sup> workforce during construction.
- Base the HRA in line with the best practice requirements set out in:
  - The UNGPs, which expect businesses to identify, prevent, mitigate, and account for how they address their human rights impacts, both actual and potential.
  - the Equator Principles 4 and the accompanying Guidance Note on Human Rights Assessment (2020).
  - the IFC Good Practice Note on Managing Risks Associated with Modern Slavery specifically:
    - contextual guidance for assessing risk as outlined in Section 3.1 (Table 5, p32).
    - consideration of the questions in Table 7 (p37-39).
- Undertake scoping and clearly set out potential impacts that could affect the Project’s migrant workforce.
- Evaluate how the national regulatory framework, and Alba and its contractor’s (and subcontractors’) management systems adequately remedy such impacts.

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<sup>2</sup> A migrant worker is a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which they are not a national (International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Adopted by General Assembly resolution 45/158, 1990. Article 2 (1).)

- Assess the severity of potential and actual human rights impacts associated with the Block 4 Project.
- Prioritise which impacts require Alba's focus.
- If any gaps are identified between best practice and existing Management Systems, then recommendations will be prepared to remedy any identified potential human rights impacts.

This HRA Report is only relevant to Block 4 Project construction and is not applicable to Alba operations or any other Alba project, past or future.

## 2 Methodology

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### 2.1 Assessment Team

This HRA has been completed internally by the Alba Team, with support on structure and approach provided by Citrus.

### 2.2 Project Area of Influence

For the purposes of this HRA, the Project Area of Influence is not defined as a geographical area but is defined to spatially include the Project migrant (expatriate) workforce and temporally cover the duration of construction of the Block 4 Project.

### 2.3 Definitions

Throughout this HRA, the following definitions are applied:

- "Rightsholders" are defined as those individuals, groups or populations who have a right to something, such as equality and non-discrimination.
- "Vulnerable" is applied to individuals, groups or populations that may be at heightened risk of vulnerability or marginalisation. The migrant workforce is considered to be a vulnerable identifiable group throughout this assessment. This is due to their potential to be victims of modern slavery and exploitative practices.

### 2.4 Methodology

The UNGPs require a process of prioritisation, where the potential human rights issues related to a Project are identified and assessed according to salience. This process of prioritisation allows for the identification of potential and actual impacts on identifiable groups.

The impact areas scoped in as salient are then assessed more closely. An adverse human rights impact occurs when an action removes or reduces the ability of an individual or community to enjoy their human rights<sup>3</sup>. The severity of the impact on the rightsholders, whilst also considering existing management measures already in place, is assessed using a rating system, which Alba will be able to use to prioritise remedy of the most severe issues. The severity is then considered in combination with the likelihood of an impact. Together, this gives an understanding of the salience of the impact.

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<sup>3</sup> United Nations, The Corporate Responsibility to Respect Human Rights: An Interpretive Guide (2012)

Recommendations are provided for what more needs to be done to manage and remedy each human rights issue. This approach will highlight how Alba and its contractors can continue to embed human rights due diligence systems that are fit for purpose.

This HRA has been broken down into three specific tasks, which are set out in the following sections.

### **Task 1 Scoping of salient potential human rights issues affecting the migrant (expatriate) construction workforce**

The HRA scoping process was guided by the list of potential labour human rights impacts in Appendix A of the *Equator Principles 4 Guidance Note on Human Rights Assessment*.

Each potential labour impact was considered with respect to:

- The rightsholders that could be impacted.
- How their potential human rights could be impacted.
- Whether impacts are a potential concern for a major infrastructure project in Bahrain and why this is considered a potential concern for Alba (guided by the contextual guidance and references for assessing risk as outlined in Section 3.1 (Table 5, p32) of the IFC Good Practice Note on Managing Risks Associated with Modern Slavery).

Based on the bullets above, a qualitative judgement was made about whether the human rights issue was relevant to the Block 4 Project. If relevant, the potential human rights issue was scoped in as salient, and therefore requiring closer assessment. Any issues scoped out were not considered further in the HRA process.

### **Task 2 Impact assessment for each salient human rights issue identified as part of Task 1**

Building from Task 1, each salient human rights issue was subject to a detailed assessment.

The existing remedy to manage each salient human rights issue was considered in terms of:

- Are rightsholders protected by the national regulatory framework?
- Are rightsholders respected by Alba systems, including understanding what would happen in the instance that the system identified a human rights issue?
- Are rightsholders respected by the EPC Contractor and subcontractor systems, including understanding what would happen in the instance that the system identified a human rights issue?

A summary of any key gaps in management measures was prepared, and then based on this, the severity of each human rights issue was assessed based on the parameters set out in the Tables below<sup>4</sup>.

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<sup>4</sup> The methodology is built on the UNGPs definition of severity and guidance issued by Danish Institute for Human Rights (2016): Human Rights Assessment Guidance and Toolbox Phase 3: Analysing Impacts Practitioner Supplement

**Table 1: Classification of Scale: How serious are the impacts for those affected?**

Score	Classification	Description
1	Low	Insignificant change
2	Medium	Non-life or non-long-term health threatening, but tangible infringement of access to basic life necessities or freedoms
3	High	Life-or long-term health threatening

**Table 2: Classification of Scope: How many people could be affected?**

Score	Classification	Description
1	Low	<10% of identifiable group
2	Medium	11-50% of identifiable group
3	High	>50% of identifiable group

**Table 3: Classification of Remediability: How easy will it be to remediate/restore those impacted to a situation equivalent to their situation prior to the impact?**

Score	Classification	Description
1	Low	It will be easy to remediate/restore those impacted to a situation equivalent to their situation prior to the impact
2	Medium	It will be challenging to remediate/restore those impacted to a situation equivalent to their situation prior to the impact
3	High	It will be very difficult to remediate/restore those impacted to a situation equivalent to their situation prior to the impact

**Table 4: Classification of Vulnerability: What ability do those impacted have to adapt to the impact?**

Score	Classification	Description
1	Low	Those impacted have a very high ability to adapt to the impact
2	Medium	Those impacted are at least in part able to adapt to the impact
3	High	Those impacted are severely restricted to adapt to the impact

The scores for these parameters were then added up, and the total determined how the impact is described in terms of severity, as set out in Table 5.

**Table 5: Severity Classification**

Sum of severity parameter scores	Classification
1 - 4	The severity is considered to be Minor
5 - 8	The severity is considered to be Moderate
9 - 12	The severity is considered to be Major

The salience of a human rights issue can then be discussed when combining the severity and likelihood (“unlikely”, “likely”, or “almost certain”) of the human rights issue in the context of the Block 4 Project.

For the purposes of this HRA, although quantitative ranking of impacts based on scoring has been applied, the analysis does not rely on this “scoring” alone, and a thorough narrative description is also provided when each parameter is scored. The consideration of severity also qualitatively considers the likelihood of the human rights issue occurring.

This rating of severity will be used by Alba to prioritise its approach to remediating any impacts identified.

### Task 3 Recommendations for further remediation

Considering the severity of each human rights impact, if gaps are identified in Alba and the EPC Contractor controls, recommendations have been suggested to remediate impacts effectively and ensure adequate performance monitoring and reporting. For each gap identified:

- Additional procedures or management controls needed have been defined.
- A reference to where these need to be inserted into existing documentation has been given.

## 2.5 Outputs to this HRA process

This HRA is made up of two documents:

- *This HRA Report*, which describes the HRA process followed, scoping of potential salient human rights issues, a summary of the impact assessment and a description of any actions required to remedy impacts effectively.
- *Supporting Excel Spreadsheet* which sets out the:
  - Scoping of salient issues process; and
  - Human rights assessment for each scoped in salient issue. This document captures the detail of the HRA, which is summarised within this HRA Report.



### 3 Project Baseline Information

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#### 3.1 Block 4 Project

##### Construction Progress

The Power Station 5 Block 4 project contract was awarded to a consortium of two companies (The EPC Contractor).

The contract was signed on 21 December 2021, the commencement date of 7<sup>th</sup> June 2022 and the project completion date is January 2025.

The current progress stands as below for the different areas:

- Gas Turbine erected, sub systems commissioning started vis GT lube oil system installation, GT/GTG closed cooling water system.
- GT Generator erection completed.
- HRSG, ACC equipment assembly and installation in progress.
- Bypass stack system installation is ongoing.
- Steam turbine erection in progress.
- 220 kV GIS equipment erection completed.
- LV system temporary energization has been completed.
- DCS erection, testing and commissioning ongoing.
- Piping rack installation has been completed.
- Electrical Control Building generally completed.
- Turbine building cladding construction is ongoing.
- Phase 1 of training by Mitsubishi team completed.
- More than one 2.2 million man-hours have been recorded by end of December 2023 without an LTI.
- The current workforce of 1,146 on site.

**The overall Project Completion is at: 72.38 % as of end of December 2023.**

##### Contractual Arrangements

Alba has appointed an ECM Consultant, in addition to the EPC Contractor Consortium.

##### Workforce

The EPC Contractor currently has the most workers onsite. As of the date of this report, there are four subcontractors onsite.

The mobilisation data for the workforce from 2022 – 2023 is provided in Table 6 below. The mobilisation plans for July 2023 onwards are provided in Table 7. The construction workforce peaked at 1285 people in December 2023.

**Table 6: The EPC Contractor Workforce Actual Mobilization Data (June 2022 to December 2023)**

Year	2022							2023											
Month	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
# Workers	46	53	58	74	81	133	163	191	247	330	369	414	463	603	744	889	984	1062	1285

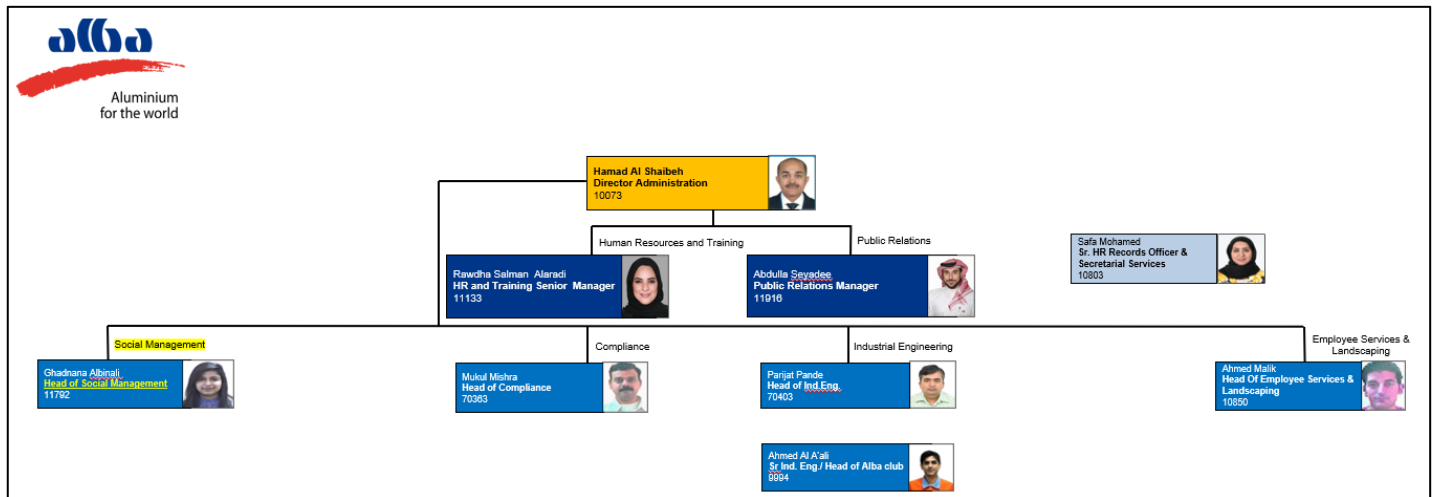
Table 7: The EPC Contractor Workforce Planned Mobilization Data (July 2023 to January 2025)

Year	2023						2024										2025		
Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
# Workers	602	624	700	766	744	709	1508	1527	1530	1065	676	559	462	347	332	256	177	150	125

### 3.2 Alba’s Social Performance Monitoring

Alba’s Head of Social Management monitors the EPC Contractor and subcontractors’ social performance (essentially implementation of SOP 1.11) and is supported by another full-time role (see Figure 1).

Figure 1: Alba HR Department Organisation Chart



Alba expects the EPC Contractor (and subcontractors) to provide Alba with social performance monitoring data on quarterly basis to demonstrate that it is managing its workforce in line with the requirements of Alba SOP 1.11 (which is aligned with IFC Performance Standard 2); the EPC Contractor and subcontractors are monitored against the indicators provided in Table 8 below.

**Table 8: Social Performance Monitoring Indicators from SOP 1.11**

Issue	Monitoring indicator
<b>Forced Labour</b>	<p><b>Payroll Audits</b></p> <ul style="list-style-type: none"> <li>• Number and name of (sub)contractors subject to payroll audit.</li> <li>• Total number of Alba workers per contractor.</li> <li>• Number of workers subject to payroll audit.</li> <li>• Main audit findings (pay data, payslips, hours of work, public holidays worked and paid, overtime worked and paid, deductions made from wages, worker contracts adherence to minimum Bahraini standards, age of workers, validity of visa, grievance policy, procedure, and central register).</li> <li>• How and when any outstanding issues are resolved.</li> </ul> <p><b>Recruitment Companies</b></p> <ul style="list-style-type: none"> <li>• Name, address, and certification/credentials of local recruitment companies used (in workers' home country).</li> </ul> <p><b>Campaigns</b></p> <ul style="list-style-type: none"> <li>• Qualitative information about any campaigns organised or information disseminated amongst the workforce to raise awareness of forced labour and worker rights.</li> </ul> <p><b>Access to passports</b></p> <ul style="list-style-type: none"> <li>• Passport access is retained by worker unless a passport consent form is received by the organization for safekeeping.</li> </ul>
<b>Child Labour</b>	<ul style="list-style-type: none"> <li>• Number of workers mobilised during the reporting period.</li> <li>• Workers below 18 years of age.</li> <li>• Relevant details such as full name, date of birth, copy of passport, copy of visa and Alba ID must be maintained.</li> </ul>
<b>Health Impacts related to foreign male workforce</b>	<ul style="list-style-type: none"> <li>• Qualitative information about any campaigns organised or information distributed to workforce about potential health risks.</li> </ul>
<b>Worker Accommodation</b>	<ul style="list-style-type: none"> <li>• Total number and names/addresses of worker accommodations managed by contractor (including those of its subcontractors).</li> <li>• Number of (sub)contractor workers living in each worker accommodation.</li> <li>• Number and names/address of worker accommodations audited by construction contractor during the reporting period, the main audit findings, and how and when any outstanding issues are going to be resolved.</li> <li>• Number and name of any (sub)contractors that have mobilised during the reporting period, and evidence that worker accommodation used by such (sub)contractor has been audited and found acceptable as per set standards.</li> <li>• Worker accommodation impact assessment to ensure the presence of accommodation and workforce is unlikely to cause negative impact on residential area.</li> </ul>

Issue	Monitoring indicator
	<ul style="list-style-type: none"> <li>• The impact assessment is undertaken prior to selection of workers accommodation.</li> </ul>
<b>Worker Grievance Mechanism</b>	<ul style="list-style-type: none"> <li>• Grievance policy and procedure are documented by Contractor.</li> <li>• Grievance mechanism is made available at work and accommodation and in languages the worker understands.</li> <li>• Number and type of worker grievances raised, resolved and outstanding.</li> <li>• Whether the grievance was handled in line with the approved mechanism.</li> <li>• Qualitative information about:               <ul style="list-style-type: none"> <li>○ Efforts made to translate the worker grievance mechanism in languages the worker understands.</li> <li>○ Grievance mechanism awareness raising campaigns conducted on site.</li> </ul> </li> </ul>

### Alba Implementation of Social Performance Monitoring

Alba has communicated the following to the EPC Contractor:

- Alba’s Social Management Policy.
- Contractor Social Performance Monitoring Procedure (SOP 1.11).
- An explanation of Alba’s Social Performance Expectations from Contractors.

Alba conducts weekly meetings with the ECM Consultant and the EPC Contractor and holds specific sessions to provide training on its social performance monitoring requirements as required. Alba has reviewed the EPC Contractor Worker Grievance Procedure and Labour and Working Conditions Plan, and these plans meet IFC Performance Standard 2 (Labour and Working Conditions) and Alba Social Performance Monitoring requirements.

At the time of preparing this HRA Report, there had been five completed quarterly audit cycles (for Q3/2022, Q4/2022, Q1/2023, Q2/2023 and Q3/2023). The EPC Contractor had recently submitted data for the 6th quarterly audit (for Q4/2023).

### 3.3 The EPC Contractor Social Performance Monitoring

#### Labour and Working Conditions Procedure

The EPC Contractor Labour and Working Conditions Procedure covers all IFC Performance Standard 2 (Labour and Working Conditions) requirements. The details of Alba’s SOP 1.11 have been incorporated by the procedure.

Training for subcontractors was provided by the ECM Consultant and the EPC Contractor HSE team on Alba’s Social Performance Monitoring requirements. This includes induction training for all on the EPC Contractor grievance procedure, disciplinary codes, and health risks.

### Social Performance Monitoring

The ECM Consultant and the EPC Contractor team meet with Alba team every week to discuss social performance monitoring.

### Onsite Worker Welfare

The EPC Contractor has prepared a detailed worker welfare procedure and plan which outlines location of all welfare facilities. There are appropriate welfare facilities on site.

### Worker Accommodation

The ECM Consultant and the EPC Contractor conduct worker accommodation inspections at each of its subcontractor sites (three subcontractors are providing their workers with accommodation, as of end of December 2023). Those whom their company is not providing accommodation for their workers are paying them a housing allowance to select their own accommodation (two subcontractors are providing their workers with a housing allowance). This is the status as of end of December 2023.

## 4 Summary of Scoping of Salient Human Rights Issues

The scoping process followed the methodology set out in Section 2.4 and the scoping process is captured in detail in the *Scoping of Salient Issues* spreadsheet. In summary, the outcome of the scoping process is provided in Table 9 below, and any issues scoped in were considered as salient and carried forward for further human rights assessment.

**Table 9: Summary of Scoping of Salient Human Rights Issues**

#	Human Rights Issue				Scoped IN/OUT as a salient human rights issue
	Topic	Rightsholders	Potential impact	Human Rights Affected	
1	<b>Child labour</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Business activities performed by children.</li> </ul>	<ul style="list-style-type: none"> <li>Educational loss of child.</li> <li>Exposure to physical and psychological harm.</li> <li>Denial of freedom of movement.</li> <li>Forced confinement in workplace.</li> </ul>	Scoped OUT
2	<b>The ability to form or join trade unions</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Barriers to the formation of trade unions among contract workers.</li> <li>Refusal to recognise legitimate workers' associations.</li> </ul>	<ul style="list-style-type: none"> <li>Denial of individual enabling rights to freely and voluntarily establish and join organisations of their own choice.</li> <li>Denial of the right to bargain freely with employers.</li> </ul>	Scoped IN

#	Human Rights Issue				Scoped IN/OUT as a salient human rights issue
	Topic	Rightsholders	Potential impact	Human Rights Affected	
3	<b>Modern Slavery (forced labour / debt bondage / human trafficking)</b>	Migrant workforce	<ul style="list-style-type: none"> <li>• Work that people are forced to do against their will (forced labour).</li> <li>• People who borrow money to access work and are forced to work to pay off the debt, losing control over both their employment conditions and the debt (debt bondage).</li> </ul>	<ul style="list-style-type: none"> <li>• Denial of inherent rights, including: <ul style="list-style-type: none"> <li>- the right to freedom from slavery, forced labour and bonded labour.</li> <li>- The right to life.</li> <li>- The right to liberty and security.</li> <li>-The right not to be subjected to torture and/or cruel, inhuman, degrading treatment or punishment.</li> <li>- The right to freedom of association.</li> <li>-The right to freedom of movement.</li> <li>- The right to the highest attainable standard of physical and mental health.</li> <li>- The right to just and favourable conditions of work.</li> <li>- The right to an adequate standard of living.</li> </ul> </li> </ul>	Scoped IN
4	<b>Grievance mechanisms and remedy</b>	Migrant workforce	<ul style="list-style-type: none"> <li>• Barriers to the right to access remedy for rights violations.</li> </ul>	<ul style="list-style-type: none"> <li>• Denial of right for access to effective remedy.</li> <li>• Denial of right for access to justice and corporate accountability.</li> </ul>	Scoped IN
5	<b>Job security/ right to work</b>	Migrant workforce	<ul style="list-style-type: none"> <li>• Workers may be arbitrarily or unfairly dismissed.</li> <li>• Workers may have unequal access to employment rights, remuneration, taxation or access to legal proceedings.</li> </ul>	<ul style="list-style-type: none"> <li>• Denial of right to equality of treatment and non-discrimination.</li> </ul>	Scoped IN
6	<b>Non-discrimination</b>	Migrant workforce	<ul style="list-style-type: none"> <li>• Discrimination based on race and gender, in terms of job opportunities</li> <li>• Loss of dignity, due to bullying, victimisation, and harassment</li> </ul>	<ul style="list-style-type: none"> <li>• Denial of right to equality and non-discrimination.</li> <li>• Denial of rights to cultural identity.</li> </ul>	Scoped IN

#	Human Rights Issue				Scoped IN/OUT as a salient human rights issue
	Topic	Rightsholders	Potential impact	Human Rights Affected	
7	<b>Occupational Health and Safety</b>	Migrant workforce	<ul style="list-style-type: none"> <li>• Lax occupational health and safety practices, management systems and training in the workplace leading to hazards, accidents, and injuries.</li> </ul>	<ul style="list-style-type: none"> <li>• Denial of right to health and safety, and just and favourable working conditions.</li> <li>• Right to life.</li> </ul>	Scoped IN
8	<b>Wages (pay equity, standard of living) and working hours</b>	Migrant workforce	<ul style="list-style-type: none"> <li>• Workers may experience unpaid or withheld wages, discrimination, limited or no overtime, sick pay or leave.</li> <li>• Workers may have to work unreasonable working hours with limited ability to redress.</li> </ul>	<ul style="list-style-type: none"> <li>• Right to remuneration that provides workers with fair wages and equal remuneration for work of equal value.</li> </ul>	Scoped IN
9	<b>Worker welfare (including accommodation)</b>	Migrant workforce	<ul style="list-style-type: none"> <li>• Barriers to provision of adequate welfare and accommodation conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• Denial of right to adequate standard of living (including access to adequate food, clothing, housing, and water).</li> </ul>	Scoped IN

## 5 Summary of Human Rights Assessment

Table 10 below sets out a summary of any gaps identified after review of Key National Regulatory Framework and, Alba and the EPC Contractor Systems, and an evaluation of the potential human rights issue severity and likelihood, based on the methodology outlined in Section 2.4.

**Table 10: Summary of any gaps identified, and an evaluation of the potential human rights issue severity and likelihood**

#	Potential Human Rights Issue					Gaps Identified after review of Key National Regulatory Framework and, Alba and the EPC Contractor Systems	Potential Human Rights Issue Assessment Evaluation (for prioritisation)	
	Topic	Rightholders	Potential impact	Human Rights Affected	Potential Construction Sector Risk Context		Overall Rating (Severity)	Likelihood
1	<b>The ability to form or join trade unions</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Barriers to the formation of trade unions among contract workers.</li> <li>Refusal to recognise legitimate workers' associations.</li> </ul>	<ul style="list-style-type: none"> <li>Denial of individual enabling rights to freely and voluntarily establish and join organisations of their own choice.</li> <li>Denial of the right to bargain freely with employers.</li> </ul>	<p>Potential risk of:</p> <ul style="list-style-type: none"> <li>There being obstacles to collective bargaining, including being prevented from joining a trade union.</li> </ul>	<ul style="list-style-type: none"> <li>The National Regulatory requirements allow for formation of trade unions.</li> <li>Alba systems allow for formation of trade unions.</li> <li>The EPC Contractor Systems allow for formation of trade unions.</li> <li>The EPC Contractor Systems cascade requirements to Block 4 subcontractors.</li> <li>The existing Remedy (Management Measures) and Safeguards are deemed sufficient.</li> </ul>	Moderate	Unlikely
2	<b>Modern Slavery (forced labour / debt bondage / human trafficking)</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Work that people are forced to do so against their will (forced labour).</li> <li>People who borrow money to access work and are forced to work to pay off the debt, losing control over both their employment conditions and the debt (debt bondage).</li> </ul>	<ul style="list-style-type: none"> <li>Denial of inherent rights, including: <ul style="list-style-type: none"> <li>The right to freedom from slavery, forced labour and bonded labour.</li> <li>The right to life.</li> <li>The right to liberty and security.</li> <li>The right not to be subjected to torture and/or cruel inhumane, degrading treatment or punishment.</li> <li>The right to freedom of association.</li> <li>The right to freedom of movement.</li> <li>The right to the highest attainable standard of physical and mental health.</li> <li>The right to just and favourable conditions of work.</li> <li>The right to an adequate standard of living.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Construction sector workforces rely on foreign migrant workers.</li> <li>Many positions are low skilled, and it is low-skilled workers who are often at risk of forced labour and debt bondage. There is potential risk of: <ul style="list-style-type: none"> <li>Modern slavery and debt bondage.</li> <li>Workers on temporary contracts can be subject to hidden recruitment and airfare fees (often paid to agencies).</li> <li>Workers may be subjected to misinformation and deception, including false promises about wages or employment conditions.</li> <li>Workers' passports may be confiscated by their employer.</li> <li>Employers may extract payments from employees in exchange for returning their passports and signing a visa release.</li> <li>Employers may restrict workers' mobility, including leaving the country.</li> <li>Employers may provide substandard housing for workers.</li> <li>Employers may provide limited provision of food.</li> <li>Workers may be subject to excessive and forced work.</li> <li>Workers may be dependent on employers because of their immigration's status.</li> <li>Workers may be more vulnerable due to limited understanding of their rights, language barriers and low literacy skills.</li> <li>Workers may be isolated.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>In our view, the Key National regulatory framework addresses all related key risks. Further, in 2019 Bahrain ratified the Global Compact for Migration, which addressed key human rights risks associated with migrants. In any event, the Key National Regulatory Framework (Existing Remedy/Management Measures) and Safeguards are deemed sufficient.</li> <li>Alba's Sustainable Procurement Policy is under review, and we are working with an international consultant to improve it. Areas identified include improving our policies and procedures relating to ongoing monitoring and audit of contractors, to ensure that any instances on modern slavery are identified and remedied.</li> <li>Alba's Modern Slavery Statement is a high-level document that underlines our commitment to continuous improvement in eradicating the risk of modern slavery; work is ongoing to further develop our policies and procedures in this area. This has commenced in conjunction with our review of our Sustainable Procurement Policy.</li> <li>The EPC Contractor Systems are not sufficiently designed to mitigate the risk of modern slavery; there are also gaps in terms of their monitoring of modern slavery (forced labour/debt bondage/human trafficking) aspects when it comes to social performance monitoring of subcontractors; with all the monitoring in place that is governed by SOP 1.11, there is still a risk of forced labour and debt bondage.</li> </ul>	Moderate	Likely



#	Potential Human Rights Issue				Gaps Identified after review of Key National Regulatory Framework and, Alba and the EPC Contractor Systems	Potential Human Rights Issue Assessment Evaluation (for prioritisation)		
	Topic	Rightsholders	Potential impact	Human Rights Affected		Potential Construction Sector Risk Context	Overall Rating (Severity)	Likelihood
3	<b>Grievance mechanisms and remedy</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Barriers to the right to access remedy for rights violations.</li> </ul>	<ul style="list-style-type: none"> <li>Denial of right for access to effective remedy</li> <li>Denial of right for access to justice and corporate accountability.</li> </ul>	<ul style="list-style-type: none"> <li>Construction sector workforces rely on foreign migrant workers.</li> <li>In the Construction Sector, there is potential risk of:               <ul style="list-style-type: none"> <li>There being limited or no access to remedy for migrant workers (contractors and subcontractors).</li> <li>Workers are afraid to voice their concerns for fear of losing their job.</li> <li>Any redress may not be satisfactorily provided, and there is no opportunity to escalate the grievance.</li> <li>Workers may be more vulnerable due to limited understanding of their rights, language barriers and low literacy skills.</li> <li>Migrant workers may have limited access to justice.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The existing Remedy (Management Measures) and Safeguards are deemed sufficient. However, the fact that the Grievance record is not being utilised by workers; it may raise concerns over the effectiveness of the grievance mechanism. This could also be due to factors related to culture, communication, or training/awareness.</li> </ul>	Moderate	Likely
4	<b>Job security/ right to work</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Workers may be arbitrarily or unfairly dismissed.</li> <li>Workers may have unequal access to employment rights, remuneration, taxation or access to legal proceedings.</li> </ul>	<ul style="list-style-type: none"> <li>Denial of right to equality of treatment and non-discrimination.</li> </ul>	<ul style="list-style-type: none"> <li>Potential risk of:               <ul style="list-style-type: none"> <li>Workers on short-term contracts being prevented from enjoying the benefits associated with long term employment.</li> <li>When employment relationships are terminated, there is no longer a legal basis for the migrant worker to stay in the country.</li> <li>Migrant workers may have limited access to justice.</li> </ul> </li> </ul>	Not Applicable	Not Applicable	Not Applicable
5	<b>Non-discrimination</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Discrimination on the basis of race and gender, in terms of job opportunities.</li> <li>Loss of dignity due to bullying, victimisation, and harassment.</li> </ul>	<ul style="list-style-type: none"> <li>Denial of right to equality and non-discrimination.</li> <li>Denial of rights to cultural identity.</li> </ul>	<ul style="list-style-type: none"> <li>Potential risk of:               <ul style="list-style-type: none"> <li>Migrant workers being treated unfairly (either through recruitment, hiring, management, compensation, career progression/ opportunities, or termination practices) due to certain attributes such as on the basis of their disability, religion, health, ethnicity, gender, age, migrant worker status, etc. (as such, it intersects with other rights e.g., right to health).</li> <li>Ability to enjoy own culture, practice own religion or speak language without discrimination.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The existing Remedy (Management Measures) and Safeguards are deemed sufficient.</li> </ul>	Moderate	Unlikely
6	<b>Occupational Health and Safety</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Lax occupational health and safety practices, management systems and training in the workplace leading to hazards, accidents and injuries.</li> </ul>	<ul style="list-style-type: none"> <li>Denial of right to health and safety, and just and favourable working conditions.</li> <li>Right to life.</li> </ul>	<ul style="list-style-type: none"> <li>Potential risk of:               <ul style="list-style-type: none"> <li>Lax occupational health and safety practises.</li> <li>Risks from working in extreme heat (including hyperthermia and other heat and humidity related illnesses).</li> <li>Workers may be more vulnerable due to language barriers and low literacy skills.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>International Occupational Health and Safety Standards are embedded in the National Regulatory requirements.</li> <li>International Occupational Health and Safety Standards are embedded in Alba systems.</li> <li>International Occupational Health and Safety Standards are embedded in the EPC Contractor Systems.</li> <li>The EPC Contractor Systems ensure the same has been cascaded to Block 4 subcontractors.</li> <li>The existing Remedy (Management Measures) and Safeguards are deemed sufficient, however, there is always the risk of an incident occurring; health and safety is about continuous improvement.</li> </ul>	Moderate	Unlikely

#	Potential Human Rights Issue				Gaps Identified after review of Key National Regulatory Framework and, Alba and the EPC Contractor Systems	Potential Human Rights Issue Assessment Evaluation (for prioritisation)		
	Topic	Rightsholders	Potential impact	Human Rights Affected		Potential Construction Sector Risk Context	Overall Rating (Severity)	Likelihood
7	<b>Wages (pay equity, standard of living) and working hours</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Workers may experience unpaid or withheld wages, discrimination, limited or no overtime, sick pay or leave.</li> <li>Workers may have to work unreasonable working hours with limited ability to redress.</li> </ul>	<ul style="list-style-type: none"> <li>Right to remuneration that provides workers with fair wages and equal remuneration for work of equal value.</li> </ul>	<ul style="list-style-type: none"> <li>In the Construction Sector, there is a potential risk of: <ul style="list-style-type: none"> <li>Unpaid wages and withheld wages.</li> <li>Reduction in wages tied to the recruitment process (recruitment fees), housing and renewal of identity documents.</li> <li>No/or limited overtime pay, sick pay or leave.</li> <li>Experience unreasonable working hours.</li> <li>Migrant workers may have limited access to justice.</li> <li>Risk of working visas expiring leading to lack of access to concerned authorities.</li> <li>No/or limited access to grievance mechanisms.</li> <li>Third party workers may be more vulnerable.</li> <li>Irregular workers may violate work permits (workers and agencies).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The existing Remedy (Management Measures) and Safeguards are sufficient, however, late payment of wages by contractor/subcontractor could still be a risk.</li> </ul>	Moderate	Likely
8	<b>Worker welfare (including accommodation)</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Barriers to provision of adequate welfare and accommodation conditions.</li> </ul>	<ul style="list-style-type: none"> <li>Denial of right to adequate standard of living (including access to adequate food, clothing, housing, and water).</li> </ul>	<ul style="list-style-type: none"> <li>Potential risk of: <ul style="list-style-type: none"> <li>Poor living conditions at worker camps and accommodations (including poor sanitation, overcrowding, lack of electricity, water, gas; fire safety).</li> <li>Working in polluted airsheds.</li> <li>Abusive working conditions including excessive working hours and heavy physical workloads.</li> <li>Lack of easy access to non-emergency healthcare (due to lack of documentation and affordability).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The National Regulatory requirements ensure the right to worker welfare and satisfactory standards (including accommodation).</li> <li>Alba systems ensure the right to worker welfare and satisfactory standards (including accommodation).</li> <li>The EPC Contractor Systems ensure the right to worker welfare and satisfactory standards (including accommodation).</li> <li>The EPC Contractor Systems ensure the right to worker welfare and satisfactory standards (including accommodation) is also cascaded to Block 4 subcontractors.</li> <li>The existing Remedy (Management Measures) and Safeguards are deemed sufficient; however, there is still a risk involved, due to the continued pressure that Alba has to continue to apply, to its contractors and subcontractors, to provide and maintain safe and habitable accommodation to the workers.</li> </ul>	Moderate	Likely

## 6 Next Steps for Alba and the EPC Contractor

Table 11 below sets out a summary of gaps identified and recommendations for Alba and the EPC Contractor to close any gaps identified. These recommendations will be taken forward and implemented by Alba and the EPC Contractor over the remainder of the Project duration. A workplan to implement these actions, including responsibilities, timelines and deliverables will be developed by Alba.

**Table 11: Summary of any gaps identified and recommendations**

#	Potential Human Rights Issue			Gaps Identified after review of Key National Regulatory Framework and, Alba and the EPC Contractor Systems	Recommendations to close any gaps	
	Topic	Rightsholders	Potential impact		Alba	The EPC Contractor
1	<b>The ability to form or join trade unions</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Barriers to the formation of trade unions among contract workers.</li> <li>Refusal to recognise legitimate workers' associations.</li> </ul>	<ul style="list-style-type: none"> <li>The National Regulatory requirements allow for formation of trade unions.</li> <li>Alba systems allow for formation of trade unions.</li> <li>The EPC Contractor Systems allow for formation of trade unions.</li> <li>The EPC Contractor Systems cascade requirements to Block 4 subcontractors.</li> <li>The existing Remedy (Management Measures) and Safeguards are deemed sufficient.</li> </ul>	None	None
2	<b>Modern Slavery (forced labour / debt bondage / human trafficking)</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Work that people are forced to do so against their will (forced labour).</li> <li>People who borrow money to access the work and are forced to work to pay off the debt, losing control over both their employment conditions and the debt (debt bondage).</li> </ul>	<ul style="list-style-type: none"> <li>In our view, the Key National regulatory framework addresses all related key risks. Further, in 2019 Bahrain ratified the Global Compact for Migration, which addressed key human rights risks associated with migrants. In any event, the Key National Regulatory Framework (Existing Remedy/Management Measures) and Safeguards are deemed sufficient.</li> <li>Alba's Sustainable Procurement Policy is under review, and we are working with an international consultant to improve it. Areas identified include improving our policies and procedures relating to ongoing monitoring and audit of contractors, to ensure that any instances on modern slavery are identified and remedied.</li> <li>Alba's Modern Slavery Statement is a high-level document that underlines our commitment to continuous improvement in eradicating the risk of modern slavery - work is ongoing to further develop our policies and procedures in this area. This has commenced in conjunction with our review of our Sustainable Procurement Policy.</li> <li>The EPC Contractor Systems are not sufficiently designed to mitigate the risk of modern slavery; there are also gaps in terms of their monitoring of modern slavery (forced labour / debt bondage / human trafficking) aspects when it comes to social performance monitoring of subcontractors; with all the monitoring in place that is governed by SOP 1.11, there is still a risk of forced labour and debt bondage.</li> </ul>	<ul style="list-style-type: none"> <li>Support Contractor to improve awareness campaigns on worker labour rights.</li> <li>Strengthen ties and establish partnerships with concerned government authorities</li> <li>Continue reviewing relevant procedures as required.</li> </ul>	<ul style="list-style-type: none"> <li>Plan for awareness campaigns on worker labour rights.</li> <li>Work to strengthen grievance mechanisms, including awareness campaigns.</li> <li>Continue reviewing relevant procedures as required.</li> </ul>
3	<b>Grievance mechanisms and remedy</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Barriers to the right to access remedy for rights violations.</li> </ul>	<ul style="list-style-type: none"> <li>The existing Remedy (Management Measures) and Safeguards are deemed sufficient. However, the fact that the Grievance record is not being utilised by workers; it may raise concerns over the effectiveness of the grievance mechanism. This could also be due to factors related to culture, communication, or training/awareness.</li> </ul>	<ul style="list-style-type: none"> <li>Support Contractor to improve awareness campaigns on worker labour rights.</li> <li>Support Contractor to strengthen grievance mechanisms, including awareness campaigns.</li> </ul>	<ul style="list-style-type: none"> <li>Plan for awareness campaigns on worker labour rights.</li> <li>Work to strengthen grievance mechanisms, including awareness campaigns.</li> </ul>
4	<b>Job security/ right to work</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Workers may be arbitrarily or unfairly dismissed.</li> <li>Workers may have unequal access to employment rights, remuneration, taxation or access to legal proceedings.</li> </ul>	Not Applicable	Not Applicable	Not Applicable

#	Potential Human Rights Issue			Gaps Identified after review of Key National Regulatory Framework and, Alba and the EPC Contractor Systems	Recommendations to close any gaps	
	Topic	Rightsholders	Potential impact		Alba	The EPC Contractor
5	<b>Non-discrimination</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Discrimination on the basis of race and gender, in terms of job opportunities.</li> <li>Loss of dignity due to bullying, victimisation, and harassment.</li> </ul>	<ul style="list-style-type: none"> <li>The existing Remedy (Management Measures) and Safeguards are deemed sufficient.</li> </ul>	None	None
6	<b>Occupational Health and Safety</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Lax occupational health and safety practices, management systems and training in the workplace leading to hazards, accidents and injuries.</li> </ul>	<ul style="list-style-type: none"> <li>International Occupational Health and Safety Standards are embedded in the National Regulatory requirements.</li> <li>International Occupational Health and Safety Standards are embedded in Alba systems.</li> <li>International Occupational Health and Safety Standards are embedded in the EPC Contractor Systems.</li> <li>The EPC contractor Systems ensure the same has been cascaded to Block 4 subcontractors.</li> <li>The existing Remedy (Management Measures) and Safeguards are deemed sufficient, however, there is always the risk of an incident occurring; health and safety is about continuous improvement.</li> </ul>	<ul style="list-style-type: none"> <li>Alba will continue to monitor all Block 4 practices to ensure a high level of occupational health and safety.</li> </ul>	<ul style="list-style-type: none"> <li>The EPC Contractor will continue to implement robust occupational health and safety practices.</li> </ul>
7	<b>Wages (pay equity, standard of living) and working hours</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Workers may experience unpaid or withheld wages, discrimination, limited or no overtime, sick pay or leave.</li> <li>Workers may have to work unreasonable working hours with limited ability to redress.</li> </ul>	<ul style="list-style-type: none"> <li>The existing Remedy (Management Measures) and Safeguards are sufficient, however, unpaid wages by contractor/subcontractor could still be a risk.</li> </ul>	<ul style="list-style-type: none"> <li>Support Contractor to improve awareness campaigns on worker labour rights.</li> <li>Support Contractor to strengthen grievance mechanisms, including awareness campaigns.</li> <li>Continue reviewing relevant procedures as required.</li> </ul>	<ul style="list-style-type: none"> <li>Plan for awareness campaigns on worker labour rights.</li> <li>Work to strengthen grievance mechanisms, including awareness campaigns.</li> <li>Provide 3rd party confirmation of wage payment (from the bank or financial institution).</li> <li>Continue reviewing relevant procedures as required.</li> </ul>
8	<b>Worker welfare (including accommodation)</b>	Migrant workforce	<ul style="list-style-type: none"> <li>Barriers to provision of adequate welfare and accommodation conditions.</li> </ul>	<ul style="list-style-type: none"> <li>The National Regulatory requirements ensure the right to worker welfare and satisfactory standards (including accommodation).</li> <li>Alba systems ensure the right to worker welfare and satisfactory standards (including accommodation).</li> <li>The EPC Contractor Systems ensure the right to worker welfare and satisfactory standards (including accommodation).</li> <li>The EPC Contractor Systems ensure the right to worker welfare and satisfactory standards (including accommodation) is also cascaded to Block 4 subcontractors.</li> <li>The existing Remedy (Management Measures) and Safeguards are deemed sufficient; however, there is still a risk involved, due to the continued pressure that Alba has to continue to apply, to its contractors and subcontractors, to provide and maintain safe and habitable accommodation to the workers.</li> </ul>	<ul style="list-style-type: none"> <li>Continue monitoring.</li> <li>Support in continuous awareness campaigns.</li> </ul>	<ul style="list-style-type: none"> <li>Continue monitoring and awareness campaigns.</li> </ul>