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ARCHAEOLOGICAL CHANCE FIND PROCEDURE

PURPOSE SCOPE

This Procedure has been developed in accordance with SPV policies, with the commitments undertaken by SPV in the ESA, with Turkish regulatory framework, with IFC Performance Standards (in Particular PS8), with IFC General and Sector Specific EHS Guidelines and IFC Guidance on Cultural Heritage, with EBRD Performance Requirements (in particular PR8), OPIC Environmental and Social Policy Statement and EDC. The purpose of the Procedure is to avoid significant adverse impacts to cultural heritage.

It includes guidelines and minimum requirements for EPC Contractor for defining its own chance find procedures appropriate to the nature and scale of the works to be conducted during Project Construction phase.

APPLICATION

This Management Plan applies to the Project Construction phase only; the Operation phase aspects will be addressed in separate documents. It applies to construction work activities under the control of SPV, of EPC and to all KİP employees.

DEFINITIONS

Kocaeli or SPV:	Kocaeli Hastane Yatırım ve Sağlık Hizmetleri A.Ş.
Kocaeli Integrated Health Campus Project (or "KİP" or simply "Project"):	Kocaeli Integrated Health Campus Project, being executed by SPV or its affiliates
EPC Contractor (or simply EPC):	Gama – Türkerler Kocaeli Adi Ortaklığı & Gama Türkerler Dubai
Site Management:	All key managerial roles involved in the Construction Site management, mainly referring to the EPC Contractor's personnel
Environmental and Social Management System (ESMS)	The complete set of documents (including but not limited to: policies, manuals, plans, procedures, work instruction and records) developed to address, manage, monitor, audit and review the environmental, social, health and safety aspects of the KİP, aimed at mitigating potential ESHS risks and impacts and improving ESHS performance
Guidelines to EPC Contractor	Guidelines to EPC for the development of its own ESMS and associated EPC Contractor Plans appropriate to the nature and scale of the Project are contained in SPV ESMS documentation. SPV ESMS documentation, identify also minimum requirements and specific responsibilities for EPC Contractor in line with the EPC contract
Construction Site:	The Construction Site includes all areas impacted in any manner by the construction activities.
Environmental and Social Management Plans (ESMPs)	Plans issued by SPV addressing significant Environmental and Social aspects (as identified in the ESA) by defining specific management methods, mitigation measures, monitoring activities, reporting, auditing and review.
EPC Contractor Procedure	A procedure to be prepared by EPC, to be used by EPC to describe how the mitigation and monitoring measures/actions outlined in SPV ESMPs are actually implemented

ARCHAEOLOGICAL CHANCE FIND PROCEDURE

ACRONYMS

KİP	Kocaeli Integrated Health Campus Project
SPV	Kocaeli Hastane Yatırım ve Sağlık Hizmetleri A.Ş.
Golder	Golder Associates Turkey Ltd. Şti.
BAT	Best Available Technology
EBRD	European Bank for Reconstruction and Development
EDC	Export Development Canada
EHS	Environmental, Health and Safety
EPC	Engineering Procurement and Construction
EPRP	Emergency Preparedness and Response Plan
ES	Environmental and Social
ESHS	Environmental, Social Health and Safety
ESA	Environmental and Social Assessment
ESMP(s)	Environmental and Social Management Plan(s)
ESMS	Environmental and Social Management System
ESAP	Environmental and Social Action Plan
EU	European Union
GHG	Greenhouse Gas
GIIP	Good International Industry Practice
HS (or OHS)	(Occupational) Health and Safety
IFC	International Finance Corporation
ISO	International Organization for Standardization
KPI	Key Performance Indicators
OHSAS	Occupational Health and Safety Assessment Scheme
OPIC	Overseas Private Investment Corporation
PR	Performance Requirement (issued by EBRD)
PS	Performance Standard (issued by IFC)
QRA	Quantitative Risk Analysis
SEP	Stakeholder Engagement Plan

ARCHAEOLOGICAL CHANCE FIND PROCEDURE

TABLE of CONTENTS

PURPOSE SCOPE.....1
APPLICATION1
DEFINITIONS.....1
ACRONYMS.....2
1.0 PURPOSE AND SCOPE OF THE PLAN.....4
2.0 BACKGROUND POLICIES AND STANDARDS.....5
 2.1 National standards and regulations.....5
 2.2 International standards.....5
 2.3 Source documents.....5
3.0 ROLES AND RESPONSIBILITIES.....6
 3.1 EPC Contractor & Subcontractors.....6
 3.2 SPV.....6
4.0 MANAGEMENT METHODS AND MITIGATION MEASURES.....7
 4.1 General Management Criteria.....7
 4.2 Specific management methods and mitigation measures.....7
5.0 AUDIT AND REVIEW.....9
6.0 REPORTING.....10

ARCHAEOLOGICAL CHANCE FIND PROCEDURE

1.0 PURPOSE AND SCOPE OF THE PLAN

This Management Plan has been developed in accordance with SPV policies, with the commitments undertaken by SPV in the ESA, with Turkish regulatory framework, with EBRD Performance Requirements (in particular PR8), IFC Performance Standards (in particular PS8), IFC General EHS Guidelines, Sector specific EHS Guidelines and IFC Guidance on Cultural Heritage, OPIC Environmental and Social Policy Statement and EDC. Where no national regulation or IFC standard/guideline applies, it considers the adoption of Good International Industry Practices (GIIP).

The purpose of the procedure is:

- to avoid significant adverse impacts to cultural heritage
- to describe the provisions for managing chance finds through a chance find process which will be applied in the event that cultural heritage is subsequently discovered.

This procedure includes guidelines and minimum requirements for EPC Contractor for defining its own chance find procedure appropriate to the nature and scale of the Project Construction phase.

ARCHAEOLOGICAL CHANCE FIND PROCEDURE**2.0 BACKGROUND POLICIES AND STANDARDS**

This section includes all those policies, standards and requirements of reference for this plan that are applicable for, but not limited to, the Project during Construction phase.

A number of qualitative performance parameters have been identified in section 4 below, derived from ESA commitments, Turkish regulation, IFC Performance Standards and EHS Guidelines, EBRD Performance Requirements, OPIC Environmental and Social Policy Statements as well as from GIIP.

2.1 National standards and regulations

TITLE	OFF. GAZ., DATE
Law on Protection of Cultural and Natural Assets No. 2863 dated 21/07/1983 as amended by Law No. 5226 dated 14/07/2004	18113, 23/07/1983
Regulation on the Fixation and Registration of Real estate Cultural and Natural Assets that need to be Protected	28232, 13/03/2012
European Convention on the Protection of the Archaeological Heritage (revised) – Malta Convention	1969, 1992
European Cultural Convention	1954
Convention for the Protection of the Architectural Heritage of Europe	1985
Convention concerning the Protection of World Cultural and Natural Heritage (UNESCO)	1972

2.2 International standards

Source	Document Title
The Equator Principles Association	The Equator Principles, June 2013
IFC - International Finance Corp.	IFC PS8 and GN8: Cultural Heritage
IFC - International Finance Corp.	IFC General EHS Guidelines: Construction and Decommissioning
EBRD – European Bank for Reconstruction and Development	EBRD PR8: Cultural Heritage
OPIC	OPIC Environmental and Social Policy Statement 5.17
International Organization for Standardization	ISO 14001:2004 - Environmental management systems -- Requirements with guidance for use
OHSAS Project Group	OHSAS 18001 - Occupational health and safety management systems Requirements

2.3 Source documents

This section presents source documents, i.e. documents where SPV commitments are sourced from and that are the trigger for the development and implementation of the ESMPs and in general of the ESMS documentation. They are in turn based on Turkish regulatory framework, EBRD Performance Requirements and IFC Performance Standard and Guidelines.

Document ID	Document Title
ESA Report	Environmental Social Assessment (January, 2016)

ARCHAEOLOGICAL CHANCE FIND PROCEDURE

3.0 ROLES AND RESPONSIBILITIES

Principal roles and responsibilities for the implementation of this plan are outlined below.

3.1 *EPC Contractor & Subcontractors*

EPC Contractor has to ensure sufficient and qualified resources are allocated on an ongoing basis to achieve effective implementation of this Procedure.

EPC Contractor have to ensure the effective implementation of this procedure by issuing its own procedures addressing, detailing and customizing specific actions, measures and monitoring activities under EPC Contractor's responsibility. The EPC Contractor procedures has to include a description of allocated resources, responsibilities and communication procedures to relevant personnel.

EPC Contractor has to provide relevant monitoring data and monitoring reports to SPV as indicated in section 6 "Reporting" of this Procedure. If any Subcontractor is involved, it is responsible for duly implementing requirements included in EPC Contractor's procedures under the EPC Contractor supervision.

3.2 *SPV*

SPV Management has to ensure sufficient and qualified resources are allocated on an ongoing basis to achieve effective implementation of actions, measures and monitoring activities under SPV's responsibility. SPV Management is responsible for:

- Archaeological Chance Find Procedure final approval;
- Taking appropriate actions to address major Non-Conformities based on audit reports, performance monitoring reports and on HSE Manager proposed approach.

SPV HSE Manager is responsible for:

- ensuring that this procedure is up to date and appropriate to the nature and scale of the SPV and ensuring that this Procedure is implemented effectively by EPC Contractor (HSE);
- ensuring that action/measures and monitoring activities directly under SPV responsibilities are carried out timely and adequately according to this procedure ;
- proposing to SPV Management, if necessary, amendments and/or updates to this procedure and issuing procedure revisions ;
- programming inspections and audit activities to ensure the correct implementation of this Procedure and of EPC Contractor's Procedure;
- addressing Non-Conformities through the definition of Preventive/Corrective actions;
- bringing major Non-Conformities immediately to the attention of SPV Management;
- collecting, organizing and reviewing monitoring data and performance monitoring reports and providing summary results of such reports to SPV Management, to stakeholders and to the Lenders.

ARCHAEOLOGICAL CHANCE FIND PROCEDURE

4.0 MANAGEMENT METHODS AND MITIGATION MEASURES

4.1 General Management Criteria

As stated in the ESA report:

“During the field works, no cultural assets were encountered within the project area. Based on the inventories of the relevant preservation board and the literature survey, no archaeological site has been identified in the vicinity of the project area.

On the other hand, “old military armoury buildings” were observed within the project area. According to the Kocaeli Regional Board for Cultural Assets these buildings are not registered as cultural assets (See Appendix O). However, with the decision 1920 dated 17.02.2015 of the preservation board, it was decided to initiate the registration process for these buildings. All excavation and earthworks have to be conducted under the supervision of Archaeology and Ethnography Museum of Kocaeli.

The closes archaeological site to the project area is at 920 m west of the Project area.

According to the Kocaeli Regional Preservation Board for Cultural Assets, old military buildings were not registered as cultural assets. Construction works would be conducted in company with the Board of Cultural Assets.”

4.2 Specific management methods and mitigation measures

The following table details the management methods and mitigation measures/actions identified in case of previously unknown cultural heritage (e.g. archaeological findings) is encountered unexpectedly in the Construction phase.

For each method and measure/action identified, the table shows:

- The identification code (ID.)
- the reference (or source) documents (i.e. ESA, Turkish Regulations and permits, IFC Performance Standards and EHS Guidelines, EBRD Performance Requirements or other GIIP)
- frequency/timing of the measure/action, as applicable
- Key Performance Indicator (KPI), if applicable, and related quantitative target or qualitative acceptance criteria;
- the related responsibility for implementing the measure/action.

For the measures actions where no KPI can be identified the cells reports “n.a.” (not applicable). In this case an on/off acceptance criteria will apply; in other words the acceptance criteria set is a qualitative one, such as “the measure/action has been implemented effectively”.

ARCHAEOLOGICAL CHANCE FIND PROCEDURE

ID.	SOURCE DOC.	MITIGATION ACTION/MEASURE DESCRIPTION	FREQUENCY/TIMING	KPI	TARGET/ ACCEPTANCE CRITERIA	RESPONSIBILITIES
ARC-01	Law No. 2863 dated 21/07/1983 (as amended) IFC- PS8 §8 EBRD-PR 8 ESA 9.3&App. J	Should an archaeological and cultural property be found on the Project Site during land excavations, all the construction activities will be stopped immediately and the Provincial Museum Directorate will be contacted. Further construction activities will be conducted along with the <u>instructions of the authorities</u> . In any case no chance find will be disturbed further until an assessment by competent professionals is made in agreement with the authorities.	When a find occurs and then ongoing	n.a.	Full compliance	EPC Contractor to inform SPV SPV to contact the authority
ARC-02	Law No. 2863 dated 21/07/1983 (as amended)	Constructions and physical interventions will not be allowed on the protected and cultural assets. Substantial repair, construction, installation, drilling, partial or complete demolition, burning, excavation or similar works will be considered as construction and physical intervention.	When a find occurs and then ongoing	n.a.	Full compliance	SPV EPC Contractor
ARC-03	IFC- GN8 –§ 15 EBRD-PR8	In case of previously unknown archeological finds are encountered the following measures will be put in place, consistently with the instruction given by the authorities: <ul style="list-style-type: none"> • record keeping and expert verification procedures, • chain of custody instructions for movable finds, and • clear criteria for potential temporary work stoppages that could be required for rapid disposition of issues related to the finds. 	When a find occurs and then ongoing	n.a.	Full compliance	EPC Contractor to report and take measures SPV to control and contact the authority Authority
ARC-04	IFC- PS8 –§ 9 EBRD-PR8 OPIC 5.17	In case of previously unknown archeological finds are encountered the Affected Communities will be consulted as part of the Stakeholder Engagement Plan (SEP), to incorporate into the decision-making process the views of the Affected Communities.	When a find occurs and then ongoing	n.a.	Full compliance	SPV
ARC-05	IFC- PS8 EBRD-PR8	In case of previously unknown archeological finds are encountered the Cultural Heritage item will be managed according to IFC PS8 and EBRD PR8.	When a find occurs and then ongoing	n.a.	Full compliance	SPV EPC Contractor Authorities

ARCHAEOLOGICAL CHANCE FIND PROCEDURE

5.0 AUDIT AND REVIEW

The correct implementation of this Procedure is verified through internal inspections and audits to be carried out according to the requirements included in "Internal audit" of the "ESMS Manual".

The schedule, the frequency, the scope and objectives of the audit as well as the responsible internal auditors are indicated in the Audit Program that is developed and updated by SPV HSE Department.

Internal auditing will address:

- The correct implementation of this Procedure;
- The correct development and implementation of EPC Contractor Procedure;
- The correct and timely implementation of an auditing and review system by the EPC Contractor;
- Each of the point indicated in the table in section 4 (mitigation actions/measures) of this Procedure.

During the inspections, the audit team shall address in particular:

- Availability of records on any archeological findings;
- Availability of seabed archeological survey report;
- EPC Contractor and Subcontractors selection process in place.

Evidences and results of the inspection and audit activities are included in the audit reports and in the "Non-Conformity and Preventive/Corrective actions" records.

SPV Management reviews results of inspections and audits and the progress of the Preventive/Corrective actions and takes additional appropriate actions if necessary according to the indications included in "Management Review" of the "ESMS Manual".

ARCHAEOLOGICAL CHANCE FIND PROCEDURE

6.0 REPORTING

Evidences of the implementation of the mitigation actions/measures (detailed in section 4 of this Procedure) and related results are collected through inspection and auditing activities as detailed in section 5 “Audit and Review” of this Procedure; these evidences are described in the audit reports.

- Main figures regarding archeological awareness information provided to workers’ (SPV/EPC Contractor);
- Communication of the data to SPV;
- Collection, aggregation and recording of the data (SPV).

These data together with the results of the inspection and audit activities will be summarized in a Report on a six monthly basis that will be made available to stakeholders as further described in the “ESMS Manual”. This report constitutes the basis for the monitoring report to be available for the Lenders.