

ISSUES OF PROJECTS SOCIAL ANALYSIS

1. Social analysis conducted for environment impacts assessment seeks to determine how the various communities affected by a project allocate, regulate and control access to resources on which they depend for their livelihood. Social analysis is especially important when it comes to projects involving indigenous peoples or communities dependent on sensitive ecosystems whose way of life is closely related to the resources they exploit.

Projects involving resettlement of displaced populations (see directive on the subject) or occupation of new lands also change the relationship between local communities and their way of using community resources.

Variation Within Communities

2. Communities are constituted of various groups of people, including those assumed to be the beneficiaries of a development project. Organized human groups have a territory, divide tasks and ensure the distribution of resources. Social differences that may be important in this regard are the ethnic or tribal affiliation, occupation, socioeconomic status, age and gender.

Ethnic or Tribal groups. A study area can be inhabited by a variety of ethnic and tribal groups whose may be competing for the use of resources. This can have a significant impact on the environment. For instance an authority, responsible for resettling populations will raise unintentionally, competition for scarce resources, if it grants land to these people while ignoring the customary rights of indigenous peoples.

Occupation. The project area may also include activities of human groups and there may be conflict of interests compete for resources. Farmers need

fertile land and water, breeders need pasture and also water and artisans need forest products and wood for the manufacture of their products. A project can benefit a group while disadvantaging another. Thus, construction of dams and reservoirs for irrigation or power generation is clearly in the interests of farmers, but can affect other activities of rural populations living downstream.

Socioeconomic Stratification. The interest of population in the project area also varies according to the land they own and the capital they control. There may be landless poor, wealthy landowners, farmers or intermediaries. The distribution of the population by economic status is important to the extent that access to capital and land can lead to different reactions about the benefits of the project. Arboriculture development can, for example, be beneficial for the rich farmers while it will displace livestock of small farmers to marginal lands.

Age and Gender Consideration. A social assessment should consider the effects on different individuals within a family. For instance, the elderly may suffer more than youth during resettlement. On the other hand, men, women and children perform different economic roles and have different access to resources; a project can therefore affect them in different ways. A project, for example, changing access to resources of a sensitive ecosystem can have unforeseen effects on women for whom these resources are a source of income or serve domestic needs.

Working conditions and terms of employment

3. In the situation where the promoter has signed a collective agreement with an organization of workers, such agreement should be respected. In the absence of agreements of this nature or if they do not address working

conditions and terms of employment, the Holder would provide adequate employment and work conditions

4. The holder must identify migrant workers and ensure they are engaged on terms comparable to those of non-migrant workers employed to perform the same type of work.
5. When hosting services will be provided to workers entering the scope of this operational directive, the promoter will adopt and implement policies on the quality and management of such housing and the provision of basic services. Hosting services will be provided in a manner consistent with the principles of non-discrimination and equal opportunities. In any event, the provisions for the accommodation of workers do not have to limit their freedom of movement and association.

Workers' Organizations

6. In countries where national law recognizes the right of workers to form and join workers' organizations of their choice without interference and to bargain collectively, the promoter will comply with national law. Where national law imposes significant limitations on workers representation, the promoter shall not prevent workers from having recourse to other means of expressing their grievances. Also, it will have to protect their rights regarding working conditions and terms of employment. In any case, the promoter shall attempt to unduly influence these means or control them.
7. However, in any case described in the previous paragraph, and if the national law is silent on this point, the promoter will not deter workers to form organizations of their choice or join them or to negotiate collectively.

It will make no discrimination or engage retaliation against workers who participate or plan to participate in such organizations and negotiate collectively.

8. The promoter will work with such representatives and such organizations of workers and will provide in time information they need to negotiate effectively. Such workers' organizations are expected to fairly represent the workers constituting the workforce.

Non-discrimination and equal opportunities

9. The Promoter shall not make recruitment decisions on the basis of personal characteristics unrelated to inherent job vacancies. It will base the employment relationship on the principle of equality of opportunity and treatment and will not take any discriminatory measures regarding any aspect of the employment relationship, for example, recruitment and hiring, pay, conditions work and terms of employment, access to training, job assignment, promotion, termination of service or retirement and disciplinary action.
10. The Promoter will take steps to prevent harassment and deal with it, intimidation and / or exploitation, particularly of women. The principles of non-discrimination apply to migrant workers.
11. In countries where national law contains provisions on non-discrimination in employment, the promoter will comply with national law. Where national law is silent on employment non-discrimination, the proponent will have to comply with this operational directive. Where national law is not compatible with this Directive, the proponent is encouraged to conduct its activities without violating the laws.

12. Special measures of protection or assistance to remedy past discrimination or selection practices for a specific position, based on the inherent requirements of the job, are not deemed to be acts of discrimination, provided that they are consistent with national law.

Collective redundancy

13. Prior to collective redundancies, the promoter will analyze alternatives to redundancy. If the analysis fails to find alternatives to the suppression of posts, the promoter will develop and implement a redundancy plan to mitigate the impact on affected workers. The redundancy plan will be based on the principle of non-discrimination and should reflect the promoter consultation with workers, their organizations and, where appropriate, with the authorities. The promoter must comply with the agreements concluded in the framework of collective agreements if they exist. It will comply with all legal and contractual requirements regarding notification of the authorities, the provision of information to workers and their organizations as well as consultation with them.

14. The promoter shall ensure that all workers are notified in a timely manner of their dismissal and their redundancy compensation provided by law and collective agreements. All salary arrears, social security benefits and pension fund contributions and benefits of this are paid to workers (i) at or before the end of their working relationship with the client, (ii) where applicable, to the benefit of workers, or (iii) in accordance with a schedule agreed in a collective agreement. When payments are made for the benefit of workers, evidence of such payments is provided to them.

Grievance Settlement Mechanism

15. In any event, the promoter shall make available to workers (and their organizations, as appropriate) a grievance settlement mechanism for them to express their concerns about the workplace. The promoter will inform the workers of the existence of this mechanism at the time of hiring and will make it easily accessible to all. The mechanism should involve management at an appropriate level and address concerns promptly, using an understandable and transparent process that provides feedback to stakeholders, without reprisal. This mechanism will also allow for the filing and processing of anonymous complaints. The mechanism should not impede access to other means of judicial or administrative remedies that may be required by law or through existing arbitration procedures, or substitute for grievance mechanisms set up by collective agreements.

Child labor

16. The project leader will refrain from employing children in a way which is to exploit them economically or whose is likely to be hazardous or that it interferes with their education, it is detrimental to their health or physical, mental, spiritual, moral or social development. The project leader identifies the presence of all persons under 18. If national law provides for the employment of minors, the client complies with the laws applicable to it. Children under 18 are not recruited to perform dangerous work. All persons under 18 will be subject to an appropriate assessment of the risks and regular health monitoring, working conditions and working hours.

Forced labor

17. The promoter will not use forced labor, which is defined as any work or service which is not executed voluntarily but exacted from an individual by

the application of force or threat of a penalty. This definition covers all kinds of involuntary or compulsory labor as unpaid labor in debt repayment, debt bondage or similar labor arrangements. The client will not use in knowingly workers victims of trafficking in persons.

Control Over Local Resources

18. Any local community has some degree of sovereignty or a scope more or less autonomous on the environmental resources, whether its rights are legally recognized or not. The concept of sovereignty is defined here as the ability of communities to make decisions with respect to the exploitation of natural resources on which their livelihoods depend. Social analysis in the context environmental impacts assessment first begins with sorting out the degree of control that local people have on these resources.

19. A forest area, for example, may officially belong to the State and be managed by a specialized government agency. In practice, however, this forest is the habitat of local communities, which to a large extent; determine what happens to the forest. Rights to farm and or fish at a favourable point on the river may be vested in an extended family or village, but such rights may not be recorded or registered outside the region. The seasonal access rights to agricultural land granted, for example, to shepherds who lead their livestock graze there may not be legally recognized. It is possible that grazing areas officially belonging to the whole community and that can be used by all are in fact set aside for the poorest members of the community. Wood lots that are legally community assets can actually be exploited by families powerful enough to deny access to others. Legally landless farmers can earn income mainly by collecting fuel, grass, medicinal plants and other products on public lands.

Variation Within Production Systems

20. It is obvious production systems have environmental impacts, how they translate into reality is much more complex than it appears to outsiders. A farm system, for example, is often based on the management of more than one hundred plant species growing in the fields, orchards, gardens, and forests, as well as livestock. Significant technical risk reduction in agriculture, often overlooked, is to mix perennial and annual crops (the latter being interplanted and maturing at different times)) and to work separate plots of land. Changing these agricultural practices may have unexpected consequences. It happens quite often that the family conducts manufacturing and commercial activities and off-farm wage activities. Fishing communities are accustomed to divide production activities between those practiced in the water, on the beach and inland, the last two usually providing them with more than 50 percent of their food. Pastoralists, who depend largely on livestock, can also be owners of land along their annual migration route and which they rent to relatives or other sedentary.

Institutional Framework

21. Accesses to natural resources, decision making regarding resources use, conflicts settlement between resource users and relationships maintained with groups that do not belong to the local community, but looking to have access to resources, take place within institutional framework. The term institutional framework signifies existence of an authority or leadership structure, a set of procedures or customs for handling issues, and a system of incentives and constraints or rewards and sanctions which govern and guide the behaviour of people. Depending on the company, these institutions can

be represented by the village council, the elders of a clan, a religious organization or a local authority. Customs may be unique to the area and include cultural aspects with regional, national and international nature.

22.. It is through institutions that individual participation in activities can be mobilized and controlled. Through them, on the one hand, members of the communities respond to the calls of their leaders and, on the other hand, leaders are held accountable to the members of the community. It is also through institutions that are conflicts resolved and cooperation occurs. Social analysis must recognize the local incentives and constraints that guide and govern attitudes towards natural resource system. This is particularly important in the process of consultation with local communities as part of environmental impacts assessment and requires the forging of links between government agencies and institutions of traditional communities.

Use of social information in environmental impacts assessment

23.. Information on the social aspects described above is useful at several levels. First, it is used to verify or modify ideas about the local people, which can be crucial for environmental impacts assessment. The mode of access to resources and the mode of natural resources exploitation in a community can be radically different from what people in the capital city believe. Government officials responsible for the management of natural resources may in fact have only little power and no influence over influential groups in the community. The findings of the social analysis may question the received ideas and provide more accurate information.

9. Second, social analysis is used to predict the response of local communities to a project. For example, a project that requires the displacement of rural populations in a watershed and the average farm size is about 5 ha. The

compensation payments allow farmers to buy three acres of agricultural land elsewhere and relocate there without needing other assistance in the project. The analysis shows, however, that the average of 5 ha mask the fact that a small number of farmers are landowners whereas most farmers use plots of marginal land whose area does not exceed an hectare and some even are only tenants. The compensation paid to landowners who own less than one hectare will not allow them to acquire sufficient land elsewhere to support their families, besides 50 per cent of village families have no land and, therefore, will not receive any compensation for resettlement. This could cause families to clear, without any control, to exploit forests elsewhere in the region for agricultural purposes.

24.. Finally, social analysis allows formulating strategies to address the effects on the environment. The first thing a viable social strategy must ensure to manage the effects on the environment is that it is financially independent and can therefore be supported by the local population, irrespective of political changes. Strategies that require external funding or subsidies cease when the priorities are not the same or when the budgets also are restricted. It is also important that a viable social strategy is fitted to the organization and the institutional structure of local communities.

For instance, the analysis reveals the importance of organized groups led by elders who have no real authority except outside a particular community, a strategy for environmental management seeking to strengthen control resources (forest, for example) by a single elder will lead to resistance from other communities.