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# **GENDER ANALYSIS OF EAST AFRICA CRUDE OIL PIPELINE**

ENVIRONMENTAL AND SOCIAL IMPACT ASSESMENT

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AUGUST 2019



## Acronyms

EACOP	East Africa Crude Oil Pipeline
EIA	Environmental Impact Assessment
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plans
GBV	Gender-based violence
GIA	Gender Impact Assessment
HIV	Human Immunodeficiency Virus
LOF	Load Out Facility
MSF	Marine Storage Facility

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# 1 Introduction

Oxfam has commissioned a gender analysis of the Environmental and Social Impact Assessments (ESIAs) of the East Africa Crude Oil Pipeline (EACOP).

The EACOP is a 1,443 km crude oil pipeline that will transfer crude oil from Kabaale-Hoima in Uganda (the Lake Albert basin) to a Marine Storage Facility and Load Out Facility located on the Chongoleani peninsula, near Tanga port, in Tanzania for export. Some of the oil will be partly refined in Uganda for domestic use. The EACOP is a project of the Uganda National Oil Company, Tanzania Petroleum Development Corporation, CNOOC Limited, Total and Tullow Oil PLC. Total East Africa Midstream is the project developer.

The documents that have been reviewed are the:

- ESIA of the export pipeline (Uganda) (the 'Uganda ESIA') and the non-technical summary of this ESIA
- Environmental Impact Assessment (EIA) of the export pipeline and marine storage facility (Tanzania) (the 'Tanzania pipeline and MSF EIA')
- EIA of the load out facility (Tanzania) (the 'Tanzania LOF EIA')

To the extent possible, the gender analysis focuses on land, livelihoods, and food security, and women's health and safety along with potential implications for women's unpaid care work and gender power relations. These have been chosen as focus areas for the analysis because they are the issues where extractive industry projects are most likely to have a gender impact.<sup>1</sup> Land does of course have non-economic value. The ESIAs consider the impact of the project on cultural heritage (including both tangible and non-tangible heritage, the former being linked to specific geographic places such as graves and cemeteries)<sup>2</sup> but not on broader issues related to gendered identities and land for example.

The analysis has also focused on those parts of the ESIAs that are most likely to identify potential gender impacts – the ESIAs are very, very long documents and it has not been possible to review these in their entirety. Finally, the analysis has focused on those parts of the ESIAs that identify potential impacts resulting from normal construction and operation, and not those parts that identify potential impacts from unplanned events.

<sup>1</sup> See for example Oxfam, Position paper on gender justice and the extractive industries (2017), pp 6-8

<sup>2</sup> See Uganda ESIA, pp 848 for example

## 2 Gender Analysis

### 2.1 Uganda export pipeline

In Uganda, the EACOP consists of a 296 km buried pipeline, above ground infrastructure including pumping stations and valves, access roads, and construction camps (for project employees) and equipment yards located in mostly rural areas.<sup>3</sup> A permanent 30 meter wide right-of-way would be needed during construction and a permanent 10 meter wide right-of-way would be required during operation<sup>4</sup> (the ESIA suggests cropping would not be allowed on this land). The project will require 1,402 hectares of land during construction and operation.<sup>5</sup> This land will be acquired by the Government of Uganda and leased to the project consistent with the project's resettlement policy.<sup>6</sup>

The Uganda ESIA describes the stakeholder consultation process for the ESIA. The ESIA states that particular attention was paid to vulnerable groups (which includes women, among many others) during the consultation process.<sup>7</sup> Over 2,500 people, representing national through to local-level stakeholders and affected groups, participated in various meetings at the scoping, baseline and impact assessment and pre-submission phase.

While the ESIA states that attention was given to women's participation, including hosting 39 focus group discussions with women only,<sup>8</sup> the ESIA does not provide information on the total number of women and total number of men who participated in these meetings. Hence it is not possible to verify the extent to which particular attention was paid to women. That said, the ESIA does highlight those concerns (and aspirations) most frequently raised by women in the focus group discussions during the baseline and impact assessment phase. The most commonly cited concerns (as categorized in the ESIA) from women related to land and property, community safety and welfare, standard of living, and health.<sup>9</sup>

#### Land, livelihoods, and food security

The project is expected to create approximately 1,800 jobs during the construction phase, plus around 8,500 indirect jobs including in logistics, supply chain, catering and security.<sup>10</sup> 1,600 of the direct project jobs are skilled jobs, and 1,080 for nationals. The ESIA is silent on the number of jobs created during operation of the project.

The ESIA is also silent on the number of jobs likely to be created for men and for women. It can be expected to significantly favour men. The ESIA does acknowledge the difficulty women are likely to face in accessing project procurement opportunities.<sup>11</sup> The ESIA also acknowledges that incomes earned by men engaged with the project (either directly through employment (to the extent local people will gain project employment) or indirectly via project procurement opportunities) may not

<sup>3</sup> Uganda ESIA, pp ES1

<sup>4</sup> Uganda ESIA, pp 2-22 (although it should be the ESIA states at pp 7-25 that the right of way will reduce to 10 m during operation)

<sup>5</sup> Uganda ESIA, pp 2-21

<sup>6</sup> Uganda ESIA, pp 2-21

<sup>7</sup> Uganda ESIA, pp 7-5

<sup>8</sup> Uganda ESIA, pp 7-11

<sup>9</sup> Uganda ESIA, pp 7-21, 7-23

<sup>10</sup> Uganda ESIA, pp 8-162, 8-163

<sup>11</sup> Uganda ESIA, pp 8-172

necessarily be used to benefit the household, and that increased access to cash by men may result in increased substance abuse and gender base violence (GBV).<sup>12</sup> Further, the ESIA acknowledges that women typically have little control over decisions on the use of household funds.<sup>13</sup> Finally, the ESIA acknowledges that where women do gain employment with the project that this may challenge household and community power structures, and that marital clashes may occur where spousal support for women's employment in the project is absent.<sup>14</sup>

The ESIA also acknowledges that employment with the project may cause a lack of attention to, or possible abandonment of, existing subsistence livelihood such as crop growing and livestock rearing.<sup>15</sup> Household food security and nutrition may therefore be compromised if replacement income sources are not available immediately after the end of project employment, and the economic shock and drop in household standard of living may result in increased alcohol abuse and GBV.<sup>16</sup> No consideration is given in the ESIA to who may be most affected by reduced household food security and nutrition.

The ESIA also acknowledges that if household members gain employment in the project that other family members, and this is most likely to be the wife, will need to increase their contribution to crop farming and other livelihood activities employed by a household.<sup>17</sup> Further, increased child labour requirements by the household may jeopardise school attendance, particularly for girls, and if woman are employed by the project, girls will more likely be withdrawn from school to fulfil household tasks.<sup>18</sup>

The main livelihood in project areas is from agriculture – both crop production (usually on household land holdings) and animal rearing. Food is grown for consumption in the household with surplus crops traded. While women and men are involved in all aspects of agricultural activities, such as tilling, sowing and harvesting,<sup>19</sup> women are particularly engaged in crop farming and use the income generated to reinforce household food security and pay for their children's education and health care.<sup>20</sup> Women's work exceeds those of men by several hours a day.<sup>21</sup>

Other important economic activities are small-scale processing of agricultural products, and small-scale trade in retail merchandise and agricultural produce (particularly among women). Crop farming households engaged in subsistence and commercial crop farming are vulnerable, owing to their limited access to alternative sources of income caused by remote location, lack of education, skills and experience.<sup>22</sup> Female-headed households are even more vulnerable,<sup>23</sup> because women are constrained by household duties and have no alternative livelihood opportunities.

The ESIA states that the project will require the permanent acquisition of approximately 300 hectares of land,<sup>24</sup> resulting in loss or severance of agricultural

<sup>12</sup>Uganda ESIA, pp 8-172

<sup>13</sup>Uganda ESIA, pp 6-136

<sup>14</sup>Uganda ESIA, pp 8-333

<sup>15</sup>Uganda ESIA, pp 8-174

<sup>16</sup>Uganda ESIA, pp 8-174

<sup>17</sup>Uganda ESIA, pp 8-209

<sup>18</sup>Uganda ESAI, pp 8-209, 8-210

<sup>19</sup>Uganda ESIA, pp 6-136

<sup>20</sup>Uganda ESIA, pp 8-205

<sup>21</sup>Uganda ESIA, pp 6-136

<sup>22</sup>Uganda ESIA, pp 8-200

<sup>23</sup>Uganda ESIA, pp 8-200

<sup>24</sup>Uganda ESIA, pp 8-240

land and land used for other purposes. Further, the ESIA states there is increasing scarcity of land and replacement land for economically displaced individuals may not be as productive as previous land holdings.<sup>25</sup> Areas of land associated with natural resource use (for energy, cooking, food security, construction material, medicine and income) will also be acquired by the project.<sup>26</sup> Poorer households (eg landless, widowed, single female and elderly headed households) are particularly dependent on natural resources.<sup>27</sup> Project-related land acquisition may also cause the permanent loss of agricultural land used to grow high value cash crops,<sup>28</sup> livestock grazing,<sup>29</sup> and land used for artisanal and small scale mining.<sup>30</sup> On the later, women (and young people) are particularly vulnerable because they often turn to mining because they do not have access to land for farming or livestock rearing and lack alternative livelihood opportunities.<sup>31</sup>

The ESIA estimates that 1,700 to 3,000 households will be economically displaced by the project,<sup>32</sup> although the number of women and number of men affected is not stated. Of those 300 to 400 households that will need to be resettled because of the project (either permanently or temporarily) female-headed households are among the most vulnerable because they do not have other assets or sources of income (although the number of female-headed households is not stated).<sup>33</sup> The ESIA acknowledges that without adequate compensation, or if other land able to produce food or sees for panting cannot be found, then households may experience food insecurity.<sup>34</sup> Female-headed households and other vulnerable groups may experience nutritional disorders if food insecurity becomes a long-term problem.<sup>35</sup>

Procurement of food by the project from local markets may lead to a rise in the cost of basic foodstuffs potentially impacting on food security and limit the diversity of diets in households that are dependent on food procurement as opposed to subsistence agricultural activities.<sup>36</sup>

Female-headed households are particularly vulnerable because of discrimination that excludes women from owning, inheriting and controlling land.<sup>37</sup> Compensation for loss of land is typically paid to the head of household (men) without spousal consent, leaving women vulnerable in terms of access to that compensation.<sup>38</sup> Despite policy and legal safeguards formalising the rights of women, children and disabled people's access to land, these groups often enjoy inferior land rights, as traditions and customs protect men's control over land, and as the value of land increases, male dominance over land-related decisions is likely to increase.<sup>39</sup>

The ESIA identifies a numbers of negative impacts for women (and girls) linked to land acquisition and livelihoods. The ESIA also identifies a number of negative impacts for women (and girls) linked to project employment. These impacts have

<sup>25</sup>Uganda ESIA, pp 8-205

<sup>26</sup> Uganda ESIA, pp 8-209

<sup>27</sup> Uganda ESIA, pp 8-207

<sup>28</sup> Uganda ESIA, pp 8-210

<sup>29</sup> Uganda ESIA, pp 8-212

<sup>30</sup> Uganda ESIA, pp 8-206

<sup>31</sup> Uganda ESIA, pp 8-206

<sup>32</sup> Uganda ESIA, pp 8-243

<sup>33</sup> Uganda ESIA, pp 8-244

<sup>34</sup> Uganda ESIA, pp 8-300

<sup>35</sup> Uganda ESIA, pp 8-300

<sup>36</sup> Uganda ESIA, pp 8-307

<sup>37</sup> Uganda ESIA, pp 8-239

<sup>38</sup> Uganda ESIA, pp 8-240

<sup>39</sup> Uganda ESIA, pp 8-243

implications for women's workloads, their ability to provide for the needs of their families, their safety in the home, girls' education and power relations in the household – although the ESIA does not typically describe these impacts using this terminology.

Various management plans will be developed to address some project impacts. The stakeholder engagement plan and labour management plan will include measures that will contribute to managing some employment impacts, such as those related to the withdrawal of male labor from household agricultural activities.<sup>40</sup> Neither of these plans have yet been developed but the basic content of each is outlined in the ESIA.<sup>41</sup>

A project resettlement action plan – which includes procedures for compensation and livelihood restoration strategies – is the key strategy to reduce impacts from loss of land and disruptions to land-based livelihoods.<sup>42</sup> A resettlement strategy has been developed, and is included as an Annex to the Uganda ESIA.

The resettlement strategy has been developed to guide the land acquisition and resettlement process, and is based on an earlier land acquisition and resettlement framework that has been endorsed by the government of Uganda.<sup>43</sup> The resettlement strategy is a foundation for the detailed resettlement action plan (RAP) and livelihood restoration plan (LRP).<sup>44</sup>

Among other things, the resettlement strategy states that:<sup>45</sup>

- The project will aim to promote active and informed stakeholder participation
- Compensation would identify and recognize multiple layers of rights to affected land and property
- Affected persons with no formal legal rights to land shall be included in the assessment
- Vulnerable groups (which may include women) will receive special attention
- Both spouses will sign the compensation agreements (although what effect this has given existing gender relations in the household must be questioned)

The resettlement strategy also states that the project commits to compensating affected persons for loss of rights over land or property in kind in preference over cash.<sup>46</sup> This might have benefits from a gender perspective given that women have little control over use of household funds, although the resettlement strategy does not identify this as a potential benefit or aim.

While the resettlement strategy notes the need to include women in participatory planning and consultation processes,<sup>47</sup> the resettlement strategy lacks a gender analysis or focus and does not commit ensuring a gender responsive or equitable compensation process. The particular vulnerability of women-headed households with respect to limited non-land based livelihood options, or that women typically have little control over decisions on the use of household funds, is not mentioned. Yet this is important. Unless the detailed RAP and LRP acknowledges these realities women's needs and interests risk being ignored, and their rights undermined, during

<sup>40</sup>Uganda ESIA, pp 8-216

<sup>41</sup>Uganda ESIA, pp 10-10

<sup>42</sup>Uganda ESIA, pp 8-215

<sup>43</sup>Uganda ESIA, Appendix K, pp 2

<sup>44</sup>Uganda ESIA, Appendix K, pp 2

<sup>45</sup>Uganda ESIA, Appendix K, pp 7, 58

<sup>46</sup>Uganda ESIA, Appendix K, pp 42

<sup>47</sup>Uganda ESIA, Appendix K, pp 63

the resettlement process. This is an area of possible focus and advocacy for Oxfam in the future.

### Women's health and safety

The ESIA states that there is the potential for high-risk sexual behaviour along transport corridors to, from and within the project area.<sup>48</sup> Drivers are a high-risk group, often having multiple sexual partners and supporting sexual networks along transport corridors, engaging in high-risk sexual practices that may promote the spread and incidence of sexually transmitted infections, including HIV.<sup>49</sup> Women (and young girls) who are already engaged in commercial sex, often target truck drivers for commercial or transactional sex and truck drivers generally target women for company and entertainment.<sup>50</sup>

The ESIA acknowledges that despite requirements that employees housed at the project camps must remain there after work hours, there will inevitably be interaction between the project's workforce and local communities.<sup>51</sup> Further, interactions between workers (and the conditions at the workers camps) may result in the spread of communicable diseases including pulmonary tuberculosis and HIV, initially from labour sourced outside the project area to local workers, and then to local workers families and to communities.<sup>52</sup>

The ESIA states that because of the potential for employment opportunities and other indirect economic possibilities, the in-migration of job seekers, commercial sex workers and people seeking business opportunity is likely to occur, particularly near project camps.<sup>53</sup> The associated living conditions and housing standards may be poor as job opportunities may be of a temporary nature only and people may soon move elsewhere.<sup>54</sup> Poor standards of housing, associated with overcrowding and poor environmental hygiene, is a contributing factor to the development and spread of diseases in communities.<sup>55</sup> The in-migration of job seekers may lead to an increase in commercial sex work, which, in the existing polygamous environment, may cause an increase in sexually transmitted diseases.<sup>56</sup> Further, in-migration may result in increases in so-called 'social ills' in local communities, including substance abuse, unplanned pregnancies and GBV.<sup>57</sup>

Local health facilities have limited capacity to manage an outbreak of any communicable disease,<sup>58</sup> and the in-migration of people to project areas will place additional on local health facilities.<sup>59</sup>

Project in-migration may increase the pressure on local water resources causing a decline in the quality and quantity of available potable water resources. Along with poor sanitation facilities and potential poor hygiene practices, this may cause an

<sup>48</sup>Uganda ESIA, pp 8-302

<sup>49</sup>Uganda ESIA, pp 8-302

<sup>50</sup>Uganda ESIA, pp 8-302

<sup>51</sup>Uganda ESIA, pp 8-303

<sup>52</sup>Uganda ESIA, pp 8-304

<sup>53</sup>Uganda ESIA, pp 8-305

<sup>54</sup>Uganda ESIA, pp 8-305

<sup>55</sup>Uganda ESIA, pp 8-304

<sup>56</sup>Uganda ESIA, pp 8-305

<sup>57</sup>Uganda ESIA, pp 8-333

<sup>58</sup>Uganda ESIA, pp 8-304

<sup>59</sup>Uganda ESIA, pp 8-306



increase in water-related diseases (i.e., diarrhoea) and potentially increase the risk of outbreaks of typhoid, dysentery and cholera in project areas.<sup>60</sup>

The ESIA identified a number of project impacts that have implications for women's (and girls) health and safety, including the potential for increased commercial and transactions sex in project areas, and increased spread of communicable diseases due largely to the in-migration of people seeking project employment or business opportunities. The ESIA states that these impacts will be managed by measures outlined in the project's community health, safety and security plan; occupational health and safety plan (including a sexual and communicable diseases prevention plan); labor management plan; and project induced in-migration plan.<sup>61</sup>

Further, the ESIA states that awareness projects targeting schools will address risks of relationships with transient workers, and commercial and transactional sex;<sup>62</sup> an information, education and communication program will be developed for workers addressing social conduct and topics such as GBV and drug and alcohol misuse;<sup>63</sup> and policies developed to address the failure of employees to abide by a workers' code of conduct.<sup>64</sup> The workers' code of conduct will outline expected worker behaviours including the interaction between the national, international and local workforce, and interactions with local communities.<sup>65</sup> The ESIA mentions the workers code of conduct in the context of likely project impacts with regards to a likely increase in the burden of disease along the project's transport corridors caused by drivers spreading communicable diseases, and not explicitly with regards to sexual exploitation or abuse, or the protection of women and girls.

The ESIA has failed to recognise that the spread of communicable diseases would have significant impacts on women's unpaid care work (as it would be women responsible for caring for sick workers or other family members). The ESIA also fails to truly grasp the implications for women and girls, and their health and safety, resulting from the in-migration of large numbers of mostly men seeking project employment and other opportunities. While the increase in commercial sex work in project area is acknowledged, for example, the effect this might have on women and young girls (particularly those living in communities near project camps), and their ability to move freely and safely in their communities, is not considered. Other research points to impact this can have on women and girls. For example, research from Mongolia has found that the presence of large number of men working at mining sites resulted in local women reporting that they no longer feel safe to walk alone at night and that when they do venture out, they now travel in groups.<sup>66</sup> Women also reported that cars of men would stop and ask them if they are prostitutes or if they want to go for a 'drive' with them. These experiences impinge on women's freedom to move and contribute to a woman's sense of insecurity in her community.<sup>67</sup>

## Other impacts

<sup>60</sup> Uganda ESIA, pp 8-307

<sup>61</sup> Uganda ESIA, pp 8-310, 8-312

<sup>62</sup> Uganda ESIA, pp 8-311

<sup>63</sup> Uganda ESIA, pp 8-336

<sup>64</sup> Uganda ESIA, pp 8-312

<sup>65</sup> Uganda ESIA, pp 8-311

<sup>66</sup> Mapping Gender Based Violence and Mining Infrastructure in Mongolian Mining Communities, Isabel Cane, Amgalan Terbish and Onon Bymbasuren, 2014, <https://im4dc.org/wp-content/uploads/2013/09/Mapping-gender-based-violence-and-mining-infrastructure-in-Mongolian-mining-communities-Full-Report2.pdf>

<sup>67</sup> ibid

Wider economic effects of the project, including during the construction phase, are given little consideration. For example, it is acknowledged that the project may cause price inflation.<sup>68</sup> Yet this is not discussed in any detail at all including with respects to what items or services are mostly likely affected, who in the household pays for these items or services, and how uses these items or services. As the ESIA notes, girls are more likely to be withdrawn from school than boys because of cultural norms<sup>69</sup> which might be relevant if schools fees increase, or a greater share of household income is required to pay for other necessities.

## 2.2 Tanzania export pipeline, marine storage facility and load out facility

In Tanzania, the EACOP consists of 1,147 km of buried pipeline, above ground infrastructure including pumping stations and valves, access roads, construction camps (for project employees) and equipment yards located, and the marine storage facility (MSF) located in the coast.<sup>70</sup> The MSF would have a minimum storage capacity of 2 million barrels.<sup>71</sup> From the MSF, the crude oil would be transferred via a 1.9 km trestle to a loading platform (the load out facility, LOF) where it is then loaded onto tankers.<sup>72</sup> The pipeline travels through areas that include areas with cultivated land and population settlements.<sup>73</sup> The project will required approximately 4,000 hectares of land, including a permanent 30 m right-of-way along the pipeline.<sup>74</sup> Land would be acquired by the Tanzanian government and leased to the project.

The Tanzania pipeline and MSF EIA describes the stakeholder consultation process for the ESIA. The EIA states that particular attention was paid to vulnerable groups (which includes women, among many others) during the consultation process.<sup>75</sup> Over 8,000 people, representing national through to local-level stakeholders and affected groups, participated in various meetings at the scoping, baseline and impact assessment and pre-submission phase.

While the EIA states that attention was given to women's participation, including hosting 10 focus group discussions for women only,<sup>76</sup> and other women only group sessions and interviews,<sup>77</sup> the ESIA does not provide information on the total number of women and total number of men who participated in these meetings. Hence it is not possible to verify the extent to which particular attention was paid to women.

That said, the ESIA does highlight those concerns (and aspirations) most frequently raised by women in the focus group discussions during the baseline and impact assessment phase. The most commonly cited concerns (as categorized in the EIA) from women related to health, standard of living, community safety and welfare, and land a property.<sup>78</sup>

### Land, livelihoods, and food security

<sup>68</sup>Uganda ESIA, pp 8-176

<sup>69</sup>Uganda ESIA, pp 8-209, 8-210

<sup>70</sup>Tanzania pipeline and MSF EIA, pp ES2

<sup>71</sup>Tanzania pipeline and MSF EIA, pp 2-17

<sup>72</sup>Tanzania LOF EIA, pp 1-1, 2-3

<sup>73</sup>Tanzania pipeline and MSF EIA, pp ES2

<sup>74</sup>Tanzania pipeline and MSF EIA, pp 2-29, 2-30

<sup>75</sup>Tanzania pipeline and MSF EIA, pp 7-4, 7-5

<sup>76</sup>Tanzania pipeline and MSF EIA, pp 7-18 (other focus groups with community leaders and women were also held)

<sup>77</sup>Tanzania pipeline and MSF EIA, pp 7-11

<sup>78</sup>Tanzania pipeline and MSF EIA, pp 7-24

The EIA estimates that approximately 4,000 direct construction jobs will be generated in Tanzania over the three-year construction phase, of which 3,600 may be skilled and semiskilled and 400 unskilled.<sup>79</sup> Based on local content requirements, approximately 2,400 workers (60% of the workforce) will be nationals, and the remaining 1,600 will be foreign workers.<sup>80</sup> The project will also create indirect and induced employment (estimated at 18,700 employment opportunities) in other sectors such as logistics and supply chains, catering and security during the construction phase.<sup>81</sup> The project will then create an estimated 300 jobs during operation – with approximately 200 workers may be nationals in the first ten years, increasing to at least 255 workers after 10 years.<sup>82</sup>

The EIA does not state how many of these jobs will be for men and for women, or identify barriers women might face in obtaining direct or indirect employment activities (except to say that women and young people seem to have few paid work opportunities).<sup>83</sup> The EIA does acknowledge that men are more likely than women to benefit from project employment.<sup>84</sup> The EIA also acknowledges that increased incomes earned by men may not necessarily be used for the benefit of workers' households and instead that increased access to cash could lead to an increase in the incidence of substance abuse and a rise in GBV in the household.<sup>85</sup>

The agricultural sector dominates the economy in terms of contribution to national GDP and as a livelihood to the majority of the population. Households engaged in agriculture tend to undertake mixed farming activities (crops and livestock) to prevent shocks, such as drought or pest infestations, to household income.<sup>86</sup> Farmers in the districts traversed by the EACOP are predominantly engaged in subsistence agriculture, characterised by low-input, low-output family farming activities with trading of surplus crops.<sup>87</sup> Most households engage in crop growing and rely on household members (ie men, women and children) for labour, with girls and boys participating in farming when not at school.<sup>88</sup> In these households, women's workloads exceed that of men's by several hours a day – women are involved in crop production, post-harvest processing and storage, marketing of produce, processing staples such as maize and rice for consumption and general household tasks.<sup>89</sup> Women involved with crop farming have limited access to land and capital to improve farming activities.<sup>90</sup>

The EIA acknowledges that employment with the project may cause a lack of attention to, or possible abandonment of, existing subsistence livelihood activities (such as crop growing and livestock rearing) for local people employed by the project.<sup>91</sup> Achieving the level of agricultural productivity established before project employment may require time, during which, household food security and nutrition may be compromised if replacement income sources are not available.<sup>92</sup> This may

<sup>79</sup>Tanzania pipeline and MSF EIA, pp 8-227, 8-228

<sup>80</sup>Tanzania pipeline and MSF EIA, pp 8-228

<sup>81</sup>Tanzania pipeline and MSF EIA, pp 8-228

<sup>82</sup>Tanzania pipeline and MSF EIA, pp 8-231

<sup>83</sup>Tanzania pipeline and MSF EIA, pp 8-238

<sup>84</sup>Tanzania pipeline and MSF EIA, pp 8-413

<sup>85</sup>Tanzania pipeline and MSF EIA, pp 8-238

<sup>86</sup>Tanzania pipeline and MSF EIA, pp 6-229, 6-230

<sup>87</sup>Tanzania pipeline and MSF EIA, pp 6-230

<sup>88</sup>Tanzania pipeline and MSF EIA, pp 6-231

<sup>89</sup>Tanzania pipeline and MSF EIA, pp 6-231

<sup>90</sup>Tanzania pipeline and MSF EIA, pp 8-267

<sup>91</sup>Tanzania pipeline and MSF EIA, pp 8-240

<sup>92</sup>Tanzania pipeline and MSF EIA, pp 8-240

cause an economic shock at household level and a drop in the standard of living, which could potentially increase alcohol abuse and GBV.<sup>93</sup>

Further, household members who may gain employment from the project will not be available for household land-based livelihood activities (eg crop farming).<sup>94</sup> This may increase the contribution of the remaining spouse (ie the wife, whose work burden is already very high) and children to land-based livelihoods.<sup>95</sup> Increased child labour requirements may jeopardise school attendance, especially for girls are more likely to be withdrawn from school than boys due to cultural norms, and if the woman is employed by the project, girls will more likely be withdrawn from school to fulfil household tasks.<sup>96</sup>

The EIA states that permanent land acquisition of approximately 4,000 hectares will cause loss or severance of agricultural land and without access to land, a household's livelihood, food security and wellbeing could be severely affected.<sup>97</sup> Because women are particularly engaged in crop farming and use the income generated to reinforce household food security and pay for their children's education and healthcare,<sup>98</sup> they would be particularly impacted (men's incomes are not necessarily used for the benefit of the household). Further, households without alternative assets or sources of income (which is typically of female-headed households for example) would be particularly affected by permanent loss of rights to land.<sup>99</sup> Resettlement, if suitable alternatives to producing or securing food are not available, may result in increased food security, with female-headed households being particularly vulnerable.<sup>100</sup>

Many people are also engaged in fisheries and related activities including those communities located on the coast near the MSF and LOF.<sup>101</sup> Fisheries are an increasingly important livelihood for communities near the MSF and LOF because of the lack of alternative livelihood activities.<sup>102</sup> Additionally, many women supplement family incomes through intertidal gleaning activities, and from processing and sale of fish.<sup>103</sup> Construction of the LOF will cause a loss of and restricted access to parts of the intertidal gleaning areas,<sup>104</sup> affecting women whose only source of income is from gleaning activities. The LOF may affect fish stocks and restrict access to fishing grounds and fishing transit routes,<sup>105</sup> and project in-migration may increase pressure on fish stocks,<sup>106</sup> potentially affecting household food security and incomes.

Artisanal and small-scale mining is widespread in Tanzania,<sup>107</sup> including in project areas, and provides an alternative livelihood to agricultural subsistence farming and offers employment where there are few other livelihood alternatives.<sup>108</sup> Women engaged in artisanal and small-scale mining earn considerably less than men

<sup>93</sup>Tanzania pipeline and MSF EIA, pp 8-240

<sup>94</sup>Tanzania pipeline and MSF EIA, pp 8-276

<sup>95</sup>Tanzania pipeline and MSF EIA, pp 8-276

<sup>96</sup>Tanzania pipeline and MSF EIA, pp 8-276

<sup>97</sup>Tanzania pipeline and MSF EIA, pp 8-271

<sup>98</sup>Tanzania pipeline and MSF EIA, pp 8-271

<sup>99</sup>Tanzania pipeline and MSF EIA, pp 8-321

<sup>100</sup>Tanzania pipeline and MSF EIA, pp 8-379

<sup>101</sup>Tanzania pipeline and MSF EIA, pp 6-253, 655

<sup>102</sup>Tanzania pipeline and MSF EIA, pp 6-258

<sup>103</sup>Tanzania pipeline and MSF EIA, pp 6-259

<sup>104</sup>Tanzania pipeline and MSF EIA, pp 8-299

<sup>105</sup>Tanzania pipeline and MSF EIA, pp 8-300

<sup>106</sup>Tanzania pipeline and MSF EIA, pp 8-301

<sup>107</sup>Tanzania pipeline and MSF EIA, pp 6-240

<sup>108</sup>Tanzania pipeline and MSF EIA, pp 8-267

engaged in this sector do,<sup>109</sup> and may be relying on mining as a sole livelihood activity,<sup>110</sup> although women have not been specifically identified in the ESIA as being particularly vulnerable to project impacts in this regard. The project pipeline will traverse several areas where artisanal and small-scale mining occurs.<sup>111</sup>

Forests, woodlands and other ecosystems provide local communities with natural resources such as fuel (firewood, charcoal), wild foods (honey, insects, mushrooms, bush meat), timber, medicinal plants and grasses, which play a vital part in the subsistence of rural communities in terms of energy for cooking, food security, construction materials for shelter, medicine and income.<sup>112</sup> Poorer households (such as female-headed households) are dependent on natural resources for the provision of wild food, natural medicine and fuel-wood for cooking.<sup>113</sup> The project will result in the permanent loss of access to natural resources,<sup>114</sup> although the amount of land acquired by the project that contains valuable natural resources is not quantified.

Due to limited formal safety networks and services, people (and women in particular) are dependent on local social networks and community support. The resettlement of project affected people may impact upon their informal social networks and services, with the most vulnerable (which includes female-headed households among others) potentially losing access to social services.<sup>115</sup>

Under customary land law, women generally have inferior land rights relative to men, and their access to land is indirect and insecure. In allocating land, village councils have been guided by custom and have continued to discriminate against women by allocating land to heads of households who are usually men.<sup>116</sup> Female-headed households are particularly vulnerable as discrimination excludes women from owning inheriting and controlling land.<sup>117</sup> As the value of land increases, the male dominance over land-related decisions is likely to increase.<sup>118</sup> Further, compensation for loss of land is typically paid to the head of household (men) without spousal consent, leaving women vulnerable in terms of access to that compensation.<sup>119</sup>

Procurement of food by the project from local markets may lead to a rise in the cost of basic foodstuffs. This may impact on food security and limit the diversity of diets in households that are dependent on food procurement as opposed to subsistence agricultural activities.<sup>120</sup> This has implications for women who are typically responsible for their household's food security. Owing to elevated levels of income insecurity and land tenure, women headed households are particularly vulnerable to food price inflation.<sup>121</sup>

The EIA identifies a numbers of negative impacts for women (and girls) linked to land acquisition and livelihoods. The EIA also identifies a number of negative impacts for women (and girls) linked to project employment. These impacts have implications for women's workloads, their ability to provide for the needs of their families, their safety

<sup>109</sup> Tanzania pipeline and MSF EIA, pp 6-246

<sup>110</sup> Tanzania pipeline and MSF EIA, pp 6-247

<sup>111</sup> Tanzania pipeline and MSF EIA, pp 8-272

<sup>112</sup> Tanzania pipeline and MSF EIA, pp 6-248

<sup>113</sup> Tanzania pipeline and MSF EIA, pp 8-267

<sup>114</sup> Tanzania pipeline and MSF EIA, pp 8-273

<sup>115</sup> Tanzania pipeline and MSF EIA, pp 8232

<sup>116</sup> Tanzania pipeline and MSF EIA, pp 6-262

<sup>117</sup> Tanzania pipeline and MSF EIA, pp 8315

<sup>118</sup> Tanzania pipeline and MSF EIA, pp 6-264

<sup>119</sup> Tanzania pipeline and MSF EIA, pp 6-266

<sup>120</sup> Tanzania pipeline and MSF EIA, pp 8-388

<sup>121</sup> Tanzania pipeline and MSF EIA, pp 6-286

in the home, girls' education and power relations in the household – although the ESIA does not typically describe these impacts using this terminology.

Various management plans, including the stakeholder engagement and labour management plans,<sup>122</sup> will be developed to address project impacts. The resettlement action plan is another and will include measures that address land and livelihood related impacts, including procedures related to compensation for loss of assets and livelihood restoration strategies to ensure livelihoods are restored to pre-project levels as a minimum.<sup>123</sup>

A resettlement policy framework has been developed and presented to the Tanzanian government. The purpose of the resettlement policy framework is to define the principles for land access, compensation and resettlement planning, and is the foundation for the development of resettlement action plans or livelihood restoration plans.<sup>124</sup> Appendix L of the Tanzania pipeline and MSF EIA contains the resettlement policy framework. Area specific resettlement action plans and livelihood restoration plans will be developed separately.

The resettlement policy framework identifies women headed households, which comprise one third of all households in Tanzania, as being particularly vulnerable.<sup>125</sup> Along with others, vulnerable people are eligible for compensation and assistance if they experience losses or increased vulnerability because of physical or economic displacement.<sup>126</sup> The EIA does acknowledge that the main preference for compensation among local men tends to be cash payments rather than in-kind compensation and that this compensation may not necessarily be used for the benefit of the household, potentially reducing the households food security.<sup>127</sup> The resettlement policy framework does though state that where affected land is not economically viable that replacement land and housing (along with cash and a combination of cash and replacement land and housing) will be offered to affected people,<sup>128</sup> and that this is the project's preferred form of compensation.<sup>129</sup> The EIA also states that people who elect for cash compensation for land and houses will need to demonstrate that: their spouse and dependents agree with the selection of cash compensation; they have arrangements in place to move to another house and/or to utilise other land, or better use existing land; and they have the means to maintain or restore their livelihoods.<sup>130</sup> While this is not framed in the EIA as a means to ensure a more gender responsive or equitable compensation process, it could contribute towards achieving this if well implemented. It should be noted that the resettlement policy framework does not state that it seeks to ensure that the compensation process is gender responsive or equitable, and apart from the discussion on a preference for in-kind compensation (which may have some benefits for gender equality) does not propose any measure with this goal in mind.

### Women's health and safety

The EIA states that there is the potential for increased high-risk sexual behaviours along transport corridors to, from and within the project area that may promote the

<sup>122</sup> See chapter 10 of the Tanzania pipeline and MSF EIA for an outline of the content of these plans

<sup>123</sup> Tanzania pipeline and MSF EIA, pp 8-281

<sup>124</sup> Tanzania pipeline and MSF EIA, pp 8-317

<sup>125</sup> Tanzania pipeline and MSF EIA, Appendix L, pp 70

<sup>126</sup> Tanzania pipeline and MSF EIA, Appendix L, pp 94, 95

<sup>127</sup> Tanzania pipeline and MSF EIA, pp 8-413

<sup>128</sup> Tanzania pipeline and MSF EIA, Appendix L, pp 39

<sup>129</sup> Tanzania pipeline and MSF EIA, Appendix L, pp 103

<sup>130</sup> Tanzania pipeline and MSF EIA, Appendix L, pp 104, 105, 106

spread and incidence of sexually transmitted infections, including HIV.<sup>131</sup> Drivers are a well-documented high-risk group, often having multiple sexual partners and supporting sexual networks along transport corridors, as they are away from their usual family network and have disposable income.<sup>132</sup> Women who are already engaged in commercial sex, often target truck drivers for commercial or transactional sex.<sup>133</sup> Sex work already takes place in several sample project affected communities, and is reported to be on the increase due to poverty and lack of employment opportunities.<sup>134</sup>

Skilled employees would most likely be sourced from outside project areas, and accommodated in project camps. The EIA acknowledges that despite the requirement that workers must remain in the camps after working hours a certain amount of interaction between the project workforce and local communities is unavoidable.<sup>135</sup> Further, the externally contracted workforce may originate from a country or area where the burden of communicable diseases (such as pulmonary tuberculosis and HIV) is higher than in local communities increasing local transmission patterns in both the project workforce and ultimately the communities, as workers work and reside in close association with one another.<sup>136</sup>

Due to the perceived potential for employment prospects and other indirect economic possibilities, the project is likely to attract potential job seekers, commercial sex workers and business opportunity seekers, especially to areas near the project camps. The EIA states that likely poor standards of housing for these people, associated with overcrowding and poor environmental hygiene, may contribute to the development and spread of diseases in communities.<sup>137</sup> Further, the in-migration of job seekers and increase in commercial sex work in an existing polygamous environment may cause an increase in sexually transmitted diseases.<sup>138</sup>

The capacity and capabilities of local health systems to deal with an outbreak of communicable diseases are limited,<sup>139</sup> with in-migration placing further pressure on these systems.<sup>140</sup>

Project in-migration may increase the pressure on local water resources. Any decline in the quality and quantity of available potable water resources, in combination with poor sanitation facilities and potential poor hygiene practices, may cause an increase in water-related diseases (i.e., diarrhoea) and potentially increase the risk of outbreaks of typhoid, dysentery and cholera.<sup>141</sup>

The EIA identified a number of project impacts that have implications for women's (and girls) health and safety, including the potential for increased commercial and transactions sex in project areas, and increased spread of communicable diseases due largely to the in-migration of people seeking project employment or business opportunities. The ESIA states that these impacts will be managed by measures outlined in the project's various management plans, awareness and prevention

<sup>131</sup> Tanzania pipeline and MSF EIA, pp 8-382

<sup>132</sup> Tanzania pipeline and MSF EIA, pp 8-382

<sup>133</sup> Tanzania pipeline and MSF EIA, pp 8-382

<sup>134</sup> Tanzania pipeline and MSF EIA, pp 6-227

<sup>135</sup> Tanzania pipeline and MSF EIA, pp 8-384

<sup>136</sup> Tanzania pipeline and MSF EIA, pp 8-384

<sup>137</sup> Tanzania pipeline and MSF EIA, pp 8-385

<sup>138</sup> Tanzania pipeline and MSF EIA, pp 8-384

<sup>139</sup> Tanzania pipeline and MSF EIA, pp 8-384

<sup>140</sup> Tanzania pipeline and MSF EIA, pp 8-386

<sup>141</sup> Tanzania pipeline and MSF EIA, pp 8-387

programs (such as for HIV) and a workers code of conduct.<sup>142</sup> Like the Uganda ESIA, the Tanzania EIA mentions the workers code of conduct in the context of likely project impacts with regards to an increase in the burden of disease along the project's transport corridors caused by drivers spreading communicable diseases, and not explicitly with regards to sexual exploitation or abuse, or the protection of women and girls.

With the EIA has identified a number of project impacts on women, it has failed to recognise that the spread of communicable diseases would have significant impacts on women's unpaid care work (as it would be women responsible for caring for sick workers or other family members). The EIA also fails to truly grasp the implications for women and girls, and their health and safety, resulting from the in-migration of large numbers of mostly men seeking project employment and other opportunities. While the increase in commercial sex work in project area is acknowledged, for example, the effect this might have on women and young girls (particularly those living in communities near project camps), and their ability to move freely and safely in their communities, is not considered.

<sup>142</sup>Tanzania pipeline and MSF EIA, pp 8-394, 8-395, 8-396



## 3 Summary of findings and discussion

### 3.1 Gender impacts

The Uganda ESIA does a reasonable job of identifying some of the potential impacts on women from the EACOP. The impacts on women include potential loss of income linked to loss of land, increased work burden as men's labour is diverted to the project, a loss of power in the household if men earn cash wages, greater vulnerability to GBV and an increase in commercial and transactional sex work in project areas. Other impacts are also identified including the increased potential for the spread of communicable disease among nearby communities, which would impact women through an increase in women's unpaid care work as it is women who are typically responsible for the care of sick family members.

The Tanzania EIA also does a reasonable job of identifying some of the potential impacts on women from the EACOP, identifying these same potential impacts.

A review of the research on gender and extractive industries projects would point to all of these impacts as being highly likely, hence the gender impacts identified by the ESIA are not surprising. It should be noted that the Uganda ESIA and Tanzania EIA are almost identical in many of the sections reviewed for this gender analysis. This must call into question the rigor of the analysis and baseline that underpins the Uganda ESIA and Tanzania EIA, unless the context in each country is so similar that the project's impacts are therefore likely to be the same along the length of the pipeline.

### 3.2 Comparison with gender impact assessment

While the Uganda ESIA and Tanzania EIA do identify many potential impacts on women, the ESIA and EIA should not be considered equivalent to a gender impact assessment (GIA).

Gaps in the Uganda ESIA and Tanzania EIA include:

- Limited sex-disaggregated data. The Tanzania Socio-economic and Health Baseline Report<sup>143</sup> does not contain sex-disaggregated data on livelihoods, income, workloads or health statistics for example.<sup>144</sup> The Uganda Socio-economic and Health Baseline Report<sup>145</sup> does include some sex-disaggregated data (on agricultural activities<sup>146</sup> and livestock rearing activities<sup>147</sup>) but this is limited. Neither ESIA (or baseline) contains detailed sex-disaggregated data on the gender division of labour, or the resources women and men have access to and control of, consistent with Oxfam's guidance on GIA. While the related issues are not necessarily ignored the lack of data does not represent best practice.
- Lack of a nuanced understanding of the implications of the impacts identified on women. For example, given that women have few rights to land and often no alternative livelihood options, what are the implications for women of losing access to land if they are resettled?; what are the implications of the EACOP for women's power in the household (ie gender power relations) and women's unpaid care work?; and what are the implications for women and girls, and their

<sup>143</sup> Tanzania pipeline and MSF EIA, Appendix A11

<sup>144</sup> The key informant interview guidelines (used to guide interviews of agriculture, fisheries, land, business activities etc) contain very, very few questions on gender, or women and men's activities

<sup>145</sup> Uganda ESIA, Appendix A11

<sup>146</sup> Uganda ESIA, pp A11-72

<sup>147</sup> Uganda ESIA, pp A11-90

health and safety, resulting from the in-migration of large numbers of mostly men seeking project employment and other business opportunities?

- No consideration of how the EACOP might undermine (or contribute towards achieving) women's practical gender needs and strategic gender interests.

The significance of the project's potential impacts has been determined in each ESIA based on an assessment of the impact's magnitude, duration and extent, and the sensitivity of the group of people or segment of the environment impacted.<sup>148</sup> It should be noted that some women, including female-heads of households and sex workers, are often identified as being sensitive (or vulnerable) in the ESIA's.<sup>149</sup> While it does not appear that the impacts determined to be 'not significant' are precluded from consideration in the relevant management plans it is nevertheless worth looking at the what level of significance has been given to those impacts with clear gender implications.

Table 1 lists those impacts with clear gender implications that have been determined by the ESIA's to be not significant. For completeness, those impacts with clear gender implications determined to be significant are also listed (although as discussed elsewhere in this analysis, the ESIA does not necessarily identify the gender implications of the impact described). With the exception of the potential impacts on women who undertake intertidal gleaning activities near the MST and LOF in Tanzania, the Tanzania and Uganda ESIA's identify the same impacts and give each the same level of significance.

### **Table 1: Significant and not significant project gender impacts**

#### **Impacts determined to be not significant**

Loss of employment after project construction phase (potential for GBV linked to economic shocks in the household if pre-project employment livelihoods cannot be resumed)<sup>150</sup>

Household members seeking employment with the project will no longer be available for land-based livelihood activities (increased work burden for women as men's labour is withdrawn from household livelihood activities, and the potential that girls will be withdrawn from school to undertake household livelihood work and household chores)<sup>151</sup>

Permanent loss of natural resources (poor households, including female-headed households, are particularly dependent on natural resources)<sup>152</sup>

Loss of access to informal support networks and social services after physical displacement due to project land acquisition (women are particularly dependant on these networks and services)<sup>153</sup>

Resettled households' decreased food security (households affected by loss of land without adequate in-kind compensation may experience a decrease in food security, with female-headed households vulnerable)<sup>154</sup>

Project in-migration causing increased pressure on existing health services in local communities (while not stated in the ESIA this has the potential to increase women's unpaid care work if the increased care burden falls on them)<sup>155</sup>

<sup>148</sup> Tanzania pipeline and MSF EIA, pp 5-17; and Uganda ESIA pp 5-15

<sup>149</sup> See for example Tanzania pipeline and MSF EIA pp 8-377

<sup>150</sup> Uganda ESIA, pp 8-174; and Tanzania pipeline and MSF EIA, pp 8-240, 8-241

<sup>151</sup> Uganda ESIA, pp 8-209, 8-210; and Tanzania pipeline and MSF EIA, pp 8-276

<sup>152</sup> Uganda ESIA, pp 8-207; and Tanzania pipeline and MSF EIA, pp 8-273

<sup>153</sup> Uganda ESIA, pp 8-247; and Tanzania pipeline and MSF EIA, pp 8-323

<sup>154</sup> Uganda ESIA, pp 8-300; and Tanzania pipeline and MSF EIA, pp 8-379, 8-380

<sup>155</sup> Uganda ESIA, pp 8-306; and Tanzania pipeline and MSF EIA, pp 8-386, 8-387

Nutrition of local communities compromised by reduced food security due to the procurement of food for the project (while not stated in the ESIA this has the potential to impact on women if they are responsible for providing food for their families or caring for family members who become sick because of poor nutrition)<sup>156</sup>

The capturing of project benefits by men leads to a decrease in quality of life and access to resources for women and children in PACs (including with regards to employment and compensation, and increased GBV)<sup>157</sup>

Project in-migration causing an increase in social ills (including increased GBV, and commercial sex work occurring in project areas)<sup>158</sup>

### **Impacts determined to be significant**

Permanent loss of land used for crop farming (women are particularly engaged in crop farming and use the income generated for the benefit of the family)<sup>159</sup>

Permanent loss of access to artisanal mining sites (women have less access to capital than men and fewer alternative income options)<sup>160</sup>

Loss of, or restriction of access to, intertidal gleaning sites due to the marine exclusion zone (impacting women in particular whose only income is from gleaning activities)<sup>161</sup>

Permanent loss of private land due to project land acquisition (those most affected are those without alternative assets or sources of income, including female-headed households)<sup>162</sup>

An increase in the burden of disease along the project's transport corridors caused by drivers spreading communicable diseases (linked to increased high-risk sexual behaviours and commercial sex work)<sup>163</sup>

The transmission of communicable diseases between the project's externally contracted workforce and project affected communities (while not stated in the ESIA this has the potential to increase women's unpaid care work)<sup>164</sup>

Outbreaks of infectious conditions within project camps affecting the health of local communities (while not stated in the ESIA this has the potential to increase women's unpaid care work)<sup>165</sup>

Reduction in the availability of potable water in local communities due to project in-migration (while not stated in the ESIA this has the potential to increase women's work burden given that women are responsible for collecting water for the household, and caring for family members who became sick because of a lack of clean water)<sup>166</sup>

A GIA is unlikely come to the same conclusions on the significance of the project's impacts on women because of its focus on the most marginalised and vulnerable; its

<sup>156</sup> Uganda ESIA, pp 8-307; and Tanzania pipeline and MSF EIA, pp 8-388

<sup>157</sup> Uganda ESIA, pp 8-331, 8-33; and Tanzania pipeline and MSF EIA, pp 8-413

<sup>158</sup> Uganda ESIA, pp 8-333; Tanzania pipeline and MSF EIA, pp 8-415

<sup>159</sup> Uganda ESIA, pp 8-205; and Tanzania pipeline and MSF EIA, pp 8-271

<sup>160</sup> Uganda ESIA, pp 8-206, 8-207; and Tanzania pipeline and MSF EIA, pp 8-276, 8-277

<sup>161</sup> Tanzania pipeline and MSF EIA, pp 8-299

<sup>162</sup> Uganda ESIA, pp 8-243, 8-244; and Tanzania pipeline and MSF EIA, pp 8-320, 8-321

<sup>163</sup> Uganda ESIA, pp 8-302, 8-303; and Tanzania pipeline and MSF EIA, pp 8-382, 8-383

<sup>164</sup> Uganda ESIA, pp 8-304; and Tanzania pipeline and MSF EIA, pp 8-384

<sup>165</sup> Uganda ESIA, pp 8-305; and Tanzania pipeline and MSF EIA, pp 8-385

<sup>166</sup> Uganda ESIA, pp 8-307; and Tanzania pipeline and MSF EIA, pp 8-387

focus on women's perspectives, needs and interests; and by being human rights compatible.<sup>167</sup>

### 3.3 Role of management plans

The project will develop management plans designed to mitigate the project's potential impacts. These impacts have been summarised in the project's Environmental and Social Management Plans (ESMP),<sup>168</sup> which also outline mitigation measures, performance measures and monitoring parameters.

The minimum content for those management plans<sup>169</sup> considered most relevant to the project's gender impacts are outlined in Table 2. While these plans, if properly implemented, have the potential to mitigate some of the project's gender impacts the minimum content makes no reference to women or gender.

#### Table 2: Minimum content of project management plans

The **stakeholder engagement plan** will define the approach to maintain a social licence to operate among project-affected communities and will address:

- effective messaging, including: construction safety awareness, communicable diseases, employment opportunities and limitations, expectation management, grievance procedure
- activities of community liaison officers
- information sharing
- community relations training
- initiatives to establish good community relations
- the grievance procedure

The **resettlement action plan** will define the approach for addressing physical or economic displacement of project affected persons and will detail:

- the applicable national and international laws, policies and standards that will govern the resettlement programme and the land acquisition process
- the methods of identifying affected people
- resettlement, valuation and compensation mechanism for planned activities and accidental damage
- livelihood restoration process for land and water-based livelihoods
- stakeholder engagement and participation

The **labour management plan** will define the approach to ensure recruitment practices and working conditions comply with legal requirements and project standards and will include:

- recruitment policies and process, including guidance for local recruitment provision for national content, development of local enterprise and capacity development
- location and operation of recruitment centres
- labour contracts, including workers' rights, workers' conduct, camp rules and workers' grievance procedure
- disciplinary procedures
- a retrenchment plan to manage retrenchment at the end of the construction phase
- workforce environmental and social training and awareness programmes, and local skills development
- training to ensure workforce have the skills to perform their responsibilities

The **project induced in-migration management plan** will define the approach to prevent project induced in-migration and manage associated impacts and will address:

- measures to avoid or minimise consequences associated with the in-migration of

<sup>167</sup> See principles outlined in Oxfam's 'A guide to gender impact assessment for the extractive industries' for example

<sup>168</sup> Uganda ESIA, Appendix J and Tanzania pipeline and MSF EIA, Appendix J (Management Plan) and Appendix K (Monitoring Plan)

<sup>169</sup> Uganda ESIA pp 10-10, 10-11, 10-12; and Tanzania pipeline and MSF EIA pp 10-10, 10-11, 10-12

- people into project areas due to the project's presence and activities.
- measures to manage planned and unplanned in-migration and the indirect impacts of this on biodiversity and host communities

The **community health, safety and security plan** will define the approach to manage community health, safety and security matters and will address:

- community health including the management of sexual and communicable diseases, and vector control plan
- construction activity awareness and community safety
- community security

The **occupational health, safety and security plan** will define the management of workforce occupational health, safety and security and will address:

- camp workforce health and wellbeing
- drug and alcohol policy
- camp facilities, including health clinics and potable water provision
- workforce fitness for work, sexual and communicable diseases prevention plan, vaccine preventable diseases management plan and vector control plan
- pest control and appropriate measures to reduce workforce interactions with wildlife
- safe procedure should unexploded ordnance be encountered during construction and or operation activities

There would be value in Oxfam prioritising work to influence the content of these plans to ensure the project adequately addresses its likely gender impacts. However, it is highly unlikely that all project impacts can be avoided, even if good management plans are developed and then properly implemented. Impacts such as the capturing of project benefits and compensation by men, greater vulnerability to GBV and a reduction in women's ability to move freely and safely in their communities are almost inevitable, as the experience from the West-Africa and Chad-Cameroon oil and gas pipelines demonstrates.<sup>170</sup> Further, and as the Oxfam teams in Uganda and Tanzania have noted, projects of this kind will increase the potential for the sexual exploitation and abuse of women and girls. For example, other infrastructure projects have resulted in families forcing their daughters to engage in paid sex work with project workers for the economic gain of the family. Experience shows that it is difficult for organisations to investigate these abuses and advocate on behalf of affected women and girls because doing so can disrupt the flow of financial benefits to local communities. A clear strategy to protect women and girls from sexual exploitation is therefore needed.

Project in-migration is area where impacts on women are likely (including for example impacting on women's safety and ability to move freely in their communities, and increasing women's unpaid care work). Project in-migration is discussed further in the following section, and in Appendix 1, because of its importance from a gender perspective.

### 3.4 Project induced in-migration

Both ESIA's assess the potential impacts of project in-migration in their chapters on identifying and evaluating impacts on community health. By way of comparison, the Social and Environmental Impact Assessments for Rio Tinto's Simandou mine and rail project in Guinea contains a standalone chapter on in-migration.<sup>171</sup> The potential for project in-migration, its likely impacts and management approaches are more comprehensively covered in the Simandou ESIA's than they are in the EACOP ESIA's.

<sup>170</sup> Gender Action and FOEI, Broken Promises: Gender impacts of the World Bank-financed West-Africa and Chad-Cameroon gas pipelines, 2011, <http://www.genderaction.org/publications/11/chad-cam-waggp-pipelines.pdf>

<sup>171</sup> <https://www.riotinto.com/energyandminerals/seia-13651.aspx>

While the Simandou ESIA's do identify potential impacts of project in-migration that will have implications for women, the assessment is not gendered per se.

A Centre for Social Responsibility in Mining study on project induced in-migration and large-scale mining<sup>172</sup> found that:

- The general knowledge base on the management of project induced in-migration remains shallow and under-developed and there is not much depth to the literature on this topic, either for mining or more broadly
- Management plans are rarely publicly available, and there is little knowledge exchange across the extractive industries, and between industry, governments, civil society and relevant specialists
- There is virtually no published literature on the management of project induced in-migration

With this in mind, Appendix 1 contains an overview of some of the key documents that do exist in the public domain and that may inform Oxfam's future work on this issue (these documents do not necessarily have a strongly gendered approach though). Of note is a human rights impact assessment by the Danish Institute for Human Rights of Total's Papua LNG project.<sup>173</sup> This study focuses on gender, security and conflict, and considers the impacts of project in-migration. It makes some useful recommendations to ensure that measures implemented to address in-migration are gender sensitive. There would be value in Oxfam speaking with the Danish Institute for Human Rights to get a sense of Total's reaction to that study, and the Danish Institute for Human Rights' sense of Total's interest in and capacity to address the issues raised. This may inform Oxfam's advocacy approach with regards to the EACOP.

### 3.5 Total's commitments

Both ESIA's outline Total East Africa Midstream's Health, Safety, Security, Society and Environmental Charter.<sup>174</sup> This Charter makes no specific mention of women (or men), gender or human rights, except by referencing Total's commitment to the Voluntary Principles on Security and Human Rights.

At a corporate level, Total commits to respecting the human rights of local communities and employees.<sup>175</sup> Its Human Rights Guide provides some elaboration with regards to GBV and security, and gender discrimination and harassment in the workplace,<sup>176</sup> but make no specific commitments to gender equality or women's rights. There may be opportunities to influence this.

<sup>172</sup> Bainton, Vivoda, Kemp, Owen and Keenan (2017) *Project-Induced In-Migration and Large-Scale Mining: A Scoping Study*. Centre for Social Responsibility in Mining (CSRM), The University of Queensland, <https://www.csr.uq.edu.au/media/docs/1486/csr-2017-projectinducedmigrationlargescalemining.pdf>

<sup>173</sup> Gotzmann and Bainton (2019) Papua LNG Human Rights Impact Assessment: focus on gender, security and conflict, Danish Institute for Human Rights, <https://www.humanrights.dk/publications/papua-lng-human-rights-impact-assessment>

<sup>174</sup> For example Tanzania pipeline and MSF EIA, pp 10-2, 10-3

<sup>175</sup> <https://www.total.com/en/our-group/ethics/exemplary-behavior>

<sup>176</sup> [https://www.total.com/sites/default/files/atoms/files/human\\_rights\\_internal\\_guide\\_va.pdf](https://www.total.com/sites/default/files/atoms/files/human_rights_internal_guide_va.pdf)

## 4. Concluding comments and recommendations

The EACOP will, most likely, disproportionately and negatively impact on women, and the ESIA do identify numerous impacts on women. The impacts on women include potential loss of income linked to loss of land, increased work burden as men's labour is diverted to the project, a loss of power in the household if men earn cash wages, the capturing of project benefits and compensation by men, greater vulnerability to GBV, an increase in commercial and transactional sex work in project areas, and a likely increase in women's unpaid care work.

It is understood that relevant legislation in Tanzania and Uganda requires a public consultant process for each ESIA, although it is also understood that in Tanzania the government may not comply with its own laws and as such the Tanzania EIA may never be published.

It is recommended that Oxfam and its partners in Tanzania and Uganda:

1. Use the public consultation process for the ESIA to highlight the potential gender impacts of the EACOP engaging directly with Total, the other project partners, and the Tanzanian and Ugandan governments, and with civil society and the wider public more broadly
2. Seek agreement from Total, the other project partners, and the Tanzanian and Ugandan governments that the development of relevant management plans will involve meaningful stakeholder consultation and participation
3. Engage directly with Total, the other project partners, and the Tanzanian and Ugandan governments on the development of the following management plans ensuring that each addresses key gender impacts (including those determined by the ESIA to be not significant and that have not be identified at all, such as in relation to women's unpaid care work):
  - stakeholder engagement plan
  - resettlement action plan and livelihood restoration plan
  - labour management plan (and workers' code of conduct)
  - project induced in-migration management plan
  - community health, safety and security plan
  - occupational health, safety and security plan
4. Engage directly with Total, the other project partners, and the Tanzanian and Ugandan governments encouraging them to develop a project gender action plan that would include:
  - all mitigation measures agreed to in the individual management plans
  - other actions aimed at addressing impacts not fully identified in the ESIA (this might include actions focused on the project's impact on women's unpaid care work, and the sexual exploitation and abuse of women and girls)
  - actions aimed supporting women's practical gender needs and strategic gender interests more generally
5. Engage directly with Total encouraging it to develop a gender policy, and to commit to GIA for all future projects, noting the inadequacy of ESIA to fully identify the gender impacts of oil and gas projects

## Appendix 1: Project induced-in migration – an overview of key documents

### Project-Induced In-Migration and Large-Scale Mining: A Scoping Study, Centre for Social Responsibility in Mining (CSRSM)

This study<sup>177</sup> identifies the IFC's *Handbook for Addressing Project-Induced In-migration* as the only publicly available resource on PIIM for extractive companies, lending agencies, government authorities, consultants and practitioners. The handbook provides guidance to assess the risk of project induced in-migration and promotes a planned approach for effective management. It is, according to CSRSM, judged by industry practitioners to be comprehensive and containing sound guidance.

The CRSM study finds that:

- Compliance with financial lender conditions (ie Equator Principles and IFC Performance Standards etc) is often cited by industry specialists as the primary reason for proactive development of management strategies
- When compliance requirements or immediate project risks are not present, experience indicates that project in-migration is rarely prioritised. Yet it can pose significant social and business risk, but is often not attended to until it puts the operation at risk
- This results in strategies that address the symptoms of in-migration (e.g. additional services to relieve pressure or outrage from local communities, increased spending on security to manage social instability), rather than proactive strategies that can maximise the opportunities and minimise the adverse impacts
- It will not be possible to assess or predict the levels of in-migration with detailed and disaggregated baseline data – including data on pre-project levels of in or out migration from the project area
- To understand and manage project in-migration, project affected people and legally entitled project beneficiaries must first be identified and socio-cultural knowledge about “what constitutes a migrant” in the project context is required

The study includes checklists to assist companies design, develop and implement project in-migration management and monitoring plans.

The study also assesses the degree to which project induced in-migration management plans tends to address the key interventions recommended by the IFC. It funds that the majority of the management plans reviewed include approaches and interventions that conform to the recommendations outlined in the IFC handbook.

### A handbook for address project-induced in-migration, International Finance Corporation

This handbook<sup>178</sup> comes in five parts. Part one presents a business case for addressing project induced in-migration (including a case study on the Chad Cameroon pipeline which is briefly mentioned in Section 3 of this analysis); Part 2 provide information to better understand project induced in-migration; Part 3

<sup>177</sup> Bainton, Vivoda, Kemp, Owen and Keenan (2017) *Project-Induced In-Migration and Large-Scale Mining: A Scoping Study*. Centre for Social Responsibility in Mining (CSRSM), The University of Queensland

<sup>178</sup> International Finance Corporation (2009) *A handbook for address project-induced in-migration*



presents information and tools to assess the potential for, and risks associated with, in-migration; Part 4 approaches to manage in-migration and mitigate impacts; and Part 5 developing a strategy to manage in-migration and mitigate impacts. The handbook is non-sector specific although many of the case studies it draws on are from the extractive industries sector.

Part 4 of the IFC handbook proposes a number of interventions to manage in-migration and mitigate its impacts. These interventions are listed in the following table and are briefly described in the handbook.

<b>Approach</b>	<b>Category</b>	<b>Intervention</b>
Managing project-induced in-migration	<input type="checkbox"/> Minimising in-migration into the project area <input type="checkbox"/> Staging the inflow of migrants <input type="checkbox"/> Managing the migrant physical and social footprint	<input type="checkbox"/> Promoting regional growth <input type="checkbox"/> Planning access routes <input type="checkbox"/> Managing the initial project footprint <input type="checkbox"/> Use of buffer zones <input type="checkbox"/> Spatial planning, administration and resource allocation <input type="checkbox"/> Infrastructure, services and utilities <input type="checkbox"/> Planning workforce recruitment policy and management <input type="checkbox"/> Access control <input type="checkbox"/> Planning material transportation <input type="checkbox"/> Planning worker transportation <input type="checkbox"/> Planning worker housing <input type="checkbox"/> Planning procurement of goods and services and development of supply centres <input type="checkbox"/> Definition of project-affected People, compensation, participation, and development <input type="checkbox"/> Building multi-stakeholder frameworks and stakeholder capacity
Stakeholder engagement and monitoring	Stakeholder engagement Monitoring and evaluation	<input type="checkbox"/> Ensure influx issues are addressed in stakeholder engagement plan
	Stakeholder engagement Monitoring and evaluation	<input type="checkbox"/> Early and effective monitoring systems
Mitigating impacts	Effective delivery of project benefits to Project-Affected People	<input type="checkbox"/> Project-affected people definition, compensation, and benefits <input type="checkbox"/> Workforce recruitment and training <input type="checkbox"/> Bank services and micro-finance <input type="checkbox"/> Enterprise development
	Strengthening project capacity	<input type="checkbox"/> Project security <input type="checkbox"/> Project stakeholder engagement and communication <input type="checkbox"/> Monitoring and evaluation
	Addressing negative social impacts	<input type="checkbox"/> Governance <input type="checkbox"/> Law and order <input type="checkbox"/> Managing social change <input type="checkbox"/> Reversal of negative social dynamics <input type="checkbox"/> Spatial planning, housing, and water and sanitation <input type="checkbox"/> Mitigating health impacts <input type="checkbox"/> Project closure

While only some of these interventions will be relevant and possible in any particular situation, these serve as a useful reference point for considering how a project could manage in-migration and mitigate its impacts. In assessing Total's project in-

migration management plan for the EACOP Oxfam ought to consider the applicability of these interventions.

While the handbook does acknowledge that project in-migration can result in women's marginalisation and economic vulnerability it does not have a strong gender focus.

### **Papua LNG Human Rights Impact Assessment: focus on gender, security and conflict, Danish Institute for Human Rights**

This report<sup>179</sup> presents key findings and recommendations of a human rights impact assessment conducted for the Papua LNG Project in March 2017. The Papua LNG project is a gas extraction and processing project in Papua New Guinea (PNG). The project is being developed by Total E&P PNG, ExxonMobil and Oil Search. Total E&P PNG is the project operator.

The report finds that sexual and gender-based violence against women and girls is prominent in PNG, including the project area, and the presence of the project may exacerbate such violence; for example, through impacts associated with in-migration, social changes caused by the project, or the presence of security forces and a (male) contractor workforce. Project-induced in-migration is likely to disproportionately adversely impact on women and girls.

The report recommends that any measures implemented to address in-migration should be gender sensitive and take particular account of the rights of women and girls, including: addressing girls' participation and their safety at school; strengthening in-kind compensation and avoiding cash compensation where possible; including a community outreach component on cash management; establishing points of hire and clearly communicating these; and targeting young men and women for employment to avoid creating or exacerbating social problems through youth unemployment.

### **Simandou Social and Environmental Impact Assessments, Rio Tinto**

The ESIA for Rio Tinto's Simandou mine<sup>180</sup> and railway<sup>181</sup> contain dedicated chapters on project induced in-migration. The Simandou project is 5% owned by the International Finance Corporation (IFC) and as such must be developed in accordance with the IFC's Policy on Social and Environmental Sustainability and its Social and Environmental Performance Standards.

The chapters on in-migration are more comprehensive than relevant sections in the EACOP ESIA and:

- describe the baseline conditions with respect to the history of in-migration in the area around the Simandou Mine and railway
- provide an assessment of the likely scale of in-migration, identifies where it is most likely to occur, and assesses in which locations in-migration is likely to lead to the greatest impacts on socio-economic and community conditions
- draw on the findings from the other parts of the SEIA to provide an overview of the social and environmental impacts that could occur as a result of in-migration

<sup>179</sup> Gotzmann and Bainton (2019) Papua LNG Human Rights Impact Assessment: focus on gender, security and conflict, Danish Institute for Human Rights, <https://www.humanrights.dk/publications/papua-lng-human-rights-impact-assessment>

<sup>180</sup> [https://www.riotinto.com/documents/M\\_Ch18\\_InMigr\\_EN.pdf](https://www.riotinto.com/documents/M_Ch18_InMigr_EN.pdf)

<sup>181</sup> [https://www.riotinto.com/documents/R\\_Ch17\\_InMigration\\_EN.pdf](https://www.riotinto.com/documents/R_Ch17_InMigration_EN.pdf)

- describe how the project proposes to address these issues through its In-Migration Programme

The Simandou ESAs outline the content of the project's in-migration plan which will include elements related to communication; minimising potential for in-migration; managing and directing influx; enhancing physical infrastructure; building human capacity to manage influx; monitoring and evaluation of in-migration; and consideration of project closure.<sup>182</sup> The ESAs elaborate on what these various elements will consider (such as in relation to workforce recruitment, supporting local capacity for in-migration management, and supporting local authority to manage land use planning and zoning) and might be a useful comparison with what Total develops with regards to its project in-migration management plan for the EACOP.

### **Child rights and mining toolkit, UNICEF**

This toolkit<sup>183</sup> is designed to assist those in the mining sector who are responsible for designing and implementing strategies related to social and environmental performance at the project level ensure appropriate attention, and management systems and strategies, to the rights of children. The toolkit includes a chapter on in-migration.

This chapter includes templates to assist companies identify risks and potential strategies and action to reduce these risks in relation to:

- Data collection
- Project characteristics
- Community and population analysis
- Working with local authorities to register migrant job seekers
- Project footprint and infrastructure
- Hiring policies
- Capacity building for local authorities

<sup>182</sup> [https://www.riotinto.com/documents/M\\_Ch18\\_InMigr\\_EN.pdf](https://www.riotinto.com/documents/M_Ch18_InMigr_EN.pdf), pp 18-30

<sup>183</sup> Child rights and mining toolkit: best practices for addressing children's issues in large-scale mining (2017) UNICEF

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