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DOES MULTINATIONALS SOCIALLY RESPONSIBLE IN SUB-SAHARA AFRICA? CASE OF AREVA IN NIGER

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Abstract

Societal actions in terms of CSR of the French nuclear group in Niger contrast with stakeholders charges against him (pollution, degradation of the environment, groundwater contamination, etc.) and certain realities observed on the field (armed conflict, poverty, social inequalities, disintegration of the local economy). This paper proposes to shed light on the issues and controversies related to the practice of CSR in Africa in general, those related to Areva group in Niger in particular. The absence of regulatory frameworks calls for public regulation in the practice of CSR. Indeed because of conflicts between Areva and its stakeholders, public regulation could help include more actions of the group in the process of socially responsible industrial development.

Key words: Social responsibility, sustainable development, public regulation, Areva, Niger

Introduction

At the Rio +20 Summit in June 2012, public and private decision makers are committed, in the continuity of the *Brundtland Report* (1987)[1] and the Rio Summit on *Planet Earth* (1992), to promote a *green economy* that protects the natural resources of the planet and that eradicates poverty. The renewal of a discourse that is friendly to the production model of the planet is part of the continuation of the debate on sustainable development and the claim for an alternative globalization based on social projects or alternative models of development (Belem, 2006). No matter how quickly this may occur, the concept of sustainable development will become itself polysemic, with vague and complex contours.

In the management of firms, Corporate Social Responsibility (CSR) is the realization of the concept of sustainable development. It reflects the voluntary commitment of companies to take into account societal expectations of stakeholders (employees, civil society, NGOs, local authorities, local communities, etc.). Falling within the scope of the three-dimensional approach to development (economic, social and environmental), CSR provides a collective response to problems of coordination between economy and society in the context of deregulation (Wolff 2007; Porter and Kramer, 2006). Indeed, the concept of CSR stems from and is known from the *UN Global Compact* initiative[2]. This pact calls "*companies to embrace, support and enact, within their sphere of influence, a set of ten core values in the areas of human rights, labor standards and the environment and the fight against poverty* "(UN, 2000). In other words, these companies are to be aware of social and environmental issues associated with their activities, and

[1] In this paper, sustainable development is defined as « *a development that meets the present needs without jeopardizing the capacity of future generations to meet their own needs* » (WCED, 1987: 43). OECD defines it as « *a harmonious participatory process that allows to go ahead in a constant way in analysis, debate, capacity building, planning and the mobilization of resources and that allows to concile economic, social and environmental objectives, or to proceed to mediation* ».
[2]The success of this pact is unprecedented as in 2006 about 3000 multinationals have ratified it (Maréchal, 2009).

thus to "*redefine the social and moral contract between the business world and society*" (Renouard, 2008). Nevertheless, it should be noted that this corporate commitment is no stranger to the pressure increasingly exerted by the civil society upon the attitude of companies.

If CSR is growing rapidly in Europe and the United States, CSR practices are in their infancy in sub-Saharan Africa. Only a few subsidiaries of corporations (Bolloré in Ivory Coast, Total in Nigeria, Areva in Niger, etc.), try to internalize this "*social technology*" in their activities. In terms of CSR, their initiative is most often limited to the only communities within their operation areas, and is mainly concerned with the provision of certain goods and social services. These voluntary actions of the multinational corporations for the benefit of African populations are similar to *palliative* measures of immediate action, designed on the basis of observed state deficiencies and the immediate needs of the business (Hommel, 2006). Moreover, these voluntary actions are not free of ambiguities. Without questioning *de facto* the efforts made, the social commitment of some corporations in Africa would be "*the tree that hides the forest*." More than just an advertising tool to be in line with societal expectations (Renouard, 2008; Coutrot, 2003), the CSR policy in Africa is disconnected from fundamental issues such as the compliance with environmental standards, the fight against corruption, labor law and inclusive social dialogue. Practice in terms of CSR is more responsive to the logic of sharing and distribution of rent than to the effective will to correct developmental trajectories (Boidin et al., 2009). In other words, as long as the CSR does not take into account the real concerns of the communities, it would not be conducive to the development of local communities, too often forced to bear the collateral damage caused by the productive activities of corporations.

The CSR concept leaves room for interpretations and adaptations which sometimes cause conflicts between the company and stakeholders. The experience of the French nuclear group which has been exploiting uranium in Niger for 40 years provides keys to understanding the complexity of representations of Corporate Social Responsibility in Africa. Firstly, we will highlight the contradictions in the development of a model of CSR in Africa. Secondly, we will show that behind the rhetoric touting the socially responsible commitment of Areva, mining activities still contrast with the country's socioeconomic development. In that respect, is the social commitment of the Areva group credible? Is it compatible with the precarious conditions, the level of violence and inequality in areas where mining is deployed? Eventually, shouldn't we see in that more of a policy of "*greenwashing*" than a socially responsible industrial policy, that is to say, respectful of issues such as environmental protection and the rights of communities living around mines? Finally, in a third stage, given the weakness of regulatory mechanisms governing the CSR policy, can public regulation guide social actions of multinationals towards meeting the key concerns of stakeholders?

1. CSR in the African context

1.1. The CSR concept: a tool for social development

Since the publication of the report of the World Commission on Environment and Development in 1987 entitled *Our Common Future*, the concept of sustainable development is growing in popularity. Having become quickly polysemic, it now serves as a backdrop for the analysis of environmental issues, the discourse of international financial institutions, and businesses who claim socially responsible sustainable development. If environmental considerations and their articulation with the economic and social fabric are now internalized in the thinking, it still remains that the operationalization of this three-pole concept of sustainable development is complex in reality. The question for African countries is how to ensure sustainable economic development that is both environmentally friendly and socially appropriate.

This question recalls the heated discussions between the North and South during the Summits of Johannesburg (1987) and Rio (1992). On the one hand, the North asked the South to make efforts to reduce the massive exploitation of natural resources. On the other hand, the South rebelled against the exploitation of its resources by Western corporations, leaving local people bear the burden of social and environmental costs (Gendron et al., 2011). Developing countries cannot achieve sustainable development as paradoxically the exploitation of their natural resources does not help in the fight against poverty, while increasing environmental degradation. This finding also renews the debate on the development of low and high sustainability. In a scenario of weak sustainability (durability) of development, "*social objectives can be offset by good environmental performance, which itself can give way to strong economic performance*" (Gendron and Revéret, 2000). In contrast, proponents of strong sustainability see the environment as an essential and non-negotiable condition. They recommend maintaining a constant stock of natural capital, and reject the idea of an increase in industrial activity as a means to solve the problem of poverty.

But it is the social component of sustainable development that particularly interests actors in Africa. Social sustainability of development emphasizes the fight against poverty and the end of social exclusion, unemployment and inequality (Murdoch, 1999). The idea of taking into account social considerations in discussions on development stems from the negative experience of structural adjustment policies of the 1980s. These policies are often made at the expense of the lives of certain population groups, thus upsetting the social balance (Ballet et al., 2011) and resulting in adverse effects on nutrition, health and education of the population. In view of this acknowledgement of failure, some advocate an adjustment with a human face in order to limit the negative social consequences of structural adjustment programs (Cornia et al., 1987). Bourguignon et al. (1991) insist on the inclusion of the negative social externalities of these programs on the populations. Recently, the idea of "*socially sustainable development*" raises the question of the responsibility of development actors (Ballet et al, 2005. Dubois, 2009). It focuses on reducing poverty and inequality, enhance access to basic social services (education, health, drinking water, etc.), and minimize vulnerability to risks.

In African countries, the social dimension of development is partly driven by the multinationals through their CSR policy. Indeed, in some of their major projects (including mining and forestry), multinationals are trying to take into account social externalities by internalizing social costs. Consequently, the actors in a region or community may question the justification of a project when it does not introduce the social costs in the process of implementation. This citizen participatory approach to development projects is precisely known under the name of local development. Therefore, without ignoring the limits of the environment in maintaining productive activities, social sustainable development approach focuses on notions of community involvement, social change, ethics and local communities (Gendron et al., 2011).

1.2. The implementation of CSR: between infancy and ambiguity

While in the U.S. and Europe, there has been an explosion of "*CSR initiatives*", the implementation of CSR is still in its fledgling stages in sub-Saharan Africa. Apart from some recent initiatives, such as the international forum of the pioneers of Corporate Social

Responsibility in Africa held in 2011 in Douala by Africa CSR Institute, social responsible business engagement is shy. Lack of clear and strong social and environmental laws in Africa is also a constraint that does not promote the implementation of CSR policy. In this context, only a few corporations working mainly in the field of raw material extraction, and willing to be careful about their images often tarnished by accusations of civil society, initiate actions that militate in favor of the development of the people of their areas of implantation. These actions, which are not strictly related to their business, range from waste sorting at the premises to the payment of wages above the legal minimum, or for example the provision of social services (health, education, etc.) and participation in community budgets.

However, in view of the reality on the ground, it may be legitimate to wonder whether the commitment of companies to be socially responsible is sincere. For example, some oil companies have allowed a situation of violence and identity tensions to worsen, by merely handling problems and demands of communities now and then, regardless of the actual development of the people. Thus, in the Niger Delta, the Ibo people, Ogoni and Ijaw feel excluded in the distribution of wealth from oil revenues from their territories. Often standing as insurgencies, these populations claim compensation for environmental damage (including water pollution) caused by oil exploitation (Cissé Fall, 2011). As it transpires, the companies committed to a policy of social responsibility are those generally challenged by national and international organizations who denounce their low social commitments. Basically, these national and international accuse them of playing a double game and ignore the real concerns in terms of environmental protection, pollution, rights of indigenous peoples, rarely put under the umbrella of corporate responsibility. In response to that situation, "*multinationals often resort to establishing partnerships with these NGOs. In exchange for funding, the latter value their joint* *projects at the expense of the central issues related to the heart of the company's business* "(Téné, 2012).

The charges against the multinationals also concern their mode of business and economic strategy. For example, while Total makes 90% of its profits outside France, the company devotes a significant portion of its profits to spending on research and training in African countries (Renouard, 2008). The key issues concerning environmental protection (reduction of greenhouse gas emissions, rehabilitation of industrial sites, measures against pollution, etc.), good governance (fight against corruption, reduction of wage gaps, etc.), working conditions (hygiene, health, safety, etc..), human rights (denial of child labor, forced labor, non-discrimination), relations with subcontractors, rights of local communities and other stakeholders are not addressed in the CSR policies. Worse, bad conditions of people working for some corporations are most execrable. For example, De Ravignan (2012) emphasizes the low wages paid by the *Compagnie Fruitière* for women workers in Cameroon (28,000 CFA F), and deplores the conditions of life and work in the banana plantations.

The CSR policy of multinationals operating in sub-Saharan Africa is not unambiguous. Renouard (2008) identifies a number of ambiguities which limit the impact of CSR policies of multinational companies. The first ambiguity is to make sustainable development exclusively a communication concept, as evidenced by the organization of some companies where the same direction handles both the communication and sustainable development components. The second ambiguity concerns the gap between the statement of businesses and the opportunities or willingness to implement appropriate programs. For example, Health and AIDS policies in Africa announced and heralded at the headquarters of the Total Group in France, hardly ever come to be applied and implemented. The third problem is the fragmentation of topics: in a number of multinational companies, environmental issues are raised on one hand, and the measures relating to health and governance, as well as other societal activities on the other.

There are certainly interesting cases of partnership between NGOs and multinationals based in Africa. For instance, the partnership between Total and the NGO Pro-Natura in the Niger Delta, may be indicative of a commitment to participatory local development. By entrusting a part of its social activities to the NGO, the company provides the opportunity for people in areas of *offshore* oil production to become actors in their own development. But in many cases, these partnerships can be quite ambiguous: they increase the risk that the company gives credibility to its image by its commitment to financing activities of common interests, without a thorough check being carried out on implementation of engagements. In addition, some NGOs are directly funded by multinationals, which could discredit the credibility of the latter to engage in social actions.

Multinationals develop certifications or labels, sometimes in conjunction with recognized NGOs, in order to minimize the risks arising from their activities on the environment and health of local residents. For example, the French group *Rougier*, exploiting timber in Gabon, Cameroon and Congo, has been awarded the Forest Stewardship Council (FSC), which ensures that the timber complies with procedures ensuring sustainable forest management. However, the group continues to log the *moabi* (a very valuable wood in the West) in Cameroon, but sacred and nurturing with the *Baka* pygmies (Capron, 2010). Still in Cameroon, although the European label *GlobalGAP* has guaranteed social and environmental quality of bananas in Cameroon, the aerial spraying of pesticides continues to be applied by the *Compagnie Fruitière*, when the workers are on the fields. Other difficulties are also indicative of the gap between the business statement of intention and the reality on the ground: "... The provision of protective equipment, though mandatory, is not systematic. Most collectors say they are bound to regularly buy boots for protection from deadly snakes. At the packaging unit, where bananas are processed before being packaged, women spend the day hands in chlorinated water baths, often without gloves ... except during inspection visits, announced in advance. As for medical care, it is in principle entirely provided by the company. In practice, workers must regularly buy drugs "(De Ravignan, 2012).

2. Mineral resources and development: the paradox of abundance

2.1 Low indicators of socio-economic development

Niger is one of the richest country in mineral resources south of the Sahara. Uranium, the country's largest mineral resource is operated by two subsidiaries of the French nuclear group *Areva*: the mining company on the Air (SOMAIR[3]) created in 1968 and the mining company of Akouta (COMINAK) created in 1971. In 2009, Areva gets the exploitation of the *Imouraren* deposit (€ 1.3 billion planned investment) whose reserves totaled an estimated 200,000 tons for an annual average production between 5000 and 6000 tons. In 2013, the exploitation of this deposit (the largest in Africa) places Niger the second largest uranium producer in the world.

Since the 70s, the exploitation of uranium had been an omen of the possibility of an economic takeoff in Niger. But as we know, the abundance of resources is not a sufficient condition for transforming the country into a thriving economy. The literature of the past twenty years does not provide a linear relationship between natural resources and economic

[3] Open pit, the average annual production is 1560 tons for SOMAIR. SOMAIR is owned 37% by the Niger and 63% by AREVA. COMINAK (subsurface) produces 1870 tons per year on average. It is owned 31% by Niger, 34% by Areva, 25% by the Japanese and 10% by Ourd Spanish Enusa

development (World Bank, 1996; Karl, 2008; Stiglitz, 2008). It is often even established a negative correlation between abundance of resources and economic growth (Hugon, 2003; Sachs and Warner, 2001, Sala-i-Martin, 1997). In Niger, apart from the brief period 1975-1980 (considered as a *boom of uranium*[4]), uranium mining has had no significant spillover effects on the national economy[5]. Until 2006, tax revenues from mining were modest, in the range of 5 to 6% of total budgetary resources of the State, which represents less than 1% of national GDP. Yet uranium represents approximately 63.5% of total exports (National Institute of Statistics, 2010). Our own estimate, based on national statistics, shows that Niger's mining sector contributes marginally to the economic growth for about only 0.3% per year between 1990 and 2010. Thus, the mining sector is an enclave economy without effective link with the rest of the national economy, offering little alternative and hopes for development.

The natural wealth contrasts with the level of human development of Niger, one of the lowest in the world. Obviously, financial resources contributed by the subsidiaries of Areva in Niger, in the form of royalties and taxes, do not serve the interests of the people. For more than 10 years, the global UNDP reports rank indeed the country almost in last place in terms of human development index. Poverty is also an indisputable fact. According to the National Institute of Statistics (2008), 60% of Nigeriens are poor people. Malnutrition, infant mortality and food insecurity are still evident, while less than 30% of Nigeriens are literate. Locally, very few skilled jobs have been proposed by *Areva group* to individuals from the region, few contracts have also been signed with local subcontractors. In contrast, trade-offs and patronage

[4] Strong demand for uranium linked to the context of the Cold War.
[5] For Hugon (2012), it is not surprising that the mining and oil economies in Africa do not produce visible ripple effects since multinationals repatriate profits and expatriate salaries, organize capital outsourcing and clientelist redistributions.

seem to grow with some tribal leaders and local authorities who indulge into compromises with Areva.

2.2 Mining, conflict and bad governance

Natural resources today feed little hope for many people in developing countries. Empirical studies show that the abundance of and / or dependence to natural resources have a negative effect on the growth and development of a country. This situation, called “resources curse” causes malfunctions in the fields of economy, governance, and sometimes leads a country into armed conflict. In Niger, the ingredients for “resources curse” seem to be around because of the polarization of exports around the mines and the inability of the State to convert the mining income into economic and social development. Indeed, long monopolized by the Nigerien central government, mining revenues have increased corruption, social inequality, and the administrative and fiscal laxity. In the absence of redistributive policies in favor of people in the Agadez region, this situation has gradually fed the greed of insurgent groups, thrusting the Agadez region, north of the country, in a whirlwind of destabilizing[6] armed rebellions. This state of affairs is confirmed by contemporary conflict analysis. Those examples show that natural resources are a detonator to trigger insurgencies (Collier and Hoeffler, 2000; Hugon, 2012).

If the issues surrounding the control of mineral resources are used to anchor the culture and the perpetuation of rebellion, they are also at the center of tensions and political instability. April 14, 1974, four days before the negotiations on the price of uranium, a coup overthrew President

[6] The Agadez region, which is mainly blessed with mining resources, is an area of permanent insecurity. It has had two periods of armed rebellion (1995-2000, 2007-2009), and faces recurrent armed banditry, armed robbery.

DIORI who intended to demand better compensation for the yellow cake, as the context of the oil crisis changed into favorable terms the energy market[7]. In February 2007, an armed rebellion (Niger Movement for Justice, MNJ) was born when President Tandja voiced his intention to diversify Niger partners and opening the mining sector to international competition. Theoretically, this move is to break the absolute monopoly of Areva since many international mining companies covet the new possibilities of increasin prices, and that the development of civil nuclear opens interesting perspectives (Deycard, 2007). President Tandja himself was eventually overthrown by another military coup on February 18, 2010.

Armed conflicts in the Agadez region are not reducible to the relations of power between government forces and rebel groups. Due to the entanglement of political factors (rent sharing, social inequalities) and economic (control of mineral resources), Areva firmly stands as a key player. During the 2007 conflict, Areva is challenged by the belligerents, and sees its interests threatened[8]. First by the MNJ who accused the Group of discriminating in hiring in its subsidiaries and of infringing the rights of indigenous peoples by not contributing sufficiently to local development, and by displaying little concern to the consequences of mining on human health, the lifestyle of local people and the environment. Denouncing a "*nuclear colonialism*", the rebels are demanding a better distribution of mineral wealth for the benefit of people in the Agadez region. They also ask to put an end to the "sellout" of the operating license[9] and the

[7]This coup has occurred only four days before the negotiations on the price of uranium.
[8] On 19 April 2007, the Imouraren mine site was attacked by the MNJ that summoned the French group to limit its activities. In September 2010, four expatriate employees of Areva group were kidnapped on the Arlit mine site.
[9] Between 2006 and 2008, 126 exploration licenses for uranium and oil were awarded to foreign companies, particularly Chinese, Canadian and South African.
[10] This suspicion is strengthened following the rally at MNJ an officer of the national army previously recruited to ensure the safety of Areva sites and having received from the group about 85 000 euros.

cessation of uranium exploration activities in grazing areas. As for the government, suspecting Areva of supporting the rebels[10], they expelled the French colonel Gilles de Namur, Defense Advisor in Niamey, and the local director of the group, Mr. Dominique Pin in June 2007, three months after the outbreak of an armed rebellion. This has caused damage to the relations between the two countries to the extent that the French president Nicolas Sarkozy was forced to make a visit to Niger to try to appease the tension between the two countries.

Far from benefitting from the mining resources, local people are paying the price of a mining conflict whose collateral damage is huge. Indeed, the conflict disrupts civilian life: the movement of people fleeing conflict zones, closure of schools and health centers, leaving students and teachers and medical personnel in disarray. It creates exclusion, frustration and lack of institutions: about 90% of rural households in the Agadez region have the feeling of being abandoned by the state (Hamadou Daouda, 2011). Unrest also diverts development projects dedicated to the Agadez region to other more secure parts[11] of the country, and also limits the mobility of pastoral communities. It provides a framework to banditry and often goes hand in hand with power related networks of cigarette smuggling, drugs and migration towards the north of Europe and Africa.

Finally, the perpetuation of the conflict cannot be disconnected from the poor governance of mineral resources. In terms of economic governance, we find that the revenue from the mining of uranium were not oriented towards poverty reduction and sustainable development in local communities. Of course, the Mining Law of 2006 requires that the State transfer 15% of mining revenues to local areas of operation, but there is no guarantee in practice that decentralized authorities have actually received these funds. There is no assurance that the amounts transferred have been carefully managed, that is to say, used to fight against poverty and provide basic social services (education, health, drinking water, roads, etc.).

In terms of governance, we must point out, at the national level, the poor legal and regulatory framework best suited to mining activities. The inability of the state to implement good regulations and to ensure the monitoring thereof, and if need be, to establish corrective action, has been detrimental to the exercise of a mining governance conducive to the welfare of the Nigerien people. In 2010, an advocacy document of the Ministry of Mines and Energy attracts the attention of policy makers on issues of institutional capacity. On the one hand, it highlights the difficulties in terms of access to information concerning the operating companies

[11]The withdrawal of international NGOs support to development (Concern, Care international, World Vision, etc.) from Agadez is an example.

(Areva on top), and the inability to verify its accuracy. On the other hand, the report highlights the lack of specialized personnel for the development of mining and oil policies, the implementation of prospective studies on global prices of minerals and better mining and petroleum taxes.

At the local level, the decentralization process that is likely to offer local people the opportunity to be managers of their destiny, served as a venue for political and economic bidding. Decentralization mainly boosts patronage among local elected officials and the opposition between them and the local traditional leaders. On the one hand, for local actors (local elected officials and rebels), decentralization appears as a political means to control local resources rather than a tool for good governance (Deycard, 2007). On the other hand, the moral and political influence of traditional leaders is weakened because of the separation of powers between the administrative and the traditional leadership. The multiplicity of actors driven by competing interests makes it difficult to exercise good governance in a territorial space marked by a tangle of sometimes destabilizing factors.

3. Areva's Social Responsibility: awareness or "*greenwashing*"*?*

3.1. CSR: from strategy of integration and corporate sponsorship...

In the aftermath of the mining reform of 2006 which now requires mining companies to internalize the rules of social and environmental sustainability, and due to pressure from local organizations (Aghir In Man ROTAB[12]) and international (CRIIRAD[13], SHERPA, Greenpeace),

[12] ROTAB (Réseau des Organisations de la société civile Pour la Transparence dans les industries extractives et l'Analyse Budgétaire).

Areva has adopted a policy of social responsibility. It marks its willingness to conduct mining activities "... in accordance with the international standards for safety, health and environmental protection" (Areva, 2010). This policy is based on two strategies: (i) *an integration strategy in the territories* which defines the actions to be taken in the medium and long term to contribute to social and sustainable material progress in the community of the intervention areas, (ii) *a corporate sponsorship strategy* intended to finance actions in favor of vulnerable groups (emergency aid to people during disasters and hazards) and fund sports and cultural projects (funding library, game center, etc..). Between 2006 and 2011, a support fund for local development of about 2 billion CFA francs (three million Euros) was, for example, put in place to finance various social projects (education, health, access to drinking water and support for income-generating activities).

Several other actions of socially responsible mining development would also be attributable to Areva. Thus in December 2011, the group set up, in partnership with the NGO Sherpa and Médecins du Monde, a Health Observatory of the Agadez region (OSRA). Although not curiously associating the Nigerien civil society and local NGOs, the Observatory aims to provide formal post-professional monitoring of minors and people exposed to uranium. In addition, on 19 April 2012, the group signed a Memorandum of Understanding with the Government of Niger for the creation of a training Institute of Industrial Resources (IFRI-Niger). The adhesion of Areva to the Extractive Industries Transparency Initiative (ITIE), the Charter of good governance on mining and oil resources, and the creation of a department dedicated to sustainable development within the group management are such many initiatives that help in the development of a socially responsible mining industry.

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[13]Commission de Recherche et d'Information Indépendantes sur la Radioactivité.

3.2…. to the art of masking societal and environmental concerns?

All the same, are the societal actions of the group the manifestation of a commitment to the development of territories, or simply a strategy to develop a more "sustainable" image intended to legitimize the extraction activities? The answer to this complex question brings into relief three levels of reflection.

First, the value of a CSR policy in a mining environment is its ability to take into account the concerns of social and environmental sustainability. However, the actions undertaken so far by the group have not provided solutions to the many issues related to negative externalities and collateral damage associated with mining activities. These issues are displacement, pollution of groundwater, dissemination of radioactive gas caused by the mines' air inlets, the decimation of livestock due to radioactive effects, the illegal occupation of agro-pastoral areas, and the worsening of public[14] health problems. For instance, over the 90,000 square kilometer concession to mining companies, no measure of compensation has been provided for the local population. The latter also find it to regarding access to resources. The South African company *Niger Uranium Limited*, which prospects in Ingal and Ighazer[15] for example, prohibits the use of pastoral traditional wells. Around the Imouraren site, exploration activities of Areva scare away livestock and makes transhumant type of breeding impossible (Bednik, 2008).

A compelling report by Greenpeace sets the scene: "The people of Arlit and Akokan continue to live surrounded by poisoned air, contaminated land and polluted water. Each passing day, Nigeriens are exposed to radiation, poverty and disease. [...]. For example, in four water samples collected in the Arlit region out of five, uranium concentration was higher than the limit

[14] The conviction of Areva May 11, 2012 by the court of social security cases from Melun (France) for the lung cancer death of a former Akokan uranium mine worker (Niger) is indicative of risk in terms of health in which all employees are exposed.
[15] But the Ighazer has the most conducive to the artisanal salt and oasis agriculture plains.

recommended by WHO for drinking water "(Greenpeace, 2009)[16].. Obviously, the Areva Group deploys intense communicative[17] strategy so that these truths remain unknown, sometimes at the cost of political interference and environmental, health and social consequences for the local people (Granvaud, 2012).

Second, the group's societal responsibility cannot have clarity if mining is not itself sufficiently integrated into the process of economic development. Indeed, given the challenges in terms of incurring effects of mining on economic development (skills transfer, employment and local subcontracting, etc..) the social actions of the group are very light. A huge gap is observed between the voluntary actions of the group and the significantly less alluring daily reality. Except the transport sector that benefits from the activities of the Areva group, there is no link between mining and economic development. Now if we refer to Renouard "*the primary responsibility of a company is economic*" (Renouard, 2008: 88). This means that a socially responsible engagement must be able to integrate the activities of the company to the national economy. This societal engagement is measured, for example, by the inter-industry linkages between the activities of the group and other sectors of the economy of the country[18]. In the case of Niger, for example, these connections can affect the processing of raw ore into semi-finished product, which will significantly increase the value added of exportable products. They may also involve the

[16]But Areva group reacts in a press release on its website, to denounce the lack of transparency of Greenpeace and regret "*the many interpretations and unsubstantiated claims*" without providing evidence against a second opinion technique. This defensive approach does not exonerate the group of the allegations against him. The war of figures and press releases on which the Group and stakeholders constantly engaged is also indicative of the complexity of assessing the social impact of such action or another.

[17] As evidenced by the numerous press releases on the band's website, and denouncing reacting whenever organizations daring to attack or harm the image and reputation of the group. These press releases are also designed to enhance the actions performed by the group in the areas where it operates.

[18]Due to the landlocked situation of the country, it is the transport company *Transport Agadem which transports ore from mining sites to the sea in Cotonou (Benin) where uranium is shipped*.

provision by resident companies of goods and services Areva needs to intermediate consumption or investment.

Finally, it is important to question the responsibility of the French nuclear group as regard the preservation of pastoral areas. Is it really possible to reconcile mining with pastoral practices that are the pride of the local economy? In other words, is the presence of mining favorable to the development of an economy which is also based on the exploitation of natural resource, i.e., pastoralism[19] ? Undoubtedly, mining activities (which cover about 90000 km2) inhibit the mobility of pastoralists[20] and contribute to weaken the dynamics of pastoral systems. The societal challenge of the Areva Group is to help provide answers to the problems of local pastoralism[21]. Here, the group's social responsibility should be to create the conditions of coexistence between mining and pastoral economy. This is to ensure that mining does not interfere significantly in pastoralists' access to resources (water, grazing, etc.). It should also contribute to the promotion of pastoralism by helping to increase the productivity of livestock, valuing pastoral products (milk, meat, hides and skins) via processing, and facilitating access to national and regional markets for livestock products. Thus, the fact of contributing to the sustainability of pastoral activities induces environmental benefits for the community. This is the valuation of natural areas unsuitable for other activities other than mining, preparation of the land to provide new pasture, natural soil fertility, facilitating the penetration of water into the soil by trampling by

[19]Pastoralism is a production system characterized by a regime of mobility (transhumance) of herders and their livestock, and shared access (shrubby grassland and water,) resource access. Genuine lifestyle, it defines the relation between pastoralists to the environment. Source of employment for pastoralists, it facilitates the meeting between many actors involved in the marketing channels and livestock products.

[20]As a reminder, pastoralism is the second largest contributor to the national wealth, while mining revenues represent less than 5% of GDP; pastoral activities contribute up to 13% per year. The livestock products (meat, hides, skins, etc.) are the second largest export after uranium.

[21] Which mining activities have also contributed to increase. Indeed, mining activities considerably hinder pastoralism

animals, etc. In addition, by preserving the pastoral areas, the group will succeed in stabilizing societies that live in marginal areas - sometimes hostile - and thus promote sustainable social peace.

4. CSR: dare public regulation

« As long as nobody cared about the dust generated by our cement works, we were very happy to dust! »

B. Collomb, Honorary President of the Lafarge Group

The Group's commitment in favor of a socially responsible industry seems ambiguous in Niger. The Group is the target of many criticisms from stakeholders who believe that social actions of the Group are full of contradictions. Indeed, the human and environmental damage caused by mining discredit the social initiatives of the Group. What's the point of wanting to contribute to health development (implementation of ORSA) without acknowledging the health risks posed by mining activities? Can building a school or a health center compensate for the effects of pollution or the degradation of the vegetation cover however essential to the maintenance of pastoral activities in the region?

In reality, a mining sector would not by itself lead to a process of economic diversification capable of generating sustainable long term development if effective government policies advocating such a process were not introduced (World Bank, 1996) . In addition, with the trend for *social dumping* and media propaganda by companies for which national regulations are not compulsory, can we consider regulating social actions?

It is quite clear that the dispersion of social actions of multinationals (funding mini-projects or activities often under public authority such as the construction of a school or a health center) can paradoxically contribute to hinder development. Indeed, initiatives for sustainable development cannot be sufficiently effective unless they fall under national policies whose effectiveness and scope reach the local level. In this context, can public regulation help Areva to direct its actions towards a more socially sustainable development? Can the state, sometimes referred to as an institution for coordinating agents' deeds reconcile the potentially conflicting interests of multinational corporations and stakeholders?

In Niger, despite the provisions of the Mining Law of 2006 and the Constitution that force mining companies to greater accountability by requiring, for example, the development of an annual plan for waste management and an environmental impact study, the institutional landscape remains dominated by political arrangements. Areva's social responsibility is exercised without effective means of coercion and without control of the public authority. The company is both judge and party in the design and implementation of its social model (Cardebat and Sirven, 2008). The Niger public administration, dependent on financial information provided by the latter, has no way of verifying the effectiveness of the funds allocated to one or another social project (Ministry of Mines and Energy, 2010). On the field, the work of local organizations (civil society and NGOs) is complex. These organizations lack the information and training to objectively assess the social commitments of the Group.

In a many areas, social responsibility tends to focus solely on limited community initiatives. From this point of view, it is not excluded that in the absence of any means of control and effective guidance, the voluntary direct engagement of multinationals in favor of local populations will generate perverse effects such as the feeling of frustration, patronage, extortion by violence, dependence (Giraud et al., 2010). In view of the risk of making the use of CSR instrumental to propaganda, some prefer outright punitive action against companies that do not meet their commitments, "*The only touchstone in the sincerity of leaders is their commitment to the principle of financial penalties in case they do not comply with their commitments. This would be a "revealed preference", the only one that matters in this area. Either they accept such provisions and move towards an extension of the right to the areas covered by the CSR, or they refuse and demonstrate once again that promises only bind those who believe* "(Marshall, 2009). In other words, the control by the government allows knowing how far the social commitments are respected and how to ensure that good practices are widespread and are not misleading examples masking everyday reality (Renouard, 2008). Only public regulation would require compliance with environmental and social standards (Fleckinger et al., 2009). Ultimately, CSR and regulation are not necessarily antonymous: "*urgency and sharp national and international economic issues, especially those referring to the protection of the environment and thus to" sustainable development ", require overall solutions that cannot be the sole responsibility of business leaders, no matter how responsible they wish to appear* "(Forest et al., 2009).

Given the complexity of political, environmental and social issues in the regions where the Areva group is operating, the inclusion of these standards is a consubstantial objective to the exercise of corporate responsibility. The State must ensure that the social actions of multinationals promote the development of local communities. To do this, governments must have technical expertise and a willingness to assess the contribution of these corporations to economic development (economic responsibility) and social (social responsibility) of the country.

Conclusion

If the social responsibility of the Areva group seems to fit in a process of sustainable development, its implementation on the field remains problematic as it raises questions and conflicts between the company and the stakeholders (NGOs, civil society, local communities, State). Due to the complexity of the local context and the potentially conflicting interests, community involvement in the group must really take into account both the concerns of the employees, the local community and the constraints of an environment friendly mining production and the rights of indigenous peoples. Reconciling "ethical judgment" and the economic logic is needed to gain a legitimacy that can sustain the mining activity. Areva should weave a form of contract with the community to act responsibly towards the latter if the Group does not want to see the national legislation evolve in a more restrictive and harsh way (Donaldson et al., 1995).

Social responsibility cannot be based solely on the willingness of business leaders. It should be based on a defined public policy and implemented by public authorities control regulations. In Niger, Areva’s CSR cannot be disconnected from the central role the state should play, as political (military insecurity in the region where Areva operates), ecological (preservation of the fauna (pollution and underground water contamination) and social issues (compensation measures for the populations, human rights and support for pastoral activities) are important. Without coercive measures from public authorities, the social and environmental issues may simply be ignored by multinationals. In other words, CSR policy would be more likely to improve the social and environmental well-being when it is regulated by the public authorities.

Similarly, the participation of *stakeholders* (government, civil society and NGOs involved in development) to social projects designed by Areva will assess the minimum requirements of a fair share of the Group's sustainable development in areas where it operates. Thus Areva's CSR policy should lay the groundwork for a public-private partnership for sustainable development, including specifically the State, enterprises, social partners and local communities. Otherwise, public regulation of social responsibility of mining companies would be a condition for decrystallizing all social expectations of mining communities. Not to mention that the state also has a share of social and environmental responsibility. Should the public powers not clarify how the mining income is used to improve the lives of those directly affected by the mining operations? It is the condition to ensure that Niger people enjoy a humanly sustainable development.

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