

## Manila International Airport (MIA)

### Human Rights Impact Assessment – Non-technical summary

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November 24, 2022

### San Miguel Aerocity Inc. (SMAI)

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## Contents

|           |                                                                                |           |
|-----------|--------------------------------------------------------------------------------|-----------|
| <b>1.</b> | <b>Introduction .....</b>                                                      | <b>4</b>  |
| 1.1.      | Project overview.....                                                          | 4         |
| 1.2.      | What is the Project? .....                                                     | 4         |
| 1.3.      | Where is the Project?.....                                                     | 4         |
| 1.4.      | What are human rights and why assess human rights impacts? .....               | 6         |
| 1.5.      | What is the purpose of this document? .....                                    | 6         |
| <b>2.</b> | <b>The human rights assessment process .....</b>                               | <b>7</b>  |
| 2.1.      | What was the process for undertaking the human rights impact assessment? ..... | 7         |
| 2.2.      | What is the existing situation? .....                                          | 7         |
| 2.3.      | Has there been stakeholder engagement on human rights issues? .....            | 8         |
| 2.4.      | Did stakeholders raise issues related to human rights? .....                   | 8         |
| <b>3.</b> | <b>HRIA findings .....</b>                                                     | <b>10</b> |
| 3.1.      | What impacts were identified in the HRIA? .....                                | 10        |
| 3.2.      | What are the mitigation measures? .....                                        | 11        |
| 3.3.      | Managing emerging human rights impacts.....                                    | 14        |
| 3.4.      | How will mitigation be implemented?.....                                       | 14        |
| 3.5.      | Conclusion .....                                                               | 14        |
| <b>4.</b> | <b>How do I find out more about the Project? .....</b>                         | <b>16</b> |
| <b>5.</b> | <b>How do I have my say? .....</b>                                             | <b>17</b> |

## Appendix A. Grievance registration form

## Tables

|                                                                                                         |    |
|---------------------------------------------------------------------------------------------------------|----|
| Table 2-1: Summary of human rights issues raised by stakeholders during ESIA scoping consultation ..... | 8  |
| Table 3-1: Human rights impacts identified.....                                                         | 10 |
| Table 3-2: Proposed mitigation .....                                                                    | 11 |

## Maps

|                                |   |
|--------------------------------|---|
| Map 1-1: Project Overview..... | 5 |
|--------------------------------|---|

# 1. Introduction

## 1.1. Project overview

The New Manila International Airport (NMIA) Project (i.e., the 'Project') is a development to construct a new airport to meet the growing demands of Metro Manila and its surrounding provinces in supporting air traffic operations of the existing and congested Manila Ninoy Aquino International Airport. The Project is located in Bulakan, Bulacan Province, 35km North of Manila and is being developed by San Miguel Aerocity Inc (SMAI).

The project is seeking financing from international banks that require projects to meet standards relating to the project's environmental and social performance. As a result, the Project needs to demonstrate that all environmental and socio-economic risks and impacts, including those related to human rights, are identified, assessed and mitigated in accordance with international standards and good practice.

## 1.2. What is the Project?

SMAI is developing the Project, which aims to address the air traffic congestion at the Ninoy Aquino International Airport and provide a new international airport with sufficient capacity to address future air traffic demand. The NMIA will be developed in phases with an initial capacity of 35 Million Annual Passengers (MAP) and an eventual capacity 100 MAP. Commercial operations are expected to start by 2027.

The scope of both the Human Rights Impact Assessment (HRIA) and this Non-Technical Summary (NTS), covers only the land formation site (land development and airport footprint) as well as the development and operation of the 35 MAP capacity airport. This will include the following construction and operation activities:

- Construction
  - Site clearance, land formation, and compaction works
  - Creation of a temporary berthing facility for shipping and river widening around the airport perimeter
- Operation
  - Operation and maintenance of airport facilities
  - Aircraft movements
  - Mobilisation of personnel
  - Associated traffic movements (road, other transport modes)

This NTS does not include a summary of the separate HRIA that was undertaken by ERM on behalf of Boskalis for the offshore elements of the Project, including the access channel, offshore disposal site and sand winning area.

## 1.3. Where is the Project?

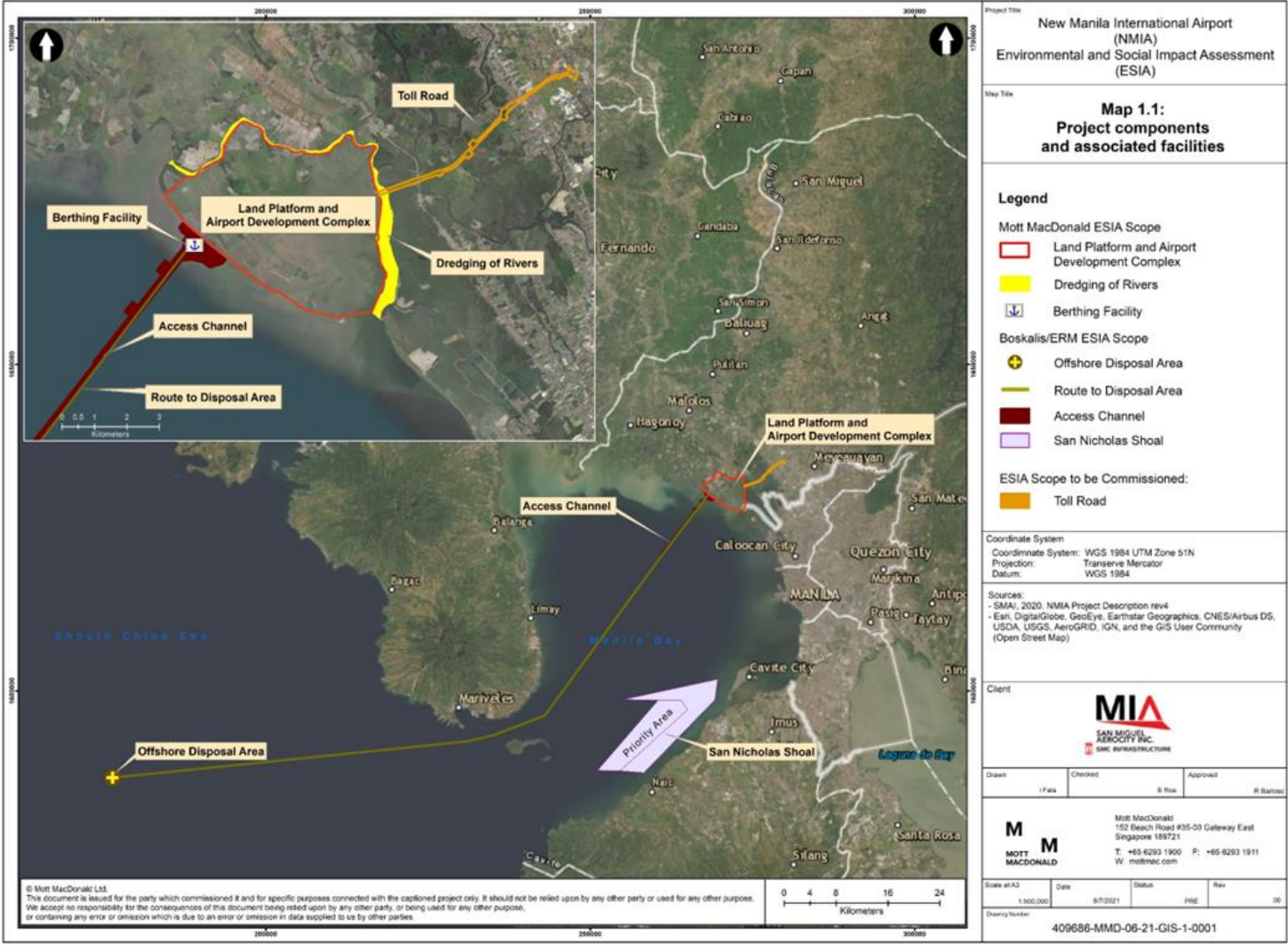
The NMIA is located in the Barangays<sup>1</sup> Bambang and Talipit, in the Municipality of Bulakan, Province of Bulacan, greater Manila region, the Philippines. The Project will be located within a 2,565-hectare property mixed-use development. The airport will be the main component and is expected to utilise around 1,700 hectares. The remaining area is allocated for other related facilities and future developments.

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<sup>1</sup> A barangay is the smallest administrative division in the Philippines at the community level.



Map 1-1: Project Overview



Source: Mott MacDonald (2022)

## 1.4. What are human rights and why assess human rights impacts?

Human rights are inherent, universal, basic rights and freedoms that belong to every person, protecting individuals and groups against actions that interfere with fundamental freedoms and human dignity. <sup>2</sup> Human rights are:

- Universal and inalienable, meaning that they apply to all human beings
- Interdependent and indivisible, meaning that there is no hierarchy between human rights; the improvement of one right facilitates advancement of the others, and likewise the deprivation of one right adversely affects the others
- Equal and non-discriminatory, meaning human rights are enjoyed by everyone equally, irrespective of nationality, place of residence, sex, national or ethnic origin, colour, religion, language or any other status.

The United Nations<sup>3</sup> and a number of international lenders have requirements for human rights impacts to be considered when large scale infrastructure projects such as this are being developed. <sup>4</sup> To address these requirements, a human rights impact assessment (HRIA) has been conducted with the following scope and objectives:

- To identify the Project's salient human right impacts that stand out because they risk causing the most severe negative impact through the Project's activities
- To assess human rights in accordance with international human rights reference frameworks and good practice guidance
- To identify human rights management and mitigation measures to avoid and mitigate human rights risks
- Provide measures to safeguard and facilitate meaningful engagement with affected communities and workers.

The HRIA is part of the Environmental and Social Impact Assessment (ESIA) for the Project and which describes the significant environmental and social issues which could arise, and the mitigation which will be put in place to reduce the severity of those impacts. Good practice E&S management is an important element in the avoidance of human rights issues in the first instance. The scope of the HRIA summarised in this document relates to only the land formation site (land development / airport footprint) as well as the development and operation of the airport. A separate HRIA and environmental and social impact assessments have been undertaken to cover the access channel, offshore disposal site and sand winning area. The HRIAs are the first step in the development a comprehensive strategy to manage human rights across the project and for all project phases.

## 1.5. What is the purpose of this document?

The HRIA was in part informed by consultation activities, to understand stakeholders' views and concerns. This NTS represents the next step in the engagement process, summarising the HRIA process and findings. Measures that have been identified via the HRIA to avoid or minimise the human rights impacts associated with the land formation site are also presented in this NTS. The Project welcomes your feedback on this document. Ways to find out more and to communicate with the Project are presented in sections 4 and 5 respectively.

<sup>2</sup> The Danish institute for Human Rights - [Report \(humanrights.dk\)](https://www.humanrights.dk)

<sup>3</sup> UN Human Rights (2011): 'Guiding principles on business and human rights' Available at: [guidingprinciplesbusinesshr\\_en.pdf \(ohchr.org\)](https://www.ohchr.org/documents/E/huridocda/huridoca13_en.pdf)

<sup>4</sup> The HRIA has been informed by the Equator Principles IV, International Bill of Human Rights, International Labour Organisation's core labour standards, the Dhaka Principles for Migration with Dignity and UN Human Rights treaties and other international standards.

## 2. The human rights assessment process

### 2.1. What was the process for undertaking the human rights impact assessment?

#### Scope of the HRIA

Human rights impacts may range in severity depending on where the impact will occur and who is affected. This includes the project site, surrounding municipalities and in some cases, given the nature of the Project, other provinces and where appropriate, the Philippines.

#### Sources of baseline information

A range of data was used to identify existing human rights issues at the Project site and its surrounding area. The following data was used:

- Self-assessment questionnaires completed by project personnel
- Consultation with external stakeholders likely to be impacted by the Project via focus groups and interviews
- Information on known human rights concerns at both the national and local level contained in governmental reports and from non-governmental organisations (NGOs)
- San Miguel Corporation policies and plans

#### Assigning severity to impacts

Human rights impacts have been assessed according to their severity so that management and mitigation can be prioritised accordingly. The severity of impacts and risks has been determined on a scale of 1 to 5, with 5 being the most severe. The severity of impacts/ risks has been determined by assessing the following factors:

- The scale (seriousness of the impact)
- The scope (number of people affected)
- Remediability – ability of the Project to restore the rights of the impacted individual to at least the same as their situation before the impact occurred
- Consideration of the vulnerability of the rights-holders affected by the Project

### 2.2. What is the existing situation?

The main social challenges which can exacerbate human rights issues in the Philippines include poverty and unemployment; limits to freedom of speech; labour rights abuses; risks of violence, insecurity; barriers to accessing basic public services such as education or decent housing; and structural discrimination of vulnerable groups. Vulnerable groups include women, children, disabled people, the poor, victims of human trafficking and people working in the informal sector jobs. The Philippines ranks 104 out of 162 countries according to the 2019 Gender Equality Index.<sup>5</sup> Gender-based violence<sup>6</sup> (GBV), as well as discrimination, harassment and prostitution are ongoing issues.

Relevant factors for the Project to consider in the context of human rights include labour rights issues such as discrimination, underemployment, job security and poor working conditions. Reports of forced labour in the Philippines are usually in fishing, construction, small-scale factories, domestic services, agriculture and informal sectors. Women, children and the urban poor can be taken advantage of in terms of their working rights and conditions including pay, working hours and health and safety at work. Workers face additional challenges because in practice, rights to form or join trade unions may not be protected. A typical risk on development projects is often how to control human rights issues within the supply chains.

<sup>5</sup> UNDP (2020): 'The Next Frontier: Human Development and the Anthropocene: Philippines' Available at: PHL.pdf (undp.org)

<sup>6</sup> Gender-Based Violence (GBV) refers to harmful acts directed at an individual based on their gender. It is rooted in gender inequality, the abuse of power and harmful norms. GBV is a violation of human rights.

This baseline social context means there is potential for the Project to exacerbate human rights risks at the pre-construction, construction and operational stages. Stakeholders whose human rights could be potentially affected by this Project could include: construction, airport and supply chain workers; local communities affected by resettlement, construction activities and airport operations; fishing communities potentially facing livelihood disruptions; and airport users.

### 2.3. Has there been stakeholder engagement on human rights issues?

Meaningful consultation and engagement with potentially affected groups and other relevant stakeholders was undertaken to understand potential human rights impacts. In October 2020 on behalf of SMAI, Mott MacDonald consulted the Bulakan Municipality and the Barangays of Taliptip and Bambang on behalf of SMAI to inform the scope of the ESIA. Consultations and surveys were also conducted in November 2020 with Barangay authorities, local and regional government officers and households. In 2021, SMAI shared project information during the consultation activities for the national environmental impact assessment. This included information awareness campaigns and community consultation events.

To inform the HRIA, a local subconsultant (Apercu) consulted potentially affected stakeholders in their preferred national language (Filipino or English) to understand their concerns. Focus groups and interviews undertaken engaged affected communities, including fisher-folk, farmers, and women as well as representatives from schools, NGOs, trade unions and religious organisations. The interviews were primarily conducted face-to-face where practical and safe subject to COVID19-related protocols, otherwise, virtual platforms were used.

### 2.4. Did stakeholders raise issues related to human rights?

Table 2.1 summarises issues related to human rights that were raised during public consultation undertaken in 2020 to inform the international ESIA.

**Table 2-1: Summary of human rights issues raised by stakeholders during ESIA scoping consultation**

| Summary of issue                                                                                                                                                      | Project response                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Request for updates on the Project to be communicated to stakeholders                                                                                                 | Activities, impacts and construction schedules will continue to be communicated as part of project process and meaningful stakeholder engagement                                                                                  |
| Health and safety measures should be implemented on public roads                                                                                                      | The HRIA incorporates environmental and social impacts of the Project and informs the production of a project specific mitigation.                                                                                                |
| Local residents should be prioritised in recruitment opportunities                                                                                                    | The assessment considers the rights of vulnerable and marginalised groups to promote equal opportunities                                                                                                                          |
| Concerns about increased migration into the area and increased competition for essential services                                                                     | The HRIA assesses human rights related to access of local people to key services and identifies mitigation to address influx into the Project area.                                                                               |
| There was some concerns from households affected by land acquisition that insufficient compensation was paid, however, it was later found that this was not the case. | As part to the HRIA consultation process, land acquisition aspects were discussed with stakeholders. A land acquisition audit was also undertaken, and a status report is being prepared to track the status of the compensation. |
| Expectations of livelihood restoration and equality in the job opportunities available.                                                                               | The HRIA highlights the rights of vulnerable and local population, and identifies opportunities for                                                                                                                               |



| Summary of issue                                                                                                                                                        | Project response                                                                                                                                                                                                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A number of the surveyed communities believe the Project will bring positive effects to their livelihood through additional employment, revenue, and industrialisation. | support via the development of livelihood restoration plans, strategic community investment plan, local hiring plan and corporate social responsibility programmes as part of the livelihood restoration to develop local workforce and help capacity-building. |
| Community development opportunities should focus on livelihood skills training for vulnerable groups                                                                    | The HRIA considers the rights of young people, women and local livelihoods, identifying opportunities to develop skills to be realised through the Project.                                                                                                     |

## 3. HRIA findings

### 3.1. What impacts were identified in the HRIA?

Table 3.1 summarises the potential human rights impacts identified in the assessment.

**Table 3-1: Human rights impacts identified**

| Relevant human right                                          | Impact                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Pre-mitigation severity: 4</b>                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Rights to accessing remedy                                    | It is challenging for people to voice their concerns in the context. Affected people commonly do not feel empowered to speak out. This can affect a range of stakeholders including resettled or economically displaced people, community members and vulnerable workers.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Rights to safe and respectful security                        | Security at airports is needed to protect passengers, staff and assets. However, use of security guards and military personnel can present a human rights risk to the public and directly affected communities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Rights to security of land tenure and sustainable livelihoods | People have been moved from their homes and had their livelihoods affected due to the Project. Consultation identified that some stakeholders consider some impacts have not been adequately addressed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Rights to liberty and security at international borders       | Managing detainees at international borders is acknowledged as being necessary but challenging and requires human rights to be at the centre of all border governance measures.<br><br>Irregular migrants and vulnerable groups such as trafficked persons can be at risk at international borders. All groups need to be treated fairly and with respect.                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Pre-mitigation severity: 3</b>                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Rights to non-exploitative employment and working conditions  | On large scale projects where a lot of contractors are involved, it can be a challenge to oversee that worker rights are being upheld, particularly in countries where there is weaker enforcement of labour rights and working conditions. Potential risks to workers throughout the Project supply chain could include: <ul style="list-style-type: none"> <li>• Lack of employment contracts</li> <li>• Unclear or non-agreed payment terms and working hours</li> <li>• Poor working conditions</li> <li>• Non- or irregular payment of wages</li> <li>• Forced labour</li> <li>• Harassment and discrimination</li> <li>• Gender based violence</li> </ul>                                                                                                                                     |
| Rights to safe and healthy workplaces and communities         | Work on construction sites poses a number of risks, particularly activities undertaken at sea such as dredging. There is always the potential for occupational accidents.<br><br>During construction, risks to community health and safety could arise from potential environmental accidents, industrial accidents and traffic accidents.<br><br>During operation, exposure to prolonged high levels of noise and vibration have the potential to impact the physical and mental wellbeing of local communities and workers. Community health and safety could also be impacted by potential pollution incidents and industrial accidents that affect access to water.<br><br>Potential for accidents involving aircrafts pose risks to communities', workers', and passengers' health and safety. |

| Relevant human right                            | Impact                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                 | The area surrounding the Project could experience environmental emergency scenarios such as flooding and earthquakes, posing health and safety risks to operational staff, passengers and nearby communities.                                                                                                                                                                                                                                      |
| Rights of detainees to essential services       | Airport authorities and governments must provide airport detainees and asylum seekers access to essential services, such as water, sanitation, housing, food and health. These need to be readily available, accessible and of sufficient quality.<br><br>As a complex infrastructure project, NMIA has a role to play in respecting these human rights by making such services accessible, economically accessible or of an appropriate standard. |
| Pre-mitigation severity: 2                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Rights to privacy and data security             | The Project will use data during both construction and operation (including that of workers, local communities and passengers), which could result in data privacy and security breaches.                                                                                                                                                                                                                                                          |
| Rights to accessibility and non-discrimination  | If airports and the associated infrastructure are poorly designed, they can result in discrimination against disabled people and people with mobility needs.                                                                                                                                                                                                                                                                                       |
| Rights to participation and freedom of assembly | The needs of women and vulnerable groups may have been overlooked in past consultation activities, leading to information disclosure and consultation that is not participatory and not representative.                                                                                                                                                                                                                                            |
| Pre-mitigation severity: 1                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Right to take part in cultural life             | The Project has the potential to affect access to cultural heritage, as land acquisition of some religious and cultural sites, such as churches and chapels will be required.                                                                                                                                                                                                                                                                      |

### 3.2. What are the mitigation measures?

This section summarises the existing and proposed remediation, mitigation and management measures that SMAI is committed to through the project to respect the human rights of affected people and the public. After the application of the proposed mitigation, none of the impacts are predicted to remain highly severe (i.e. with a residual severity of 4 or 5).

**Table 3-2: Proposed mitigation**

| Relevant human rights and impacts                                                                                                                                               | Required mitigation measures and plans                                                                                                                                                                                                                                         | Severity after mitigation |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| Pre-mitigation severity: 4                                                                                                                                                      |                                                                                                                                                                                                                                                                                |                           |
| <b>Rights to accessing remedy</b> <ul style="list-style-type: none"> <li>Risk of limited access to remedy for resettled, vulnerable or economically displaced people</li> </ul> | <p>The Project commits to act so that remedy can be provided without delay where cases of rights abuses are identified.</p> <p>The Project will use the SMC group-wide whistleblowing mechanisms and worker and community grievance mechanisms to uphold access to remedy.</p> | 1                         |
| <b>Rights to safe and respectful security</b> <ul style="list-style-type: none"> <li>Use of security guards and military personnel without</li> </ul>                           | <p>A security policy and management system will be established to govern security issues including:</p> <ul style="list-style-type: none"> <li>Responsible hiring</li> <li>Worker code of conduct</li> </ul>                                                                   | 2                         |

| Relevant human rights and impacts                                                                                                                                                                                                                                                     | Required mitigation measures and plans                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Severity after mitigation |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <p>appropriate training can present a human rights risk</p> <ul style="list-style-type: none"> <li>• Risks related to security in the Philippines</li> <li>• Inappropriately vetted/untrained personnel</li> </ul>                                                                    | <ul style="list-style-type: none"> <li>• Use of force policies and training</li> <li>• Conflict resolution via the project grievance mechanism procedure</li> <li>• Ongoing monitoring to respect the human rights of nearby communities and airport users.</li> </ul> <p>Risks to rights holders' liberty and health and safety will be identified in a security risk assessment and appropriate controls implemented.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |
| <p><b>Rights to security of tenure and sustainable livelihoods</b></p> <ul style="list-style-type: none"> <li>• Economic and physical displacement and compensation</li> <li>• Risks to cash-based/subsistence livelihoods dependent</li> <li>• Disrupted education claims</li> </ul> | <ul style="list-style-type: none"> <li>• A livelihood restoration plan has been prepared to identify approaches to restore and diversify livelihoods including training and employment initiatives</li> <li>• A local hiring plan will be implemented</li> <li>• Engagement with affected communities will continue throughout the Project.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 3                         |
| <p><b>Rights to liberty and security at international borders</b></p> <ul style="list-style-type: none"> <li>• Irregular migrants and vulnerable groups at risk</li> <li>• Trafficking victims can be detained at borders or suffer discriminative measures</li> </ul>                | <p>There are many aspects regarding the rights of detained persons which are outside of the Project's control. However, design considerations can support the protection of their rights. Airport design will be based on international good practice.</p> <p>SMAI will collaborate with the government, national law enforcement agencies, aviation organisations, airlines and suppliers to prevent human trafficking.</p> <p>Processes around raising grievances, whistleblowing, vetting and training of employees and disciplinary processes for those who are not adhering to good practice will be established in conjunction with the operator to ensure good governance.</p>                                                                                                                                                                             | 2                         |
| Pre-mitigation severity: 3                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |
| <p><b>Rights to non-exploitative employment and working conditions</b></p> <ul style="list-style-type: none"> <li>• Labour rights infringements</li> </ul>                                                                                                                            | <p>SMAI will manage and mitigate risks through good international practice human resources (HR) policies, labour commitments and management measures, cascaded down to all construction contractors.</p> <p>Rigorous internal monitoring and where necessary corrective action planning/ capacity building will support international best practice</p> <p>Supply chain risks will be managed through suppliers' due diligence and ongoing monitoring.</p> <p>Development and implementation of management plans/policies related to workers' accommodation, working conditions, health and safety, harassment/discrimination, and freedom of movement</p> <p>Measures to increase women's participation within the workforce and to protect women working within the Project, including development of a gender-based violence and harassment (GBVH) policy.</p> | 2                         |

| Relevant human rights and impacts                                                                                                                                                                                                                                                                                                                                                                                                                                          | Required mitigation measures and plans                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Severity after mitigation |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <b>Rights to safe and healthy workplaces and communities</b> <ul style="list-style-type: none"> <li>Occupational health and safety risks to workers</li> <li>Potential environmental and industrial accidents that could impact communities' health and safety</li> <li>Community access to water</li> <li>Accidents involving aircrafts</li> <li>Potential impact of environmental risks such as flooding and earthquakes to workers, visitors and communities</li> </ul> | <p>Safety considerations will be incorporated into the project design.</p> <p>Comprehensive occupational health and safety plan will be developed implementing mitigation according to good practice.</p> <p>SMAI will ensure project staff are trained on key human rights and safeguarding topics and the construction workforce will adhere to a strict workers code of conduct applicable to all subcontractors/service providers.</p> <p>SMAI is developing a stakeholder engagement plan detailing future engagements and community health and safety awareness raising and the grievance mechanism will allow for communities to raise concerns.</p> | 2                         |
| <b>Rights to essential services</b> <ul style="list-style-type: none"> <li>Detainees and asylum seekers access to water, sanitation, housing, food and health</li> </ul>                                                                                                                                                                                                                                                                                                   | <p>The Project is working with design consultants and government agencies to ensure key services provision at borders, airport facilities and detention centres including accommodation, food, sanitation, water and health care is in line with good international practice.</p>                                                                                                                                                                                                                                                                                                                                                                           | 1                         |
| <b>Rights to privacy and data security</b> <ul style="list-style-type: none"> <li>Personal information correctly and securely managed and processed.</li> <li>Risk of data security breaches, cyber-attacks,</li> </ul>                                                                                                                                                                                                                                                    | <p>A data security policy will be in place throughout the Project to ensure secure handling of personal (physical and electronic) data by the Project with protections relevant to all workers and external stakeholders.</p>                                                                                                                                                                                                                                                                                                                                                                                                                               | 1                         |
| <b>Rights to accessibility and non-discrimination</b> <ul style="list-style-type: none"> <li>Inaccessible infrastructure discriminating against disabled people and people with mobility needs</li> </ul>                                                                                                                                                                                                                                                                  | <p>SMAI will incorporate accessibility needs of airport users by complying with the international and national codes and good practice guidelines during the design phase and throughout operation of the airport.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                      | 1                         |
| <b>Rights to participation and freedom of assembly</b> <ul style="list-style-type: none"> <li>The needs of women and vulnerable groups may have been overlooked in past consultation activities</li> </ul>                                                                                                                                                                                                                                                                 | <p>The Project is developing a stakeholder engagement plan to enable active participation of women and vulnerable groups within the consultation activities planned.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 2                         |
| <b>Right to take part in cultural life</b> <ul style="list-style-type: none"> <li>Land acquisition of religious and cultural sites, such as churches</li> </ul>                                                                                                                                                                                                                                                                                                            | <p>Five chapels were located in the area affected by the Project and have been compensated for displacement. This is in addition to construction of new chapels.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 1                         |

### 3.3. Managing emerging human rights impacts

Key management tools for managing emerging human rights issues are the grievance mechanisms for communities and workers. These will allow the Project to understand if mitigation measures are adequately managing human rights impacts identified in the HRIA, and also provide a means by which new and emerging human rights impacts can be identified.

The stakeholder grievance mechanism can be accessed by post, phone, online<sup>7</sup> in person to SMAI or via the local government unit. The grievance mechanism process will be adapted to handle human rights by incorporating the elements outlined in the list below:

- Separate internal processes for managing the most severe allegations and complaints about human rights impacts, violence, abuse, harassment and gender-based violence
- State what the course of action will be if a human rights breach is reported
- Have specific measures for assisting vulnerable migrants and victims of abuse/trafficking

The grievance mechanism will be administered and managed by personnel trained in handling grievances of a sensitive nature in a non-discriminatory manner. It will not be the intention of the community grievance procedure to resolve human rights related contraventions that are the remit of governmental authorities to handle, but in this instance, the process will connect the aggrieved parties to the appropriate human rights non-governmental organisation or other agencies qualified to help.

### 3.4. How will mitigation be implemented?

SMAI has developed an statement of commitment for human rights, establishing the Project's commitment to human rights and setting out how this commitment will be implemented throughout all phases of the project and incorporated into contractors' contracts. The statement of commitment for human rights is supported by other Project policies including the E&S, human resources, GBVH, data security, and recruitment and procurement policies.

A human rights management plan is being developed to directly demonstrate the implementation of SMAI's commitments, which identifies all the management plans and evaluation processes by which known human rights impacts are managed and the mechanisms in place to identify new and emerging human rights impacts.

Through the statement of commitment, the human rights management plan and associated management plans will be regularly monitored throughout the Project. Monitoring will draw on issues raised through the grievance mechanisms for workers and communities and stakeholder engagement to identify where there have been human rights impacts.

The Project's performance in managing the human rights issues identified in the initial HRIA will be evaluated against the goals and objectives set out in the various management plans. The ability to identify new and emerging human rights and measures to address will also be evaluated. The evaluation will review to what extent the planned human rights associated actions have been completed and how identified goals have been achieved. SMAI commits to providing remedy for human rights impacts it causes. A member of SMAI's staff will be responsible for reviewing whether remedy has been provided in any case where human rights have been impacted by the Project and for taking any additional measures need to close out grievances and provide remedy to the affected person(s).

Human rights performance will be disclosed annually alongside other environmental and social reporting on the SMAI website and discussed at regular consultation meetings proposed.

### 3.5. Conclusion

This HRIA NTS for the land formation site supports the ongoing stakeholder engagement processes by summarising the assessment process and its outcomes in identifying human rights impacts caused by the Project, along with suitable mitigation to minimise these impacts. This document forms an early part of an

<sup>7</sup> <https://www.sanmiguel.com.ph/page/san-miguel-aerocity-inc>

ongoing process of information disclosure, consultation and engagement on human rights that will be carried out during the Projects' lifetime.

The baseline assessment indicated there are a number of human rights risks in the Philippines and the Project context. The assessment identified that the Project's most salient human rights impacts are predicted to be those relating to:

- Security of tenure and sustainable livelihoods of displaced people
- Rights to safe and respectful security provision
- Rights to accessing remedy (a support system for when human rights and fundamental freedoms are restricted or violated)
- Rights to liberty and security of person at international borders for victims of people trafficking and other detainees

Through the implementation of effective mitigation, the severity of these human rights impacts will be reduced to low risk. Appropriate management processes and monitoring processes are being developed to ensure that both those identified at this stage and new and emerging human rights impacts are addressed, mitigated and managed within suitable timeframes.

All stakeholders will have access to remedy as through stakeholder engagement and grievance mechanism processes. Ongoing monitoring will be undertaken to identify human rights contraventions.

## 4. How do I find out more about the Project?

This NTS is part of the larger package of HRIA and ESIA documents. The full ESIA and the ESIA non-technical summary (ESIA NTS) are published on <https://www.sanmiguel.com.ph/page/san-miguel-aerocity-inc>.

The project website is: [www.sanmiguelcity.com](http://www.sanmiguelcity.com).

## 5. How do I have my say?

You can comment or contact the community liaison officer through the contact details provided below. New information will be incorporated into the final version of the HRIA.

All concerns and requests can be submitted through the grievance form given in Appendix A by post or e-mail or to a community liaison officer, or by telephoning the company on the number using the details given below.

**Company:** San Miguel Aerocity, Inc

**Postal address:** 40 San Miguel Avenue, Wack-Wack Greenhills, Mandaluyong City 1550

**E-mail address:** [feedback@aerocity.sanmiguel.com.ph](mailto:feedback@aerocity.sanmiguel.com.ph)

**Project website:** [sanmiguelaerocity.com](http://sanmiguelaerocity.com)

**Telephone:** +63 945 520 6604

**Use of social media:** Whatsapp using +63 945 520 6604

Information about the Project will be posted on the SMAI website including the details of how people can provide comments or raise concerns.

## Appendix A. Grievance registration form

|                                                                                                                                                         |                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Full Name</b>                                                                                                                                        |                                                                                                                                                  |
| <b>Contact Information</b><br>Please identify how you wish to be contacted (mail, telephone, e-mail)                                                    | By Post: Please provide mailing address<br><br><br>By telephone:<br><br>By e-mail:                                                               |
| <b>Preferred language of communication?</b>                                                                                                             | Tagalog / Cebuano / English<br>.....<br>Other (please specify) .....                                                                             |
| <b>Description of incident, grievance or comment:</b><br>(What happened? Where did it happen? Who did it happen to? What is the result of the problem?) |                                                                                                                                                  |
|                                                                                                                                                         |                                                                                                                                                  |
| <b>Date of incident/grievance</b>                                                                                                                       |                                                                                                                                                  |
|                                                                                                                                                         | One time incident/grievance (date _____)<br><br>Happened more than once (how many times? _____)<br><br>On-going (currently experiencing problem) |
| <b>What would you like to see to resolve this problem?</b>                                                                                              |                                                                                                                                                  |
|                                                                                                                                                         |                                                                                                                                                  |
| <b>Internal Use Only</b><br>Grievance received by:<br>Date:<br>Reference number:                                                                        |                                                                                                                                                  |