



Corporate Due Diligence Protocol Regarding Human Rights

Approved by the Board of Directors on July 28, 2022

Translation originally issued in Spanish and prepared in accordance with the regulatory applicable to the Group. In the event of a discrepancy, the Spanish-language version prevails.

CORPORATE DUE DILIGENCE PROTOCOL REGARDING HUMAN RIGHTS

TABLE OF CONTENTS

1	Aims and Principles of the Due Diligence Protocol
2	Scope of application
2.1	Territorial
2.2	Subjective and objective
3	Guidelines of the Due Diligence Protocol
3.1	Cross-cutting integration of due diligence
3.2	Assessment of Adverse Effects on Human Rights and the Environment
3.3	Prevention, mitigation and management measures
3.4	Complaint and remediation mechanisms
3.5	Implementation of the Protocol with business partners
3.6	Monitoring and standardisation
3.7	Reporting and accountability
4	Follow-up, assessment and revisions of the Protocol
5	Exceptions to the Protocol
6	Non-compliance with the Protocol
7	Approval, entry into force and period of validity
8	Additional considerations
9	Definitions and abbreviations

1. Aims and Principles of the Protocol

ACS Actividades de Construcción y Servicios S.A. ("ACS" or "the Company") and the Group of which it is the controlling entity ("ACS Group" or "Group"), is aware of the obligations and responsibilities it has as a company to guarantee the respect and protection of Human Rights and the Environment in accordance with the international conventions applicable to its sphere of activity.

Therefore, ACS's main objective in terms of corporate due diligence is to understand the need and complexity of protecting human rights and the environment and to accept its obligations as a Group of companies, as reflected in the provisions of international standards and reference frameworks in the field of corporate due diligence on sustainability:

- UN Guiding Principles on Business and Human Rights.
- OECD Guidelines for Multinational Enterprises
- OECD Due Diligence Guide.
- ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy

With a view to meeting this objective, ACS has approved a set of rules, published internally and externally, which bring together the corporate commitments, principles and standards of conduct applicable to all its operations and value chain at a global level, which should be used as the basis for interpreting this Due Diligence Protocol regarding Human Rights (the Protocol):

- The ACS Group's Code of Conduct
- The ACS Group's Code of Conduct for Business Partners.
- The ACS Group's Human Rights Policy
- The ACS Group's Environmental Policy
- The ACS Group's Sustainability Policy
- The ACS Group's Policy for Communication of economic-financial, non-financial and corporate information, and regarding Contacts and Relations with Shareholders and Other Stakeholders.
- The ACS Group's Occupational Health and Safety Policy.
- The ACS Group's Social Action Policy
- The ACS Group's Social Action Policy

To ensure that these commitments are effectively put into practice, different mechanisms have been developed, of which the Protocol stands out as a key element, establishing the due diligence approach and responsibilities required by ACS of all its employees, the ACS Group companies and its Business Partners, together with the means implemented to guarantee and verify compliance.

The Protocol is based on the “protect, respect and remedy” pillars of the United Nations Guiding Principles, facilitating the identification, prevention, mitigation, monitoring and remediation of possible adverse effects on human rights and the environment related to the activities of ACS (through direct or indirect cause, contribution or association), and defining the processes for handling any complaints or claims raised by anyone affected by the above conduct and/or their legitimate representatives.

The approval and implementation of this Protocol guarantees that both the corporate due diligence guidelines and the measures deployed by ACS Group companies and their business partners are fully aligned with the requirements and methodologies of the international reference framework and the regulations applicable in the different countries of operation.

2. Scope of application

2.1. Territorial

The current Protocol is globally applicable.

2.2. Subjective and objective

This protocol has a global scope for all the companies comprising the ACS Group, taking into account in particular the special autonomous scope of the listed companies belonging to the Group. ACS also encourages the application of this Protocol in relation to investee companies and, where appropriate, in relation to special purpose vehicles, joint ventures and other equivalent partnerships, both in Spain and abroad. The Protocol will also be taken into consideration in new projects, as well as in due diligence processes in mergers and acquisitions.

Its application encompasses all activities carried out directly by ACS and ACS Group companies, those carried out indirectly through its global value chain and business partners with which it maintains established commercial relations, including any potential omissions their areas of responsibility, while being useful for each person in charge and ensuring that all the Company's personnel act under the same purpose with respect to human rights and environmental matters.

The Protocol applies a holistic concept of human rights that encompasses the environment, based on UN Human Rights Council Resolution 48/13, which recognises that living in a safe, clean, healthy and sustainable environment is a human right inherent and inalienable to the enjoyment of all other internationally recognised human rights.

3. Guidelines of the Corporate Due Diligence Protocol

The different ACS Group companies are responsible for the implementation of this Procedure and its geographical, sectoral and operational suitability.

To ensure the smooth implementation of the Protocol, the corporate due diligence procedure has been structured into the phases listed below, addressing the guidelines and processes that must be complied with in all Group Companies.

3.1. Cross-cutting integration of due diligence

The different ACS Group Companies must integrate the concept of due diligence described in this Protocol into their own policies and management systems, expressly and publicly adopting this Protocol and/or an equivalent standard, specifically addressing the principles and requirements of due diligence in matters of the company's sustainability, together with the processes established for its proper implementation and reviewing this standard annually.

3.2. Assessment of Adverse Effects on Human Rights and the Environment

The ACS Group's Companies must adopt the appropriate measures to identify and assess the existing and potential adverse impacts on human rights and the environment arising from their own activities or those of their subsidiaries and from their established business relationships, at all times considering the identification and assessment of the commitments acquired in the ACS Group's Human Rights Policy and Environmental Policy, without detracting from any other applicable policies.

The assessment of potential adverse impacts or effects must be carried out based on their severity and likelihood from the point of view of the groups and/or the environment affected, and must rely on an exhaustive documentary review, with the assistance of experts in the field and using information contributed by the stakeholders. The assessment of the adverse impacts or effects should consider not only the Group's employees and business partners, but also local communities, with special focus on those groups that may be potentially more affected, such as children, migrant workers, indigenous groups and any other group that could be considered as vulnerable.

Reviews of potential impacts should be conducted annually on an ad hoc basis when mergers or acquisitions, or operations in a new country, are contemplated. A review should also be conducted if there are significant changes in the operational environment.

To implement this phase, ACS's parent company has made a Global Map available to the Group's companies according to the level of protection of human rights by country and the Corporate Guide for the Protection of Human Rights approved by ACS's parent company to assess the potential and real impacts on human rights and the environment.

The evaluation of the potential and real impacts of the Global Map according to the level of protection of human rights in each country is governed by the global scenario established by the UN and its purpose is to ascertain, through the indicators analysed, the level of protection that exists in this area for each territory in which the ACS Group conducts business.

This analysis must also be applied to environment-related risks, taking into account the guidelines and standards established by the IUCN and the IPCC, establishing a basis for understanding the environmental context in the ACS Group's countries of operation.

The last stage of the assessment of adverse effects will take place at operational level, throughout the different ACS Group companies, based on the specific local conditions and the guidelines given in the Corporate Guide for the Protection of Human Rights.

This will entail the identification and assessment of adverse effects at this level of activity, allowing the development of the most appropriate prevention, mitigation and remediation measures.

3.3. Prevention, mitigation and management measures

Depending on the results of the adverse effects assessment (Phase 3.2.), appropriate measures should be taken to prevent or, where prevention is not possible or not immediately possible, to mitigate the potential adverse effects identified.

Prevention and mitigation measures will be defined considering human rights, environmental factors and potentially affected groups and their level of severity and likelihood, and must be sufficient to achieve the Protocol's aims, in view of the circumstances of the specific case and the ACS Group's influence on them, as well as the need to prioritise certain actions.

In order to ensure the effectiveness of these measures, those responsible for business and operations will allocate resources and responsibility for prevention and mitigation to appropriate levels and functions within the organisation.

Likewise, monitoring mechanisms must be introduced to evaluate the application and effectiveness of the prevention and mitigation measures taken. Both elements must be articulated in the form of corrective-preventive action plans, which must be drawn up in consultation with the relevant stakeholders where appropriate, and include reasonable timeframes for action, and qualitative and quantitative indicators to measure their effectiveness.

3.4. Complaint and remediation mechanisms

Due diligence seeks to prevent or avoid any potential adverse impact of the ACS Group on human rights or the environment, but when such impact has already been caused, the damage must be addressed and different actions must be taken to deal with the injured parties. Therefore, when the assessment shows that adverse impact has already been caused or contributed to, the complaint, remediation and follow-up mechanisms will be activated to redress the damage according to the following guidelines.

The persons in charge will establish claim mechanisms so that potentially affected groups may report or submit complaints on any matter relating to human rights or the environment, and thus implement the mechanisms of redress without delay.

These mechanisms must be made available for use by:

- Persons who are affected or who have reasonable grounds to believe that they may be affected by an adverse effect.
- Trade unions and other workers' representatives acting on behalf of the affected groups.
- Civil society organisations active in the areas related to the affected groups.

Claim mechanisms must be established, taking into account the specific needs of potentially affected groups and fulfilment of the following functions:

- Allow the persons in charge appointed by the Group Company to deal with the effects detected and redress the consequences early and directly.
- Inform complainants of the progress of their case.
- Their design and organisation should ensure that all complaints are reported to the Compliance function to be systematically registered and tracked.

Complaints mechanisms can only serve their purpose if they are transparent and dependable, therefore, they must be clearly communicated, adapted to the needs of potentially affected groups and follow the criteria of legitimacy, accessibility, predictability, fairness, transparency and compatibility, as well as being a continuous learning tool.

The following measures will be taken to redress a real and verified adverse impact:

- Address and investigate the origin of the impact, as well as the Group Company's degree of involvement in it, contributing or collaborating to redress the impact where the Group Company has caused or directly contributed to it, through legitimate court or out-of-court channels.
- Where the immediate elimination of adverse impacts is not possible, a corrective action plan must be developed and implemented, drawn up in consultation with the groups affected where appropriate, with reasonable and clearly defined action timescales and qualitative and quantitative indicators to measure the plan's effectiveness.
- Where a response is required for adverse impacts to which the ACS Group Company is directly linked through an established relationship with Business partners, the appropriate remedy provided will depend on the influence and level of control that the ACS Group Company had over the breaching party at the time of the adverse impact.

Redress measures taken should lead to substantive results that restore the affected parties or environmental surroundings as close as possible to the position they were in before the adverse event (this means exploring individual remedies such as apologies, restoration, restitution, or financial or non-financial compensation).

The boards of the Group Companies have to ensure that their Compliance Committee and the ACS Compliance Committee are immediately informed of all actual adverse impacts that may arise. This Committee will lead the investigation of adverse impacts. The relevant department will be contacted to ensure that the case is duly investigated. Appropriate measures will be put in

place by those in charge of the relevant areas to ensure that the adverse impact will not recur in the future.

3.5. Implementation of the Protocol with business partners

The Group regards its direct and indirect Business Partners, with which it has an established business relationship, as an indispensable part of the protection of human rights and the environment.

Therefore, to ensure optimal compliance with human rights and environmental due diligence standards and minimise the risks of adverse impacts throughout its value chain, the activities set out in this Procedure form part of the requirements and basic principles of the ACS Group's Code of Conduct for Business Partners, which is binding on all its Business Partners regardless of their geographical location or the Group company to which they are contractually related.

3.6. Monitoring and standardisation

The management bodies of the different companies in the Group will report on Human Rights and Environment to the bodies holding the Compliance function, which depend on the different governing bodies of the companies in the Group.

In addition, these persons in charge will implement the process of supervision and monitoring of each mechanism and measure in place in order to determine whether:

- The impact, both direct and indirect, that the ACS Group Company could generate is covered.
- The mitigation mechanisms and preventive and corrective action plans are adequate.
- Dialogue with potentially affected groups is maintained, and they are protected, or at least their rights are not breached.
- Business partners along the global value chain respect the same guidelines, taking into account the influence of the ACS Group Company in each situation.

The process implemented makes it possible to periodically monitor and collect information, formally and informally, internally and externally, directly and indirectly (from third parties), quantitatively and qualitatively.

In addition to the monitoring mechanisms, each person in charge will define a Human Rights and Environmental scoreboard to serve as a basis for the interpretation and decision making in his or her field of operation. The indicators should meet the following criteria:

- Relevant and reliable
- Independent in the data collection methods of the observed subjects
- Global and useful on a universal scale
- Focused on human rights and environmental standards and anchored in the applicable normative framework of rights
- Simple and specific

As proof that the results have been achieved, it is necessary for the persons in charge to determine the means of verification, among which the following types will be used:

- Socioeconomic and administrative statistics
- Perception and opinion surveys
- Expert judgment

3.7. Reporting and accountability

In this last phase, the ACS Group develops a communication system and an information process outside the Group in relation to the dissemination of this Protocol and the actions carried out for the protection of human rights and the environment in all of its activities. The report responds to the legal requirements established by international law and by States.

The ACS Group will publicly report on the measures adopted, and its communications must meet the following conditions:

- Disseminate clear and comprehensive information reflecting: the adverse impacts identified, the mitigation mechanisms and preventive and corrective action plans deployed and their effectiveness, the results of dialogue with potentially affected stakeholders, and the efforts made to ensure that Business Partners apply the Protocol's guidelines.
- Be accessible to the groups involved, the authorities and society in general.
- Do not put affected parties or personnel at risk, nor violate legitimate commercial confidentiality requirements.

The Board of directors of ACS together with the person in charge of implementing the Protocol in the Group Company, under the supervision of the Compliance function, will report publicly (externally) on the response and corrective measures adopted in the event of actual adverse impacts.

4. Follow-up, assessment and revisions of the Protocol

The management bodies of the various Group companies are responsible for ensuring and monitoring the effective application of the Protocol's provisions, in accordance with the regulations and circumstances of the country of operation.

The Audit Committee of ACS will be responsible for following up and assessing the application of this Protocol and its compliance annually, periodically reporting on the matter to the Board of directors, and putting forward proposals to modify the Protocol in any way it considers advisable or necessary for the development and implementation of the guidelines and objectives.

5. Exceptions to the Protocol

There are no explicit exceptions to the application of this Protocol. However, any Department which applies for an exception to the application of this Protocol must request authorisation, in writing, from ACS' Compliance Committee, setting out the reasons which justify the exception.

6. Non-compliance with the Protocol

Any breach of this Protocol must be reported, via the various channels for that purpose available at ACS, including the corresponding line manager or, directly, through the Group's Ethics Channel for matters which constitute a violation of the Code of Conduct or the Code of Conduct for ACS Business Partners.

ACS will apply the appropriate sanctions to people or companies having been responsible for, or complicit in, the breaches, in accordance with the seriousness of the offense and within the legal structure that is applicable in the jurisdiction where the offense was committed.

7. Approval, entry into force and period of validity

This Protocol is applicable from the time of its approval by the Board of directors of ACS on the date indicated at the start of this document, and will be mandatory in its objective and subjective facets from then on.

8. Additional considerations

Although this Protocol may be translated into other languages, the authentic version of it, for the purposes of interpretation, is the original version written in Spanish.

9. Definitions and abbreviations

For this Protocol, the following terms will be interpreted as having the following definitions.

- **ACS:** ACS, Actividades de Construcción y Servicios, S.A.
- **UN:** United Nations (UN).
- **ILO:** International Labour Organisation
- **OECD** Organisation for Economic Cooperation and Development.
- **IUCN:** International Union for Conservation of Nature
- **IPCC:** Intergovernmental Panel on Climate Change
- **ACS Group or Group:** ACS Group Companies.
- **Potentially affected collectives/groups/parties/individuals:** Company employees, employees of its subsidiaries and other individuals, groups, communities or entities whose rights or interests are or may be affected by the products, services and activities of that company, its subsidiaries and its business relationships.
- **Vulnerable collectives/groups:** Particularly vulnerable groups, including migrant workers, indigenous peoples and other minorities, young people, children, the LGBTQ community, people with functional, physical and intellectual diversity, and any person or community at risk of social exclusion.
- **Standards:** Texts used by the ACS Group with the aim of providing compliance procedures to persons linked to the organisation. They are divided into Policies, Protocols, Regulations and Procedures, and may be Global or Local in scope.
- **Protocol:** Protocol: refers to this corporate human rights and environmental due diligence protocol.
- **Procedure:** Refers to this corporate human rights and environmental due diligence protocol and to the set of standards approved by the Compliance Committee of the ACS Group's parent company.

- **Corporate Guide for the Protection of Human Rights:** A standard approved by the Compliance Committee of the ACS Group's parent company, which serves as a tool for the management bodies of different Group companies for the evaluation and management of human rights impacts.
- **Business partners:** The different market operators that interact with ACS, namely, any legal or natural person, except the Organisation's Associates, with whom the Organisation maintains or plans to establish some type of business relationship. For example, but not limited to, intermediaries as agents or commission agents, external advisers, joint-ventures or natural or legal persons hired by ACS for the delivery of goods or services, are included.
- **Established business relationship:** A relationship with a Business Partner that is or is expected to be of a lasting nature and does not represent an insignificant or merely incidental part of the value chain, with which the ACS Group Company has a commercial agreement or conducts business operations related to the products or services of those Companies, by means of contractual relationships with a Business Partner of those Companies. The "established" nature of the business relationship will be regularly re-evaluated, at least every twelve months.
- **Global value chain:** Activities related to the production of goods or the provision of services by the ACS Group, including product or service development and the use and disposal of products, as well as related upstream and downstream activities of the Group's established business relationships.