

PAN
AFRICAN
YOUTH
ESSAY
COMPETITION
2020

10 BEST STUDENT ESSAYS

EXTRACTIVES INDUSTRIES, GENDER & INEQUALITY IN AFRICA



EXTRACTIVES INDUSTRIES, GENDER, AND INEQUALITY IN AFRICA 2020

Published in collaboration with the All Africa Conference of Churches, Norwegian Church Aid and the Youth for Tax Justice.

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Editor's Preface

I am so pleased to have had the opportunity to edit and compile these 10 essays written by remarkable students from the continent of untellable splendour: Africa. The essays that make up this publication were written in response to the Pan African Youth Essay Competition in 2020. The competition was jointly organized by the Norwegian Church Aid, the All African Conference of Churches and the Youth for Tax Justice Network. The theme of the 2020 competition was focused on the problem of gender inequality underpinning the extractives industries in Africa.

The student contributors in their winning essays have unearthed, from their readings and informed perspectives, the stories of the challenges women experience and are exposed to while working in the extractives sector. The conventional hegemonic notions of mining as large-scale and masculine have been challenged by the students in the context of gender inequality indicative of the mining industry in Africa. A lot of focus is given to artisanal, and small-scale mining as large number of women form part of its labour force. The essays collectively question the reason why women do not directly partake of the positive economic gains that working in the extractives industries can bring to them and their families. Instead, they bear more than their fair share of the negative impacts. The essays show how women are represented as working in mines to shoulder the burden of domestic responsibilities in deplorable, dangerous, dirty and irregular working conditions. Recommendations are offered by the students to break the chain on women's disadvantaged position with the mining industry and to counter the perception of it as a quintessentially masculine sector.

This publication would not have materialized without active support of Collins Shava, More blessings Chidaushe and Allan Muhereza who are dedicated towards supporting and providing the African youth with the platform to share their knowledge with each other, debate together on emerging development themes, to expose them to external networks and support the development of their skills. The 2020 essay competition is one such step towards getting the African youth to present African centered research representative of African thinking, experience, and socio-economic realities. I take this opportunity to thank Abena Afari and Dr. Tinashe Gumbo with whom I worked to select these 10 best essays. I can happily declare here that this publication presents the first set of literature on mining by African students aged between 15-35years.



Lyla Latif
September 2021

Acknowledgements

We commend the authors whose essays make up this compendium. Their contribution has sparked zeal towards engaging the youth by providing them with a platform through which to provide their agenda setting ideas in steering our continent our way. There is great debt also owed to the organisers of this essay competition and the adjudicators. We hope that this inaugural essay competition is the beginning of a long-term engagement with the youth. We are hopeful that our next essay competition shall attract more female and non-English speaking writers from the entire African continent.

Foreword by Rev. Dr. Fidon R. Mwombeki



It is my pleasure to congratulate the young people who participated in the 2020 Pan African Youth Essay Competition on Extractives, Gender and Inequality in Africa. I am delighted to see the interest of young people in providing solution to matters that are affecting the continent. There is a growing need to contribute towards a Pan African continent that is self-sufficient, which can support its developmental agenda with its natural resources.

The AACC is an ecumenical fellowship of 203 churches and councils of churches in Africa in 43 countries. It has grown over the years, and the Lord keeps transforming it to adapt to new needs and challenges in the continent, but with the same vision of “Churches in Africa together for life, peace, justice and dignity”. In our programmatic work, we endeavour to respond to the new and emerging issues in Africa, and thus contribute to the transformation of the continent towards the realization of the continental dream, Agenda 2063: The Africa We Want. In this agenda, our focus is on young people. The 2020 Pan African Youth Essay Competition is because of fruitful collaboration between the All Africa Conference of Churches, Norwegian Church Aid, Youth for Tax Justice Network, and the Stop the Bleeding Campaign. All these organizations realize that young people are the present and the future leaders of our continent. Hence, this publication harvests African stories sorely from our African youth on three significant issues: Extractives, Gender and Inequality.

Africa is endowed with rich mineral and natural resources, which are being extracted by multinational companies, yet the continent is struggling financially, and it is even indebted. The youth need to question why the continent’s mineral resources are not benefiting the local communities. Inequality is growing in Africa itself and across the world. The rich are getting richer, and the poor poorer. We need young people to question the developmental models in Africa, which do not eliminate inequality. The factor of gender in inequality is also a serious question, particularly in Africa. I am delighted that the young people who contributed to this publication can identify critical issues of their localities, and make the connection between extractives, gender and inequality. We hope to have more young people from all regions of Africa rising to deal with Africa’s challenges. With the hope we have in Africa, AACC is running a campaign for African patriotism, under the motto: “Africa: My Home. My Future.” We believe there is no better future for the African youth elsewhere than in Africa itself. Young people need to take up the mantle and contribute towards resolving the continent’s socio-economic and political challenges.

The future of Africa lies in the hands of its young people.

Rev. Dr. Fidon Mwombeki, General Secretary, AACC

Foreword on behalf of the Norwegian Church Aid (Southern Africa)

The marginalisation of the youth is a typical characteristic of the African development agenda largely as a result of patriarchal traditions and practises that have been perpetuated over many generations. The perception that youth have nothing to say, they do not know how to say it, it is not important to have their voice or simply unconscious bias against them has resulted in society and those in power representing and speaking for and on behalf of the young people. Decisions are made for them without their engagement and participation making them invisible yet they constitute more than 50% of the population. While some policies maybe in place, day to day practise detects otherwise.

Yet given the opportunity, the youth will and can well articulate their issues and play a central role in society. The digital leap, recently propelled by the Covid19 pandemic has been led and driven by youth proving that given the opportunity, youth can well take a lead in driving innovation and development. The youth have embraced digitalisation more than any other section of society and digitalisation is the new undisputed future making youth drivers of the future hence the need to create an enabling environment and further support them to take a lead in this area. With more than 50% of the African population being youth, the average African is a young person, hence marginalising the youth translates to marginalising the African. With widespread poverty across the continent and being the majority, it means the youth are the face of poverty across Africa. Spaces for youth engagement will not be handed down on a platter. As they have done with digitalisation, the youth should always pro-actively seek to locate themselves as central to the continent's development agenda and take the lead.

This exciting collaboration between Norwegian Church Aid, Youth Tax Justice Network, All Africa Conference of Churches and Stop the Bleeding Campaign is an initiative to invest in and contribute to ensuring that youth are mobilised, informed, capacitated and strategically located to play a central role too influence the African and resultantly the global development discourse. It seeks to consolidate a stronger, united and more effective youth voice in defining the future of the African continent. With public engagement, participation, research and analysis of various youth issues and how they link and related to the broader development agenda, the initiative encourages youth to engage in deeper analysis and reflection of critical issues and how they affect the continent. We seek to contribute towards harnessing the untapped youth energies, interest and potential to propel the continent's development and ensure that youth can be central in contributing to a bigger, better and more sustainable African future. The continent must come together and create structures, policies and practices that ensure youth are central in participating in and deciding the future.



The youth are the future!

Moreblessings Chidaushe, NCA Southern Africa

Foreword on behalf of the Board of Directors, Youth for Tax Justice Network

It is an extreme pleasure to be writing a short word on this inaugural edition of the youth essay competition under the theme "Extractives Industries, Gender and Inequality in Africa". At a time when the world is faced with a prolonged global pandemic that has ground many economies to a halt and in the case of Africa, led to an economic recession for the first time in thirty years, it says something about the need to have the voices of young African activists heard. As a youthful population that is always touted as a source of opportunity and hope, it is wonderful to read these essays and recount the good old days of storytelling that is ingrained in us Africans! It is what makes us understand and explain the complexities and intricacies of the global world; it is what enables us to pass on from generation to generation the tales, trials, and tribulations our interactions within this global arena; it is what allows us to imagine a world where **WE are the rule makers and not the rule takers!**

This collection of essays is not only a collection of technical issues on extractives, gender, and inequality but an anthology of voices of young African thinkers and storytellers who are keeping alive our culture and heritage in ensuring OUR story is told and heard from OUR perspective. And in so doing, we are confident we are moulding and shaping the next generation of activists and advocates for a better and fairer Africa.

On behalf of the Board Members, I want to congratulate all the essay authors for keeping our heritage very much alive in this AU themed year of Arts, Culture, and Heritage. Well done to everyone! Asante! Webale! Merci! Obrigado! Shukran!



*Cheers,
Jason Braganza*

Message from the Judges

The abundance of natural mineral, oil and gas resources on the African continent ideally should have made the continent the richest and equitable society by now but that is unfortunately not the case. In this epic competition, we read 121 essays submitted by the youth from 15 African countries relating to the competition theme on ‘Extractive Industries, Gender and Fighting Inequality’. The interlinkages among the three sectors are as important for the continent in postpandemic recovery efforts as they were before, given that so much has been left to be desired despite the gains Africa has made on development indicators towards attaining the SDGs 2030 Agenda. As the leadership of the continent work to harness all types of resources to make the AU Agenda 2063 a reality for its populace, it is critical that we take stock of the gap between what is available, what’s needed and future potential. It was interesting to read the thoughts of Africa’s future leaders on the topic which included the normal to the not-so popular issues. From the mapping of resource- rich countries, gender and social inclusion issues, policies governing the sector, resource governance, environmental and climate impacts, Pan- Africanism and imperialism to key recommendations, it was action-packed till the final moments of selection of winners. Although a selected number of essays have been published, we wish to congratulate all contestants for undertaking the research which has undoubtedly enhanced their knowledge on the issues from what was submitted. We hope that enough passion has been ignited in the contestants to join the extractives advocacy movement at whichever levels they may be, from subnational, national to Pan-Africa levels. Creating the ‘Africa We Want’ requires the concerted efforts of all its citizens, young and old. This should be the beginning of dialogues and policy-influencing from community to global levels through already available community structures and the everwidening social media space. This should bring together both the usual and unusual suspects, including faith-communities and actors. Whilst we admit that the tragedy wrought by minerals extraction and related processes on the continent far outweigh the positives collectively, rather than despair, we can all join the bandwagon to sustainable development by advocating and working for positive change. We look forward to seeing the contestants and an increased number of African youths engage in the conversation to disrupt the business-as-usual models, taking advantage of the many policy instruments which hold promise for the continent such as the Africa Mining Vision and the Africa Continental Free Trade Agreement.

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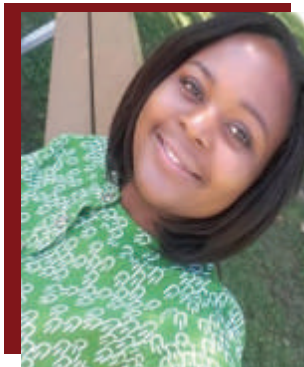
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Abbreviations

AMV:	Africa Mining Vision
ASM:	Artisanal and Small-Scale Mining
CAPAM:	The Artisan Mining Support and Promotion Framework
DRC:	Democratic Republic of Congo
GIATOC:	Global Initiative Against Transnational Organized Crime
GDP:	Gross Domestic Product
IFM:	Intergovernmental Forum on Mining
OECD:	Organisation of Economic Cooperation and Development
R&D:	Research and Development
SADC:	Southern African Development Community
SDGs:	Sustainable Development Goals
STEM:	Science, Technology, Engineering and Mathematics

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INTRODUCTION

Inequality is a global problem. It is subtly nuanced as well. The UN Development Strategy and Policy Analysis Unit Report (2015) defines inequality as the state of not being equal, especially in status, rights, and opportunities. Consequently, inequality can be manifested within economic, social, political, cultural and environmental structures, institutions and systems. Africa is endowed with rich mineral resources, yet the continent lags behind in development. Mineral resources have not translated to changing the lives of people in the continent. In fact, minerals in Africa have been termed as a “resource curse” by some scholars. Resource extraction in countries such as Sierra Leone, Democratic Republic of Congo (DRC) and Angola have fuelled conflicts. Irresponsible extraction has also propagated negative impacts such as environmental degradation, triggering climate change, created elitism, bred corruption, violence against women and girls, and impoverished communities. Together, all these incidences have further entrenched various forms of inequality. Despite this, the extractive industries, if well governed, has immense potential to contribute to reducing socio-economic inequalities.

It was against this background that the Norwegian Church Aid Southern Africa, All Africa Conference of Churches and Youth for Tax Justice Network Africa launched their flagship project focused on getting the youth to express their research skills and ideas in an essay format. The inaugural pan African youth essay competition on **Extractive Industries, Gender and Fighting Inequality in Africa** was launched in July 2020. This essay competition invited the African youth to engage in discussing the way forward on resolving the challenges they identified within the African extractives sector as it problematized gender discrimination and inequality. The essay provided an opportunity for young people to engage in research. The basis of this competition was anchored on the fact that the African continent is heavily endowed with valuable minerals resources, yet it has high levels of poverty and inequality. Amongst others, this has a direct impact on the socio-economic life and future of young people who constitute the continent’s largest population bracket. The essay competition provided a platform for the youth across the continent to research, critically analyze, write and share ideas on the linkages between the extractive industries, gender and inequality in Africa and most importantly to make recommendations on how the extractive industries can be fully leveraged to fight the scourge of inequality in Africa.

The main objective of the essay competition was to get the youth to identify and discuss the challenges within the extractives sector from their perspectives as it relates to gender discrimination and to suggest their approaches to fighting inequality experienced by those most affected by the sector. Getting them to express their ideas through research, dialogue and their proposed recommendations was a significant objective of the competition as the organizers seek to build the youth’s research capacity. As such, the Youth Essay Team launched the call for essays on 1 July 2020. All persons who had the desire to participate were to submit an expression of interest by sending their topic, name and email address to the youth essay team by 31 July 2020. 320 authors submitted their expressions of interest to participate in the competition. This showed that the essay competition had gathered interest from young people across the continent. The closing date was 30 September 2020. The youth essay team received 121 complete essays, which met the criteria for adjudication. The scripts were from 18 countries in Africa, written in French, Portuguese and English. The essays were grouped in the following age groups for evaluation: Age group 15 to 18: 800-1500 words; Age group 19 to 25: 1200- 2000 words; and Age group 26 to 35: 1800-3000 words.

CONNECTING THE TREASURES IN EARTH AND HUMANITY

~ *Katleho Mokhele*

Introduction

The extraction of raw materials like oil and gas, metals, and minerals, their processing as well as their consumption collectively constitute the extractive industry. In most African countries, extractive industries contribute significantly to the Gross Domestic Product (GDP), however the gender-biased shortcomings of extractive industries have induced gender inequality and led to extreme poverty in some regions. Why is the female participation rate in the mining workplace generally less than that of men?

Reflections on the Gender Problem within the Extractives Sector

In the mining sector, women face socio-cultural challenges that not only bar them from joining the labour force but also discourage them from keeping their jobs once employed. For instance, unequal treatment of genders in Botswana has fifty-five percent of female-headed households living below the national poverty line in comparison to forty-five percent of male-headed households. This is partly because of discriminatory practices around land ownership like the 2015 Land Policy of Botswana that prohibited women from owning land in the case where their spouses already did.

Inevitably, establishment of Artisanal and Small-Scale Mining (ASM), a potential economic booster, has been confined to male landowners. This is according to *The Patriot on Sunday* which further indicates that in general, women make up thirty-six percent of formal sector employees because of social standards and barriers preventing them from joining the labour force. Although Botswana is the leading diamond mining country in Africa with its mining sector, OECD reports, accounting for thirty-five percent of GDP, the poverty rate in some rural areas is as high as forty-six percent while unemployment is at twenty percent. Continent-wide, culture plays a significant role in widening the gender gap through cultural patterns that encourage women to be loyal wives and subordinate themselves to their husbands, as well as to bear and take care of children while seeing to household duties. On top of that, men make decisions for their wives and children, and it is norms like this that promote lack of women's emancipation or absence thereof, hence the unlikelihood of female participation particularly in an industry as male dominated as the mining industry.

Indisputably, this is a hindrance to poverty reduction and economic growth because women who are passionate about mine work are practically human resources left idling in the name of taboos and gender roles. A report on *Gender in the Mining Industry* by ROAPE admin, Thandi Dlamini, reveals that in 2016 women made up only 11% of the operational mining workforce in South Africa. Before 1994, underground work was exclusively for males and there were legal constraints that prohibited women from working underground in mines. Worthy of note is the fact that underground jobs are better paying than surface tasks which means that the constitution itself was promoting poverty brought about by gender-discriminatory employment. After the amendment of the South African Mining Act, the industry urgently sought to recruit female employees, but this potentially presents more harm than good.

The mining workplace is, as expected, an environment created for male people because they are pioneering employees of mines; an example being the operational equipment used. It has been designed for easy manipulation by men but may be a health hazard for women.

The drilling machines emit vibrations that have been proven to disrupt the reproductive health of women who operate them. The protective personal equipment namely, one-piece overalls, make it difficult for women to relieve themselves and absence of underground toilets put women at hygienic risk especially during their periods. So, the fact that mines have not been readjusted to accommodate the needs of women means that the workplace is only endangering their lives.

Furthermore, women are subject to sexual exploitation in mines, the exploitation being by contractors or employers, as well as by male colleagues owing to lack of security and safety. Promotions are rare for women in the mining industry as they are usually segregated, and delegated work tasks considered 'doable' for them on the surface of mines. Absence of childcare facilities in mines further discourages participation by mothers. The issue of physical ability required underground also strains women more than men and they find work more strenuous than their male counterparts.

Under-representation of women at decision-making level regarding extractive industry discussions is an institutional shortcoming that puts them at a disadvantage. Lack of gender diversity in boardrooms suggests that the female perspective is overlooked, and female miners basically have no say in the day-to-day running of mines as their views are not being voiced, and their complaints are likely to be dismissed. Most mining companies operating in African countries have male-dominated leadership teams like the South African Seriti which has a Board of Directors that comprises one woman who is the chairperson and three men: one being the CEO and the other two being directors, according to www.seritiza.com. Exxaro's Board of Directors, as indicated by www.exxaro.com, comprises four women and fifteen men while Anglo-American's website www.angloamerican.com reveals that it has a Group Management Committee that formulates strategies among other responsibilities, of three women and eleven men.

The gender inequality in leadership positions negatively affects the working climate for female employees as issues like the need to avail maternity leaves are not addressed such that workers becoming pregnant may risk their job security and force them to face retrenchment. Another problem is the gender pay gap that has men and women working in similar categories and doing the same job yet earning different salaries, especially in the white-collar positions. The gender pay gap and unlikelihood of women getting promoted to better-paying jobs in managerial positions not only discourage women from working but also decrease their ability to provide for their homes as compared to men.

Way forward

Indisputably, women are needed in the labour force because gender diversity is the remedy to most of the problems arising in extractive industries as well as the socio-economic issue of poverty. Bridging the gender pay gap is the first implementable method that can be executed by mining companies to reduce both unequal treatment of genders and poverty. Male privilege in salaries is a self-contradictory policy for the following reasons; female participation has to be increased to attain maximum production, and both industrial and economic growth hence justice and equality have to be implemented in the workplace to attract and retain women in the mining industry; and using practicality, female-headed households have just about the same financial needs as male-headed households if not more, therefore the gender pay gap causes relative poverty in the aforementioned disadvantaged homes. But the curative measure is simply to up women's salaries to reach an equilibrium that is guaranteed to end gender discrimination and make work a lot more comfortable and enjoyable for women.

Because few African women of working age have an educational background because of cultural norms that disregard the girl child, women and skills development programmes run by mining companies and governments should be increased and widespread especially in rural areas.

The focus ought to be technologically inclined to recruit girls and women in Science, Technology, Engineering and Mathematics known as STEM, because the Fourth Industrial Revolution is already resulting in job cuts as far as manual labour in mines is concerned. So instead of training female people to work underground, they ought to be inspired to create machines needed for the efficiency of mines to sustain employment in the coming years.

Female miners working underground need legal protection against sexual violation therefore the extractive industry at national level should place legislation that renders mistreatment of women in the workplace gravely punishable. The social barriers detrimental to female participation in the extractive industries will take extensive re-education and raising awareness of the impact that gender discrimination has on Africa, to be eradicated. Emancipation of women is mandatory because we are moving into an era of modernity, and it is one that is not characterised by tradition or culture hence gender roles are becoming outdated. The same employment opportunities that men get in mining should be granted women as well to curb gender bias. National Mining Acts must be re-evaluated and amended to better suit women from manual to leadership positions in mining institutions.

Conclusion

To conclude, women are the treasure whose potential has, for centuries, been clouded by societal, religious, and legislative constraints. Now is the time to break down the barriers because economies of African countries need revival more than ever before to keep up with the rest of the world in the rising industrial revolution. What better way to do it than the mineral extraction development in this resource-rich continent?

PERPETUATION OF GENDER INEQUALITY THROUGH THE POLITICAL INSTITUTIONALISATION OF ZIMBABWE'S MINING INDUSTRY

~ *Tawanda Farai Keith Pasipanodya*

Introduction

The adverse effects of gender inequality have garnered international attention to which the United Nations (2020) incorporated the attainment of gender equality by the year 2030 as the fifth developmental goal of the Sustainable Development Goals (SDGs). To highlight how serious gender inequality is, Dzvimbo et al., (2019) notes there is a 'feminization of poverty' after observing that women and girls constitute 70% of the world's poorest 1.3 billion people due to social and economic constraints, which hinder female participation in meaningful economic activities.

Mining provides women with an opportunity to improve their livelihoods with the Intergovernmental Forum on Mining (IGF) (2018) noting that women constitute 30% to 50% of the total workforce in Artisanal and Small-Scale Mining (ASM) across Africa. In Zimbabwe, this number is far much lower with 17.9% (ZIMSTAT, 2019) of total workforce in ASSM being women. Furthermore, women are restricted to the less lucrative and rewarding activities due to institutional constraints (IFM, 2018; Dzvimbo et al., 2019). The problem is more pronounced in formal mining operations where women constitute less than 16.5% of mine-workers with their share of total mining sector wages constituting 8.6%. Women's roles in the industry are restricted to low remunerating employment in administrative positions whereas men are confined to knowledge intensive and high paying technical positions (ZIMSTAT, 2019). The breaking down of the country's laws and institutions leaving women without legal recourse, has worsened gender inequality in Zimbabwe's mining industry Dzvimbo et al. (2019).

There is a growing recognition that through externalities, the mining sector has had negative spill over effects concerning gender inequality to surrounding communities (Sokwanele, 2011; Partnership Africa Canada (PAC), 2012;

Zvarivadza, 2015; Simpson and Hawkins, 2018). The politicisation of the country's mining industry and its economic institutions has made the rectification of gender inequality difficult leading to the perpetuation of gender inequality both within and beyond the mining industry (Simpson and Hawkins, 2018; Dzvimbo, 2019). This has been compounded by the presence of discriminatory social institutions which restrict women to the household and limit their educational attainment levels (Cerise and Francavilla, 2012), and the limited governance and enforcement capacity in international institutions (Keene, 2014). It is against this background that the essay now examines gender inequality within Zimbabwe's mining sector.

Institutional discrimination

To understand what institutions are, Keene (2014) generally defines them as, '... the controls by which individuals and societies regulate themselves. They shape the incentives faced by a politician who must choose between enriching himself or herself at the public's expense and investing in his or her nation.' Keene (2014) suggests that institutions are the determinants of economic growth, with institutional quality explaining the differences in developmental outcomes amongst countries.

In the view of Acemoglu and Robinson (2013), the economic and developmental success of countries depends on whether the country's economic institutions are inclusive or extractive. Inclusive institutions permit the participation of all stakeholders in the economy and foster equity, the rule of law and public service delivery. On the other hand, extractive economic institutions act as conduits of resource exploitation and transfer resources from society to the political elites. This entails abuse and misappropriation of public funds at the expense of public service delivery.

Acemoglu and Robinson (2013) further postulate that economic institutions are the result of a country's political institutions. Extractive political institutions facilitate the opaque concentration of power in the political elites and allow them to establish extractive economic institutions that allow them to have control over the country's resources (Acemoglu and Robinson, 2013). Consequently, political elites develop unconstrained power to determine the economic activities that prevail in the country and make nepotistic appointments in the running of economic institutions. The appointees are conduits of the political elites and their tenures in office are usually characterised by incompetence and patronage. The subsequent effects of such appointments is the state's overall inability to deliver public goods and services (Simpson and Hawkins, 2018).

Simpson and Hawkins (2018) give a comprehensive analogy of Zimbabwe's political and economic institutions to which they are characteristically extractive. The survival of the country's political elite has greatly depended on the conflation of the state and the ruling party such that the ruling party apportions national resources to its own discretion. The apportionment of mineral fields has helped prolong the rule of the political elites to the detriment of shared economic growth and development (Sokwanele, 2011; PAC, 2012 and Simpsons and Hawkins, 2018).

The adverse effects of the politicisation of extractive and economic institutions are felt beyond just gender inequality but also through other forms of inequality, which are categorised as vertical and horizontal inequality. Vertical inequality is the gap between the rich and poor, whilst horizontal inequality is the difference in wealth distribution amongst different groupings of people per region, race, ethnicity, political affiliation, religion and including gender (Humphreys et al., 2007). Klassen and Silva (2018) suggests that gender inequality should not be analysed in isolation from other forms of inequality since the different types of inequalities reinforce each other's existence.

In Zimbabwe, women have not only been marginalised on the bases of gender but also based on their geographical location, ethnicity, political affiliations, and marital status (Sokwanele, 2011; PAC, 2012; Simpsons and Hawkins, 2018; Ndlovu et al., 2019).

The degree of inequality has been worsened by the discovery of mineral resources and the political capture of the economic institutions meant to provide oversight over mineral exploration and with women being the most afflicted.

PAC (2012) captures the extent to which the discovery of diamonds fields in the Marange District of the Manicaland Province East of Zimbabwe in 2006 was expected to have spurred the districts and the country's developmental outcomes. However, the country's ruling elite in conjunction with the country's security sector colluded to create parallel revenue structures to siphon revenues away from the state coffers (Simpsons and Hawkins, 2018). The effects were felt in 2012 when the then Finance Minister announced the challenges the government faced in meeting social expenditures particularly in the health sector after the state received mineral rents of US\$41.7 million from the projected US\$271 million dollars from diamond mining (Government of Zimbabwe, 2012). This saw women protesting the resultant rising maternal mortality rates that stood at 960 per 100 000 live births in 2012. An estimated US\$2 billion dollars in total was lost between 2008 and 2012 (PAC, 2012).

Jayachandran (2014) and Klassen and Silva (2018) also note that the absence of public expenditures in water and health entails women spending more time looking for water or bearing more children due to lack of contraception and this subsequently means that women have less chance of participating in paid employment. Extractive political institutions create vested interests whose influence is not restricted to a set of state institutions since state institutions are complementary in their operations. As such, other state arms such as the judiciary and institutions of macroeconomic management are also compromised. The Global Initiative Against Transnational Organized Crime (GIATOC) (2020) notes that Zimbabwe's economic and legal institutions have been marred by corruption and nepotism to the benefit of politically connected individuals. In addition, the link between human rights violations, violence, environmental degradation and gender inequality also emerges for consideration.

Human rights violations

Mineral exploration in countries with politicised institutions is characterised by human rights abuses and involvement of coercive institutions (Humphreys et al., 2007). Such was the case in Marange when the army initially took over the diamond fields in 2007, where coercive instruments such that rape, torture, extrajudicial killings and forced labour were used on women and children (Sokwanele, 2011). Despite its diamonds being characterised as ‘conflict diamonds’ as per the Kimberly Process (KP), Zimbabwe was able to sell its diamonds through the KP auction process because of institutional incapacity to stop the country from selling its diamonds through other channels (Sokwanele, 2011). This exposed the operational and regulatory shortcomings of the KP and buttressed concerns by Keenan (2014) on the need for institutional reforms in international organisations to help address developmental challenges including inequality in resource rich countries.

Violence

Violence in Zimbabwe’s resource rich regions has also been politically motivated with the state failing to curb the violence and illegal mining operations. The country’s political elites have had illicit interests in ASSM operations, which have promoted gang violence and the raping and killing of women in Zimbabwe’s gold belt regions (GIATOC, 2020). The ASSM gangs enjoy political cover from prosecution and afforded with opportunities to invade other mines in violation of property rights and court orders (GIATOC, 2020). Ndlovu et al. (2019) recognises that such a harsh political climate coupled with bureaucratic and corrupt regulatory institutions limits female participation and ownership of ASSM operations.

Environmental degradation

Mining operations have negative environmental spill-over effects and require environmental impact assessment tests to ascertain the extent to which the spill-over effects can be minimised. Kanyenze et al., (2011) estimate that many ASSM do not possess the organisational structure to adhere to environmental regulations.

Moreover, the Environmental Management Agency on its part lacks the regulatory capacity to provide complete oversight on ASSM.

The results are evident in the widespread siltation and pollution of water bodies and the destruction of forestry (Sokwanele, 2011). Because small scale mining mostly occurs in the rural areas, the impact is felt more by women who have to travel further to look for firewood and water (Jayachandram, 2014).

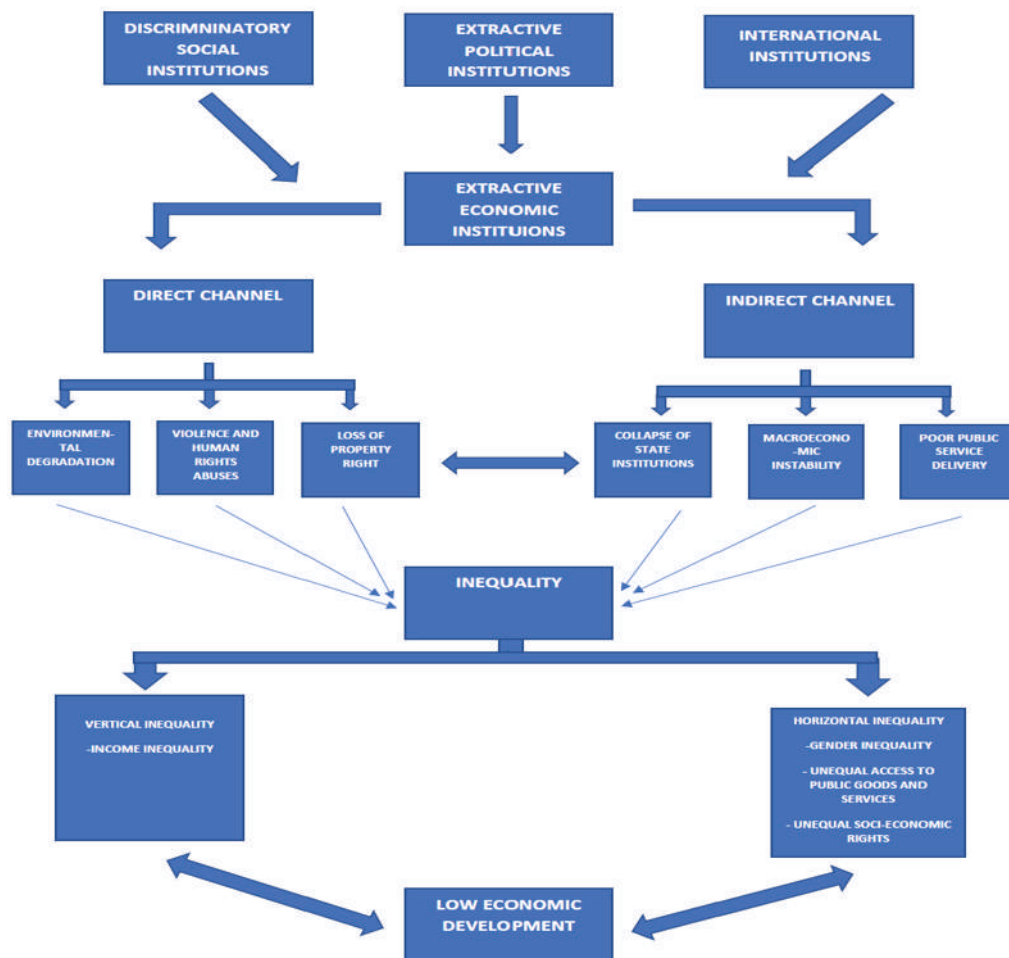
Furthermore, deforestation induces atmospheric imbalances that may affect local rainfall patterns and affect agricultural production upon which 86% of Zimbabwean women depend upon for the livelihood of their families (Food and Agriculture Organisation, 2017) and thereby inducing poverty and starvation. Lastly, the pollution and destruction of water sources reduces water supply to surrounding communities.

In one instance, Dzvimbo et al. (2019) discovered that in the gold mining towns of Zimbabwe’s Midlands Province water sources from which 61% of residents depend on for water were contaminated from ASSM activities. This was also worsened by the lack of infrastructure development in the area as mineral rents were being captured by, ‘investors, government and traditional leaders and well-connected individuals,’ Dzvimbo et al. (2019).

Augmenting extractive political institutions in rooting gender inequality are discriminatory social institutions, which Cerise and Francavilla (2012) describes as, ‘both formal and informal laws, social norms and practices that shape or restrict the decisions and choices and behaviours of groups, communities and individuals.’ Discriminatory social institutions prevent women from getting an education and participating in employment as women’s roles are largely restricted to the household.

Such institutions also limit inheritances to the daughter and favour the son (Jayachandran, 2014; Klasen and Silva, 2018). Ndlovu et al., (2019) observes that lack of technical and management skills has inhibited many women from successfully managing their ASSM operations in the mining town of Gwanda in Zimbabwe due to the patriarchal societal views that women cannot participate in technical professions like mining. The result is that women end up not taking technical subjects early in school (Ndlovu et al., 2019).

CONCEPTUAL FRAMEWORK LINKING EXTRACTIVE POLITICAL INSTITUTIONS, INEQUALITY AND OVERALL DEVELOPMENTAL OUTCOMES IN ZIMBABWE



Source ~ Author

Solutions that in part seek to address gender inequality have been proffered but have failed to achieve their objectives due to political interferences (GIATOC, 2020). Overlooking political institutions means that the designing of policies and creation of the pre-requisite economic institutions will be a futile exercise as these policies will be inconsistently applied and institutions undermined to the needs of the political elites. Currently the Government has targeted generating US\$12 billion dollars in mineral exports in 2023 up from US\$3.4 billion generated in 2018 to help lift the country into an upper middle-income economy by 2030. However, this target has been questioned given the Government’s bad policies and corruption all emanating from the country’s political elites. Moreover, Jayachandran (2014) notes that gender inequality is also a binding constraint towards the attainment of better developmental outcomes. Thus, without addressing gender inequality, policies to propel Zimbabwe into a higher income country will be futile.

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PROMOTING GENDER EQUALITY IN THE EXTRACTIVES INDUSTRY IN AFRICA: CHALLENGES AND OPPORTUNITIES

~ Florence Brazil

Introduction

'In some mines, women are not allowed in as it is believed their presence will make minerals disappear.'

The above statement by Alphonse Tchilehe, the President of Katanga Corporation of Miners in the Democratic Republic of Congo accurately reflects the gender inequality problem in the Extractives Industry (EI) in Africa. Gender Equality in the African region is largely a socio-cultural economic and political problem. The EI remains a male dominated industry as compared to other industries in Africa. Majority of the women serve in very low-profile or peripheral positions in the industry. They find themselves in a social construct that not only glorifies the EI as a male domain, but also creates unfavorable conditions for women. In discussions of Gender and the EI, the term gender is often used synonymously with women. Reference to gender inequality, therefore, means unequal opportunities and treatment of women. This essay, therefore, analyses the challenges and opportunities for women in the EI in Africa while mapping out options for achieving gender equality in the industry.

A Background of the Extractives Sector in Africa

The EI consists of people, companies, financial institutions, trade organisations and national authorities involved in removing raw materials, metals, coal, oil, mineral and natural resources from the earth for ultimate use by consumers. It also involves diverse activities and processes that facilitate the transmission of these materials to the end-users. The EI constitutes a major source of revenue



¹ Onyisi, J.A. (Broadening options for Promoting Women's Participation in the Extractives Industries Sector in Africa. (Nairobi Kenya: SSRN, 2016)

² Ibid.

³ Ibid.

⁴ Tony, A & Alan, R 'Extractives Industries: The Management of Resources as a Driver of Sustainable

Development' (2018) Oxford Scholarship Online < <https://oxford.universitypress-scholarship.com>> accessed 24 September 2020.

⁵ Damilola S.Olawuyi, Extractives Industry Laws in Africa (springer, 2018) 4.

⁶ Ibid

in many African countries. Mining & oil accounts for 28% of the continent's Gross Domestic Product (GDP). However, these revenues have not generated equitable growth and poverty reduction due to factors such as corruption and currency appreciation.

Challenges facing Women in the Extractives Industries in Africa

There exists a general gender bias in the distribution of the risks, costs and benefits within the EI sector. Men mostly benefit from EI, while women bear most of the costs, such as family or social disruption and environmental degradation which leads to the loss of employment and income in agriculture. Men and women's different experiences of the EI significantly impact their respective abilities to participate in and contribute to development. Women in Africa also face disproportionate risks in their engagements with EI operations and their communities. They deal with issues such as harassment, gender-based violence, diseases and extreme levels of violence. These gender disparities have been accentuated by the absence of strong political and economic institutions that could integrate gender issues.

Large scale extractives operations usually create displacement often at the expense of income generating activities such as farming which is the main economic activity of a majority of African Women. Further, when compensation is awarded, it's the men who are the heads of households that typically receive them. Women often are left with no voices in accessing the benefits or making spending decisions. This loss of income makes women turn to alternative employment such as sex work.

The EI is wrongly perceived to be the sole reserve of the male. It's believed that women cannot go through the rigorous oil, gas and mining industry and offshore operations. African women are therefore disadvantaged due to their exclusion from the value chain and their limited capacity to take advantage of its productive opportunities. This is due to the lack of technical experience caused by limited training opportunities and gender biased employment policies.

The situation is further enhanced by the lack of legal framework, policies and programs that consider women's needs and protect their rights, limited access, lack of a political voice and disproportionate power relations between the genders.

In the artisanal and small-scale mining (ASM) sector, women are mostly part-time workers and are relegated to secondary, labor-intensive processing activities often carried out at home. They are also directly exposed to dangerous substances and chemicals. The ASM sector is marred by inefficiency, poor health and safety standards and negative environmental impacts and is often left out of the formal and legal requirements in most African countries. Even though increasing attention is being paid to the formalization of ASM operations, gender issues are being overlooked in the process.

In some African countries, there is an increasing tendency of development programs implemented by civil society organisations to promote women's exit from the mining sector. Although this is aimed at protecting them from violence and exploration, it does address the existing gaps and problems in the EI. There is a lack of evidence, data, and knowledge on the gender dimensions of specific EI value chains. There has also been inadequate sensitization and education of actors in the sector, within the government and civil society. This has hampered evidence-based policy dialogues on the gender-equality impacts of the EI sector in African countries.

Opportunities for Women involvement in the Extractives Sector in Africa: Emerging Good Practices

Positively, there is more indication that African Governments, companies, and organisations involved in the EI sector are increasingly considering the gender issues in the industry. As a matter of fact, a greater percentage of EI sector laws and policies created in the past decade include references to gender than in previous decades. This has partly been contributed to by Sustainable Development Goal (SDG) 5 which aims at achieving gender equality and empowering women and girls. Gender equality is now seen as not only a fundamental human right, but a necessary foundation for a peaceful, prosperous, and sustainable world.

Additionally, organizations such as United Nations (UN) Women are working to integrate gender perspectives into the EI sector. This includes integration of gender aspects into programs, policies and corporate responses and knowledge-sharing on effective approaches. It is also involved in strategic partnerships, research, and diagnostic work. UN Women's access to women's networks and exploration informs the integration of gender perspectives into regulatory EI frameworks and EI related initiatives. This includes the capacity to conduct research, policy dialogue and capacity development for the stakeholders. Similarly, the UN women Eastern and Southern Africa Regional Office is actively working to advance gender equality within the EI, in terms of policies and programs with private sector companies.

The Extractives Industry Transparency Initiative (EITI) has also contributed to promoting gender equality in the EI. The EITI is the global standard to promote the open and accountable management of oil, gas, and mineral resources. It requires the disclosure of information along the extractive industry value chain from the point of extraction, to how revenues make their way through Government. In 2019, the EITI adopted a new standard and disclosure requirements around gender. It includes promotion of gender-sensitive data disclosures and women's participations in the multi-stakeholder groups that oversee a country's EITI implementation.

Contrary to large scale operations, women in Africa make up between 40 to 100% of the workforce in artisanal and small-scale mining (ASM) operations. This sector provides more opportunities for women. Whereas men are mostly involved in the mining itself, the women serve as laborers, providers of goods and services and workers responsible for household duties. It therefore serves as an additional source of income for these women.

Why involve women in the Extractives Sector in Africa? An analysis of the benefits for Governments, Private sector actors and Communities

It's important to involve women in EI because they have the same right to development as men. Where the EI sector diminishes women's access to economic and social development, this human right has been violated. For the private sector companies, gender related initiatives such as increasing female employment opportunities and community development programs help reduce costs, improve efficiency and improve company-community relations. This frees up the management's time to address the core business at hand. In addition to this, evidence shows that women make better employees as they are more reliable, follow rules, health and safety regulations.

Recommendations

Due to the rapid evolution of the EI sector in Africa, there is an urgent need for integrating gender dimensions to ensure equitable development. Currently, very few companies have mainstreamed gender perspectives into their corporate policies. More work remains to be done to increase the awareness, capacity, and willingness to meaningfully integrate gender perspectives into the Corporate Social Responsibility (CSR) policies of companies. To improve the participation and inclusion of women and gender equality the following actions are recommended.

Enactment of laws and policies

There is a need for policies that address the social, cultural, economic, and political barriers that women face in the EI sector in Africa. These policies should prioritize the needs and rights of women in EI communities.

They should be properly implemented and included in employment policies. There is also need for women's rights and gender responsive land tenure to ensure equal tenure rights and access to land for women in the EI.

Research on Gender issues in the EI Sector

African Government led agencies, private sector actors and NGOs should undertake research and publish data on the EI and its impact on women. This will in turn generate evidence that will enable these issues to be incorporated into laws and policies. The relevant stakeholders should commit resources for training, research, data generation and knowledge management and strategies aimed at enhancing women's involvement in the EI.

Inclusion of Women in EI Activities

In the initial stages of impact assessment and consultation during exploration, efforts must be made to capture women's concerns and include them when disseminating their findings. The timings, location and information provided should take into consideration the literacy levels of women and their ability to attend meetings. Both men and women need to be involved in the identification of issues to be addressed in planning and managing natural resources and revenues at all avenues.

Action by Private Sector Actors

The private sector can also contribute to gender mainstreaming in the EI sector through gender-sensitive CSR initiatives as well as revision of corporate policies, operations and investment and inspections. An organizational change can only be efficient if led from the top. Therefore, the board and executive teams of mining companies need to champion the business imperative to promote and support women within their organisations. Mining companies should also take part in company-community relations to maximize their development impact.

Action by Governments and Regulatory bodies.

African Governments and regulatory bodies should ensure that existing governance and accountability conditions offer incentives for investors from the EI sector to adhere to gender equality. They should be cognizant of the key role of women and gender equality in regulatory frameworks, policies, operations, and programs. This can be achieved by removing discriminatory employment practices and increasing women's access to capacity building and financial initiatives. This will ensure that women are better placed to actively participate in and exploit the economic potential within the various EI value chain. African Governments should also foster regional cooperation to promote enactment of regional policies and knowledge sharing mechanisms on gender issues in the EI.

Action by Non-Governmental and Civil Society Actors

There is need for advocacy and capital development work by civil society groups in resource rich African countries. This should focus on full integration of gender perspectives into EI activities through the appropriate allocation of resources and tax income to women's empowerment programs and initiatives. There should be efforts to promote rights and education to ensure safe and fair working conditions in mining tunnels. Campaigns and programs should target the education of Government and community leaders to assist women miners to organize and represent themselves. They should also conduct vocational and skill development trainings focusing on gender equality to EI Communities.

Conclusion

Gender should not be seen as what men and women are, rather what men and women can do. This enables a cultural change, a discussion of nature rather than behavior. Further, gender equality in the EI in Africa will only be achieved with the full participation and cooperation of all the stakeholders in the EI i.e., Governments, Private sector, civil societies and the communities as recommended above.

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ENGENDERING EQUITY IN EXTRACTIVES

~ *Nater Paul Apken*

Introduction

The world over, glass and steel carry the footprint of Africa: the continent supplies 50% of manganese; computer hard disks carry the essence of Africa: the continent is responsible for 83 of the world's platinum; aircraft take flight with appreciation to Africa: the continent supplies more than 80% of the world's cobalt. If the world glitters, Africa is to be commended: spitefully called the "Dark Continent", Africa is responsible for 55% of the world's total diamond supply.²

As custodians of more than 30% of the world's total mineral deposit, the fate of Africa is hinged on its use or misuse of these deposits and the revenue that arises thereof. At its most fundamental, minerals interest extractives or extractive industries, and they are concerned with "the conversion of land to new uses – either for extraction itself, or for support infrastructure (roads, ports, housing, clinics, and offices).⁴

Extractives, through their activities, could lead to economic and social development; they could also pose serious risks to growth and development, social stability and security. Extractives could create jobs, increase revenue earnings, generate development opportunities, and alleviate poverty: that is extractives can drive economic growth.⁵ However, they could cause challenges such as bad governance, illicit financial flows and underdevelopment, environmental degradation, conflicts, and human rights violations.⁶

The ways in which men and women experience the benefits and challenges of extractives are very different. Men overwhelmingly receive the benefits that accrue from extractives while women, as a matter of course, bear the challenges. This widens the inequality gap between the two genders within and between societies.

Stereotypes, low participation, lack of political will, inadequate data, deficient background education, and unbalanced power relations among the genders are responsible for this inequality. How does this inequality find expression? Why should it even be combated? How should it be combated? It is the answers to these questions that form the basis of the remainder of this thought piece.

Expressions of Inequality in Extractives

The first way in which the inequality within the extractive industry finds expression is employment and income. While a large fraction of the benefits that arise from the extractive industry materialize in terms of jobs and income, they largely go to the men. Men take 80 – 90% of employment in large mines, and oil and gas production regions.⁷ Cash flows into areas where extractive industries are based disrupts demographics: subsistence communities are changed into case-based economies that disproportionately benefit men.⁸

Second, inequality in extractives is expressed in terms of access to and control over resources. Women lose access to common property (those resources that are collectively owned by a community) and natural resources at the advent of extractive projects. These resources may be farmlands, crops, economic plants, and even water bodies. The establishment of extractives prevents access to these resources; the operations of extractives degrades them. Upon the degradation of these resources, it is women who lose education or training time in a bid to find substitutes for these resources. They either have to go distances to find farmlands, firewood or water.

Third, extractives express inequality through health-related issues. Such health issues include unsanitary living conditions and heightened levels of sexually transmitted diseases as local women resort to commercial sex work. Migrant miners may also frequent sex workers and take back sexually transmitted diseases to their indigenous communities. Health issues may also include the introduction of new diseases, such as tuberculosis, to communities, the escalation of mental health issues, and unhelpful health behaviours such as drug and substance behaviour.

Extractives also express inequality by way of rights and decision-making. Women generally do not have a say either at the local or national levels. They are neither consulted in the design nor the implementation of extractive industry projects. Whatever role they play is not decently rewarded and their losses do not attract compensation. Their lack of property rights means that where properties are converted to extractive industry sites, all compensation goes to the menfolk. Legal protection for them in such cases of dispossession is not common.

The Need for Equity in Extractives

A change to the status quo, a change to business as usual, where women constitute only 10% of the large-scale extractive operations globally¹⁰ is needed for the simple reason that women are human, and inequality is a violation of rights. By diminishing their access to economic and social development, the extractive industry summarily commits a crime against humanity: women are humans, and crimes against them are crimes against all of humankind.¹¹ A key incentive, therefore, for all the actors within the extractive sector to pursue equity is that it prevents them from violating human rights – and the possible legal action that could arise as a result.

There is a need to promote equality in extractives because of the multiplier benefits that are thus accruable. These multiplier benefits include nutrition, health, sanitation, education, and improved livelihoods.^{12, 13} The World Bank reports that women are more likely to spend money on things such as nutrition, health, sanitation, and education.

It further shows that men are more likely to invest their money in "disposable commodities". Indeed, in Papua New Guinea, while women spent their income on welfare goods and services, the men spent "80 – 92 percent of a mining wage on beer, cars and entertainment activities (sex workers, gambling and sports)."¹⁴ From this, it is clear that greater investment by extractives in women would improve the outcome of communities with respect to health, nutrition, and general development.

It is estimated that a 50% reduction in the gender inequality gap in extractives labour force has the potential to grow countries' gross domestic product (GDP) by 6%.¹⁵ The prospect of an increased GDP is reason to strive towards closing the gender gap in extractives operations. To the extractive companies themselves, higher participation in the labour force has the potential to increase profits by up to 20%.¹⁶ Development is now generally defined in reference to the 17 sustainable development goals (SDGs) of the United Nations.

Engaging women in extractive industries would help in the realisation of a number of those 17 goals. Directly, this would help in achieving Goal 5 (Achieve gender equality and empower all women and girls) and Goal 8 (Promote sustained, inclusive, and sustainable economic growth, full and productive employment and decent work for all). Indirectly, this would help in achieving those goals relating to poverty, hunger, and health (i.e., goals 1, 2 and 3).¹⁷ Further, countries that discriminate women in terms of employment are less competitive than those who integrate female workers into their operations.

The extractive industry is a risky industry in which loss of life is always a moment – away especially if the highest standards and safety measures are not adhered to. Evidence suggests that women employees show greater respect for safety safeguards than their male counterparts.¹⁹ Also, they take better care of equipment thus cutting company maintenance costs and improving efficiency.²⁰ For the reasons of life, death, and efficiency, it is essential to engender equity in extractives.

How to Engender Equity in Extractives

For extractives to render economic and social gains to marginalised groups – especially women – transparency, fairness, and equity are a must.²¹ Any measure aimed at engendering equity in extractives would, therefore, need to necessarily imbibe those qualities. Such measures are identified as improving resource governance, fostering local development, and building the capacity of communities.

A lack of sex-disaggregated data means that women's issues are not visible enough in extractive project discussions. The lack of extractive sector and gender experts in government, ministries, departments, and agencies means that priority is not given to closing gender gaps within the sector. By improving resource governance, action must be taken, not only in connection to the fiscal and regulatory frameworks but also in legal processes. By this, it is meant that government ministries would require gender analysis training; local and international gender and extractive sector experts would need to be engaged; national and international standards would need to be upheld. National planning and coordination (such as government support for extractive sector women associations) must be improved. Information systems must also be strengthened in a bid to improve resource governance: governments must be courageous enough to register women as titleholders for resettled land and consider them eligible to receive compensation for lost property and livelihoods.

Women generally face a wide range of barriers to employment. These barriers are usually cultural or historical biases; lack of women in managerial or leadership roles; inflexible job-family balance; discrimination and harassment; and economic vulnerability.²³ The argument is made that with local economic development, some of these challenges can be evacuated to make way for more equal life outcomes between the two genders. This can be done by first supporting diversification of economic activities such as mineral processing and the integration of women-owned enterprises in the supply chain of extractives.

Second, exploring new technologies, such as automation hubs, would provide off-site employment to women that would be more consistent and compatible with family responsibilities.²⁴ Third, supporting partnerships between men and women extractive industry associations would help in the deconstruction of outdated stereotypes and prejudices concerning the abilities and competencies of women. Organisation of the labour force into gender-blind teams would also achieve the goal of rolling back negative preconceived notions about gender.

The extractive sector could retort to greater calls for gender equality by stating that the women who contact them via job applications simply do not have the requisite skills. They may not be entirely wrong. It follows therefore that retrofitting women with hard and soft skills through targeted and coordinated capacity building programmes would be significant into plugging the inequality gap. Female students should be encouraged and supported with scholarships to study in fields that are traditionally male-dominated such as engineering and technical disciplines. Mentorship programs in the extractive's workplace would need to be emphasized as a means of building skills in women and defining career and advancement pathways for them. By linking local women extractive industry associations with national and international ones, capacities would have been built for such fine arts as workplace negotiating, lobbying and even gentle arm-twisting – particularly on issues such as employment, child labour, gender-based violence, and labour rights abuses.

Inequality As More Than Gender Inequality

Beyond gender inequality, other forms of inequality are present within the extractive sector. Artisanal and small-scale miners which include men and boys suffer inequality within the confines of the extractive sector. The artisanal and small-scale mining subsector employs no less than 100 million people. Of that, only 30% are women.

Artisanal and small-scale mining has been accused of widening inequality through its associated challenges such as gender-blind child labour, population migrations, and environmentally unsustainable practices such as improper waste storage and release of dangerous chemicals such as mercury and cyanide. The usually illegal nature of such operations lends itself to conflicts and even outright wars as was seen with the Blood Diamonds in West Africa.

Conclusion

Gender equality has been defined as a state "when women and men enjoy the same rights and opportunities across all sectors of society, including economic participation and decision-making, and when different behaviours, aspirations of women and men are equally valued and favoured".²⁶ It is that equal value and favour in the last part of that definition that has patently been disregarded in the extractive industry. This disregard has brought about, first, the dispossession of women – of the rights of their personhood – it has also robbed society of such multiplier effects as education, health, nutrition, and improved livelihoods. With minerals discovered around the African continent, it is clear that a window of opportunity exists for action against all inequalities – particularly gender inequality. Through improved resource governance, fostering of local development, and capacity-building of communities, that window of opportunity can be favourably exploited. What is not clear is how long it would be open.

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AN ANALYSIS OF THE LEGAL FRAMEWORK GOVERNING WOMEN AND CHILDREN`S RIGHTS IN THE MINING SECTOR IN ZIMBABWE

~ LINDA MASUDZE

Introduction

The former first lady of Mozambique, Graca Machel once said:

“We must be respectful but also we must have the courage to stop harmful practices that impoverish children, women and their communities.”

In concert with the above quote, the African Mining Vision in 2009 included gender equity for mining policies and laws as part of its women empowerment package. This was after the realization that women and children have always belonged to a genus considered to be historically disadvantaged. This is despite the fact that they form a sizeable number in the mining sector or that mineral wealth exploitation remains one of the largest jobs and revenue creators in Zimbabwe. This essay interrogates the plight of women in mining, both formal and informal. Against this backdrop, we will disclose how the current legislation has been poked with holes to such an extent that the Constitutional goal of promoting gender equality is being ignored. Next, the essay addresses the issue of children in mining bearing in mind that since these two groups (women and children) are victims in tandem, their plight is the same. Formal mining is a highly prioritized, labour extensive experience than artisanal mining and it's performed by registered incorporations. Whilst artisanal mining (ASM) is largely a poverty-stricken activity, low tech activity, labor intensive with little or no regulations governing it. With 1,3 million women and children involved in mining (UNDP,2014) this discussion will apply to both formal and ASM situations.

Legislation Governing Women and Children in Mining

The Mines and Minerals Act (Chapter 21:05) with its supporting instruments alongside the Constitution of Zimbabwe are the primary legislation governing mining in Zimbabwe. For the purposes of this discussion, we shall first tackle the issue of gender equality in the mining sector. The Mines and Minerals Act does not address the issue gender equity in the mining workplace nor is there an attempt to address children`s rights violations in the sector. This is true for both women in formal and informal mining. According to the Zimbabwe Environmental Law Association, the Act is old and perpetuates colonial legacy. With the dawn of a new Constitution in 2013, the legal document had the tedious task of addressing the inequality debate that had been ignored for decades in Zimbabwe.

The feminist movement was one of such pressure groups who were lobbying for equal treatment of women across all thresholds. If the Constitution is composed of the founding values of the Constitution and generally it recognizes gender equality as a founding principle. This serves as a guideline to all policy makers, government and independent institutions, and other stakeholders to consider gender sensitive measures throughout their processes. Therefore, it is expected for the Mining Act to realign its laws to fit with the vision of the Constitution so that gender equality may be practiced in mining spaces.

It should be noted that the discrimination of women has over the years been prominent in the workplace. The workplace ranges from the 13 floor cooperate rooms down to the illegal mining pits in rural areas. It could be anything and anywhere. For women in mining, it has been noted that their definition of work in the mining sector is largely masculine. Only an approximate of 10% of women were recorded to be in the formal and informal mining sector.

Their role in ASM is basically ancillary and rarely would you find a woman holding a mining license, or pit .

The redeeming legislation for this scenario ought to have been Section 61(1) of the Mines and Minerals Act, which states that mining rights ought to be extended to individuals, companies, and partnerships of not more than 6 people. Using a gender equality lens, this then begs the question- in a field where women are already phased out, is there a regulatory framework that women make a quota of the required 6 people? It is unfortunate to say that none exists. All we have are broad instruments enshrined in the constitution and international legislation that say women should be empowered in the workplace. Yet there is nothing couched in specific terms concerning the disadvantaged women in mining.

In addition, gender Equality is couched in Section 56 of the Zimbabwean Constitution, which is better known as the non -discrimination clause. For women in mining, discrimination occurs in the decision-making processes. Decision makers in mining are important more than anyone else because they dictate terms and run the “show”. They decide who mines what, where and how. Most importantly they decide on the profit margin of the mineral resources. However, the existing discrimination against women thrusts them at a bottom level in the decision-making chain. Although the Mineral Affairs Board is a prominent decision-making board in the industry, its policies are inaccessible and unfriendly for women who want to take part.

As earlier said, the plight of women in mining is case specific. No two women are the same. Some women are not educated. Some have been brought up in chauvinistic setups that tells them decision making is for men. So, until the existing legislation levels out the playing field, a barrier to entry towards decision making for women is inevitable. A discussion of mining in Zimbabwe is never complete without addressing the land question. The late former President Robert Mugabe always maintained that they fought the war of liberation so that the land could belong to the people.

Historically women have been disproportionately disadvantaged by land acquisition systems due local customs. As a result, it is rare to find a woman who can claim title in mining land. Where such exists, it is undermined.

A research by the Zimbabwe Environmental Law Association shows that while women are sidelined to useless and risky tasks such as crushing, grinding, prostitution, vending and amalgamation, their male counterparts have access to mining land. Where compensation is paid in accordance with section 188(2) of the Mines and Minerals Act, women are disadvantaged since a low percentage of them have access to mining rights on land. Moving on to the aspect of children in mining, the Constitution, and the Children`s Act alongside international conventions, assist in spelling out the status of children`s` rights in Zimbabwe. Of interest is how the Constitution in section 3 of its foundational values recognizes participation and protection as the central themes when interpreting children`s` rights.

In the wake of 9 September 2020, Zimbabwe woke up to The Herald headline “Children forced into gold mining to make ends meet.” The headline was disturbing yet familiar. According to the statistics by the Zimbabwe Artisanal and Small-Scale Mining Council, this is the lived reality of approximately 153 000 children (and women) across Zimbabwe practicing artisanal gold mining. To set the pace section 10 A of the Children`s Act prohibits causing children to be forcefully engaged in employment for gain. The United Nations Children`s Fund fervently echoed those human rights are not partial, they apply to children in the same way they do to adults. Hence children`s` rights deserve the same equal protection and fundamental treatment as other human rights.

In the mining sector, children are susceptible more to exploitation and abuse than adults. With the wake of the Covid 19 pandemic, a lot of children in mining communities have resorted to illegal mining to pass time during lockdown and make quick cash since schools are closed. Minors involved in mining are an extension of child labour which in turn is a serious violation of human rights according to the International Labor Organization. Section 81 of the Constitution read with the Children`s Act, cites child labor and exploitation as illegal.

Section 10 of the Act specifically prohibits a parent or guardian from allowing their children to absent school to venture into employment activities. A research conducted by the above Herald article noted that child labour in mining is perpetuated by the minor's parents or guardians who due to poverty may coerce the minors to contribute their share of the income.

Previous studies in this field have indicated that large scale mining has a lifelong impact on the life of a child. Case studies areas include Chiadzwa, Esigodini, Mutoko among other areas. Children have been known to suffer detrimental health issues due to chemical exposures in the mining process and others have opted to do away with formal education in favor of mining which supplies them with "quick cash". Hence the reason for high illiteracy, sexual abuse and health damage in mining communities leading to further exploitation. The impacts for child mining is different for boys and girls. Admark Moyo (2019), suggested that the Children's Act should be expanded to prohibit child labor in harmony with the Constitution and the Labor Act.

Having explained the above legal framework on the rights of women and children in mining it becomes necessary to usher in a few recommendations to fill in the lacuna in mining legislature. The first recommendation would be to enact a law that enforces corporate social responsibility (CSR) in the mining sector. The field of mining of mining is largely a co-operate play field and it is only fair that those who eat the cake should share a slice with those who helped bake the cake. This principle is not new but however Zimbabwe lacks legislation that makes it actionable. South Africa is a good example of where such a law exists. With the kind of progress associated with CSR, poverty is cut off.

Further, the Constitution of Zimbabwe alongside part 3 of CEDAW all agree that the state must take measures to eliminate discrimination against women in all institutions. This is where quotas become relevant. Quota systems need to be pressed upon distinct bodies governing mining at a local, regional, and international level. Boards such as the Minerals Affairs Board, Rural District Councils and other mining stakeholders ought to have the quota system governing their institutions to promote equal participation of women.

After all it is estimated that gender inequality has crippled the sub-Saharan economy with a whooping USD 9 billion.

In relation to the gender disparity in having access to mining land, a research carried out in Malawi and Sierra Leone advised on the need to "Ensure women have a voice in community consultation, resettlement and compensation through mining sector regulations that mandate their equal and meaningful participation; and ensure legislative language does not inadvertently prohibit women from receiving compensation".

To fight against child labor in the mining sector, UNICEF recommended that mining companies and stakeholders are taught on the direct impacts that mining has on children. Further they are to make commitments to eliminate all forms of child labor in their sector by implementing appropriate mitigation plans. This was after the realization that most mining companies often encounter challenges in understanding children as a distinct group separate from adult miners.

Finally, installation of lofty mandatory penalties might do the trick. After all the law is meant to have a deterrent effect. The State must encourage voluntary actions that respect human rights and further put heavy legal sanctions that criminalize perpetrators who use children in mining.

Conclusion

This essay has, to some extent shown evidence suggesting gender bias in the mining sector. The profits and benefits of the industry such as revenue, share benefits, opportunities, decision making positions and land rights have all been made accessible to men. In contrast the downside and negative impacts of the industry affect women and children. It then becomes only fair to think that the law as the protector of such vulnerable groups should be seen to be doing its part. However as already discussed above, mining legislature in Zimbabwe has severe cracks and it is only by implementing intentional, actionable frameworks that the rights of women and children can be secured.

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ENHANCING THE EXTRACTIVE INDUSTRY TO FIGHT INEQUALITY AND GENDER BIAS IN AFRICA

~ Nick Waithaka Muhiu



Introduction

Over the last ten years, the African continent has contained the globe's fast-growing economies and has been mainly attributed to their extractive industries (Bhorat, Chelwa, Naidoo, & Stanwix, 2017). However, concerns have been raised on whether the benefits of their growing extractive industries are fairly and equally shared among the population. For instance, Sub-Saharan Africa contained 62% of the world's nations dependent on natural resource rents but had a higher correlation to gender bias as per the United Nation's Gender Inequality Index (Tolonen & Baum, 2019). In addition, inequality in Africa's extractive industries is significantly high, contributing to the region being the second-highest unequal continent in the world (Seery et al., 2019). Thus, there is a need to analyze the gender bias and inequalities associated with African extractive industries to understand its occurrence and develop recommendations on how these negative variables can be improved.

Gender Bias in African Extractive Industries

The gender norms in Africa have been identified to have a significant contribution to the increased gender bias in extractive industries, especially concerning the macro-economy and labour market (U.N. Women, 2015). Two theories were used to explain this occurrence, the Dutch Disease and resource induced-structural transformation (U.N. Women, 2015). Both theories show that when a nation's natural resource rent increases, the economy shifts away from a female labour force to a male one. The reason being that the extractive industries require more labour-intensive power and hence places preferences for men over women (U.N. Women, 2015). In addition, as the extractive industries improve the household income for the male employees, it reduces the need for women to work to provide for the family forcing them to gender norm roles of caring for family members at home. As such, the gender norms in Africa and increased extractive industries gains has forced women to take traditional family roles, and the companies also have a bias preference for male labour.

In another view, extractive industries in Africa have ineffective legal frameworks that protect women from exploitation or gender bias (Abebe, 2016). The impact of this is that women are exposed to gender bias that limits their capability to take up opportunities in the extractive industry value chain. The value chain contains significant levels of engagement and interactions that present various opportunities from the exploration, contracting, licensing, operation, and extraction levels (U.N. Women, 2015).

However, most of the extractive industry value chain are male-dominated and have little specific considerations for the females. For example, during the environmental and social impact assessments, gender-specific aspects are not considered even during skill and vocational training (U.N. Women, 2015). As such, most of the considerations, policies and other aspects of the extractive industry benefits are based on the men, and this leaves out women from taking up opportunities in the value chain.

Gender stereotypes have also predominately affected women working for extractive industries in Africa (Abebe, 2016). In Africa, women have been associated with lacking technical skills or ability to handle labour-intensive activities. The impact of this has seen women take lesser education and job roles that limit their ability to rise in the extractive industries. It was shown that women in Africa account for 40% to 100% of the workforce in extractive industries (U.N. Women, 2015). However, their roles are low compared to the men, taking tasks associated with labourers, household chores and service providers. Women in the extractive industries are also mainly part-time workers and take up dangerous duties in the sector (U.N. Women, 2015). The phenomenon shows that even for women working in the African extractive industries, their roles and duties are significantly lower to that of the men.

Discrimination and harassment towards women through physical and verbal means have also been common in the African extractive industries (Greenspan, 2017). It was noted that there are various cases of women working in African extractive industries being killed and murdered while working underground by their male counterparts (Abebe, 2016). The health and safety aspects of women operating in the mines have also been widely ignored. In an interview study by the United Nations, one female participant testified that women lost their pregnancies as they were not given ear protectors to guard them against the sudden loud noises that panicked most of them to the point of losing their unborn babies (Abebe, 2016). In addition, women are paid lesser than male workers and given fewer opportunities to improve their technical skills. As such, discrimination, and harassment towards women in African extractive industries have significantly contributed to the increased gender bias issues associated with the sector.

Inequalities and African Extractive Industries

Inequality in the African extractive industries have continued to be a crucial challenge for African citizens trying to fully enjoy benefits from its opportunities and induced economic growth (Brookings Institution, 2019). Ineffective policy management and agreements have contributed to this occurrence of inequality in African extractive industries. For example, Zambia's copper mining has a significant contribution to its Gross Domestic Product but only employs 1.6% of its local labour force, and rural communities where the mining occurs are still significantly poor (Seery et al., 2019). Such occurrences are caused by the poor policies and legal frameworks set out to regulate the African extractive industries that willingly exploit them for their profitability. The impact of this has seen African communities receive no significant benefits from the extractive industries operating within their homeland.

Capital flight has also been a significant contributor to inequalities in the African continent, caused mainly by extractive industries (Renwick et al., 2018). Capital flight refers to a situation where an international company establishes its operations in a foreign country but returns most of the returns to their home country both legally and illegally (Seery et al., 2019). A study by Oxfam in 2015, found that Australian mining companies used profit-shifting and treaty shopping techniques to move 747 million US dollars out of Africa (Seery et al., 2019). The findings showed that in every international mining company operating in Africa, there was a 300 million US dollar loss in taxes (Seery et al., 2019). The capital flight challenge has been attributed to weak political internal control structures in African governments that have allowed corruption to take place, allowing the companies to steal taxes from the people. The overall impact of this is detrimental with governments unable to fund their social and economic programs leading to increased illiteracy, health challenges and other social-economic problems.

A common assumption that had been held was that continued economic growth leads to a further reduction in poverty in the nations. However, in developing countries, the assumption has been disputed as countries register continued Gross Domestic Product increment but continue to experience increasing and persisting poverty (ECDPM, 2014). For extractive industries, the occurrence is more detrimental as it was identified that capital-intensive growth in developing countries has a higher probability of increased inequalities (Bhorat, Chelwa, Naidoo, & Stanwix, 2017). The reason for this occurrence is the ineffective initial political, social, and economic conditions and endowments that exists in African countries. As such, extractive industries in Africa are more likely to lead to inequalities as the legal, political and social structure are inefficient to manage such high capital-intensive investment ventures.

Inequality caused by extractive industries has also led to ineffective governance that has increased social, political, and economic challenges (Seery et al., 2019). The phenomenon has seen elites in the African continent utilize various dubious approaches to ensure they control the democratic processes in their respective countries (Brookings Institution, 2019). The elites undertake this process to guarantee they have control over the policies and agreements made with extractive industries to gain direct financial benefits from them (Brookings Institution, 2019). As such, corruption, political uncertainty, tribalism, and others have characterized the African continent as the elites, and other political figures attempt to ensure they gain and retain control over the dealings with the foreign extractive industries. The impact of this environment created by the elites has made access to social and economic opportunities hard and reduced social spending by the governments. Also, the operations by the elites have seen wealth concentrated among the rich and have increased the gap between the poor and the rich.

Way Forward to Mitigate Gender Bias and Inequalities Related to Extractive Industries

Effective policy and law development concerning gender and inequality about the extractive industries must be the first key step towards mitigating against the negative aspects identified earlier (ECDPM, 2014). The policies and laws developed to manage the extractive industries need to be developed through a collaborative approach by engaging all stakeholders, including citizens, women, and other groups (Tolonen & Baum, 2019). The approach ensures that the policies and laws created are unbiased and promote the protection of all stakeholders, especially the African people.

In respect to capital flight, the policies and laws must ensure that it safeguards the people from tax evasion attempts by foreign extractive industries (Renwick et al., 2018). The policies and laws need to develop a more transparent and accountable approach towards the agreements reached between the foreign extractive industries and government officials. The policies and laws should require the agreements made to be witnessed by members or representatives of the public and other organizations (Seery et al., 2019). The approach would reduce instances where government officials sign to agreements that allow foreign extractive industries to pay insignificant tax levels in comparison to the profits made.

Concerning gender bias, the policies and laws need to ensure they recognize women's ability to engage with the extractive industries (Abebe, 2016). As such, during the environmental and social impact assessments, the policies and laws should require specific inputs from women be included in the processes (U.N. Women, 2015). The approach ensures that the extractive industries are provided with information on how their operations would impact the women and how they would like to be engaged (U.N. Women, 2015). Also, the policies and laws should require extractive industries to achieve an effective gender-balanced representation within its operation. Further, it should stipulate that the gender-balanced representation should cut across its different levels of leadership to prevent hiring women as labourers to meet the threshold.

Awareness creation is also vital towards mitigating against the inequalities and gender bias caused by extractive industries. The awareness creations should aim to increase the knowledge regarding the operations of extractive industries and governments and point out loopholes that undermine African nations from benefitting from its opportunities (Abebe, 2016). The approach would lead to more stakeholders taking an interest in streamlining the extractive industries towards fair and equitable engagement and opportunities (Greenspan, 2017). The awareness creation can include campaigns, seminars, training, essay competitions and others. The underlining issue is to cause stakeholders, especially vulnerable groups, to take an interest in this area and provide support for its improvement. In addition, the awareness creation can also include gender bias issues to deal with the gender stereotypes towards women that have minimized their ability to enter or effectively operate in the extractive industries.

Research should continue being conducted to effectively understand how extractive industries contribute towards gender bias and inequality and their corresponding effects. The approach is crucial to provide evidence that the African extractive industries are contributing to poverty, gender bias and other inequalities (U.N. Women, 2015). The reason being that the norm has been that increased Gross Domestic Product records in Africa created by extractive industries is beneficial, but it has led to increased poverty and inequality among a majority of the people (Seery et al., 2019). In addition, there are significant research gaps that need to be addressed by scholars, such as specific investigations into every African nation utilizing extractive industries

The essay set out to detail how the African extractive industries contributed towards gender bias and inequalities and provided mitigations for the same, and overall, it was successfully achieved. The extractive industries offer significant potential for Africa to grow socially and economically. However, it was identified that this potential is impacted by the political and leadership aspect of the respective African nation. The countries need to ensure they have strong institutions, legal systems and leadership in place while engaging the extractive industries. The approach would guarantee that the African people are protected from exploitation from the extractive industries and officials representing the country. Women particularly were found to have been significantly affected in their attempts to gain access to the opportunities presented. As such, closer interest should be taken towards providing fair representation and engagement of them with the extractive industries.

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SCUFFLING INEQUALITY AND THE POVERTY CYCLE: ENHANCING THE ROLE OF WOMEN IN ARTISANAL GOLD MINING IN EAST CAMEROON

~ *Funoh Nwokwantou Kevin*

Introduction

Artisanal mining broadly refers to mining by individuals, groups, families, or cooperatives with minimal mechanization, often in the informal sector of the market (Hentschel et al. 2002). The Cameroon mining code of 2016 differentiates artisanal mining with the use of rudimentary tools and that which makes use of semi-mechanization.

Artisanal and small-scale mining (ASM) around the world continues to grow. There are currently an estimated 40.5 million people directly involved in the activity and around 150 million people indirectly dependent on it (IGF, 2017), and women make up a significant number of sector participants.

Artisanal is characterized by a lack of or very reduced degree of mechanization; low levels of occupational safety; exploitation of marginal and very small deposits, which are not economically exploitable by mechanized mining; low productivity; low levels of income; lack of social security; insufficient consideration of environmental issues; and working illegally (Hentschel et al. 2002). Governments, development agencies and donor organizations have long neglected the ASM sector, focusing on its negative impacts rather than striving to understand its dynamics (G. Hilson, 2009).

Small-scale gold mining plays a very remarkable role towards poverty reduction in most countries especially on the African continent and is of much development importance in many developing countries, particularly in regions where economic alternatives are critically limited (Dinye and Erdiaw-Kwasie, 2012).

According to Veiga and Morais, (2015) gold is the preferred target mineral of artisanal mining since the metal's price has risen dramatically over the past decades.

An estimated 10 to 15 million people in over 70 countries are directly involved in the gold mining sector and extract 15% - 20% of the world's annual gold production (Veiga and Morais, 2014).

Gender roles in ASM vary from one country to another and from one community to the other. Women play a much larger role in artisanal mining than in the large small-scale gold mining sector (WMMF, 2000). According to ILO (1999) approximately 30% of the world's small-scale gold miners are women who are involved in a number of activities ranging from labour intensive mining methods like panning, transportation of ore, to provision of goods and services (e.g. cooks, shopkeepers) and the processing aspect of artisanal small-scale mining (e.g. crushing, grinding, sieving, washing and panning, to amalgamation and amalgam decomposition).

In Asia, generally less than 10% of miners are women, whereas in Latin America, the proportion tends to be higher, approximately 10 to 20%. The percentage of female small-scale gold miners is the highest in Africa, ranging between 40 and 50%. In some regions, the small-scale gold mining workforce comprises 60 to 100% women (ILO, 1999; Amutabi and Lutta-Mukhebi, 2001) as cited by (Dinye and Erdiaw-Kwasie, 2012).

Despite the significant number of women involved in ASM in various capacities, there is a serious lack of recognition in almost all spheres, including development programs, public and private sectors, mining communities, or even academia (IGF, 2018).

This essay seeks to document the role women play in the artisanal gold mining chain in the east region of Cameroon specifically in the Kette subdivision.

The essay focuses on the role and challenges women face as miners, the inequalities that exist between men and women and the different mechanisms these women have put in place to scuffle these inequalities. It contributes to a general knowledge and gap in gender inequalities in the ASM sector in Cameroon.

Specifically, the study offers recommendations that support women empowerment in the ASM sector poverty reduction by addressing key issues in small-scale mining activities in the context of ameliorating livelihood and the sustainability of ASM. This essay makes several contributions to the existing literature.

Three mining communities in the Kette subdivision were visited notably Kana, Beke and Bengautee. The study area was chosen for the simple fact that more than 90% of the population here depend solely on artisanal gold mining for livelihood.

A total of 20 households were surveyed and 70 miners interviewed. Field visits were done in the mines and through focus group discussions, participant observations, questionnaires and question guides, quantitative and qualitative data were obtained.

Cameroons ASM sector overview

Cameroon is one of Africa's exciting mining destinations with over 600 research permits granted by 2013 (CIMEC, 2013). The mining history of the country dates to the colonial era where tin, rutile and gold were mined (Mbendi 2009 and Laplaine 1969).

In 2016 the national assembly adopted a new mining law which replaced the 2001 mining law and was promulgated by the president in December 2016. Made up 242 articles, this new law states in article 30 that the state will create a structure which will oversee the promotion of the artisanal mining sector. Up to date the application decree of this law has not been signed by the president of the republic and so is the creation of this new structure.

For now, the promotion of the artisanal mining sector is ensured by the Artisanal Mining Support and Promotion Framework (CAPAM) created by the prime minister in 2003.

The main missions of CAPAM are to correct the informality excesses of the sector by channeling mining of resources like gold, rutile, etc. into the formal channels, strengthen the gold reserves of the country, support, organize and manage artisanal miners, contribute to the improvement of geological and mining information, contribute to the improvement of the population, and recover and process mining products (CAPAM, 2013).

In 2014 the missions of CAPAM were extended to the control and collection of tax in the form of gold of artisanal gold mining companies in the country.

Artisanal Gold Mining in East Cameroon

The East region of Cameroon is termed the region of wood and minerals due to its subsoil and forest diversity. It is the country's main mining destination reason for its choice for this study.

Coined the 'forgotten province' in the country's political and informal circles, the region's low population density, poorly developed transport infrastructure, lack of remunerative markets for farm products and a dense and impenetrable rain-forest act as deterrents to smallholder agricultural production (Bakia, 2013).

Mining remains the people's best livelihood activity principally because it fetches two to three times more revenue than other traditional activities like farming and hunting (Funoh et al.2017).

Due to the small sample size of 70 miners in three mining communities surveyed during the research, the results might not be very reflective of the country's ASM sector reasons why future research should be extended on a national scale.

Field Results

Types of artisanal and small-scale mining and technics in the East Region of Cameroon

Artisanal gold mining in East Cameroon is carried out primarily through open pit excavation of alluvial, eluvial and primary (vein) gold deposits (Bakia, 2013).

In Kana and Beke mining camps, primary ore pits go up 30 meters in depth. In later years this digging was done exclusively with hands with the use of rudimentary tools like pickaxes, mining bars and spades. Within the last two years there has been considerable evolution in the activity. Miner rent excavators from economic operators who have put these machines at their disposal for rent. This has considerably reduced digging time, cost, and labour.

In all mining camps surveyed, miners pay 100 000 XAF (USD250) per hour of excavation. Only 10% of miners surveyed could afford the means to rent these excavators. Only 15% of miners financed their activity with personal capital the rest depending on mining entrepreneurs and collectors for financing. Ore from primary deposits are transported, crushed with hands, and ground with corn mills specially adapted for the purpose. Washing for both alluvial and eluvial gold remains principally the same where sluice tables and gold retaining carpets and motorized water pumps are used.

These washing technics have also witnessed and evolution as before now gold was panned exclusively with hands which took more time and less quantities of mineral was treated.

These evolutions corroborate Funoh (2014) and Funoh et al. (2017) findings on the evolution of mining technics in rural areas of the forested areas of Cameroon. In the three mining areas surveyed, three Chinese mining companies operate. Only three women were found working in each company and their task consisted of cleaning and cooking for the laborers.

Bio data of miners and miner's origin

A total in the three mining communities surveyed, ages of miners ranged from 9 to 71 years. Miner's average age stands at 23. The research was carried out during the Corona virus pandemic in September 2020 when all schools were closed and consequently many children were found in the mines either working with their parents or scooping and panning riverbeds for gold on their own. Mining in east Cameroon for the past decade has attracted many from all parts of the country and beyond.

In almost all mining communities we find close to five other nationalities (Mali, Burkina Faso, Niger; Nigeria and Central African Republic). There are three predominant ethnic groups in the mining areas notably the Bayas, Kako and Fulani (Mbororos principally) who make up more than 85% of Cameroonians. Miners from other regions of the country make up only 4% of miners and 11% foreigners.

Foreigners are mostly from the Central African Republic for the simple reason that the mining communities are found the border of the later country. Approximately 75% of miners interviewed were married and only 2 miners were single mothers. The rest were young boys under the age of 17. Male miners get married as young as 17 and 14 for women.

Educational levels among indigenous miners did not exceed primary education. Those with secondary educational levels and beyond came from other ethnic groups from the country who are generally lay off workers from mining companies who decide to engage in mining.

Organisation of mining communities and labour

Artisanal mining communities in the east region of Cameroon have a well-defined and hierarchical organizational chart. All the three areas surveyed are mining fields that have evolved over time to become villages. Beke is a mining field that was created in the late 1950's and over the years have become a very big village and a third-class chief recognized by the government.

Traditions, norms and local believes in the artisanal mining sector in a Cameroon remain relatively the same. The person or group of people who discover a gold deposit or are the first to mine on the field automatically becomes the head of the mine (chef chantier). He/she has customary rights over the mining land and partitions the land as they so wish to those who want to mine in it with royalties paid to them generally in the form of gold bearing gravel.

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In Kana a woman is the head of the artisanal mine there which she inherited from her late husband. Four types of miners were identified as documented by Funoh (2014). We had independent miners who financed their activities with personal capital and rendered account only to themselves. Group workers who put their resources together and shared the proceeds at the end. Labourers who generally do not have any capital and worked for daily or monthly payments.

Finally, we had mining entrepreneurs who are the key actors in the mining chain. They are generally collectors and businessmen who finance mining activities on condition that all production be sold to them.

Role of women in the ASM chain in East Cameroon

Research has shown how women are disadvantaged in mining zones, and even excluded in various ways, by several overlapping and mutually reinforcing barriers. At the same time, evidence illustrates the importance of ASM livelihoods for women, with some deriving significant benefits (GrOW, 2017).

In all the surveyed communities, no woman was seen in the digging process. Even in Kana where a woman was head of a mining camp, she is not involved in the digging process. The local believe and myth that women do not into pits is gradually waning out. There are local beliefs that women are not physically fit for the job. The masculine image of "the miner" created in early industrial days when mining was a dangerous, laborious, and risky operation continues to have a strong effect excluding women from heavy mining duties (Lahiri-Dutt, 2012).

Several women have overcome these myths and are directly involved in the whole mining process. Women lack the financial capital to finance their own pits and mining entrepreneurs who generally finance. Women roles are narrowed down to: Transportation of ore: They transport the ore from the pits to the treatment areas. Women transport ore either for their husbands or for paid labour. When transporting for paid labour, they transport and crush.

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Crushing and grinding of ore: In the three mining communities visited crushing of ore is principally a woman's job. Men consider it a lazy job because crushers are seated all day crushing the ore with hammers to break it down to smaller aggregates for the next phase which is the grinding process with mills.

Women are paid 2000 XAF (about USD4) per Banco (approximately a 50 kg bag) of ore crushed. With the coming of Chinese operators in the sector women's participation in mining have considerably increased. Most of the companies work on alluvial deposits and when these companies finish exploiting the pits, locals are allowed to go in and scrape the unwashed gold-bearing ores. This activity is generally led by women.

Income from mining

On average male miners make a monthly revenue of between 250 000 XAF (approximately USD455) and 3000 000 (approximately USD 5450). Women earned three to four times less revenue than men with their average revenues standing between 50 000 (90 US\$) and 300 000 (545 US\$).

These income levels are far above minimum authorized wages in Cameroon which stands at 40 000 XAF (USD73) at the time of this study. It was noted that women contributed enormously to sustaining livelihood with the little income they earned.

More than 75% of women reported use their income for household upkeep like foodstuff, school fees and clothing. Women reported took more care in family upkeep with their little income than men, whose income serves principally for alcohol consumption.

Women and ASM challenges in East Cameroon

Excluded from the most lucrative aspects of the mining process, women face a lot of challenges as miners. Their inability to secure mining land and access to finance further exacerbates the plight of women in the ASM sector.

Only few women are allowed to dig and take part in decision making.

All women interviewed during the survey say it's difficult for women to secure financing especially from entrepreneurs. This could be explained to a certain extent to the fact that more than 95% of entrepreneurs are Muslims and are very pragmatic to the emancipation of women due to their religious beliefs.

Taboos and cultural barriers also play a major role in addition to financial exploitation, women are exposed to health risks such as spinal damage from transportation of ore, respiratory problems from crushing ore, brain, kidney and lung damage, particularly because it is women who often perform ore purification using mercury.

Within the last years the use of mercury for gold amalgamation has become very common in the three mining communities surveyed. Both women and men are caught in an artisanal mining poverty circle as documented by (Funoh et al. 2017, Tieguhong et al., 2009; Hentschel et al. 2002 and Labonne and Gilman, 1990).

Miners depend on a nonrenewable resource. A key to livelihood improvement is ensuring that the natural resource base that the poor use is maintained and even improved (Labonne and Gilman, 1990) which is not the case with gold mining. Playing the double role of miner and housewives is one of the key challenges women face in the ASM sector in East Cameroon. They generally work less hours at the mines than men because they must return home early and take care of household chores thereby limiting their opportunities.

Recommendations on enhancing women's role in the artisanal mining sector in Cameroon

CAPAM for the past years have been giving incentives and support to miners. This support comprises spades, panning utensils, motorized pumps, and technical support. Although this support is not gendered bias, it is generally given only to miners who collaborate with CAPAM and channel their production through CAPAM purchase offices.

Special consideration could be given to female miners through gender-sensitive provision of equipment and equipment loans. Education and

skills training initiatives for women are recognized as one of the key enablers of women's economic empowerment (Hunt & Samman, 2016). Through education, and capacity building, women's involvement in decision making and the ASM chain can be accentuated.

Creating and training women on secondary and after mining activities will go a long way to providing sustainable livelihoods. Preferential treatment and exoneration from certain financial charges could be attributed to women and women groups during the process of obtaining artisanal mining authorizations. This will go a long way to promote the formation of women cooperatives and mining associations.

Conclusion

The results of this study show that women make up more than half of the mining population in east Cameroon. Artisanal gold mining is gender biased and there exist great disparities on gender incomes.

Women face numerous challenges as miners. Cultural and occupation barriers impedes on women's evolution and emancipation as miners. Women's role in mining is evolving and many women tend to break the barriers hindering their participation in mining.

Ending women's discrimination as miners entails government, NGOs and development agencies need to work in synergy. This study examines a small sample size and so there is need to carry out a comprehensive study that will provide background knowledge about the various aspects of women's role in ASM on a nationwide scale.

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ARTISANAL MINING POLICIES AND PERPETUATION OF WOMEN OF LOW SOCIO-ECONOMIC STATUS IN DEMOCRATIC REPUBLIC OF CONGO

~ *Aubren Chirwa*

Introduction

In many parts of the world, richness of mineral resources corresponds with women and children suffering. Instead of focusing on the role mining sector plays in improving people's livelihoods, however, it is its negative attributes towards women and children that has attracted most international attention in recent years. For instance, the abundance of natural resource in the Democratic Republic of Congo (DRC) in Africa, has been put forward in policy debates as the chief example of 'conflict minerals' driving conflict-related sexual violence and women deprivation to economic advancements (Karaki, 2018). According to Glencore (2019), DRC has a long history of artisanal and small-scale mining (ASM), where it takes many different forms, from official cooperative associations to small groups of miners illegally operating on mining concessions. Although ASM can be an important source of employment, particularly in sub-Saharan Africa where millions of people depend on it for their livelihoods, however, many ASM activities do not favour women (Glencore, 2019).

While there is no agreed common definition of ASM, it usually refers to low-technological uptake, labour-intensive mineral extraction, and processing (Hilson, 2016). In Democratic Republic of Congo, that type of mining employs large population of women DRC to date (Karaki, 2018). 50% of the artisanal mining workforce is female (Maame, 2016). However, the socio-economic advancements of women in the DRC have witnessed insignificant improvement. They continue to live in extreme poverty, with persistent illiteracy, inadequate health services, and a deficiency of policies and government apparatuses to advance their situation (UNEP, 2013). Their participation in the artisanal sector as well as the gendered impacts of artisanal mining are not adequately considered by the regulatory measures of this sector, particularly regarding the need to reduce inequalities and discriminations faced by women.

This contradicts the law on the implementation of women's rights and equality. It is this understanding that sets the impetus of this essay to look at some policies and repercussion they have had on women in Artisanal Mining Sector.



Gender dimensions within the artisanal mining sector in DRC

Inadequate procedures in promoting formalization of artisanal mining sector puts women at disadvantage. The 2002 and 2003 mining regulations intended to reform the mining code by introducing special artisanal exploitation zones (Karaki, 2018). This had mixed implications on the artisanal miners including women. In the first place, the zones were limited, for instance to just seven zones in South Kivu with a total surface area of 219 Km² in comparison to 2790 Km² for one Large Scale Mining (LSM) in the same region (Karaki, 2018). Already, with the local land tenure systems in the region, women are deprived ownership of land for mining and agriculture (Karaki, 2018). Women were left with no economic opportunities to support their livelihoods.

Consequently, they worked in artisanal mines for little pay to sustain their daily lives. Secondly, the process of ASM to get mining license is bureaucratic and often not favourable for women. The approval of the licence does not only require the local administrative branch of the Provincial Mining Ministry, but also the national administrative endorsement from Kinshasa, and thus with women meagre earnings, it is costly to satisfy all the procedures (Bilal, 2017). These requirements represent significant barriers for artisanal women miners enter the formal economy, and partly explain why these mining regulations are not implemented in practice and many women opt for unscrupulous middlemen who at often times pay them little for intensive work (Maame, 2016). Consequently, many women venture into informal mining activities that later would just serve for subsistence only, resulting them in a poverty trap.

The international regulations on conflict minerals such as the Dodd Frank Act Passed in 2010 reduced mineral trade, and the economic situation of women who largely depend on mining and selling of goods to miners (Parker & Bryan, 2016). The policies adopted by these initiatives included: the development of certification schemes, traceability systems and due diligence measures. However, the initiatives have provoked varying reactions regarding their impact on women livelihoods (UN, 2013).

Artisanal miners income reduced significantly because of the the OECD due diligence guidelines adopted in DRC law (UN, 2013). It did the Congolese government noble, to accelerate the formalisation of ASM activities. From September 2010 to March 2011, the government imposed a ban on ASM. The idea was to curtail the strength of military groups controlling the mines.

In truth, though, adoption of such policies resulted in exclusion of up to two million Congolese miners, including women from the formal mining sector (Karaki, 2018). The production of some minerals such as gold decreased and affecting many women in the process. A research by Matthysen & Montejan (2013) in mining sites of Rubaya, Walikale, Nyabibwe, Idjwi, Maniema, Lubutu, displayed that miners succumbed to poor working conditions, consumer goods were higher in local markets, household budgets became insufficient, it became difficult for women to save money and pay for medication and school fees (Matthysen & Montejan, 2013). This affected many women who also largely depends on selling food and small items in the markets closer to the mining sites.

Again, ASM mining sector upholds large gender inequalities based on how it is streamed from government to customary powers and religious institutions. While the constitution necessitates gender equivalence, women are hadly embodied in democratic institutions that would enable them voice the economic upheaval they meet in the mining sector (Bart & Adriaan, 2012). Their development prospects continue to be constrained by systematic deprivation from their rights to inherit, to own land and often times have to seek the permission of their husbands for economic activities such as opening a bank account, upscaling mining and farming endeavour. Again, the nature of work women do in the mining sites, their earnings can not enable them access loans from the lending institutions (Karaki, 2018). Yet in other areas to own an Artisanal mine one needs to pay either to the Traditional Authorities or else mine in the land that was inherited from the parents (UNEP, 2013). This throw women at the supporting role of their economy rather than being proactive in the industry that can liberate them from poverty. Women in mining sites are exposed to few trainings about their rights, responsibilities, or access to opportunities.

While all miners do not have the same rights, responsibilities, or access to opportunities (Bilal, 2017). Women miners face further challenges in comparison to their male counterparts: some roles are reserved for men such as digging and earn significantly more than those reserved for women such as grinding and washing; and even when performing the same role (like washing), women earn less (Karaki, 2018). Again, women face more challenges than men in joining ASM mining team (in fact almost half of the women fail to work as part of a team), noting the benefits of team working such as trainings that are hosted in such groups excludes women in the ASM sector.

Way forward

It is agreeable considering the foregoing, that most policies that have been implemented in DRC, are not steering women socio-economic advancement. Policies such as the Due diligence, traceability and certification in the Congolese artisanal mining sector undoubtedly address essential problems with regards to conflict minerals. However, the successful implementation of these instruments requires sufficient local consultations which includes both men and women in the ASM sector. It is imperative to consider local stakeholders' understandings, as the above-mentioned technical tools in the policy need to be implemented in full appreciation of an environment's proper complexities and specificities while considering the livelihoods of the under-privileged such as women in the ASM sector.

Again, the international community which forms front line buyers of rich resources in the region should consider supporting the local population disregarding gender discrepancies (UNEP, 2013). Local stakeholders particularly women in the ASM sector should be supported by social cash transfer programs so that they can have access to land and credit. Again, actors within the donor community who wish to address the Congolese conflict minerals issue should therefore be careful of causing adverse effects on women that are largely dependent on mining.

Along the support of the policies that can curtail the conflicts in the mineral rich country of DRC, it is significant to reach out to local actors in the ASM sector in an inclusive manner and support the Congolese government adopt practical solutions to curb gender stereotypes in the mining sector so that the intensity of work should be treated the same regardless of gender.

There is need for regional integration in supporting women in ASM sector. An essential prerequisite to such endeavor, however, is the government's commitment to such initiatives. Lack of political will is a repeatedly cited reason for the government's failure to support women welfare in the artisanal mining sector and the conflict minerals issue (Matthysen & Montejan, 2013). Despite the government of DRC efforts in enhancing local ownership of mines, adoption of comprehensive approaches and recognition of the regional dimension of conflict minerals, it is still lacking that stamina to deal with low socio-economic levels of women in the ASM sector (Matthysen & Montejan, 2013). There are reports of neighboring countries backing armed groups in DRC and committing all sources of disparaging violence at the local women. Women being subjected to sexual violence, economic loss and forced migration. However, an effective solution to the conflict minerals issue and empowerment of women capacities would require a regional aspect, and as a significance it will necessarily involve the country's neighbours.

The Congolese government itself also must intensify its strong political will to support women in ASM sector. Lack of support for women sometimes emanates from a deficient financial incentive (Matthysen & Montejan, 2013). It requires a lot of effort and funds to deal with a sector that involves an estimated 500,000 to two million people, for a limited financial return, especially when considering the taxes that can be taken from the ASM mining sector (Matthysen & Montejan, 2013). Nevertheless, it is important that the Congolese government be not only eager to receive industrial miners' tax payments. The government should also learn to recognize the importance of the artisanal mining sector for its population and local development and the role women play in the sector.

Formalization is the embodiment of artisanal mining in a legal framework that is governed by the state. It could potentially increase control over and improve governance of the artisanal mining sector. As such, it is more amenable to the enforcement of regulations and standards and makes it easier for numerous agencies to engage with actors within the sector (Matthysen & Montejan, 2013). It could help to address issues linked to artisanal mining, such as underdevelopment, poverty, labour conditions, environmental degradation, insecurity and conflict financing and women welfare. It can be argued that a well-implemented formalization process would increase the chances of success for initiatives addressing the problems women encounter.

Other essential issues to be addressed in implementing a successful formalization exercise are levels of corruption and lack of trust. Trust between women miners and local state agents is crucial to instigating formalization, as well as for its further functioning (Bilal, 2017). As corruption is pervasive, and state agents constantly extort from miners and local traders, their relationship is largely characterized by mistrust. This is an enormous problem for the implementation of formalization. Clearly, a wide range of issues need to be addressed to create a successful formalization process. Such a process is time-consuming and requires great effort. Furthermore, it should not be considered a panacea and must be carefully developed to absorb existing customary practices into the legal sphere and mainstream women in the system.

Conclusion

It can be argued that the integration of gender in all levels of the structures and practices surrounding the governance of resources in the artisanal mining sector is far-fetched dream in the DRC. By virtue of their limited education, lack of access to information, cultural barriers with which they are confronted with, the violence that is committed against them and the laws that remain discriminatory against women, women have mammoth hitches in having their rights recognized and thereby liberate them from horrors of poverty in the ASM sector. Yet there are steps such as formalization of the ASM sector, political commitment, regional integration, and international engagement that if adopted can give a better documentation of the conditions of women in the ASM sector. As a result, it will be easy to reach those that are more vulnerable and require immediate support.

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AFRICA WE WANT: USING LINKAGES, INVESTMENT AND DIVERSIFICATION UNDER AFRICAN MINING VISION TO FIGHT INEQUALITY, DEALING WITH GENDER ISSUES AND EMPOWERING YOUTH

~ Learnmore Nyamudzanga



Introduction

About 3.5 billion people live in countries rich in oil, gas or minerals and women and young people constitute the 'continent's largest population bracket of this figure. The extractive sector is of primary importance to African states, of the 54 countries on the continent, 20 are considered by the International Monetary Fund (IMF) to be rich in natural resources. All are sub-Saharan African countries: seven export mainly oil and gas, and 13 export mainly minerals: mostly gold, diamonds and precious stones (Bourterige et 2018). The African continent is heavily endowed with valuable minerals resources, have good vision and governance framework on paper, gold prices are increasing during COVID-19 pandemic, yet it has high levels of poverty and inequality.

According to projections from the International Futures (IFs) modelling platform, sub-Saharan Africa accounts for roughly 60% of the global population living in poverty in 2020. World's ten most impoverished countries are found in Africa, where per-capita purchasing power is on average \$1,181. Poverty has increased — 437 million of the 'world's extreme poor are in Sub Saharan Africa (SSA), and 10 of the 19 most unequal countries in the world are in SSA. In Africa, 70% of women are excluded financially. The continent has a US\$42 billion financing gap between men and women, and According to 'McKinsey's Power of Parity Report: Advancing 'Women's Equality in Africa, 'Africa's gender parity stands at 0.58. The COVID-19 pandemic is likely to increase poverty and inequality, further exposing weaknesses in the health systems, the precariousness of the work, and challenging prospects for youth and women, of accessing opportunities they desperately need especially in the extractive industry. Women, youth and people with disabilities are not benefiting much from the extractive sector, and COVID-19 may worsen the situation.

Background

Since 2009, when the African Union formally adopted the Africa Mining Vision (AMV), there has been considerable progress in advancing its implementation throughout the continent. The AMV serves as the key framework at the continent level to promote mineral resource-based development and structural transformation. The AMV focuses on the transformation of minerals as a strategy for overall development by ensuring that linkages between the mining industry and other sectors of the economy are strengthened.

In 2018 the under the Africa Mining Vision, the African Mining Governance Framework (AMGF) was published. It was designed to deepen the commitment to implementing the Africa Mining Vision by serving as a monitoring tool to help African countries to determine their progress concerning realising the transformative ambitions of the vision. The essay will use the AMV cluster number nine and AMGF pillar four .

The African continent is heavily endowed with valuable minerals resources, have good vision on paper, gold prices are increasing, yet it has high levels of poverty and inequality. Youth and women in mineral resource-dependent countries often suffer worse wealth and rights inequality than those in countries that do not resource-dependent . Often, men have better access to benefits via employment, while the costs such as family/social disruption fall most heavily on women. Sustainability of extractive industries could increase significantly by identifying bias and defining strategies to ensure equal benefits. The African continent is home to some of the youngest populations in the world , old enough to register, work and advocated for changes in legal and policy framework to improve their lives and livelihoods.

It is from this background that this essay seeks to encourage African counties to use Linkages, investment and diversification under Africa mining vision to deal with inequality, gender issues and youth empowerment. The vision promotes gender mainstreaming and inclusion of youth women and vulnerable groups in community consultations in the mining sector. The essay will use the AMV cluster number nine and AMGF pillar four, focusing on youth, women and people with disabilities. It will encourage African countries to domesticate the AMV in trying to fight inequality, dealing with gender issues and empowering youth in the extractive sector. In addition, it will encourage women, young people and vulnerable groups to engage on issues of extractive industries, gender and fighting inequality .

Fighting inequality

This part will focus on how: linkages, investment and diversification under African mining vision, can be used to fight inequality and dealing with gender issues & empowering youth.

Linkages

Africa state must focus on the creation of a conducive policy, legal and institutional environment to catalyse the mineral sector to generate upstream, downstream, side stream and infrastructure linkages in an inclusive. The means to link mineral resources with greater sustainable socio-economic development is through fiscal and mineral economic linkages. This is at the heart of the Africa Mining Vision. Under linkages, the following should be considered:

Mineral export policy

The mineral export policy, must ensure the shift from commodity production towards value-adding activities in the minerals sector, that is supporting a shift towards high-value exports promotion. There has to be implementation mechanisms that can be monitored and evaluated. This will create more employment for women, young people and socially disadvantaged groups. A good example will be the Minerals and Mining Policy for South Africa.

Local content policy and law

The mining sector must have law and local content policy and its implementation mechanisms integrated into the national development agenda. The policy and law must define local content, for example in terms of ownership, maximisation of local procurement, percentage of local transformation or beneficiation, local employment (of youth & women) and technology transfer. These should be included in licences, contracts and investment agreements. There must be a method used to identify local content items, for example, by reflecting on current production capabilities or envisioned opportunities. The policy and legal framework provide for quantitative and qualitative requirements for local content for the mineral sector and bear in mind need to promote competitiveness. There must be an incentive to promote local content which in turn promote domestic industrialisation, including small and medium-sized enterprise where most women, young people and socially disadvantaged groups work. There must be national policies and strategies to promote value addition, including beneficiation, and the processing of minerals and these policies must contribute to rigorous supply chain analysis of the mineral sector value chain to identify opportunities for local participation. The 'country's local content policy, regulation and practice must promote and encourage the participation of small and medium-sized enterprises, women, young people and vulnerable groups in the mineral sector at all levels. A good example is the 'Tanzanian's Mining – Local Content Regulations.

Crushing and grinding of ore: In the three mining communities visited crushing of ore is principally a woman's job. Men consider it a lazy job because crushers are seated all day crushing the ore with hammers to break it down to smaller aggregates for the next phase which is the grinding process with mills.

Regional integration and local content

Local content policy, law and practice must promote regional industrialisation, including small and medium-sized enterprises and must be aligned with the regional local content policy. The 'country's international trade and investment commitments and agreements must be aligned with strategies for downstream and upstream linkages and regional integration agenda.

Value linkages

Policies must promote the production, processing and utilisation of development and industrial minerals in the local, national and regional economies. Policies must exist for the utilisation of strategic mineral feedstock in the domestic economy, and there had to be institutional arrangements to promote policy coherence, in particular between trade, industry-science, technology and innovation and mineral policies. Procurement policies by minerals companies must align with strategies to facilitate, more significant backward linkages of the sector into the broader domestic and regional economies.

Last but not least, there must be strategies to track the implementation of procurement policies to facilitate backward linkages in an inclusive way for women, young people and socially disadvantaged groups.

Investment

Considering women, young people and vulnerable groups, the African states must strengthen and invest in education, especially science, technology, engineering and mathematics skills development and technology transfer for inclusive and competitive mining industry. As an example, the economic significance of the mineral sector is vital in Zimbabwe. Zimbabwe is endowed with significant and diverse natural resources. The mining sector contributes 60% of the 'country's export earnings and about 8% of the Gross domestic product (GDP). Recognising the potential of the mining sector to transform the economy, the Government launched the US\$12 Million Mining Economy in October 2019. In terms of employment, the extractive sector employs quite several skilled, semi-skilled, unskilled, locals & foreign staff, men, women, young people and vulnerable groups. In trying to fight inequality, dealing with gender issues and empowering youth in the extractive sector, the African states can invest in the following areas:

Educational policy and legal framework

Educational policy and legal framework must support science and technology, engineering and mathematics skills development. These policies and legal frameworks should be inclusive in terms of women, young people and vulnerable groups. The states must have a mechanism to implement these policies, and there must be monitoring and evaluation mechanisms to measure progress and effectiveness of these policies. Since most African states are in a debt crisis, there is a need for deliberate strategies to encourage private sector intake of locally trained youth and women human capital on an inclusive basis. The law should provide for a dedicated funding mechanism from the private sector for science, technology, engineering and mathematics development, where possible there must be public-private partnerships. For instance, in 2013, the Science Technology, Engineering, and Mathematics (STEM) programme was introduced in Zimbabwe. The plan was meant to promote the uptake of science technology, engineering and mathematics and was being promoted through the Ministry of Higher and Tertiary Education, Science and Technology Development.

Technical and vocational training

There must be a policy to support technical and vocational training, and mechanisms must be in place to promote and facilitate the implementation of the policy in an inclusive way for women, young people and socially disadvantaged groups. There should be continuous monitoring and evaluation to measure effectiveness, and a dedicated fund to support these trainings. African countries must have mechanisms to compel the mining industry to provide technical and vocational trainings. Mechanisms must be put in place to promote awareness and uptake of technical and vocational training by students and the broader society. There must be the link between the technical and vocational training system and the needs of firms in the extractive sector, and a formal apprenticeship programme sponsored by private firms, Government, workers or a combination of all.

A good example will be Zimbabwe School of Mines which is a dynamic regional institution that serves the mining industry in the SADC region by providing competency-based training for high calibre, hands-on technicians.

Technology, research and development

A country must have a research and development policy and strategies to support the mineral sector, with an exact funding mechanism in an inclusive way for women, young people and socially disadvantaged groups. There must be established institutions for research and development in the mineral sector, with deliberate policies in place to provide infrastructure, institutions, financing and technology development and transfer. Cooperative R&D initiatives in the mining industry enabled South Africa to operate at the technological frontier of mining equipment technology.

Diversification

African state must promote the creation of a policy and regulatory environment that leads to increased investment in multi-use infrastructure and socio-economic development in an inclusive way for women, young people and socially disadvantaged groups through:

Infrastructure investment

There must be investment promotion strategies in the mineral sector value chain that encourages investment in shared infrastructure and mechanisms to ensure that central Governments reinvest or cede a portion of the revenue generated from mining activities to local authorities for shared infrastructure development. The reinvestments must benefit women, young people and socially disadvantaged groups in mining communities. Financing and partnership mechanisms should be in place to promote investment in shared infrastructure use. States should consider a policy that shifts ownership of mining-related infrastructure from the private sector to the Government after a period or on mine closure. National and regional policies or strategies should promote leveraging and facilitating cross-border and regional infrastructure investment, including development corridors.

Policies should be in place to encourage environmentally responsive infrastructure development, and there had to be legal obligations for mining companies to invest in local community development infrastructure. Connecting the landlocked regions of Kingdom of eSwatini and South Africa to Mozambique and the Port of Maputo, the Maputo Development Corridor is a true transportation corridor, comprising road, rail, border posts, port and terminal facilities.

Economic ordering

The country must have clear policies and institutions to promote mineral-led economic diversification that are effective and gender-responsive. Mechanisms for consultation and public awareness for selecting or prioritising economic areas for diversification should be in place. There has to be capacity development initiatives to realise the targeted diversification agenda and integration of diversification goals into national development plans and goals. In addition to that, the 'country's research and development must deal with diversification and technology development agenda.

Economic empowerment

Policies and laws must provide for economic empowerment for citizen participation in the mining sector and other mining-related sectors. There should be mechanisms for equity participation that also includes labour, communities, women and young people, and these mechanisms must be transparent and accountable. There must be policies that provide for local business development and empowerment, and financial and investment mechanisms must be in place to support local economic empowerment in the mining sector.

Corporate social investment

A country must have a clear corporate social investment policy, law and guidelines to align these projects to national development plans. Mechanisms and procedure should be in place to monitor private sector compliance with corporate social investment laws and policies. There has to be mechanisms in place to ensure gender inclusivity in corporate social investment practices and to support and fund community priority projects.

Conclusion

If we use the Africa Mining Vision cluster number nine (Linkages and diversification) and African Mining Governance Framework pillar four (Linkages, investment and diversification), indeed the Africa we want is possible especially for women, young people and socially disadvantaged groups. We need Africa with mining sector that uphold equal working opportunities for men and women. Africa that reduce poverty and inequality, that empowers youth, last but not least Africa that does not leave no one behind. It is a fact that African continent is heavily endowed with valuable minerals resources, have good vision on paper, gold prices are increasing on international markets, yet it has high levels of poverty and inequality, which in most cases women, young people and socially disadvantaged groups are the most affected. It is possible to use linkages, investment and diversification under African mining vision to fight inequality, to deal with gender issues and to empower youths. Domesticating the Africa Mining Vision African is the way to go.

Recommendations

African countries must domesticate Africa Mining Vision to deal with problems such as high levels of poverty, gender and inequality.

African countries must use the African Minerals Governance Framework as a monitoring tool to determine their progress with regard to realising the transformative ambitions of the vision and dealing with high levels of poverty and inequality.

Linkages and diversification should be prioritised as we domesticate Africa Mining Vision.

Women, young people and socially disadvantaged groups to strongly advocate for the domestication of Africa Mining Vision since it promotes equity, equality and poverty reduction, just to mention a few, which will benefit them.

Women, young people and socially disadvantaged groups to actively participate in issues of extractive industries, gender and fighting inequality and studies.

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THE FIGHT AGAINST INEQUALITIES WITHIN THE EXTRACTIVES SECTOR IN AFRICA

~ MONGO-BOUYA Grâce Pericles

**Essay translated from French.*

Introduction

Africa is endowed with precious mineral resources. Despite this wealth, the continent is steeped in poverty and inequality. Consequently, this has negatively impacted the African youth whose socio-economic conditions remain underdeveloped.

Relatedly, to spur economic improvements African countries, especially Central Africa, and particularly the members of the Economic and Monetary Community of Central Africa (CEMAC) have turned towards the extractive sector.

Arguably, the extractive industry has the potential to steer these countries toward socio-economic development.

But to what extent does the extractives sector contribute to development in central Africa? Do foreign companies in the extractives sector foster this development? How have these companies addressed poverty reduction strategies through their investments in the sector? Is there law that obliges them to foster development through the extractives industry? These questions are crucial to determine the extent to which the extractives influence development. In the context of gender, this sector, instead has been seen to promote inequalities. What then does this mean for development?

Against this background, this paper will consider how the extractive industry is defined and the legal framework that regulates it. An outline of the problems affecting the sector will be presented and then recommendations made to resolve these problems.

Extractive industries: A definitional analysis and legal framework

The extractive industries have grown significantly in recent decades. Driven by the global demand for natural resources, the oil, gas, and mining industries have experienced tremendous growth on the continent, leading to a boom of resources. In this section, it is important for us to define the extractive industry and provide its legal framework.

Definitions

The literature on natural resources often limits “extraction projects” to industries involved in the extraction of non-renewable and non-living resources, in particular gas, oil and mineral resources, such as gold, silver, copper, mercury, platinum, lead, tin, zinc, iron, arsenic, carbon, sulphur and antimony.

On the other hand, the provisions of Articles 21 and 24 of the African Charter on Extractive Industries and the Environment (the Guidelines for State Reporting) of the African Commission also endorse a broad understanding of extractive industries, assimilating them with natural resources. In fact, Paragraph 13 states that:

The term « extractive industries refers broadly to the operations of private or state actors, usually involved at the commercial level of mining or extraction of natural resources for economic purposes.

The Grand Robert Dictionary also defines « extractive industries » as:

All economic activities aimed at exploiting mineral resources and various sources of energy as well as the transformation of raw materials (animal, plant or mineral) into manufactured products, involving the centralization of the means of production, and the use of most advanced technical level (at each step). Agriculture, trade and heavy industry, large primary transformation (iron, coal, etc.).

Legal framework

The African human rights system provides a strong normative and institutional framework to regulate extractive industries. The African Charter on Human and Peoples' Rights presents certain key rights concerning the promotion and protection of human rights and also the protection of the environment on extractive companies.

Accordingly, the key provision for the regulation of extractive industries is Article 21: this text guarantees the right to freely dispose of wealth and natural resources as well as procedural guarantees for its effective application. We will next speak of the right of peoples, the right to development, and individual rights. The protocol to the African Charter on Human and Peoples' Rights relating to the Rights of Women in Africa will also be considered. All this is to understand what rights people have in their countries extractives sector.

Peoples' Rights

Peoples' Rights are contained in Articles 19 and 24 of the African Charter. They constitute a unique feature of the African human rights system. Peoples' Rights are collective rights, which are exercised and claimed in relation to groups of people. These rights are set out as:

Right to free disposal of wealth and natural resources

This provision stipulates that each people have free disposal of its wealth and natural resources. This right is exercised in the exclusive interest of populations.

In no case can any people be deprived of it. For example, in the event of spoliation or disturbance of enjoyment, the despoiled people have the right to the legitimate recovery of their property as well as to adequate compensation.

Finally, this is exercised without prejudice to the obligation to promote international economic cooperation based on mutual respect, fair exchange, and the principles of international law.

The right to property

The right to property is guaranteed by the provisions of Article 14 of the Charter, such as the Right to live on land, develop or exploit it, a principle which is also applicable to other resources. This right also enables people and individuals to be provided with the necessary support that enables them to access, develop and use these resources in a way that is sustainable and improves their standard of living .

Imperative obligation to ensure the protection of citizens against any form of foreign economic exploitation

States should prevent abusive economic exploitation of natural resources by foreign or international economic actors. Likewise, the terms of tax relief and duty-free privileges granted to extractive industries, as well as concessions arising from joint ventures, should not be such as to deprive people of the benefits to which they are entitled.

Right to a conducive environment

The right to a conducive environment is inserted in the African Charter, in its article 24. This right is centered on the protection and the well-being of both the populations and their environment. It places an obligation on governments to "take reasonable decisions and take other action against pollution and ecological degradation.

The right to development

The right of peoples to development is provided for in Article 22 of the African Charter. It is a collective right authorizing each people to voluntarily organize its economic, social and cultural development. In the context of the extractive industry in Africa, the peoples' right to development has often been violated, as the management and exploitation of natural resources and wealth is usually done without the knowledge of local populations.

Individual rights

The Charter upholds individual rights that are relevant in the context of the extractive industries. There is the right to enjoy the highest attainable standard of physical and mental health. Then each state takes the judicious measures preventing, treating and controlling diseases, reducing infant mortality and allowing a healthy development of young people, qualitatively improving environmental and industrial hygiene, and creating the conditions of accessibility to medical services providing necessary care in case of illness. Young people enjoy an environment free from excessive pollution and healthy working conditions. These rights are set out as:

Right to non-discrimination and to the recognition of legal personality

This right guarantees the equality of all before the law and the same protection against the law. Individuals are protected against any form of discrimination.

The protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

The Maputo Protocol, in its article 18, declares that women have the right to live in a healthy and viable environment. On the other hand, article 19 guarantees the right of women to sustainable development and urges States to introduce the gender dimension into national development planning procedures.

In addition, Article 15 (a) states that states shall take measures to provide women with access to clean water, sources of household fuel, land and the means to produce nutritious food.

Problems created by extractive industrialization in relation to human classes or even social categories

Extractive projects cause great upheaval in the environment, the livelihoods of people and the lives of communities. Women, girls, men and young boys are affected in different ways. And, on the whole, women and girls are usually the most often affected, while deprived of the benefits that the sector can provide. On the other hand, emphasis must be placed on the work of young miners in mining operations that go against the rights of the child, a fact which is even condemned by the law.

Indeed, the global rush to extract valuable resources brings both conflict and opportunity in communities. But it is rare that the costs and benefits of this sector, valued in billions of dollars, are evenly distributed. This inequality is observed in the daily life of young people and women. And yet, investments and revenues from mining operations could be substantial and lead to the creation of jobs and infrastructure, which are terribly lacking in communities living in target mining areas.

However, various surveys show that the mismanagement of the tremendous quantities of mineral wealth of countries such as the DRC leads to a waste of development opportunities, which benefit corrupt elites and distant businesses, and that they promote armed conflicts whose consequences affect women and young people. Second, the authorities' corrupt management of mineral wealth deprives local areas of much-needed revenue, which should be used to finance the country's services and infrastructure. This lack of investment is more unfair when resources are scarce: it is often women and young people who are excluded from education and other opportunities. Their ways out of poverty are blocked.

As a result, young people work in an unofficial and marginal way, taking on dangerous tasks for little remuneration, especially in regions where the mining sector and small-scale crafts prevail.

The impact on youth and women's employment and their income is unclear, but to fully understand it on communities, it is essential to be aware that the industry does not create equal opportunities for all. Discrimination against women in the extractive sector is experienced in different ways. Gender based recruitment and employment policies of companies are still based on outdated stereotypes according to which women are not suitable for work in the extractive industries.

Other cultural barriers discourage women from training in engineering or technology. Verbal, physical and sexual harassment is frequent in the extractive sector; and there have been cases of female mining workers being raped and murdered underground. They are even often relegated to some of the most dangerous jobs. This is the case with Scheidage in the asbestos industry.

On the other hand, at the institutional level, female and youth marginalization in the extractive sector is reflected in the insufficient integration of gender issues in regional and national policies and regulatory frameworks.

Finally, mining and other extractive activities can have detrimental effects on the environment without sparing the users. Consequently, the following recommendations are made.

Recommendations

The members states of the African Union (AU) should:

- Ensure compliance with their obligations regarding human rights, labour, finance, taxation and the environment in accordance with the African Charter.
- Put in place the necessary legislative, monitoring and accountability mechanisms to ensure that extractive companies meet their obligations.
- Identify the areas which require complementing or even technical assistance from the services of Member States.

African governments should:

- Develop policies aimed at remedying the negative social and health impacts on the communities affected by the projects, in particular the increase in violence against women.
- Require for all extractive projects to carry out a gender impact assessment in the environmental and social framework.
- Invest and redistribute revenues from extractive industries in services and programs that promote gender equality, taking into account women and youth.

Civil societies and religious institutions should:

- Ensure that staff have a high level of skills and knowledge on gender issues, by providing the necessary training.
- Integrate gender as a key element in the implementation of capacity building programs in the extractive sector.
- Encourage the participation of women's rights organizations in the design and evaluation of national strategies and programs, in order to ensure a rigorous gender analysis.
- Further examine how existing mechanisms at regional and supra-regional levels can be used to support the implementation of African principles of natural resource governance, based on human rights.

African youth and women should:

- Proactively engage in the policy and advocacy about identified inequalities and in the analysis of the links between human rights and extractive industries, focusing first on improving civic aspects and social participation, then women's rights and gender justice, and finally environmental sustainability so as to bring about political reforms by African governments.
- Set up complaint mechanisms that remain transparent, based on the rights which are accessible to women and men.

Extractive companies should :

- Respond positively to the various inequalities and negative externalities caused by the implementation of extractive activities.
- Strengthen gender equity in recruitment and hiring practices at the local level, by offering technical training to the youth and women.
- Contextualize their sustainable development strategies according to the numerous challenges on the way ahead.
- Put in place policies and practices to address negative social and health impacts occurring in communities affected by extractive projects.

Conclusion

To conclude, states are required to protect rights holders in different mining projects, or other matters, by passing laws and providing effective remedies. Because gender justice is becoming a central issue in efforts to reform extractive companies in Africa.

In this, the progressive realization of the rights of women and young people must be further guaranteed in this sector. Finally, we consider that, to guarantee gender justice in the context of extractive industries, we must combat these deeply rooted gender disparities. This requires hard work to promote transformational change in gender norms, attitudes and behaviours in terms of gender.

10 BEST ESSAYS
PAN AFRICAN YOUTH ESSAY COMPETITION 2020
EXTRACTIVES SECTOR, GENDER AND INEQUALITY IN AFRICA



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