



Ministry of Fisheries and Ocean Resources

Male, Republic of Maldives

LABOUR MANAGEMENT PROCEDURE (LMP)
FOR
Transforming Fisheries Sector Management
in South-West Indian Ocean Region and Maldives Project (P179242)

29 November, 2023

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List of Abbreviations

CoC	Code of Conduct
CPMD	Corporate Programme Management Division
EAF	Ecosystem Approach to Fisheries
EE	Energy-Efficiency
EEZ	Exclusive Economic Zone
EIA	Environment Impact Assessment
EMP	Environment Management Plan
ESF	Environment and Social Framework
ESIA	Environment and Social Impact Assessment
ESMP	Environment and Social Management Plan
ESMS	Environmental and Social Management Systems
ESS	Environment and Social Standards
FADs	Fish Aggerating Devices
FAO	Food and Agriculture Organization
GBV	Gender Based Violence
GHG	Green House Gas
GoM	Government of Maldives
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
ILO	International Labour Organization
IOC	Indian Ocean Commission
IOTC	Indian Ocean Tuna Commission
IPC	Infection Protection Control
LGA	Local Government Authority
LMP	Labour Management Procedure
MCS	Monitoring, Control and Surveillance
MIFCO	Maldives Industrial Fisheries Company
MoFOR	Ministry of Fisheries and Ocean Resources
MTC	Minimum Terms and Conditions
OHSMP	Occupational Health and Safety Management Plan
PD	Project Director
PDO	Project Development Objectives
PMU	Project Management Unit
PPE	Personal Protection Equipment
RCE	Regional Centres of Excellence
RPMU	Regional Project Management Unit
RPSC	Regional Project Steering Committee
SEA	Sexual Exploitation and Abuse
SEP	Stakeholder Engagement Plan
SFRDP	Sustainable Fisheries Resources Development Project
SH	Sexual Harassment
SSF	Sustainable Small-scale Fisheries
SWIO	South-West Indian Ocean
SWIOFC	South-West Indian Ocean Fisheries Commission
TISU	Technical Implementation Support Unit
UN	United Nations

1. Introduction

This Labor Management Procedure (LMP) has been prepared for the Transforming Fisheries Sector Management in South-West Indian Ocean Region and Maldives Project (P179242) in compliance with Environmental and Social Standards 2 on Labor and Working Conditions (ESS2) of the World Bank's Environmental and Social Framework (ESF) and the national legislation and regulations of the Government of Maldives. The purpose of this LMP is to facilitate the planning and implementation of the project by identifying the main labor requirements, the associated risks, and the procedures and resources necessary to address the project-related labor issues. The LMP sets out general guidance relevant to different forms of labor but also issues and concerns that relate to COVID-19 considerations. The LMP sets out general guidance relevant to different forms of labor. The LMP will enable different project-related parties, for example, staff of the project management unit, contractors and sub-contractors and project workers, to have a clear understanding of what is required on a specific labor issue. The LMP is a living document, which is initiated early in project preparation, and will be reviewed and updated throughout development and implementation of the project. The PMU to be established for the Transforming Fisheries Sector Management in South-West Indian Ocean Region and Maldives Project will have the overall responsibility for the implementation of the LMP.

Transforming Fisheries Sector Management in South-West Indian Ocean Region (SWIO) and Maldives Project (P179242)

The Project Development Objective (PDO) of the Transforming Fisheries Sector Management in South-West Indian Ocean Region (SWIO) and Maldives Project (P179242) is to strengthen regional, evidence-based fisheries management in the SWIO and to improve competitiveness in the fisheries sector in the Maldives. The project will have a regional benefit focus and the sets of activities will be delineated along such focus on explicit needs for activities shared by all SWIO countries, and activities undertaken in Maldives that provide regional benefits including bilateral benefits. The Project has three components and sub-components under each main component.

Component 1: Enhance Evidence-based Management Advice to the Fisheries Sector in the South-West Indian Ocean Region

This component will aim to enhance fisheries management in the SWIO region as a whole and reinforce regional collaboration through production and sharing of regionally relevant knowledge, targeted capacity development, improving fisheries stock assessments and the production of management advice, and by promoting effective collaboration with other regional programs and initiatives supporting different elements of fisheries management, policy or research. All activities will ensure the best possible use of the technical expertise available with the Indian Ocean Commission (IOC) itself and sourcing the additional expertise, as is required to overcome the low availability of local technical expertise in the SWIO region, from the Food and Agriculture Organization (FAO) to effectively support the SWIOFC. Component 1 comprises three sub-components.

Sub-component 1.1: Promoting the Development and Coordination of Relevant Innovative Regional Research with a Focus on Capacity Development Programs and Initiatives

This subcomponent aims to reinforce the South-West Indian Ocean Fisheries Commission (SWIOFC) framework for the development and application of science-based fisheries management in the region. It is expected to lead to the acquisition of a common lexicon and knowledge base among the experts involved, as well as the reinforcement of a community of good practice across the institutions dealing with fisheries management and research, promoting opportunities for exchange of expertise, and lessons learned between member countries. The training and mentoring program of the SWIOFC will be developed considering the current under-representation of women in the SWIOFC and in the panel of experts in fisheries related subjects in the region. It will include (i) the promotion, support, and coordination of an innovative regional fisheries science program focusing on priority areas of the SWIOFC, already identified by the SWIOFC and the Scientific Committees, (ii) the

development and implementation of a regional training and mentoring program coordinated by the IOC, that aims at overcoming the limitations of unconnected short courses, and at allowing a better tailoring of the training to the knowledge needs and skill level of different groups of experts, and skills training for 100,000 small-scale fisherpersons, especially women, in diversified fisheries sector business enterprises; and (iii) supporting the further development of a network of Regional Centres of Excellence (RCEs) on management and applied research of fisheries and mariculture, allowing the development of a regional critical mass in scientific areas of particular relevance to science-based fisheries management advice in the region, complementing capacity gaps through regional assistance exchanges, and reducing the continued dependence on expertise from consultants and companies from other areas of the world.

Sub-component 1.2: Coordinating and Consolidating Regional Cooperation for Evidence-based Advice on Management of Fisheries and Other Uses of Marine and Coastal Ecosystems

This subcomponent aims to improve fisheries assessment and management in all its dimensions (social, economic, and ecological), by developing and applying guidance on the use of common standardized tools and approaches for assessment, improving the management and use of information and data on fisheries, and the development or revision of Ecosystem Approach to Fisheries Management (EAF)-compatible fisheries management plans for implementation by member countries. The work under this activity will be structured in a way to make the best use of the collective knowledge and limited resources of the member countries and directly support the work conducted by the Scientific Committee and Working Groups, in tight connection with subcomponent 1.1. This subcomponent will include: (i) support to meetings and inter-sessional work of the IOC, the SWIOFC, the SWIOFC Bureau, the Scientific Committee and Working Groups and Parties; and incremental operating costs of the IOC and its project management unit specifically set-up to implement this project including monitoring, evaluation, and reporting; (ii) improving the stock assessments currently undertaken on a regular basis, through the implementation and expansion of tools and capacity for the application of data-limited approaches to the production of stock assessment and fisheries management advice, at national and regional level; (iii) supporting the adoption of sustainable systems and processes for managing and accessing information and data on data-limited and capacity-limited fisheries, covering most steps of the fisheries data process, from collection to analysis, passing by Data Management, and the on-going work on recovering and making available relevant data from previous projects run in the region; and (iv) supporting the development, revision and implementation of EAF-compatible fisheries management plans, including the setup of a sustainable mechanism within the SWIOFC to continuously monitor, evaluate and share knowledge on EAF implementation in the SWIO region.

Sub-component 1.3: Linking and coordinating the Fisheries Initiatives and Programs in the region.

This activity builds on past processes of the SWIOFC, creating opportunities for new work lines and importantly, reducing overlap and promoting not just synergies but actual close collaboration between different initiatives and activities promoted, implemented and funded by multiple actors, in order to promote an efficient use of human and technical resources and enhance collaborative implementation of projects and learning, in the best interest of the regional marine fisheries communities and fisheries authorities, including the effective management of the uses of regional marine ecosystems, and the development of marine aquaculture. The secretariat of the SWIOFC/FAO will also ensure that this activity includes complementarity of resources from other major projects and programs linked to the SWIOFC, including the SWIOFC-NC PP and FAO-EAF Nansen projects, to allow an optimized use of resources and efforts to continue the SWIOFC work program. This subcomponent will include: (i) support for the reinforcement of the role of the SWIOFC as Steering Committee and high-level coordinator of projects dealing with fisheries in the region; (ii) cooperative implementation of international and regional fisheries instruments adopted by the SWIOFC, namely the Minimum Terms and Conditions (MTC) and Conservation and Management Measures for the Indian Ocean Tuna Commission (IOTC) and the Southern Indian Ocean Fisheries Agreement (SIOFA); and (iii) coordination and the development of new policy, guidelines or good practices relevant to the SWIOFC, in cooperation with other regional organizations, and under the scope of the science-based knowledge and expertise in the region, with a particular attention to the

development of an Sustainable Small-scale Fisheries (SSF) Regional Plan of Action specific to the SWIO.

Component 2: Supporting Maldives as the Catalyst for Strengthened Regional Capacity for Fisheries Governance and Management

Maldives is leading in sustainable fisheries management in the SWIO region, demonstrated by Maldives' compliance to IOTC conservation management measures, augmented monitoring, control and surveillance (MCS), and formulation of appropriate and modern fisheries sector legislation and management plans. Investments toward improved governance and management in Maldives will not only be beneficial for Maldives but also to the SWIO countries as these: (a) enhance the positive externalities. The coastal fish resources in the SWIO region are archetypes of shared regional public good and their sustainable harvesting avoids the "tragedy of the commons scenario"; (b) address common constraints related to weak human and institutional capacity, weak regulatory regimes and business environment that do not allow sustainable economic growth from improved management of coastal fishery resources; and (c) greater regional cohesion in the international fora, especially among the like-minded small island states that include countries in the SWIO region in negotiations of fishing-related agreements to forge collective decisions for shared regional outcomes. In addition, Maldives will provide the functions of a "regional enabler" (or "lighthouse") by: (i) demonstrating benefits of using ecological limits for improved fisheries governance, and (ii) providing knowledge and capacity building support to the other countries in SWIO region, especially the island countries. Maldives will also benefit from learning and mutual collaboration. This component will include the following subcomponents.

Subcomponent 2.1: Improved and Innovative Implementation, Enforcement and Monitoring of Fisheries Management Plans and Sharing Results with SWIO Countries

This subcomponent would include: (a) applying enhanced catch reporting, innovations such as electronic tags, low-cost radars and artificial intelligence, and undertaking scientific studies to support implementation, periodic evaluation and updating of climate-resilient fisheries management plans already prepared such as the grouper management plan, the diamond squid management plan, and the bait fish management plan; (b) support to enhanced institutional capacity and knowledge related to the prevention, detection and suppressing of illegal, unreported and unregulated (IUU) fishing within the exclusive economic zone (EEZ) of Maldives, following international models and practices; (c) sharing of annual evaluation reports from the implementation of aforementioned management plans with all SWIO countries through the regional fisheries dashboard of the SWIOFC, and establishment of information exchange with maritime fusion centers in the Indian Ocean Region, and organizing annual dialogue forums to determine use and applicability of such plans and actions in other SWIO countries and the likeminded coastal states (called the "G-16" countries); and (d) preparation and implementation of climate-resilient management plans for yet other important fish stocks in Maldives using principles and methods agreed in the SWIO country dialogue forums and as advised by SWIOFC innovative science program, especially to build resilience to climate change (as in subcomponent 1.1).

Subcomponent 2.2: Augmented Comprehensive Quarantine, Disease Surveillance and Management and Experience Sharing with SWIO Countries

This subcomponent would include: (a) strengthened aquatic animal-health certification procedures for aquatic animals and products that are exported internationally and require attestations by the national competent authority in line with the Aquatic Animal Health Code of the World Organization for Animal Health, additionally augmented regulations for the import and movement of aquatic animals and products, and establishment of quarantine facilities using green designs and geolocation to be resilient against sea level rise, within the premises of all international ports and airports; including establishment and operation of the requisite quarantine equipment and recruitment of trained human resources, especially women; and (b) establishment of a network of disease surveillance laboratory network including construction using green designs to be resilient against sea level rise, and equipping such laboratories and recruitment and training of service providers, majority of them women, for operation and management of such laboratories. In each of these, experience-exchange will take place with SWIO countries for development of regulations, standards and protocols that upheld adaptation and resilience in the fisheries sector. Maldives will also support on-the-job training for fisheries sector specialists (with background in fisheries sciences, especially on fish pathology) from SWIO countries in each of these laboratories

and quarantine facilities.

Subcomponent 2.3: Skill and Capacity Building for Supporting Enterprise Development in Fisheries Sector

This subcomponent would include: (a) establishment of an ‘economic and export market research division’ and its staffing, majority being women, in the MoFOR to carry out research on export markets including consumer preference in niche markets, research on suitable product specification and standards including climate-resilient handling and storage, and provide regular such market intelligence to the sector enterprises in Maldives and SWIO countries; (b) facilitation of independent certification schemes and branding for sustainable, resilient, clean and low-carbon “Maldivian’ products in international markets; (c) facilitating specialized training in priority areas identified in Maldives in collaboration with SWIO countries and complementing the SWIOFC implemented training and mentoring including on-the-job mentoring (as in subcomponent 1.1); (d) business skill training for home-based women involved in home-based enterprises in fish and other food products; (e) rolling-out, including training of teachers, of an undergraduate education program in sustainable, climate-resilient ‘fisheries, food sciences and business management’ in Maldives in partnership with Maldives National University who in turn will collaborate with reputed global knowledge institutions/universities. The program will be designed so that students can leave after a year with a certificate, after two years with a diploma, or continue to complete the undergraduate program. The courses will be offered at Viligili/Male and four regional campuses of the Maldives National University. To start with, the intake will be 60 students per year, a majority of them girls/women, well within the absorption capacity of the sector enterprises in Maldives; and will offer 6 scholarships per year for officials and students nominated by SWIO countries; and (f) repair and renovations of the MoFOR training facilities located in the Viligili Island to be used as a campus for the undergraduate education program and equipping the training centre at Maniyafushi to be used for ‘practical’ training as part of such undergraduate education program. Renovations will also involve green designs including building above the expected sea level rise.

Subcomponent 2.4: Augmentation of Project Management Capacity of MoFOR including Building Capacities for Enhanced Regional Cooperation

This subcomponent would provide equipment, technical assistance, training, and incremental operating cost to strengthen the overall administrative capacity and capability of the Ministry of Fisheries and Ocean Resources (MoFOR) for implementing programs and projects financed by multilateral and bilateral donor agencies, through establishment and operation of the Project Management Unit (PMU). The PMU will also implement, and monitor project activities, including the project’s fiduciary and environmental and social standards requirements. The PMU will include specific staff and resources for regional cooperation, collaborate with SWIOFC, and during implementation of the project will coordinate with Regional Project Management Unit (RPMU)/IOC, especially with respect to reports on implementation progress and evaluations.

Component 3: Enhanced Competitiveness and Private Sector Participation in Maldives for improving Business Climate for Fisheries in Maldives and the Southwest Indian Ocean Region

This component addresses the regional need to demonstrate and share experiences to progressively remove barriers to a competitive business climate for Fisheries in SWIO countries. Based on the demonstrations and lessons learnt, SWIO countries will also prepare national plans and programs for leveraging private sector finance in their respective national plans in collaboration with the RCEs (established/augmented through subcomponent 1.1). Maldives, on their own, have challenges of inadequate private investment and absence of substantial credit in the sector. Past development of fisheries sector had been dominated by public financing and creation of public assets, and inefficiencies have cropped up. Two simultaneous set of actions are needed: promoting small and medium enterprises to take larger roles in the sector, and a simultaneous transition away from public ownership of fisheries sector infrastructure and assets which are meant to raise commercial returns/revenues. This component will complement the proposed “Maldives Competitiveness and Growth Project” (MCGP, P179286), and will use the additional financial/credit mechanisms provided by the MCGP for specific application in the fisheries sector.

Subcomponent 3.1: Decarbonization of the Fisheries Sector

Decarbonization in Maldives will facilitate adopting a GRID approach to future development and growth of the fisheries sector, which by reducing the cost of inputs (energy, fish feed), and using circularity in production systems will improve profitability of business enterprises in the sector. Interventions toward decarbonization in Maldives will be beneficial to SWIO countries as these enhance positive externalities, address shared regional public goods, address common constraints with respect to reducing the cost of fishing, consequently allowing higher value addition, and lowering the pressure on fishing of coastal fishery resources. This subcomponent would include: (a) technical assistance for the following: (i) carrying out unit-level energy-efficiency (EE) and GHG audits followed by implementation of EE/GHG reduction services and preparation of bankable business plans for fisheries sector enterprises in the entire value chain; (ii) unit-level assessments and preparation of business plans for promotion of circular economy including waste management and reduction of fish losses, (iii) assessment of the performance of the fish aggregating devices (FADs) in providing appropriate intelligence to the fishing fleet for targeted fishing, relocation of these devices to minimize travel (and fuel-use) for fishing, (iv) assessment and planning for installation of refrigerated sea water systems (RSW) on-board about 300 fishing vessels, and installation of up to 32 new Fish Aggregating Devices (FADs) for fishing and 17 specialized FADs for recreational fishing. Apart from commercial information (if available) from unit-level audits, all information will be consolidated and shared with SWIO countries to facilitate decarbonization and adoption of circular fisheries sector economy to be mainstreamed in their own respective country fisheries sector management plans and programs; (b) matching grants, with an additional allocation towards job creation for and ownership by women, will be provided to each of the eligible enterprises for: (i) implementing the aforesaid bankable business plans for EE/GHG reduction, installation of bait fish tanks in up to 780 fishing vessels; (ii) implementing energy-efficiency and GHG-reducing measures prorated to the amount of CO₂e emission avoided on complete implementation of the actions; (iii) reducing wastage including reducing fish loss by small fishery sector enterprises, (iv) start-up circular fishery sector businesses using fish waste in production of marketable products, and (v) fuel-switch for greening of fishing vessels. Matching grants would be used in a manner such as to maximize leverage from the use of project funds; (c) installation of low-cost tracking systems to minimize loss of FADs, pilots to demonstrate feasibility of use of green hydrogen to power the fishing vessels, use of deep-sea cold water to chill fish using RSW. All performance reports will be consolidated and shared with SWIO countries; and (d) reimbursement of salaries of officials and business enterprises nominated by the SWIOFC countries for 'on the job' training in the fishery sector enterprises, including in units promoting circular economy and value chain efficiencies. Additionally, annual on-location exposure visits will be organized for teams recommended by the SWIO countries.

Subcomponent 3.2: Diversification/Expansion of Fisheries Sector through Facilitating Small and Medium Enterprise Businesses

To conserve the coastal fish stock and to avoid future increase of harvesting of fish that may result in depletion of fish stock in the SWIO region, it is essential to support a green and resilient transition of the private sector enterprises in the sector. Such a transition in Maldives will involve facilitating growth from value addition, rather than increased capture of fish and other marine resources, emphasis on mariculture and diversification of the sector enterprises. These investments in Maldives will help transitioning the other SWIO countries where the social and economic return from coastal fisheries is low, by: (a) enhancing the positive externalities, especially related to resilient and sustainable harvesting of the regional coastal fishery resources, (b) address the common challenges of weak business climate and facilitate appropriate planning for generating larger social and economic benefits in favor of relatively poor coastal communities in SWIO countries, and (c) upgrade value chain linkages by helping the fisheries sector businesses in the SWIO countries integrate into more competitive value chain through increased uptake of harmonized food and quality standards, energy- and GHG-efficient technologies, and market expansions, and (d) creating enabling regional environments for the improvement of the sector by rapid uptake of appropriate models for facilitating larger private sector participation toward resilient businesses in these countries that will reduce losses, wastage, excessive harvesting of regional coastal fishery resources. This

subcomponent would include: (a) technical assistance for preparation of bankable business plans for leaseholder small enterprises in 54 uninhabited islands for development of sustainable and integrated mariculture, aquaculture, aquaponics, hydroponics, and agroforestry. These business plans will mainstream climate resilience, 'zero discharge' of effluents and wastes into the sea, 'zero emission' farm practices, use of renewable energy such as off-grid solar power, and 'good aquaculture practices'; (b) matching grants to facilitate implementation of the aforesaid business plans. The MoFOR will also ease the island leasing policy extending the tenure of the leases from the current 15-21 years to 35-50 years, such that the lease agreements could become relatively more valuable as a collateral for accessing commercial credit; (c) technical assistance and financing up to 30 percent of capital investment to 2 small or medium enterprises to be set up with private sector management control for establishing fish processing and canning facilities of capacity 25-50 tons per days in the Southern Atolls, and technical assistance for a similar investment in a combined multispecies hatchery and mariculture production facility at *Ga. Maanagala*. These investments will be selected through a design-build-finance-operate-maintain and transfer (DBFOMT) concession; (d) reimbursement of the cost of procurement of product quality certifications acceptable to MoFOR; (e) additional grants to the above-described small and/or medium enterprises prorated to agreed level of employment of women, and to accommodate candidates from SWIO countries under an "apprenticeship program" agreed bilaterally with Maldives; and (f) preparation of a Roadmap for Expanded Private Sector Participation. This road map would be based on: (a) an assessment of the level of use and efficiencies of fisheries sector infrastructure and assets already created by public finance, such as fish landing centers, jetties, ice plants, and explore options for their efficient use; (b) prepare liability statements including retrofitting resilience and good environmental practices for all such assets and infrastructure, including sunk/abandoned ones, found desirable to be renovated and reinstated; (c) preparation of roadmap including legal and regulatory framework for inviting private sector ownership of these facilities, including through public-private partnership (PPP) models considering the optimum methods to distribute the liabilities assessed; (d) undertake analyses related to restructuring/reform options for the Maldives Industrial Fisheries Company (MIFCO) considering a balance between its commercial objectives and social functions (of ensuring a fair share of prices for the fisherpersons). These analyses will support implementation of the recommended reforms through the MCGP; and (e) share the roadmap, plans and PPP options to investors including additional credit-linked grants for potential investors from SWIO countries.

Project Implementation Arrangements¹

The overall in charge of the project is MoFOR, where the project will be implemented through its institutions, such as Maldives Marine Research Institute (MMRI), Hanimadhoo Agriculture Centre, and Villimale' Training Facility and Aquatic Animal Health Facility, and Plant Protection, Quarantine Services, Mariculture Research and Training Facility and Multi-Species Hatchery. These institutions will implement the activities of the project in line with the respective mandates and responsibilities. All these agencies have experience of working with and successfully implementing Bank financed projects. The coordination activities in the MoFOR will be assisted by the Project Management Unit (PMU) consisting of a small team of full-time staff with experience in project management and monitoring, procurement, financial management, and environmental and social safeguards. The project will have a steering committee, chaired by the Minister of Fisheries and Ocean Resources and comprising of projects components coordinators, to facilitate project implementation at the policy level. The Ministry will be assisted by its other institutions.

Moreover, the project has a regional component (Component 1) which will be implemented by IOC with technical assistance agreement with SWIOFC. The SWIOFC, as the regional fisheries body, is the existing platform for regional dialogue and cooperation on fisheries management and development. The IOC, being a regional leader in fisheries and marine environment with strong internal capacity for project management and having successfully implemented regional Bank and other donor-funded projects, has been chosen by the member

¹ Based on the Draft Project Appraisal Document for Transforming Fisheries Sector Management In South-West Indian Ocean Region and Maldives Project

countries to support project implementation, until such time as this responsibility can be taken over by the SWIOFC.

The SWIOFC will act as the back-end technical support unit to the IOC, support the Regional Project Management Unit (RPMU) on project implementation, perform ongoing project monitoring and reporting, and provide training and capacity building to SWIO countries. The SWIOFC will designate its Commission as the Regional Project Steering Committee (RPSC) for the component within 30 days of project effectiveness. The RPSC will meet periodically (at least twice a year, one of them back-to-back with the Commission’s meeting) to review project progress as reported by the PMU and provide guidance on the plan of action for the next period. The RPSC will provide overall leadership and guidance to the project on implementation and will support policy dialogue with countries for regional integration. FAO will establish a Technical Implementation Support Unit (TISU), including a Technical and Scientific Adviser and a Programme Officer, and supported additionally by the SWIOFC Secretariat, within 90 days of project effectiveness to support IOC in implementing the project.

A RPMU will be established within IOC to provide day-to-day project operation and supervision. The RPMU will be led by a Project Manager, and will also include a full-time Administrative Assistant, and a part-time procurement specialist. Other specialists (e.g., M&E specialist) may be contracted for specific tasks and responsibilities on an as-needed basis. The RPMU, with the support of FAO, will collect and present data and reports for periodic reviews by the RPSC in collaboration with the World Bank. The RPMU will (a) provide overall project oversight and supervision; (b) monitor the project activities’ compliance with various operational policies and procedures, including the Environmental and Social Standards (ESS), procurement, and FM and address potential noncompliance, with support from FAO; (c) carry out project implementation of all activities under the technical and scientific leadership and support of FAO; (d) perform project monitoring and reporting with FAO’s support; and (e) coordinate communication among the RPSC, FAO and the World Bank, with support from the SWIOFC Secretariat and FAO. The RPMU staff will work closely with FAO and SWIOFC Secretariat and seek their support and advice on all technical and scientific issues, as well as on other issues as needed.

2. Overview of Labour Use in the Project

As per ESS2, project workers can be defined into the following four areas:

1. Direct workers: people employed or engaged directly by the Borrower (including project proponent and project implementing agencies) to work specifically in relation to the project.
2. Contracted workers: people employed or engaged through third parties to perform work related to core functions of the project regardless of the location
3. Primary supply workers: people employed or engaged by the borrower’s primary suppliers.
4. Community labour: people engaged and employed in providing community labour.

Table 1: Project Workers and labour requirements

Key institutions to be involved in project implementation	Key responsibility of the institution in project implementation	Key Labour/staff Requirement	Estimated number of labour/staff
DIRECT WORKERS			
South-West Indian Ocean Fisheries Commission (SWIOFC)	Project implementation, monitoring, evaluation, and reporting. Act as the back-end technical support unit to the IOFC.	Regional Project Steering Committee (RPSC)	TBD

Key institutions to be involved in project implementation	Key responsibility of the institution in project implementation	Key Labour/staff Requirement	Estimated number of labour/staff
	Support the RPMU on project implementation, perform ongoing project monitoring and reporting. Provide training and capacity building to SWIO countries		
MoFOR	Carry out research on export markets including consumer preference in niche markets, research on suitable product specification and standards including climate-resilient handling and storage, and provide regular such market intelligence to the sector enterprises in Maldives and SWIO countries	Economic and export market research division and staff	TBD
	Provide equipment, technical assistance, training, and incremental operating cost to strengthen the overall administrative capacity and capability of the MoFOR	Senior Project Staff (Project Director, Project Manager, Procurement Specialist, Financial Management Specialist)	TBD
	Establishment and operation of the Project Management Unit (PMU).	Project Implementation Services	8 Staff
Project Management Unit (PMU)	Overall implementation of the project	PMU Staff	8 Staff
Regional Project Management Unit (RPMU)	Implementation of project in SWIO region	RPMU staff and Regional Project Steering Committee (RPSC)	>10
FAO	Establish a Technical Implementation Support Unit (TISU),	- Technical and Scientific Advisor - Programme Officer - Supported by the SWIOFC Secretariat	3 Staff
CONTRACTED WORKERS			
Contractors	Construction/renovation of quarantine facilities	Contractor staff	TBD by contractor
	Construction/renovation of Disease Surveillance Laboratory	Contractor staff	TBD by contractor

Key institutions to be involved in project implementation	Key responsibility of the institution in project implementation	Key Labour/staff Requirement	Estimated number of labour/staff
	Construction of the MoFOR training facilities located in Viligili	Contractor staff	TBD by contractor
	Development of Hatchery / Cannery	Contractor staff	TBD by contractor
PRIMARY SUPPLY WORKERS			
RSW Supplier	Supply and install refrigerated Sea Water Systems (RSW) on-board about 300 fishing vessels	Technical team of the supplier	TBD by supplier
FAD Supplier	Supply and install up to 32 new Fish Aggregating Devices (FADs) for fishing and 17 specialized FADs for recreational fishing.	Technical team of the supplier	TBD by supplier
Bait fish supplier	Supply and install bait fish tanks for up to 780 fishing vessels	Technical team of the supplier	TBD by supplier
Tracking system supplier	Supply and install low-cost tracking systems to minimize loss of FADs	Technical team of the supplier	TBD by supplier
Pilots of fishing vessels	Pilots to demonstrate feasibility of use of green hydrogen to power the fishing vessels, use of deep-sea cold water to chill fish using RSW.	Pilots of fishing vessels	TBD by supplier
Suppliers of training materials and equipment	Equipping the training centre at Maniyafushi	Supplier team	TBD by supplier

Table 2: Type and level of engagement of the Project Workers

Type of Project Workers	Duration of Engagement		Place of Engagement		
	Temporary	During entire project cycle	In the project office/s	In their own workplaces	In the project sites
DIRECT WORKERS					
South-West Indian Ocean Fisheries Commission (SWIOFC)		✓		✓	
MoFOR		✓	✓		
Project Management Unit (PMU)		✓	✓		
Regional Project Management Unit (RPMU)		✓		✓	
FAO		✓		✓	
CONTRACTED WORKERS					
Contractors (4 categories as shown in Table 1)	✓				✓
PRIMARY SUPPLY WORKERS					
Suppliers (6 categories as shown in Table 1)	✓			✓	✓

3. Assessment of Potential Labour Risks

The project does not anticipate significant labor management related risks given the proposed cadres of direct workers, contracted workers, and the primary suppliers to be employed or engaged in the project and the scope of work involved. The proposed cadre for the PMU and RPMU is only around 8 staff members. The other Ministry staff will be working from their respective workplaces. Furthermore, these direct workers being government employees, their performances and behaviors will be strictly governed by their respective establishment codes of conduct.

Of the contracted workers, the minimum number of construction workers required for each site varies depending on the scope and duration of work required and will be decided by the contractor. The civil works of this project do not involve large-scale construction work but requiring only short-term renovations or simple constructions such as laboratories, quarantine centers, hatcheries etc. It is also assumed that the contractors are not required to deploy large labor teams and establishing labor camps. However, during this time, the contracted workers might have health and safety risks if proper safety measures are not taken. Some of the risks are fall from elevated surface, such as scaffold and ladders. Workers also contend with heavy machinery and equipment, which can result in accidents if not operated correctly. Therefore, proper training and safety measures must be in place to minimize risk of the contract workers. In the meantime, the focal points assigned will operate from their own workplaces undertaking periodic monitoring of the progress of civil works and providing facilitation support for the implementation of the any extra project related activities.

The role of primary suppliers chosen for services and products supply will complete their work within the agreed period specified in their contract. The labor management procedure prescribed in this LMP will not apply to the primary suppliers.

Due to the nature of the project, the project will hire consultancy firms and individual consultants who are responsible to conduct Environmental and Social assessments and Management Plans. They will not be actively in project implementation stage but is hired for a short duration of time until the end of completion of their allocated tasks.

As mentioned above, the potential labor related risks to the project are predicted to be minimal, and no major risks are anticipated. However, the minimal labor management related risks which are most likely to affect the three categories of project workers are listed below.

1. Possibility of hiring migrant workers for labor teams of the contractor without any valid work permits.
2. Possibility of causing minor accidents to the labor teams if proper occupational and health practices were not followed.
3. Possible incidences of travel related accidents, especially for direct workers during their frequent travel to islands using air/sea travel for project coordination and monitoring purposes.
4. Possible incidences of sexual abuse and harassment from the laborers who would mostly come from outside or in the event of their staying within the local communities during the construction work, if they were not properly supervised by the assigned focal point, and the responsible staff of PMU.
5. Possible incidences of gender-based violence, sexual harassment and sexual abuse and other discriminatory practices among project workers while disregarding the workers' code of conduct.
6. Significant wage disparities across gender and foreign and local labor forces, and in non-compliance with country's labor laws.
7. Risk of project workers being exposed to COVID infection in the event of their neglecting to follow the prescribed health practices e.g., getting vaccinated, wearing face masks, hand washing etc. in their respective workplaces. COVID-19 has not been fully contained in the Maldives.

4. Key Labour Legislation in the Maldives

Over the last decade or so, the Government of Maldives has enacted several laws and policies relating to labor management and working conditions, promotion of safety and health at work, fair treatment and non-discrimination, prevention of forced labor and child labor and protection of vulnerable workers. Key among these is:

- Employment Act of 2008,
- Regulation on Resolving Disputes between Employers and Employees (2011/R-12),
- Maldives Immigration Act (1/2007),
- Regulation on Employment of Expatriates in Maldives (2011/R-22),
- Anti-Human Trafficking Act, December 2013
- Gender Equality Act (8/2016)
- Prevention of Sexual Harassment Act (2014)

Employment Act of 2008

The Employment Act specifies the rights and duties of employers and employees. An employer is defined in the Act as, “any person, company, government or association of persons providing employment pursuant to an employment agreement which includes the use of services of non-independent contractors, successors, assigns of such employers, and any person to whom the rights of such employers are transferred in accordance with the law”. An employee is any person seeking to work pursuant to an employment agreement. The Act prohibits forced employment, and discrimination in granting of employment, increase in remuneration, provision of training, determination of conditions and manner of employment, dismissal, and resolution of other employment related issues; based on race, colour, social standing, religion, political beliefs or affiliation with any political party, sex, marital status, family obligations, age, or disability.

4.1 Terms and Conditions

Employment Agreement: All employers are required to enter into an employment agreement in writing, with their employees. The Act recognizes three types of employment agreements, which are, (a) fixed term contracts or agreements with a definite term, (b) agreements with an indefinite term or permanent employment agreements, and (c) agreements for a specific task or project. Direct workers: PMU staff, SWIOFC, MoFOR, FAO and RPMU falls under category (b), Contract workers under category (a), and Primary supplier workers under category (c). Agreements which fall under Category (a) and (c) are considered neither permanent nor fixed term contract. And they are considered terminated upon the completion of the specific task or project. All agreements must at minimum have included in them the following details:

- The name of the employee, permanent address, current address, identity card number or passport number, date of birth, nationality, emergency contact person's name, address, and phone number
- Job description, whether employment is permanent, temporary or task based.
- Date of commencement of employment agreement
- Salary and other benefits, pay day, including method and guidelines for calculation of salary.
- Days on which leave may be granted.
- Staff appraisal, principles pursuant to which disciplinary measures may be taken against the employee, manner of dismissal from employment.

Minors: The law considers a minor to be a person under the age of 18. Chapter 3 of the Employment Act allows minors between the ages of 16 and 18 to be engaged in employment, provided consent is obtained from their legal guardian. Minors under the age of 16 are prohibited from engaging in employment unless it is as part of training for their education. A minor may also be employed in a family business with the consent of such minor and their family.

Working Hours: No employee shall be required to work more than 48 (forty-eight) hours a week. This principle does not include overtime carried out in accordance with the Employment Act of the Maldives. No employee shall be required to work more than 6 (six) consecutive days a week (on a day that is normally a day off or has been agreed as a day off), without being provided with twenty-four consecutive hours of leave.

Dismissal: Employees have a right not to be dismissed unfairly, without cause. The Act provides a list of disciplinary measures that can be taken reasonably against an employee due to misconduct and which must ordinarily be exhausted before any dismissal.

Leaves: Entitled leaves for employees under the Act includes, 30 (thirty) days of paid annual leave, 30 (thirty) days of paid sick leave, 60 (sixty) days of paid maternity leave, upon expiry of which either parent may choose to take up to 01 (one) year of unpaid leave, 03 (three) days of paid paternity leave, 10 (ten) days of paid leave for family responsibility, and 05 (five) days of paid leave for a parent of a child undergoing circumcision. In March 2019, the government decided to grant all government employees with a paid maternity leave and paternity leave of 06 (six) months and 01 (one) month, respectively. This practice has since been taken up by state owned enterprises as well.

Wages and deductions: Except for wages to be paid to a temporary employee, all other employees shall be paid at least monthly. Temporary employees shall be paid daily in general. However, the employer and the temporary employee can agree that such payments shall be made on a weekly, bi-weekly, or monthly basis. Employees may be fined for absenteeism from work during official working hours, such fine to be deducted from his/her wages and to be commensurate to the time absent from work. No other fines shall be imposed by the employer on account of absenteeism.

Pension: Employers must enroll their employees in the Maldives Retirement Pension Scheme, and it is obligatory on the employees to participate in the scheme, under Article 12 of the Maldives Pension Act (18/2016). Failure to do so would amount to an offense under the Act. And as such the employment agreement is required to have provisions for deductions for pension contributions by the employee. Each person who is considered a participant of the Retirement Pension Scheme of the Maldives is required to pay a minimum of 7% of the employee's pensionable wage, and the employer must also pay a minimum of 7% of the pensionable wage to the scheme.

Dispute Resolution: The GoM has also established the Employment Tribunal, pursuant to the Employment Act with the objectives of examining and arbitrating legal matters arising in the work environment between the employer and employee and any matters ascribed to the Employment Tribunal pursuant to the Employment Act or any other Act or regulation or under any agreement, in an expeditious and simple manner.

Training: Employees may be engaged with training, on the job or otherwise, subject to a separate agreement entered in to with the employer, for the purpose. The agreement must have in them at minimum, the details of the employer and the employee along with, details of the type of training, the period it would take to complete the training, costs incurred by the employee in relation to the training and the rights and obligations of each party if the training is not completed.

Time for prayer: Every employee shall be allowed 15 (fifteen) minutes to pray during each prayer period in such a manner that it does not disrupt work. If a 15 (fifteen) minute break for prayer, as specified is not allowed, a fifteen-minute break shall be allowed every four consecutive hours of work.

Overtime Work: Employees shall not be required to work overtime except unless this has been agreed in the employment agreement. Any work carried out over time shall be subject to the requirements of subsection (b) and Section 38 of this Act. An employee working overtime shall be paid 1 ¼ times his hourly working wage as over time, and if working overtime on a Friday or a public holiday shall be paid 1 ½ times his hourly working wage as over time.

Collective Bargaining and Dispute Resolution: The Employment Act 2008 is notably silent on the right to strike or the right to form trade unions and lacks any provisions on collective bargaining; and even though Maldives remains party to the ILO Convention on Right to Organize and Collective Bargaining (No. 98), there is a lack of a specific legislative framework ensuring the right to organize and collectively bargain. However, there are institutional mechanisms set up to ensure the rights, safety, and security of works as well as for dispute resolution.

Specifically, the Regulation on Resolving Disputes between Employers and Employees (2011/R12), issued by Labor Relations Authority outlines principles for employees to comply with in exercising the right to strike and abstain from work. The Regulation provides for a three-tier process to be followed in carrying out discussions between employers and employees, namely: (i) informal discussion between the parties failing which formal discussions are to be held at a sectional or departmental level; (ii) lodging grievances to a Grievance Committee made up of the head of the respective organization, heads of the relevant departments, and parties representing the aggrieved employee(s); (iii) Labor Relations Authority if the Grievance Committee fails to resolve the dispute. If either party is dissatisfied with the decision of the Authority, the matter can be submitted to the Employment Tribunal for adjudication.

4.2 Occupational Health and Safety

Obligations of the Employers: All employers are obligated under the Act to take measures for the safety and protection of their employees, without any charge. These measures include:

- Provide a safe workplace environment and procuring of secure tools and machinery for carrying out work and ensuring the continued safety of the same.
- Provide necessary PPEs and other protective gear as required.
- Provide resources necessary to carry out the work with safety.
- Provide protective attire and equipment if the nature of work is such that it is not possible to eliminate or control health hazards arising out of work.
- Provide education and training to employees on the use of protective gear and safety equipment and disseminate information to employees on all issues of related concern.
- Conduct regular health checks for employees involved in any work that may cause physical ill health or for employees working with chemical or biological materials that may pose a threat to their health.
- Provide or arrange for appropriate medical care for employees injured during their employment.
- Facilitate first aid to employees who are involved in emergencies or accidents.
- Provide or facilitate with transport facilities to minimize the exposure risk.

Obligations of the Employees: Employees are required to:

- Maintain safe practices at work to avoid danger to the safety and wellbeing of the employee and co-workers, which may be caused by inattentiveness to safety and security measures.
- Assist the employer and co-workers in maintenance of measures designed to ensure health and safety in the workplace.
- Use safety equipment and protective gear as instructed in accordance with the training and education provided for use of such equipment and gear.
- Report to the employer any damage, loss of or destruction of protective gear or safety equipment.
- Inform the employer or his designated supervisor immediately of the occurrence of any incident which the employee believes may cause danger and which the employee is unable to resolve.
- Inform the employer or his designated supervisor of any accidents or damage sustained at work or related to work.
- Employees have the right to abstain from work where there is serious threat to health or life.

Maldives Immigration Act (1/2007)

Maldives Immigration Act (1/2007) lays down the rules for the departure and entry of Maldivian nationals, and entry, departure, and deportation of foreign nationals.

Some of the key rules and provisions under the act include:

Employment of Foreign Workers: Rules governing the employment of foreign workers in the Maldives, including work permits and regulations for employers, are specified.

As per the Employment Act (2/2008) under “Foreigners in Employment”; a regulation to govern the employment of foreigners in the Maldives, carrying out of employment for foreigners, employment and dismissal of foreigners and other related matters shall be published.

Regulation on employment of expatriates in the Maldives (2021/R-16), specifies that the responsibilities of illegal foreign employment shall be taken by the person who kept the foreigner in the government authority has the power to act. Under this regulation, when a foreigner enters the country, the foreigner shall be received by a representative of the employer.

During the period of employment proper accommodation shall be provided by the employer as specified under Article 6 of regulation, if the employer at any circumstances fails to provide accommodation to the foreigner, action will be taken against the employer as specified in Article 7. All the responsibilities of sending the foreigner back to their country will have to be borne by the employer.

In case of death of a foreigner, the family of the deceased and diplomatic mission of the country to which the person belong shall be informed and funeral shall be arranged by the employer. In case where the body of the deceased was requested to be transferred to their country, within agreement with his/her family, arrangements to send the body shall be done by the employer.

Under the regulation, it is the responsibility of the employer to register foreign employees in the Foreigners Registry “Hara Heri Portal.” If the clause has not been fulfilled by the employer, action will be taken under Article 7 of the regulation.

Anti-Human Trafficking Act, (3/2013)

The Act defines various offenses related to human trafficking, including trafficking in persons, recruitment, transportation, harboring, or receipt of persons for the purpose of exploitation. The Act criminalizes human trafficking and provides for the prevention of human trafficking committed in Maldives and through the Maldives and prescribes conducting appropriate investigations against persons who commit such crimes and the punishment for persons who violate this law. Moreover, this act stipulates a mechanism to provide protection for victims of trafficking, and other procedures thereof.

Gender Equality Act (8/2016)

The Act ensures that every person enjoys, without discrimination based on sex or gender, the fundamental rights and freedoms guaranteed by the Constitution of Maldives, as provided by Article 17 of the Constitution which determines the rights and freedoms of everyone, without discrimination of any kind, including sex or gender and as provided by Article 20 of the Constitution of Maldives which states that every individual is equal before and under the law, and is entitled to equal protection and equal benefit of the law. The Act facilitates all steps towards prevention of discrimination based on gender and prevention of all ideas and practices that promote discrimination between men and women, in conformation with the Convention on the Elimination of All Forms of Discrimination Against Women and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women.

Key elements of the Act include:

Prohibition of Discrimination: The Act explicitly prohibits discrimination on the grounds of gender, which includes discrimination based on sex, gender identity, gender expression, and sexual orientation.

Equal Opportunities: It mandates that all individuals, regardless of gender, have equal opportunities in various aspects of life, including education, employment, health, and participation in public life.

Gender Equality Plans: Public and private entities are required to develop and implement Gender Equality Plans. These plans aim to promote gender equality within the workplace and to prevent discrimination. This includes measures to ensure equal pay for equal work and to eliminate workplace harassment.

Non-Discriminatory Recruitment and Promotion: The Act mandates that recruitment, promotion, and retention of employees should be based on qualifications and merit rather than gender.

Education and Awareness: It encourages educational institutions and the media to promote gender equality and combat gender-based stereotypes.

Protection Against Harassment: The Act includes provisions to protect individuals from harassment based on their gender, which may occur in workplaces, educational institutions, or public spaces.

Reporting Mechanisms: Public and private entities are required to establish mechanisms for individuals to report instances of gender-based discrimination and harassment.

Access to Justice: The Act ensures access to justice for victims of gender-based discrimination. It allows individuals to file complaints with the Gender Equality Authority and seek remedies through the legal system.

Gender Equality Authority: The Gender Equality Act establishes the Gender Equality Authority as the national body responsible for promoting gender equality and preventing discrimination.

Prevention of Sexual Harassment Act (16/2014)

Prevention of Sexual Harassment Act (16/2014) prohibits employers and employees from subjecting those who work under them or their co-workers to any extent any type of sexual harassment. Sexual Harassment is defined in the Act as, any sexual act committed against a person without their consent. A sexual act, for the purposes of the Act, is any action, whether physical, verbal or otherwise, which according to a reasonable person, suggests a sexual intent towards the victim. Any such act is to be proven on the balance of probability. It is the duty of the employer to take reasonable steps to ensure that the work environment is an environment that is free from sexual harassment and one in which such acts does not negatively affect the work of employees. Employers are obliged to establish policies to prevent sexual harassment and have such policies published.

Every government office including the presidents' office, independent institutions, parliament, the courts, and all workplaces with more than 30 employees must have, under the Act, a Sexual Harassment Prevention Committee, with the function, among other things, of hearing complaints, investigating potential acts of harassment and take proper action against perpetrators in accordance with the Employment Act. The Committee consists of 03 members out of which one must be a female. The Committee can, depending on the gravity of the action, take disciplinary actions ranging from cautioning, suspension, demotion, and dismissal. Decisions must be taken within 60 days of receiving a complaint. Decisions of the Committee can be appealed at the Employment Tribunal.

4.3 International Labour Organization Conventions

The Maldives is also committed to several international agreements and has ratified the following ILO conventions.

1. **Forced Labor Convention, 1930 (No. 29):** This fundamental convention prohibits all forms of forced or compulsory labor. Exceptions are provided for work required by compulsory military service, normal civic obligations, because of a conviction in a court of law, in cases of emergency, and for minor communal services performed by the members of a community in the direct interest of the community. The convention also requires that the illegal extraction of forced or compulsory labor be punishable as a penal offence, and that ratifying states ensure that the relevant penalties imposed by law are adequate and strictly enforced.
2. **Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87):** This fundamental convention sets forth the right for workers and employers to establish and join organizations of their own choosing without previous authorization. Workers' and employers' organizations shall organize freely and not be liable to be dissolved or suspended by administrative authority, and they shall have the right to establish and join federations and confederations, which may in turn affiliate with international organizations of workers and employers.
3. **Right to Organize and Collective Bargaining Convention, 1949 (No. 98):** This fundamental convention provides that workers shall enjoy adequate protection against acts of anti-union discrimination. Workers' and employers' organizations shall enjoy adequate protection against any acts of interference by each other. The convention also enshrines the right to collective bargaining.
4. **Equal Remuneration Convention, 1951 (No. 100):** This fundamental convention requires ratifying countries to ensure the application of the principle of equal remuneration for men and women workers for work of equal value. The term 'remuneration' is broadly defined to include the ordinary, basic, or minimum wage or salary and any additional emoluments payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment.
5. **Abolition of Forced Labor Convention, 1957 (No. 105):** This fundamental convention prohibits forced or compulsory labor as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system; as a method of mobilizing and using labor for purposes of economic development; as a means of labor discipline; as a punishment for having participated in strikes; and as a means of racial, social, national or religious discrimination.
6. **Discrimination (Employment and Occupation) Convention, 1958 (No. 111):** This fundamental convention defines discrimination as any distinction, exclusion or preference made based on race, color, sex, religion, political opinion, national extraction, or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. It requires ratifying states to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in these fields. The Convention covers discrimination in relation to access to education and vocational training, access to employment and to occupations, as well as terms and conditions of employment.
7. **Minimum Age Convention, 1973 (No. 138):** This fundamental Convention sets the general minimum age for admission to employment or work at 15 years (13 for light work) and the minimum age for hazardous work at 18 (16 under certain strict conditions). It provides for the possibility of initially setting the general minimum age at 14 (12 for light work) where the economy and educational facilities are insufficiently developed.
8. **Worst Forms of Child Labour Convention, 1999 (No. 182):** This fundamental Convention defines a "child" as a person under 18 years of age. It requires ratifying states to eliminate the worst forms of child labour, including: all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; child prostitution and pornography; using children for illicit activities, in particular for the production and trafficking of drugs; and work which is likely to harm the health, safety or morals of children.

The Convention requires ratifying states to provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labor and for their rehabilitation and social integration. It also requires states to ensure access to free basic education and, wherever possible and appropriate, vocational training for children removed from the worst forms of child labor.

5. Policies and Procedures for Management of Labour Issues under the Project

This section identifies the key policies and procedures that will be in place to ensure that the risks related to labor management are either avoided or minimized. The Gender and Social Specialist and Monitoring and Evaluation Specialist are responsible to enforce, monitor and reporting of these terms and conditions.

5.1 General Terms and Conditions

These provisions will apply for: **Direct workers/Contracted workers/Primary Suppliers**

- All staff will be provided with an employment contract as per the requirements of the Employment Act (2/2008).
- All staff employed for the purpose of the project will be above 18 years.
- A code of conduct will be issued to each employee together with his/her employment contract which should be read, understood, and signed by the recipient employee. The Code of Conduct must include sanctions for non-compliance, including non-compliance with specific policies related to GBV/SEA/SH. A template for a Code of Conduct (CoC) is appended to this LMP.
- Maximum working hours for staff will not exceed 48 hours a week, unless otherwise stated in their employment contract in accordance with the Employment Act.
All staff will be entitled to breaks from work of 30 (thirty) minutes after every 05 (five) hours during working hours; and prayer breaks 15 (fifteen) minutes during each prayer period in such a manner that it does not disrupt work.
- They will also be provided with the entitled leaves under the Employment Act, in addition to paid maternity and paternity leaves as per the social protection policy of the government. In this regard, 06 months of maternity leave and 01-month of paternity leave will be provided. This policy has been established and enforced in all government civil service offices and all government companies.
- Any foreign party employed by the project shall have a valid work permit and a work visa while working in Maldives.
- All staff will be made aware of GRM available for the staff as specified under this LMP and will also be able to lodge complaints to the Sexual Harassment Prevention Committee established at MoFOR under Prevention of Sexual Harassment Act (16/2014).
- Equal training opportunities will be available to all staff working in the project without discrimination, based on gender or otherwise, as specified in the Employment Act. It is the responsibility of the Project Director to ensure that such discrimination does not exist.

5.2 Specific Terms and Conditions

5.2.1 Direct Workers

5.2.1.1 At Project Office

1. A workstation with computers and other required facilities will be provided to all staff.
2. All software's essential for functioning of the assigned tasks will be provided to all project staff.
3. Separate male and female toilet facilities will be provided at the project office.

4. Drinking water will be available at the project office.
5. Fire detection and firefighting equipment will be available at the project office. Emergency evacuation plan will be established for the project office and staff will be made aware of the plan and periodic simulation exercises that need to be implemented.
6. Ensure that prescribed health guidelines for the prevention of COVID-19 are strictly complied with.

5.2.1.2 At the Field

1. When travelling procure sea-vessels that have lifejackets available. Or the project shall provide the life jackets.
2. When procuring sea-vessels for travel in addition to cost, safety aspects should be given due consideration, and the size of the vessel should be adequate from a safety perspective.
3. Hard hats (through contractors, or project directly) will be provided to all project staff when visiting project construction sites.
4. Enclosed shoes will be worn by all project staff when visiting project construction sites (safety shoes are preferable).
5. Arrangements will be made to ensure that water is available to all project staff at the field. Ideally a refillable water bottle would be provided to each project staff to be used during field visits.
6. Official identity cards will be provided to the project staff when attending meetings and sites.
7. Where a state of emergency or an epidemic is declared, all travel to that place will be seized with immediate effect.
8. A daily subsistence allowance (DSA) will be provided to all project staff covering lodging, meals, gratuities, and transport costs when travelling in field. The rate of DSA will be determined based on the rates at locations where project is implemented and will be revised based on changes to rates.
9. To ensure enforcement of these aspects highlighted in the LMP, these provisions shall be included in the employment contracts of all direct workers.

5.2.2 Contracted/ Supplier Workers

- List of workers to be utilized in relation to the project, with proof of employment will be required to be submitted to PMU by all investors/contractors.
- As per the provisions of the employment act, all parties employed by any contracted party will be above 18 years of age.
- All contractors and investors will be required to provide documentary evidence (passport, identity card or birth certificate) confirming age of employees to PMU prior to involving them on activities of the project.
- Maximum working hours for staff will not exceed 48 hours a week, unless otherwise stated in their employment contract in accordance with the Employment Act.
- An internal transparent and accountable system will be established within the company to tackle issues of sexual harassment, physical and psychological harassment and workplace bullying. Details of this system will be shared with PMU prior to signing any contracts or agreements.
- The leave policy of the company will be shared and confirmed that it is in line with national laws and regulations.
- All foreign parties employed by all contractors/investors will have valid work permit. The work permit details will be shared with PMU.
- All staff will be made aware of GRM available for the staff as specified under this LMP and will also be able to lodge complaints to the Sexual Harassment Prevention Committee established under Prevention of Sexual Harassment Act (16/2014).

5.3 COVID-19 specific Occupation Health and Safety

These provisions will apply for: **Direct workers**, and **Contracted workers**.

- The health conditions of the workers will be assessed prior to engaging them in the Project, and sick workers will be refused entry to the office premises.
- Entry/exit to site or the workplace will be minimized, and measures will be put in place to limit contact between workers and the community/public.
- Trainings for workers on hygiene and other preventative measures will be carried out, and a communication strategy for regular updates on COVID-19
- Adjustments will be made to work practices to reduce the number of workers and increase social distancing.
- Procedure to follow if a worker becomes sick (following WHO guidelines), will be instituted, and followed.
- Adequate supplies of PPE (masks); hand washing facility, soap and/or alcohol-based sanitizer, will be made available at the office premises/worksites.
- Allocate a separate enclosed space for isolation if a worker is found to be suspected of infection until that person is directed to the medical facility for treatment.

While preparing the site-specific plans involving labour, the following guidance materials will be used:

- WHO IPC interim guidance: For guidance on infection prevention and control (IPC) strategies for use when COVID-19 is suspected.
- WHO interim guidance on use of PPE for COVID-19: For rational use of PPE
- WHO guidance getting your workplace ready for COVID-19: For workplace-related advice.
- WHO interim guidance: For guidance on water, sanitation, and health care waste relevant to viruses, including COVID-19

PROJECT WORK SITES INVOLVING CONSTRUCTION AND RENOVATION WORKS

- All provisions that are required under Health and Safety Regulation for Construction Industry (2019/R-156) will be strictly adhered to.
- All workers will be provided with Personal Protective Equipment (PPE) by the contractor. In this regard the following will be observed:
 - i. Hard hats should be used by all workers when engaged in construction work.
 - ii. Enclosed safety shoes should be worn by all construction workers.
 - iii. Electrical Protective gloves should be provided to workers when dealing with electrical components.
 - iv. Chemical protective gloves should be provided to all workers when dealing with any chemicals.
 - v. Construction safety goggles should be worn by all construction workers.
 - vi. Ear plugs should be worn by all construction workers working in environments with high noise (working above 75 decibels).
 - vii. Masks should be worn when dealing with chemicals and when working in dusty environments.
 - viii. All chemicals will be stored on hard surfaces and should be covered.
 - ix. Portable drinking water will be made available at the construction site during the construction phase.
 - x. Adequate safety signs will be installed at the work site giving clear directions. These will be provided in the language of the workforce in addition to English.
 - xi. Construction work site will be demarcated and fenced, and warning signs will be displayed both in English and Dhivehi.
 - xii. When construction is undertaken, clearly demarcated bins for waste disposal will be placed and emptied daily.
 - xiii. Open pits will not be left for water to accumulate for a long time.

- xiv. Any stockpiled sand will be covered to prevent sand particles from being airborne.
- xv. All vehicles and equipment used for the project will be used by well-trained personnel.
- xvi. Any scaffolding used will be to British Standard (BS1139).
- xvii. When working at night, adequate lighting will be provided.
- xviii. A designated toilet facility will be available within 10 minutes of the construction site.
- xix. Breaks will be given to the workforce during mealtimes.
- xx. The site will be cleaned daily following completion of days' work.

- To ensure proper enforcement of the above-mentioned requirements on the part of the contracted workers, the said conditions will be included in the contracts signed with all contractors.

6. Responsible Staff

This section identifies the functions and/or individuals within the project who will be responsible for managing different issues relating to project workers.

The project will be implemented by the PMU housed within the Ministry of Fisheries and Ocean Resources and will consist of: (a) one Project Director, (b) one Procurement Specialist (c) one Financial Management Specialist (d) one Environment Specialist and (e) one Social and Gender Specialist, and (f) one Monitoring and Evaluations Specialist. While the PMU and the Project Director will be responsible for the overall implementation of this LMP, the focal person for labour-related issues will be the Environmental and Social Specialist for the Project.

Specifically, the PMU will have the overall responsibility of:

- Implementing the LMP.
- Ensuring that the provisions in the LMP as they apply for the direct workers, contracted workers, community workers, are adhered to.
- Monitoring compliance with occupational health and safety standards at all workplaces, including the additional measures put in place to prevent COVID-19 spread.
- Ensuring that the grievance redress mechanism for project workers is established and implemented and that workers are informed of its purpose and how to use it.
- Have a system for regular monitoring and reporting on labour and occupational safety and health performance; and
- Monitoring implementation of the Worker Codes of Conduct.

7. Workers' Grievance Redress Mechanism (GRM)

Though the number of direct workers is small, the Project will have an effective grievance system for project workers to address their complaints and grievances. The nature of workplace concerns of workers is usually different given the working environment and conditions. For example, typical workplace grievance mechanism will include demand for training opportunities; delays in payments; disputes between colleagues; and health and safety concerns in work environment. A separate grievance mechanism will be established for project workers (direct workers / contract workers/ supplier workers) which are easily accessible, as required in ESS2. Handling grievances will be objective, prompt and responsive to the needs and concerns of the aggrieved workers. Different ways in which workers can submit their grievances will be allowed, such as submissions in person, by phone, text message, mail, and email. The grievance raised will be recorded and acknowledged within one day. While the timeframe for redress will depend on the nature of the grievances, health and safety concerns in the work environment or any other urgent issues will be addressed immediately. Where the grievance cannot be addressed within a reasonable timeframe, the aggrieved worker will be informed in writing, so that the worker can consider proceeding to the national appeal process. The mechanism will also allow for anonymous complaints to be raised and addressed, especially relevant for sensitive cases of SEA/SH and GBV. In

case the PMU and the contractor are not equipped to handle complaints or provide relevant services to survivors of GBV/SEA/SH, they will refer them to GBV service providers (could be local NGOs having such program and services) for management of the issue. Individuals who submit their comments or grievances may request that their name be kept confidential.

7.1 Grievance Redress for Direct Workers

Despite the relatively small number of direct workers employed under the project, the project will have an effective grievance system for direct workers. The staff of the PMU who constitutes the main segment of the direct workers will hold periodic team meetings to discuss any workplace concerns. The grievances raised by workers will be recorded with the actions taken by the Project Director of PMU. The summary of grievance cases will be reported to the World Bank as part of the regular report. The Social and Gender Specialist will have the overall responsibility for documenting and reporting the grievance resolution process.

7.2 Grievance Redress for Contract Workers / Suppliers

The site manager (or any other appropriate officer) of the contractor will hold weekly team meetings with all present contract workers assigned to different sites to discuss any workplace grievances. As the workers assigned to different construction sites are spread over different islands, bringing them over to a single venue every week may not be practical. Hence, the site manager can communicate with the workers via individual telephone calls or Whatsapp groups. The grievances raised will be recorded with the actions taken by the contractor to resolve the grievances. The summary of grievance cases will be reported to the PMU as part of contractor's periodic report. Where the aggrieved workers wish to escalate their issue or raise their concerns anonymously and/or to a person other than their immediate supervisor, the workers may raise their issue with the Social and Gender Specialist at the PMU. The contract workers will be informed of the grievance mechanism at the induction session prior to the commencement of work. The contact information of the PMU will be shared with contract workers.

7.3 National appeal process

As per the laws related to labor dispute resolution, any individual labour dispute can be submitted by any of the parties (direct workers or contracted workers) to either the Labor Relations Authority or the Employment Tribunal. Additionally, both the direct and contract workers will also have access to a Sexual Harassment Prevention Committee established at the MoFOR report any grievances related to sexual exploitation and harassment or gender-based violence. In the event of any project worker being dissatisfied with the outcomes of the above-mentioned grievance redress mechanisms, he/she can have recourse to legal action in the country's judiciary.



Annex

Individual Code of Conduct Template **Implementing ESHS and OHS Standards** **Preventing Gender Based Violence**

I, _____, acknowledge that adhering to environmental, social, health and safety (ESHS) standards, following the project's occupational health and safety (OHS) requirements, and preventing Gender Based Violence (GBV) is important.

The Company considers that failure to follow ESHS and OHS standards, or to partake in activities constituting GBV—be it on the work site, the work site surroundings, at workers' camps, or the surrounding communities—constitute acts of gross misconduct and are therefore grounds for sanctions, penalties, or potential termination of employment. Prosecution by the Police of those who commit GBV may be pursued if appropriate. The Code of Conduct is aligned with the key provisions under the Maldives' Prevention of Sexual Harassment Act (2014) and the Gender Equality Act (2016).

I agree that while working on the project I will:

1. Consent to Police background check.
2. Attend and actively partake in training courses related to ESHS, OHS, and GBV as requested by my employer.
3. Will always wear my personal protective equipment (PPE) when at the work site or engaged in project related activities.
4. Take all practical steps to implement the contractor's environmental and social management plan (C-ESMP).
5. Implement the OHS Management Plan.
6. Adhere to a zero-alcohol policy during work activities, and refrain from the use of narcotics or other substances which can always impair faculties.
7. Treat women, children (persons under the age of 18), and men with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth, or other status.
8. Not use language or behaviour towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
9. Not sexually exploit or abuse project beneficiaries and members of the surrounding communities.
10. Not engage in sexual harassment of work personnel and staff—for instance, making unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature which is prohibited. E.g., looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; in some instances, giving personal gifts.
11. Not engage in sexual favours—for instance, making promises of favourable treatment (e.g., promotion), threats of unfavourable treatment (e.g., loss of job) or payments in kind or in cash, dependent on sexual acts—or other forms of humiliating, degrading, or exploitative behaviour.
12. Not use prostitution in any form at any time.
13. Not participate in sexual contact or activity with children under the age of 18—including grooming or contact through digital media. Mistaken belief regarding the age of a child is not a defence. Consent from the child is also not a defence or excuse.

14. Unless there is the full consent² by all parties involved, I will not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex (including prostitution). Such sexual activity is considered “non-consensual” within the scope of this Code.
15. Consider reporting through the GRM or to my manager any suspected or actual GBV by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.

Regarding children under the age of 18:

16. Bring to the attention of my manager the presence of any children on the construction site or engaged in hazardous activities.
17. Wherever possible, ensure that another adult is present when working in the proximity of children.
18. Not invite unaccompanied children unrelated to my family into my home unless they are at immediate risk of injury or in physical danger.
19. Not use any computers, mobile phones, video, and digital cameras or any other medium to exploit or harass children or to access child pornography (see also “Use of children's images for work related purposes” below).
20. Refrain from physical punishment or discipline of children.
21. Refrain from hiring children for domestic or other labour below the minimum age of 14 unless national law specifies a higher age, or which places them at significant risk of injury.
22. Comply with all relevant local legislation, including labour laws in relation to child labour and World Bank’s safeguard policies on child labour and minimum age.
23. Take appropriate caution when photographing or filming children (See the guidelines given below).

Use of children's images for work related purposes

When photographing or filming a child for work related purposes, I must:

24. Before photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for reproducing personal images.
25. Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
26. Ensure photographs, films, videos, and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
27. Ensure images are honest representations of the context and the facts.
28. Ensure file labels do not reveal identifying information about a child when sending images electronically.

Sanctions

I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action which could include:

1. Informal warning.

² **Consent** is defined as the informed choice underlying an individual’s free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained using threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even if national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defence.

2. Formal warning.
3. Additional Training.
4. Loss of up to one week's salary.
5. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
6. Termination of employment.
7. Report to the Police if warranted.

I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met. That I will adhere to the occupational health and safety management plan. That I will avoid actions or behaviors that could be construed as GBV. Any such actions will be a breach of this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, GBV issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: _____

Printed Name: _____

Title: _____

Date: _____