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Project Trinity: Greater Changhua Northwest Offshore Wind Farm in Taiwan

Human Rights Impact Assessment

February 2024

Confidential

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Mott MacDonald
5F, No.92 Sec 2
Dunhua S. Road
Da'an District
Taipei City 10668
Taiwan

T +886 (0)2 8978 8978
mottmac.com

Ørsted Wind Power TW
Holding A/S, Kraftværksvej
53 Skærbæk 7000
Fredericia Denmark, (36 03
57 81)

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Issue and Revision Record

Revision	Date	Originator	Checker	Approver	Description
A	6 December 2023	K Chang M Noorsalim S Lin	Y Corish M Lupton	B Lim	Interim report for Client review
B	7 February 2024	K Chang	B Lim	B Lim	Interim report for Disclosure

Document reference: 614100020 | 07 | B |

Information class: Secure

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Executive summary

The Greater Changhua Offshore Windfarm Northwest Ltd. is a special purpose vehicle established by Ørsted Wind Power TW Holdings A/S (Ørsted) to develop the proposed Project Trinity: Greater Changhua Northwest Offshore Wind Farm in Taiwan (herein referred to as the “Project” or “CHW04”). The Project is located approximately 50km offshore of the area of Xianxi Township, Changhua County, Taiwan.

The Project is located in Taiwan, off the coast of Changhua County. The offshore wind farm area selected was zone #12 of the list of proposed offshore wind farm sites in Taiwan, defined by the Bureau of Energy (BOE). The site of the Project is 117km² in size and the water depth is approximately between 30m and 45m.

As part of the transaction process undertaken for obtaining project financing from an Equator Principle Financial Institute (EPFI), the Project requires Equator Principles (EP) compliance. Therefore, Mott MacDonald has been commissioned by Ørsted to undertake a Human Rights Impact Assessment (HRIA), alongside other environmental and social services.

This document presents an interim report of the HRIA that consolidates the primary data (ie collected over 2019/2020) from the CHW01 (Greater Changhua Southeast windfarm) project and publicly available up-to-date (ie as based on most current information released/published) secondary data. It should be noted that additional primary data gathering (ie in the forms of key informant interviews and focus group discussion) will be conducted over December 2023 to January 2024. Updated data/findings as well as commentary will be incorporated into the subsequent version of this HRIA.

1 Introduction

1.1 Overview

The Greater Changhua Offshore Windfarm Northwest Ltd. (herein referred to as “Project Company”) is a special purpose vehicle established by Ørsted Wind Power TW Holdings A/S (Ørsted) to develop the proposed Project Trinity: Greater Changhua Northwest (NW) Offshore Wind Farm in Taiwan (herein referred to as the “Project”). The Project is located approximately 50km offshore from the coast of Changhua County, Taiwan.

The Project is planned in compliance with the “Offshore Wind Farm Site Application Regulation”, stipulated by the Bureau of Energy, Ministry of Economic Affairs on 2 July 2015. The regulation gives endorsement to offshore wind energy development for developers to promote a nuclear-free homeland by the year 2025.

In 2022, the National Development Council (NDC) published Taiwan’s Pathway to Net-Zero Emissions by 2050. The plan is to decarbonise the electrical sector and targeted 60% renewable energy come 2050.¹ As of 2021², the country’s electricity generation comprised of 81.5% fossil fuels, 9.6% nuclear, 6% renewable energy and 2.9% of other types of energy. By 2025, Taiwan has set an ambitious commitment for its electricity sector to be 20% renewable energy, 30% coal, and 50% gas. The most targeted renewable energy is solar photovoltaic (Solar PV) and wind power.

As part of the transaction process undertaken to obtain Project financing from an Equator Principle Financial Institute (EPFI), the Project requires Equator Principles (EP) compliance. Therefore, Mott MacDonald has been commissioned by Ørsted to undertake this Human Rights Impact Assessment (HRIA), alongside other environmental and social services. This document presents an interim report of the HRIA that consolidates the primary data (ie collected over 2019/2020) from the CHW01 (Greater Changhua Southeast windfarm) project and publicly available up-to-date (ie as based on most current information released/published) secondary data. It should be noted that additional primary data gathering (ie in the forms of key informant interviews and focus group discussion) will be conducted over December 2023 to January 2024. Updated data/findings as well as commentary will be incorporated into the subsequent version of this HRIA.

1.2 Aims and objective

This HRIA will identify and assess the Project’s potential human rights impacts and assist in improving the social management and mitigation measures. It will provide measures to safeguard and facilitate meaningful engagement with affected communities and workers. Those whose human rights may be infringed include: Project and supply chain workers; local onshore communities who may be impacted by construction and transport activities; coastal and offshore fishers, and other sea users whose offshore activities and livelihoods may be disrupted.

Marginalised and unprotected affected workers and communities can and do slip through typical safety nets. This HRIA will seek to assist the Project to avoid this, and instead deliver more socially inclusive outcomes by assessing and mitigating impacts through a human rights lens. The focus will be on the Project’s salient human rights risks and impacts, meaning those human

¹ Lau, Hon Chung and Tsai, Steve C. 2022. A decarbonization Roadmap for Taiwan and Its Energy Policy Implications. MDPI

² Retrieved from [110年發電概況 - 能源統計 - 經濟部能源局\(Bureau of Energy, Ministry of Economic Affairs, R.O.C.\)全球資訊網 \(moeaboe.gov.tw\)](https://www.moeaboe.gov.tw)

rights issues that stand out because they are at risk of the most severe negative impact through the company's activities or business relationships. Emphasis will be placed upon impacts to rights-holders, not to the business or the Project and efforts will be focussed on understanding the risks and impacts to the most vulnerable people, for example unskilled daily-wage labourers who often do not have employment contracts and are unaware of their human and labour rights.

1.3 Document structure

The HRIA that follows is structured as follows:

- **Section 1** (this section) outlines the aims and objectives of the HRIA and presents the Project background
- **Section 2** outlines the key features of the Project
- **Section 3** presents the relevant human rights requirements considered within this Project
- **Section 4** presents on the methodology used to undertake the information gathering and review, as well as the assessment for this HRIA
- **Section 5** shows a summary of the consultation activities undertaken to date and the associated participation outcomes
- **Section 6** presents the human rights baseline as associated with this Project³
- **Section 7** shows the assessment of human right impacts of the Project
- **Section 8** lists the mitigation and benefit enhancements which the Project aims to undertake in order to address the human rights impacts
- **Section 9** summarises the monitoring and reporting requirements to be implemented by the Project in relation to human rights issues

³ The data for the baseline presented in this section was collected by Project CHW01 (Greater Changhua Southeast windfarm) from September 2020 to January 2021. The survey team is currently conducting the social survey for this Project, and the baseline survey data will be included in the upcoming HRIA draft report.

2 Project description

2.1 Overview

The Project is located in Taiwan, off the coast of Changhua County. The offshore wind farm area selected was zone #12 of the list of proposed offshore wind farm sites in Taiwan demarcated by the Bureau of Energy (BOE).

2.2 Project rationale and alternative analysis

In response to the Taiwanese government's renewable energy policies to ultimately achieve nuclear-free status by 2025, the development of the Project was proposed by the Project Company with the added intention to promote offshore wind farm development in Taiwan. The Project area was chosen from a list of proposed offshore wind farm sites in Taiwan as demarcated by the BOE⁴. With the implementation of the Project, it is seen to contribute to the local Taiwanese government's roadmap for increasing renewable energy output within the country. Alternative construction methods were considered with mitigation measures identified aligned with the measures in the approved environmental management plan (Chapter 8 of the Environmental Impact Assessment).

2.3 Project location

The Project is being developed on the 12th Zone (Figure 2.1) of Potential in Changhua County (彰化縣) according to the Offshore Wind Farm Site Application Regulations announced by the Bureau of Energy, Ministry of Economic Affairs (MOEA) on 2 July 2015⁵. The Project area will be approximately 117km² in size and located 50km offshore from Xianxi Township (線西鄉), Changhua County, on the western coast of Taiwan (Figure 2.2). The Project will comprise 42 wind turbine generators (WTGs) each of 14MW capacity and on- and offshore electrical substations, with a total of 582.9MW grid capacity. The WTGs will be located in water depths between 30m and 45m below mean sea water level (MSWL). Other Project components include inter-array and export transmission cabling to connect to Taiwan's electrical grid, as well as various operational support vessels and ancillary facilities. The operation period is planned for 20 to 25 years and in line with permit requirements.

The WTGs will be connected to one offshore substation (OSS) via inter-array cable strings and to the Changkong grid connection point owned by Taiwan Power Company (TPC) through two export cables.

The offshore WTG area of the Project (CHW04) is adjacent to the offshore WTG area of Greater Changhua Southeast windfarm (CHW01) which is also being developed by Ørsted. A HRIA was developed for CHW01 in 2020 (Mott MacDonald, 2020). Figure 2.1 shows the locations of these two sites. CHW04 is serial number #12 on the map, and #15 on the map represents the CHW01 project.

The existing Environmental Impact Assessment (EIA) states that the Project is in the Fishing Rights Zone of Fisherman's Association under *Fisheries Act 2018*. The Project location and the Fishing Rights Zone of Fisherman's Association is shown in Figure 2.2.

⁵ https://www.moeaboe.gov.tw/ECW/populace/Law/Content.aspx?menu_id=2870

Figure 2.1: Proximity of Greater Changhua Offshore Wind Farm Northwest and Greater Changhua Offshore Wind Farm Southeast

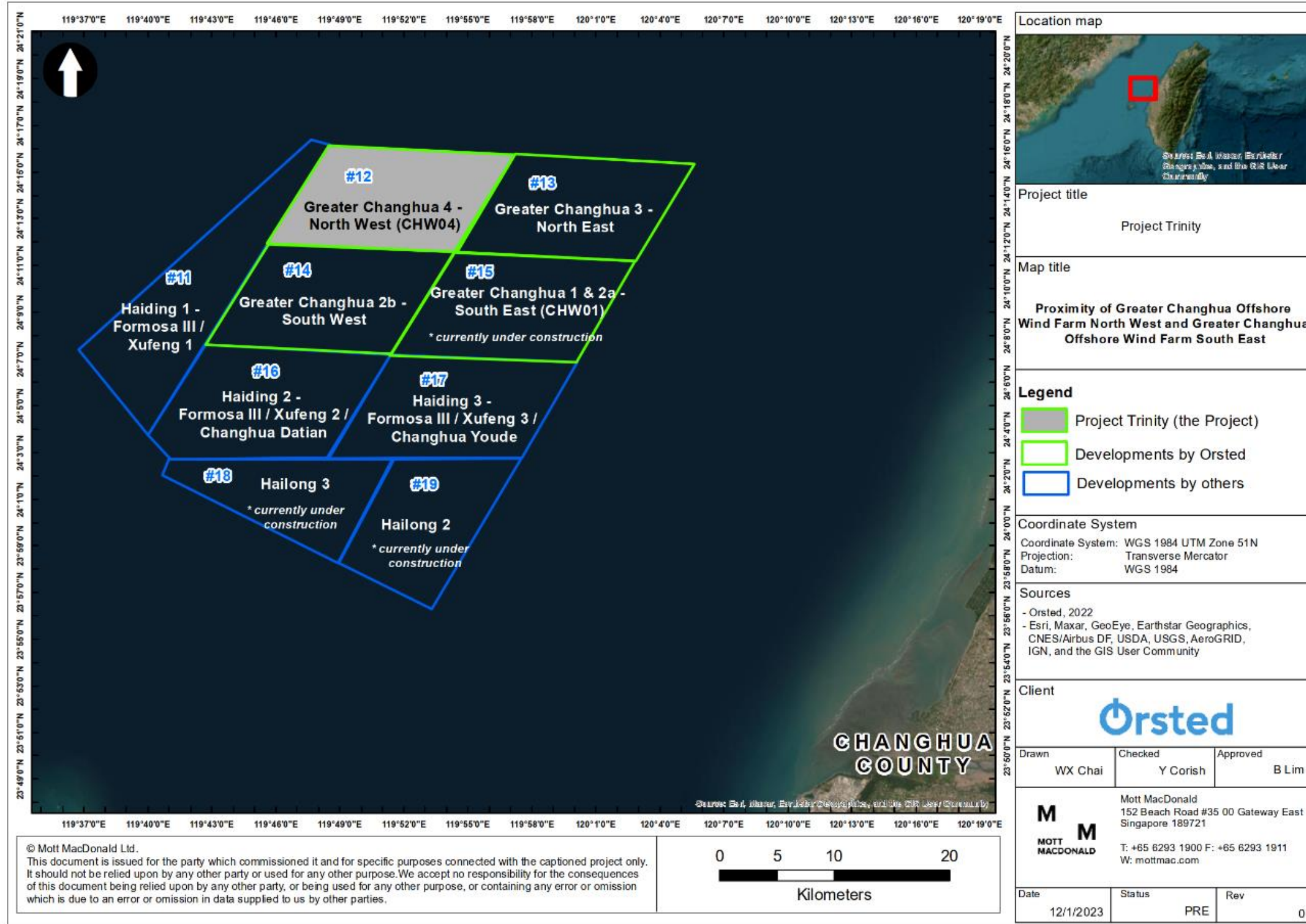
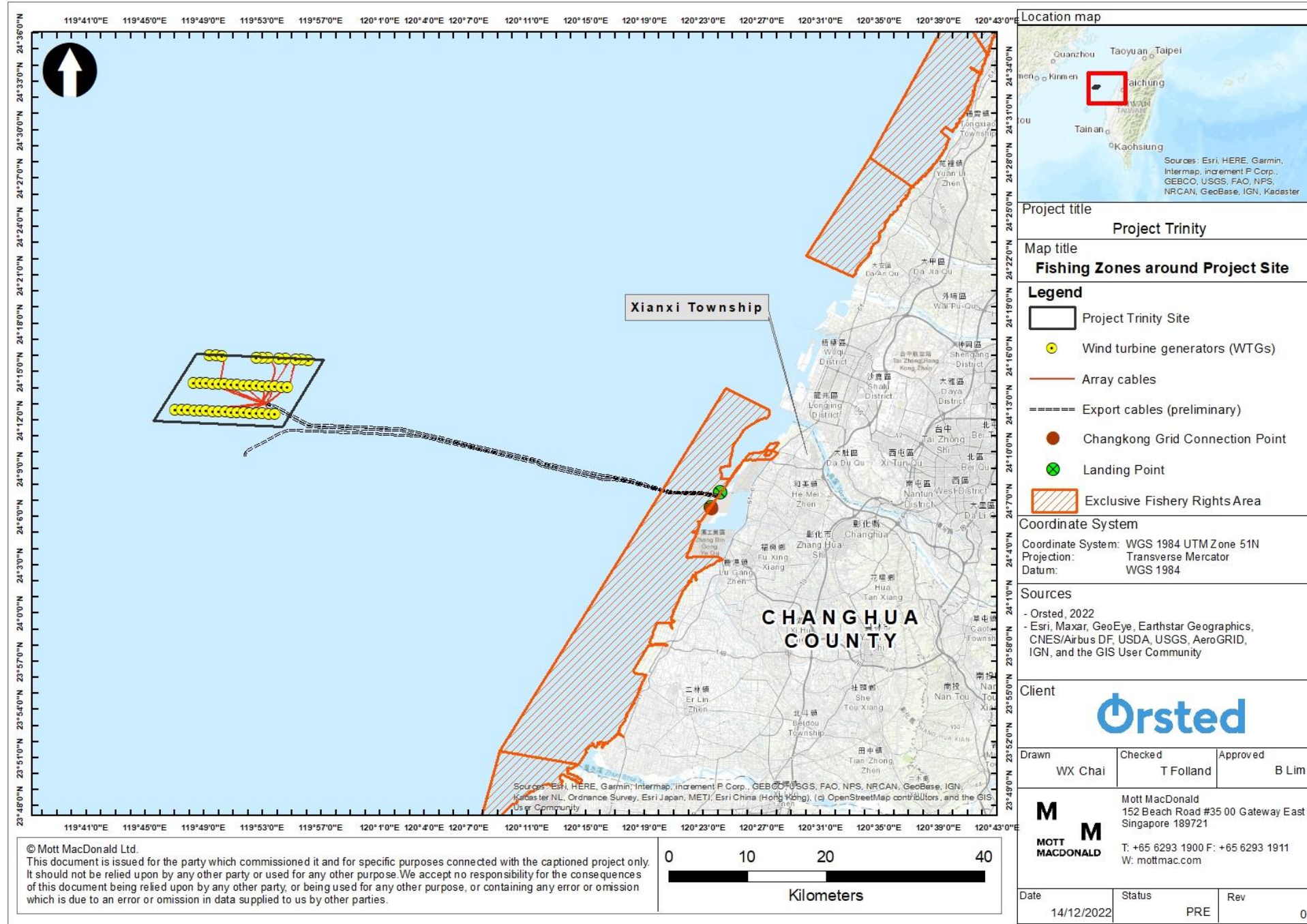


Figure 2.2: Location of Project Trinity and Fishing Rights Zone of Fisherman's Association



The Project components consist of the following:

- Offshore components:
 - 54 to 74 units of offshore WTGs, each with a capacity of 8-11MW, covering an offshore area of 117km²
 - 33kV or 66kV inter-array submarine cables to offshore substation (OSS) (total length approximately 75km)
 - Interlink cables to ensure back-up power supply to the WTGs in case the grid connection is lost for an extended period
 - WTG to WTG interlink: voltage will be either 33kV or 66kV based on voltage transmitted between turbines
 - OSS to OSS interlink: voltage will be either 33kV, 66kV or 220kV
 - 220kV offshore export submarine cables connecting the offshore substation to Changkong grid connection landing point
 - Offshore substation (OSS) to collect individual array cable strings and transform them to higher voltage before exporting them to shore
- Onshore components:
 - Project-dedicated onshore substation (OnSS) which steps down the voltage from 220kV to 161kV
 - Onshore cables (total length of up to 8.05km) connecting the following locations:
 - 3.7km from transition joint bay (TJB) to the OnSS
 - 4.35km from OnSS to Changkong grid connection point owned by TPC
 - Transition joint bay (TJB) to connect offshore and onshore export cables

The Project has successfully obtained regulatory approval for its EIA report on 10 August 2018.

2.4 Implementation schedule

The Project is currently undergoing onshore construction and intends to commence offshore construction in 2025, with the aim of reaching the Project's COD within the same year.

3 Human rights requirements

3.1 Overview

The purpose of this section is to set out the human rights requirements for the Project and to explain the standards this HRIA is measuring the Project against.

In general, international human rights treaties do not impose direct legal obligations on business enterprises. It is the duty of States to translate their international human rights law obligations into domestic law and to enforce those laws. States include various protections against human rights abuse by business in their laws and constitutions, including labour laws, non-discrimination laws, health and safety laws, environmental laws and similar⁶.

However, national laws may not address all internationally recognised human rights. They may be weak, they may not apply to all people, and they may not be enforced by governments and the courts. The United Nations Guiding Principles on Business and Human Rights (UNGPs) make clear that where national laws fall below the standard of internationally recognised human rights, companies should respect the higher standard; and where national laws conflict with those standards, companies should seek ways to still honour the principles of those standards within the bounds of national law.

Internationally recognised human rights are, therefore, relevant for business beyond mere compliance with the law. The actions of business enterprises can affect people's enjoyment of their human rights either positively or negatively. Enterprises can infringe human rights where they are not paying sufficient attention to this risk. The purpose of this HRIA is to analyse the project's actual and potential human rights impacts to avoid this scenario.

The international human rights standards the Project must comply with are discussed in the next section and Taiwanese human rights laws and ratifications of international human rights treaties are outlined in Appendix A.

3.2 International Standards

3.2.1 Equator Principles IV

EP IV specifies that human rights should be assessed by the Project as part of the environmental impact assessment or other documentation and should refer to the UNGPs, particularly paragraphs 17-21. These are outlined in more detail in section 3.2.2 below.

3.2.2 United Nations Guiding Principles on Business and Human Rights

The UNGPs require project companies to respect human rights through a process of human rights due diligence, which identifies, prevents, mitigates and accounts for how they address human rights impacts with which they are involved. Human rights impact assessment is a key component of human rights due diligence.

The UNGPs state that when a business is assessing its human rights impacts it should⁷:

- Draw on internal and/or independent human rights expertise

⁶ <https://www.ungpreporting.org/resources/the-ungps/>

⁷ As highlighted in HRIA guidance and toolbox, Danish Institute for Human Rights, 2016

- Undertake meaningful consultation with potentially affected rights-holders and other relevant parties
- Be gender-sensitive and pay particular attention to any human rights impacts on individuals from groups that may be at heightened risk of vulnerability or marginalisation
- Assess impacts from the perspective of risk to people rather than risk to business
- Repeat its risk and impact identification and assessment at regular intervals (i.e. before entering into a new activity, prior to significant decisions about changes in activities, and periodically throughout the project-cycle)

According to the UNGPs, the minimum reference point for ‘internationally recognised human rights’ is made up of the International Bill of Human Rights and the eight core conventions of the International Labour Organisation (ILO) (those relating to freedom of association and the right to collective bargaining; the elimination of compulsory labour; the abolition of child labour; and the elimination of discrimination in respect of employment and occupation). In addition, the UNGPs state that depending on circumstances, the project company may need to consider further standards. For example, the project company should respect the human rights of individuals belonging to specific groups or populations that require particular attention, where they may have adverse human rights impacts on them. Several UN core human rights treaties have elaborated further on the rights of indigenous peoples; women; national or ethnic, religious and linguistic minorities; children; persons with disabilities; and migrant workers and their families. These treaties are discussed further below in section 3.2.5.

This and future versions of this HRIA will refer to the internationally recognised human rights elaborated on below, recognising that some aspects of Taiwanese law may not meet, or may even conflict with the international framework. Ørsted will respect internationally recognised human rights under all circumstances, including where State laws to protect human rights are absent, weak or unenforced. The remainder of this section discusses the meaning of human rights in the international context and the international requirements placed on the Project regarding human rights and this HRIA.

3.2.3 International Bill of Human Rights

The International Bill of Human Rights, which underscores all 30+ human rights and fundamental freedoms, is comprised of several international covenants and declarations. The term ‘human rights’ refers to all of the rights listed in this Bill and some are more applicable to the Project than others. The ‘International Bill of Human Rights’ is the informal name given to the UN main provisions on human rights and is comprised of the following:

- Universal Declaration of Human Rights (UDHR)
- International Covenant on Economic, Social and Cultural Rights (ICESR)
- International Covenant on Civil and Political Rights (ICCPR)
- Optional Protocol to the International Covenant on Civil and Political Rights
- Second Optional Protocol to the International Covenant on Civil and Political Rights (focussed on the abolition of the death penalty)

The UDHR contains 30 articles setting forth the human rights and fundamental freedoms to which all people are entitled without discrimination, all over the world. The first article sets out the declaration’s philosophy, as follows:

‘All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.’

The second article sets out the principle of equality and non-discrimination as regards the enjoyment of human rights. Article three is a pre-requisite for enjoyment of other rights; it proclaims the right to life, liberty and security and introduces articles four to 21 which set out other civil and political rights such as freedom from slavery and the right to own property. Article 22 introduces articles 23 to 27 which identify economic, social and cultural rights such as the right to work, rest and leisure. The final articles, 28-30, recognise that everyone is entitled to social and international order in which their other human rights may be realised.

The ICESCR and ICCPR provide for many of the same human rights as the UDHR, with a few key additions, including regarding the rights of minorities.

3.2.4 Four core labour standards and other key conventions of the ILO

The ILO has eight core labour conventions which cover four core principles (the right to collective bargaining (ILO conventions 87 and 98), elimination of forced or compulsory labour (ILO conventions 29 and 105), elimination of child labour (ILO conventions 138 and 182) and non-discrimination and respect in employment (ILO conventions 100 and 111)). These conventions are referenced as minimum requirements in IFC PS2 and because they relate to four specific principles are sometimes referred to as the four core labour standards, or fundamental principles. The conventions comprising the four core labour standards are:

- ILO Convention 87 on Freedom of Association and Protection of the Right to Organise
- ILO Convention 98 on the Right to Organize and Collective Bargaining
- ILO Convention 29 on Forced Labour
- ILO Convention 105 on the Abolition of Forced Labour
- ILO Convention 138 on Minimum Age (of Employment)
- ILO Convention 182 on the Worst Forms of Child Labour
- ILO Convention 100 on Equal Remuneration
- ILO Convention 111 on Discrimination (Employment and Occupation)

The ILO Declaration on Fundamental Principles and Rights at Work and its follow-up (1998) makes it clear that these rights are universal, and that they apply to all people in all States - regardless of the level of economic development and regardless whether or not the States have ratified the applicable conventions. It particularly mentions groups with special needs, including the unemployed and migrant workers.

3.2.5 Other core UN human rights treaties

In addition to the International Bill of Human Rights, there are a further set of human rights treaties which may be of relevance according to the UNGPs. For example, in certain circumstances where project companies are identified to have human rights impacts on individuals belonging to specific groups or populations, the project company should respect the human rights of those individuals and groups. UN instruments have elaborated further on the rights of indigenous peoples; women; national or ethnic, religious and linguistic minorities; children; persons with disabilities; and migrant workers and their families. The specific conventions are:

- Convention on Indigenous and Tribal Peoples
- Convention on the Elimination of All Forms of Discrimination against Women
- International Convention on the Elimination of All Forms of Racial Discrimination
- Convention on the Rights of the Child

- Convention on the Rights of Persons with Disabilities
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

The most relevant of these for the Project are the convention on the elimination of discrimination against of women and the convention for the protection of migrant workers.

4 Methodology

4.1 Overview

This section details the methodology used for this HRIA, including outlining the data gathering methods, spatial and temporal scope and process for assigning severity to potential and actual human rights impacts.

According to the Guide to Human Rights Impact Assessment and Management, the scope of a human rights risks and impact assessment should consider, at a minimum:

- The key human rights risks associated with the country of operation
- The human rights risks of key business relationships, including associated facilities and third-party organisations
- The human rights risks and impacts relating to the business activity itself
- The range of stakeholders (potential and actual) who are directly or indirectly affected by the business activity
- The nature and level of the risks and impacts, at different key stages of the project's lifecycle

The approach described below has been developed to meet the scope outlined above.

4.2 Data gathering methods

4.2.1 Primary data

A series of data gathering methods have been and are planned to be used to gather primary information for the HRIA, as summarised in Table 4.1 below. The data gathering methods are bespoke for the Project status and consider the need to engage directly with rights-holders and duty-bearers⁸ through Key Informant Interview (KIIs) and Focus Group Discussions (FGDs) as endorsed by the Danish Institute for Human Rights' Human Rights Impact Assessment Guidance and Toolbox (2016).

FGDs and KIIs were carried out for CHW01: Greater Changhua Southeast Offshore Wind Farm project (herein referred to as the "CHW01") in February 2021. Given the proximity of the developments (ie the Project and the Greater Changhua Southeast), the stakeholders are considered similar, and in many cases the same as for the previous project. Mott MacDonald will therefore refer to and leverage on the existing data from the socio-economic primary research which was undertaken for the Greater Changhua Southeast Project (2021) to the extent that it is sufficiently recent, representative and at the appropriate level of depth to be used for the Project. Note that additional baseline surveys (ie KIIs and FGDs) will be conducted from December 2023 to January 2024, and updated data will be incorporated into the subsequent draft HRIA.

A series of self-assessment questionnaires has been also implemented to evaluate potential and actual human rights issues associated with the Project. Each questionnaire has tailored to address specific topics relevant to the respective duty-bearers. The information has been incorporated into Section 7 and 8.

⁸ Duty-bearers are those actors who have a particular obligation or responsibility to respect, promote and realise human rights and to abstain from human rights violations.

Primary data is being collected through consultation activities and surveys, the results of which are discussed in section 5.

Table 4.1: Primary data collection summary

Tool	Respondents	How were respondents selected	Number of respondents	Dates
<ul style="list-style-type: none"> Self-assessment questionnaires 	<ul style="list-style-type: none"> Ørsted Quality, health, safety and environment (QHSE) Manager Ørsted Human Resources Business Partner Ørsted Community Liaison Officer (CLO) Ørsted Chief Resettlement Negotiator Ørsted Environment & Permitting Manager Ørsted Corporate Social Responsibility (CSR) Manager 	<ul style="list-style-type: none"> Internal managers in key topic areas 	<ul style="list-style-type: none"> 6 	<ul style="list-style-type: none"> October 2023
<ul style="list-style-type: none"> Key informant interviews 	<ul style="list-style-type: none"> Fishery organisations (ie Changhua Fishery Association) Relevant local government organisations and agencies (i.e. Lukang & Xianxi Township) Fisheries Division under Department of Agriculture, Changhua County Government and Fisheries Agency under Council of Agriculture, Executive Yuan Female community representatives Village leaders Taiwanese human rights NGO Trade union representative – representing workers on vessels 	<ul style="list-style-type: none"> Identification of the main rights-holders and supply chain workers 	<ul style="list-style-type: none"> 12 	<ul style="list-style-type: none"> December 2023 – January 2024
<ul style="list-style-type: none"> Focus group discussions 	<ul style="list-style-type: none"> Workers on fishing vessels, including the workers non-CFA-registered workers Vessel owners (by self-identification of home port) Women in local communities 	<ul style="list-style-type: none"> Identification of the main rights-holders and supply chain workers 	<ul style="list-style-type: none"> 4 	<ul style="list-style-type: none"> January 2024

Considering that the Project is still in its development phase, there are currently no appointed or onboarded project workers. Therefore, for the current HRIA, our focus prioritized internal key duty-bearers, specifically the current stakeholders involved in Project Trinity, who can complete the self-assessment questionnaires. The workers surveys will be conducted at a later stage of the Project, when Project workers are officially onboarded. However, the procurement aspect has been covered by conducting the self-assessment questionnaire with the project's procurement manager.

To facilitate the participation of women, the following steps will be undertaken in survey design and implementation during the baseline survey between December 2023 to January 2024:

- A separate key informant interview with a female representative of affected communities, to help understand women's views and potential impacts
- A separate focus group discussion with women to give space to hear women's views and designed to fit with their daily routines to facilitate maximum attendance

4.2.2 Secondary data

A review of documents, including those from Ørsted and publicly available sources, has been carried out to help understand contextual and Project-specific human rights issues. The main documents and resources reviewed are listed below.

- US Department of State Report on Taiwan, 2022
- National Statistics, Republic of China (Taiwan)
- Organisation for Economic Co-operation and Development (OECD) Social Institutions and Gender Index (SIGI) index for Taiwan
- Taiwan 2022 Human Rights Report, American Institute in Taiwan
- 'Human rights at sea baseline study – On the awareness and application of human rights in Taiwan's fishing industry', Human Rights at Sea, 2019
- International Labor Rights Forum
- CIA World Factbook - Taiwan
- International Work Group for Indigenous Affairs (IWGIA) for Taiwan, 2022
- Ørsted Taiwan Staff Handbook ('Staff Handbook') dated January 2018
- Ørsted Taiwan Work Rules ('Work Rules') approved by the Ministry of Labour on May 2018
- Ørsted Code of Conduct (COC) for Business Partner dated October 2022
- Ørsted Good Business Conduct Policy
- Ørsted Human Rights Policy
- Ørsted Bullying, Discrimination and Harassment Policy
- CHW01's baseline survey, including household surveys, KIIs and FGDs

4.3 Temporal and spatial scope of assessment

The HRIA considers potential and actual human rights impacts in the construction and installation phase (including compensation and livelihood restoration planning), as well as in the operations phase of the Project.

The human rights area of influence (Aoi) of the Project includes:

- Physical components - the wind farm site, cable alignment, substation site and Taichung Harbour assembly site

- Affected communities - villages where affected fishers live and work (e.g. fishery ports) and from where Project workers will originate
- Supply chain/supplier companies

4.4 Assigning severity

In accordance with the UNGPs, Principle 14, human rights impacts have been assessed according to their severity which is determined by considering the scale, scope and irremediability of the impact.

Identifying severity helps to define the priority in which human rights impacts and risks should be addressed. The key difference between severity and significance – the concept used in social impact assessment – is that severity does not consider probability, rather it focuses on the potential severity of the consequences of the impact on human rights. This HRIA addresses all human rights impacts, both actual⁹ and potential¹⁰. Actual impacts must be remedied as a matter of urgency and potential impacts must be mitigated.

According to the UNGPs:

- All human rights impacts need to be addressed
- Where it is not possible to address all impacts simultaneously, the impacts should be addressed in order of their severity
- Severity is determined by the scope (number of people affected), scale (seriousness of the impact) and irremediability (any limits to restore the individual impacted to at least the same as, or equivalent to, her or his situation before the adverse impact occurred)
- While it is not necessary for an impact to have more than one of these characteristics to be considered ‘severe’, it is often the case that the greater the scale or the scope of an impact, the less it is ‘remediable’.

Table 4.2 shows the parameters for evaluating human rights impacts used in this HRIA.

Table 4.2: Parameters for evaluating actual and potential impact severity

Parameter	Description	Score
Severity:		
Scale:	Life- or long-term health threatening	A
	Non-life or health threatening, but tangible infringement of access to basic life necessities or freedoms including education, livelihood, etc.	B
	All other impacts	C
Scope:	Estimated approximately >50% of identifiable group (most)	A
	Estimated approximately 11-50% of identifiable (less than half)	B
	Estimated approximately <10% of identifiable group (a few)	C
Irremediability: ¹¹	High – complex technical requirements, little acceptance of remediation by the identified group, low capacity of implementation partner, no viable replacement for loss caused by impacts	A

⁹ “Actual” impacts, as referenced in the UNGPs, are those impacts that have already occurred. These can relate to impacts that occur as a result of a Project or, as will be most applicable to the current phase of the Project, impacts that are pre-existing as a result of the current human rights climate in the area of impact.

¹⁰ “Potential” impacts are those that have some likelihood of occurring in the future.

¹¹ Limits to restore the situation of the impacted individual to at least the same as, or equivalent to, that before the adverse impact occurred.

Parameter	Description	Score
	Moderate – simpler technical requirements, acceptance by the identified group of remediation, implementation partner can deliver remediation with some capacity development	B
	Low – simple technical requirement, acceptance by the identified group, implementation partner has capacity to deliver remediation measures	C
Vulnerability of Affected People		
	Very limited capacity to absorb change	High
	Limited capacity to absorb change	Medium
	Some capacity to absorb change	Low

Source: Danish Institute of Human Rights and Community Insights Group, based on UN Guiding Principles

Impacts will be scored A-C for scale, scope and irremediability as identified in Table 4.2 above. An impact that scores mostly A for scale, scope and irremediability which affects individuals or groups with a high level of vulnerability will be given an overall severity assessment score of 5, for 'high severity', as shown in Table 4.3 below. Impacts scoring mostly C for scale, scope and irremediability affecting individuals or groups which are not vulnerable will receive a severity score of 1, for 'not severe'. Professional judgement is also used when considering and determining overall assessment ratings.

Table 4.3: Overall impact severity classification criteria

		Scale, Scope and Irremediability		
		Mostly A	Mostly B	Mostly C
Vulnerability	High	5 (priority)	4 (priority)	3
	Medium	4 (priority)	3	2
	Low	3	2	1 (least severe)

4.5 Assigning priority

Where it is challenging to address all identified human rights impacts at once, the most severe and imminent impacts must be prioritised and addressed first. Based on the Guide to Human Rights Impact Assessment and Management, the definition of “priority” refers to those that are both actual and severe, which offers a comprehensive and practical tool for companies to assess and manage the human rights risks and impacts of their business activities. Therefore, we have assigned the highest priority to those impacts which are actual and most severe, and a lower priority to those actions designed to address potential and less severe impacts.

5 Consultation and participation outcomes

5.1 Overview

According to UNGP 18 the process of identifying human rights impacts should involve meaningful consultation with potentially affected groups and other relevant stakeholders. Businesses and projects should consult with potentially affected stakeholders by consulting them directly, considering language and other potential barriers to effective engagement in a bid to understand their concerns. Where such consultation is impossible, businesses should consider reasonable alternatives, such as consulting credible, independent expert resources, including human rights defenders and others from civil society.

The development of the HRIA should focus on participation of rights-holders, duty-bearers and other human rights stakeholders¹², to ensure meaningful participation in the impact assessment process. The human-rights based approach emphasises ensuring engagement occurs at times suitable to each stakeholder group, ensuring the level of information shared enables meaningfully informed participation, and empowerment and capacity building of individuals to participate in the impact assessment process.

5.2 Identification of rights holders, duty bearers and other relevant parties

The key stakeholders identified are the main rights-holders likely to be impacted including fishers, women in affected communities who will be asked to comment from their own and their children’s perspectives, Project workers, and security guards. Supply chain workers and communities affected by supply chain impacts are also important stakeholders, but they have not been consulted or surveyed for the HRIA, though impacts on them have been considered through analysis of secondary data. Duty-bearers are also considered among the key stakeholders and were consulted for the HRIA through self-assessment questionnaires which include persons in key roles with interactions with human rights for Ørsted.

Table 5.1 shows the key stakeholders identified for the HRIA process, who have been approached as respondents using various survey methods to conduct the assessment. It should be noted that the surveys for the Project’s construction workers will be conducted at a later stage of the Project, when they are officially onboarded.

Table 5.1: HRIA stakeholders

No.	Key stakeholders	Category	Communication method	Date of HRIA communication
1	Project construction workers (to include females and migrant workers if possible)	Rights-holders	Electronic survey	TBD, when Project workers are officially onboarded
2	Coastal vessel crew members	Rights-holders	Focus group discussion	December 2023 to January 2024
3	Offshore vessel crew members	Rights-holders	Focus group discussion	December 2023 to January 2024
4	Coastal fisher/vessel owners within CFA	Rights-holders	Focus group discussion	December 2023 to January 2024

¹² "Other" is considered as indirect right holders of other relevant parties, where those stakeholders may be indirectly affected by the project's activities and/or may provide valuable information related to human rights and the potential impacts of the project.

No.	Key stakeholders	Category	Communication method	Date of HRIA communication
5	Offshore fisher/vessel owners within CFA	Rights-holders	Focus group discussion	December 2023 to January 2024
6	Women in local communities	Rights-holders	Focus group discussion	December 2023 to January 2024
7	Ørsted Project QHSE Manager	Duty-bearer	Self-assessment questionnaire	October 2023
8	Ørsted Human Resource Business Partner	Duty-bearer	Self-assessment questionnaire	October 2023
9	Ørsted CLO	Duty-bearer	Self-assessment questionnaire	October 2023
10	Ørsted Chief Resettlement Negotiator	Duty-bearer	Self-assessment questionnaire	October 2023
11	Ørsted Environment & Permitting Manager	Duty-bearer	Self-assessment questionnaire	October 2023
12	Ørsted CSR Manager	Duty-bearer	Self-assessment questionnaire	October 2023
13	Project construction phase suppliers	Duty-bearer	Self-assessment questionnaire	TBD, when Project suppliers are officially onboarded
14	Chairman of Changhua Fisheries Association	Other	Key informant interview	November 2023 to January 2024
15	Head (鄉長) of Xianxi Township (線西鄉)	Other	Key informant interview	December 2023 to January 2024
16	Head of Lukang Township (鹿港鎮)	Other	Key informant interview	December 2023 to January 2024
17	Head of Fangyuan Township (芳苑鄉)	Other	Key informant interview	December 2023 to January 2024
18	Village head (里長) of Haipu Village (海埔里)	Other	Key informant interview	December 2023 to January 2024
19	Village head of Wenzhi Village (塹仔村)	Other	Key informant interview	December 2023 to January 2024
20	Village head of Wanggong Village (王功村)	Other	Key informant interview	December 2023 to January 2024
21	Chairman of Aquaculture Development Association	Other	Key informant interview	December 2023 to January 2024
22	Chairman of Changhua Coastal Industrial Park Manufacturer Association	Other	Key informant interview	December 2023 to January 2024
23	Director of Fisheries Division under Department of Agriculture, Changhua County Government	Other	Key informant interview	December 2023 to January 2024
24	Director of Fisheries Agency under Council of Agriculture, Executive Yuan	Other	Key informant interview	December 2023 to January 2024
25	Taiwanese human rights NGO	Other	Key informant interview	December 2023 to January 2024
26	Female community representative	Other	Key informant interview	December 2023 to January 2024

5.3 Consultation carried out for the Project prior to the HRIA

The Project engages stakeholders through different programs and events. A number of stakeholder engagement activities, public consultation meetings, and public hearings were conducted as part of the national EIA to communicate with local communities during the Project development stage and before entering the construction stage. Topics discussed generally included the Project plan, potential impacts, and mitigation measures. During the consultations, the participants generally commented on their primary concerns related to environmental impacts including potential impacts from offshore works during the construction phase, as well as economic implications for the local fishers.

Following the EIA stakeholder consultation activities, Ørsted has identified and implemented various programs and initiatives for each stakeholder group. The Project is implementing different programmes for each stakeholder group as according to their specific needs. Through stakeholder engagement activities, Ørsted has been able to determine and collate the concerns and feedback from the stakeholders relating to environmental and social impacts of the Project. Specific details, events and dates of consultation carried out for the Project to date can be found in Section 5 of the Project's stakeholder engagement plan (SEP), which is a stand-alone document.

5.4 Consultation carried out for the HRIA

5.4.1 Self-assessment questionnaires

A series of self-assessment questionnaires were designed for the HRIA to investigate potential and actual human rights issues for the Project. Key duty-bearers were targeted for response and each questionnaire was designed specifically by topic to be addressed by the duty-bearer in question. Responses have been received from:

- Ørsted's Project Quality, Health, Safety, and Environment (QHSE) Manager
- Ørsted's Human Resource Business Partner
- Ørsted's Environment & Permitting Manager
- Ørsted's Regulatory & Public Affairs Managers, including resettlement/Compensation Negotiator, Community Liaison Officer, and CSR Manager

5.4.2 Key informant interviews

Key Project information will be disclosed to participants via a short Project information leaflet in advance of key informant interviews so that they can take part based on accurate and up to date knowledge about the Project.

Key informant interviews will be held between December 2023 to January 2024. Further information on the interviewees will be provided in the next deliverable.

5.4.3 Focus group discussions

Key informant interviews will be held in January 2024. Further information will be provided once the FGDs have been conducted.

6 Human rights baseline

6.1 Overview

In this HRIA, the baseline has been generated using secondary data from publicly available sources. At the time of writing (ie interim reporting), FGDs and KIIs for the Project have not been carried out. The baseline information presented within this section is based on data collected from CHW01 and secondary data available online. When the primary data collection is completed for this Project, this section will be revisited to ensure the information below remains relevant.

6.2 Population

Changhua County is located in the central region of Taiwan. According to the Population and Housing Census (2020) from the National Statistics¹³, Changhua County has a resident population of 1,186,795, with more males than females (605,657 males, 581,138 females). The population density across the County is 1,104.6 people per km². Xianxi Township and Lukang Township are the townships where the Project's offshore cable connects with onshore facilities and they are host ports for local fishing boats. The populations of Xianxi Township and Lukang Township are 16,158 and 90,069 respectively.

Previous findings from CHW01 surveys in 2020

There are 12,700 fishers registered with the Changhua Fishing Association (CFA) for the whole of Changhua County, including the vessel owners¹⁴. Within these data, there are very few registered vessels capable of going offshore and fishing where the WTGs will be installed. The remainder are coastal (ie generally active within one to three nautical miles from coastline) fishing vessels which also includes those fishing for daily subsistence purposes.

6.3 Poverty and income

Taiwan uses a relative poverty line as a proxy to determine low-income households. Households whose income is less than 60% of the median disposable income per capita are considered to be in poverty. The poverty line established by the Department of Social Welfare (DOSW) is at TWD19,013¹⁵ per month for year 2023 (ie approximately USD\$585), which translates to an average cost of living per day at US\$19.5¹⁶. For comparison purposes, the updated global poverty lines prepared by the World Bank in September 2022 which is USD\$2.15 per day¹⁷.

Generally, the unemployment rate in Taiwan is approximately 3.48% as of September 2023¹⁸ and the percentage of the total population living in the low-income households (ie population living below the poverty line) in year 2022 is low, at 1.25% (n. 288,703)¹⁹.

¹³ Population and Housing Census (2020), National Statistics (most recent published), [2020 Summary report \(stat.gov.tw\)](#), retrieved on 26 October, 2023.

¹⁴ Data from CFA, 2023

¹⁵ [Department of Social Welfare-Statistics-Low-income Households \(gov.taipei\)](#), retrieved 1 November 2023

¹⁶ Calculated based on a 30 days per month

¹⁷ [Fact Sheet: An Adjustment to Global Poverty Lines \(worldbank.org\)](#), retrieved 1 November 2023

¹⁸ [National Statistics, Republic of China \(Taiwan\)-Unemployment Rate](#)

¹⁹ <https://ws.dgbas.gov.tw/001/Upload/464/reifile/10924/232178/y033.pdf>, retrieved 1 November 2023

Previous findings from CHW01 surveys in 2020

Interview with the fisheries agency²⁰ carried out as part of the LRP revealed that workers on board fishing vessels (eg captains and crew members) work under two main types of contracts. First is based on a system of borrowing money in advance for supporting their families and then paying it back via the 'fishing bonus', which is the money earned by the boat and workers based on the catch. The second type of contract pays a base rate of pay and then the fishing bonus on top, once costs have been deducted. In both methods, workers' wages depend on the scale, type and quality of the catch.

In a separate interview, the average annual income of fishing households in Taiwan and Lukang township was reported. Both are well above the stated national poverty line for 2023, however, the fishers' economic situation is challenged by depletion of fishery resources, labour shortages and long-term low prices.

6.4 Workers' rights

In terms of the Project's subcontractors, it is anticipated that highly skilled workers from European countries and contractors will arrive to carry out cable installation works but are not generally considered vulnerable to human rights impacts and so focus has not been applied to this group in the analysis. Further information on migrant workers is provided at the end of this subsection.

Workers with disabilities

According to the law established by Workforce Development Agency, Ministry of Labor, at least three percent and one percent of the workforce in the public and private sectors, respectively, should be persons with disabilities²¹. In 2021, 4.2% of the public sector workforce consisted of persons with disabilities, however the private sector continued to fall short of the mandated target as it had in previous years. Private companies' workforce of more than 67 employees failing to meet the target face the potential to be liable for small fines²².

Migrant workers

Based on the CHW01 KII with the Taiwan Association of Human Rights, it was recorded that there are clear distinctions between foreign and Taiwanese workers in terms of accommodation and salary levels.

Self-assessment questionnaires will be distributed to the Project Company and selected contractors in order to collect information and assess the number of migrant workers present within the primary supply chain in Taiwan. The questionnaire will contain information such as the following:

- Name of contractor/subcontractor/supplier
- Number of migrant workers employed for the Project
- Nationalities of migrant workers
- Provision and access to grievance mechanism (ie Whistleblower Hotline)
- Available language/s for the grievance mechanism

²⁰ Fisheries Agency, Council of Agriculture, Executive Yuan, 25 September 2020

²¹ [Workforce Development Agency-Fix quota for People with Disabilities \(wda.gov.tw\)](https://wda.gov.tw), retrieved 1 November 2023

²² <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/taiwan/>, retrieved 1 November 2023

- Adherence to Project Company's Code of Conduct

It is expected that a Whistleblower Hotline will be provided to all workers as a grievance mechanism tool that would be available in the respective languages noting that translation services are provided as part of the platform.

6.5 Gender and gender-based violence

As Taiwan is not a member State of the UN, it does not feature in indices such as the gender inequality index (GII), produced annually by the UN. The GII measures gender inequalities in three important aspects of human development - reproductive health; empowerment; and economic status²³. In 2018, Taiwan measured itself using the same criteria and found that it would be ranked 9th in the world on the GII if it were included. Data is shown in Table 6.1 below. In 1998 the Domestic Violence Prevention Act was passed which states that domestic violence is illegal and sets out steps to protect survivors²⁴. With her election in 2016, President Tsai Ing-wen became Taiwan’s first female president and was successfully re-elected in 2020 (ie currently in office).

Table 6.1: Gender inequality index data for Taiwan

Dimension	Indicator	Data year	Value
Reproductive health	Maternal mortality ratio (deaths per 100,000 live births)	2015	12.0
	Adolescent birth rate (births per 1,000 women aged 15–19)	2018	4.0
Empowerment	Share of seats in parliament (%)	2018	Women: 38.7 Men 61:3
	Population with at least some secondary education (aged 25 and older) (%)	2018	Women: 81.7 Men 90.1
Labour market	Labour force participation rate of persons aged 15 and older (%)	2018	Women: 51.1 Men 67.2

Source: ‘2020 Gender at a Glance in R.O.C. (Taiwan)’ Department of Gender Equality, Executive Yuan

A separate index developed by Organisation for Economic Co-operation and Development (OECD) in 2009, namely the Social Institutions and Gender Index (SIGI)²⁵ measures discrimination in social institutions against women and girls across several major areas in lives namely:

- Discrimination in the family
- Restricted physical integrity
- Restricted access to productive and financial resources
- Restricted civil liberties

In 2023, SIGI measured and ranked 179 countries, where Taiwan is placed second globally behind Belgium. Figure 6.1 illustrates SIGI score of Taiwan against the world, OECD countries and Asia, which reveals that the discrimination against women and girls are significantly lower in comparison, even on a global scale.

²³ Reproductive health is measured by maternal mortality ratio and adolescent birth rates; empowerment is measured by proportion of parliamentary seats occupied by females and proportion of adult females and males aged 25 years and older with at least some secondary education; and economic status is measured by labour force participation rate of female and male populations aged 15 years and older. The higher the GII value (up to 1), the more disparities between females and males and the more loss to human development.

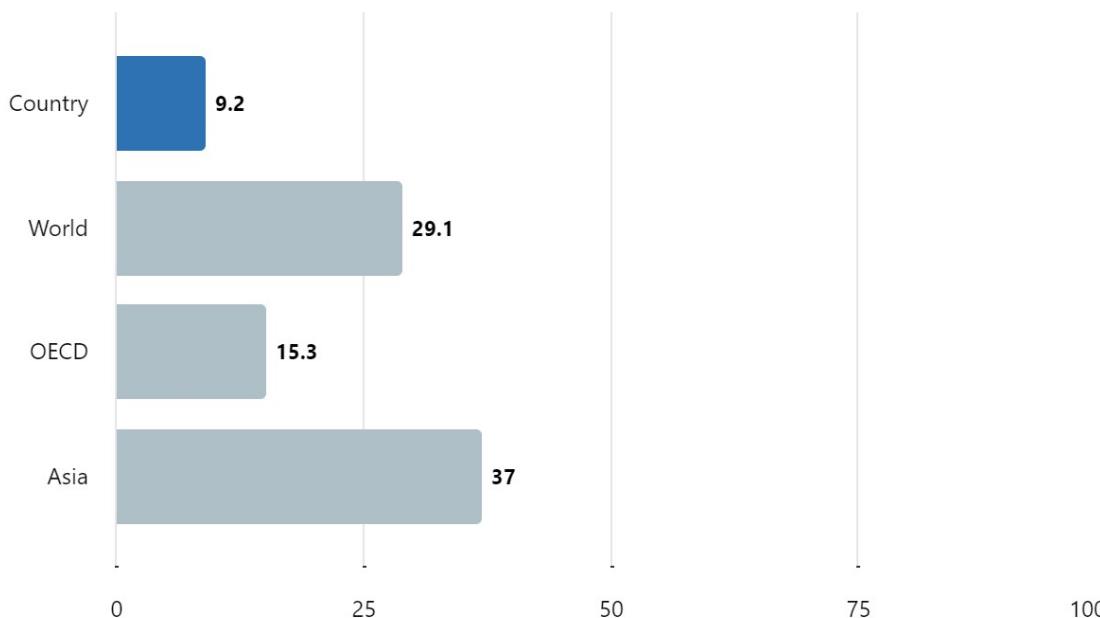
²⁴ http://www.globalgender.org/en-global/status_page/index/5, retrieved 9 September 2020

²⁵ [Dashboard | Social Institutions and Gender Index \(SIGI\) \(oecd.org\)](https://data.oecd.org/social-institutions-and-gender-index-sigi/), retrieved 2 November 2023

Figure 6.1: 2023 social institutions and gender index for Taiwan

Social Institutions and Gender Index

0 = no discrimination; 100 = absolute discrimination



Source: OECD social institutions and gender index, 2023

Despite this, Taiwanese women experience high rates of domestic violence²⁶, with numbers of cases rising²⁷. According to the US State Report, many sexual assault cases go unreported by survivors due to social pressure not to disgrace their families and the total number of sexual assaults is estimated to be seven to 10 times higher than is reported²⁸.

Previous findings from CHW01 surveys in 2020

Increased cases in gender-based violence or other similar issues arising from impacted incomes due to loss of fish resources have so far not been particularly reported²⁹. It was also informed that, of the 201 sex discrimination cases in Taiwan reported in 2017, most were in relation to forced resignations due to pregnancy. There were 141 sexual harassment cases and 118 unfair treatment or work equality cases reported in the same year. These numbers are thought to be underreported due to fears of retaliation and perceived difficulties in finding new work³⁴.

Another KII respondent reported that gender discrimination can occur amongst fishing communities. Women in fishing communities near the Project tend to be responsible for selling the catch³⁰ thus performing an important role in generating household income, as well as managing housework. Men in the fishing households are responsible for fishing at sea, while children and the elderly play a role in helping to replenish and repair fishing nets. During the focus group discussion with men, it was estimated by participants that men were 85% responsible for expenditure decisions, 89% responsible for care of dependants and 90%

²⁶ Including physical violence, emotional abuse, intimidation, coercion, threats and isolation

²⁷ Domestic violence cases up: national report - Taipei Times, retrieved 2 November 2023

²⁸ <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/taiwan/>, retrieved 2 November 2023

²⁹ Interview with Taiwan Association for Human Rights

³⁰ Interview with Changhua County Dongshili zone chairperson

responsible for earnings within the households. The same questions posed during the women's focus group discussion derived figures of 38% female responsibility for expenditure decisions, 43% responsibility for care of dependants and 40% responsibility among female household members for earnings within household.

According to the Taiwan Association for Human Rights, the landscape for gender equality is improving in Taiwan, including legislation provisions and the associated implementation of the 'Gender Equality at Work Law', 'Gender Equality Education Law', 'Sexual Assault Prevention Law', and 'Domestic Violence Prevention Law'.

6.6 Water and sanitation

Ninety-four percent of Taiwan's population has access to safe drinking water via the public supply system. Restrictions to access is generally in rural areas where people may use private wells and incentive to connect to the paid-for public water supply system is low³¹.

Traditionally, water has been cheap for consumers in Taiwan and as a result, consumption has been high. In an attempt to stem demand in the face of water scarcity which can impact businesses, prices have recently been increased by the State water utility, but usage remains high³². Although the country had experienced its worst drought in 56 years, water consumption continued to rise in 2021. The upward trend in water consumption may be attributed to the increased hand washing and sanitisation practices during the COVID-19 pandemic³³.

Previous findings from CHW01 KIIs in 2020

The KII with Taiwan Association for Human Rights indicates that residents including fishing communities in the Changhua area along the coast have access to acceptable quality with regard to water and sanitation.

6.7 Housing and food

On average in Changhua County, the number of persons per household is 2.96 in October 2023, with the floor area per housing unit is 180.3 square metres.

The overall prevalence of undernourishment in Taiwan is measured by the Food Agency Organisation (FAO) at 3.0% from 2020 to 2022, as compared to 4.3% from 2004 to 2006³⁴, however the data for Taiwan is disputed by Taiwanese academics³⁵.

Previous findings from CHW01 surveys in 2020

The KII with Taiwan Association for Human Rights indicates that residents including fishing communities in the Changhua area along the coast have access to acceptable quality with regard to housing and food. The primary data gathered for the LRP indicates that amongst the households interviewed, on average 19% of household expenditure goes towards food and daily commodities and 2% is spent on a mortgage.

6.8 Health and education

The healthcare system in Taiwan is based on a compulsory social insurance plan and a centralised system disburses healthcare funds. It is designed to provide equal access to

³¹ <https://www.stantec.com/en/projects/taiwan-projects/connecting-rural-taiwan-to-the-public-drinking-water-supply>, retrieved 1 November 2023

³² <https://www.taipeitimes.com/News/editorials/archives/2018/12/28/2003706894>, retrieved 9 September 2020

³³ <https://www.taipeitimes.com/News/taiwan/archives/2021/03/12/2003753699>, retrieved 2 November 2023

³⁴ [The State of Food Security and Nutrition in the World 2023 \(fao.org\)](https://www.fao.org/), retrieved 2 November 2023

³⁵ [An empirical study of Taiwan's food security index - PubMed \(nih.gov\)](https://pubmed.ncbi.nlm.nih.gov/), retrieved 2 November 2023

healthcare for all citizens and lead to fewer health disparities. In general, there is good accessibility, comprehensive population coverage as well as short waiting times and low costs, however quality of care can be variable³⁶. Taiwan Ministry of Health published an annual national medical practitioner status for year 2021 and revealed that there were 7.5 physicians and 73.0 hospital beds per 10,000 population (equating to 0.75 physicians and 7.3 hospital beds per 1,000 population)³⁷. Life expectancy at birth in Taiwan is 80.86 years, with females generally having a higher life expectancy than their male counterparts (females 84.25; males 77.67). The crude birth rate is very low at 6.55%, with similar rate as Japan (7%) and slightly higher than Republic of Korea (5%). Taiwan's crude death rate stood at 7.83%, which is similar to other developed nations such as Canada, Australia, New Zealand and Republic of Korea. Like other developed countries, key health issues include heart disease, cancers and diabetes³⁸.

The average age of females in Taiwan is 42.4 years, slightly older than males at 40.5 years. There are over one million (1,182,931) people in Taiwan with disabilities of various types ranging limb disability, multi-disability, losing functions of primary organs were registered in the 2020 national census. Compared with 2010, the largest increase was observed in senile dementia and chronic psychosis.

The education system in Taiwan mandated compulsory education for nine years, however in 2014, a further three years was added to the compulsory curriculum. Public primary education lasts for six years, junior high for three years and senior secondary education lasts for three years. Access to the public education system is free of charge. Almost all (99.17%) of the population over the age of 15 can read and write, with a slightly lower percentage of females (98.51%) than males (99.86%)³⁹.

Previous findings from CHW01 surveys in 2020

The primary data gathered for the LRP indicates that amongst the households interviewed, on average 6% of expenditure goes towards education and 4% is spent on healthcare.

6.9 Access to electricity

The price of electricity to domestic users in Taiwan is USD0.088 per kWh which includes all components of the electricity bill such as the cost of power, distribution and taxes. The average price of electricity in the world for the same period (2023) is USD0.156 per kWh⁴⁰. Taiwan has experienced short term power outages in the recent past and the current move towards renewable energy is aimed in part to address this, as well as to move away from non-renewable power (eg nuclear, oil and coal). Upgrades to the national grid will be required so that it can manage the variability of wind and solar power, which may need to be paid for by business consumers^{41,42}. Supply and pricing of power to consumers is managed by the State-owned Taiwan Power Company and prices rises are limited by national legislation. As such, non-discriminatory supply of electricity to consumers, which could occur if prices are prohibitively high for consumers living under the poverty line, is scoped out of further assessment.

³⁶ [An overview of the healthcare system in Taiwan - PMC \(nih.gov\)](#), retrieved 2 November 2023

³⁷ [國情統計通報 \(dgbas.gov.tw\)](#), retrieved 2 November 2023

³⁸ [台灣臨床試驗資訊平台 \(taiwanclinicaltrials.tw\)](#), retrieved 2 November 2023

³⁹ [國內指標-十五歲以上人口識字率 \(ey.gov.tw\)](#), retrieved 2 November 2023

⁴⁰ https://www.globalpetrolprices.com/Taiwan/electricity_prices/, retrieved 2 November 2023

⁴¹ <https://qz.com/1054921/taiwan-at-the-heart-of-the-worlds-tech-supply-chain-has-a-serious-electricity-problem/>, retrieved 10 September 2020

⁴² <https://www.taiwannews.com.tw/en/news/3880997>, retrieved 10 September 2020

Previous findings from CHW01 surveys in 2020

The primary data gathered for the LRP indicates that on average 12.5% of expenditure goes on energy, transportation and communications amongst the households interviewed.

6.10 Ethnicity, indigenous peoples and religion

Han Chinese (comprising diverse subgroups with mutually unintelligible languages and different customs) makes up more than 95% of the population of Taiwan whilst indigenous Malayo-Polynesian peoples comprise approximately 2.5%. The remaining 2.5% (over 570,000) of the population are new immigrants into the country especially in recent years⁴³.

There are 16 officially recognised indigenous groups which make up 2.48% of the population⁴⁴: Amis, Atayal, Bunun, Hla'alua, Kanakaravu, Kavalan, Paiwan, Puyuma, Rukai, Saisiyat, Sakizaya, Seediq, Thao, Truku, Tsou, and Yami; Amis, Paiwan. Amis are currently the largest and account for roughly 37.3% of the indigenous population⁴⁵. In addition, there are at least 10 Pingpu indigenous people (IP) groups who are denied official recognition (Babuza, Basay, Hoanya, Ketagalan, Luilang, Paze/Kaxabu, Papora, Qauqaut, Taokas, Trobiawan) and further groups which are recognised locally (Makatao group (in Pingtung City and Fuli township), Siraya group (in Tainan City and Fuli township), Taivoan group (in Fuli township)).

Traditionally, most of Taiwan's IPs originally lived in the central mountains as well as on the east coast and in the south of the country. More recently however, up to half of the indigenous population resides in the urban areas of the country. Key challenges for IPs in Taiwan include rapidly disappearing cultures and languages, encroachment on traditional domains, and protection of indigenous rights⁴⁶.

As of December 2021, within Changhua County, there are 6,145 people with indigenous ethnicity (0.49% of the county population) with 479 (0.038% of Lukang township population) residing in Lukang Township and 54 (0.004% of the township population) in Xianxi Township⁴⁷.⁴⁸

Before the 17th century, Taiwan was inhabited by indigenous populations, who practiced animist and nature based religious beliefs. Post arrival of European settlers, they introduced Christianity (ie Protestant and Roman Catholic) through evangelical missionaries. When the large influx of Han Chinese entered in the second half of the 17th century, they also brought with them their religions, namely Buddhist, Taoist and Confucian belief systems. During the Qing Dynasty in mainland China, the latter three religions became popular, which in turn, saw a visible increase of religious temples, monuments, and facilities built in Taiwan. As of 2023, the main religions in Taiwan are Taoism and Buddhism which makes up 35.3% and 33.2% of the population, accordingly⁴⁹.

Previous findings from CHW01 surveys in 2020

⁴³ PEOPLE - Taiwan.gov.tw - Government Portal of the Republic of China (Taiwan), retrieved 2 November 2023

⁴⁴ <https://www.iwgia.org/en/taiwan/4657-iw-2022-taiwan.html>, retrieved on 26 October 2023.

⁴⁵ Information retrieved from the website of Ministry of the Interior, date 27 January, 2023 ([Link to the news](#))

⁴⁶ [The Indigenous World 2023: Taiwan - IWGIA - International Work Group for Indigenous Affairs](#), retrieved 2 November 2023

⁴⁷ Civil Department of Changhua County Government:
https://civil.chcg.gov.tw/07other/other01_con.asp?topsn=2318&data_id=22197

⁴⁸ Taiwan Council of Indigenous Peoples:
<https://www.cip.gov.tw/portal/docDetail.html?CID=940F9579765AC6A0&DID=2D9680BFECBE80B6F1D682BA1ED86E61>

⁴⁹ [Taiwan - The World Factbook \(cia.gov\)](#), retrieved 2 November 2023

During the surveys for the LRP, 99.5% of the 200 respondents identified themselves as Minnan, a subgroup of the Han Chinese people and the main ethnic group in Taiwan, whilst the remaining 0.5% identified as being from outside of Taiwan. None of the 56 respondents of the electronic workers surveys or of the 15 people asked during focus group discussions identified as being indigenous or minority ethnic. Of the eight security guards, six identified as Minnan, one as 'other'⁵⁰ and one did not respond. All the security guards stated their preferred language as Mandarin or Hokkien which are spoken by the main ethnic group.

Most LRP survey respondents indicated that fishers affected by the Project do not generally belong to ethnic minorities or indigenous groups. A few of the key informants interviewed suggested that indigenous people are fishing in the area and some are employed by fishers however this is not borne out by the data collected for the LRP.

Although the topics of indigenous peoples and ethnic minorities were discussed during the data gathering and consultation process, IFC PS7 was deemed not to be applicable by the lenders' technical advisor. The HRIA concluded that groups or communities of indigenous peoples are not affected by the Project primarily because the main impacts are to fishing and the onshore works are within an industrial zone 3km from the nearest residential areas. Nonetheless, small numbers of individuals may be employed on the Project or may work for fishers affected by the Project. To address the potential vulnerability of ethnic minorities to fishing or workers' rights impacts, the LRP and HRIA's mitigation measures pay cognisance to the potential existence of these individuals.

A temple representative commented during one of the KIs that the main religious belief among fishing households is Taoism. The representative stated that discrimination based on religious grounds is unlikely in the Project area.

6.11 Migrants

Foreign workers engaged in the fishing industry in Taiwan are at risk of mistreatment and poor working conditions. Taiwan has the world's second largest distant water fleet, with the majority being migrant workers among the 22,000 crew⁵¹. Foreign fishers recruited offshore are not entitled to the same labour rights, wages, insurance, and pensions as those recruited locally and numbers of foreign workers increase as the industry becomes less attractive to native Taiwanese workers⁵².

Employment of migrant fishing workers in Taiwan can be divided into two categories, namely overseas employment and domestic employment. Overseas employment of foreign fishers conforms with the "Regulations on the Authorization and Management of Overseas Employment of Foreign Crew Members", while domestic employment observes the relevant provisions of the Employment Service Act⁵³. As of July 2020, 12,097 foreign fishers were employed under Taiwan's domestic employment scheme, most of the in the coastal and offshore fishing⁵⁴, as opposed to far seas fishing⁵⁵, which is not considered relevant to the Project. The main human rights issues for migrant workers in coastal and offshore fishery sectors are sub-standard living

⁵⁰ Note: the answer was a free-text response, not a selection from pre-defined categories

⁵¹ [Migrant Fishers in Taiwan Take Wi-Fi Now For Fishers' Rights Campaign International | Global Labor Justice-International Labor Rights Forum](#), retrieved 2 November 2023

⁵² Human Rights at Sea Baselines Study: On the awareness and application of human rights in Taiwan's fishing industry, October 2019

⁵³ [Fishes | Free Full-Text | The Labour Rights Protection of Migrant Fishing Workers in Taiwan: Case Study of Nan-Fang-Ao Fishing Harbor \(mdpi.com\)](#), retrieved 2 November 2023

⁵⁴ Coastal fisheries as fishing activities within three nautical miles from the coast, whereas offshore fisheries refers to fishing activities between three to 12 nautical miles from the coast

⁵⁵ Far seas fishing means using any fishing vessel to conduct fishing in the high seas or in internal waters, territorial seas and the exclusive economic zones of other countries

conditions, lack of safety and sanitation provisions and mistreatment by employers and managers. It is important to note that human rights issues prevail in this sector because it helps to understand the existing levels of vulnerability amongst some of the people who may be impacted by the Project, including migrant deck-hands and fishing workers.

6.12 Children

Vulnerability for children in the Project's area of influence manifests through their rights not to be subjected to slavery, servitude or forced labour, rights to adequate standard of living (eg poor healthcare and poverty) and rights to education.

The legal minimum age for employment in Taiwan is 15. An exception is made to allow children younger than 15 to work, if they have completed junior high school and appropriate authorities have determined the work will not harm the child's mental and physical health. Taiwanese law prohibits children younger than 18 from carrying out heavy or hazardous work and the maximum working hours for children is eight hours per day. Children are also not allowed to work overtime or on night shifts⁵⁶.

Previous findings from CHW01 surveys in 2020

According to a representative of an elementary school in Xianxi township, poverty for local children results in poor ability to express and pursue their own interests, few resources and 'weak voices' despite their large number. Disadvantaged children at elementary and middle schools are provided with free nutritious lunches. Employment in hazardous work or work that compromises children's education were reported as being 'not heard of' by the school representatives interviewed.

6.13 Potentially affected groups

The key rights-holders whose rights may be affected by the Project are:

- Project workers including Ørsted's employees and contracted workers
- Households, including children, affected by impacts to fishing
- Communities living in the Project's area of influence who may be affected by movement of vehicles, emergencies, discrimination with regard to employment, participation or access to remedy
- Supply chain workers
- Affected communities in the supply chain (for example in mining communities)

Within each of these groups, there may be people who are affected more severely than others including migrants, women, ethnic minorities and children. Impacts on the identified groups and differential effects are discussed in Section 7.

⁵⁶ TAIWAN 2022 HUMAN RIGHTS REPORT - American Institute in Taiwan (ait.org.tw), retrieved 2 November 2023

7 Human right impact assessment

7.1 Overview

This section describes the actual and potential human rights impacts that have been identified through this HRIA. Impacts have been assessed using the methodology outlined in section 4.4 whereby vulnerability of the affected rights-holders has been considered alongside the scale, scope and irremediability of the impact. An overall severity score has been assigned which informs the priority for addressing the impact through mitigation and management measures outlined in section 8.

Table 7.1 identifies the relevant human rights that the Project is required to respect as outlined in the UNGPs (see sections 3.2.3, 3.2.4 and 3.2.5) and categorises them according to topic. The following sections have been arranged according to topic area as outlined in the table for ease of reading and concision. Where human rights impacts are not foreseen, for example where Ørsted has comprehensive management and mitigation measures already in place, some topic areas (access to remedy for community rights-holders and data privacy and security) are addressed in section 8 where the measures are described.

Table 7.1: Human rights topic areas

Topic area and section number	Most relevant human rights
Labour rights	Right not to be subjected to slavery, servitude or forced labour UDHR 4; ICCPR 8; ILO No.29; ILO No.105
	Right to equality before the law, equal protection of the law, non-discrimination UDHR 7; ICCPR 26; ILO No. 100; ILO No.111 and International Convention on the Elimination of All Forms of Racial Discrimination
	Right to access to effective remedies UDHR 8; ICCPR 2
	Right to life UDHR 3; ICCPR6
	Right to freedom of movement UDHR 13; ICCPR 12
	Right to freedom of association UDHR 20; ICCPR 22; ILO No.87
	Right to social security, including social insurance UDHR 22; ICESCR 9
	Right to work UDHR 23; ICESCR 6
	Right to enjoy just and favourable conditions of work (including rest and leisure) UDHR 23 and 24; ICESCR 7
	Right to form trade unions and join the trade unions, and the right to strike UDHR 23; ICESCR 8; ILO No.98
	Right to access to effective remedies UDHR 8; ICCPR 2
	Right of protection for the child UDHR 25; ICCPR 24; ILO No. 138; ILO No.182 and Convention on the Rights of the Child
	Right to health UDHR 25; ICESCR 12
Right to freedom of thought, conscience and religion UDHR 18; ICCPR 18	

Topic area and section number	Most relevant human rights
	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; Dhaka Principles for Migration with Dignity
	Convention on the Elimination of All Forms of Discrimination against Women
	Convention on the Rights of Persons with Disabilities
Livelihoods	Right to an adequate standard of living (housing, food, water & sanitation) UDHR 25; ICESCR 11
Community health and safety	Right to life UDHR 3; ICCPR6
	Right to health UDHR 25; ICESCR 12
	Right to an adequate standard of living (housing, food, water & sanitation) UDHR 25; ICESCR 11
	Right to marry and form a family UDHR 16; ICCPR 23; ICESCR 10
Participation	Right to freedom of opinion, information and expression UDHR 19; ICCPR 19
	Right to freedom of assembly UDHR 20; ICCPR 21
	Convention on the Elimination of All Forms of Discrimination against Women
	The Convention on the Rights of Persons with Disabilities
Access to remedy	Right to access to effective remedies UDHR 8; ICCPR 2
Security	Right to liberty and security (including freedom from arbitrary arrest, detention or exile) UDHR 3 and 9; ICCPR 9
	Right not to be subjected to torture, cruel, inhuman and/or degrading treatment or punishment UDHR 5; ICCPR 7 and Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
Privacy and data security	Right to privacy UDHR 12; ICCPR 17
Indigenous Peoples and minority groups	Right to self-determination (held by a people, not an individual) UDHR 21; ICCPR 1; ICESCR 1
	Rights of minorities ICCPR 27
Supply chain	All rights listed above

Source: Mott MacDonald

In addition to the categorisations listed above, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women are considered to cut across most if not all potential areas of impact. Particular attention has been paid to impacts to women and children where applicable.

7.2 Pre-construction and construction phase

7.2.1 Labour rights

Consideration of labour rights impacts and mitigation has been carried out primarily using the definitions of ‘project workers’ and ‘supply chain workers’ set forth in the International Finance Corporation’s Performance Standard 2 (IFC PS2) on labour and working conditions. Project workers are employees of Ørsted and contracted workers engaged by third parties to perform work related to core business processes of the Project for a substantial duration. Supply chain workers are those engaged by primary suppliers which, on an ongoing basis, provide goods or materials essential for the core business processes of the Project. As such, Project workers are

deemed to be those engaged directly by Ørsted, the EPC contractor (also Ørsted) and its sub-contracted workers working at the Taichung harbour site and the onshore substation site. They also include those working at the offshore WTG and cabling sites which are anticipated to commence in 2025.

In the context of PS2, supply chain workers include those working at companies supplying goods and services during operations on an ongoing basis. The human rights-based approach requires a more holistic view of supply chain issues and as such, supply chain workers will also be considered to include workers in the construction phase supply chain, such as those working at fabrication sites and other locations for companies supplying essential products for construction of the wind farm. Consideration is also given to the potentially high-risk supply chain for the key product needed for the wind farm, i.e. the turbines themselves, which may require mining in under-regulated contexts. Supply chain impacts are considered in section 7.2.7.

Considering that the Project is still in its development phase, there are currently no appointed or onboarded project workers. Therefore, for the current HRIA, we refer to the workers survey conducted in CHW01 project. The survey revealed that workers generally did not have a good understanding of their contracts, indicating a lack of awareness about their rights. Additionally, there was limited knowledge about the worker grievance mechanism, and there were signs of potential discrimination (either perceived or real) based on nationality and gender. A total of 15% of the workers reported being unsatisfied with their working conditions. According to the Taiwan Association for Human Rights, it is common for women to suffer a certain degree of discrimination in the workplace.

Taiwanese law stipulates an eight-hour workday (maximum 12 hours per day including overtime) and a 40-hour work week (with up to 46 hours per month of overtime allowed) and the international standard for working hours per week, based on ILO conventions is a maximum of 56 hours per week. Workers surveys were conducted with white collar workers at Star Energy during CHW01 project. Star Energy was responsible for completing the onshore substation. The surveys revealed working hours per week and consecutive working days are aspects that could potentially need additional attention to avoid risk/breach.

In relation to occupational health and safety (OHS), the Project EIA identified weather conditions as the primary risk during the construction and decommissioning stages. These conditions have the potential to impact the practicality and safety of the offshore works. Additionally, the EIA stated that during the operational stage, the main risk would be equipment damage, which can pose safety hazards offshore. Typical incidents during this stage include exposure of submarine cables, oil spills, fires, collisions, or grounding of the operation vessels. According to the SAQ response from Ørsted's Project QHSE Manager (dated October 2023), working conditions are satisfactory for project workers. Workers on Ørsted's projects have been provided with the necessary personal protective equipment (PPE) to safely perform their tasks over the past three years. The projects have also conducted regular safety inspections, and any incidents have been reported by the workers and observed by the Ørsted project team/QHSE advisors. In the case of incidents, communication with the worker and their team lead on-site is carried out to address the identified issues and to ensure that the workers are provided with the correct PPE for their assigned tasks, before resuming their work.

Potential impact – labour rights infringements could occur amongst Project workers relating to contracts and working hours based on survey answers from CHW01 project. There could be potential areas of discrimination, potential for workers not to be provided contracts, to be expected to work long working weeks and the potential for excessive working hours amongst

security guards. There could also be some dissatisfaction with working conditions, and lack of understanding of the grievance mechanism.

Vulnerability: The possible vulnerability of subcontracted and sub-subcontracted blue-collar workers, which will make up most of the Project workforce, is considered to be **high** as they may have limited understanding of and ability to advocate for their rights.

Scale: C – labour rights infringements are unlikely to amount to infringements on basic life necessities or freedoms such as education or livelihood.

Scope: B – without monitoring of Project workers' working conditions it is difficult to understand how many will be impacted by infringements, however we consider it is unlikely to involve more than half of workers.

Irremediability: C – simple adjustments are needed to remedy lack of contracts, poor knowledge of the grievance mechanisms and even underpayment of overtime if it is found to occur through monitoring.

Severity: 3

7.2.2 Livelihoods

In Taiwan, States must provide access to basic needs i.e. water and sanitation, housing, food, health and education which need to be available, accessible, acceptable and of sufficient quality (AAAQ)⁵⁷. Businesses must not infringe on these rights or on the State's provision of them. An infrastructure project could in theory infringe on these rights by impacting livelihoods to such an extent that services are no longer economically accessible or by causing an environmental impact (such as a spill or abstraction) which infringes on quality or availability of basic needs. These topics are discussed in this and the next sub-sections.

Access to or lease/purchase of privately owned land is not required for the offshore Project and, as described further in the livelihood restoration plan (LRP), is scoped out of further assessment in the HRIA and related Project documentation.

Ørsted and the CFA have finalized the amount of compensation to be paid by Ørsted to the CFA for the impacts to fishing arising from the Project. The fishers who are eligible for the compensation have all received the compensation. The starting basis for the compensation amount was based on the Government released guidelines for impacts to fishing arising from offshore wind projects but the final exact amount of compensation was subject to negotiated agreement between the parties.

The compensation paid to the CFA has been distributed amongst the fishers who include CFA registered vessel owners. The compensation fund from the Project Company has been managed by a Designated Accounts (DA) management committee under CFA and supervised by a competent authority in accordance with applicable laws and regulation⁵⁸. However, based on the survey result from CHW01 project, vessel-owners expressed concern that their livelihoods would be impacted negatively through reduced incomes and damage to fishing gear by the development of CHW01 project.

⁵⁷ Using the example of water: availability – water supply should be continuous and sufficient in quantity; accessibility – physically and economically accessible in a non-discriminatory manner; acceptable to consumers, culturally acceptable and sensitivity to marginalised groups; quality – water must be safe, water related diseases must be prevented by the state, facilities and services must be of sufficient quality.

⁵⁸ [The Offshore Wind Power Fishery Industry Compensation Guidelines, promulgated in 27 March 2017](#)

In addition to vessel owners, there are other people who are engaged in fishing and in the fishing value chain or supply chain who may be negatively impacted, such as migrant or local deck-hands or employees on boats, non-registered fishers, land-based employees, fishmongers, or women (or other family members) in fishing families providing support or ancillary work which is unpaid and/or otherwise unrecognised either within the household or by the compensation payment.

Catches which in part determine the income of deck-hands and labourers⁵⁹ on fishing vessels may be negatively affected during construction, so losses are likely to be felt if compensation is not shared. As such, some vulnerable people engaged in the fishing industry may be differentially affected and their right to an adequate standard of living (housing, food, water and sanitation), and other associated rights such as the right to health could be negatively affected through a sudden loss of income (a health determinant) and its consequences. As based on CHW01's approach well as the proposed approach for CHW04, such impacts are intended to be mitigated through the implementation of community support and livelihood restoration programs/initiative. The Project will further investigate the updated perceptions as well as gather the feedback on the livelihood relevant support/programme through the Project's primary data survey (ie KIIs and FGDs to be conducted in December 2023 to January 2024). The relevant updates/commentary will be further updated within this section during subsequent version of this report.

Children's access to education is not expected to be affected by income loss as there is a public education system and high value is placed on school attendance by families in Taiwan.

Good practice in the distribution of resettlement and livelihood compensation dictates that women's and men's contributions to household income and workload should be recognised separately and that provision should be made for payment of compensation that both parties can access. Livelihood restoration should be tailored to women's and men's differential needs.

Potential impact: the right to an adequate standard of living through failure to compensate all persons affected by fishing impacts as a result of a non-inclusive compensation agreement. Additionally, there are concerns amongst those who are included in compensation that there will be negative livelihood impacts.

Vulnerability: the vulnerability of those who will not be compensated via the Fishery Compensation Agreement (FCA) is deemed to be **high** as they are employees of vessel owners, may not be formally registered and may be migrant workers with little capacity to absorb the impact.

Scale: **B** – non-life or health threatening, but tangible infringement of access to basic life necessities or freedoms including livelihood

Scope: **B** – estimated to be 11-50% of those affected by impacts to fishing

Irremediability: **C** – Project Company is aware of this risk and is already working to remedy it.

Severity: **4**

7.2.3 Community health and safety

Impacts to the health and safety of individual community members could occur if there are traffic accidents or collisions on land or at sea, if there are infrastructure design or construction faults or if there are spills, pollution events, explosions or other industrial accidents. During CHW01's

⁵⁹ Who may include ethnic minorities or individuals belonging to indigenous groups

KIIs, there was concern amongst fishers and a number of other interviewees that safety at sea would be compromised by the offshore wind development. Should any of these issues occur, the rights to health and life of one or more community members could be infringed in a variety of ways, ranging from minor injury or health complaints to catastrophic effects including loss of life or life-changing injuries.

In addition, there is the potential for the health of fish stocks to be impacted by environmental spills, noise or habitat disturbance which could in turn impact the safety or quantity of food available to affected communities.

As identified within the EIA and the Environmental and Social Management System (ESMS), service standards at road sections and intersections, and the availability of other public infrastructure for use by the general public are assessed to be generally unaffected by the presence of a Project workforce.

Potential impact to the rights to health or life: environmental or industrial accidents, poor design or construction of project infrastructure, equipment failure or other types of accidents could cause loss of life for mariners, fishers, workers, road users or other community members in the worst-case scenario.

Vulnerability: the vulnerability of any rights-holder in the above scenario is **high** – they would have little to no capacity to absorb the change brought about by a serious accident.

Scale: **A** – the impact could be life threatening

Scope: **C** - Unless and large-scale industrial accident occurs, the number of affected people would be small.

Irremediability: **A** – in the worst case, there is no remedy of loss of life and very little opportunity to remedy life-changing injuries in a meaningful way.

Severity: **5**

Potential impact to the right to AAAQ of food: fish stocks may be temporarily impacted by noise, spills, habitat disturbance which could in turn affect community access to food.

Vulnerability: vulnerability is assessed as **medium** as fishing could take place in other areas away from the wind farm, however fishing is assumed to be the main source of income of the majority of affected families and so their capacity to undertake other income earning activities is low.

Scale: **B** - tangible infringement of access to basic life necessities

Scope: **C** – none of fishing families will be impacted as relative to the wind farm location (ie 50km from coastline), there are no fishing vessels registered as “far seas” category (ie operating range of >12 nautical mile or >22km)

Irremediability: **A** – irremediability would likely rely on the ecosystem regenerating which would not necessarily occur immediately

Severity: **3**

7.2.4 Access to remedy

Workers and communities need to have access to effective remedy if their human rights are breached in the course of the Project. According to the SAQ response from Ørsted's Chief Resettlement Negotiator, there is a dedicated Ørsted team for local stakeholder engagement

including a Marine Affairs Officer. They are in place to address grievances from the fisheries communities and vulnerable groups, and to maintain the relationship with the CFA. Any impact to the stakeholders will be resolved via the community grievance mechanism process, and/or by providing opportunities for local fisheries communities to be part of relevant Ørsted community programmes.

As of May 2023, the Project had resolved all community grievances. There are no active grievances in the whistle-blower hotline system relating to the Project and there have been no grievances reported in this system from 2018 to May 2023.

Considering that the Project is still in its development phase, there are currently no appointed or onboarded Project workers. Therefore, for the current HRIA, we refer to the workers survey conducted in CHW01 project. All of the participants asked during focus group discussions expressed uncertainty towards how the project grievance mechanism worked, although they stated that they would potentially complain via the CFA or village chief if they needed to. Knowing about the grievance mechanisms, who to contact and how they work is the first step to providing access to remedy. There was an identified lack of awareness among workers of the CHW01 project in this regard is therefore a gap that needs to be addressed as part of the Project's stakeholder engagement measures.

Potential secondary human rights impact: failure to effectively provide access to remedy for project impacts affecting human rights.

Vulnerability: vulnerability is assessed as **high** because the human rights impact is assumed to occur in the future.

Scale: **B** – the impact is not life or health threatening but ongoing failure to provide remedy would amount to a further tangible infringement on human rights.

Scope: **B** – based on the information captured in CHW01, the potentially affected communities seemed unaware of how to access CHW01 project grievance mechanisms. However, the traditional channels they suggested may result in contact with the Project via the CFA or village chiefs. This could also become the risk for the Project.

Irremediability: **C** – improving distribution of information about grievance mechanisms to raise awareness is a simple measure.

Severity: 4

7.2.5 Participation

Without careful planning, the needs of women and vulnerable groups can be overlooked leading to consultation that is not participatory and not representative of all those who will be impacted by a project. For example, venue selection, event timing (day of the week, time of the day), choice of advertising method and locations, separate forums for women where there is gender inequality, or for ethnic minorities where there is pervasive marginalisation, etc) should all be carried out to ensure maximum attendance and inclusivity. It is not clear whether the needs of women and vulnerable groups were considered in the planning of consultation activities and public hearings required for the EIA. However, timing and consideration of women's routines were taken into account for the September 2022 pre-construction meeting. The Stakeholder Engagement Plan (SEP) stipulates that all consultation activities will be planned to encourage the active participation of women and vulnerable groups in public meetings and mentions how these groups will be identified. In the LRP and in this HRIA, women have been identified as a target group to be approached for the KIIs and FGDs.

The socio-economic baseline survey conducted in CHW01 project revealed that despite the fact that project information and environmental survey data are published on the project website and there has been public consultation for CHW01 project, one-third of FGD participants asked stated that they did not feel well informed about CHW01 project. When asked about impacts of CHW01 project, women present at a FGD expressed concerns about damage to road surfaces, noise impacts during construction on local residents and income from fishing which may arise from vessels damaging the marine ecology. Some of these concerns are regarded as unfounded as the EIA and impact investigations to date have not revealed expected impacts to road surfaces or noise nuisance for local residents. The concerns may be based more on anxieties or hearsay and less on information presented by CHW01 project to stakeholders and rights-holders. The misunderstanding may reflect that information about CHW01 project has not reached all rights-holders, particularly women, and that further dissemination of information is needed for stakeholders' understanding about the Project to improve.

Actual human rights impact: the needs of women and vulnerable groups may have been overlooked in past consultation activities carried out for the EIA and their rights to freedom of opinion, information and expression may have been infringed.

Vulnerability: vulnerability is assessed as **high** because the affected rights-holders have little to no capacity to absorb that they were overlooked, and the impact has already occurred.

Scale: **C** – the impact is not life or health threatening and basic needs have not been impacted

Scope: **A** – over half of the vulnerable group can be assumed to be affected

Irremediability: **C** – although nothing can be done to change past activities, it is straight-forward to change the way consultation is conducted in the future to ensure the participation of vulnerable groups. This HRIA goes some way towards rectifying the impact.

Severity: **3**

7.2.6 Security

In general, provision of private or public security for projects' onshore and offshore components presents risks to the human rights of nearby communities who may inadvertently trespass on Project facilities, or who may wish to protest against the Project. Risks include hiring of security guards who have records of past abuse, inadequate security risk assessment and planning, and ultimately inappropriate use of force by security guards against community members or Project workers which may lead to infringements on the right to liberty and security and the right not to be subjected to torture, cruel, inhuman and/or degrading treatment or punishment. In the worst case, the rights to health and life could be impacted resulting in serious injury or death.

Potential human rights impact: infringements on several human rights including the right to liberty and security, the right not to be subjected to torture, cruel, inhuman and/or degrading treatment or punishment, the right to health and the right to life.

Vulnerability: vulnerability of potential community protestors is assessed to be **high to medium** which is a reflection of the power imbalance between security guards and community members.

Scale: **B** – the impacts are unlikely to result in death or life-changing injuries; Taiwan is generally not known for mistreatment of human rights-defenders by security guards or government forces⁶⁰ (as some countries in the Americas are, for example).

⁶⁰ <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/taiwan/>

Scope: **C** – this impact, if it were to occur, would affect only a small number of people.

Irremediability: **A** – in the worst case, the impact would be completely irremediable.

Severity: **3**

7.2.7 Supply chain

Human right that affects supply chain are mostly related to mining. Although the WTGs supplier for the Project has not been appointed at this stage, Ørsted has Code of Conduct for business partner in place, outlining that the Project's suppliers shall follow OECD's due diligence requirements⁶¹ with respect to the sourcing, extraction, and handling of minerals and metals used in the supply chain. Ørsted collaborates with significant suppliers, following the OECD due diligence guidance on responsible mining. This collaboration aims to comprehend whether and how the suppliers develop robust management systems, evaluate supply chain risks, and devise strategies for response. Also, the suppliers shall establish grievance mechanisms accessible to all workers, right holders, and stakeholders that may report any alleged breaches.

According to Ørsted's sustainability report (2022), the lack of supply chain transparency is the key challenge to improve the situation of responsible mining. Ørsted has been cooperating with first-tier suppliers and industry partners (ie Initiative for Responsible Mining Assurance) and explore technological opportunities for increased traceability. However, Ørsted does not provide a clear timeline of their goal as well as auditing programmes in addressing adverse impacts in its supply chain.

A bottom-up approach to considering human rights in the WTG supply chain indicates that there are human rights impacts in the mining of copper and other minerals, for example in Zambia which holds Africa's largest copper reserves. Typical issues include water pollution, contaminated effluent discharge, health problems, reduced food security and loss of income⁶².

Actual human rights impact: it is widely acknowledged that there are human rights impacts in the supply chain of wind turbines and it seems likely that this includes the supply chain of the WTG supplier. Rights impacted range from workers' rights, environmental effects leading to impacts on the rights to health, and impacts on the right to an adequate standard of living.

Vulnerability: vulnerability of people impacted at the bottom of the supply chain for WTGs is considered to be **high**.

Scale: **B** – impacts may affect the long-term health and livelihoods of workers and communities.

Scope: **B** – the scope of those impacted is challenging to define and visibility of data is limited. It seems reasonable to suggest that between 11-50% of workers and communities may experience human rights infringements, but this will vary according to the exact context and management systems of the mine owners.

Irremediability: **A** – irremediability is deemed to be high because despite the best efforts of organisations such as Ørsted and the WTG supplier, the supply chain consists of many tiers and positive changes that are being implemented at the top of the supply chain will take time to reach the lower tiers.

Severity: **4**

⁶¹ [OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas](#)

⁶² Swedwatch, cited in 'Human rights in wind turbine supply chains – update', Action Aid, 2019

7.3 Operation phase

7.3.1 Labour rights

In general, there will always be risks related to labour rights on projects. The key risks lie within the construction phase when the largest numbers of subcontracted blue-collar workers are employed. Construction work also tends to be hazardous and so occupational health and safety risks are higher in general in the construction phase. Despite this, there are categories of workers for onshore and offshore components who, during operations, may be at risk, such as those in jobs which tend to be paid at minimum wage, such as office cleaners, and those who work in shifts such as security guards and catering staff.

Potential impact - labour rights infringements could occur in the operations phase, particularly for lower paid and subcontracted workers, and those undertaking shift work.

Vulnerability: The vulnerability of subcontracted and sub-subcontracted blue-collar workers is considered to be **high** as they may have limited understanding of and ability to advocate for their rights.

Scale: C - labour rights infringements are unlikely to amount to infringements of basic life necessities or freedoms such as education or livelihood.

Scope: B – infringements on labour rights are likely to involve less than half of operational subcontracted workers.

Irremediability: C – simple adjustments can be made to remedy issues that are identified through routine monitoring.

Severity: 3

7.3.2 Livelihoods

The main impacts to fishing are expected to occur during the construction phase. There will be limited access restrictions during operations as each WTG will have a 50m radius no fishing zone. However, in terms of fishery activities, none of the fishing vessels registered with the CFA are known to operate at the Project's windfarm area. It is because relative to the windfarm location (ie 50km from coastline), there are no fishing vessels registered as "far seas" category (ie operating range of >12 nautical mile or >22km).

7.3.3 Community health and safety

The WTGs will be operated under a wholly automated surveillance system and there would not be a need for on-site operators except for maintenance personnel during maintenance worker. As such, provision of services by local public facilities such as health care are not expected to be impacted during operations and human rights impacts are not expected during operations in this regard.

Traffic movements during operations will be very limited. There will be some risks with regard to potential for structure failure and collision of vessels with turbines during operations. As described in the EIA and ESMS, significant impacts are not expected in relation to habitat disturbance, noise or spills during operations.

Potential impact to the rights to health or life: environmental or industrial accidents, poor design or construction of Project infrastructure leading to failure structural or other types of accidents could cause loss of life for mariners, workers, road users or other community members in the worst-case scenario.

Vulnerability: the vulnerability of any rights-holder in the above scenario is **high** – they would have little to no capacity to absorb the change brought about by a serious accident.

Scale: **A** – the impact could be life threatening

Scope: **C** - unless a large-scale industrial or extreme weather accident occurs, the number of affected people would be small.

Irremediability: **A** – in the worst case, there is no remedy of loss of life and very little opportunity to remedy life-changing injuries in a meaningful way.

Severity: **5**

7.3.4 Security

Similar risks prevail in the operations phase as for during construction with regard to security. However, as based on standard industry practice, the Project (and other offshore windfarm) do not deploy guard vessels around the WTG area (ie exclusion zone) to patrol and enforce access physical 'on-site' access restriction during operations. Any intrusion into the exclusion zone is monitored via remote systems. The potential for human rights impacts is assessed to be the same as for construction as determined in section 7.2.6, with the overall severity of the potential impact being **3**.

7.3.5 Potential for discrimination in distribution of CSR funds

The Project Company will try restore and enhance the livelihoods of the Project Affected Persons (PAPs) through programmes that will be integrated into the firm's overarching Corporate Social Responsibility (CSR) programme for ease of management. The details of those programmes can be found in the Project's Livelihood Restoration Plan (LRP) report. However, there is a potential with any selection process, if not carefully managed, to result in discrimination (including through arbitrary selection) or for it to nullify or impair equality of opportunity which amounts to discrimination.

Potential impact to the right to non-discrimination and equal opportunity: lack of thought in selecting recipients of CSR funds, or management of the process by untrained individuals could result in unintentional discrimination against applicants.

Vulnerability: the vulnerability of any rights-holder in the above scenario is **low** – they would have some capacity to absorb the change.

Scale: **C** – the impact would not be life-threatening or relating to a basic life necessity.

Scope: **A** – there could be discrimination against more than half of applicants for funding, assuming that funding applications are reasonably large in number compared to funds available.

Irremediability: **C** – simple changes could be made to the selection process to ensure equality of opportunity.

Severity: **1**

7.4 Decommissioning phase

During decommissioning, it is anticipated that many of the same impacts that would have been experienced during construction will also occur. However, a thorough assessment of the

potential impacts should be conducted closer to the decommissioning phase, considering the changes in baseline conditions that have occurred throughout the lifespan of the Project.

8 Mitigation and management measures

8.1 Overview

Ørsted provides an annual report on its environmental, social, and governance (ESG) performance. This report covers a range of social and human rights topics, including gender diversity, safety, and environmental incidents. Ørsted also submits a separate annual sustainability report, which Ørsted submits to the UN Global Compact⁶³, of which it is a member. The following sub-sections delineate the existing and new measures that will be implemented to effectively address the human rights impacts identified in section 7.

8.2 Labour rights

Ørsted has developed the following core policy documents and systems for managing labour rights:

- Ørsted Taiwan Staff Handbook ('Staff Handbook') dated January 2018
- Ørsted Taiwan Work Rules ('Work Rules') approved by the Ministry of Labour on May 2018
- Ørsted Code of Conduct (COC) for Business Partner dated October 2022
- Ørsted Good Business Conduct Policy
- Ørsted Human Rights Policy
- Ørsted Bullying, Discrimination and Harassment Policy

The Staff Handbook and COC state that all policies within apply for all employees in Ørsted Taiwan, which includes business partners (ie joint venture partners, agents, suppliers, contractors and other intermediaries). Reviews of sample contract agreements with contractors and suppliers for CHW01 project have shown that Ørsted's COC is embedded as an integral part of the contracts.

In addition, Ørsted operates a Responsible Business Partner Programme (RPP) which enables the company to collaborate with suppliers and partners to improve the social, environmental and ethical performance of its supply chain. Ørsted sets out QHSE Requirements for construction activities and includes them in contracts with contractors and suppliers. The Responsible Partner Program entails supply chain screening and due diligence and Ørsted expects its suppliers to adhere to a wide range of international and national standards, including many which are particularly relevant for human rights⁶⁴.

The COC that is issued to business partners outlines requirements to comply with applicable laws and standards, respect for labour and human rights and comply with anti-corruption measures. The COC is included in the contracts with contractors to ensure compliance. A

⁶³ The UN Global Compact is a sustainability initiative for the private sector and its first two principles are derived from the Universal Declaration of Human Rights. The Global Compact calls on companies to respect and support internationally proclaimed human rights, and to ensure they are not complicit in human rights abuses.

⁶⁴ Including, inter alia: UNGPs, Universal Declaration of Human Rights, OECD Guidelines, Convention on the Rights of the Child, the eight ILO conventions comprising the four core labour standards, SA8000 Social Accountability International (certification programme providing a framework for fair treatment of workers), OHSAS 18000, SO 26000 Social Responsibility, ISO 20400 Sustainable Procurement Guidance, UK Bribery Act, UK Modern Slavery Act, SEC Dodd-Frank Section 1502: Conflict minerals, Wind Europe Industry Principles for Supply Chain Sustainability

human resources policy and associated procedures incorporating the requirements of IFC PS2 and Taiwanese Labour Laws have also been developed for the Project.

Any accommodation provided by subcontractors will follow the joint IFC/European Bank for Reconstruction and Development (EBRD) Guidance on workers' accommodation⁶⁵. The Project requires all chartered working vessel, including on-board accommodations, to adhere to the Maritime Convention 2006 when deployed.

Within Ørsted's labour rights documents, policies can be found on topics including terms and conditions, workers' organisations, non-discrimination and equal opportunity, child labour, forced labour, and occupational health and safety, as detailed in the following sections.

8.2.1 Reasonable working conditions and terms of employment

The Work Rules and Staff Handbook details employee terms and conditions including recruitment, salary, bonus, allowance calculations and payment methods, leave arrangements, retirement, welfare and insurance benefits, sexual harassment policy, and safety and health policy. Ørsted staff sign individual contracts of employment and the staff handbook prior to joining the company. Ørsted does not restrict workers who need time to pray or to wear specific clothing associated with their religion.

The COC requires Ørsted's business partners to provide safe and healthy working conditions and take appropriate precautionary measures to protect employees from work related hazards and anticipated dangers in the workplace. It states that business partners shall abide with all wage and benefit laws and regulations, including those pertaining to minimum wages, overtime wages, sick leave, piece rates⁶⁶ and other elements of compensation.

8.2.2 Migrant workers and substantially equivalent terms and conditions

Migrant workers are not specifically mentioned in the documentation, but the core policy documents indicate that all policies within apply for all employees in Ørsted Taiwan, which includes business partners.

8.2.3 Workers' organisations

The Work Rules detail that regular labour-management meetings shall be convened once every three months, which aims to allow communication between the employees and the employers. As confirmed by Ørsted, all staff can join and share their opinion/topics of concerns in the labour management meetings.

Ørsted's COC states that business partners shall respect employees' and other workers' rights to join or refrain from joining any lawful workers' association or collective bargaining association of their choice, and that no discrimination shall occur against those who choose to affiliate or not affiliate.

8.2.4 Non-discrimination and equal opportunity

The Staff Handbook and the Work Rules cover the sexual harassment and discrimination policy, and the non-discrimination and equal opportunity policy, as well as the prevention of mobbing.

⁶⁵ Workers' Accommodation: Processes and Standards. A guidance note by IFC and the EBRD. (2009)
Retrieved from:
https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/sustainability-at-ifc/publications/publications_gpn_workersaccommodation

⁶⁶ According to ILO's definition, piece rate pay occurs when workers are paid by the unit performed (e.g. the number of tee shirts or bricks produced) instead of being paid on the basis of time spent on the job.

The policy indicates that all employees must be treated equally in recruitment and termination, for employment, promotion and access to training. In support of this, Ørsted also has a dismissal policy.

The COC expects business partners to treat employees fairly and provide a workplace which supports diversity and is free from discrimination in hiring, compensation, access to training, promotion, termination, retirement, working conditions, job assignments, benefits and discipline based on personal characteristics.

8.2.5 Child labour

The COC has included requirements for Ørsted's business partners to prohibit the use of child labour and ensure that no person shall be employed at an age younger than 15 or 14 where specific national laws permit. It requires that business partners shall protect young workers of legal working age, up to the age of 18, from any type of employment or work which is likely to jeopardise their health, safety or morals, or interfere with their schooling needs.

Further, Ørsted's human rights policy includes a commitment to ensure compliance with child labour regulations and no employment of anyone under the legal minimum working age. The policy strictly adheres to minimum age dictated by national laws and regulations, and where national law is less stringent, Ørsted's policy defers to the requirements of international standards⁶⁷.

8.2.6 Forced labour

Ørsted's COC has included requirements for Ørsted's business partners to apply appropriate measures for preventing direct and/or indirect involvement in human trafficking and prohibit all forms of forced, bonded or indentured labour, and involuntary prison labour. This applies to all workers, whether hired directly, by a contractor or recruited through a labour broker. The COC also states that employees shall enjoy the freedom of movement during their employment. Employees shall be permitted to terminate employment after reasonable notice and business partners shall not retain original identification documents, deposits or financial guarantees or withhold wages outside of a legal contractual agreement.

Ørsted's modern slavery and human trafficking statement (2018) states that their approach to business integrity is guided by the United Nations Global Compact, of which they have been a signatory for 13 years. The statement indicates that Ørsted has established systematic due diligence and screening procedures of their operations and supply chains.

8.2.7 Occupational Health and Safety

The Project has an HSE management plan and a designated HSE team headed by a Senior Project HSE Manager supported by a Project HSE Manager, a Site Project HSE Manager and several HSE Managers (organogram provided in the ESMS). A detailed commentary on the responsibilities, tasks and deliverables of the key HSE roles are provided in the HSE management plan. The responsibilities for managing HSE aspects for various Project components are distributed between Ørsted and the contractors/suppliers, wherein Ørsted will coordinate overall HSE management related to the offshore and intertidal components while the contractor (ie Star Energy Corporation) will coordinate overall HSE management for the onshore components.

⁶⁷ ILO: International Labour Standards on Child labour

Ørsted submits a training matrix to tenderers to ensure that the right skills are available, and workers are trained to work safely. For offshore works where the Ørsted HSE management system applies there are strict access requirements that require all individuals to submit evidence of appropriate training which is used to generate a permit/access identity card.

All buildings and infrastructure designs in Taiwan have been carried out by established local designers (in the case of the onshore substation and operations building) or by reputable designers in Europe, or by in-house engineers. In addition, all designs are checked and signed off by designated Professions Engineers from Taiwan before construction is permitted to commence. Ørsted's HSE team has a sub-team dedicated to the review of designs prior to construction.

The Project Company has a system in place to carry out risk assessments for special cases (pregnancy, young workers, those returning after illness) to enable them to work safely. In light of the COVID-19 pandemic, the Company has put a task force in place to manage and communicate virus related risks, as well as a COVID-19 management plan. Ørsted has also made it a requirement of all contractors on the Project to carry out risk assessments and implement appropriate controls and procedures to address the virus itself as well as controls required to ensure safe passage of personnel across borders.

8.2.8 Gender

Ørsted has a diversity and inclusion policy which sets employment targets for women in top positions. The aims are to have 22% of women in the top 100 management positions and 30% women at mid-management level by 2023 to better match Ørsted's general ratio of women in the Company, which is around one-third. This policy also includes a commitment to provide equal opportunities irrespective of ethnic background, race religion, age, gender, disability, sexual orientation, outlook or social status.

Although impacts relating to gender-based violence have not been predicted, the baseline data suggests that a gender-based violence and harassment (GBVH) policy would be appropriate in the context of the Project. It is recommended that Ørsted takes the opportunity during the Project to improve worker understanding on the topic thereby creating a positive impact on this and future Ørsted workforce and potentially in the offshore wind sector in Taiwan which is growing rapidly. Therefore, Ørsted will develop a GBVH policy for dissemination amongst subcontractors and will include a short introduction to gender issues and GBVH in induction training for Project workers.

8.2.9 Labour management plan

Despite an array of labour and working conditions management measures, some issues have been identified with labour rights through the course of the HRIA. To proactively address these issues, a labour management plan will be developed by Ørsted to guide the management and improve the oversight of its subcontractors working on Project sites in Taiwan. The labour management plan will outline standards and expectations for labour and working conditions, summarise the companies working on the Project in sites in Taiwan and how many workers they are expected to have during construction. Accommodation provision and usage will be described. Staffing and systems for monitoring and reporting on labour rights including human resource provisions and systems (recruitment, contracting, remuneration and benefits, leave, working hours, training, performance review, contract completion and dismissal, disciplinary procedures, etc) OHS, worker transportation, and welfare facilities on site will be described alongside key performance indicators, monitoring frequency, methods for identifying non-conformances and how corrective actions will be followed up on.

The monitoring section of the labour management plan will detail:

- Identification of roles and responsibilities for monitoring
- Timetable of monitoring and reporting frequency
- Monitoring checklists stating what each subcontractor (including security contractor) and sub-subcontractor will be monitored on including:
 - Description of the labour profile (how many workers for each contractor/subcontractor, expected peaks, worker origin, worker gender, worker ethnicity)
 - Recruitment, contracts of employment, remuneration and benefits, leave, working hours (also considering health, safety and wellbeing of workers exempt from national law on working hours), breaks, rest, overtime payments, training (health and safety, skills, labour rights), performance review, contract completion and dismissal, disciplinary procedures, health and safety records (incidents, accidents, near misses), next-of-kin records, timesheet keeping, child labour, worker transportation, accommodation, welfare facilities⁶⁸
 - Payroll inspections should be undertaken to check working hours and overtime is not excessive and is in line with legal limits and good practice outlined by the ILO
 - Assessment of the above parameters against the requirements of national law and international standards for individuals, as well as consideration of discrimination against individuals or vulnerable groups (women, migrants, ethnic minorities) when compared with the working and living conditions of the majority.
- Assessment of indicators of forced labour, including but not limited to confirmation that workers have not paid to access employment (for instance to third parties in their country of origin), that conditions in their contract are the same as had been discussed during the recruitment process, and that companies are not retaining originals of passports and other identification/travel documents.
- Worker interviews (direct, contracted and sub-contracted workers including women and ethnic minorities will be interviewed as part of monitoring to understand issues and conditions)
- Guidelines for identifying non-compliances and differential treatment of workers of different nationality, gender or ethnicity
- A template for regular monitoring reports⁶⁹ that will be submitted to management and lenders
- A template for a corrective action plan for non-compliances and guidance on how these will be followed up on.

8.3 General health and safety

In order to manage environmental risks and impacts which relate to the health, safety and wellbeing of workers, communities and the fish stocks upon which they rely, the Project has developed an ESMS which presents the overarching framework by which environmental, social, health and safety aspects are managed for the Project. The ESMS is supported by various Project documents (policies, detailed management plans, procedures and responsibilities) which contain details on the Project's commitments, actions and measures to be undertaken throughout the Project lifetime. Those relevant to environmental aspects which interrelate with human rights as discussed in section 7.2.3 include:

⁶⁸ These will be assessed by visiting the offices of subcontractors and physically checking timesheets against payslips to review correct and timely payments, payment of overtime worked, personnel files and other relevant data sources.

⁶⁹ Quarterly and annual labour monitoring reports will be made available to Finance Parties during construction

- QHSE policy
- Documents as relating to identification of risks and impacts, such as the approved environmental impact assessment (EIA) and supporting assessments/documents, including
 - Cumulative impact assessment (CIA)
- Documents detailing the management programs to be implemented, such as:
 - Project health, safety and environmental (HSE) management plan
 - Offshore works construction phase HSE plan
 - Onshore substation HSE plan
 - 1st line emergency response plan (ERP)
 - Offshore Access – Training and Medical Requirements for Contractors
 - Ørsted Electrical Safety Rules
 - Employer HSE requirements
 - Maternity Protection Management Plan
 - Offshore Operations Manual
 - Contractors' Traffic Management Plan (land-based)

To manage safe navigation and movement of vessels around the wind farm, Ørsted has a Navigation Aids Plan (NAP) in place which has been approved by the Maritime Port Bureau and the Civil Aviation Authority as required under the relevant Taiwanese legislation. The NAP includes lighting of WTGs so they are clear to fishing and other vessels and aircraft. It will be implemented throughout construction and operation by Ørsted and all contractors are made aware through distribution of the plan and toolbox talks. Ørsted also requires that all people working on the Project undertake Global Wind Organisation training that teaches valuable lifesaving skills. The NAP is communicated to local sea users through the Notice to Mariners.

Ørsted also works with Marine and Helicopter Coordination Centre (MHCC) which monitors remotely and coordinates the movements of vessels and offshore wind farm personnel. The coordinators monitor the situation around the clock and is the first point of contact in case of an emergency. MHCC directs the vessels according to the emergency response plan, to provide assistance/support accordingly, and notify the Coast Guard Administration if necessary.

Ørsted maintains communication at sea with Taiwan's authorities including national security officials. It is planned to arrange a crew transfer vessel to take the CFA management and fishers to the wind farm during construction to familiarise them with the location. The Taiwanese Authorities are discussing the installation of an automatic identification system (AIS) with the fisheries to help avoid collisions at sea. Ørsted is aware of the dialogue and is willing to participate.

Land-based traffic has been assessed as part of the EIA and mitigation has been identified within the EIA requirements to ensure traffic is managed with as low as reasonably practicable impact to local users and communities. All contractors are required to produce environmental management plans and traffic management plans (where relevant) to demonstrate that they are aware of the requirements and show how they will adhere to them.

All contractors are required to provide a risk assessment to evaluate the risks associated with the Project works and put in place any mitigation actions if required. In the event of any hazard, workers will follow the offshore HSE management plan and emergency response plans and equivalent operations plans during operations which detail the actions to adhere to in case of an emergency such as a spill, extreme weather or an industrial accident. Contractors also provide

their own management plans, such as Marine Pollution Management plans, to demonstrate they have understood the Ørsted plans and how they will adhere to them.

Mitigation to address actual and potential environmental impacts to fish stocks which could in turn affect community health and safety has been set out in the EIA and ESMS to manage or mitigate them to extent possible, includes restricting locations of cables to a designated corridor, piling one WTG at a time and progressive pile driving from low strength to high strength, communications with and compensation for fishing communities (for more detail, refer to ESMS, Section 5). The cumulative impact assessment, biodiversity action plan and LRP also address these impacts and provide appropriate mitigation.

8.4 Livelihood restoration

Compensation has been paid to the affected fishers via the CFA in accordance with the compensation formula announced by the Taiwan Fishery Agency in September 2020. In addition to the FCA and to meet the requirements of IFC PS5 on land acquisition and involuntary resettlement, an interim livelihood restoration plan (LRP) has been developed to meet the following objectives:

- Provide a description of the socio-economic setting and livelihood impacts based on secondary information
- Describe entitlements based upon prevailing Taiwanese regulations, the draft FCA between the Project Company and CFA, and PS5 eligibility criteria
- Develop a framework for livelihood restoration measures to supplement those already being proposed through the draft FCA. These include:
 - Assisting affected people in their efforts to improve, or at least restore, their livelihoods to pre-economic displacement levels
 - Implementing livelihood restoration activities as sustainable development programs and providing sufficient investment resources to enable affected people to benefit from the Project
 - Allowing access around the turbines for certain fishing activities
- Provide an overview of implementation processes, schedules, budgets and monitoring and evaluation mechanisms
- Ensure that LRP activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and informed participation of those affected

The LRP also documents how the Project engages with the fishers to determine the appropriateness and likely effectiveness of the measures proposed. It also covers roles and responsibilities, and the monitoring, evaluation and completion audit that will be carried out by the Project.

The LRP is designed to consider and mitigate human rights issues by including:

- Participation of vulnerable groups in consultation activities
- Grievance redress
- Entitlements for affected fishing vessel owners
- Entitlements for those not recognised or compensated under the FCA (such as migrant or local or minority ethnic deck-hands and workers on fishing vessels, onshore employees, unlicensed fishers, supply chain workers, women in fishing households)
- Further support for vulnerable groups, including ethnic minorities

The LRP puts forward a range of measures to improve the livelihoods of those affected by the Project, including a sustainable fishery resources programme, vocational training programme for skills development, patrol or guard vessel programme and labour employment and recruitment programme. Financial management training is included in the LRP to help avoid the impacts identified herein relating to the potential for misuse of compensation paid to vessel owners.

In addition to the compensation there will be a series of initiatives⁷⁰ to support sustainable growth in the local community. Ørsted is also considering procuring crew transfer vessel services during the construction period of the Project or other projects nearby⁷¹.

Ørsted has also agreed with CFA to provide financial support for initiatives aimed at restoring livelihoods. This support will be provided through funds such as the Establishment of Fishery Infrastructure Fund, Establishment of Fishery Industry Transformation and Development Fund, and Electricity Development Fund. For more information, please refer to section 6.2.1 of the Project's LRP report.

Taiwanese regulations require the Project to announce the construction schedule at a public hearing before the construction permit can be authorised. This process will help to mitigate any sudden or unexpected changes to fishing livelihoods which could amount to income shocks and human rights impacts. In addition, Ørsted will serve notices in the community and to local fishing and marine user groups (Notice to Mariners) in advance of work, as follows:

- Work commencement notices thirty days' notice prior to the start of construction and operations, respectively
- Exclusion zone notices fourteen days prior to the commencement of works to the submarine cables, specifying the area of the exclusion zone and the duration of the exclusion period
- Exclusion zone notices three days prior to urgent maintenance and repair works during operations, specifying the area, the vessels conducting the maintenance and the exclusion period.

8.5 Grievance mechanisms and access to remedy

As Ørsted's general policy, the Greater Changhua Project⁷² will work proactively towards preventing grievances through the implementation of impact mitigation measures and community liaison.

Anyone will be able to submit a grievance to the Project if they believe a practice is having a detrimental impact on the community, the environment, or on their quality of life. People may register grievances by submitting official letters, contacting the Changhua Representative Office, or reporting to their community leader, or other community representative. Specific details on the Project's grievance resolution process can be found in Section 8 of the Project's SEP.

The grievance mechanism in the SEP will be adapted by Ørsted to take account of grievances which amount to human rights abuses with which the Project is or may be associated. The

⁷⁰ Fishery Industry Transformation and Development Initiatives (as referred to in the Fisheries Agreement)

⁷¹ Subject to the services and vessel meeting general standards, quality and requirements as detailed within Ørsted's group policies.

⁷² The Greater Changhua offshore wind projects are being developed by Ørsted in the Taiwan Strait. These projects consist of four sites located between 35km to 60km off the coast of Changhua County, Taiwan. Figure 2.1 highlighted the four sites in green boundary.

community liaison officer will screen grievances and request support from outside bodies such as human rights NGOs to handle sensitive cases where appropriate.

Ørsted has appointed a CLO who carries out regular engagement with the local communities as well as informing them of Ørsted's contact number for direct communication. Ørsted may look into promotion of the grievance mechanism through local media platforms to widen the public outreach.

Ørsted has a Whistle Blower Hotline for use by Project workers and its staff which is available online. This hotline is designed for workers to quickly and easily report concerns about actual or suspected misconduct to help protect Ørsted's integrity and reputation. The reporting system allows for the reporter to remain anonymous. All reports will be 1) kept confidential to the extent permitted by law, and 2) received and investigated by internal audit. Internal Audit is an independent function in Ørsted, reporting directly to the Ørsted Board of Directors. The reporting system can be used by employees, business partners, suppliers, customers and any affected community. Whistle blowers are informed they will experience no retaliation or other negative repercussions from their decision to come forward and speak up. Detailed instructions and explanation on what can be reported, anonymity and case handling are also provided.

Further disclosure of the Whistle Blower Hotline as well as the subcontractors' own grievance mechanisms will be carried out to improve knowledge of the systems amongst Project workers. This can be done through additional information sessions with project workers, and provision of posters in strategic areas across all Project sites. Disclosure and use of the grievance mechanisms will be monitored by Ørsted as part of the labour auditing procedures, which will be outlined in the labour management plan.

If existing worker grievance mechanisms fail to resolve and remediate worker complaints, Ørsted commits to communicating with workers' unions to identify alternative means of recourse such as mediation by the county (city) government or the Foreign Workers 24-hour Consultation and Protection Hotline.

8.6 Communications and engagement

The SEP, LRP and HRIA have been designed to acknowledge the needs of vulnerable groups and have created separate forums for women and vulnerable groups. For example, for the HRIA women and other key informants such as a human rights NGO and a representative from a women's association will be consulted separately and given the opportunity to receive and provide information and views on the Project and its human rights, livelihoods and other impacts. Key Project information will be disclosed to participants in advance of focus group discussions and key informant interviews so that they could take part based on accurate and up to date knowledge about the Project.

To improve general awareness about the Project and understanding of impacts, Ørsted's CLO will undertake a review of previous information disclosure and develop plans to increase the scope and outreach. The review will consider the methods used, type of information disclosed, when and to whom. Examples of increasing disclosure of information could be to widely distribute the NTS (Non-technical Summary) through appropriate channels which will include women and fishing households, or to develop a concise brochure to provide information on the Project as well as its associated key impacts and mitigations. The SEP will be updated to reflect the outcomes of the review and planned actions.

Throughout 2024, Ørsted is planning a series of stakeholder meetings with the Changhua County Government, Taichung City Government, the CFA, the Taichung Fishery Association,

fishery community, local Township offices and the media. The SEP is due to be updated to reflect these plans.

Prior to operations, an awareness campaign will be mounted to brief fishers and mariners on what they can and cannot do in the vicinity of the operational wind farm to remind them of safety measures in place. The objective is to better inform fishers and mariners about operations and to therefore reduce safety risks around the wind farm. The SEP will be updated to reflect this.

8.7 Management of CSR funds

Ørsted has appropriately qualified staff managing the CSR process in line with corporate policies on non-discrimination and equality of opportunity for other Ørsted projects (eg CHW01), and it will be continued for this Project. The corporate code of business conduct applies to the selection process which details a 'sponsorship policy' which commits Ørsted to never give sponsorships or donations to individuals or to satisfy the private interests of government officials or other parties with whom they are dealing with. The diversity and inclusion policy is also followed, which commits to providing equal opportunities irrespective of ethnic background, race, religion, age, gender, disability, sexual orientation, outlook or social status.

8.8 Security

In order to bring security provision for the Project in line with the requirements of IFC PS4 and related guidance documentation, Ørsted will develop the following management measures which will apply to security provision at the industrial zone where the substation is situated, as well as the guard vessel contractor⁷³: development of a security policy, a security management plan based on a security risk assessment⁷⁴, and a security workers' code of conduct.

8.9 Data security

Ørsted has a privacy policy⁷⁵ which outlines the way the Company manages personal data and applies to workers, stakeholders and rights-holders on the Project. The privacy policy outlines the rights of the person whose data is being processed and provides Company contact information to discuss personal data issues or complaints. Further, it suggests that if the complainant is not satisfied, they may choose to complain with the local data protection authorities.

Good business conduct policy⁷⁶ is also in place, which describes Ørsted's commitment to personal data regulation. Handling of personal data should always maintain proper protection and be in accordance with applicable laws and regulations that apply to the processing of personal data, including requirements and obligations on confidentiality.

8.10 Capacity and resourcing

Ørsted will integrate the labour monitoring described in section 8.2.9 into its existing QHSE inspections and does not anticipate any additional resources or training to be required in order to manage these commitments.

⁷³ Due to commence work on the Project in April 2023

⁷⁴ IFC guidance 'Use of security forces: assessing and managing risks and impacts, guidance for the private sector in emerging markets (IFC, 2017)' and the UN Voluntary Principles on Security and Human Rights, 2000 will be used as reference guides

⁷⁵ <https://orsted.tw/zh/privacy-policy>

⁷⁶ [Sustainability Policies and Positions | Ørsted \(orsted.com\)](https://orsted.com)

8.11 Summary of human rights impacts and mitigation measures

Table 8.1 below provides a summary of the predicted actual and potential impacts to human rights during construction and operations of the Project. Severity of the impact is highlighted, which informs the proposed priority for addressing impacts if they cannot all be addressed at the same time. Priority is divided into construction phase priorities and operations phase priorities, (C1, C2, C3, O1, O2, O3 etc where 1 is the top priority and should be addressed first).

Table 8.1: Summary of human rights impacts and mitigation measures

Pre-mitigation priority level	Impact	Severity	Existing mitigation	New mitigation	Post-mitigation priority level	Responsibility
Construction impacts						
C1	Potential labour rights infringements	3	<ul style="list-style-type: none"> ● Ørsted Taiwan Staff Handbook ● Ørsted Taiwan Work Rules ● Ørsted Code of Conduct ● Signed individual contracts of employment ● Sexual harassment and discrimination policy ● Non-discrimination and equal opportunity policy ● HSE management plan ● Risk assessments for high risk workers ● Worker safety and induction training 	<ul style="list-style-type: none"> ● Widespread disclosure of Whistle Blower Hotline ● Subcontractors to increase visibility of worker grievance mechanisms ● Develop and implement labour management plan to include heightened oversight and quarterly labour audits of Project workforce 	C1	Ørsted EPC HR department
C2	Potential infringement on the right to an adequate standard of living and associated rights (health)	4	<ul style="list-style-type: none"> ● Develop livelihood restoration plan (LRP) in accordance with IFC PS5 on land acquisition and involuntary resettlement, paying particular attention to those people who are not compensated under the FCA, including women and employees of vessel owners. ● Include financial management training in LRP. ● Issue advance notice to fishing communities at key project junctures (e.g. commencement of construction). ● Set up trust fund, making contributions within two months from the commencement of both the construction the operations periods, to help fishery industry transformation and sustainable development of the local community. 	None	C3	Ørsted and its environmental and social consultants
C3	Potential impact on the rights to health	5	<ul style="list-style-type: none"> ● QHSE policy ● ESMS 	None	C2	Ørsted and its subcontractors

Pre-mitigation priority level	Impact	Severity	Existing mitigation	New mitigation	Post-mitigation priority level	Responsibility
	or life (accidents, spills)		<ul style="list-style-type: none"> ● HSE management plan (offshore/onshore) ● Emergency response plan ● Navigation aids plan (NAP) ● Subcontractors' environmental management plans and traffic management plans 			
C4	Potential impact to the right to available, accessible, acceptable and of sufficient quality food	4	<ul style="list-style-type: none"> ● ESMS ● Subcontractors' marine pollution management plans ● LRP 	None	C5	Ørsted and its environmental and social consultants and subcontractors
C5	Potential impact on the right to access to remedy	4	<ul style="list-style-type: none"> ● Project grievance mechanism (Section 8 of the SEP). ● Whistle Blower Hotline for use by Project workers ● Requirements for contractors and suppliers to have a grievance mechanism ● Ørsted discloses its Whistle Blower Hotline to contractors and suppliers ● If existing worker grievance mechanisms fail to resolve and remediate worker complaints, Ørsted commits to communicating with workers' unions to identify alternative means of recourse such as mediation by the county (city) government or the Foreign Workers 24-hour Consultation and Protection Hotline. 	<ul style="list-style-type: none"> ● Community liaison officer to develop a relationship between the Project and one or more human rights NGOs ● Revision of Project grievance mechanism to incorporate consideration of where grievances amount to human rights impacts (either direct or by association) and seek support from human rights NGOs 	C4	Ørsted CLO
C6	Actual infringement on the right to freedom of opinion, information and expression for women and vulnerable groups	3	<ul style="list-style-type: none"> ● Stakeholder engagement plan, LRP and HRIA have been designed to acknowledge the needs of vulnerable groups and have created separate forums for women and vulnerable groups (fishing vessel workers to be consulted separately from vessel owners) to give information and views on the Project and 	<ul style="list-style-type: none"> ● Undertake a review of previous information disclosure (including which stakeholder groups, when, what method and type of information disclosed) and develop plans to increase the scope and outreach. ● Update the SEP and carry out further disclosure. 	C6	Ørsted CLO

Pre-mitigation priority level	Impact	Severity	Existing mitigation	New mitigation	Post-mitigation priority level	Responsibility
			<p>its human rights, livelihoods and other impacts.</p> <ul style="list-style-type: none"> The HRIA has been designed and implemented using a human-rights based approach, offering opportunities for participation by and representation of vulnerable groups through careful selection of rights-holders and other stakeholders for consultation via appropriate methods (ongoing). 	<ul style="list-style-type: none"> Carry out a series of stakeholder meetings with the Changhua County Government, Taichung and Kaohsiung City Government, the CFA, fishers, local Township office and the media. Update the SEP to reflect these plans. In advance of operations, carry out awareness campaign to brief fishers and mariners on what they can and cannot do in the vicinity of the operational wind farm and to remind them of safety measures in place. Update the SEP in this regard. 		
C7	Potential infringements on several human rights through security provided on behalf of the Project	3	None	<p>Develop and implement:</p> <ul style="list-style-type: none"> Security policy Project specific security management plan based on a security risk assessment Security workers' code of conduct 	C7	Ørsted, industrial zone operator providing security, guard vessel contractor
C8	Actual human rights impacts in the supply chain affecting workers and communities	4	<ul style="list-style-type: none"> Ørsted's responsible partners programme WTG supplier range of measures including supply chain due diligence 	<ul style="list-style-type: none"> Supply chain mapping to improve transparency Human rights risk identification at mine level through responsible sourcing of minerals and metals 	C8	Ørsted Head of Global Stakeholders Relations and ESG Supplier Due Diligence Steering Committee
C9	Opportunity – improve worker's understanding about gender and GBVH	-	None	<ul style="list-style-type: none"> Develop and disseminate GBVH policy to contractors and include a short introduction to gender issues and GBVH in induction training for Project workers 	C9	Ørsted and its subcontractors

Pre-mitigation priority level	Impact	Severity	Existing mitigation	New mitigation	Post-mitigation priority level	Responsibility
Operational impacts						
O1	Potential labour rights infringements could occur in the operations phase, particularly for lower paid and subcontracted workers.	3	As for construction phase	<ul style="list-style-type: none"> Update of labour management plan for operations 	O2	Ørsted and its subcontractors
O2	Potential impact on the rights to health or life (accidents, spills)	5	As for construction phase	<ul style="list-style-type: none"> Update of relevant management plans for operations 	O1	Ørsted and its subcontractors
O3	Potential infringements on several human rights through security provided on behalf of the Project	3	None	<ul style="list-style-type: none"> Update of security risk assessment and management plan for operations 	O3	Ørsted and its security providers
O4	Potential for discrimination in selection of CSR projects/beneficiaries	1	<ul style="list-style-type: none"> Ørsted good business conduct policy Diversity and inclusion policy 	None	O4	Ørsted CSR Manager

9 Monitoring and reporting

9.1 Overview

Monitoring and Evaluation (M&E) is a crucial component of managing human rights risks and impacts. The M&E process assesses the effectiveness of the measures and identifies feasibility of achieving the objectives outlined in section 8. To ensure the effectiveness of mitigation and management measures, regular reviews and monitoring are essential throughout the Project's lifespan. This M&E will assess whether:

- The type of mitigation and benefit enhancement measures are appropriate, and if there is meaningful engagement and safeguarding of affected communities and workers.
- Communities', stakeholders' and workers' grievances are being adequately dealt with.
- The mitigations and benefit enhancement measures remain appropriate and whether these actions should cease or be extended to any stakeholders.

9.2 Existing monitoring and incident investigation

Regular HSE inspections are undertaken on all construction sites and relevant fabrication yards which include monitoring of working conditions. In addition, Ørsted undertakes risk-based inspections and monitoring of suppliers regarding their adherence with Ørsted's COC which is stipulated in the relevant contract. For Taiwan based fabrication contractors, monitoring usually includes onsite assessments.

Ørsted will continue to undertake monitoring of its suppliers to ensure they adhere to Ørsted's COC stipulated in the relevant supply contracts. In addition, and as per the IFC PS2 review⁷⁷ commissioned by Ørsted, Ørsted is currently in the process of obtaining information on whether workers' accommodation is provided by the relevant contractors and will take the necessary action to review any provided accommodation for alignment with international standards and act on any issues arising.

Ørsted conducts regular HSE monitoring and sets standards for office accommodation and buildings used by workers at the tender stage, carrying out inspections prior to its use on the Project. Reporting of safety observations, issues or concerns is a specific requirement of Ørsted's HSE management/planning. This is communicated with contractors at tender, within the Construction Phase Plan and is continually reinforced at briefings and kick-off meetings with contractors. Workers are encouraged to contribute to safety monitoring by reporting safety observations and incidents. However, if someone were to be found working without required training, an investigation will be held in line with Ørsted Way We Work investigating procedure.

9.3 Planned monitoring

The human rights aspects associated with this Project will be monitored internally on a regular, on-going basis. The following human rights aspects will be monitored throughout the Project's lifecycle:

- Labour rights issues (also see 8.2.9), including
 - Prohibition of child and forced labour

⁷⁷ Specifically recommendation 2.3

- Payment of minimum wages and overtime
- Provision of accommodation in line with the IFC/EBRD Workers’ Accommodation standards
- Payment of social security on behalf of workers
- Not taking any action to prevent employees from exercising their right of association and their right to organise and bargain collectively
- Ensuring no workers are charged fees to gain employment on the Project
- Implementation of occupational health and safety plans, procedures and training
- Adherence to principles of non-discrimination and equal opportunity in the employment cycle
- Personal protective equipment (PPE) use and condition compliance
- Toolbox talks on safety topics and labour rights
- Use of the labour grievance mechanism and accessibility to the contracted workforce
- The existence of human resource policies, job descriptions, written contracts
- Provision of information to labour force regarding rights and working conditions
- Employee training activities
- Meeting government targets on employment of people with disabilities
- Gender pay gap reporting
- Hiring (targets) and treatment of workers with disabilities
- Community grievances
- Stakeholder engagement activities
- Workers’ accommodation
- Environmental spills or other environmental accidents
- Data security breaches
- HSE statistic record for the Project
- Occupational and community related health and safety near misses, incidents and accidents
- Security incidents and interactions between members of the public and security
- Livelihoods and wellbeing of affected communities
- Corporate social responsibility (CSR) activities, spend and outcomes

All of the above will be regularly monitored during the construction and operation phases as appropriate by the Company’s EHS Managers, human resources department and their teams. Quarterly human rights reports will be provided to Ørsted’s management during the construction phase and will be made available to external monitors and auditors when required. Reporting during operations will be bi-annual during the first three years of operation may be reduced from the fourth year of operation onwards.

Table 9.1 provides frequencies of the monitoring and reporting on human rights issues and activities.

Table 9.1: Frequency of monitoring and reporting on human rights issues

No.	Project phase	Monitoring	Reporting
1	Construction	Quarterly	Quarterly
2	Operation	Semi-annual for first two years, annual thereafter	Annually

9.4 Performance evaluation

The Project's performance in managing human rights issues will be annually evaluated against the goals and objectives set out in this HRIA by the Project Director. The evaluation will review to what extent the planned human rights associated actions have been completed and how identified goals have been achieved.

9.5 External reporting

In the human rights-based approach and for compliance with Equator Principle 10, there is a need for transparency in reporting the outcomes of the HRIA as well as monitoring against the progress made in addressing the identified impacts. The outcomes of the HRIA will be incorporated into the NTS of the Project's EIA and disclosed to Project stakeholders as well as publicly on the Project/Project Company website.

Monitoring of human rights related mitigations and management measures will be disclosed annually alongside general environmental and social reporting on the Project/Project Company website and discussed at regular consultation meetings as outlined in the SEP.

A. Taiwanese human rights laws

A.1 Laws relating to human rights

The below table highlights key human rights legislation in Taiwan.

Table A.1: Taiwanese legal framework

Legal framework	Date	Provisions
Act to Implement the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights	22 April 2009 (Act announced) The Act states that its effective date shall be decided by the Executive Yuan	The Act gives human rights protection provisions in the two Covenants domestic legal status. All levels of governmental institutions and agencies should confirm to human rights protection provisions in the two Covenants; avoid violating human rights; protect the people from infringement by others; positively promote realization of human rights.
Enforcement Act of Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	8 June 2011 (Act announced) The Act states that it shall come into effect from 1 January 2012	The Enforcement Act was enacted to carry out the CEDAW, to remove all forms of discrimination against women, to promote the development of women, to materialise protection of gender and human rights and to advance gender equality. All terms and conditions specified in the CEDAW regarding protection to human rights of different genders and promotion of sexual equality shall have the same effect as domestic laws.
Implementation Act of the Convention on the Rights of the Child (CRC)	19 June 2019 (amended date) The Act states that it shall be implemented from 20 November 2014	The Act implements the 1989 CRC, to fulfil the physical and mental development of children and youths and to substantiate the protection and promotion of the rights of the child and youths. Provisions of the CRC regarding the protection and promotion of the rights of the child and youth shall have the effect of domestic law.
Act to Implement the Convention on the Rights of Persons with Disabilities (CRPD)	20 August 2014 (Act announced) The Act states that it shall come into effect from 3 December 2014	The Act implements the CRPD adopted by the United Nations in 2006 to protect the rights of all persons with disabilities, safeguard their full and equal participation in society, politics, the economy and culture, and promote their individual independence and development. Provisions in the CRPD regarding the rights of persons with disabilities have domestic legal status.
Labour Standards Act	10 June 2020 (Act amended)	The Act requires employers hiring more than thirty workers to set Work Rules, which shall be publicly displayed after submission to the competent authorities for approval and record. The Act covers Working Hours, Recess and Holidays, Retirement, and Compensation for Occupational Accidents. The Act also covers Child Workers and Female Workers. The Act stipulates that no employer shall, by force, coercion, detention or other illegal means, com a worker to perform work.
Act of Gender Equality in Employment	18 May 2016 (Act amended)	The Act provides clauses for Prohibition of Gender Discrimination or Sexual Orientation in regard to recruitment and termination, and for providing training, welfare measures, and wages.
Occupational Safety and Health Act	15 May 2019 (Act amended)	The Act states that work assigned to labourers by the employers shall be within a reasonable and feasible scope, with necessary preventative equipment or measures taken to prevent labourers from being involved in occupational accidents. Employers shall formulate a safety and health management plan based on the scale and characteristics of their business entities, and shall also establish safety and health organizations and personnel to implement safety and health management and self-inspections.

Source: <https://law.moi.gov.tw/>

A.2 Ratifications of key human rights instruments by Taiwan

Since Taiwan is not a member of the United Nations, it has not been able to ratify any of the ILO's labour conventions.

