



Women in Mining

Can a mining law unlock the potential of women?

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Adam Smith
International

IWiM







Snapshot

Can a mining law unlock the potential of women?

In short, yes it can. But it is just one piece of a complex and multi-faceted jigsaw.

This snapshot provides an overview of the research, its context and key recommendations. The aim is to provide a set of clear and actionable recommendations to inform current planning and increase women's participation in the mining sector. The target audience are policymakers, development partners – specifically actors with a responsibility for intervention design – and industry players seeking to unlock the potential of women in the sector.

Globally, the value-based, economic and development imperatives for gender equality and women's economic empowerment are well-established however more work is needed to make these goals a reality. The mining industry is one such sector which has the potential to be a key driver of economic growth, development and job creation in many developing countries, yet it also poses unique risks and challenges, particularly for women. In recognition of these factors, and in an effort to overcome what is commonly referred to as the 'resource curse', many governments have committed to global and regional initiatives to find solutions together. The Africa Mining Vision (AMV, 2009), which sets out how the sector can be utilised to drive development on the continent, is one such example.

Crucially, the Vision also includes an action plan for women's empowerment, defining the integration of 'gender equity in mining policies, laws, regulations, standards and codes' as a key short-term country-level goal. There are also additional regional and continent-wide actions focusing on adopting and implementing gender charters for the mining sector. While progress has been made in the eight years since its initiation, there remains more work to be done to achieve the goals of the AMV and wider global initiatives.

Against this background, Adam Smith International (ASI) collaborated with International Women in Mining (IWIM) to examine the extent to which a mining law, as the governing piece of legislation for the sector, can directly increase the participation of women.

The research draws on a wide range of academic literature, relevant publications, semi-structured interviews and the case studies of Malawi and Sierra Leone to arrive at 5 enabling factors and 15 actionable recommendations.

FIVE Enabling Factors

For initiatives and interventions to be successful, there must be a conducive and enabling environment:

- 1. Visibility, leadership and political will** to commit to change
- 2. Combining top-down and bottom-up approaches** between government and civil society
- 3. Coordination across government** at all levels as well as with non-mining institutions
- 4. The participation of men** as well as women in the change process
- 5. Commitment to a long term vision**, as changing entrenched societal norms and behaviours occurs over long timeframes

FIFTEEN Primary Recommendations

1. Simplify the formation process of mining cooperatives and associations and provide accessible guidance to interested parties through mineral agency offices, websites and social media.
2. 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.
3. Specify and implement quotas at a legal and regulatory level to support the participation and entry of women into the sector. For example, in local content requirements and mining companies, especially for senior and operational level positions, as well as for educational bursaries, training, and programmes.
4. Extend mining health and safety regulations to specify work places that are suitable for women and to safeguard women from harassment and violence.
5. Require government departments, agencies and companies within the mining industry to record and publish data that is disaggregated by gender. For example, the numbers of women and men employed, the roles that they fill, and their average salaries.
6. Develop strong mineral agency monitoring mechanisms, or independent monitoring mechanisms, to ensure implementation of provisions aimed at supporting women, along with clear actions to ensure compliance.
7. Establish a cross-government forum or working group that guarantees the participation of ministries responsible for gender, social affairs, labour and education in the formulation and implementation of mining sector policy and legislation. Ensure that legislative and regulatory provisions on gender and women in the mining sector align or signpost to broader government initiatives on gender.
8. Support WIM associations and networks in improving communication and access to information through funding and training, as well as, supporting them to hold governments to account on legislative and regulatory gender provisions through training and access to resources.
9. Educational institutions should act as hubs to promote WIM associations and networks and establish alumni mentoring networks for women working in the mining sector.
10. Include the mining sector in wider gender programming, when relevant, and ensure all mining governance programmes have clear gender components.
11. Require any legal and policy advice provided to Government to be gender responsive, through clear drafting principles and qualitative monitoring and evaluation.
12. Leverage the gender commitments in the Africa Mining Vision and other relevant regional initiatives to create external pressure on governments to integrate gender into sector governance.
13. Develop the fully costed business case for women working in the mining sector.
14. Convene a working group of experts on women's economic empowerment in the mining sector, to discuss the challenges women face and the linkages between the mining sector and other sectors.
15. Develop government led, multi-stakeholder National Action Plans on Gender & Mining, working across government and with other sectors.





Research Paper: Can a mining law unlock the potential of women?

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Acronyms

AMV	Africa Mining Vision
ASI	Adam Smith International
ASM	Artisanal and Small-Scale Mining
CSR	Corporate Social Responsibility
EITI	Extractive Industries Transparency Initiative
ERP	Economic Recovery Plan
GDI	Gender Development Index
GDP	Gross Domestic Product
GII	Gender Inequality Index
GOM	Government of Malawi
HDI	Human Development Index
IWiM	International Women in Mining
MAWIMA	Malawi Women in Mining Association
M&E	Monitoring and Evaluation
MGDS II	Malawi Growth and Development Strategy
MMA	Mines and Mineral Act 2009
MNREM	Ministry of Natural Resources, Energy and Mining (Malawi)
MUST	Malawi University of Science and Technology
NGO	Non-governmental Organisation
NMA	National Minerals Agency
SGBV	Sexual Gender-Based Violence
SLEITI	Sierra Leone Extractive Industries Transparency Initiative
SRL	Sierra Rutile
TEVETA	Technical, Entrepreneurial and Vocational Education and Training Authority
UN	United Nations
UNDP	United Nations Development Programme
USD	United States Dollar
WIM/WiM	Women in Mining

Key terms and definitions

Access

Capacity to obtain greater economic resources; opportunities, services, and assets required to upgrade a woman's economic position. Women have multiple roles in the household, community, workplace, etc., and as such may access resources as consumers, entrepreneurs, workers, and/or beneficiaries. Institutions and businesses are key actors in enhancing access.

Agency

Capacity to make decisions and act on opportunities that lead to economic advancement. Also about a woman's ability to influence her surroundings, or her 'voice' - i.e. having both the power and capacity to speak up and influence decision-making at various levels, such as within the household, during business transactions, or in local and national government policymaking.

Gender equality and equity

Gender equality denotes women having the same opportunities in life as men, including the ability to participate in the public sphere. Gender equity denotes the equivalence in life outcomes for women and men, recognising their different needs and interests, and requiring a redistribution of power and resources.

Gender mainstreaming

An organisational strategy to bring a gender perspective to all aspects of an institution's policy and activities, through building gender capacity and accountability.

Gender responsive

An approach that recognises existing gender differences and dynamics, and the drivers of marginalisation and/or exclusion. This approach seeks to consistently integrate gender considerations into the design, implementation, monitoring, evaluation and reporting of programme activities at all levels.

Gendered rules

Informal and formal rules (norms, relations, laws, and policies) that create and reinforce power differentials that often grant unequal values, resources, and degrees of authority to women and men.

Intersectionality

Understanding and responding to the ways in which gender intersects with other identities and how these intersections contribute to unique experiences of oppression and privilege.

Resource curse

The resource curse refers to the failure of many resource-rich countries to fully benefit from their natural resource wealth. Also referred to as the paradox of the plenty, many countries rich in natural resources tend to have higher rates of conflict and authoritarianism, and lower rates of economic stability, growth and levels of social development compared to non-resource rich countries.

Women's economic empowerment

Women's economic empowerment is women having both the ability to succeed and advance economically and the power to make and act on economic decisions.¹ The process of increasing women's real power over economic decisions that influence their lives and priorities in society. Women's economic empowerment can be achieved through equal access to and control over critical economic resources and opportunities, and the elimination of structural gender inequalities in the labour market, including better sharing of unpaid care work.

Women's empowerment

A 'bottom-up' process of transforming gender power relations, through individuals or groups developing awareness of women's subordination and building their capacity to challenge it.

5 GENDER EQUALITY



SUSTAINABLE
DEVELOPMENT
GOALS

Introduction, purpose and methodology

Introduction

Globally, there is strong momentum for interventions focused on gender equality and women's economic empowerment. Having gained prominence among international organisations, regional institutions and national governments over the past 20 years, the value-based, economic and development imperatives for pursuing these goals are now well recognised. As demonstrated by number five of the United Nations Sustainable Development Goals which is to 'achieve gender equality and empower all women and girls'. This goal is to be realised, in part, by adopting and strengthening enforceable legislation. However, despite progress being made,² it is estimated that gender inequality is costing the global economy USD 12 trillion.^{3,4} Further guidance on practical application and action is therefore urgently needed to support governments and industry in achieving these aims.

The mining industry is one key sector where greater attention is required in this regard. While the sector has the potential to be a significant driver of economic growth, development and job creation in many developing countries, it also poses unique risks and challenges, particularly for women. In recognition, and in an effort to overcome what is commonly referred to as the 'resource curse', many governments have committed to global and regional initiatives in order to find collaborative solutions. The Africa Mining Vision (AMV, 2009), which sets out how the sector can be utilised to drive development on the continent, is one such example. The Vision includes an action plan for women's empowerment, defining the integration of 'gender equity in mining policies, laws, regulations, standards and codes' as a key short-term country-level goal. There are also additional regional and continent-wide actions focusing on adopting and implementing gender charters for the mining sector. This is crucial given that gender inequality is estimated to be costing sub-Saharan Africa USD 95 billion per year.⁵ However, over eight years on from its initiation there remains more work to make the goals of the AMV, and wider global gender and sustainable development initiatives, a reality.

At all levels, the mining sector remains a male domain. As this research shows, the negative impacts of mining are disproportionately borne by women and the ability and agency of women to take advantage of economic opportunities offered by the sector is lower than that of their male counterparts. There is therefore a pressing need to

understand the potential of the mining sector as a driver of women's empowerment, and, the role host governments, policymakers, international donors and mining companies can play in supporting this – as well as further exploring the business case for doing so. Adam Smith International (ASI) and International Women in Mining (IWIM) have formed a partnership in order to examine this further.

Purpose, aims and objectives of the paper

The purpose of this paper is to act as a basis for discussion and provide key actionable recommendations for policymakers, development practitioners and industry players seeking to increase the participation and empowerment of women working in the mining sector.

This paper examines the extent to which mining legislation influences women's participation and explains what scope there is to unlock and support women in the sector through mining laws, legislation and more broadly good governance.

The research objectives were to:

1. Review the existing literature relevant to the gender dimensions of the mining sector, including women's participation and experiences;
2. Address a gap in the literature by assessing the potential of mining laws and legislation and the role of the private sector in supporting and safeguarding women in mining;
3. Assess the existing participation and status of women working in the sector and the overarching mineral governance framework through in-depth case studies of Malawi and Sierra Leone;
4. Interview and consult with a range of key stakeholders as well as sector experts working outside of these countries to generate unique insights into the challenges and barriers faced by women; and
5. Identify the main opportunities and provide actionable recommendations to improve women's economic empowerment in mining. This is in the case study countries as well as broader lessons for the sub-Saharan Africa region and beyond.

Methodology

The paper adopts a comparative case study approach, examining the mining sectors in Sierra Leone and Malawi to understand how governance frameworks influence women's participation in the sector. The paper draws on the extensive networks that ASI and IWIM have in both countries, speaking with a range of stakeholders to generate unique insights.

First, an extensive review examined the broader literature relevant to women's participation and experiences in the mining sector, followed by a review of the overarching mineral governance frameworks and analysis of the laws in the case study countries. Next, qualitative, semi-structured interviews with both women and men working in and around the mining sector were undertaken in-person and remotely via telephone. Speaking with both women and men ensures a thorough understanding of the different gendered impacts, perspectives, risks, degrees of empowerment, as well as the commonalities that the sector poses to both. The participants interviewed represent a broad range of stakeholders including government officials, industry, civil society, media groups, academics, and subject matter experts. Although the study focused on Sierra Leone and Malawi, the paper draws out recommendations that have broader relevance to other jurisdictions. Sierra Leone and Malawi were purposely selected as case studies to enable comparison between sectors at different stages of development, different scales of extraction and, importantly for a desk-based study, to draw on the networks both organisations have in each country.⁶

In order to be policy-relevant, the paper focuses on the role of government in proactively supporting and safeguarding women in the sector through gender responsive legislation and institutions. Finally, while it is recognised that the mining sector affects women in many ways, from their participation in communities and as service providers, the scope of the paper is confined to the roles and experiences of women working directly in the sector.

Structure of the paper

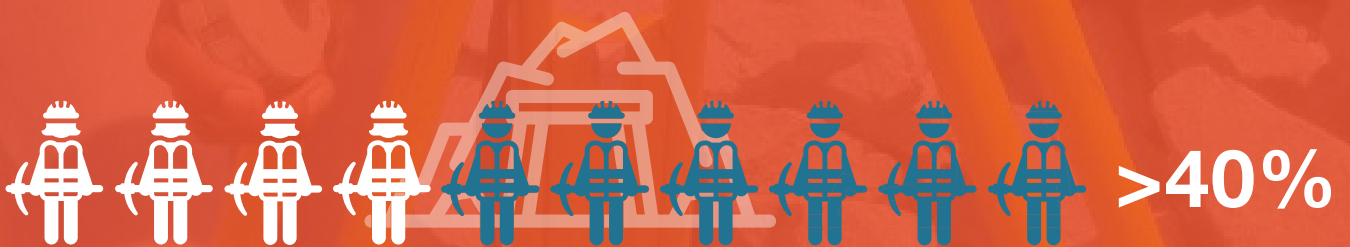
First, an overview examines the way women interact with the mining sector, distinguishing between their participation in large and industrial scale mining operations compared with artisanal and small-scale mining.

Following on, the profile of the mining sector and overarching governance framework for Malawi and Sierra Leone are outlined, with references specifically to women's participation. An integrated analysis, based on the findings from both countries, then examines the implications for women's participation in the sector. Finally, the main enabling factors for positive reform and key recommendations are proposed.

Global participation of **women** and **men** in mining



Large-scale mining



Artisanal & small-scale mining

Women, mining and barriers to entry

There is an extensive body of literature concerning the gender dimensions of the mining sector and the extractive industries as a whole. These studies focus largely on the risks and gendered impacts faced by women working in the sector and those living in surrounding communities. However, while this is key to understanding the gender dimensions of mining, there is a need for more analyses that examine the role government can play.

The literature review therefore focuses on how governance and legal frameworks can better support women in the sector. It begins with a brief overview of the ways in which women interact with the mining sector, their participation and barriers to entry, and distinguishes between their experiences in large-scale mining operations compared with artisanal and small-scale mining.

Gender dimensions of the mining sector

Governance and management approaches to the mining sector, often considered gender neutral, are frequently gender blind and may cause harm.

Women working in the sector

For women working in the mining sector, there are disparities in access to types of employment. Women's participation in the large-scale mining sector is low, whilst in the ASM sector women's participation may be greater but they often occupy risky and low value roles. While there are cross-cutting challenges for women in mining generally, it is also necessary to make a clear distinction between large-scale, industrial mining and artisanal and small-scale mining (ASM). ASM activities are largely informal and characterised by low-tech, labour intensive operations. Making a clear distinction between the two sectors is in recognition of the issues specific to each sector, as well as the great variation within and between them in terms of the types of mining and roles undertaken by both women and men. Furthermore, given that ASM is a largely poverty-driven activity, there is a significant difference in the varying social and economic backgrounds of the people working in both sectors, which will in turn influence their participation and daily experiences.⁷ The distinction is also in keeping with the wider literature on ASM that has consistently argued for tailored policy and legislation, where appropriate, to support and prioritise the formalisation of the sector.⁸

Women in large-scale mining

In large-scale mining women work throughout the value chain. However, their direct participation in the sector is generally low. Though exact figures are difficult to obtain, estimates suggest women occupy approximately 10% of jobs in the large-scale mining sector and there are even fewer working directly in mines.^{9a} Formal jobs tend to go to men due to lower levels of female education and socio-cultural reasons and stereotypes.^{9b} This disparity in access to employment can widen the inequality gap.¹⁰ With men taking on most of the formal jobs in the mining sector their earning capacity increases significantly, leaving women disproportionately dependant on male partners and relatives.¹¹ This earning potential can also result in men actively pushing back against women taking on the same roles for fear of displacement. Women entrepreneurs can face restrictions through social norms that limit their equal participation in society, their access to productive resources and property rights.¹² Additionally, mining sites are not always set up to be accessible for women, lacking the right equipment, changing facilities or childcare facilities. Whilst changes are needed to support women in the workforce, research has shown that it does not need to be expensive, with high cost assumptions typically unfounded. Despite the low participation levels of women in large-scale mining, there is a clear business case for bringing women into the sector. Integrating women properly can improve community relations and local economic development, while higher levels of gender diversity in the work place can drive productivity and innovation.¹³

Several companies have undertaken positive initiatives to support women in the sector, from creating women and family friendly working conditions, to improving HR policies and management culture. Governments are also playing a role. In South Africa for example, the government introduced a legislative requirement for mining companies to ensure a percentage of their work force is female.

Women in artisanal and small-scale mining

Women are very active in the ASM sector; it is estimated they account for between a third and up to half of all workers.¹⁴ However, they face unique challenges compared to men. Women often earn less than their male counterparts and are largely confined to lower paid, ancillary roles such as transporting and carrying heavy loads of gravel and sand, processing mineral ores through breaking rocks, washing and sieving as well as in support

services renting equipment, cooking for mineworkers, and selling food and consumable goods in local markets.¹⁵ In particularly rudimentary operations, women's work may be unpaid as it is considered part of informal family work. Furthermore, as the main caregivers, women are often accompanied to the mine site by their children.

Discriminatory practices around land ownership and customary practices concerning women in mining may also act as a barrier in some countries. These factors can act to hinder women from being able to easily gain a license, sell or rent their land for mining, as well as preventing them from working in certain roles.¹⁶ In many countries women are rarely, if ever, found working underground or may be considered less able to perform the same work as men. Furthermore, ASM is a hazardous occupation with additional and unique health and safety risks for women.¹⁷ For example, there are often few, if any, sanitary facilities at mine sites specifically for women or care provisions for children. Women and girls who work and live in ASM communities are also less likely to complete formal education and are at greater risk of sexual exploitation.¹⁸

In addition, women can face reprisals for going against prevailing social norms. For example, in the Great Lakes Region the risk of sexual and gender based violence associated with the ASM sector is high.¹⁹ In the Democratic Republic of the Congo, sexual bartering for access to and protection within ASM sites has been well recorded. Despite this, it is not just economic need that drives women to the sector. Women are making calculated decisions and are drawn into ASM due to the potential for higher earnings compared to agriculture and the perceived lower barriers to entry. The informality of the sector can be seen as one of the drivers of risk, making it hard for women to assert their rights, whether the issues are safety or equal pay.²⁰

There are positive benefits that women derive from working in ASM, and promoting their empowerment and inclusion is key to formalising the sector. In some instances women take higher paid roles and leadership positions as mine owners and site managers. For example, in Sierra Leone and Ghana women can be found holding ASM licenses, as 'supporters' financing operations, and brokers trading and dealing in gold and diamonds. Though in far fewer numbers compared to men and it is likely they will overcome significant challenges and have the support of male relatives to reach these greater positions of power.²¹ Furthermore, the greater economic returns from ASM compared with other rural livelihood options and income generating activities for women can provide increased economic empowerment and agency, enabling women greater freedom and decision-making power. Promoting the participation of women in ASM is key to formalisation of the sector.

Women in host communities

At a community level, mining operations can cause environmental degradation, which increases the time it takes to collect water, prepare food, and carry out small-scale farming, all tasks conventionally undertaken by women.²² Mining operations can bring an increase in transient male workers, which can also bring increased prostitution, putting women at greater risk of HIV/AIDS and other STDs. Women are also at risk of increased violence, with the move to a cash economy leading to increased alcohol consumption and violence. Despite the clear need to engage women in decisions around the sector, they are often left out of community consultation and compensation discussions and processes.²³ When women are excluded from community consultations, they are less likely to know about grievance procedures when negatively impacted by extractive operations.²⁴

Case studies: Malawi & Sierra Leone

This section provides an overview of the mining sectors of Malawi and Sierra Leone, the level of women's participation in the sector and the related challenges.



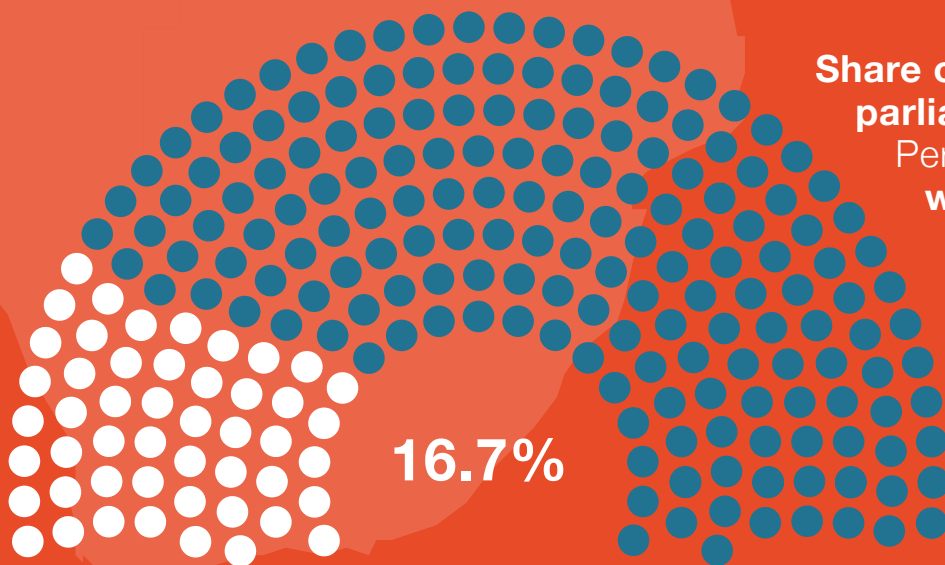


Mala



Malawi

Share of seats in
parliament
Percentage of
women & men



16.7%

wi



Gender Development Index³⁸

Value: 0.907

Group: 4 (Medium and low development achievements for women)

Gender Inequality Index

Value: 0.611

Rank: 140/159

63.7
years

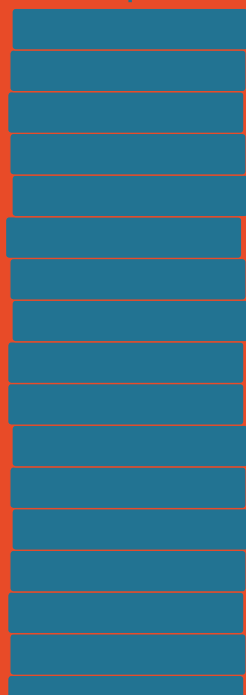
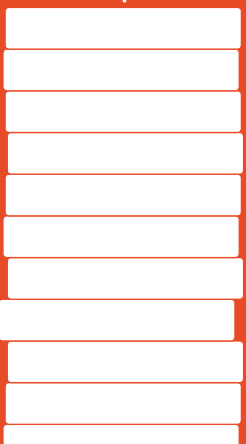
61.7
years

Life expectancy

Estimated
gross national
income per
capita (US\$)

US \$679

US \$815



Mean years of
schooling

3.4
years



5.2
years



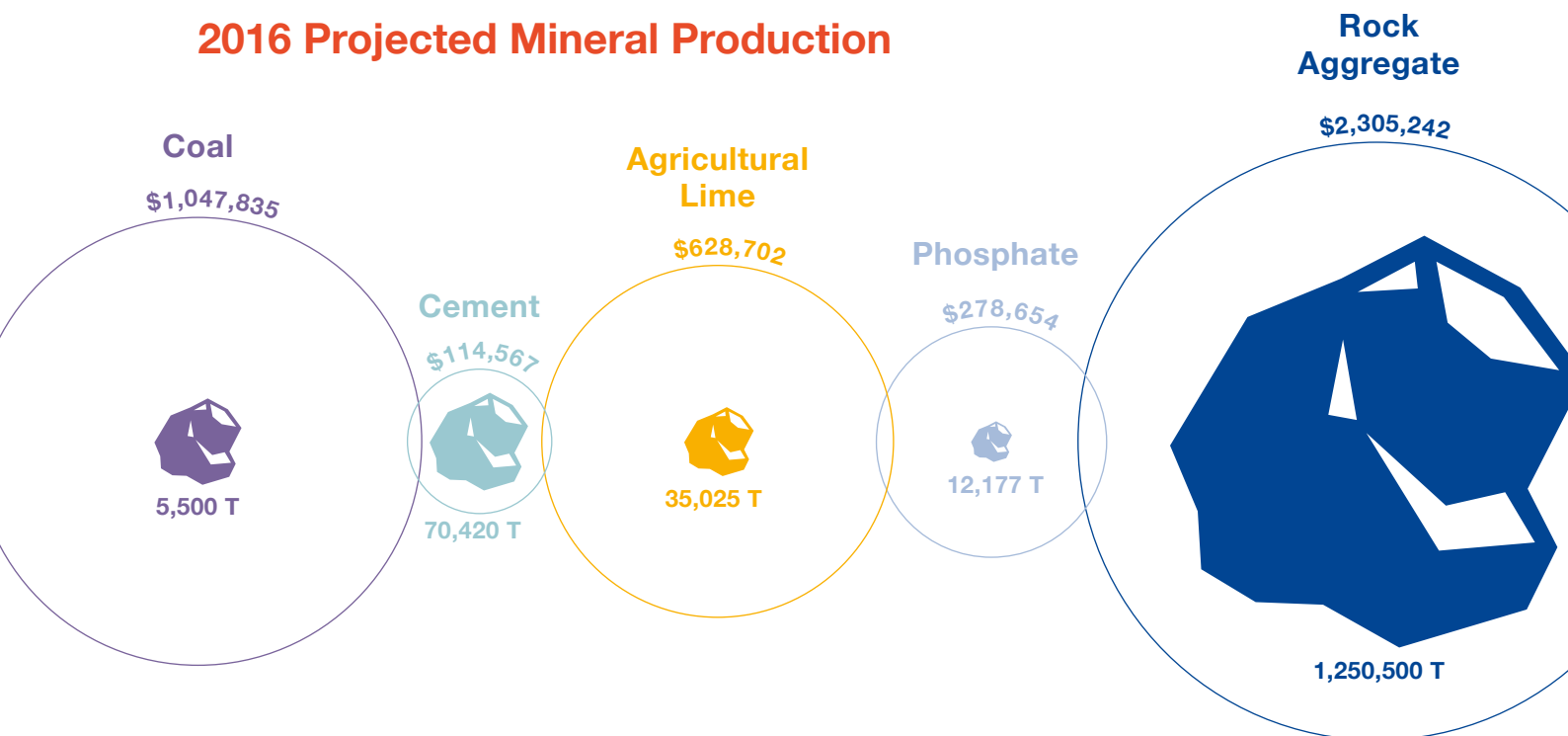
Mining in Malawi

Malawi is a landlocked country surrounded by Zimbabwe, Zambia, Tanzania and Mozambique. Yet, in comparison to these mineral-rich nations, the country's mining industry is relatively new and underdeveloped. Instead, agriculture dominates the economy but is susceptible to adverse weather conditions and generates relatively low levels of income. As such, despite having a stable democratic system, Malawi ranks as one of the poorest countries in the world and poverty is widespread. Due to it being relatively underdeveloped, the mining sector is dominated by artisanal and small-scale operations with few domestic or foreign large-scale companies. Women in the mining industry are confined largely to the ASM sector, selling raw gemstones or construction materials. However, recently, as foreign interest has grown, international companies have begun exploration activities for coal, gold, copper, rare earths, graphite and mineral sands. Malawi's big player on the international scene had been Paladin (Africa) Ltd.'s uranium mine at Kayelekera. Yet, following the Fukushima nuclear accident in 2011, the price of uranium dropped and in 2014 the mine was put into care and maintenance, with production not expected to resume until prices increase. Malawi is therefore at the start of realising the value of its mineral sector. Identified by the government as a key priority area for economic growth and development, if properly managed, regulated and supported mining offers a significant opportunity for the country.

The volume and contribution of the mining sector to GDP is not significant and has decreased in recent years, due to the global commodity downturn. In 2013, Malawi's uranium mining accounted for nearly 2% of global production, lifting the contribution of the sector to 10% of the country's GDP. In the lead up to the 2014 Mining Indaba, then Minister for Mining, John Bande, projected that by 2016 20% of Malawi's GDP would come from mining.²⁵ However, falling commodity prices have dented this optimism and projections have contracted severely. In 2015, mining and quarrying contributed 0.9% to the GDP with no projected change for 2016 or 2017.²⁶ Modest growth driven by coal is however forecast (1.1%). Production of which was projected to be valued at just over USD 1 million in 2016.

Malawi's other main mining comes from the construction industry; brick clay, cement, crushed stone, lime, and limestone, and gemstones; agate, amethyst, garnet, rose quartz, ruby, sapphire, and tourmaline.²⁷ These minerals are largely mined on an artisanal and small-scale, but relative to activities in other countries the majority of operations in Malawi are considered artisanal in size, scale and level of mechanisation.

2016 Projected Mineral Production



Though the construction materials and minerals are mainly for domestic consumption, extraction and value adding of gemstones by women for livelihood creation and export is being actively encouraged by Malawi's Department of Mines. In line with the Government's endeavours to increase the efficiency and growth of the ASM sector, the department is training women's collectives to value-add gemstones through cutting and polishing, branding, marketing, and access to international trade fairs.

The mining sector is one of the five priority sectors for national development. Earmarked under both the Malawi Growth and Development Strategy (MGDS II), which aims to help achieve the long-term development goals, and the Economic Recovery Plan (ERP) to underpin Malawi's future economic growth. Recognising the importance of mining governance and export-led growth, in 2010 the Government announced a mining sector reform programme with financial and technical assistance from the World Bank. The objective of the Mining Governance and Growth Support Project is to improve the efficiency, transparency and sustainability of mining sector management. The main project aims are to improve:

1. Efficiency: a reduction in the days needed on average to issue mineral rights
2. Transparency: annual public reporting of mineral sector tax revenues
3. Sustainability: an increase in the percentage of mining operations subjected to environmental certification

Mining legislation and governing frameworks

Currently, Malawi has one mining legislation, the Mines and Minerals Act 1981, and one draft legislation, the Mines and Minerals Bill. As well as two mining policies: the Mines and Minerals Policy 2013, and the draft National Artisanal and Small Scale Mining Policy. The draft Mines and Mineral Bill was initiated to address changes in Malawi and its mining industry as the current mineral governance framework is recognised as no longer being sufficient. The current Mines and Minerals Act 1981 does not reflect the nature or scale of artisanal mining in Malawi. Inadequate legal and regulatory frameworks, specifically for ASM, coupled with high illiteracy levels of most operators has also meant misinterpretation of the relevant mining laws.

Furthermore, the current Mines and Minerals Act 1981 is not effectively implemented for either ASM or large-scale activities. Nor does the Act address most of the sustainability aspects of the mining sector. For instance, environmental management and monitoring is not adequate to cover the damage that mining activities cause to the environment. In addition, neither social aspects nor cultural issues are considered. Overall, the law is not progressive in its form. Effects caused by mining activities on children are not considered, nor is it harmonised with other pieces of legislations covering the forestry, culture, environment, land, water, finance, labour, and health and safety. Both the 1981 Act and the regulations lack enforcement mechanisms.

The resulting draft Mines and Minerals Bill and the draft National Artisanal and Small-Scale Mining Policy intended, in part, to address these shortfalls have had wide consultation and contribution from a range of stakeholders. Including many government departments, civil society and international NGOs and intergovernmental organisations, such as United Nations Women. Both are currently before Cabinet. On review of current drafts, it does not appear that there is any great advancement on the economic empowerment of women in mining. There is therefore still scope for innovation and improvement.

Gemstones

\$153,688

172 T

Mining Institutional Structures

The recently (2014) established Ministry of Natural Resources, Energy and Mining (MNREM) oversees all policy guidance concerning the sustainable development, utilisation and management of Malawi's natural resources. Though there are changes proposed under the Mines and Minerals Bill 2015, including restructuring and the creation of a Mineral Resources Committee and a dedicated ASM department, the current functional structure of MNREM comprises the following departments:

Mines Department

Established in 1983 to facilitate, regulate, and promote mineral development. Organised into three service divisions: Minerals and Analytical Laboratory; Mining Inspectorate, and; Minerals Development and Planning.

Geological Survey Department

Responsible for the acquisition, dissemination and storage of geo-scientific information. Activities include exploration, mapping and geochemical investigation.

Finance and Administration Department

Administers all payments and applications in relation to mining.

These three departments are overseen by the Principal Secretary who reports to the Minister of Natural Resources, Energy and Mining. In tandem, the Commissioner for Mines and Minerals (who's office also reports to the Minister) is meant to authorise and administer mineral rights in Malawi, under part II of the Mines and Minerals Act 1981. However due to a lack of resources, in practice the Principal Secretary has taken on this role.

Currently, the Mineral Licensing Committee, comprising a number of different ministries and authorities relevant to land, forests, and mining, review mineral rights and licensing applications and then make recommendations to the relevant approval authority.

Relevant non-government institutions and organisations:

Extractive Industries Transparency Initiative (EITI)

Since 2015 Malawi has been a member of the EITI, a global standard to promote the open and accountable management of the extractive industries. The first validation is due in 2017, and the first report was published in April of the same year.

Malawi Women in Mining Association (MAWIMA)

Established in 2000 to promote and economically empower women miners.

Malawi Chamber of Mines and Energy

Established in 2016 for mining, mine service, and financial companies that support the mining sector in order to promote development and growth.

Participation of Women

When compared to other sectors in the country, the mining sector has a significant concentration of women and there are ongoing efforts to support their participation. A 2002 study placed the number of women working directly in ASM at approximately 4,000 accounting for 10% of the sector.²⁸ However, given the increase in ASM activities and mining in Malawi generally over the past decade this number is likely to be far greater.

Poverty in Malawi is very high and women bear the burden disproportionately. Of the total number of individuals below the poverty line, women make up 67%.²⁹ Accessing opportunities in the labour market is a general challenge and very few women are educated. Women are therefore more likely to be involved in low-income activities. Access to education for young women sharply decreases as they near adulthood and early marriage persists. In 2010, approximately 50% of girls were married by age 18 and more than 1 in 5 adolescent girls have begun bearing children by age 17.³⁰

Global development indicators also show women face considerable disadvantages relative to men in Malawi. The United Nations Development Programme (UNDP) Gender Development Index (GDI), which measures gender gaps in human development achievements by accounting for differences between women and men in the dimensions of health, knowledge, and living standards, places Malawi in Group 4. Meaning it is categorised as having a 'medium to low development achievement' for women compared to what is calculated as the norm for overall human development achievements in the country.

The Gender Inequality Index (GII), which paints a fuller picture in terms of the disparities between women and men, shows that women are more disadvantaged in Malawi in every health and empowerment indicator used to calculate it.

Despite these disadvantages, the Constitution of Malawi upholds equality between women and men, and prohibits discrimination based on gender. The Government of Malawi (GOM) has reiterated its commitment to promote gender equality by signing regional and international conventions on protecting women and children. The advancement of women in agricultural and other sectors is also promoted via the Ministry of Women and Child Development and the Ministry of Trade. The National Development Plan (2020)

puts emphasis on accountability, effective participation of all citizens and protection of human rights and freedom.

The country's National Gender Policy further demonstrates Malawi's commitment to promoting gender equality and women's economic empowerment. However, the policy is silent on the role of women in mining. Revised in 2008, the overarching goal is 'to mainstream gender in the national development process in order to enhance participation of women and men, girls and boys for sustainable and equitable development'.³¹ The framework has seven key policy themes, of which number four focuses on promoting women's participation in natural resources, namely community afforestation, water and land management programmes.

Gender Analysis of the Legislation

As previously acknowledged, the numbers of women who participate in the mining industry and the types of work they undertake is limited in both numbers and scope. Therefore, while Malawi is generally gender proactive in policy, broadening the scope to include women in mining is in its infancy.

In 1981, when the Mining Act was enacted, there was very little mining in Malawi. Specifically, provisions related to the Mineral Resources Advisory Board, non-exclusive prospecting licences and mining licences, local content (local procurement and employment), corporate social responsibility, and exclusive licensing to Malawians in the ASM sector. All of which need to adopt a language that affirms a commitment to gender equality.

Positively, the Draft National Artisanal and Small Scale Mining Policy (2014) does incorporate gender considerations. However, there are two core weaknesses. First, the Monitoring and Evaluation (M&E) framework for the Policy does not include gender indicators. Second, the Policy fails to specify affirmative action for supporting women's cooperatives or women in mining. Significant improvements could be made to financially support cooperatives, implement communication and marketing to increase support for cooperatives and highlight the economic and social challenges facing women in the sector such as HIV, gender-based violence, and, to demonstrate a commitment to address these gender-based issues.

Following a review of the potential gender impact of the Environment Management Bill 2014, six key deficiencies were identified:

1. Absence of a definition of social impact assessment.
2. Lack of guaranteed seats/quotas for women in the National Environmental Protection Authority Board and EIA Technical Committee.
3. Lack of a requirement for gender mainstreaming skills of member of the technical committee.
4. Vagueness when it comes to requirements for large-scale EI and ASM.
5. Absence of requirements to articulate social impacts in EIA reports.
6. Lack of requirements for EIA reports to be summarised and communicated.

Finally, a review of the Lands Acquisition and Compensation Bill (2012), which includes provisions on involuntary resettlement due to land acquisition for public utility, found that it is unclear on the guidelines for resettlement and specifically for women.

Sierra

Gender Development Index³⁸

Value: 0.814

Group: 5 (Low development achievements for women)

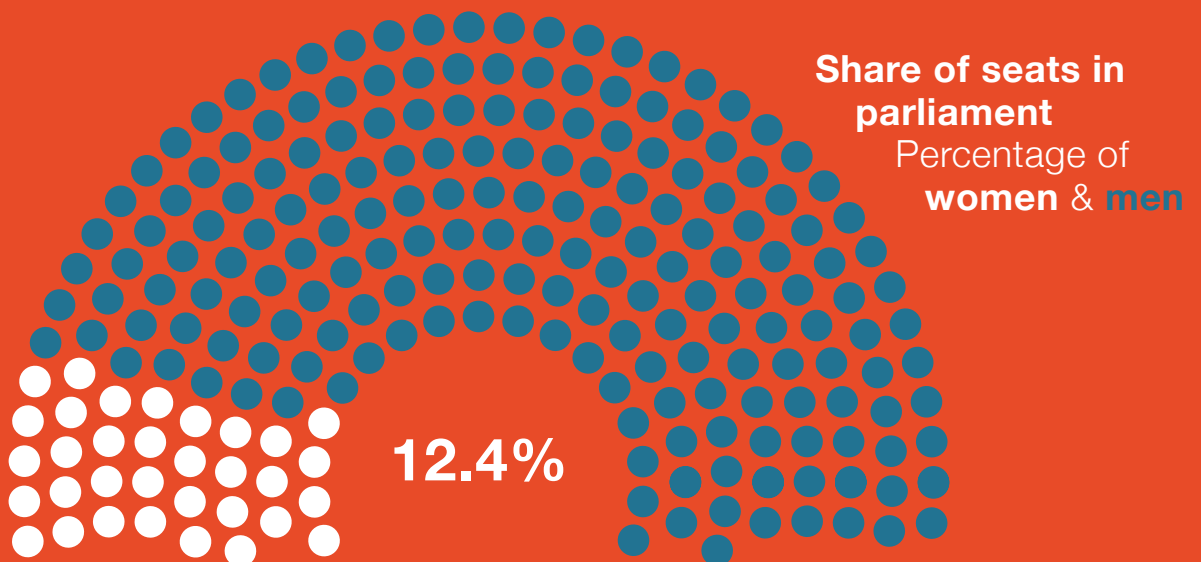
Gender Inequality Index

Value: 0.650

Group: 145/159



Sierra Leone



Leone

US \$1,981

Estimated
**gross national
income** per
capita (US\$)

US \$1,582

51.4
years

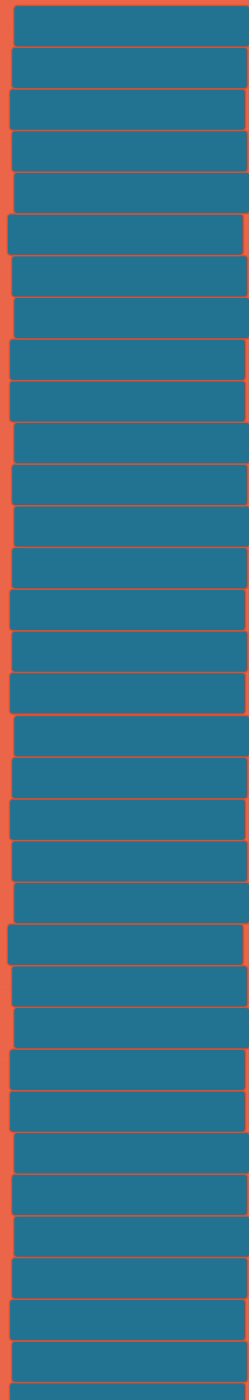
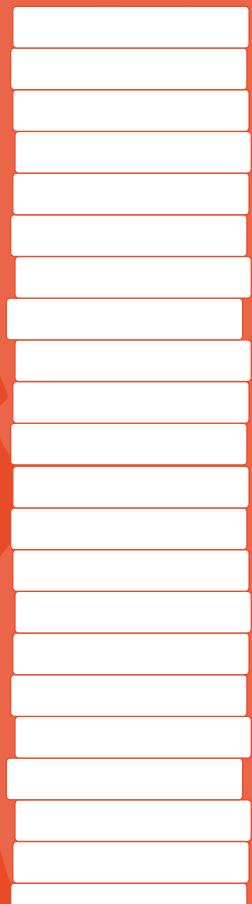
50.4
years

Life expectancy

Mean years
of schooling

4.0
years

2.2
years



Mining in Sierra Leone

The mining sector in Sierra Leone is an increasingly important contributor to the economy, job creation and national development. Since the end of the devastating civil war in 2002, which was perpetuated, in part, by easily mined alluvial diamonds, foreign direct investment in large-scale mining has led to significant growth. In 2013, Sierra Leone generated USD 1.92 billion from export revenues, of which the minerals sector accounted for over 90%.³² The resumption of iron ore mining in the mid-2000s has largely driven this growth, accounting for 75% of total mineral exports, totalling 13.6 million metric tons worth USD 1.6 billion in 2013 - an increase of 161% on the previous year. In terms of its contribution to the overall economy, mining and quarrying accounted for 20% of GDP in 2014, up from just over 4% in 2010.

In a country where over three quarters of the population experience poverty, 92% are considered to be in vulnerable employment, and over half live on less than USD 1.25 a day,³³ the minerals sector, and in particular iron ore exports, is an increasingly important source of foreign exchange earnings, employment, and likely future mainstay of the economy.³⁴

In addition to iron ore, a range of other minerals are currently mined in Sierra Leone, including rutile, ilmenite, bauxite, diamonds, and gold - the latter two almost entirely by artisanal and small-scale operations. As of October 2016 there were: ³⁵

- ♀ Six active small-scale mining licences out of 117 listed. This number does not include artisanal scale operations nor those operating informally.
- ♀ Four active mining leases where extraction is underway and for which data exist. All are foreign owned and operated.
- ♀ Eight active large-scale mining licenses of which seven are iron ore concessions.
- ♀ 157 active exploration and reconnaissance licenses.

The operations listed above are located throughout Sierra Leone, with the major Marampa and Tonkolili iron ore projects in the west and centre of the country. The main diamond-rich areas are in the east, in the districts of Kono, Kaliahun, and Kenema.

Despite the rich deposits, sustained growth, and positive outlook for Sierra Leone's mineral economy, the sector was

significantly affected by both the outbreak of Ebola and the collapse of global iron ore prices in 2014. These events led to a slowdown in investment, the suspension of iron ore production and exports in April 2015, and contributed to a contraction of real GDP growth by 21.5% in the same year. At the micro-level, the restrictions placed on movement, due to the Ebola epidemic, significantly impacted already impoverished communities reliant on artisanal and small-scale mining activities and trade.³⁶

Even with these challenges, there are signs of recovery in the minerals sector and broader macroeconomic climate of the country. GDP is expected to remain relatively unchanged in 2016 and rise moderately to 3.7% in 2017. In addition, following the resumption of iron ore exports in March 2016, Shandong Iron and Steel Group announced plans towards the end of 2016 to invest USD 700 million installing a new iron ore processing plant at its Tonkolili mine.³⁷ Crucially, if promoted effectively, this continued growth and foreign direct investment in large-scale mining may result in areas for legislative intervention. It may also see increasing opportunities for women, whose participation in mining to date has been largely confined to the ASM sector.

Sierra Leone's mineral sector accounted for 90% of its export revenue in 2013

Mining Legislation and Governing Frameworks

The mining sector is governed by the Mines and Mineral Act 2009 (MMA), with additional fiscal provisions for the sector incorporated into the Income Tax Act (2000) and the Finance Act (2015).³⁸ The Core Minerals Policy, which complements the Africa Mining Vision, defines the overarching roadmap for change in the country's mineral sector.

Mining Institutional Structures

The key government and non-government institutions that work to develop, enact and implement the legislation and wider governance framework for the sector are:

Mining Legislation and Governing Frameworks

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Mining Institutional Structures

The key government institutions that work to develop, enact and implement the legislation and wider governance framework for the sector are:

The Ministry of Mines and Mineral Resources

Responsible for policy making in terms of setting laws and regulations and oversight for the sector.

The National Minerals Agency (NMA)

Semi-autonomous and non-partisan. Established by an act of parliament in 2012. It manages and regulates mineral policy implementation. The NMA is the principal point of contact for the public on all matters to do with mineral rights. The NMA works closely with other government agencies such as the National Revenue Authority and the Environmental Protection Agency to support them in policy implementation pertaining to the minerals sector. The NMA maintains two online databases, the Directory of Resource Contracts and the Geo-Data Information of Sierra Leone, as well as an online Mining Cadastre System.

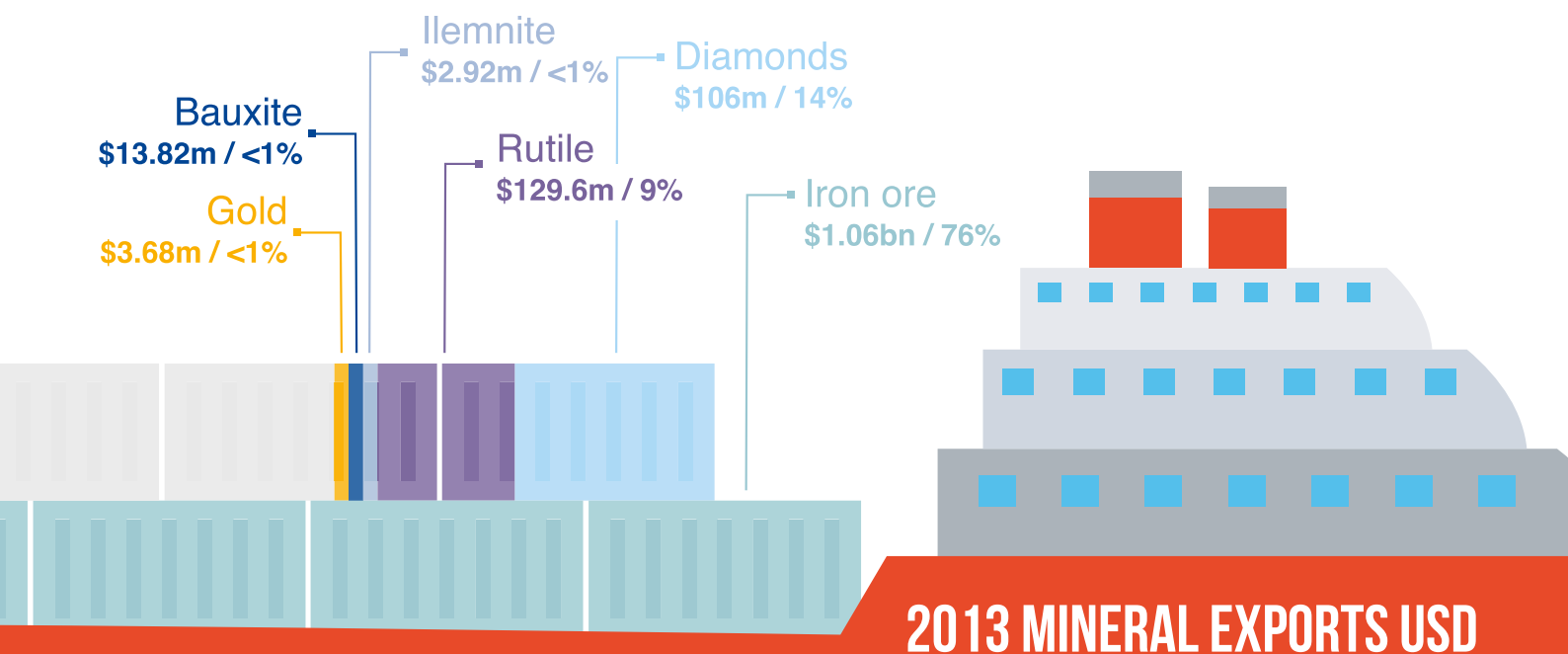
Relevant non-government institutions and organisations:

The National Secretariat of the Sierra Leone EITI (SLEITI)

Implements the EITI in country, and maintains an up-to-date website. To help ensure open and accountable management of mineral resources.

Sierra Leone Chamber of Mines

Established in 2014 to represent the interests of the mining sector, advocating on its behalf and promoting growth and development.



Participation of women

In 2014, Sierra Leone had a Gender Development Index (GDI) of 0.814 placing the country 181st out of the 188 countries for which GDI data exists. These figures also placed the country in Group five – meaning it has low gender development. When taking into account the values of life expectancy, years of schooling, and income per capita for both women and men, women in Sierra Leone are disadvantaged at least 10% more than men.³⁹ In terms of equality women are also disadvantaged, globally the country was positioned 145th out of 159 countries for which a GII value is calculated.

Taking some of these indicators on their own, in 2014 women held a 12.4% share of seats in parliament. Between 2005 and 2014, only 10% of women had some secondary education compared with 21% of men. Interestingly, the labour force participation rate between women and men was almost equal in 2013, at 65.7 and 69% respectively, however this does not reflect the differences in the types and levels of jobs, whether they are in the informal or formal economy, or income earnings. Furthermore, a 2009 report by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) found that '63% of women in urban areas and 84% of women in rural sectors are engaged in the informal sector. They were hampered from reaching their potential by poor and unequal access to land (based on customary practices), skills training, appropriate technology, functional literacy, and information on markets and finance.'⁴⁰

It is estimated that large-scale mining provides jobs for 14,000 people⁴¹ while the ASM sector directly employs 300,000 people and supports as many as 1.8 million more in associated service industries and local markets.⁴² However, reliable data concerning the participation of women in mining in Sierra Leone is scarce, and in many cases non-existent. Anecdotally it can be suggested that the percentage of women in large-scale mining is below 10% and may be less than 5%. This estimate is based on Sierra Rutile, a company that in 2016 (prior to changing ownership) publically announced a commitment to improve the participation of women across all functions of their operations. In the same year the company also established the Women's Association of Sierra Rutile as part of International Women's Day and reported that 6% of their staff are women.^{43,44} Furthermore, Koidu Ltd., a mid-tier diamond mining company, actively promotes the participation of women in sport and education through its corporate social responsibility strategy.⁴⁵ These demonstrate that there are some pre-existing private sector initiatives seeking to improve the position of women in mining, as well as an appetite for

further change. However, these estimates also show that women are significantly underrepresented in the large-scale mining sector in Sierra Leone.

Conversely, women in artisanal and small-scale mining make up a significant share of the workforce. Though no reliable data for Sierra Leone was found, based on estimates provided for other countries in the region it may be reasonably estimated that women make up at least 40% of the workforce. Historically, women working in ASM in Sierra Leone have largely mined gold while men focus on diamonds. However, this gender divide is now changing as the price of gold has increased in recent years and the quality of diamond deposits has decreased. This combination is attracting men into gold mining and having the negative effect of marginalising women further by pushing them out of this vital livelihood activity.^{46,47}

Like their counterparts in large-scale mining, women are rarely found in leadership or managerial positions in the ASM sector. They face additional gender-based discrimination when it comes to getting bank loans and informal money lending to purchase a license or finance mining activities. They may find it challenging to gain the respect of male colleagues and even their own labourers when running operations. Indeed, women are especially discriminated against in the area of land tenure. Traditional law requires permission from the closest male relative in decisions over the use of land, including its sale. Despite this customary practice being outlawed, it reportedly still occurs, especially in rural areas. There is therefore a gap in activating, educating, and implementing existing equality laws and changing informal and cultural practices to eliminate gender disparities in Sierra Leone.

As the land tenure issue demonstrates, these challenges are not unique to women working in the mining sector. Many of the challenges women face mirror the broader cultural and societal gender-based discrimination, barriers to entry and high levels of gender-based disparities in the country.

Gender Analysis of the Legislation

Mines and Mineral Act (2009) lists only one instance where women's participation in mining is considered. Section 11(i) refers to the Minerals Advisory Board having 'two persons with considerable qualifications and experience in the mining industry generally one of whom shall be a woman'. There is no other specific mention of women nor provisions for women in the MMA. Instead, the MMA is dominated by references to men. There are 169 separate uses of male pronouns (he, his, him, himself) and no use of female ones. This may, in part, be a reflection of the fact that in Sierra Leone certain languages do not

always distinguish between masculine or feminine in any grammatical person (he/she, we, they). However, this point still demonstrates a lack of attention, awareness, and prioritisation of the role of women in mining when the law was drafted and enacted.⁴⁸ Revising legislation and introducing explicit provisions for women working in the sector is a potential improvement to the existing mineral governance framework.

If there is scope for introducing legislation to support women's entry and safe working in the sector, any such intervention would need to interact with all three key government institutions – highlighted above – to be effective. Developing and enacting new policy and legislation through the Ministry of Mines and Mineral Resources, and realising and implementing such change through the NMA and SLEITI, requires a coordinated approach.

In addition to the laws, regulations and institutions outlined, the mineral governance framework in Sierra Leone is also influenced by external and cross-cutting factors that are pervasive across all sectors in the country. For example, gender equality is noted upfront in Sierra Leone's Vision for 2013 to 2035. Along with 'good governance and rule of law, well developed infrastructure, macroeconomic stability, with private-sector, export-led growth generating wide employment opportunities; [...] good environmental protection, and responsible natural resource exploitation'.⁴⁹ However, the ministry with authority for gender issues, the Ministry of Social Welfare, Gender and Children's Affairs, is underfunded and marginalised from decision-making at both the central and local government level.⁵⁰ This disconnect between department and decision-making highlights a challenge to mainstreaming gender throughout the governance framework.

Elite capture and corruption are linked to Sierra Leone's long civil war and have affected the governance of the minerals sector.⁵¹ Governing elites rely on community-based patrons who can then capture state resources on behalf of communities. This type of endorsed corruption may generate little pressure for good governance and instead, stifle the participation of women in all sectors and areas of society. Another example of cross-cutting issues is the 50/50 Movement.⁵² This is a non-partisan organisation advocating and campaigning for increased political participation and equal representation of women in decision-making processes and initiatives at all levels. Leveraging the networks more, and working with – and building upon – existing initiatives, is therefore key for any legislative interventions to be successful.

Sierra Leone is a country where over three quarters of the population experience poverty. It has a rapidly evolving large-scale mining sector and mineral governance framework. If properly supported, managed, and regulated, Sierra Leone's mineral sector could offer significant potential for future development, economic growth, and crucially, the empowerment of women.



Key findings

This section outlines the key findings that arose from interviews with stakeholders from both Malawi and Sierra Leone. The implications of these for mineral governance are discussed in detail in the following section.

1. It is important to distinguish between the role of women in large-scale mining and artisanal and small-scale mining

The literature review and interviews with participants from both countries highlighted that there was always a distinction made between the role and participation of women in large-scale, industrial mining compared to artisanal and small-scale mining. When asked the first question concerning the existence of barriers to female participation in the mining sector generally, many participants made that unprompted distinction before answering.

It is therefore crucial to recognise not only the cross-cutting issues women working in mining face, but also that for any policies, initiatives, legislation, and recommendations to be effective and relevant they must, where appropriate, be tailored and adapted to address the different and specific challenges faced by women in both types of mining sectors. The following quotes illustrate this point.

“It varies from category to category [LSM to ASM]. So maybe most of the conversation of my responses will be about women in ASM, as ASM is largely informal in terms of dynamics that influence, and land rights issues come into play.”

“It depends what types of mining – either you are talking about corporates at an industrial scale or alluvial mining which is essentially local people digging a hole in the ground. And they are utterly different.”

2. Women face discrimination in mining due to broader structural, social, and cultural barriers and perceptions in society

Women face discrimination in mining due to broader discrimination in society, both in large-scale mining and ASM. In both countries there are cultural factors and general perceptions in society that mean women are seen as the caregivers, responsible for looking after the family, and, as elsewhere in the world, that mining is predominantly ‘men’s work’. However, this should not

preclude women undertaking the same roles as men should they choose to, as there are no physiological reasons why women cannot perform the same tasks as men. In Sierra Leone, many interviewees noted that mining is wrongly considered a physical activity solely for men. Despite this, for certain mining activities men may have an advantage over women, in terms of strength and fewer care giving responsibilities, and therefore may be preferred by employers or choose not to engage in certain types work. For example, in Malawi women are largely found as business owners and labour managers, preferring to hire men to undertake manual labour in ASM activities.

When asked why these views exist, participants noted that in large-scale mining women are largely found in cooking and cleaning roles. In ASM they are in non-physical labour, such as administration and trading, which is considered both easier to access and seen as being more suitable for women. Furthermore, it was suggested that because few, if any, companies are actively recruiting women there is little incentive to create women-friendly work environments. There is a lack of women working in the sector in senior positions and roles are dominated by men. This in itself reinforces a perception that mining is not for women. Together, these perceptions are the main barriers to women’s equal participation and empowerment, as the following extract from a male official in Sierra Leone demonstrates:

“The main risk is that the nature of the job is highly labour intensive and so women are exposed more than men ... In terms of economic empowerment when women become economically empowered, the men feel threatened and it sometimes affects matrimonial homes where not managed properly....And that’s the whole question about women’s economic empowerment in general. The literature does not consider the impacts that [WEE] has on family life; how the marriages disintegrate from that. Some of my [male] colleagues have suffered from it.”

This extract is in stark contrast to the point made by a female participant that through her work in the sector she was demonstrating that women can indeed undertake the same roles and perform equally as well as their male counterparts:

“If I was not doing what I was doing and earning income I think my family members would have suffered...I think women need to get into those positions where they can compete, contribute and to those around and not just in the family.

We say around here women make good leaders – so if they are able to get themselves into good companies too we say there should be greater productivity.”

This point regarding women’s inclusion being essential to a productive mining sector was also reiterated by a male government officer in Malawi:

“Women on the whole make better employees as they essentially run their households and are much more resourceful through necessity. Mining income is usually used differently by women than men. Typically, women spend their earnings on the household.”

This view was again repeated in terms of why women should be included in community negotiations and compensation payments:

“The family benefits if women are involved, whereas only the man benefits from a man’s mining income.”

These quotes also demonstrate that while some participants are better versed in discussing the role of women in mining, there are clear distinctions in how some women and men perceive and describe the issues.

Most importantly, this finding demonstrates that discrimination stems from the attitudes of men and perception of women more broadly in society as well as of those working in the sector. There is a need to better demonstrate how improving the participation of women in mining leads to positive social, economic, and developmental impacts. Actively increasing the participation of women in mining, seeing women undertake the same work and perform the same roles as men without any ‘adverse impacts’ is potentially the most effective way to address and overcome these barriers and perceptions.

3. Access to land and finance are significant barriers for women in ASM

Compared to men, women face unique challenges when working in the mining sector. There are significant barriers around access to land and traditional cultural attitudes to women in mining, as supported by both the literature review and participant interviews. These barriers limit women’s access to productive resources and constrain their ability to make meaningful choices around economic activity and how land is used.

In Sierra Leone, many participants identified the land tenure system as a significant barrier to women in ASM. One participant explained that, even when a woman is the head of a family and owns land, they would need the support from a male relative to sell or make any decisions in relation to it:

“According to tradition only men [can] be leaders in the family except if the eldest is a lady [then] she can take over...Only men have the right to say who [can] come and partake on the land.”

“On the alluvial side – I can only really talk about diamonds and what I have learnt here [Sierra Leone] is the main barrier, and this applies to all sectors, and this is over access to land.”

These quotes show women are in relatively vulnerable positions and in Sierra Leone, remain reliant on male relatives or employers. Their agency, voice and ability to influence and bargain around their role in the sector and in particular land is limited.

Women face further challenges in accessing finance. In some cases, financial institutions will not lend to women if the concession is short term or if the resource is uncertain. Some noted that women can get loans from different lending houses, but the sums involved and the grace periods offered are not adequate for mining projects. Collateral requirements can also be prohibitive. Financial products that are accessible for women could therefore be one way to support their participation in the sector.

4. Effectively implementing existing laws and building on existing initiatives is important

When asked whether introducing new or revising existing laws is needed to improve provisions for women, many interviewees stated that activating and implementing them was key. Mainstreaming gender into existing policies and plans is therefore essential.

“There is not [a barrier]. The legislation has made clear once you are citizen of Sierra Leone...there is no barrier to participate or even establish your own company or mining.

The state point of view is there is no structural discrimination.

Also, it varies from category to category [LSM to ASM] ... Within large-scale mining there are regulations, so no impedance whatsoever...But it is different for the ASM sector – there are legal and illegal. But due to cultural practices it is difficult for women.”

In Sierra Leone, participants noted that there are already broader labour laws and regulations concerning equal opportunities for women and men in the workplace, as well as government support for the 50/50 Movement. Participants suggested that collectively these laws and policies sufficiently cover the minerals sector. However, when asked, few could go into detail about what the laws include in terms of specific provisions for women.

“The trouble with legislation in this country [is that] they [government] are great at passing laws, the legislation is not the problem it is the implementation of the legislation, and there is a huge disconnect, and need for prosecution and awareness of the law. Passing of the law is all very well, but getting the government to follow through is a different matter.”

“Overlapping provisions in the laws governing the extractive sector is a huge barrier. Am not sure how effective the Law Court is in interpreting the laws to avoid conflicts. Some provisions of the law cannot be enforced as the required structures have not been set up to implement them.”

Understanding of the extent to which these laws and regulations can be and are implemented, and their effectiveness in reaching women and society at all levels, is lacking. These points show that while drafting new laws and regulations to include gender provisions is important, activating and effectively implementing existing laws is also crucial.

Similarly, as both the literature review and participant interviews show, there are also a number of positive

industry initiatives that can be built upon. For example the work to establish a Women’s Association at Sierra Rutile Ltd. as well as other community outreach programmes specifically targeting girls education by other large-scale mining companies could be suitable starting points for change. This softer, proactive approach, building on existing good work and initiatives, was advocated by one participant as being more effective and leading to better outcomes and engagement with stakeholders:

“Gender provisions are great but [people] need to follow through, got to provide opportunities for mining companies and get them to show off what they are [already] doing in Sierra Leone for women in their companies and their sector as well and improve their CSR and the publicity that goes with it. ... [There is a need] to get a different angle – not just depressing images.”

Likewise, when participants in Malawi were asked about existing initiatives there were a number of positive comments, particularly around training women in the gemstone sector. There was also commendation among participants for recent moves to make mining a priority sector and including it in the national developmental goals. A number of participants also noted the increased funding of mining-related courses in tertiary institutions and the introduction of new or improved mining policies. To some extent, the initiatives have been successful at increasing the number of Malawians graduating with mining-related degrees and also increasing awareness in the sector. Examples of other existing initiatives in Malawi include:

1. The Technical, Entrepreneurial and Vocational Education and Training Authority (TEVETA)⁵³ and the Department of Mines have been working together to open a mining school⁵⁴ in Mzuzu.
2. The One Village One Product project was working with women in the Mangochi district of southern Malawi to provide mining skills. Training was jointly provided by the Department of Mines and the Department of Trade with a focus on marketing, branding, and division of tasks within associations. Trainees were also supported to attend international workshops. However, there is reportedly a lack of funding to progress or utilise the training.
3. Department of Mines supports women in mining associations to attend international trade fairs and exchange ideas.

4. Malawi Geological Survey supports women's mining associations to improve gemstone and mineral identification, beneficiation and value-adding as well as licensing. As a result, women in mining associations have improved their access to market and quality of products, and are increasingly being invited to mining forums and trade exhibitions.

Identifying existing government, civil society, and industry initiatives in this space is the first step. Finding ways to enhance and develop initiatives is crucial to ensuring buy-in and effective change.

5. Education and educational programmes by government and industry are needed to overcome barriers

When participants were asked for their suggestions of how to address the prevailing barriers, aside from setting a positive example through their own actions and in their respective organisations, education was the reoccurring and prevailing theme. A clear need exists for government to actively promote job opportunities and career paths available to school-age (5-17) girls and young women at the local level, as well as offering programmes, scholarships and incentives in support of this. Decentralising government budgetary and financial responsibilities for education could help to ensure participation of women in mining. As before, building on and leveraging existing initiatives being implemented by the private sector is also key.

As one participant from Sierra Leone stated:

“The mining companies, if they themselves are interested in employing locals, then they have to be able to support programmes to build capacity of university and tertiary education to provide the required skilled students. And also go down to secondary school level to give women and girls the confidence that this is a field that is dominated by males but there are no characteristics that prevent them not to work in the sector. Most of the time these positions have been advertised in magazines and there are qualifications to apply, and sometimes only men possess those qualifications the companies are seeking.”

These points were also reiterated by some participants in Malawi. One participant noted:

“In terms of competing for jobs, I would say yes to a large extent but men have greater chances of getting jobs that are very technical rigorous. Women seem to have lesser interest in this field considering it as a man's world.”

Indeed, the need for education and sensitisation programmes in the country appears even more pressing given that the large-scale mining sector is so new. Many participants noted that there is a general lack of understanding about the mining sector - the risks associated with it; the boom and bust cyclic nature of commodities. In addition, mining is not seen in a positive light. Interviewees reported that civil society and NGOs are often disapproving of mining. The view was that instead such groups should encourage community members to learn about mining and understand the sector. The lack of understanding is not limited to civil society. Participants also noted that mining does not get the public support of government and there is a huge gap in expertise in the various government departments.

Without exploration or extraction at the large-scale level, there is a limited demand or supply of university level mining courses. If female students are not entering the science streams at high school and university, they do not move into the mining courses. A significant issue generally at the local level is the lack of appropriate education and training to enable anyone to enter the mining sector. In Malawi, even those who have degrees in relevant fields are not educated to a standard equivalent to a qualification from a mature mining country meaning both men and women are under-qualified. Without commercial in-country mining operations for Malawian graduates to gain experience, a new large-scale mine will initially require almost all technical and management positions to be filled by expatriates. As such, currently Malawians need to leave Malawi to get qualified and gain experience before returning home.

Because few women can take up formal education, and more especially education in the sciences, if they do participate in mining it is as artisans. Interviewees report that the ASM sector is largely dominated by women. Initiatives from both the Malawian Government and international organisations have encouraged and assisted women in forming cooperatives for the mining, processing and value adding of resources. This is mostly in the gemstone sector, but also road construction materials and chalk.

However, as the literature review and stakeholder interviews highlighted, there appears to be a certain degree of disconnect and overlapping functions between the various government agencies. To make any education programme effective, a joined up approach through the MMR and NMA working with the relevant educational agencies and greater inter-ministerial collaboration is needed.

Education and sensitising government stakeholders on gender issues would also be key to unlocking change. Helping to address some of the negative perceptions, dispel myths, and initiate a more positive, open and proactive dialogue is a precursor to change.

6. Associations need to support networking and increasing the participation and empowerment of women in mining as well as helping to access markets

A key theme of this research is the need for women to work together and improve networks and information sharing in order to overcome ongoing challenges. In Sierra Leone, there are no formal networks for women in mining, whereas in Malawi there are existing, well-known women in mining associations and networks, particularly the Malawi Women in Mining Association (MAWIMA) though there are differing perspectives regarding its effectiveness:

“MAWIMA is one of the strongest local women’s associations for women in mining in Malawi. It is an arm that has and acts as a direct link to the local government as well as government departments such as the Department of Mines and the Geological Survey Department, all under Ministry of Natural Resources Energy and Mining...It is representative and most of the members were involved in the drafting of the latest mining law and policy as well as the Artisanal and Small Scale Mining Policy.”

The structure of MAWIMA and its engagement reflect the objectives of the draft National Artisanal and Small Scale Mining Policy in that it is ‘a way of establishing and defending [ASM] rights; accessing supplies through collective purchase; and to access materials or resources that may be restricted for individuals. The organisation serves to enhance trading and value adding through access to certification schemes and international markets. Furthermore, it was reported that MAWIMA members maintain a close working relationship with the Natural Resources Justice Network - a civil society set-up in the

mining sector.

However, one participant noted that MAWIMA has faced significant challenges:

“They however have a lot of challenges that impede their smooth running. For instance, they do not have direct partners to support the implementation of their plans. They are currently looking for partners to help them develop a strategic plan.”

This shows that the associations can be valuable convening forums and have direct input into policy making, although the extent to which this translates into influence over the process is untested. There were also concerns that not all members of MAWIMA are given a voice.

“MAWIMA is mainly comprised of small scale mining controllers. They are more interested in their own businesses rather than women in mining in general. Those businesses are mostly gemstones and low value minerals. As an organisation, they don’t have strong governance or representation. UN Women have done some work with them, but I’m not sure how successful that was. They support their members for trade and commercial interests, many of whom are disadvantaged by low education or literacy and limited communication access.”

It is therefore important to ensure that associations are well governed, enable the participation of all members and also meets their needs:

“Unfortunately, my own thinking is that the association has not really supported its members as it has not been very effective. It was supposed to act as a link to the local government, but in reality, this has not been the case. Most of the members are not familiar with the mining law and policy. This is because most members are not sufficiently educated to understand and appreciate the government policy and indeed the mining legislation.”

Most members don't have access to communication/email. They also don't have a high education or literacy. The top levels of MAWIMA do have those skills and should be passing the information on to other members."

Although MAWIMA was not established to be a broad networking or lobbying group, the comments above demonstrate that there is demand for support of this nature. At present the Malawi Women in Mining group is more of a female ASM collective rather than a Women in Mining group. This is not to lessen the importance or benefit of MAWIMA, however there is also a need for networks or organisations that represent women working in skilled trade, technical and professional roles. To this end, there may be scope for the Malawi University of Science and Technology (MUST) and University of Malawi, the two universities in the country that teach earth sciences, to develop a female alumni association and network. Especially given that the Department of Earth Sciences at MUST has the stated aim of increasing the number of female experts in the sector. It would be important to ensure a broad range of members with diverse technical experience including civil society, government, education, and industry. Collectively, their ability to be mentors and role models to younger women considering a mining career should be encouraged. As one participant commented:

"Gender inclusion, mentoring and guiding aspiring women in mining at all stages is a powerful way to inspire women to stay and spearhead research and innovations in the mining sector"

A final way in which associations can better support the participation and empowerment of women in ASM is through education on and sharing of market price information. Currently, there is little value addition to minerals mined through artisanal and small-scale operations, and, as ASM activities are often located in rural areas and educational rates are low there can be difficulties with understanding and accessing pricing information and world market rates. These information asymmetries mean products may be undersold to middlemen and traders. Women in Mining associations can therefore work to educate women working in ASM in these areas and facilitate their professional development by connecting to wider networks.

7. Reliable data that disaggregates by gender does not exist

Despite the information presented in this paper painting a picture of women facing significant disadvantages to men across all sectors as well as in mining, there is still a considerable lack of primary, quantitative data concerning the number of women involved. There is a clear need for further in-depth studies that specifically focus on and examine the challenges faced by women working in the sector. This will develop greater understanding and further consensus for action – both of which are required for women in ASM and the wider mining sector in general.

Even in Malawi, where the size and scope of the mining industry is currently small it is difficult to quantify how many women work in mining and in what roles. There are women in technical roles in government departments, but they are not at the mining engineering level. The following extract also shows the need for more educational opportunities for women:

"In the private sector it depends on the type of job. I have seen women working as sorters, but not mining engineers. They are at lower level jobs, but I have seen them as machine drivers...If women have the necessary skills there is a high chance of being employed in large-scale mines. In the small/medium scale mines they would just be cleaners or cooks. In the government sector, participation is not that high in engineering, but it is in geology. Women will get a job if they have the skill."

Most importantly this lack of reliable data, also evidenced by the scarce information on company websites, points to a significant gap as well as a potential immediate opportunity. Currently in Sierra Leone, as elsewhere, mining companies are required to disclose a range of data concerning royalty payments, revenues, and licensing agreements of extractive industries as part of their commitment to the Extractive Industries Transparency Initiative (EITI). However, despite the collection and reporting of data concerning workforce size in the major mining companies as well as the number and percentage of Sierra Leonean nationals for the EITI, it is not disaggregated by gender.⁵⁵ Thus, through legislation or a voluntary initiative such as the EITI requiring male and female participation rates to be reported, it may be possible to relatively easily address this gap, while at the same time helping to elevate the participation of women in mining to become more of a priority issue.

Implications for legal and policy frameworks

Overall, these findings do suggest that a mining law could indeed help to unlock the potential of women in mining. However, they do reveal the need for policymakers to understand the structural barriers that women face and call for more effective implementation methods. This section discusses the implications of the key findings, considering both the development of legislation and policy (de jure), as well as the implementation of such law and policy (de facto).

De jure implications

Sierra Leone's mining code, the MMA, is relatively silent on the issues of gender. As a whole, the governance framework for the minerals sector in Sierra Leone is not gender neutral, and instead dominated by the use of male pronouns. While awareness of the particular issues faced by women in mining does, to some extent, exist, it has not been translated nor fully reflected in mineral policy, regulations and law. The new Core Minerals Policy is still under development and the mining sector on the cusp of a steep change as it witnesses increased and rapid foreign direct investment, particularly in Iron ore. Under this set of circumstances, there is a unique opportunity to review and address legislative gaps in gender provisions.

In terms of capitalising on this opportunity, the Sierra Leone case study shows the importance of understanding and developing specific policy, programmatic, and legislation that is tailored separately for the large-scale industrial mining and artisanal and small-scale mining sectors. However, it has also shown the need for legislation that cuts across sectors, and a more joined up approach that sees key mining as well as non-mining government agencies, institutions and organisations working together on a cohesive policy response that prioritises gender equality as a key development issue and opportunity.

As the lack of reliable data concerning the participation of women shows, it is important that legislative instruments and policy responses provide the requisite level of detail needed to hold both government and mining companies to account. They must also incentivise them to see the benefit of and actively seek to attract and recruit female employees. As noted, requiring workforce data reported as part of the EITI to be disaggregated by gender is one such example where legislative instruments could help address the issue.

To develop a more rounded policy response, there is a clear need for engagement with a range of stakeholders in civil society and the private sector, including gender champions, to gain their perspectives on policy development around gender and women in mining. Ensuring early and full participatory engagement and consultation in policy and legislator processes is needed, to make legislation more effective. Existing expertise and frameworks within NMA and MMR can be identified and utilised, as opposed to developing entirely new interventions and policy instruments. In this way, change will be quicker, more comprehensive, and further reaching.

In Malawi, gender exists as a topic in policy, but this does not feed through into legislation. As one interviewee noted:

“Gender provisions should be legislated, not just in policy.”

Including gender at a legislative level, rather than just at a policy level, provides all stakeholders, whether government or civil society, a stronger mandate to push for progress in this area. In addition to discussion of formalisation and quotas as an area to support women, community engagement and compensation was an area that came up. Laws should be clear in ensuring that women are included in consultation, compensation and relocation discussions, so that their needs are met. This will also ensure women are aware of employment opportunities from companies and the grievance mechanisms that companies offer to communities.

Finally, quotas and affirmative action policies came out as an area where legislation could better support women. Whilst any quota or affirmative action requirement would need to be carefully thought through and contextualised, it could provide the space for women to show their worth in the sector. Interviewees noted that as companies were not targeting female employees, they were not making their work sites suitable for them. Another interviewee noted the need to set a requirement and expectation for good practice and this would be one method of doing that. Any legislation mandating quotas would need to be accompanied by clear regulation and guidance for companies in making safe and appropriate work spaces for women. Similarly, this would also need to be implemented in tandem with education and training efforts, to ensure women had the skills required to take advantage of sector opportunities.

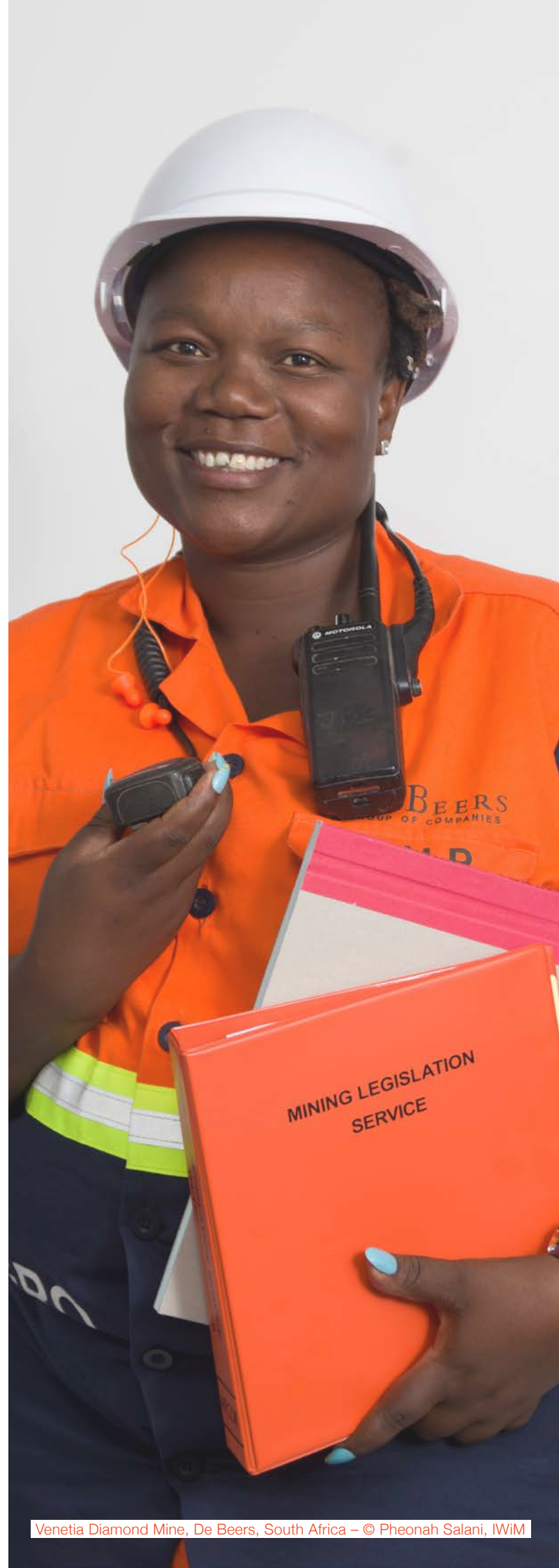
De facto implications

As the case studies demonstrate, the development of effective laws is only half the picture - implementation is key. As one interviewee stated, gender provisions must be “developed into plans”.

To ensure effective implementation and buy in on cross cutting gender commitments, education, training and sensitisation will be required for employees of mineral agencies and other agencies that implement gender provisions within the context of mining law and policy. As the participant interviews show, improving understanding of structural inequality in a proactive and positive way, without undermining existing efforts and good work, is necessary to enhance understanding of how prioritising women’s participation in mining has positive effects on all development outcomes.

Aside from sensitisation workshops, developing guidance on how to promote the role of women in mining could help with implementation and ensure private sector mining companies are clear on how to meet government gender commitments. Likewise, as the literature review and key points raised by participants demonstrate there is a need to outline the clear business case for promoting the role of women in mining and their inclusion at all levels in the sector.

An additional practical step in terms of implementing policy, is to increase and facilitate information sharing between all stakeholders. Government and civil society should recognise the positive steps taken by the private sector, to encourage and incentivise mining companies to go further and do more. Creating a government led, multi-stakeholder working group comprising civil society, women’s associations, the private sector, and non-mineral agencies and institutions could help in this regard. As a first step, the working group could identify where existing mining legislation supports women, prevents discrimination, or conversely, acts as a barrier to change. Subsequently, short, medium and long-term action plans could be developed to monitor and enhance the implementation of gender policies in practice. This work could inform future policy and initiatives. A working group tasked with promoting women’s participation in the sector could also act as a focal point and mandate for action, as well as provide an open forum for the sharing of ideas. Information could then cascade amongst civil society and government to reach local communities and district offices, and provide an effective means of consultation and communication on newly proposed laws and regulations.



Key Recommendations

This section draws out the key enabling factors and primary recommendations to support women working in the mining sector. The research clearly shows there is a strong role for mining legislation to play in supporting women in the sector. There are certain enabling factors that will support or constrain the success of these recommendations.

Enabling Factors

Before looking at specific recommendations for supporting women in the mining sector, it is important to understand what will make these interventions effective and successful. The research has identified key factors which signal a reform environment.

1. Visibility, leadership and political will to commit to change

There is a false assumption that giving higher priority to gender equality means lower priority to other development challenges.^{56,57} For interventions in this area to succeed, strong leadership, commitment and prioritisation by all stakeholders, whether government, donor, private sector or civil society, is essential.

♀ Governments: a test of commitment can be the resources made available for gender focused initiatives and how effectively they are used.

♀ Private sector: clear leadership from the top, rather than this topic being isolated into a human resources department. Having corporate champions - be they individuals, companies or industry organisations such as the International Council on Mining and Metals - may also help drive success in this area.⁵⁸

♀ Donors and regional bodies: exerting clear influence and expectation on this issue – joining research and practice.

2. Combining top-down and bottom-up approaches between government and civil society

This research has shown the power of women in mining associations and ‘bottom-up’ movements. Success in this area will be driven by women organising and working together to advocate for change. Women’s civil society groups and mining cooperatives need to be supported as a key driver of women’s visibility in the sector. Top-down approaches looking at developing gender responsive strategy and legislation must engage with these groups to ensure legislation is fit for purpose. WIM groups must be supported to advocate for gender responsive rules and where they have these, to use them as a reference point

to hold governments, companies and other stakeholders to account. Broader approaches that join bottom-up and top-down perspectives, bringing the formal rule making and understanding of the informal rules and power structures together are more likely to succeed, whereas purely focusing on technical form may fail.⁵⁹

3. Coordination across government at all levels as well as with non-mining institutions

Constructively engaging with other government institutions and decision makers when integrating gender into mining sector legislation is crucial if legislative reforms are to be passed and implemented. It is essential to understand the other relevant institutions involved in the regulation of the sector and their respective power and influence over the sector. Mining ministries and agencies must coordinate and engage with ministries and agencies focused on gender, women and social affairs. Mining agencies can build on existing gender and rights frameworks to enhance laws, rather than creating new frameworks. However, all too often, gender ministries are isolated from decision-making and not consulted in sector development.

4. The participation of men as well as women in the change process

Interventions or programmes aimed at reaching a marginalised or excluded group can elicit resentment or scepticism from other social groups who may feel threatened or that power or status may be lost as a result. Engaging more with men in the design of any intervention promoting women in the mining sector is key, especially those who may be a barrier to implementation.⁶⁰

5. Commitment to a long term vision, as changing entrenched societal norms and behaviours occurs over long timeframes

Change in this area will take time. It will involve challenging entrenched norms as well as behavioural change that goes beyond the mining sector. Government and donor interventions in this area must understand this. Progress will require indicators and measurements of success that look longer term and acknowledge the intergenerational benefits of investing in women.

Key Recommendations

The core implication from the research is that there is a role for mining legislation to play in supporting women in the mining sector. Legislation is stronger than policy or strategy frameworks and can act as a reference point for external stakeholders to hold the government to account. However, this must be viewed within the broader political economy. Mining legislation alone will not be able to overcome all obstacles that women face in the sector; enhancing legislation in this area will help. The ability and political will of government institutions to implement such a law is critical, as is the existence of associated legislation and institutions. Where gender institutions are isolated from core government decision-making, meaningful gender reform will be challenging, if not impossible.



Specific recommendations and implications for legislation

The table below draws out the main findings from this research and their implications for legislation.

Recommendation	Legislative & Regulatory Considerations
<p>1. Simplify the formation process of mining cooperatives and associations and provide accessible guidance to interested parties through mineral agency offices, websites and social media.</p>	<p>Cooperatives and association models have proved useful for many women miners and simplifying the process for establishing these could support women operating in the ASM sector. The Malawian model is an example of one that works well for women working as artisanal miners.</p>
<p>2. 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.</p>	<p>Mining legislation and regulations will set requirements for community engagement, often through community development agreements and these can cover resettlement, compensation and consultation. These are often termed as gender neutral; however, women are routinely left out of consultation and compensation discussions and can be adversely impacted by resettlement. Law or regulations must be clear on the inclusion of women in these processes so their voices are heard. Legislation should avoid terms that limit participation to land owners or those with legal interest.</p>
<p>3. Specify and implement quotas at a legal and regulatory level to support the participation and entry of women into the sector. For example, in local content requirements and mining companies, especially for senior and operational level positions, as well as for educational bursaries, training, and programmes.</p>	<p>Quotas are a controversial topic; however, this is one method of using legislation to mandate women's participation in the sector. There is a strong argument that a legislative mandate is needed to incentivise companies to take action.</p> <p>This type of regulatory detail can be included in local content provisions and requirements around education and training. Legislation or regulation in this area can explicitly mention women as well as men and provide clear obligations around the participation and training of women, in all roles.</p>
<p>4. Extend mining health and safety regulations to specify work places that are suitable for women and to safeguard women from harassment or violence.</p>	<p>Health and safety provisions in mining legislation set out responsibilities of licence holders to their employees and the requirement to adhere to health and safety standards. This can also extend to including legislative or regulatory requirements to ensuring a work place is made suitable for women as well as men and has appropriate procedures to safeguard against sexual or gender-based violence (SGBV) and harassment.</p>
<p>5. Require government departments, agencies and companies within the mining industry to record and publish data that is disaggregated by gender. For example, the numbers of women and men employed, the roles that they fill, and their average salaries.</p>	<p>With reliable, robust and accurate data concerning the numbers, role, and average salaries of women in mining, relative to their male counterparts, more effective policies can be developed. Progress against meeting quotas and improving women's participation can also be measured and tracked.</p> <p>Under the EITI, mining companies already report data concerning workforce size, and the percentage of local employees, however it is not disaggregated by gender. Updating EITI reporting requirements in this regard, and/or legislating for companies to report this data could help increase women's participation. Provided the data is used effectively.</p>

Implementation Considerations	Cross Government Considerations
<ul style="list-style-type: none"> ♀ Is there clear guidance and templates for those looking to establish a cooperative or association? ♀ Is this accessible? Local mineral agencies, government websites, social media ♀ Are local government bodies aware of/signposting to existing associations? 	<ul style="list-style-type: none"> ♀ Are women restricted in their access to land and financing? How can these restrictions be lifted?
<ul style="list-style-type: none"> ♀ Do monitoring mechanisms disaggregate by gender? ♀ Are there suitable engagement venues and mechanisms to involve women? 	<ul style="list-style-type: none"> ♀ Are principles of inclusive consultation also adopted by local government? ♀ Are there broader restrictions on women's ability to receive compensation? How can these be mitigated?
<ul style="list-style-type: none"> ♀ Are current systems fit for purpose to monitor quotas? ♀ What actions will be taken to ensure compliance? ♀ What, if any, acceptable exemptions can be given? ♀ Is there guidance for the private sector on what is expected of them in meeting these targets? i.e. what constitutes a female friendly work site? ♀ What should the level of participation be set at and how will it change over time? 	<ul style="list-style-type: none"> ♀ Are these quotas aligned to broader government initiatives on women's employment? ♀ Are there quotas for women's participation in mining companies as well as in education to train women to be able to fulfil roles in the future? ♀ Have the relevant Ministries responsible for labour and education, among others, been consulted?
<ul style="list-style-type: none"> ♀ Have government personnel been sensitised to SGBV issues? ♀ Can this be streamlined into existing health and safety monitoring processes? 	<ul style="list-style-type: none"> ♀ Have agencies involved in health and social service provision been consulted? ♀ Are monitoring and auditing agencies involved in the design of this?
<ul style="list-style-type: none"> ♀ What data is needed? ♀ How will data be collected? ♀ How will the data be accessed? ♀ Are there legal barriers that need to be overcome to make the data freely available and open source? ♀ Can existing EITI reporting requirements be used to collate and disseminate the required data? ♀ Where will the data be published? ♀ How will data be processed? 	<ul style="list-style-type: none"> ♀ Which agency or agencies will be responsible for collecting and compiling data? ♀ How will the data collected be effectively used to inform policy? ♀ Are there sufficient resources to process and use the data effectively? ♀ Are there cost implications to collecting additional data or can it be part of existing reporting requirements?

Broader recommendations to increase participation of women in mining

More broadly, additional recommendations, based on the findings of the research include:

Recommendation
6. Develop strong mineral agency monitoring mechanisms, or independent monitoring mechanisms, to ensure implementation of provisions aimed at supporting women, along with clear actions to ensure compliance.
7. Establish a cross government forum or working group that guarantees participation of ministries responsible for gender, social affairs, labour and education in the formulation and implementation of new sector policy and legislation; and ensure that legislative and regulatory provisions on gender and women in the mining sector align or signpost to broader government initiatives on gender.
8. Support WIM associations and networks in improving communication and access to information through funding and training, as well as, supporting them to hold governments to account on legislative and regulatory gender provisions through training and access to resources.
9. Educational institutions should act as hubs to promote WIM associations and networks and establish alumni mentoring networks for women working in the mining sector.
10. Include the mining sector in sector selection of gender programming, and ensure all mining governance programmes have clear gender components
11. Require any legal and policy advice provided to Government to be gender responsive, through clear drafting principles and qualitative monitoring and evaluation.

Rationale

The development of an M&E framework with gender responsive indicators will better guarantee implementation success and accountability. Preferably, the monitoring and evaluation exercise would be undertaken periodically, to a specified timeline and by an independent party or agency. The findings of any evaluation must lead to clear actions for repair, where necessary. Note, that M&E capacity must be built first to carry out this task effectively.

To create an enabling environment for reform, constructively engaging with other government institutions and decision makers when integrating gender into mining sector legislation is crucial, if legislative reforms are to be passed and implemented. Mining ministries and agencies must coordinate and engage with ministries and agencies focused on gender, women and social affairs. This can be achieved through the establishment of an inter-ministerial working group, with a clear mandate and terms of reference. Ensuring frequency of engagement will help to align a country's approach to tackling gender inequalities more broadly.

Women organising is probably the strongest basis for success of any reform aimed at increasing women's voice. Many of the stakeholders commented on the strength of locally driven, bottom-up approaches and collective action. Women in Mining associations and local civil society groups have been the drivers of much progress in this area and one interviewee commented that interventions worked best where women organised and worked together. Associations can offer support and a voice to women when conventional decision making structures have not responded to their needs.

- ♀ Governments consult with WIM associations and gender focused CSOs in development of sector legislation and policy.
- ♀ NGO and donor partners can support resourcing and methods of communication and information sharing capabilities of WIM networks.
- ♀ NGO and donor partners can provide support or training to help CSOs and WIM networks to advocate for change around gender and women's participation.
- ♀ Educational institutes can act as a hub to promote WIM associations and networks.
- ♀ Educational institutions can directly establish or support WIM networks to establish alumni and mentoring networks for women working in the mining sector.
- ♀ Companies can work with or support the development of WIM networks as a sustainable method of developing the female workforce.

Related to the above recommendation, educational institutions can act as an effective channel to promote WIM associations. As independent institutions with often a strong alumni network they can effectively gather influencers and/or raise awareness of ongoing initiatives. Where a WIM network does not exist, as is the case in Sierra Leone, educational institutions can directly initiate or support WIM networks to establish alumni and mentoring networks for women working in the mining sector.

In many developing economies, international organisations as well as multilateral and bilateral donors actively support the development and governance of a host-country's mining sector. This is due both to the transformational potential it can have for a country's economic development, but also to the risks the sector can pose. International development partners can play a stronger role ensuring gender is a key consideration in mineral governance, sometimes providing the external pressure needed to generate political will at a national level.

- ♀ Gender programming should incorporate mining as a focus sector.
- ♀ Mining governance support should factor in gender from the outset.
- ♀ Monitoring and evaluation around mining governance projects should include clear indicators related to gender, beyond disaggregating beneficiaries by gender.
- ♀ Donors should require technical assistance programmes to showcase the steps taken to ensure that legal and policy advice is gender responsive.
- ♀ Mandate inclusion of women and gender issues in direct donor support to government to instil government accountability and action.

An accepted set of drafting principles to be adopted prior to any legal and/or policy drafting will serve to ensure that key themes are meaningfully considered and adopted. External advisers should also adopt such principles.

12. Leverage the gender commitments in the Africa Mining Vision and other relevant regional initiatives to create external pressure on governments to integrate gender into sector governance.

13. Develop the fully costed business case for women working in the mining sector.

14. Convene a working group of experts on women's economic empowerment in the mining sector, to discuss the challenges women face and the linkages between the mining sector and other sectors.

15. Develop government led, multi-stakeholder National Action Plans on Gender & Mining, working across government and with other sectors.

Participants in this research noted some law makers were considering changes to some minerals laws, focused around beneficial ownership and politically exposed persons – key issues on the good governance agenda. This indicated there was willingness to change or amend law where there is sufficient external governance pressure. Gender needs to be solidified as a key theme on the good governance agenda in much the same way. The research has shown an awareness of some of the different international and regional frameworks associated with minerals governance, from EITI to the Africa Mining Vision. Lawmakers clearly derive guidance from this. Improving the integration of gender issues into international and regional frameworks and making it more action orientated, would improve the visibility of this issue and provide clear direction and consensus on the issue for government decision makers.

Research to date can provide some evidence to support the case for investment in women in the sector, however a written and accepted business case is still to be developed. This business case should build on broader ‘gender balance in the workplace’ research and be tailored to the needs and requirements of the industry. A well-articulated business case will provide the industry and governments alike with strong rationale for investing and prioritising interventions focused on increasing women’s participation in the sector.

A working group of committed experts from a diverse background and set of experiences should be convened, to meet periodically. This group will be mandated with elaborating on the recommendations made here in this paper, and other, and beginning the process of implementation with key government counterparts and industry players. Such a group will ensure that sector experts are aligning approaches for positive impact.

Creating a government led, multi-stakeholder working group comprising civil society, women’s associations, the private sector, and non-mineral agencies and institutions could help in this regard. As a first step, the working group could identify where existing mining legislation supports women, prevents discrimination, or conversely, acts as a barrier to change. Subsequently, short, medium and long-term action plans could be developed to monitor and enhance the implementation of gender policies in practice. This work could inform future policy and initiatives. A working group tasked with promoting women’s participation in the sector could also act as a focal point and mandate for action, as well as provide an open forum for the sharing of ideas

Conclusion

The mining sector has women working in it at all stages of the value chain. However, this research has shown there are clear constraints around their access to opportunities and resources and their agency to act on current opportunities. There is a business case for both companies and governments to promote women in the mining sector. However, this is not yet a costed business case which means the financial benefits are not yet globally accepted.

Women's economic empowerment is women having both the ability to succeed and advance economically and the power to make and act on economic decisions. In this context, it is important to understand women's economic empowerment in the mining sector as more than just an increase in women working in the sector. Increased participation does not equate with participation in higher paying or safer fields of employment and it does not automatically mean that women have full control over their income and spending decisions. Similarly, the negative impacts of the sector on those living in mining communities, from environmental degradation, to food insecurity, to the risk of violence and of overburdening women, will all make women's income generating activities more challenging and can negatively affect their agency and mobility.

As the research has identified, improving legislation, working with WIM associations and closer collaboration with international partners will all help to improve the status of women in the sector; however, this action needs to happen in a coordinated manner. One method of doing this is to develop National Action Plans on Gender and Mining, aimed at bringing the recommendations above together to empower and safeguard women in the sector. This would be a government led initiative, bringing in all stakeholders in its development and crucially, in its implementation. Implementing the plan would require work across government and with other sectors, to address land and financing challenges. Stakeholders must address these broader challenges to improve the status of women in the mining sector and other sectors. Bringing the mining sector into the dialogue, and, crucially, programming around women's economic empowerment will help to address both the unique and more general challenges that women face, clarify the business case for women in the sector and better understand the way the sector impacts on women's economic empowerment in other sectors.





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Adam Smith International is an award-winning global company that delivers impact, value and lasting change through economic growth and government reform. Our reputation as a global leader has been built on the positive results our projects have achieved in many of the world's most challenging environments.

ASI has extensive, proven experience using market systems approaches to catalyse empowerment outcomes for women and working-aged adolescent girls across the globe. Through our programmes and projects, ASI is helping to realise sustained income increases for more than 500,000 poor and marginalised women internationally, and is at the forefront of efforts to address modern slavery; deliver market-led strategies to reduce unpaid care and disrupt social norms; and support women to progress into higher value-add roles.

For more information regarding our work and in respect to this research please contact Isabella Gerber, Manager, Extractive Industries Governance, ASI, [**Extractives@adamsmithinternational.com**](mailto:Extractives@adamsmithinternational.com)



International Women in Mining (IWIM)

International Women in Mining is the fastest growing network for women in the mining industry, with 9,700 members in over 100 countries. IWIM works to improve the worldwide gender balance in mining, while fostering the professional development of women in the industry.

IWIM links and supports 45+ WiM groups around the world. In Africa, IWIM has connected with dynamic WiM groups in Ghana, Senegal, Burkina Faso, Nigeria, Zambia, Kenya, Malawi, and South Africa. Our goal is to implement local WiM capacity-building projects.

IWIM also has projects that increase the number of women serving on boards, speaking at mining conferences, and featured in mining photos. We provide information, links to resources and facilitate lively discussions on issues important to women working in the industry.

For more information, visit our website at www.internationalwim.org, or please contact:

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