



**REPORT**

# Good Practice in Social Impact Assessment

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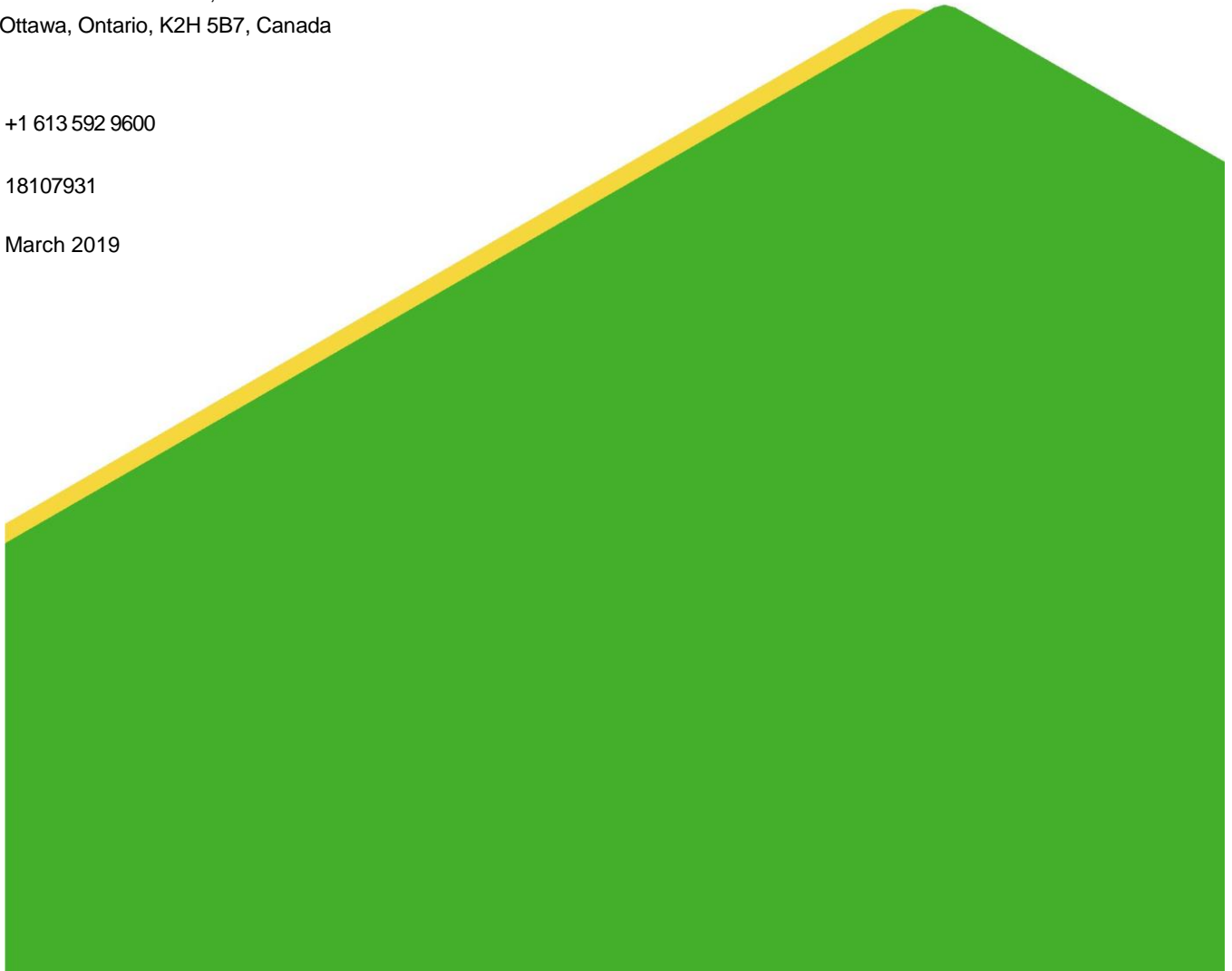
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## ACRONYMS AND ABBREVIATIONS

Agency	Canadian Environmental Assessment Agency
ADB	Asian Development Bank
CHIA	Cultural Heritage Impact Assessment
CSO	Civil Society Organization
EBRD	European Bank for Development and Reconstruction
EclA	Economic Impact Assessment
EIA	Environmental Impact Assessment
EPFI	Equator Principles Financial Institution
ESF	Environmental and Social Framework
ESHIA	Environmental, Social and Health Impact Assessment
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
ESS	Environmental and Social Standard
FPIC	Free, Prior and Informed Consent
GBA	Gender-based Analysis
HIA	Health Impact Assessment
HRIA	Human Rights Impact Assessment
IAA	Impact Assessment Act
IAIA	International Association for Impact Assessment
IAP2	International Association for Public Participation
IBA	Impact Benefit Agreement
ICMM	International Council on Mines and Metals
ICCROM	International Centre for the Study of the Preservation and Restoration of Cultural Property
IDB	Inter-American Development Bank
IFC	International Finance Corporation
IFI	International Financial Institution
IPIECA	International Petroleum Industry Environmental Conservation Association

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IUCN	International Union for the Conservation for Nature
MFI	Multi-lateral Financial Institution
MVEIRB	Mackenzie Valley Environmental Impact Review Board
NGO	Non-governmental organization
NIRB	Nunavut Impact Review Board
NuPPAA	Nunavut Planning and Project Assessment Act
OHCHR	Office of the United Nations High Commissioner for Human Rights
PR	Performance Requirement
PS	Performance Standard
SEIA	Socio-economic Impact Assessment
SIA	Social Impact Assessment
SIMP	Social Impact Management Plan
SLO	Social Licence to Operate
ToR	Terms of Reference
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
VPP	Vulnerable Person's Plan
WHO	World Health Organization
YESAA	Yukon Environmental and Social Assessment Act
YESAB	Yukon Environmental and Socio-Economic Assessment Board

## 1.0 INTRODUCTION

This report provides a current overview of leading practice to Social Impact Assessment (SIA). It describes commonly accepted good SIA process, highlights the use of some approaches and techniques used during the process, and discusses some good SIA practices in Canada and Internationally. It also provides guidance and recommendations on the possible implementation of SIA in the Canadian context under the proposed Impact Assessment Act (IAA). This report is not intended as a detailed, comprehensive review of SIA practices across the world, nor should it be interpreted as a complete guide to SIA. Rather it provides information based upon leading practices and lessons learned from various organizations and researchers who have been working in SIA for many years.

Much of the information provided in this paper is based upon the International Association for Impact Assessment's (IAIA) Principles for SIA, IAIA's guidance on SIA, and good practices found in international financial institutions' standards such as the IFC and World Bank Environmental and Social Performance Standards. The IAIA guide is considered by many SIA experts as the definitive standard on leading SIA practice. The information in this report also draws upon other SIA guidance documents such as the Inter-American Development Bank's (IDB) SIA Guidance, some select International industry recommended practices, and processes used in various countries such as Australia.

This report has been prepared for the Canadian Environmental Assessment Agency (Agency) in anticipation of the proposed federal IAA coming into force in 2019. Under the proposed IAA proponents with projects that are subject to the new legislation and regulations will be required to consider the social impacts of development proposals, as part of the impact assessment. This report summarizes good SIA practices and standards seen around the world, and the practical phases and steps involved in good SIA practice.

The report is organized into four main sections: (1) Best Practices in SIA; (2) Challenges to Assessment and Mitigation of Social Impacts on Vulnerable Groups and Indigenous Peoples; (3) Challenges of Implementation; and, (4) Social Impact Assessment Under the proposed Impact Assessment Act – Recommendations for Future Analysis and Guidance.

## 2.0 BEST PRACTICES IN SOCIAL IMPACT ASSESSMENT

### 2.1 Part A: Overview

#### 2.1.1 What are Social Impacts?

A social impact is something that is experienced or felt, in a perceptual or a physical sense, at the level of an individual, economic unit (family or household), social group, or by the community as a whole.<sup>1</sup> It involves changes to people's way of life in their personal and professional capacities, their culture (beliefs, customs, values, language), and their community.<sup>2</sup> In the context of project development, the evaluation of social impacts may also take into consideration impacts of the project on one or more of the following:

- Impact to air and water quality or safety hazards and risks (and impacts to health and wellbeing including physical, social and spiritual);
- Impacts to fish and wildlife abundance and availability (and impacts to security of harvested food for traditional, subsistence and/or commercial purposes);
- Land acquisition (and potential impacts to property rights); and,
- Perceptions of what may happen (fears and aspirations) as a result of the development.

Therefore, social impacts of a project can be direct, indirect, and induced. Social impacts of a project can also interact cumulatively with social impacts of other developments that spatially and temporally overlap with a project. Social impacts are specific to the project under consideration, and their characterization depends upon the interactions between the specifics of the project, the proposed mitigation measures, the community, and individuals in the community.

The issues to be addressed through a SIA should be derived from discussions with the potential affected individuals and communities, and other stakeholders during the scoping phase of a project. There have been various attempts to create generic social impact lists,<sup>3,4</sup> and they continue to be debated and discussed amongst practitioners. However, examples of impact topical areas that are often considered in SIAs include:

- Health and well-being (including safety and security);
- In-migration and population stability;
- Employment, economic development and sustainable livelihoods;
- Commercial, recreational and traditional land and resource use;
- Housing, services and infrastructure;
- Cultural heritage;
- Human rights;
- Gender relations; and,
- Quality of life.



## 2.1.2 Definition and Objectives of Social Impact Assessment

SIA can be generally defined as the processes of analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned interventions (policies, programs, plans, projects) and any social change processes invoked by those interventions so as to bring about a more sustainable and equitable biophysical and human environment.<sup>5</sup> At the project level, SIA generally include baseline data collection; identification and assessment of potential adverse impacts and benefits of a project; identification of social management measures to help mitigation, avoid, management and/or compensate for adverse impacts; identification of measures to support and enhance project benefits and benefit opportunities; and (where required) identification of monitoring mechanisms to understand effectiveness of proposed management measures and requirements for their adaptation.

The objective of an SIA varies from being a legal and regulatory obligation (e.g. a requirement under a regulated Environmental Impact Assessment (EIA), Environmental & Social Impact Assessment (ESIA) or similar process), to a process that companies may want to voluntarily implement for their projects to help obtain community social approval and permission to proceed ('social licence to operate'). A well-implemented SIA can also help projects support sustainable development outcomes for people and communities, by aligning project mitigation and benefit enhancement measures with a community's priority sustainable development goals and objectives. Best practices of SIA promote the objective of the SIA process to identify, measure, predict and assess the effects of a project on the surround population's quality of life, culture, health, social interactions and livelihoods. It involves processes for analyzing, monitoring and managing the intended and unintended consequences of a project. SIA is an important process that can assist project proponents to understand and respond to the changes induced by resource projects, improve the outcomes for the affected communities.

SIAs have also been viewed as important for financial and reputational risk management: "It will reduce a company's likely future expenditures by identifying potential issues and thereby reduce likely future costs in the form of litigation, delays to approval, costs in the form of managing protest actions or addressing violence against staff and/or property, and business losses from reputational harm. Reducing risk also leads to reduced costs of capital and hence increases shareholder value."<sup>6</sup>

From a business perspective, the SIA can add value to not only the risk management, as noted, but also to cost savings and productivity, access to capital, revenue growth and access to markets, reputation, and human capital. See Section 6 for references that can provide more information on the benefits for business of doing SIA.

## 2.1.3 Principles of Social Impact Assessment

Various principles have been identified to guide SIA practice. Examples include commitment to sustainable development, openness and accountability, fairness and equity, local empowerment and capacity building, enhancement of the position of women, minority groups and other disadvantaged or marginalised members of society; possible alleviation of some forms of dependency; a focus on poverty reduction and support for human rights.<sup>7</sup> A key underlying principle of SIA is that the process should always involve the community; the extent of the involvement may vary along the community engagement continuum from being participatory to being community-led process. The IAIA SIA Guide provides a good explanation of the varying levels of community involvement along this continuum.

Many country and state-specific ESIA guides include a set of principles for the social components, such as in Australia (Queensland<sup>8</sup> and New South Wales<sup>9</sup>) and there are similarities amongst them. At the international level, the IAIA published a common set of principles<sup>10,11</sup> that are often recognized as the standard to guide SIA practice as they are comprehensive and have been vetted by SIA practitioners and academic experts from around the globe<sup>1</sup> (refer to Text Box 1).

### **Text Box 1. IAIA International Principles of Social Impact Assessment Practice**

- 1) Equity considerations should be a fundamental element of impact assessment and of development planning.
- 2) Many of the social impacts of planned interventions can be predicted.
- 3) Planned interventions can be modified to reduce their negative social impacts and enhance their positive impacts.
- 4) SIA should be an integral part of the development process, involved in all stages from inception to follow-up audit.
- 5) There should be a focus on socially sustainable development, with SIA contributing to the determination of best development alternative(s) – SIA (and EIA) have more to offer than just being an arbiter between economic benefit and social cost.
- 6) In all planned interventions and their assessments, avenues should be developed to build the social and human capital of local communities and to strengthen democratic processes.
- 7) In all planned interventions, but especially where there are unavoidable impacts, ways to turn impacted peoples into beneficiaries should be investigated.
- 8) The SIA must give due consideration to the alternatives of any planned intervention, but especially in cases when there are likely to be unavoidable impacts.
- 9) Full consideration should be given to the potential mitigation measures of social and environmental impacts, even where impacted communities may approve the planned intervention and where they may be regarded as beneficiaries.
- 10) Local knowledge and experience and acknowledgment of different local cultural values should be incorporated in any assessment.
- 11) There should be no use of violence, harassment, intimidation or undue force in connection with the assessment or implementation of a planned intervention.
- 12) Developmental processes that infringe the human rights of any section of society should not be accepted.

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<sup>1</sup> While these principles were released in 2003, they are still believed to be relevant today as the IAIA SIA Section and experts developed the more recent 2015 IAIA SIA guidance document, they reviewed the principles and determined that they stood the test of time.

## 2.1.4 Social Impact Assessment Regulations, Standards and Guidelines

### 2.1.4.1 International Standards and Guidance

The delineated practice of SIA has been around for more than two decades (addressing social risks of projects has been around much longer than the formal practice) and has been implemented in various countries across the globe largely due to the investment community, notably the International Financial Institutions (IFIs), Multi-lateral Financial Institutions (MFIs) and private banks that are members of the Equator Principles Association. IFIs such as the International Finance Corporation (IFC), the World Bank, the Inter-American Development Bank (IDB) and the European Bank for Development and Reconstruction (EBRD) require recipients of their funds for development projects to conduct ESIA, that need to meet the requirements set out in their various standards and policies. The IFC was the first of these institutions to develop their standards, and many organizations that followed generally based their own on these. As a result, all IFIs have similar standards and policies in this regard, which require the project proponents to assess not only the environmental, but also the social, economic, health and cultural impacts of potential developments and projects. Through a process of updating these standards, they have become more similar in content across institutions, in an attempt to align their standards and approaches. It is important to draw some attention to these organizations and their standards, as they are considered leading practice in ESIA, and have increasingly placed more emphasis on SIA processes, and social risk components of their project reviews.

The IFC provide funds and investments to private companies/organizations in need of financial support for significant projects. The IFC has a Sustainability Framework which includes their Environmental and Social Performance Standards (PSs).<sup>12</sup> The PSs define the IFC client's responsibilities for managing the environmental and social risks of a project that the IFC is investing in. PS1 focused on the assessment and management of environmental and social risks and impacts, essentially laying out the process for ESIA of projects financed by the IFC. These standards are considered some of the best current practices in ESIA.

While the World Bank has had social safeguards since the 1990's, adopting the IFC PS's in 2006 raised the bar. The PS's are regularly reviewed for lessons learned and in the 2012 Sustainability Framework Update several recommendations were made around themes such as: labor, grievance mechanisms, land intensive investments, stakeholder engagement, water and transparency. 'Lesson's learned' from 2006 PS implementation acknowledged that the IFC operated in challenging markets characterized by high risks, low capacity, often with weak institutions with scarce resources (i.e. capacity to monitor project's environmental effects). While the 2006 PS's were established to better identify social and environmental risks in order to mitigate and achieve better development outcomes, challenges remained. The 2012 Update strengthened stakeholder engagement requirements and made grievance mechanisms, a requirement for all projects with affected communities. The IFC verified Free, Prior, Informed Consent (FPIC), and recommended assessment of land tenure rights. The 2012 Update also flagged the importance of looking at legacy issues including competing land claims, government led resettlement, public to private land transfer and understanding stakeholder interests, especially those involving a land component. Acknowledging issues such as weak regulatory implementation and/or gaps between PS and host country law can present problems, project proponents are expected to bridge gaps and influence host country government to adopt best practice.

In 2010, the Equator Principles Financial Institutions (EPFIs) (currently 94 private banks and financial institutions from 37 countries) adopted what are known as the Equator Principles<sup>13</sup> – a financial industry benchmark for determining, assessing and managing environmental and social risk in projects. These principles are based upon the IFC's PSs, and closely align with them. These EPFIs have voluntarily adopted the Equator Principles, which

means that all project proponents who have financing from these organizations are required to adhere to the Equator Principles in the implementation of their projects. Therefore, projects require an assessment of the potential environmental and social risks and impacts, which are based on the IFC's environmental and social standards.

It is important to note that some of the key IFIs are updating their environmental and social standards. Most recently the World Bank spent 4 years reviewing and updating their standards, recently releasing their new Environmental and Social Framework (ESF) in 2016,<sup>14</sup> including ten Environmental and Social Standards (ESS) which set out the specific requirements of borrowers.<sup>15</sup> The first of these – *ESS1 – Assessment and Management of Environmental and Social Risks and Impacts* – is required to be implemented by all project borrowers. All of the ESSs are supported by detailed Guidance Notes which help to explain the requirements of the ESSs.

The EBRD is reviewing their 2014 Environmental and Social Standards,<sup>16</sup> and in January 2019 released a new draft policy<sup>17</sup> requesting input from the international community. Similar to the IFC and World Bank's policy framework, the EBRD policy outlines how the EBRD will assess and monitor environmental and social impacts and risks of its projects and sets out minimum requirements for managing both the environmental and social impacts and risks caused by EBRD financed projects throughout the lifetime of the projects. Similar to IFC's PSs and the World Bank's ESSs, EBRD's policy is supported by ten Performance Requirements (PRs) for key areas of environmental and social sustainability that projects are expected to meet. PR1 – Assessment and Management of Environmental and Social Risks and Impacts – is central to all EBRD financed project approvals.

The IDB also has their own environmental and social safeguard policies. Their 2006 Environmental and Safeguards Compliance Policy (OP-703) requires EIA to identify the potential environmental and social impacts, proposed mitigation measures, as well as prepare the environmental and social management plan (ESMP) to address the potential negative impacts, as well as plan for enhancement of potential positive social impacts. The policy does not require a separate stand-alone SIA report, but rather expects that social impacts and risks will be integrated into the ESIA report. In 2018 IDB released a new detailed guide to support its policy on SIA – *Social Impact Assessment – Integrating Social Issues in Development Projects*.<sup>18</sup> This guide draws from the IAIA's Guide on SIA, summarizing their expectations for good SIA in ten elements.

In addition to the financial institutions' guidance and standards on SIA, several industry sectors and individual companies have developed guides on SIA and related topics. Examples include: International Petroleum Industry Environmental Conservation Association (IPIECA) – *A Guide to Social Impact Assessment in the Oil and Gas Industry* (2004)<sup>19</sup>; and AngloAmerican – *Socio-economic Assessment Toolbox* (2012)<sup>20</sup>. A list of SIA guides and related topical guides can be found in Section 6.

#### **2.1.4.2 Canadian Regulations and Guidelines**

SIA is not a new aspect of impact assessments for Canadian provincial and territorial review processes. A few examples where social, health, cultural and economic impacts are included in such reviews is provided here, with emphasis on Northern regulatory regimes which have been in practice for some time and have been viewed as best practice.

#### 2.1.4.2.1 Yukon Environmental and Social Assessment Act (YESAA)

The Yukon Environmental and Social Assessment Act (YESAA) is an act established specifically to establish a process for assessing the environmental and **socio-economic** effects of certain activities in the Yukon. Under the Act socio-economic effects includes effects on **economies, health, culture, traditions, lifestyles and heritage resources**. Section 42(1) specifies the matters to be taken into consideration, including (c) “the significance of any environmental or **socio-economic** effects of the project or existing project...”

#### 2.1.4.2.2 Mackenzie Valley Resources Management Act (MVRMA)

Part 5 of the Mackenzie Valley Resource Management Act (MVRMA) governs the EIA system in the Mackenzie Valley. The Review Board is the main instrument for the environmental assessment and environmental impact review of proposed developments. SIA is an important part of that process and a SIA is required during the process pursuant to section 115 of the MVRMA.

Section 115 states: “The process established by this Part shall be carried out in a timely and expeditious manner and shall have regard to (b) the protection of the **social, cultural and economic well-being** of residents and communities in the Mackenzie Valley; and (c) the importance of **conservation to the well-being and way of life of the aboriginal peoples** of Canada to whom section 35 of the Constitution Act, 1982 applies, and who use an area of the Mackenzie Valley.”

Section 111 defines “impact on the environment” as: “any effect on land, water, air or any other component of the environment, as well as on wildlife harvesting, and includes **any effect on the social and cultural environment or on heritage resources**.” The Guiding Principles of Part 5 include regard for protecting the economic well-being of Mackenzie Valley residents. Economic well-being is linked to the social and cultural context of the Mackenzie Valley. The MVEIRB provide a good, comprehensive guide to how to conduct socio-economic impact assessment, and how it is integrated with other important components including the biophysical environment (SEIA Guidelines<sup>21</sup>). It is a planning tool provided by the government to help proponents and parties involved in the ESIA process.

#### 2.1.4.2.3 Nunavut Planning and Project Assessment Act (NuPPAA)

The Nunavut Planning and Project Assessment Act governs the land use planning and the assessment of biophysical/ecological and **socio-economic** impacts of projects in the Nunavut Settlement Area. The Nunavut Impact Review Board (NIRB) guidance puts an emphasis on the environmental, **social and economic** impacts – both positive and negative – of a project on the people and communities; and it emphasizes the importance of the involvement of communities in the review process and project implementation.

#### 2.1.4.2.4 British Columbia Environmental Assessment Act (BC EAA)

Under the current BC EAA, a proponent may be required to complete an environmental assessment if the proposed major project “may have a significant adverse environmental, **economic, social, heritage or health effect**,” taking into account proposed mitigation measures. The process is intended to ensure that any potential environmental, **economic, social, heritage and health** effects that may occur during the lifetime of a major project are not only assessed, but also managed as the project is constructed and moves into operations.

The BC EAA is currently under review, however this aspect of the legislation is carried forward to the new proposed legislation whereby both positive and negative direct and indirect effects of the project will include social, economic, cultural and health impacts.

### **2.1.5 Integrating Social Impact Assessment into the Broader Environmental Impact Assessment Process**

Project impact assessments has historically (and in some jurisdictions, presently to some degree) focused on the environmental impacts, mainly due to environmental assessment regulatory requirements explicitly covering environmental aspects and less so on social aspects. However, the consideration of impacts of industrial development on social, economic, health and cultural heritage dimensions of communities, regions and society have been gaining importance in the impact assessment of Projects. This is in part due to increasing recognition that the environmental, social and economic changes brought about by development are interlinked, with environmental changes potentially resulting in social and economic changes. For example, the impacts on an ecosystem can disrupt the environmental services that are provided by these ecosystems and therefore the economies and livelihoods of the people who are reliant on these services. This interrelationship is acknowledged in the Mackenzie Valley (MVEIRB) ESIA guidance whereby it is noted that projects may have an impact on traditional economic activities such as hunting, fishing and trapping, and recognizes that these economic activities are inherently social, cultural and interrelated with the biophysical environment. A good ESIA should strive to develop an understanding of the linkages and impact pathways, so that when a change in one domain occurs there is an understanding of what other impacts or consequences may be felt across the other domains. In this way, SIA and EIA are increasingly being considered in an integrated manner, and in some parts of the world the process is now combined and known as ESIA. Some impact assessment approaches also include and recognize health as an important aspect, referred to as ESHIAs (Environmental, Social and Health Impact Assessments). Therefore, many practitioners view SIA as overarching framework that embodies the evaluation of all impacts on humans and on all the ways in which people and communities interact with their socio-cultural, economic and biophysical surroundings. And as such, good SIA practice considers requirements for targeted forms of impact assessment that are topic-specific such as:

- Health Impact Assessment (HIA);
- Cultural Heritage Impact Assessment (CHIA);
- Economic Impact Assessment (EclA);
- Gender Impact Assessment; and,
- Human Rights Impact Assessment (HRIA).

Depending upon the project, the issues identified, and jurisdictional requirements, there may be a need to complete one or more of the above assessments (e.g. as “sub-assessments”), with results integrated within the broader SIA. A brief definition of each assessment type is provided below, and corresponding, reference documents are outlined in Section 6.

### **Health Impact Assessment (HIA)**

The World Health Organization (WHO)<sup>22</sup> and the IAIA define HIA as a combination of procedures, methods, and tools that systematically judge the potential effects of a policy, plan, program or project, upon the health of a population; and the distribution of those effects within the population. Furthermore, similar to EIA and SIA, HIA identifies appropriate actions to manage those effects.<sup>23</sup> HIA systematically reviews the health hazards and benefits associated with a development policy or project. It assesses risk factors associated with hazards and opportunities as they change in the course of a development lifecycle, and it develops evidence-based recommendations to inform the decision-making process on health protection and promotion. Ultimately the purpose of a HIA is to inform decision-making on projects so health protection and promotion are effectively integrated into developments and managed through the life of the project. The most recent and comprehensive guide on HIA comes from the Asian Development Bank (ADB) in 2018.

### **Cultural Heritage Impact Assessment**

Many project developments have the potential to impact the cultural heritage of a location or region. According to the IFC cultural heritage refers to: (i) tangible forms of cultural heritage, such as tangible moveable or immovable objects, property, sites, structures, or groups of structures, having archaeological (prehistoric), paleontological, historical, cultural, artistic, and religious values; (ii) unique natural features or tangible objects that embody cultural values, such as sacred groves, rocks, lakes, and waterfalls; and (iii) certain instances of intangible forms of culture that are proposed to be used for commercial purposes, such as cultural knowledge, innovations, and practices of communities embodying traditional lifestyles.<sup>24</sup> This specific type of impact is recognized by the IFC as important enough of an issue to warrant it's own PS whereby PS8 aims to protect cultural heritage from the adverse impacts of project activities and support its preservation, as well as promote the equitable sharing of benefits from the use of cultural heritage. A recent international review of CHIA practice found that while the practice has been in place since 2002 largely to understand the impact of development processes on Indigenous communities, there is little evidence of a rigorous established practice.<sup>25</sup> That does not mean that CHIA is not conducted, only that it is still an evolving practice. Some companies, such as Rio Tinto, recognize the importance of cultural heritage and have guides for their operations in dealing with this issue.<sup>26</sup> The International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM), in partnership with the International Union for the Conservation for Nature (IUCN), are currently working with international organizations including the IAIA, to develop guidance for the conduct of cultural heritage impact assessment.

### **Economic Impact Assessment**

Economic impact assessments are a specific form of analysis technique which calculate the direct, indirect and induced economic contributions from projects, such as local and regional employment, labour income, business supplier revenues, gross domestic product, government revenues, and economic diversification. Economic impact assessments also consider potential adverse economic impacts of a project such inflation and cost of living, and changes in local competition for labour and effect on labour market balance. Since economic impacts can result in indirect social impacts. For example, high labour demand for a project can result in population in-migration into small nearby communities, which in turn can increase demand on local housing, potentially affecting available housing supply and cost. It is for this reason that economic impacts are typically assessed integrally with the social impacts – commonly known as socio-economic impact assessment (SEIA). Many economic and social impacts (costs and benefits) are directly and indirectly linked, and so it makes sense to consider them together with an integrated approach.

## **Gender Impact Assessment**

A gender impact assessment identifies the potential differential impacts (positive and adverse) of a project on women, men, girls and boys, in relation to access to and control over resources, access to goods and services, sustainable livelihoods, safety and security, roles and relationships, and rights. A gender impact assessment also identifies project mitigation and benefit enhancement measures to address differential impacts and support equitable project benefits. Some guidance notes expand gender impact assessment to include the assessment of differential assessment of project impacts on not only women men, girls and boys, but on the broader vulnerable and marginalized groups in society (e.g. youth, elderly, disabled, Indigenous people).

Recent attention has been given to the issues surrounding gender in impact assessment, some in part due to increasing awareness of human rights in the context of project development. A gender impact assessment is a tool that can help companies achieve sustainable development and operations by ensuring that their activities respect the rights of women and men; and, promote women's empowerment and participation in community decision-making processes. A gender impact assessment aims to, among other objectives: understand the causes of vulnerability and marginalization in communities including, but not limited to, gender; understand how a project may impact on the rights of all community members including children, and how negative impacts can be avoided or mitigated; inform the design of consultations to ensure the inclusion of women; inform decision-making to address women's specific needs and interests, as well as men's; and involve all community members in planning of the project and activities.<sup>27</sup>

Gender impact assessment is closely related to 'gender-based analysis (GBA).' GBA is a lens of analysis that examines existing differences between women's and men's socio-economic realities, as well as the differential impacts, of proposed and existing policies, programs, legislative options, and agreements on women and men. The aim of GBA is to identify the assumptions on which policies, programs and services are based. GBA aims to raise relevant questions on gender equality and equity issues. The responses obtained from the collected data, both qualitative and quantitative, will confirm or refute the initial assumptions, and will ideally improve the development of the policy, program or agreement under consideration. Section 3.2 discusses gender-based analysis as a tool to support gender impact assessment.

## **Human Rights Impact Assessment (HRIA)**

Human rights are a set of principles and standards which seek to promote fundamental freedoms and human dignity. According to the Office of the United Nations High Commissioner for Human Rights (OHCHR), the principal United Nations office for human rights: "Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible."

In the business context human rights impact assessment (HRIA) is defined as "a process for identifying, understanding, assessing and addressing the adverse effects of a business project or activities on the human rights enjoyment of impacted rights-holders such as workers and community members."<sup>28</sup> The field of HRIA is relatively new; however, the general steps for conducting a HRIA are similar to those of EIA and SIA. HRIA practitioners more often than not support the integration of HRIA into a more fulsome ESIA, rather than conducting a stand-alone assessment, as it is often not practical, too costly, or the project-specific context does not allow for it. With increased attention being given to the accountability of businesses for their human rights impacts, HRIA has gained traction as one approach available to the private sector, non-government and civil society organisations (NGOs and CSOs), governments and other stakeholders, to assess and evaluate the



impacts of business activities on the human rights enjoyment of rights-holders, such as workers and communities. In the business and human rights context, the UN Guiding Principles on Business and Human Rights have been one key driver for HRIA development.

For more information on the practice of HRIA refer to the Danish Institute for Human Rights, the United Nations and IFC (see Section 6 for these and other references).

### 2.1.6 Concepts Relevant to Social Impact Assessment

A number of concepts are related to the SIA process. These are described below.

#### *Sustainable Development and Sustainability Assessment*

The concepts of sustainability and sustainable development has been around since at least the 1970s and have gained significant momentum over the past 30 years. Various recognized definitions of sustainable development exist internationally – a key one being the definition from the 1987 Brundtland Report which states that “sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”<sup>29</sup> This concept of conserving resources for future generations is one of the major features that distinguish sustainable development policy from traditional environmental policy, which also seeks to internalize the externalities of environmental degradation. The overall goal of sustainable development has further been defined as the long-term stability of the economy, environment and society, achievable through the integration and acknowledgement of economic, environmental, and social concerns throughout the decision-making process.

Sustainability assessment is a recent framing of impact assessment that places emphasis on delivering positive net sustainability gains now and into the future and encompasses a process that directs decision-making towards sustainability. It can apply to various forms of decision-making from choices of individuals in everyday life, through to project, plans and policies.<sup>30</sup>

In project assessments Gibson (2005)<sup>30</sup> emphasizes that sustainability assessment is more than just the integration of issues and looking forward to the future, but rather it is an attempt to put humans on a more hopeful path. In other words, sustainability assessment viewed as a paradigm shift whereby in assessing the environmental, social, economic, health and cultural impacts of a projects we look beyond avoidance and mitigation of the negative, to objectives that are focused on net gains, and positive outcomes that conclude in a better environment than where we began.

#### *Social risk*

A number of International environmental and social standards refer to ‘social risk.’ For example, IDB defines social risks as a function of a project’s expected ‘footprint’; its scale, complexity, and inherent sectoral risks, seen in the context of local conditions such as people’s vulnerability, poverty levels, lack of resilience, or social exclusion.<sup>31</sup> Two categories of social risk have been identified for consideration in an SIA:

- Risk from the project: The risk of a project causing harm to people. This includes both risks of adverse impacts directly caused by a project, and more indirect and cumulative risks of contribution.
- Risk to the project: Risk from the existing social context where the project is located linked to its operation which may jeopardize the project’s meeting its objectives. This includes contextual risk such as conflict, fragility, and violence; history and legacy issues; governance and corruption.

### **Social license to operate (SLO)**

A simple definition of social licence is the general acceptance and approval, by a community, of a company to develop a project and operate in an area. The contemporary use of the term was coined by a Canadian mining executive in 1997 when discussing the increasing resistance of communities to new projects; and the term was then found frequently in mining sector discussions starting in 1998,<sup>32</sup> and started getting more attention in social assessments of projects in the early 2000's.<sup>33</sup> Since the mid-2000's the use of the term social licence to operate has spread to other resource sectors and beyond; and therefore, has multiple meanings dependent upon the context in which it is used. Community engagement is critical to achieve a social licence to operate, and often this community acceptance is often attained through the use of the SIA process, given the emphasis and importance of community engagement in the SIA approach.

### **Free, Prior and Informed Consent (FPIC)**

The United Nations Declaration on Rights of Indigenous Peoples (UNDRIP) establishes a right for Indigenous Peoples to be included in impact assessment processes. UNDRIP stipulates that Free and Prior Informed Consent (FPIC) needs to be respected when Indigenous Peoples are implicated by projects on and near their lands and traditional territories; in other words, FPIC is viewed as a pre-requisite for any activity that affects ancestral land, territories and natural resources. Intellectual property rights of Indigenous and local communities with respect to their traditional knowledge, innovations and practices, should be respected. Such knowledge should be used only with the prior informed consent of the owners of that traditional knowledge. SIA is viewed as a foundation for community engagement, agreements and in assisting the processes of FPIC conducted with Indigenous communities before the start of a project. There are several sources of information regarding FPIC; a recently proposed guide for project practitioners was released by the Food and Agriculture Organization of the United Nations in 2016 – *Free Prior and Informed Consent. An indigenous peoples' right and a good practice for local communities*.<sup>34</sup>

## **2.2 Part B: Elements of Social Impact Assessment**

Social Impact Assessment can be considered as a number of distinct but iterative phases within an adaptive management process. The following is commonly regarded as the standard steps or phases of an SIA, regardless of sector or project type:

- Scoping the issues
- Conducting a baseline analysis
- Engaging communities and stakeholders (this occurs throughout the SIA process)
- Predicting the impacts
- Identifying impact mitigation and benefit enhancement
- Developing and implementing a Social Impact Management Plan (SIMP)
- Following up on prediction, mitigation and where necessary taking steps to manage any issues

A description of these phases and associated tasks are outlined in Section 2.2.1. While the phases of the SIA process resemble those of an EIA, SIA requires different approaches, techniques and expertise (as described in Section 2.2.2).

There is one key difference of SIA from EIA worth noting, and that is that the social impacts of a potential development begin to happen the moment that there is a rumor or speculation that there might be a project. For example, with the speculation of a project possibly coming into an area close to a community, the impact on property prices is possible (positive or negative), even with no formal proposal in place. The social impacts can begin without the project even being 'real' in terms of a formal proposal presented to communities. People can have fears or anxiety with just the perception of project impacts, which then can have real social impacts on people and their health and lives, which may lead to real physical health impacts. From a social perspective, perception is reality – if people believe it, they feel it and may act on it. SIA is meant to be a process to ensure that the interests of the community are properly considered. An early stage social risk analysis carried out before a project enters the impact assessment stage can help identify and understanding drivers of early social and economic changes in communities prior to a project advancing. This analysis, combined with early engagement, is critical to managing and address fears and perceptions of nearby communities as they pertain to the project.

### 2.2.1 Overview of the Social Impact Assessment Phases and the Project Lifecycle

SIA is more than a report for the purpose of meeting regulatory approval – it is also a process for identifying and managing social issues associated with a project, throughout the life of the project. As such, the SIA process is most effective as an iterative process that continues to occur throughout the project lifecycle rather than as a one-off activity (for example, during the permitting stage), commencing during pre-conceptual design phase, and continuing through to decommissioning and closure

Figure 1 depicts a typical project cycle and identifies the potential role for SIA at each phase. While the project cycle is usually depicted as a linear process, the reality is that projects do not necessarily transition smoothly from phase to phase and may circle back during the process. Therefore, the SIA process may need to be somewhat flexible and able to adjust in such circumstances.

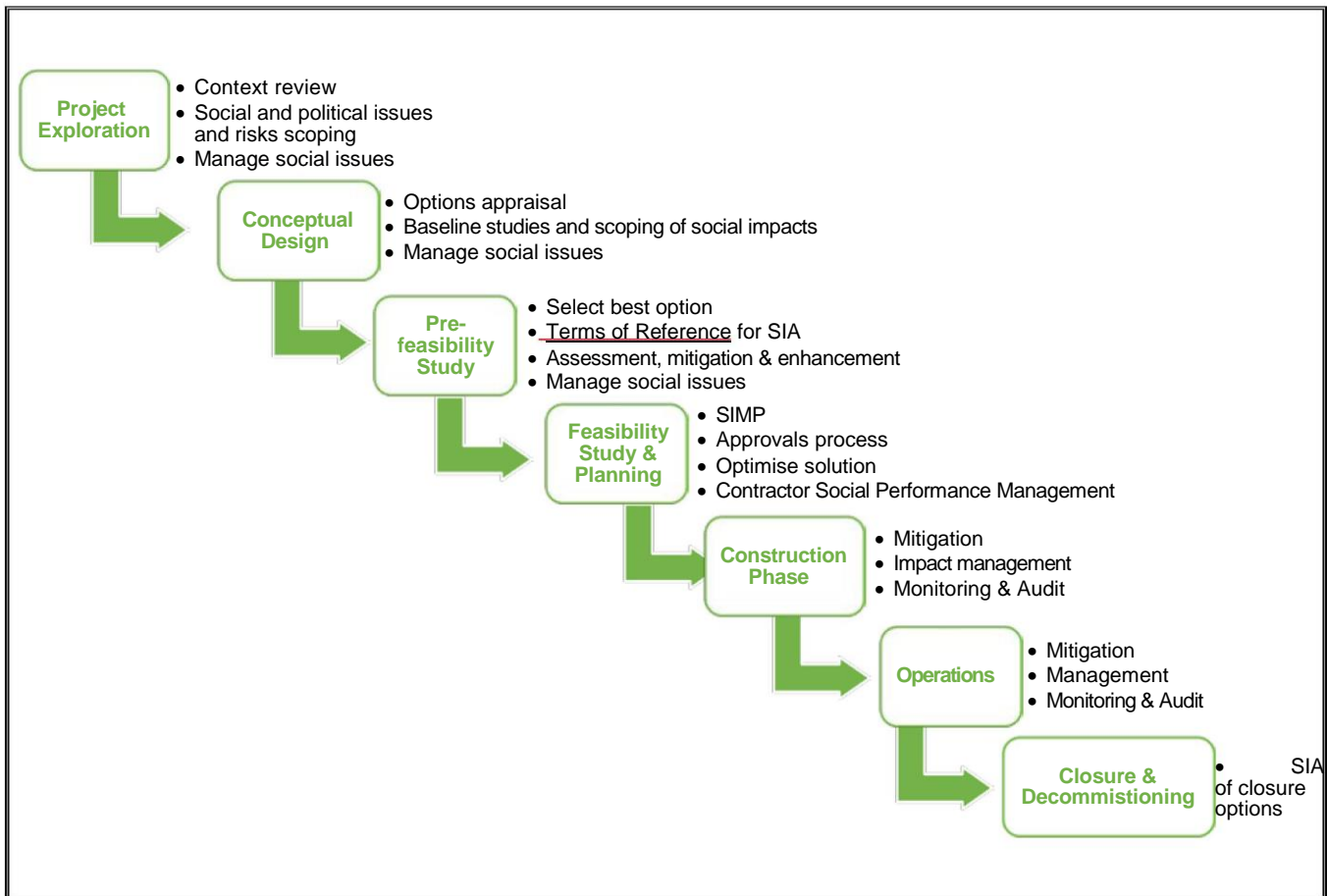
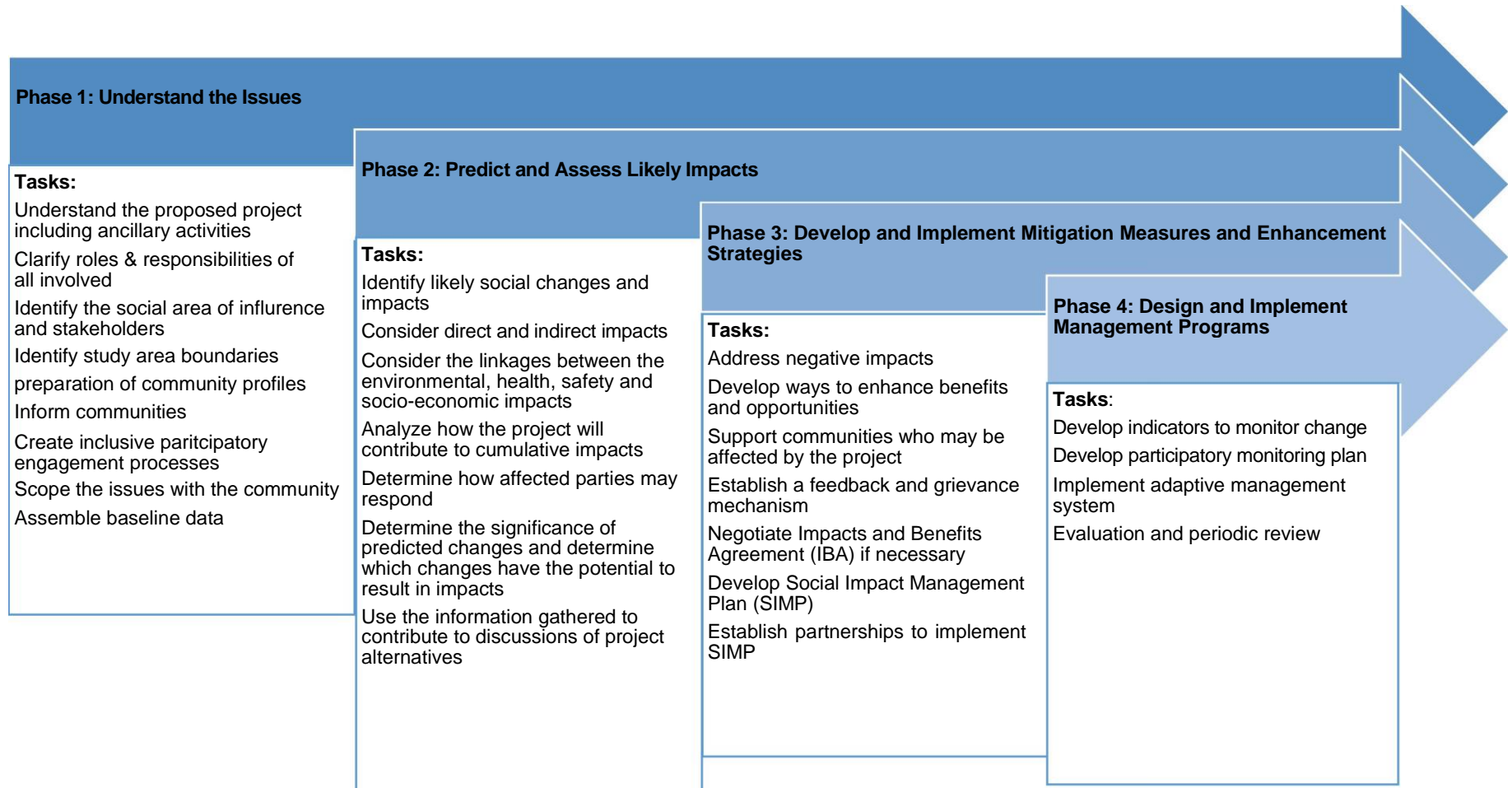


Figure 1: The Application of Social Impact Assessment in the Project Lifecycle 35

### 2.2.2 Phases, Tasks and Common Approaches of Social Impact Assessment

The phases of conducting a SIA are similar to that of an EIA, involving scoping and profiling baseline conditions, predicting impacts, identifying mitigation measures, determining significance of impacts, and planning for monitoring and management programs. However, SIA requires different data collection methods, information sources, expertise and analytical tools.

The main phases, tasks and approaches for conducting an SIA as summarized in this section are based on the International Association of Impact Assessment’s SIA Guide (Figure 2).<sup>36</sup> More detail can be found in this guide which is referenced in Section 6. It should be noted that while the phases and activities are outlined as linear, several activities and even phases may take place in parallel, and some may be iterative. As the project becomes better defined, and issues are understood along the project lifecycle, some of the activities in the identified phases may need to be revisited. Even though the SIA process is arranged conceptually into these distinct phases, it should be considered an adaptive participatory management approach.



**Figure 2: Phases and Tasks of Social Impact Assessment**

**Source:** IAIA. 2015. Social Impact Assessment: Guidance for assessing and managing the social impacts of projects.

**2.2.2.1 Phase 1: Understand the Issues**

Phase 1 involves early scoping to gathering information on a range of issues, as outlined in the flow diagram below. A critical step in this first phase is to initiate communication and engagement with individuals, groups and communities who may be impacted by the project, to inform them of the impact assessment process, particularly about the specifics of the SIA; and to identify their interest and preferred methods for being involved in the SIA. The creation of an inclusive and meaningful public participation process is recognized as best practice in SIA.

The typical activities carried out in this first phase are described briefly below. It is recommended that a proponent begin early engagement with communities, stakeholders and Indigenous groups to facilitate early a dialogue and building of relationships with potentially-affected communities and other parties, and collaboratively identify and address socio-economic issues at early planning stages where possible.



**Understand the proposed project including ancillary activities**

Ensure that the project and associated activities are understood, including the ancillary activities. As engagement should start early in the project lifecycle, with social issues ideally being identified in the project concept phase, it is important to have as much of a complete understanding as possible of all project components and design, so that when the community and stakeholders are engaged, the proponent is able to be as open and transparent as possible about what the project may involve. A complete understanding of the scope of the project will be important in helping determine who may be affected by the project and therefore assist with the identification of the community profile.

At the concept and pre-feasibility phases when project designs are still unconfirmed and may change, it may be necessary to have multiple project scenarios under consideration, as the feasibility of certain project components and designs may yet to be confirmed. Uncertainty in project design aspects may necessitate considering a broader spatial area for potential impact analysis (due to uncertainties around project design/delivery) and in turn, a broader regional area from which potentially impacted groups and stakeholders would be identified, and then engaged with.

**Clarify roles & responsibilities of all involved**

Clearly defining the responsibilities and roles of all involved in or associated with the SIA, including that pertaining to persons involved in the biophysical technical studies being undertaken for the EIA and project, is important to support efficiency, effectiveness and completeness of the SIA. This is particularly important if the SIA is to be integrated within an ESIA, and where there is potential for indirect social, economic or health impacts as a result of changes to the environment.

It is also necessary to identify national and sub-national laws and regulations (e.g. environmental assessment terms of reference for a project) and international guidelines and standards of relevant to a project, particularly if a project has multiple financiers, with different environmental and social standards. It is also important to identify:

- A country's commitment to international agreements (such as the United Nations *Guiding Principles on Business and Human Rights*<sup>37</sup>);
- Specific industry association guidelines and commitments (for example, the Mining Association of Canada's (MAC) *Towards Sustainable Mining Framework*<sup>38</sup> which all MAC members are required to comply with for Canadian operations, and which covers social aspects of Indigenous community outreach, community health and safety, and employment and labor); and,
- Contractual impacts and benefit agreements proponents have with local communities.

Such laws, commitments and agreements will direct the roles and responsibilities of proponents, SIA practitioners, and regulators as well as what is required to be considered within the SIA content and scope.

Also, there is an emerging practice with Indigenous groups completing their own ESIA's, whereby it will be critical to clearly layout the various roles and responsibilities of all involved in this new approach.

### **Identify the Social Area of Influence and Stakeholders**

A stakeholder analysis can help determine interests, degree of influence across different stakeholder groups, how risks and benefits are likely to be distributed among different individuals and groups. Such analysis requires early engagement with stakeholder groups and Indigenous groups. In addition to informing the stakeholder engagement plan and process for a project, the information obtained from the stakeholder analysis can help identify social issues and potentially impacted groups for consideration in the SIA as well as delineation of the SIA study areas. Study area boundaries for the SIA can also be confirmed through:

- Examination of previous project developments in the area;
- Working with project engineering team, to understanding location and temporal aspects of project infrastructure and activities, and in turn their potential to interact spatially and temporally with social, economic, recreational and traditional resources, uses, activities, amenities and future plans;
- Understanding the expected regional area from which the majority of labor and goods and service suppliers would be sourced from;
- Understanding and incorporating study area boundaries for other technical studies (for example incorporating water quality study assessment boundaries into the SIA to capture potential project effects water quality and in turn on potential health effects to recreational water users); and,
- Engagement with key informants and experts on social issues, such as local government representatives, service providers, business representatives and Indigenous community representatives.

There are several guidance documents available on how to conduct stakeholder analysis, as there is not one single methodology for this (refer to Section 6 for a couple references). Once potential stakeholders are identified it is necessary to do a preliminary analysis of who might be most affected. One approach to this is as follows. After identifying stakeholders of a project, consider the following questions (below), placed on a matrix to decide

which stakeholders are least or most interested or impacted by the project, or which ones have average interest. Answering a number of questions, such as the following, can assist with this step:

- Who will be affected by negative impacts of the Project?
- Who will benefit from the Project?
- Who are the most vulnerable for whom special consultation efforts may have to be made?
- Who supports or opposes the changes that the Project will bring?
- Whose opposition could be detrimental to the success of the Project?

Relative to the above questions, each stakeholder (or group) is ranked as Most, Average or Least affected.

### **Prepare Community Profiles**

The purpose of community profiling during early stages of project scoping is to:

- commence understanding of the “local context” in which the project is situated; and,
- identify individuals, groups and communities that could likely be directly and indirectly affected by a project, and the specific social issues and impacts they may experience.

Profiling includes gathering preliminary quantitative and qualitative information on trends and issues pertaining to:

- Affected residents in close proximity to the project who could be potentially be affected by project infrastructure and activities (for example, changes to noise levels or air quality, or those who would be physical or economically displaced);
- More distance residents and communities whose social service and infrastructure, economic livelihoods and commercial, recreational and traditional land-based activities may be affected by the project
- Host communities where project workers will be located and/or where displaced persons relocate to;
- Indigenous groups with rights and title to land and resource in or near the Project, and cultural and spiritual values connected to ecological aspects of the project environment; and
- Potentially affected vulnerable groups and populations with the above identified potentially affected communities as well as elsewhere; and,
- Other stakeholders such as non-government organizations with environmental, heritage or other interests, local and regional business supplier groups of relevance to the project, and potential availability and capacity of suppliers of services to the Project (e.g. policing services, health care, potable water)

Qualitative information on the socio-political setting of the Project supports the development of a robust local context, including information as:

- Access to, ownership of and use of resources (e.g., land tenure, minerals, food, water, social infrastructure);
- Community attitudes and values towards project development and past experience with projects (including any history with previous proponents such as failed promises, failures to deliver benefits);



- Community power relations and social divisions (which could potentially be intensified as a result of the project); and,
- Existing legal system and people’s awareness of their rights and access to legal remedy are all relevant information to understand the local context.

Gathering community profile information can occur through stakeholder analysis, high level gender and vulnerability analysis, preliminary GIS and spatial analysis, review of available secondary data and information (such as census data), and information obtained through implementation of the project consultation and engagement plan.

An approach was recently developed by Smyth and Vanclay – known as *The Social Framework for Projects* (Figure 3) to understand and define the social context of a proposed project.<sup>39</sup> The A key feature of this framework is its focus around people’s “well-being,” and how it is influenced by different factors.



**Figure 3: The Social Framework for Projects**

**Source:** Smyth, E. and F. Vanclay. 2017. *The Social Framework of Projects: a conceptual but practical model to assist in assessing, planning and managing the social impacts of projects.* Impact Assessment and Project Appraisal, 35(1).

Eight dimensions are identified as influencing wellbeing, including people (community health, skills), community (including social capital, intergenerational relations, gender relations), culture, livelihoods (how people derive their income), infrastructure (including services), housing, environment and land. This framework advocates for an integrated team approach to community profiling whereby technical specialists working on a project impact assessment (e.g. health specialists, fish and wildlife specialists, economists, etc.), collaborate to identify, and compile key information of relevance, with each technical specialist contributing information within their area of expertise that (e.g. health specialists gathering profile data on community health; environmental specialists gathering profile information on integrity and health of fish and wildlife used for subsistence purposes). The information gathered by other technical disciplines can be compiled by SIA specialists to produce comprehensive community profiles.

### ***Inform Communities***

Once there is a good understanding of the potential project and activities and community profiles have been developed, the next step is to inform community members about: the project and similar projects elsewhere in the region, to engage in a dialogue on how they may be affected, how they can be involved in the SIA, their procedural rights in the regulatory process for the project; and, their access to grievance and feedback mechanisms.

### ***Create Inclusive Participatory Engagement Processes for Public Involvement***

There is a wealth of information available on public participation and how to design inclusive and participatory processes in impact assessments. Some good, practical references are provided in Section 6 including information from the international recognized International Association for Public Participation (IAP2). Worth noting is the IDB SIA Guide<sup>40</sup> which provides ten principles for stakeholder engagement, all considered good practice. These are listed below:

- The stakeholder consultation process should be ongoing and iterative throughout the project cycle, starting as early as possible.
- Stakeholder consultation should ensure that different categories of stakeholders are represented and involved. This may include individuals and groups, as well as formal and informal local institutions.
- Sufficient resources should be allocated. This includes budgets as well as staffing and capacity, and the willingness of project authorities to take stakeholder views seriously, and to modify designs and implementation to reflect stakeholder concerns where possible. This may include the need for capacity building for affected stakeholders, to establish a level playing field for different groups to engage.
- Engagement should be transparent and based on factual information, including about the scope of consultation and ability of stakeholders to influence project decisions.
- Engagement should be equitable and non-discriminatory and ensure that poorer or more vulnerable parts of the affected stakeholders are given a voice.
- Stakeholders should have prior information about relevant aspects of the project, in a language, format, and manner that is appropriate for them. Different approaches will be appropriate for different groups and in different contexts, but at a minimum this should be conveyed in such a way that it is understandable and accessible to all.

- Consultation events and other forums or means of engaging with stakeholders should be respectful and free of coercion. Stakeholders who express concerns or criticism against the project or authorities should be protected from retaliation.
- Confidentiality of information and stakeholders should be ensured where appropriate.
- To be meaningful, a consultation process should also avoid consultation for consultation's own sake, or excessive discussions that do not lead to anything, or that may lead to unrealistic expectations.
- The process should be systematically documented, and relevant aspects of it should be disclosed publicly.

Similar to the above principles, the IFC's PS1 emphasizes that effective consultation is a two-way process that should: <sup>41</sup>

- Begin early in the process of identification of environmental and social risks and impacts and continue on an ongoing basis as risks and impacts arise;
- Be based on the prior disclosure and dissemination of relevant, transparent, objective, meaningful and easily accessible information which is in a culturally appropriate local language(s) and format and is understandable to Affected Communities;
- Focus inclusive engagement on those directly affected as opposed to those not directly affected;
- Be free of external manipulation, interference, coercion, or intimidation;
- Enable meaningful participation, where applicable; and,
- Be documented.

### **Scope Issues with the Community**

Up to this point the previous activities are about understanding the project, the community, determining roles and responsibilities, and setting up an inclusive approach for engagement. This task is specifically focused on scoping the project issues with the community. Some countries have specific legislation that dictates the scope of the SIA, while others have left it open for interpretation. For example, the State of Queensland in Australia have a statutory requirement that SIAs include the following general issues included in the scope of assessment:<sup>42</sup>

- Community and stakeholder engagement;
- Workforce management;
- Housing and accommodation;
- Local business and industry procurement; and,
- Health and community well-being.

Good SIA practice for scoping issues should be participatory; that is, the scope should not only include the issues that are required under laws and regulations, but more importantly should be based upon those issues that are deemed important by the affected community and stakeholders. It is critical to have the community involved in scoping the potential social issues that a project may bring. The creation of inclusion and participatory processes for public engagement will help community members feel more involved, build trust with the proponent, and believe that their involvement can influence the design of the project (those components that may impact upon them). It is critical in the process to allow the issues to come forward from the community members themselves, for them to express their concerns as well as how they might like to see these issues mitigated and managed if necessary.

## **Assemble the Baseline Data**

The baseline can be viewed as data for a set of selected indicators that enables:

- Measurement of change, both positive and negative, attributable to the project; and,
- Monitoring aspects of the social environment that have the potential to influence the project.

Baseline data can often be found in existing sources of information, such as government statistics and census, also known as 'secondary' sources. Often the background research into social baseline data will start with secondary sources, which then provides the basis for a gap analysis. The data gaps may then be filled by the collection of 'primary data,' information that can be gathered through surveys, key informant interviews, focus groups and field observations.

Baseline indicators should be 'SMART':

- Specific: measure specifically identified indicators of change that are deemed valid
- Measurable: in either qualitative or quantitative terms
- Accurate: reliable data
- Realistic: feasible in terms of resources available, skills and time
- Timely: capable of detecting change within a realistic timeframe

Leading SIA practice is based on a rigorous, methodological and detailed social baseline before the project is initiated. The baseline data is the reference point against which potential impacts can be anticipated, change measured and future situations compared. Therefore, the baseline should ideally include conditions and trends at the project site/region.<sup>43</sup>

Baseline data and associated indicators for SIA can be categorized in different ways, and are most often specific to the project type, sector, and most importantly, local context. Two different examples of categorization are provided here to demonstrate differences in approach. Regardless of the categories, it is important to recognize that projects affect different groups in communities in different ways, and therefore the indicators that are selected and the resulting data collection should be informed by the issues raised by the different groups in the community. It needs to be emphasized that there is no one set of indicators that can be transferred from one project to the next – they must be informed by, and meaningful to, the community members.

The first example of indicators is based on a recent literature review of social impacts of the mining industry,<sup>44</sup> which reported the main areas of social impacts (and in turn, the main categories of baseline data and indicator characterization) as:

- Economy, income and security;
- Employment and education;
- Land use and territorial aspects;
- Demography;
- Environment, health and safety; and,
- Human rights.

The second example of indicators is illustrated by the information required by the Mackenzie Valley Environmental Impact Review Board's (MVEIRB) SEIA Guidelines<sup>45</sup> (Text Box 2).

### **Text Box 2. Canadian example of required socio-economic baseline information**

The Mackenzie Valley Environmental Impact Review Board's (MVEIRB) SEIA Guidelines<sup>46</sup> illustrates information that is typically required for descriptions of the human environment, and it provides guidance on how to adequately describe baseline conditions. These information requirements include information on the socio-economic baseline conditions, historical and current land use, as well as cultural and heritage resources.

#### **General**

- population demographics (including in- and out-migration)
- status of social, recreational, and physical infrastructure (including transportation)
- housing statistics
- cost of living and income levels

#### **Economic**

- employment statistics
- labour force characteristics
- levels of training and education (status and opportunities)
- level of existing industrial development
- levels and types of business activity
- characteristics of the traditional economy (including components, participation rates)
- stated community priorities and concerns (such as feedback from engagement, community development plan, and community resilience plans)
- economic or social development plans

#### **Health and Well Being**

- general community wellness (from resources such as community wellness reports and studies, community feedback on wellbeing, and results of early engagement)
- health rates
- crime rates
- addiction rates

#### **Culture, Way of Life, and Historic and Current Land Use**

- places of cultural and spiritual value
- harvesting activities and their importance to the community
- harvest species, levels, and importance of the traditional economy
- traditional land or water use (including past, present, and intended future types of uses)
- heritage resources and sites in the project area (such as archaeological, historical, or burial sites, spiritual places, trails, special landscape features) described in an archaeological assessment report 29 or traditional land use study
- recreational land or water use (including user groups, types of uses)
- other land or water use (such as tourism, resource extraction, infrastructure corridors)
- community and regional land use plans

### 2.2.2.2 Phase 2: Predict and Assess Potential Impacts

This phase is focused on two important steps in the process:

- Predicting or forecasting the potential social changes and impacts that may result from the project; and,
- Estimating the significance of the predicted changes and determining how the affected communities and individuals may respond to the changes.

These steps are broken down further into specific activities, as described below.

**Identify all the social changes and impacts, both positive and negative, likely to result from the project and alternatives; Consider both direct and indirect impacts; Analyze how the project will contribute to cumulative impacts in the region**

While a project may bring about a social change, that does not necessarily equate to a social impact. A social change is not an impact until it has an effect on people. That said, because social impacts can be viewed as anything linked to a project that benefits, adversely affects or is of concern to affected communities and other stakeholders, almost any change can potentially have a social impact so long as it affects something that is valued by a group of people in the sphere of the project.<sup>47</sup>

In identifying potential social changes, it is important to identify both direct and the indirect impacts that may result from the project. Direct impacts are those that are the direct result of project infrastructure and activities associated with construction, operations or decommissioning (for example, direct use of a local community's potable water for construction purposes, and effects on local water demand and supply; or project capital expenditures on local goods and services, and positive impacts to local business revenues). Indirect are impacts that occur as a result of direct impacts (for example, project effects on fish productivity and effect on availability of fish for commercial fish harvesting). Indirect effects can be less obvious and can occur at a spatial distance or later in time from the direct impact. Induced impacts are those resulting from indirect impacts (for example, Project construction labour demand and goods and service requirements and local hiring can result in in-population migration (indirect effect) into nearby communities to search for employment and business opportunities which in turn can result in increase demand on temporary local housing availability and cost (induced effect) such as the loss of access to land due to market speculation.

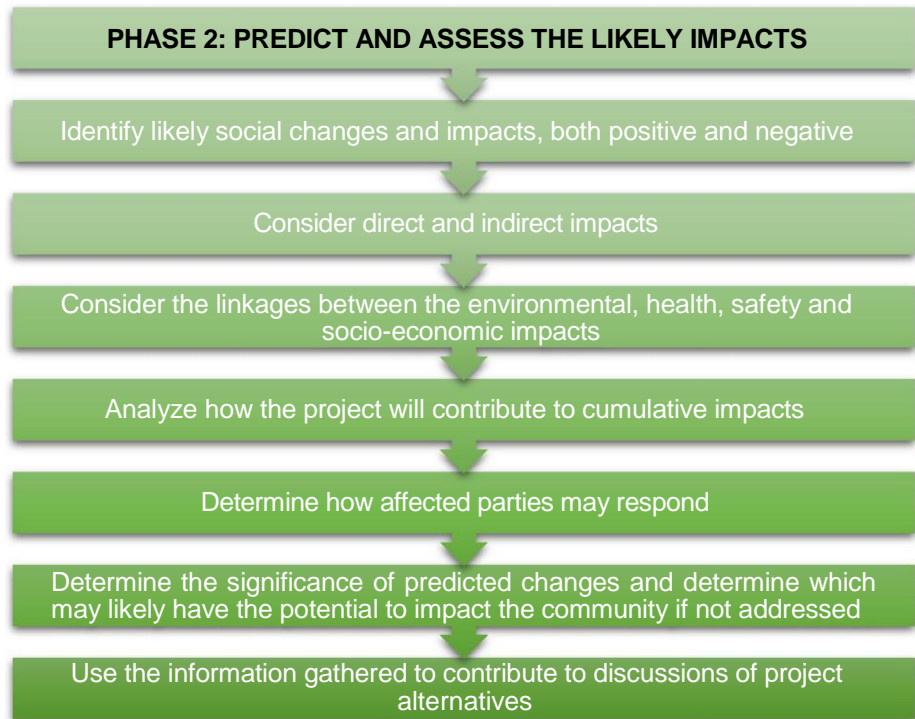


Table 1 provides an example of categorization of social impacts.<sup>48</sup>

**Table 1: Categorization of Social Impacts**

CATEGORY	DESCRIPTOR	EXAMPLE AND EXPLANATION
Nature	Tangible	Improved access to health service, better living standards, shortage of affordable housing options
	Intangible	Break down in social cohesion due to population movement
	Perceived	People's subjective perceptions or experiences of impacts
Directionality	Positive	Improved access to health services, improved education and employment opportunities
	Negative	Increased crime rates, higher cost of living and increased health risks due to pollution
Causation	Direct	Directly connected in space and time to the activity such as project-related employment and construction
	Indirect	Impacts that occur due to actions resulting from direct impacts; usually less obvious, later in time or further away from the sources of direct impacts
	Induced	Cause is several times removed from project activities
	Cumulative	Successive, incremental and combined impacts of more than one project in a given region (past, current and future projects)
Magnitude	Intensity	The scale of change from existing conditions as a result of the impact (e.g., major/critical, high, moderate, minor, negligible)
	Geographic Extent	Spatial concentration; distribution (e.g., localized, dispersed, contained)
	Duration	Short, medium or long term; temporary, fixed term or permanent
	Frequency	Intermittent or continuous
	Rate of Change	Immediate, delayed, incremental, rapid, or gradual
	Reversibility	Reversible, irreversible/residual
Probability	Likelihood	Unlikely, possible, likely, certain
	Confidence	The level of reliability in the estimates of likelihood and consequences

**Source:** Witt et. al.,2018. A framework for social impact assessment of shale gas development in the Northern Territory. Centre for Social Responsibility in Mining. Sustainable Minerals Institute, The University of Queensland.

It is also important to assess cumulative impacts, where social impacts from the project being assessed have the potentially to combined spatially and temporally with social impacts of one or more projects in the same region and can arise from the compounding activities and from the interaction with other past, current and future activities.

### ***Consider the Linkages Between the Environmental, Health, Safety and Socio-Economic Impacts Associated with the Project***

While the potential environmental, health, socio-economic and health impacts associated with the project may be evaluated separately, a good ESHIA will consider the linkages between all of these aspects. As noted earlier an integrated assessment is considered 'best practice' and requires specialists to work together, across disciplines.

### ***Determine How Affected Parties May Respond to Project-Related Social Changes***

Social changes, as a result of a project, may affect communities and stakeholders in different ways, and therefore they may respond differently. Responses may range from full acceptance and support to complete opposition. Responses may depend upon several factors, such as people's socio-economic status, their initial perceptions of a project and/or corporation, and their abilities to adapt the predicted changes. Often those with capacity and information can prosper, and so may be supportive of the project, whereas those who are vulnerable and may be negatively affected will not respond positively. Predicting the social responses also helps identify potential risks to the project (e.g. if there is opposition), and inform potential mitigation measures and benefit opportunities.

### ***Determine the Significance of Predicted Changes, and Determine Which Have the Potential Result in Adverse Impacts if Not Addressed***

In addition to meeting regulatory requirements for project significance determination, determining the significance of the potential impacts can help prioritize the potential impacts to be addressed through mitigation. Selection of significance criteria is a key step and should be developed through engagement with impacted stakeholders, as ultimately assigning significance should reflect of expressed level of concern with a potential impact. Tools that can further assist with significance predictions and analyses include multi-criteria analysis,<sup>49</sup> social risk assessment, and modeling. As indicated in Figure 4, a risk assessment typically involves assigning a consequence score and a likelihood score for each risk/impact.<sup>50</sup>

It may be possible to quantify certain social impacts, and where possibly it is preferable to do so. An example could be quantifying existing health service demand and capacity in a community and anticipated increase in demand on health services (as a result of the estimated project-related population increase into the community for project employment and contracting opportunities) against health service supply. In this case, it is necessary to first establish a baseline benchmark for identified indicators (for example, hospital caseloads), and then estimate both the future demand on the services with and with out the project.



		Consequence Level				
		1	2	3	4	5
Likelihood Level	Descriptor	Insignificant	Minor	Moderate	Major	Catastrophic
A	Almost certain	A1	A2	A3	A4	A5
B	Likely	B1	B2	B3	B4	B5
C	Possible	C1	C2	C3	C4	C5
D	Unlikely	D1	D2	D3	D4	D5
E	Rare	E1	E2	E3	E4	E5

Risk Rating. ■ Low ■ Moderate ■ High ■ Extreme

**Figure 4: Risk Assessment Framework**

**Source:** International Association for Impact Assessment. 2015. Social Impact Assessment: Guidance for assessing and managing the social impacts of projects.

***Use the Information Gathered to Contribute to Discussions of Project Alternatives***

Impact assessment is a planning tool, meant to inform decisions. The significance determination of predicted impacts can be used to inform consultations on project design and possible alternatives to help avoid impacts before final decisions are taken, or if avoidance is not possible, help mitigate, reduce or compensate for potential impacts.

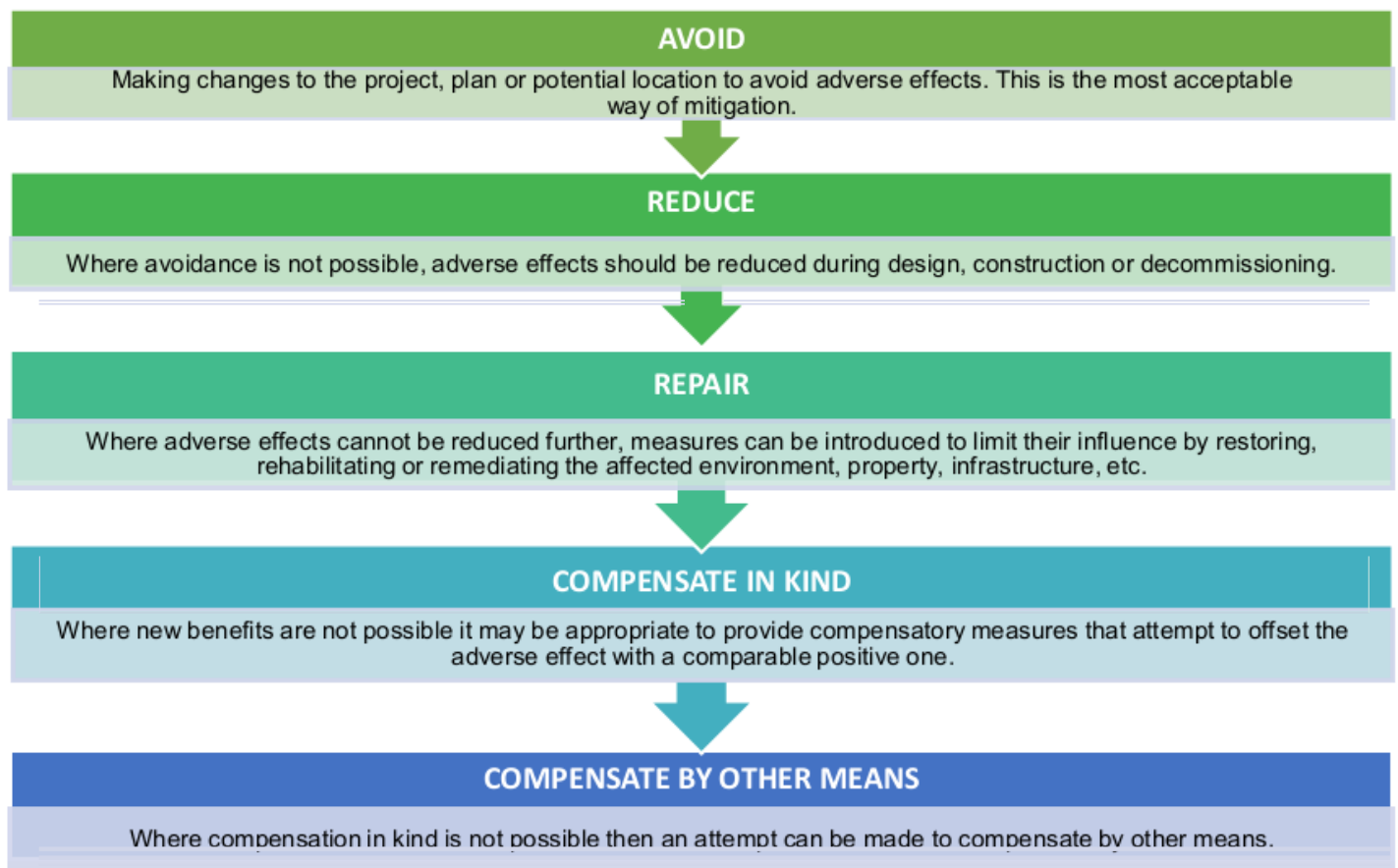
***2.2.2.3 Phase 3: Identify and Develop Mitigation and Benefit Enhancement Strategies***

This phase of the SIA focuses on identifying measures to avoid, mitigate, reduce or compensate for negative impacts, and enhance positive benefits and opportunities of a project. Often, this phase is linked with and involves negotiation of Impact Benefit Agreements with communities and is completed with the view to development of a comprehensive Social Impact Management Plan (SIMP) for a project. A SIMP collectively outlines the objectives, indicator framework, actions, roles and responsibilities, and monitoring and reporting mechanisms to be implemented to address all social impacts identified by the SIA. Mitigation identification can also involve establishing grievance mechanisms for when issues are not properly addressed or when community members are not satisfied with engagement processes or management of issues.



**Address Negative Impacts**

As is used in EIA, the use of the **mitigation hierarchy** is the common methodological approach to identify mitigation to address negative impacts of a project, and as the name suggests it is used in a hierarchical way with Avoidance being the first and preferred option, and Compensation being the last option (Figure 5).



**Figure 5: Mitigation Hierarchy**

### ***Develop Ways to Enhance Benefits and Opportunities; Support Communities Who May Be Affected***

The enhancement of project benefits and opportunities are of importance to communities affected by projects. In general, project benefits and opportunities can be divided into two categories: monetary and non-monetary. Monetary benefits may include: payment of taxes to local governments, royalties, equity shareholding, and the creation of foundations, trusts and funds. Non-monetary benefits could include: local employment and procurement, training and capacity development to support local uptake of employment and procurement, and investment into local services and infrastructure to support project requirements and usage (for example, contributing technical expertise and financing to upgrade water supply infrastructure). Both monetary and non-monetary support that include local capacity development, support community needs and sustainability goals, and persist after the Project is completed are best practice in accordance with sustainability principles.

Text Box 3 illustrates how a mining company worked with a local community to support sustainable economic development for the community upon mine closure.

### **Text Box 3. Case Study – The Sullivan Mine: Collaborative Benefit Enhancement to Support Sustainable Economic Development after Mine Closure**

Teck's Sullivan Mine in Kimberley, BC is a good example of a mine's legacy of social and economic benefits going beyond the life of the mine closure. The Sullivan Mine operated for over 90 years and employed nearly 3,500 people at its peak, accounting for more than half the population of Kimberley. The mine closed in 2001, and the potential for a negative effect on the local community was significant. However, through community and proponent partnership and planning the community continued to survive and thrive beyond the mine closure.

In the late 1960's Teck and the community began developing plans to diversify the economy and sustain the area after mine closure. Discussion over time broadened to include the town's tax base, diversifying employment and transitioning to a tourism-based economy. Teck used landholdings in the region to facilitate investment in recreational infrastructure and resort development. This led to the development of a ski hill, golf courses and a new resort community. The town was able to transform itself into a year-round resort area and attract other investments for further business opportunities.

In 2010 the City and Teck announced plans to launch the SunMine project, a solar energy test program, which has now been built on the former mine site, making use of the roads and remaining mine infrastructure that was not decommissioned. The project is anticipated to produce 1.6 gigawatt hours of electricity.

Two key lessons from this case study are to start early in the planning (i.e., don't wait to get to the end of the mine life to start thinking about the sustainability of the community), and collaboration is critical for success.

**Sources:** Teck 2010 Sustainability Report<sup>51</sup>; IFC, 2002. "It's Not Over When It's Over: Mine Closure Around the World."<sup>52</sup>

The development of benefit enhancement measures and plans requires a collaborative approach through consultation with and input from affected stakeholders and communities.

There may be situations where there are multiple benefit opportunities, where it is not practical or desirable to pursue all of them. In such situations, the project proponent and community members may wish to prioritize the opportunities and take some decisions regarding which ones to pursue. Esteves (2008) has developed a *Social Investment Decision Assessment Tool (SIDAT)* which provides a methodology for prioritizing enhancement measures.<sup>53</sup> The approach involves identifying ways in which community investment can add value to the project's business objectives and assigning a rating (high versus low) to evaluate the benefit level that the investment would have on recipients. This is only one such approach for prioritization of potential benefits; community members should be involved in discussing and developing agreed upon approaches when such decisions need to be made. Another practical tool or approach that is used to evaluate and prioritize opportunities is known as "opportunity ranking." A brief example of using this follows. A sustainable fisheries and fish habitat offsetting related to a proposed project may present various locations as options. Each option can be ranked for its suitability against an agreed set of criteria using a scoring system. For example, fish offsetting areas can be ranked by community participants based on traditional knowledge of fish species and suitability of the offsetting area.

Sample questions for discussion would might include:

- Are there any options that you would like more than others?
- Where could each option be built? Do any locations come to mind, especially for improving fish access?
- Do you think each option would help fish populations? Are any better than others?
- Especially for the hatchery & sewage treatment ideas, would people support the construction of these projects? Would they be interested in maintaining them?
- What are the concerns with each option?
- Are there other ways to increase fish populations that we haven't discussed?

### ***Establish a Feedback and Grievance Mechanism***

It is important for affected community members to have avenues whereby they can raise grievances regarding the impact assessment process and outcomes in a confidential or open manner. A grievance mechanism establishes a process for affected community members to contact the proponent with inquiries, concerns and formal complaints, and to guide proponents in the address of issues that arise through the grievance process. This is good practice as it supports access to and remedy for impacted stakeholders and rights holders. Well designed grievance mechanisms for projects are typically implemented by local company managers and community relations staff with the goal of benefiting business and communities by:

- Facilitating better community engagement;
- Improving the identification, monitoring and redress of community concerns, as well as a company's response to these concerns;
- Identifying risks for companies and communities; and,
- Enabling more proactive efforts to mitigate impacts that give rise to complaints.<sup>54</sup>

The grievance mechanisms should be transparent, unbiased and accessible. IPIECA,<sup>55</sup> IFC<sup>56</sup> and CAO<sup>57</sup> provide guides on how to design and implement grievance mechanisms for projects. Similarly, a good engagement program can ensure that an established grievance mechanism extends into all of the project phases, and includes mechanisms to receive and address complaints from, and about project workers, suppliers and contractors.

The following is an example of a grievance mechanism process that a company may follow:

- Receive the grievance and record it;
- Formally acknowledge the grievance and respond to the complainant regarding its admissibility and timelines;
- Assess the grievance and assign it to someone to start the grievance resolution process;
- Use an appropriate complaints resolution process and engage relevant stakeholders in the process;
- Agree on a complaint resolution and record the results;
- Investigate the complaint to establish and document facts;

- If the complaint is resolved, follow up and ensure complainant's satisfaction, and close out the record; and,
- If the complaint is not resolved, discuss options such as using a third party for dispute

### resolution. **Negotiate Impacts and Benefits Agreement (IBA)**

An Impact and Benefit Agreement (IBA) is a contract made between a community and a company that provides a communities' consent or support for a project to proceed. These agreements are also known by other names: participation agreements, benefits agreements, and benefits sharing agreements. The decision to negotiate an IBA often rests with the community, and it is not a given that a community will want to engage in this process. Where IBAs are an option to address the potential benefits to communities, they have been viewed as a positive mechanism. IBAs, at least in Canada, are typically confidential agreements and therefore not available for review for case studies. However, a recent guide was published by the Gordon Foundation in 2015<sup>58</sup> which provides a toolkit to assist community negotiators, members of community negotiating teams, and consultants working with Indigenous communities and organizations.

### **Develop Social Impact Management Plan (SIMP)**

The SIMP is one of the most important tools in the SIA process. It collectively outlines the predicted changes to communities in terms of local, regional and cumulative effects, the agreed upon mitigation strategies, and the responsibility of various parties in relation to those strategies. SIMPs provide an opportunity to integrate the identified social issues into ongoing management systems of a proponent's operations and should be designed by the proponent in consultation with affected parties and parties involved in SIMP implementation. In Canada, SIMPS are increasingly becoming a condition of a project approval and permitting processes.

The local context of a project will significantly influence the content of each SIMP, and each will be specific to the context in which it is designed. However, a number of overarching principles have been developed to guide development and implementation of SIMPs in different contexts, which include the following:<sup>59</sup>

- **Prioritization** - SIMPs should summarize the issues identified in the SIA and prioritize the key issues of concern through effective scoping and engagement.
- **Adaptive Management** - SIMPs should be responsive to changing circumstances and knowledge of impacts over time. They should represent a flexible, adaptive management plan and not a static document. SIMPs should articulate a process for ongoing assessment and demonstrate continuous improvement. They should be focused on outcomes.
- **Life-cycle Approach** - The social impacts, opportunities and risks should be managed at all stages across the life-cycle of the development.
- **Engagement** - The development and implementation of a SIMP should reflect meaningful engagement with, and input from the community and affected stakeholders.
- **Integration** - Where applicable, SIMPs should demonstrate integration with regional, strategic, planning and legislative and corporate initiatives, as well as the Environmental Management Plans (EMPs).
- **Build Capacities** - Social investments and community development activities outlined in SIMPs should, where possible, seek to build the capacity of communities to undertake activities, and minimize dependency on companies.

- **Partnerships** - Where appropriate, SIMPs should demonstrate partnerships with government, communities, other companies/industries in the area to address issues of concern.
- **Commitments** - The content of SIMPs should reflect and reiterate the commitments made by corporation during the SIA and regulatory approvals processes.
- **Balance between operational and regional context** - SIMPs should be tailored to the individual operational context; however, they should also seek, where appropriate, to take a systems level approach to ensure that the impacts from other operations activities are considered, and that efforts to coordinate management, monitoring and mitigation are explored. SIMPs should, where appropriate, be developed with reference to the other existing SIMPs and SIAs within a region and seek opportunities for alignment and coordination of activities.
- **Coordination** - Where applicable, SIMPs should guide a strategic use of funds, trusts and other investments and activities and a more coordinated approach across a company's operations in a region.
- **Monitoring** - SIMPs should outline a process for monitoring at the operation level and identify key indicators.
- **Review** - SIMPs should be periodically reviewed to realign processes and activities and take into consideration changed circumstances. A comprehensive SIMP would include a process of periodic compliance auditing.
- **Reporting** - SIMPs, and reports arising from them, should be public and have a facility for public input and review. Data reported by SIMPs could be used to inform regional planning, where applicable.

There are a number of information sources on how to design a good SIMP, such as the Queensland Government's *Social Impact Assessment – Guideline to preparing a social impact management plan*,<sup>60</sup> and IFC's *Environmental and Social Management System Implementation Handbook*.<sup>61</sup> The IFC Handbook integrates a SIMP with a broader project management system that will also involve the environmental management system, which together are commonly referred to as the Environmental and Social Management System (ESMS).

### **Establish Partnerships to Implement the SIMP**

The SIMP will typically outline tasks and actions to be implemented by the proponent, often in partnership with government agencies, community members, and civil society. The commitments and tasks in the SIMP, along with those in the ESMS, IBAs (if developed), and the company's internal management action plans, are often collectively included in a company's Social Performance Plan. This plan allows for the coordination and allocation of the tasks to different participants. The tasks and conditions of social performance plans are often translated into the various contractors' obligations, in the form of a Contractor Management Plan (at least for the more complex projects). Recommendations on how to design and implement such plans are found in various references such as the IFC's *Good Practice Note on Managing Contractor's Environmental and Social Performance*.<sup>62</sup>

**2.2.2.4 Phase 4: Design Monitoring**  
**Identify indicators to Monitor Change Over Time**

In some cases, the SIA should include a plan to monitor the effectiveness of mitigation and benefit enhancement measures, monitor changes to social and economic conditions over time during the Project, and identify any unforeseen social risks and impacts arising from a project not identified through the SIA. The monitoring plan outlines a process to track and report on changes in carefully selected indicators (which are often a subset of the indicators selected in Phase I for the baseline data). Those indicators are likely to be associated with the issues that are of most concern, including concerns with residual impacts after mitigation has been implemented, cumulative effects, and effects on vulnerable groups. By monitoring, the effectiveness of mitigation measures can be assessed, and corrective action taken if necessary. Also, where any unanticipated issues arise, they can be addressed quickly.

**Develop a Participatory Monitoring Plan**

Once the indicators are chosen, these are integrated into a monitoring plan. The plan should be developed in consultation with affected stakeholders and parties involved in plan implementation (for example, people in local an indigenous community identified to be social monitors), to facilitate meaningful input to substantive content of the plan and help facilitate support for the plan. The plan should describe how indicators will be measured, identify those responsible for monitoring and how results will be disseminated and communicated to key stakeholders. IFC has a useful guide on participatory monitoring.<sup>63</sup>

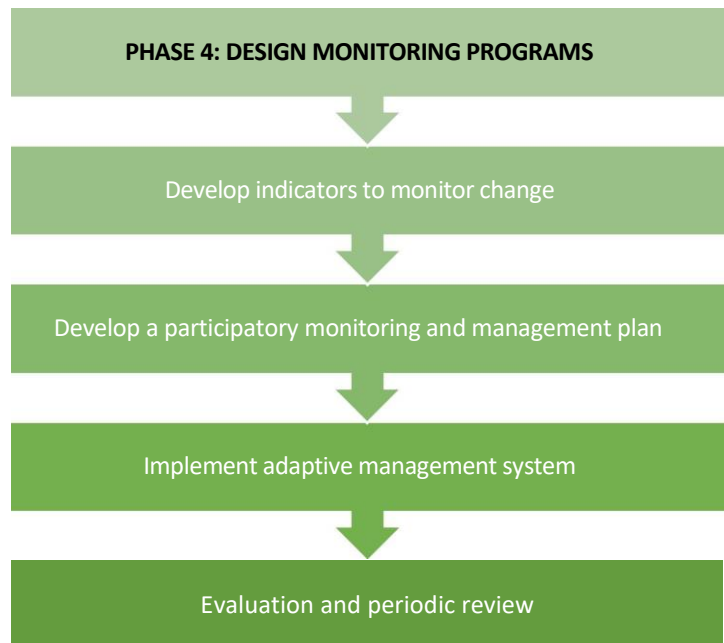
**Implement Adaptive Management System**

An objective of the monitoring is to identify any needs to adapt the proposed mitigation and benefit enhancement measures, in order to effectively address adverse impacts and support benefit opportunities or identify additional mitigation measures to address unforeseen impacts. The monitoring plan that is developed should be action-oriented, enabling the results to lead to steps to be taken in the adaptive management system. In other words, the monitoring plans should be integral to the social and environmental impact management plans that will follow; they should provide information regarding who is responsible for ensuring findings are communicated to those who will take decisions and adjust the plan where and when necessary.

**Evaluation and Periodic Review**

Once a project commences, the monitoring of a project’s social performance should be carried out in accordance with the scheduled frequency and time period outlined in the monitoring plan. Periodic evaluations of monitoring and management plans should be undertaken, especially in the operations phase, to ensure that they are meeting their objectives and to identify if any adaptation to the original plan is required.

In addition, a formal review of a specific project’s SIA methods and approach, assessment results, recommendations proposed (such as mitigation and benefit enhancement measures and social management plans) may be desirable for a company. Such evaluations can help identify what worked well, and how to improve SIA processes for a company’s future projects.





### 3.0 CHALLENGES TO ASSESSMENT AND MITIGATION OF SOCIAL IMPACTS ON VULNERABLE GROUPS AND INDIGENOUS PEOPLES

There are a number of challenges to implementing good SIA practice both internationally and in the Canadian context. Challenges in effectively considering vulnerable people and Indigenous people in SIA as presented in this section are of particular relevance to the Canadian context, for future implementation of the proposed IAA. Additional challenges pertaining to SIA implementation are provided in the next section of the document.

#### 3.1 Vulnerable People, Inclusion and Gender-Based Analysis

As indicated in Section 2.1.3, equity considerations should be a fundamental element of impact assessment and development planning. This principle directs Proponents to design projects on an inclusive and equitable basis. However, there may be circumstances where individuals or groups could experience adverse impacts from the proposed project differentially from others, more severely than others, or be excluded from potential benefits. These include people with physical or mental disabilities, children and youth, the elderly and women and Indigenous groups – often referred to as vulnerable people or groups. As an example, an influx of project workers to a construction camp may have differential impacts between Indigenous women and men, such differential access to local employment opportunities, and risk of violence. Women’s views should be sought out when designing employment and benefit programs, as these may require specific targeting to ensure representation and equity.

Effective consideration of vulnerable people in impact assessment has recently been examined by the World Bank in their review of their environmental and social safeguards. Under the World Bank’s Environmental and Social Framework (ESF) particular attention must be given to disadvantaged or vulnerable people, who may be impacted, positively or negatively, by a development. Under the ESF “disadvantaged or vulnerable refers to those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project’s benefits. Such an individual or group is also more likely to be excluded from or unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so.”<sup>64</sup>

Integrating vulnerability analysis into SIA is key to understanding differential project effects and mitigation and benefit enhancement requirements of vulnerable groups. This analytical process assesses differential impacts of projects on diverse groups of women, men (including visible minorities, Indigenous peoples and persons with disabilities) and non-binary people, and inform the development and implementation of targeted mitigation and social management plans to address differential impacts, and support equitable project benefits. It is also a tool to inform the design of responsive and inclusive project engagement, as well as decision-making processes through the identification and removal of barriers to participation of vulnerable groups.

The concepts of vulnerability and gender-based analysis has gained attention in recent years with more attention being paid to it by major financial institutions such as the World Bank,<sup>65</sup> multinational companies such as Rio Tinto,<sup>66</sup> and civil society organizations such as Oxfam. The Canadian Research Institute for the Advancement of Women published a policy paper that discusses how to align the Canadian ESIA process with GBA+ to “support Canada’s efforts to advance equitable, sustainable development for diverse populations in the North and South.”<sup>67</sup> In Canada Status of Women Canada has developed a Gender-Based Analysis Plus (GBA+) framework, which includes tools and methods to undertake gender and vulnerability analysis in projects, programs and policies. Other resources, guides and tools on how to carry out gender-based and vulnerability analysis are listed in Section 6.

Key questions to support mainstreaming vulnerability and gender-based analysis in SIA include the following:

- Who are the potentially affected populations/groups? What are potential costs and benefits of the Project and for whom?
- How will the Project potentially affect different groups differently, with respect to interests and relationships, access to resources (e.g. food, shelter, employment and income, child/elder care, education, health), opportunities and capacity development, decision-making processes?
- Whose needs are being considered and addressed in the context of the impact assessment and mitigation planning?
- Are their differential views across groups with respect to what is considered a significant impact?
- Is the Project development process and the IA inclusive of diverse populations of women and men? What specific measures should be taken to encourage and enable vulnerable groups to participate in the IA? What are the barriers to their participation?

If vulnerable groups are identified, then particular attention should be given to assuring inclusion of these groups and/or individuals throughout the various stages of the SIA process, including scoping of issues, identifying baseline indicators and gathering baseline data, identifying mitigation measures, designing and implementing monitoring and management for project construction and operation phases. Examples of good practice include:

- Participatory scoping with potentially affected vulnerable groups to identify relevant valued components, associated indicators and cultural group appropriate data collection methods (i.e., to help capture “what matters most”);
- Gathering secondary data disaggregated by sex, age, ethnicity, indigeneity and other forms of identify or marginalization that could be potentially relevant to project affected populations. Examples of relevant disaggregated data include:
  - Social conditions (e.g. education levels, health status, personal safety and security)
  - Access to and use and control of systems of production and resources (such as subsistence and commercial food resources such as crops and fishing), assets and legal rights;
  - Relationships between women, men, and diverse groups (considering roles and division of labour within households and communities);
  - Power and influence in decision making processes;
  - With respect to Indigenous groups, description and analysis of resource tenure and use, and of customary rights and claims to lands, territories and resources in the project area or potentially impacted by the project, and the status of recognition of these rights and claims under national legislation and administrative practices;
  - Institutional structures and processes that influence, both positively or adversely, inequalities and vulnerabilities; and,
  - Social organisation and institutions, including existing rules and channels of communication that should inform the design of future consultation processes with vulnerable groups.

- Participatory primary data collection with potentially affected vulnerable groups to develop a robust disaggregated community profile, through techniques such as community meetings focus groups, interviews, land-based site visits;
- Participation of potentially affected vulnerable groups in defining impacts (impact characterization) and their significance, benefit enhancement measures, and impact management plans (SIMPs). This often involves capacity development with target groups on project impact, management planning and IA regulatory processes; and,
- Creating accessible and participatory meetings that are convenient for community participation, with a view to women in the community. Consider the time of day, meeting space and provision of childcare. Provide transportation to the meeting venue.

Where the social assessment process identifies specific individuals or groups as disadvantaged or vulnerable, the proponent should identify and implement *differentiated* mitigation and benefit enhancement measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable, and they are not disadvantaged in sharing any development benefits and opportunities resulting from the project. These mitigation measures should be developed in collaboration with those who are vulnerable and/or disadvantaged. Text Box 4 provides a brief example of differentiated mitigation measures that were implemented at a mine site in Ghana to address potential negative impacts that may have been felt by some vulnerable households. Text Box 5 illustrates how an offshore oilfield project is addressing gender equality in project implementation.

For more information on this issue and specific steps that can be taken to address it, refer to the World Bank's *2016 Bank-Directive – Addressing Risks and Impact on Disadvantaged or Vulnerable Individuals or Groups*,<sup>68</sup> and their *Good Practice Note – Non-Discrimination and Disability*.<sup>69</sup>

### **Text Box 4: Vulnerable People's Program – An Example of Differentiated Mitigation**

#### **Newmont Ahafo mine, Brong Ahafo, Ghana**

Newmont Ghana Gold Ltd (NGGL) began operations at Ahafo in 2006. Recognizing that the extractive sectors have been subjected to increasing expectations following the Global Mining Initiative, Mining, Minerals, and Sustainable Development, and the Extractive Industry Review, NGGL adopted Newmont's Social Responsibility Policy and commitment to meet and achieve demands for change. More explicit approaches to poverty reduction, human rights, governance, transparency, revenue management, renewable energy and environmental performance are demanded by the international community.

As the Ahafo mine was being developed, a suite of community programs was developed with IFC support. One such program is the Vulnerable People's Program (VPP). The VPP is a mitigation package aimed at cushioning vulnerable households within Newmont Ghana's mine impacted communities who may experience severe transitional hardships due to development of the mine. The VPP package funded by Newmont Ghana is different from the compensation and resettlement package paid to persons whose land and farms are being used for mining purposes.

Beneficiaries of the VPP program are entitled to four packages:

- 1) National Health Insurance registration for a year (could be 2 years, depending on the extent of need).
- 2) Insecticide Treated Bed nets are supplied to beneficiary households to prevent mosquito bite which could lead malaria.
- 3) Food Basket: Regular monthly supply of local food stuffs
- 4) Counseling: Professional Counselors, Psychologists and other officials from the Department of Social Welfare provide sound counseling concurrently (with the above packages) to beneficiaries to prepare them for transition to pursue sustainable sources of livelihood.

Scholarships are also provided to children in the beneficiary households who qualify to pursue Senior High School and Vocational and Technical Training.

#### **Who Benefits?**

A team of local consultants and NGGL build dossier of Project Affected Households (PAH) who are assessed /screened based on pre-qualification criteria. Individuals can also self-report to NGGL and would be assessed/screened based on the same criteria. PAHs identified to be potentially vulnerable based on the initial screening are presented to a Livelihoods Committee (LC) for further interview and the Committee, based on the information presented and their own investigations, may approve a given support package for the household.

The beneficiary households are given other sustainable NGGL livelihoods support such as Agricultural Improvement and Land Access Program (AILAP) and Skills Development for Income Improvement Program (SDIIP) to enable the household to earn a sustainable income to support themselves. Households are regularly monitored and moved off the support package after attaining self-sufficiency and able to support themselves. Some households established small and micro businesses. Others improved animal husbandry practices and expanded crop production through enhanced extension services, provided by NGGL.

### Text Box 5. The Hebron Project Benefits Plan – An Example of Addressing Gender Equity

The Hebron Project is an offshore oil field estimated to produce more than 700 million barrels of recoverable resources located offshore Newfoundland and Labrador in the Jeanne d'Arc Basin, 350 kilometres southeast of St. John's, Newfoundland. This project provides an example of how the ESIA identified issues specific to women, and how they addressed these issues through an employment plan.

In 2011 the proponent filed the Hebron Benefits Plan with the Canada-Newfoundland and Labrador Offshore Petroleum Board, which was conditionally approved in 2012. As part of this Benefits Plan the proponent developed and implemented a Gender Equity and Diversity Program, addressing employment and business access for women, Aboriginal peoples, persons with disabilities and members of visible minorities (designated groups), including a Women's Employment Plan which addresses diversity provisions for women, and a Diversity Plan which addresses diversity provisions for the other three designated groups.

The Women's Employment Plan was required to:

- Create training and recruitment programs for women and designated groups in consultation with training and educational institutions;
- Provide facilities for the Project that are accommodative of women in terms of living accommodation and a safe and respectful work environment;
- Set longer-term goals to employ more women in occupational areas where women are historically under-represented; and,
- Develop an implementation schedule for the Program and monitoring and report progress to the Board.

The proponent also committed to:

- Partner with organizations that expose groups, particularly women to math, science, technology or engineering to further support career choices;
- Establish scholarships and support programs to encourage members of the designated groups, particularly women, to complete training programs that will allow them to meet skills demand; and,
- Design Hebron platform living quarters to provide women safe, secure and respectful residential environment.

\* For full details of the Gender Diversity Plan go to: [https://www.cnlopb.ca/wp-content/uploads/hda\\_benplan.pdf](https://www.cnlopb.ca/wp-content/uploads/hda_benplan.pdf)

## 3.2 Social Impact Assessment and Indigenous Peoples

Indigenous Peoples have special status, roles and rights when it comes to the assessment process of development projects in Canada and around the world. In Canada certain historical, geographical and political factors contribute to present day socio-economic conditions and vulnerabilities of Indigenous Groups, which in turn can contribute to project impacts. These include:

- Events linked to colonization (e.g. racism, residential schools, non-ratified land claims, ratified land claims);
- Remote location of Indigenous communities (affecting distances to education and health centres, education and health status, cost of living, percentage of population in wage employment, income levels, and poverty rates);
- Prominence of land-based subsistence and traditional economies, often alongside large project developments (resulting in “mixed” economies, and vulnerability of traditional and current resource use from past projects/environmental degradation); and,
- Strong links between an ability to engage in traditional land-based activities, and individual and community health and well-being as defined by Indigenous Groups.

In addition, many Indigenous Groups have their own community specific engagement protocols as well as Indigenous laws, norms and values that need to be adhered to during the ESIA. The above factors should be considered when framing valued components and indicators, conducting baseline data collection, and identifying priority areas for impact assessment.

Best practice SIA in the context of Indigenous People and communities includes:

- Careful identification of Indigenous people’s representatives, both elected and traditional. Sub-groups within communities such as youth, women, and elders should be involved in consultations and be provided with opportunities to contribute baseline data and information on their community.
- Recognizing land and cultural rights and importance of traditional knowledge of Indigenous Groups as well as confidentiality of Traditional Knowledge (i.e., keeping Traditional Knowledge creates responsibility as it is ordinarily shared among kin and transmitted personally). Confidentiality agreements can be used to protect sensitive information from being made public and possibly misused.
- Scoping through early engagement to understand agreed upon acceptable tools and processes for in-community primary SIA data collection, and effectively communicating those results.
- Data collection, analysis and decision making (e.g., regarding significance of impacts) should be conducted respectfully within protocols that guide that particular Indigenous Group, taking into consideration laws, norms and values (including cultural and traditional values and activities) in the ESIA (i.e., will the development impact people’s ability to continue to adhere to Indigenous laws and values). Use of participatory tools and direct involvement of the community in the design of data collection. Examples of participatory tools include: focus groups, historical timelines and trends, seasonal calendar of activities, daily schedules, community and resource mapping.
- Discussion of the language and format of data collection activities with community representatives in advance of program planning. Awareness of cultural protocols around speaking with elders and others and having mixed demographic representation in group meetings.

- A broader concept of what constitutes health than merely biophysical inputs and changes should be incorporated into an SIA – through a social determinants of health model/approach which recognizes that factors such as ability to practice one's culture, socio-economic status, community cohesion and other factors play an important role in individual, family and community mental and physical health. Indigenous communities have adopted their own health and well-being frameworks, which can be used to guide health and well-being assessments as part of SIAs.
- Baseline information and baseline reporting should be presented and validated by communities so that they have an opportunity to correct or verify information prior to formal submission of the SIA.
- Measures proposed to address adverse impacts of the project should be designed and implemented with indigenous peoples' participation. Benefits from the project should be described from the perspective of the indigenous community.

Text Box 6 illustrates the application of a number of the above practices.

In certain jurisdictions, there is an increasing interest and capacity for Indigenous groups to conduct their own SIA.<sup>70</sup> This is in part linked to Project-related Impact Benefit Agreement (IBA) processes since results of SIAs (as components of ESIA) are critical inputs for assisting Indigenous Groups and proponents in negotiating IBAs. Indigenous communities identify the importance of their own community-led socio-economic assessments in the negotiation process (versus top-down proponent-directed SIA, which can result in SIA's with limited community field work and community-based data collection). The consideration of compensation of project effects on trapping, fishing and other resource harvesting (including for lots revenues) caused by damage to equipment, loss of animals (both presence and productivity loss), or increased costs associated with additional travel) is of specific importance within IBAs. Effective compensation (as part of project mitigation/benefit enhancement measures) require robust socio-economic and current and traditional resource use baseline data on traditional, subsistence and economic harvesting activity (linked to land and marine based traditional resource use of Indigenous communities).

Ideally community-led SIAs should be designed so they contribute the required information for IBA negotiations as well as contribute to the statutory IA process. In the case where proponents are providing funding for community-led SIAs, best practice includes proponent- indigenous community co-development of the SIA Terms of Reference, and collaboration (through early engagement and formalized agreements) between proponents, communities and regulators on how results of community led SIAs will be integrated and considered within the project ESIA document.

### Text Box 6. Case Study – Mitigation Measures to Address Potential Cultural Impacts

The Project (confidential) is a new gold mine development, including open pits, underground mine, mill, and associated infrastructure. The Project is located in the Kivalliq region of Nunavut, approximately 25 km northwest of the community of Rankin Inlet. The project represents the second gold mine in Kivalliq region.

The baseline integrates (i) quantitative and qualitative data collected during socio-economic and Inuit Qaujimagatuqangit (IQ) investigations, including data from field studies between 2009 and 2011; (ii) results of consultations on the Project undertaken by the client up to the end of 2011; and (iii) information from secondary sources, such as census data, Government of Nunavut reports, academic studies and reporting by other large mining projects in northern Canada.

The purpose of the baseline report was to:

- present and discuss the socio-economic conditions in Nunavut and in communities affected by the Project in order to understand the potential for impacts and benefits, and to develop appropriate mitigation and benefit enhancement measures in response;
- construct a baseline of socio-economic data that can be used to monitor change in Project affected communities such that the effectiveness of mitigation and benefit enhancement measures can be evaluated, and where unforeseen impacts occur, these can be iteratively addressed as the Project proceeds.

Erosion of Inuit culture was a key theme raised in consultations. The SIA presented proposed mitigations and agreed to:

- cross cultural training of all employees to encourage mutual understanding and respect in interactions of Inuit and non-Inuit employees;
- establishing Inuit and non-Inuit harvesting policies, including sanctions – whereas non-Inuit will not be permitted to hunt or fish while at the mine site, Inuit rights in this regard will be respected;
- facilitating the use, as appropriate, of the Inuktitut language in the workplace, including the translation of mining related terminology into Inuktitut such that people are able to discuss their experiences both in the workplace and at home in their own language;
- payment of salaries commensurate with costs of living (taking into account changes to eligibility for assisted housing and other government benefits) and benefits packages that recognize social and cultural needs such as bereavement leave, support to wellbeing and imperatives to improve education;
- accommodating Inuit diet preferences, through meal offerings and provision of storage and facilities for self cooking of country foods;
- providing sufficient communication services (telephone, internet and community radio) to meet the needs of employees to stay in contact as required with their families and communities; and,
- making available elders, peer counselors and staff in community offices with competence to ease work/life balance challenges.



## 4.0 CHALLENGES OF IMPLEMENTATION

This section identifies a number of additional challenges to SIA practice drawing on practitioners' experiences within Canada and internationally.

### *Time*

- Adequate time for proper engagement and consultations should be worked into all stages of the SIA. Many projects require consultation with multiple groups and communities, and if properly engaged each community is consulted on setting up the meeting schedule. For complex projects, this may involve many meetings, in multiple locations. Local circumstances may prevent proper engagement with communities, within legislated timelines. For example, in some jurisdictions in Canada, multiple project proponents are consulting with the same communities, creating consultation 'fatigue.' Communities may push back on insistence of proponents that they meet with them in specified timeframes, that are the result of legislated time constraints.

### *Capacity*

- Community may not have the capacity to adequately participate in the ESIA. In these situations, the proponent should provide capacity building, including legal advice.
- ESIA's are focused on meeting the requirements of government planners and regulators, and as such can be highly technical. The range and complexity of issues and selected language used to describe the issues and mitigation in the environmental and social impact statements can make it challenging for Indigenous groups and stakeholders to grasp the full technical content of ESIA's. Plain language documents and communication materials, combined with community workshops to present ESIA methods, baseline data and draft assessment findings can help facilitate Indigenous groups stakeholder comprehension and constructive feedback and input.

### *Data and Information*

- Good baseline data can be a challenge especially pertaining to remote, small communities. In addition, while general population data may be available, disaggregated data may be lacking, particularly in relation to vulnerable groups (children, elderly, disabled). A reliance on census data, which has data limitations and is collected at the level of an administrative unit, is not often appropriate for a proper assessment of social effects on small communities. Primary data collection through interviews and surveys may be necessary to acquire information from sub populations within a community, such as women, elders, youth.
- The importance of the protection and confidentiality of Indigenous Knowledge and community-based knowledge in SIAs is not a challenge per se, however, confidential information may be submitted to the regulator and not made public in the ESIA. Knowledge sharing agreements should be negotiated in advance of data collection activities, with clearly documentation protocols and confidentiality clauses.
- Often, the Terms of Reference (ToR) for the SIA is developed long before the project is defined. In these cases, the ToR may require extensive socio-economic and health baseline data collection, only to discover, when the project is better defined that there are limited benefits and impacts to communities. Thus, the data that was collected may be irrelevant to the impacts that are likely to occur. Data collection can raise expectations in communities – collecting information on human resources skills for example, can raise expectations of training and jobs, even if the project involves few employment positions. Asking people questions about health may inadvertently suggest that the project will influence community health outcomes.

### *Defining public interest*

- Under the new IAA, there could be particular challenges in balancing what will be considered “in the public interest” with what communities identify as being the core issues with a project will be a challenge. For example, how will the positive benefits of a project that meet the broader interests and objectives of society and economy be weighed against potential negative impacts to a selected population based within a small community?

### *Effect characterization*

- Where an SIA is conducted as a component of a broader ESIA the SIA component can often be directed to adopt environmental assessment criteria in the SIA residual effects characterization (e.g. direction, magnitude, geographic extent, duration, frequency, reversibility). However certain potential impacts may be difficult to effectively evaluate through the standard environmental assessment criteria (for example, stakeholder’s concern with and SIA results showing potential for the project to result in an increase in crime or a rise in income inequity in a small community may be difficult to measure at the time of completing the SIA making it difficult to use and apply a magnitude rating). In these instances, the SIA residual effects rating criteria framework may need to be adapted for some impacts. For example, the framework may remove the application of certain effects rating criteria (for example, reversibility is not applicable to the assessment of economic benefits, since the acquisition of skills, training and experience by project workers is a sustained positive benefit to these people and their communities in which they live in, and reversibility is not a desired outcome) or define a residual effects ratings (for example in the case of magnitude ratings of potential for increased in crime) to be more reflective of professional judgement and level of concern identified by stakeholders and Indigenous groups. Monitoring can be proposed to support better understanding of an impact in the cases where there are high levels of uncertainty with respect to the extent of the impact (for example magnitude).
- There are no thresholds for many social issues or features of the social environment against which significant or non-significant can be determined. For example, there is no ‘tipping point’ for cultural change. As with rating of residual effect, for some social impacts, the application of a more qualitative approach, involving extensive engagement with impacted groups, to identify a multi-dimensional qualitative definition of significance that impacted groups agree is good practice, and supports a more meaningful analysis of impact significance.

### *Monitoring and Follow up Programs*

- Monitoring and follow up programs have typically been the weakest component of ESIA’s, both in Canada and in other countries. While reporting back to regulators as a condition of approvals and permits may occur, reporting monitoring results to communities and involving communities in environmental and social monitoring is not consistently practiced. Good ESIA practice involves a robust follow up monitoring and management program that incorporates participation of affected communities in monitoring activities, communications and consultation with affected communities on monitoring results, and mechanisms for community input on adaptive management requirements if monitoring identifies limitations to mitigation measures in effectively addressing adverse impacts.

- There are inherent levels of uncertainty with respect to prediction of some social impacts (for example, such things as potential increase in crime or substance abuse due to large influx of construction workforce). This level of uncertainty is due to the dynamic and changing social and economic environment that project take place in. There are higher levels of uncertainty in impact predictions, the greater need for monitoring and follow up. This emphasizes the importance of SIMPs that include monitoring and follow plans.

### ***Integration of Biophysical Assessment Results into the SIA***

- SIA relies on the results of other discipline specific assessments completed for an ESIA such as water resources, wildlife, fish and fish habitat, air quality and noise assessments. The SIA practitioner is required to interprets results of these assessments in order to assess how stakeholder groups and communities may be affected by changes to the biophysical environment (for example how a reduction in wildlife abundance and availability may impact local guided outfitters' businesses). This requires collaboration between the SIA and biophysical specialists, time for this collective team to review and discuss biophysical findings so that the SIA team understands the results and scheduling the completion of the SIA after the completion of the biophysical assessments.

## 5.0 SOCIAL IMPACT ASSESSMENT UNDER THE PROPOSED IMPACT ASSESSMENT ACT – RECOMMENDATIONS FOR FUTURE ANALYSIS AND GUIDANCE

A number of 'next steps' have been proposed to the Agency that would support implementation of good SIA practice under the proposed IAA. These include the following:

- A detailed guide on how to implement SIA under the proposed IAA could be developed, which further defines new terms under the IAA (for example, gender-based analysis and sustainability criteria). Such a guide could assist proponents and ESIA practitioners to implement and meet the requirements of the IAA.
- This report could be the starting point for the SIA guide. The ideas presented in this report could be vetted and discussed with other SIA experts from across Canada, through document review and workshops, with the objective of identifying critical guided content (e.g. Annotated Table of Contents as a first phase).
- As part of this guide, "Good Practice" notes could be developed which provide detailed technical information on challenging aspects of SIA (for example how to address gender analysis and the inclusion of vulnerable groups in the SIA) as directed under the new IAA, supported by a database of case study material relevant for the topic. These Good Practice notes could be appendices to the SIA guide or be prepared as a series of separate documents (Note: many organizations such as the IFC, the World Bank have prepared such technical guidance notes to guide implementation of their environmental and social performance standards).
- Communication materials targeted to the public and stakeholders describing SIA and other related concepts in the proposed IAA, such as gender analysis, could be developed.
- In the Agency's forthcoming information on regional assessments, strategic assessments and cumulative effects, it would be helpful to discuss and undertake an analysis of how SIA and these concepts and processes are connected and collectively support a robust impact assessment process.
- The Agency could consider further research and analysis on the technicalities, benefits and challenges of Indigenous governing bodies conducting their own SIAs within the legislated IA process. This analysis could benefit from collaborating with the Northern boards such as Yukon Environmental and Socio-Economic Assessment Board (YESAB), NIRB and MVEIRB.

## 6.0 COMPENDIUM OF REFERENCES AND GUIDANCE ON SOCIAL IMPACT ASSESSMENT AND RELATED TOPICS

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