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Tool **3** Child Rights and Mining Toolkit

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## 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."<sup>15</sup>

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<sup>15</sup> 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](http://www.bankinformationcenter.org/case-study-on-bujagali-dams-negative-impacts-on-children-submitted-to-the-world-bank)>.

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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.

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## 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](http://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](http://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](http://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.

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Table 5. Resettlement planning with a child rights perspective

Socio-economic baseline	
<p><b>Risks:</b> 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><b>Collect data for each household regarding:</b></p> <ul style="list-style-type: none"> <li>• Children's (girls and boys) contributions to the household's formal and informal income-earning activities and subsistence production.</li> <li>• Quantitative aspects of the community's access to social services.</li> <li>• 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.</li> <li>• Food balance and key food products for children (girls and boys).</li> <li>• Communities' organization and roles, and representativeness (or lack of representativeness) of children and youth.</li> </ul> <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><b>Risks:</b> 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"> <li>• Examine laws, policies and customs that deal with land, housing and property rights.</li> </ul>
<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"> <li>• 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.</li> </ul>
<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"> <li>• 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).</li> <li>• Develop separate options for livelihood restoration programmes for single-headed households and child-headed households.</li> <li>• Include the youth who are in charge of households in consultations on compensation.</li> <li>• 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.</li> </ul>

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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"> <li>• 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).</li> </ul>
<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"> <li>• 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.</li> </ul>
<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"> <li>• 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.</li> </ul>

## 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"> <li>• 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.</li> </ul>
<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"> <li>• Cooperate with the local governments to respect local culture and customs and preserve local cultural heritage sites.</li> <li>• Engage with the local governments and provide information and regular training on culture, history and customs of local citizens to company employees.</li> </ul>
<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"> <li>• 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.</li> <li>• 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.).</li> </ul>

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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"> <li>• 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.</li> <li>• 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.</li> <li>• Inform the local communities about this mechanism.</li> </ul>
<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"> <li>• 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.</li> </ul>
<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"> <li>• Engage with the local governments to ensure that tensions within the community are addressed and that solutions are found before the situation escalates.</li> <li>• 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.</li> </ul>

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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](http://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.<sup>1]</sup>

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."<sup>2]</sup>

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/](http://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.

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Table 6. Resettlement implementation with a child rights perspective

Site selection	
<p><b>Risks:</b> 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"> <li>• 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></li> </ul>
<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"> <li>• 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.</li> </ul>
<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"> <li>• 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></li> </ul>
<p><i>Do the facilities have the capacity to accommodate incoming populations?</i></p>	<ul style="list-style-type: none"> <li>• 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.</li> </ul>
<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"> <li>• Prioritize households with children in the site selection process. When possible, plan for relocation near to kin and former neighbours.</li> </ul>
Transitional assistance	
<p><b>Risks:</b> 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"> <li>• Provide adequate assistance for transportation to single-headed households, pregnant women and children.</li> <li>• Prioritize development assistance to households with pregnant women and young children.</li> </ul>
<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"> <li>• Ensure appropriate temporary housing in terms of quality, space and proximity to key services.</li> </ul>

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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"> <li>• Ensure appropriate temporary housing in terms of quality, space and proximity to key services.</li> </ul>
<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"> <li>• 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).</li> </ul>
<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"> <li>• 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></li> </ul>

## 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>	<i>Strategies and action</i>
<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"> <li>• 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.</li> </ul>
<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"> <li>• 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.</li> </ul>
<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"> <li>• 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.).</li> </ul>
<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"> <li>• 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.</li> </ul>

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

Compensation, restoration of livelihoods and security of tenure	
<p><b>Risks:</b> 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"> <li>• Ensure that socio-economic baselines provide a comprehensive and robust basis to define appropriate and adequate compensation and livelihood restoration mechanisms.</li> </ul>
<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"> <li>• 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.</li> <li>• 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.</li> </ul>
<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"> <li>• 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.</li> </ul>
<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"> <li>• Women's workloads can be reduced by providing, for example, standpipes, hand pumps, grinding mills, woodlots, fuel-efficient stoves, ox carts and ploughs.</li> <li>• 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.</li> </ul>
<p><i>Does the livelihood restoration programme comprehensively meet children's needs?</i></p>	<ul style="list-style-type: none"> <li>• Compensate possible losses of income related to children's wages and subsistence production, and consider related potential impacts on women's workloads.</li> </ul>
Social cohesion	
<p><b>Risks:</b> 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"> <li>• Consider inter-household transfers, informal networks and other arrangements in relocation and livelihood restoration.</li> </ul>

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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"> <li>• Use participatory methods during consultation and engagement to enable discussions in households and communities about land tenure, inheritance and livelihoods.</li> <li>• 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.</li> </ul>
<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"> <li>• Assess psychological impacts of resettlement and possible effects on intra-household tensions and violence.</li> <li>• Assess social cohesion with the host community, including its attitude towards migrants, and possible related changes in the security context and inter-household relationships.</li> <li>• 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.</li> </ul>

## 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.

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# Tool 3 Resettlement

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## 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,<sup>16</sup> 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.

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

# Tool 3 Resettlement

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

Monitoring and evaluation	
<p><b>Risks:</b> 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"> <li>• 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"> <li>– Quantitative and qualitative indicators about the access to and quality of education and health for children.</li> <li>– Environmental indicators enabling the evaluation of the relocation site’s environmental conditions’ evolution.</li> </ul> </li> <li>• Potential issues/topics to consider include:               <ul style="list-style-type: none"> <li>– Children’s nutritional and health status.</li> <li>– Quality of and access to key services.</li> <li>– Restoration of households’ livelihoods and income, and particularly children’s contribution to the household.</li> <li>– 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.</li> </ul> </li> </ul>
<p><i>Have appropriate mechanisms been developed for participatory monitoring?</i></p>	<ul style="list-style-type: none"> <li>• Ensure the use of participatory methods that guarantee the contribution of women and youth in the monitoring and evaluation process.</li> </ul>