



# Challenges in implementing the corporate responsibility to respect human rights in the context of project-induced displacement and resettlement

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## ABSTRACT

The endorsement of the United Nations Guiding Principles on Business and Human Rights in 2011 has led to many multinational companies making public statements of support for human rights. We provide an in-depth analysis of the challenges company staff face in addressing human rights risks at large infrastructure project sites, especially in relation to their resettlement practices. The research was conducted with two projects in Mozambique: an open-pit coal mine; and the construction of a 900 km railway line. With the cooperation of two multinational mining companies, the design, implementation and outcomes of their compensation and resettlement plans were analysed using a human rights lens. Within the companies there was awareness and commitment to ensure adequate replacement housing and to provide financial compensation at full replacement value. However, there were major challenges related to organizational aspects, including significant time pressure from technical departments, an initial lack of planning regarding the management of community impacts and a lack of experienced staff in social departments. Together with various contextual issues, these challenges ultimately resulted in a failure to compensate and resettle all affected people in a manner that was compliant with human rights. We make seven recommendations that are relevant to respecting human rights in relation to infrastructure projects: (1) companies should carefully consider the positioning of the community relations function within the project; (2) there needs to be greater commitment at the project site level and at all project stages to ensure that international standards for environmental and social performance are met; (3) there must be adequate human rights expertise at the project site level; (4) project resettlement and compensation plans and procedures must document how they will address human rights topics; (5) there must be adequate supervision of subcontractors; (6) projects must properly plan to manage human rights issues irrespective of the realities of complex operating environments; and (7) companies should consider human rights issues in acquisitions and de-acquisitions.

## 1. Introduction

The *United Nations Guiding Principles on Business and Human Rights* (UNGPR) (United Nations, 2011) has led to policy commitments from hundreds of multinational corporations expressing acceptance of their responsibility to respect human rights (Business and Human Rights Resource Centre, 2017). The corporate responsibility to respect human rights means that companies have to avoid, mitigate and remedy any negative impacts on human rights that are caused by or related to their activities or the activities of their business partners (United Nations, 2011). The challenge for multinational companies is how they can accomplish respect for human rights in practice, especially at the project site level.

Notwithstanding the numerous corporate policy commitments to respect human rights, there is little information about how companies

actually identify and address their adverse human rights impacts in practice, or about the challenges they experience in their attempts to do so. However, a few studies have been conducted on how local company personnel manage adverse impacts on local communities. Farrell et al. (2012) provided insights regarding internal issues such as the lack of robust planning at the start of a project, the little (or late) involvement of social science professionals, and challenges regarding local community representation and the distribution of compensation and project benefits. Kemp and Owen (2013) discussed the curtailed role of community relations staff in comparison with other departments in mining companies. Also, Kemp and Owen (2017a) provided an analysis of the actual implementation of operational grievance mechanisms at project sites, and the challenges in effectively identifying and addressing the adverse human rights impacts experienced by local communities and individuals. In addition, Owen and Kemp (2015) and Kemp et al. (2017)

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have considered the state of knowledge about resettlement practice in the mining industry. Despite these contributions, there remains a lack of research about how companies operationalise their human rights responsibilities and the challenges company personnel face in managing human rights risks and impacts at the project site level.

The purpose of this paper, therefore, is to consider the actual practice of companies in addressing their human rights issues, and the challenges company staff experience in doing so. We focus on the impacts on local communities of large-scale projects operated by foreign multinational corporations in the extractive industries, with specific attention given to project-induced displacement and resettlement (PIDR). We examine the compensation and resettlement plans and practices of two multinational mining companies operating in Mozambique. PIDR is a contentious human rights issue (Morel, 2014; van der Ploeg and Vanclay, 2017a, 2017b), and over the years has received increased attention from a wide range of stakeholders, especially in relation to the need to improve compensation and resettlement outcomes for the impacted families and communities (Smyth et al., 2015; Vanclay, 2017). When land acquisition requires the removal of peoples and/or their assets, various adverse human rights impacts are at stake, especially the rights to freedom of movement, food, water, health and work (van der Ploeg and Vanclay, 2017a; Esteves et al., 2017). Vulnerable groups and households, including children, are particularly at risk (United Nations, 2007). PIDR is necessitated by various types of development and infrastructure projects, and takes place worldwide and often on a large scale (Terminski, 2015; Vanclay, 2017).

We make seven recommendations that are relevant to infrastructure projects: (1) companies should carefully consider the positioning of the community relations function within the project; (2) there needs to be greater commitment at the project site level and at all project stages to ensure that international standards for environmental and social performance are met; (3) there must be adequate human rights expertise at the project site level; (4) project resettlement and compensation plans and procedures must document how they will address human rights topics; (5) there must be adequate supervision of subcontractors; (6) projects must properly plan to manage human rights issues irrespective of the realities of complex operating environments; and (7) companies should consider human rights issues in acquisitions and de-acquisitions.

The lead author undertook 5 months of fieldwork at a mining site in Mozambique in 2013, and 4 months in 2015 examining a railway project. The research involved an analysis of each project's procedures and activities regarding compensation, resettlement and livelihood restoration, and the extent to which these activities reflected respect for international and human rights standards. The overall intention of the research was not to judge company performance, but to consider the implementation challenges experienced by local staff in order to provide lessons for companies and projects elsewhere.

## 2. What does respect for human rights mean in practice?

The international community, national governments and local communities confront multinational extractive industries with a bewildering array of expectations and standards regarding how company activities should contribute to the country's and local community's sustainable socio-economic development (Van Alstine and Barkemeyer, 2014; Harvey, 2014; Vanclay, 2017). In addition to the UNGP (United Nations, 2011), a standard that has become particularly significant is the Performance Standard 5 of the International Finance Corporation (IFC), which deals with land acquisition and involuntary resettlement (IFC, 2012). An implication of these standards and expectations is that projects should respect human rights and contribute to their progressive realisation at the local project level through: effective impact mitigation in relation to local communities and the natural environment; the creation of local employment and other benefits to local communities; training programs that facilitate knowledge transfers to local

communities; and improving access to essential services (Wettstein, 2012; Giuliani and Macchi, 2014; Esteves et al., 2017). Companies are expected to build positive relationships with local and affected communities, which over time may result in achieving acceptance, legitimacy and trust, in effect, a social licence to operate (Jijelava and Vanclay, 2017). In order to respect the human rights of local communities impacted by project sites, effectively addressing social and environmental impacts is essential. However, respecting human rights cannot be offset by doing good deeds elsewhere (Ruggie, 2013) through, for example, community development projects or other philanthropic initiatives commonly undertaken by mining companies as part of their corporate social responsibility commitments (Ite, 2007; Esteves, 2008; Esteves and Vanclay, 2009; Kemp, 2010a).

The corporate responsibility to respect human rights requires all sizes and types of companies to identify and address all human rights risks and impacts that arise from their project activities and business relationships (United Nations, 2011). Multinational corporations have to consider how each (proposed) project site might impact on human rights, and how they will address adverse risks and impacts (United Nations, 2011). The human rights risks and impacts at project sites will likely differ depending on the dynamics of the local context. Although many multinational companies in the extractive industries have developed human rights policies and some are active in conducting human rights risk and impact assessments, their efforts to address social and human rights impacts at the project site level may not be sufficiently rigorous (Owen and Kemp, 2014; Götzmann et al., 2016; Smyth and Vanclay, 2017). Corporate involvement in human rights violations increasingly results in various protest actions (Hilson, 2002; Hanna et al., 2016b, 2016a), which can result in court cases with considerable consequences to the companies involved (Drimmer, 2010). The types of corporate involvement in human rights violations that have been identified in court cases include: misconduct by company security forces; company complicity in war crimes; inhumane labour conditions; forced evictions of communities and of Indigenous peoples in particular; and environmental harms (Wright, 2007; Bebbington et al., 2008; Drimmer, 2010; Kemp and Vanclay, 2013; Anaya et al., 2017).

Any large-scale project has the potential to create environmental and social impacts that can result in a detriment to human rights (Vanclay et al., 2015). In the mining industry, community relations departments are now typically tasked with addressing the negative impacts on local communities (Humphreys, 2000; Coulson et al., 2017). A major challenge for community relations staff is how to avoid and/or address adverse human rights impacts at the project site level.

There are many and various ways by which the activities of mining companies potentially infringe on the human rights of local communities (Kemp et al., 2010; On Common Ground, 2010; Rio Tinto, 2013; van der Ploeg and Vanclay, 2017a, 2017b). By the acquisition of land for the construction and operations of large-scale projects, companies will need to consider whether this could lead to adverse environmental, social and/or human rights impacts. In undertaking environmental and social impact assessments (ESIAs) and management plans, most human rights risks and impacts on local communities can be identified and addressed. By way of example, human rights are breached when construction and operational activities obstruct or block a local community's access to basic services or common property resources, thus restricting access to their food, water, housing, cultural and religious sites (Kemp et al., 2010; van der Ploeg et al., 2017). These impacts and risks can be the cause of much harm to communities, protest and litigation (Drimmer, 2010; van der Ploeg and Vanclay, 2017a, 2017b).

A company can infringe human rights when impact mitigation measures do not result in the restoration of access to services or to natural resources that are vital to the livelihoods and wellbeing of local people. Resettlement is too often regarded as a 'rehousing project', focussing only on improving the material quality of houses rather than looking at all dimensions of life and the related human rights that can be affected (Vanclay, 2017; Smyth and Vanclay, 2017). For example,

resettlement that results in increased distances to work, natural resources or essential services will likely incur higher travel costs that local communities may not be able to afford (van der Ploeg and Vanclay, 2017a; Mteki et al., 2017). When financial compensation is provided as a substitute for lost access to natural resources that provide water, food and/or general income (as for farmers and fisherfolk), or when affected families are not able to secure access to similar resources, mitigation measures must involve new livelihood opportunities and training (Cernea and Mathur, 2007; Vanclay, 2017). Otherwise, various fundamental human rights would be adversely impacted, especially the rights to work, water, food, health, and life.

The corporate responsibility to respect human rights means that compensation and resettlement procedures and implementation must become better aligned with international human rights standards (van der Ploeg and Vanclay, 2017a, 2017b). Companies have to avoid adversely impacting on human rights through: designing and implementing procedures that are based on the human rights principles of access to information; meaningful participation; the inclusion of vulnerable groups; and access to remedy through an effective grievance mechanism (United Nations, 2011; van der Ploeg and Vanclay, 2017a). These human rights principles are likely to go beyond the requirements established in national law (Vanclay, 2017). To fully respect the right to information and the right to meaningful participation, adequate planning and thinking by company staff about how these rights can be best operationalized is required, taking into account the social, cultural and political characteristics of the local context (Frankovits, 2006). It is essential to identify and address how the project can improve access to public services and natural resources (van der Ploeg et al., 2017). From a human rights perspective, access should be restored by implementing mitigation measures that guarantee the protection of human rights by considering the availability, accessibility, acceptability and quality (including cultural appropriateness) of the issue under consideration (i.e. the AAAQ Framework) (Holst Jensen et al., 2014).

Internal organizational aspects of the company also comprise a constraint to effectively addressing adverse social and environmental impacts on communities (Kemp, 2011; Rees et al., 2012; Farrell et al., 2012; Owen and Kemp, 2015; Kemp and Owen, 2017b), and thus the extent to which companies respect human rights. Community relations departments are often not well positioned in a company; they tend to be linked to external relations departments that have little to do with construction or operational activities (Kemp, 2010b, 2011; Coulson et al., 2017). When the community relations department is effectively linked to the operations and/or construction departments of the business, they would then be better enabled to directly influence the technical decision-making of those departments, which would assist in avoiding or minimizing adverse impacts on communities (Reddy et al., 2015). A related problem is that there may be a lack of community relations representation at the senior level to advocate for the resources needed to adequately address community impacts (Chatham House, 2013). This poor positioning of the community relations function may ultimately lead to a lack of experienced professionals in these teams (Owen and Kemp, 2017), or to a situation where professionals are only brought in after the impacts on communities have occurred and they are expected to ‘fix the problems’ and protect the company’s image (Kemp, 2010b; Farrell et al., 2012; Rees et al., 2012; Kemp and Owen, 2013).

The effective implementation of the corporate responsibility to respect human rights requires improving the cooperation between social and technical departments so that company staff are more aware of and can better consider the social, environmental and human rights impacts on local communities in project design (see Kemp, 2011). To achieve this, there is a need to have better leadership and more experienced professionals in social departments (Rees et al., 2012).

### 3. Methodology

The focus of this research was on the practices of company staff in addressing human rights issues in their compensation and resettlement procedures. With only a few exceptions (Farrell et al., 2012; Owen and Kemp, 2015; Kemp and Owen, 2013, 2017a; Kemp et al., 2017), the company perspective has been insufficiently considered in the academic literature. As suggested by Coulson et al. (2017, p.7): “Although an increasing amount is being written about company-community relations, there is very little recorded on the role and experiences of community relation practitioners (CRPs) hired to be the ‘face’ of a company in the community”. This is what we seek to do.

To consider how multinational companies implement the corporate responsibility to respect human rights and the issues they face in the context of project-induced displacement and resettlement, two large projects in Mozambique were studied. With the support of intermediaries, in both cases the lead author was appointed as a research intern in the community relations team of each company. The first project, an open-pit coal mine, was studied between April and August 2013. The second project, the construction/rehabilitation of a railway line for the export of coal for a different multinational company, was studied between July and November 2015. For each project, a research internship contract was agreed between the lead author and the companies. By agreement with the companies, and consistent with most research ethics protocols, the company names were kept confidential.

In order to obtain a company or insider’s perspective on the social and human rights issues created by the project activities, the lead author spent most of her time (about four to five months) with each company’s community relations team, but she also engaged with personnel from various other departments, usually on a daily basis. Her ethnography included a range of additional social research methods. A document analysis of key internal company documents and other relevant information was conducted, and included: social and human rights policies and procedures; environmental, social and human rights impact assessments and management plans; human rights risks reports; operational plans; resettlement action plans; due diligence reports; internal audit reports; gap analyses; and reports from external stakeholders including those of international financial institutions and human rights advocacy groups (e.g. Kabemba and Nhancale, 2012; Human Rights Watch, 2013; Lillywhite et al., 2015).

The rationale, precise meaning and local implementation of the company documents (and/or specific aspects of them) were frequently discussed with company personnel from various departments, especially the community relations department. Conversational data from one-on-one meetings were collected during the meetings (by note taking) or by writing up reflections of the discussions afterwards.

The lead author accompanied local staff on various community engagement activities related to compensation, resettlement and livelihood restoration. For the mining project, the participant observation included: six weeks observing the actual relocation process of one village of approximately 2500 people to the resettlement site; visits to the resettlement site and to the livelihood restoration projects; and visits to two villages impacted by the mine but which were not going to be resettled. For the railway project, research methods included: visits by company staff (and the lead researcher as intern) to 23 locations along a 600 km section of the railway line, including four resettlement locations, six livelihood restoration projects, and seven construction areas. Through these visits, the lead author could observe the interactions between company staff and community members.

A field diary was used, with notations about comments overheard, observations and reflections being recorded periodically, and on a daily basis when the lead author was directly involved in fieldwork activities. In the final month of the stay with each project, formal in-depth interviews were conducted with key staff (nationals and expats) from the main companies, the contractors involved in community relations activities, and key human rights organisations. The topics discussed in the

**Table 1**  
Overview of research methods used for each case study.

	Open-pit coal mine project	Railway project
<i>Brief description of project</i>	Acquisition of an open-pit coal mine by a multinational mining company. The project created economic displacement and required the involuntary resettlement of a village.	Construction/restoration of a railway line (900 km in total) between a mining area and a port involving a consortium of Mozambican and other African enterprises and a multinational corporation, financed by international banks.
<i>Duration of the field study</i>	April to August 2013	July to November 2015
<i>Social research techniques used</i>	Participant observation, document analysis, in-depth interviews, field notes, notes from formal and informal discussions	Participant observation, document analysis, in-depth interviews, field notes, notes from formal and informal discussions
<i>Field visits to affected communities</i>	Accompanied community relations personnel on a daily to weekly basis to affected communities.	Accompanied community relations personnel including from the contractors along the railway line to 23 rural and (semi-) urban communities.
<i>Number of formal in-depth interviews with company staff and breakdown in terms of department within company</i>	Total 20, comprising: 8 Community Relations 1 Global Team Social Performance 2 Exploration 1 Environment 1 Health and Safety 4 Operations higher level management 3 Stakeholders (NGOs and Mozambican Human Rights League)	Total 17: comprising: 7 Community Relations (main company) 5 Community Relations (subcontractor) 2 Community Relations (resettlement subcontractor) 1 high level Construction 1 high level Human Rights 1 Livelihood subcontractor
<i>Business partners (contractors) interviewed</i>	None (community relations activities were mainly undertaken by their own staff)	3 (because the multinational company partly outsourced a large part of its community relations activities)
<i>Language of interviews</i>	English (the main language of the company)	Portuguese (the main language of the company)
<i>Typical length of interviews</i>	50–90 min	50–90 min
<i>Location of formal interviews</i>	Either in the local office in Tete or the head office in Maputo	In various offices in Nampula city
<i>Interview protocol</i>	In-depth	In-depth

interviews differed depending on the responsibilities of the participant and their position in the company. Table 1 provides an overview of the research methods used and the specifics of each case study.

The study was approved by the Ethics Committee of the Faculty of Spatial Sciences of the University of Groningen, the Netherlands, and complied with general understandings of research ethics (see Vanclay et al., 2013). The companies provided local accommodation, sustenance, local transport and other support as necessary for the internship. The lead author did not receive a salary or other reimbursement from either company. There were no duties required of the lead researcher, other than to provide a report of her observations and recommendations at the conclusion of the internship. All formal interviewees were asked for their individual informed consent regarding their interview as well as specifically for recording the interview. Each research participant/interviewee received an Information Sheet in advance of the interview, with an explanation of the study in English or Portuguese as appropriate. The names of all people who participated in the research have been kept confidential. The coding and interpretation of the transcripts was done by the lead author. Consistent with the internship agreement with each company, this paper was submitted to them for checking prior to publication. However, no request for any change was made by them.

#### 4. Background and local context of the two projects

Mozambique is geographically located in East Africa and has a population of about 26 million people. As with many other African countries, Mozambique has recently experienced large foreign investments in the mining, oil and gas, agriculture, and forestry industries and urban property development. From the late 1990s to about 2015, the extent of foreign investment has resulted in Mozambique having one of the world's highest economic growth rates, up to 9% per year (Santos et al., 2016).

Mozambique is regarded as one of the world's poorest countries, with 55% of the population living below the poverty line (World Bank, 2016). The average life expectancy is only 56–59 years, and is amongst the lowest in the world (WHO, 2017). A large proportion (70%) of the population live in rural villages of various sizes, making the countryside

relatively highly populated (Nhantumbo and Salomão, 2010). Displacement has occurred because of Portuguese colonial activities from the 16th century on, during the war for independence from 1964 to 1975, during the ensuing civil war which lasted till the early 1990s, and by the villagisation programs of the new government (Chichava, 2014). More recently, resettlement has been instigated in the name of disaster protection (Moore et al., 2003), environmental conservation (Milgroom and Spierenburg, 2008), and increasingly by economic developments (UNCHR, 2014). In the view of most writers, many people have been left traumatized by Mozambique's turbulent past (Boyden and de Berry, 2004; Isaacman and Isaacman, 2013).

The country's abundant natural resources of forests, minerals, and fertile soils have attracted many foreign multinational corporations, which has led to the acquisition of large tracks of land, often in the least-developed areas. The increasing number of large-scale projects over the last decade or so has led to the expectation that these projects will lead to rapid social and economic development. However, they have also brought about many challenges, especially at the local level. Until the downturn in the coal price in 2014, coal mining had been considered a promising industry (Kirshner and Power, 2015). In Tete Province in north-western Mozambique, many commercially-viable coal deposits have been identified and the government has handed out 245 mining concessions or exploration licenses to various companies (UNHRC, 2014). The resettlements instigated by some of these projects have resulted in severe negative impacts being experienced by local households and communities (Kabemba and Nhancale, 2012; HRW, 2012; Lillywhite et al., 2015).

In 2012, the national government established a new resettlement law, *Regulations for the Resettlement Process Resulting from Economic Activities*, to outline the requirements for conducting resettlement so that the livelihoods of people in resettled communities would be better restored and enhanced (Republic of Mozambique, 2012). A complicating factor is that the projects that cause large-scale displacement and resettlement often affect the most vulnerable groups of society making it extremely difficult to restore their livelihoods (Chichava, 2014). Furthermore, the Government of Mozambique lacks capacity to effectively supervise the implementation of resettlement (UNHRC, 2014).

The first project studied was a coal mine close to the city of Tete in

Tete Province. The project involved the acquisition of a junior mining company by a multinational company. The junior company had conducted various explorations and had initiated the construction of an open-pit mine. It had already negotiated and agreed the resettlement of various local communities with their community leaders and the government, and had undertaken the relocation of a few households. The mining project was one of many mining concessions that involved land acquisition near the Zambezi River. According to the Social Impact Assessment studies done, there was a relatively high level of unemployment, illiteracy (especially amongst women) and alcoholism in the affected communities. The majority of the affected communities were rural and dependent on various forms of natural resource utilisation (subsistence farming, fishing, collecting bushmeat, fruits and nuts). Most of their fields were located close to the Zambezi River, which provided water throughout the year.

The second project was the construction/restoration of a 900 km railway line from a different mine in Tete Province to a new port, which was also under construction. The project entailed a consortium that was led by a multinational company, which was responsible for addressing all the adverse impacts that would be caused by construction and operational activities including those related to displacement and resettlement. The railway connected the Moatize district in Tete Province to the district of Nacala-a-Velha in Nampula Province. The project was broken-up into seven sections including one section of approximately 235 km passing through the neighbouring country, Malawi. Some sections of the railway line already existed, from as early as 1912, but needed to be upgraded given the weight of the coal wagons and the intended frequency of trains. When fully operational (which happened in 2017), it was expected that there would be up to 15 trains per day, each with a length of around 2.0 km and a passing time of around 20 min per train.

With much of Mozambique's infrastructure having been destroyed by the war of independence and the twenty years of civil war that followed (Robbins and Perkins, 2012), an additional justification for the railway project was to improve transport infrastructure, facilitate access, and enable and improve export of commodities (besides coal, also general goods and freight such as fertilizers, fuels and grains). The railway line passes through two provinces and many districts in Mozambique. This meant a major administrative complexity with the involvement of many government stakeholders including provincial governors, district administrators, and the local and traditional leaders of each community. The focus of the research was on the largest of the eight sections of the railway line, which comprised the restoration of a brownfield area of approximately 600 km of track. In this section, the construction and restoration activities resulted in considerable displacement and resettlement of local communities. Under Mozambican legislation, people are not allowed to live on or use the land within 50 m of the railway line (known as the partial protection zone). Nevertheless, perhaps due to the stoppage of the train operations during the civil war, the government had not actively implemented this law and considerable construction of houses, markets, shops and agricultural plots had occurred along the railway line.

## 5. Company attempts to respect human rights at two project sites (results)

### 5.1. The open-pit coal mine project

There can be major human rights risks for multinational corporations in their acquisition of projects, especially those initiated by junior companies (United Nations, 2011; Coumans, 2012; Triponel, 2016). An acquisition will normally involve the transfer of responsibility for any adverse impacts on communities or the environment. It may also mean that the major company has to adhere to contractual arrangements that were signed by the junior company, even where these arrangements may not be consistent with international standards (Bebbington et al.,

2008).

In its acquisition of the mine in 2011, the multinational company inherited responsibility for several human rights risks. A number of staff commented that the company was not aware of the challenges that lay ahead and that its pre-acquisition due diligence assessment was grossly inadequate because, as stated by a senior expat: the due diligence “was run by a team from a first world country who didn't know what questions to ask”. Nevertheless, shortly after the acquisition, the major company engaged a leading consulting firm to conduct a gap analysis comparing the procedures of the acquisition against the major company's corporate standards. The gap analysis revealed many shortfalls with the procedures of the project and made many recommendations relating to community and human rights issues. Independent of the gap analysis, some other staff explained that following the acquisition, major improvements were needed to enable the project to meet international standards for health, safety & environment, security, and community relations.

In the first one to two years after the mine was acquired in 2011 – and as is typical in most acquisitions – the company had an unclear organizational structure. Staff explained that the reasons for this were that many things were happening at the same time, such as bringing-in new personnel (expats and locals) to join existing site teams; the starting up of the mine; and new major exploration and planning activities. Many new staff were inexperienced and not adequately prepared prior to commencement of their duties. It was emphasized by one senior manager that (slightly modified): “the difference between company policy and reality comes down to the capacity and leadership in the company – the capacity to implement these policies is the key issue”.

It was also mentioned that the severe time pressure to get the business up-and-running quickly resulted in things going wrong. Also, within the community relations department at least, initially the staff were scattered between many subprojects and did not have clearly designated responsibilities. Consequently, the community engagement and compensation activities happened on an ad hoc basis with little oversight from the higher management levels in Mozambique.

In 2012, the company engaged a leading international organisation to conduct a human rights impact assessment on all its operational activities so that it could better understand the impacts of its project on local communities. This was done because of the growing awareness of the risks it had inherited with the acquisition of the mine, and specifically regarding the resettlement. The human rights impact assessment report was regarded as being adequate/acceptable by the company, although senior company staff considered that nothing new was revealed by the report – which to some extent was good news to senior management. However, there was also the perception by the community relations team that the report was not particularly useful in terms of practical advice about what the company needed to do differently.

There were various internal organizational issues that needed to be addressed. For example, the Manager of Community Relations initially reported to the General Manager for External Affairs. This General Manager was responsible for bringing any community relations issues of concern to the attention of the Board. However, this person had a very demanding position dealing with many stakeholders including the government, and thus had limited time to consider community relations issues. This person's base in Maputo, the capital city, far away from the project site, also made it difficult to deal with local community issues. This General Manager argued that the company should appoint an experienced Mozambican person as General Manager for Community Relations who would report to the Chief of Operations (who was often present on site), rather than to External Affairs. The company did this in 2013, resulting in the Community Relations Department having better leadership and, by being on a similar level as the other departments and close to them in Tete, better access to the resources required to address community impacts. In addition, the Chief of Operations was well aware of the importance of addressing community impacts and

supported the General Manager of Community Relations in requests for financial and other resources.

These changes led to an improvement in the management of social impacts and in communication with the affected and host communities. The community relations team established a system of complaints books so that community members could record their concerns. The books, one in each village, were collected monthly. The team also developed an engagement plan, which involved visiting project-affected communities on a monthly basis. Communities were asked to select their representatives. Subsequently, community relations staff organised meetings with these community representatives to discuss concerns and questions from the community. From observation, women were also part of these groups. However, it was suggested that the time taken for the company to address questions and complaints was often too long. One issue for the community relations staff was that there were not enough vehicles to enable them to travel frequently to each of the communities. This meant that, even though genuine attempts were made to improve the design of engagement activities and the exchange of information, the meaningful participation of all community members was not achieved, and specifically vulnerable groups and gender issues were not considered.

Arguably, the biggest human rights risk of the project related to the displacement and resettlement of local communities. The Resettlement Action Plan (RAP) indicated that around 1000 households were affected by the project, with potential loss to structures (houses, external toilets, etc.), public facilities (school, health clinic, orphanage), and to crops, fruit trees, grazing land and other natural resources. The junior company had gained approval from the national government for the resettlement of 679 households, and had already started relocating them. According to the RAP and our discussions, initially seven possible resettlement sites were considered. An assessment by an agricultural specialist led to the rejection of four of these sites. The remaining three sites, which were also not ideal, were submitted to community leaders for their consideration. The site preferred by the impacted communities, close to the Zambezi River, was ruled out because another mining concession had been granted over this site. The site ultimately selected was relatively far away (60 km). Here, the host community comprised only four families, and there was sufficient land available for the resettled community. This site was endorsed by the government and the leaders of the affected communities, but was deemed by most affected people to be undesirable on many accounts. Compared to the community's original location, there was less water and the soil was less arable, and it was further away from markets and essential public services. In being resettled, the affected people were uprooted from their homes next to the Zambezi River, which provided them with diversity in livelihood options, resilience, a sense of security, and their sense of place and identity (Human Rights Watch, 2013; Lillywhite et al., 2015).

The construction and operation of the mine resulted in the economic and physical displacement of local communities. Many families lost access to crops, fields, or to land used for other income-earning activities such as brickmaking. Various stallholders were negatively affected. Together with the Governor of Tete Province, the company determined that the financial compensation for these losses would be paid into the bank account of each head of household, usually an adult male. However, the majority of the hundreds of households entitled to compensation did not have bank accounts, or the identity cards needed to open a bank account. Thus, the community relations staff had to establish the personal details (date of birth etc.) of these people in order to request an identity card for them, and then had to assist them in opening bank accounts. It was a cumbersome task to determine the personal details for all the affected households because, for many of them, this information was not available in local government databases and some people may not have known their exact date of birth themselves.

This problem was compounded by the slowness of the banks in opening such a large number of accounts. Another challenge was that in

rural areas of Mozambique, there were hardly any branches of banks, or even any ATMs, and therefore families had to be assisted so that they could withdraw money from banks or ATMs in urban areas. Many had never used ATMs before. Finally, the bureaucratic procedures of the financial department of the company meant that it took several months before the full amount of compensation owing was transferred to the bank accounts. Company staff commented that because so much time was spent on managing these aspects of the compensation process, there was little time for the community relations team to do any other form of meaningful community engagement. Consequently, much of their work consisted of 'putting out fires', especially regarding complaints around the provision of the financial compensation.

For those who were economically displaced (e.g. brickmakers, farmers and shopkeepers), once-off financial compensation was provided to cover lost income for the government-specified period of time (typically one year), with the intention that they would soon re-establish their livelihood activities. However, this was problematic for many affected households. For example, it takes about seven years for a cashew nut tree to become established at full production levels. Also, many brickmakers and farmers found that they could not easily find the type of land they needed to continue their livelihoods. With the national government allocating so many mining licenses covering much of Tete Province, there was a shortage of available land. Furthermore, company staff did not consider gender issues when providing financial compensation to the household head, who were predominantly male. For example, in situations where wives owned shops or were undertaking other economic activities in their own right, the company paid the compensation to their husbands. It was the view of many company staff that it was not culturally appropriate for wives to receive compensation in an account separate from their husbands.

It was noted by company staff that the inability to re-establish their livelihoods posed a major risk to communities and to the company in the future. The staff fully expected that the families would come back to the company to demand more money after their initial compensation pay-outs ran out or when they became dissatisfied. Thus, although the company considered it might have been absolved from responsibility for further costs, given that all affected people have signed a compensation agreement, there will likely be strong expectations in the community for further payments. This has and will likely result in an ongoing conflicting relationship.

For the physically displaced families, various forms of in-kind compensation were provided in addition to financial compensation. Families received 2 ha of (cleared) replacement land at the resettlement site as well as a new house. The company provided essential services including a primary school, a health clinic (including financing an ambulance operating during week days), and an electronic water pump. However, because of the reduced water availability at the new site, the company had to invest in a water supply system in order to ensure that communities would have adequate access to water for drinking, washing and agriculture. The challenge was how this system could be maintained into the future, as it required skills and finance that was beyond the budget of the local government and/or the capacity of the resettled community members to manage. The fully-equipped health clinic and primary school (including computers), which were demanded by the government, led to a concern about who was going to pay for the costs of hiring security personnel, cleaners, and maintenance of the equipment. After some years, the responsibility for these public services was handed over to the government, with the risk that in the longer term these services will not be adequately maintained (van der Ploeg et al., 2017).

The community relations team included personnel who specifically focussed on livelihood restoration. Amongst other things, they trialled a variety of crops in experimental/demonstration plots at the resettlement site. They also experimented with methods to cope with the reduced water availability. Community members were encouraged to apply these new techniques in the plots they received as part of their

compensation. The team also established chicken and pig farms that were to be managed by interested people as a means of restoring/improving their income. However, these livelihood experiments were not successful, partly because the sale of products was severely hampered by the distance between the resettlement site and the markets in and around the regional centre, and also because the resettled people were not particularly interested in this type of activity. Arguably, the underlying issue was the top-down nature of these livelihood restoration projects and the complete lack of engagement with the local community regarding the development of the projects.

Despite the company's efforts to follow international standards (specifically IFC, 2012), particularly problematic was the agreement made by the junior company with the government about the location of the resettlement site. Interviewees regarded the local context, which was characterized by extreme poverty, alcoholism, and high levels of illiteracy, as being extremely difficult, and they did not have time to implement appropriate participatory approaches (i.e. real community engagement). There were clashing timeframes between the community relations department and the technical departments, and also a disconnect between the company's need for rapid action and the time needed by the communities to understand the issues facing them. For example, due to time pressure from the construction department, some of the affected families were forced to relocate or to abandon their fields before having received financial compensation. These time clashes were difficult to manage. As observed by many others in the extractive industries (e.g. Rees et al., 2012; Farrell et al., 2012; Owen and Kemp, 2015; Kemp and Owen, 2017b), time pressure, a lack of effective planning in the establishment phase of a project, and a lack of awareness of the need to establish a participatory process are major obstacles to adequately avoiding and addressing adverse human rights impacts.

## 5.2. The railway project

The railway project comprised a consortium of national and international companies, with the largest multinational company (hereafter the 'main company') having ultimate responsibility for compensation and resettlement. However, it outsourced the handling of compensation to a foreign subcontracting firm. The activities undertaken by this subcontractor on behalf of the main company were restricted to: informing local communities about the railway project, including its risks and benefits; identifying the households that would be affected by construction activities; making sure that they were informed and compensated for their losses; and managing community grievances. However, the main company outsourced the receiving of grievances and local community monitoring to a separate major international consulting firm.

Along the full length of the railway corridor and including the port, a total of over 12,000 community and household assets were affected by the project, including properties, dwellings, external toilets, walls, various fruit trees, fields, shops, and cultural sites. In the brownfield section of the railway line, some 800 households were physically displaced and had to be resettled. One complicating issue was that the Mozambican Land Law of 1997 established a 50 m buffer zone for railways. However, in many locations along the brownfield section, people were living in this buffer zone. There was much discussion about whether these people were eligible for compensation or not. However, in order to be consistent with international standards, and with the approval of the government, the main company provided financial compensation at replacement value for the loss of assets (e.g. crops, shops and productive trees) in this zone. Also, it included ensuring replacement housing with improved quality. It was also agreed that the government would assist in providing support to all affected families to find replacement land. Together with the main company, the subcontractor drafted all these aspects into local compensation plans, which were signed-off by each district administrator.

The actual construction and restoration activities of the railway

project started in 2012. Staff members commented that construction plans changed frequently and the community relations team had to continuously adapt their activities. Their engagement with families in one village might be abruptly stopped because the construction team changed the plans and required the community relations team to immediately engage with another village so that the company could gain access to the land to start construction activities there. Community relations staff expressed much frustration with the situation that "social follows the path of construction". Because of the constant changes in construction plans it was not possible for the staff to provide adequate updates to the affected communities. This caused major confusion and uncertainty in the communities with people being unsure about whether they were entitled to receive compensation and/or whether or not they were going to be resettled or lose a portion of their land. Sometimes, people did not plant crops for the next season, which meant that their livelihoods were negatively affected when they were ultimately not resettled. People in this situation were not compensated for the consequences of any plans they may have made as a result of being informed that they would be resettled. This was the basis of much dissatisfaction. The change in plans was also a major disappointment for many people because they thought they would be able to buy all sorts of consumer goods.

A complicated situation also emerged regarding compensation for loss of housing. Although not in accordance with national legislation and international human rights norms, which require a minimum of three months notification (United Nations, 2007), the project established a 10 day formal notice of eviction. Due to the time pressure the project was under, households were expected to relocate themselves to temporary housing, which they had to find for themselves. The main company provided them with an allowance intended to cover the costs of rent as well as a generic transport allowance. Interviewees commented that vulnerable groups, particularly elderly people and women with children, struggled to find temporary housing within this short timeframe, especially in the urban areas. In most locations along the railway line, the availability of houses for rent was limited or non-existent. Furthermore, the rent allowance provided by the main company was a generic amount based on an assessment of the average rental prices in urban or rural areas. It was commented by the staff that the rent allowance provided to affected families was not always sufficient to cover the costs of the rent, especially in the city of Nampula. The procedures did not include a specific separate process for vulnerable groups. However, in practice, the staff emphasized that when vulnerable people approached the company for help to find a temporary house, extra assistance and support was provided.

Mozambican legislation required that replacement housing had to be constructed and was the responsibility of the proponent, and that lost housing could not be compensated solely by financial means. The compensation plan included two housing options for affected people, with support from the company to: (1) to build their own house with financial and material support; or (2) relocate to an existing house. A third option, where the company would construct new houses, was intended only for exceptional cases (i.e. vulnerable groups). However, news of delays in other locations along the railway line meant that most householders did not trust the main company and the subcontractor, and were not satisfied with these options, instead wanting to receive financial compensation up-front for their lost dwelling. Finding an existing house was not feasible for most households, because there were simply not enough houses available (at least in terms of those that qualified in terms of improvement of living conditions). In order to minimise disruption to communities, people were required to remain in their existing district. The third option, although originally intended only for vulnerable people, thus became the option selected by most families. A problem remained, however, in that the main company was not prepared for the number of new houses that needed to be constructed, and delays of up to three years occurred before all affected families were properly rehoused.

Several interviewees mentioned that since 2012 local community members had been drawing attention to instances of corruption and extortion occurring in the compensation process. Corruption in compensation procedures is a risk for all companies operating in any context (Cernea and Mathur, 2007; Standing, 2014; Reddy et al., 2015). In this railway project, there was a high risk of corruption because payments were being made as cash-in-hand and large amounts of cash were being taken to remote and relatively poor areas. It was explained that the reported corruption occurred in various ways. Community people had reported to the main company that some local staff were conspiring with some local community members to extract more compensation by fraudulent claims (e.g. fabrication/manipulation of the data used for the compensation assessment). In another situation, interviewees also explained that some community members were being extorted, or forced to hand over part of the money they received to certain local staff of the subcontractor. When news of the problem was finally registered by the subcontractor and the main company in 2014, they both took various actions. For example, the subcontractor appointed a new country director as well as a new manager for the social team to investigate the community grievances and to improve the compensation process. The main company appointed a General Manager for Community Relations who instigated a capacity building program for the main company's social team and the subcontractor to improve professionalism, the (re)structuring of activities, documentation, and oversight. Furthermore, in late 2014, the main company hired a Mozambican organisation to undertake the various resettlements along the railway line to reduce the delays in the provision of replacement housing. Also, the main company engaged with an international NGO to address and monitor the livelihood restoration of those families who had lost their fields.

The Mozambican organisation was engaged because of its good reputation regarding community engagement activities, especially education and women's empowerment programs in rural communities. However, it had no previous experience in planning resettlement and there was confusion about responsibilities and procedures. Eventually, the main company hired five Mozambican construction firms to build the houses at various sites along the 600-kilometre section of the railway line. It was the task of the Mozambican organisation to supervise these firms and also to establish a participatory process with the affected families regarding site selection. Interviewees commented that there were major challenges in constructing the new houses given the distances involved, the remoteness of many of the sites, and the poor road conditions. This resulted in a lack of adequate supervision of the construction activities and several issues emerged. One issue was that construction workers (who often came from distant towns) explained to the lead author that they were not provided with adequate food, water or shelter – therefore a human rights impact.

After some months it became clear to staff members of the main company that the Mozambican organisation needed major capacity building in how to plan and execute the resettlement. This capacity building was provided to them by community relations staff from the main company. Interviewees from the Mozambican organisation commented that resettlement was problematic, especially in urban areas, due to land scarcity, and that they had concerns regarding the reduced access displaced people would have to services, work, and increased distance to fields and to visit their relatives. The Mozambican organisation established a guideline that in rural and semi-urban areas, families could only be relocated up to 3 km from their previous home to reduce the risk of obstructed access to essential services, roads, fields and to avoid decline in community cohesion. However, in the larger towns, especially Nampula, the number of people to be resettled was considerable (up to 200 families) and it was necessary to relocate people up to 10 km away from their original homes. In these situations, the main company eventually constructed additional wells and access roads.

Various organizational aspects in the first years of the project,

together with contextual challenges contributed to the occurrence of many community grievances and human rights impacts. Staff members emphasized that contextual issues made it extremely difficult to adequately engage with affected communities. Along the 600 km brown-field section of the railway line, there were around 40 affected communities, in urban and rural areas including very remote villages. Interviewees expressed that community engagement and establishing an efficient compensation process were extremely difficult because of the long distances, arduous weather conditions (torrential rain and severe heat), and weak local infrastructure. Company staff indicated that a major challenge was that they were based in Nampula and had to travel hundreds of kilometres each day to reach communities, while not having sufficient personnel or vehicles to do the job properly. For the most remote communities, where illiteracy was high and people generally did not speak the country's national language, staff commented that providing on-going access to information was almost impossible.

Given that the compensation and resettlement tasks had been outsourced, initially there was no perceived need for strict oversight by the main company. At the start of construction, there was no General Manager for Community Relations in the main company, although there were General Managers for construction, health & safety, security, and environment. The Manager of Community Relations reported to the General Manager for Construction, which created problems because this General Manager was unfamiliar with the resources needed to address adverse impacts on communities. Interviewees commented that, at commencement of construction activities, the time pressure, a weak organizational structure, a lack of oversight, and inexperienced personnel in both the subcontractor and the main company resulted in a compensation and resettlement process that was characterized by financial irregularities, a lack of up-to-date information to the (potentially) affected families, and tremendous delays in the provision of compensation and in the provision of replacement housing. Vulnerable households were particularly affected by these deficiencies.

## 6. Implementing respect for human rights in practice (discussion)

Achieving respect for human rights is “a day-to-day challenge, to keep it alive in the minds of people, and make them understand that it [needs to be implemented] on a daily basis” (company human rights advisor). Nevertheless, it was commented by the expats interviewed that human rights awareness in mining companies (including the two studied for this research) started many years before the *United Nations Guiding Principles on Business and Human Rights* was published. They considered that human rights impacts did not result from bad intentions, but from difficulties in implementing social and human rights policies at local project sites. In many large companies, there are some individuals with extensive knowledge of social issues, but it was emphasized that there can be very poor knowledge transfer – between departments, between business units in the same country, between the head office and the business units, and between companies. Thus, islands of social and human rights expertise/awareness (and ignorance) persist in companies, resulting in a loss of opportunity to learn from other companies' mistakes and successes.

Often company attempts to respect human rights were done without the explicit use of human rights terminology. For example, at both project sites, various policies that clearly demonstrate an intention to respect human rights were implemented, including: the provision of replacement housing of a higher quality, restored access to essential services, the provision of financial compensation at replacement value, ensuring replacement land, establishing livelihood restoration projects, and addressing impacts on spiritual and cultural sites. However, the fieldwork revealed that full respect for human rights was not achieved primarily because of poor process and procedures, especially a lack of access to information, a lack of meaningful participation, and poor interpersonal interactions between company staff and community members.

In the policies and plans of both companies, the specifics of how to provide adequate access to information, ensure effective participation, and interact with the communities in a positive way were not sufficiently articulated. Regarding the lack of information, a primary issue was the failure to provide regular updates. Given the pressures they were under, company staff considered it difficult to constantly provide updated information. However, for people who are uncertain about their future, with the extent of change taking place, regular updating of information was considered essential. In one urban area, for example, a major concern of women was planning where their children could go to school and ensuring that they could be enrolled.

From a human rights perspective, meaningful participation is key to ensuring that successful outcomes are achieved in compensation and resettlement processes (van der Ploeg and Vanclay, 2017a). Attention to the needs of vulnerable groups and to gender issues in participation activities is essential to understand the variety of community needs and how impacts are experienced differentially. However, in both case studies, there was no meaningful participation of all affected families. This was especially the case in the selection of the resettlement site locations where, primarily, only local and/or traditional leaders were consulted on the presumption that these leaders would discuss the options with their community members. Meaningful participation was also lacking in the design and implementation of livelihood restoration programs, and there was no strategy to involve the concerns of women or other vulnerable groups. The meetings with local communities that were observed appeared to be consultative rather than participatory, with only limited exchange of information and concerns. From a human rights perspective, it is expected that community members should be actively involved in decision-making processes about issues that affect them (Frankovits, 2006; van der Ploeg and Vanclay, 2017a).

The engagement strategy of both companies tended to lead to a breakdown in information transfer, confusion amongst affected peoples, and to their distrust of the company. This demonstrates how important broad-based participation actually is. In general, the companies engaged first with the traditional and other local leaders. Sometimes these leaders made decisions of behalf of their communities. Other times, these leaders would gather the community for meetings so that the company staff could disseminate information about the project. Community relations staff stated that this strategy of first approaching the leaders had to be adhered to because this was customary practice in Mozambique. However, the staff recognized that a consequence of following this custom was that misunderstandings often occurred, especially when community leaders were not truly representative and when they did not pass information to their community. We consider that, while it is important to be respectful of traditional customs, a more open participatory process would limit the possibility of misunderstanding and escalating grievances occurring, and would ensure that all people could have a say and experience that they are truly involved and listened to.

Poor interpersonal interactions occurred in many, often subtle, ways, both intentional and unintentional. From the perspective of community people, company staff often had overt displays of their relative opulence, for example in terms of the clothes they wore or the company cars they drove. Bad manners were displayed by, for example, the wearing of sunglasses when talking to affected people. Disrespect was also sometimes shown by the failure of staff to shake the hands of local people, or in the way they talked to, or about, local people. The following extract from the transcript of an interview with one of the community relations staff reveals that the staff were aware of the complexities of interpersonal interaction.

Sometimes, we can lose patience. Sometimes we can lose patience because, sometimes, people act when they are angry. When we are coming as visitors – I call us visitors ... because we visit them, we are approaching them. They are living on their own land since long time. We have to think before whatever we do. We must not offend

by any kind [of action], even if they are offending us. Although we are thinking that we are right and they are wrong, we must not shout at them. We have to say *sorry, excuse me* or *excuse us for this or for that* until you get aware that the situation is controlled, the person is calm, and you proceed with the conversation or the activity. But sometimes, you know, there are so many ways that we can make a mistake. It is a mistake when you are in the field and they offer you something – a simple offer of water or *'we are eating, eat!'* – if you refuse, automatically you have made a distance between you and the community, and you will not be accepted properly. Whatever you want to get as information [you won't get, unless you try] – if you don't want to eat what they are eating, you just [need to] eat a bit. Just eating a portion of their food, they feel so happy, you are automatically integrated and accepted. [If you do this] whatever you ask them, they will be open, and they will answer you with satisfaction. (Mozambican community relations practitioner)

Community people had the idea that the companies did not appreciate the severity of the impacts they experienced, or the extent to which they were inconvenienced. Sometimes aggrieved impacted people would make relatively long, arduous and expensive journeys to the main office in order to seek to speak to the relevant manager. While they were usually treated civilly, from the perspective of the local people, they were not necessarily treated in a manner proportional to the effort they expended to have the meeting.

Both projects were confronted with many protests from affected families, and some families refused to move or to accept their compensation payments because they felt they were not adequately informed or treated with respect. Most community relations staff sympathized with the negative responses of community members. One participant commented, “[protests/blockades] do not occur overnight – it is because the company does not answer back after many months”, and “often a long time passes before people hear back about what is going to change or they receive follow-up on their concerns”. In practice, it was observed that there was simply not enough time, financial resources and professional experience allocated to undertake information and participation sessions on an on-going basis taking into account the complexities of the local context. In a situation of limited resources and contextual complexities, one participant commented that “to manage all the expectations over 600 km of railway line is just too hard!”.

In both projects, the notion of vulnerability, a key human rights principle, was not well understood or adequately considered in the compensation and resettlement process. The definition of vulnerability that was used by the two companies was too generic as they only referred to Indigenous peoples or to a generalized conception of ‘poor groups’ in society. Furthermore, the data collected in the household survey for each project did not have adequate measures to enable an adequate analysis of vulnerability. Arguably, vulnerability should be considered in terms of the adaptive capacity and potential sensitivities of each household (Tromp, 2016; Smyth and Vanclay, 2017). Also, there should be more concern for children as a vulnerable group, as they can end up in difficult situations, especially if they have no parents or when their parents are not capable to manage their relocation and livelihood restoration (including access to education) (see Unicef, 2015).

The increasing pressure on existing essential services and/or the absence of essential services in the locations to which people were being resettled contained a human rights issue that was difficult for the company staff to solve. For example, the increasing number of people in the host communities placed an additional burden on local water sources, which were primarily wells. In some cases, the quality and/or quantity of the water was inadequate for agriculture or human consumption. In the railway project, after additional investment by the company involving the drilling of extra wells, an acceptable solution

was found. However, in the mining case, the water problem remained.

Throughout Mozambique, there is a huge desire to become connected to the electricity grid. Most affected households, especially in rural areas, did not previously have access to electricity. With the promise of improved housing, most local people expected to have an electricity connection. In the mine project, this expectation was met to some extent. However, in the railway project, the houses built for those people who did not previously have electricity were constructed without any intention that they would be connected to electricity.

Another issue raised by the staff members was the problem of increased inequality, which came about by the requirement to improve the standard of living of people being resettled (but not the people left behind). Especially in the railway line project, many families not considered as being impacted, but who were as poor as their impacted neighbours, felt that they were being denied opportunities and asked to be resettled so that they too might benefit from the replacement housing. Company staff struggled to know how to respond to these requests and expectations for improvement in living conditions from people who were not regarded as being project affected. Although the companies considered that the process of managing the impacts does needs reflection on ‘what is the right thing to do’, they were also aware that they should not increase the dependency of the local communities on the company, or incur excessive costs for the company.

A major human rights issue of projects is that compensation, even when paid at replacement value, does not guarantee full restoration of people's livelihoods and wellbeing, especially where people depend on agriculture, fishing or natural resources (Cernea and Mathur, 2007; Vanclay, 2017). In both projects, people who were only economically displaced (and thus did not need to be resettled) received financial compensation for loss of income from their livelihood activities such as brickmaking, harvesting cashew nuts or fishing. However, there was limited capacity of most people, especially vulnerable groups, to invest this money in new livelihoods. Both companies and the government were unable to avoid and/or address the diminishment in human rights enjoyment after the compensation was paid. This was a problem recognized by the staff of the two projects studied, but there was disagreement about who was responsible for those families and individuals who were unable to convert their financial compensation into new livelihoods. In Mozambique, as in many other countries, especially in rural areas, land-for-land is essential not only for their daily access to food, but also for people's sense of identity, authority, and future security (Vanclay, 2017).

The fundamental objective of livelihood restoration programs should be to ensure that households can continue their lives independent of the company and/or the government, and preferably to be better-off after resettlement (or economic displacement). In human rights terms, this means that livelihood restoration programs should ensure there is no residual detriment to any human right (such as the right to food, health, water, and work) (van der Ploeg and Vanclay, 2017a, 2017b). In the two projects, livelihood programs were established to help affected people change their income activities. In the mining project, the livelihood restoration options offered related to improving livestock and/or to changing crop production techniques. However, despite the efforts of the local staff, the resources for these programs were limited, there was limited experience within the team, and the projects were not well thought through in advance of resettlement. This also meant that the choice, design and establishment of the projects were not adequately discussed with the affected families prior to resettlement. As with many other large-scale projects (ICMM, 2015; Hanna et al., 2016c), the failure of the livelihood restoration programs was not because company staff did not realise that these programs were important, the problem was the short timeframe and that the staff did not fully appreciate that an early-on participatory approach would have created greater ownership amongst the impacted people and provide an engagement and feedback process that would have enabled identification of any problems.

To respect human rights means that resettlement has to become a people-centred process with the main focus on achieving livelihood restoration and adaptation, rather than the existing tendency of community relations teams having to give in to pressures by the project's technical department to clear the areas as quickly as possible for construction (Wilmsen and Wang, 2015).

## 7. Conclusion and recommendations

In both projects, there was a high degree of awareness of the key international standards for resettlement, specifically: replacement housing that is an improvement of the previous situation; land-for-land compensation; financial compensation regardless of land tenure status and at full replacement value; the need to restore and improve access to essential services and cultural and religious sites; and the provision of livelihood restoration programs. Furthermore, each company had a senior human rights manager who had conducted internal human rights risk assessments and provided some training at project site level. The coal mine project also commissioned an external human rights impact assessment to deepen its knowledge about its impacts on local communities. However, in both companies, the human rights expertise remained at a high-level in the company, with the human rights function not being established in an effective way to be able to provide on-going support at the local level to ensure that the human rights principles could become integrated in the actual practice of staff working with affected communities.

Despite general awareness of human rights issues, at the project site level there was no or only limited awareness of the United Nations Guiding Principles on Business and Human Rights. Therefore, it is hard to establish whether the UNGP had led to major improvements in project outcomes, especially because the Mozambican government played a major role in setting some of the resettlement requirements. Even though human rights issues were identified through the companies' internal risk management tools, the development and implementation of the compensation and resettlement plans and procedures were not guided by the principles in the UNGP. In particular, both projects did not establish an adequate grievance mechanism and engagement process at the starting phase of the project, which is one of the main expectations set out by the UNGP. From a human rights perspective, only through the early and on-going collection of questions, concerns and complaints can human rights harm to affected peoples become avoided or adequately mitigated.

The projects were unable to adequately implement the compensation and resettlement standards for various reasons. There were many difficulties experienced by project staff, especially in ensuring the human rights principles of access to information and meaningful participation. Obstacles that were mentioned by the staff included high levels of illiteracy, alcoholism in some of the local communities (especially related to men), the poor condition of local infrastructure (roads), and the remoteness of some of the affected communities, together with the lack of capacity within government (at all levels) to assist, for example, in engagement activities and in the provision of the required documentation. Notwithstanding these challenging contextual factors, there were also organizational dysfunctions that contributed to human rights impacts.

In both projects, initially the community relations function was not well positioned to access adequate financial resources and personnel. The initial lack of capacity and leadership in addressing community impacts, a lack of adequate planning, a lack of oversight, inexperienced personnel, together with tremendous time pressure resulted in a rushed compensation and resettlement process, leading to severe adverse impacts on local communities. Community grievances, protests and resistance were caused by the delays in the provision of replacement housing and other forms of compensation, and by the poor prospects for livelihoods post resettlement.

Both companies did respond to the issues that arose by taking a

range of actions, including: appointing high-level leadership in community relations; changing the organizational structure so that the Community Relations function became under the construction/operations department rather than External Relations (which resulted in improved internal communication and better access to resources); and ensuring a supportive working relationship between the community relations manager and their superior, thus ensuring that the superior was understanding of the complexity of social impacts and the resources required to effectively address them. At later stages in the two projects, grievance mechanisms were initiated or improved, which resulted in receiving more information about the needs of the affected communities, and thus the projects were then better able to track what went wrong in the compensation process.

Unfortunately, awareness of the need to address the social and human rights impacts early on, and with adequate resources and experienced personnel, were not the first priorities of the projects. It is extremely difficult, and in some situations impossible, for community relations staff to regain the trust of local communities, reduce impoverishment, and restore livelihoods, when practical solutions to the impacts are not considered in an adequate timeframe. When impacts are addressed too late, opposition to the project and conflict will continue, contributing further to the negative image of mining companies, even where project staff have the intention of doing the right thing.

Based on the analysis of the two projects studied in this research, we provide seven recommendations that should enhance the implementation of resettlement and compensation. These recommendations advocate better integration and implementation of respect for human rights principles at the project site level. This would result in the more effective and timely involvement of local communities, thereby reducing conflict and distrust. Ultimately, this would reduce human rights harm to communities and risks to companies, and result in improved compliance with the corporate responsibility to respect human rights.

1. Companies need to (re)consider the positioning of the community relations function in their business. They may need to change the company structure and reporting lines to increase alignment and improve internal communication. The community relations department should be led by an experienced social expert who is part of the project management team and reports directly to the project site manager.
2. There must be compliance with international standards for environmental and social performance (including for resettlement). Therefore, the first priority in all projects has to be that they ensure that they have adequate social performance capacity in terms of the number of social staff and the level of experience. Furthermore, they need to ensure that there is capacity building on all key aspects of social performance, including: stakeholder analysis; community engagement; identifying vulnerable groups and addressing their specific needs; gender analysis; baseline data collection; social impact assessment; grievance management; implementing social management systems; the development and implementation of resettlement action plans, livelihood restoration programs, monitoring & evaluation; and compliance with international human rights principles.
3. Like any other key area of project expertise, the role of human rights support in companies should be established at the project site level to ensure continuous support to staff so that human rights gaps in all areas of activity can be practically and efficiently addressed.
4. Project resettlement and compensation plans and procedures must comply with human rights standards and need to be improved by ensuring that they include: (1) clarity about how the human rights principles of access to information and meaningful participation are adequately addressed; (2) a clear procedure for implementing operational grievance mechanisms; and (3) a clear description for how the needs of vulnerable people will be addressed.
5. Where subcontractors are involved in key social performance areas,

the main company has to establish an effective supervision procedure and have the capacity to ensure that the activities of the subcontractor are in compliance with human rights principles and the environmental and social performance standards of the main company.

6. There must be better consideration by companies working in challenging environments (e.g. long distances, weak infrastructure, remoteness, high levels of illiteracy) about how they will overcome contextual challenges that might make it difficult to respect human rights. It is not acceptable to claim that challenging environments are an excuse for failing to meet international standards for environmental and social performance, including observance of all human rights.
7. There can be significant human rights risks that come with acquisitions and therefore companies should ensure that they do a careful due diligence assessment of these risks prior to the acquisition. Conversely, it is also necessary for a company to ensure that human rights issues will be adequately considered by the acquiring company should there any asset shedding or de-acquisition.

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### References

- Anaya, J.S., Evans, J., Kemp, D., 2017. Free, Prior and Informed Consent (FPIC) Within a Human Rights Framework: Lessons from a Suriname Case Study. RESOLVE FPIC Solutions Dialogue, Washington DC. <<https://www.csr.uq.edu.au/publications/free-prior-and-informed-consent-fpic-within-a-human-rights-framework-lessons-from-a-suriname-case-study>> (accessed 3 November 2017).
- Bebbington, A., Hinojosa, L., Bebbington, D., Burneo, M., Warnaars, X., 2008. Contention and ambiguity: mining and the possibilities of development. *Dev. Change* 39 (6), 887–914.
- Boydell, J., de Berry, J., 2004. *Children and Youth on the Front Line: Ethnography, Armed Conflict and Displacement*. Berghahn Books, New York.
- Business & Human Rights Resource Centre, 2017. Website. Company policy statements on human rights. <<https://business-humanrights.org/en/company-policy-statements-on-human-rights>> (accessed 14 March 2017).
- Cerne, M.M., Mathur, H.M. (Eds.), 2007. *Can Compensation Prevent Impoverishment? Reforming Resettlement through Investments and Benefit-Sharing*. Oxford University Press, New Delhi.
- Chatham House, 2013. *Revisiting Approaches to Community Relations in Extractive Industries: Old Problems, New Avenues?* Chatham House, London. <[https://www.chathamhouse.org/sites/files/chathamhouse/home/chatham/public\\_html/sites/default/files/040613extractive.pdf](https://www.chathamhouse.org/sites/files/chathamhouse/home/chatham/public_html/sites/default/files/040613extractive.pdf)> (accessed 14 March 2017).
- Chichava, A., 2014. Keynote Address to the International Association for Impact Assessment Special Symposium on Resettlement & Livelihoods by the Deputy Ministry for the Coordination of Environmental Affairs of Mozambique. <<http://conferences.iaia.org/resettlement/proceedings/Ana%20Chichava%20Speech.pdf>> (accessed 14 March 2017).
- Coulson, N., Ledwaba, P., McCallum, A., 2017. Building resilient company-community relationships: a preliminary observation of the thoughts and experiences of community relations practitioners across Africa. *J. South. Afr. Inst. Min. Metall.* 117, 7–12.
- Coumans, C., 2012. *Mining, human rights and the socially responsible investment industry: considering community opposition to shareholder resolutions and implications of collaboration*. *J. Sustain. Financ. Invest.* 2, 44–63.
- Drimmer, J., 2010. Human rights and the extractive industries: litigation and compliance trends. *J. World Energy Law Bus.* 3 (2), 121–139.
- Esteves, A.M., 2008. Mining and social development: refocusing community investment using multi-criteria decision analysis. *Resour. Policy* 33, 39–47.
- Esteves, A.M., Factor, G., Vanclay, F., Götzmann, N., Moreira, S., 2017. Adapting social impact assessment to address a project's human rights impacts and risks. *Environ. Impact Assess. Rev.* 67, 73–87.
- Esteves, A.M., Vanclay, F., 2009. Social Development Needs Analysis as a tool for SIA to guide corporate-community investment: applications in the minerals industry. *Environ. Impact Assess. Rev.* 29 (2), 137–145.
- Farrell, L., Hamann, R., Mackres, E., 2012. A clash of cultures (and lawyers): anglo platinum and mine-affected communities in Limpopo Province, South Africa. *Resour. Policy* 37 (2), 194–204.
- Frankovits, A., 2006. *The Human Rights Based Approach and the United Nations System*.

- Paris UNESCO. <<http://unesdoc.unesco.org/images/0014/001469/146999e.pdf>> (accessed 9 April 2017).
- Giuliani, E., Macchi, C., 2014. Multinational corporations' economic and human rights impacts on developing countries: a review and research agenda. *Camb. J. Econ.* 38 (2), 479–517.
- Götzmann, N., Vanclay, F., Seier, F., 2016. Social and human rights impact assessments: What can they learn from each other? *Impact Assess. Proj. Apprais.* 34 (1), 14–23.
- Hanna, P., Langdon, J., Vanclay, F., 2016a. Indigenous rights, performativity and protest. *Land Use Policy* 50, 490–506.
- Hanna, P., Vanclay, F., Langdon, J., Arts, J., 2016b. Conceptualizing social protest and the significance of protest action to large projects. *Extr. Ind. Soc.* 3 (1), 217–239.
- Hanna, P., Vanclay, F., Langdon, J., Arts, J., 2016c. The importance of cultural aspects in impact assessment and project development: reflections from a case study of a hydroelectric dam in Brazil. *Impact Assess. Proj. Apprais.* 34 (4), 306–318.
- Harvey, B., 2014. *Social development* will not deliver social licence to operate for the extractive sector. *Extr. Ind. Soc.* 1 (1), 7–11.
- Hilson, G., 2002. An overview of land use conflicts in mining communities. *Land Use Policy* 19 (1), 65–73.
- Holst Jensen, M., Villumsen, M., Petersen, T., 2014. The AAAQ Framework and the Right to Water: International Indicators for Availability, Accessibility, Acceptability and Quality. Danish Institute for Human Rights, Copenhagen. <[http://www.humanrights.dk/files/media/dokumenter/udgivelser/aaaq\\_issue\\_paper\\_2014.pdf](http://www.humanrights.dk/files/media/dokumenter/udgivelser/aaaq_issue_paper_2014.pdf)> (accessed 14 March 2017).
- Human Rights Watch. (HRW), 2012. Human Rights Watch Recommendations for Mozambique's Resettlement Decree. <<http://www.hrw.org/news/2012/09/17/human-rights-watch-recommendations-mozambique-s-resettlement-decree>> (accessed 14 March 2017).
- Human Rights Watch. (HRW), 2013. What is a House without Food? Mozambique's coal mining boom and resettlements. <<https://www.hrw.org/sites/default/files/reports/mozambique0513Uplod0.pdf>> (accessed 14 March 2017).
- Humphreys, D., 2000. A business perspective on community relations in mining. *Resour. Policy* 26, 127–131.
- ICMM, 2015. Land Acquisition & Resettlement: Lessons Learned. International Council on Mining and Metals, London. <<https://www.icmm.com/document/9714>> (accessed 14 March 2017).
- IFC, 2012. Performance Standard 5 Land Acquisition and Involuntary Resettlement. <[http://www.ifc.org/wps/wcm/connect/topics\\_ext\\_content/ifc\\_external\\_corporate\\_site/ifc+sustainability/our+approach/risk+management/performance+standards/environmental+and+social+performance+standards+and+guidance+notes](http://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/our+approach/risk+management/performance+standards/environmental+and+social+performance+standards+and+guidance+notes)> (accessed 14 March 2017).
- Isaacman, A., Isaacman, B., 2013. Dams, Displacement, and the Delusion of Development: Cahora Bassa and its legacies in Mozambique, 1965–2007. Ohio University Press, Athens OH.
- Ite, U.E., 2007. Changing times and strategies: shell's contribution to sustainable community development in the Niger Delta, Nigeria. *Sustain. Dev.* 15 (1), 1–14.
- Jijelava, D., Vanclay, F., 2017. Legitimacy, credibility and trust as the key components of a social licence to operate: an analysis of BP's projects in Georgia. *J. Clean. Prod.* 140 (Part 3), 1077–1086.
- Kabemba, C., Nhancale, C., 2012. Coal versus Communities: Exposing Poor practices by Vale and Rio Tinto in Mozambique. Southern African Resource Watch, Johannesburg. <[http://www.osisa.org/sites/default/files/coal\\_vrs\\_communities\\_in\\_mozambique.pdf](http://www.osisa.org/sites/default/files/coal_vrs_communities_in_mozambique.pdf)> (accessed 14 March 2017).
- Kemp, D., 2010a. Mining and community development: problems and possibilities of local-level practice. *Community Dev. J.* 45 (2), 198–218.
- Kemp, D., 2010b. Community relations in the global mining industry: exploring the internal dimensions of externally orientated work. *Corp. Social. Responsib. Environ. Manag.* 17 (1), 1–14.
- Kemp, D., 2011. Understanding the organizational context. In: Vanclay, F., Esteves, A.M. (Eds.), *New Directions in Social Impact Assessment: Conceptual and Methodological Advances*. Edward Elgar, Cheltenham, pp. 20–37.
- Kemp, D., Bond, C., Franks, D., Cote, C., 2010. Mining, water and human rights: making the connection. *J. Clean. Prod.* 18 (15), 1553–1562.
- Kemp, D., Owen, J., 2013. Community relations and mining: core to business but not “core business”. *Resour. Policy* 38 (4), 523–531.
- Kemp, D., Owen, J., 2017a. Grievance handling at a foreign-owned mine in Southeast Asia. *Extr. Ind. Soc.* 4 (1), 131–139.
- Kemp, D., Owen, J., 2017b. Corporate readiness and the human rights risks of applying FPIC in the global mining industry. *Bus. Human. Rights J.* 2 (1), 1–7.
- Kemp, D., Owen, J., Collins, N., 2017. Global perspectives on the state of resettlement practice in mining. *Impact Assess. Proj. Apprais.* 35 (1), 22–33.
- Kemp, D., Vanclay, F., 2013. Human rights and impact assessment: Clarifying the connections in practice. *Impact Assess. Proj. Apprais.* 31 (2), 86–96.
- Kirshner, J., Power, M., 2015. Mining and extractive urbanism: postdevelopment in a Mozambican boomtown. *Geoforum* 61, 67–78.
- Lillywhite, S., Kemp, D., Sturman, K., 2015. Mining, Resettlement and Lost Livelihoods: Listening to the Voices of Resettled Communities in Mualadzi, Mozambique. Melbourne, Oxfam. <<https://www.csr.mq.edu.au/publications/mining-resettlement-and-lost-livelihoods>> (accessed 14 March 2017).
- Milgroom, J., Spierenburg, M., 2008. Induced volition: resettlement from the Limpopo National Park, Mozambique. *J. Contemp. Afr. Stud.* 26 (4), 435–448.
- Moore, S., Eng, E., Daniel, M., 2003. International NGOs and the role of network centrality in humanitarian aid operations: a case study of coordination during the 2000 Mozambique floods. *Disasters* 27 (4), 305–318.
- Morel, M., 2014. *The Right not to be Displaced in International Law*. Intersentia, Cambridge UK.
- Mteki, N., Murayama, T., Nishikizawa, S., 2017. Social impacts induced by a development project in Tanzania: a case of airport expansion. *Impact Assess. Proj. Apprais.* 1–12.
- Nhantumbo, I., Salomão, A., 2010. Biofuels, Land Access and Rural Livelihoods in Mozambique. International Institute for Environment and Development, London. <<http://pubs.iied.org/pdfs/12563IIED.pdf>> (accessed 14 March 2017).
- On Common Ground, 2010. Human Rights Assessment of Goldcorp's Marlin Mine. On Common Ground, Vancouver. <[http://csr.goldcorp.com/2011/docs/2010\\_human\\_full\\_en.pdf](http://csr.goldcorp.com/2011/docs/2010_human_full_en.pdf)> (accessed 17 April 2017).
- Owen, J.R., Kemp, D., 2014. 'Free prior and informed consent', social complexity and the mining industry: establishing a knowledge base. *Resour. Policy* 41, 91–100.
- Owen, J.R., Kemp, D., 2015. Mining-induced displacement and resettlement: a critical appraisal. *J. Clean. Prod.* 87, 478–488.
- Owen, J.R., Kemp, D., 2017. Social management capability, human migration and the global mining industry. *Resour. Policy* 53, 259–266.
- Reddy, G., Smyth, E., Steyn, M., 2015. Land Access and Resettlement: A Guide to Best Practice. Greenleaf, Sheffield.
- Rees, C., Kemp, D., Davis, R., 2012. Conflict Management and Corporate Culture in the Extractive Industries: a Study in Peru. John F. Kennedy School of Government, Harvard University, Cambridge, MA (accessed 14 March 2017) Corporate Social Responsibility Initiative Report No. 50. <[https://www.hks.harvard.edu/m-rcbg/CSRI/CSRI\\_report\\_50\\_Rees\\_Kemp\\_Davis.pdf](https://www.hks.harvard.edu/m-rcbg/CSRI/CSRI_report_50_Rees_Kemp_Davis.pdf)>.
- Republic of Mozambique, 2012. Regulations for the Resettlement Process Resulting from Economic Activities, Decree 31/2012, 8 August. <<http://www.acismoz.com/lib/services/translations/Regulamento%20de%20Reassentamento%20August%20as%20published%20JO.pdf>> (accessed 14 March 2017).
- Rio Tinto, 2013. Why Human Rights Matter. Rio Tinto, Melbourne. <[http://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)> (accessed 14 March 2017).
- Robbins, G., Perkins, D., 2012. Mining FDI and infrastructure development on Africa's East coast: examining the recent experience of Tanzania and Mozambique. *J. Int. Dev.* 24 (2), 220–236.
- Ruggie, J.G., 2013. *Just Business: Multinational Corporations and Human Rights*. Norton, New York.
- Santos, A.A., Filipe M., Roffarello, L.M., 2016. Mozambique 2016. African Economic Outlook. <<http://www.africaneconomicoutlook.org/en/country-notes/mozambique>> (accessed 14 March 2017).
- Smyth, E., Steyn, M., Esteves, A.M., Franks, D.M., Vaz, K., 2015. Five 'big' issues for land access, resettlement and livelihood restoration practice. *Impact Assess. Proj. Apprais.* 33 (3), 220–225.
- Smyth, E., Vanclay, F., 2017. The Social framework for projects: a conceptual but practical model to assist in assessing, planning and managing the social impacts of big projects. *Impact Assess. Proj. Apprais.* 35 (1), 65–80.
- Standing, A., 2014. Ghana's extractive industries and community benefit sharing: the case for cash transfers. *Resour. Policy* 40, 74–82.
- Terminski, B., 2015. Development-Induced Displacement and Resettlement: Causes, Consequences, and Socio-Legal Context. Ibidem Press, Stuttgart.
- Triponel, A., 2016. What do Human Rights have to do with Mergers and Acquisitions? Shift, New York. <[https://www.shiftproject.org/media/resources/docs/Shift\\_M&Aarticle\\_Jan2016.pdf](https://www.shiftproject.org/media/resources/docs/Shift_M&Aarticle_Jan2016.pdf)> (accessed 19 March 2017).
- Tromp, D., 2016. Assessing Business-Related Impacts on Human Rights: Indicators and Benchmarks in Standards and Practice. Institute for Development and Peace, University of Duisburg-Essen, Duisburg (INEF-Report 110/2016) (accessed 14 March 2017). <<http://inef.uni-due.de/cms/files/report110.pdf>>.
- Unicef, 2015. Children's rights and the Mining Sector. Unicef Extractive Pilot. <[https://www.unicef.org/csr/files/UNICEF\\_REPORT\\_ON\\_CHILD\\_RIGHTS\\_AND\\_THE\\_MINING\\_SECTOR\\_APRIL\\_27.pdf](https://www.unicef.org/csr/files/UNICEF_REPORT_ON_CHILD_RIGHTS_AND_THE_MINING_SECTOR_APRIL_27.pdf)> (accessed 6 July 2017).
- United Nations, 2007. Basic Principles and Guidelines on Development-Based Evictions and Displacement. Annex 1 of the report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living. <[http://www.ohchr.org/Documents/Issues/Housing/Guidelines\\_en.pdf](http://www.ohchr.org/Documents/Issues/Housing/Guidelines_en.pdf)> (accessed 14 March 2017).
- United Nations, 2011. Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework. United Nations Human Rights Council, UN Doc. HR/PUB/11/04.
- United Nations Human Rights Council (UNHCR), 2014. Report of the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona, Addendum Mission to Mozambique. UN Doc. A/HRC/26/28/Add 6. <<http://www.refworld.org/docid/53a298b64.html>> (accessed 14 March 2017).
- Van Alstine, J., Barkemeyer, R., 2014. Business and development: changing discourses in the extractive industries. *Resour. Policy* 40, 4–16.
- van der Ploeg, L., Vanclay, F., 2017a. A human rights based approach to project induced displacement and resettlement. *Impact Assess. Proj. Apprais.* 35 (1), 34–52.
- van der Ploeg, L., Vanclay, F., 2017b. A tool for improving the management of social and human rights risks at project sites: the human rights sphere. *J. Clean. Prod.* 142 (Part 4), 4072–4084.
- van der Ploeg, L., Vanclay, F., Lourenço, I., 2017. The responsibility of business enterprises to restore access to essential public services at resettlement sites. In: Hesselman, M., Hallo de Wolf, A., Toebes, B. (Eds.), *Socio-Economic Human Rights in Essential Public Services Provision*. Routledge, Abingdon, pp. 180–202.
- Vanclay, F., 2017. Project-induced displacement and resettlement: from impoverishment risks to an opportunity for development. *Impact Assess. Proj. Apprais.* 35 (1), 3–21.
- Vanclay, F., Baines, J., Taylor, C.N., 2013. Principles for ethical research involving humans: ethical professional practice in impact assessment Part I. *Impact Assess. Proj. Apprais.* 31 (4), 243–253.
- Vanclay, F., Esteves, A.M., Aucamp, I., Franks, D., 2015. Social Impact Assessment: Guidance for Assessing and Managing the Social Impacts of Projects. International Association for Impact Assessment, Fargo, ND. <<http://www.iaia.org/uploads/pdf/>

- SIA\_Guidance\_Document\_IAIA.pdf> (accessed 14 March 2017).
- Wettstein, F., 2012. CSR and the debate on business and human rights: bridging the great divide. *Bus. Ethics Q.* 22 (4), 739–770.
- Wilmsen, B., Wang, M., 2015. Voluntary and involuntary resettlement in China: a false dichotomy? *Dev. Pract.* 25 (5), 612–627.
- World Bank, 2016. Website. Mozambique. <<http://data.worldbank.org/country/mozambique>> (accessed 14 March 2017).
- World Health Organisation. (WHO), 2017. Mozambique Statistics. <<http://www.who.int/countries/moz/en/>> (accessed 14 March 2017).