

Green Resources Human Rights Impact Assessment

Proposed CHP plant and
Transition into Harvesting
at Uchindile Forest



Global Human Rights

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Acronyms

AIDS	Auto-Immune Deficiency Syndrome
ARV	Anti-retrovirals. Medication to treat the Human Immunodeficiency Virus (HIV)
CCBA	Climate Change Biodiversity Alliance
CDM	Clean Development Mechanism (within the UN Framework on Climate Change)
CHP	Combined Heat and Power
CHRR	Center for Human Rights and Rehabilitation
CIRI	Cingranelli-Richards – Human Rights Data Project
DHS	District Health Studies
DSS	Data Surveillance
EIA	Environmental Impact Assessment
FAO	Food and Agriculture Organization
FSC	Forest Stewardship Council
HIA	Health Impact Assessment
HIV	Human Immunodeficiency Virus
HRIA	Human Rights Impact Assessment
IFC	International Finance Corporation
IOM	International Organization for Migration
NGO	Nongovernmental Organization
OHS	Occupational Health & Safety
SIA	Social Impact Assessment
STI	Sexually Transmitted Infection
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commission on Human Rights
UNICEF	United Nations Children’s Fund
VCS	UN Voluntary Carbon Standards
WEF	World Economic Forum
WHO	World Health Organization

Executive Summary

As the CHP Plant remains in the planning stages, it was not re-assessed in this follow-up report. The focus, instead, was on Uchindile and Kitete plantations.

Green Resources is growing rapidly in Africa, significantly outpacing the growth of its social license to operate. Uchindile Plantation represents a useful case study in the Company's operations and should serve as a cautionary tale for future Projects. As Nomogaia's initial report suggested, lapses in the responsibility to respect human rights would result in negative attention on the company and problems on site. In October 2009, arson was committed on the Uchindile plantation. The Company reports that frustration was over social security deductions, a longstanding point of confusion and contention between the Company and workers. In interviews, workers also listed inadequate wages and safety standards, defaulted promises, and a clear failure to commit to worker health as causes for the violent outburst.

Significant changes have occurred since Nomogaia's December 2009 submission of a draft HRIA to the Company. Uchindile dormitories now contain 12 additional beds and hold only 21 workers. Meals are provided them three times daily, vastly improving energy levels of workers. Wages were increased over 20 percent, revolutionizing the economy of Uchindile town. The community, which previously operated as an isolated farming community, now boasts nine businesses, including two restaurants and a tailor. Mud houses are rapidly being torn down and replaced with fired-brick structures. The waste-wood used for construction has been replaced by purchased boards (selling at lower prices than they do in Mafinga). This not only improves the quality of construction in the town, it also suggests that Uchindile residents are at a decreased risk of negative impacts resulting from the Green Resources CHP's planned use of local waste wood. New management has released the tension that characterized the Uchindile and Kitete communities before. Mr. Munisi is considered by all to be fair, respectful, and willing to listen to worker complaints.

Management in general appears to have improved, with water tanks full at the time of visit and Project vehicles operating with significantly more (though not sufficient) regularity to bring workers to the fields. That a vehicle also retrieves workers from Kitete suggests a notable increase in the Project's awareness of worker needs. The Uchindile schoolhouses, seemingly perpetually under construction in early 2009, are both completed, furnished, and of high quality. The new task-based system of pay incentivizes work and has compelled workers to seek improvement in their lives and livelihoods.

Despite these notable improvements, the Company continues to manage developments on a timeline that fails to respect human rights.

Housing: The new dormitories in Kitete, built for 30 people maximum, squeezing four people into 4x4x4 meter rooms, are currently holding 78. Men are sleeping two to a bed, "storing" their attire on clothes lines, for lack of any internal storage space. The water tank deposited in March remains empty, and workers fetch water from a dirty stream down a steep slope, one kilometer from the dorms. Lunch is provided to workers, but each is responsible for his own dinner, and there is only one cooking fire, meaning 78 workers must queue to make dinner at night. Simultaneously, a second dorm is being built by a single worker. The inefficiency of this system prolongs the unlivable situation in the upper dorm and increases the risk of a disease outbreak in the unsanitary conditions of camp. At Uchindile, the untreated wood used to build the dorms is already showing signs of deterioration (wall slats have been removed and insects have burrowed into planks). Additionally, electricity is still lacking.

Labor Rights: Problems with promotions persist. Workers are not informed of the criterion for progressing from casual to permanent employment, which causes resentment within the communities and confusion among longtime employees. The temporary system at large remains a violation of the right to

favorable work conditions, as temporary workers are denied sick leave, maternity leave, healthcare benefits and severance (among other benefits). The Company's continuing insistence on contracting Mafinga workers to operate chainsaws suggests discriminatory policies against communities and denies them the right to work in a job that provides advancement and skills, and the weakness of TPAWU represents a significant threat to the Right to Unionize.

In Kitete, the truck that now transports workers is perpetually 15 people over capacity when it arrives, and residents say no transportation is available one week each month. No other promises to kitete have been fulfilled. A dispensary and improvements to the school (preferably in personnel and materials rather than in construction) remain elusive.

Right to Health: Healthcare is a problem for workers and community members alike. The Uchindle clinic remains under stocked and understaffed, and the nurse continues to address emergencies and assist births by candlelight for lack of promised solar panels. Workers are aware that the work they do is arduous and hazardous, and while they are notably healthier due to the meal now provided by the company, they have no access to adequate healthcare. That they continue to work without protective gear suggests that the company has not made this a priority. Occupational Health and Safety has a major preventive component. Prevention involves the mandatory use of protective gear while on the job, and it requires mitigation measures to prevent the spread of HIV. This is not done, to the detriment of human rights.

Right to Water: Additionally, water quality remains unacceptable. The streams from which villagers and workers drink (and from which water tanks are filled) have been tested and found to have unacceptably high bacteria content. Project requests that residents boil water have been unsuccessful, and they are unviable at dormitories where all inhabitants share a single kitchen. The abdominal pains that already plague workers are not likely to go away if the company continues to ignore water quality issues.

Nondiscrimination: The Company has never comprehensively addressed sexual harassment, and discrimination against handicapped and ill workers has been asserted repeatedly by workers. The lack of a grievance mechanism (comment boxes have never been accepted by the community, which has low literacy rates and, often, little access to pen and paper), coupled with the absence of discrimination training, represent a failure to respect the human Right to Nondiscrimination.

For recommendations on how to address these rights shortfalls, please see section 13, beginning on page 64.

User's Guide to HRIA

A Human Rights Impact Assessment is a detail-rich, broad-sweeping document. The data included in the extended catalogs is vital to establish a foundation for assessors' conclusions but can be difficult to follow, particularly for anyone with limited time. This user guide is intended to direct readers to the sections they will find most valuable.

Pages
8 - 17

Background information explaining the purpose and structure of the HRIA, and an overview of the capital project assessed (the "Project"), the project proponent (the "Company") and relevant facts about the area and country in which the Project is being built (the "Context").

Pages
18 - 49

Catalogs are the analytical core of the HRIA. In them, detailed information on the Project, Company and Context are organized by those issues which form the foundation of each internationally recognized Human Right.

Page
51

Special Topics, which present rights issues of particular interest to the Project under assessment, and **Human Rights Issues** of more general interest to the Project are explained and elaborated in this section.

Pages
54 - 64

Human Rights Ratings are the heart of the impact assessment, where the negative and positive impacts of a Project are quantified. Also in this section are the ratings deltas. In this longitudinal study, some ratings changed over time.

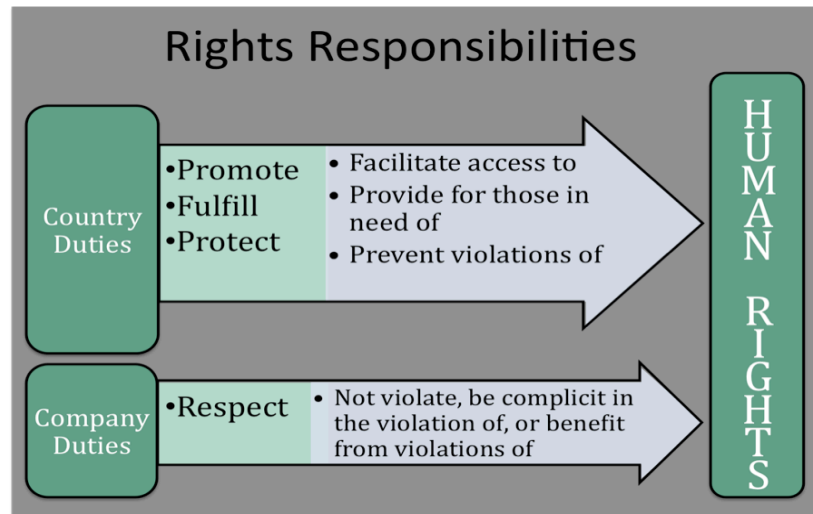
Pages
64 - 68

Recommendations are issued as proposed mitigating steps to protect human rights from negative impacts of the Project and to promote the positive impacts.

1. Introduction

1.1. Human Rights and Business

Although international agreements have endowed governments with the express duty to protect human rights, large transnational corporations often have undeniable influence on human rights in the countries where they operate. With this power, such companies have acquired responsibilities. Businesses are now held to human rights standards. In 2005, the Secretary-General of the United Nations appointed Professor John Ruggie to serve as Special Representative on Human



Rights and Transnational Corporations. His mandate, as dictated by the UN, is, *"to identify and clarify standards of corporate responsibility and accountability for transnational corporations and other business enterprises with regard to human rights."*¹ Professor Ruggie issued a pivotal report in June of 2008, broadly defining a corporate role to "respect" human rights and requiring corporations to detect potential impacts in advance. Broad corporate support for Professor Ruggie's recommendations has emerged. The International Council on Mining and Metals, speaking for some of the industry's largest corporations, welcomed Professor Ruggie's report and supported the entirety of his framework (ICMM News 6.12.08), as did, perhaps more significantly, a global alliance of socially responsible investors (ICRR 10.1.06).² Ruggie is currently working to "operationalize" his recommendations, and human rights impact assessment is a central focus.

1.2. Human Rights Impact Assessment

For large capital projects, impact assessment is now standard. Social, environmental, and health impacts are investigated using internationally accepted methodologies and are commissioned to anticipate multiple classes of challenges. Each impact assessment addresses a defined area or topic. Experience has shown that standard assessments cannot capture the full range of issues that might trigger or exacerbate human rights claims. A Human Rights Impact Assessment (HRIA) relies on traditional assessments when possible and does not duplicate them, but employs a different scope, methodology and perspective to foresee impacts.

¹ <http://www.un.org/News/Press/docs/2005/sga934.doc.htm>

² <http://www.icmm.com/page/8331/icmm-welcomes-ruggie-report>

The Human Rights Perspective Enables a Project Proponent To:

- Understand significant human rights at risk in the Project area
- Anticipate and mitigate negative impacts on human rights caused by the Project – through alterations in Project design, policies, procedures and involvement of third parties
- Anticipate and document positive impacts on human rights caused by the Project
- Understand risk from topics not covered by other impact and community assessments
- Consider the Project from the point of view of rightsholders
- Identify vulnerable groups – those at greatest risk and those who are most likely to spark controversy
- Prioritize local vulnerabilities and opportunities in rights protection
- Increase needed institutional sensitivity to high priority rights issues
- Create appropriate grievance procedures and mechanisms to allow orderly resolution of perceived rights infringements
- Establish a baseline of a community's perspective on the potential impact of the Project's presence, and document local perceptions of improving/diminishing human rights protections

1.3. Rights to be Considered

HRIAs are conducted based on the rights enumerated in the United Nations' Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; and the International Covenant on Economic, Social and Cultural Rights. In addition, depending on the Project and the specified goals of the HRIA, other internationally recognized human rights conventions may be considered.³ Applicable laws are also taken into account as informative of human rights. Please see **Appendix 1** for a list of relevant rights drawn from these documents.

Potential Rights (limited and incomplete list)

Labor	Environmental / Welfare	Social/Political
▪ Right to Work	▪ Right to Life	▪ Right to Liberty
▪ Right to Favorable Working Conditions	▪ Right to Health	▪ Freedom from Arbitrary Arrest
▪ Right to Just Remuneration	▪ Right to Adequate Supply of Water	▪ Freedom from Degrading Treatment and Torture
▪ Freedom from Exploitive Child	▪ Right to Clean Environment	▪ Freedom of Thought

³ These may include such sources such as the Declaration of the Rights of Indigenous Peoples, the Convention on the Rights of the Child, as well as regional conventions such as the African Charter on Human and Peoples Rights.

Labor		
▪ Freedom from Involuntary Labor	▪ Right to Adequate Standard of Living	▪ Freedom of Expression
▪ Equal Pay for Equal Work	▪ Right to Food	▪ Freedom of Assembly
▪ Nondiscrimination	▪ Right to Housing	▪ Freedom of Religion
▪ Right to Belong to a Trade Union	▪ Right to Security of Person	▪ Right to Participate in the Cultural Life of the Community
▪ Right to Strike	▪ Right to Privacy	▪ Right to Education
▪ Freedom of Association	▪ Freedom of Residence	▪ Right of Self-Determination
▪	▪ Right to Family	▪

1.3. Rightsholders

Human rights are held by individuals referred to as “rightsholders.” HRIAs necessarily employ this term, which is not used in other assessments, because rights analysis starts with the individuals whose human rights could be at risk. Traditional impact assessment, in contrast, focuses on groups that have a “stake” in the project – be it financial, social, environmental or otherwise. Most impact assessments categorize stakeholders by proximity, dividing them into host community, host country, and “wider community” (see, e.g. IFC p. 39). The rightsholders relevant to an HRIA are more exclusive – a subset⁴ of the stakeholder group.

Rightsholders generally live within the project vicinity (there are exceptions, such as child laborers in the supply chain). They are integral to a Human Rights Impact Assessment, particularly if they are not well represented by government, trade unions, NGOs, or any other organization. Community leaders, traditional government leaders and NGO leaders may have positions and opinions reflective of rightsholder concerns, and so should be heard, but more vital are the voices of the “voiceless” – those whose interests are rarely taken into consideration, sometimes to the detriment of all. The goal of rightsholder analysis is to determine, as accurately as possible, the effect of the Project on rights, whether or not the rightsholders are in power.

Potential Rightsholders

Labor Rightsholders	Environmental Rightsholders	Social / Political / Welfare Rightsholders
Directly Impacted		
▪ Employees	▪ Project area inhabitants	▪ Communities whose health, education, water & sanitation infrastructure are burden by the Project
▪ Contractors and subcontractors	▪ Residents whose wells are impacted and/or air quality	▪ Indigenous people with traditional uses for the Project area
		▪ Residents dwelling near to blast sites
Indirectly Impacted		

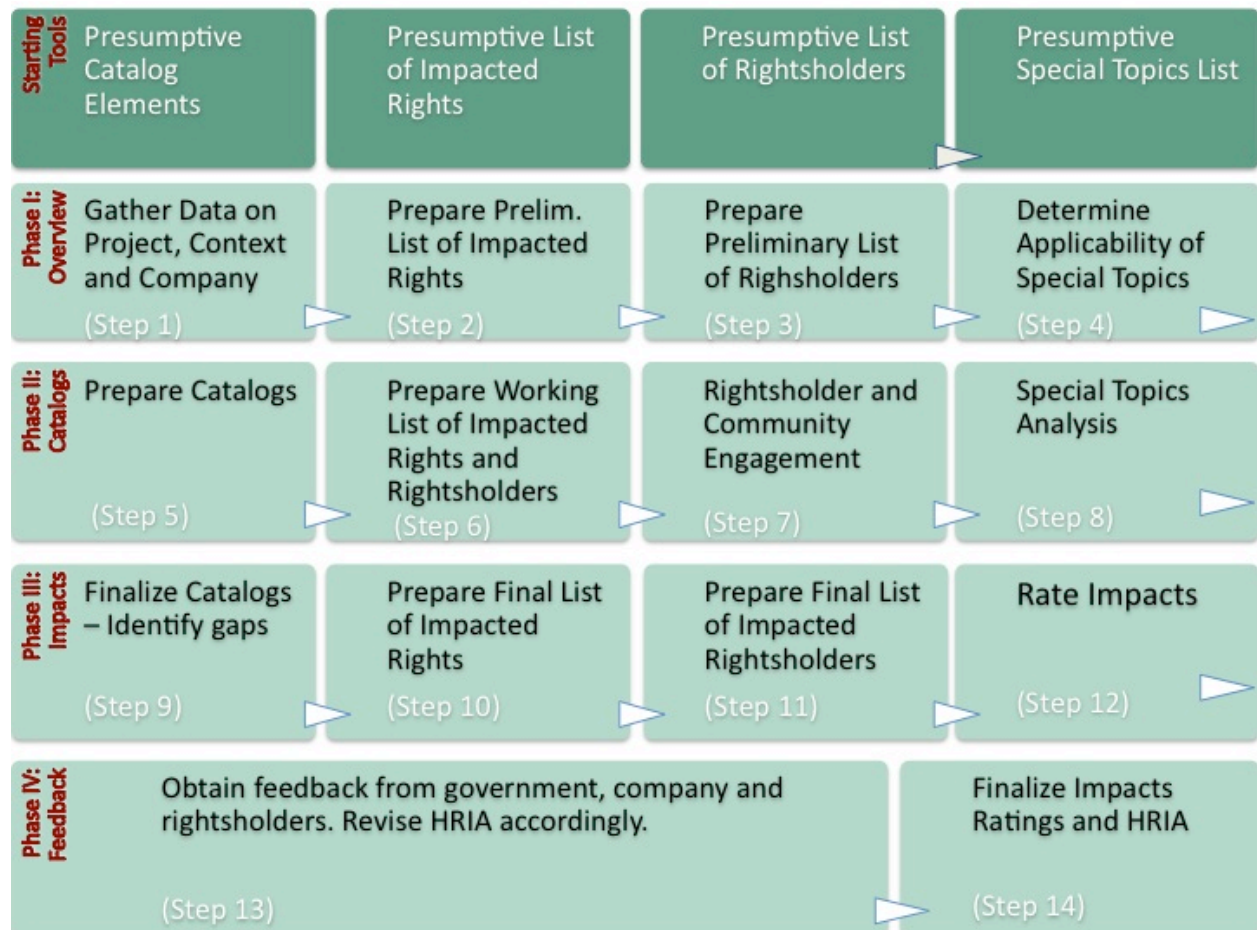
⁴ There is some debate over the definition of stakeholders. By “subset” we include all proximate stakeholders, even those who have no interaction with the project, for example villagers from communities with no marketable skills but who live proximate to the project.

▪ Employees, business owners in the Project's supply / production chains	▪ Subsistence farmers with impacted lands	▪ Food purchasers struggling with inflated prices
▪ Farmers or tradesmen who have lost livelihoods to the Project	▪ People who are likely to lose possession of their land	▪ Residents in communities that draw particularly large numbers of employees
▪ Minorities and disenfranchised groups not employed by the Project	▪ Residents dwelling near to roads whose use will increase	
	▪ Users of downstream water	

2. Methodology

HRIAs are conducted to determine whether and to what extent the Project will interact with pre-existing social, economic, environmental or political conditions (the “Context”) to impact particular human rights positively or negatively. The status of rights protection before the project begins serves as a baseline; changes in that status constitute impacts. Rights can be impacted in complex ways – sometimes simultaneously positively and negatively, sometimes indeterminately, given currently available information and the rightsholders considered.

An HRIA is performed in the following steps:



This Human Rights Impact Assessment, meaning it was conducted on the heels of most other Project assessments and studies. It builds on preexisting data and analysis and is augmented with on-site investigation. Site visits provide human rights assessors the opportunity to independently confirm or question existing data and conclusions, as well as to conduct rightsholder engagement and spot trouble areas that represent gaps in other studies. New information was collected as needed.

3. Overview

3.1. Context

This HRIA follow-up updates the impacts of the transition of Green Resources' southern Tanzanian tree plantations from growth to harvest (commencing with the first harvestable trees, in the Uchindile forest). Unlike the original HRIA, this does not investigate the construction and commissioning of a Combined Heat and Power (CHP) biodiesel plant. The reason for this omission is that the CHP remains in planning stages and no conditions have changed on the ground to merit a reassessment.

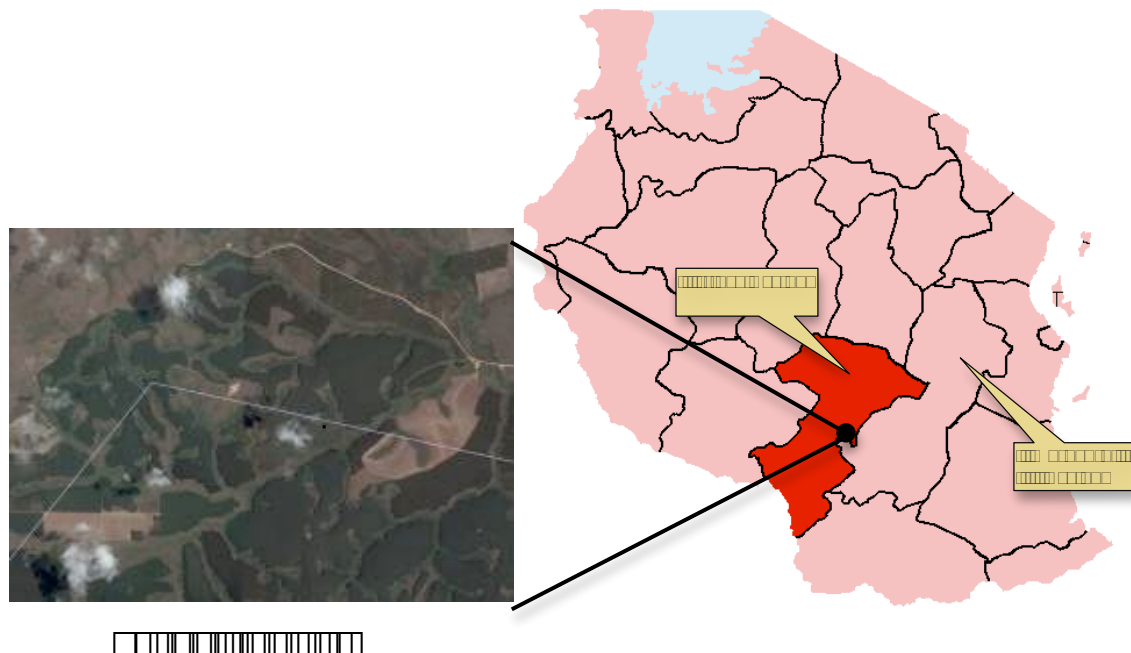
The Uchindile forest is located adjacent to Uchindile, Lugala, and Kitete villages, straddling the district border between Mufindi and Kilombero districts and the regional border between Iringa and Morogoro. It is approximately 100 kilometers from the proposed Sao Hill biofuel plant and the Company's national headquarters. Uchindile covers 12,121 hectares, as stated on the title deed, of which approximately 9,000 are planned for planting (excluding riparian zones and steep valleys). Approximately 3,200 hectares have been planted to date. Its boundaries comprise the government-owned Sao Hill

industrial forest and the Kihata River to the west, the Luiga River to the north, and the Tanzanian railway line to the south. The landscape was previously grassland with rolling hills, which were highly prone to landslides due to steep slopes, poor soil quality (caused by annual local/traditional burning and accidental brushfires), and a shortage of strong-rooted plants. There are numerous rivers, streams and wetlands in the area's valleys. Plantation development, both by private companies and government operations, has converted the landscape to dense pine and eucalyptus forests. Evenings are chilly and damp; days are dry and warm. Local subsistence crops are maize and beans, and minor cash crops include bananas, pineapples and sugar. Tea plantations occupy significant space in the region. Despite the significant presence of industry, poverty remains widespread. At the time Company baseline studies were begun (1994) over 43 percent of villagers earned less than 50,000 TSh (US \$38) per month.

The Uchindile Project area population (Uchindile and Kitete) is sparse and stable (roughly 1500 people were counted in the 1994 EIA, compared to 1,274 in the 2006 Village Executive Committee count) due to out-migration as young people seek new cropland. Hehe and Bena, two very similar cultures, dominate. The area has a rainy season and a dry season, with mean annual precipitation of approximately 1000mm, falling mostly between November and May.

Major health issues include infectious diseases (malaria, waterborne parasites, HIV/AIDS, tuberculosis) and traumatic injury, caused by traffic, milling and tree felling accidents.

Traditional governments were replaced by district leaders decades ago, and governance is decentralized – the Project is in Iringa and Morogoro Regions, each of which are divided into districts, then wards and villages. Both regions suffer a history of weak governance (Source: Iringa government documents).



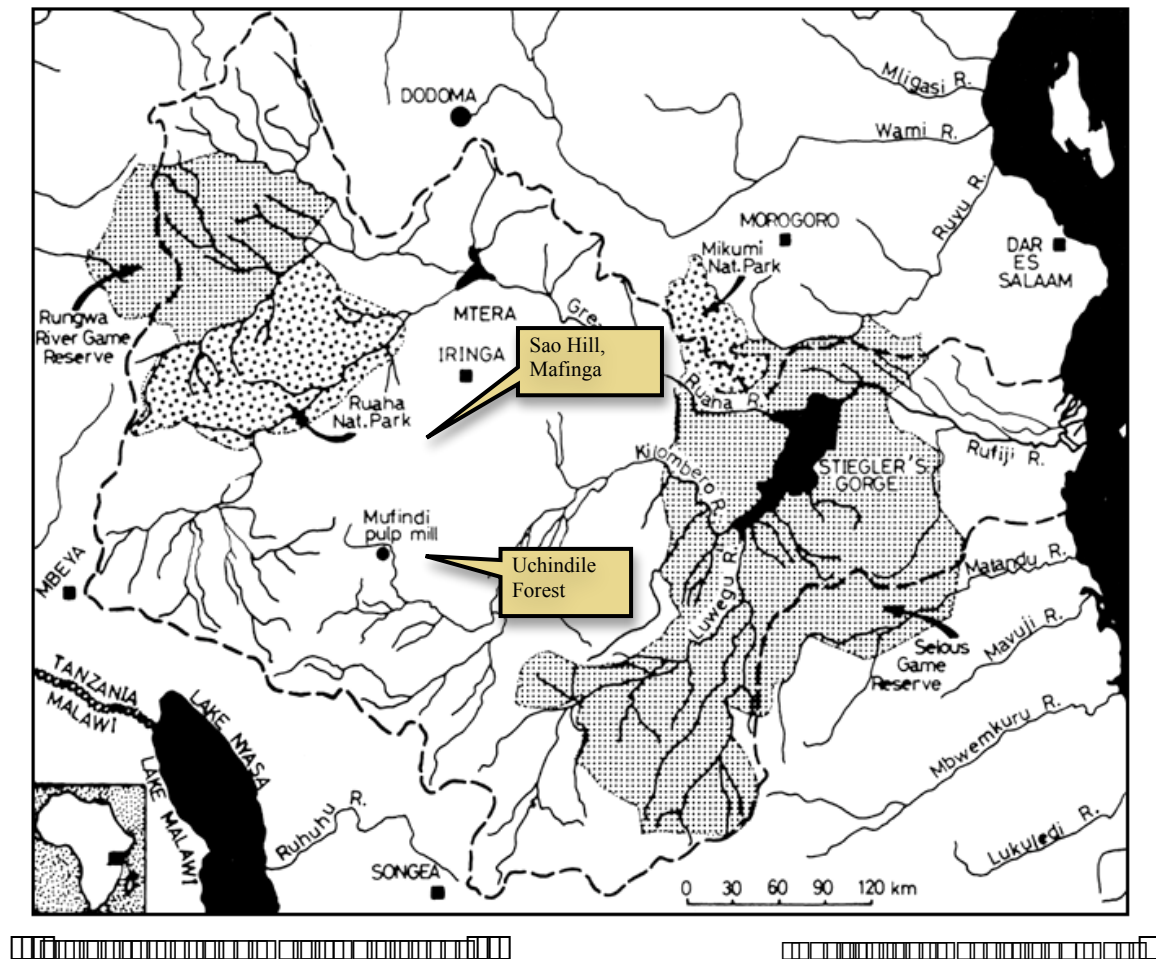
3.2. Project

Green Resources is transitioning to harvesting (from strictly tree growth, pruning and planting) in its project in Uchindile. By 2014 667 hectares will reach maturity for harvesting, requiring a change in labor activities and instigating an alteration in impacts.

3.2.1. Uchindile Forest Harvesting

Trees are felled with equipment that limits the amount of tree dragging (which causes erosion). High quality trees will be transported by truck from Uchindile nearly 100 kilometers by road (40 kilometers linearly) to the Sao Hill Saw Mill, owned and operated by the Company. Commercially unviable trees are currently being left in place. As of September 2009, 8000 trees had been commercially harvested at Uchindile, all eucalyptus. Throughout the Company's Tanzania operations, 300 hectares of eucalyptus will reach maturity for harvesting by 2010, amounting to an estimated 10,000 poles per year. Harvesting is scheduled for ramp up in Q4 2010 but will increase most rapidly starting in 2016, owing to the increased planting that began in 2003. The primary uses for pine and eucalyptus are construction logs and transmission poles, respectively.⁵ There are no current plans to export trees, though the potential exists to ship logs to Kenya (and later, possibly, overseas). The most significant area of Uchindile planted with eucalyptus suitable for transmission poles will be ready for harvest in 2011.

⁵ Other uses include prefabricated houses, carpentry products, transmission poles, telegraphic poles, fencing poles, railway sleepers and wood pallets



Construction beams and transmission poles are in high demand in Tanzania, partly owing to the nation's recent infrastructure boom, and partly because the timber market had been depressed for several decades. The Government of Tanzania sets prices for commodities, including timber, rather than relying on market prices. Until 2007, Tanzania undervalued wood by more than threefold, causing suppliers to vanish and shortages to grow. Even with the wood revaluation, Tanzania's eucalyptus prices lag slightly for the region and significantly worldwide. Uchindile harvesting will begin to fill Tanzania's need for eucalyptus poles.

This is the area's first harvest – replanting will be conducted atop eucalyptus stumps. After first harvest, eucalyptus generally grows faster, because the new plants utilize existing root systems. Soil quality, which often depletes as trees consume nutrients, may require mineral supplements at that time. However, because most nutrients are found in leaves and branches, which will be left on the forest floor when logs are hauled out, soil quality is not expected to decline significantly.

3.3. Company

Green Resources Limited (GRL) is the African plantation subsidiary of Green Resources ASA of Norway, incorporated in 1995. GRL was incorporated as a new company in 2001 with the merger of Kilombero Forests Ltd and Mufindi Forests Ltd. One of the original plantation projects was Uchindile, which began reaching harvesting maturity in 2008. In expanding operations, Green Resources has also incorporated two additional subsidiaries: Sao Hill Industries for its sawmill and Sao Hill Energy for the

CHP plant. In this document, GRL will refer to plantation projects, SHI will refer to the sawmill, SHE will refer to the CHP plant, and ‘the Company’ will refer to Green Resources’ Tanzania operations at large.

With over 100,000 hectares of leased land available for planting and over 14,000 hectares of forest, Green Resources considers itself Africa’s “leading” forestation company, though not its largest. The company began pilot planting pine and eucalyptus plantations in Uganda and Tanzania in 1996 and 1997, expanding planting in ensuing years. Acreage is planted according to rotating schedules that stagger maturity and pruning times, to maximize the use of labor and equipment year upon year. In 2003 the Company acquired ownership of the Sao Hill sawmill, which, though operated by Green Resources since 1996, had been owned by the Tanzanian government. Plantation operations have expanded since 1996 to include five plantations in Tanzania, an original Uganda plantation, a nursery in southern Sudan and prospects in Mozambique. The recommissioning and expansion of the CHP plant represents the next step in the Company’s industrial growth.

Company policy nominally respects all relevant national and international laws and requires that projects contribute positively to all local communities. Mapanda and Uchindile are both Voluntary Carbon Standards (VCS) validated and Forest Stewardship Council (FSC) certified (via an accredited auditor). Idete plantation has become a Clean Development Mechanism (CDM)⁶ project, per the United Nations Framework Convention on Climate Change. Senior Company staff has received ISO training, and projects are undergoing assessment for Climate, Community and Biodiversity Alliance (CCBA) certification presently. Pricewaterhouse Coopers has certified the Company’s financials according to International Financial Reporting Standards.

Professionals under contract to the Company compiled original data analyzed in this HRIA. Studies included:

Date	Author	Title (Citation symbol in HRIA)
August 1999	Orgut Consulting Tanzania Branch	An Assessment of the Environmental Impact of the Forest Plantation Project at Uchindile and Lugala Villages in Kilombero District, Tanzania
2007	V.G. Nambombe and Dr. P. Mussami	Summary of Forest Management Plan (January 2005- December 2009) For Uchindile Forest Project
July 2007	Clean Development Mechanism (CDM) Executive board	Project Design Document Form for Afforestation and Reforestation Project Activities (CDM-AR-PDD) Version 03
2007	GRL	2007 Annual Report
January 2008	Environmental Association of Tanzania (ENATA)	Green Resources Limited Environmental Impact Assessment on Proposed Mapanda and Idete Forest Projects in Mufindi District Iringa Region, Tanzania
March 2008	IFC	Environmental & Social Review Summary
August 2008	TUV SUD Industrie Service GmbH Carbon Management Service	Validation Report: Validation of the CDM-Project: Afforestation in Grassland Areas Uchindile, Kilombero, Tanzania & Mapanda, Mufindi, Tanzania

⁶ The provision in the Kyoto Protocol that governs project based carbon credit transactions between developed and developing countries

Nomogaia
Human Rights Impact Assessment
Green Resources Harvesting Transition and HCP Power Plant Project

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August 2008	Dr. P. Mussami	Summary of Activities Monitoring in the GRL Afforestation Projects
September 2008	Econ Poyry	Environmental, Social and Economic Impact Assessment of a 12Mw Combined Heat and Power Plant, Sao Hill, Tanzania
January 2009	GRL	Book 112.xls Training and Competence Matrix for Environment and OHS 2009
August 2009	EnviDep Ltd and Econ Poyry	ESIA for the 15 MW Combined Heat and Power Plant
September 2009	GRL	2008 Annual Report
October 2009	TUV SUD Industrie Service GmbH Carbon Management Service	2009 Validation Report: Validation of the CDM-Project: Afforestation in Grassland Areas Uchindile, Kilombero, Tanzania & Mapanda, Mufindi, Tanzania

Additional sources for follow-up assessment included

- Various legal documents and publicly available country resources
- Communications with Company personnel
 - Mwaniki Ngibuini – GRL Development Director
 - Sangito Sumari – Managing Director
 - Dr. Peter Mussami - Planning Manager
 - Vincent Nambombe - Planning Manager
 - Samson Msilu - Community Officer
 - Asifwe Makweta -Human Resources Officer
 - Agatha Chuma – Sao Hill Clinician
 - Mr. Sylvester Luagira – Uchindile Forest Project Manager
 - Zenobi Nkana – Kitete Plantation Manager
 - Contract Laborers at Uchindile and Kitete
 - Permanent Employees at Uchindile and Kitete
 - Mr. Munisi and Prosper Wilbright– Management and Assistant manager at Uchindile
- Communications with key NGO personnel
 - Godifrey Mosha- Mufindi Environmental Trust (MUET)
 - Boniface Mliga – MUET
 - Jorn Stave – Centre for Ecological and Evolutionary Synthesis
- Communications with key Government personnel
 - Mrs. Makoye – Vice Deputy Teacher, Sao Hill Primary School
 - Mr. Samwel Kihava – Second Headmaster, Sao Hill Chargarwe Secondary School
 - Mr Joseph Yobu – Headmaster, Uchindile Secondary School
 - Mr. Peter Mwenda – Medical Officer in Charge, Mufindi District Hospital
 - Various District Administrators
 - Benedicto Mnembela and Hanphrey Matimbwi – Village Executives at Uchindile
 - Leadership in Kitete town
- Documentation of local complaints against the Company since incorporation (1996)
- Company standards and guidelines
- Communications with community, including teachers, wives, workers, the young, the elderly, etc.

3.4. Catalogs

Social, political, environmental and other conditions all figure into the human rights context of a community. Exploration of those three topics and their respective subtopics will suggest which rights may be impacted. Not all questions can be answered definitively. Evaluation of the data in these tables is found in **Section 11, Human Rights Impacts**.

4. Context Catalog

Except where expressly noted, context topic descriptions refer to conditions entirely external to Project elements. Data may be national, regional, or local. Assessors use the most directly relevant data available.

4.1. LABOR

Wages	
Local and national wage rates	<p>Rural minimum wage increased from 35,000 shillings (US \$26) monthly to 65,000 shillings (US \$49) on January 1, 2008. Minimum wage is not livable, based on current prices in the area (Assessor price survey– results visible in section 5.1.7. “Occupation of Other Sources of Employment” below – and Unilever livable wage studies). Unilever estimates for livable minimum wage is 85,000.</p> <p>Annual per capita income for Mufindi residents was 156,000 TSh in 2001. It was estimated at 290,000 TSh in December of 2007 (CHP EIA 2008).</p> <p>Rights: Right to Just Remuneration; Equal Pay for Equal Work</p> <p>Rightholders: Women, Employees of Project and Contractors</p>
Locals employability/skill level for Project jobs	<p>The government’s extended history of tree farming in the area provides a wealth of capable and experienced plantation workers. After eleven years of operation in Uchindile, almost all residents are familiar with tree farming.</p> <p>Rights: Right to an Adequate Standard of Living</p> <p>Rightholders: Workforce, including local contract workers</p>
Unions	
Legality of unions	<p>The 2004 labor act makes unions legal and includes a right to strike (with some limitations, with an emphasis on mediation). Tanzania has ratified ILO Convention 87 on Freedom of Association and Convention 98 on the Right to Organize.</p> <p>Rights: Freedom of Assembly</p> <p>Rightholders: Employees of Project and Contract Workers</p>
Presence and power of unions	<p>Unions represent a very small portion of Tanzania’s workforce. The Trade Union Congress of Tanzania serves as an umbrella organization, with 350,000 members of Tanzania’s approximately 370,000 union members (approximately 27 percent of the formal sector). Additionally, there are small and specialized unions. Registration with the Tanzanian government is obligatory for all unions, but as of the 1998 Trade Union Act unions are independent from government and any 20 workers can found a trade union. The 2004 labor act has not explicitly limited the right to unionize to formal employees, but in Tanzania the informal sector employs over 90 percent of the labor force, much of it rural and totally unfamiliar with labor laws and rights (High Level Commission on Legal Empowerment of the Poor, Working Paper 3: Labor Rights, p.5). The plantation labor union is called TPAWU; the industrial union</p>

	<p>relevant to the country is TUICO. TPAWU is extremely strong in some companies and extremely weak in others, depending on the leadership of the plantation's union chair. TPAWU at Green Resources projects is traditionally weak. Details are in section 5.1. of this report.</p> <p>Rights: Freedom of Assembly Rightsholders: Workforce</p>
Exploitive Practices	
Presence of child labor in the area	<p>The 2004 Employment and Labour Relations Act prohibits child labor, and the Government of Tanzania has worked closely with international organizations to combat it. However, forced and compulsory labor by children persists, according to most expert groups. By law the minimum age for contractual employment is 14, and children may be employed only to do light work that is unlikely to harm their health or prejudice their attendance at school. Children under 18 may not crew on a ship or be employed in a mine, factory, or any other worksite where working conditions may be hazardous. According to the Integrated Labor Force Survey of 2006, approximately 19 percent of children ages five to 17 years were engaged in child labor on the mainland (HRR 2009).</p> <p>Rights: Rights of the Child; Right to Education Rightsholders: Children</p>
Presence of child labor in the supply chains	<p>Supply chain for the Uchindile Project includes acquisition of seedlings on the front end and processing of timber on the downstream end. There is no child labor in the Company-owned saw mill. Currently unmarketable trees remain unused by the Company.</p> <p>Rights: Rights of the Child; Right to Education Rightsholders: Children</p>
Labor trafficking in the area and/or in supply chain	<p>Countrywide, children are trafficked primarily for forced labor as domestic servants and to a lesser extent for commercial sexual exploitation. Most reported incidences are in Arusha, Zanzibar, and other major tourist destinations. There is little evidence of labor trafficking in Iringa Region.</p> <p>Rights: Right to Favorable Working Conditions Rightsholders: All</p>
Discrimination	
Local/cultural rules regarding women working	<p>The constitution prohibits discrimination based on nationality, ethnicity, political affiliation, race, social status, or religion. However, homosexuality is illegal and widely discriminated against. Discrimination against persons with disabilities is not prosecuted, and discrimination against women, refugees, minorities, and persons with HIV/AIDS persists. Assault laws protect women nominally, but violence against women persists. Law requires that women occupy at least 30 percent of seats in parliament. After the 2005 elections there were 75 special seats for women, and at year's end there were 91 women in the 320-seat parliament. In the 2010 elections, women again failed to acquire the requisite 30 percent of parliamentary seats. Inheritance and marriage laws do not consistently provide full equality for women, and in practice women's rights are not respected. Discrimination against women is most acute in rural areas. Rural women have less opportunity to attend school and obtain wage employment. Historically, rural women did not own land or manage</p>

businesses because of cultural constraints and lack of education. Albino women and children are murdered (26 in 2008) for the use of their body parts in wealth-generating potions.

Rights: Nondiscrimination

Rightsholders: Women; the HIV positive; gay men and women; albinos

Local practices concerning work days – prayer days, taboo days

The population of Tanzania is evenly divided between Christian, Muslim and indigenous beliefs, though southern Tanzania has a much smaller Muslim population. Every worker has, by law, the right to at least one full day (24 hours) off work every week, generally Sunday. Religious holidays are respected.

Rights: Freedom of Religion; Right to Holidays with Pay

Rightsholders: All

Labor Laws

Tanzania’s Occupational Health and Safety act of 2003 sets health and safety standards. The Employment and Labor Act of 2004 covers fundamental rights and protections (discrimination, child labor, etc), employment standards (hours, remuneration, leave, etc), union rights, and dispute resolution.

Rights: Right to Favorable Work Conditions; Rights of the Child

Rightsholders: Workforce; Children

Gender unemployment rates	Global	Gender	Gap	Index	Female	Male	Ratio
	http://www.weforum.org/en/initiatives/gcp/Gender%20Gap/GenderGap						
	Labor force participation				88%	91%	.97
	Wage equality for similar work (survey)				--	--	.68
	Estimated earned income (PPP US\$)				1025	1394	.74
	Legislators, senior officials, and managers				16%	83%	.20
	Professional and technical workers				38%	62%	.61

4.2. HEALTH

Local health infrastructure	
Hospitals and clinics	Nationally and regionally, Tanzania suffers from a crumbling medical infrastructure and a severe lack of medical resources. Hospitals are understaffed and undersupplied. Some villages have no dispensary at all. When a medical attendant passed away at Chogo village, near a GRL project, no replacements were available nationally, so Chogo now sends patients to neighboring villages (it was reported that the government sent a nurse at the beginning of 2008, but she never reported to her new post). Kitete, too, has no dispensary. Uchindile residents constructed a three room house with courtyard, kitchen and toilet for a doctor that was promised by the government; the house has remained empty for at least three years. The hospital in Mafinga is the only public hospital in the district (which serves 300,000 locals). Workers at the Project use the hospitals in Morogoro and Mlimbi, neither of which is adequately staffed or stocked. There are over 100 "village health posts," 60 outstation clinics (only seven to eight of which have electricity) and six health centers, only three with electricity (two additional centers have solar power, but it is not generally used, says the hospital Medical Officer in Charge). The district has a single ambulance. Dispensaries lack laboratory equipment and wards. If patients need ward service they are referred elsewhere, but there is no transport available (although the Project offers free transport to sick people when notified).

	<p>Both Unilever and the Mufindi Pulp and Paper Mill have private hospitals, available to their own workers and high-paying patients (usually foreigners). Standard of care is said to have declined at MPM.</p> <p>Rights: Right to Health Rightsholders: All</p>
Private doctors/ midwives	<p>The district has approximately 47 midwives and private doctors. Traditional medicine is present and integrated into the formal health sector.</p> <p>Rights: Right to Health Rightsholders: All</p>
Public sanitation	<p>Latrines are used by 73 percent of the district population, and 71 percent of people have safe drinking water nationally. The rate is closer to 61 percent in Iringa. Water is fetched from ponds and streams two to three kilometers from communities near some plantations. This is not clean water. Sanitation levels are significantly lower in rural regions than urban.</p> <p>Rights: Right to Health Rightsholders: All; Rural Dwellers</p>
Health regulations	<p>Full immunization is mandatory for children under five. Tanzania has an HIV/AIDS Prevention and Control Act and the nation regulates food, drugs and cosmetics. As of 2002 traditional healers and people who practice alternative medicine are required to register with the government.</p> <p>Rights: Right to Health Rightsholders: All, Children</p>
Infectious Diseases Indicator	<p>Tanzania is in the 85th percentile for malaria and TB rates, meaning that 15 percent of ranked populations have more severe malaria and TB problems than Tanzania (World Economic Forum Estimates).</p>
Infectious Diseases at significant levels	<p>Malaria, pneumonia, diarrhea, worms (often undiagnosed), ear/eye/skin infections are most common. The Uchindile nurse attributes many of these illnesses to unclean water (interview, Oct 2010).</p> <p>Rights: Right to Health Rightsholders: All</p>
Childhood nutrition	<p>Malnutrition resulted in 53 child deaths between December 2005 and March 2006, representing less than .1 percent of children. This is likely an inadequate depiction of childhood nutrition, as children are rarely diagnosed with malnutrition. UNICEF estimates that 38 percent of Tanzanian children suffer from stunting. However, food supply is relatively stable in the region and malnutrition is not a significant concern among health practitioners local to the Project area.</p> <p>Rights: Right to Health Rightsholders: All, Children</p>
Under 5 malnutrition Rates Indicator Under 5	<p>10 percent of children born between 2000 and 2007 had low birth weights In that same time period, 17-22 percent of children under five remained moderately underweight. An additional four percent were severely underweight.</p> <p>116 per 1,000 live births (2007) (WDR 2010)</p>

mortality indicator	
Immunization rates	93 percent (2006, UNICEF) Rights: Right to Health Rightsholders: Children
HIV Indicator	Tanzania is in the 93 rd percentile for HIV prevalence globally (2009 World Economic Forum Estimates)
HIV rates	Six to 20 percent of the Mbeya/Iringa area are seropositive. Rates vary widely from urban to rural areas, and testing remains rare in rural areas. Near Uchindile forest, rates are estimated at six percent. There is no testing facility in Kitete. Rights: Right to Health; Right to Education; Right to Life; Right to an Adequate Standard of Living; Right to Food; Freedom from Hunger Rightsholders: All; Employee Spouses, Offspring, Dependent Elderly Parents
Life expectancy indicator	56 (WDR 2010 – 2007 data) 45 (WDI 2009 – 2007 data)
Maternal mortality per 100,000 births	1500 (2006 WHO Fact Sheet); 950 (2004 Human Development Report, 2009 WEF Competitiveness Report) (This disparity is noteworthy to indicate that estimates are extremely vague, likely owing largely to poor monitoring in villages.)
Proximity and size of population to project features	
Population within one kilometer of fence	As GRL has leased over 100,000 hectares of land from African governments, thousands of people live within Project areas. Operations do not involve blasting or large-scale land movement, and they tend to interrupt life for communities only in transitioning subsistence farmers into wage earners. Rights: Right to an Adequate Standard of Living; Right to Housing; Right to Security of Person Rightsholders: Project area inhabitants
Population downstream	Directly downstream from the Uchindile Plantation are a number of tea plantations and a few small communities. Rights: Right to Clean Environment; Right to Food Rightsholders: Project area inhabitants
Food	
Food security	Starvation is not a significant issue. Child deaths occur predominantly from infectious diseases and traffic accidents, not malnutrition. Food becomes most scarce at the end of rainy season, but not to the point of food insecurity, suggests the hospital head. In Kitete there is slightly higher food insecurity, with crops running out months before next harvest and villagers scrambling for cash to buy beans and maize. Rights: Right to Food Rightsholders: The Hungry; Children
Local food production	The region is agricultural, with an abundance of tea and tree plantations. Maize, beans, bananas, potatoes, rice, tomatoes, cabbages and onions are grown, and livestock is kept, including goats, pigs, chicken and cattle. Rights: Right to Food; Right to an Adequate Standard of Living Rightsholders: All

Agricultural value added per worker	\$295 (WDR 2010)
Value added as % of GNP-Agriculture	45 percent of GDP (WDR 2010)
Percentage of arable land under cultivation	Only 4.5 percent of land is cultivated, both temporary and permanent (WDR 2009). Much of southern Tanzania could be farmed, but soil qualities in the hilly grasslands are poor.
Cropland per capita of agricultural population	0.2 hectares per capita (WDR 2008)

4.3. ENVIRONMENT

Physical Environment	
Physical Landscape	<p>Within the boundary of the project area there are existing patches of naturally growing shrubs and trees along valley floors as well as on rolling hills and steep slopes. These have been left untouched by the Project to prevent erosion and to protect rivers and streams from more water-consumptive plants. Riverine trees line streams and rivers, and plantation trees are planted higher on the hills (60 meters from watersheds). Local people practice slash-and-burn agriculture and set brushfires for hunting. Soils are deeply weathered granites and are moderately acid, nutrient poor, and quick to drain. Near the surface a coarse grained, hard-packed soil dominates. Topsoil has been exhausted by over cultivation and brushfires. The slopes of the ridges are high and steep and landslides are frequent and massive.</p> <p>Rights: Right to a Clean Environment Rightsholders: All</p>
Water Sources	
Ground Water	<p>The area has one rainy season, which lasts from November to May. The area receives highly variable rain year to year, averaging about 1000mm. The project area lies in a zone characterized by low productive hydrogeological formations (from less than 1 L/sec to 4 L/sec).</p> <p>Rights: Right to Clean Environment; Right to Adequate Supply of Water Rightsholders: All</p>
Surface Water	<p>Several rivers and small streams flow through Uchindile and border the project. These water sources have varying nutrient levels and flow rates, depending on surrounding landscape and season. Almost every valley bottom consists of swampy grounds portraying springs and rivers flowing out of the valleys. The major rivers flowing through Uchindile are Ngokomiche, Kihata, and Luiga. A few small streams originate in Uchindile. Most of the streams flow into the Kilombero Valley, south of the plantation area. The paper mill adjacent to Uchindile caused significant pollution damage while under government operation in the 1990s. Water in the Kilombero</p>

	<p>river saw quality decline markedly, harming the ecosystem for miles downstream (Bryceson 1990).</p> <p>Rights: Right to Clean Environment; Right to Adequate Supply of Water; Right to Adequate Standard of Living (for irrigators)</p> <p>Rightsholders: All</p>
Water Quantity	
Boreholes and Ground Water	<p>Water quantity is not a significant issue, even in dry season. The Ruaha river runs year round, as do the streams by Uchindile village, Uchindile dormitories and Kitete dormitories.</p> <p>Rights: Right to Clean Environment; Right to Security of Person; Right to Adequate Standard of Living</p> <p>Rightsholders: All</p>
Depletion rates	<p>The project area is located in a zone of potential evaporation varying between 800 - 1200 mm/year. Generally, four months of the rainy season have surplus of rainfall over potential evapotranspiration.</p> <p>Rights: Right to Clean Environment; Right to Security of Person; Right to Adequate Standard of Living</p> <p>Rightsholders: All</p>
Uses	
Drinking water and Agricultural use	<p>Streams are used for drinking, cleaning, laundry, watering livestock and fishing, and crops are often planted in the riparian zone. Sixty percent of Iringa residents use improved water sources. The forty percent using unimproved water sources – streams and rivers – are predominantly rural, including all residents of Uchindile and Kitete. However, Mafinga town's water source is also untreated. Mafinga water is pumped and piped from a river valley just south of town. Residents filter and boil water in Mafinga.</p> <p>Rights:</p> <p>Rightsholders:</p>
Other uses	<p>Much of Tanzania's energy is hydropower, but the major dams are not in the Iringa Region. Water use is generally limited to cleaning, bathing and other domestic uses.</p> <p>Rights: Right to Adequate Standard of Living; Right to Clean Environment</p> <p>Rightsholders: Surrounding communities</p>
Quality	<p>Rivers are polluted with human and animal waste and are unsafe for drinking, based on national health data; no bacterial data was provided for the Project streams. Mineral data shows elevated ammonium levels and low pH values in March of 2007, though this appears to be anomalous.</p> <p>Rights: Right to Adequate Standard of Living; Right to Clean Environment</p> <p>Rightsholders: Surrounding communities; Consumers of Locally Grown Food</p>
Air	
Quality	<p>In this sparsely populated area where tree plantations have been growing for decades, air quality is good. However, government-owned plantations neighboring the Project use burning after harvesting trees, which causes periodic air pollution. The Mufindi Paper Mill, also near the Project area, is an additional source of air</p>

pollution. Neither the paper mill nor the plantation fires have palpable impacts on air quality in the Project and surrounding communities.

Rights: Right to Clean Environment; Right to Health

Rightsholders: All

4.4. POLITICAL/ LEGAL

Form of Government	
Government Effectiveness Indicator	Tanzania's government ranks in the 39 th percentile for effectiveness, according to World Bank Policy and Institutional Assessments (2009) (See Appendix)
Functioning democracy	<p>Tanzania was formed with the merger of newly independent former British colonies in 1964. Colonial rule was followed by single-party dictatorial rule until 1995, when Tanzania held its first democratic elections since the 1970s.</p> <p>Tanzania has a president and a vice-president, as well as a national parliament and regional parliamentary bodies (Zanzibar elects an independent president for internal Zanzibar affairs). National parliament has 274 seats, 30 percent of which are legally designated for women. The country is divided into 25 regions and 94 districts.</p> <p>Rights: Right of Self Determination</p> <p>Rightsholders: All</p>
Traditional government structure in place	<p>The political authority of chiefdoms was replaced by a combination of locally elected leaders and administrators appointed by the district, regional, and national government. Cultural history is strong in Iringa region, however, with a growing movement to honor the memory of the chiefs and chiefly alliances that helped the south resist German, and then British, colonial rule.</p> <p>Rights: Right of Self Determination</p> <p>Rightsholders: All</p>
Regulatory Quality Indicator	Tanzania's regulatory quality is in the 39 th percentile (Bertelsmann scoring / World Bank Governance Indicators 2007)
Elections, reform processes, human rights record, existence/well being of civil society	<p>Elections are every five years, with the most recent occurring on Oct 31, 2010. As anticipated, the incumbent, Jakaya Kikwete, won the presidency, and his party retained control. Tanzania's human rights record since multiparty rule began (1994) has improved fairly steadily. Corruption persists in the legislature, judiciary, and law enforcement arena, and free press has been curtailed at times, but all of this has steadily improved under multiparty democracy. Violence against women (structural and physical) persists, as does discrimination against a variety of minorities (HRR 2009). The Mafinga District has approximately 23 active NGOs, six marketplaces, four police offices, three post offices, a handful of libraries and two major banks. Ethnic and religious diversity has not incited conflict.</p> <p>Rights: Right of Self Determination; Right to Participate in Public Life</p> <p>Rightsholders: All</p>
Law Systems	
Rule of Law Indicator	Tanzania ranks in the 40 th percentile globally for rule of law (World Bank Governance Indicators 2009)
Legal code	The legal system is based on English common law. Compulsory International Court

including environmental, political, education legislation	<p>of Justice (ICJ) jurisdiction has not been accepted. Laws exist regulating agriculture, energy, intellectual property, environment, transportation, communications, banking, taxes, mining, health, labor, business, land distribution, penal systems, public law, constitutional law, and electoral law. Primary education is mandatory and free.</p> <p>Rights: Right of Self Determination Rightsholders: All</p>
Political evolution, occupation/colonization	<p>Tanzania was built out of two former colonies of Tanganyika and Zanzibar, which gained independence from England in 1961 and 1963, respectively. Prior to colonization, the territory was home to hundreds of small tribes, which had a degree of interaction (friendly and unfriendly) but few overt alliances. Alliances were built in an effort to oust the Germans, Tanganyika's colonizer until WWI, and some of these allegiances persist, but the end of the chieftom system has curtailed ethnic self-identification. Tanzanians are largely Bantu ethnicities, and Christianity has mingled with indigenous religions, particularly in southern Tanzania.</p> <p>Rights: Right of Self Determination; Security of Person Rightsholders: All</p>
Tax structure	<p>People earning minimum wage pay only social security tax (10 percent). Tanzanian tax laws include the Income Tax Act (2004), the VAT Act (1997), the East African Community Customs Management Act (2004) and various others.</p> <p>Rights: Right to Public Participation (Freedom from Corruption); Right to Health Rightsholders: All; The Elderly</p>
Strength of Governance	
Control of Corruption Indicator	<p>Tanzania ranks in the 40th percentile of the world for corruption (World Bank Governance Indicators 2009). This has improved steadily in the past decade, though Tanzania maintains above-average corruption.</p>
Corruption	<p>Corruption is an issue in the judiciary and in the police force. Elections have been considered free and fair in mainland Tanzania. A new anti-corruption commission was created in 2010 to address the problem (Newspaper reports, October 2010).</p> <p>Rights: Right to Public Participation (Freedom from Corruption) Rightsholders: All</p>
Effectiveness of police	<p>The U.S. State Department alleges that police nationwide have been implicated in violence against women, violence against albinos, prisoner abuse and corruption. There have been few police issues in GRL areas. Police operate from a central command in Dar, with junior command centers at the regional and district level in addition to police checkpoints. These are all, generally, traffic police. Reported crimes are primarily unarmed petty thefts.</p> <p>Rights: Right to Security of Person; Freedom from Arbitrary Arrest Rightsholders: Remote victims</p>
Effectiveness of civil courts	<p>Corruption remains a problem in Tanzanian civil courts.</p> <p>Rights: Rightsholders: All</p>
Civil war, conflict	
Local military	<p>This is not a recent, likely or current conflict zone. Military service became voluntary</p>

size, military structure, and military presence	in 2007, and legal service age was raised to 18. Military expenditures account for only 0.2% of Tanzania's budget. Military presence in the southern region is minimal. There is low availability of weapons. What exist are of Chinese and Soviet make. There is little history of ethnic/religious strife, and the country's most recent conflict involved Uganda's invasion of Tanzania in 1978.
Free speech/protests	
Political / Civil Liberties Indicator	57 th percentile for civil liberties (Freedom House ranking 2008)
Attitude of local police regarding demonstrations	During political or civil protests, police regularly use force to disperse gatherings. Police brutality is widely reported among arrestees. Rights: Freedom of Expression Rightsholders: All
Voice and Accountability Indicator	Voice and accountability remain a problem in Tanzania, which ranks in the 44 th percentile, globally (World Bank Governance Indicators)
Freedom of Press	A free press is constitutionally and legally enshrined, and generally well protected. There is very little media in the Project area, though the Company regularly makes headlines, in light of its large and growing presence in Tanzania. Radio Tanzania covers the entire country, and Uchindile town is home to several radios and at least three televisions. Much information is exchanged person-to-person. Rights: Freedom of Expression Rightsholders: All
Local laws regarding demonstrations	The constitution provides for freedom of assembly, and the government generally respects this right. The government requires organizers of rallies to obtain police permission in advance. Police have the authority to deny permission on public safety or security grounds or if the permit seeker belongs to an unregistered organization or political party. Law prohibits preaching or distributing materials considered inflammatory. During the year the government occasionally rejected requests from religious groups seeking to hold demonstrations because of the possibility that the gathering could become confrontational or inflame religious tensions. Rights: Freedom of Assembly Rights holders: Employees; Contract Labor
State of local activism	Activism is relatively high, with key issues including women's rights, HIV/AIDS awareness and the state of Tanzanian education. Activists operate generally unhindered, and distrust of them is on the decline. Twenty-three civil society organizations exist around Project areas, though only a handful are active. Rights: Freedom of Assembly Rightsholders: Employees; Contract Labor
Intensity of opposition-local, national, international	Opposition to the project is minimal to nonexistent. The Project area is extremely remote, and few activists are willing (or able) to make the several-hour trip on rough roads to investigate the Project. Rights: Freedom of Association Rightsholders: All
Indigenous Peoples	

Indigenous peoples	Indigenous peoples are not present; as such no risk of conflicts, cultural degradation, or cultural ties to land are anticipated.
Cultural practices tied to land	There are graves within forest areas, but these have not presented a significant barrier to Project development.

4.5. SOCIAL

Demographics	
Age pyramid	Population under age 15: 44 percent Population aged 15-64: 52 percent Population aged 65 and over: three percent (2005 – Human Development Report 2008) Rights: Nondiscrimination; Right to Work; Right to Adequate Standard of Living; Rights of the Child Rightsholders: Children that may be required to support parents and grandparents
Gender balance	51 percent female, 49 percent male
Ethnicity	The southern region is 99 percent occupied by Bantu ethnicities (of which there are 130 in Tanzania), with some South Asians. The primary ethnic subgroups are the culturally similar Hehe and Bena tribes. Rights: Nondiscrimination Rightsholders: Minorities (none present)
Languages	A wealth of tribal languages are spoken locally, though Swahili has become a unifying language in Tanzania, and English is taught in schools. Rights: Nondiscrimination Rightsholders: Rural Dwellers lacking these language skills; the Under Educated
Density of local population	Nationwide population density is 43 people per square kilometer (HDR 2009), but in Iringa Region it is estimated at 25 people per square kilometer (Government of Tanzania). Uchindile's population at the time of government census (2002) was approximately 2000 people, which includes what the government defines as "rural" Uchindile populations (including Lugala and Kitete) (Tanzania Government Census 2002) Rights: Right to Clean Environment; Right to Adequate Standard of Living Rightsholders: Longtime residents in Project area and downstream
Minority groups / Local attitudes toward minorities	Non-locals who are given senior jobs are sometimes treated as outsiders, though this is not the case for teachers or, generally, senior Company officials. Rights: Nondiscrimination Rightsholders: N/A
Groups at risk of marginalization	Women (particularly unwed mothers and widows), people living with HIV/AIDS and their families, the elderly are at risk for marginalization. At a number of the Company's plantations, communities that have fewer workers at GRL compared to their neighbors expressed feeling marginalized. Rights: Non-discrimination; Right to Adequate Standard of Living; Right to Health Rightsholders: Orphaned Children; In-migrants; The Elderly; Women

Religion	<p>Christianity dominates in several denominations. Islam is underrepresented in the area compared to Tanzania at large.</p> <p>Rights: Freedom of Religion</p> <p>Rightsholders: N/A</p>
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4.6. ECONOMIC

GDP Indicator	<p>GDP Current Prices 2010 estimate \$24.5 billion (US)</p> <p>GDP Per Capita, Current Prices 2010 estimate \$592.08 (US)</p> <p>GDP PPP 2010 estimate \$61.36 billion (US)</p> <p>GDP Per Capita, PPP 2010 estimate \$1484.05 (US)</p>
Standard of living/ Poverty rates	<p>Poverty rates are extremely high, and more so in rural areas. Tanzania's southern regions are its least densely populated but not its poorest. Mufindi, where the Company is headquartered, is a relatively prosperous district, owing to tea and tree plantations. Surrounding countryside outside of towns and cities are significantly poorer. Approximately 45 percent of villagers around Mapanda and Idete earn less than T. Shs 50,000 (\$38) per year.</p> <p>Rights: Right to Favorable Working Conditions; Right to Adequate Standard of Living Adequate for Health; Right to Just Remuneration</p> <p>Rightsholders: Residents of surrounding villages; Residents in communities from which the Project does not hire</p>
Population living on under \$1 or \$2 / day	<p>(WB Human Development Report 2009 – 2007 data)</p> <p>Under \$1.25 a day - 88.8 percent</p> <p>Under \$2 a day - 96.6 percent</p>
Source of local livelihoods	<p>Uchindile residents participate in subsistence and cash crop farming and work on tree plantations (weeding, planting, trimming, etc). Service industries are present in towns, but the vast majority of the populations of Mbeya and Iringa Regions live in rural settings. One third of villagers keep livestock.</p> <p>Rights: Right to Standard of Living Adequate for Health; Right to Just Remuneration</p> <p>Rightsholders: All</p>
Presence / legality / history of artisanal or small-scale mining	<p>Most mining is done in Tanzania's northern regions. Uranium deposits have been found in southern Tanzania but have not yet been exploited. Gold deposits have been found in Iringa Region, but there is no strong history of small-scale mining in the area. The Mineral Policy of 1991 legally protects small-scale mining, but it is not present in the area.</p> <p>Rights: N/A</p> <p>Rightsholders: N/A</p>
Major industries	<p>The most significant industry in Iringa region is forestry, including plantation tree farming, logging, paper production and timber (transmission pole) production. Agriculture predominates. Even in urban Iringa, 40 percent of the population is dependent upon agriculture, growing maize, beans, tomatoes, potatoes and vegetables. Small-scale industry includes brick making, carpentry, local brewing, metal works and food processing.</p> <p>Rights: Labor Rights</p>

Employment rates	<p>Rightsholders: All</p> <p>Unemployment is approximated at five percent nationwide, with slightly more women unemployed than men. An estimated 82 percent of Tanzanians are involved in agriculture, which accounts for 40 percent of the national economy. An estimated 88 percent of the workforce is in “vulnerable employment” (WDR 2010). Vulnerable employment is the sum of unpaid family workers and own-account workers as a percentage of total employment. The proportion of unpaid family workers and own-account workers in total employment is derived from information on status in employment. Each status group faces different economic risks, and unpaid family workers and own-account workers are the most vulnerable—and therefore the most likely to fall into poverty. They are the least likely to have formal work arrangements, are the least likely to have social protection and safety nets to guard against economic shocks, and are often incapable of generating sufficient savings to offset these shocks. (International Labour Organization)</p> <p>Rights: Right to Adequate Standard of Living; Right to Just Remuneration</p> <p>Rightsholders: All; Workforce; Women (barred from workforce)</p>
Natural resources	<p>Tanzania is rich in natural resources, including gold, copper, uranium, tanzanite, precious and semiprecious stones, trees, and wildlife. Wildlife is counted among natural resources as part of the government’s “policy for poverty reduction,” presumably suggesting that wildlife is valuable for the tourism industry.</p> <p>Rights: Right to Clean Environment</p> <p>Rightsholders: All</p>
Water Ownership Structure	<p>Section 62 of the Tanzanian Water Policy empowers rural people to communally own water resources within their villages. Villages have a mandate to plan, construct, manage, protect and open a “water fund.” Section 71 provides that the ministry will issue water rights to anyone who is interested. The policy does not explicitly state the tenure of water resource to individuals, however. The common feature in most villages is that individuals or the community at large owns water resources and especially wells.</p> <p>The Village Land Act recognizes water as a natural resource that requires central government management. (All other resources can be managed by the village.)</p> <p>Rights: Right to Water</p> <p>Rightsholders: Employees of the Project; Contractors; Local Community Members</p>
Availability, style, material of housing	<p>Housing materials are widely available in local communities. Houses are constructed of mud, unfired brick, and fired brick. An estimated 68 percent of houses were mud and pole-thatched roofs several years ago. Such houses are steadily being replaced with brick in Uchindile. Roofs are increasingly made of corrugated metal, obtained in Morogoro by train and transported back to Uchindile and Kitete. In Kitete, several residents live in housing built by Tanzara several decades ago. These sturdy brick-and-mortar houses are well-constructed and are considered the best housing in Kitete, generally reserved for more senior Company personnel. Housing is significantly more limited for non-local residents moving to the Project area for work. For details on Project-supplied housing, please see the Project Catalog below.</p> <p>Rights: Right to Housing</p> <p>Rightsholders: Employees of the Project; Contractors; Local Community Members</p>

Land ownership structure	<p>The Tanzanian government technically owns all land. The Tanzania Land Act makes official differentiation between traditional landholding and official government land leases (which can last no more than 99 years). Village leaders can allocate land in case of disputes or when fertile land is lying fallow for what is deemed too long. The 1999 Village Land Act endows registered villages with designated land. The president can take it away, but the Act empowers the village council to manage the land on behalf of villagers.</p> <p>Rights: Right to Property; Right to Just Remuneration Rightsholders: Relocated Villagers; In-Migrators</p>						
Style / material of housing	<p>On Project property houses are brick with shingled roofs, electricity and cement floors. In more remote areas housing is 68 percent mud and pole-thatched roofs and 32 percent mud bricks (some burnt and reinforced with cement) and corrugated metal.</p> <p>Rights: Right to Housing Rightsholders: All</p>						
Education							
Local school infrastructure	<p>Primary education is free and mandatory. Secondary school has fees, requires boarding (generally) and is significantly less well attended. Parents question the value of educating children, and teachers face significant hardship (Uchindile teachers fetch their salaries in Mlimba, a train journey that takes two to three days and frequently requires students to miss school while teachers are retrieving pay). Gender ratios in primary school are even. All public schools are community-government partnerships, whereby government generally provides teachers, teacher salaries, and some funds for school supplies, while communities (and benefactors, including corporate donors) provide labor, additional materials, and any “perks” such as electricity. Only eight of Uchindile’s Standard Seven graduates went to secondary school (only two of whom were girls). No students from Kitete go to secondary school.</p> <table border="1"> <thead> <tr> <th>Village</th><th>Shortage</th></tr> </thead> <tbody> <tr> <td>Primary school in Uchindile</td><td>2 classrooms promised for secondary school, 1 classroom promised for primary school. Significant delays in completion, but promised by Feb 2009. An additional 2 classrooms for the primary school were to be constructed starting in June 2009</td></tr> <tr> <td>Primary school in Kitete</td><td>Kitete has a classroom shortage. GRL’s repeated promises to start construction of two new rooms, most recently in May 2009, remain unfulfilled.</td></tr> </tbody> </table> <p>Uchindile has 248 pupils and five teachers. The government promises eight but teachers refuse to report for work in such a remote area.</p> <p>Rights: Right to Education Rightsholders: Children</p>	Village	Shortage	Primary school in Uchindile	2 classrooms promised for secondary school, 1 classroom promised for primary school. Significant delays in completion, but promised by Feb 2009. An additional 2 classrooms for the primary school were to be constructed starting in June 2009	Primary school in Kitete	Kitete has a classroom shortage. GRL’s repeated promises to start construction of two new rooms, most recently in May 2009, remain unfulfilled.
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Education Indicator	<p>Ranked 159 out of 177 countries. Indicator .631 (UN Human Development Report 2007/2008). Education in Tanzania is extremely poor, particularly in rural areas. The World Economic Forum set Tanzania in the 13th percentile for quality of primary education (WEF Competitiveness 2009).</p>						
Educational attainment	<p>Primary school has over 90 percent enrollment. Absenteeism is highest among students who live the farthest from school (sometimes 10 kilometers). The dropout</p>						

	<p>rate was 17 percent in 2008 and has been decreasing annually. Poverty is a significant factor in student retention at higher grade levels. Longitudinal data shows significant improvement in education rates over time. No improvement has been made in Kitete and little if any has been made in Uchindile (interviews with teachers).</p> <p>Rights: Right to Education Rightsholders: Children</p>
Literacy Indicator	Ranked 136 out of 177 countries (UN Human Development Report 2007/2008)
Literacy rates	<p>Age 15-25 – 77 percent Adult – 69.4 percent</p> <p>Rights: Right to Education Rightsholders: All; Women</p>

5. Project Catalog

5.1. LABOR

Wages	
Wage scale	<p>Plantation workers make a minimum of 3080 Tsh/day as of September 2010 (as the shilling has declined in value, globally, the previous salary of 2,500 Tsh/day was equivalent to \$2 US, and the current salary of 3080 Tsh is also approximately \$2 US) and work six hour days, six days weekly. Wages increase 10 percent annually at the Project, but in 2009 they increased 12 percent and in 2010 they increased over 20 percent, rapidly moving toward livability. Salaries for permanent employees at Uchindile have increased from a minimum (full time) of 64,064 Tsh/month (after NSSF tax payment) to approximately 80,000. In August 2009 there were 60 permanent employees at Uchindile and 237 “contract workers.” This figure has remained steady for 2010. Contract workers are paid for hours worked, receive no benefits, sick leave or maternity leave and must pay for their own protective gear at times.</p> <p>Rights: Right to Just Remuneration Rightsholders: Employees of Project; Contract Laborers</p>
Unions	
Number of workers who would likely be members of existing unions	<p>Uchindile’s permanent employees are 20 percent of the total labor force. The rest are contract workers with tenuous ties to trade unions (at Kitete workers had never even heard of Tanzania Plantational Agricultural Workers Union, or TPAWU, which is officially their union, until Summer 2010). The collective bargaining documents presented by TPAWU (one such was issued in June 2009, and replaced in summer 2010) are general contracts written for all plantation workers across Tanzania. They demand little more than national legal requirements, including numbers of consecutive sick days, minimum pay, nondiscrimination, maternity leave and opposition to child labor. TPAWU at Green Resources has never initiated a strike and its members skeptical of its strength (and sometimes of its existence). Management destroyed union activity in Uchindile once by relocating an elected union official to a different plantation. The revival of TPAWU is being met with little</p>

	<p>optimism (interviews, 2009 and 2010). Rights: Freedom of Association Rightsholders: Employees of Project; Contract Laborers</p>
Employment	
Employment profile	<p>Green Resources employs approximately 2000 people on average (sometimes up to 3200). At Uchindile there are 68 formally employed workers (August 2009 payroll shows 60) and a varying number of contract workers, ranging from 200 to 820. The permanently employed workers include supervisors, fire crew, security, drivers, dispatcher-watchmen and medical support. Contract workers have frequently expressed disappointment in their status and treatment (see: Feb 2008 Uchindile Stakeholder Meeting). Among contract workers are: watchmen (not dispatchers), planters, weeders, nursery workers and pruners. There is no set policy for promotion to full-time work, and workers express confusion and frustration that their many years of service do not guarantee them a permanent position. Rights: Equal Pay; Nondiscrimination; Right to Livelihood Rightsholders: Employees of Project; Contract Laborers; Project Area Inhabitants</p>
Child Labor	<p>GRL does not allow child labor in its tree plantations. Rights: Rights of the Child; Right to Education Rightsholders: Children</p>
Conditions of work	
Hours of work	<p>By Tanzanian law, employees work a maximum of 45 hours weekly – five eight-hour days and every other Saturday. Health workers and overseers at plantations work these hours. Day laborers at the Project previously worked six hour days (8am to 2pm), six days a week (hours are questionable. Workers claimed to have transportation at 5am, but during assessment vehicles came at 4am to Uchindile. Work days appear to be at least seven hours, beginning no later than 7am). In 2010 the Project shifted to a “task” system, whereby workers completed a task for the day’s wages. Efficient workers can complete two “tasks” in a day, doubling their earnings. When the Project fails to supply transportation (estimated at one week per month in October 2010), workers leave the plantation earlier to arrive home before dark. Watchmen work 72-hour shifts, with short breaks (a few hours) in afternoons when patrollers come by the watchtower. This is not consistent with Tanzanian labor law, which states: “an employer shall not require or permit an employee to work more than 12 hours in any day” (2004 Labour Act, Section 19). It is also not consistent with Company policy, which states that watchmen work eight-hour shifts. Workers deny that they work three-day shifts, though observation logs clearly show that only one person arrives and stays for days at a time. Rights: Right to Favorable Working Conditions Rightsholders: Contract and Permanent workers</p>
Transportation to/from site	<p>Many workers walk to and from work. A journey that can be as much as 3.5 hours each way. All workers walk great distances, as Company-provided transportation deposits workers at the Uchindile office, which can be 10 kilometers from work sites (laborer interviews). The Project has replaced a highly unsafe tractor and dump truck with a number of personnel trucks. These trucks represent a major improvement in transportation but remain insufficient. Kitete’s 65 workers pile into a 50-man vehicle, and Uchindile residents share Kitete’s concern that the vehicles</p>

	<p>are not always operating.</p> <p>Rights: Right to Favorable Working Conditions</p> <p>Rightsholders: Contract and Permanent workers</p>
Worker Health	<p>Work is labor-intensive, compounded by long walks to and from worksites. Workers walk up to 50 kilometers a day, leaving home at five am and returning as late as four or five at night. Recently the Company began providing lunch to workers, which has significantly increased energy levels and general health. Under previous management, workers who were unfit for certain tasks were assigned them anyway (including road work for a girl with bronchial issues and heavy lifting for a one-armed man). Under new management, tasks are made more appropriate to worker capacities.</p> <p>Rights: Right to Favorable Working Conditions</p> <p>Rightsholders: Contract and Permanent workers</p>
Worker Safety	<p>Workers are required to wear work-specific protective gear by Company standards, however there is no enforcement of this. Many workers do not own the protective gear necessary to complete their jobs, either because they have lost it, sold it, or were not provided it. Workers who <i>do</i> own protective gear often remove it while working and face no repercussions. This is likely to be contributing to GRL's accident rates. At 28 non-fatal injuries in 2007 and 21 in 2008 among its 240 workers, injury rates at SHI are higher than national non-fatal injury rates at sawmills in the United States (10 per 100 workers, 2002 estimates) and over double the rates in Australia (5.6 per 100 workers in 1996). These rates are relevant to tree felling because it appears that sawmill employees were transferred to Uchindile as chainsaw operators.</p> <p>Rights: Right to Favorable Working Conditions</p> <p>Rightsholders: Contract and Permanent workers</p>
Worker Benefits, Unions	<p>Only permanent employees receive benefits, including sick leave, maternity leave, termination benefits and the right to collectively bargain. This means that 80 percent of workers are denied such benefits. Temporary workers do not even clearly understand whether they receive doubled salaries for working on holidays, as required by Tanzanian law. The union itself, despite a recent attempt at revival, remains extremely weak and inadequate. Because plantation workers have no interaction with other plantations, the company can relocate a labor leader from one plantation to effectively eliminate the union there. This was done at Uchindile in Sept/Oct 2009.</p> <p>Rights: Right to Favorable Working Conditions; Right to Belong to a Union; Right to Strike</p> <p>Rightsholders: Contract and Permanent workers</p>
Worker standard of living (housing, food, water)	<p>Uchindile Town: In the wake of recent changes to pay methods (see below), housing in Uchindile has begun a rapid change. Mud and thatch are steadily being replaced with brick and corrugated metal, as workers are finding that their daily needs are met.</p> <p>Kitete Town: Kitete housing remains a combination of Tanzara housing and largely mud huts. The transition to brick has been slower but is commencing.</p> <p>Uchindile Dormitories: Uchindile dormitories were overcrowded, undersupplied, and utterly unlivable in 2009. In October 2010, owing partly to the season (harvesting</p>

	<p>was not underway), sanitation and conditions at the dorm were vastly improved. The water tank was full, the dorms were tidy, and capacity was double the occupancy rate. Additionally, the Project had begun serving three meals daily to dormers, vastly improving general health. Because the dorms are built of untreated wood, however, they are deteriorating rapidly. Weather and fauna have begun to take a toll on the buildings, which require maintenance (replacing missing wall slats) and sealing. The dorm still has no electricity, despite requirements laid out by FSC Principles.</p> <p>Kitete Dormitories: Kitete dormitories are populated by 20 residents of Kitete and 58 workers from other towns. The dorm was built for only fifty people and is not yet complete (floors have not been finished) but is already at 150% of capacity. Quarters are too close to be sanitary and workers have no privacy. A disease outbreak would be catastrophic. Workers sleep two to a bed, no water has been provided so twice-daily trips are made to a small and dirty stream nearly a kilometer away. The presence of solar electricity is in compliance with FSC Principles, however the lack of clean water and adequate waste and sanitation facilities remain major oversights. A single worker is constructing a second dormitory downhill from the near-complete Kitete dorm. There is no evidence that this dorm will have the required clean water and adequate sanitation facilities. In all housing situations, workers drink from streams with high bacterial counts, often becoming ill. Workers are provided water at lunch, but this, too, is unclean.</p> <p>Rights: Right to Favorable Working Conditions Rightsholders: Contract and Permanent workers</p>
Livable Wage	<p>The 23 percent increase in wages in September 2010, combined with the transition to a "task" system whereby workers can earn double wages by completing two "tasks" in a day, have a plurality of workers earning a livable wage for the first time in the Project's history. However, the lack of benefits for "temporary" workers leaves them with extra expenses and insecurity (sickness and pregnancy will decimate their wages), keeping many workers in vulnerable positions.</p> <p>Rights: Right to Favorable Working Conditions; Right to an Adequate Standard of Living; Right to Fair Pay Rightsholders: Contract and Permanent workers</p>
Project training programs for workers	<p>Uchindile Security received required military training, and 27 security guards (including fire patrollers) protect the Uchindile forest from fires, theft, and trespassers. New plantation staff receives GPS training and biomass inventory analysis. On-the-job training is informal. Little other upward mobility is possible. Supervisors (selected from among the ranks of local workers on a temporary basis) are trained first, then nursery workers. Training addresses work responsibilities and safety standards.</p> <p>Some training is foregone entirely for locals, and contractors replace local labor. Rather than train locals as harvesters, Mafinga workers were transferred to Uchindile to do the work. This is not typical of forestry programs, which generally find it more cost-effective (and directly beneficial to residents) to train locals.</p> <p>Rights: Right to Work Rightsholders: Employees of Project; Contract Laborers; Inhabitants of Local Communities</p>
Project jobs	<p>Women comprise approximately 20 percent of the Company's total workforce,</p>

profile, job not suitable for women	<p>primarily working in the nursery and weeding. Women run many of the Company's health dispensaries (including the one at Uchindile) and account for 20 percent of junior management positions. Men do heavier labor, which pays higher salaries per "task". Women also are more likely to miss hours of work to conduct farming and care for children. The disparity in income is significant. In August 2009, women comprised approximately 20 percent of the contract labor workforce at Uchindile and earned only 17 percent of the salary (August 2009 Payroll).</p> <p>Rights: Nondiscrimination; Right to work Rightholders: Employees; Contract Laborers; Women</p>
Means to distinguish between locals and recent immigrants when offering jobs/training	<p>Uchindile is a remote, undesirable location for migrating populations. Laborers do not flock to the site for employment, and locals were previously subsistence farmers who picked up plantation work for extra income. The Company has a Standard Operating Procedure requiring job applicants to specify where they live and where they are from, with the aim of giving first priority to local workers. This is not in effect for contract labor.</p> <p>Rights: Right to Work; Nondiscrimination Rightholders: Employees; Contract Laborers; Inhabitants of Local Communities; The Women and Unskilled</p>

5.2. HEALTH

Facilities	
Project clinics	<p>The Project first aid station is stocked with bandages, ibuprofen, antibiotics and anti-malarial medications but is not equipped to care for sick or seriously injured patients. The nearest hospital is over an hour away and difficult to reach in some seasons. Additionally, the dispensary is located in the center of the plantation, 20 kilometers or more from where workers actually conduct operations. Transportation is only available within the project site when the manager can be reached and his car can be used. Sometimes (up to once a week by some estimates) Company vehicles are used to take sick workers to health facilities, but if a worker is too sick to reach the plantation, no medical care is available, particularly in Kitete.</p> <p>Rights: Right to Health Rightholders: Employees of Project; Contract Laborers; Contractors</p>
Project clinics, District health facilities – medical stocks, wards, beds	<p>Project dispensary has only rudimentary first-aid and sees very few patients. Community clinics are staffed by local clinicians and supplied by train deliveries from the government, which sometimes come six months late. There are no wards, no hospitals, and only one bed for patients in Uchindile. Assessors spent the night in the doctor's house, which has never been occupied (no doctor has ever arrived to his/her post in the town). The Uchindile dispensary has no electricity, so antibiotics cannot be refrigerated or stored, and night-time emergencies (and births) are conducted by torch or lantern.</p>
Health engineering of Project: infectious	<p>GRL plantations have varying levels of malaria risk. At Uchindile, waterborne illnesses are more prevalent. The Kilombero Valley at large, and Uchindile in particular, has high HIV rates for a rural area (two to 10 percent). The Project protects against malaria by stocking Plantation dispensaries with malaria tablets,</p>

disease vectors	<p>although workers say that the remoteness of the dispensary is a hindrance from receiving treatment there. No precautions are taken to keep malaria and HIV rates down.</p> <p>Rights: Right to Health Rightsholders: Employees of Project; Contract Laborers; Contractors</p>
Existing sanitation systems (including any improvements made by Company) – latrines at clinics, schools and private houses	<p>Latrines provided by the Company near dormitories are dirty and have no water. In the middle of plantations, where workers spend most of their day, no latrines and no drinking water are present.</p>
Project's community development programs for health	<p>There is debate as to whether and to what extent health programs are conducted. Project and Company managers say communities receive HIV and Malaria education. However, community members have no recollection of such programs occurring, there are no records of such sessions, and ignorance about HIV is rampant. Some locals have confused malaria symptoms with HIV. Communities have requested health training but none has been forthcoming, they say. HIV and malaria have been responsible for 70 percent of adult deaths in Kilombero district in recent years, by government estimates. The VCS document for Uchindile indicates that the Company was implementing assessor recommendations to "improve accessibility of clean water by providing boreholes where necessary," and that it will "improve the local health facilities by providing laboratory equipments and medicinal kits," which does not appear to be the case. Uchindile's dispensary has no lab equipment beyond the capacity to conduct HIV tests (through a government initiative), and medicines are provided by the government on an inconsistent three-monthly schedule.</p> <p>Rights: Right to Health Rightsholders: Employees of Project; Contract Laborers; Contractors; Families of the afore mentioned; Local Community</p>
Response to pressure on employee health centers to serve wider community.	<p>Uchindile's plantation dispensary (first aid station) does not turn away people in need, but it is too far from communities, and too ill-stocked, to be frequented. The Project has promised to refurbish and help restock most of the dispensaries in surrounding communities, to decrease pressure on the Project's own facilities. In 2005 the company donated \$3,500 in unspecified supplies to the Uchindile town dispensary (Company documents indicate that Green Resources spent \$136,000 on community health in 2005 -- Annual Reports show this figure at closer to \$205,000 but note that \$120,000 of that was a third-party grant), but the town clinicians feel that help from the company is so limited as to be nearly irrelevant. If this is simply because the Company does not demonstrate to communities that these supplies were donations, it is doing itself a disservice. In 2006 and 2007 Company expenditure on Community health was reduced more than 20-fold from 2005 levels (2008 Annual Report). Such significant fluctuations suggest that medical support is</p>

	<p>not sustained, meaning there is no stable access to healthcare in communities. At least four health authorities have reiterated that Company support is inconsequential to local wellbeing, in both Mafinga health facilities and Uchindile. There are no facilities in the area suitable for proper health care at Uchindile. Expatriates use the private hospital owned Unilever near Mafinga town. The privately owned Mufindi Paper Mill has medical facilities approximately 30 kilometers from Uchindile. The Company has considered seeking permission for its workers to use the MPM facilities, although the logistics of how workers would be transported that distance have not been made clear. Senior management was not forthcoming about this possible arrangement. It is unclear why.</p> <p>Rights: Right to Health Rightholders: Local Community</p>
Health Impact/Risk Assessment	<p>No Health Impact Assessment was conducted, so Company impacts cannot be assessed to contrast with baseline. District health officers monitor health profiles to an extent, but the Company has neither records from this monitoring nor data from its own first aid centers.</p>
Risks	
Project risks power line injuries	Currently N/A
Traffic accidents	<p>Significant concerns exist in felling and transporting trees during harvesting. Risk of traffic accidents are compounded by the CHP Plant's need for biomass (more logs being transported than would otherwise be). Trucks will collect biomass from Sao Hill Forest Projects (government owned) as well as GRL operations. Speed limits and night driving restrictions have been implemented to mitigate risk among Green Resources drivers, but not within other business entities in the area, including MPM and government plantations.</p> <p>Rights: Right to Health; Right to Security of Person Rightholders: Residents Dwelling Near to Roads; Children</p>
Risk of Tree Felling Injury	<p>Best practices for tree felling are required by certifications that Uchindile has received, though felling accidents can still happen. According to international best practices, workers are to be provided air masks/precipitators, safety boots, overcoats and helmets. The Company handbook lists helmets, ear protection and boots among safety gear for felling crews. Chain saw operators are provided cut-resistant gloves, eye protection, and leg protection with cut-resistant material. Proper escape angles during tree felling direction and the use of sufficiently sharp and regularly maintained machinery is employed to reduce felling risks resulting from kinks. Dust hazards are not accounted for in the Company's plantation operations handbook. There are no penalties for workers who remove protective gear while working, and some workers say they have not been provided needed eye protection. Contract workers are required to pay for safety gear, so some say they opted not to receive it.</p> <p>Rights: Right to Health; Right to Security of Person Rightholders: Project Employees; Contract Laborers</p>
Risk of escape of hazardous materials	<p>Risks lie in fuel spills from vehicles and equipment. The Project has plans to use only designated areas for refueling. Petroleum fuels, lubricants and other chemicals are to be managed according to established industry best practices as outlined in</p>

	<p>the IFC Environment, Health and Safety Guidelines for Forestry and the Company handbook.</p> <p>Rights: Right to Health; Right to Security of Person</p> <p>Rightsholders: Project Area Inhabitants; Employees of Project / Contractors</p>
Risk of increased disease from population influx	<p>This risk of disease is not yet significant at the plantations, where population influx has not been notable, and transportation into major towns remains pricy and difficult. STD rates may be increasing at GRL's dormitories due to increased travel between communities and population centers (provided weekly by the company for harvesting workers contracted from Sao Hill), but testing is extremely low, so STD rates are not known.</p> <p>Rights: Right to Health</p> <p>Rightsholders: Project Area Inhabitants; Employees of Project / Contractors</p>

5.3. ENVIRONMENT

Air Quality	
Air emissions from operations	<p>There are no significant air emissions from tree harvesting, beyond fuel used for transportation and felling.</p> <p>Rights: Right to Health; Right to Clean Environment</p> <p>Rightsholders: Project Area Inhabitants</p>
Dust and emissions from road traffic and operations	<p>Dust and emissions are highly likely to increase, generated from tree felling (dust and sawdust) road construction and timber transport. The Company handbook indicates that roads will be treated (covered with gravel and murrum, then coated with sodium chloride to bind the two and minimize dust).</p> <p>Rights: Right to Health; Right to Clean Environment</p> <p>Rightsholders: Project Employees, Contract Laborers, Project Area Inhabitants</p>
Surface Water	
Community water sources for drinking and cleaning	<p>All water is drawn from streams and rivers at the community level.</p>
Project's water quality or quantity impacts affect agricultural water use	<p>Tree harvesting does not present inherent problems to water quality, beyond increasing dust and sediment in streams.</p> <p>Rights: Right to Health; Right to Clean Environment</p> <p>Rightsholders: Project Area Inhabitants</p>
Project-supplied water for drinking and cleaning – directly view contents of water tanks and color/quality of	<p>The Company has committed to providing water for workers, at the clinic and near the dormitories. The water tank for the dormitories had not been refilled for 11 months at the time of 2009 site visit. At that time the water basin for the clinic and more senior housing ran dry an average of one day each month. Under new management, both tanks were full on an October visit, though the Kitete dormitory tank was empty. Water is pumped into the basins by fire-fighting bowsers.</p>

well- and tank-water	
Use of surface water	<p>The Project's most significant water use is firefighting. The Company owns 20 thousand-liter water bowsters, equipped with pumps and hoses for firefighting. Nurseries need year-round access to stream water. None is needed for tree harvesting. Uchindile has been awarded the Water Right to abstract 375 liters per day from Isimani stream for domestic water supply and 24,300 liters per day during rainy season to irrigate nurseries (Ministry of Water, 17 April, 2008). Minimal surface water will be diverted, no water supply reservoirs will be created, plantation harvesting involves no water treatment, and no significant effects are foreseen on water quality from operations.</p> <p>Rights: Right to Adequate Supply of Water; Right to Clean Environment Rightsholders: Downstream users; Local Area Inhabitants</p>
Ground Water	
Total water usage	<p>Evapotranspiration losses will decrease during harvesting, as mature trees with large crowns – which may transpire up to 250 liters per day or more – are felled (EIA 6.2). Evapotranspiration has not been a problem to date.</p> <p>Rights: Right to Adequate Supply of Water Rightsholders: All surrounding communities</p>
Effect on ground water	<p>Minimal. Quality may decrease somewhat, as root systems improve water quality.</p> <p>Rights: Right to Adequate Supply of Water; Right to Clean Environment Rightsholders: Downstream users; Local Area Inhabitants</p>
Ecosystem	
Project risks causing collateral damage: erosion, floods, landslides, mudslides	<p>Land will have undergone substantial transformation from grassy to tree-covered to logged. Indigenous trees were not culled during planting but many have died of sun-starvation. Erosion is always a risk in timber harvesting. Steps to prevent this include the purchasing of top-of-the-line equipment, training tree fellers, and instituting proper felling techniques. All these steps are being taken.</p> <p>Soil quality is already fairly poor due to local/traditional annual burning, and it is expected to have diminished during tree growth – trees reduce groundcover, which support soil organisms, which contribute to soil fertility – but no change is anticipated in harvesting if precautions are taken against erosion (Uchindile VCS p. 90).</p> <p>The buffer zone around rivers (which was increased from 30 to 60 meters in 2004) protects riparian ecosystems. On-site soil erosion has been reduced by the Project – Uchindile built and maintained the organic content of the soil, developing a more open soil structure and increasing in filtration capacity and storage capacity of the soil layer within the root zone. Maximum clear cut size has been limited to 200 hectares, and sloping and soil type are considered to avoid erosion and soil disturbance. Roads are designed to keep erosion at a minimum.</p> <p>Rights: Right to Adequate Standard of Living; Right to Clean Environment Rightsholders: Downstream users; Local Area Inhabitants; Farmers</p>

5.4. SOCIO/POLITICAL

Civil Society	
Intensity and scope of media scrutiny	N/A. There is essentially no media in the area.
Presence/strength of NGO activity in community	<p>NGO activity is extremely low in plantation areas, which are remote and hard to access.</p> <p>Rights: Freedom of Expression; Freedom of Association</p> <p>Rightsholders: Unknown</p>
Issues to date – with local activists, government, other	
Environmental	In 2000 a Norwegian NGO critiqued the company for contributing to the notion of paying for Europe's environmental sins on Africa's soil. This campaign by NorWatch is heating up anew in summer of 2009.
Health	None (many issues are present, but none have been blamed on the Project)
Human Rights	A Norwegian graduate student studied the Company's labor standards in researching her Master's Thesis. Her report found violations similar to those documented in the first draft of this report, as well as incidents of sexual harassment and abuse of power.
Psychological Impacts	
Local fears	<p>Reports that locals are enthusiastic about the shift from subsistence farming to plantation work were unsubstantiated in interviews in 2009 but became common in 2010. As promised benefits to communities have come to fruition, and as salaries have increased, locals have become more appreciative of the added income provided by Project work.</p> <p>Harvesting has evoked new fears that advancement will never be possible, because the company brought in workers from Mafinga as chainsaw operators, rather than training locals.</p> <p>Rights: Right to Security of Person; Right to Privacy</p> <p>Rightsholders: Directly Affected Villagers; Project Area Inhabitants</p>
Emergency response plans	<p>Emergency Response plans exist for fires; communities are trained in fire protection.</p> <p>The Project has established fire management plans, set up stand-by crews, made wildfire breaks, constructed fire towers and invested in hand-held fire-fighting tools. In 2008 tractor-pulled water bowzers were procured. In order to enable more rapid response capacity, the company purchased 12 pick-up mounted 'bakkie fire-fighting units', including tanks for 300-700 litre water, pumps and hoses. Since the start of 2008, 200 units of fire knapsacks have been purchased. Combined with investment in radio communication, transport capacity and better training, this is expected to continue the improvement of the company's fire response ability (Annual Report 2008). These efforts were put into action in September 2009, when an arson was set in the center of the plantation. It was put out and no injuries resulted.</p> <p>Rights: Right to Health; Right to Clean Environment</p>

Rightsholders: Project Area Inhabitants; Employees; Contract Laborers, Contractors	
Demography and Economy	
Influx of workers – numbers, rate of in-flow, from where, for what duration, with/without families	<p>Contract laborers are recruited from local areas. There is minimal in-migration to villages surrounding plantation projects (in fact, it is very difficult for these schools to recruit teachers, because so few are willing to move to such remote areas). Before harvesting the Company predicted that the same workers who cared for the trees during growth were likely to be harvesters, which was not the case. Workers from Mafinga have now been in the area for nearly a year. They live in overfull dormitories and have transportation to Mafinga weekly to see families.</p> <p>Rights: Right to Work Rightsholders: Project Area Inhabitants</p>
Project employment of locals	<p>The Company employed approximately 400 workers in 1999, which was elevated to 3200 by 2009 (2008 Annual Report). This figure includes contract and permanent workers in all countries where the Company has operations. Only 700 were permanent workers (2500 were contract labor – mostly local to the projects). Locals work in the nursery, in the plantations for weeding, and doing road construction. Almost all senior positions are filled by people from elsewhere in Tanzania or abroad.</p> <p>Rights: Right to Work Rightsholders: Project Area Inhabitants</p>
Markets and shops – prices and variety of available food and goods	<p>There were three markets in Uchindile in 2009, selling basic household goods (fuel, matches, batteries, longyi, snack food, etc). Prices in Uchindile were lower than at Kitete, owing to Kitete's isolation. Variety was limited and very few luxury goods (lotions, for example) were available. In October 2010, There are now nine shops in Uchindile, including a tailor and two restaurants. Residents unanimously agree that more goods are available now than a year ago.</p>
Impact nationwide	<p>Positive impacts include reducing the strain on government forests for much-needed timber, increasing the supply of transmission poles, and providing a degree of local environmental education.</p> <p>Rights: Unknown; Right to Adequate Standard of Living Rightsholders: All</p>
Influx of population causes inflation	<p>The transition to harvesting will not cause an influx of population that could result in inflated food prices or overflow in classrooms.</p>
Infrastructure	
Project's community development programs for education	<p>The community support planned for 2009 consisted of: 2 classrooms for Uchindile Secondary School, 3 classrooms for Uchindile Primary School, a ward office and conference room (5 offices and one hall), and a dispensary, road and school for Kitete. These projects were originally posed in 2001 and were supposed to be completed, largely, in 2005. In September 2009, the secondary school classrooms were largely completed but none of the others were. Uchindile primary still required paint and desks (only 90 percent of students have desks), and the other projects were mere foundations. (It is possible that one ward office is completed.) By October 2010, the Uchindile primary and secondary schools were complete and in</p>

	<p>use. The Company has also promised a teachers' office, and girls' dormitories. Managers said these are under construction but this is not mentioned in Company documents or in field exploration (perhaps managers were referring to teacher houses at Tanga plantation). The completion of these schools has significantly eased tensions between the community and the Company. The Kitete school remains unstarted.</p> <p>Rights: Right to Property; Right to Adequate Standard of Living; Right to Education; Right to Health</p> <p>Rightsholders: Children; Residents Dwelling near Roads; Project Area Inhabitants</p>
Other infrastructure	<p>Cell service is increasing noticeably in Uchindile (not Kitete), which has helped communities. The Company supplied \$3,500 worth of medical equipment to the Uchindile dispensary in 2005. Some roads are markedly improved, but this has not increased transportation for locals, who travel by train. Company managers assert that public transit has increased significantly to all plantation sites, with a vehicle running daily from the plantations to town centers. This is manifestly untrue at Uchindile and Kitete, where no public vehicles receive passengers.</p> <p>It was anticipated that the Project would bring wealth to otherwise poor areas. This was not the case for a decade, though appears to be changing in 2010. In Kitete, however, infrastructure development remains elusive. The dispensary planned in 2001 and promised by the Company in 2005 had not progressed at all as of October 2010. This has fomented resentment within Kitete.</p> <p>Rights: Right to Adequate Standard of Living</p> <p>Rightsholders: Residents living near roads and cell towers</p>

5.5. SECURITY

Security plans/ Extent of Project to be Patrolled	<p>GRL has a significant security force at its Tanzania Operations. Uchindile has security, which accounts for most of its permanent staff, to protect from fires as well as thefts.</p> <p>Rights: Right to Security of Person</p> <p>Rightsholders: All</p>
Availability of items to be stolen, including petrol tapping	<p>Security breaches almost unfailingly result from collusion between guards and thieves. Materials to be stolen include saws, shovels, tires and, most significantly, petrol.</p> <p>Rights: Right to Security of Person</p> <p>Rightsholders: All</p>
Project relationship with military and police	<p>There is no military or police presence at Uchindile.</p> <p>Rights: Right to Security of Person</p> <p>Rightsholders: All</p>

5.6. ECONOMIC / INFRASTRUCTURE

Proximity of Project to urban areas	<p>Uchindile and Kitete are extremely remote, surrounded by forest, grassland, and small communities.</p> <p>Rights: Right to Privacy</p>
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Rightholders: Project Area Inhabitants

5.7. ECONOMIC / LAND AND LIVELIHOOD

Land the project occupies	
Proposed houses – all plans for resettled rightsholders	N/A
Relocation of populations	<p>No relocation is necessary for Uchindile tree felling. Previously, relocation included the displacement of significant cropland (ten hectares of annual crops, in addition to crops – pineapple, banana, bamboo and sugarcane stems, fruit trees, and bee hives – that were not quantified in reports). Compensation was negotiated between the Company and the occupants amounting to Tsh. 1,190,000. The payment of compensation extinguishes customary rights to the land, legally placing the parcel of land of 12,121 hectares with the Company with a 99-year contract.</p> <p>Land tenure was predominantly by inheritance, followed by allocation by village council and newly cleared bush. Most of Tanzanian lands are allocated or purchased, indicating that these communities are not very mobile. The few villagers displaced in Lugala, Uchindile and Kitete have been successfully relocated, have acquired alternative parcels of land and are not experiencing any land shortage. Nina Lande pointed out that some farmers were not content with this arrangement, which is also noted in the VCS validation report, page 102.</p> <p>Rights: Right to an Adequate Standard of Living; Right to Privacy</p> <p>Rightholders:</p>
Current houses – of village leaders, of the village poor, of Project Employees, and of non-employees	<p>Village housing ranges from mud and thatch to brick and zinc roofing. The head man of Uchindile has decorative woodwork on his ceiling. Not all locals own their houses – one single mother interviewed by Assessors rented a room in a two-bedroom mud-brick house (she has since left Uchindile to continue her studies, and the house is rented to a new family). Residents of Uchindile previously noted that the people with the nicest houses have acquired their wealth working either for government or for the railroad company, not for GRL. This is no longer the case. Project workers are transforming Uchindile, tearing down mud houses and replacing them with brick at a near constant rate.</p>
Impacts on populated or cultivated lands surrounding Project	
Project water demands depletes supply, impacts livelihood	<p>Trees were planted on slopes no steeper than a 12 percent gradient. A 60-meter buffer zone (30 meter for plantings earlier than 2005 in accordance with the EMA Act 2004) is maintained between plantation trees and valley bottoms (watersheds) (Uchindile VCS).</p> <p>Rights: Right to Adequate Supply of Water; Right to an Adequate Standard of Living</p> <p>Rightholders: No rightsholders likely to be impacted.</p>
Loss of homes, timber, productive	<p>To mitigate risk of erosion, the Project does not strip plough or employ overall tillage.</p> <p>Rights: Right to Food; Right to Adequate Standard of Living</p>

trees or crops to Project
Housing of employees supplied / not supplied
Project separates people from farms/jobs

Rightsholders: Unknown

Housing is supplied free of charge, dormitory-style. For conditions, see above.

Rights: Right to an Adequate Standard of Living

Rightsholders: Employees; Contract Laborers; Contractors

People are separated from their homes by significant distances at times. Many report working 15-50 kilometers from their homes and families. Some spouses live at the project together, but often families are separated. Additionally, to avoid accusations of child labor, laborers are not allowed to bring children into the field, which causes some issues for mothers who work at the Project. The Company provides no childcare, contrary to Management's assertion.

Rights: Right to an Adequate Standard of Living

Rightsholders: Contract Laborers

Occupation of other sources of employment

Most contract labors are also subsistence farmers. Because walking to and from workstations occupies as much as seven hours a day, farming has become difficult for many people. Wage has ceased to be livable. See below:

Item	Cost per unit (Tsh)	Units/ month	Total
Bride Price	300,000 (min)		
Ponga Knife	2500		
Hoe	5000		
Khanga	1500		
Hurricane Lamp	3000		
Kitete Lamp	500		
Medical care	30,000/trip to dr.	.25	7500
Cooking Oil	2500/L	3	7500
Matches	50 /box (10)		200
Cigarettes	50		500
Kerosene	1500-2000/L	2-4	5000
Childcare	10,000/month	1	10000
Rent	3,000/month	1	3000
Milling cost	2000/tin (20L)	3-4	7000
Maize	6000/tin	3-4	21000
Beans	1000/kilo	4	4000
Firewood	1000/3 days	10	10,000
Sugar	1400/kilo	2-5	4200
Batteries	500		
Soap	1000/bar	4	4000
Total for Normal month (with no extraneous expenses)			83,900

Rights: Right to Work; Right to Property

Rightsholders: Contract Laborers

6. Company Catalog

6.1. LABOR / NON-DISCRIMINATION

Discrimination	
Company plans for hiring women and minorities / Company policy re equal pay for equal work / Nondiscrimination in hiring and promotion	<p>Company has a zero tolerance policy toward discrimination but no mechanism for reporting or combating it. Standard Operating Procedures outline the employee selection process, by which contract laborers are assessed according to home location, experience and skills, education level, age, and clean criminal record. "Particular care should be taken to ensure that selection criteria are not in any way directly or indirectly discriminatory on grounds of gender, race, disability, religion or belief" (SOP 7). There is no documentation of these procedures being followed. Project workers are hired without any assessment whatsoever and are assigned to jobs with little regard for skill sets. Though women do not face direct discrimination, only 25 percent of staff (both temporary and permanent) are women, and men earn more than 80 percent of Company salary (in Head Office and plantations).</p> <p>Right: Nondiscrimination; equal pay for equal work</p>
Child labor	
Policies for child labor	<p>Company is diligent in affirming that all employees and contractors are of legal working age (18).</p> <p>Right: Freedom from Exploitive Child Labor</p>
Supply Chain	
Policies on supply chains and contracted labor	<p>Company policy opposes child labor. This policy is enforced within Green Resources Environmental, social, political, and economic policies are dictated through IFC, FSC and Tanzanian Law. There is no monitoring of these policies. Policies on contracted labor give such workers no benefits.</p> <p>Right: Freedom from Exploitive Child Labor</p>
Employee wellbeing	
Policies regarding working conditions	<p>Company policy requires that it operate according to national law, including Tanzania's Labour Act. The Company is not fully upholding the Employment and Labour Relations Act of 2004, which requires employers to take "positive" steps to guarantee women and men the right to a safe and healthy environment. That contract workers are not required to wear protective gear, and that workers living in Company dormitories are sleeping two-to-a-bed defy that clause.</p> <p>Right: Right to Favorable Working Conditions</p>
Grievance procedure for all laborer complaints	<p>Grievances can be lodged in a series of Comment Boxes at various plantation offices and headquarters. There is no record of plantation comment boxes ever being used. Standard Operating Procedures grievance policy as follows: "Every person, inside or outside GRL, can disagree and make a complaint against the organization's actions, behavior, documents, FSC certification process, forest management, etc. Complaints, disputes and contentions must be submitted in writing to the attention of the Managing Director, either to the reception of the company or put in to complaint boxes at the plantation projects which are</p>

	<p>delivered to the head office by the plantation managers and emptied monthly." Claims are addressed by the Responsible Person and logged in a register. This policy is not effective for laborers in plantations, who have little access to complaint boxes, pens or paper. While village authorities have been known to submit letters of request and complaint, ordinary workers have no means to lodge complaints without going directly through a hierarchical system.</p> <p>Right: Right to an Adequate Standard of Living; Right to Holidays with Pay; Right to Just Remuneration; Freedom of Association; Freedom of Association; Right to Favorable Working Conditions</p>
Training standards and methods	<p>Training and Operating procedures are largely based on FSC requirements, which include forest management plans and emergency plans. Specialists teach courses in specialized topics (fire fighting, for example). Senior management received official training from ISO trainers. There are conflicting reports on how casual laborers are trained, with workers suggesting that training should be conducted on the job, not at Company offices, and management arguing that training <i>is</i> conducted in the field.</p> <p>Right: Right to Favorable Work Conditions; Right to Work</p>

6.2. HEALTH

Worker Safety	<p>The Company intends to operate according to the IFC's Environmental, Health and Safety Guidelines for Forest Harvesting, which includes protections against chemical hazards from wood treatment and pesticides, physical hazards, noise hazards, and fires. The OH&S policy is prevention-oriented toward work-related injuries and investigations are to be conducted in the case of incidents or near-incidents with an aim to prevent recurrence. Additionally, OH&S waste disposal policy includes the following: Safe disposal method means a foolproof method that when applied is not liable to cause any leakage, spread or hazard to the surrounding environment. The disposal methods are grouped according to the waste category. Thus:</p> <ul style="list-style-type: none"> i) Organic wastes composting, use of landfills protected by barbed wire, burying. ii) Combustible wastes: burn the heaps iii) Non-combustible wastes: segregate and store them in a room or enclosure. Recycle the suitable types like plastics, metal, tires, steel or iron sheets. <p>Hazardous wastes, like oil and battery acid, must be kept in sealed containers for future use. Others, like hospital wastes, can be burned in the incinerators or buried.</p> <p>Worker safety also includes the use of safety gear, and while all permanent employees are provided this gear, there are no repercussions for removing it</p> <p>Right: Right to Health; Right to Favorable Working Conditions</p>
Worker health (non-safety)	<p>"GRL shall implement health and safety practices to its worker in compliance with labor laws of the country and ILO conventions through provision of safety equipment and training on safety issues, medication and preventive [sic] Sexual Transmitted Diseases (STD's) [sic] including HIV/AIDS pandemic."</p> <p>When written, the Uchindile Forest Management Plan, quoted above, noted that the system of supporting local health centers for worker treatment would be displaced as each plantation acquired a dispensary. Dispensaries were</p>

	<p>differentiated from first aid stations. Only the first aid stations persist in the Project area, and local health centers are foundering.</p> <p>Worker health policies are to be prevention-oriented regarding work-related illness, diseases and incidents. Malaria policies are treatment, not prevention oriented (SPs are available but bed nets are not). Basic medications and first aid are kept in stock at all Project dispensaries, but dispensaries are located very far from planting sites in many cases. Workers tend only to go when they are planting very near the dispensary or when they are certain they have malaria symptoms.</p> <p>Right: Right to Health; Right to Favorable Working Conditions</p>
Communities	<p>The IFC's EHS guidelines regarding community health and safety include concerns regarding water resources, fire, transportation and pesticide exposure. Water quality is monitored for minerals but not for bacteria. Intestinal problems indicate that water sources (hand-dug ponds adjacent to streams) are not adequate. GRL has a fire response and management plan and has educated surrounding villages in regard to fire safety. As the company does not use pesticides, no pesticide management is required.</p> <p>Right: Right to Health; Right to Clean Environment</p>
Company policy towards marginalized groups	<p>See nondiscrimination policy above.</p> <p>Right: Nondiscrimination</p>
Company relocation policy	<p>Relocation policy requires that resettlement activities be carried out in collaboration with government.</p> <p>Right: Right to Livelihood; Right to Privacy / Noninterference; Right to Property</p>
Company policy toward community health	
Company policy on community safety, hazardous materials (incl. Cyanide Code)	<p>Hazardous materials policy covers spills:</p> <p>Emergency Oil Spills exist when</p> <ul style="list-style-type: none"> • The quantity of spilled oil is 5 gallons or larger, or • The spill has entered a ground or surface water, or • The spill can not be contained or stopped, or • Additional spill equipment is needed and is not immediately available. <p>In the case of an emergency spill, the person discovering it should perform the following, once it has been determined that the situation is not life threatening:</p> <ul style="list-style-type: none"> • Take immediate action to stop the spill if it is continuing (i.e. shutting off valves, up righting containers, etc.), • Take action to prevent the spill from entering sewers or streams and to minimize the area affected. Such actions might consist of absorbing flowing oil or diking the area with sand bags, mats, or other absorbing materials at disposal, etc. • Inform the H&S personnel and remain in the immediate vicinity until H&S personnel have arrived on-site and relieved you from duty. <p>Right: Right to Health; Right to Favorable Working Conditions</p>
Medical Facilities	<p>Medical Facilities are understocked and in disrepair. The Company has no plans to supply or repair them in Project areas. A donation of supplies to Uchindile town dispensary in 2005 does not appear to have been replicated in recent years. Near</p>

	<p>Sao Hill the District Hospital at Mafinga has extremely low quality of care, with non-local workers avoiding it completely, using the Unilever facility instead. Nurses are said to conduct community education sessions but no records of these sessions exist and no workers interviewed recall them ever occurring.</p> <p>Right: Right to Health</p>
Company HIV/AIDS policies	<p>"GRL shall implement health and safety practices to its worker in compliance with labor laws of the country and ILO conventions through provision of safety equipment and training on safety issues, medication and preventive Sexual Transmitted Diseases (STD's) including HIV/AIDS pandemic." The Company also holds itself responsible to the Green Resources Employee Handbook, and the Occupational Health and Safety Act. This has not been implemented among plantation workers.</p> <p>Support is given to NGOs working on HIV issues near SHI but not at plantations. Dispensary staff conducts training. IFC EHS policies for forestry include HIV education, but workers have no recollection of ever receiving HIV training, a claim that is validated by the significant lack of familiarity with the causes, treatments, and prevention methods for the disease. No treatment for HIV is available through the Project, though HIV is present in the Project area.</p> <p>Right: Right to Health</p>
Company Malaria / other policies	<p>Green Resources has an OHS policy and Employee handbook for its Subsidiary Companies, which stipulates company and employee accountability for OHS related issues. IFC EHS guidelines are included in the existing OHS system. Malaria treatment (SP) is available at plantation dispensaries but no prevention efforts are made.</p> <p>Right: Right to Health</p>

6.3. ENVIRONMENT

Company environmental standards (USEPA/ Local Laws/ ASEAN standards, etc.)	<p>The Company operates according to the National Environmental Management Act of Tanzania, IFC's Environmental, Health and Safety Guidelines for Forest Harvesting as well as Forest Stewardship Council (FSC) Policies and UN Clean Development Mechanism (CDM) Standards.</p> <p>Right: Right to Clean Environment / Air</p>
Company history of environmental problems	<p>None</p>

6.4. POLITICAL / SECURITY

Unions	
Policies re unionization	<p>Unions are legal and permitted but only account for 20 percent of workers. The Company officially is in favor of unionization, though it has no strong unions in any Tanzanian projects, despite the fact that TPAWU is extremely powerful in neighboring plantations (including Unilever). The decision by Management to relocate Uchindile's only labor leader is in contradiction to a pro-union policy.</p>

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Relations with unions	<p>Unions present contracts that the company approves or modifies. These contracts are not Project or Company specific, but rather are designed by TPAWU, nationally. Interactions appear muted, and village leaders say that union heads lack bargaining power, as evidenced by the Company's ability to relocate vociferous labor leaders to other plantations without consulting union members, communities or plantation managers. Until mid-2010 "union members" are not aware that any union exists at all.</p> <p>Right: Freedom of Expression; Freedom of Association</p>
Company policy re free speech and assembly	<p>Per Tanzanian law, free speech and free assembly are legal. No protests have been held. Workers have expressed fear that speaking ill of the Company will cost them their jobs.</p> <p>Right: Freedom of Expression</p>
Grievances	
Company policies regarding security	<p>Security is armed but no guns have been fired. Company is not a member of the Voluntary Principles (they would not be expected to be, as no forestry companies are).</p> <p>Right: Right to Security of Person</p>
Company policies regarding corruption	<p>Corruption is addressed within the company's "Core Environmental and Social Values" – "We have zero tolerance towards discrimination, poor working conditions and work-related accidents within the company and corruption." "Poor working conditions" are not specifically defined, but by international standards they are low (see "Conditions of Work," p. 28). Likewise, corruption is not specifically defined, and policies to ensure there is no corruption are not in place.</p> <p>Right: Freedom from Coercion; Right to Public Participation</p>
Grievance procedures for communities (non-employee)	<p>Grievance procedures are the same for community as for employees. In villages, grievances may be aired at quarter-annual meetings. Community members feel voiceless under this policy, reluctant to air grievances directly to the authorities who make employment decisions.</p> <p>Right: Right to Privacy; Right to Standard of Living Adequate for Health</p>
Experience	
History with Felling Trees and Power Plants	<p>History with tree felling dates to 2008. No fatal accidents have reported to assessors.</p> <p>Right: Right to a Clean Environment</p>

7. Special Topics – HIV/AIDS and Climate Change

The least problematic Project locations impact only the rights addressed in the catalogs on the previous pages. These issues can be mitigated with a modicum of effort on the Company's part. Often, however, more complex rights topics present themselves. Addressing these issues requires thoughtful analysis beyond what catalogs can accomplish. In the case of Green Resources' expanding operations, two special topics arise: HIV/AIDS and climate change. Only the former falls under the scope of this report, owing to the political sensitivity of the latter.

7.1. HIV/AIDS

HIV rates in Southern Tanzania are among the highest in the nation. Mafinga town, in particular, is affected at epidemic levels. By transporting tree harvesters from Mafinga to the Project area, and then housing men and women in extremely close quarters, the Project is courting catastrophe. The implications of an outbreak of any disease in the Project dormitories are severe, but but they are extreme with HIV, which is invisible as it spreads.

HIV impacts the Right to Health most directly, but it has corollary impacts on a variety of other human rights. Because it afflicts society's most able-bodied wage earners, it affects whole families' Right to an Adequate Standard of Living. Stigmas associated with losing a family member to the disease negatively impact the Right to Nondiscrimination. For children, the combination of stigmas and the need to replace wages lost by a sick parent, result in elevated school dropout rates, negatively impacting the Right to Education.

Governments are responsible for protecting, fulfilling and promoting human rights, but corporations, too, have rights-related duties. Corporations accept the responsibility to "respect" human rights, in their financial agreements with investors and, in the case of Green Resources, through adoption of the IFC Performance Standards. To respect human rights, a company must not commit, profit by, or facilitate rights violations. At the Project under assessment, HIV rates were suspected to be comparatively low, due to the remoteness of the area. As such, the Company's decision to relocate high-risk Mafinga residents to the area for harvesting presents the probability that the Project will spark (or has sparked) a local epidemic.

The Government of Tanzania cannot be relied on to address HIV. The HIV nurse sent to Uchindile in 2009 is no longer present, and her effectiveness was limited to a small sub-sector of the Project area population (specifically, pregnant women who sought testing). In Project dormitories in particular, it is incumbent on the Company to know and address HIV rates in order to know its impact on HIV rates. By remaining ignorant, the Company is failing in its due diligence to ensure that it is respecting human rights. Successfully promoting voluntary testing and counseling are the first step. The second and equally crucial step is ensuring that ARVs are available for those in need.

7.2. Climate Change

Climate Change is unquestionably a major human rights issue. The IFC has recognized this, stating it will update the Performance Standards to address the topic. We do not address carbon sequestration in this assessment, as the topic is too politicized currently for an exploration of rights implications to be considered in-depth and evenhanded. Debates persist about the net carbon benefits of tree farming (depending on what is done with the tree and the land after harvesting, where/how timber is transported, etc.), and the human rights implications of such longitudinal impacts are beyond the scope of this study.

8. Preliminary List of Impacted Rights

The rights listed below are likely to be impacted, either positively or negatively. The list is drawn from the designated rights at issue as determined in the Catalogs. Rights that were not noted in the Catalogs are not presented here.

Labor

Right to Favorable Working Conditions
Freedom of Association
Right to Belong to a Trade Union
Right to Strike

Health/Environment

Right to Health
Right to Clean Environment / Air
Right to Adequate Standard of Living
Right to Adequate Supply of Water
Right to Housing

Political/Social

Freedom of Self Determination
Freedom of Expression

Rightsholder-Specific

Right to Education
Nondiscrimination

9. List of Presumptive Rightsholders

Rightsholders are those whose lives are shaped by the rights that will be significantly impacted by a project. **Environmental rights** are held by those whose health or livelihood will be harmed by or improved by changes in environmental conditions. **Welfare rights** are held by those impacted by the positive increases in local economic activity or those who are made poorer as the economy grows and leaves them behind. **Labor rights** are held by both direct Project employees and by participants in the supply chain of Project inputs and Project products.

Based on the rights listed in **Section 8** and the rightsholders evoked throughout the Context and Project Catalogs, rightsholders who are more susceptible to certain rights impacts include:

Labor Rightsholders - By Work

- Permanent Employees
- Contract Laborers
- Contract Construction Workers
- Contract Harvesters
- Dormitory Residents

Welfare Rightsholders - By Needs

- The HIV positive
- Women
- The ill, injured and handicapped
- Community members not employed by the project – particularly spouses of Company workers

- Children (listed because impacts on them are indirect but serious – including the right to education and the right to a cohesive family)
- Kitete Residents
- Uchindile Residents

Individuals from each of these rightsholder groups were interviewed during Rightsholder Engagement. No environmental rightsholders are severely impacted.

10. Rightsholder Engagement

10.1. Beyond Stakeholders

As the individuals most vulnerable to rights violations, “rightsholders” are the individuals to be targeted in mitigation steps by the Company.

Separate Rightsholder Engagement is integral to a Rapid Response HRIA, even when the Company (or a third party) has already conducted Stakeholder Engagement. Green Resources, admirably, conducts regular stakeholder engagement sessions with surrounding communities (these are much less frequent in Kitete than elsewhere, which is problematic). These sessions tend to be formal events, and personal concerns are not often evoked or addressed. Additionally, socio-economic impacts addressed in these sessions are not analyzed through a rights lens. Concerns about inadequate medical facilities, for example, are mentioned in Company summaries, but the threat that this poses to the Right to Health is not directly addressed. Additionally, stakeholder input is regularly collected, but follow-through on promises has had as much as a six-year lag on delivery.

For reference, GRL’s Company-defined stakeholders are listed below:

Stakeholders for Private Forest Plantation				
	Stakeholder	Contributor	Implementer	Beneficiary
	Forest Department		√	√
	Plantation owners	√	√	√
	Plantation workers	√	√	√
	Lands Department	√		√
	Water Department	√		√
	Logging Company			√
	Workers in logging company			√
	Forest dwellers – women and farmers			√
	Furniture makers			√
	Timber exporters			√
	Timber traders			√
	Forest research institutes	√		√
	Environmental NGOs	√		√
	Local politicians	√	√	
	Revenue Authorities			√
	Transporters	√		√
	Port Authorities	√		√

This list includes timber traders and exporters, implying a supply chain that this HRIA does not address, as currently all of GRL Tanzania’s products stay within Tanzania. Exportation has a separate set of human rights impact that would ideally be addressed as they became relevant.

10.2. Interviews

Rightsholder engagement becomes increasingly methodical in each stage of an HRIA. Preliminary research interviews were extremely casual, with minimal use of recorders and notebooks, in an effort to keep conversation easy and promote free flow of dialog. These discussions explored the differences between official perspectives – from company, government, and NGOs – and local experiences. Later conversations were conducted as focus groups and as one-on-one interviews. All are documented in note-form, with notes (interviewee identities redacted) available upon request. Conversations were held with inhabitants of Kitete, Uchindile and Company dormitories.

10.3. Social License to Operate

Social License to Operate is not the same as respect for Human Rights. One is a matter of satisfying expectations; the other is a matter of not violating human dignity. However, in some cases the two overlap. Green Resources is not responsible for fulfilling the local Right to Education or Right to Health, but if the company promises to fill the void that government has left, it creates a rights vacuum. Broken, deferred, and disregarded promises beget bitterness, and bitter communities become inhospitable hosts. There is little risk that communities surrounding GRL plantations will become violent, but there is significant risk that communities will feel entitled to take without asking when they are not being given what is promised. So far GRL has only had nonviolent confrontations with thieves. This cannot be assured in the future, if relations continue to be strained, as they have become in Uchindile. Company Community Development staff have suggested that relations with Uchindile are now stable and friendly. This did not prove to be the case during assessment – bitterness remains strong while long-time labors retain their “temporary” status and promises of school and health facilities remain unfulfilled. The September 2009 arson validates this premise.

In recognition of this, the Company made significant changes to management and policy in 2010, eliminating several labor rights violations that were present in previous years. Changes include increasing wage rates, providing promised lunches to all workers, improving transportation to site, and increasing the flexibility of work schedules.

These changes have vastly improved the Project’s social license to operate, but they have not remedied all human rights violations, and they are likely to result in renewed tensions with workers in the coming months and years. Nearly all of the Project’s workers remain “temporary” hires, denied benefits, sick pay and maternity leave. Workers are paid for the days they work – a sick or pregnant worker loses all income for the days missed. Job insecurity remains a major problem. Collective bargaining is not effective for a workforce that can be laid off at any time – and the union’s recent reinstatement shows little sign of becoming a force for change. Furthermore, promotion to “permanent employee” is not dictated by an established policy, leading many workers to believe it is arbitrary or corrupt. Laborers do not know how long they must work as “temporary” hires before they can enjoy the small benefits of permanent employment, including a steady income. Some have been working for 10 years as “temporary” hires. This holds true for watchmen, who have steady hours and designated schedules.

11. Human Rights Impacts

Using the list of impacted rights generated in **Step 6**, and synthesizing the information gained from the Topic Catalogues, we have rated the extant and anticipated rights impacts on a five-grade scale, red to blue, with red having, potentially, the potentially most negatively affected rights and blue the most potentially positive.

		Intensity of Impact Incl. Severity and Directness		
		Low	Medium	High
Extent of Impact Incl. # of Rightsholders impacted and Extent of Company Responsibility	Low	+/-1	+/-3	+/-5
	Medium	+/-3	+/-9	+/-15
	High	+/-5	+/-15	+/-25

Ratings are contingent on the interplay among Context, Project and Company, with an eye to where these elements overlap. The ratings system is numerical, defined by the extent and intensity of impact that Project actions will have on a given rights issue. Ratings are converted into color codes by averaging the positive and negative values assigned to issues relevant to a single right, and placing that numerical value on a weighted spectrum (see below).

Intensity is defined as the extent to which an impact will significantly alter life for even a single person, and the extent to which the Company is

responsible. Extent is defined as the breadth of the impact. If, for example, only one hundredth of the population is hired by a Project at a wage rate triple the local norm, extent will be low but intensity will be high. The issue will have a +5 score.

The average score of all issues related to a single right becomes that human right's rating score, which can range from -25 to +25. As seen in the spectrum below, the range for yellow ratings is only one, compared to double-digit ranges between other color ratings. This apparent disparity presents the reality of rights issues. A blue score requires significantly more intensity and extent of impact than an average of medium/medium (+/-9) presents. And there is only a small range of opportunities for the positive and negative impacts a Project has on a right to truly negate each other and achieve a yellow rating.



In extenuating circumstances, rights issues that numerically fall on the cusp of two ranges are color-coded to the neighboring color – this is the case when a marginally positive impact, for example, scores in the yellow range but demands acknowledgement of the net-positive, if slight, outcomes. When this is done it is clearly noted in the Ratings Chart.



Red A red rating indicates that a right is likely to be severely negatively impacted by the Project to the extent that it poses risk to the success of the Project itself.



Orange An orange rating indicates that the Project has the potential to impact a right in negative ways.



Yellow A yellow rating is a warning sign, indicating that the impacts of the Project on a right are variable but are likely to be significantly positive or negative. All yellow ratings require a clear explanation of why the rating was given and what the foreseen impact(s) is/are. Because of the contingent nature of yellow ratings, monitoring is necessary to determine whether, which way, and how severely the rights end up being impacted.



Green A green rating indicates the Project is likely to impact a right in positive ways.



Blue Rights rated blue are expected to improve significantly as a direct result of Project activities. Blue ratings indicate impacts which can positively affect a company's reputation and can be examples of outstanding positive influence in a community.

In addition to the colored ratings, there are times when the assessment is based on future events that are currently too difficult to predict. This would include such things as whether a new company will abide by its stated policies or whether a relocated population will be fairly compensated. In such situation, the ratings box will explain the uncertainties and the right will be assigned a grey or black rating.



Grey A grey rating indicates that the right will ultimately either be in the positive or negative area depending on future events which are too difficult to accurately predict.



Black A black rating is a strong caution sign that there is significant potential to dramatically negatively impact the right. It is a warning that the topic needs to be monitored and managed.

Context / Company / International Standard		Uchindile, Kitete, and Dormitories
LABOR		
Right to Favorable Working Conditions – Occupational Health & Safety		
Con	Tanzanian labor law requires that corporations conduct business responsibly. There is minimal monitoring	<div>● ORANGE</div> <ul style="list-style-type: none">▪ Transportation – The tractor and fuso tipper have been replaced by personnel vehicles. Transportation remains sporadic, however, and workers must walk upwards of four hours on days when vehicles are unavailable (-3)▪ Safety gear – Temporary laborers rarely own required safety gear (they lose it, sell it, or never receive it between “contracts”). Use of gear is not enforced, despite requirements (-15)▪ Safety regulations—no consequences for transgressions, injury rates were poorly logged (-9)▪ Health and safety training – health training has not registered among workers and no records of it exist. Safety training has not resulted in workers adhering to safety policies (-15) (Mean: -11.75)
Co	Company subscribes to the highest global standards. These are not upheld	
Intl	ILO Fundamental Conventions; FSC Principle #4; Universal Declaration, Article 23; International Covenant on Economic, Social and Cultural Rights, Article 7	
Freedom of Association, Right to Unionize, Right to Strike		
Con	Tanzanian labor law dictates that any 20 workers that register with the government can become a union, but only 27 percent of formally employed Tanzanians are members of the national workers federation. Contract workers may have the unionizing capacity of full employees. Few workers are familiar with Tanzanian labor law	<div>● ORANGE</div> <ul style="list-style-type: none">- Number of union members (+9)<ul style="list-style-type: none">○ All workers can belong to the union- Strength of leaders (-15)<ul style="list-style-type: none">○ Strongest leader transferred from plantation○ As temporary workers have no job security, they cannot effectively bargain○ Union has not successfully argued for pensions, maternity leave, increased ranks (full time workers) or sufficiently substantial pay increase○ No sign of Union effectiveness (Mean: -2)
Co	Company policy does not have explicit guidelines for unions, although the Company professes adherence to all relevant national and international laws. The Company rehires “contract” workers as temporary for 9-12 months a year, sometimes for 10 years without hiring them. It would seem that the Freedom of Association is being limited by the company’s failure to recognize them as employees. Contract workers do not fall under Company union contracts.	
Intl	ILO Fundamental Conventions; FSC Principle #4; Universal Declaration, Articles 20 and 23; International Covenant on Economic, Social and Cultural Rights, Article 8; International Covenant on Civil and Political Rights, Article 22	
HEALTH / Environment		
Right to Housing - Uchindile		
Con	In the sparsely populated districts of Iringa	

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		and Morogoro there is no lack of space for housing – the shortage is in material. Houses are historically made of mud, wood and brick.	<div>● GREEN</div> <ul style="list-style-type: none">▪ Access to material - plywood (2x4s and 1x8s) are less pricey in Uchindile than in Mafinga. Corrugated metal can be accessed by train. Bricks are fired in town (+5)▪ Buying power – employee buying power has markedly increased in Uchindile, and improvement in housing (from mud to brick) has been marked (+15)▪ Access to water – villagers use river water for all their needs, frequently becoming ill. Quality/quantity potentially impacted by recent population influx (-5)▪ Sufficient space – unaffected▪ Access to sanitation – Poor. Not impacted (Mean: 5)
Co		Company has no policy towards housing for Uchindile residents	
Intl		Universal Declaration, Art. 25; International Convention on Economic, Social and Cultural Rights, Art. 11	
Right to Housing - Uchindile Dormitories			
	Con	Nonlocals seeking work come from several surrounding towns	<div>● YELLOW</div> <ul style="list-style-type: none">▪ Buying power – employee buying power has increased, enabling their families to improve remote homes (+15)▪ Access to food – Workers are provided three meals daily (+25)▪ Access to water – Project now regularly refills water tank. However, water is sourced from unclean streams. This is in keeping with local practices but does not comply with the Right to Clean Water or relevant housing standards (-5)▪ Sufficient space – presently sufficient, though harvesting begins in December, resulting in the presence of over 70 workers in dorms built for less than fifty. Additional beds slightly improve bedding issues but exacerbate space issues (-15)▪ Access to sanitation – Poor but improved by increased water access (-9).▪ Adequate lighting – dorms were not built with lights. Workers must spend wages on kerosene for lamps (-9)▪ Security – women have a separate room but there are no locks or guards. No issues have been made public regarding security for women or for property (-9) (Mean: -1)
Co		Company provides housing. Policies are according to FSC standards, which require electricity, sanitation systems, clean water, and sufficient space	
Intl		Universal Declaration, Art. 25; International Convention on Economic, Social and Cultural Rights, Art. 11; International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, Art. 43; IFC Workers Accommodation: Processes and Standards	
Right to Housing - Kitete			
	Con	In the sparsely populated districts of Iringa and Morogoro there is no lack of space for housing – the shortage is in material. Houses are made of mud, wood and brick. Several sturdy houses were built by TANZARA decades ago, which are still the best houses in the town, reserved for senior people	NO IMPACT <ul style="list-style-type: none">▪ Access to material – Kitete remains remote, and its roads remain poor. Access to material remains unchanged. Materials are sourced locally or accessed by TANZARA, which runs twice-weekly through town (no impact)▪ Buying power – employee buying power has increased in Kitete to enable improved housing. Housing, however, has not improved. Residents did not specify why.▪ Access to water – villagers use river water for all their needs, frequently becoming ill. Quality/quantity not
Co		Company provides no housing to local workers at Kitete	
Intl		Universal Declaration, Art. 25; International Convention on Economic, Social and Cultural Rights, Art. 11	

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			impacted ▪ Sufficient space - ample ▪ Access to sanitation – Poor. Not impacted
Right to Housing - Kitete Dormitories			
	Con	In the sparsely populated districts of Iringa and Morogoro there is no lack of space for housing – the shortage is in material. Houses are made of mud, wood and brick. During construction of CHP, housing will be in Mafinga and the increased competition for rooms may inflate prices	● ORANGE ▪ Buying power – employee buying power has increased, enabling their families to improve remote homes (+15) ▪ Access to food – Workers are provided one meal daily. There is only one kitchen, so all workers queue to cook their own dinners (-15) ▪ Access to water – Project provides no access to water – water is drawn from a small stream down a steep slope (-15) ▪ Sufficient space – 78 workers are inhabiting an incomplete (unfinished floors) structure built to house only 30 people. Men sleep two-to-a-bed (-25) ▪ Access to sanitation – Dirty. All workers share two latrines (-15). ▪ Adequate lighting – Dorm includes a solar panel powering two outdoor strip-lights and one lightbulb in each room. Lights stay on from dark until 10pm (+15) ▪ Security – women have a separate room but there are no locks or guards. No issues have been made public regarding security for women or for property (-9) (Mean: -7)
	Co	Company provides no housing to local workers at Uchindile. Construction workers for the CHP plant are to find housing in Mafinga	
	Intl	Universal Declaration, Art. 25; International Convention on Economic, Social and Cultural Rights, Art. 11; International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, Art. 43; IFC Workers Accommodation: Processes and Standards	
Right to Health - General			
	Con	Health facilities are some of the weakest in the nation. The District hospital offers extremely low quality of care, and rural dispensaries suffer severe delays in supply deliveries.	● ORANGE ▪ Adequate water – villagers drink from dirty streams and become ill with rashes and intestinal disorders. This falls directly to the Company for dormitory inhabitants and indirectly to the Company for local workers, simply to uphold a worker’s right to health. Workers are not supplied clean water while working long hours in hot sun (-25) ▪ Health care – local dispensary has suffered 6-month delays on supplies. No malaria testing kits or equipment are available. Depo shots run out, eliminating contraception. SPs (malaria), painkillers, antibiotics, and anti-diarrhea meds are available inconsistently. Company first-aid station is too remote to be useful. (Senior staff takes sick workers to the hospital when possible) (-9) ▪ Infrastructure – Dispensary has no electricity to store antibiotics or to have light during night-time emergencies. Kitete has no dispensary (-15) ▪ Immunization – not attended to by Project ▪ Food – Project provides a daily meal to workers, improving nutrition (+9) (Mean: -10)
	Co	Company has only first aid stations for workers. Voluntary Carbon Standards (and promises made by Company within VCS Documents) are not being upheld	
	Intl	Universal Declaration, Article 25; International Covenant on Economic, Social and Cultural Rights, Article 12; WHO Constitution	
Right to Health - HIV			

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	Con	Iringa and Morogoro are not poor districts, but they suffer significant shortages in health care, and HIV/AIDS rates are among the worst in the country. Seventy percent of adult deaths in Kilombero region are a result of malaria or HIV. The highway running from Mbeya to Dar es Salaam contributes to high HIV rates	<div>▣ ▣ RED</div> <ul style="list-style-type: none">▪ Disease presence – HIV rates are higher in Uchindile than in most rural communities. This could be from Project infrastructure or from the revival of the TANZARA rail line. Four percent of pregnant mothers have tested positive, which provides lower-than-realistic figures for the community (-9 with Uncertainty)▪ Disease spread: Conditions in dormitories present extremely severe risk of disease spread. Men and women occupy neighboring rooms without locks. Workers are transported from Mafinga (a notorious town for HIV epidemic) for harvesting, no mitigation efforts exist (-25)▪ Information about disease – villagers are extremely ignorant about HIV causes, prevention, treatment, and symptoms (some patients have thought their malaria symptoms indicated HIV infection). No training is provided in communities – what little education is provided is conducted at Plantation offices, many kilometers from villages (-9)▪ Health care – no treatment is available, through government or Company facilities. Government provides counseling at Uchindile clinic. Kitete has no clinic (-15) (Mean: -14.5)
	Co	Company has no HIV policies but international standards it embraces have them.	
	Intl	IFC’s Environmental, Health and Safety Guidelines for Forest Harvesting; Universal Declaration, Article 25; International Covenant on Economic, Social and Cultural Rights, Article 12; WHO Constitution; ILO Code of Practice on HIV/AIDS	
Right to Development			
	Con	Uchindile towns remain isolated, poor, and with little opportunity for advancement. Tanzania suffers a nation-wide energy shortage	<div>▣ ▣ YELLOW ▣ ▣ UNCERTAINTY</div> <ul style="list-style-type: none">▪ Contributes to infrastructure – roads have not become used because locals remain too poor to purchase vehicles. Salary increases, combined with implementation of the “task” system, have increased capital and caused economic development in Uchindile town. Cell phones are increasingly prevalent, though not in Kitete (+9)▪ Contributes to skills – skilled jobs do not go to locals, and worker training is very limited (workers were not even trained for chainsaw work). The psychological impacts of the Company’s lack of confidence may be yet more detrimental to skill and capacity development (-5, uncertainty)▪ Sustainability – as long as tree farming persists in the area, the Uchindile economy can maintain itself (+1)▪ School attendance – no increase▪ Secondary school admittance/enrolment – no increase (Mean: +1.3)
	Co	Company policy was committed to development in all operations. This has been successful at Sao Hill, but development projects at Uchindile have suffered extreme delays and wages have not yet matched living expenses. Company counts among it’s social responsibilities: “Facilitate socio-economic development and poverty alleviation among poor people in the rural areas including Kitete Village e.g. infrastructure development, schools, health etc and business opportunities accruing from forestry technologies”	
	Intl	African Charter on Human and People’s Rights; UN Declaration on the Right to Development; UN Clean Development Mechanism (CDM)	
Right to Adequate Standard of Living and Right to Just Remuneration			
	Con	Uchindile villages have never been fully food secure. Housing is traditionally mud/wood/thatch or baked brick. Schools	<div>▣ ▣ YELLOW</div> <ul style="list-style-type: none">▪ Access to benefits (-15)<ul style="list-style-type: none">○ More than four of five workers does not receive

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		are historically poor and secondary school attendance has been extremely low. Standards of living at Sao Hill are higher	benefits ○ Health facilities are inaccessible due to distance; company and government facilities are inadequate ○ Holidays with pay are respected ○ Pensions are not available to 4 of 5 workers ○ Maternity leave and sick leave are not available to 4 of 5 workers
	Co	No express policy beyond a commitment to improving local wellbeing	<ul style="list-style-type: none"> ▪ Livable Wage (+15) <ul style="list-style-type: none"> ○ Cost-of-living ascertained by assessors indicates that Uchindile wages are sufficient in the wake of recent wage increases. ○ The assumption that workers can/do continue to be subsistence farmers has ceased to be true. Workers are dependent on salaries, particularly in Kitete, where working at GRL leaves crops vulnerable to wild pigs, who decimate harvests (food runs out within three months) ▪ Access to Information (-15) – Workers in Uchindile and Kitete are not aware that Company documents are available at the Plantation office. They are not familiar with the terms of their contract (read out once to them by the Plantation Manager), and “contract laborers” are unclear which elements of the contract apply to them.. ▪ Food security (+15)– Present. ▪ Improvement of lifestyle (+5) – lifestyle is improved for some but worsened for others. Women in particular find workloads doubled while husbands work at GRL, and no worker’s wives knew what their husbands’ salaries were (cash comes home in a trickle) ▪ Skill levels for improved jobs (-5) – no training for skilled work (token “training” for driving can only extend to a handful of workers). Even semi-skilled work is done by outsiders from Sao Hill.
	Intl	ILO Fundamental Conventions; Universal Declaration, Article 25; FSC Accreditation Standards, FSC Perspectives on Plantations: A Review of the Issues Facing Plantation Management (Background Paper to the FSC Plantations Review)	(Mean: 0)
Right to Clean Water			
	Con	40 percent of people in Iringa province do not have access to clean water.	<p>▢ ▢ YELLOW ▢ GRAY</p> <ul style="list-style-type: none"> ▪ Project increases sedimentation (-3) ▪ Project increases/decreases bacteria – unknown, unmonitored (-3 with Uncertainty) ▪ Chemical monitoring – done for pH, temperature, salinity, turbidity and minerals; not bacterial content (+5) ▪ Project water-consumption impacts surrounding area – no ▪ Protects watersheds – efforts in place (+5) ▪ Accessibility of clean water to workers and communities – very poor. Locals and workers drink from dirty, bacteria-laden streams, during work hours and at home (-9)
	Co	Company has permits for water use, but permit for CHP Plant water use was not made available. Water use impacts on Mafinga and surroundings were not assessed.	(Mean: -0.83)
	Intl	International Covenant on Economic, Social and Cultural Rights, Article 12	
Right to Education			
	Con	Absenteeism is low, there is parity between boys and girls in primary school, and Sao Hill Primay is well staffed and supplied.	<p>▢ ▢ YELLOW ▢ GRAY</p> <ul style="list-style-type: none"> ▪ Primary education – Project completed its promised classrooms for Uchindile Primary in 2010. Only

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		<p>Uchindile Primary is missing doorframes, roofs, teachers, and supplies. Kitete school barely functions. Primary education – free, mandatory, highly attended. Quality is extremely poor in Kitete (two teachers, no supplies, 40 students, no students going on to secondary school) and quite poor in Uchindile (three teachers, 250 students, inadequate books, pens, staff, building). Secondary education – not available to Kitete students, due to expense and distance. Rarely available to Uchindile, due to cost.</p> <p>Skills training – none available for higher employment in local industries (including tree farming semi-skilled work)</p>	<p>foundations have been laid for Kitete Primary. (+5)</p> <ul style="list-style-type: none"> ▪ Secondary education – not available to Kitete students, due to expense and distance. Rarely available to Uchindile, due to cost. Secondary classrooms promised by Project completed in 2010 (+3) ▪ Skills training – none available for higher employment in local industries (-9) <p>(Mean: -0.33)</p>
	Co	Company Development Programmes have committed to rebuilding schools, teacher housing, and girls dorms for over eight years. Projects have not been completed.	
	Intl		
Nondiscrimination			
	Con	<p>Misogyny is endemic in the area. Denied education, property rights, and incomes until fairly recently, they have been powerless members of society. The gender gap is widened when women's unsalaried responsibilities – cooking, cleaning, farming, care giving – are increased due to a husband's acquisition of paid work. Added income can be a boon to a family, or it can further alienate and isolate mothers, depending on how a husband approaches his job and his income. Boys still significantly outnumber girls in secondary school, and domestic violence remains a significant issue, shrouded in secrecy. Widows may be deprived of their property rights. Polygamy increases when incomes rise, and abandonment of wives increases in step. This is demonstrable at Uchindile town. While people aren't richer in real terms, more cash is present.</p>	<p>■ ■ ORANGE ■ GRAY</p> <ul style="list-style-type: none"> - Equalizing staff gender – highly imbalanced. GRL-employed women are sometimes empowered by the job (particularly single mothers), and sometimes oppressed by the low salary and mundane, hard work, which is compounded by responsibilities at home (-1) - Equalizing salaries – women are 20 percent of the Uchindile workforce, earning approximately 17 percent of the salary (August 2009 payroll) (-15) - Promotion opportunities – none available - Status of women at home – “prestige” of farming has declined, and women (wives who farm) have suffered as a result. In some cases, they have been abandoned for GRL workers (-3) - Childcare – none provided, so women must turn to family or pay for babysitting (10,000 Tsh/month) in order to work (-5) - Maternity leave – none for four out of five workers (-15) <p>(Mean: -6.5)</p>
	Co	Company is an equal opportunity employer, but only 25 percent of workforce is female.	
	Intl	Universal Declaration, Articles 1-2, 6-7, 23; International Covenant on Economic, Social and Cultural Rights, Article 7; International Covenant on Civil and Political Rights, Several Articles	
Rights Not Significantly Impacted by the Project			
	Right to Work; Freedom from Forced Labor and Child Labor; Freedom of Religion; Right to Life, Liberty and Security of Person; Freedom from Degrading Treatment and Torture; Freedom from Arbitrary Arrest and		

Imprisonment; Freedom of Thought and Expression; Freedom of Assembly; Right of Self Determination; Right to Property; Right to Privacy; Right to Food / Freedom from Hunger. Note: Assessors see structural inequality as a significant issue, but “equal pay for equal work” does not appear to be exacerbated by company policies.
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12. Delta – Ratings Changes Over Time

Significant changes have been made in the Project’s rights profile during 30 months of assessment. Impacts on the Rights to Just Remuneration, Housing, Development, and Standard of Living have undergone the most significant change.

Right to Favorable Working Conditions – Occupational Health & Safety – (□ □ → □ □ -- Workers are now provided a meal, marking a major improvement in labor treatment. Transportation to work has improved from unreliable and dangerous tractors to moderately more reliable personnel vehicles. This is a positive improvement but remains short of adequate. Workers continue to labor without adequate safety gear, because they were not issue it or they have ceased to own it. This remains a major rights shortfall.

Freedom of Association/Union/Strike (□ □ → □) – In December 2009 the union had been effectively eliminated in Uchindile and Kitete. By October 2010, TPAWU was being reestablished, and workers all commented that they understood what it was and who held membership. However, there is no evidence that it will be an effective organization, and there remain serious doubts that “temporary” laborers with no job security can collectively bargain effectively.

Right to Housing –

- Uchindile (□ □ → □) In over a decade of Project presence in the area, housing underwent no changes, owing largely to low wages and worker exhaustion. Wage increases and “task” work have vastly improved housing at Uchindile. Virtually the whole town was under construction in October 2010, as inhabitants replaced mud houses with fired brick.
- Uchindile dorms (□ □ → □) Dormitories were in abysmal condition in December 2009. Workers were sharing beds, water was unavailable, toilets were unsanitary, food was unsatisfactory and insufficient, and there was no lighting. October 2010 was low season for harvesting, so the dorm was well below capacity, the water tank was full, and the Company had begun feeding dorm inhabitants three meals daily. All of this represents a major improvement in the adequacy of housing. However, the dorms, built of untreated wood, are showing troubling signs of wear, and as harvest time approaches, capacity issues are again highly probable. Lights are still absent, and water is still not potable.
- Kitete (□ □ → No Impact) Housing is not visibly deteriorating in Kitete as of October 2010
- Kitete dorms (N/A → □) The creation of a new dormitory for workers of the nascent Kitete plantation has been accompanied by many of the problems that faced the Uchindile dorms in 2009. The presence of electricity is beneficial, but water, sanitation, and food are all below standards, and floors are still packed dirt while the structure is at 250 percent of design capacity.

Right to Development (□ □ → □ □ □) A decade of Project activity in Uchindile produced no palpable developmental results. Between 2009 and October 2010, however, nine businesses sprouted in Uchindile, including two restaurants and a tailor. Structural additions to the town have all been of superior material (plywood and brick, not mud). Cell phone access, combined with improved salaries, have increased communication in Uchindile significantly. The (belated) completion of primary and secondary schools could mark an improvement in education levels in the area, but this is yet to be seen. Additional uncertainty lies in the fact that skill levels for workers remain unchanged – the project continues not to train workers for more advanced work. The salary raise in 2010 spurred major development, but this should not be considered a permanent solution. Wages must continue rising, and training must increase skill levels in order for the Project to retain a green rating.

Right to Adequate Standard of Living and Just Remuneration (□ □ → □) – Wage rates increased from 2,500 Tsh daily to 3080 Tsh daily, as recommended in the previous draft of this Assessment. The

change has made wages livable for the first time in Project history. This major improvement is downgraded by the fact that remuneration remains “unjust” insofar as workers remain “temporary” hires and there is no transparent, fair process for promotion to permanent labor.

Education – Uchindile (□ → □) – The completion of promised schools in Uchindile eliminates the negative impact the Project previously had on Right to Education in the community (through non-fulfillment of promises). Construction of teacher housing improves likelihood of teachers reporting to the post.

Education – Kitete (□ → □) – Education in Kitete remains well below standards, and promises remain unkept.

Right to Health, General – □ , unchanged

Right to Health, HIV – □ , unchanged

Right to Favorable Working Conditions – Occupational Health & Safety – □ , unchanged

Nondiscrimination – □ , unchanged

Clean Water – □ , unchanged

12. Gap Analysis and Further Work

There is a significant shortage of data or information on:

1. Health baseline data and changes/impacts over Project life at Uchindile (health impact/risk assessment), including HIV/STD rates and risk factors
2. Assessment of wood needs everywhere that locals require waste from plantation trees. This includes Kitete, where nearly all residents currently buy wood scraps from government and Company tree farms for firewood.
3. HIV/STD mitigation plans
4. Data on incomes, wages, and employment by gender
5. Longitudinal data of improved standards of living in local communities, records of annual income, changes in housing material, shifts in disease profiles and improvements in school retention rates.

13. Recommendations

These recommendations are designed according to internationally recognized best practices to assist corporate action in respecting human rights and improving human rights impacts. In addition, suggestions are made on topics involved with human rights (not directly human rights issues), if the assessor believes they could be of use to the Project. As can be observed in the Human Rights Impacts Chart above, the rights most at risk are labor rights. Because labor and community are so intimately intertwined at the plantations, there is some overlap between labor and welfare rights, but all can be characterized under labor as the following:

- The Right to Favorable Working Conditions
- The Right to Nondiscrimination
- The Right to Belong to a Trade Union and the Right to Strike
- The Right to Health
- The Right to Water

13.1. Improve Occupational Health and Safety

Green Resources has difficulty supplying workers with safety gear (boots, coveralls, goggles, hardhats, etc), partly because temporary workers sell gear when their contracts end, and so lack it when the new season begins. To date the Company’s argument has been that workers elect not to wear safety

gear. This approach indicates that safety is not prioritized by management. A further indication that safety is not prioritized is the company's low purchase rates of mandatory Personnel Protection Equipment (PPE). Minimum requirements for Forest Plantation workers are hardhat, safety glasses, boots and overalls or raincoats. The company purchased no hardhats or safety goggles between 2008 and 2010 and a total of under 700 raincoats and overalls over those three years – for a workforce of 2000. Transitioning from a lax safety environment to a rigorous one is difficult but necessary for a rights-responsible company.

It is recommended that the Company improve access to benefits and implementation of Occupational Health and Safety rules (requiring workers to wear safety equipment) simultaneously by transitioning the great majority of the workforce to permanent employment. The Project is overstaffed compared to similar operations elsewhere in Africa, partly because workers are given too much flexibility in attendance. Actual labor needs should be assessed, and the workforce should be trimmed to an appropriate size for low-season, and all those workers should become permanent hires. Transitioning to a “permanent” workforce is a positive rights move, providing job security and improving work conditions as everyone becomes entitled to sick leave, maternity leave and pensions/severance.

Workers who are required to come to work (and who are rewarded with benefits for doing so) can be held accountable for their own safety. Once it is established that Company policy has shifted to considering workers permanent and prioritizing safety, workers who fail to wear protective gear may be fired for noncompliance. Neighboring companies (notably, Unilever's tea unit), have transitioned operations this way with great success. Because higher wages and worker benefits make permanent work desirable, the Company should not struggle to fill its payrolls. As documents note, permanent workers do not quit. Temporary hires for seasonal labor peaks will always be necessary, but the smaller the temporary force, the fewer workers are resistant to enforcement of safety rules. The layoff process (as the workforce is trimmed to appropriate size and workers are made permanent) should be extremely transparent – no exceptions should be made.

Also in regard to the Right to Favorable Working Conditions, careful attention to worker health must be paid when sick workers are assigned low-impact work. Reassigning such workers to hard labor without cause and with significant negative impact to worker health violates labor rights. Records should be kept and supervisors and managers should interact regularly about such worker placements. A Company policy should be written to this effect. There is general guidance to this effect in the ILO's Convention concerning Safety and Health in Agriculture, C 174, as well as in the Convention concerning Conditions of Employment of Plantation Workers, C 110, Parts 7, 8 and 13.

Transportation for workers has improved since 2008 and further improvements are promised. The Project should speedily acquire the (three) trucks it has promised to transport workers to Kitete and Uchindile plantations. Transportation must also be improved for watchmen. Watchmen currently (and illegally) work three-day shifts to minimize back-and-forth from their homes to the guard tower. The Project should consider instituting 12-hour shifts (with paid overtime) to minimize the need for worker rotation compared to 8-hour shifts. The current situation is dangerous to the plantation and to guards.

13.2. Respect the Right to Health in terms of Waterborne Illnesses, Access to Care, and HIV Mitigation

Worker health and community health are both at risk as a result of Project health practices. Because arduous plantation work creates health conditions that require care, the Project should ensure that local clinics have the equipment and capacity to address worker needs. The most immediate improvement to local clinics (specifically the Uchindile clinic) should be the installation of solar power, to support a cooling facility to store antibiotics and to provide light for emergency treatments required at night.

Addressing the additional risk the Project presents of HIV spread, a comprehensive HIV/AIDS policy should be established. Voluntary testing and counseling should be aggressively promoted, through, for example, drama group presentations, literature distribution, and improved access to testing, counseling and treatment (for residents of dormitories in particular, as well as Kitete and Uchindile). Condoms should be available at dorms, and (relating to privacy and culture rather than HIV) women's dorms should be further separated from men's. Access to treatment will be an additional hurdle, and collaboration with the Government of Tanzania will be necessary.

Kitete should be provided the dispensary it was promised verbally 10 years ago and in the Community Support Project Plan in 2009.

13.3. Institute a Policy of Nondiscrimination

Women are less likely than men to work for pay, and at the Project women who work are less likely to earn a salary equal to men's. This is not because hiring or pay is actively discriminatory, but because a culture of discrimination in the area has created structural inequality. The Project is complicit in this rights violation unless it proactively counters it. The Project should initiate women's programs to attract them into the workforce. This should include skills training, from literacy initiatives to machinery-operation sessions.

Discrimination has at times been exacerbated by the Project, by sexual harassment. Sexual harassment training should be conducted at the Project on a regular basis, and workers should have access to an anonymous complaints mechanism to level accusations (with substantiation) against managers who may be violating them.

13.4. Empower TPAWU

Previous efforts to provide workers from Uchindile and Kitete with a union have been timid and unsuccessful. The newest attempts at unionization, begun in mid-2010, must not be allowed to fail. Union leaders should be sent to plantations with effective chapters of TPAWU to see firsthand how to exercise labor rights. Unilever's nearby tea plantations have effective TPAWU chapters and their union leaders could serve as useful mentors.

13.5. Right to Education

The improvements promised to Kitete school (including in the 2009 Community Support Project Plan from 2009) in Company should be carried out swiftly. The Project's decision to construct a new storage shed and manager house right next to the dilapidated school building belies the assertions that the Company cannot afford a school upgrade.

The improvements to Uchindile's primary and secondary schools are significant. Transportation will be required from Kitete to Uchindile (weekly) should Kitete students ever achieve passing scores to acquire admittance into secondary school. This kind of educational development should be encouraged and supported by the Project, in respect for the Right to Development.

13.6. Right to Housing

The Project is directly responsible for fulfilling the Right to Adequate Housing for workers inhabiting dormitories. To ensure that this right is respected, the following actions are recommended:

Kitete:

Complete the floors on the standing building and accelerate construction of the second building. One lone carpenter is building the new dorm while 78 people pack into the existing 30-man (five-room) dorm. Assign as many workers as needed to complete dorm construction in the shortest possible timeframe.

Uchindile:

Install lighting, as per FSC and VCS documentation.
Replace missing wallboards.

Kitete and Uchindile:

Create a registration system at Kitete and Uchindile dorms, limiting the number of dorm inhabitants to the number of beds available.
Treat the timber walls to reduce deterioration – planks in Uchindile dorms have already begun showing significant signs of wear.
Provide clean water (see below, 13.7)
Increase sanitation facilities. A disease outbreak would be catastrophic with such a dense population in such limited space.

13.7. Right to Water

The 5000 liter water tanks filled by the Project to provide water at dormitories are the perfect size for simple purification. That this is not currently done is both a failure to respect the Right to Water and the Right to Health, and it is an unsound business practice. The risk of waterborne illness is very high in the Project area, and the Uchindile nurse confirms that intestinal and skin diseases are caused by contaminated water. Tanks should be treated with either breakpoint chlorination⁷ or outfitted with slow sand filters⁸.

Plantation work is exhausting and dehydrating, and workers are not provided clean water for drinking. Each worker should be allocated a water jug, and potable water should be provided at the start of the day and during lunch so that workers can remain hydrated.

13.8. Formalize a Grievance Mechanism

Inherent to the existence of rights is a notion of remedy – if a right is violated, the rightsholder requires a system to make that known. Currently complaints are fielded by Project management (Mwanisi and Prosper) or someone workers refer to as “Henry.” The lack of a formalized process causes several problems. First, anonymous grievances cannot be made, nor can grievances against management – a significant problem in cases involving sexual harassment or discriminatory treatment. Second, the Company has no log of complaints to understand the frequency or severity of concerns presented by workers. This ignorance of conditions limits a Company’s ability to foresee and mitigate small problems before they become explosive.

13.9. Change Development Approach and Attitude

The Company’s difficulty respecting human rights at the Project is representative of the Company’s approach to all its Tanzanian operations, if not all its African operations. The Company’s development strategy fails to benefit communities in a timely manner; residents have been told that increased benefits will come with increased corporate revenue. In the 21st century, this strategy is outdated and dangerous. News reports in October 2010 quote Green Resources spokespeople rejecting

⁷ Breakpoint chlorination consists of a continual addition of chlorine to the water upto the point where the chlorine enquiry is met and all present ammonia is oxidized, so that only free chlorine remains. This is usually applied for disinfection, but it also has other benefits, such as smell and taste control. In order to reach the breakpoint, a superchlorination is applied. To achieve this, one uses chlorine concentrations which largely exceed the 1 mg/L concentration required for disinfection.

⁸ This must be pilot-tested before implemented, because engineers cannot predict what filtered water turbidity an operating slow sand filter will attain.

government calls for a land management plan for cost reasons. Similarly, Uchindile and Kitete residents are often told promises cannot be fulfilled for budgetary reasons. While Uchindile and Kitete Projects have been (and will continue to be) slow to become profitable, that cannot be an argument to delay respect for human rights. Human rights are to be respected from the moment a Project is designed, not from the moment it becomes lucrative. Investors and lenders exist that appreciate this and should be sought out, so that the Company can incorporate rights-responsible expenses from the planning and construction phase of Project development.

14. Conclusion

The Company deserves praise for the improvements in human rights conditions on site between mid-2009 and late 2010. However, Green Resources is not yet a rights-responsible Company, and new problems will arise as certain human rights remain overlooked.

Green Resources is growing rapidly in Africa, significantly outpacing the growth of its social license to operate. Uchindile Plantation represents a useful case study in the Company's operations and should serve as a cautionary tale for future Projects. As Nomogaia's initial report suggested, lapses in the responsibility to respect human rights would result in negative attention on the company and problems on site. In October 2009, arson was committed on the Uchindile plantation. The Company reports that frustration was over social security deductions, a longstanding point of confusion and contention between the Company and workers. In interviews, workers also listed inadequate wages and safety standards, defaulted promises, and a clear failure to commit to worker health as causes for the violent outburst.

Significant changes have occurred since Nomogaia's December 2009 submission of a draft HRIA to the Company. Uchindile dormitories now contain 12 additional beds and hold only 21 workers. Meals are provided them three times daily, vastly improving energy levels of workers. Wages were increased over 20 percent, revolutionizing the economy of Uchindile town. The community, which previously operated as an isolated farming community, now boasts nine businesses, including two restaurants and a tailor. Mud houses are rapidly being torn down and replaced with fired-brick structures. The waste-wood used for construction has been replaced by purchased boards (selling at lower prices than they do in Mafinga). This not only improves the quality of construction in the town, it also suggests that Uchindile residents are at a decreased risk of negative impacts resulting from the Green Resources CHP's planned use of local waste wood. New management has released the tension that characterized the Uchindile and Kitete communities before. Mr. Munisi is considered by all to be fair, respectful, and willing to listen to worker complaints.

Management in general is improved, with water tanks full at the time of visit and Project vehicles operating with significantly more (though not sufficient) regularity to bring workers to the fields. That a vehicle also retrieves workers from Kitete suggests a notable increase in the Project's awareness of worker needs. The Uchindile schoolhouses, seemingly perpetually under construction in early 2009, are both completed, furnished, and of high quality. The new task-based system of pay incentivizes work and has compelled workers to seek improvement in their lives and livelihoods.

Despite these notable improvements, the Company continues to manage developments on a timeline that fails to respect human rights.

Housing: The new dormitories in Kitete, built for 30 people maximum, squeezing four people into 4x4x4 meter rooms, are currently holding 78. Men are sleeping two to a bed, "storing" their attire on clothes lines, for lack of any internal storage space. The water tank deposited in March remains empty, and workers fetch water from a dirty stream down a steep slope, one kilometer from the dorms. Lunch is provided to workers, but each is responsible for his own dinner, and there is only one cooking fire, meaning 78 workers must queue to make dinner at night. Simultaneously, a second dorm is being built by

a single worker. The inefficiency of this system prolongs the unlivable situation in the upper dorm and increases the risk of a disease outbreak in the unsanitary conditions of camp. At Uchindile, the untreated wood used to build the dorms is already showing signs of deterioration (wall slats have been removed and insects have burrowed into planks). Additionally, electricity is still lacking.

Labor Rights: Problems with promotions persist. Workers are not informed of the criterion for progressing from casual to permanent employment, which causes resentment within the communities and confusion among longtime employees. The temporary system at large remains a violation of the right to favorable work conditions, as temporary workers are denied sick leave, maternity leave, healthcare benefits and severance (among other benefits). The Company's continuing insistence on contracting Mafinga workers to operate chainsaws suggests discriminatory policies against communities and denies them the right to work in a job that provides advancement and skills, and the weakness of TPAWU represents a significant threat to the Right to Unionize.

In Kitete, the truck that now transports workers is perpetually 15 people over capacity when it arrives, and residents say no transportation is available one week each month. No other promises to kitete have been fulfilled. A dispensary and improvements to the school (preferably in personnel and materials rather than in construction) remain elusive.

Right to Health: Healthcare is a problem for workers and community members alike. The Uchindile clinic remains under stocked and understaffed, and the nurse continues to address emergencies and assist births by candlelight for lack of promised solar panels. Workers are aware that the work they do is arduous and hazardous, and while they are notably healthier due to the meal now provided by the company, they have no access to adequate healthcare. That they continue to work without protective gear suggests that the company has not made this a priority. Occupational Health and Safety has a major preventive component. Prevention involves the mandatory use of protective gear while on the job, and it requires mitigation measures to prevent the spread of HIV. This is not done, to the detriment of human rights.

Right to Water: Additionally, water quality remains unacceptable. The streams from which villagers and workers drink (and from which water tanks are filled) have been tested and found to have unacceptably high bacteria content. Project requests that residents boil water have been unsuccessful, and they are unviable at dormitories where all inhabitants share a single kitchen. The abdominal pains that already plague workers are not likely to go away if the company continues to ignore water quality issues.

Nondiscrimination: The Company has never comprehensively addressed sexual harassment, and discrimination against handicapped and ill workers has been asserted repeatedly by workers. The lack of a grievance mechanism (comment boxes have never been accepted by the community, which has low literacy rates and, often, little access to pen and paper), coupled with the absence of discrimination training, represent a failure to respect the human Right to Nondiscrimination.

APPENDIX #1 Relevant, Substantive Human Rights

Rights Topics	Right / Freedom	Source
UD = <i>Universal Declaration of Human Rights</i> ; ESC = <i>International Covenant on Economic Social and Cultural Rights</i> ; CP = <i>International Covenant on Civil and Political Rights</i>		
I. Labor		
A. Working Conditions	1. Right to Favorable Working Conditions	UD 23, ESC 7
	2. Right to Work	UD 23, ESC 6,
B. Child Labor	1. Freedom from Exploitive Child Labor	ESC 10
C. Non-Discrimination	1. Nondiscrimination	UD 1, 2, 6, 7 ESC 2, 7 CP 2, 3, 16, 26
	2. Equal Pay for Equal Work	UD 23, ESC 7
	3. Freedom of Religion	UD 2, CP 18
D. Right to Unionize	1. Freedom of Association	UD 20, CP 22
	2. Right to Belong to a Trade Union	UD 23, ESC 8
	3. Right to Strike	ESC 8
E. Fair pay	1. Right to Just Remuneration	UD 23, ESC 7
	2. Right to Holidays with Pay	UD 24, ESC 7
	3. Right to a Basic Standard of Living	UD 25
II. Security		
A. Freedom from violence/coercion	1. Rights to: Life, Liberty, Security of Person	UD 3, CP 6,8, 9, 10, 11
	2. Freedom from Degrading Treatment/Torture	UD 5, CP 7
	3. Freedom from Arbitrary Arrest, Imprisonment	UD 9, CP 14, 15
B. Free speech/freedom from intimidation	1. Freedom of Thought	UD 18, CP 18
	2. Freedom of Expression	UD 19, CP 19
	3. Freedom of Assembly	UD 20, CP 21
III. Health / Environment		
A. Environment	1. Right to Adequate Supply of Water	ESC 12
	2. Right to Clean Air/Environment	ESC 12
B. Health	1. Right to Std. of Living Adequate for Health	UD 25
	2. Right to Health	ESC 12
IV. Property / Economic		
A. Housing	1. Freedom of Residence; 2. Right to Housing	UD 13, UD 25
B. Livelihood	1. Right to an Adequate Standard of Living	UD 25
C. Property	1. Right to Property	UD 17
D. Privacy	1. Right to Privacy (Noninterference)	UD 12, CP 17
E. Food	1. Right to Food, Freedom from Hunger	UD 25, ESC 11
V. Education		
A. Education	1. Right to Education	UD 26, ESC 13
B. Childhood	1. Rights of Children	CP 24
C. Family	1. Right to a Family	UD 16, ESC 10, CP 23
VI. Political		
A. Corruption	1. Right to Public and Political Participation	CP 25
B. Immigration	1. Freedom of Movement, Immigration	UD 13
VII. Indigenous Rights		
A. Informed consent	1. Right of Self Determination, Natural Resources	ESC 1 ESC 1, CP 1
	2. Right to Subsistence	
B. Culture	1. Right to Cultural Participation	UD 27, CP 27

APPENDIX #2 Survey Data for Topics

A blank under 'Information' represents a work that has not been produced. (P) represents partial

Topic	Information Body
<u>LABOR</u>	
WAGES	
What are local wage rates	Government Docs
Locals have skills to enable them to be employed by Project	EIA
UNIONS	
Presence, legality and power of unions	US DoS HR Report
EXPLOITIVE PRACTICES	
Presence of child labor in the area	
Human trafficking in the area	US DoS HR Report
<u>HEALTH</u>	
Infectious disease profiles and trends	
Local health infrastructure	EIA
SURFACE WATER	
Quantity and Quality	
Use and sources (agricultural, industrial, domestic, drinking, bathing)	EIA
GROUND WATER	
Uses (drinking water, agricultural, domestic)	EIA
Depletion rates; Quantity and Quality	EIA
AIR QUALITY	EIA (P)
<u>POLITICAL/GOVERNMENT</u>	
FORM OF GOVERNMENT	
Traditional government structure in place	EIA
Confidence in government to provide basic welfare rights, liberty rights	
Confidence in government to effectively regulate Project	
Corruption	
Effectiveness/brutality of police	
Effectiveness of civil courts	WB Gov'te Indices
CONFLICT	
Recent, likely, or current conflict zone	
Local military size, military structure, and military presence	
History of ethnic/religious strife	
FREE SPEECH / PROTESTS	
Attitude of local police towards demonstrations	
State of local activism, Intensity of Project opposition (local, national, etc)	
SOCIAL	
Local attitudes toward minorities/marginalized groups	N/A
Conflicts with indigenous communities	N/A
ECONOMIC	
Standard of living/ Poverty rates	EIA
Presence of illegal or small-scale mining in the area	N/A
Availability of housing	EIA
EDUCATION	
Local school infrastructure	EIA
Educational attainment	EIA
PROJECT	
Fears of harm from the Project	EIA (P)
Respect for Project Management	

APPENDIX #3 Ratifications of Global Human Rights Treaties

Code	Treaty Name	Signed/Ratified
CAT	Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment	
CAT OP	Optional Protocol	
CCPR	International Covenant on Civil and Political Rights	Signed 1976
CCPR OP1	Optional Protocol	
CCPR OP2	Optional Protocol	
CED	Convention for the Protection of All Persons from Enforced Disappearance	
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women	Signed 1985
CEDAW OP	Optional Protocol	
CERD	International Convention on the Elimination of All Forms of Racial Discrimination	Signed 1972
CESCR	International Covenant on Economic, Social and Cultural Rights	Signed 1976
CMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	
CPD	Convention on the Rights of Persons with Disabilities	
CPD OP	Optional Protocol	
CRC	Convention on the Rights of the Child	Signed 1991
CRC OP AC	Optional Protocol (Armed Conflict)	Signed 2003
CRC OP SC	Optional Protocol (Child Prostitution/Pornography)	Signed 2003

Source: UNHCHR

<http://www.unhchr.ch/tbs/doc.nsf/NewhvVAllSPRByCountry?OpenView&Start=1&Count=250&Expand=186#186>
<http://www.unhchr.ch/pdf/report.pdf>

APPENDIX #4 Relevant Laws of the Country

Constitutional law

http://www.chr.up.ac.za/hr_docs/constitutions/docs/TanzaniaC.pdf

Criminal Law

The Anti- dumping and Countervailing measures Act, 2004

<http://www.lrct.or.tz/documents/1-2004.pdf>

The Penal Code (Amendment) Act, 1980 - (Act No. 14/80)

<http://www.parliament.go.tz/Polis/PAMS/Docs/14-1980.pdf>

Company law

Business Activities Registration Act, 2007

<http://www.lrct.or.tz/documents/Business%20Activities%20Registration%20ACT%2014-2007.pdf>

Companies Act 2002

<http://www.parliament.go.tz/Polis/PAMS/Docs/12-2002.pdf>

Fair Competition Act 2003

<http://www.parliament.go.tz/Polis/PAMS/Docs/8-2003-2003.pdf>

The Business Activities Registration Act, 2007 (Act No.14/07)

<http://www.parliament.go.tz/Polis/PAMS/Docs/14-2007.pdf>

The Cooperative Societies Act, 2003

<http://www.lrct.or.tz/documents/20-2003%20Cooperative%20Societies%20Act.pdf>

The Public Corporations (Amendment) Act, 1999

<http://www.parliament.go.tz/Polis/PAMS/Docs/17-1999.pdf>

Labor Law

The Employment and Labour Relations Act 2004

<http://www.parliament.go.tz/Polis/PAMS/Docs/6-2004.pdf>

The Labour Institution Act, 2004

<http://www.lrct.or.tz/documents/7-2004.pdf>

The Occupational Health and Safety Act, 2003

<http://www.parliament.go.tz/Polis/PAMS/Docs/5-2003.pdf>

The Organization of Tanzania Trade Unions Act, 91 – (Act No 20/91)

<http://www.bunge.go.tz/Polis/PAMS/Docs/20-1991.pdf>

Trade Unions Act, 1998

<http://www.parliament.go.tz/Polis/PAMS/Docs/10-1998.pdf>

Health law

The HIV and AIDS (Prevention and Control) Act, 2008 (Act No. 28/08); Commission for Aids Act, 2001

<http://www.parliament.go.tz/Polis/PAMS/Docs/28-2008.pdf>; <http://www.bunge.go.tz/Polis/PAMS/Docs/22-2001.pdf>

Traditional and Alternative Medicines Act, 2002

Tax law

Income Tax Act 2004

<http://www.tra.go.tz/documents/Income%20Tax%20Act%202004.pdf>

Environmental Law

The Environmental Management Act, 2004

<http://www.parliament.go.tz/Polis/PAMS/Docs/20-2004.pdf>

The Forest Act, 2002

<http://www.parliament.go.tz/Polis/PAMS/Docs/14-2002.pdf>

Water Laws

<http://www.parliament.go.tz/Polis/PAMS/Docs/1-1999.pdf>

Agriculture Law (Numerous)

APPENDIX #5 World Bank Governance Indicators

0	0	0	0	0	
Governance Indicator	Sources	Year	Percentile Rank (0-100)	Governance Score (-2.5 to +2.5)	Standard Error
Voice and Accountability	17	2009	43.6	-0.14	0.11
	11	2004	34.1	-0.49	0.17
	5	1998	34.1	-0.55	0.23
Political Stability	8	2009	47.6	0.08	0.22
	7	2004	30.8	-0.47	0.25
	5	1998	39.4	-0.14	0.25
Government Effectiveness	12	2009	39	-0.42	0.17
	10	2004	43.7	-0.39	0.15
	6	1998	31.1	-0.55	0.15
Regulatory Quality	11	2009	38.1	-0.38	0.16
	11	2004	39	-0.41	0.17
	7	1998	36.6	-0.3	0.25
Rule of Law	17	2009	40.1	-0.44	0.13
	13	2004	42.4	-0.35	0.15
	8	1998	44.3	-0.28	0.19
Control of Corruption	14	2009	40.5	-0.42	0.15
	9	2004	32	-0.61	0.17
	6	1998	12.1	-1.08	0.22

APPENDIX #6 Global Competitiveness Index WEF

2.1: Competitiveness Profiles

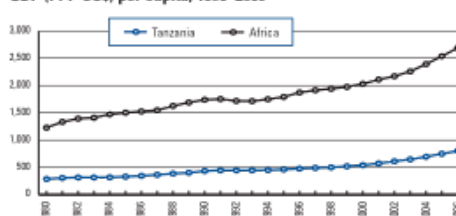
Tanzania

Key indicators

Population (millions), 2006.....	39.0
GDP (billions, current US\$), 2006.....	12.8
GDP (PPP US\$) per capita, 2006.....	801
Sectoral value-added (as percentage of GDP), 2004.....	
Agriculture.....	45
Industry.....	17
Services.....	38
Human Development Indicator rank (out of 177 economies), 2004.....	162

Source: UNFPA, IMF, EIU, UNDP

GDP (PPP US\$) per capita, 1980–2006



Global Competitiveness Index 2007

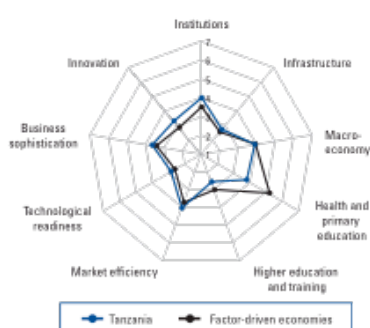
	Overall rank (out of 120)	Score (1–7)
Global Competitiveness Index 2007.....	108.....	3.4.....
GCR 2005–06 (out of 117 economies).....	105.....	3.3.....

Basic requirements.....	115.....	3.6.....
1st pillar: Institutions.....	64.....	4.0.....
2nd pillar: Infrastructure.....	96.....	2.7.....
3rd pillar: Macroeconomy.....	103.....	3.9.....
4th pillar: Health and primary education.....	121.....	3.8.....

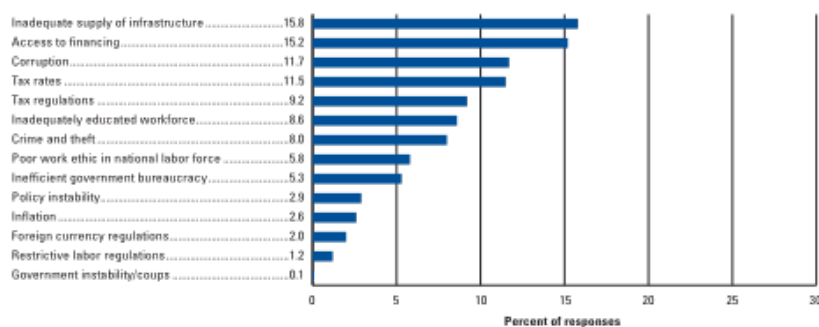
Efficiency enhancers.....	96.....	3.2.....
5th pillar: Higher education and training.....	115.....	2.6.....
6th pillar: Market efficiency.....	76.....	4.1.....
7th pillar: Technological readiness.....	87.....	2.9.....

Innovation enhancers.....	77.....	3.5.....
8th pillar: Business sophistication.....	83.....	3.7.....
9th pillar: Innovation.....	56.....	3.3.....

Stage of development



The most problematic factors for doing business



Note: From a list of 14 factors, respondents were asked to select the five most problematic for doing business in their country and to rank them between 1 (most problematic) and 5. The bars in the figure show the responses weighted according to their rankings.

Tanzania

The Global Competitiveness Index in detail

INDICATOR	SCORE	RANK/128
1st pillar: Institutions		
Property rights.....	3.9.....	85
Diversion of public funds.....	3.3.....	73
Public trust of politicians.....	3.0.....	38
Judicial independence.....	3.9.....	57
Favoritism in decisions of government officials.....	3.8.....	30
Government spending.....	4.1.....	27
Burden of government regulation.....	3.5.....	30
Business costs of terrorism.....	5.3.....	56
Reliability of police services.....	3.5.....	85
Business costs of crime and violence.....	3.5.....	89
Organized crime.....	4.8.....	65
Ethical behavior of firms.....	3.8.....	88
Efficacy of corporate boards.....	4.3.....	85
Protection of minority shareholders' interests.....	4.7.....	49
Strength of auditing and accounting standards.....	4.3.....	77
2nd pillar: Infrastructure		
Quality of overall infrastructure.....	2.9.....	77
Quality of railroad infrastructure.....	2.8.....	56
Quality of port infrastructure.....	3.4.....	69
Quality of air transport infrastructure.....	3.7.....	90
Quality of electricity supply.....	2.1.....	118
Telephone lines*.....	0.4.....	121
3rd pillar: Macroeconomy		
Government surplus/deficit*.....	-3.3.....	89
National savings rate*.....	16.1.....	89
Inflation*.....	4.6.....	70
Interest rate spread*.....	10.4.....	99
Government debt*.....	n/a.....	n/a
Real effective exchange rate*.....	n/a.....	n/a
4th pillar: Health and primary education		
Business impact of malaria.....	3.2.....	123
Business impact of tuberculosis.....	3.3.....	123
Business impact of HIV/AIDS.....	2.1.....	127
Infant mortality*.....	79.0.....	108
Life expectancy*.....	48.0.....	115
Tuberculosis incidence*.....	478.6.....	110
Malaria incidence*.....	3,000.0.....	111
HIV prevalence*.....	8.8.....	120
Primary enrollment*.....	54.4.....	119
5th pillar: Higher education and training		
Secondary enrollment*.....	7.5.....	125
Tertiary enrollment*.....	1.0.....	118
Quality of the educational system.....	3.1.....	85
Quality of math and science education.....	2.9.....	106
Quality of management schools.....	3.3.....	97
Local availability of research and training services.....	4.0.....	55
Extent of staff training.....	3.1.....	89

INDICATOR	SCORE	RANK/128
6th pillar: Market efficiency		
Agricultural policy costs.....	4.6.....	12
Efficiency of legal framework.....	3.7.....	64
Extent and effect of taxation.....	3.4.....	54
No. of procedures required to start a business*.....	13.0.....	99
Time required to start a business*.....	30.0.....	52
Intensity of local competition.....	4.4.....	83
Effectiveness of antitrust policy.....	3.7.....	67
Imports*.....	32.5.....	89
Prevalence of trade barriers.....	4.0.....	95
Prevalence of foreign ownership.....	5.4.....	41
Exports*.....	22.4.....	109
Hiring and firing practices.....	4.1.....	56
Flexibility of wage determination.....	5.5.....	54
Cooperation in labor-employer relations.....	4.6.....	62
Reliance on professional management.....	4.8.....	45
Pay and productivity.....	3.5.....	93
Brain drain.....	2.6.....	88
Private sector employment of women.....	5.4.....	16
Financial market sophistication.....	2.9.....	90
Ease of access to loans.....	2.7.....	86
Venture capital availability.....	3.2.....	58
Soundness of banks.....	5.7.....	53
Local equity market access.....	4.8.....	68
7th pillar: Technological readiness		
Technological readiness.....	3.4.....	76
Firm-level technology absorption.....	4.6.....	72
Laws relating to ICT.....	3.3.....	73
FDI and technology transfer.....	5.5.....	17
Mobile telephone subscribers*.....	5.2.....	118
Internet users*.....	0.9.....	115
Personal computers*.....	0.7.....	110
8th pillar: Business sophistication		
Local supplier quantity.....	4.4.....	81
Local supplier quality.....	3.6.....	92
Production process sophistication.....	2.9.....	97
Extent of marketing.....	3.7.....	86
Control of international distribution.....	3.6.....	97
Willingness to delegate authority.....	4.1.....	33
Nature of competitive advantage.....	3.3.....	68
Value chain presence.....	2.6.....	106
9th pillar: Innovation		
Quality of scientific research institutions.....	4.2.....	40
Company spending on R&D.....	3.4.....	41
University-industry research collaboration.....	3.5.....	41
Gov't procurement of advanced tech products.....	4.1.....	38
Availability of scientists and engineers.....	4.4.....	70
Utility patents*.....	0.0.....	80
Intellectual property protection.....	3.2.....	79
Capacity for innovation.....	2.6.....	99

* Hard data

Note: For descriptions of variables and detailed sources, please refer to "How to Read the Competitiveness Profiles."

Appendix #7 Living Standards Survey

[redacted for space constraints]

Appendix #8 – Corporate Respect for Key Rights Elaborated

Right to Health

In the Project area, government health facilities are inadequate to protect worker health, and company dispensaries are little more than first aid stands. In a Company where heavy machinery and sharp blades are often in use, significant risks are presented to employee health, and the Company is doing very little to mitigate that risk.

The Uchindile government dispensary suffers six-month delays on supply deliveries, Kitete has no dispensary (or medications) at all, and Company senior staff members have said that they would never use government facilities in Iringa or Morogoro for their own healthcare. The district has a single ambulance. Dispensaries lack laboratory equipment and wards. Patients needing ward service are referred – but not transported – elsewhere. This is average for Tanzania, yet Iringa district has one of the highest infant mortality rates in the country. Morogoro district, where Uchindile is partly located, has alarmingly few health facilities – five dispensaries and three health centers, compared to Kilimanjaro district, which has a similar population size, one sixth of the area, and five times the number of dispensaries).

Worker health also includes a freedom from disease and a right to be informed about one's own health risks. In Iringa and Morogoro Regions, HIV is high, but knowledge about the disease is extremely low, particularly in rural areas. Workers are not receiving the HIV training promised by the company. Meanwhile, the Company is contracting Mafinga-based chainsaw operators to conduct harvesting activities at the Project, essentially transporting a highly at-risk population to a rural area, without spouses.

That the company has no current data on HIV among its workers (obtainable, indirectly, through interviews when blood tests are rejected) means it cannot estimate its impact on their wellness. That HIV rates are already four percent in Uchindile (among pregnant women) where people confuse malaria symptoms with AIDS suggests that a significant problem is brewing.

Studies lay bare the implications of an HIV epidemic for eastern African communities. The medical, social and economic repercussions of such epidemics are well documented and harrowing. Impacts listed below were documented at the Demographic Surveillance Study site in Karonga District, Malawi, by specialists conducting longitudinal research on a population undergoing infrastructure development and increased mobility due to new roads, similar to the situation at Uchindile. Additional research from capital project sites in South Africa, Tanzania and Uganda are referenced, as researched by UNAIDS, UNICEF, and the International Federation of the Red Cross (IFRC). All are available upon request, should there be any doubt about the severity of a spiking HIV/AIDS rate in a Tanzanian village.

Tanzania's countrywide HIV rates are estimated at six to 20 percent (WHO Epidemiological fact sheets on HIV and AIDS, 2008 update). Iringa Region is among the worst affected (16 percent of tested individuals were positive in 2008), owing largely to the thoroughfare that runs through the region connecting Mbeya and Dar es Salaam. In Mafinga, rates are particularly elevated, as the town is a hub for industry, trucker stopovers, and significant prostitution.

HIV inflicts the most damage on the communities least capable of coping. It is often contracted by young, healthy, productive members of society and progresses more rapidly to AIDS under circumstances of poverty, illness and poor nutrition (UNAIDS, IRIN). In the poor communities surrounding Uchindile, that HIV is present at all is a testament to poor disease management, education, and prevention systems. The remote communities are so ignorant of HIV that they confuse malaria symptoms with HIV. Some believe traditional healers can cure the disease. As previously impoverished men increase their wealth, they often spend wages on second wives or girlfriends, putting additional women at risk of contracting the disease. There is firsthand evidence of this in Uchindile.

Governments are responsible for protecting, fulfilling and promoting human rights, while corporate responsibility is limited to ‘respecting’ rights. Respect is three-pronged, involving a commitment not to commit, profit by, or facilitate rights violations.

Corporations have a variety of roles in HIV epidemics – a project erected in a remote area of an epidemic country is likely to actually spark a local epidemic. A project erected in a preexisting epidemic zone is entering into a space where rights are already being violated, and a failure to act would signify complicity. As with projects erected in conflict zones, the project takes on responsibility for the location it has selected, with a cognizance that it is implicated in rights abuses by mere presence. At a minimum, a company may not exacerbate preexisting epidemics. But the creation of a capital project has certain impacts on demographics and disease profiles, meaning that inaction is tantamount to negative impact on human rights.

GRL is not operating by the Uchindile Forest Plan in regard to HIV. The Plan commits GRL to implementing “health and safety practices ... in compliance with labor laws of the country and ILO conventions[,] through provision of safety equipment and training on safety issues, medication, and preventive [sic] Sexual Transmitted Diseases (STDs) including HIV/AIDS.” This commitment is a significant one, supplemented by the ILO’s *Code of Practice on HIV/AIDS* (2001), which includes requirements for prevention, care and support, gender-specific programs, and detailed training targeted for different sectors of the workforce.⁹ There are straightforward recommendations for the Company to mitigate its impact on HIV rates (see section 13, above), which would bring it back into compliance with its own standards. Until significant actions are taken, this is a significant and severe violation of the Company’s responsibility to respect the Human Right to Health.

Nondiscrimination

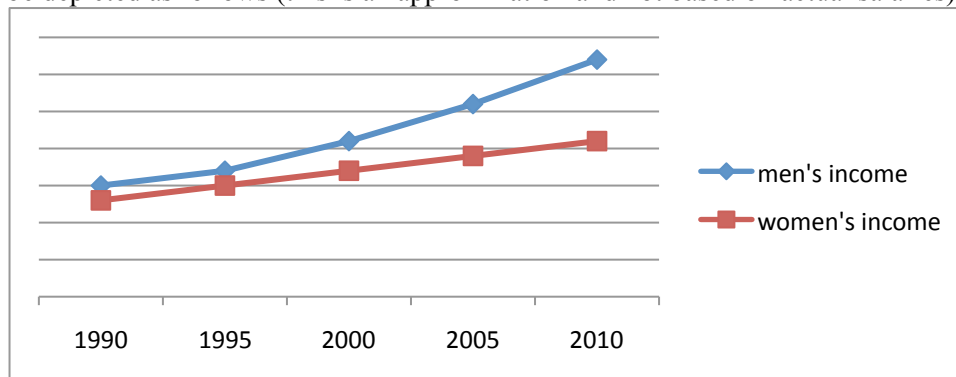
Misogyny is endemic in Tanzania’s southern highlands. The company is not responsible for this reality, but it is responsible for ensuring that its operations do not widen the gap between men and women’s empowerment. In Green Resources’ operations, no women hold senior positions. Women rise no higher than junior management – secretaries and dispensary clinics.

Structural inequality¹⁰ is powerful and overwhelms nondiscrimination policies that GRL has established. By failing to address contextual inequality, GRL appears to be deepening inequalities between men and women. By virtue of improving their workers’ access to cash, the Company is preferentially benefiting its higher-paid employees. Because only men apply (or meet qualification requirements) for higher-paying work, only men are experiencing significant economic gain. As evidenced on the August 2009 Uchindile payroll, men hold five times more jobs than women and work more hours. Only four women are permanent employees out of the company’s 60 hires. The situation is even more problematic among “temporary” workers. When children are ill or fields need to be tilled, it is the women who lose income. Rough estimates from August 2009 payroll suggest that women comprise

⁹ <http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/normativeinstrument/kd00015.pdf>

¹⁰ Discrimination can be discussed in terms of both discriminatory practices and discriminatory outcomes. If a practice treats certain groups unfairly, it is apparent in the policies upon which the practice was built and leaves little room for definitional debate. Discriminatory outcomes, in contrast are borne of discriminatory contexts. This is referred to as **structural inequality**. Women facing structural inequality don’t have education, permission, or confidence to enter the work force. Sometimes exhausting, unpaid workloads in the home drain them of the time and energy to apply for jobs. This can be compounded by cultural norms that stigmatize women who work away from home – referred to as loose, even if they are in no way engaged in sex work.

20 percent of temporary workers and earn a mere 17 percent of wages. The resulting income disparity can be depicted as follows (this is an approximation and not based on actual salaries):



This is called **disparate impact**. Enriching men and leaving women comparatively impoverished worsens the economic and social position of women.

The UN specifically addressed this problem in a March 2009 release, noting that the costs of unequal sharing of responsibilities weakens the labor market attachment for women, weakens their access to social security benefits, and decreases their available time for education, training, leisure, self-care, and political activities.

In the meantime, the Company has a responsibility to know what the impacts are on women's mental and physical wellbeing. This data is not currently collected.

Freedom of Association, Right to Unionize, Right to Strike

Tanzanian labor law dictates that laborers, be they "temporary" or permanent employees, can form a union, but only 27 percent of Tanzanians are members of the national workers federation. Although contract workers may have unionizing capacity, few are familiar with Tanzanian labor law. Green Resources officially has two unions for its workers, TUICO for Sao Hill workers and TPAWU for plantation workers. The company does not include its "contract" workers within its union, excluding 80 percent of the workforce. The TPAWU union itself is problematic as well (see below).

There are human rights issues in hiring laborers nine to 12 months a year, year after year, without providing them benefits and rights equal to those of full employees. Laborers have made this complaint repeatedly, and the company has promised to hire more full-time workers. This promise has been slow to materialize for the vast majority of workers, and the Company acknowledges that it does not hire workers as full employees due to cost. The problems with this hiring system are fourfold, from a rights perspective:

1. Workers are not successful in their efforts to collectively bargain. Even unionization has been unsuccessful in past attempts at the Project. There is no right/ability to strike, and while taking issues to arbitration is possible, powerful labor representatives are lacking.
2. Contract workers are not entitled to the same benefits as full employees. With neither sick leave nor maternity leave, workers are essentially penalized for becoming ill or pregnant. Additionally, workers have no job security. The Company assures that their labor shortage means that anyone seeking work receives it, but Uchindile cut casual labor from over 800 to under 300 last spring. There is no certainty that workers will be hired back in the next season, and there are

no pensions (although the June 2009 contract proposal mentions these but workers do not believe there has been any resolution, and Management did not mention that bargaining had been successful for the union) or termination benefits. Perhaps most regrettably, there is almost no training that would lead to upward mobility for unskilled and semi-skilled workers. The Company did not even go so far as to train local workers in tree harvesting skills using chainsaws (a one-week course for Sao Hill workers).

3. Temporary laborers, in not benefitting from union contracts, are not truly a part of the union, despite Company claims to the contrary.

4. Because union heads are elected within individual plantations, essentially as plantation representatives, company decisions to relocate those workers (in accordance with their job descriptions and company needs) essentially obliterates unions as they are growing. This was the case in Uchindile when Management relocated Chalamela, a nursery overseer but also the union head, from Uchindile to Mapanda. Now everyone in Uchindile, from the Forest Manager to the casual laborer, agrees, “Uchindile has no union now.”

Right to Housing

The housing situation for workers living in dormitories is a direct responsibility of the Company. The maximum capacity of existing dormitories is not sufficient to harvesting needs – people are sharing beds due to shortages of space. CDM documents assuring that workers have clean water and solar electricity are wrong on both counts. Workers spend substantial portions of their wages on kerosene because there is no electricity, and the Company has not begun providing water to Kitete dormitories. Sanitation is extremely poor in the housing units, between extremely close quarters for workers and the pit latrines (two per dorm) with no water for flushing.

Right to Water

Water in Uchindile and Kitete is fetched from neighboring streams. Locals know this water makes them sick, but they have no alternatives. Sickness often causes them to miss work and lose income. This is indirectly the Company’s responsibility, because the Company’s website homepage pledges: “The company is committed to supporting local communities through investment in schools, health facilities and provision of safe water.”

Right to Education

School attendance and educational attainment have seen no improvement in plantation areas since Green Resources arrived, and skill levels remain stagnant, with the Company bringing outsiders to the plantation to conduct new jobs (chainsaw work).

It is the government’s responsibility to fulfill children’s Right to Education. In Tanzania, the government commits itself to sending teachers and money for supplies. Communities provide additional support, with help from generous donors. Corporations often contribute to education in Project areas, and Green Resources at one point committed to supporting its local schools 100 percent. Those commitments have declined in the company’s 12 years of operation in Uchindile. If the Company had made more limited promises, it would not be guilty of violating the Right to Education. By promising classrooms, teacher houses and girls dormitories, however, it has left a gaping whole that otherwise the community might have filled, essentially guaranteeing that the Right to Education would not be fulfilled. Company promises have been unfulfilled since 2001. School buildings that were supposed to be completed in 2005 (and were declared completed in 2009) were still not usable in September of 2009. The school promised

to Kitete in 2005 is no more than a foundation. If the company cannot fulfill these promises, it is highly remiss in making them. Instead, the communities would be better served by the Company making small donations – pens and workbooks or chalk and desks – or incentivizing government teachers to work in remote locations. That only five of eight required teachers have reported for duty in Uchindile suggests that teachers find these locations undesirable. Affordable recommendations to remedy this are mentioned in section 13.2.4.

Appendix #9 – Green Resources Feedback and Commentary

To: Kendyl Salcito, NomoGaia
From: Mwaniki Ngibuini
Date: 30 November 2010

Re: COMMENTS ARISING OUT OF THE HUMAN RIGHTS IMPACT ASSESSMENT REPORT BY Ms KENDYL

1. **Workers Union:** Green Resources Ltd encourages all employees to join TPWAU. The union leadership in GRL has been very weak over the years despite GRL's intervention with the TPWAU regional head office at Iringa following complaints by the workers to the effect that monthly contributions towards the union coffers was doing little to assist uplift the welfare of the workers. GRL cannot dictate or influence the leadership of the union. The problem with the union has been extremely poor leadership and GRL will continue to encourage the regional/National head quarters to strengthen and build capacity for the Uchidile chapter of the union. Towards that end GRL will organize a meeting with the TPWAU regional leaders in the third week of December. In GRL's sister company, SHI, it required the Company's intervention to ensure the proper formation of the TPWAU.
2. Transfer of the union leader from Uchidile to Mapanda was done on disciplinary grounds and had nothing to do with GRL attempting to muzzle the voice of the union. One of the reasons for the transfer of the union leader who was also a senior supervisor at Uchidile was employment of ghost workers and gross misuse of office. This action was taken as a result of the disclosures of Human Rights abuse during 2009. He is lucky to be in employment today despite his involvement in acts gross misconduct.
3. **Transport for workers:** As far as possible, workers are provided with transport to work and back to their villages. However, vehicle breakdown is bound to interfere with this well meant arrangement. The company is hiring transport vehicles when our own transport is not available and is in the process of purchasing 3 new 13 tonn trucks specifically for personnel transport. This will greatly improve the situation.
4. **Safety Gears:** GRL has purchased significant amounts of protective clothing for the workers in Uchidile this year. This is in addition to safety gear purchased last year and still usable. The company policy is for all workers to wear protective gear when they engage in company work regardless of whether they are contractors, seasonal workers or permanent staff. Use of protective clothing is not popular but we have to continuously fight over this issue with reluctant employees. Sale of protective wear by employees is a manifestation of how lowly they regard the protective gear. Training on need to use protective wear continues to be an important process while the company addresses the need to buy comfortable wear to suit our operating conditions.
5. **Benefits for seasonal workers:** Agricultural operations in Tanzania rely on a small number of permanent workers while employing a large number of seasonal workers on contract basis depending on the workload. GRL uses this system which is prevalent in the tea and sisal industry. The labour law is very clear on the benefits due to the various categories of employees and GRL follows the law strictly. So there cannot be the issue of granting maternity leave or extensive health care to temporary employees as this is not covered by the labour act. However, where the situation warrants, the company will go out the way to assist needy cases depending on the prevailing situation. The company although not tasked to provide health care to the communities,

supports development of health infrastructure in the villages. In Kitete, a dispensary with two residential staff quarters is nearly complete for handing over to the government. The Kilombero District Council has undertaken to send medical staff and supplies to Kitete as soon as possible. Thus, GRL provides the infrastructure and the government provides the service. We have been asked to build a maternity ward in Uchidile village in 2011 and this request is being actively pursued.

At the same time, the company will continue to strengthen the dispensaries within the plantations so that they continue offering services to the employees and the community at large.

6. **Improvement of dormitories:** GRL has embarked in an extensive improvement programme for the dormitory accommodation in the plantations. This programme includes paint work, repair of old dormitories, installation of solar power, supply of TV sets, improvement of water systems and bathrooms and harvesting rain water. All these are in progress and at various stages of completion. We started late in Kitete but the work will be completed in the next 3 weeks. More labour force will be deployed to finish the dormitories in order to ease congestion.
7. **Water supply:** Water testing in the plantations now includes water purity and suitability for human consumption. The latest report from the Ministry of Water Development has indicated the presence of harmful bacteria in the water at Uchidile with the advice to boil all water before drinking. This instruction has been sent out to the employees. As additional measure, the manager Uchidile has now been instructed to treat all drinking water in the 5000 litre tanks with Water Guard a chlorine based chemical solution which destroys germs and renders water suitable for human consumption. Roof gutters have been installed in almost all dormitories for harvesting rain water.

Water supply to the larger community is government's responsibility. However, GRL is always willing to partner with the Government in developing water schemes around our plantations.
8. **Harvesting at Uchidile:** The harvesting operation at Uchidile in 2009 was a very small eucalyptus thinning operation. Due to the hazardous nature of work and the need for strict compliance with FSC criteria, the company used trained and experienced crews from Sao Hill Industries Ltd. The company policy is to promote employment of people from the local community but when a specialized job is to be done, we prefer to use people with proper training and experience. All said, when harvesting is in full gear at Uchidile from 2015, local people will be trained and involved in the operations as well.
9. **HIV AIDS Training:** GRL has carried out many training sessions on AIDS and HIV with employees. The last session was in September this year as part of our year end planting celebrations. The company also regularly supplies condoms to employees as one of the ways to reduce infection. GRL has however not been involved in AIDS training with the communities but has facilitated Public Health Officers in their work with the communities. This will support will continue.
10. **Discrimination:** In order to reduce discrimination in employment, all available positions are being advertised at the village office. When applications are received, a small panel interviews candidates for eligibility and selects suitable candidates against a selection criterion. The final list of candidates with explanations is sent to the General Manager GRL for final scrutiny and approval.

The Village Councils are increasingly becoming useful in identifying candidates of good character for employment by GRL. The number of women supervisors was recently increased from one to 5 in Uchidile making up 50% of the supervisors.

11. **Training:** Training of employees is currently on the job. Some of the training sessions held involved the use of herbicides, fire protection, pruning, planting and use of aqua soil, use of a mechanized holer etc. GRL understands the need for formal training for employees and is working with other interested parties in re establishing the Workers Training Institute at Sao Hill for offering specialized training for forest workers.
12. **Complaints System:** GRL has an elaborate complaints and dispute resolution system. Apart from encouraging employees and the general public to use suggestion boxes placed at Uchidile Forest Office and another at the Village Office, telephone numbers for key GRL personnel have been provided to employees and the Village Council. We are also constantly in touch with religious leaders to gather information and to know their views on various issues affecting GRL plantations. All complaints received are entered in a complaints register at GRL Head office. The action taken is also entered in the complaints register. We have noticed positive response to the complaints system with many people preferring to write short text messages to register their complaints while others write anonymous letters. Action is taken on all complaints.

Comments from Sangito Sumari to Kendyl Salcito

November 22, 2010

Comment: Chain saw operators need to have basic skills, Sao Hill Industries have their own logging crew which is used to log timber from costumers/forest owners,GRL not yet established its own logging crew- our forests are still young.

Response: If there is a timeline for training local people to operate chain saws, that would be extremely useful.

Comment: We have our OH&SO who oversees the issues related Health and appropriate safety gears, and these are provided each year but may not enough everyone especially for temporary workers.

Response: If OH&SO policy is ignored it is not relevant to assessment. Enforcement is, while difficult, vital.

Comment: GRL measures the water quantities and quality and in the resent Lab analysis results show some bacteria which will need water to be boiled before drinking. Notice was sent to all our projects to notify and ask them to boil water before they drink- all over the country un treated water must be boiled before one can drink.

Response: Villagers rarely boil water upon government or company request. Furthermore, dormitory residents share a single kitchen; there is neither time nor space for all dormitory inhabitants to boil water and cook food. That the Company's recommendation was ignored does not free the company from responsibility, particularly during work hours and in Project dormitories.

Comment: Due to failure by the people to disclose bad actions due to the existing relationship among themselves. Suggestion boxes are installed and people are free to write their complaints. These are addressed after investigation. We also carryout meeting where people can air out their views.

Response: The community's "failure" to approach the company with serious grievances is a failure of the mechanism, not of the community. With 30 percent literacy rates, write-in suggestions are a non-option for many workers. With sensitive grievances, like sexual harassment, meetings are not an appropriate place for women to voice complaints. An adequate grievance mechanism will account for both the limitations of the workforce (including illiteracy) and the nature of complaints, which may be sensitive or embarrassing to the complainant.

Comments from Mads Asprem to Kendyl Salcito

November 24, 2010

Here are some preliminary comments:

- The Uchindele fire took place in October 2009, not in 2010. Specifically, the community says that the arsonists claimed that they set the fire because GRL deducted NSSF fees from their pay, and accused GRL of stealing this money. This money is of course with NSSF. There were of course also a number of other problems in Uchindele, but this was claimed to be the ‘direct reason’.
- I really do not think the restaurants, etc have come up in Uchindele just during the last 10 months. This has taken a lot longer.
- Most importantly, I think you should mention in the Executive Summary that you were invited to do this work at GRL by the company. We wanted you to come and have a look at our operations.

Mads

Response:

Thanks very much for the feedback (and thanks, Sangito, for the line edits). I'll alter the fire date and include the given reasons for the arson. Word-of-mouth accounts varied widely, and the official line is quite helpful.

As for shops and restaurants in Uchindile, they were not there 18 months ago, and 10 months was the figure that locals gave me. If you have documentation of longer-standing local business, please let me know.

I'd be delighted to include in the Exec. Summary that GR invited Nomogaia to conduct the assessment.

Mads Asprem sought clarification on Recommendation 13.9. Nomogaia's response is below:

Dear Mads,

You sought clarification the following statement: "The Company's development strategy fails to benefit communities until projects become lucrative... While Uchindile and Kitete Projects have been (and will continue to be) slow to become profitable, that cannot be an argument to delay respect for human rights." (Recommendation 9, section 13).

Given that Uchindile still has not generated revenue, I agree that the phrasing must be changed.

The fundamental point remains, though, that Green Resources leaves rights-related commitments unfulfilled for extended periods of time. When residents have asked the company about delays, they have been told Plantation budgets were too tight year after year. From an outsider's perspective, it looks as though Green Resources' development strategy is to grow quickly and play catch-up on commitments once the Company is on firmer financial footing. For example, Uchindile villagers were told this year that the school could be completed and wages raised because the Plantation had begun selling carbon credits. Perhaps more problematically, the Company has 78 workers living in a dorm (in Kitete) built for 50 people, while a single carpenter worked on a second dorm building, unassisted. This makes it look like the cost-savings on construction workers was prioritized over ensuring adequate living standards for workers in the Kitete dormitories.

The human rights issue with this is twofold, pertaining to both government duties and citizen rights:

First, when companies promise to fulfill human rights, they take on a government duty. Governments are not supposed to outsource these responsibilities, but they do. If a company accepts a responsibility to build a school and fund a clinic, it accepts the responsibility to contribute to the right to education and the right to health (this is not a "due no harm" standard anymore, but a positive commitment to benefit rights). By taking on responsibilities and failing to follow through, a company becomes complicit in the government's violation of human rights.

Second, companies often assume they are not impacting rights because they do not intend to impact rights. The assumption is flawed. To take the example of the Right to Health, Green Resources impacts worker health by increasing physical strain on workers, increasing dust inhalation for road builders, and increasing exposure to diseases for dormitory inhabitants (there are likely other health impacts). A rights-responsible company foresees these impacts and addresses health needs (building, upgrading and/or staffing local clinics, ensuring a steady supply of necessary medications, checking up on respiratory illnesses among roadworkers, providing clean water to worker dormitories, etc). Green Resources not only failed to preempt the foreseeable impacts of its operations in Uchindile, it continued to delay fulfillment of promises well after impacts were apparent.

This, in my view, is a flawed "development strategy," because whatever strategies and plans are recorded on paper (I have not seen any such document), budgeting realities preempt fulfillment of promises.

The Uchindile Plantation has operated not as an element of a global company adhering to international standards but as a small-time Tanzanian operation. What is acceptable by Tanzanian law is not necessarily sufficient to respect human rights or fulfill IFC/VCS/FSC requirements. Managers at Sao Hill have contrasted GR's performance with MPM's, as though these are comparable operations. They aren't. If GR continues to grow, so will the world's expectations. Look to Dole or Del Monte for a sense of the scrutiny that meets global ag companies.

Additional examples of GR's failure to operate rights-responsibly include instances where promises were unfulfilled and instances where commitments were too weak. Three examples are below:

- The road and dispensary to Kitete were promised in writing as early as 2007 (almost certainly earlier). Completion was again promised by mid-2008, and again by December 2008. When I visited in February 2009, Managers in Sao Hill thought the idea of driving to Kitete was laughable. In October 2010 the road was still a rutted mess.
- Completion of the dispensary will not ensure access to healthcare for local workers, since there has been no accommodation for an icebox to store antibiotics.
- Tanzanian newspapers reported in 2010 that Green Resources rejected government calls for a land management plan on a proposed new plantation. The spokesperson argued that a land management plan would be too costly. A rights-responsible approach would make a land management plan a top priority.

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