

ANNEX 4.6
Vulnerable Groups
in the Context of BTC Project

1 VULNERABLE GROUPS

1.1 INTRODUCTION

This section discusses specific “vulnerabilities” that may arise in the context of land acquisition, construction and operation activities, which will be undertaken by the BTC Pipeline. It shows that the Project carefully examined possible sources of vulnerabilities (i.e. gender, age, ethnicity, religion and economic-based vulnerabilities) through the comprehensive socio-economic studies and consultation meetings for the EIA along the pipeline route. Considerations have been made to ensure that no group is disproportionately affected by the Project. At the same time, measures have been taken to provide assistance to those groups that may be otherwise disadvantaged.

In line the BP’s policies summarized below, the guiding objective of the Project is to treat all populations that may be affected by the Project in a fair, transparent and equitable manner. The Project’s methodology of impact assessment and mitigation development is based on a “*non-discriminatory approach*” with the principle of “*minimizing adverse impacts*” regardless of ethnic, religious, gender or other differences. In the case of women positive steps and extra precautions have and will be taken to ensure that they will be reached and fully informed about the Projects. The BTC Project identified vulnerable groups as well as the other project-affected people (PAPs) through the socio-economic surveys undertaken separately for the EIA and the RAP. Furthermore, the Project engaged those groups through a series of comprehensive consultation and disclosure processes developed for the Project with the support of international and local SIA experts. The results of various socio-economic baseline studies undertaken for the EIA and RAP regarding the vulnerable groups are presented in the next section.

The Public Consultation and Disclosure Programme (PCDP) that has been undertaken for the BTC Pipeline Project followed the IFC’s manual ‘Doing Better Business Through Effective Public Consultation and Disclosure: A Good Practice Manual’, which provides guidelines aimed at ensuring that consultation is both effective and meaningful. During the consultation and disclosure phase the project’s goal was to make the public consultation accessible to all potentially affected parties, from national to local level. Emphasis was placed on the engagement of local stakeholders, namely people who are likely to experience the day-to-day impacts of a proposed project by ensuring:

- i) All stakeholders have access to project information;
- ii) The information provided can be understood;
- iii) The locations for consultation are accessible to all who want to attend;
- iv) Measures are put in place to ensure that vulnerable or different ethnic and religious groups are consulted.

Every effort has been undertaken to ensure that the project is in compliance with all relevant international standards and requirements set by the World Bank group. The Public Consultation and Disclosure Process for the BTC Pipeline project was designed to reach as many Project affected groups as possible. A large number of broad and targeted methods of consultation such as the distribution of written information, individual letters, announcements and public meetings have been used. In addition, clearly defined mechanism allowed all stakeholders to share their feedback with the project.

The IFC has specifically stated that OD 4.20, the World Bank Group’s safeguard policy on Indigenous Peoples does not apply to the BTC Pipeline Project. However, although the project did not target ethnic or religious minorities directly, the different ethnic and religious groups along the pipeline route were covered within the comprehensive socio-economic survey, consultation and disclosure programmes. (Ref.

PCDP, EIA). The Project will continue consultation in a culturally appropriate manner with communities in the vicinity of the proposed pipeline and facilities with the aim of minimizing adverse effects on lifestyles and livelihoods and enhancing positive benefits throughout construction and operation regardless of ethnic/religious diversities between the affected population living along the pipeline route and in the vicinity of the Ceyhan Marine Terminal.

As operator for the projects, BP business policies set the tone for the conduct of all project activities -- including security, land acquisition and employment. BP's policies on Ethical Conduct, Relationships and Security set out commitments, responsibilities and expectations that include explicit support for the principles set forth in the Universal Declaration of Human Rights, the 1977 International Labour Organization Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy, and the 1996 OECD Guidelines for Multinational Enterprises. BP is one of the corporate signatories to the UN Global Compact in July 2000, and participates in its policy dialogue on the role of the private sector in zones of conflict, which is examining a range of human rights related issues.¹

The policies are summarized in Box 1

Box 1 BP Policies: excerpts relevant to human rights²

<p>Ethical conduct</p> <ul style="list-style-type: none">• BP supports the belief that human rights are universal. They are enshrined in the UN Universal Declaration of Human Rights, which we support. The Charter sets out the obligations to promote universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, gender, language or religion. The promotion and protection of all human rights is a legitimate concern of business• In our actions and out dealings with others we will... refrain from coercion• We will expect the same commitments from third parties acting directly on BP's behalf <p>Relationships</p> <ul style="list-style-type: none">• We will ... demonstrate respect for human dignity and the rights of individuals• With governments: We will respect national sovereignty. We will work constructively with governments in the development of policy. We recognize changing public expectations of the extent to which companies should put pressure on governments on human rights issues and will seek, working in partnership with others, to resolve any tensions or conflicts arising between international expectations and national or local practices in a sensitive manner. <p>Security</p> <ul style="list-style-type: none">• We will routinely assess security risks to develop processes to ensure these risks are effectively managed• We must ensure that security is implemented in accordance with our policies on ethical conduct and relationships. Security management will take account of our support for the principles set out in the Universal Declaration of Human Rights• We will engage in open dialogue and consultation with local communities to ensure that potential issues arising from our operations are identified and addressed• Security should be taken account of during the proposal, planning and implementation of new projects• Security incidents will be recorded and investigated and where appropriate legal and/or disciplinary action taken against offenders

¹ See www.unglobalcompact.org - dialogues

² Full text of all policies can be found on www.bp.com

The overarching aims of the BTC Co are to:

- Ensure that there are no ‘**unintended consequences**’ resulting from its activities that may lead indirectly to potential human rights abuses;
- Respect individual human rights in all project activities;
- Engage in dialogue and consultation with local communities, NGOs and governments at all levels to ensure that potential issues are identified and risks addressed;
- Invest in the communities for longer-term benefits, through Community Investment Programmes.

BTC recognises the fact that it is always important to identify vulnerable groups such as women, ethnic or religious minorities, the very poor or other socially and economically disadvantaged groups upfront and to understand power dynamics between various groups when mapping the local community and while addressing the impacts of the project in the area. Therefore, the BTC Project has undertaken a comprehensive stakeholder engagement programme, which includes national, regional, and more importantly community level stakeholders who will be directly affected from the Project.

The EIA and RAP surveys indicate that there are people who might be potentially disadvantaged from the Project if the mitigation and compensation measures are not fulfilled. For instance, absentee landowners may be disadvantaged should the Project fail to make every effort to reach them in a timely manner. These groups however, cannot be put into the category of “vulnerable groups” as defined by the World Bank (Glossary of Key Terms):

“This denotes a condition characterised by higher risk and reduced ability to cope with shock or negative impacts. It may be based on socio-economic condition, gender, age, disability, ethnicity, or other criteria that influence people’s ability to access resources and development opportunities. Vulnerability is always contextual, and must be assessed in the context of a specific situation and time...”

The impact assessment studies undertaken for both the RAP and the EIA showed that there are a number of categories of people (detailed in Section 1.3.1) who have been recognised as potentially disadvantaged through particular circumstances. As a result, plans have been developed to ensure these groups are not further disadvantaged by the project. By the early identification of these groups and implementation of specific measures, the BTC project is committed to ensuring all categories of people are treated fairly.

1.2 ETHNIC AND RELIGIOUS GROUPS IN THE CONTEXT OF THE BTC PROJECT

As stated above BTC Co has followed a methodology of impact assessment and mitigation development based on a non-discriminatory approach. The Public Consultation and Disclosure Process for the BTC Pipeline project was designed to reach as many people as possible by using various methods of consultation such as the distribution of written information, announcements and public meetings, together with a clear feedback mechanism allowing all stakeholders to send their comments to the project. Although the project did not target ethnic or religious minorities directly, the different ethnic and religious groups along the pipeline route were covered within the socio-economic surveys; consultation and disclosure programmes and the impact of the pipeline on different ethnic and religious groups were also assessed as part of the whole impact assessment and mitigation development process. The results of the impact assessment on ethnic, religious, gender and age based vulnerabilities are summarised below.

1.2.1 Ethnic Groups

The project addressed the issue of ethnicity through SIA questionnaires completed by 1,737 households (1328 household questionnaires for pipeline baseline, 200 household questionnaires for Marine Terminal, 132 household questionnaires for AGIs, 77 household questionnaires for Construction Camps) representing 8,961³ household members, by asking the main languages spoken by the interviewee. Since 1965, no official data has been collected on ethnicity in Turkey. It was advised that the baseline survey should use language as a proxy for ethnicity for a number of reasons, not least because villagers themselves tend to not want to be identified as inhabiting a ‘Kurdish’ village and secondly, because it is insensitive to discuss ethnicity. Therefore, although ethnic groups those exist along the pipeline route and in the vicinity of the Marine Terminal were identified and were consulted, they were not published in the EIA village by village. The RAP also identified the ethnic groups through the plot-based (681 plots) socio-economic survey.

The results of the socio-economic survey for the EIA indicate that although there are problems such as poverty, unemployment and infrastructure in the settlements along the pipeline route, these are not disproportionately suffered by villages where specific ethnic or religious minorities exist. In other words there is no statistically significant indication that some ethnic, religious and language groups will be impacted more than the others. Indeed, the vulnerability along the pipeline is more issue-based rather than ethnicity or religious based.

Results of EIA Regarding The Ethnic Groups

According to the 1737 household questionnaires, representing 8,961 household members Turkish is the most widely spoken language along the pipeline route. It is understood and spoken by almost all of the respondents in the survey. 99.4% of household members state that they speak Turkish as a first language. 90.4% of household members declare that they do not have a second language. This finding is confirmed by the RAP surveys. Thus, all households speak Turkish and some households speak additional languages. Given this important and statistically robust finding, none of the affected communities or PAPs were disadvantaged by the availability of disclosure materials or by the conduct of community and individual consultations in Turkish.

Kurdish is the second largest group. 0.6% of household members speak Kurdish as a first language (47 people out of 8,961). 7.5% of household members in the surveyed area speak Kurdish as a second language. According to the second language survey data, Kars is the province with the largest population of Kurdish speakers (57.2%) followed by Gumushane (17.0%), Ardahan (10.6%), Erzurum (4.1%), Erzincan (3.2%), Sivas (2.7%), and Kahramanmaras (2.7%). Circassian is the third most commonly spoken dialect in the surveyed settlements. 0.9% of the household members speak Circassian as a second language.⁴ They are concentrated in three provinces; Kayseri (3.6%), Adana (1.8%), and Kahramanmaras (1.0%).

Other languages spoken are Arabic, Azeri, Eastern and Western European languages. The sum of all these languages is slightly over 1%. Therefore, these sub-groups were far too small to allow statistical analyses of impacts on minorities. The analysis on the Kurdish and Turkish speaking groups are reported in the next section.

The following two figures present the first and second languages spoken by the respondents:

³ The average number of family members in Turkey is between 4 and 5.

⁴ There are only two people who said Circassian is their primary language.

**BTC PROJECT RESETTLEMENT ACTION PLAN
TURKEY
FINAL REPORT**

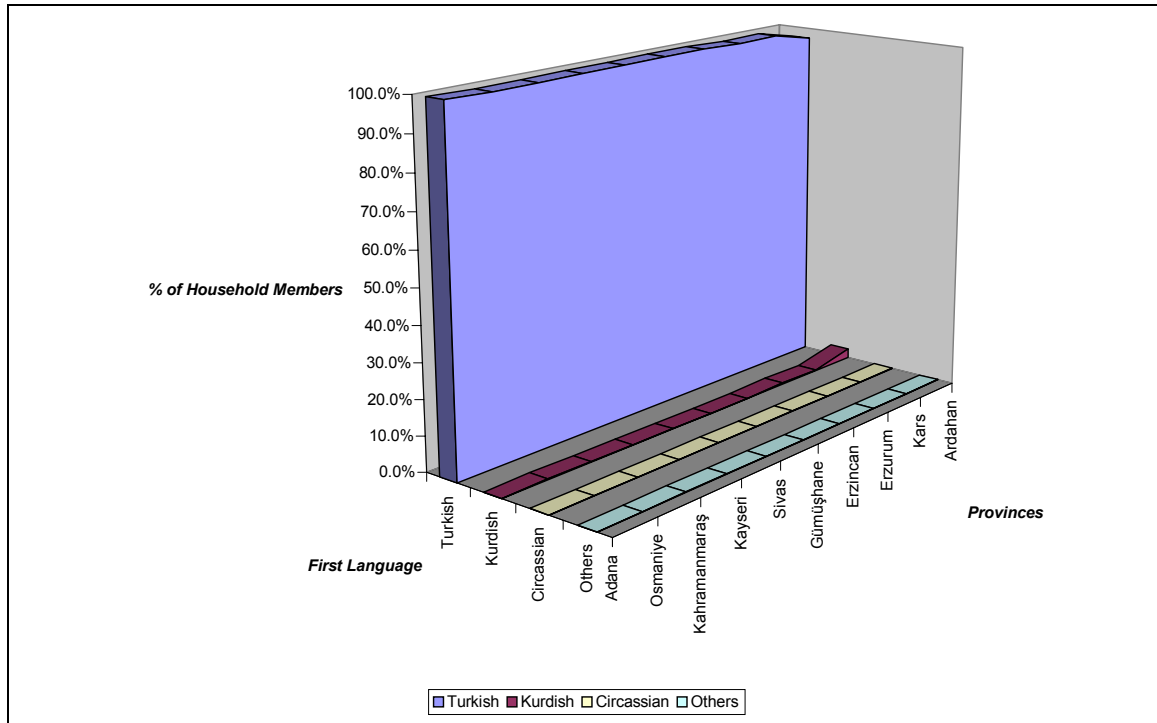
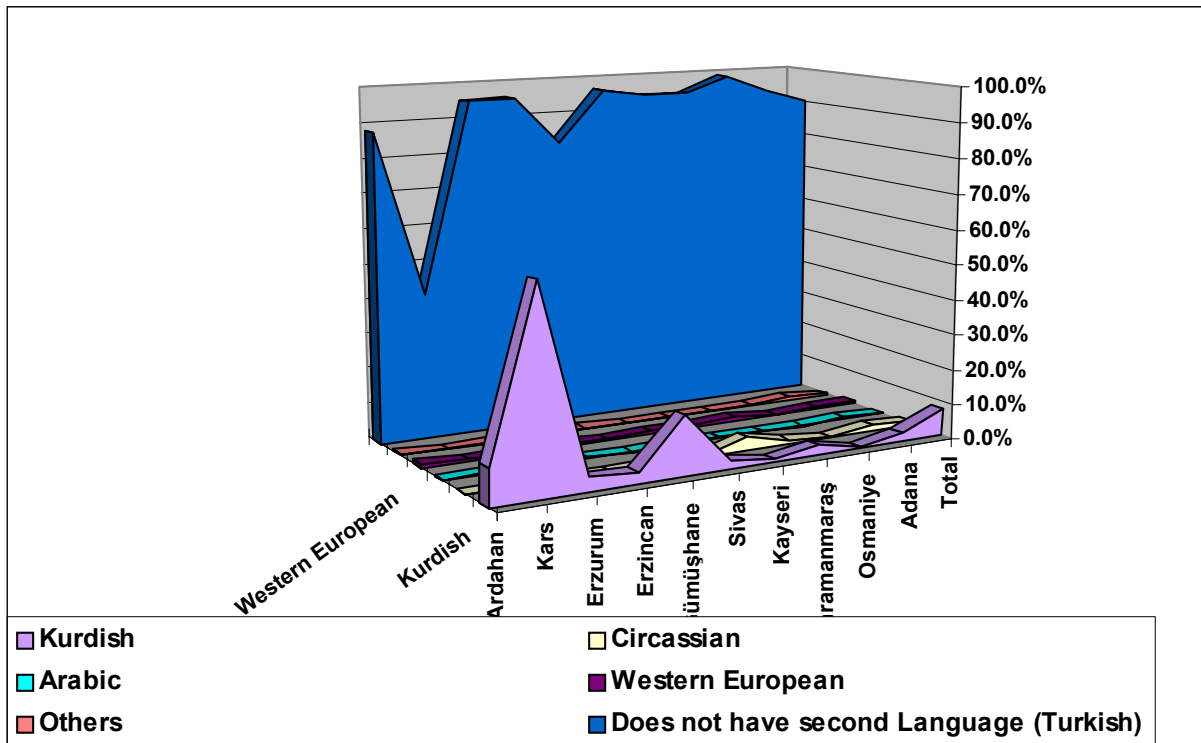


Figure 1 Primary Language Spoken in Surveyed Household Members
Source: Household Questionnaires, EIA



Source: Household Questionnaires, EIA
Figure 2 Secondary Language Spoken in Surveyed Household Members

Results of RAP Regarding Ethnic Groups

The socio-economic survey for the RAP was based on owners/users of a representative sample of 681 affected plots on the pipeline of 1076 km. It covers 10 provinces of the country, which are Adana, Ardahan, Erzincan, Erzurum, Gumushane, Kahramanmaras, Kars, Kayseri, Osmaniye and Sivas. (Ref. RAP, Annex 4.2).

According to RAP survey, all households speak Turkish in affected areas, although many other languages are also known. The following graph illustrates the languages spoken in affected households. Households whose members knew at least some Kurdish constituted slightly over 10 percent of the sample.

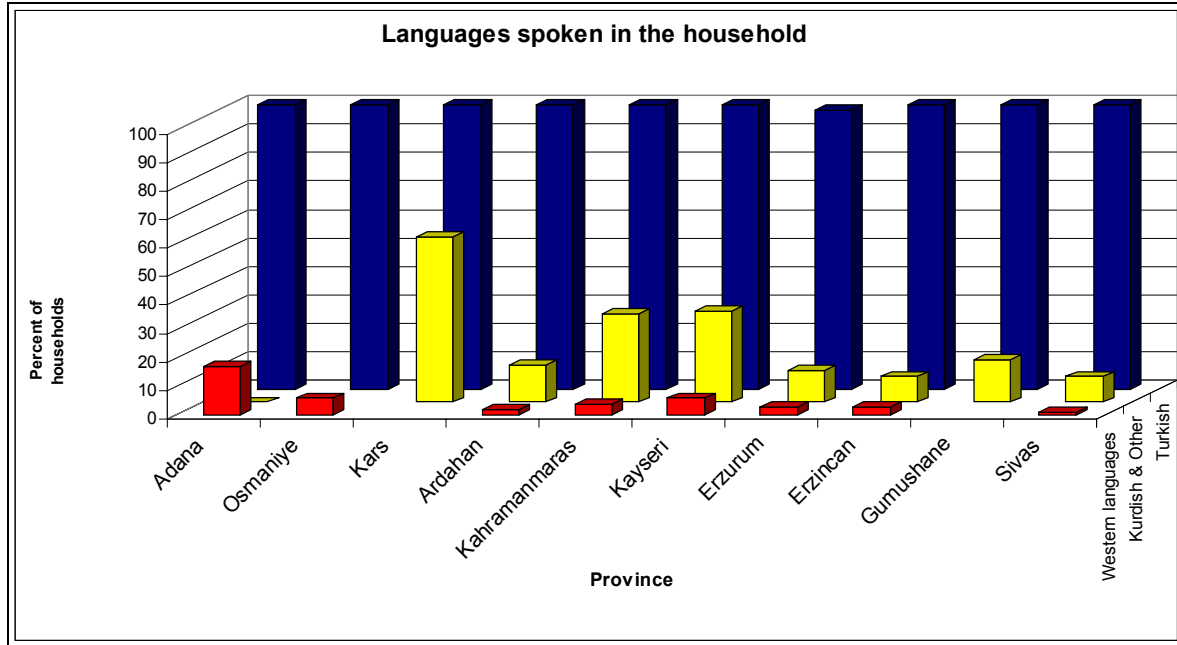


Figure 3 Languages Spoken in the Household
Source: Household Questionnaires, RAP

Impact Identification for Kurdish Speaking Turkish Households in the EIA and RAP

In parallel with the identification of the ethnic groups the BTC Project studied all the potential environmental and social impacts that might occur during the land acquisition, construction and operation phases in the areas where different ethnic and religious groups are living as part of the whole impact identification and mitigation development processes for the EIA and RAP. The outcome of these social impact assessment studies show that language/ethnic groups are unlikely to be disadvantaged since there is no difference in the potential impacts of expropriation and construction activities between Kurdish-speaking and non-Kurdish speaking Turkish households.

Some of the main indicators from the baseline survey such as income levels, infrastructure and services, land ownership, literacy rate etc are presented below in order to explain the socio-economic situation of different ethnic groups.

Income Levels Of Different Ethnic Groups

The BTC project has assessed the socio-economic situation of the different ethnic groups through the socio-economic studies undertaken for both EIA and RAP by considering the fact that some ethnic groups might be economically disadvantaged. Second language data is used for the income analysis since the first language data for Kurdish and other groups were too small to make an accurate assessment.

Results of the EIA socio-economic survey indicates that on average, Kurdish speaking Turkish households are in a better situation than Turkish speaking groups, a result that is confirmed by the RAP survey (see Table 1)

Table 1 Second Language Income (million TL/per year)

	Turkish	Kurdish	All
Ardahan	2697	2511	2611
Kars	1918	2105	1980
Erzurum	3113	1768	3021
Erzincan	2818	2500	2803
Gumushane	1854	4730	2653
Sivas	2111	2996	2025
Kayseri	2180	2812	2006
Kahramanmaras	2500	3313	2522
Osmaniye	1450	840	1436
Adana	3037	4786	2915
Survey Area	2368	2836	2519

When the Turkish and Kurdish speaking Turkish households' income levels are compared, Kurdish-speaking Turkish households' mean annual household income is higher than the Turkish-speaking group in Kars, Gumushane, Sivas, Kayseri, Kahramanmaras, Adana. Turkish speaking group mean annual household income is higher than the Kurdish-speaking Turkish households in Ardahan, Erzurum, Erzincan, and Osmaniye. The RAP has assessed the socio-economic situation of the different ethnic groups through various socio-economic studies undertaken by considering the fact that some ethnic groups might be economically displaced in terms of land acquisition and compensation. To assess ethnicity based RAP issues, Kurdish speaking Turkish households were compared with others. The sample sizes for other ethnic groups were far too small to allow separate statistical analyses of impact on them.

The socio-economic analyses for RAP indicate that there is no difference in the potential impacts of land acquisition between Kurdish speaking and non-Kurdish speaking Turkish households. Although comparisons are made difficult owing to the small sample size of the two categories of households,⁵ based on expenditure, the Kurdish speaking Turkish households are somewhat poorer than the rest, whereas based on their declared income the reverse is true. What is important however is that both groups lose a similar percentage of their affected plot to both the 28-metre and the 8-metre corridor. The Kurdish speaking Turkish households declare a monthly income of US\$475 versus \$381 declared by groups that do not speak Kurdish. In terms of expenditures (that include consumption of self-produced agricultural and livestock products), the differences are far smaller with Kurdish speaking Turkish households spending \$724 for month and the other group spending \$731.⁶

⁵ Households that knew some Kurdish constituted slightly over 10 % of all households. However, comparing these 67 households with the remaining 524 produced relatively weak statistical significance.

⁶ The differences are not statistically significant based on t-test analyses.

Impact on Land

The Project studied the fact whether the Project area may have a large segment of displaced populations with no land of their own and their rights as tenants potentially be denied to them, by asking related questions in the questionnaire prepared for RAP socio-economic survey. The socio-economic baseline data for RAP showed that although there is not a statistically significant difference between the Turkish and Kurdish speaking Turkish households in terms of impacts on land and their livelihoods, Kurdish speaking Turkish households appear somewhat better off. The size of the affected plot within Kurdish speaking Turkish household group is smaller in absolute terms. In addition, relative impacts of the project on total land holdings and income are similarly smaller.

Table 2 shows that households that also speak Kurdish lose a smaller percentage of their land and of their income as a result of the expropriation activities of the Project. However, fewer of the Kurdish-speaking Turkish households have formal title to their land; rather they have customary ownership of the land. For instance, 55% as opposed of Kurdish speaking Turkish households in contrast with 70% of all other households have registered title deed for the land they own. A predominant majority (over 90%) of those without a formal title are customary owners. Nevertheless, the Project has initiated a process of formalisation of the customary ownership of all affected groups. Customary rights have already been established. A process has been launched to have the courts recognise these rights. In other words, the Project will have a positive impact in the formalisation of customary rights and this will disproportionately benefit the households that also speak Kurdish. In this respect, it is important to note that the local laws require the Project to go directly to the courts for the determination of the land rights of the customary landowners. The courts also determine the expropriation payments to be made to this group while registering their claim to land. Thus, for a large number of plots there will be an immediate recourse to the court system, not because there is a valuation conflict but because the Project aims to benefit the customary owners (at its expense) to formally register traditional land rights.

Table 2 Potential Impacts of Expropriation on Kurdish-speaking Turkish Households

	Size of Affected Plot (m²)	Proportion of Project affected land to total land holdings (%)	Proportion of potentially lost income due to expropriation to total income (%)
Kurdish-speaking Turkish households	12,273	4.9	0.4
Non-Kurdish speaking Turkish households	16,109	5.1	0.5
Overall	15,714	5.0	0.5

Source: Household questionnaires, RAP (681 plots-based)

Infrastructure

The data on ethnic groups and infrastructure come from both household and village surveys for the EIA. First, the villages are classified according to the languages spoken from the household questionnaires. Second, the village surveys with Muhtars that cover 126 settlements are used to evaluate the infrastructure of villages in terms of different provinces and ethnic groups. The comparison was made between Kurdish-speaking Turkish households and Turkish-speaking households since the sample size for other ethnic groups were far too small to allow separate statistical analyses on them. Table 3 presents the situation for all surveyed settlements.

According to the survey result availability and access to infrastructure in the Project impact is equitable for different ethnic groups. In fact the Kurdish speaking Turkish households seem better off. Water system is a more severe problem for villages where there is Kurdish-speaking Turkish households . The lowest rate for accessing the health services is observed for Turkish-speaking villages while the highest rate belongs to villages where Kurdish-speaking Turkish households live. The drinking water issue is identified as part of one of the main projects in the community Investment Programmes.

Table 3 Infrastructure in surveyed villages

Infrastructure and services	Turkish	Kurdish
New roads in last five years	31.6	38.3
Quality of roads (% of High Quality Asphalt)	11.1	8.5
Availability of electricity	100.0	97.9
Availability of water	86.8	76.1
Availability of sewage systems	29.3	34.0
Telephones	100.0	100.0
Mobile Phones (coverage area)	77.3	78.7
Literacy Rate	89.9	87.3
Primary School	76.5	84.8
Health Centre	29.4	41.3
Nursery	23.5	28.3
Doctor	14.7	30.4

Source: Village level Questionnaires, EIA (Total of 126 villages)

Literacy Rate

The project also identified the literacy rate of the Project Affected Populations and used it in development of the tools for disclosing the project information either through written documents or through face-to-face meetings held with the project affected communities. The Project ensured that information was explained in a very simple way to ensure PAPs understands the complex and technical issues during the consultation and disclosure phases.

The literacy rate for the Turkish speaking settlements is 89.9% and 87.3% for the Kurdish speaking Turkish households. Literacy rates are slightly low for Kurdish-speaking villages although these villages have considerably the highest rate of having 8-year primary schools (more than 8% from Turkish-speaking villages).

Access to information and involvement in consultation meetings

The project also considered the fact that certain language/ethnic groups may be disadvantaged as a result of their ability to get equal access to information. Both socio-economic surveys (EIA and RAP) showed that Turkish as the most frequently spoken language is understood and spoken by everyone within our sample. (See the detailed information regarding language groups above). Therefore, all the project information was distributed in Turkish although there were Kurdish speaking Turkish households in the teams during the socio-economic surveys and consultation and disclosure meetings. Further more none of the communities raised their concerns about distribution of the information in a different language in any of the consultation and disclosure meetings and face-to face interviews conducted for the EIA (Ref. Consultation Tracker).

To ensure that project-affected residents had equal opportunity to receive project information, raise concerns or make verbal or written comments, a number of approaches were taken in relation to the meetings. These included:

- Public announcements were made in every village to ensure that project-affected people were aware of the proposed meetings during consultation and disclosure and to provide the opportunity to attend the meeting regardless of their ethnic, religious backgrounds. In addition to public announcements, the organization team invited people individually and encouraged them to participate in the meetings by knocking on doors and talking to villagers in their gardens. In some cases where houses were located at some distance from the meeting location, the villagers were provided with transport.
- holding separate women's meetings, either at a separate time and place to the men's meeting, in parallel with the men's meeting, or through private visits to individual's homes (facilitated by female members of the meeting team);
- allowing meeting participants to make comments formally during the meeting or informally on a one-to-one basis following the meeting;
- ensuring that participants had opportunities to record their concerns in writing;
- ensuring that participants had sufficient time in which to voice their concerns during the meeting or following the meeting (verbally or in writing);
- ensuring that participants who were unable to read or write had the opportunity to listen to presentations and verbally reflect their concerns to minute takers (either during or after the meetings);
- simplifying the language used during the meeting presentations and question and answer sessions to avoid misunderstanding or lack of understanding through the use of complicated or technical jargon; special effort was shown to women at the meetings to ensure they also understood the project information delivered and to ensure that their concerns (some of which are different than men's) were also addressed.
- a logistics feasibility study was undertaken prior to the commencement of disclosure. to investigate the extent of which local agricultural activities such as harvesting and the timing of local events (e.g. weddings, market days and religious festivals), would affect participation at the meetings. The outcomes of this study formed the basis of when disclosure activities were undertaken.
- all Muhtars were called several times during the disclosure process to request that they collect feedback forms and send them to the Project. These follow up calls ensured that the villages, which were not visited, also sent their comments to the project.

1.2.2 Religious Groups

The religious composition of the people that reside within the pipeline corridor provides an indication of socio-cultural values and beliefs, levels of conservatism, and the existence of different ethnic groups within the survey area. All of these factors have implications as to the nature and extent of impacts likely to be experienced within the pipeline corridor, particularly with regard to disturbance from construction camps and the associated workforce on neighbouring settlements, and for ensuring distribution of benefits to the different ethnic groups. Therefore, different religious groups were also identified through the socio-economic baseline data collection and the results were assessed during the social impact assessment study (Ref. EIA, Supplement 1 and Section 5).

1997 Census data⁷ suggest that 99% of the population of Turkey is Muslim. Although the census does not provide specific information on different Muslim sects within this religion, it is common knowledge that there are two main Muslim sects in Turkey, the Sunni and the Alevi. These sects usually live side-by-side without discordance, although inter-marriage is rare.

⁷ The latest census data (2000) is not yet available for all ten provinces through which the pipeline passes, therefore 1997 Census data is used.

The data on religious groups come from village surveys with Muhtars, Elders Committee, and teachers etc that cover 126 settlements where 22 of them are identified as settlements where Alevi population exist. A regional comparison is not statistically significant because of the low number of observations belonging to the different settlements and religious groups. Therefore, the analysis is limited to all settlements at the national level. The inter-religious differences between Alevi and Sunni villages in terms of infrastructure are analysed. The income levels between the Alevi and Sunni groups could not be analysed through the household questionnaires since it is politically incorrect in Turkey to ask individuals whether they are Alevi. Therefore, this question was only posed at the settlement level, and Muhtar, Elders Committee Members, Teacher, was asked to respond on behalf of the residents. Table 4 shows the situation of the Alevi and Sunni villages in terms of infrastructure and services.

Table 4 Infrastructure in Alevi and Sunni Villages

	Sunni	Alevi
New roads in last five years	30.8	45.5
Quality of roads (% of High Quality Asphalt)	9.6	4.5
Availability of Electricity	96.2	95.5
Availability of Water	80.2	77.3
Availability of Sewage system	27.9	40.9
Availability of Telephones	96.2	100.0
Mobile Phones (coverage area)	74.0	81.8
Literacy Rate	88.6	91.1
Primary School	76.0	81.8
Health Centre	30.2	45.5
Nursery	22.9	31.8
Doctor	18.8	27.3

Source: Settlement Level Questionnaires, EIA

The socio-economic survey results indicate that the Alevi villages generally experience better conditions than the Sunni villages in general; Alevi villages gets more road investments in the last five years yet the quality of roads are in general higher in Sunni villages. Concerning the electricity, there is no significant difference between Alevi and Sunni villages. Sewage system seems to be a problem for the Sunni villages. There are no significant differences between religious groups in accessing the telephone lines and water sources. As expected, Alevi villages have a higher literacy rate and primary school. Finally, in accessing health services, nursery, doctor, health centre, Alevi villages have a comparative advantage.

In addition to ethnic and religious groups the Project assessed age and gender groups as well. The results of the studies are presented below.

1.2.3 Age-based vulnerabilities

The socio-economic survey for RAP and EIA indicates that age-based vulnerabilities are unlikely to occur. In addition, tenants and sharecroppers are only slightly younger than landowners, thus largely eliminating the potential for age-based discrimination in expropriation.

1.2.4 Gender based disadvantaged

Both the EIA and RAP surveys studied the fact that women might be disadvantaged in terms of accessing the project information and more importantly gender-based discrimination could become important in the course of expropriation since, especially in the determination of customary ownership, women's rights may have been ignored. According to the RAP survey participants, 93 % were males and 7 % females. On average, 49 % of the individuals living in affected households are females, and the average ratio of

females to males is about 1.1 in these households. Females have a high level of ownership in cases where an official title exists for the affected land plot; thus, females are unlikely to be adversely impacted provided that the expropriation payments are made to each individual owner. However, there is a potential disadvantage to women that will occur especially in cases where customary ownership is the basis for land expropriation. Figures 4 and 5 demonstrate the potential disadvantages to women that will occur especially in cases where customary ownership is the basis for expropriation. A case study from the Posof region illustrates this.⁸ The project has helped identify the recognition of customary ownership rights of women. The project will also help formalise their land rights and cover the related registration cost. Furthermore an effort will be made to target women with some of the community development programs to be financed with the RAP Fund and Community Investment Programmes.

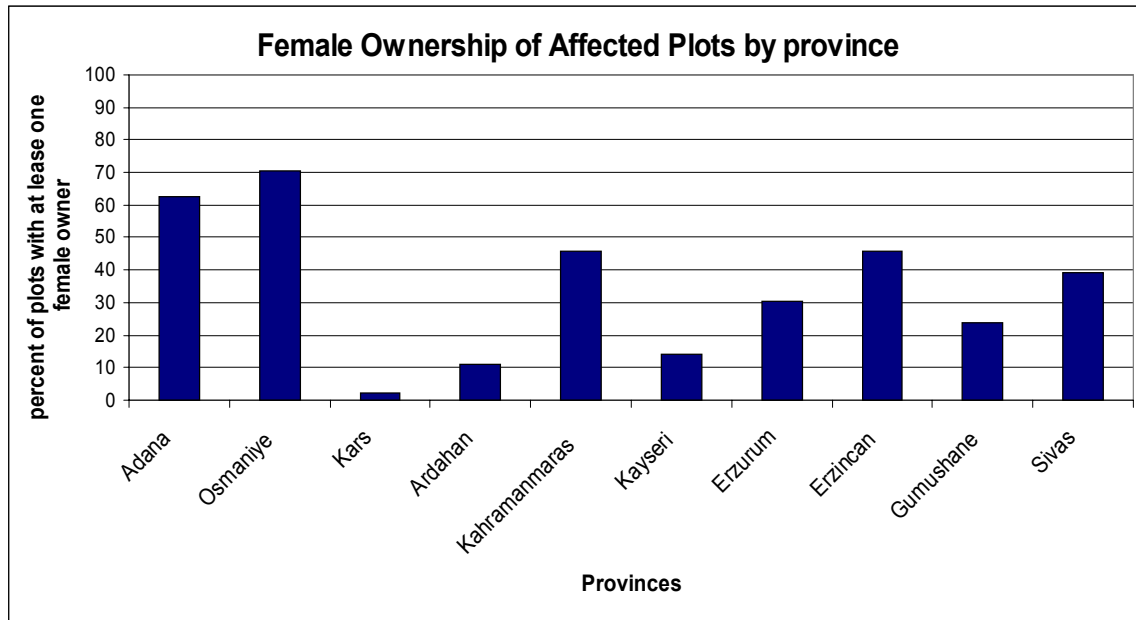


Figure 4 Female Ownership of Affected Plots by Province
Source: BOTAŞ Database, 2002.

Discrimination against other co-owners may also occur during the recording of customary rights. The existing legal framework allows this to be sorted out among the owners. Even then, however, women's rights are less meticulously protected.

⁸ This happens because in the first identification process only the resident male head of the household is recorded as the owner. For instance, when the expropriation agency goes to an affected plot, representatives of the agency ask neighbouring villagers who the owner of the plot is, or who have been using the plot. Based on the answers received from local people, the expropriation agency representative will determine who the owner is and record it. However, there are cases in which co-owners, especially women, could be excluded from going on the record as owners. In such cases, the expropriation agency asks residents claiming ownership to go to court to resolve their ownership issues while expropriation proceeds.

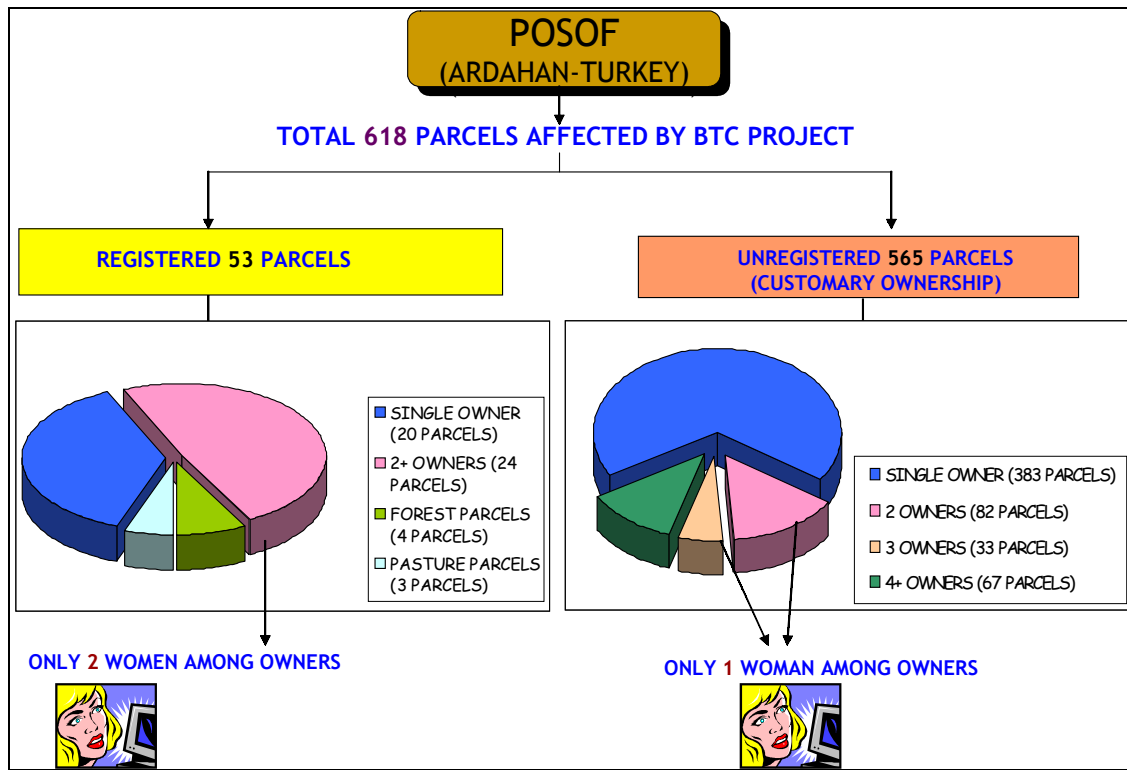


Figure 5 Land Parcels

Source: BOTAŞ, 2002

The EIA also showed specific attention for engagement of the women to socio-economic survey and consultation meetings. In order to ensure female contribution to the data gathered, a target was introduced aiming to guarantee that 40% of interviews on the qualitative/perception questions were conducted with women,⁹ (aged over 15 years and resident in the settlement). Furthermore separate meetings were held for women either at a separate time and place to the men’s meeting, in parallel with the men’s meeting, or through private visits to individual’s homes (facilitated by female members of the team) during the consultation and disclosure process to ensure that they accessed to the Project information directly and had the chance to raise their concerns. (Ref. Appendix 3,EIA). Women as being part of the most disadvantaged will receive priority in the Community Investment Programmes.

1.2.5 Other Economically Disadvantaged Groups

During the socio-economic baseline data collection for the EIA economically disadvantaged households in each surveyed settlement, as identified by the Muhtar and village elders, were also targeted, comprising 50% of the total number of households. For each settlement, households were selected through a combination of three sampling techniques: 1) purposive sampling; 2) systematic random sampling; and 3) quota sampling. The economically disadvantaged people were also surveyed as part of the purposive

⁹ The target relates specifically to the qualitative/perception section of the questionnaire and not the quantitative section. It was decided that the household head (largely male) would have better access to the information required in the quantitative section (eg income levels, ownership of land, percentage of land under irrigation, input and output costs, main sources of livelihood etc). This target did not preclude women from undertaking the full questionnaire, but did ensure that at least 40% of all perception sections administered were answered by female respondents. The qualitative/perception section dealt with issues such as quality of services (eg education and health), main settlement problems and attitudes towards the proposed marine terminal.

sampling (EIA, Chapter 3 and A5). These groups will be targeted with the CIP programmes and employment strategy.

1.2.6 Conclusion

The EIA and RAP surveys based on statistically robust and representative samples show that ethnic and religious groups do not fair worse off than others in the Project area. The Project itself does not discriminate against the key socio-economic groups; rather in some instances (e.g., with respect to formal certification of customary land ownership) it offers greater support to Kurdish speaking Turkish households . The outcome of the socio-economic surveys and consultation meetings with the affected population along the pipeline route indicates that the impacts of land acquisition, construction and operation phases will be issue-based rather than ethnicity or religious based and these issue-based impacts are systematically addressed during the course of RAP preparation and in the definition of the entitlements. These disadvantaged groups are presented in Section 3.

1.3 DISADVANTAGED GROUPS ALONG THE PIPELINE ROUTE

Disadvantaged people have been identified principally by means of consultation with affected people, the landowner census and the socio-economic surveys undertaken for the EIA and RAP. As explained in detail above, the surveys indicated that Kurdish speaking Turkish households and other ethnic and religious groups are no more vulnerable than any other group in the context of the BTC Project. As such, the Project has adopted the approach that all groups are treated equally. Instead, the methodology has been established to identify the most disadvantaged people affected by the project and respond to their needs – other through mitigation and/or compensation measures.

The outcome of the socio-economic surveys and consultation meetings with the affected population along the pipeline route indicates that the impacts of land acquisition, construction and operation phases will be issue based rather than ethnicity or religious based as explained in detail in section 2. In other words the impacts will be based on:

- Close proximity to the BTC pipeline;
- Close proximity to the five AGIs and associated construction camps;
- A high number of parcels to be expropriated;
- Complex land acquisition related issues, such as forest areas, pasture lands etc;
- Loss of Livelihoods etc.

The Project targets the directly affected population in the Employment Strategy and aims to give priority to the most vulnerable groups (poorest PAPs) during the recruitment process. The Project developed a Scoring System to identify these groups during the recruitment process.

The project has also identified the potential vulnerability of tenants as well as absentee owners, women, etc. It has established mitigation measures to a find solution for the each of the disadvantaged groups. The RAP fund will be used for the compensation of the project affected populations, which are not addressed by the Turkish Expropriation Law. See Chapter 5 (5.5.2).

The Project also aims to create a synergy between the RAP Fund and the Community Investment Programme (CIP). The CIP will target the poorest communities along the pipeline route and will pay specific attention to vulnerable groups such as women and the most disadvantaged. (See EIA Chapter 17 for detailed information)

1.3.1 The groups who may be disadvantaged include:

- **Absentee landowners:** these owners will not readily be able to attend negotiation meetings at the outset of land acquisition. In many cases, establishing the addresses of absentee owners is challenging, especially in areas of high out-migration. Since there is no requirement for the BTC Project to send registered letters with confirmation of receipt, the receipt of invitations to negotiations cannot always be verified. Hence, this results in many cases being submitted to the Courts for resolution.
- **Landowners who are part of a shared ownership:** there may be delays to the acquisition process associated with contacting all landowners. Also, there may be a higher incidence of disputes associated with agreeing relative shares in a property;
- **Women landowners and land users:** female landowners and land users may be unable to attend acquisition negotiations and other proceedings (Given that experience during consultation indicates that women do not readily attend consultation meetings, it is anticipated that they may not be equal partners in the valuation negotiations), or less able to contest inappropriate ownership claims. The Project relies on the recently changed Civil Law in bringing greater gender equality to the affected areas.
- **Tenants and sharecroppers:** these land users may be disadvantaged if landowners fail to notify the DSA of their agreements with tenants/sharecroppers. Also, disputes over landownership may be higher for this group of PAPs. Landless tenants constitute about 21 percent of tenants working on affected lands. In other words, currently, those tenants who have no additional land are not necessarily disadvantaged as compared to the tenants who have ownership shares in other land.
- **Customary owners:** these landowners may experience difficulties demonstrating their rights of land ownership, which could result in lack of, or inadequate, awards of compensation.
- **Squatters:** these landowners may experience difficulties demonstrating their ownership of crops and assets, which could result in lack of, or inadequate, awards of compensation.
- **People who have unregistered inheritance:** The identification of the rightful owners requires the use of the Civil Law, which is a lengthy process. All landowners must be contacted to agree the compensation value. Contacting all landowners and notification by Courts to landowners will be difficult when there is multiple ownership. In addition, the relatively modest level of compensation associated with a linear project such as a pipeline does not create strong incentives for plot owners to complete the inheritance procedures, especially if the heirs live outside the project area. Payments for the registration of undetermined or unregistered land may exceed the compensation paid to landowners.
- **Users of Village Lands:** The preparation of land acquisition and expropriation files for individual villages may not include users of common property resources, informal tenants and squatters. The assets of non-owners may also be challenging to identify.
- **Pasture land users:** Grazing lands will be affected by land acquisition, but the effects will be marginal and temporary along the pipeline route. However, around AGIs the impact on grazing lands will be permanent and the people those depend on animal husbandry will be disadvantaged unless effective compensation measures are implemented.
- **Forest land users:** Areas designated as Forest are the ones that the Ministry of Forestry has defined as Forest but has not registered the parcels in the title deed registry office. In these areas the forestry law is still applicable and only owners with registered title deeds can be compensated directly. Customary ownership in these areas is not possible. It is intended that payment for the land is made directly to the ORKOY fund. Therefore, the illegal users or customary owners of forestry lands will be disadvantaged unless the project mitigates the losses with appropriate mitigation measures.

- **Disputed Ownership:** Cases of disputed ownership exist, whereby the contested ownership is being resolved in Court. The expropriation payment will be retained in the bank account until the court resolves the dispute and the rightful owner claims the payment.
- **Fishermen at Ceyhan:** There is no record of compensation by any governmental or private organisations for fishermen in any part of Turkey so far. The Turkish laws do not address the issue of compensation for fishermen. The Project is committed to compensating affected fishermen through the RAP Fund using CIP principles.
- **Disadvantaging landowners who hold title deeds but do not have cadastral registration for their land:** Some project-affected people may be disadvantaged since they may have difficulties in proving their ownership.
- **Disadvantaging affected landowners and land users who are not well informed of the land acquisition procedures:** Some project-affected people may not access the information due to several constraints such as low levels of literacy, non-attendance at the consultation meetings, etc.

The RAP studied these issue based disadvantaged groups explicitly and established mitigation measures for each of them (Ref. Chapter 6).