

Workshop Summary “Sharing on Corporate Social Responsibility”

On 8 & 9 October 2012, a workshop titled “Sharing on Corporate Social Responsibility” was held in Yangon.

The seminar involved government, industry and public participants, including delegates from the Myanmar Human Rights Commission, Upper and Lower Houses of Parliament, and the Ministry of Energy and Ministry of National Planning and Economic Development. In addition were representatives of oil and gas companies, mining firms, extractive equipment and service providers. Public groups with interest in social and environment matters were also well represented at the event, making a total of around 50 participants during the two days.

Participants discussed many issues associated with extractives industries in Myanmar, studied case studies from other resource-rich countries and brainstormed possible solutions applicable in Myanmar.

Presenters delivered overviews of standards and codes relevant to extractive industries, corporate social responsibility and the guiding principles for business and human rights. Special focus was also placed on the concepts of “Free Prior and Informed Consent” (often known as FPIC) for communities, as well as indigenous rights issues, labour law matters, resettlement issues and transparency matters.

During the closing sessions of the seminar participants jointly agreed on a set of seven recommendations for more positive developments in the sector, as a means of reducing conflict and improving sector performance.

“Seven Joint Recommendations for Positive Development in Extractive Industries in Myanmar :-

- “A tripartite dialogue improvement between government, business and the public offers improved communication, understanding and many opportunities to facilitate further national development. The seminar, focused on CSR and human rights issues shows a possible route forward in improved understanding between groups on these issues.
- Community participation and consent in the processes of decision making, would overcome many of the issues currently resulting from the operation of extractives projects. (Free Prior and Informed Consent or FPIC)
- Attention to land, livelihood, environmental, gender, cultural heritage, benefit sharing, safety, community harm and community protection issues are considered particularly important.
- The “Protect, Respect, Remedy” Business and Human Rights Framework offers input towards improving government, business and community relations.
- Best Practice Corporate Social Responsibility (CSR), and specifically a focus on Respect for all human rights, under the Ruggie Framework will greatly reduce the negative impacts.
- Positive social license to operate will be gained by business respecting and following the various standards and codes relevant to various industry sectors.
- Ongoing monitoring and improved legal and non-judicial mechanisms for remedy through valid grievance mechanisms and compensation, offer many avenues in helping resolve issues.”

These were prepared for the extractive industries however are considered applicable to many industry sectors.

Workshop Summary “Sharing on Social Impact Assessment”

On 11 & 12 October 2012, a workshop titled “Sharing on Social Impact Assessment” was held in Yangon.

Public groups with interest in social and environment matters were represented at the event, with a total audience of around 50 participants. Again, during the closing session the seminar participants jointly agreed on a set of recommendations for more positive developments in the sector, as a means of reducing conflict and improving sector performance. This group was able to extend the work of the earlier seminar and include more detail.

“Recommendations from Seminar on Improving Social Impact Issues in Myanmar’s Extractive Industries :-
(Many of these are highly applicable across multiple industry segments)

- Participants endorsed the proposed :
“7 Joint Recommendations for Positive Developments in Myanmar’s Extractive Industries”.
- Tools such as SEA, EIA, SIA, HIA, HRIA will be extremely useful for helping holistic assessment of projects. (SEA - Strategic Environmental Assessment, EIA - Environmental Impact Assessment, SIA - Social Impact Assessment, HIA - Health Impact Assessment, HRIA - Human Rights Impact Assessment)
- Key factors linking Social Impact Assessment (SIA) and Human Rights areas are: -
 - PROTECT:
Who and What needs to be PROTECTED by the State?
 - RESPECT:
Who and What needs to be RESPECTED by companies?
 - REMEDY:
For Whom and For What is further REMEDY required?
- Land laws should support communities, and labour laws should protect the workforce. Local skills should increase as a result of projects.
- Baseline studies have been missing from projects in Myanmar. This makes it very hard to do quality issues management later.
- Expert independent and local public opinions and monitoring reports are often not available on Myanmar projects due to lack of access and transparency.
- Independent assessments and audit of impacts, projects, and operations need to be publicly available.
- Recognise that impacts caused by development projects have many common issues and also some area and project unique factors.
- Safety issues need to be clearly assessed and reported.
- Grievance mechanisms need to be available, accessible, transparent, published and understood by the public.
- Environmental compliance issues are linked to social issues (including public health) in many ways, and the compliance with standards is important.
- Revenue from projects needs to be transparent and segregated by project and area, and an indication provided of what is central revenue, as well as regional and local revenue. Use the EITI to reconcile payments.
- The Protect, Respect, Remedy framework should ideally be considered in and endorsed by the Myanmar constitution. “

These were prepared for the extractive industries however are considered applicable to many industry sectors.



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