

Mozambique LNG Project

Human Rights Due Diligence Assessment



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LKL INTERNATIONAL



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Acronyms

ACDF	Afungi Community Development Fund
ADRA	Agência Adventista de Desenvolvimento e Recursos Assistenciais
AREA 1	Offshore block being developed by TEPMA1 as operator
AREA 4	Offshore block being developed by ExxonMobil as operator
BIT	Bilateral Investment Treaty
CCSJV	Joint Venture between McDermott, Saipem and Chiyoda (Mozambique)
CHMMP	Community Health Management and Monitoring Plan
CLO	Community Liaison Officer
COC	Code of Conduct
DUAT	Right to use and benefit from land under Mozambican law
ESDD	Environmental and Social Due Diligence
ESHIA	Environmental, Social and Health Impact Assessment
FID	Final investment decision
GBV	Gender-based violence
HDI	Human Development Index
HIA	Health Impact Assessment
HRDD	Human Rights Due Diligence
HRG	Total Human Rights Guide
HRIA	Human Rights Impact Assessment
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICSMP	Independent CSO/NGO Monitoring Platform
IESC	Independent Environmental and Social Consultant
IFC	International Finance Corporation
IR	Industrial Relations
JTF	Joint Task Force (Mozambican public security forces)
KAP	Knowledge, Attitude and Perception
LNG	Liquefied Natural Gas
M&E	Monitoring & Evaluation TEPMA1 Team
NGO	Non-governmental Organization
OHS	Occupational Health and Safety
PIIM	Project Induced In-Migration
SCDS	Sociedade de Consultoria em Desenvolvimento Social Lda
SOP	Standard Operating Procedure
SPA	Social Performance Assessment
TEPMA1	Total Exploration and Production Mozambique Area 1
UDHR	Universal Declaration of Human Rights
UNGP	United Nations Guiding Principles on Business and Human Rights
VPSHR	Voluntary Principles on Security and Human Rights
WASH	Water, Sanitation and Hygiene

1. Introduction

The following report presents the Human Rights Due Diligence Assessment (HRDD Assessment) of the Liquefied Natural Gas (LNG) project associated with Area 1 Offshore of the Rovuma Basin in northern Mozambique (the Mozambique LNG Project or the Project).

The HRDD Assessment of the Mozambique LNG Project integrates three distinct but complementary assessments: (1) a Human Rights Impact Assessment; (2) a Voluntary Principles on Security and Human Rights (VPSHR) Assessment; and (3) a Social Performance Assessment. The common purpose of these 3 pillars of the HRDD Assessment is to identify and prioritize potential risks and impacts to the people who are affected by the Project and to support the Project team in developing a framework for ongoing human rights due diligence.

The HRDD Assessment was conducted after Total acquired Anadarko Petroleum Corporation's interest in the Project,¹ by a team of human rights, security and social performance experts from LKL International Consulting Inc. with the collaboration of Triple R Alliance, from December 2019 to August 2020. The HRDD Assessment built upon prior assessments and due diligence conducted by Anadarko on human rights and related social performance topics. The HRDD Assessment was actively supported by the Mozambique LNG Project team, as well as by Total's headquarters.

This report has been structured in the following manner:

- **Section 1** provides a brief overview of the Project;
- **Section 2** explains the objectives and methodology for the HRDD Assessment;
- **Section 3** summarizes the key messages from the HRDD Assessment;
- **Section 4** provides an overview of the Project's salient issues (i.e., the areas of highest potential adverse impact to the people affected by the Project); and
- **Section 5** provides the recommended framework for the Project's HRDD Action Plan.

1.1 Overview of the Mozambique LNG Project²

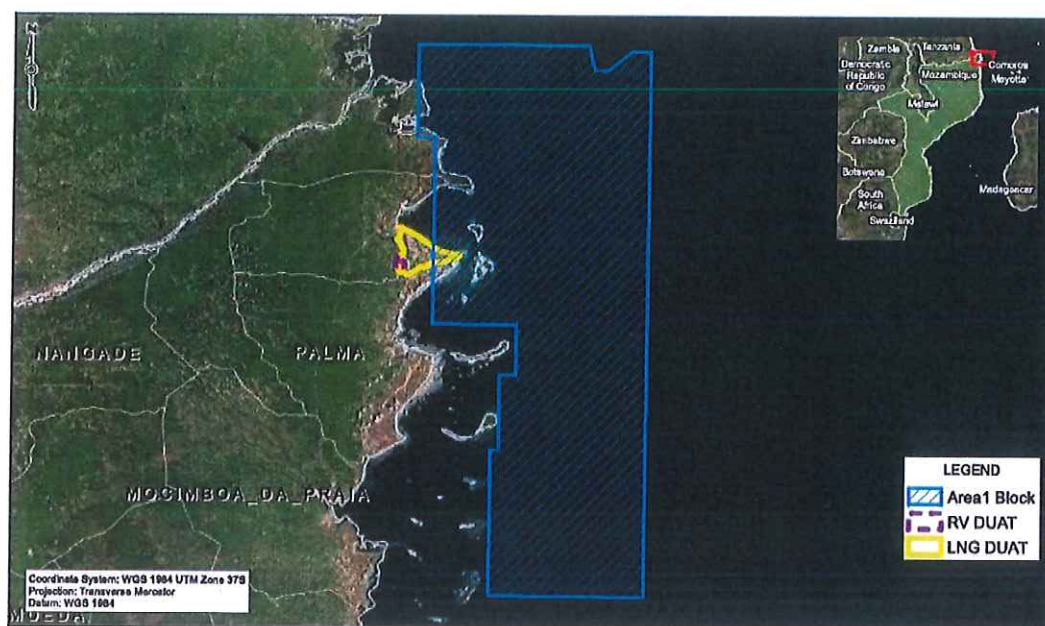
The Mozambique LNG Project is being developed by Total E&P Mozambique Area 1 (TEPMA 1) as the operator for a number of other partners in the Project.³ The Project is designed to gather natural gas from the Area 1 offshore block (Area 1), process the gas in an onshore LNG Facility on the Afungi Peninsula of Cabo Delgado Province, and export the liquefied natural gas to international markets. The final investment decision for Area 1 was taken in June 2019.

¹ Total acquired its operated interest in the Mozambique LNG Project from Anadarko Petroleum Corporation in September 2019.

² This overview is taken from the Project information section of the Project's [Environmental, Social and Health Impact Assessment \(ESHIA\) Update \(May 2020\)](#) that is available on the Project's website.

³ The Area 1 partners are TEPMA1 (26.5%), ONGC Videsh Ltd. (OVL) (10%), Mitsui E&P (20%), ENH (15%), BPRL (10%), BEAS Rovuma Energy Mozambique Limited (10%) and PTTEP (8.5%).

Figure 1.1 - Area of the DUAT



Mozambique Rovuma Venture S.p.A is also developing an onshore LNG facility associated with Area 4 Offshore of the Rovuma Basin (Area 4).⁴ Area 4 is not included within the scope of the Project as defined above. Area 1 and Area 4 are positioned adjacent to one another and a number of gas fields have been discovered within each of the areas. Both Area 1 and Area 4 projects will separately construct and operate their own offshore and onshore facilities. In parallel, they will jointly design, construct and use certain onshore shared facilities (e.g. airport, roads, fences, etc.) and nearshore common facilities (i.e. LNG Marine Terminal and Material Offloading Facility). The final investment decision for Area 4, which was anticipated in 2020, has been postponed until at least 2021.

The site of the onshore facilities was selected after a comprehensive site selection process. Empresa Nacional de Hidrocarbonetos (ENH) acquired the Right to Use and Benefit from Land (known as a DUAT) from the Ministry of Agriculture in 2012. The initially provided DUAT was approximately 7,000ha on the Afungi Peninsula in Palma District, but was later modified to accommodate a new DUAT for the Replacement Village. The area of the LNG DUAT is consistent with the Government of Mozambique's vision for an LNG Park (which may include other operators and other trains on the site). The onshore LNG facility, comprising the LNG trains, the common infrastructures, marine facilities, LNG storage tanks, etc. will be located within the LNG DUAT.

As set out in [Table 1.1](#) below, the Project has implemented a series of due diligence measures related to environmental licensing in Mozambique, supplemental studies required to comply with the IFC Performance Standards, a prior Human Rights Impact Assessment (HRIA) and initiatives related to the VPSHR. Many of these due diligence measures and initiatives have been undertaken in consultation and/or coordination with Area 4. Although the HRDD Assessment focuses on the Project (i.e. Area 1), there are a number of salient issues discussed below where the Project has the responsibility and corresponding opportunity to engage and work with Area 4 on issues related to human rights, social performance and the VPSHR.

⁴ Mozambique Rovuma Venture S.p.A is comprised of Eni, ExxonMobil and CNPC.

The following table provides an overview of the Project's prior and ongoing HRDD activities. These include key environmental and social assessments and management plans and other activities whose purpose is to address potential risks to affected stakeholders.

Table 1.1 - Overview of the Projects Human Rights Due Diligence Activities

TIMELINE	KEY HRDD ACTIVITIES AND MILESTONES
2011 - 2013	<ul style="list-style-type: none"> • Environmental and social impact assessment
2013	<ul style="list-style-type: none"> • Health impact assessment
2014	<ul style="list-style-type: none"> • Final environmental impact assessment approved by Government
2013 - 2016	<ul style="list-style-type: none"> • Resettlement planning
2014 - present	<ul style="list-style-type: none"> • Terrestrial and marine baseline studies
2015	<ul style="list-style-type: none"> • Human rights impact assessment • Gender study • Replacement village environmental impact assessment • MoUs with public security forces include VPSHR, UN Code of Conduct for Law Enforcement Officials, UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
2016	<ul style="list-style-type: none"> • Palma-Afungi road environmental impact assessment
2017 - 2019	<ul style="list-style-type: none"> • Development and updating of environmental and social management plans <ul style="list-style-type: none"> ○ Environmental management plans include resource management, pollution prevention and control, and biodiversity ○ Social management plans include stakeholder engagement and grievance management, resettlement, community health, community security, cultural heritage, social investment and industrial relations
2018	<ul style="list-style-type: none"> • Ecosystem services assessment • Health, safety and environment plan • Emergency response plan
2019	<ul style="list-style-type: none"> • Critical habitat assessment • Residual impact assessment • Project-induced in-migration management plan • Revised MoUs with public security forces include VPSHR, UN Code of Conduct for Law Enforcement Officials, UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
2020	<ul style="list-style-type: none"> • Human rights due diligence assessment <ul style="list-style-type: none"> ○ Human rights impact assessment ○ Social performance assessment ○ VPSHR risk assessment
Ongoing	<ul style="list-style-type: none"> • Implementation of human rights due diligence action plan

2. Objectives and Methodology

The avoidance, mitigation, and remediation of adverse impacts on people is the primary objective of Human Rights Due Diligence (HRDD).

Human Rights Due Diligence (HRDD) is described by the UN Guiding Principles on Business and Human Rights (UNGPs) as an ongoing process that companies use to fulfill their responsibility to respect human rights by *assessing* potential and actual impacts on affected stakeholders; *integrating and acting* on those assessments; *tracking* the effectiveness of those actions; and *communicating internally and externally* about the HRDD process.

Engagement with affected stakeholders (i.e. workers, contractor workers, community members, etc.) is a fundamental part of HRDD in order to ensure that the individuals and groups affected by the Project have the opportunity to be informed, consulted and participate in activities that purport to respect their rights.

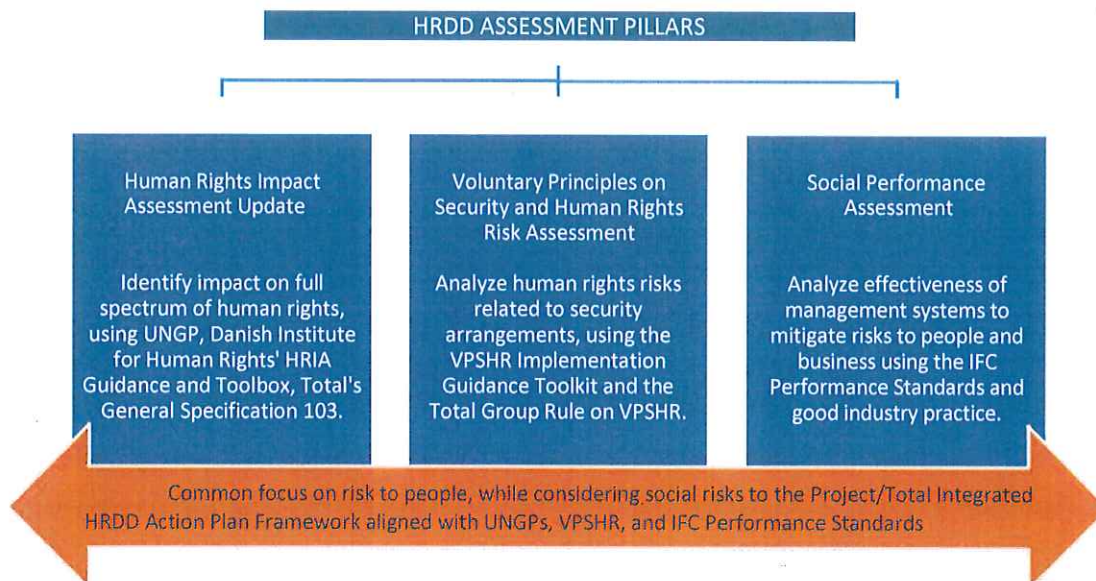
Figure 2.1 - HRDD Process



2.1 Key Components of HRDD

This HRDD Assessment contains three distinct but complementary scopes of work to meet these objectives: (1) a Human Rights Impact Assessment Update; (2) a Voluntary Principles on Security and Human Rights Risk Assessment; and (3) a Social Performance Assessment.

Figure 2.2 - HRDD Assessment Pillars



In terms of the overall methodology, the HRDD Assessment followed the steps outlined in Figure 2.3. Additional details about the different internal, external, and affected stakeholders that participated in the HRDD Assessment are also provided in [Section 2.2](#) below.

Figure 2.3 - HRDD Assessment Steps



2.2 Engagement with Project Managers and Stakeholders

Table 2.1 summarizes the engagement with Project managers, business partners, workers, community members and other stakeholders during the field mission to Mozambique in January 2020. An asterisk (*) denotes multiple meetings with the same person or group.

Table 2.1 - Stakeholders Consulted by Location and Theme

LOCATION / THEME	STAKEHOLDERS MET BY THE ASSESSMENT TEAM	
Maputo – General Overview	Country Manager* Social Performance Director* Security Manager* Legal Director Human Resources Manager Social Investment Manager	HSE Manager PIIM Coordinators Security Advisor Security Analyst Stakeholder Engagement Manager Mozambique Human Rights Commission (CNDH)
Afungi – Social Performance & Human Rights	Project Directors* Social Performance Director* CSA Manager* Planning and Content Development Advisor* Community Liaison Officers*	Business Development Coordinator* Contractor SP Management Coordinators* CDF Social Investment Coordinator SCDS's ACDF Coordinator

LOCATION / THEME	STAKEHOLDERS MET BY THE ASSESSMENT TEAM	
Afungi – Security and VPSHR	Community Focal Points*	SCDS consultants related to social preparation, project control and WASH programs
	MERL Manager*	ADRA consultants responsible for support for vulnerable people's plan Environmental Manager
	Population & Development M&E Coordinator	Community Information Office (Palma)
	Community Health Safety and Security M&E	Community members in Senga
	Community Grievance Monitoring and Reporting Coordinator*	Garda Project Manager*
	Data Coordinator / Isometrix QA/QC	Arkhe Security Manager
	Northern Mozambican Security Manager*	Community Health Safety and Security M&E
	Maritime Security Supervisor*	
	CCSJV Deputy Project Security Manager*	
Afungi – Resettlement	Resettlement M&E Coordinator	Compensation and Logistics
	Land Access and Relocation Manager*	Terrestrial Supervisor
	Resettlement Engagement Supervisor*	Resettlement Advisor*
	RV Interface Manager	Resettled community members in Quitunda
	Livelihood Restoration Programs Administrators*	Intertidal collectors in Quitunda
Afungi – Workers	Industrial Relations Advisors*	Vulnerable people in Quitunda
	Project IR Managers* Sub-contractor IR Managers*	Sub-contractor Worker's Committee representatives*
		Women's Committee representative
		Female sub-contractor workers

During the week of 2 to c March 2020, the assessment team leader went to Total's headquarters in Paris for a series of approximately 12 meetings with various departments who have interest in the HRDD Assessment and/or oversight and support roles for potential follow-up actions at the Mozambique LNG Project. The main departments that were engaged in these discussions included: Human Rights; Societal; Civil Society Engagement; Security; Legal; Procurement; Africa regional division.

2.3 Limitations Due to the Coronavirus Pandemic

A second field visit to Mozambique was planned in March-April 2020 to conduct further verification, capacity-building and stakeholder engagement activities. As a result of travel restrictions related to the global coronavirus pandemic, this field visit was not possible. This has created limitations in terms of the assessment team's intended engagement with affected stakeholders and civil society organizations in Mozambique, as well as further engagement with the Project team, Area 4 and other business partners about opportunities to strengthen collective approaches to salient issues.

The assessment team worked closely with the Project team to conduct as much remote follow-up and verification work as possible in the circumstances. In particular, there was a focus on collaboratively developing the framework for the HRDD Action Plan in a manner that will facilitate operationalization of next steps and recommendations as the coronavirus situation stabilizes. This included additional recommendations for human rights-focused engagement activities with affected stakeholders and civil society organizations in Mozambique to address the limitations on the assessment team's own engagement due to travel restrictions, and to adapt the Project's ongoing due diligence efforts in light of the evolving context of conflict and insecurity in Cabo Delgado.

3. Key Messages

The following key messages have been distilled from the HRDD Assessment process. They are summarized here to provide the reader with additional context to understand the discussion of the Project's salient issues

One of the overall objectives of the assessment has been to support *a more explicit approach to human rights due diligence*. The requirements for HRDD are often summarized as “knowing and showing”, i.e. companies are supposed to know what impacts they have on people in their operations and value chains, and they also should show what they are doing to address those impacts. In this regard, the Project has conducted many studies and developed strong systems for knowing about impacts on people but can do more to show how it is conducting HRDD on an ongoing basis. Simply put, the Project should be prepared to talk more about human rights internally and externally. This is particularly important in a global context of rising expectations for transparency and communications about human rights by all businesses. In this regard, the Project's commitment to develop a stand-alone Human Rights Policy and form a Human Rights Steering Committee should reinforce the foundations for this more explicit approach.

Another key objective was to support engagement with affected stakeholders and civil society organizations in Mozambique to refine the assessment of salient issues. Although the assessment team was not able to achieve all of its stakeholder engagement objectives due to the coronavirus pandemic travel restrictions, the Project team clearly understands the message that *ongoing engagement is part of human rights due diligence*. The Project team also has the relationships and communications channels with the relevant local and national stakeholders to continue this engagement. In the short term, the development of a stand-alone Human Rights Policy and HRDD Action Plan will provide the Project with a meaningful opportunity for dialogue about the Project's foundations and strategies for HRDD.

Many of the Project's biggest risks from a human rights perspective are related to the unpredictable context in Cabo Delgado and the actions or inactions of third parties. Using the terminology of the UNGPs, the Project must address potential human rights impacts that it causes directly (e.g. impacts related to resettlement); and it also has a responsibility to address potential impacts to which it contributes or to which it is directly linked through its business relationships (e.g. with public security forces) and value chain (e.g. contractor workers). Therefore, it will be important for the Project to demonstrate over time how it is using and increasing its leverage with third parties to manage salient issues, including through capacity-building, multi-stakeholder initiatives, financial and contractual measures and the visible leadership of senior managers. Therefore, it is also suggested that the Project can *use the development of the HRDD Action Plan to consult with and mobilize business partners for the management of salient issues*.

Given the Project's movement towards a more explicit and embedded approach to HRDD, the previous model of conducting periodic human rights impact assessments should no longer be the main vehicle for “knowing and showing.” Furthermore, the assessment team also favours that the Project invest in internal positions and capacity-building initiatives over additional reviews by international experts at this stage. There certainly can be a role for external support and monitoring as part of ongoing HRDD, but this can be quite targeted at this stage. It would be appropriate to consider a comprehensive external review process when the Project nears the end of the construction phase and/or targeted assessments or additional studies on new salient issues that may arise in the meantime.

4. Salient Issues

A company's salient human rights issues are those that risk the most severe negative impact as a result of the company's activities or business relationships. According to the UNGPs, the level of risk is described by 2 criteria ' severity and likelihood. The concept of salience uses the lens of *risk to people* rather than to business while recognizing that there is strong convergence between them.

The HRDD Assessment used this lens of risk to people to identify and prioritize the areas of greatest risk i.e., salience, to people who are affected by the Project. In other words, the most salient issues are those evaluated as having higher potential severity and likelihood of adverse impacts, with a prevalence of severity over likelihood, and which therefore should be prioritized by the Project for ongoing HRDD. These include:

- Security (community security and interaction with public security providers);
- Community well-being (resettlement, livelihoods and community health and safety);
- Women's rights and gender equality;
- Project-induced in-migration;
- Workers' rights (notably with respect to contractor workforce); and
- Access to remedy.

Other potential salient issues have been included in the scope of the HRDD Assessment and, while they have not been prioritized at this time, they have been included in the framework for the HRDD Action Plan to help ensure there is ongoing attention to potential impacts and the effectiveness of HRDD measures.

As noted above, due to the coronavirus pandemic restrictions the salience assessment did not benefit from the intended level of engagement and participation of affected stakeholders and civil society organizations. In other words, insufficient verification and stakeholder engagement activities have been undertaken to make a salience assessment in relation to actual impacts. Therefore, one of the Project's objectives for forthcoming stakeholder engagement related to the HRDD Assessment report and (draft) HRDD Action Plan will be to consider if any additional issues should be prioritized based on feedback from affected stakeholders or if additional mitigation measures need to be considered.

4.1 Security

Table 4.1 summarizes the key standards that are applicable to the salient issue of security and human rights, including the sub-issues (community security, interaction with public security forces and interaction with private security guards) that are discussed below. It is provided as a high-level overview and is not intended to be exhaustive.

Table 4.1 - Key Standards applicable to Security and Human Rights

INTERNATIONAL HUMAN RIGHTS	CONSTITUTION OF MOZAMBIQUE	INTERNATIONAL FINANCE CORPORATION PERFORMANCE STANDARDS	TOTAL GROUP
Right to life, liberty and security of the person (UDHR.3) (ICCPR.1+9)	All citizens shall have the right to life and to physical and moral integrity, and	Assessment and Management of Environmental and Social Risks and Impacts (PS1.6; PS1.7)	Group Rule on VPSHR Compliance with the UDHR (CoC)
Freedom from torture or cruel, inhuman or degrading treatment and punishment (UDHR.5) (ICCPR.7)	they shall not be subjected to torture or to cruel or inhuman treatment (Art.40)	Community Health, Safety, and Security (PS4.12; PS4.13; PS4.14)	Commitment to the VPSHR (CoC) Protocol governing equipment transfers (HRG.topic3.2)
Freedom from arbitrary arrest, detention or exile (UDHR.9)			Procedures for verification (HRG.topic3.3)
All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person (ICCPR.10)			Commitment to training (HRG.topic3.4)

4.1.1 Importance of VPSHR

Security-related issues currently present the most serious human rights risks given the deteriorating security context in Cabo Delgado. Over the course of the HRDD Assessment, the intensification in insurgent attacks and in counter-insurgency attacks has been the focus of international attention, including in terms of potential multilateral intervention or assistance. In this context, the Project has interactions with the public security forces of Mozambique and private security firms to protect the Project's workers, assets and to contribute to community security. This includes a joint task force (JTF) of the Mozambican military and police force who are stationed in the Project area of operations.

From a human rights perspective, conflict situations are considered to be high risk; and, in such contexts, there are heightened expectations for HRDD according to the UNGPs.⁵ In terms of the Project's salient

⁵ Over the course of the assessment, Cabo Delgado began to be an increasingly active conflict zone. The thematic study of the UN Working Group on Business and Human Rights on "[Business, human rights and conflict-affected regions: towards heightened action](#)" is relevant for ongoing due diligence efforts related to security and human rights. In particular, it is anticipated that the UN Working Group may provide additional guidance and tools for companies to strengthen their HRDD in conflict zones.

issues, the highest risks are related to community security from insurgency attacks and from interactions with the JTF. These are discussed in more detail below.

Above and beyond the human rights risks, there are also reputational risks for the Project being associated with the government's counter-insurgency activities in Cabo Delgado province even if the JTF assigned to the Project is not involved in those counter-insurgency activities.

Given the importance of these security-related issues, the centrality of the VPSHR to the Project's overall HRDD approach appears to be well understood by all relevant managers. In this regard, the Project has been implementing the VPSHR with Area 4, the Government of Mozambique and private security guards in a variety of ways discussed below. Furthermore, the HRDD Assessment period coincided with Total's publication of an updated Group Rule (and Guide and Manual) on the VPSHR that provides clear directives and guidance that should support continuous improvement and comprehensive implementation of the VPSHR going forward.

Next Steps for HRDD on VPSHR

- ✓ **Integrate a VPSHR Action Plan** into the overall HRDD Action Plan for effective implementation of the Total Group Rule on VPSHR, with priority on strengthening the various measures for managing interactions with the JTF (see sub-section 4(a)(iii) below).
 - ✓ **Nominate a VPSHR Coordinator** and provide the resources needed for ongoing implementation of the VPSHR Action Plan.
 - ✓ **Use leverage to involve Government of Mozambique** and Area 4 in collaborative efforts to implement the VPSHR Action Plan.
-

- Further information about the Project's approach to security and human rights will be disclosed on the human rights section of the Project's website <https://www.mzlng.total.com/en/sustainability/human-rights>
- In addition, Total publishes an annual report on its implementation of the VPSHR across the Group as part of its commitments as a formal member of the VPSHR network. The latest report can be accessed on the Group website: <https://www.sustainable-performance.total.com/en/our-challenges/human-rights#security>

4.1.2 Community Security

Quite understandably, community security is a top-of-mind issue for most stakeholders given the intensification of insurgency attacks and conflict in the area. Community feedback highlighted concerns about insurgent attacks on civilians and the Project's role in contributing to community security in this context. The concerns of community members about potential misconduct of public security forces are discussed in the section below.

The Project's new layered approach to community security, whereby the Project is working with the government to provide security "outside the fence", was consistently highlighted and welcomed as a positive development in several of the community meetings for the HRDD Assessment. Prior to Total's involvement as operator, the Project's security posture was described more as an "inside the fence" approach. Development of the new community security approach also provides an opportunity to

strengthen ongoing engagement, information-sharing and support for communities with respect to security and human rights.

In terms of key due diligence measures, the assessment highlighted the following:

- A Community-Based Security Plan has been developed and provides a good platform for collaboration between the Security Department and Social Performance Department on issues related to implementation of VPSHR.
- The Monitoring and Evaluation Team has planned a Knowledge, Attitude and Perception (KAP) study related to community security and VPSHR, which can help to orient future training and other initiatives.
- The Security Department had planned a further community security assessment for areas further away from the main Project site (Area 2); however, the assessment was postponed due to the coronavirus pandemic travel restrictions.

Next Steps for HRDD on Community Security

- ✓ **Continue to develop the layered strategy to community security** to increase protection of Project-affected communities (while implementing a VPSHR Action Plan to mitigate risks related to the JTF).
 - ✓ **Use planned studies related to community security** (KAP Study, Community Security Study for Layer 2, etc.) to refine stakeholder engagement, grievance mechanisms and public awareness of community security issues and the VPSHR.
-

4.1.3 Public Security Forces

The nature of the relationship with the JTF puts the Project in a position of potentially contributing to adverse impacts on human rights that are caused by members of the JTF. Stakeholder feedback during the assessment raised concerns about road safety, and past incidents of physical assault, theft and harassment by the JTF.⁶

While there were no allegations of gender-based violence related to the JTF, this issue was prioritized for ongoing HRDD given the vulnerability of women and girls in conflict situations and the severity of potential impacts.

As mentioned above, the Project has been implementing the VPSHR with Area 4 and the Government of Mozambique. This includes:

- Inclusion of provisions on the VPSHR, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and Code of Conduct for Law Enforcement Officials in the Security Memorandum of Understandings (MoU) with the Ministry of Defense and Ministry of Internal Affairs.⁷

⁶Feedback on how these past incidents were handled is included in the section on access to remedy below.⁷ During the course of the HRDD Assessment, the Security MoU was being updated to reflect increase numbers of JTF personnel at the site. Given the prior inclusion of provisions on VPSHR in the Security MoU, it was assumed that those provisions would be automatically included in any updated MoU.

- VPSHR training is provided to the public security forces; and, the Project has planned to include a VPSHR officer in the Security Department to coordinate further training and VPSHR-related initiatives.
- The Project has liaison officers in place to facilitate ongoing communications between the Project and the Mozambican forces; and, communication channels exist between community leaders, the local commander of the Mozambican forces and the Project as well.
- A number of other mitigation measures are being developed by the Security Department with the support of the Social Performance Department as the Project changes its security approach from an “inside the fence” approach to one that looks to contribute to security in the Project area of operations or where it will deliver various social management plans contributing to socio-economic development (e.g., livelihood restoration, health impact management).

Next Steps for HRDD on Public Security Forces

- ✓ **Work with Area 4 and Government of Mozambique** to continue implementing VPSHR in the changing security context in Cabo Delgado.
 - ✓ **Develop an ongoing VPSHR training program** for JTF. Consider using an NGO partner to support delivery of training.
 - ✓ **Strengthen formal and informal channels** for community members to raise concerns about Mozambican forces.
 - ✓ **Include issues related to interaction with JTF** as part of the proposed Gender Equity Strategy.
 - ✓ **Ensure that incidents involving JTF are documented and reported.**
 - Ensure that the tracking tools** for equipment provided to the JTF are effectively implemented and documented.
-

4.1.4 Private Security Guards

The private security guards for the Project are unarmed and present lower risks to affected stakeholders than police or military who are armed. The most potentially severe human rights impacts on workers or community members by private security guards relate to arrest and transfer of custody to the police. The Project will be directly linked to impacts on workers or community members that occur while in police custody; however, the Project could also be understood as contributing to the impacts without sufficient attention to and follow-up on custody transfers.

The Project has also been implementing the VPSHR with the private security guards that work for the Project. Implementation measures include VPSHR provisions in the contracts with CCSJV, Garda and Arkhe; VPSHR training for private security guards; policies and procedures (including codes of conduct, rules of engagement, use of force, incident reporting and documentation, etc.), and vetting procedures and background checks when recruiting guards.

Next Steps for HRDD on Interactions with Security Guards

Develop a Standard Operating Procedure, in line with the VPSHR guidelines, regarding detention and transfer of custody to police.

Leverage business partnerships to encourage capacity-building for private security employees around implementation of the VPSHR Action Plan.

4.2 Community Well-Being

Attention to potential impacts on communities was one of the reasons that the scope of the HRDD Assessment included the Social Performance Assessment in addition to the HRIA Update. From the point of view of the IFC Performance Standards, as well as from a human rights perspective, resettlement, livelihoods and community health and safety were prioritized as salient issues.⁸

4.2.1 Resettlement

Table 4.2 summarizes key standards that are applicable to the salient issue of resettlement. It is provided as a high-level overview and is not intended to be exhaustive.

Table 4.2 - Key Standards applicable to Resettlement

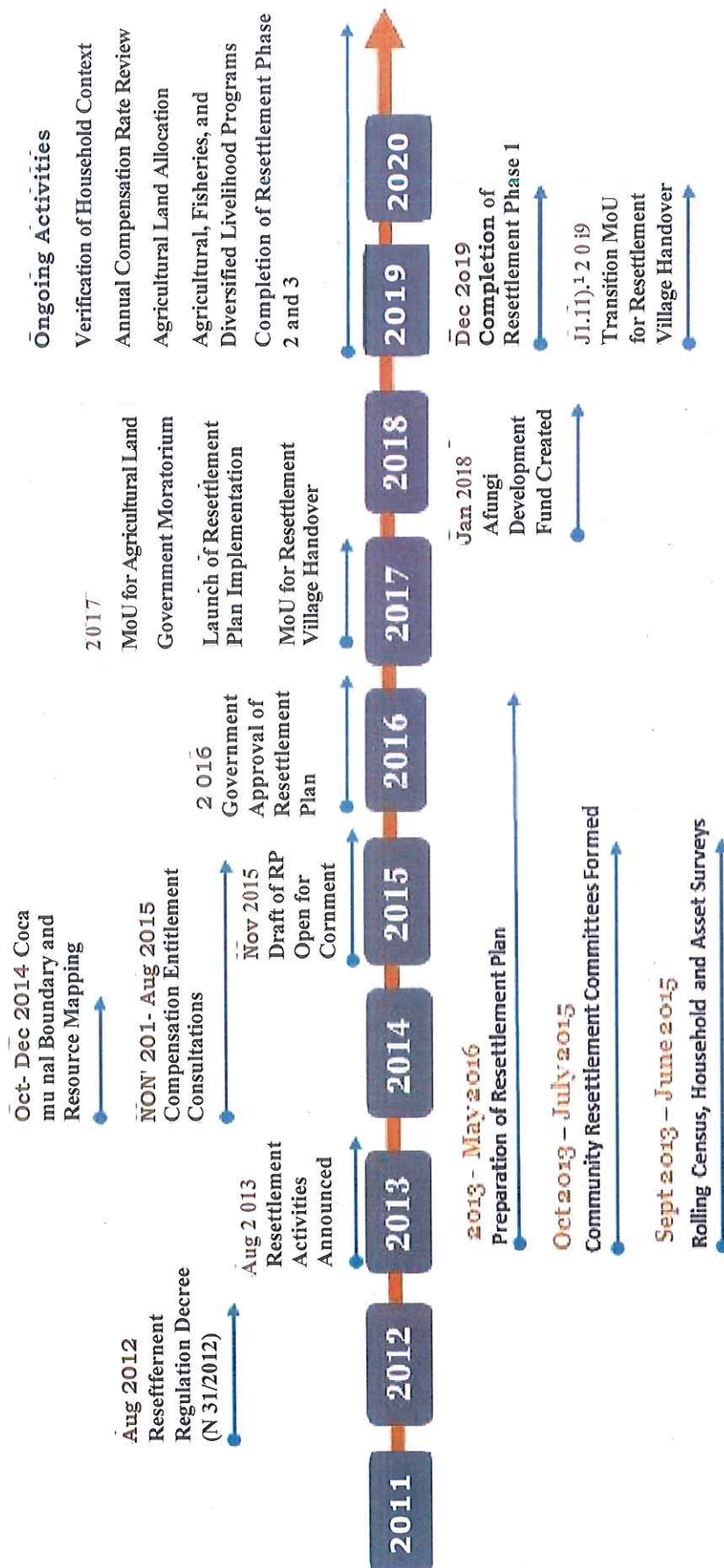
INTERNATIONAL HUMAN RIGHTS	CONSTITUTION OF MOZAMBIQUE	INTERNATIONAL FINANCE CORPORATION PERFORMANCE STANDARDS	TOTAL GROUP
Right to own property alone as well as in association with others (UDHR.17.1)	The right of ownership of property (Art.82.1)	Assessment and Management of Environmental and Social Risks and Impacts (PS1.8; PS1.22; PS1.25)	Compliance with the UDHR (CoC)
No one shall be arbitrarily deprived of his property (UDHR.17.2)	Expropriation subject to of fair compensation (Art.82.2)	Land Acquisition and Involuntary Resettlement (PS5)	Needs assessment (HRG.topic2.1)
The right to an adequate standard of living (UDHR.25)	All citizens shall have the right to a suitable home (Art.91.1)		Mitigation measures (HRG.topic2.2)
(ICESCR.11)			

There has been a significant resettlement process related to the DUAT area that has been ongoing since 2012. According to the ESHIA Update, the magnitude of resettlement involves 6,625 hectares of land required for the Project and 3,612 hectares of replacement agricultural land. In the terrestrial environment, 556 households are in the process of being physically displaced and another 952 households are being economically displaced.

In the marine environment, it is currently estimated that 1,379 fishers and 2,425 inter-tidal collectors will be affected by the Project's near-shore and off-shore construction and operations. Compensation for the affected inter-tidal collectors and fishers will be made available at the time of the start of major marine works (dredging and construction of jetty) and loss of beach access and/or when the operations-phase Marine Exclusion Zone is established and enforced, reflecting the start of when inter-tidal collectors and fishermen will lose access to habitual fishing grounds.

⁸ Community concerns and potential impacts are also considered in relation to Security (above), as well as PIIM and Access to Remedy (below).

Figure 4.1 - Resettlement Milestones



The planning and implementation of this resettlement process has been undertaken in accordance with IFC Performance Standard 5—which sets a high standard for resettlement activities for physically and economically displaced people.⁹ In this regard, it is apparent that resettlement has been taken seriously by the Project and Area 4 in terms of planning, coordination, financial and human resources (including experienced international advisors). Moreover, the establishment of the Monitoring and Evaluation function within the Social Performance Department is linked in part to resettlement-related requirements, but also provides an important resource for other social performance areas and for the tracking component of HRDD.

The foundations for the Project's human rights due diligence about resettlement are summarized in the Project's Resettlement Plan that compiles a variety of programs and plans to support implementation of the physical resettlement and restoration of agricultural, fisheries and diversified livelihoods. It also includes commitments and plans for infrastructure and community development projects in economically displaced ("host") communities. Development organizations support the Project in implementation of the Resettlement Plan, including in terms of ongoing assistance and monitoring of resettled households and vulnerable people. Implementation of the Resettlement Plan is supported by the Project's more general policies and procedures for communities, including the Stakeholder Engagement Plan and Grievance Mechanism.

- Further information about the Project's resettlement commitments, plans and programs is available on the Project's website <https://www.mzlng.total.com/en/sustainability/resettlement>

Resettlement was one of the priority human rights issues identified in the 2014-2015 HRIA and remains one of the salient issues for the HRDD Assessment given the wide range of potential adverse impacts on people over the long-term. Such impacts will likely span both civil and political rights (e.g. the right to own property, the right to security of the person, the right to information) as well as economic, social and cultural rights (e.g. the right to an adequate standard of living including to food, to water and sanitation, to housing and to healthcare). Moreover, the impacts would be experienced in particular by children, women, persons with disabilities and other vulnerable groups.

The assessment focused in particular on potential impacts related to relocation, the status of Quitunda Village and livelihood restoration and vulnerable peoples

Relocation

As the resettlement is proceeding in a phased manner, the focus of the HRDD Assessment was primarily on the people who had already been relocated to Quitunda Village as part of Phase 1 Relocation implemented between July-December 2019 (see below).

In terms of those who will be resettled in subsequent phases, there will be delays to the planned timelines due to the context of heavy rainfall, flooding and loss of supply routes; insecurity; and the coronavirus pandemic. If the delays go on for a significant amount of time, there can be adverse impacts on people

⁹In this regard, it is important to stress that IFC Performance Standard 5 provides much more specific operational guidance on how to conduct a resettlement process from beginning to end than can be found in international human rights treaties or guidance. Even in the DIHR HRIA Toolbox and Guidance, there is still a placeholder for indicators about resettlement, illustrating the difficulty of measuring human rights performance in this area.

as they are unable to plan for and get on with their lives. Therefore, as discussed with relevant managers, it is important to continue to strengthen stakeholder engagement and grievance mechanisms for the communities who have yet to be resettled—even if there are significant delays to resettlement timelines. In this regard, the multi-stakeholder Community Resettlement Committees that are in place can play a positive role in managing expectations and complaints around these issues.

Compensation

The compensation framework is set out in the Project's Resettlement Plan and includes both cash and in-kind compensation. Key categories of compensation are:

- terrestrial compensation for land use, annual and perennial crops and structures, as well as for graves and sacred site relocation assistance;
- compensation for fisherfolk including intertidal collectors and fishers affected by nearshore and offshore construction activity;
- replacement housing for physically displaced households; and
- replacement agricultural land for economically and physically displaced households.

The compensation rates for crops (annual and perennial) and structures refer to government defined rates and are updated annually based on monthly market survey. Compensation for fishers is based on baseline data about fishing activities and operational data about the area of disruption caused by construction activity.

As envisioned in the Resettlement Plan, the Project has expanded entitlement categories as new impacts emerge that are relevant to human rights, including for example the expansion of entitlements to people whose livelihoods are dependent on marine resources—such as for a large number of inter-tidal collectors who are almost exclusively women.

In relation to replacement agricultural land, although host communities ceded land to support allocation to economically and physically displaced households, a number of host community households raised concerns and grievances regarding compensation (e.g. for longstanding fruit trees as well as more recent gardens with annual crops), and these were resolved through dialogue. In this regard, resettled people in focus groups confirmed that their questions or concerns about entitlements and compensation are addressed regularly through dialogue and engagement with the Project; and they were aware of the mechanisms available to make a formal grievance. In cases where replacement agricultural land has been delayed, affected households have been provided with transitional allowances in the form of food baskets.

Quitunda Village

Quitunda Village is a new community that has been built for the people impacted by physical displacement. From all accounts and the observations of the assessment team, Quitunda Village has been constructed to very high standards for housing and infrastructure. In this regard, the Government of Mozambique had recently revised its regulations for resettlement housing after a number of conflicts related to resettlement in other parts of the country.

While the Project is responsible for the construction and initial phase of support for Quitunda Village, the government will progressively assume responsibility for ongoing administration. This raises some

important risks to the people in the community from two perspectives: over time, will the government have the resources to maintain the same standard of services, and will resettled people be able to afford to maintain their new homes and pay for services? In other words, there is a risk of adverse impacts on human rights related to housing, water, sanitation, health and education if and when the Project transfers its responsibility to the government. During the HRDD Assessment, there were ongoing discussions with the government about clarifying the arrangements and the Resettlement Village Transition Memorandum of Understanding for the eventual transfer of Quitunda.

Due to the phased nature of the resettlement process, some of the broader socio-economic development activities for other Project-affected communities who are further away from the main Project site have not yet been implemented. This is leading to concerns about the difference between the high quality of housing, infrastructure and services in Quitunda compared with the current conditions in other villages. Feelings of unfairness may be felt more acutely in Senga as this village ceded the land upon which Quitunda was built. Although international standards do not require that all the people affected by resettlement must get the same quality of housing infrastructure and services (i.e., physically displaced people have different entitlements than those who are economically displaced), it is human nature to notice and question such disparities.

Livelihood Restoration and Vulnerable Peoples

The assessment also focused attention on potential impacts related to delays in the implementation of allocation of replacement land and vulnerable people's programs. In the short-term, these delays will inevitably cause greater reliance than anticipated on the Project for food security and other transitional support for the households that have already been affected by resettlement. From all indications, the Project has been stepping up and maintaining its support to resettled households and communities to avoid immediate impacts (e.g., through continuation of food baskets); however, there is also awareness of the risks of creating dependency through the provision of food baskets or other support measures when the intention was to be creating opportunities and building resilience through the Project's livelihood programs.

In the medium to long-term, it is unclear how the local security context will evolve in terms of the Project's ability to effectively implement the full range of livelihood restoration programs that have been planned. In the interim, the Project has been focusing on providing employment opportunities until other livelihood programs can be implemented. However, as a result of the coronavirus pandemic and demobilization, it is unclear whether employment remains as viable as a livelihood replacement strategy in the near future. From discussion with relevant managers and advisors at site, there is understanding that the focus on employment is a temporary strategy and that the full scope of the livelihood programs will still need to be implemented as quickly as

Next Steps for HRDD on Resettlement

- ✓ **Focus on ongoing delays** in implementation of livelihood programs related to replacement agricultural land and providing the necessary transitional support and assistance.
- ✓ **Set short-term priorities on tracking impacts** and implementation of support programs at the individual household level.
- ✓ **Set longer-term priorities on using leverage with the Government of Mozambique** to assume responsibility for Quitunda, while monitoring the long-term affordability of housing, infrastructure and services.
- ✓ **Consider accelerated implementation of social investment programs** that help to reduce perceived inequalities between Quitunda and other communities.

possible to strengthen individual and household resilience and support a more sustainable path for community development.

4.2.2 Community Health and Safety

Table 4.3 summarizes the key standards that are applicable to the salient issue of community health and safety. It is provided as a high-level overview and is not intended to be exhaustive.

Table 4.3 - Key Standards applicable to Community Health and Safety

INTERNATIONAL HUMAN RIGHTS	CONSTITUTION OF MOZAMBIQUE	INTERNATIONAL FINANCE CORPORATION PERFORMANCE STANDARDS	TOTAL GROUP
Right to life, liberty and security of the person (UDHR.3) (ICCPR.1+9)	All citizens shall have the right to life and to physical and moral integrity, and	Assessment and Management of Environmental and Social Risks and Impacts (PS1.8; PS1.22; PS1.25)	Human rights and local communities (HRG.topic2)
The right to an adequate standard of living (UDHR.25) (ICESCR.11)	they shall not be subjected to torture or to cruel or inhuman treatment (Art.40)	Community health, safety and security (PS4.2; PS4.6; PS4.7; PS4.9)	Compliance with UNGP (CoC)
The right to the highest attainable standard of physical and mental health (ICESCR.12.1)	Equal access of all citizens to the enjoyment of health care (Art.116.4)		Third party verification (CoC)

The potential impact of road accidents in or near the DUAT and/or along the Project's bus-in / bus-out and supply routes is a key risk for the Project. The transmission of disease due to community interactions with the Project is also a salient issue for community health and the coronavirus pandemic has elevated this particular dimension of risk. It is important to highlight that the potential impacts on women and girls can have high severity, especially those related to reproductive and sexual health, harassment or gender-based violence.

The highest risks are related to the practices and interactions between contractors, sub-contractors or other third parties, for example JTF for road safety. While the Project would be directly linked to those potential impacts, the Project could also contribute to impacts if there is insufficient oversight of contractor and sub-contractor practices in local communities or as a result of equipment transfers to the JTF. Impacts on community health and safety that are associated with direct employees would be caused by the Project.

The Project's Community Health Management and Monitoring Plan (CHMMP) was developed after a health impact assessment (HIA) process. The CHMMP guides the development of specific community health programs, implementation processes, proposed locations, duration, potential partners, and monitoring and evaluation criteria. The Project also is implementing

Next Steps for HRDD on Community Health and Safety

- ✓ **Continue implement the Projects plans,** including those related to community health, community construction interface, and traffic management with a focus on managing safety risk related to Quitupo, the transport corridor, and nearshore activities.
- ✓ **Ensure that community health and safety is a priority** area for attention for contractor management.

other plans that are relevant to community health and safety, notably the Community-Construction Interface Management Plan, Emergency Management Plan and Traffic Management Plan.

Health is also a key pillar of the Project's Project-induced in-migration (PIIM) Management Plan, and social investment plans.¹⁰ Together, these plans include deliberate efforts to reach women and girls. The Project reports having had a fair amount of success with this but recognizes that it continues to be challenging to reach Muslim women and girls. Considering that the vast majority of people in most of the directly affected communities are Muslim, this is an important limitation that will take time to overcome and will require intentional and continuous efforts.

Socializing and monitoring these particular plans with contractors, subcontractors and other third parties has been identified as a priority for ongoing due diligence.

- Further information about the Project's resettlement commitments, plans and programs related to community health management is available on the Project's website:

<https://www.mzlng.total.com/en/sustainability/community-health-management>

4.2.3 Information and Consultation

Table 4.4 summarizes the key standards that are applicable to the salient issue of information and consultation. It is provided as a high-level overview and is not intended to be exhaustive.

Table 4.4 - Key Standards applicable to Information and Consultation

INTERNATIONAL HUMAN RIGHTS	CONSTITUTION OF MOZAMBIQUE	INTERNATIONAL FINANCE CORPORATION PERFORMANCE STANDARDS	TOTAL GROUP
Right to freedom of opinion and expression, including the right to receive and impart information. (UDHR.19) (ICCPR.19)	Right to freedom of expression and freedom of the press as well as freedom of information (Art.48) Right of the media to information and freedom of the press (Art. 50)	Assessment and Management of Environmental and Social Risks and Impacts (PS1.29; PS1.30; PS1.31)	Compliance with the UDHR (CoC) Compliance with UNGP (CoC) Human rights and local communities: stakeholder engagement (HRG.topic2)

Salient issues relate to the effectiveness of ongoing processes for information and consultation with affected stakeholders and with civil society organizations or other stakeholders who are relevant to the HRDD process. The potential severity of impacts related to information and consultation is elevated due to challenges for ongoing stakeholder engagement as a result of the prevailing insecurity in Cabo Delgado and the coronavirus pandemic, and because of the high expectations of Mozambican civil society organizations with regard to the right to information and transparency related to the LNG projects in the Afungi peninsula.

¹⁰ The Project's social investment activities focus on health, education and economic diversification. PIIM is grouped with social investment because many of the PIIM management activities are designed to be aligned with and leverage development programs that require working closely with government, development partners, private sector companies and communities.

Responsibility for ensuring that stakeholders are informed and consulted is shared by the Project and other actors, including the Government of Mozambique and Area 11. However, given the Project's overall responsibility for stakeholder engagement and communication as part of an ongoing HRDD, insufficient responses from the Project may be viewed as causing adverse impacts on the rights to information and consultation.

The Project has many management plans, relationships and communications channels to support information and consultation. The foundations for building ongoing relationships with stakeholders are provided in the Project's Stakeholder Engagement Plan and Civil Society Organization Engagement Plan. From a human rights due diligence perspective, the Vulnerable People Program Framework is particularly important for ongoing attention.

These plans are implemented in a number of ways by a strong and dedicated team of Community Liaison Officers and Community Facilitators. Furthermore, the Project has established village level consultative groups including Community Resettlement Committee and legal entities associated with community development funding.

The Project has a variety of information and communication tools in place, including an information centre in Palma, community radio shows, pamphlets, Project website with detailed content in English and Portuguese (www.mzlng.total.com). In addition, the community grievance mechanism and *Linha Verde* ("hotline") support engagement to address questions, concerns and grievances.

A mechanism for sharing information and consultation that is particularly relevant from a human rights due diligence perspective is the Project's Independent NGO/Civil Society Monitoring Platform. As discussed below, this platform could potentially play an important role in the cycle of ongoing human rights due diligence by providing feedback on the Project's identification and prioritization of salient issues and on the development and implementation of various plans. As implied by its name, the platform provides a vehicle for NGOs and civil society organizations to contribute to project monitoring on an ongoing basis, which should be seen as a leading practice from a human rights perspective.

- Further information about the Project's commitments and plans related to information and consultation is available on the Project's website <https://www.mzlng.total.com/en/sustainability/stakeholder-engagement>

The Project will continue to implement its stakeholder engagement plan and activities with a focus on deepening direct engagement with affected stakeholders beyond the resettlement affected communities. This will include involving the Independent CSO/NGO Monitoring Platform (ICSMP) in the development and implementation of the HRDD Action Plan Framework while developing a plan for proactive engagement with national and international civil society organizations specialized in business and human rights. The Project will also provide regular public updates on implementation of the HRDD Action Plan.

Next Steps for HRDD on Information and Consultation

- ✓ **Involve the independent CSO/NGO monitoring platform**, in both the development and the implementation of the HRDD Action Plan.
 - ✓ **Provide regular public updates** regarding the implementation of the HRDD Action Plan.
-

4.3 Women's Rights and Gender Equality

Table 4.5 summarizes the key standards that are applicable to the salient issue of women's rights and gender equality. It is provided as a high-level overview and is not intended to be exhaustive.

Table 4.5 - Key Standards applicable to Women's Rights and Gender Equality

INTERNATIONAL HUMAN RIGHTS	CONSTITUTION OF MOZAMBIQUE	INTERNATIONAL FINANCE CORPORATION PERFORMANCE STANDARDS	TOTAL GROUP
Right to equality (UDHR.2) (ICCPR.3) (ICESCR.3)	Equality before the law (Art.36)	All IFC Performance Standards cite the equality of women and requirements to ensure non-discrimination based on gender.	Compliance with the UDHR (CoC)
Freedom from discrimination (UDHR.7)	Equal pay for equal work (Art.112.3)		Requirement to avoid discrimination in the workplace (HRG.topic 1)
Equal pay for work of equal value (ICESCR.7a)	Promote the development of women (Art. 122.1)		

In Mozambique, the religious and cultural context is challenging for women's rights and gender equality. Women commonly experience intersecting forms of discrimination, such as women heads of household, refugee and asylum-seeking women, and women with disabilities. Domestic violence remains a major problem affecting a large proportion of women and remains largely unreported. Rape and incest of young girls by family members is common while domestic servitude, forced labour, and sex trafficking also remain crucial problems. Resolving these complex issues requires long-term, systematic, informed and sustained action in order to have a positive impact.¹¹

In communities around the Project, salient issues include potential gendered impacts related to resettlement, community health and safety and PIIM, with potentially severe impacts in terms of harassment or GBV. Project impacts that could affect women in the communities include harassment committed by persons associated to the Project, increases in GBV due to changes in gender dynamics and the social fabric linked to the Project, increases in prostitution affecting some of the most vulnerable community members linked to the Project and PIIM.

In the workplace, salient issues related to women's human rights and gender equality relate to non-discrimination, diversity and inclusion, including potentially severe impacts related to harassment and gender-based violence (GBV).

The highest risks are likely related to the behaviours of third parties. While the Project would be directly linked to those potential impacts, the Project could also contribute to adverse impacts if there is insufficient oversight or attention to potential impacts on women's rights and gender equality in this day and age. Impacts that are associated with direct employees would be caused by the Project.

In terms of due diligence measures, all the Project's management tools and activities relate to both women and men. Furthermore, there are specific gender-specific aspects and management measures

¹¹ CEDAW's Concluding Observations following Mozambique's periodic report, July 2019, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fMOZ%2fCO%2f3-5&Lang=en

that have been developed through an initial Gender Study in 2015, which is currently in the process of being updated. The Project's Environmental and Social Impact Assessment and related studies (e.g., study on intertidal fishers and collectors). The assessment team also identified the following policies and plans that are particularly relevant for ongoing attention: The Recruitment Policy (particularly for sub-contractors), the Resettlement Plan, the Stakeholder Engagement Plan and Vulnerable Peoples Plan.

In order to address potentially systemic issues and to support a variety of positive outcomes in terms of diversity, inclusion and sustainable development, the HRDD Assessment focused attention on the importance of clear commitments to women's rights in the Project's Human Rights Policy and the integration of a Gender Equity Strategy as a key platform in the HRDD Action Plan.

The HRDD Assessment also recognizes that women's rights and gender equality is an area where the Project can also have a long-term positive contribution through its due diligence efforts. Moreover, in terms of positive contributions to women and girls through social investments, the Project already has established a number of interesting and innovative programs that target women's health, education and other economic, social and cultural rights as set out in the text box below.

Health Programming with Focus on Women and Girls

Health programs have been implemented by the Project in its area of influence since 2014. Prior to the Project's final investment decision (FID) the Project sponsored a number of health programs through its social investment program, including:

- **HIV/AIDS**—The VIDAS Program aimed to prevent the spread of HIV and other sexually transmitted infections, as well as increase awareness of sexual and reproductive health by linking communities to health facilities, supplies, and services.
- **Vulnerable girls**—The Quero Program focused on adolescent girls' vulnerabilities related to HIV infection, gender-based violence, and transactional sex by providing access to clinical and community-based services.
- **Nutrition**—A nutrition program aimed to reduce acute malnutrition in children and pregnant women within the Palma District.

Once FID was confirmed, the Project finalized a number of management plans (notably the Community Health Management and Monitoring Plan and the Project Induced In-migration Management Plan) and established an integrated health program in the Project area.

In addition, a partnership with USAID has allowed for greater focus on women and girls and an expansion of the geographical coverage of the program.

Given the importance of gender and women's rights as a cross-cutting issue for the HRDD Assessment, recommendations have spanned a wide scope of systems and follow-up activities. The assessment team intended to have more engagement with female workers and community members to understand the differentiated and disproportionate potential impacts on gender and women's rights. In particular, it has been agreed that further assessment and engagement activities should be prioritized in the short-term, including through the process to update the 2015 Project's Gender Study.

Next Steps for HRDD

- ✓ **Include references to protections against discrimination based on gender**, harassment, and gender-based violence in the Human Rights Policy. Given the potential severity of impacts on women, develop training and awareness-raising initiatives related to harassment and gender-based violence to support implementation with security forces and contractors.
- ✓ **Integrate a Gender Equity Strategy** as a key platform in the proposed Human HRDD Action Plan Framework.
- ✓ **Appoint a Gender Equity Coordinator** and select Gender Equity Taskforce.
- ✓ **Conduct an additional assessment of the Projects actual and potential gendered impacts**, including through the updated Gender Study.

4.4 Project-Induced In-Migration (PIIM)

Table 4.6 summarizes the key standards that are applicable to the salient issue of Project-induced in-migration (PIIM). It is provided as a high-level overview and is not intended to be exhaustive

Table 4.6 - Key Standards applicable to PIIM

INTERNATIONAL HUMAN RIGHTS	CONSTITUTION OF MOZAMBIQUE	INTERNATIONAL FINANCE CORPORATION PERFORMANCE STANDARDS	TOTAL GROUP
Right to life, liberty and security of the person (UDHR.3) (ICCPR.1+9)	The right to physical and moral integrity (Art.40)	All IFC performance standards apply.	Compliance with the UDHR (CoC)
Right to an adequate standard of living (ICESCR.11)	Right to medical and healthcare (Art. 89)		Respect human rights of local communities (HRG. Topic2)
Right to enjoy the highest attainable standard of physical and mental health. (ICESCR.12)			Respect for an adequate standard of living (HRG.topic2)

PIIM is increasingly understood as a predictable phenomenon related to large-scale developments that include potential impacts on community health and safety as well as on a variety of other economic and social rights of local community members. The individuals who are seeking opportunities from the Project may experience adverse impacts related to freedom of movement, the right to work and health, safety and security. Potential impacts on women and girls can have high severity, especially related to reproductive and sexual health, harassment or gender-based violence.

The highest risks related to PIIM are often related to the presence and behaviour of third parties who are seeking opportunities related to the Project. Normally, the Project is not directly linked to potential impacts of third parties with whom it does not have a business relationship; however, given the predictable nature of PIIM and the commitments the Project has to address PIIM, the Project could be directly linked or contribute to impacts if there is insufficient preparedness or mitigation measures to address PIIM as it occurs.

At the outset of the HRDD Assessment, there was some evidence that PIIM was starting to occur in the Project area and the assessment team was encouraging the Project to accelerate its planning for PIIM preparedness with other parties.

The foundations for the Project's human rights due diligence measures can be found in the PIIM Management Plan, which includes the following focus areas:

- Managing inflow
- Creating a multi-stakeholder forum
- Spatial planning
- Urban planning for infrastructure, services, utilities, and capacity
- Community strengthening
- Natural resource management and use
- Community health programs
- PIIM interface and internal coordination
- Tracking and monitoring

➤ Further information about the Project's commitments and plans related to PIIM is available on the Project's website: <https://www.mzlng.total.com/en/sustainability/project-induced-migration>

The Project has created a dedicated team to implement this plan and early diagnosis activities while awareness-raising efforts with government, multilateral organizations and civil society organizations are underway. Furthermore, the Project uses satellite data to support identification of potential "growth areas" where there is evidence of in-migration. The Project plans to hire additional Community Liaison Officers for these growth areas who will engage as well as provide on-the-ground monitoring of change.

Currently, it is understood that the context in Cabo Delgado is very complex and that there are internally-displaced people in the Project area who may be moving more for security and safety motives than for job-seeking motives normally associated with PIIM. However, these factors may change over

Next Steps for HRDD on In-Migration

- ✓ **Accelerate the implementation of PIIM plans** and continue to strengthen the capacity of relevant managers in relation to PIIM.
 - ✓ **Establish the monitoring framework for PIIM** as a priority to allow the Project and other actors to respond to early indications of PIIM.
 - ✓ **Use leverage with the contractors and subcontractors, government, community leaders and other actors** to build capacity and multi-stakeholder initiatives related to PIIM preparedness and management.
-

time in that people who initially came to the Project area for security and safety reasons might stay in the area for economic motives.

This highlights the importance of the ongoing work to establish a monitoring framework that will allow the Project and other actors to respond to early indications of PIIM. Given the complexity of PIIM-related impacts, the Project should also use its leverage with Area 4, government, community leaders, contractors and subcontractors to build capacity and multi-stakeholder initiatives related to PIIM preparedness and management.

4.5 Workers' Rights

The focus on workers' rights during the HRDD Assessment has been on the contractor and sub-contractor workforce for two main reasons: first, contractors and sub-contractors are a high proportion of the Project workforce during the construction phase; and second, because there is greater awareness of the risks and responsibilities of companies for due diligence on workers' rights issues in their supply chains.

The Project, CCSJV and sub-contractors have shared responsibilities for contractor management around workers' rights, although the Project ultimately has the lead role in policy coordination and oversight.

In this regard, the Project is developing a robust Industrial Relations (IR) system that seeks to have an integrated approach with the principal contractors for the on-shore and off-shore components and the various sub-contractors who work underneath them. During the HRDD Assessment, the focus was on the Project's work with CCSJV (the principal onshore contractor) to build its capacity for implementation and monitoring of the IR system.

The foundations for the Project's due diligence on workers' rights include a variety of contractual provisions that are annexed to the main contract with CCSJV and cascaded down to the various onshore sub-contractors. These annexes include a Human Rights Policy and Human Resources/Industrial Relations Management Plan, as well as various policies and procedures related to recruitment, supervisor training and monitoring.

There are a number of areas where the Project actively supports CCSJV to monitor the workers' rights of sub-contractor workers through weekly meetings and verification of sub-contractor monitoring reports. The Project's IR Officers also plays an active role in the oversight of sub-contractors' resolution of grievances and other issues and conducts daily site visits to hear issues raised by workers. The Project is developing a training program to assist IROs with understanding key workers' rights aspects to prioritize in their ongoing monitoring and collaboration with CCSJV and the sub-contractors.

Industrial Relations Monthly Monitoring

The Industrial Relations team for the Project has a monthly monitoring and reporting cycle with CCSJV and sub-contractors. The following are some of the topics that are relevant to workers' rights that are covered through the monthly reporting process and captured in monthly reports and an overall IR dashboard:

- **Minimum age (18 years)**, non-discrimination and equal opportunity, and local employment requirements are being followed in the recruitment process.
- **Camp management practices**, including in terms of adequate staffing, sanitation of general areas and kitchens, and grievance mechanisms and registers.
- **Incidents**, including in relation to employment opportunities, remuneration, dismissals, behaviour, management practices, harassment, recruitment, conditions of service and payment.
- **Workplace and camp grievances** are registered and resolved following the grievance management system The Quero Program focused on adolescent girls' vulnerabilities related to HIV infection, gender-based violence, and transactional sex by providing access to clinical and community-based services.

Disciplinary actions are recorded and reviewed for appropriateness.

Once FID was confirmed, the Project finalized a number of management plans (notably the Community Health Management and Monitoring Plan and the Project Induced In-migration Management Plan) and established an integrated health program in the Project area. In addition, a partnership with USAID has allowed for greater focus on women and girls and an expansion of the geographical coverage of the program. This monthly reporting process also provides a regular opportunity for the IR team to engage in dialogue with CCSJV and sub-contractors about areas for additional attention, training or corrective actions

Currently, the key focus area for workers' rights is for the Project's IR team to work with CCSJV to build its capacity to effectively use the IR system and manage sub-contractors' workers' rights. Further to a recent auditing exercise, a number of key actions have been identified, including developing an IR Booklet to assist with the onboarding of sub-contractors; conducting IR audit on sub-contractors to verify they have all the necessary IR policies, procedures and plans; developing a monitoring plan for subcontractors; and, ensuring that they the IR function is properly resourced.

In terms of specific workers' rights issues considered as part of the HRDD Assessment, the following are the most salient: Non-discrimination, freedom from child labour and forced labour, freedom of association, and just and favourable working conditions.

Next Steps for HRDD for Contractors and Sub-Contractors' Workers' Rights

- ✓ **Continue to work with CCSJV** to embed and refine the Project's IR system.
- ✓ **Consider reinforcing the Projects IR team** to play an ongoing active role in oversight and capacity building for contractors and subcontractors, if and when construction ramps up again.

4.5.1 Non-discrimination

Non-discrimination in the workforce is a cross-cutting principle affecting all human rights but with a specific application to workplace issues such as hiring, promotion and other related conditions. Discriminatory practices with women, religious minorities, or people with HIV/AIDs are of particular concern in the Project context. The Project will therefore continue to use its leverage with CCSJV in order to embed and refine its IR system related to non-discrimination. This will involve targeted engagement and verification activities alongside of reasonable accommodation for religious minorities and workers with HIV/AIDs. Additionally, the Project will include issues related to non-discrimination in employment as part of the scope of its proposed Gender Equity Strategy.

4.5.2 Freedom from Child Labour and Forced Labour

There are risks related to the use of child labour and forced labour deeper in the Project's supply chain, for example in construction facilities for transport vessels. Although there is a low likelihood of this occurring, child labour and forced labour are always considered to be severe impacts. To mitigate these risks, the project will develop a targeted HRDD action plan to proactively screen for potential child and forced labour risks within supply chains of major suppliers preferably before they commence activities.

4.5.3 Freedom of Association

There are risks to freedom of association because of the very small number of Project sub-contractors that are unionized, as well as the lack of organization and capacity of unions in Mozambique to effectively protect workers' rights. The Project has taken proactive steps to implement worker committees as part of the IR system. The committees will serve as an alternative form of worker organization to consult about collective workplace and camp-related issues. The Project is encouraged to support these committees for contractor and sub-contractor workers by offering oversight and capacity-building programs.

4.5.4 Just and Favourable Working Conditions

There are risks to just and favourable working conditions related to length of shift rotations, as well as disciplinary, termination and demobilization procedures, and the adequacy of the minimum wage established for the Project. The highest risks are related to the practices of contractors and sub-contractors. These may be adversely affected by the coronavirus pandemic; and, therefore, the Project should continue to verify that contractors and sub-contractors are maintaining appropriate working and camp conditions; appropriate shift rotations and respecting the Project's minimum wage standard.

Table 4.7 below summarizes the key standards that are applicable to the most salient workers' rights issues, namely non-discrimination, child labour, forced labour, and freedom association. It is provided as a high-level overview and is not intended to be exhaustive.

Table 4.7 - Key Standards applicable to Workers Rights Issues

INTERNATIONAL HUMAN RIGHTS	CONSTITUTION OF MOZAMBIQUE	INTERNATIONAL FINANCE CORPORATION PERFORMANCE STANDARDS	TOTAL GROUP
Non-discrimination			
Right to equality (UDHR.2) (ICCPR.3) Equal pay for work of equal value (ICESCR.7a) ILO Declaration on Fundamental Principles and Rights at Work (Art.2)	Equality before the law (Art.36) Equal pay for equal work (Art.112.3)	Non-Discrimination & Equal Opportunity (PS2)	Compliance with the UDHR (CoC) Freedom of association and right to collective bargaining (CoC.2.2) Prohibition of harassment (HRG.topic1) Diversity promotion (CoC.2.8)
Freedom from Child Labour			
Children's right to protection from exploitation (CRC.32) Children's right to education (CRC.28) (ICESCR.13.2a) ILO Minimum Age Convention (#138) ILO Worst Forms of Child Labour Convention (#182)	Right to protection from the family and the state (Art.121.1) Right to education (Art.88) Prohibition against child labour (Art.121.4)	Labour and working conditions (PS2.21)	Compliance set forth in the fundamental conventions of the ILO (CoC) Prohibition on child labour (HRG.topic1) Respect for human rights in the workplace (HRG.topic1)
Freedom from Forced Labour			
Freedom from slavery (UDHR.4) (ICCPR.8) Freedom of movement (UDHR.13) (ICCPR.12) ILO Abolition of Forced Labour Convention (#105)	Freedom from forced labour (Art.84.3) Right to freely choose one's profession (Art.84.2)	Labour and working conditions (PS2.22)	Prohibition on forced labour (HRG.topic1) Respect for human rights in the workplace (HRG.topic1)
Freedom of Association			
Freedom of assembly, association (UDHR.20) Right to form a trade union (ICESCR.8) (ICCPR.22) ILO Freedom of Association Protection and Right to Organize Convention (#87)	Freedom of assembly, association (Art.51 and Art.52) Right to form a trade union (Art.86.1) Right to strike (Art.87)	Labour and working conditions (PS2)	Compliance with the UDHR (CoC) Compliance set forth in the fundamental conventions of the ILO (CoC) Respect for human rights in the workplace (HRG.topic1)
Just and Favourable Working Conditions			
The right to the enjoyment of just and favourable conditions of work (UDHR.23.1 and 23.3) (ICESCR.7) The right to fair wages and equal remuneration for work of equal value without discrimination (ICESCR.7.a) The right to safe and healthy working conditions (ICESCR.7.c) The right to rest, leisure and reasonable limitation of working hours (ICESCR. 7.d)	Right to fair remuneration, rest, and vacation (Art.85.1) Right to health and safety at work (Art. 85.2) Right to dismissal in accordance with law (Art. 85.3)	Labour and working conditions (PS2)	Compliance with the UDHR (CoC) Compliance set forth in the fundamental conventions of the ILO (CoC) Respect for human rights in the workplace (HRG.topic1)

Next Steps for HRDD for Workers' Rights

- Continue to use leverage with CCSJV to embed and refine the Project's IR system.
- ✓ Reinforce the Projects IR team to play an ongoing active role in oversight and capacity-building for contractors and sub-contractors.
- ✓ Develop plan to screen for potential forced labour risks associated with the supply chains of major suppliers.
- ✓ Continue to foster the worker committees for contractor and sub-contractor workers by providing active oversight and capacity-building support.
- ✓ Consider how to engage with unions and other worker organizations as part of strategy for civil society engagement.
- Verify that contractors and sub-contractors are maintaining appropriate working and camp conditions
- Verify the appropriateness of shift rotations and adequacy of the Project's minimum wage.

4.6 Access to Remedy

Table 4.8 summarizes the key standards that are applicable to access to remedy. It is provided as a high-level overview and is not intended to be exhaustive.

Table 4.8 - Key Standards applicable to Access to Remedy

INTERNATIONAL HUMAN RIGHTS	CONSTITUTION OF MOZAMBIQUE	INTERNATIONAL FINANCE CORPORATION PERFORMANCE STANDARDS	TOTAL GROUP
Right to an effective remedy (UDHR.8)	Right to equality before the law (Art.36)	Assessment and management of environmental and social risks and impacts (PS1.35)	Compliance with the UDHR (CoC)
Right to an effective remedy (ICCPR.2.3a)	Right to compensation for damages caused by violations of rights (Art.58)	Labour and working conditions (PS2.20)	Respect for human rights and the local community / access to remedy (HRG.topic2.2)
	Right to access the courts to contest violations of rights established in the constitution (Art.69)	Land acquisition and involuntary resettlement (PS5.11)	

Salient issues relate to effectiveness of the various grievance mechanisms in place for workers or community members, as well as collaboration with other judicial or non-judicial mechanisms for remedy as appropriate. The potential severity of impacts related to access to remedy have been elevated in terms of anticipated challenges for grievance management during this coronavirus pandemic, as well as the high expectations of Mozambican civil society organizations around issues related to transparency and independent grievance mechanisms.

The Project's responsibility to provide remedy depends on its role in relation to cause, contribution and direct linkage of the underlying impact or concern. The Government of Mozambique, Area 4 and contractors and sub-contractors also have responsibilities to provide or facilitate access to remedy. Nevertheless, given the Project's overall responsibility for implementing grievance mechanisms and support other remedies as a part of ongoing HRDD, it may be viewed as causing adverse impacts on rights to access to remedy if these mechanisms are not performing in line with the UNGPs effectiveness criteria.

Next Steps for HRDD for Access to Remedy

- ✓ **Continue to implement and refine the system** for recording, tracking, and analyzing grievances.
 - ✓ **Strengthen accessibility for women** and the processes for managing grievances related to harassment or gender-based violence.
 - ✓ **Strengthen the procedures** for raising grievances about the JTF.
 - ✓ **Communicate** the results of and trends in grievances to affected stakeholders.
- Continue to develop evaluation tools** to capture feedback from users of the grievance mechanism as well as regular perception surveys from affected stakeholder groups.

➤ Further information about the Project's commitments and plans related to PIIM is available on the Project's website <https://www.mzlng.total.com/en/sustainability/project-induced-migration>

In terms of due diligence, the Project has established multiple grievance channels for community members, workers and (sub)contractors. The Social Performance team and the Industrial Relations team both have a very proactive approach to grievance management. The Project should continue to implement and track the effectiveness of existing grievance mechanisms with a focus on continuous improvement in relation to the UNGPs effectiveness criteria.

The assessment highlights the focus upon when the Project remobilizes include the development of a system for recording, tracking and analyzing grievances for potential trends that require additional HRDD. This initiative will include strengthening the informal and formal procedures for raising grievances related to the JTF, along with improving the accessibility to grievance mechanisms for individuals reporting gender-based violence. Care must also be taken to safeguard the confidentiality of information about individual complainants.

4.7 Other Issues

There are other issues that were considered during the HRDD Assessment that are not considered as salient as the above-noted issues at this point in time, or else relate more to management systems or processes that could contribute to ongoing HRDD and/or positive human rights outcomes. They are outlined in **Table 4.9** below, so that they can be considered as part of ongoing engagement and monitoring efforts.

Table 4.9 - Other Issues covered by the HRDD Assessment

OTHER HRDD ISSUES	CHALLENGE ASSESSMENT	PROJECT'S ROLE (CAUSE, CONTRIBUTION & LINKAGE)	HRDD STRATEGY
VPSHR Risk Assessments	Participatory risk assessments are a fundamental process for comprehensive implementation of the VPSHR that should lead to positive human rights outcomes.	The Project, Area 4 and the JTF and private security have shared responsibilities to undertake VPSHR risk assessments, although the Project ultimately has the lead role in coordination and oversight.	<p>Integrate VPSHR methodology into risk assessment process being developed for the Community Security Plan.</p> <p>Use future risk assessment process as an opportunity for engagement with security partners, workers, and community members around community security issues and the VPSHR.</p> <p>Use leverage with JTF, Area 4, CCSJV and other security partners to participate in the VPSHR risk assessment process in order to strengthen collaboration and alignment about mitigation measures.</p>
Direct Workers	Direct workers were not prioritized in the past HRIA or the HRDD Assessment to date.	Project causes the impacts on its own direct workforce.	<p>Include direct workers as a salient issue in the HRDD Action Plan Framework as this is a core group of potentially affected stakeholders that should be included in the scope of ongoing HRDD.</p> <p>Review any proposed workforce reorganization and changes in working conditions (e.g. after expiry of 1-year moratorium on Anadarko working conditions) to ensure that they respect international workers' rights standards and reduce any discrepancies in working conditions.</p>
Benefits Creation	Benefits creation is an important process to fulfill Project commitments and that should lead to positive human rights outcomes.	<p>The Project's responsibility for HRDD is meant to be focused on avoiding and mitigating potential adverse impacts rather than on providing benefits.</p> <p>However, given the Project's commitments to social investment, local employment and other benefits (including as mitigation and remediation measures for resettlement), the</p>	<p>Upon remobilization, consult with affected stakeholders, government, and implementation partners about adapting social investment and local content plans to the new realities of the Project context.</p> <p>In the longer term, continue to develop and implement social investment projects in a participatory manner according to human rights-based approach for</p>

OTHER HRDD ISSUES	SALIENCE ASSESSMENT	PROJECT'S ROLE (CAUSE, CONTRIBUTION & LINKAGE)	HRDD STRATEGY
		Project may be perceived as causing or contributing to adverse impacts if planned projects are delayed and benefits do not materialize.	development. ¹² On a periodic basis, conduct participatory monitoring and evaluation of benefits programs to support continuous improvements and to be able to demonstrate positive impacts and outcomes as part of the Project's communications about HRDD.
Contractor Management ' Social Performance	Contractor management is a fundamental process for HRDD on potential community impacts for the Project—particularly at the construction phase—that should lead to positive human rights outcomes.	The Project, CCSJV and sub-contractors have shared responsibilities for contractor management around social performance, although the Project ultimately has the lead role in coordination and oversight.	Use leverage with CCSJV and sub-contractors to strengthen the on-site capacity for social performance that is commensurate with each sub-contractor's social risk profile.
Environment	Environmental issues were not prioritized in the past HRIA or in the HRDD Assessment to date. It is anticipated that environmental issues will become more salient as the Project ramps up its offshore construction activities and for the operational phase. Moreover, environment is explicitly included in the scope of the French Reasonable Vigilance Law, so it likely is beneficial to include environment within a comprehensive HRDD approach.	The Project, Area 4 and their business partners contribute to potential environmental impacts.	Include environment in the HRDD Action Plan Framework given the growing intersection between human rights, environment, and climate change issues.
Ecosystem Services	Salient issues relate to potential impacts on priority ecosystem services, including shoreline protection, intertidal fisheries, inshore fisheries, tourism and recreation, and sense of place and sense of belonging. From information gathered to date, the impacts on ecosystem services do not appear to be severe; however, this will likely change as the Project's activities ramp up.	The Project, Area 4 and their business partners contribute to potential environmental impacts.	Assess community perceptions of the effectiveness of management measures for the potential loss of ecosystem services and associated stakeholder engagement and participation mechanisms.

¹² **A human rights-based approach (HRBA)** is one of the 6 guiding principles for the UN Sustainable Development Framework that underpins the UN Sustainable Development Goals.

OTHER HRDD ISSUES	SALIENCE ASSESSMENT	PROJECTS ROLE (CAUSE, CONTRIBUTION & LINKAGE)	HRDD STRATEGY
Cultural Heritage	Salient issues relate to potential impacts related to graves; intangible cultural heritage and categorization of archaeological sites.	The Project, Area 4 and their business partners contribute to potential environmental impacts.	Assess community perceptions of the (i) process of grave relocations, (ii) effectiveness of the identification and protection of intangible cultural heritage, (iii) process for categorization of archaeological sites (e.g., CH86 and site near the airstrip) and (iv) related stakeholder engagement and participation; and adjust management and/or engagement activities as necessary.
Emergency Preparedness	Insufficient information was obtained to assess emergency preparedness in the HRDD Assessment to date.		Given the ongoing challenges related to the Project's context and the coronavirus pandemic, consider including emergency preparedness as a salient issue for the future—both for workers and communities.

5. HRDD Action Plan Framework

The assessment team worked with the Project team to develop the framework for the HRDD Action Plan that is aligned with the requirements for ongoing HRDD under the UNGPs; and is also effective in embedding and integrating human rights into existing organizational structures and management systems.

The framework for the HRDD Action Plan will build upon the various due diligence measures that have been put in place by the Project through its prior environmental, social, human rights and other initiatives. From observations and engagement with the Project team, there are a number of important “building blocks” for HRDD that the Project already has in place as summarized in the text box below.

Table 5.1 - Existing Building Blocks for HRDD

Existing Building Blocks for HRDD

- Strong attention of Project Team to IFC Performance Standards, achieving a social license and promoting a project enabling environment.
 - Environmental and social management plans in place covering a wide range of issues with social and human rights aspects.
 - Strong stakeholder engagement and community relationships.
 - Established grievance mechanisms for community members and workers.
 - Strong performance team with multiple streams of responsibility.
 - Robust industrial relations system with an engaged approach to working with CCSIV and sub-contractors.
 - Prior HRIA that identified the main salient human rights issues related to security, resettlement, workers' rights, and access to justice/grievance mechanisms.
- VPSHR implementation with Area 4, including training with JTF and private security guards.

One additional building block that will likely be significant for the Project's overall approach to HRDD is the formation of a “Strategic Above-Ground Risk Working Group” to provide a coordinated and cross-functional approach to adaptive management for the Project's above-ground risks, which include the security, human rights and social performance issues covered by the HRDD Assessment. While the Project has planned to create a Human Rights Steering Committee to support the implementation of the HRDD Action Plan, the Strategic Above-Ground Risk Working Group is also an important structure to help support and adapt the different HRDD strategies in a very dynamic and challenging context. It will be important to ensure that the respective roles and mandates of these two internal groups are clearly delineated, potentially with the Human Rights Steering Committee being more focused on the day-to-day implementation of the HRDD Action Plan and coordination between key departments and (sub)contractors at site, and the Strategic Above-Ground Risk Working Group more focused on questions related to adaptive management, engagement with business partners and communications aspects of the ongoing HRDD process.

The framework for the HRDD Action Plan has been based on the following categories: (a) foundations; (b) assessment; (c) monitoring; and (d) communicating. The table below shows the alignment with HRDD components according to the UNGPs.

Table 5.2 - HRDD Alignment with UNGPs

ACTION PLAN FRAMEWORK CATEGORIES	UNGP CATEGORIES
Foundations	Policy and Embedding Stakeholder Engagement Grievance Mechanisms
Assessing	Assessing Risks and Impacts Integrating and Acting
Monitoring	Tracking
Communicating	Communicating

The framework for the HRDD Action Plan is attached as [Appendix II](#). This framework summarizes the assessment team's key recommendations for all the salient issues in order to provide a comprehensive overview of the scope of ongoing due diligence.

It is understood that the Project Team is working on the development the Project's HRDD Action Plan. This will take the framework provided by the Assessment Team and make it operational in terms of assigning responsibilities, approving further studies, and determining timelines for monitoring and reporting, etc.

It is also understood that the Project team is already working to strengthen key foundational elements such as having a stand-alone Human Rights Policy and a cross-functional Human Rights Steering Committee for the Project.

As mentioned above, the Project has also committed to consult and engage with affected stakeholders and civil society organizations in Mozambique about the Human Rights Policy and HRDD Action Plan prior to finalizing them. This has been highlighted as an important step for developing these key documents in a rights-based manner. Furthermore, many of the most salient issues for the Project also have much wider implications for business and human rights in Mozambique; and it is hoped that the consultation and engagement process for the HRDD Action Plan can also identify opportunities and new ideas for multi-stakeholder collaboration.

6. Conclusion

The HRDD Assessment has provided an opportunity to work with the Project team and a variety of internal and external stakeholders to reinforce the Project's approach to human rights due diligence. Although the assessment had some limitations due to the coronavirus pandemic, we appreciate the perseverance and commitment of everyone involved to complete the assessment. As explained throughout this report, HRDD is an ongoing process and we trust that this assessment has provided new focus and impetus to the Project's efforts on human rights, social performance and the VPSHR in the coming months and years. In particular, we hope that the rich and constructive internal and external conversations about human rights will continue in a collaborative manner, supporting a common vision of respect for the rights of all workers, community members and other affected stakeholders.

From our discussions with the Project team, we understand that next steps will involve the publication and dissemination of this report in English and Portuguese, a progress report on the Project's actions to implement its recommendations, and development of the HRDD Action Plan.

Appendix I - Assessment Team

Lloyd Lipsett, Senior Human Rights Expert

Lloyd is an international human rights lawyer with more than 20 years of experience working with leading companies, governments, national human rights institutions, civil society organizations and indigenous peoples. He has developed a niche in the field of human rights impact assessment (HRIA) with a focus on extractive industry projects and free trade agreements. In particular, he has worked on HRIAs of mining, oil & gas projects and operations in challenging contexts around the world from Nunavut to Guatemala to Eritrea and Philippines. In recent years, he has worked on several important projects in East Africa, particularly in Mozambique, Tanzania, Kenya and Uganda.

Luc Zandvliet, Senior Social Performance Expert

Luc Zandvliet is the Director of Triple R Alliance Inc., a group of experts who support companies operating in frontier markets with their stakeholder engagement approaches. He has conducted over 80 site visits in 30 countries with 30+ companies, mainly in the mining and oil & gas sector. These visits have involved the development and implementation of engagement and social investment strategies, conducting human rights risk assessments, establishing social performance functions during early-stage operations, coaching of senior staff, social performance assessments and the implementation of grievance mechanisms.

Dana Frye, Senior Social Performance Expert

Dana has 10 years' experience working with private sector clients, governments and international organizations. Dana provides clients with strategic as well as on-the-ground advice and support across a range of industries (mining, oil and gas, energy, transport, etc.). She has spent much of the last several years on a consulting or secondment basis supporting corporate, social and management teams. Dana's expertise includes social risk management, social performance strategy development and implementation, and hiring and coaching social responsibility teams. Furthermore, her technical experience includes topics such as stakeholder engagement, community investment, and social impact management. Dana speaks Portuguese and conducted a scoping visit to a mining operation in Cabo Delgado province in Mozambique earlier in 2019.

Karim-André Laz, Senior Advisor on Security and Human Rights

Karim-André Laz is an expert on security and human rights and supports LKL International Consulting Inc.'s work with various clients in implementing human rights risk and impact assessments, with an additional focus on the implementation of the Voluntary Principles on Security and Human Rights (VPSHR). As a former member of the Canadian Armed Forces' and training designer for numerous police and armed forces across Africa, Karim has the practical background and experience to operate and communicate effectively with public security forces and members of the private security sector. In total, Karim has worked in over 100 countries (10 of which are in Africa) on human rights, children's rights, health and safety and capacity building for police or military units.

Isabelle Gilles, Legal Research, Gender Specialist and Human Rights Expert

Isabelle is an international lawyer and human rights risk and impact assessment practitioner with a focus on women's rights and children's rights related to extractive industry projects. Before joining LKL International Consulting Inc., she was a lawyer for a public inquiry into corruption in the construction industry in Quebec (Charbonneau Commission), developing significant expertise on anti-corruption issues. Isabelle previously worked in the field of children's rights, representing children and social services in court proceedings. She also represented defendants in criminal proceedings, working as a legal aid lawyer. She has conducted targeted interviews with female workers and community members as part of LKL International's field work to ensure that concerns related to women's rights have been appropriately addressed in the HRIA process.

Sara Sultan, Social Performance and Resettlement Expert

Sara Sultan is a Social Performance Specialist based in Vancouver, Canada. She has been working in Social Performance since 2008. She works directly with local communities and proponents towards improving social outcomes related to projects in the mining and energy sectors. With a strong research and statistical background, Sara specializes in social and human rights assessments, resettlement planning and implementation, and the design of data collection, analysis and management systems tailored to individual projects' social performance objectives. She has led data collection in the field, including aerial surveying, baseline studies and asset inventories.

APPENDIX II - HRDD Action Plan Framework

Table 6.1 is the framework for the HRDD Action Plan that the Project is committed to developing. This table highlights the key recommendations for areas of attention across the different elements of HRDD. This includes both salient and other issues. They are broken down into short-term priorities on foundational elements of HRDD and longer-term elements related to ongoing assessment, monitoring and communications.

Table 6.1 - HRDD Action Plan Framework

SALIENT ISSUES	FOUNDATIONS		ASSESSMENT		MONITORING		COMMUNICATION
	Shorter-Term				Longer-Term		
Human Rights Policy and HRDD Action Plan	Develop a stand-alone Human Rights Policy and HRDD Action Plan in a participatory manner.		Complete additional stakeholder engagement and verification on salient issues identified in the HRDD Assessment to gather further information about actual impacts and stakeholder perceptions and priorities.		Develop a template for periodic internal reporting that compiles the relevant information about the different components of HRDD across the various salient issues.		Develop a communications plan for public reporting and proactive information-sharing at local, regional, and international levels that is aligned with good reporting practices in the UNGP Reporting Framework.
	Nominate a Human Rights Coordinator and provide the resources needed for strong implementation of the HRDD Action Plan.		Consider undertaking a subsequent external HRDD assessment towards the end of the construction period and/or targeted assessments on new salient issues in the interim.		Consider involving the Project's civil society monitoring platform in participatory monitoring and evaluation of the HRDD Action Plan.		
	Implement a cross-functional committee to assist with implementation of the HRDD Action Plan.						
Security							
VPSHR	Develop a comprehensive VPSHR Action Plan that is aligned with Total Group Rule on the VPSHR.						
	Nominate a VPSHR Coordinator and provide the resources needed for strong implementation.						

SALIENT ISSUES	FOUNDATIONS		ASSESSMENT	MONITORING	COMMUNICATION
	Shorter-Term			Longer-Term	
Community Security	Use leverage with Area 4 and Government of Mozambique to play a constructive role in implementing the VPSHR Action Plan.	Continue to develop the layered strategy to community security to increase protection of Project-affected communities (while implementing a VPSHR Action Plan to mitigate risks related to the JTF).	Use planned studies related to community security (KAP Study, Community Security Study for Layer 2, etc.) to refine stakeholder engagement, grievance mechanisms and public awareness about community security issues and the VPSHR.		Local communications about community security and VPSHR will be determined through assessment.
			Compile information and feedback from ongoing and planned processes (HRDD Assessment, KAP Study, Community Security Study for Layer 2) to support an updated VPSHR risk assessment. Integrate VPSHR risk assessment methodology into community security risk assessments.		Involve affected stakeholders and security partners in risk assessment processes to foster better communication about security arrangements and development of multi-stakeholder approaches.
Security Risk Assessments					
Interaction with Public Security Providers	Use leverage with Area 4 and Government of Mozambique to align formal arrangements (e.g. MoUs, Rules of Engagement, etc.) with VPSHR.	Develop an ongoing VPSHR training program for JTF. Consider using an NGO partner to support delivery of training.		Ensure that incidents involving JTF are documented and reported.	
	Strengthen formal and informal channels for community members to raise concerns about Mozambican forces.	Include issues related to interaction with JTF as part of the proposed Gender Equity Strategy.		Ensure that the tracking tools for equipment provided to the JTF are effectively implemented and documented.	

SALIENT ISSUES	FOUNDATIONS		ASSESSMENT	MONITORING	COMMUNICATION
	Shorter-Term			Longer-Term	
Interaction with Private Security Providers	Develop a standard operating procedure (SOP) on detention and handover to police.			Ensure that the recruitment processes and background checks required for all private security companies are conducted and documented.	
	Review and update training for private security guards in line with any new training program developed for the public security guards.				
Workers' Rights					
Non-Discrimination	Continue to use leverage with CCSIV to embed and refine the Project's IR system related to non-discrimination. Include issues related to non-discrimination in hiring and employment as part of the proposed Gender Equity Strategy.		Conduct targeted engagement and verification activities related to potential discrimination and reasonable accommodation related to religious minorities and workers with HIV/AIDs.	During remobilization, test the system's effectiveness in terms of verifying that contractors and sub-contractors are maintaining non-discriminatory hiring practices.	
Freedom from Child Labour			Develop a targeted HRDD plan to proactively screen for potential child labour risks associated with the supply chains of major suppliers before they commence activities for the Project.	Maintain records with age documentation for all workers associated with the Project.	
Freedom from Forced Labour			Develop a targeted HRDD plan to proactively screen for potential forced labour risks associated with the supply chains of major suppliers before they commence activities for the Project.		
Freedom of Association	Continue to foster the worker committees for contractor and sub-contractor workers by providing active oversight and capacity-building support.				Consider how to engage with unions and other worker organizations in Mozambique as part of development of the engagement strategy for civil

SALIENT ISSUES	FOUNDATIONS Shorter-Term	ASSESSMENT	MONITORING Longer-Term	COMMUNICATION
Just and Favourable Working Conditions		Conduct targeted engagement and verification activities related to appropriateness of shift rotations and adequacy of the Project's minimum wage.	<p>During remobilization, test the system's effectiveness in terms of verifying that contractors and sub-contractors are maintaining appropriate working and camp conditions.</p> <p>Review feedback from grievance mechanisms and worker committees to understand if there have been potential infringements on workers' rights during demobilization (e.g. related to severance and social security) or for those who have been deemed as essential services (e.g. related to working hours, overtime)</p>	society organizations focused on business and human rights.
Contractor Management and Industrial Relations	Continue to use leverage with CCSIV to embed and refine the Project's IR system.			
Direct Workers	Include direct workers in the HRDD Action Plan Framework as a salient issue.	Review any future workforce reorganizations and/or changes in working conditions to ensure that they respect workers' rights standards and reduce any discrepancies in working conditions.	Reinforce the Project's IR team to continue playing a proactive role in monitoring and capacity-building for contractors and sub-contractors when construction ramps up again.	

SALIENT ISSUES	FOUNDATIONS	ASSESSMENT	MONITORING	COMMUNICATION
	Shorter-Term	Longer-Term		
	Occupational Health and Safety			
Occupational Health and Safety	Include OHS in the HRDD Action Plan Framework as a salient issue for the future.	Review any changes in the Project's OHS procedures due to the coronavirus pandemic from a human rights perspective.		
	Social			
Information and Consultation	Proactively involve affected stakeholders and the civil society monitoring platform in the development of the HRDD Action Plan Framework with a focus on reinforcing information and consultation across all salient issues.	Continue to implement the Project's stakeholder engagement plans and activities with focus on deepening direct engagement with affected stakeholders beyond the resettlement affected communities.	Consider involving the Project's civil society monitoring platform in participatory monitoring and evaluation of the HRDD Action Plan.	Provide regular updates on the implementation of the HRDD Action Plan to local stakeholders in an accessible format.
	Consider how the Project's above-ground risk process ¹³ can be used to support ongoing discussion of emerging risks and impacts in the execution of the resettlement plan and related SP issues. ¹⁴	Continue to focus ongoing assessment on the impacts of delays in implementation of livelihood programs and providing any necessary transitional support and assistance. Assess the long-term affordability of housing, infrastructure and services in Quitunda.		
Resettlement			The creation of the Monitoring & Evaluation function within the Social Performance Department provides a strong platform for ongoing participatory monitoring of resettlement-related impacts as well as other potential human rights or social impacts.	Continue to reinforce the Project's ability to communicate about implementation and monitoring of the resettlement plan, particularly in relation to livelihood-related issues.
			Continue to reinforce the Project's ability to track and communicate potential impacts and implementation of support programs at the individual household level.	Consider accelerating implementation of social investment programs that help to reduce perceived inequalities between Quitunda, and other resettlement affected
¹³ Initially called the Palma – Afungi Above				
Ground Risk Working Group, now called the Afungi Community-Construction Exposure Alliance.				
¹⁴ The above-ground risk process should also be considered as a potential platform for discussion and implementation of the overall HRDD Action Plan.				

SALIENT ISSUES	FOUNDATIONS	ASSESSMENT		MONITORING	COMMUNICATION
	Shorter-Term			Longer-Term	
Community Health and Safety		Review any changes in the Project's community health and safety plans and procedures that are related to the coronavirus pandemic from a human rights perspective.		Continue to implement the Project's plans, including those related to community health, community-construction interface, and traffic management with focus on managing safety risk related to Quitupo, the transport corridor and nearshore activities.	communities (i.e., those who ceded land for the construction of the Quitunda resettlement village).
		Assess the potential health impacts on women and girls, including in terms of sexually transmitted diseases, unwanted or early pregnancies.			
Project-induced In-migration	Accelerate the implementation of PIIM plans and continue to strengthen the capacity of relevant managers in relation to PIIM.	Assess the potential impacts on women and girls in relation to sexual exploitation and gender-based violence.		The establishment of the Project's monitoring framework for PIIM is a priority to allow the Project and other actors to respond to early indications of PIIM.	Continue to raise awareness of contractors and other stakeholders related to potential impacts and inappropriate behaviours towards local community members in the context of PIIM. Additional information is included in contractor management below.
	Use leverage with the government, community leaders and other actors to build capacity and multi-stakeholder initiatives related to PIIM preparedness and mitigation.				
Benefits Creation	Consider the potential risks related to the use of the foundation model as a vehicle for delivery of the Afungi Community Development Fund (a mitigation measure for economic displacement).	Upon remobilization, consult with affected stakeholders, government and implementation partners about adapting social investment and local content plans to the new realities of the Project and communities.		Conduct participatory monitoring and evaluation of benefits programs to support continuous improvements and to be able to demonstrate positive human rights impacts.	
Contractor Management –	Use leverage with CCSJV and sub-contractors to strengthen the on-site capacity for social performance that is				

SALIENT ISSUES	FOUNDATIONS	ASSESSMENT	MONITORING	COMMUNICATION
	Shorter-Term		Longer-Term	
Social Performance	<p>commensurate with each sub-contractor's social risk profile.</p> <p>Continue to raise awareness of contractors and other stakeholders related to potential impacts and inappropriate behaviours towards local community through comprehensive training and appropriate sanctions as required.</p>			
Environment				
Environment	Include environment in the HRDD Action Plan Framework as a salient issue for the future.			
Ecosystem Services		Assess community perceptions of the effectiveness of management measures for the potential loss of ecosystem services and associated stakeholder engagement and participation and adjust management and/or engagement activities, as necessary.		
Cultural Heritage		<p>Assess community perceptions of the (i) process of grave relocations, (ii) effectiveness of the identification and protection of intangible cultural heritage, (iii) process for categorization of archaeological sites (e.g., CH86 and site near the airstrip) and (iv) related stakeholder engagement and participation; and adjust management and/or engagement activities as necessary.</p> <p>Document progress on identification and protection of intangible cultural heritage (including those linked to ecosystem services such as traditional livelihood practices).</p>		

SALIENT ISSUES	FOUNDATIONS	ASSESSMENT	MONITORING	COMMUNICATION
	Shorter-Term	Longer-Term		
Emergency Preparedness				
Emergency Preparedness	Consider including emergency preparedness as a salient issue for the future—both for workers and communities.	Ensure all data obtained is gender disaggregated. Assessment of the nature and scope of potential impacts and stakeholder concerns from a women's rights and gender perspective in the communities, including an assessment of the current situation of GBV, which should also include an understanding of coronavirus pandemic impacts. Update this assessment annually.	Provide for a participatory monitoring system including women from varied backgrounds in communities and in the workplace in the Gender Equity Strategy.	Consider how a focus on women's rights and gender equality can be used as a positive opportunity for communications and engagement with different stakeholder groups.
Women's Rights and Gender Equality	Include a commitment to women's rights and gender equality in the proposed Human Rights Policy, with specific references to protections against discrimination based on gender, harassment and GBV. Review and strengthen policies and procedures related to non-discrimination, harassment, and gender-based violence accordingly. Include a Gender Equity Strategy as a key platform in the HRDD Action Plan Framework. Appoint an external and experienced gender expert as Gender Equity Coordinator and select a Gender Equity Taskforce that includes gender champions from all relevant departments. Provide for an external gender expert visiting site, providing expert guidance and assistance, and reviewing the progress, adequacy, and effectiveness of all gender equality initiatives on a quarterly basis. Review and strengthen accessibility for women to raise grievances (including in	Provide for an external gender audit of the workplace including an assessment of the current situation of harassment and GBV in the workplace. The audit should be conducted every 2 years. The GBV assessments should include the following at a minimum: the level and types of GBV in communities and in the workplace, including the factors contributing to it, the capacity of the local system to investigate and address GBV and support victims, and potential Project impacts on the current situation.		

SALIENT ISSUES	FOUNDATIONS	ASSESSMENT	MONITORING	COMMUNICATION
	Shorter-Term		Longer-Term	
	<p>relation to harassment or gender-based violence).</p> <p>Ensure the company's commitment to women's rights and equality are included in a mandatory training provided to all Project staff.</p> <p>Finalize and operationalize the Gender Position Statement that the Project is developing.</p>			
Grievance Mechanisms and Access to Remedy				
Grievance Mechanisms and Access to Remedy	<p>Strengthen accessibility for women and rights-compatible processes for managing potential grievances related to harassment or gender-based violence.</p> <p>Strengthen the informal and formal procedures for raising grievances about the JTF to ensure that the Project can appropriately record, track, and follow-up on such grievances.</p> <p>Monitor the development of other grievance mechanisms related to extractive projects in Mozambique – notably in relation to the involvement of civil society organizations in the grievance mechanism.</p> <p>Consider including the topic of Human Rights Defenders in the Human Rights Policy to strengthen the importance of non-retaliation.</p>	<p>Consider undertaking a participatory assessment of the Project's grievance mechanisms using the UNGPs effectiveness criteria.</p>	<p>Continue to develop the system for recording, tracking, and analyzing grievances for potential trends that require additional HRDD.</p> <p>Continue to develop evaluation tools to capture immediate feedback from users of the grievance mechanism as well as regular perception surveys from affected stakeholder groups.</p> <p>Use leverage with Government of Mozambique to follow-up on cases of discipline against JTF members to ensure that these cases are handled appropriately from a remedy perspective.</p>	<p>Continue to develop the processes for communicating the results of and trends in grievances to affected stakeholders in a manner that safeguards the confidentiality of information about individual complainants.</p>