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Child Rights and Mining Toolkit

*Best practices for addressing children's
issues in large-scale mining*



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Abbreviations

ASM	artisanal and small-scale mining
CDA	community development agreement
DIHR	Danish Institute for Human Rights
FGM/C	female genital mutilation/cutting
FIFO	fly in, fly out
ICMM	International Council on Mining and Metals
IFC	International Finance Corporation
ILO	International Labour Organization
IPIECA	International Petroleum Industry Environmental Conservation Association
KPI	key performance indicator
NGO	non-governmental organization
OECD	Organisation for Economic Co-operation and Development

Introduction to the Toolkit

The Children's Rights and Business Principles¹ developed by UNICEF, the United Nations Global Compact and Save the Children, in 2012, are the first comprehensive set of principles to guide companies on the full range of actions they can take in the workplace, marketplace and community to respect and support children's rights. As part of its approach to implementing these principles, UNICEF is developing sector-specific guidance for businesses that are aiming to integrate respect and support for children's rights into their policies, operations, due diligence, relationships with governments and investments in local communities.

In 2014, UNICEF commissioned action research with mining companies to identify and analyse the sector's impacts on children's rights and better understand how companies are currently managing these impacts. In consultation with multiple mining companies, this work resulted in the UNICEF Extractive Pilot report, *Children's Rights and the Mining Sector*.²

Companies in the mining sector almost uniformly agree that children are vulnerable stakeholders within the community. But they often encounter challenges in understanding how children could be affected directly, rather than only as a result of mining impacts on adult family members or the broader community. Failing to consider children as distinctive stakeholders means that companies may not identify their specific impacts on children. This leads to critical gaps in most standard approaches to social, environmental and human rights due diligence and management systems.

As a follow-up to the Extractive Pilot, UNICEF commissioned Synergy Global Consulting to develop practical guidance for mining companies that want to take concrete steps in addressing their potential positive or negative child rights impacts. UNICEF's *Child Rights and Mining Toolkit* is the result of this work.

What is the Toolkit?

Because children are affected by a wide range of issues, a comprehensive business approach will consider child rights throughout the company's management systems and strategies.

The Toolkit is designed to assist any of those in the mining sector who are responsible for designing and implementing strategies related to social and environmental performance at the project level. It provides 10 concise tools for improving social and environmental performance towards respecting and advancing children's rights in the following areas:

1. Impact assessment
2. Stakeholder engagement
3. Resettlement
4. In-migration
5. Environment
6. Security
7. Health and safety
8. Working conditions
9. Protecting children from sexual violence
10. Social investment

¹ United Nations Children's Fund, United Nations Global Compact and Save the Children, Children's Rights and Business Principles, UNICEF, Geneva, 2012; available at <www.unicef.org/csr>.

² United Nations Children's Fund, *Children's Rights and the Mining Sector: UNICEF Extractive Pilot*, UNICEF, Geneva, March 2015; available at <www.unicef.org/csr>.

Introduction to the Toolkit

Tool 1. Impact Assessment and Tool 2. Stakeholder Engagement provide cross-cutting guidance that can be applied to any of the other areas. Each tool can be used independently for specific purposes, according to the company's needs and circumstances, and offers:

- An overview of the child rights issues.
- Tables outlining potential risks, questions/indicators, and strategies and actions.
- Links to the associated external resources and standards.
- Examples of companies' initiatives to respect and advance children's rights.

How should the Toolkit be used?

UNICEF's *Child Rights and Mining Toolkit* supplements existing guidance, handbooks and standards. It provides additional information tailored to mining companies, in reference to the resources that are highlighted in each tool.

As a foundation, the United Nations *Guiding Principles on Business and Human Rights* describe the responsibility to respect human rights as requiring companies to:

- Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur.
- Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.³

The Toolkit takes this premise to the next step: applying a child rights perspective. The 10 tools it offers will guide users in identifying key child rights issues for their operations and assist in developing appropriate management systems, strategies and performance indicators to respond to these issues. The processes, strategies and actions it outlines are not prescriptions that all companies must follow and implement, but rather suggestions that can be used to more effectively respect and support child rights, enhance children's protection, health and well-being, and strategically invest in the communities where they live.

As described in the next section, this Toolkit is designed to be used in tandem with the *Child Rights Self-Assessment* tool.

Getting started: UNICEF's Child Rights Self- Assessment tool

What are the social and environmental factors regarding child rights that need to be taken into consideration for a mining project? Which type of context is particularly sensitive and might have high impacts on child rights? How does protecting children's rights fit into specific management systems?

As a first step towards answering these and other important questions, mining companies can use the [Child Rights Self-Assessment](#). This preliminary diagnostic tool is designed to help companies determine the social and environmental issues that might arise in relation to children's rights – according to their particular operations and the context of specific projects.

³ Office of the High Commissioner for Human Rights, *Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework*, United Nations, New York and Geneva, 2011, p. 14; available at <www.ohchr.org/EN/Issues/Business/Pages/Tools.aspx>.

Introduction to the Toolkit

The web-based tool follows two steps:

1. **Step 1** relates to the most essential issues a company must consider in regard to children's rights for its operations. It requests the user to rate the potential scale of issues for its operations in relation to children's rights, according to criteria set out specifically for the mining industry.
2. **Step 2** relates to the context surrounding the mining project and the extent to which children's rights are likely to be protected or not. After the user indicates the country in which the mining company operates, several indicators on the level of child protection – based on the Children's Rights and Business Atlas⁴ – will be automatically generated.
3. Based on steps 1 and 2, the *Child Rights Self-Assessment* tool then generates a visual description of the most relevant areas to be considered, and directs users to the corresponding tool in the *Child Rights and Mining Toolkit*.

⁴ UNICEF and Global Child Forum, 'Children's Rights and Business Atlas', <www.childrensrightsatlas.org>. This online risk assessment tool enables businesses to identify, prioritize and manage the potential for direct or indirect infringement of children's rights across 198 countries.

Tool **1** Child Rights and
Mining Toolkit

Impact Assessment

Current industry standards, practices and performance reveal that children's vulnerabilities and the specific impacts they experience as a result of mining activities are regularly overlooked by companies in their environmental, social and human rights due diligence practices, including the associated impact assessments.



Tool 1 Impact Assessment

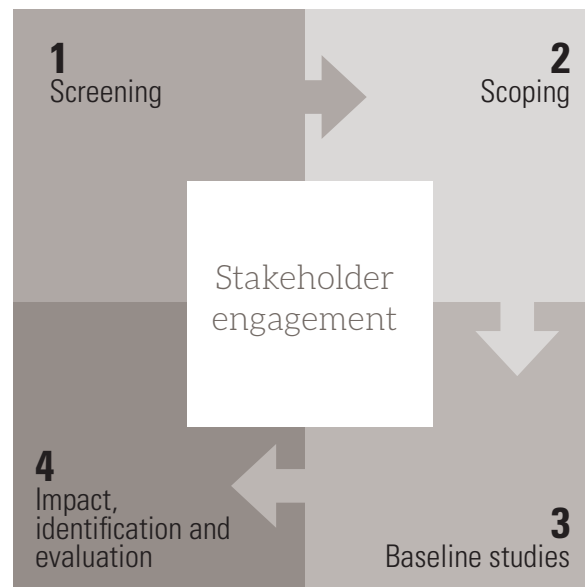
Introduction Tool 1 highlights the basic elements that mining companies can use to more accurately assess their impacts on children, and offers key actions and indicators to consider when integrating child rights into impact assessment. These overarching recommendations can be applied to due diligence and management for the specific areas covered in the Toolkit – from stakeholder engagement to social investment – according to guidance in the respective tools.

1.1 The unique vulnerability of children

While children have the same fundamental human rights as adults, it is also recognized that they have particular needs and vulnerabilities, and therefore specific rights as set out in the Convention on the Rights of the Child.

Children’s distinctive vulnerabilities in the context of mining operations are described extensively in *Children’s Rights and the Mining Sector: UNICEF Extractive Pilot*, and the matrix in Annex A of this Toolkit provides a list of common child vulnerabilities throughout their life cycle. The *Child Rights Self-Assessment* tool can help mining companies determine the issues and areas in which children should be explicitly considered, according to the specific context of their operations.

The figure below illustrates the typical steps for conducting an impact assessment – screening, scoping, baseline studies, and impact identification and evaluation. Stakeholder engagement, as described in Tool 2, will be an important part of all impact assessments, to be applied in each step as appropriate.



The next sections in Tool 1 follow these steps, providing a short description of the process, a view of each step through a ‘child rights lens’, and practical considerations that suggest options to improve the quality of the company’s assessment of its potential risks and actual impacts on child rights. More detailed suggestions for assessments related to due diligence and management systems are offered in the relevant tools for each area.

Tool 1 Impact Assessment

1.2 Screening⁵

Screening can be described as the formal process of determining whether or not an impact assessment is required for a project, and is typically carried out during the early stages of planning. The first step is to determine the context factors that apply to the project. This includes assessing strengths and weaknesses of the country of operation's legislation on such issues as child labour, forced labour, status of land tenure for women, and the stringency and implementation of its laws and regulations in protecting child rights.

It is also recommended that the company identify whether mining operations currently have significant impacts on child rights, or whether this has been an issue in the past. This information can be gathered from the company's previous operations in the area, projects conducted by other companies in the same area, or issues that have been documented as prevalent in the project area itself – for example in relation to previous conflicts, poverty levels or widespread human rights violations.

A quick analysis can be carried out with UNICEF's *Child Rights Self-Assessment*. Based on the project context, the company can use the tool to decide whether children's rights will be integrated into ongoing impact assessments and/or in other internal due diligence processes and management systems. A stand-alone child rights impact assessment is unlikely to be required.

During the screening phase, stakeholder analysis should be used to identify all potential stakeholders, particularly the most vulnerable. This step is crucial for ensuring that all impacts will be properly considered. For example, particular groups that may need assistance to participate in baseline data collection include children living or working on the streets, orphans and child-headed households. Attention to stakeholders' differing needs, interests, values and aspirations will assist the company in predicting its potential impacts.

1.3 Scoping

'Scoping' has been defined as "the process of identifying the main issues of concern as well as determining the interested and affected parties."⁶ As outlined by IPIECA and the Danish Institute for Human Rights, the scoping phase sets the boundaries for impact assessments "by defining the schedule, depth, breadth and thematic focus," and documents this information within the terms of reference for the consultants/specialists who will be involved in conducting the assessment.⁷

In regard to child rights, this implies analysing whether children are a stakeholder group likely to be significantly affected by the project and whether further project data are needed for filling in baseline information gaps. If the scope of impact assessment activities is limited to the legal requirements for permits, the company can miss opportunities to identify potential impacts on child rights.

Not all projects will have specific impacts on children. The initial scoping analysis should include an assessment of all issues and impacts – economic, social, environmental, health – that could be of particular concern for child rights. Some examples are offered in Table 1.

⁵ Adapted from: IPIECA and Danish Institute for Human Rights, *Integrating Human Rights into Environmental, Social and Health Impact Assessments: A practical guide for the oil and gas industry*, IPIECA and DIHR, London and Copenhagen, 2013, p. 12.

⁶ Vanclay, Frank, et al., *Social Impact Assessment: Guidance for assessing and managing the social impacts of projects*, International Association for Impact Assessment, Fargo, North Dakota, April 2015, p. 41.

⁷ IPIECA and Danish Institute for Human Rights, *Integrating Human Rights into Environmental, Social and Health Impact Assessments: A practical guide for the oil and gas industry*, IPIECA and DIHR, London and Copenhagen, 2013, p. 13.

Tool 1 Impact Assessment

Table 1. Potential areas of concern and child rights impacts

Potential impacts on income, health and livelihoods

- Land use, with possible effects on households' incomes, livelihoods and food security.
- In-migration trends, with possible effects on incomes (increase in labour supply against demand), security and sexual exploitation.
- Employment, with a risk of use of child labour or inappropriate conditions for young workers.
- Water quality (loss of water sources, impacts on food security):
 - acidification of water bodies by mining and beneficiation processes;
 - release of heavy metals with the potential for biomagnification in local food chains.
- Water quantity (loss of clean water for consumption and bathing – health impacts; reduced time for education, reduced food security).
- Depressed water table through groundwater abstraction.
- Air quality (health impacts, crop losses – impacts of income and food security):
 - significant dust generation;
 - gaseous emissions;
 - metal particulates and aerosols.
- Land surface impacts (loss of vegetation and biodiversity, loss of income/food security; increase in diseases – increased morbidity and mortality).
- Disturbed surfaces with the potential for water ponding and providing habitat for disease-carrying insects.
- Unstable surfaces; pit highwalls, subsiding ground – potentially dangerous conditions.
- Clashes between security forces and communities due to conflict over land use and access; artisanal miners working on company property, etc.

Potential impacts on access to services

- Land use, with possible effects on quality or quantity of social infrastructure and access to key social services.
- In-migration trends, with possible effects on access to basic services such as health and education.
- Increased burden on limited health-care services.

Potential impacts on social cohesion

- Land use, with possible effects on family unit, childcare arrangements and inter-household relations, and transfers.
- In-migration trends, with possible effects on family unit/cohesion (more single-parent households) and inter-household relations, and transfers.
- Employment, with possible effects on parents' ability to care for their children or young peoples' motivation to complete their education.
- Security, with a risk of crime or violence increase (affecting children's mobility and opportunities to play), or risks of sexual exploitation or drug or human trafficking increase.
- Out-migration due to lack of water.
- Increased poverty.
- Loss of amenities (schools, etc.).

Tool 1 Impact Assessment

The company may find it useful to collaborate with local governments to access precise data (see Box 1) and to mobilize external expertise during the scoping phase, which can be achieved through partnerships with non-governmental organizations (NGOs) whose work focuses on children. If professional consultants are hired to conduct follow-up impact assessments, be sure to integrate child rights considerations in the terms of reference, as highlighted during screening and scoping.

Box 1.
Collaborating with
local governments
during an impact
assessment process

Mining companies can benefit from engaging with local governments at the scoping and baseline phases of an impact assessment and in this way limit the cost of data collection and reach a better comprehension of key weaknesses with regard to the protection of child rights. Engaging with local governments at this stage of mining operations would include:

- Collaborate with local governments to access as much anonymous data as possible on children (age-disaggregated census, total number, school attendance, etc.) and their actual protection by public bodies so as to contribute to the impact assessment process and planning when it comes to child rights.
- If a lack of data on children and basic protection of child rights is identified, collaborate, technically or financially, with local governments or relevant ministry departments on the sub-national level to conduct, when possible, additional studies in order to fill the gaps.
- Support local governments in sharing data and information gathered during the impact assessment about the project and potential issues around children's rights.
- Maintain ongoing communication with local governments throughout the permitting process and aim to identify, via experts with knowledge of the decentralization framework and local government responsibilities, key weaknesses regarding protection of child rights by local governments (*for further and more specific guidance on engagement with local governments, see Tool 3. Resettlement and Tool 10. Community Social Investment*).

Other important factors for scoping include building on inclusive stakeholder engagement (see Tool 2) – which is the foundation of scoping – and ensuring that references to ‘vulnerable stakeholders’ are interpreted to include children in all assessments. In household surveys, for example, cover the following groups:

- Children living outside households, such as in residential care institutions, children's homes or orphanages;
- Children living with peers rather than under adult care, such as those who are living or working on the streets; and
- Children heading their households.

When defining the ‘zone of impact’, include each major activity that is part of the overall project. This involves applying a child rights perspective to geographical factors, as well as factors associated with the mine life cycle (construction, operation, decommissioning), for example:

- Downstream and downwind neighbourhoods;
- Location of children's play areas;
- Access to services and facilities, such as health-care centres and routes travelled by children to get to school; and

Tool 1 Impact Assessment

- People potentially affected by living along an impacted infrastructure such as railways and roads, including impacts on children living in communities along transportation routes, possibly hundreds of kilometres away from the mining site.

1.4 Baseline studies

As described by IPIECA and the Danish Institute for Human Rights, “Baseline studies involve characterization of the project’s environmental, social and health context and the associated foundational database, which provides the reference for identifying and assessing the nature of the potential impacts that may arise from the project activities.”⁸ Basic steps for integrating child rights into baseline studies include the following:

- Ensure children are represented and have appropriate opportunities to participate in baseline studies:
 - Disaggregate all collected data by age and gender, enabling an estimate of the number of children to be affected by the project and an analysis of their particular vulnerabilities.
 - Identify key informants, special interest groups, and community and household representatives, and assess whether they can effectively represent the best interests of children (*see Tool 2. Stakeholder Engagement*).
 - Ensure that children and young people, or their appropriate representatives, are directly engaged in community mapping and baseline surveys, and tally the number of those who are involved.
- Ensure that the following groups of children are covered in baseline studies, and that a census is carried out for estimating their numbers. A particular assessment of their vulnerability and resilience to the impacts may need to be performed, identifying the level of protection children receive from their parents/caregivers to the extent that it can affect their vulnerability:
 - Children living outside households, e.g., in residential care institutions, children’s homes or orphanages;
 - Children living with peers rather than under adult care; and
 - Children heading their households.
- Be sure that data collection for the baseline study includes specific impacts on children related to the project (*see Table 1, above*).

Gathering baseline information as described in Tool 1 can be an important part of addressing any of the areas covered in the Toolkit. Companies’ internal due diligence assessments and management systems often require additional baseline studies for assessing particular impacts on child rights, with more indicators and research areas to be covered. Specific steps and indicators are provided in the relevant tools for each area. For steps and indicators that can be integrated into the development of environmental and health baselines, see Tool 5 and Annex C. Environmental impacts on children.

In this step, companies will aim to identify and assess the impacts associated with the economic, social, environmental and health contexts of the area in which a project is located. To identify the *significance* of these impacts, companies typically use to a predefined set of criteria. This includes evaluation of the magnitude, extent and duration of impacts, and indirect, long-term and cumulative consequences.⁹

⁸ IPIECA and Danish Institute for Human Rights, *Integrating Human Rights into Environmental, Social and Health Impact Assessments: A practical guide for the oil and gas industry*, IPIECA and DIHR, London and Copenhagen, 2013, p. 15.

⁹ Adapted from: IPIECA and Danish Institute for Human Rights, *Integrating Human Rights into Environmental, Social and Health Impact Assess-*

Tool 1 Impact Assessment

1.5 Impact identification and evaluation

It is important to apply a child rights lens in the definition of these criteria, taking into consideration how children and youth might be both directly and indirectly affected, and how impacts on women can disproportionately impact children. To determine the vulnerability and resilience of potentially affected children, and to understand the significance of the impacts, companies can consistently denote women and children as vulnerable stakeholders, and use the Annex A. Child vulnerability matrix to enrich the details. For environmental and health impacts, see Tool 5 and Annex C. Environmental impacts on children. Box 2 illustrates how the vulnerability matrix can be used by mining companies in impact assessment processes.

Box 2. Barrick Gold: Integrating a child rights lens into human rights assessment

As part of its participation in the UNICEF Extractive Pilot, Barrick Gold reviewed its human rights impact assessment protocol in order to integrate child rights indicators where relevant. UNICEF's child vulnerability matrix (*see Annex A*) was a key tool to support the company in its identification of specific impacts on children, as distinctive from the impacts on adults.

After testing the protocol in 2014, the company's feedback indicated that:

- The vulnerabilities matrix was useful in assessing the relationship between an impact on the human rights of adults and the potential severity of the consequence on children.
- Increased questioning in the community about children's rights led to identification of impacts on children's rights that were not related to the mine. This revealed areas where Barrick saw the potential to advance, as well as respect, the rights of children – for example, through partnerships on the elimination of child labour in illegal mining, and liaisons with local and national government to increase transparency in government efforts to protect child rights.

After piloting the adapted human rights impact assessment protocol, Barrick permanently adopted the revisions related to child rights for all future human rights impact assessments. The company is also considering increasing the level of detail in complaints received by the grievance mechanism to better understand potential impacts on children within affected households.

Source: United Nations Children's Fund, Children's Rights and the Mining Sector: UNICEF Extractive Pilot, UNICEF, Geneva, March 2015, p. 20.

Potential impacts on children's rights include those that can negatively affect income and livelihoods, health, access to services and social cohesion. Further details on indicators and impact mitigation are offered in the related tools. In this process, it will often be useful to combine assessments of health, ecological, social, economic and technological factors in affected communities, for example, assessing the impacts of pollution on children's food security as well as on their health.

ments: A practical guide for the oil and gas industry, IPIECA and DIHR, London and Copenhagen, 2013, p. 16.

Stakeholder Engagement

As noted in the UNICEF Extractive Pilot report, “Most mining companies recognize children as vulnerable stakeholders and some have overt policy commitments for managing impacts on these stakeholders. But there is very little institutional knowledge on how to define vulnerability for children living in close proximity to industrial mining.”¹⁰

¹⁰ United Nations Children’s Fund, *Children’s Rights and the Mining Sector: UNICEF Extractive Pilot*, UNICEF, Geneva, March 2015, p. 6; available at <www.unicef.org/csr>.

Tool 2

Stakeholder Engagement

Tool 2 describes stakeholder engagement on child right issues specific to the mining sector due to its social and environmental impacts, both positive and negative, on the lives of children and young people. It outlines how mining companies can conduct meaningful and effective stakeholder engagement on children's rights at the corporate and operational levels, and aims to:

- Provide companies with an understanding of the advantages of adding a child rights lens to their existing stakeholder engagement process.
- Offer examples of the circumstances and contexts in which consultation on child rights issues can be particularly important.
- Equip companies with simple tools to develop stakeholder engagement activities on child rights issues, including through direct engagement with children.

The tool should be read together with UNICEF's *Engaging Stakeholders on Children's Rights*, which provides detailed information on managing direct engagement with children ethically and with appropriate safeguards in place.

Mining companies using Tool 2 are assumed to be familiar with the general principles and activities involved in stakeholder engagement. This includes awareness of the importance of engaging with groups that may be more vulnerable to operational impacts due to their position in society and demographic characteristics, for example, women, the elderly, children and youth, ethnic and cultural minorities and indigenous peoples. To ensure that the issues and concerns of those who will be most affected by mining operations are identified and addressed, these vulnerable populations should be considered throughout a project's life cycle.

Resources for stakeholder engagement

Engaging Stakeholders on Children's Rights: A tool for companies, UNICEF, available at www.unicef.org/csr/568.htm

A Strategic Approach to Early Stakeholder Engagement: A good practice handbook for junior companies in the extractive industries, IFC, open PDF from https://commdev.org/userfiles/FINAL_IFC_131208_ESSE%20Handbook_web%201013.pdf

OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector, Organisation for Economic Co-operation and Development, available at <http://mneguidelines.oecd.org/stakeholder-engagement-extractive-industries.htm>

Socio-Economic Assessment Toolbox (SEAT), Anglo American, open PDF from www.angloamerican.com/~media/Files/A/Anglo-American-Plc/docs/seat-toolbox-v3.pdf

2.1 Why is it important to apply a child rights lens to stakeholder engagement?

Stakeholder engagement can be defined as "an ongoing process of interaction and dialogue between a company and its potentially affected stakeholders that enables the company to hear, understand and respond to their interests and concerns, including through collaborative approaches."¹¹

Even robust stakeholder engagement that includes vulnerable groups such as women and indigenous populations can exclude considerations for child rights issues. This may be due to assumptions that children's views are adequately represented by other stakeholders, such as community elders. However, there are a number of reasons why children's perceptions and needs may not be understood or expressed accurately by adults.

¹¹ Office of the High Commissioner for Human Rights, *The Corporate Responsibility to Respect Human Rights: An interpretative guide*, United Nations, New York and Geneva, 2012, p. 8; available at www.ohchr.org/EN/Issues/Business/Pages/Tools.aspx.

Applying a child rights lens to stakeholder engagement can improve the quality of stakeholder engagement activities, and enhance the effectiveness of related management systems. It is also important for a company to apply a child rights lens to stakeholder engagement because:

- Children are the future representatives of their communities, and therefore engaging them increases the likelihood of a durable social licence.
- Engagement helps inform corporate activities, such as impact management, that will affect the lives of children now and in the future. Children should be able to participate and express their opinions on activities that affect them.
- Obtaining children’s perspectives through the stakeholder engagement process can provide additional information to mining companies on significant issues that may have been missed by other stakeholders and provide insights into the social factors that impact vulnerable groups (e.g., motivations/needs of children and young people to engage in seasonal artisanal mining). In an example from Malawi, a mining company’s engagement with child rights stakeholders revealed that the presence of wealth in the area of operations attracted criminal gangs, who were hiring local children to syphon fuel from company trucks.¹²

Scenario This type of information enables thorough research on impacts affecting disadvantaged groups, including children living or working on the street, orphans and child labourers. It can also be useful in identifying effective mitigation strategies, as illustrated by the following scenario:

An exploration company wanted to locate a camp on a pathway leading to a water source. Through engagement with women and girls, the company found that blocking the pathway meant that girls would have to walk a considerable distance to collect water. They would also be exposed to a population of strangers, in an isolated and unfamiliar landscape, thus placing them at higher risk of sexual exploitation. Moving the position of the camp and fencing it to restrict access would lead to a relatively shorter journey to fetch water – with the associated benefits of reducing the time girls had to spend on this task, and lowering the risk of exposure to communicable diseases and sexually transmitted infections.

Box 3.
Building on local
customs to engage
youth in Côte d’Ivoire

Engaging the local community was critical for a Canadian gold mining company to maintain its social licence to operate in Côte d’Ivoire. Since children and young people represent a large percentage of the population, they were considered to be a key stakeholder group by the company, which could not assume that acceptance of mining operations by the adults automatically translated into support from young people.

In accordance with local customs, the village chief and his associates represented the most prevalent voices in community meetings, making it a challenge for the company to obtain youth input into policies and processes that affected them. Previous consultations had demonstrated that youth’s perspectives were not being heard. For example, the company built a community centre based on the consultation, yet children and young people were not using it because they would have preferred a health centre.

To ensure that youth voices were part of community outreach, the company developed a non-traditional form of engagement building on the strengths of local customs, for example, incorporating singing and dancing. On-the-ground staff received training in basic participatory research methods.

¹² United Nations Children’s Fund, *Engaging Stakeholders on Children’s Rights: A tool for companies*, UNICEF, New York, September 2014, p. 15

Tool 2 Stakeholder Engagement

Box 3.
(continued)

The company established a peer education programme to spread awareness on key health messages, as well as obtain input on the impacts of its operations. Peer educators, chosen by and for their communities, participated in training on health education to reach out to young people in their villages. Youth were also encouraged to share their perspectives on how mining construction impacted their lives and community.

All feedback was recorded in 'compressed meeting minutes,' a type of documentation adapted from traditional practices to efficiently record relevant data. The data were then organized and used to guide the work of the community relations team, the company's employee recruitment strategy, and the implementation of community development programmes. Youth continue to be engaged separately during community development needs assessments, a step that precedes any decision to build or repair community infrastructure such as boreholes, clinics, pharmacies and schools.

Source: United Nations Children's Fund, *Engaging Stakeholders on Children's Rights: A tool for companies*, UNICEF, New York, September 2014, p. 20.

2.2 When should mining companies engage directly with children?

Stakeholder engagement on children's rights is not always necessary but may prove to be useful for companies with issues particularly impacting children's rights given the size, nature or context of their operation. Applying the *Child Rights Self-Assessment tool* will inform companies on these levels. Specific processes where engagement with children and/or child rights stakeholders can be valuable include:

- Determining more accurately the effects of environmental degradation and pollution such as radioactive contamination due to uranium extraction, and the use and disposal of mercury and cyanide in gold processing on children's health and well-being, as well as the contamination of ecosystems and resulting impacts on livelihoods and services (see *Tool 5. Environment and Tool 7. Health and Safety*).
- Understanding and managing the effects of economic displacement, loss of farmland and the physical relocation of households to make way for mining projects. Engagement on child rights may provide information on a wide range of essential socio-economic criteria such as access to social services, contributions of children to households' formal and informal income-earning activities, and the number of households headed by single females and/or young people who may not be recognized as land owners by national laws (see *Tool 3. Resettlement*).
- Managing the influx of workers and other migrants to mining areas. A focus on children's rights and perceptions can bring significant insights on the composition of migrant populations and on potential impacts on key social services (see *Tool 4. In-migration*).
- Managing company security services, relations with government forces, and their interactions with community members affected by the mining project. Engagement on child rights can mitigate risks more effectively, given the particular status of and sensitive dynamics around children's interactions with security (see *Tool 6 Security*).
- Helping the mining company target socio-economic community investments to enhance child rights in a viable way, for example, ensuring sustainability of the investments after closure (see *Tool 10. Social Investment*).

For additional information on this process, see Table 2 in UNICEF’s tool for business *Engaging Stakeholders on Children’s Rights*, which maps the levels from ‘no engagement’ to ‘collaboration with key stakeholders’.¹³ As companies face a higher level of risk or opportunity to impact children’s rights, they can move towards greater intensity of engagement and a higher level of commitment. For each level of engagement, the table explains when this would be relevant, describes the actions companies could take, and lists examples of activities.

Mining companies will find it necessary to directly consult with children only in limited circumstances. Triangulation with other sources of information from child rights advocates or adult key informants – such as police, company personnel, community leaders and health workers – can often yield sufficient information.

However, children can offer unique perspectives and opinions about their experiences and, in certain scenarios, only children have the knowledge or facts that derive from their direct experiences. Depending on the issue and need for engagement, business assessments and decisions that are informed by children’s opinions can be more relevant, more effective and more sustainable. Table 2 lists potential circumstances when such engagement will be necessary.

Table 2. Sample circumstances and reasons for direct engagement with children

When	Why
Children can provide information that cannot be accessed through other child rights stakeholders.	<ul style="list-style-type: none"> – To understand how vulnerable children are affected by socio-economic changes in the mining areas, e.g., increased criminal activity – To further understand issues that are sensitive or have been omitted by other stakeholders, such as child abuse and exploitation – To understand children’s concerns in areas where they are not typically able to express their opinion due to cultural norms
Children’s direct voices will provide additional information to the input of child rights advocates or other key informants.	<ul style="list-style-type: none"> – To understand the life of significantly disadvantaged groups – such as children living on the street, orphans or child labourers, who are often invisible – and how mining operations have impacted their rights – To understand how conflict, discrimination and/or power dynamics may negatively affect children
The mining operation may cause irreversible social or environmental impacts on children.	<ul style="list-style-type: none"> – To tailor management plans such as resettlement and mining closures in a way that takes into account the most vulnerable, e.g., households headed by women or children
Adults’ comments about children need to be validated.	<ul style="list-style-type: none"> – To respect children’s and/or child rights stakeholders’ freedom to give or withhold consent, particularly when mining operations will potentially take place in and around indigenous communities – To monitor and evaluate the benefits of child-focused initiatives

2.3 How can companies engage effectively with stakeholders on child rights?

In order to apply a child rights lens to a stakeholder engagement plan, mining companies will need to define the geographical characteristics of the project area, the scope of the issues and the stakeholders to be engaged, along with conflicts or power dynamics among them. When determining the appropriate approach for engagement, it is important to assess the type of information children, young people and/or child rights stakeholders will need to know regarding their potential involvement and how this information should be communicated.

¹³ United Nations Children’s Fund, *Engaging Stakeholders on Children’s Rights: A tool for companies*, UNICEF, Geneva, September 2014, pp. 10–11; available at <www.unicef.org/csr/568.htm>.

Tool 2 Stakeholder Engagement

There are a variety of approaches that a mining company can use to engage child rights stakeholders. For example, Table 2B.3 in Anglo American's *Socio-Economic Assessment Toolbox* presents a matrix of engagement techniques – personal interviews, complaints and grievance mechanisms, workshops, focus groups/forums, public 'town hall' meetings, open days/open house meetings, comments/response sheets, surveys, participatory tools, and advisory committees/stakeholder panels – with guidance on the most appropriate use of each technique.¹⁴

Direct consultation with children always requires engagement with other child rights stakeholders and experts who have an understanding of the issues, because the process can do more harm than good if not carried out appropriately and ethically. Therefore, the first step of engaging with children is to identify facilitators who have the training and background to apply child protection standards during direct consultations.

Companies should consider working with child rights advocates who can provide information in assessing the situation of children's rights in a particular context. They can also engage with individuals who do not necessarily hold expertise on child rights, but are in close contact with or live in the vicinity of affected children. Examples of child rights stakeholder groups include those listed in Table 3.

Table 3. Examples of child rights stakeholders

Stakeholder groups	Examples
Youth organizations	Children's clubs and child-led clubs (organizations that are run for or by children/young people) organized through schools, community centres, NGOs, government, places of worship, etc.
Civil society and international organizations	NGOs, community-based organizations or multilateral organizations that have a direct focus on children and youth (e.g., UNICEF, Save the Children, Plan International) or that have a direct interest in mining, the environment, water, security, etc.
Academic experts	Individuals with professional or academic expertise on child rights or who have conducted research on child development issues in the region, country or area where the mining company operates
Parents/caregivers	Guardians, who can provide insights about children's welfare, their activities or use of resources (e.g., company donations or government services)
Government	National or local committees or ministries for children (e.g., ministry of education), children's ombudsperson and children's commissioners; national human rights commissions may also work on child rights issues in the absence of a children's ombudsperson
Businesses/suppliers	Other mining or extractive companies operating in the same geographical area or present in the same value chain, which can provide insights on child rights issues and how they are addressing their impacts, either on an individual or collaborative basis
Labour organizations	Trade unions, labour unions or other labour organizations that can provide insight on working conditions of workers with families or of young workers
Professionals in contact with children and/or community leaders	Teachers, doctors, health workers, lawyers, child protection and/or social workers, village or community leaders, and religious leaders who may have knowledge about the welfare of children (e.g., illness due to water pollution in the village)
Company personnel	Company staff (e.g., community liaison officers, security personnel), who may be able to share insights about the behaviour or activities of children in the local community
Children	Groups of children (e.g., young workers, community members, children of employees) that may be positively or negatively impacted by business

¹⁴ Anglo American, 'Table 2B.3 Matrix of Engagement Techniques', *Socio-Economic Assessment Toolbox (SEAT)*, Version 3, Anglo American Services UK Ltd., London, 2012, pp. 53–57; open PDF from <www.angloamerican.com/~/media/Files/A/Anglo-American-Plc/docs/seat-toolbox-v3.pdf>.

Engagement on children’s rights should be both comprehensive and sincere, clearly identifying the company’s motivation and specific issues for engagement, and setting out a vision that defines both the business objectives and the benefits for children.

Before consulting with children, pinpoint the topics for consultation, rather than expecting children to provide input on broad focus areas for sustainability or human rights strategy. The following questions can be considered internally to prepare for a consultation:

- Will engagement with children be useful to the company?
- Does the company have a genuine motivation to engage, for example, to understand its impacts and apply this knowledge to its sustainability strategy, and the intention to act upon outcomes of the consultation?
- What are the specific issues on which the company will consult children?
- Will the engagement with children be well informed and ethical, treating children with respect and without discrimination?
- Will it ensure that their engagement is voluntary at all stages, and that the children and their parents and/or guardians are fully aware of the purpose of the engagement? Will they be informed on how the findings will be used, giving due weight to their contributions?
- Does the company have the capacity and time to effectively engage with children and work with the relevant organizations to carry out meaningful consultations?
- Will there be a return to the stakeholder for engaging in terms of company action on an issue or improved outcomes for children?

Table 4 provides examples of objectives related to situations where engagement on children’s rights can be particularly appropriate, and lists questions that mining companies can apply in order to understand and better manage their impacts on children.

Tool 2 Stakeholder Engagement

Table 4. Examples of potential issues on child rights and related questions

Impact assessment	
Objectives	Sample questions
<p><i>Assessing and evaluating social impacts of the mining operations on children and young people living within the local community</i></p> <p><i>Understanding the context in which the mining company operates and highlight potential child rights risks</i></p> <p><i>Mapping stakeholders and their positions, interests and needs</i></p> <p><i>Understanding community trends and how they have impacted children and their rights, e.g., past resettlements, conflicts, epidemics, poverty levels</i></p>	<p><i>For children and young people:</i></p> <ul style="list-style-type: none"> – Where do you live/who lives with you in your household? – How long have you and your family lived in the town, village and/or area? – Do you have access to water and electricity? Does your family own or use the land around your home? For what purpose? Has this changed recently?
	<p><i>For child rights advocates and/or representatives:</i></p> <ul style="list-style-type: none"> – What is the percentage of children of migrant origin, indigenous children and/or children belonging to minority groups, based on nationality, ethnicity, region or language? – What are the social effects on children and young people in the local community due to a recent epidemic, conflict, government policy and/or private investments? – Are there any known obstacles to engaging women and children in consultations?
	<p><i>For national and/or local authorities:</i></p> <ul style="list-style-type: none"> – How are child rights issues handled by local authorities? – What is the availability and capacity of social services provision in the local areas? What are the challenges services are facing? – To what extent are vulnerable groups, particularly women, children/young people, able to access the justice system and obtain remedy?
Resettlement	
Objectives	Sample questions
<p><i>Assessing the number of female-headed households or households headed by children and/or young people, whose right to own property is often not covered by national legislation</i></p> <p><i>Understanding the application of legal and customary land tenure with regard to children and young people, especially girls</i></p> <p><i>Developing an eligibility and compensation framework that takes vulnerable children into consideration</i></p> <p><i>Applying a child right lens to resettlement planning and implementation to ensure that children and young people are not left worse off psychologically and physically, as well as financially</i></p>	<p><i>For children and young people:</i></p> <ul style="list-style-type: none"> – Where do you live? Who takes care of the house or other properties, e.g., a farmstead? – Has your family always lived there? Is the land handed down from parents to children? – Have you visited the new area where are you going to move? Do you like it? Why or why not? – Do you know other people close to you, e.g., friends
	<p><i>For child rights advocates and/or representatives:</i></p> <ul style="list-style-type: none"> – What are the challenges for land ownership faced by female-headed households and/or households headed by children and young people? – What may be the impacts to the traditional way of life if the community is resettled elsewhere?
	<p><i>For national and local authorities:</i></p> <ul style="list-style-type: none"> – What are the customary laws and national legislation regulating land tenure? – How can the rights of individuals with unclear ownership of their land be protected by the national legislation? Are women allowed to own property? – What kind of challenges are local authorities facing in accommodating the resettlement of vulnerable groups, such as children and young people? How do the authorities plan to overcome these challenges?

Tool 2 Stakeholder Engagement

Table 4. Examples of potential issues on child rights and related questions (continued)

In-migration	
Objectives	Sample questions
<p><i>Applying a child rights perspective to understanding and managing in-migration due to mining operations</i></p>	<p><i>For children and young people:</i></p> <ul style="list-style-type: none"> – Do you know anyone whose family has moved here because of the mine site? – Has your family come to the area because of mining or other opportunities for work? Have you suffered any abuse, e.g., harassment and bullying, since you moved here? – What are the positive and negative aspects of moving to the mine area? Do you go to school and play with friends as easily as in your previous community?
	<p><i>For child rights advocates and/or representatives:</i></p> <ul style="list-style-type: none"> – Has there been a change in behaviour of local children due to the influx of new people in the area? – Has the in-migration of workers created cohesion and integration issues, especially among children and young people of different backgrounds? – What are the issues faced by families in which one of the parents moves in search for work in or around the mine operation? – Are migrant children and families able to access social services? – Have migrant children been subjected to abuse and exploitation?
	<p><i>For national and local authorities:</i></p> <ul style="list-style-type: none"> – What are the observed patterns of in-migration locally? Has there recently been in-migration to the local area? If so, what are the challenges to local service provision? – Are there any regulations to manage in-migration, e.g., registering details of arriving migrants, and migrants' access to jobs, housing and other services?
Environment	
Objectives	Sample questions
<p><i>Assessing and evaluating environmental impacts of mining operations on children and young people living within the local community</i></p> <p><i>Assessing whether the level of pollution and nuisance (water, dust, noise, etc.) has a different and severe effect on the well-being of children and young people</i></p> <p><i>Understanding the links between environmental change caused by a mining project and health impacts on children</i></p>	<p><i>For children and young people:</i></p> <ul style="list-style-type: none"> – Are you in good health? Have you been sick lately? From what? – What is your diet? Do you feel that you lack any particular food/nutrient? – Are your parents healthy? Have they been sick lately? From what? Was this related to their work?
	<p><i>For child rights advocates and/or representatives:</i></p> <ul style="list-style-type: none"> – Have particular illnesses affected children since the start of the mining operations? – Are there known issues related to nutrition in the area?
	<p><i>For national and local authorities:</i></p> <ul style="list-style-type: none"> – What legislation regulates the environmental impacts of mining operations? How do these laws or regulations protect children's rights? – Are there legal thresholds for particular pollutants? Have these thresholds also been specifically defined for children? – How are local authorities working with the mining company to manage environmental impacts?

Tool 2 Stakeholder Engagement

Table 4. Examples of potential issues on child rights and related questions (continued)

Security	
Objectives	Sample questions
<p><i>Understanding the issues linked to children's rights in relation to conflict and the management of security in and/or around mining operations</i></p> <p><i>Avoiding and minimizing child rights abuses by members of private security forces contracted by the mining company and/or public forces (e.g., police, military)</i></p>	<p><i>For children and young people:</i></p> <ul style="list-style-type: none"> – Are you aware of the security arrangements made by the mining company and what they imply to you in terms of restriction of access, potential hazards, etc.? – Have you experienced any disputes or protests in relation to the mine or other factors? What was the nature of these protests, and where did they take place? – Are you aware of existing grievance mechanisms enabling you to report a complaint or a request to the mining company?
	<p><i>For child rights advocates and/or representatives:</i></p> <ul style="list-style-type: none"> – Does the area have any current or previous disputes or disagreements and/or issues that influence children's rights? – Who perpetrates security threats or crime, and for what reasons? What particular groups are involved in criminal activities, and who is most affected by crime? – Has there been a history of abuse (e.g., harassment, sexual violence, coercion) against children and young people perpetrated by public and/or private security forces?
	<p><i>For national and local authorities:</i></p> <ul style="list-style-type: none"> – To what extent is the local area considered to be safe? Who is most often affected by crime? What is the nature of the criminal activities and other security issues? – Have public security forces been required to intervene in disputes or disagreements between the community and the mining company? What happened? Were children or young people involved and/or detained? – To what extent are vulnerable groups, particularly women, children and young people, able to access the justice system and obtain remedy?
Health and safety	
Objectives	Sample questions
<p><i>Understanding the negative health and safety impacts of mining operations on children</i></p> <p><i>Identifying how associated components of the mining project (roads, tailings, etc.) may pose threats to children's well-being and safety</i></p>	<p><i>For children and young people:</i></p> <ul style="list-style-type: none"> – Do you live near the mine site? Do you go around or into the mine site often? – Do you feel safe? Are there any things, places or persons that make you feel unsafe? – What could the mining company do to increase safety for children and young people in the community?
	<p><i>For child rights advocates and/or representatives:</i></p> <ul style="list-style-type: none"> – Are there any health issues among children and young people that are of concern, e.g., injuries on roadways, in the home or workplace; burns or drowning; assaults; or sexually transmitted infections? – Has the mining company engaged with children on the dangers relating to its operations, e.g., road safety? If so, how effective was the engagement? – What type of engagement tools (e.g., storytelling, drama, drawing, photos) should the mining company use to communicate health and safety risks to local children and young people?
	<p><i>For national and local authorities:</i></p> <ul style="list-style-type: none"> – Has there been an increase of injuries/fatalities among children and young people since the start of the mining operations? What are the statistics? – Has there been an increase in pregnancies and sexually transmitted infections among adolescents since the company started operating in the local area? What are the statistics? – How has the company worked with local authorities to manage health and safety risks to children and young people?

Tool 2 Stakeholder Engagement

Table 4. Examples of potential issues on child rights and related questions (continued)

Protecting children from sexual violence	
Objectives	Sample questions
<ul style="list-style-type: none"> Identifying the social and economic risks, both internal and external, that may lead to sexual violence (abuse and exploitation) of children Managing the presence of prostitution, particularly that involving children, in the community where the mine operates Developing due diligence measures to ensure suppliers have identified the issues and have management plans in place to avoid sexual abuse and exploitation of children 	<p><i>For children and young people:</i></p> <p>Direct engagement with children and young people on sexual abuse and exploitation requires particular sensitivities and expertise. Therefore, it should be conducted by professional facilitators who can develop questions with age-appropriate language and content.</p>
	<p><i>For child rights advocates and/or representatives:</i></p> <ul style="list-style-type: none"> Have there been reports of sexual violence against children in the area? Have they increased or decreased since the mining company started operating? Is trafficking of children for prostitution an issue? Has the company implemented effective measures to prevent its employees and suppliers from having inappropriate contact with children and young people? What types of engagement tools (e.g., storytelling, drama, drawing, photos) should the mining company use to communicate the risks of sexual abuse and exploitation to local children and young people? Has the mining company created mechanisms to safely report abuse? Are survivors able to access the justice system and have confidence that they will be treated fairly?
	<p><i>For national and local authorities:</i></p> <ul style="list-style-type: none"> What systems are in place to monitor sexual abuse and exploitation of children in the community? Have they been effective? What is the current legislation, rate of prosecution and conviction for incidents of sexual violence against children? Are there health services dedicated to prevention of and treatment for sexually transmitted infections, including HIV, and for AIDS? What are your responsibilities in terms of prevention, protection and prosecution? What are your current means, actions and impacts to prevent sexual violence in the area and protect children from it? Are they in line with international best practices on confronting trafficking and child abuse?

Tool 2 Stakeholder Engagement

Table 4. Examples of potential issues on child rights and related questions (continued)

Social investment	
Objectives	Sample questions
<ul style="list-style-type: none"> • <i>Informing the company on how to promote and protect children's rights through social investment</i> • <i>Designing and implementing long-term development projects that will benefit the local population and improve their livelihoods</i> • <i>Monitoring and evaluating the effectiveness, efficiency and sustainability of social investment initiatives</i> 	<p><i>For children and young people:</i></p> <ul style="list-style-type: none"> – What do you do in your spare time? – What would you like to do when you finish school? – What are your aspirations for the future?
	<p><i>For child rights advocates and/or representatives:</i></p> <ul style="list-style-type: none"> – Which issues related to child rights should the mining company invest in? Why? – Is the company involved in long-term development projects that will benefit the local population and improve their livelihoods? – Have children and young people been involved in the design and development of projects? – What can the company do to ensure the sustainability of its social investment initiatives? – How can the company deliver the social investment initiatives in partnership with local stakeholders? Do they have particular needs in terms of capacity building on which the company could act?
	<p><i>For national and local authorities:</i></p> <ul style="list-style-type: none"> – Has a national/local development plan that makes reference to the improvement of child rights and well-being been established? Is the company's social investment strategy in alignment with this plan? – Does the authority have the capacity for long-term management and monitoring of the social investment project?

Tool **3** Child Rights and
Mining Toolkit

Resettlement

Mining changes the patterns of land use and can result in involuntary resettlement of people. This, in turn, can cause a loss of livelihoods and resources, affect access to social services, and impact communities' social cohesion. As stated in a case study of the International Development Association on resettlement, "Poor and vulnerable groups, including children, are particularly at risk when development activities result in displacement. Research has shown that children are more severely affected and may be less able than others to rebuild their lives after resettlement."¹⁵

¹⁵ Nampungu, Phiona, and Diana Kasabiiti, 'The Impact of Involuntary Resettlement on Children: A case study of the International Development Association funded Bujagali hydro-power dam – Naminya resettlement area', Bank Information Center, 2013, p. 3; available at <www.bankinformationcenter.org/case-study-on-bujagali-dams-negative-impacts-on-children-submitted-to-the-world-bank>.

Tool 3 Resettlement

Where does your company stand on respecting and advancing children's rights in resettlement planning and management? The figure below presents a continuum from the lack of effective planning and management to the fullest measures of corporate responsibility and proactive leadership.



3.1 Overview of the issues and related standards

Tool 3 aims to support mining companies in identifying and addressing child rights issues during resettlement planning, implementation and monitoring, in line with international standards and guidance. Companies that have not developed and formally integrated a comprehensive approach to assess and manage their impacts on human rights should address that gap as a priority.

The International Finance Corporation (IFC) *Handbook for Preparing a Resettlement Action Plan*, published as a guide for operational staff, consultants and practitioners in resettlement planning and management, forms the foundation of this tool. Although children are listed as a vulnerable group under *IFC Performance Standard 5: Land Acquisition and Involuntary Settlement*, beyond child labour, the standards and guidance do not focus on requirements to address children's unique needs.

The UNICEF resettlement tool has been prepared as a further step for respecting and advancing children's rights, specifically in the mining sector. Given the harmonies between child-friendly and gender-inclusive approaches, it also builds on the Asian Development Bank's 'Gender Checklist' for resettlement.

Companies have a key role to play to ensure that child rights and livelihoods are respected and enhanced during resettlement processes. Planning, implementing, monitoring and evaluating resettlement through a child right's perspective will help ensure that negative direct and indirect impacts on children are understood and mitigated.

The direct impacts of resettlement can be severe on children because they are likely to be more dependent than adults on social infrastructure, and changes in access to social services such as health and education can affect children more severely. They are also affected by increased exposure to insecurity, and to negative changes in food consumption, with possibly irreversible effects on their health. Other direct impacts include:

- Children are psychologically more vulnerable to change and may not adjust accordingly.
- Children often work in the informal sector and may be equally concerned with earning a livelihood, but may be discriminated against in accessing compensation when their opportunities are disrupted.
- Vulnerable children (heads of households, orphans, children living or working on the streets) may not have property rights, and/or suffer from discrimination in access to compensation and remedy.

Children are also susceptible to indirect risks associated with mining, such as impacts on household livelihoods, loss of income, nutrition and access to social services. Because they are usually dependent on adults:

- Impacts on household income and livelihoods can result in disproportionate impacts on children (e.g., food security, daily care, child labour).
- Changes in parents' and caregivers' access to public or social services will, in turn, affect children (insecurity, health).
- Impacts on community social cohesion (e.g., inter-household relationships, childcare arrangements) can disproportionately affect children.
- Adverse impacts on women, such as gender-based violence, will also affect children. Related impacts on food security will particularly affect breastfeeding babies/children.

For companies, underinvestment in planning and management, and accumulation of negative impacts on children in relation to resettlement activities, can carry a high price, including legal claims or prosecutions; unsettled social relations with affected communities and in the general operating environment; and damage to the company's reputation.

Tool 3 Resettlement

Resources for resettlement

Handbook for Preparing a Resettlement Action Plan, IFC, available at <www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/learning+and+adapting/knowledge+products/publications/publications_handbook_rap_wci_1319577659424>

IFC Performance Standard 5: Land Acquisition and Involuntary Settlement; all of the IFC Standards and Guidance Notes are available at <www.ifc.org/wps/wcm/connect/Topics_Ext_Content/IFC_External_Corporate_Site/IFC+Sustainability/Our+Approach/Risk+Management/Performance+Standards>

'Gender Checklist: Resettlement', Asian Development Bank, available at <www.adb.org/publications/gender-checklist-resettlement>

3.2 Planning

The ultimate goal of a resettlement is to enable people who are displaced by a project to improve their standard of living – a goal that requires an examination of social, environmental, health and economic baseline conditions beyond simple physical inventories.

Socio-economic baselines are crucial for ensuring that children's needs and concerns are addressed in resettlement and livelihood restoration. Moreover, land and property rights can be governed either by national or customary law, but both can restrict child rights, particularly for girls, to own land, access compensation or more generally benefit from the resettlement process. Table 5 lists potential risks and suggests questions, strategies and action that can be used to develop the baseline assessment and the resettlement action plan.

Tool 3 Resettlement

Table 5. Resettlement planning with a child rights perspective

Socio-economic baseline	
<p>Risks: Not including child rights when determining the socio-economic baseline can result in misperceptions about the community and its households. As a result, the resettlement design would not adequately address the community's needs – potentially putting the company at risk of facing increased frustrations within the community, and endangering its social licence to operate.</p>	
Questions	Strategies and action
<p><i>Have children been included in the socio-economic survey?</i></p>	<p>Collect data for each household regarding:</p> <ul style="list-style-type: none"> • Children's (girls and boys) contributions to the household's formal and informal income-earning activities and subsistence production. • Quantitative aspects of the community's access to social services. • Qualitative assessment of adult and child (boys and girls) perceptions regarding schooling and domestic chores and obligations, and towards the availability and quality of health services and recreational facilities. • Food balance and key food products for children (girls and boys). • Communities' organization and roles, and representativeness (or lack of representativeness) of children and youth. <p><i>(Specific guidance child-relevant baseline data to be collected throughout resettlement processes can be found in Tool 1.)</i></p>
<p><i>Has information been specifically collected on poverty levels (household income) and on land and property status, including with a specific focus on vulnerable children and youth, e.g., children living and working on the street, homeless youth and orphans?</i></p>	
<p><i>Does the survey include questions on household division of labour and children's contribution to family income (according to age and gender)?</i></p>	
<p><i>Has qualitative and quantitative information been documented on community education, health facilities and other services?</i></p>	
Compensation framework	
<p>Risks: Not specifically considering children while designing compensation frameworks may worsen existing vulnerabilities and perpetuate the fragility of community members' legal status. This can then contribute to endangering communities' livelihoods and as a result, the company might face increasing discontent from the communities and put its social licence to operate at risk.</p>	
Questions	Strategies and action
<p><i>What are the laws governing compensation?</i></p>	<ul style="list-style-type: none"> • Examine laws, policies and customs that deal with land, housing and property rights.
<p><i>Are there categories of children and youth likely to be excluded from the resettlement process because their right to land and other resources is not recognized under law or custom?</i></p>	<ul style="list-style-type: none"> • Develop specific assistance packages for child-headed households outside legal entitlements as part of the resettlement and compensation package in order to reach agreements with host governments that ensure the security of affected people's ownership of land and assets.
<p><i>Are there vulnerable categories of children who may not be able to effectively participate for lack of capacity, resources or accessibility?</i></p>	<ul style="list-style-type: none"> • Consider the development of a specific programme enabling communities to more easily save cash compensations, mitigating possible negative effects of cash compensations on inheritance practices (see Box 5). • Develop separate options for livelihood restoration programmes for single-headed households and child-headed households. • Include the youth who are in charge of households in consultations on compensation. • Ensure that the enumeration process takes into account children living and working on the street, homeless youth and orphans, and their ability to access and respond to the process, e.g., no places to safely keep documents, challenges to understanding the process, no fixed place of abode.

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Table 5. Resettlement planning with a child rights perspective (continued)

<p><i>Are there individuals nearing age 18 whose imminent progression to adulthood may suffer from the resettlement process because they are considered as a child during the compensation process, placing them at a disadvantage?</i></p>	<ul style="list-style-type: none"> • Take into account the timeline of the resettlement during the eligibility process and consider compensating individuals who are near age 18 (see Box 4 and Box 5).
<p><i>Will children's sources of livelihood be affected, including through impacts on women's livelihoods?</i></p>	<ul style="list-style-type: none"> • Children's wage incomes and subsistence production are to be accounted for in calculating entitlements. Consider providing separate compensation to households for loss of income related to children, even from informal sector activities. Households dependent on child labour can benefit from alternative income earning opportunities for adults while children's access to educational opportunities is improved. The incidence of child labour should thus be reduced. Returning children to a situation of child labour is contrary to international standards.
<p><i>Have significant time lags between the completion of the census and implementation of the resettlement action plan and more generally potential delays in the resettlement implementation and their effects on children been considered?</i></p>	<ul style="list-style-type: none"> • Make provision for population movements and how they can affect child rights, by liaising with the persons in charge of the influx management plan, if any (see Tool 4. In-Migration), as well as natural population increase and expansion of households, which may include a repeat census.

Collaboration with local government

Risks: Collaboration between mining companies and local governments during and after a resettlement process is crucial in order to ensure that adequate decisions are made and that adequate resources are allocated for suitable services to be provided. Otherwise, children's rights would not be realized. This can put the company at risk of facing discontent from the communities and disagreement from the local authorities, and thus endanger the company's social licence to operate and its reputation.

Questions	Strategies and action
<p><i>Did the local governments consider which behaviour changes a mining induced resettlement may cause for children?</i></p>	<ul style="list-style-type: none"> • Support the local governments in sharing anonymous data and information to ensure that all the impacts potentially affecting its duty to protect (provision of educational facilities, health-care services, security of children on their path to school, etc.) are taken into consideration and addressed.
<p><i>How can it be ensured that the cultural heritage of the area is preserved despite the resettlement process?</i></p>	<ul style="list-style-type: none"> • Cooperate with the local governments to respect local culture and customs and preserve local cultural heritage sites. • Engage with the local governments and provide information and regular training on culture, history and customs of local citizens to company employees.
<p><i>Have the local governments allocated relevant resources (resettlement plan validation, provision of human resources, monitoring of law enforcement, etc.) for dealing with the impacts of resettlement on children?</i></p>	<ul style="list-style-type: none"> • Raise awareness on the specific risks children face during resettlement processes and on the extent to which these processes can entail broader risks and impacts for the communities. • Support and coordinate with the local governments in order to anticipate, manage, mitigate and evaluate the impacts of resettlement on children: This can entail coordinating with the local governments (possibly both from the original location and the new area) on the site selection and transitional assistance needed – or in the definition of the eligibility against national laws or supporting the local governments in prioritizing policy areas in their decision-making processes (provision of basic services, security, etc.).

Tool 3 Resettlement

Table 5. Resettlement planning with a child rights perspective (continued)

<p><i>What might be the most effective vehicle for ensuring children's considerations are implemented during the resettlement?</i></p>	<ul style="list-style-type: none"> • Engage and collaborate with the local governments in leading stakeholder engagement on children's rights and make sure that main concerns and expectations are shared with relevant public bodies. • Set up a consultation mechanism in collaboration with the local governments that would allow the local communities, including children, to express their concerns and grievances about the resettlement process, with a particular focus on how children could be impacted (<i>see Tool 2. Stakeholder Engagement</i>). The consultation could be led by a committee of community members. • Inform the local communities about this mechanism.
<p><i>Is there an effective forum for communication and coordination between all the different stakeholders involved in the child-related aspects of the resettlement process?</i></p>	<ul style="list-style-type: none"> • Support the local governments technically and financially in creating a dedicated forum and contribute to it, for instance, by sharing data collected through baseline studies and stakeholder engagement processes.
<p><i>If conflicts arise, how will the company deal with social unrest that could impact children?</i></p>	<ul style="list-style-type: none"> • Engage with the local governments to ensure that tensions within the community are addressed and that solutions are found before the situation escalates. • Collaborate with the local governments to set up grievance mechanisms for the local community to be able to report abuses and negative impacts taking place around the mine site.

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Box 4. Resettlement engagement at Rio Tinto's Murowa diamond mine in Zimbabwe

As described in the company's report: "In 2000, negotiations began between Rio Tinto, the government, NGOs and affected communities to establish mutual understanding and develop a co-managed approach for the resettlement programme. Special attention was paid to women and children, ensuring equal opportunities for all community members to participate in the consultation process. The process was approved by all affected parties. Negotiations were mediated by an external moderator and the community elected a representative committee, including representatives for women and youths."

Source: Rio Tinto, Why Human Rights Matter: A resource guide for integrating human rights into Communities and Social Performance work at Rio Tinto, Rio Tinto Limited and Rio Tinto plc, Melbourne and London, January 2013, p. 29; open PDF from <www.riotinto.com/documents/ReportsPublications/Rio_Tinto_human_rights_guide_-_English_version.pdf>.

Box 5. Resettlement planning and children's rights: Examples from Madagascar and Uganda

During the construction phase of the Ambatovy nickel operation in Madagascar, Sherritt International developed and began executing a compensation program for local communities that were impacted by its activities. Certain local populations had to be resettled – in accordance with the IFC Performance Standards – and others incurred residual impacts to their way of life, both socially and economically. A significant part of the compensation program involved undertaking activities to restore livelihoods and living standards. These included income-generating support initiatives, such as agricultural training. Community members were also encouraged to form associations to strengthen solidarity within their communities, contribute to social cohesion, and support local sustainable investments. With the Village Savings and Loan Associations (VSLAs), for example, those affected by resettlement were able to save their compensation payments for thoughtful investments and expenses, rather than succumbing to the trap of spending their money quickly. These Associations aimed to help families manage their money for long-term objectives and livelihood improvements, including contributions to their children's future financial security.^{1]}

At Naminya resettlement area for the Bujagali hydropower dam in Uganda, "some families had children who were close to adulthood at the time of the relocation. Despite the fact that these children were approaching the age of maturity and would soon be leaving their family homes, they were not considered for independent compensation. By the time the relocation happened, two of these adults had reached the age of 18. They were forced to remain in their parents' homes as they had been viewed as still being their parents' responsibility and had not received any independent financial help as part of the resettlement plan."^{2]}

Source: [1] Example drawn from interview with Ambatovy as part of the 2015 UNICEF Extractive Pilot. United Nations Children's Fund, Children's Rights and the Mining Sector: UNICEF Extractive Pilot, UNICEF, Geneva, March 2015, available at <www.unicef.org/csr/>.

3.3 Implementation

Consideration of children’s rights during resettlement aims to avoid or alleviate both direct impacts on children and indirect impacts related to their dependency on adult caregivers. In an example scenario of direct impacts that could be linked to resettlement:

Scenario

Children in a resettled community previously walked half an hour to and from school. Along the way, the community was well known and they had friends travelling the same route. After resettlement, they still walked for half an hour, but conditions were not the same. Now they cross through unknown communities and the security risk is much higher, which significantly affects their access to school.

The strategies and actions proposed below offer solutions to companies confronted with this type of scenario. They would need to be implemented while taking into account the local context and the particular risks for children. Table 6 outlines potential risks, related questions and possible strategies and action for the following topics:

- *Site selection and preparation, housing and safety* – Applying a child rights lens during the site selection enables the company to identify and prioritize the most important selection criteria in the decision-making process. Fully considering housing and safety will enable both companies and communities to better prepare children for the important changes to come.
- *Transitional assistance* – Parents with children, pregnant women and children themselves may each need specific types of assistance during the transition period. Temporary arrangements, for example, could need to be adjusted to make sure they address all basic needs of children and pregnant women. For children, severe impacts during the transition period may be irreversible, especially in relation to food supplies, health care, sanitation facilities and schools.
- *Replacement of social services* – Children and pregnant women are more dependent on access to social services, and more vulnerable when these services are not available. This makes it essential to understand the cultural context of stakeholders’ needs, as well as health, safety and infrastructure maintenance, in conjunction with local authorities.
- *Compensation, restoration of livelihoods and security of tenure* – These are key topics when it comes to child rights, especially when considering the local dynamics related to gender inequality and national/customary laws.
- *Social cohesion and social networks* – Resettlement can profoundly alter social and familial cohesion and networks, exposing children and their families to greater insecurity and potentially increasing intra- and inter-household tensions and violence.

Tool 3 Resettlement

Table 6. Resettlement implementation with a child rights perspective

Site selection	
<p>Risks: Not considering children’s needs and views while selecting the sites for resettlement and associated facilities could result in misjudging potential negative impacts, and leave children inadequately prepared for the coming changes. Unresolved concerns among parents, caregivers and children could lead to community opposition to resettlement.</p>	
Questions	Strategies and action
<p><i>Have affected community members, including women and children, been told about the site options and implications in terms of access to facilities?</i></p> <p><i>Have they been shown the site, and were their opinions considered?</i></p>	<ul style="list-style-type: none"> • Ensure that women’s and children’s views are valued, confidentially if needed, during the site selection process. Understand their perceptions of the key features required for community cohesion and access to social services, including in terms of security and distance. <i>(For details, see Tool 2, Stakeholder Engagement.)</i>
<p><i>Are recreational facilities, schools and health centres easily and safely accessible from a child’s and woman’s point of view?</i></p> <p><i>Has the site evaluation assessed potential direct and indirect impacts on children regarding access to social services, social cohesion, environment, health and livelihood?</i></p>	<ul style="list-style-type: none"> • Perform a thorough evaluation of access to services infrastructure with an emphasis on women and children, particularly considering if their vulnerability might increase as a result of the changes. This evaluation should include accessibility, road safety, environmental hazards, and security conditions, e.g., crime statistics in the area, and the presence of police or armed forces.
<p><i>Will the new site meet children’s nutritional needs?</i></p> <p><i>Will a heavier workload for mothers impact childcare?</i></p>	<ul style="list-style-type: none"> • The new site must be assessed across all environmental dimensions (agricultural potential, water quality, etc.) with a child rights perspective, meaning that children’s needs and possible indirect impacts of resettlement should be addressed. <i>(For more technical guidance, see Tool 5. Environment.)</i>
<p><i>Do the facilities have the capacity to accommodate incoming populations?</i></p>	<ul style="list-style-type: none"> • Consider possible risks of influx related to the site location and possible impacts on children, e.g., insecurity, access to and availability of key social services, and availability of agricultural fields or grazing pastures. This can apply both to departure and resettlement sites.
<p><i>Has a host community assessment been carried out with a child rights lens, taking into account both host and migrant children’s vulnerabilities and challenges?</i></p>	<ul style="list-style-type: none"> • Prioritize households with children in the site selection process. When possible, plan for relocation near to kin and former neighbours.
Transitional assistance	
<p>Risks: Not carefully considering children during the transition phase might increase their vulnerability and endanger their well-being. The company might then face community criticism and discontent, placing later stages of the operation at risk of disruption.</p>	
Questions	Strategies and action
<p><i>Have vulnerable groups and households with children who may need transportation assistance been identified and consulted?</i></p> <p><i>Was the transportation assistance approved?</i></p>	<ul style="list-style-type: none"> • Provide adequate assistance for transportation to single-headed households, pregnant women and children. • Prioritize development assistance to households with pregnant women and young children.
<p><i>What arrangements have been made for ensuring continuity in access to basic facilities and services, particularly schools, and health care for pregnant women and children, during the transition?</i></p>	<ul style="list-style-type: none"> • Ensure appropriate temporary housing in terms of quality, space and proximity to key services.

Tool 3 Resettlement

Table 6. Resettlement implementation with a child rights perspective (continued)

<i>Will the new site meet children’s nutritional needs? Will a heavier workload for mothers impact childcare?</i>	<ul style="list-style-type: none"> • Ensure appropriate temporary housing in terms of quality, space and proximity to key services.
<i>Was the process designed in conjunction with local authorities, and was the handover to legal authorities and households considered from the outset and detailed in agreements?</i>	<ul style="list-style-type: none"> • Ensure a common understanding with the relevant authorities of how formal ownership will proceed, particularly related to aspects of the transition that will impact children (e.g., assistance, provision of key services, construction).
<i>Has an environmental, biodiversity and health baseline been carried out for identifying possible needs for transitional assistance related to new environmental conditions (e.g., food security, availability of new agricultural fields, learning curve required when using new hunting/fishing methods)?</i>	<ul style="list-style-type: none"> • Ensure that the expected changes in environmental and biodiversity conditions – and their specific impacts on children – are taken into account when defining transitional assistance. <i>(For more technical guidance, see Tool 5. Environment.)</i>

Social services

Risks: Failing to highlight practical access to social services can lead increased vulnerabilities among children and mothers, and possibly endanger communities’ livelihoods over the long term. This can result in increasing tensions with communities and jeopardize the company’s social licence to operate.

<i>Questions</i>	Strategies and action
<i>What services might be required by pregnant women and children in relation to public infrastructure such as social connections/informal networks? Health? Education? Childcare? Leisure?</i>	<ul style="list-style-type: none"> • Identify the specific needs of pregnant women and children in terms of access to public infrastructure and to social services such as health and education.
<i>How will the services be maintained? Did authorities agree on the process and provide necessary assurance on the provision and maintenance of key services?</i>	<ul style="list-style-type: none"> • Ensure adequate community involvement in maintaining basic services through consultation, engagement and training. Also consider company contributions to improving health and education services. This could include providing training for village midwives and supporting primary health-care centres, family planning counselling and child protection; offering childcare centres for wage-earning women and girls; and ensuring access to clean water supplies and adequate sanitation.
<i>What are the current conditions for childcare, children’s school attendance and access to health facilities (distance, time and security)? Are there existing facilities in the relocation site? Are they similarly or more easily accessible? Can they accommodate the children of the new settlers and generally address the community’s needs without resulting in overcrowding?</i>	<ul style="list-style-type: none"> • Assess (quantitatively and qualitatively) current and future schooling and health-care needs, and ensure this assessment considers potential vulnerabilities related to the facility or service itself and/or to the resettlement (common diseases, transitional education, stress management, etc.).
<i>What are the additional requirements to meet children’s basic care, education and health-care needs? Will children’s needs be covered in the near future, and in the long term, e.g., projections for the next five years? Are there common diseases and/or vulnerabilities related to the activities of the mine or to the resettlement process that need to be specifically addressed? Are existing and new education and health facilities addressing this need?</i>	<ul style="list-style-type: none"> • Ensure these needs are addressed over the long term, with adequate maintenance and provision of relevant staff in conjunction with authorities. Consider designing, negotiating and agreeing on an institutional framework with the authorities identifying defined roles and responsibilities.

Tool 3 Resettlement

Table 6. Resettlement implementation with a child rights perspective (continued)

Compensation, restoration of livelihoods and security of tenure	
<p>Risks: Not considering local contexts and dynamics through a child rights perspective on these issues might undermine the legal rights of children and youth, well-being and protection throughout the resettlement process. As a result, the company may face increasing frustrations from the communities and jeopardize its social licence to operate.</p>	
Questions	Strategies and action
<p><i>Have both women and men been consulted on compensation payment methods and agreement on beneficiaries reached?</i></p>	<ul style="list-style-type: none"> • Ensure that socio-economic baselines provide a comprehensive and robust basis to define appropriate and adequate compensation and livelihood restoration mechanisms.
<p><i>What provisions are made for stakeholders who do not have property ownership rights? Have households headed by women or children been specifically considered?</i></p>	<ul style="list-style-type: none"> • Ensure that the compensation payment process is transparent, and that compensation is in the name of both partners. It is highly recommended that people who receive compensation have a bank account. If not, consider ways that the company can assist them in opening a bank account. • For women-headed households and widows with adult sons who live with them, there may be cases where customs would bypass the woman's authority. In this situation, ensure that the title is in the woman's name.
<p><i>How is access to compensation and livelihood restoration guaranteed for children? What are the institutional and governance arrangements that safeguard this?</i></p>	<ul style="list-style-type: none"> • Ensure fair and robust legal provisions are made so that child-headed households who may not qualify for legal title at the time of the resettlement will nonetheless be fairly compensated in the process.
<p><i>Do livelihood restoration programmes consider all members' contributions to the household?</i></p> <p><i>Does this include evaluation of the 'unpaid' work carried out by women and children that contributes to the household, as well as children's specific needs?</i></p> <p><i>Has the potential impact of the new environment been considered?</i></p>	<ul style="list-style-type: none"> • Women's workloads can be reduced by providing, for example, standpipes, hand pumps, grinding mills, woodlots, fuel-efficient stoves, ox carts and ploughs. • Provide support to vulnerable stakeholders for restoring their livelihoods, such as childcare for wage-earning women, inputs for food-crop production, credit groups, skills training, and easier access to markets.
<p><i>Does the livelihood restoration programme comprehensively meet children's needs?</i></p>	<ul style="list-style-type: none"> • Compensate possible losses of income related to children's wages and subsistence production, and consider related potential impacts on women's workloads.
Social cohesion	
<p>Risks: Not considering social dynamics and the effects that resettlement can have on children can greatly impact them, as they fundamentally rely on family cohesion and networks. Not considering children's needs and constraints may contribute to increasing tensions in a community and expose children to conflict. Companies could then be blamed for having contributed to this situation.</p>	
Questions	Strategies and action
<p><i>Is the new context comparable in terms of informal support networks? Could informal childcare arrangements, key inter-household transfers and social networks be affected?</i></p>	<ul style="list-style-type: none"> • Consider inter-household transfers, informal networks and other arrangements in relocation and livelihood restoration.

Tool 3 Resettlement

Table 6. Resettlement implementation with a child rights perspective (continued)

<p><i>Has the resettlement process been inclusive and participatory, such that discussions on land tenure, inheritance and livelihoods have taken place? (For details on participation, see Tool 2. Stakeholder Engagement.)</i></p>	<ul style="list-style-type: none"> • Use participatory methods during consultation and engagement to enable discussions in households and communities about land tenure, inheritance and livelihoods. • Take into account the timeline of resettlement and its potential impacts on various age groups. Envision future roles and status of young people in the resettled community, and adapt livelihood restoration programmes and activities accordingly.
<p><i>Is there a risk of increased intra-household tension and violence? Of increased household break-up? Could crime or violence increase (affecting children's mobility and opportunities to play), or increase the risks of sexual exploitation or drug trafficking?</i></p>	<ul style="list-style-type: none"> • Assess psychological impacts of resettlement and possible effects on intra-household tensions and violence. • Assess social cohesion with the host community, including its attitude towards migrants, and possible related changes in the security context and inter-household relationships. • Consider mitigation strategies in response to these assessments, possibly including psychological support, childcare support, development and hosting of forums enabling communities to voice their concern, etc.

Box 6. Negative impacts of development resettlement on children in Uganda

The resettlement in Naminya, Uganda, due to construction of the Bujagali hydropower dam funded by the World Bank's International Development Association was documented to have a range of negative impacts on children. These included placing them at risk of violence, and of missing school because they had to travel long distances to fetch water for their families, sometimes late at night. Changes in agriculture led to food shortages, with some parents unable to feed their children. Health impacts included frequent sicknesses, skin rashes, flu and coughs, with effects on children's growth and development.

Disruptions in health care meant that mothers could not access prenatal and postnatal care facilities. Children were often born on the side of the road, in gardens or in kitchens; some infants were not immunized at birth; and mothers reported that they did not go to a hospital for check-ups for themselves or their newborns.

In many cases, these may be the same type of impacts as those related to the mining sector, highlighting the need to ensure, for example, that families' compensation for displacement is sufficient to make the transition to a new home better for their children.

Source: Nampungu, Phiona, and Diana Kasabiiti, 'The Impact of Involuntary Resettlement on Children: A case study of the International Development Association funded Bujagali hydro-power dam – Naminya resettlement area', Bank Information Center, Washington, D.C., 2013, pp. 4–14.

Tool 3 Resettlement

3.4 Consultation, participation, and monitoring and evaluation

Resettlement is a major change for children that can be traumatic if not explained correctly – making effective, participatory consultation with all stakeholders a key to success. While guidance exists for managing stakeholder engagement throughout the resettlement cycle,¹⁶ none really covers the gamut of aspects for engaging on children's rights.

Key considerations for integrating a child rights perspective are discussed below. For additional guidance on how to engage with children's representatives or directly with children, see *Tool 2. Stakeholder Engagement*.

Engagement with stakeholders often begins by conducting a survey, ensuring that a statistically valid, representative sample of the affected population – including women and children – is established. Mining companies might want to develop other consultation methods and content for engaging appropriately with children (*see Tool 2. Stakeholder Engagement*).

Resettlement planners will want to engage in consultations regarding all phases of the resettlement strategy, including restoration of livelihoods. They will also want to ensure that the right messages are understood by youth and children. When selecting focal points to act as community representatives, be sure they can communicate well with children and young people and accurately represent their interests.

To include all stakeholders in the consultations, it is important to be aware that legal systems and traditional social structures often omit proper representation for women and single-headed households, particularly those headed by children.

The same principles can be carried over to integrating child rights issues during monitoring and evaluation, starting with the development of indicators that focus on outcomes (results) rather than just outputs (activities).

Once the indicators to be measured are in place, monitoring and evaluation can be conducted jointly by the project managers and external monitors – and with community involvement – in order to assess whether the resettlement plans are fully implemented. Table 7 highlights potential risks, related questions and possible strategies and action.

¹⁶ See, for example: International Finance Corporation, *Handbook for Preparing a Resettlement Action Plan*, IFC, Washington, D.C., March 2002.

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Table 7. Monitoring and evaluating resettlement with a child rights perspective

Monitoring and evaluation	
<p>Risks: Not including children’s perspectives and focusing on children’s rights in monitoring and evaluation can result in excluding children from quantifying the actual outcomes of a resettlement plan and thus mislead the company’s general monitoring of the resettlement process. This may result in an inaccurate evaluation of the resettlement impacts and not enable the company to adjust its decisions correctly.</p>	
Questions	Strategies and action
<p><i>Do the indicators include issues related to children’s status?</i></p> <p><i>Is the monitoring and evaluation baseline child-sensitive? (For additional guidance on child-specific baseline data to be gathered throughout resettlement data collection processes, see Tool 1, Tool 5 and Annex C. Environmental impacts on children.)</i></p> <p><i>Are child rights issues explicitly included in the terms of reference and standard operating procedures for consultants and employees in charge of resettlement monitoring and evaluation?</i></p>	<ul style="list-style-type: none"> • Indicators for monitoring and evaluation should aim to include the impacts of resettlement on children’s well-being. Such indicators can include: <ul style="list-style-type: none"> – Quantitative and qualitative indicators about the access to and quality of education and health for children. – Environmental indicators enabling the evaluation of the relocation site’s environmental conditions’ evolution. • Potential issues/topics to consider include: <ul style="list-style-type: none"> – Children’s nutritional and health status. – Quality of and access to key services. – Restoration of households’ livelihoods and income, and particularly children’s contribution to the household. – Stakeholders’ perceptions about well-being, as related to informal support networks and social cohesion; attitudes in host communities towards migrants; and levels of security and quality of public services.
<p><i>Have appropriate mechanisms been developed for participatory monitoring?</i></p>	<ul style="list-style-type: none"> • Ensure the use of participatory methods that guarantee the contribution of women and youth in the monitoring and evaluation process.

Tool **4** Child Rights and
Mining Toolkit

In-Migration

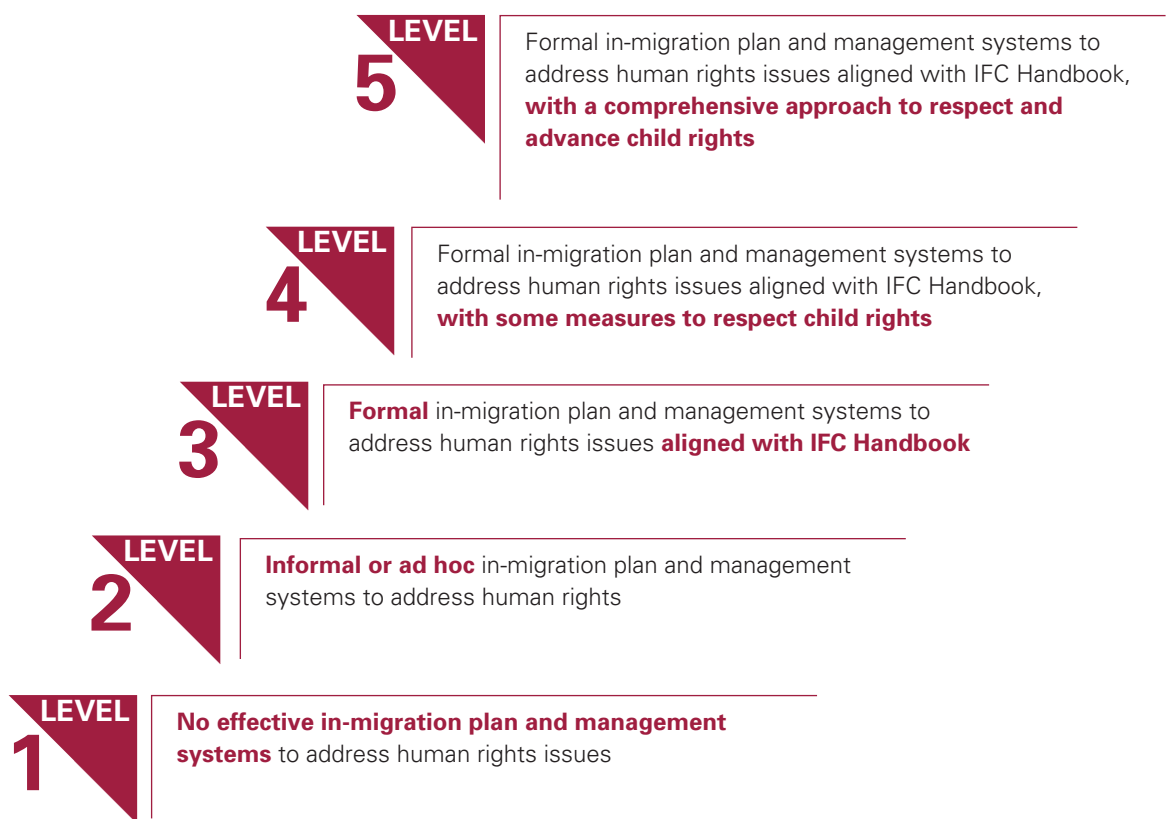
Children are the most vulnerable stakeholders regarding mining impacts, including the effects of project-related in-migration. As dependents of migrant mine workers, job seekers or families in migrant-receiving communities, they are vulnerable to disruptions in family livelihoods, and to changes in their society and environment caused by rapidly increasing or decreasing populations.



Tool 4 In-Migration

Yet children are often overlooked in companies' management of in-migration, and standard planning frequently fails to account for the presence of and impacts on children. As a consequence, in-migration impact management and development investments do not address their needs and can lead to the neglect of children's fundamental right to safety, family, education and health.

Where does your company stand on respecting and advancing children's rights related to in-migration? The figure below presents a continuum from the lack of effective systems to the fullest measures of corporate responsibility and proactive leadership.



Tool 4 offers support for mining companies that seek to integrate children's rights in their in-migration planning and management. It assumes that extractive projects and operations are already implementing a responsible approach to in-migration in line with international standards and guidance, and is designed to complement IFC's *Projects and People: A handbook for addressing project-induced in-migration*. Companies that have not yet integrated such guidance into their systems should address this gap as a priority.

Tool 4 In-Migration

4.1 Overview of the issues and related standards

An in-migration management plan is an approach for companies to assess, manage and mitigate impacts in a project area. A typical plan describes the project and its context, including the need and opportunities for stakeholder engagement; the progress or anticipation of in-migration; options for monitoring the migrant population and managing inflow to the project footprint; and mitigation interventions, including area capacity building and benefit creation to support the population.

The company's plan for in-migration management interventions can stand alone, or be integrated within other corporate plans for human resources, stakeholder engagement, resettlement action, environmental and social impacts, community development or security.

The IFC handbook provides an overall framework for assessment and management of project-induced migration. Tool 4 offers details on analysis and action to address the issues most pertinent to children, serving as a further step for mining companies that seek to protect and advance children's rights.

The benefits of mining operations for a local area include economic diversification, a boost to entrepreneurial activity, and increased attention and support from national and regional authorities, as well as enhanced education and training.

In developing countries, major mining projects are often associated with an inflow of people seeking opportunities to improve their livelihoods. In-migration is typically driven by economic factors, both 'push' and 'pull'. It may be motivated by expectations around the project itself, such as direct or indirect employment, or result from a general perception of economic opportunity in an area or region.

The movements of people in connection with mining projects affect both the migrant-sending and migrant-receiving areas, and particularly affect children when:

- They live in receiving areas, are returning with their families after previously living in the area, or are travelling with parents to a project area due to economic opportunities or to benefit from improved social services as a result of mining company investments in schools and hospitals.
- Their parents/extended family members are migrant mine workers or job seekers (skilled and unskilled) for direct or in-direct employment, or contractors and service providers.
- Their families are involved in artisanal and small-scale mining.
- They are left behind in a migrant-sending community while their parents or caregivers work at the mine or seek employment opportunities.
- Their families are internally displaced or refugees, affected by forced migration, for example, due to natural disaster or political conflict.

In-migration is not negative by definition, but its impacts can be damaging where migrants are not readily assimilated due to socio-economic status or cultural and ethnic differences, and when receiving areas do not have the capacity to accommodate high numbers of new inhabitants. This can disrupt community cohesion, place stress on service delivery and infrastructure, and lead to the risk of people living in unhealthy and insecure conditions. For a detailed list of in-migration's positive and negative impacts on children, see Annex B.

**Resources for
in-migration**

Projects and People: A handbook for addressing project-induced in-migration, IFC, available at <<http://documents.worldbank.org/curated/en/415141468176677099/Projects-and-people-a-handbook-for-addressing-project-induced-in-migration>>

**4.2 Data collection
for planning**

The first step for in-migration planning is to collect the data that will inform possible interventions, including collaboration with local stakeholders, government and local authorities on preventive and management measures. This stage focuses on understanding the nature and scale of expected in-migration and projecting the potential associated issues by developing a context baseline that can be used for further analysis of the mining project during development and operations.

In-migration 'hotspots' to consider include:

- Construction plans involving multiple base camps operated in sequence or in parallel.
- Existing/proposed project logistics centres to be used by the project.
- Existing/proposed access routes to be used by the project, including access routes to major regional centres, and from regional centres to the project area.
- Local towns and villages.
- Transportation infrastructure within the project area and surrounding communities.

Data collection in connection with the in-migration management plan can be linked to environmental and social impact assessments and resettlement planning. Table 8 offers solutions for reducing potential negative impacts of in-migration on children, which would be implemented according to the local context and associated risks.

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Table 8. Planning in-migration with a child rights perspective

Data collection	
<p>Risks: Not including a child right's lens while collecting data on in-migration can result in misperceiving the key community and household features of the area, and missing potential negative impacts on children. This can put the company at risk of facing increased frustrations within the community, and endanger its social licence to operate.</p>	
Questions	Strategies and action
<p><i>Does the company gather information on children in all data collection, apply child impact indicators, and disaggregate data by age and gender? (See Tool 1. Impact Assessment.)</i></p> <p><i>Do stakeholder consultations focus on children?</i></p> <p><i>Do data collection and related consultations</i></p>	<ul style="list-style-type: none"> • Ensure that data on children are included in all data collection. • Include a focus on children and young people in stakeholder consultations. Where appropriate, consult directly with children or their representatives (see Tool 2. Stakeholder Engagement). • Ensure that the different project phases are taken into consideration through a child rights perspective (resettlement and potential land speculation, development of camps, infrastructure, access roads).
<p><i>Are social services providers consulted when mapping child rights impacts and issues in the receiving community?</i></p>	<ul style="list-style-type: none"> • UNICEF research has found that companies most often rely on national or regional statistics, rather than consulting with local social services providers on child impacts.¹⁷ • However, it is important to consult in detail with government services such as clinics, schools and youth programmes to map existing impacts and social issues. This includes identifying service gaps and lack of capacity experienced by service providers that can impact on children's health and well-being.
<p><i>Is project and area situational analysis conducted for the various phases in order to estimate:</i></p> <ul style="list-style-type: none"> – In-migration projections, including typical population growth and population mobility; – Area resilience and capacity to absorb new populations, including the resources and capabilities of local authorities and social service providers; and – Skills required for direct and indirect labour, and potential demand for services and goods (see Table 9)? 	<ul style="list-style-type: none"> • Consult with communities that are likely to be sending migrants to estimate the percentage of children in the migrant population, or contact local government representatives in the migrant-sending area to find out whether data are available. • Consult with local authorities and social services to estimate the area's capacity to accommodate new populations and provide essential services. • Support the local governments by sharing data and information to ensure that all the impacts and risks are taken into consideration and addressed. • Support the local governments in conducting impact assessment and policy planning around these issues, and jointly agree on shared responsibilities for managing the flux and its impacts on children. • Ensure that population projections include figures for children and young people. • Map mining and other attraction points such as social infrastructure development and investments/development in other industries, e.g., agriculture or tourism. • Compare skills in the sending and receiving areas, as well as labour availability (see Table 9).
<p><i>Is information about the project and its impacts shared with local and national authorities in order to ensure agreement and get advice/inputs on data and planning?</i></p>	<ul style="list-style-type: none"> • Share project plans, timing and numbers for projected employment with local and national government.

Portions of this table are adapted from: International Finance Corporation, Projects and People: A handbook for addressing project-induced in-migration, IFC, Washington, D.C., September 2009, part 3.

¹⁷ Research undertaken by UNICEF in Mongolia between 21 March and 1 April 2016 with extractive companies, local authorities and service providers in migrant receiving communities has shown that most often companies do not consult with the service providers directly on child impacts and rather use national or regional statistics.

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Table 9. Sample elements for project and situation analysis as part of scoping

Project characteristics	
<i>Project footprint and phases</i>	<ul style="list-style-type: none"> – Land acquisition/use, resettlement and potential land speculation associated with project development – Project phases, including development of camps and infrastructure such as access roads – Plans for infrastructure and service development – including transportation, utilities, education, health – as part of project development – Increase in access and availability of resources to third parties such as agriculture, artisanal mining, timber or marine activity
<i>Forecast for labour needs throughout the project cycle, including closure</i>	<ul style="list-style-type: none"> – Direct and indirect labour requirements, during construction and operation phases, including duration of the project – Demand for goods and services during construction, operation and closure
<i>Community skills profiles to understand if local communities can fulfil projected labour needs</i>	<ul style="list-style-type: none"> – Skills required for work during construction and operation – Comparison to local skills levels and labour availability
Community and population analysis	
<i>Population growth projection for project area</i>	<ul style="list-style-type: none"> – Baseline population, including registered and un-registered individuals – with detailed information on children – Estimated population growth for the area, including registered and un-registered individuals – with detailed information on children – Profiles of expected migrants, including origin and livelihoods
<i>Population mobility, both local and labour-sending areas</i>	<ul style="list-style-type: none"> – National and regional working-age population – Levels of unemployment and underemployment – Per capita gross domestic product – Presence and number of internally displaced people – Proximity to conflict-affected areas – Occurrence of project-induced in-migration on similar projects
<i>Community capacities</i>	<ul style="list-style-type: none"> – Working-age population – Capacity of working-age population (education, skills, experience) – Adequacy of infrastructure, services and utilities – Availability of goods and services – Capacity of small and medium-sized enterprises
<i>Community resilience</i>	<ul style="list-style-type: none"> – Physical resources – Infrastructure, services, utilities – Economic and social factors – History of conflict – Skills differences – Health profile – Artisanal and small -scale mining

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4.3 Management

Managing in-migration will take account of 'controlled' and 'uncontrolled' arrivals of many types of people. Controlled inflow covers the employees that a project is bringing to an area to work on the mine, and the contractors and suppliers that have a direct business relationship with the company. Mine workers will typically stay in designated camps or local housing provided by the company.

Uncontrolled arrivals include mining job seekers and migrants looking for related economic opportunities or improved social services. Depending on the project footprint and infrastructure, the opening of new operations is likely to attract in-migration, leading to small-scale 'boom, bust' cycles of project development and closure.

In most countries, citizens have the right to move and resettle, and the company's options to minimize or avoid in-migration are very limited. Most management plans therefore focus on the impacts of in-migration in the project area and on promoting positive development in the community. However, companies can influence in-migration by:

- *Establishing and communicating clear hiring policies and employment models.* This can help manage in-migration, for example, by encouraging or discouraging workers and job seekers to bring their families. It is also important to clearly communicate expectations for job opportunities and the company's employment criteria. Operational models and project design, such as worker accommodation and roster design can be used to manage or divert movements of people.
- *Working with local authorities on registration of migrant job seekers.* Diligent capture and sharing of registration information will help companies and local authorities map the nature and scale of in-migration. The government registration processes and requirements will vary from country to country, so the company must make sure to understand these procedures and identify the responsible authorities.

Table 10 offers guidance on managing risks that mining companies may face due to population increases in the local area of operation.

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Table 10. Managing in-migration with a child rights perspective

Work with local authorities on registration of migrant job seekers	
<p>Risks: Not collaborating with the local authorities on registering migrant job seekers can result in misjudging the nature and the scale of in-migration, and the potential negative impacts it can have on children from the sending and receiving communities. As a result, children could be left even more vulnerable and the company could face the risk of increasing tensions with the local authorities and communities.</p>	
Questions	Strategies and action
<p><i>How can the company register migrants looking for employment?</i></p> <p><i>How does the company manage in-migration through a child rights lens?</i></p>	<ul style="list-style-type: none"> • Collaborate with local authorities on registering migrants seeking jobs at the mine. • Consider capacity and resources to manage registration, which is especially relevant in cases where the company requires local identification for job seekers to be eligible for recruitment. • Refer job seekers to the local authority for registration. • Include questions relating to children in the registration process and records, including: <ul style="list-style-type: none"> – The number of children per migrant, and whether or not they are travelling together. – Whether children are left behind and how they will be taken care of. – Whether children left behind will join later in the receiving community, and whether anyone will be available to care for them while migrants seek employment or take up employment once in the receiving community.
Project footprint and infrastructure	
<p>Risks: Lack of careful considerations for in-migration management through the project footprint and infrastructure could prevent the company from addressing significant inflows of people, which could impact children negatively. This could put the company at risk of facing discontent from local communities.</p>	
Questions	Strategies and action
<p><i>How can the company support the management of in-migration through project footprint and infrastructure?</i></p>	<ul style="list-style-type: none"> • Consider strategic location and development of access routes, transport infrastructure, initial project footprint (temporary or permanent logistical base), offices, etc.

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Table 10. Managing in-migration with a child rights perspective (continued)

Hiring policies	
<p>Risks: Lack of careful considerations for in-migration management through the project footprint and infrastructure could prevent the company from addressing significant inflows of people, which could impact children negatively. This could put the company at risk of facing discontent from local communities.</p>	
Questions	Strategies and action
<p><i>How can the company influence workers and job seekers in order to better manage in-migration, e.g., whether they should bring their families?</i></p>	<ul style="list-style-type: none"> • Design hiring policies to contribute to a child/family-friendly work environment (see Tool 8. Working Conditions). • Communicate the employment eligibility criteria, e.g., application options and requirements for local (registered) people, and share these criteria with local authorities. • Communicate explicit opportunities and limitations for migrant workers through the local company office and corporate communications, consultation and engagement with local authorities in labour-sending areas, and radio or newspaper advertisements. • Opportunities and limitations can include types of jobs, skills requirements, length of contracts, and the variability of labour demand during the mining project phases. UNICEF research, for example, found that due to skills requirements and lack of local skills, some companies are only able to offer entry-level jobs at the local level.¹⁸
Operational models	
<p>Risks: Not designing operational models that take children’s vulnerabilities and needs into consideration can result in increasing the potential negative impacts of in-migration on children. This can put the company at risk of facing tensions with both local authorities and communities.</p>	
Questions	Strategies and action
<p><i>What should the company bear in mind while designing operational models?</i></p>	<ul style="list-style-type: none"> • Design operational models, including the availability and quality of workers’ accommodations, towards child/family-friendly conditions (see Tool 8. Working Conditions). • Consider options for worker housing models, based on impact management, with an integrated community model when possible (see Box 7). • Design roster models to accommodate the family patterns of workers, e.g., remote/expatriate, local or migrant.

¹⁸ Research undertaken by UNICEF in Mongolia between 21 March and 1 April 2016 with extractive companies, local authorities and service providers in migrant receiving communities.

4.4 Mitigating impacts

Typical mitigation measures – compensation, benefits, workforce development, skills training, microfinance provisions and enterprise development – do not address children or the in-migration impacts on children. Companies should therefore consider options to link mitigation interventions, programmes, collaborations and investments with environmental and social management plans to address impacts on children. This includes the various systems for revenue distribution, social investment, community benefit and development, and local capacity building.

The mitigation of impacts and development of interventions should also incorporate comprehensive stakeholder engagement, with the inclusion of children or their representatives. Government representatives should also be involved at various stages, for instance in the monitoring of socio-economic trends regarding children and in addressing potential capacity issues for social services delivery. For more details see *Tool 2. Stakeholder Engagement* and *Tool 10. Social Investment*.

Table 11 outlines potential risks and suggests questions, strategies and action that companies can use to initiate this process.

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Table 11 Mitigating in-migration impacts

Capacity building for local authorities	
<p>Risks: Not engaging in capacity building with local government on issues around in-migration and their potential negative impacts on children can increase children’s vulnerabilities, and put the company at risk of facing discontent among community members and local authorities. This might damage the company’s reputation, as well as its intentions to respect and advance children’s rights.</p>	
Questions	Strategies and action
<p><i>How can the company engage in capacity building of the local governments in order to mitigate negative impacts of in-migration on children?</i></p>	<ul style="list-style-type: none"> • Raise awareness on the specific risks related to increased influx of people that children might face and on the extent to which it can entail broader risks and impacts for the communities. • Work with local authorities to develop the ability to prevent and address child impacts. • Support and coordinate with authorities, when appropriate depending on their mandate and resources, in order to anticipate, manage and mitigate the impacts of in-migration on children. • Address potential capacity needs for social service delivery, especially around health, education and child services.
Operational models	
<p>Risks: Not addressing child and youth development as well as social issues and safe social behaviours in contexts of in-migration can increase children’s vulnerabilities. This can put the company at risk of facing discontent from the local communities.</p>	
Questions	Strategies and action
<p><i>How can the company address child and youth development and tackle social issues and safe social behaviours?</i></p>	<ul style="list-style-type: none"> • Consider partnerships and programmes to address child and youth development, including family support. • Work with social service providers to raise awareness and education on social issues and safe social behaviours.

4.5 Monitoring

Because in-migration can be particularly harmful to children’s rights, companies should identify the key risks, manage in-migration adequately, and mitigate and monitor any negative impacts to ensure that children’s rights are respected and advanced during every phase of the project. Key actions include:

- Map existing reporting mechanisms.
- Introduce child impact indicators in project and issues monitoring (*see Tool 1. Impact Assessment*).
- Share the reporting framework with all stakeholders, and encourage all stakeholders to report against the same sets of indicators.
- Consider participatory monitoring, involving children and young people, or their representatives (*see Tool 2. Stakeholder Engagement*).

Monitoring of social issues and impact with regard to child impacts and in-migration – including positive results of the company’s child-focused interventions – should be integrated into other company mechanisms for project reporting, and in reporting by such stakeholders as local authorities and social service providers.

Applying a child rights perspective to monitoring the company’s operations can contribute to quantifying the actual impacts of in-migration, and thus enhance the company’s general monitoring of its operations. This will provide a more accurate evaluation of the project’s impacts and enable the company to more effectively adjust its decisions.

Environment

As noted in UNICEF's Extractive Pilot report, "Children are more vulnerable to the localized environmental impacts of mining activity than adults – particularly water, air and soil pollution – due to their progressive and incomplete physical development; the fact that they spend more time playing than adults and hand-to-mouth behaviour that makes children more likely to ingest pollutants; and their varying stages of mental development, for example, inability to read hazard and warning signs."¹⁹

¹⁹ United Nations Children's Fund, *Children's Rights and the Mining Sector: UNICEF Extractive Pilot*, UNICEF, Geneva, March 2015, p. 13.

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Mining companies can take a wide range of actions to protect children from many of the environmentally related impacts of their operations.

Where does your company stand on respecting and advancing children's rights in environmental management? The figure below presents a continuum from the lack of effective planning and management systems to the fullest measures of corporate responsibility and proactive leadership.



Tool 5 offers mining companies a set of considerations for integration of a child rights perspective in environmental management plans, and is designed to complement the IFC Performance Standards.²⁰ For companies that are not implementing an approach to environmental management in line with international standards and guidance, addressing that gap will be the first priority.

Because child rights considerations for environmental management will need to be dealt with throughout the project cycle, the tool will help companies identify key child rights issues and design appropriate child-inclusive indicators and strategies in response.

²⁰ All of the IFC standards and guidance notes are available at <www.ifc.org/wps/wcm/connect/Topics_Ext_Content/IFC_External_Corporate_Site/IFC+Sustainability/Our+Approach/Risk+Management/Performance+Standards>.

Tool 5 Environment

5.1 Overview of the issues and related standards

An environmental management plan is an approach for companies to assess, manage and mitigate impacts of operations on the physical environment of a project area. In regard to mining company assessments, there are a number of resources available to practitioners, for example, the comprehensive guidelines published by the Government of Australia.²¹

Although a specific stand-alone child rights impact assessment may not be required, it will be vital to integrate a children's rights perspective into each step of the environmental impact assessment. While the IFC Performance Standards provide the overall framework for assessment and management of environmental impacts, addressing the most pertinent issues for children begins by understanding how they are more vulnerable to the environmental impacts of mining than adults, especially between birth and age 5.

This is due to their physiology (small body size, higher metabolism, more rapid breathing rate) and behaviour (outdoor activity, hand-to-mouth habits), and their extended exposure to potentially hazardous environments. Many children live in environments polluted by mining rather than only being exposed for an eight-hour shift, as is the case with many workers. Annex C provides a detailed table of environmental impacts on children as related to air, land and water.

Children can be directly impacted by mining operations, such as through unsafe slopes and pits, or particles emitted during excavation. They can be indirectly affected as members of the household due to changes in income, livelihoods and food supplies, e.g., such as contamination of the food chain with heavy metals. Because managing the indirect impacts requires an approach that integrates social factors, ecological health and science, the company's impact assessment team should include members who have expertise and experience in these areas.

Resources for environment

IFC Performance Standards on Environmental and Social Sustainability, available at www.ifc.org/wps/wcm/connect/Topics_Ext_Content/IFC_External_Corporate_Site/IFC+Sustainability/Our+Approach/Risk+Management/Performance+Standards>

Human Rights and the Mining and Metals Industry: Integrating human rights due diligence into corporate risk management processes, ICMM, open PDF from www.icmm.com/website/publications/pdfs/3308.pdf>

'Ecosystem Services in Environmental Assessment: Help or hindrance?', J. Baker, et al., Environmental Impact Assessment Review, vol. 40, 2013

'The Ecosystem Approach', Parliamentary Office of Science and Technology, UK Houses of Parliament, PostNote, no. 377, May 2011, open PDF from www.parliament.uk/documents/post/postpn_377-ecosystem-approach.pdf>

'Children's Environmental Health and the Precautionary Principle', D. Jarosinska and D. Gee, International Journal of Hygiene and Environmental Health, vol. 210, 2007

More resources can be found in UNICEF Background Paper: Children, mining and environmental impacts, forthcoming in 2017, available at www.unicef.org/csr/extractives>

²¹ Following consultation with the Australian mining industry and other interest groups, the Leading Practice Sustainable Development Program for the Mining Industry developed 15 handbooks to address the key issues affecting sustainable development. The handbooks provide mine managers, communities and regulators with essential information on current sustainable mining practices, and are available from the Australian Government, Department of Industry, Innovation and Science, at www.industry.gov.au/resource/Programs/LPSD/Pages/LPSDhandbooks.aspx.

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Box 7. Forthcoming thematic review of mining and environmental impacts on children

As part of its ongoing work with UNICEF, a stand-alone resource for mining companies is being developed by Synergy Global. Written by Daniel Limpitlaw, UNICEF Background Paper: Children, mining and environmental impacts will offer in-depth research and analysis, including factors for biophysical impact assessment and a bibliography of references to support a company's use of Tool 5.

This thematic review is scheduled to be published in 2017 and will be available at www.unicef.org/csr/extractives.

5.2 Scoping for environmental impact assessment and management plans

As noted in Section 1.3, the scoping phase is used to define the schedule, depth, breadth and thematic focus of the impact assessment, which are then documented in the terms of reference for consultants.²² To integrate child rights, the environmental impact assessment should begin with a brief scoping of whether children are a stakeholder group likely to be significantly affected by mining operations and whether further project data are needed to fill baseline information gaps.

The table of environmental impacts on children in Annex C can serve as a reference point for identifying the issues and impacts that could be raised during stakeholder engagement or researched in desk studies. After the preliminary identification of potential impacts, the key questions provided in Box 8 (below) can help practitioners gain clarity on data gaps, which can then enable them to scope the baseline and specialist studies and adjust plans accordingly.

Box 8. Key scoping questions for an environmental impact assessment

Water quality:

Do mining and beneficiation processes result in acidification of waste water?

Does the operation monitor heavy metals with the potential for biomagnification in local food chains?

Have water-quality objectives been established for receiving water bodies, e.g., rivers, lakes and groundwater?

How far downstream is water quality measured?

Which water quality standards are applied?

Dust:

Is dust monitoring conducted on site?

Is dust monitoring conducted along transport routes?

Are all roads used by mine-related traffic tarred/sealed?

Land cover:

What are the characteristics of the geographical area where mining takes place?

How is the area affected by mining surface operations and infrastructure, including roads?

Is concurrent rehabilitation conducted?

Are traditional land uses accommodated within the mining lease?

²² IPIECA and Danish Institute for Human Rights, *Integrating Human Rights into Environmental, Social and Health Impact Assessments: A practical guide for the oil and gas industry*, IPIECA and DIHR, London and Copenhagen, 2013, p. 13.

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Box 8. Key scoping questions for an environmental impact assessment (continued)

Threshold limit values:

Has the mine/plant set threshold limit values for pollutants released through production processes?

What are the thresholds?

Do they consider impacts beyond an 8-hour shift exposure?

Do they take the sensitivities of children and pregnant women into account?

Safety:

How are local people informed of hazardous areas?

What is the literacy rate in the workforce?

What is the literacy rate in the local community?

5.3 Baseline studies

Children should be a priority focus when studying exposure to environmental pollutants, or 'toxicants' – the human-made (synthetic) substances that "present a risk of death, disease, injury, or birth defects in living organisms through absorption, ingestion, inhalation, or by altering the organism's environment."²³ Consider the following points for baseline research:

- *Describe children's distinct vulnerabilities* to the environmental impacts of mining operations. When conducting the study, make sure the research includes vulnerable groups of children that were possibly overlooked during initial stakeholder engagement.
- *Carry out broader social and community health assessments*, based on the multiple factors that can affect children's health directly or through their parents and caregivers, e.g., employment, income, education, housing, environment, lifestyle and traditional land use.
- *Consider neurobehavioural (relationship between nerve functions and behaviour) assessments* to evaluate adverse health effects in association with relatively low levels of exposure to metals. Neurobehavioural impairments have been recorded in children who are exposed at levels considered to be safe for most people.²⁴ Subtle impairments, such as reduced dexterity or slower reaction time, are rarely noticed by people who are affected because they often struggle with other health problems such as malnutrition and infectious disease.
- *Measure biodiversity status and trends in the relevant ecosystems*. Integrate biophysical and social impact assessments, because the impacts are likely to be linked. Lowering of the water table, for example, can have severe socio-economic impacts such as water scarcity and shortages for communities, making agriculture and livestock production difficult or impossible.

Table 12 lists key child rights indicators that can be integrated into environmental and health baselines. When taking a child rights perspective, it will often be essential to conduct cross-sector impact assessment. For example, there may be direct links between water shortages and educational opportunities available to children, or between contamination of agricultural fields and food insecurity. The process in this case would integrate biophysical and socio-economic impact assessment into the environmental and health baseline study.

²³ WebFinance Inc., 'Business Dictionary', Fairfax, Va., 2016, <www.businessdictionary.com/definition/toxicant.html>.

²⁴ Callan, Anna Carita, et al., 'Children's Exposure to Metals: A community-initiated study', *Archives of Environmental Contamination and Toxicology*, vol. 62, no. 4, May 2012, pp. 714–722.

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Table 12. Indicators for baseline studies

Assessing children's health status and vulnerabilities

Baseline studies should identify multiple social and health factors, and the ways these factors interact. For example, the presence of child labour, especially where children are involved in hard manual labour, e.g., artisanal mining, leads to health impacts such as back pain, reduced lung function and asthma.

Other factors that affect children's health can be identified by cross-referencing to the social impact assessment, including:

- food security
- presence of child-headed households
- child trafficking
- underage employment in the workforce.

Health indicators could include children's:

- nutrition status
- level and type of immunization
- prevalence of diseases
- drug and alcohol usage
- exposure to mining landscapes such as non-rehabilitated surfaces with potential for ponding, creating habitats for mosquitoes and other insects that spread disease.

(For general baseline indicators, see Tool 1, Tool 2 and Annex C.)

Focusing on children in studies of exposure to environmental pollutants

Cognitive and neurobehavioral changes have been reported in children exposed to low doses of trace metals that are considered to be safe for most people. Additional risk assessments will be required for mines and processes that are associated with the following:

- lead concentrations in local water supplies (direct impacts on health through consumption; indirect through irrigation)
- mercury concentrations in food sources, especially fish
- manganese levels in airborne dust
- nitrate concentrations in drinking-water sources
- chromium in dust and water sources
- nitrogen oxides concentration and particulate matter concentrations in the atmosphere
- blood, urine and hair metal concentration levels in children.²⁵

(For notes on monitoring for toxicants, see Section 5.5, below.)

Considering neurobehavioural assessments to evaluate adverse health effects

Relatively low levels of exposure to metals have been linked to neurobehavioural impairments in children. Among all populations, harm can result from exposure to toxicants generated by mining, but metals may also be ingested through other routes, e.g., food contaminated during household cooking. Social baseline surveys are key to identifying such additional sources of exposure to metals.

Environmental and health studies will examine reduced performance in:

- motor tests (reduced dexterity, slower reaction time)
- sensory tests
- cognitive functions (relative to a non-exposed reference population, significant differences reported as $p > 0.05$).

²⁵ Molina-Villalba, Isabel, et al., 'Biomonitoring of Arsenic, Cadmium, Lead, Manganese and Mercury in Urine and Hair of Children Living Near Mining and Industrial Areas', *Chemosphere*, vol. 124, no. 1, November 2014, pp. 83–91.

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Table 12. Indicators for baseline studies (continued)

Measuring the condition and trends of biodiversity in relevant ecosystems

Key indicators for examining ecosystem functions include changes in the number of:

- animal species present, and numbers within the species
- species on which the community depends for livelihoods/food security.

5.4 Impact identification and evaluation

Specifically considering vulnerable children during identification of affected stakeholders and potential impacts on children enables practitioners to more effectively prepare the scope of baseline and specialist studies. Because these data are frequently reflected in the consultant/specialist terms of reference for environmental impact assessments, it is important to include the key elements discovered during preliminary scoping.

Companies can find general guidance on how to include a child rights lens in impact identification and evaluation in *Tool 1. Impact Assessment*. Common mistakes and useful suggestions regarding companies' assessment of environmental impacts on children include the following:

- *Although an eight-hour shift threshold limit value can generally be applied to workers regarding 'occupational exposure', children living in polluted environments are likely to experience 24-hour residential exposure.* It is vital to understand the influence of environment and environmental agents on human health, based on knowledge of relevant epidemiological, toxicological and exposure factors. To ensure that this approach is integrated into impact assessments, state the threshold limit values that are being applied for specific groups when assessing the risk of exposure to environmental contaminants. By doing this, errors in the risk assessment will be easier to detect.
- *Take the increased physiological vulnerability of children to toxicants into account, rather than applying exposure limits designed for adults.* While it is not possible to present specific threshold limit guidance for the thousands of known toxicants that could potentially impact on children around mining sites, it is important to understand the limitations of the published limits. As a general rule, unless the threshold limit has been specifically developed for environmental (as opposed to occupational) exposure of children (as opposed to adults), great care should be exercised when applying the threshold. In such cases, it is prudent to apply the precautionary principle and adopt a more conservative limit.
- *Take behavioural differences between children and adults into account when assessing potential exposure pathways.* Adults are far less likely to ingest contaminated soil during the course of a day, while children typically engage in hand-to-mouth contact with multiple elements of their physical environment.
- *Assess the determinants of health rather than the health impacts.* Complex relationships between environmental change and health make quantification and prediction of project impacts challenging. Such assessment must weigh the evidence for likely changes in health determinants, and then outline whether the net effect of these changes will be positive or negative for identified communities.

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- *Do not ignore the links between social, environmental and health impacts.* For example, land disturbance may be linked to lower crop yields, which may be linked to greater effort levels by farmers to produce enough food, possibly leading to diminished school attendance or adult supervision, with increased risks of injuries for children.

5.5 Monitoring, evaluating and reporting

The key to effective monitoring is to have a comprehensive baseline that encompasses specific data on children's vulnerabilities, both for socio-economic and for biophysical factors.

In regard to communities that depend on fishing, for example, understanding historical metal concentrations in rivers draining a mine site, coupled with species composition and data on fishing and use of river water by communities, will enable an effective monitoring programme to be devised. This programme should detect changes in fish species and numbers, and be able to disaggregate seasonal variations to effectively assess the progress of related impacts on children, according to their vulnerabilities, nutritional needs and dependencies.

Note that such evaluations will often require specialized expertise. Mercury, for example, is known to affect human nervous, digestive and immune systems and, even in small amounts, can threaten a child's development.²⁶ It is concentrated in fish, but very difficult to measure in humans. It is therefore crucial to use certified laboratories, standardized sampling protocols and well-trained staff for collecting samples.

Community health monitoring for toxicants also faces challenges, because it places stress on children when blood samples are required, is expensive and invasive, and often requires laboratory facilities located only in industrialized countries. Consequently, it is typically used as a last resort.

To protect children from exposure to contaminated water or fish, regular monitoring of run-off from tailings storage facilities, coupled with a detailed baseline and understanding of links from the mining company's environmental and social impact assessments, should enable site management to proactively prevent exposure and respond if pollution occurs.

Key environmental quality indicators – such as water quality in a river draining from a site and used by a village – should be reported methodically to the regulating authorities, the company's board and the relevant communities. This requires close operational cooperation between the community managers and the environmental monitoring managers. Where a community is at risk from a pollution event, steps should be taken to reduce this risk, for example, replacing river water use with borehole water.

The company's monitoring system should be linked to an emergency response process that includes local communities. The Awareness and Preparedness for Emergencies at Local Level (APELL) programme developed by the United Nations Environment Programme in partnership with governments and industry, is one such mechanism that aims to minimize the occurrence and harmful effects of technological accidents and environmental emergencies.²⁷

²⁶ World Health Organization, 'Mercury and Health: Fact sheet', WHO, January 2016, <www.who.int/mediacentre/factsheets/fs361/en>.

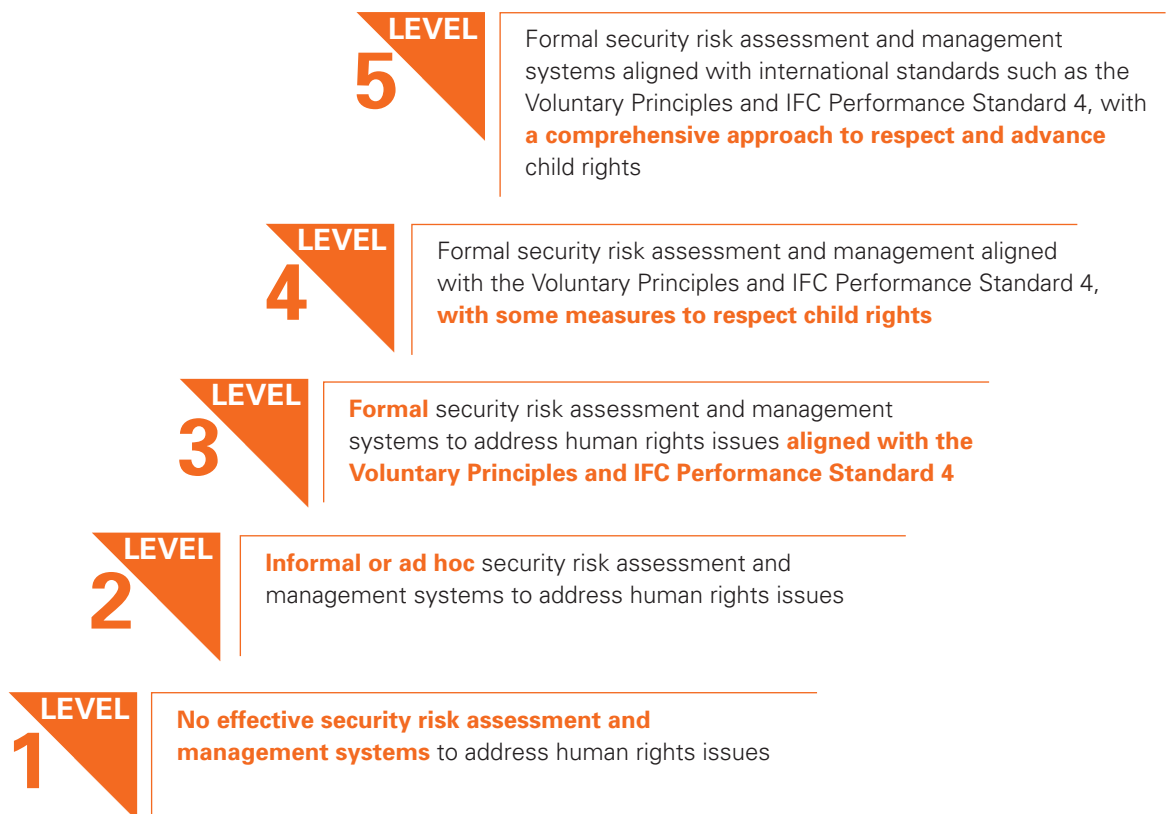
²⁷ See: United Nations Environment Programme, APELL, <www.unep.org/apell>.

Security

Companies can be directly and indirectly responsible for or complicit in violations of children's rights through their approach to managing security on the mining site and around it. Understanding the context of operations, assessing risks and managing them appropriately will lower the likelihood of mining-related risks to children, as well as protect the company's social licence to operate, reputation and business continuity.

Tool 6 Security

Where does your company stand on respecting and advancing children's rights in security management? The figure below presents a continuum from the lack of effective systems to the fullest measures of corporate responsibility and proactive leadership.



Tool 6 is designed for those with roles in security management, government and community relations, and human rights. It complements *IFC Performance Standard 4: Community Health, Safety, and Security*, and the Voluntary Principles on Security and Human Rights, along with the Implementation Guidance Tool (IGT). Companies that have not yet integrated good international industry practices into their security management systems should address that gap as a priority.

6.1 Overview of the issues and related standards

Children's rights can be infringed or abused in a variety of ways in relation to security management in the mining industry. The main interactions between security services and children happen in cases of protesting, trespassing, theft, vandalism, artisanal mining, and sexual exploitation or violence. Based on the understanding of the risk to children and other stakeholders, companies will develop management plans and place requirements on their own, contracted or public security providers.

These interactions can also lead to constructive community relations. Responsible security management looks at providing appropriate protection for the company, while also respecting and advancing the human rights of all stakeholders.

Tool 6 Security

The Voluntary Principles and IFC Performance Standard 4 provide a solid foundation for establishing and implementing security management. The core of this approach is conducting a risk assessment of potential human rights impacts. *Tool 1. Impact Assessment* offers companies a road map for integrating child rights.

Issues to be considered by companies that seek to respect and advance children's rights include potential abuses committed by corporate security or contracted private providers; public security providers such as police or armed forces that inappropriately detain children or respond to community protests with violence; and government authorities in areas with a legal system that does not protect child or human rights in detention and sentencing.

Children can also be affected by temporary or permanent loss (detention, injury or death) of a parent, guardian or other family member due to security activities. Mining companies will also be aware of employing children in hazardous work, which includes using a child for any aspect of security services.

These areas are more fully discussed in the sections below, which offer questions that can be asked and strategies that can be implemented at the mining site level, corresponding to the operation's risk profile and context.

Resources for security

Voluntary Principles on Security and Human Rights, available at <www.voluntaryprinciples.org/for-companies> and Implementation Guidance Tools (IGT), open PDF from <www.voluntaryprinciples.org/wp-content/uploads/2013/03/VPs_IGT_Final_13-09-11.pdf>

IFC Performance Standard 4: Community Health, Safety, and Security, available at <www.ifc.org/wps/wcm/connect/Topics_Ext_Content/IFC_External_Corporate_Site/IFC+Sustainability/Our+Approach/Risk+Management/Performance+Standards>

Addressing Security and Human Rights Challenges in Complex Environments: Toolkit, Geneva Centre for the Democratic Control of Armed Forces and International Committee of the Red Cross, available at <www.securityhumanrightshub.org/content/toolkit>

Toolkit on Diversion and Alternatives to Detention, Online platform, UNICEF, <www.unicef.org/tdad/index_55653.html>

6.2 Security providers and the justice system

Private security providers, public security providers, and the national justice system can all, by their nature, contribute to severe abuses of human rights.²⁸ And the risks are heightened for children due to their age and other vulnerabilities (see Annex A. *Child vulnerability matrix*). Children who are detained either in segregation or with adults, for example, may be exposed to the same types of conditions, but will be especially vulnerable to abuse, intimidation and harassment.

Article 37 of the Convention on the Rights of the Child outlines the following details as the responsibilities of government:

- No child will be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Capital punishment or life imprisonment without possibility of release will not be imposed for offences committed by persons below age 18.

²⁸ See, for example: Geneva Centre for the Democratic Control of Armed Forces and International Committee of the Red Cross, *Addressing Security and Human Rights Challenges in Complex Environments: Toolkit*, 3rd edition, DCAF and ICRC, Geneva, June 2016; available at <www.securityhumanrightshub.org/content/toolkit>.

- No child will be deprived of her or his liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child will conform to the law – and be used only as a last resort, for the shortest appropriate period of time.
- Every child deprived of liberty will be treated with humanity and respect for their inherent dignity, taking into account the needs of persons of his or her age. Every child deprived of liberty will be separated from adults unless it is considered in the child's best interests not to do so. Children also have the right to maintain contact with family members through correspondence and visits, except in exceptional circumstances.
- Every child deprived of liberty has the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of her or his liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.²⁹

Companies might consider diversion, channelling children in conflict with the law away from legal proceedings; alternatives to detention, measures that may be imposed on children who are being formally processed through the criminal justice system, at both pre-trial and sentencing stages, that do not involve deprivation of liberty; and restorative justice, which focuses on the rehabilitation of offenders through reconciliation with victims and the community at large, for example, by working to pay for damaged or stolen property.³⁰

When a company is considering the protection of children's rights within security management, these principles can be applied to assessing its risks and evaluating its performance against international guidance.

In the most severe cases, children are abused or killed by private or public security providers associated with the company. This may include situations where children detained by company security providers are subsequently subject to a national justice system that abuses their rights, for example detention without trial, lifetime imprisonment or capital punishment. Other direct impacts on children include use of security personnel with a history of child abuse, injury or death during clashes between security providers and the community.³¹

If the company is already implementing a responsible approach to security management – for instance, by fully implementing the Voluntary Principles and/or IFC Performance Standard 4 – the associated human rights risks will have been addressed. Table 13 offers examples of risks, questions, strategies and action to be implemented while taking into account the local context of mining operations and the associated risks for children.

²⁹ United Nations, 'Convention on the Rights of the Child', New York, 20 November 1989, article 37(a–d), <www.ohchr.org/en/professionalinterest/pages/crc.aspx>.

³⁰ United Nations Children's Fund, 'Toolkit on Diversion and Alternatives to Detention', UNICEF, New York, 19 August 2010, <www.unicef.org/tdad/index_55653.html>.

³¹ United Nations Children's Fund, *Children's Rights and the Mining Sector: UNICEF Extractive Pilot*, UNICEF, Geneva, March 2015, p. 15.

Tool 6 Security

Table 13. Managing child rights risks in relation to security providers and the justice system

Company policy for grievances	
<p>Risks: If the company does not anticipate the possible abuses that children could be victim of and as a result does not implement adequate measures to mitigate them, its reputation will be threatened and tensions among communities will be likely to increase.</p>	
Questions	Strategies and action
<p><i>Does the company implement security and human rights grievance management systems that are accessible to children?</i></p>	<ul style="list-style-type: none"> • Implement a mechanism to report information related to potential human rights violations employees might witness or hear about. • Ensure the inclusiveness of the mechanism by enabling anonymous and oral reporting • Investigate the allegations through external, corporate or joint investigations (<i>see Box 9</i>).
Private security management	
<p>Risks: Employing private security providers who have a history of child abuse and/or are not aware of children’s rights can lead to abuses that could endanger children, increase tension in the community, and place the company’s reputation at risk.</p>	
Questions	Strategies and action
<p><i>Does the company ensure that private security providers are not implicated in previous abuses of children?</i></p>	<ul style="list-style-type: none"> • Review the due diligence applied to security providers to ensure they are properly screened for charges related to violence against children, including sexual abuse, rape or excessive use of force.
<p><i>Does the company ensure that private security providers understand children’s rights?</i></p>	<ul style="list-style-type: none"> • Review the private security training material to ensure it covers relevant aspects, particularly the treatment and detention of children.
<p><i>Will private security staff be expected to detain mining employees, members of the public, trespassers, etc., on site?</i></p>	<ul style="list-style-type: none"> • Ensure that standard operating procedures for private security regarding detention align with good practices and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,³² e.g., children are not detained with adults. • Include procedures for establishing the age of detainees. When there is any doubt over the age or status of an individual, the security provider must act in the best interests of the detainee, assuming they are under age 18 until proved otherwise.

³² United Nations Children’s Fund, *Children’s Rights and the Mining Sector: UNICEF Extractive Pilot*, UNICEF, Geneva, March 2015, p. 15.

Tool 6 Security

Table 13. Managing child rights risks in relation to security providers and the justice system (continued)

Government security apparatus	
Risks: The company may be considered as being complicit in human rights abuses if children are treated inappropriately by the government security apparatus in the context of security services provided by public security forces, or when children or youth accused of breaking the law are handed over to the government security apparatus.	
Questions	Strategies and action
<p><i>Is the company aware of the risks that children might face in detention and thus looking for alternatives?</i></p>	<ul style="list-style-type: none"> • Seek assistance from local NGOs, community organizations and experts with experience in juvenile justice (see Tool 2. Stakeholder Engagement, Section 2.3). • Consider engaging with local police and judicial services to look for appropriate alternatives to detention through a restorative justice approach, such as replacing a stolen item or performing community service.³³
<p><i>How will the site hand over children who have been detained?</i></p>	<ul style="list-style-type: none"> • Understand the risks posed to children by the police or other government security providers in their handling of detainees and prisoners. • Integrate the risks into risk management plans related to the Voluntary Principles. • Agree handover procedures between the company and government security
<p><i>Does the police/host country make a distinction between juveniles and adults in its treatment of suspects, detainees or convicts?</i></p>	<ul style="list-style-type: none"> • Understand the police and judicial approaches to detention, punishment and sentencing and the conditions of detention facilities, in order to understand whether children are likely to have their rights infringed by the government. • Assess the risks to children from the government security apparatus and integrate this information into the Voluntary Principles risk management process. • Consider what policy and approach the company will have regarding handing over children to public security/governments when there is a likelihood of abuse of the child's rights. • Explore alternatives to detention, e.g., diversion programmes, civil society providers.
<p><i>Do public security providers have a history of abusing or targeting children?</i></p>	<ul style="list-style-type: none"> • Understand the risks to children from public security providers. • Integrate the risks into the Voluntary Principles risk management plans, including the company's approach to public security due diligence, training, dependency on public security providers and any memorandum of understanding.

³³ United Nations Rules for the Protection of Juveniles Deprived of their Liberty (A/RES/45/113), 14 December 2014, <www.un.org/documents/ga/res/45/a45r113.htm>.

Box 9. Barrick's reporting procedure for human rights

Barrick has developed internal global procedures through which employees can notify management of potential human rights violations, and which outline how alleged human rights violations will be investigated. Barrick emphasizes and requires that all rumours of possible human rights violations be reported. Employees are encouraged to use Barrick's 'Compliance Hotline' to report any potential human rights abuses they might have witnessed or heard about. As a result, a variety of security related issues have been reported, including allegations of police and private security using excessive force and being involved in harassment. Barrick requires all allegations to be investigated by external, corporate or joint investigators.

Source: Barrick Gold Corporation, 'Annual Report on Barrick's Voluntary Principles on Security and Human Rights Program 2014', February 2015; open PDF from <www.voluntaryprinciples.org/wp-content/uploads/2015/04/Barrick-Public-Report-April-2015.pdf>.

6.3 Temporary or permanent loss of a family member Scenario

Indirect impacts on children that are related to security management include the arrest or detention of parents or caregivers, for example, as a result of trespassing. The loss of a family member could occur through such scenarios as the following:

- A single parent, working for a mine, was caught in a violent strike and arrested by police called in to break up the strike. He was sentenced to two years' imprisonment. His two children are deprived of their family environment, and it will be the government's duty to support and protect them.
- An employee caught stealing at an operation was restrained by the company's private security provider. Due to poor training, the hold used by the security guard resulted in the employee suffocating, leaving four children and their mother without any income.

Although the government is ultimately responsible for providing protection and assistance to children deprived of their family environment, companies should be aware of the impacts that they may have on the children who are made vulnerable following security incidents that the company is directly involved in.

In cases of failure of the State to protect, the company could monitor how the situation of children affected by abuses evolves, especially when it results in child and/or female-headed households. Some potential tasks could include engaging with informal networks, traditional authorities, social services or local NGOs.

6.4 Employment of children

Because children should be protected from economic exploitation and from performing any work that is likely to be hazardous (Convention on the Rights of the Child, article 32), companies should prohibit the recruitment or use of children in any aspect of security services.

International Labour Organization (ILO) Conventions 138 and 182 state that the basic minimum age for work should not be below the age for finishing compulsory schooling, and in any case not less than 15 years old. Moreover, children under age 18, or age 16 under strict conditions, should not do any hazardous work. This means that children should not be engaged for security or military purposes, but also that they should not be used by the security provider for any other tasks, including food procurement, logistics and administration.

Tool 6 Security

Scenario Reliance on the security provider’s compliance with national legislation is not always sufficient to mitigate the risks of employing children, as illustrated in the following scenario:

Following a security incident where a guard was left medically unfit to work it is revealed that the security guard was only 16 years old, despite national laws stating only those over age 18 may be employed as security guards. Insurances will not compensate the child since the company is responsible for not being compliant with national laws. Moreover, the amount of the compensation might be high because it is often calculated on the basis of the age of the person injured.

For companies working with public and private security providers, staff should address the questions and consider the strategies and action listed in Table 14.

Table 14. Avoiding the use and employment of children in security

Risks: If children working in security services are abused or injured and the company did not ensure that national laws were respected, the company will face heavy financial constraints and its reputation will be tarnished.	
Questions	Strategies and action
<i>Is there appropriate national legislation regarding the minimum age of security staff?</i>	<ul style="list-style-type: none"> Review the national regulations and law concerning private security provision. Integrate the legislation into the Voluntary Principles risk considerations. Integrate international standards into internal processes if national legislation in host countries is not adequate.
<i>Is there a clause in security contracts that prevents children from working in security, an exceptionally hazardous role?</i>	<ul style="list-style-type: none"> Review contracts with private security providers to ensure there is an appropriate clause regarding the minimum age of security staff. Revise the Voluntary Principles risk assessment, using contract amendments and oversight as mitigation where necessary.
<i>Is there sufficient oversight of the private security providers regarding the ages of their staff?</i>	<ul style="list-style-type: none"> Review contract management of private security providers to ensure periodic demonstration of compliance with the requirements to not employ children. Employ a rigorous age verification process.
<i>Do public security providers have a history of recruiting children?</i>	<ul style="list-style-type: none"> Understand the police and army/defence forces recruitment policy. Assess the risk of complicity if children are employed as part of public security, and integrate this factor into Voluntary Principles risk assessment.

Tool **7** Child Rights and
Mining Toolkit

Health and Safety

Exploration, construction, operations and post-closure processes in the mining industry can be intrinsically dangerous – especially for children, who often have different perceptions and understanding of personal risk compared to adults. Because children are particularly vulnerable and are usually less well placed to advocate for their rights, mining companies have a vital role to fulfil in their management of health and safety impacts in the surrounding community.

Tool 7

Health and Safety

Where does your company stand on respecting and advancing every child's right to health and safety? The figure below illustrates a continuum from the lack of effective systems up to a leadership position in responsible and proactive management.



Tool 7 is designed to support mining companies to understand, anticipate, manage and mitigate potential negative impacts on children in order to better protect and promote children's rights through their community health and safety plans. It complements Good International Industrial Practice (GIIP) requirements (such as IFC Performance Standard 4 – Community Health, Safety and Security). Companies that have not yet integrated these guidelines into their management systems should address that gap as a priority.

7.1 Overview of the issues and related standards

Companies can be directly and indirectly responsible for or complicit in violations of children's rights through their approach to managing children's health and safety at the site of operations and around it. Understanding the context, assessing risks and managing them appropriately can help lower the likelihood of this risk and protect the company's social licence to operate, reputation and business continuity.

IFC Performance Standard 4: Community Health, Safety, and Security provides a solid foundation for establishing a management approach that incorporates human rights, including by conducting risk assessments that examine the potential dangers for communities in relation to mining operations.

To supplement this approach with a specific focus on children, it is important to understand how they will be more vulnerable compared to adults – for example, by being unable to read warning signs, which increases the risk of accidents, and less able to protect themselves from sexual abuse and exploitation (see Annex A. *Child vulnerability matrix and Tool 9. Protecting Children from Sexual Violence*).

Two main areas of concern are covered in this tool – on-site health and safety, and transportation infrastructure surrounding the mine site.

Resources for health and safety

IFC Performance Standard 4: Community Health, Safety, and Security, available at www.ifc.org/wps/wcm/connect/Topics_Ext_Content/IFC_External_Corporate_Site/IFC+Sustainability/Our+Approach/Risk+Management/Performance+Standards

Voluntary Principles on Security and Human Rights, 2000, www.voluntaryprinciples.org

7.2 On-site health and safety

Risks to children can originate from exposure to machinery, open pits, mine shafts, ponds, blasting and other aspects of mining operations. Sites will typically have a health and safety management plan to deal with these general risks, including such factors as the physical infrastructure that is in place/planned. While physical infrastructure can alter the risks that children may be exposed to, it is also important to understand the context regarding children in order to choose the most appropriate safety measures.

Scenario

Child rights impacts linked to on-site health and safety are illustrated in the following scenario:

A disused quarry on a long-term existing concession contains a deep pool of water. Underwater tunnels in the quarry create a suction effect and make swimming exceptionally dangerous. The area is unfenced, due to its size, and the quarry is unguarded. A single sign, as required by the health and safety plan, displays text only to explain the dangers of swimming in the quarry. However, two 10-year-old girls access the quarry to take a swim, like many children in the area have been known to do in the past. Unable to read the sign and unaware of the dangers, one of the girls is sucked into the tunnels and drowns.

This fatality could have been avoided in a variety of ways. Understanding of local levels of education – for instance, through socio-economic baselines and/or stakeholder engagement – would have indicated that the text-only sign was an ineffective risk-control measure because children might not have been able to read the warning. In this case, the company could have used a sign that includes easily understood pictures or symbols. It might also have constructed a secure fence, collapsed the underwater tunnels, or engaged with local communities to ensure the dangers were fully understood. These options would have resulted in a financial investment for the company, but would have removed or mitigated the risk.

The actions proposed in Table 15 offer solutions to companies confronted with such a scenario that could be implemented according to the local context and the particular risks for children. It is assumed that the company is already implementing a responsible approach to health and safety management and human rights, for instance, by fully implementing the Voluntary Principles and/or IFC Performance Standard 4.

Tool 7 Health and Safety

Table 15. Managing on-site health and safety risks specific to children

<p>Risks: If the company does not anticipate the risks that children are exposed to on site and take adequate measures to lower these risks, it might have to face significant financial prosecutions or compensations, poor local and international reputation, and possibly tensions with the communities and as a result threats to business continuity.</p>	
Questions	Strategies and action
<i>What health and safety risks could children be exposed to?</i>	<ul style="list-style-type: none"> Engage with the health and safety department to identify the risks that are relevant for children in the context of mining activities, e.g., sites with blasting, open pits, ponds, shafts or heavy machinery.
<i>Are there children in the vicinity of the camp, lease or operation?</i>	<ul style="list-style-type: none"> Engage with community relations to understand the area demographics.
<i>Is there a history of children gaining access to the site, regardless of their intent? Are children likely to enter the site at night?</i>	<ul style="list-style-type: none"> Consult previous safety records and community relations to understand past access issues and children's relationship with the area (trespassing, exploring, thefts). Assess the likelihood of children attempting to access the site in the future. Consider what hazards are markedly increased at night.
<i>Are the children in the area literate?</i>	<ul style="list-style-type: none"> Engage with community relations to understand literacy rates. Engage with the health and safety department to assess if any existing or planned signage is appropriate for the context. Consider changing existing or planned signage to account for literacy.
<i>What engagement with children has happened concerning the dangers of access to sites? (See Tool 2. Stakeholder Engagement.)</i>	<ul style="list-style-type: none"> Confirm with community relations the engagement that has happened or is planned concerning children, access and hazards on the site. Consider increasing the level and type of engagement, including community/school workshops, site tours or education campaigns.
<i>What measures are in place to address these risks? Fences, access controls, signage, patrols?</i>	<ul style="list-style-type: none"> Engage with health and safety department and list the risks that are mitigated and how they are addressed, e.g., signage as opposed to fencing. Consider increasing current or planned physical infrastructure, such as fences, in high-risk areas.
<i>What measures are in place to ensure the continuous prevention of risks for children after site closure?</i>	<ul style="list-style-type: none"> Implement safety systems adapted to the post-closure context (signage, fences, surveillance personnel). Research has found that this can be particularly important for children, for example, nearly 40 per cent of deaths at abandoned mine sites in the United States were among people under age 20.³⁴ Ensure appropriate communication with authorities for the maintenance of safety features. Ensure safety during post-closure rehabilitation.

³⁴ Mine Safety and Health Administration, 'Fatal Accidents Reported' (2014–1999), United States Department of Labor, Arlington, Va., <<http://arlweb.msha.gov/sosa/previousfatalstats.asp>>.

Box 10. Securing the social licence to operate through community engagement in Madagascar

Canadian mining company Sherritt International’s Ambatovy nickel mine and refinery is the largest industrial complex in Madagascar, where a high proportion of the population is under age 20. Because its presence would extend for more than 30 years, the company undertook a broad-based approach to community outreach that included children, teachers, parents and community leaders in order to build trust and raise awareness.

The awareness-building sessions for young people that were implemented entailed: small and large group visits to the operation, and presentations on Ambatovy and mining in general that were adapted for children, using videos, photos, comic books and music, among other communication tools. To this day, Ambatovy continues to organize visits and information sessions for youth, particularly student groups.

Source: United Nations Children’s Fund, *Engaging Stakeholders on Children’s Rights: A tool for companies*, UNICEF, Geneva, September 2014, p. 12.

7.3 Transportation infrastructure

Because mining operations also lead to changing environments outside the site of operations, companies will want to ensure that children are also protected beyond the perimeter. New transportation infrastructure, and the increase in use of existing infrastructure such as roads and railways, can particularly pose a threat to the safety of children living in the area.

Better understanding, awareness raising and adequate warning measures will alter the risks that children may be exposed to in terms of safety associated with transportation infrastructure, and thus will protect corporate stability, as well as protect children. The following scenario illustrates child rights impacts linked to road safety:

Scenario

A new road has been built to facilitate the transportation of construction materials to the mine site, and will later be used to transport minerals outside the site. The road passes next to a village, where children from surrounding villages go to school. Children are not used to busy traffic and are not aware of the risks associated with it, even though signs indicate the danger. At the end of the day, children usually play football near the school and now, near the new road. Chasing the ball, two 8-year-old boys are hit by a truck transporting pipes.

This accident could have been avoided in a variety of ways. Understanding local levels of literacy, for example, would have indicated that children might not have been able to read the warning signs. These signs would have been more effective if they included easily understood pictures/symbols. The company could also have built a fence at that specific location, knowing that it is a high-risk location for children, and engaged with the local community to raise awareness and understanding of the dangers.

Although these options would require financial investment for the company, they would remove or mitigate the risks. Table 16 presents a series of issues and related possible strategies and actions to be taken for managing infrastructure-related risks to children’s health and safety.

Tool 7 Health and Safety

Table 16. Managing health and safety risks for children related to transportation infrastructure

<p>Risks: If the company does not anticipate the risks that children are exposed to along transportation routes and take adequate measures to lower these risks, it might have to face financial compensations, poor reputation, tensions with the communities and as a result threats to business continuity.</p>	
Questions	Strategies and action
<p><i>What risks associated with transportation infrastructure could children be exposed to?</i></p>	<ul style="list-style-type: none"> Engage with the health and safety department to identify the risks that are particularly relevant for children regarding new transportation infrastructure – increased traffic, dangerous drivers, close proximity with areas where children spend time, sexual exploitation and abuse along transportation routes (see Tool 9. Protecting Children from Sexual Violence).
<p><i>Is transportation infrastructure passing by areas where children are likely to spend time? Villages, schools, markets, playgrounds?</i></p>	<ul style="list-style-type: none"> Engage with community relations to understand the area’s demographics and child-focused infrastructure/patterns of use, e.g., informal play-grounds, village recreation sites, school buildings.
<p><i>Does the highway code of the country deal with all the risks children can be exposed to and is enforced by an accountable public agency?</i></p>	<ul style="list-style-type: none"> Ensure that a clause linked to dangerous driving (drunk driving, maximum driving time) is included in the contract signed with the company’s internal drivers – and with contractors recruiting drivers – if the national highway code does not provide adequate coverage of these risks.
<p><i>Are drivers trained and aware of the threats they might pose to communities, including particular risks to children such as drunk driving or sexual exploitation?</i></p>	<ul style="list-style-type: none"> Engage with the contractors recruiting drivers to ensure that they commit to respect the highway code. Set up training sessions if gaps are identified to raise awareness among drivers.
<p><i>Are the children in the area literate?</i></p>	<ul style="list-style-type: none"> Engage with community relations to understand literacy rates. Engage with the health and safety department to assess if any existing or planned signage is appropriate for the context. Consider changing existing or planned signage to account for literacy.
<p><i>What engagement with children has taken place concerning the dangers of new transportation infrastructure?</i></p>	<ul style="list-style-type: none"> Confirm with community relations the engagement that has happened or is planned concerning children living near transportation infrastructure. Consider increasing the level and type of engagement, including community/school workshops, site tours, education campaigns or training.
<p><i>What measures are in place to address these risks, e.g., signage, fences in high-risk areas, patrols or training?</i></p>	<ul style="list-style-type: none"> Engage with the health and safety department and list the risks that can be avoided or mitigated by signage or fencing at high-risk areas of the transportation routes. If signage is chosen, ensure that drivers and children can understand them (training). Ensure that sanctions will be implemented if drivers do not respect the highway code or contract clauses. Cooperate with the local traffic police department for ensuring road safety.

Box 11. Health and safety management for children**Case Study I: Anglo American, Brazil – Safe Streets and Roads project³⁵**

It is estimated that more than 43,800 people are killed in traffic accidents in Brazil every year and that approximately 2,000 are children under 14 years old. The NGO Safe Kids argues that 90 per cent of these accidents could be avoided if better information on policy changes and adequate legislation were available. Anglo American identified increased transport safety risks associated with the Boa Vista Fresh Rock projects due to a temporary contractor workforce, increase in transport of heavy equipment and increase in transport of ore from the mine to the plant. Anglo American inaugurated the Safe Streets and Roads project in 2013, which focuses on activities such as communication campaigns to the community to raise awareness on the five main causes of deaths on roads (overtaking, distracted drivers, speeding, motorbikes and drunk driving), engaging with the government, businesses and other stakeholders on road safety issues affecting children, influencing the government to improve road infrastructure, programmes to educate children on responsible road usage, presentations, workshops and newsletters dissemination into the community to raise awareness on road safety issues and defensive driver trainings. As a result of these actions, it was estimated that information on road safety reached approximately 4,500 families. The Safe Streets and Roads project was nominated for an Anglo American Applaud in 2013 and has been recognized for a substantial reduction in deaths on public roads.

Case Study II: Barrick Gold – Children’s safety on the road³⁶

Barrick Gold has developed guidance in collaboration with impacted communities to identify and manage the risks linked to road safety through a Community Safety Management Plan. This guidance will also be used to develop specific Community Safety Management Plans in other sites where increased traffic around mines has been identified as a high risk, for example, in Pueblo Viejo (Dominican Republic), Lumwana (Zambia) and Veladero (Argentina).

Additionally, the Cowal mine, in Australia, has developed an annual programme called RoadSafe September, which involves a variety of local stakeholders such as police, schools and local governments in educating local communities and aims at promoting road safety in the community. Similarly, the Lumwana mine in Zambia supports an ongoing Community Road Safety programme, which includes road safety education activities for schoolchildren. In 2013, the programme reached more than 1,000 students at 13 schools.

³⁵ Example drawn from interview with Anglo American as part of the 2015 UNICEF Extractive Pilot. United Nations Children's Fund, Children's Rights and the Mining Sector: UNICEF Extractive Pilot, UNICEF, Geneva, March 2015, available at <www.unicef.org/csr>.

³⁶ Example drawn from interview with Barrick Gold as part of the 2015 UNICEF Extractive Pilot. United Nations Children's Fund, Children's Rights and the Mining Sector: UNICEF Extractive Pilot, UNICEF, Geneva, March 2015, available at <www.unicef.org/csr>.

Working Conditions

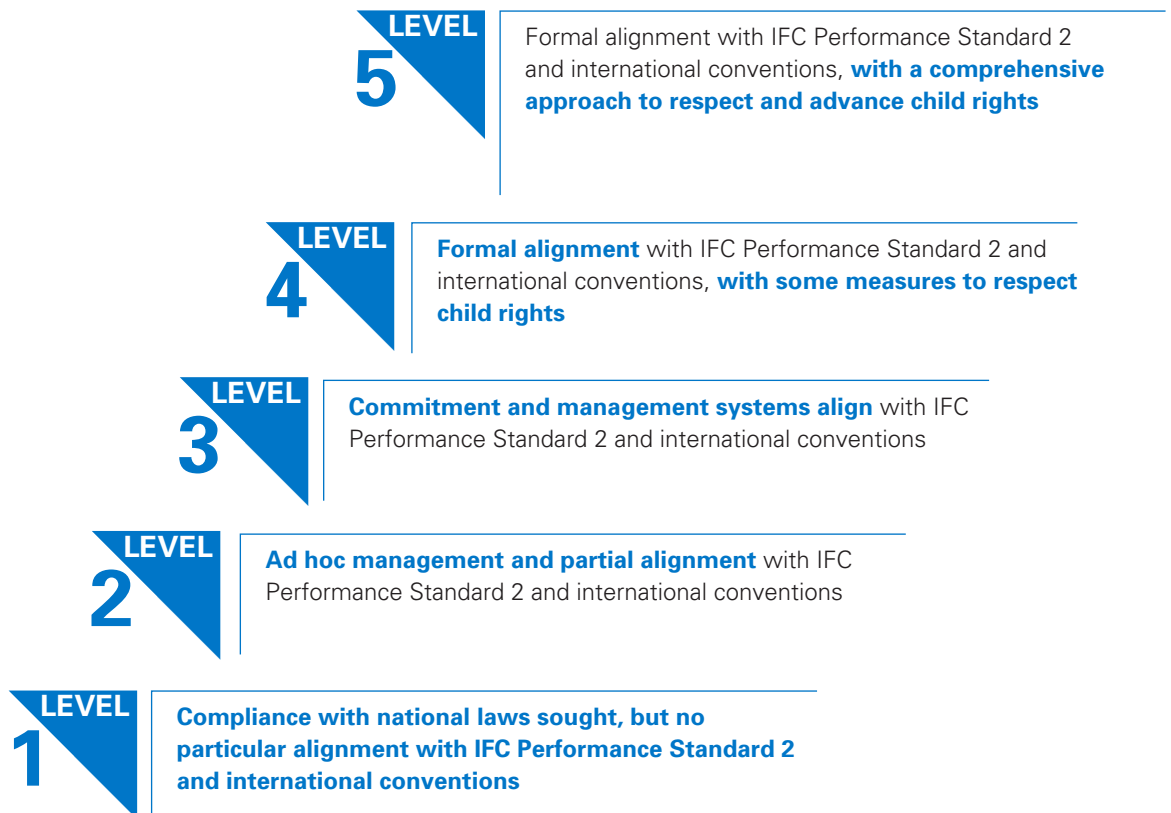
to improve or negatively affect children's living conditions, well-being and development. Therefore, all businesses should provide decent working conditions that support workers, both women and men, in their roles as parents or caregivers.³⁷ More particularly in the mining sector, specific risks relating to the industry's operations have been identified and are being addressed by companies.

³⁷ See also: United Nations Children's Fund, United Nations Global Compact and Save the Children, *Children's Rights and Business Principles*, UNICEF, Geneva, 2012, pp. 20–21.

Tool 8

Working Conditions

Where does your company stand on respecting and advancing children's rights in relation to working conditions? The figure below presents a continuum from the lowest level of compliance to the fullest measures of corporate responsibility and proactive leadership.



Tool 8 is designed to help mining companies mitigate the potential negative impacts that working conditions for parents and other caregivers can have on children, and to promote children's rights through their human resources and contractors' management. It covers the following areas: working hours, shifts and commutes; discrimination against women, parents and/or caregivers; management of on-site contractors, hazardous materials and activities; and wages and living conditions.

Most likely, international mining companies are already complying with national laws in the countries where they operate and implementing a responsible approach to labour and working conditions. Companies that have not yet integrated IFC Performance Standard 2 and related ILO conventions regarding human rights and working conditions into their systems should address that gap as a priority. The next sections offer support for integrating a child rights perspective to promote family-friendly working conditions.

8.1 Overview of the issues and related standards

UNICEF’s pilot study on children’s rights and the mining sector highlights key impacts on children specific to the industry and related to working conditions for parents and caregivers. Impacts on parents and other caregivers, with a resulting impact on the child, were found to include parents’ working conditions inhibiting their ability to care for their children physically, financially or socially; intra-employee conflict; and staff behaviour in the community.³⁸

Mining companies that seek to provide decent working conditions that support both women and men in their roles as parents or caregivers, as outlined in the Children’s Rights and Business Principles, will begin with legal compliance and then move to “pay particular attention to working conditions such as the payment of a living wage, length and flexibility of working hours, provisions for pregnant and breastfeeding women, need for parental leave, supporting migrant and seasonal workers with distance parenting, and facilitating access to good quality childcare, health care and education for dependants.”³⁹

IFC Performance Standard 2: Labor and Working Conditions provides a solid foundation for establishing corporate protection of workers’ fundamental rights. The requirements set out in this standard are, in part, guided by a range of international conventions and instruments, including those of the ILO and the United Nations (see Box 12). They not only aim to promote compliance with national employment and labour laws, but also the fair treatment, non-discrimination and equal opportunity of workers; the worker-management relationship; the protection of workers, including vulnerable categories of workers such as children; and safe and healthy working conditions.

Box 12. ILO and United Nations conventions that apply to employment and working conditions

- ILO Convention 87 on Freedom of Association and Protection of the Right to Organize
- ILO Convention 98 on the Right to Organize and Collective Bargaining
- ILO Convention 29 on Forced Labour
- ILO Convention 105 on the Abolition of Forced Labour
- ILO Convention 138 on Minimum Age (of Employment)
- ILO Convention 182 on the Worst Forms of Child Labour
- ILO Convention 100 on Equal Remuneration
- ILO Convention 111 on Discrimination (Employment and Occupation)
- Convention on the Rights of the Child, article 32.1
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Strategies applicable to the mining sector can also be developed and enforced for improving working conditions of employees and better protecting child rights. By ensuring appropriate working hours and use of night shifts, commutes and fly in, fly out (FIFO) arrangements, non-discriminatory measures against women, appropriate management of on-site contractors and non-exposure to hazardous materials and activities – as well as adequate wages, benefits and living conditions – companies will have a direct positive impact on human rights in general and children’s well-being in particular. Additionally, these actions will increase the company’s good reputation and prevent tensions that could occur in households and communities due to difficult working conditions or discriminatory practices.

³⁸ United Nations Children’s Fund, *Children’s Rights and the Mining Sector: UNICEF Extractive Pilot*, UNICEF, Geneva, March 2015, p. 14.

³⁹ United Nations Children’s Fund, United Nations Global Compact and Save the Children, *Children’s Rights and Business Principles*, UNICEF, Geneva, 2012, p. 21.

8.2 Working hours, shifts and commutes

Terms of employment in the mining sector can require night shifts and long hours, possibly more than 60 hours a week, leaving parents little time with their children. Health risks commonly associated with long working hours and night shifts include work-related stress, impaired physical and mental performance, sleep deprivation and fatigue⁴⁰ – which can all indirectly affect children to the extent that they inhibit parents' ability to care for them.

Although wages in the mining sector are usually higher than the living wage, employment in mining can impact families in labour-sending areas due to FIFO shift rotations and long periods of parents' absence from their children. Research indicates that the indirect impacts include increases in intra-household tension and disruption of family intimacy and interpersonal communication.⁴¹ Table 17 offers details on the associated risks, questions that can support companies' identification of potential impacts, and suggested strategies and action that mining companies can take to address these issues.

⁴⁰ Mining Industry Advisory Committee, Commission for Occupational Safety and Health, 'Code of Practice: Working Hours', Department of Mines and Protection, Government of Western Australia, 2006, p. 2; open PDF from <www.commerce.wa.gov.au/sites/default/files/atoms/files/copworking-hours.pdf>.

⁴¹ See, for example: Peetz, David Robert, and Georgina Murray, 'Involuntary Long Hours in Mining', Griffith University, 2010; available at <<http://geor-ginamurray.org/articles-list/involuntary-long-hours-in-mining>>.

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Table 17. Managing employees' working hours, night shifts, commutes and fly in, fly out arrangements

<p>Risks: If the company does not pay attention to the possible impacts of working hours, night shifts, long commutes and FIFO arrangements on its employees' children, it might endanger its business stability by facing the following risks:</p> <ul style="list-style-type: none"> Increased workers' stress and fatigue, which could result in intra-household tension and violence, degrading employees' family environment. Increased likelihood of work-related accidents. It might ultimately and indirectly increase employees' discontent and workforce turnover. 	
Questions	Strategies and action
<p><i>Are human resources files checked to see whether staff have children or other dependents to ensure that indirect impacts on children as a result of working conditions and hours are appropriately managed?</i></p>	<ul style="list-style-type: none"> Take into account workers' objective circumstances such as their family situation, health, endurance, sleeping habits and personal preferences to identify workers whose family situation may require flexibility and adjustments. Engage with these workers in regard to hours and FIFO arrangements.
<p><i>Are inputs from employees with children, as well as safety and health representatives, sought for defining working hours, night shifts and FIFO arrangements?</i></p>	<ul style="list-style-type: none"> Gather employees' input on working conditions and involve employees who have children in the design of scheduling rosters to benefit all stakeholders. Consult safety and health representatives where they are available. Focus on criteria such as 'swap shifts' to meet workers' personal needs, for example, enabling husband and wife to work the same shifts; breaks between work periods (recovery time); and seasonal work arrangements.
<p><i>Has the company identified the number of employees with children having to combine long working hours and night shifts with demanding work?</i></p>	<ul style="list-style-type: none"> 'Demanding work' includes work that is physically or mentally demanding or repetitive, e.g., inadequate variation of tasks over excessive periods of time. Limit the combination of long working hours and night shifts with demanding work, especially for workers whose family situation may require flexibility.
<p><i>Does the company ensure that workers are allowed adequate time off to spend with their children?</i></p>	<ul style="list-style-type: none"> Develop policies for working hours, plans and programmes on daily work hours, maximum average weekly hours, total hours over a three-month period, and work-related travel (average weekly working hours should not exceed 48 hours). Carefully consider the scheduling of work to avoid irregular and unpredictable hours, short notice of schedule, extended overtime, on-call across shift cycle, rosters and day/night shifts worked in order to best meet workers' personal lives and body clock. For example, while some workers tolerate long rosters such as 4 weeks on, 1 week off, parents who need to spend time with their children, might find an 8 days on, 8 days off roster as being a better balance. Allow trial periods for new working-hours arrangements and evaluate them according to workers' family situation and the potential impacts on children. Offer alternatives to employees who may have difficulties in adjusting to working hours.
<p><i>Are managers and employees aware of the risks linked to working hours and trained accordingly?</i></p>	<ul style="list-style-type: none"> Provide training on the effects of fatigue and control measures. Implement initiatives to promote health and fitness.
<p><i>Do employers provide an appropriate level of supervision relevant to the assessed level of risk to ensure adequate family living conditions?</i></p>	<ul style="list-style-type: none"> Monitor work to ensure that safe work practices are followed.

⁴² Mining Industry Advisory Committee, Commission for Occupational Safety and Health, 'Code of Practice: Working Hours', Department of Mines and Protection, Government of Western Australia, 2006, p. 5.

8.3 Discrimination against women or parents/caregivers

In the traditionally male-dominated mining industry, women may be discriminated against during both recruitment and employment – and policies that fail to protect women may also put fathers and other caregivers at risk, as well as children.

For women, discrimination may be related to pregnancy or the fact that they have reached childbearing age. After delivery of a newborn, mothers may not receive the minimum 14 weeks maternity leave advised by ILO Convention 183. Table 18 discloses recommendations that companies can follow to avoid discriminatory practices against women and caregivers, and generally contribute to children’s well-being.

Table 18. Avoiding discrimination against women and parents/caregivers

<p>Risks: Discrimination against women or parents and other caregivers might endanger a company’s business stability by facing the following risks:</p> <ul style="list-style-type: none"> • It might be accused of acting against human resources regulations, or face the risk of being brought to court (e.g., ILO conventions). • It might result in the company losing human resources capacities and skills. • Its local and international reputation might be tarnished. 	
Questions	Strategies and action
<i>Does the company avoid discrimination during recruitment processes?</i>	<ul style="list-style-type: none"> • During recruitment interviews, ensure that applicants are not questioned on marital status, intent to have children or the number of children that they currently have. Include clauses to this effect in human resource managers’ contracts and/or train the company’s human resources department.
<i>Are employees guaranteed parental leave, including in cases of adoption?</i>	<ul style="list-style-type: none"> • Ensure that female employees are allowed no less than 14 weeks’ maternity leave per child in accordance with ILO Convention 183. • Encourage fathers to take paternity leave, which is recognized to have positive impacts on children’s development.
<i>Are female applicants respected in their choice to get pregnant?</i>	<ul style="list-style-type: none"> • Ensure that applicants are not required to take pregnancy tests, have abortions or sign agreements not to get pregnant by including clauses in human resource managers’ contracts.
<i>Does the company provide for grievance mechanisms if workers or applicants witness discrimination against women?</i>	<ul style="list-style-type: none"> • Ensure that discrimination against women can be reported easily and anonymously.

8.4 Working conditions in the supply chain and management of on-site contractors

Potential issues around working conditions and child rights can also be a concern in the company's supply chain. Integrating child rights considerations into supply chain due diligence is essential for the prioritization of actual and potential child rights impacts. If no human rights or social impact due diligence process for the supply chain exists, the company should consider establishing that process first, or simultaneously, with child rights considerations. *Demonstrating Value: A guide for responsible sourcing*, developed by the International Council on Mining and Metals (ICMM), offers support for initiating this process.⁴³ A number of resources are also available for more specifically managing risks around child rights and working conditions in the supply chain.⁴⁴

In addition to risks related to working conditions in the supply chain, employing on-site contractors for high-intensity project phases such as construction entails potential child right risks that are prevalent in the mining industry and deserve special attention. Table 19 describes several actions and strategies that companies can take for addressing the risks around child rights in the management of on-site contractors.

⁴³ International Council on Mining and Metals, *Demonstrating Value: A guide for responsible sourcing*, ICMM, London, 2015; available at <www.icmm.com/en-gb/publications/demonstrating-value-a-guide-to-responsible-sourcing>.

⁴⁴ See: UNICEF, 'Supply Chains for Children: Resources', <<http://supplychainsforchildren.org/en/resources>>.

Table 19. Managing working conditions of on-site contractors and related risks around child rights

<p>Risks: Impacts of subcontractors’ irresponsible employment practices on child rights: There is a risk that subcontractors do not have family-friendly human resources policies in line with ILO standards, allowing for family leave, maternity and paternity leave, full access to statutorily required benefits, and other practices considered to support work-life balance and family life. Lack of such policies and/or their enforcement can prevent parents from being able to adequately care for their children.</p>	
Questions	Strategies and action
<p><i>Does the company contractually exert leverage on contractors on specific requirements around working conditions?</i></p>	<p>Include requirements around working conditions and child rights in contracts with contractors, such as:</p> <ul style="list-style-type: none"> • <i>Compliance clauses and consequence of non-compliance</i> – Clause language can be detailed, outlining specific child rights risks to be managed by the contractor or supplier, given the activity, geographical area, etc. Or it can be applicable to all and generally require compliance with international child rights standards (United Nations, ILO, etc.). More specific clauses may be more arduous for the company to develop but are more effective in communicating expectations and educating the supplier about what is required. Consequences of failure to fulfil contract requirements should be clearly spelled out. • <i>Reporting</i> – Contracts should ideally outline periodic reporting requirements on compliance with working conditions and child rights clauses. These should specify KPIs against which the supplier is to be assessed.
<p><i>Does the company follow up with contractors to ensure that established working conditions and child rights standards are adhered to and engage them for training, capacity building and information sharing?</i></p>	<ul style="list-style-type: none"> • Developing internal systems for effective enforcement of contract requirements, including monitoring and accountability mechanisms, is a vital part of this process. Procedures should be established and staff dedicated to reviewing subcontractor reports, arranging audits and drawing conclusions – flagging problems with management, and issuing follow-up actions such as improvement plans or contract termination. • <i>Ad hoc site visits and third-party audits</i> – Contracts can also include the right of the company to conduct unannounced site visits. Some longer-term contracts might include requirements for a third-party independent assessment/audit, which includes child rights as a component.
<p><i>Does the company work jointly with its contractors to improve performance?</i></p>	<p>A simple audit approach is usually not enough to achieve a sustainable improvement in contractors’ behaviour. A variety of additional strategies exist for improving contractors’ compliance with social standards, including working conditions and child rights. These can include:</p> <ul style="list-style-type: none"> • The shift from pass/fail compliance to comprehensive continuous improvement programmes; • Replacing audits with collaborative assessment and root cause analysis; • Integration of grievance mechanisms; • The integration of capacity-building approaches for contractors, e.g., requiring all new subcontracted staff hired for construction to participate in child rights training; • Different forms of partnerships between companies and civil society organizations, including public reporting and sharing of risk assessments and performance; • Providing commercial incentives to suppliers for improvements in social performance, such as price, volume, duration and supplier preferences; • Developing metrics to help suppliers identify the business case for better social performance; • Efforts by companies to use their leverage to address systemic issues; • Industry-wide collaboration to tackle systemic issues.

Box 13. Mining companies procuring from artisanal and small-scale mining (ASM) operations

Industrial mining companies occasionally procure minerals from ASM operations concurrently with their operations, particularly in the gold, silver, cobalt, copper, diamond, cassiterite, wolframite and coltan industries. Procuring from artisanal and small-scale mining operations entails significant risks around working conditions and child rights.

ASM operations, especially when informal or ‘illegal’, have a heightened risk of human rights abuses, including child rights abuses such as child labour, exposure to physical or emotional violence, and lack of a safe and clean environment. A recent Amnesty International report confirms, for example, that artisanal mining for cobalt in Katanga, Democratic Republic of the Congo, is not properly regulated and prevalently uses child miners, who can experience serious health effects, abuse by security guards and illegal taxation.[1] Children can commonly be involved in support services such as mineral sorting and processing, transport, and provision of water and food. Children might also be forced into prostitution near mine sites by armed groups or traffickers who collect a fee for their ‘service’ from the mine workers.

Mining companies directly sourcing minerals from ASM operations should therefore conduct extensive due diligence on working conditions and child labour. There is existing guidance[2] for conducting such a due diligence process and for ultimately determining an appropriate purchasing programme. This may include the provision of support towards formalization and recognition of legal licensing.

[1] Amnesty International, *“This Is What We Die For”: Human rights abuses in the Democratic Republic of the Congo power the global trade in cobalt*, Amnesty International, London, 2016; available at <www.amnesty.org/en/documents/afr62/3183/2016/en>.

[2] Particularly: Organisation for Economic Co-operation and Development, *OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas*, 3rd edition, OECD Publishing, Paris, 2016; Hidrón, Clara, and Ronald Koepke, *Addressing Forced Labour in Artisanal and Small-Scale Mining (ASM): A practitioner’s toolkit*, Alliance for Responsible Mining, November 2014; and Communities and Small-Scale Mining, International Finance Corporation Oil, Gas and Mining Sustainable Community Development Fund and International Council on Mining and Metals, *Working Together: How large-scale mining can engage with artisanal and small-scale miners*, ICMM and World Bank, n.d.

8.5 Hazardous materials and activities

A woman who is pregnant or breastfeeding may be exposed to materials and activities that threaten her reproductive health or that of her child. In extreme situations, for both women and men, dangerous working conditions may lead to injury or death, and employment benefits may not be available to single-parent families. Table 20 presents a series of actions and strategies that can be taken to manage employees’ exposure to hazardous materials.

8.6 Wages, benefits and living conditions

Difficulties for children will be compounded when a company does not provide its employees with a living wage in the area of operation, and housing provided for employees and their families does not meet adequate standards. These issues are summarized in Table 21.

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Table 20. Managing employees' exposure to hazardous materials

<p>Risks: If the company does not ensure the health and safety of workers and their children, it might endanger its business stability by facing the following risks:</p> <ul style="list-style-type: none"> • Increased likelihood of accidents, which could tarnish its reputation locally and internationally. • Legal proceedings that could lead to financial losses. 	
Questions	Strategies and action
<i>Does the company guarantee that pregnant or breastfeeding women are not exposed to hazardous materials?</i>	<ul style="list-style-type: none"> • Ensure that pregnant or breastfeeding women are not exposed to hazardous materials by clearly indicating the risks (warning signs), and by proposing alternative tasks to women during their pregnancy.
<i>Are children accompanying parents on mine sites carefully looked after in order to avoid accidents?</i>	<ul style="list-style-type: none"> • If the presence of children within construction sites is a product of accompanying parents, then ensure that construction sites are facilitated with 'safe spaces' where children can play and be cared for by professionals. Parents should also be informed and sensitized about the risks and the relevance of such spaces.
<i>Are the communities around mine sites aware of the associated risks, e.g., dust, chemicals, noise, extreme temperature, heavy materials?</i>	<ul style="list-style-type: none"> • Implement training sessions, site visits and workshops to raise awareness among communities on risks associated with mine sites (see Tool 2. Stakeholder Engagement).
<i>Does the company assess and monitor employees' health to avoid the aggravation of potential diseases, and possible effects on children?</i>	<ul style="list-style-type: none"> • Assess and monitor employees' health with doctors, who should take into account the workers' family environment and the potential impacts of employees' health on this environment.
<i>Is a policy in place to provide compensation for workers and their families in case of accidents?</i>	<ul style="list-style-type: none"> • Develop a clear compensation policy, which should take into account the familial environment and households' needs, and ensure that a work-related accident does not lead to a significant degradation of household income.

Table 21. Managing employees' wages, benefits and living conditions

<p>Risks: If companies do not consider issues linked to wages, benefits and living conditions, they might endanger their business stability by facing the following risks:</p> <ul style="list-style-type: none"> • Workers and their children's economic and social environment might be negatively impacted, which could result in tensions with the local communities. • The company might face legal proceedings as a result of non-compliance with national legislation and international standards. 	
Questions	Strategies and action
<i>Are workers' incomes sufficient to guarantee decent living conditions for children?</i>	<ul style="list-style-type: none"> • Ensure that workers are paid a living wage for them to be able to meet their children's basic needs as well as send them to school. This implies assessing what a living wage should be in the context of an operation and applying the findings to all employees of the company, including the low-skilled workforce.
<i>Does the company provide housing for workers that is adequate in terms of size, security and proximity to shops, hospitals and schools?</i>	<ul style="list-style-type: none"> • Ensure employees' housing provides adequate accommodations for workers, for instance, by carrying out polls (or simple questionnaires) among employees on that issue.

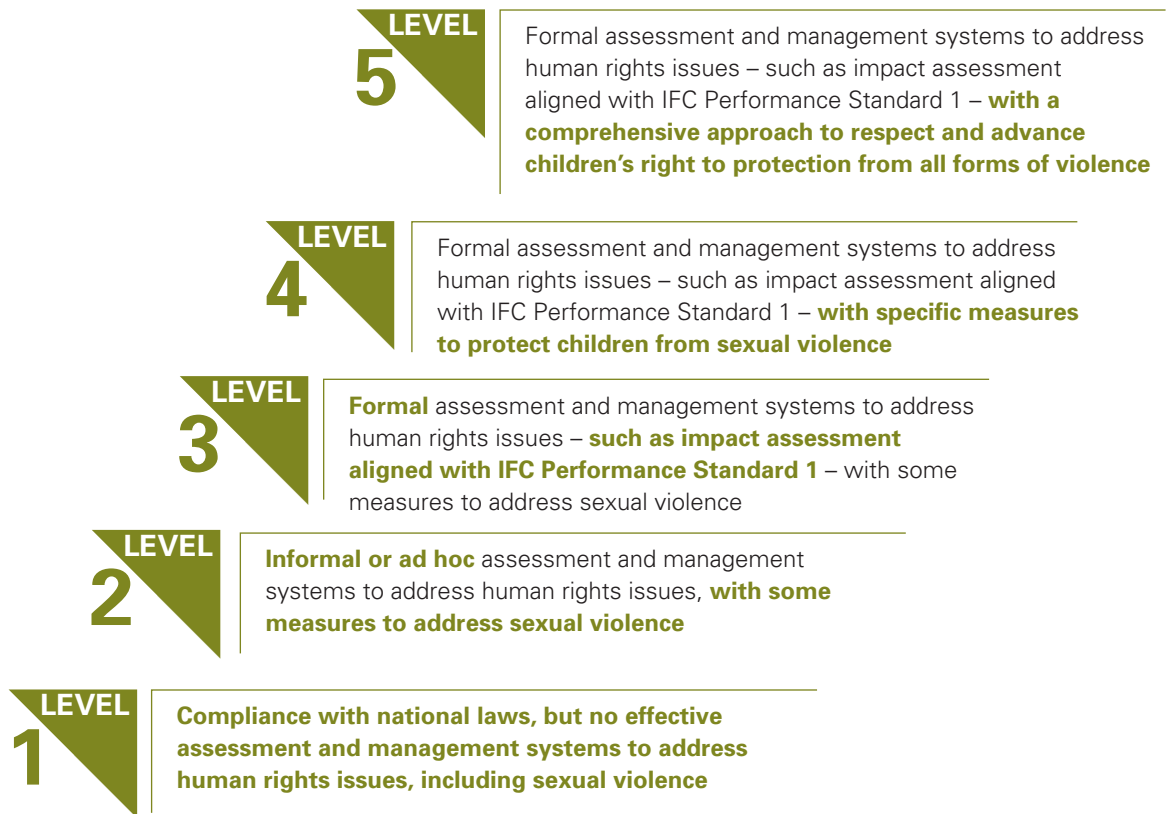
Protecting Children from Sexual Violence

Children living in close proximity to mining operations can face a range of increased risks, including being subjected to sexual violence. The Convention on the Rights of the Child, article 34, states that children must be protected from “all forms of sexual exploitation and sexual abuse.” While government holds the primary responsibility, companies are an essential stakeholder in achieving this goal.

Tool 9

Protecting Children from Sexual Violence

Where does your company stand on respecting and advancing every child's right to protection from sexual violence? The figure below presents a continuum from the lowest level of compliance to the fullest measures of corporate responsibility and proactive leadership.



Tool 9 offers support for mining companies that seek to enhance their understanding of sexual violence against children, more effectively assess the risks, and implement policies and mechanisms to protect children and lower the likelihood that child rights abuses will take place in the context of mining operations. Companies that have not developed and formally integrated a comprehensive approach to assess and manage their impacts on human rights should address this gap as a priority.

Before implementing new policies, mechanisms and practices aimed to protect children from sexual violence, companies can map the issues at stake by referring to appropriate guidance for including a child rights lens in their social or human rights impact assessment processes (see *Tool 1. Impact Assessment*).

9.1 Overview of the issues and related standards

Sexual abuse and exploitation of children is defined by the Committee on the Rights of the Child as:

- The inducement or coercion of a child to engage in any unlawful or psychologically harmful sexual activity; the use of children in commercial sexual exploitation; and the use of children in audio or visual images of child sexual abuse.
- Child prostitution, sexual slavery, sexual exploitation in travel and tourism, trafficking within and between countries, sale of children for sexual purposes, and forced marriage.

These violations of children's rights do not necessarily involve physical force, but are nevertheless "psychologically intrusive, exploitive and traumatic."⁴⁵

'Sexual violence' against children refers to both abuse and exploitation, including "acts of commission and omission and associated to physical and psychological violence. ... From a child rights perspective, what matters is that the protection granted or sought through both legislation and policies be as broad and effective as possible, leaving no room for loopholes and securing all children's protection and freedom from harm."⁴⁶

In some circumstances, risk factors for sexual violence against children can be linked to the contexts in which mining operations take place. Potential issues include those associated with difficult socio-economic contexts and changing environments, such as:⁴⁷

- *Poverty and deprivation*, leading to child prostitution.
- *Changes in living conditions and the community landscape*, including the loss of familiar landmarks, leading to isolation and exclusion among mine workers and community members, including children.
- *High population density due to in-migration*, allowing workers to feel anonymous and community members to see commercial sexual exploitation of children as an economic 'opportunity'.
- *Children living or working on the streets, near slums and night entertainment venues*, bringing them in contact with environments where sexual violence is more likely to occur.
- *Child labour*, placing children at risk in situations that are in violation of international standards.
- *Lack of knowledge about sexual violence against children*, leaving workers and communities with a poor understanding of the full aspects of sexual violence and the consequences for perpetrators, and children with little understanding of their rights.
- *Numerous workers and contractors present at the mining site and surrounding areas, particularly during construction*, potentially leading to gaps in company supervision and management, for example, failing to identify personnel who have a history of child sexual abuse.
- *Low level of basic child protection and undermined rule of law in the country or area of operations*, allowing violators to feel that they will be immune to prosecution and survivors to have little access to the legal system.

⁴⁵ Committee on the Rights of the Child, 'General Comment No. 13 (2011): The right of the child to freedom from all forms of violence', CRC/C/GC/13, United Nations, 18 April 2011, article 25 (a–d).

⁴⁶ Interagency Working Group on Sexual Exploitation of Children, *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse*, ECPAT International, Bangkok, June 2016, p. 16; available at <www.ilo.org/ipecc/informationresources/WCMS_490167/lang-en/index.htm>.

⁴⁷ Office of the Special Representative of the Secretary-General on Violence against Children, *Toward a world free from violence, Global Survey on violence against children*, available at http://srgv.violenceagainstchildren.org/sites/default/files/publications_final/toward_a_world_free_from_violence.pdf

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As stated in the United Nations Guiding Principles, companies have a responsibility to “avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur” – and to prevent or mitigate human rights impacts that are linked to their operations through their business relationships, even if they did not contribute to those impacts.⁴⁸

To protect children from sexual violence, mining companies can take action at different levels – including internal policies and plans, responsibilities over contractors, and engagement with the local communities – as outlined in the next sections.

Resources for protecting children against sexual violence

Committee on the Rights of the Child, ‘General Comment No. 13 (2011): The right of the child to freedom from all forms of violence’, available at <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=5&DocTypeID=11>

Guidelines for Medico-Legal Care for Victims of Sexual Violence, World Health Organization, Chapter 7, ‘Child Sexual Abuse’, available at <www.who.int/violence_injury_prevention/publications/violence/med_leg_guidelines/en>

Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse (Luxembourg Guidelines), Interagency Working Group on Sexual Exploitation of Children, available at <www.ilo.org/ipecc/informationresources/WCMS_490167/lang-en/index.htm>

9.2 Internal policies and management systems

A first step companies can take to protect children from sexual violence is to build internal policies and strong management systems that aim to prevent sexual violence against children and respond effectively if there are allegations or incidence of occurrence. Table 22 shows a series of actions that companies can integrate in their management systems in this regard.

⁴⁸ Office of the High Commissioner for Human Rights, *Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework*, United Nations, New York and Geneva, 2011, p. 14; available at <www.ohchr.org/EN/Issues/Business/Pages/Tools.aspx>.

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Table 22. Protecting children from sexual violence through policies and systems

Risks: If the company's internal policies and management systems do not consider and target child sexual violence, the company might be unable to prevent sexual violence in and around its operations and therefore endanger its business stability because of potential reputational risks, legal proceedings and thus financial threats as well as a potential deterioration of the social environment around mining activities.	
Questions	Strategies and action
<i>Does the company commit to respect children's rights?</i>	<ul style="list-style-type: none"> • Ensure that the company commits to fight sexual violence against children by, for example, mapping existing policies and identifying the gaps. • Develop a zero-tolerance policy on child sexual exploitation and a code of conduct to address employees' and contractors' behaviour. • Obtain senior-level commitment and allocate responsibilities and resources to address identified issues. • Ensure that this commitment is publicly available and communicated internally and externally to all relevant parties.
<i>Does the company engage in raising awareness on sexual abuses against children among the workforce? Does it ensure, for example, that workers know that child prostitution is sexual violence against children?</i>	<ul style="list-style-type: none"> • Provide training for the workforce to raise awareness on sexual abuse. • Specifically raise awareness among security providers and provide them with methods to detect and monitor this risk among the workforce.
<i>Does the company mention and explain the illegality of sexual abuse against children in the contracts signed with its employees?</i>	<ul style="list-style-type: none"> • Human resources departments should include a clause in workers' and contractors' contracts on the specific prosecutions related to sexual abuses against children, including child prostitution, and mention that the company would bring the case to relevant authorities.
<i>Does the company assess and monitor employees' health to avoid the aggravation of potential diseases, and possible effects on children?</i>	<ul style="list-style-type: none"> • Assess and monitor employees' health with doctors, who should take into account the workers' family environment and the potential impacts of employees' health on this environment.
<i>Does the company ensure that its employees did not previously engage in sexual abuses?</i>	<ul style="list-style-type: none"> • Access criminal records if compliant with local and national laws.
<i>Does the company set up an influx management strategy as well as an integration plan aiming at controlling workers' flows and improving their integration? Does this plan entail awareness raising about child sexual abuses?</i>	<ul style="list-style-type: none"> • Set up an influx management strategy to regulate the flows of workers on site (see Tool 4. In-Migration). • Create an integration plan for workers coming from other parts of the country, or from other countries, possibly with a training module that raises awareness about child sexual abuses. • Create a psychological support unit for workers in need.
<i>Does the company provide for mechanisms to report abuses?</i>	<ul style="list-style-type: none"> • Ensure that the company's grievance mechanism enables children to report such abuses. • Communicate the existence of this grievance mechanism to workers and raise awareness about potential legal implications.

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Box 14. Sherritt International Corporation's initiative to address child exploitation

After receiving allegations that some subcontractors had been sexually exploiting young girls, Sherritt International, which was constructing the Ambatovy nickel operation in Madagascar at the time, decided to reach out to UNICEF for help in dealing with this issue. UNICEF provided Sherritt with guidance on establishing and implementing a zero-tolerance policy for its entire workforce, carrying out sensitization campaigns for workers, and increasing awareness about this important issue in local communities.

Source: Sitter, Mark, 'Working to Address Child Exploitation in Mining', Sherritt International Corporation, 14 May 2015, <www.sherritt.com/English/Investor-Relations/News-Releases/News-Release-Details/2015/Working-to-Address-Child-Exploitation-in-Mining/default.aspx>.

9.3 Responsibilities over contractors

Companies can contribute to protecting children from sexual violence by exerting leverage on suppliers or contractors. Table 23 presents a series of strategies and actions that companies can apply in their business relationships to better protect children from sexual violence.

Table 23. Addressing sexual violence related to business relationships

<p>Risks: If the company does not ensure that its contractors are aware of and implement the company's zero-tolerance policy, it might be held responsible if a contractor commits a crime, and as a result its reputation would be tarnished, and the company could face legal proceedings and thus financial threats, as well as deterioration of its social environment.</p>	
Questions	Strategies and action
Does the company ensure that contractors are not implicated in previous abuses of children?	<ul style="list-style-type: none"> Review the due diligence applied to contractors to ensure they are properly screened for child abuse, including sexual abuse. If there are numerous contractors, consider performing a mapping of all contractors and a risk assessment based on numbers and origin of workers, location on site, roles (including the role of security) and duration of the contract.
Do the various contractors also commit to respect children's rights?	<ul style="list-style-type: none"> Ensure that the contractors also refer to respecting children's rights in their policies/code of conduct. These policies should be publicly available.
Are the contractors' employees also bound by a contract that mentions the illegality of sexual abuse against children?	<ul style="list-style-type: none"> The procurement department should ensure that the contractors' contracts signed with their workers mention the illegality of sexual abuse against children, and refer to relevant penalties.
Does the company ensure that the contractors' employees were not previously engaged in sexual violence?	<ul style="list-style-type: none"> Require its contractors at risk to access its employees' criminal records, if compliant with local and national laws.
Do contractors engage in raising awareness on sexual abuse against children among the workforce?	<ul style="list-style-type: none"> Consider requesting that contractors conduct training to raise awareness on children sexual abuse among the contractors' workforce.

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Protecting Children from Sexual Violence

Box 15. Protecting children and adolescents on Colombian roadways

UNICEF Colombia and the national company Ecopetrol signed the pact ‘Conveyors against the sexual exploitation of children on the roads of Colombia’ to protect children and adolescents. A total of 24 transport contractors for Ecopetrol heeded the call of this programme to protect children and adolescents from any action that facilitates sexual exploitation and undermines the integrity of the pact. The initiative entailed the facilitation of awareness-raising training for transporters’ employees, the identification of high-risk areas and the creation of a specific grievance mechanism for these areas.

Source: Minuto30.com, ‘Transportadores contra la explotación sexual de la niñez en las carreteras de Colombia’, 26 April 2016, <www.minuto30.com/transportadores-contra-la-explotacion-sexual-de-la-ninez-en-las-carreteras-de-colombia/466140>.

9.4 Engagement with communities

Corporate engagement with a wide range of stakeholders in local communities can be a way for the company to contribute to child protection, for example, through awareness-raising activities – and for local stakeholders to contribute their knowledge of the context to the company’s child-protection efforts. Table 24 outlines key strategies and actions that companies can take in this regard.

Table 24. Addressing risks of sexual violence in surrounding communities

Risks: Engaging with communities on child protection and sexual violence can enable companies to limit the risk of sexual violence against children in the area, and generally contribute to the community’s well-being.	
Questions	Strategies and action
<i>Is the company involved in raising communities’ awareness about sexual abuse and its consequences? Directly with children?</i>	<ul style="list-style-type: none"> • Build partnerships with civil society and local authorities in order to ensure that people know what sexual abuse entails and their consequences by engaging with workers and communities through workshops, educational activities and training (see Tool 10. Social Investment).
<i>Is the company involved with local businesses, including entertainment businesses, in fighting against sexual abuse?</i>	<ul style="list-style-type: none"> • Meet the businesses’ managers in the area and ensure they know about sexual abuse risks. • Ensure that businesses know about the mechanism for reporting abuse.
<i>Is the company involved in longer-term development projects that will benefit the local population and improve their livelihoods?</i>	<ul style="list-style-type: none"> • Implement development projects aiming to improve households’ and children’s livelihoods around the mine sites (see Tool 10. Social Investment). • Consider increasing the level and type of engagement with children, including community and/or school workshops, site tours and education campaigns (see Tool 2. Stakeholder Engagement).

Box 16. Anglo American's work to reduce adolescent pregnancy in Barro Alto, Brazil

In the city of Barro Alto, Anglo American partnered with the local municipality and Reprolatina, an NGO dedicated to addressing gender inequality, empowering women, and providing technical support to improve sexual and reproductive health among disadvantaged populations.

Through this partnership, Anglo American implemented a programme to promote a culture of prevention and the adoption of healthy lifestyles. By combining research, action and education, the project sought to decrease vulnerabilities to unwanted pregnancy, sexually transmitted infections, including HIV, drug use, violence, sexual exploitation, and other aspects of sexual and reproductive health. Success has depended on empowering women and building local capacities among health service providers, educators and young people. Between 2010 and 2012, the company invested \$700,000 in the programme, with significant results: The percentage of adolescent pregnancies registered in prenatal care dropped from 40 per cent in 2010 to 16 per cent in 2012. By year-end 2012, more than 17,500 people had benefited from the programme's education activities.

Source: Anglo American, 'Partnering with Reprolatina', Sustainable Development Report 2012, p. 51; open PDF from <www.angloamerican.com/~media/Files/A/Anglo-American-Plc/arsdr2013/SDR_p44-51.pdf>.

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Investing in children's safety, education and health leads to more resilient and peaceful societies in the long term, and is therefore the best foundation for a sustainable future for communities near major mining operations. Investing in children also provides companies with a qualified workforce pool and improves relations with communities, helping to secure the social licence to operate.



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Where does your company stand on respecting and advancing children's rights, using corporate social investment for the development of child-friendly communities? The figure below presents a continuum from lack of effective systems to the fullest measures of corporate responsibility and proactive leadership.



Tool 10 aims to support mining companies looking to promote and protect children's rights and to align with local development priorities through their social investment initiatives.

Several tools and guides have been developed to assist companies with conducting effective corporate social investment, including those featured in the resources box that follows section 10.1. This tool can be applied as additional support that focuses on inserting child rights considerations into the company's existing social investment planning process in order to move towards a better protection of child rights and contribute to the development of child-friendly communities.

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10.1 Overview of the issues and related standards

Previously documented lessons learned note that much of the social investment activity in the mining industry has been ineffective, because it:

- Focuses too much on providing hard infrastructure – in the context of child rights, this translates into building schools, health clinics and other community facilities;
- Is reactive, rather than strategic and proactive, failing to integrate into and align with long-term national, regional and local development plans; and
- Is not connected to the mining operation's impacts on child rights.

Many social investment initiatives can be short-term in their impact and most are not innovative in addressing issues related to long-term development and mining impacts. This tool builds on these lessons in providing guidance. The tool is organized into four sections: (1) identifying critical company child rights impacts in affected communities; (2) designing a corporate social investment strategy to include a child rights lens; (3) implementing corporate social investment to advance child rights; and (4) monitoring, evaluation and reporting in regard to the social investment performance of desired child rights impacts.

Each section offers considerations and tips, as well as steps companies can take to promote and protect children's rights through strategic social investment activities.

Resources for corporate social investment

Strategic Community Investment: A good practice handbook for companies doing business in emerging markets, IFC, available at <www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/learning+and+adapting/knowledge+products/publications/publications_handbook_communityinvestment_wci_1319576907570>

Guide to Successful, Sustainable Social Investment for the Oil and Gas Industry, IPIECA, available at <www.ipieca.org/resources/good-practice/guide-to-successful-sustainable-social-investment-for-the-oil-and-gas-industry>

'Beyond Voluntarism: The changing role of corporate social investment in the extractive resources sector', Research Report, Centre for Social Responsibility in Mining, Sustainable Minerals Institute, University of Queensland, available at <www.csr.mq.edu.au/publications/beyond-voluntarism-the-changing-role-of-corporate-social-investment-in-the-extractive-resources-sector>

10.2 Identifying child rights impacts

Good practice social investment planning is informed by data on needs and opportunities, the impact of the operations, and the mining company's reach and leverage. Improper planning can result in substantial investments failing to bring expected results or address pertinent social risks. If planned well, corporate social investments can contribute to enhancing the materialization of child rights and broader local community development, as well as support and improve community relations, and help the company uphold its social licence to operate.

Table 25 outlines important considerations for companies to take at the social investment planning stage to enable the identification of key child rights impacts. Developing a corporate social investment strategy from the understanding gained through actions listed in the table is an effective method for maintaining the business case for the chosen social investment activities and ensuring sustained outcomes for both the business and the community.

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Table 25. Identification of child rights impacts at the planning phase

<p>Risks: If a company does not complete a comprehensive assessment of issues important to the community and how they may interact with operations, it risks not addressing critical problems. For example, children may behave differently around new infrastructure or be unaware of certain risks, leading to unanticipated harm. This can lead to social protest, loss of social licence to operate, financial losses, etc.</p>	
Questions	Strategies and action
<p><i>Which issues are critical to both the mining operation and its stakeholders, including children?</i> <i>When and why could certain issues become financially material to the operation?</i></p>	<ul style="list-style-type: none"> • As part of the materiality analysis process, hold stakeholder consultations to better identify key impacts on children and gain insights on how to best mitigate these impacts through prioritized social investment initiatives. • Analysis should span the entire project life cycle, as issues might vary.
<p><i>Is it possible to draw on existing data and studies, including local development plans?</i></p>	<ul style="list-style-type: none"> • An abundance of data could already be readily available from the mining company's ongoing work, including environmental and social impact assessments, resettlement action plans, perception surveys, and other risk assessments. • This data should be reviewed for information gaps, especially in relation to child-friendly data collection methodology and information relevant to the well-being and rights of children (<i>for more information about specific data sources and their uses, see Tool 1. Impact Assessment</i>).
<p><i>Are NGO studies available?</i></p>	<ul style="list-style-type: none"> • NGO studies relevant to the operational area and focusing on child or family issues are a valuable resource for information on the issues that are important to communities.
<p><i>Could household members be interviewed to identify issues for developing strategic and gender-specific corporate social investments?</i></p>	<ul style="list-style-type: none"> • Interviews can be conducted with children, when this is seen as the best option in terms of outcome of information and ability to make the interview safe for the child. When carrying out interviews with children, a protocol must be followed that includes consideration for the welfare of the child, parents' preferences, appropriateness of questions to age, etc. • Neither the interview methodology nor interview content should be considered by any reasonable person to be harmful to the child in any way (<i>see Tool 2. Stakeholder Engagement</i>). • When interviews with children are not possible or are not the best option, parents and guardians can be interviewed on their behalf. Methods for conducting the interviews will need to ensure integrity in gathering this data and analysing responses (<i>see Tool 2. Stakeholder Engagement</i>).
<p><i>Is it possible to conduct stakeholder consultations with community members, local authorities, experts and representatives of civil society organizations who can help identify issues for corporate social investments?</i></p>	<ul style="list-style-type: none"> • Social services experts, local planning experts (local authorities), local child development specialists, specialized government agencies (e.g., the child protection police unit), and other sources can be valuable in identifying child-relevant issues and opportunities for intervention. • Consultations must be conducted in a child-inclusive manner. Consultation methodology should be designed to capture children's concerns and issues, whether through direct consultation or via others who represent children. Individuals conducting consultation should be trained and knowledgeable in proper techniques (<i>see Tool 2. Stakeholder Engagement</i>).

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Table 25. Identification of child rights impacts at the planning phase (continued)

<p><i>Is the company using a 'cumulative impact lens'?</i></p>	<ul style="list-style-type: none"> • Child-related issues can be difficult to uncover as children's ability to voice concerns or opinions might be limited. A cumulative impact lens helps ensure important issues are not missed and helps reveal the complex connections between different issues. • Engage with other mining companies (close to operation or nationally, depending on identified area of influence), suppliers and contractors (including transportation) for further insights and to ensure a comprehensive assessment of impacts on child rights from a value chain perspective.
<p><i>Are local governments committed to protect children's rights in accordance with their mandate, power and resources and are transparent in their efforts to do so?</i></p>	<ul style="list-style-type: none"> • Maintain consistent communication with local governments throughout the permitting process to identify potential weaknesses regarding protection of child rights (<i>see Tool 1</i>). Provide relevant information, if needed, for the local governments to know what public services need to be improved or implemented for children's lives to be enhanced. • Consult civil society representatives and include them in advocating with the local and national governments for more resources, and/or to support them in public services provision. • Sign an agreement with local governments in which they commit to fill identified gaps as to children's rights (e.g., child labour prevention, provision of teachers in the affected area), possibly in collaboration with the company. (<i>See example in Box 17, below.</i>) • Support the local governments in strengthening their accountability to the community, for instance by signing an agreement or by supporting the government in committing publicly to protecting children's rights.

10.3 Designing a strategy

After the information described in Section 10.2 is gathered, it should be used to inform the company's social investment strategy. Table 26 outlines important design considerations that are based on past lessons learned. Selected examples of mining company projects are also provided to help planners brainstorm ideas and options.

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Table 26. Designing a social investment strategy with a child rights perspective

Considerations for social investment strategies	
<p>Risks: Missing out on shared value opportunities; failing to coordinate with local authorities and to support long-term economic development; overlooking soft infrastructure and missing out on key development opportunities; and overlooking opportunities for prevention of issues.</p>	
Questions	Strategies and action
<p><i>Is it possible to promote shared use of mining industry infrastructure?</i></p>	<ul style="list-style-type: none"> To avoid 'enclave system development', whereby mining operations develop infrastructure to suit only their needs, consider multi-user and multi-purpose shared use of mining industry infrastructure. This could include sharing roads or rail transportation, water systems, power, telecommunications, ports and pipelines with surrounding communities.
<p><i>Did the local governments contribute to ensuring that mining activities would enhance sustainable development and children's lives?</i></p>	<ul style="list-style-type: none"> Support the local governments in identifying key projects that could enhance children's lives. Consult children and their families about their needs in collaboration with the local governments (<i>see Tool 2</i>). Implement the projects that were identified in collaboration with the local governments.
<p><i>How is revenue redistributed from national to local government, and how will the local governments manage the revenues deriving from mining activities once they are redistributed by the central government?</i></p>	<ul style="list-style-type: none"> Engage with the national and/or local governments to ensure the transparency of revenues gained from mining activities. Consider using/developing a community development agreement (CDA) framework to capture the commitment from local and central governments on benefit delivery to local communities, including support and services to children (<i>see Box 18, below</i>). Assist local authorities in raising central governments' awareness regarding the resources that will be required to address children's needs in order to access more funds for health care and education programmes when faced by financial constraints.
<p><i>Can the company leverage existing activities to build new social investment initiatives?</i></p>	<ul style="list-style-type: none"> Opportunities to link to or integrate social investment activities into other activities, investments and departments in a mining operation include mining operation activities such as workers' housing, road development and environmental management – which all touch key aspects of child rights impacts. Working together with these parallel activities can leverage investments to benefit children and positively influence the planning and implementation of mining operations. This might include activities related to: <ul style="list-style-type: none"> Housing for workers and/or for resettled communities, e.g., special support to child-headed households during resettlement; recreation facilities for children in newly built environments. Environment (water, soil), e.g., education aimed to reach children about pollution, safe drinking water and health. Road safety, e.g., programmes teaching children how to cross newly built roads and how to behave around traffic; facilitating safe transportation of children to and from school.

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Table 26. Designing a social investment strategy with a child rights perspective (continued)

<p><i>Can the company promote community-based small and medium-sized enterprises linked to the mining business?</i></p>	<ul style="list-style-type: none"> • Outsourcing locally can promote the economic development of surrounding communities with long-term beneficial impacts on families' standard of living and on child rights. Some examples of business linkages might include: <ul style="list-style-type: none"> – Providing seed funding, capacity development and equipment for mothers to manage a workshop to produce bags used to carry minerals. – Partnerships to develop the artisanal mining sector.
<p><i>Can the company invest in 'soft' infrastructure, such as developing social capital?</i></p>	<ul style="list-style-type: none"> • Ideas for focusing on soft infrastructure include: <ul style="list-style-type: none"> – Capacity development programmes for local hospitals and clinics, and health awareness programmes, drawing on the company's existing expertise in health and safety. – Teacher support and training, and support for curriculum development. For example, the Educational Support Plan run by Cerro Matoso Asset in Colombia (BHP Billiton) provides educational aid and institutional support to enhance school performance for children and young people from the most vulnerable and lowest-income backgrounds. – Platforms for bringing together stakeholders to ensure childhood issues remain central to the development agenda. – Capacity development of youth in areas such as business management administration and information technology skills. – Consultation with local government can be vital in identifying appropriate opportunities.
<p><i>Can the company focus on prevention through awareness raising and education to promote safer behaviour?</i></p>	<ul style="list-style-type: none"> • Particular social issues can develop in communities in the rapidly changing context of large mining operations. This can stem from certain behaviours becoming unsafe, such as crossing the road without looking or increased risk of sexually transmitted infections, including HIV. • Raising awareness targets the root causes of social issues and can therefore be an effective intervention option. For example, the Mackway Road Accident Action Group targets young drivers, fatigued drivers, drug- and alcohol-affected drivers, and drivers who display inappropriate driving behaviour to improve road safety outcomes.
<p><i>Does the company consider a focus on prevention through policy-level change?</i></p>	<ul style="list-style-type: none"> • Targeting change at the policy level should be considered when appropriate. For example, working with local NGOs to advocate for improving delivery of family social and health services, improving education, enforcement of policies prohibiting child marriage, or eradicating child abuse, just to name a few.

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Box 17. Community development agreements in Mongolia

A community development agreement, or CDA, is a local agreement (or contract) between companies, communities and sometimes (local) governments, focusing on what will be delivered to meet the interests of communities and achieve a 'social licence to operate'.

For governments, companies and communities seeking to develop a sustainable and mutually beneficial relationship, CDAs can provide a means of strengthening and advancing this relationship. Governments can support community development by ensuring that government revenues derived from mining and exploration activities, through taxes and other fiscal mechanisms, are routed back to the affected communities.

In Mongolia, a legal requirement for setting up local-level agreements was first introduced in the Minerals Law in 2006 as a result of civil society's push towards local participation in decision making over mining [1]. Article 42.1 of the Minerals Law states that a licence holder shall work in cooperation with the local administrative bodies and conclude agreements on issues of environmental protection, mine exploitation, infrastructure development in relation to the mine site development and job creation.

Under the amendments made to the Minerals Law in 2014, the Government of Mongolia is developing a model template for company-local government agreements, which is currently out for consultation with stakeholders. The CDA model is put forward as a data- and equity-driven framework that moves away from ad hoc spending and short-term financial compensation towards long-term shared visions for development [2]. The draft model framework does not yet include children in the template agreement format, as suggested by UNICEF during the public consultation. However, it is hoped that the framework is a suitable platform for negotiating child rights and child development as a central part of local benefit delivery.

References: [1] Dalaibuyan, Byambajav. 'Enhancing transparency of local level agreements in the Mongolian mining industry.' Goxi.org 2 December 2015. [2] Expressed by officials from the Mongolian Ministry of Mining during meeting with UNICEF on 24 March 2016, Ulaanbaatar.

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10.4 Implementing social investment to advance child rights

The IFC handbook⁴⁹ provides guidance for implementing community social investment projects, and for monitoring and evaluating them. This section provides additional information that is specific to children. The implementation stages of social investment that are focused on children should ensure that the company is working with stakeholders who are knowledgeable about children's issues.

Working in partnerships can be especially beneficial when addressing issues that are of interest to many different stakeholders, including child-relevant issues. Some benefits of partnership include:

- Diverse perspectives, insights, skills and solutions;
- Improved understanding of partners and stakeholders;
- Reduced dependency on one party;
- Capacity building among partners;
- Opportunities to leverage resources; and
- Reputational benefits.

10.5 Monitoring, evaluation and reporting

Moreover, an effectively managed partnership can ensure greater community ownership of a project and its outcomes, leading to more sustainable outcomes, including outcomes for children. Truly collaborative partnerships seek to:

- Undertake design of the interventions collectively (as opposed to only by the lead party);
- Allocate risk between parties, or to the party most able to manage it (as opposed to transferring risk from the company to other implementation partners);
- Agree and share obligations between parties (as opposed to obligations being dictated by one party);
- Develop open-ended terms of contract (as opposed to time-specific); and
- Implement a work plan by all parties with pooled resources (as opposed to implementation by one party with its own resources).

When considering stakeholders to engage in community investment projects or community development partnerships, companies should aim to include a diversity of expertise and experiences in the partnership, including local organizations with a child focus, such as government agencies or NGOs. (*For more examples of child rights stakeholders, see Table 3, Section 2.3.*)

Monitoring and evaluation is a vital component of successful social investment, providing an ongoing process to manage and adjust the social investment programme based on continual feedback. It is also a platform for communicating programme outcomes internally and externally, engaging stakeholders, and ensuring the relevance and effectiveness of the programme through time. If the company is in the early stages of planning and implementation, Chapter 8 of the IFC handbook outlines strategies for measurement and communication related to social investment programmes.⁵⁰

⁴⁹ International Finance Corporation, *Strategic Community Investment: A good practice handbook for companies doing business in emerging markets*, IFC, Washington, D.C., June 2010.

⁵⁰ International Finance Corporation, 'Measure and Communicate for Strategic Advantage', Chapter 8 in *Strategic Community Investment: A good practice handbook for companies doing business in emerging markets*, IFC, Washington, D.C., June 2010, pp. 95–112.

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Whatever the chosen method for monitoring and evaluation of results, it should be designed to collect useful information about direct and indirect impacts on children, in addition to other programmatic indicators. In social investment activities focused on children, it is important that they, as the main stakeholder, have a voice or representation in the process.

Reporting on outcomes of social investment activities with regard to child rights should cover the following steps:

- Identification of the child rights issues identified within the operation's area of influence and overview of methodology used to arrive at issue identification;
- Description of the activities implemented to address identified issues;
- Outcomes/progress in upholding and supporting child rights, reported against previously established KPIs; and
- Challenges experienced documented and an action plan set up for improving outcomes.

This reporting can be a valuable internal document, but can also benefit other companies, industries, governments and other stakeholders by being published publicly.

Age period	Category	Main vulnerabilities
In utero	Health	Dependency on mother's diet (vitamins and minerals found in food); malnutrition and poor maternal health could affect brain and physical development of the fetus
	Health	Water shortages; potential dehydration poses significant threat to maternal/fetal health and development
	Health	Developing nervous system makes fetus particularly susceptible to environmental toxins, e.g., dust, chemical exposure, water pollution, affecting development
	Health	Permeable blood brain barrier makes the brain more vulnerable to toxins
	Health	Developing gastrointestinal system leads to increased concentrations of environmental toxins due to lower capacity for elimination
Infancy: 0–2	Health	Dependency on breast milk or formula milk from 0–6 months (average)
	Health	Dependency on vitamins and minerals found in food; malnutrition could affect brain and physical development
	Health	Greatest vulnerability to disease, including waterborne disease; access to adequate health care most critical at this age
	Health	Water shortages; potential dehydration poses significant threat to health and development of the child
	Health	Developing nervous system makes infants particularly susceptible to certain environmental toxins, e.g., dust, chemical exposure, water pollution, affecting development
	Health	Permeable blood brain barrier makes the brain more vulnerable to drugs and toxins
	Health	Developing gastrointestinal system leads to increased concentrations of environmental toxins due to lower capacity for elimination
	Health	Girls at risk of female genital mutilation/cutting (FGM/C)
	Health	Hand-to-mouth behaviour increases the oral intake of potentially dangerous substances
	Health	Lack of knowledge renders children unable to read warning signs, increasing risk of accidents posed by chemical exposure, railways and increased traffic flows
	Emotional development	Need for stimulation to aid mental development; vulnerable to absence of parents/caregivers
	Health	Need for loving care, and the opportunity to form an attachment to main caregivers essential for physical, emotional, social and cognitive development
	Social	Children with disabilities at greatest risk of exclusion
	Safety	Wilful behaviour and increased likelihood that children will fail to follow instructions
	Safety	Unable to defend themselves, therefore vulnerable to physical violence and abuse
Safety	Early stages of learning and development, including inability to read warning signs, placing them at increased risk of road and traffic accidents	
Safety	Growing vulnerability to violent abuse (including sexual violence and exploitation)	
Education	Inadequate access to quality early childhood education	
Middle childhood: 6–11	Health	Dependency on vitamins and minerals found in food; malnutrition could affect brain and physical development
	Health	Risky sexual activity, substance abuse, lack of access to maternal and reproductive health-care services, affecting both young women and the next generation
	Health	Girls at risk of FGM/C
	Health	Puberty (potential for pregnancy)
	Emotional development	Need for stimulation to aid mental development; vulnerable to absence of parents/caregivers
	Social	Assuming responsibilities for family by being made head of the household without access to legal protections/land rights (e.g., denied access to compensation negotiations)
	Social	Exclusion from most consultative/political processes

	Social	Ability to socialize with peers; risk of developing social bonds with older youth who draw them into dangerous or criminal activity; absence of supportive adult guidance
	Social	Children with disabilities at greatest risk of exclusion
	Safety	Vulnerability to violent abuse (including sexual violence/exploitation) and exposure to trafficking
	Safety	Vulnerability to child labour
	Education	Inadequate access to quality education (including education on risky behaviour, e.g., unsafe sex, drug abuse)
	Education	Risk of child labour, endangering health and education
Late adolescence and youth	Health	Dependency on vitamins and minerals found in food; malnutrition could affect brain and physical development
	Health	Risky sexual activity, substance abuse, lack of access to maternal and reproductive health-care services, affecting both young women and the next generation
	Health	Girls at risk of FGM/C
	Health	Early pregnancy
	Emotional development	Need for stimulation to aid mental development and vulnerable to absentee parents
	Social	Access to housing; financial ability to make transition to adulthood (e.g., through marriage or forming independent household)
	Social	Assuming responsibilities for family by being made head of the household without access to legal protections/land rights (e.g., denied access to compensation negotiations)
	Social	Exclusion from most consultative/political processes
	Social	Ability to socialize with peers; risk of developing social bonds with older youth who draw them into dangerous or criminal activity; absence of supportive adult guidance
	Social	Children with disabilities at greatest risk of exclusion
	Social	Lack of opportunities to express their opinions and to exercise citizenship rights and responsibilities; access to justice
	Safety	Vulnerability to violent abuse (including sexual violence/exploitation) and exposure to trafficking
	Safety	Vulnerability to child labour
	Education	Inadequate access to quality education (including education on risky behaviour (e.g., unsafe sex and drug abuse)
	Education	Risk of child labour endangering health and education
	Labour	Transition to work: high youth unemployment rates and poor working conditions (e.g., youth forced to work overtime, night shifts, in hazardous conditions)
General	Social	Exclusion from access to inheritance
	Social	Girls may be particularly vulnerable to sexual exploitation/lack of access to education
	Social	Exclusion from access to natural resources in the future (inter-generational justice)

Source: This matrix builds on and has been further developed from the age-related vulnerabilities table in the UNICEF-World Bank Guidance Note, 'Integrating a Child Focus into Poverty and Social Impact Analysis (PSIA)', September 2011, p. 7; open PDF from <www.childimpact.unicef-irc.org/documents/view/id/130/lang/en>.

ANNEX B

Potential positive and negative impacts on children due to in-migration

Positive impacts: Children can benefit from the positive impacts of mining in the local area, mainly indirectly through the benefits and economic opportunities afforded to their parents and the general population, including:

- Improved local wage and income levels, and increased local tax revenue, resulting in possibilities for individual, household and community empowerment.
- Improved local training and skills development opportunities.
- Expansion of infrastructure, such as road systems, housing, water and sanitation, and telecommunications.
- Improved public services and utilities, including health, education, waste management, electricity and water supplies.
- Increased attention and input by government authorities, NGOs, etc.

Negative impacts include those listed in the following table:

Children of mine workers
<ul style="list-style-type: none"> • Movement of families and individuals, leading to disruption, uncertainty and exposure.
<ul style="list-style-type: none"> • Long working days of parents employed directly or indirectly in mining.
<ul style="list-style-type: none"> • Absence of parents for weeks at a time due to mining work roster schedules.
<ul style="list-style-type: none"> • Increase in consensual relationships between community women and male migrant labourers, with potential increase in second families.
<ul style="list-style-type: none"> • Increase in single-parent, female-headed households when many workers leave for a new project after the construction phase ends.
In labour-sending areas
<ul style="list-style-type: none"> • Population decreases in labour-sending communities, with deterioration of social services due to loss of revenues for service provision.
<ul style="list-style-type: none"> • Children from labour-sending areas face prolonged or in some cases permanent parental absences as their father, mother or other caregivers migrate in search of work.
<ul style="list-style-type: none"> • Increase in child headed households.
Economic impacts
<ul style="list-style-type: none"> • In-migration increases demand for goods and services, often resulting in inflation, leading to increase in poverty.
<ul style="list-style-type: none"> • Increases in the cost of housing potentially forcing families to leave the area permanently.
<ul style="list-style-type: none"> • Increased competition for employment.
<ul style="list-style-type: none"> • Risk to financial security of families, including increasing debts and difficulties in meeting children's basic needs.
<ul style="list-style-type: none"> • Child labour in connection with artisanal and small-scale mining).
<ul style="list-style-type: none"> • Forming of informal settlements of migrants and migrant workers.
Social
<ul style="list-style-type: none"> • Exclusion of migrants due to ethnicity, religion or culture.
<ul style="list-style-type: none"> • Increase in commercial activity – labour, trade, traffic, introduction of new products – which presents risks to children.
<ul style="list-style-type: none"> • Increase in leisure-related activity – adult entertainment, restaurants and bars, gambling – which presents risks to children.
<ul style="list-style-type: none"> • Consequences of unemployment – economic, social and psychological issues, including child safety and domestic violence.
<ul style="list-style-type: none"> • Risk of sexual exploitation and violence.
<ul style="list-style-type: none"> • Increased rates of teenage pregnancies.
<ul style="list-style-type: none"> • Prostitution, including risk of child exploitation, along transport routes as well as at the mine sites.
Basic services
<ul style="list-style-type: none"> • Pressures on social infrastructure including early childhood care and education, schools and health clinics.

ANNEX B

Potential positive and negative impacts on children due to in-migration

<ul style="list-style-type: none">• Rapid increases in population, resulting in overcrowded housing, and overburdened sanitation services, including waste disposal and water management.
Safety and security
<ul style="list-style-type: none">• Increased risks for children, especially girls, on school routes and public streets, including harassment, grooming and sexual violence.
<ul style="list-style-type: none">• Child-headed households vulnerable to crime, including sexual exploitation.
<ul style="list-style-type: none">• Increased presence of private and public security forces, with risk of confrontations with children.
<ul style="list-style-type: none">• Increase in crime rates, including juvenile delinquency.
<ul style="list-style-type: none">• Community conflict over land use and land availability, for housing, farming, etc.
<ul style="list-style-type: none">• Community conflict due to increased competition over labour.
<ul style="list-style-type: none">• Conflict between receiving communities and migrants due to ethnicity, religion or culture.
Health
<ul style="list-style-type: none">• Communicable diseases and sanitation issues.
<ul style="list-style-type: none">• Sexually transmitted infections, including HIV.
<ul style="list-style-type: none">• Increase in alcohol and drug abuse, including by children and young people.
Lack of supervision (children left behind)
<ul style="list-style-type: none">• Domestic accidents.
<ul style="list-style-type: none">• Lack of food and sanitation.
<ul style="list-style-type: none">• Missing school while looking after younger siblings.
<ul style="list-style-type: none">• Engaging in criminal activity.
<ul style="list-style-type: none">• Alcohol abuse.
<ul style="list-style-type: none">• Engaging in sexual activity without adequate information and sexual and reproductive health services.
<ul style="list-style-type: none">• Abuse by strangers.

Many mining companies are making management of environmental impacts a high priority, aiming to prevent and respond to the known risks and effects of mining operations. Social and economic impacts, for example, include threats to food security if agriculture and fishing are reduced due to contamination or drying up of water supplies, or if local food production declines when community members are drawn to mining work rather than agriculture.

Potential impacts on human health include conditions conducive to spread of diseases, as a result of mine infrastructure, both constructed and excavated, and the rise of informal settlements associated with mines. Diseases spread through water or air are common in mining communities and include respiratory diseases (tuberculosis, coughs, colds) and gastrointestinal infections (diarrhoea). Diseases of the skin and eyes (especially acute conjunctivitis) are thought to be related to the high incidence of particulate matter in mining areas. Mine-related illnesses also include vector-borne diseases such as malaria.

Children are more vulnerable to all of these risks due to their incomplete physical development, the fact that they spend more time playing than adults, especially outdoors, and their hand-to-mouth behaviour. The table below offers details on the potential impacts on children.

Air	
<i>Factor in the environment (caused by)</i>	Impacts on children
<i>Carbon monoxide emissions (transportation infrastructure)</i>	Pregnant women exposed to high levels of ambient carbon monoxide (5–6 parts per million) have been found to have increased risk of delivering low birthweight babies; infants exposed to carbon monoxide may suffer permanent changes to their developing organs ions, ports and pipelines with surrounding communities. ⁵⁰
<i>Dust, including coal dust generation (drilling, blasting, overburden and ore handling, road transport, losses from exposed overburden, beneficiation plants, exposed pit faces and workshops, combustion processes)</i>	Increases in incidence of respiratory infections; irritation of eyes and skin Children’s airways are much more sensitive to dust because they are still developing; also, children spend more time outside than adults and breathe faster In some areas, children live on or near to the source of dust and thus have 24-hour exposures (threshold limit values for exposure to hazardous substances are generally determined for adults over an 8-hour shift) Reduced agricultural viability/economic losses Air pollution has the potential to reduce both the yield and the nutritional quality of crops Drinking, bathing and irrigation water may be contaminated and can poison crops
<i>Methane emissions</i>	Methane is a powerful greenhouse gas, contributing to climate change Children are the most vulnerable to climate change impacts ⁵¹
<i>Nitrogen dioxide emission (road vehicles are a major source of nitrogen dioxides on land; resulting photochemical smog is often mixed with particle emissions and called ‘ozone smog’)</i>	Increased likelihood of respiratory problems among children Studies have suggested that children younger than age 5 may be more severely affected by nitrogen dioxide than older children ⁵² Increased susceptibility to respiratory infections and increased severity of responses to inhaled allergens
<i>Noise generation (crushing units, blasting, trucks and transport of structure)</i>	Health impacts such as sleep deprivation and stress

⁵¹ Kleinman, Michael T., ‘The Health Effects of Air Pollution on Children’, South Coast Air Quality Management District, California, Fall 2000, p. 8; open PDF from <www.aqmd.gov/docs/default-source/students/health-effects.pdf>.

⁵² United Nations Children’s Fund, *Unless We Act Now: The impact of climate change on children*, UNICEF, New York, November 2015; available at <www.unicef.org/publications/index_86337.html>.

⁵³ Kleinman, Michael T., ‘The Health Effects of Air Pollution on Children’, South Coast Air Quality Management District, California, Fall 2000, p. 12.

Land

<i>Factor in the environment (caused by)</i>	Impacts on children
<i>Land take/land cover transformation (mining infrastructure, construction and excavation)</i>	Loss of land may result in children deprived of future opportunities
<i>Unsafe conditions Hazards (cave-ins, explosions, floods) Mining infrastructure (constructed and excavated)</i>	Collapses result in high timber usage during excavations, resulting in deforestation and associated environmental destruction
<i>Methane emissions</i>	Methane is a powerful greenhouse gas, contributing to climate change Children are the most vulnerable to climate change impacts ⁵¹
<i>Deforestation and forest degradation</i>	Increased poverty and displacement of children Loss of future opportunities
<i>Noise generation (crushing units, blasting, trucks and transport of structure)</i>	Health impacts such as sleep deprivation and stress

Land and water

<i>Factor in the environment (caused by)</i>	Impacts on children
<i>Chemical waste disposal (mining in beneficiation processes, waste storage structure)</i>	Potential acute and long-term health impacts on children Children tend to be more sensitive to chemical waste Long-term contamination of water, soil and food chain affecting children

Land, air and water

<i>Factor in the environment (caused by)</i>	Impacts on children
<i>Arsenic emissions (ore beneficiation)</i>	Linked to skin problems, cancer, and cardiovascular and neurological damage
<i>Cyanide emissions (ore beneficiation)</i>	Cyanide is toxic to humans

<p><i>Metal pollution (general)</i></p>	<p>Poisoning, health impacts</p> <p>Biological alterations, subtle adverse health effects and eventually illness, major disabilities and sometimes death</p> <p>The time lag between exposure and effect may take decades, and ultimate health outcomes may be modified by other factors</p> <p>Biomagnification in the food chain</p> <p>Due to their physiology, children can absorb a higher proportion of pollutants to which they are exposed and thus their immune systems may be compromised (especially between birth and age 5)</p> <p>Low-dose exposure to environmental pollutants, including trace metals, in non-occupational settings is a serious problem, especially for pregnant women and children</p> <p>Children exhibit immature detoxification mechanisms and have heightened vulnerability related to physical features (high surface area)</p> <p>Children drink more water and eat more food per unit body weight relative to adults (nutritional aspects) and children exhibit different behaviour patterns (direct contact with the ground, put things in their mouths)</p> <p>Economic losses through contamination of crops and livestock</p>
<p><i>Metal pollution: cadmium (mineral wastes)</i></p>	<p>Linked to kidney damage, risks of prostate and respiratory cancer</p> <p>Cadmium levels measured in children at Turkish coal mine exceeded World Health Organization risk limits; the authors speculated that children may have ingested contaminated dust and soil after it was deposited in the air</p>
<p><i>Metal pollution: lead (mineral wastes)</i></p>	<p>Higher levels of lead can result in kidney damage and may be related to high blood pressure in adults</p> <p>Linked to poor performance in neurobehavioral tests</p> <p>Extremely dangerous for children and is linked to delayed development, hypertension, impaired hearing acuity, impaired haemoglobin synthesis and male reproductive impairment</p> <p>Low levels of lead in the blood of children aged 6–7 are linked to measurable changes in intelligence quotient and certain perceptual motor skills</p>
<p><i>Metal pollution: manganese (mineral wastes, processing dusts)</i></p>	<p>Children and infants may be particularly susceptible to neurotoxic effects of exposure to manganese; low-level exposure has been associated with adverse neurodevelopmental outcomes</p>
<p><i>Metal pollution: mercury (ore beneficiation)</i></p>	<p>Neurological damage, developmental delays and cognitive deficits</p> <p>Converted by bacteria to methylmercury, which is more toxic than inorganic mercury and is strongly magnified in food chains</p> <p>Local fish consumption, especially of carnivorous fish, makes communities susceptible to accumulation of high levels of methylmercury and to neurological damage</p> <p>Mercury also causes sterility and is easily transferred from pregnant women to the fetus, with effects ranging from miscarriage to neurological symptoms in the child</p>

⁵⁴ Yapici, Gulcin, et al. 'Lead and Cadmium Exposure in Children Living around a Coal-Mining Area on Yatagan, Turkey', *Toxicology and Industrial Health*, vol. 22, no. 8., 2006, pp. 357–362; available at <<http://journals.sagepub.com/doi/abs/10.1177/0748233706071740>>.

⁵⁵ Riojas-Rodríguez, Horacio, and Sandra Rodríguez-Dozal, 'An Ecosystem Study of Manganese Mining in Molango, Mexico', Chapter 8 in *Ecohealth Research in Practice: Innovative applications of an ecosystem approach to health*, edited by Dominique F. Charron, Insight and Innovation in International Development, Springer and International Development Research Centre, 2012, pp. 87–96.

⁵⁶ Grandjean, Philippe, et al., 'Methylmercury Neurotoxicity in Amazonian Children Downstream from Gold Mining', *Environmental Health Perspectives*, vol. 107, no. 7, July 1999, pp. 587–591; available at <www.jstor.org/stable/3434402?seq=1#page_scan_tab_contents>.

Water	
<i>Factor in the environment (caused by)</i>	Impacts on children
<i>Metal pollution: chromium (mineral wastes)</i>	Chromium present in water is linked to irritation of the respiratory tract, nasal septum ulcers and pneumonia
<i>Nitrate enriched effluent (blasting; sewage and crop run-off)</i>	Infants under 6 months old are at most danger from elevated levels of nitrates in drinking water – they may develop methaemoglobinaemia, or ‘blue baby syndrome’, which can be fatal
<i>Water shortages due to excessive water use for mining operations.</i>	<p>Drying up of local water sources resulting in water scarcity and shortages for communities in water-stressed regions</p> <p>Children may have to spend more time fetching water from longer distances, resulting in loss of time for education</p> <p>Children may resort to drinking poor quality water, resulting in, for example, diarrhoea</p> <p>Long-term viability of communities and children’s future in the affected area</p>

