

Guidelines for Mainstreaming Gender in the Mineral Sector

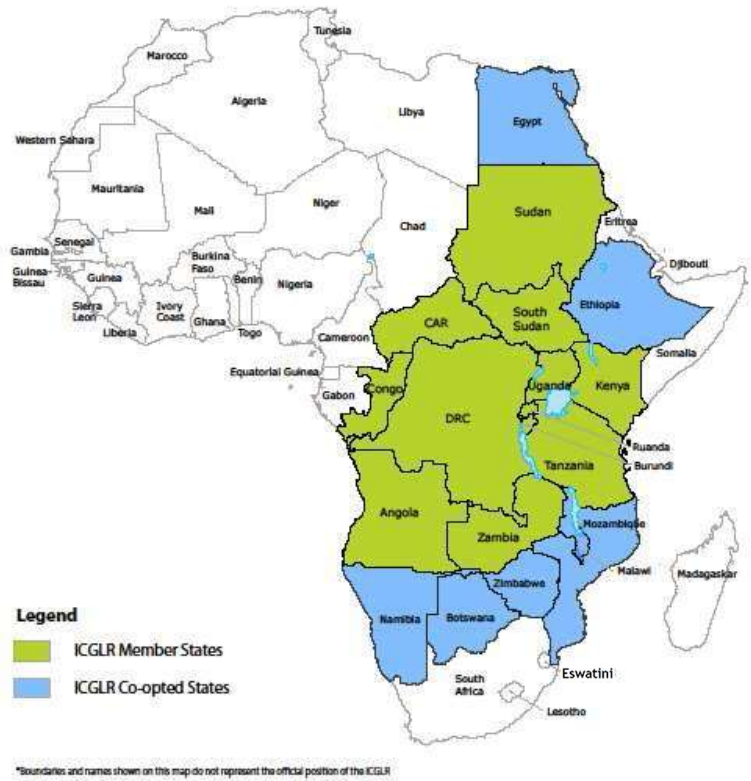


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INTRODUCTION

In the Dar-Es-Salaam Declaration of 2004, the Heads of State and Governments of the International Conference on the Great Lakes Region (ICGLR), namely Angola, Burundi, Central African Republic, Democratic Republic of Congo, Republic of Congo, Kenya, Rwanda, Sudan, South Soudan, Tanzania, Uganda, and Zambia agreed to seal a Pact on Security, Stability and Development, which confirms their determination and commitment to “transform the Great Lakes Region into a space of sustainable peace and security for States and people, political and social stability, shared growth and development”.

In support of efforts to translate the Great Lakes region’s rich natural resource endowment from sources of conflict into resources for development, the ICGLR “Protocol on the Fight against the Illegal Exploitation of Natural Resources” was adopted as part of the Pact. The Protocol constitutes the legal framework for the ICGLR “Regional Initiative against the Illegal Exploitation of Natural Resources” (RINR) launched at the Lusaka Special Summit held in December 2010.

In 2011, ICGLR convened the Fourth Ordinary Summit and Special Session on Sexual and Gender Based Violence (SGBV) in Kampala, Uganda, which resulted in “The Kampala Declaration on the Fight Against Sexual Gender Based Violence in the Great Lakes Region” (Kampala Declaration), wherein the ICGLR Heads of State committed to a series of actions to: prevent SGBV; end impunity for SGBV; provide support to victims/ survivors of SGBV and directed their national agencies to start with the implementation of the proposed instruments.

According to Article 16 of the Kampala Declaration, the Secretariat was requested to “strengthen the interlinkages between the Regional Initiative on Natural Resources (RINR) and the Regional Initiative on Sexual and Gender Based Violence (SGBV) by supporting Member States to mainstream gender aspects into their national policies on the natural resources sector and foster regional exchange and cooperation for sustainable development of the natural resources sector”.

With the support of BMZ and the EU, the ICGLR Secretariat and GIZ have commissioned these “Guidelines for Mainstreaming Gender in the Mineral Sector”, which seek to assist Member States in developing gender-responsive as well as gender-transformative strategies for managing their respective mineral sectors. It is useful to highlight that:

- ▶ these Guidelines seek to support and contribute to other strategies identified in Articles 1-15 and 17-19 of “The Kampala Declaration on the Fight Against Sexual Gender Based Violence in the Great Lakes Region” but does not seek to repeat them;
- ▶ these suggested strategies and approaches must be adapted to the legal, institutional, economic, political and socio-cultural context of each country, since the impact of the Mineral Sector on gender equality varies according to the country’s specific framework; and
- ▶ Member States have called for sharing of “best practice” examples of gender mainstreaming in the Mineral Sector. Some positive examples from policy, legislation and private sector practice are included in the Guidelines but commitments to mainstream gender in mining are recent, and therefore, more examples will emerge over time.

Through the Kampala Declaration, ICGLR Member States have committed to mainstream gender in their mineral policies as one of key actions needed in the fight against sexual and gender-based violence (SGBV).

Information Box 1: Basic gender concepts

Gender versus Sex. Sex refers to the biological and physical characteristics that categorize someone as either female or male; whereas gender is about the behaviours, beliefs, attitudes and values that a social or cultural group thinks is appropriate for males and females.

Gender Division of Labour is the way that society assigns tasks, responsibilities and activities to women and men according to what is believed to be socially and culturally appropriate.

Gender Needs are requirements that arise from women's, men's, boys' and girls' position and status. Gender needs are normally classified as either practical or strategic.

Practical Gender Needs (PGNs) relate to daily existence and the usually immediate needs of women and men based on their same or different roles and position within existing power structures.

Strategic Gender Needs (SGNs) can be identified by looking at women's status in society relative to that of men. Needs usually relate to strategies that challenge male dominance and privilege in order to address inequalities in status. This can range from strategies that deal with inequalities in access, control and ownership of resources (e.g. land) to participation and influence over processes and decision-making to many other needs that transform the unequal power between men and women.

Gender Equality commonly focuses on removal of barriers to participation in order to provide the same opportunities to men and women, boys and girls to realize their potential. Equality of opportunities, however, does not necessarily create equality of outcomes.

Gender Equity relates to equality of outcomes for women and men, recognizing that in order for this to be achieved, power imbalances between women and men must be addressed. Equality of opportunities and outcomes may require different approaches for women and men calling for an appreciation of the differing needs, interests, priorities and distribution of power and resources.

Mainstreaming is the process and strategies of organizations that ensure gender is included in all aspects of policies, practices, activities and an institutional structure. Mainstreaming calls for gender capacity and accountability across an organization rather than centralized within an individual, office or unit.

Gender responsiveness concerns the decisions made and actions taken to address inequities, differences and specific needs of women and men, girls and boys. Gender responsiveness intends to respond to gender inequalities through all policies, activities and approaches.

Gender sensitivity is awareness and recognition of the differences between women and men and consideration of their specific needs, issues and situations and acting on this recognition.

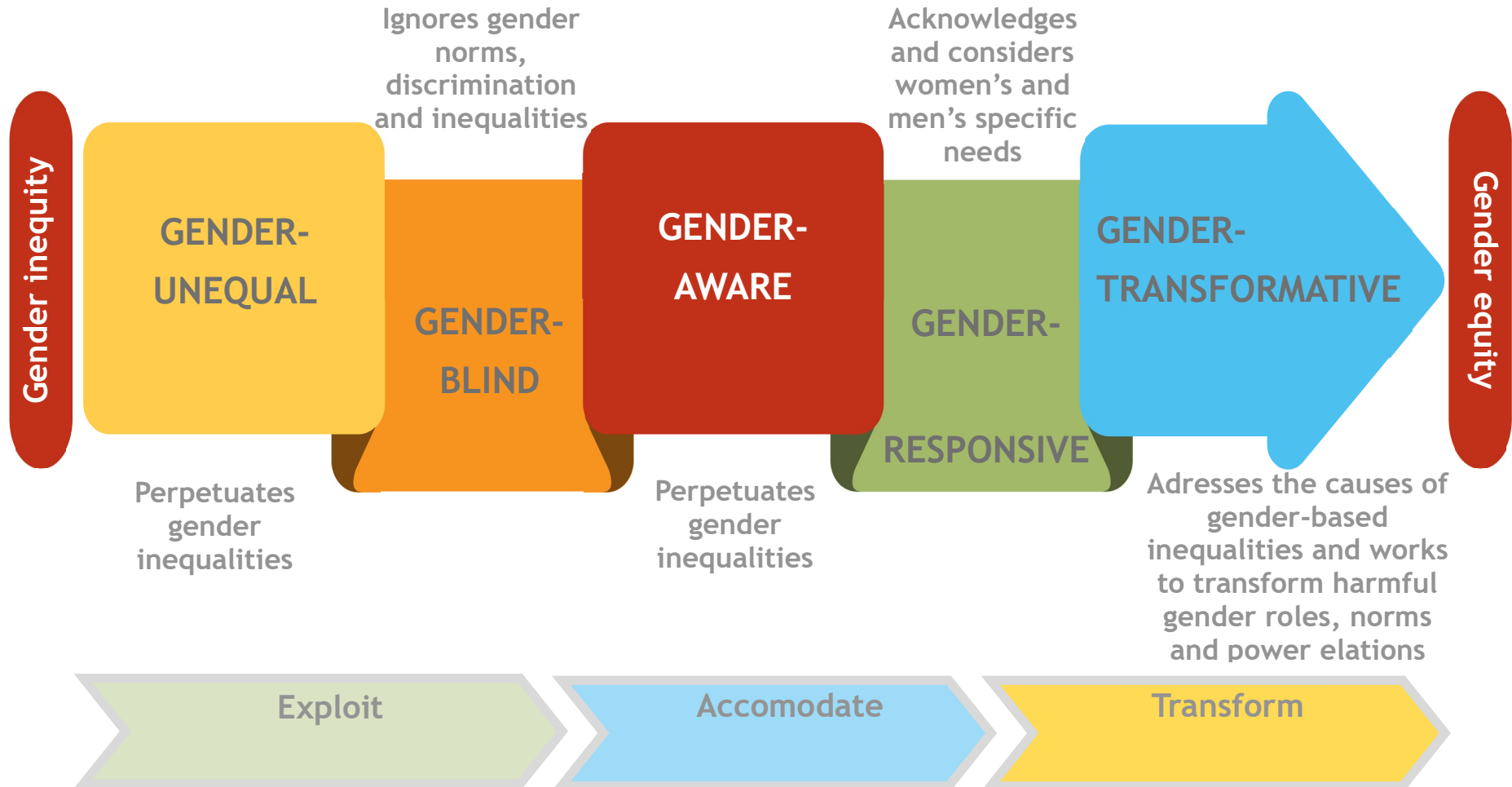
Gender transformation addresses the causes of gender-based inequalities and aims to transform harmful gender roles, norms and power relations.

Sexual and Gender Based Violence (SGBV) is violence directed to a person on the basis of his gender or sex. Acts of SGBV can be physical, social or psychological and can range from humiliation, threats and discrimination to confinement and neglect to rape, forced prostitution and physical assault including domestic violence. SGBV mainly occurs because of power inequalities, cultural or social beliefs that violate human rights, and imbalances in access to or control over resources which can reinforce the subordinate positions of vulnerable women, men, children, the disabled and elderly of a given society that make it more likely they will become victims of SGBV.

Sources:

- ▶ UNICEF, GENDER-TRANSFORMATIVE APPROACHES IN THE GLOBAL PROGRAMME TO END CHILD MARRIAGE PHASE II: A SUMMARY FOR PRACTITIONERS, <https://redirect.is/f67obbu>)
- ▶ Eftimie, A. et al, 2012, Gender Dimensions of Artisanal and Small-Scale Mining: A Rapid Assessment Toolkit, World Bank publ. www.worldbank.org/eigender, 132p.
- ▶ Reeves, H. and Baden, S., 2000, Gender and Development Concepts and Definitions, In: Bridge Development - Gender Report No 55. Institute of Development Studies: University of Sussex.

Figure 1: Gender Equity Continuum¹



¹ Adapted from: Pederson, A., Greaves, L., and Poole, N. 'Gender-transformative health promotion for women - a framework for action', *Health Promotion International*, vol. 30, no. 1, March 2015, <www.ncbi.nlm.nih.gov/pubmed/25231058>.

1 WHY MAINSTREAM GENDER IN THE MINERAL SECTOR

The relationship between gender equality and development, peace and security are well known around the World. Inequalities between women and men, boys and girls, in terms of education, social and economic status, personal freedom, health and many other aspects of human wellbeing have been broadly shown to impede an individual's, community's and country's development. These inequalities are more severe in times of insecurity and conflict. Gender equality is also a human rights issue and development is unlikely to occur unless men's and women's rights are respected, protected and fulfilled.

As a consequence, all 12 ICGLR Member States have:

- ▶ recognized equal rights explicitly in their respective Constitutions;
- ▶ incorporated gender objectives within their national development and poverty reduction strategies; and
- ▶ put in place the institutions such as Ministries of Gender that are needed to achieve such objectives. Most Member States have also adopted National Gender Policies, each of which generally calls on all actors (state and non- state, men and women) in all sectors to take appropriate action to address gender inequalities within their areas of mandate.

The Mineral Sector is no exception, and its private sector and public institutions are likely to experience more and more pressure in the future to address gender issues. With the inclusion of gender in the Kampala Declaration, this dimension is now regarded as an important component required in order to transform mining into an engine for development, peace and security.

1.1 GENDER IMPACTS OF THE MINERAL SECTOR

The ways in which the Mineral Sector can impact gender equality differ between country-to-country and community-to-community and depend on the socio-cultural, political, legal, economic, historical and environmental conditions. Some of the common ways that the Mineral Sector can affect gender equality are summarized in Box Two.

Gender impacts can differ drastically between conflict, post-conflict or peacetime situations. Widespread incidences of Sexual and Gender Based Violence (SGBV) have been documented in mining-affected areas across ICGLR Members States. In conflict and post-conflict areas this can include rape, sexual assault, beatings, abduction, confinement, deliberate killings, sexual slavery, forced marriages and forced incest. In peacetime situations, this mainly includes physical assault, wife beating, forced sex, sodomy, incest, exploitation, and economic and psychological abuse. SGBV is typically more pronounced in areas of violent conflict associated with illegal exploitation of mineral resources and the illicit mineral trades. In addition, migration of men to mine camps have left women and children more vulnerable to violence.

The capacity of ICGLR Member States to transform mining into an engine for development, peace and security depends on many factors, including whether the Mineral Sector serves to worsen or mitigate gender inequalities.

The nature, scale and type of mining are also important. For instance, in Africa, women can make up 20-90% of the artisanal and small-scale mining (ASM) workforce but their participation typically declines to less than 5% as mining becomes more formal and industrialized, as in medium to large-scale mining². As the degree of organization and formality increases up the ASM spectrum, women's engagement notably declines. Factors contributing to this include:

- ▶ social stigmas against women working in a predominantly male environment;
- ▶ the need for production consistency in more formal operations (which is difficult given many women's work burdens in the household);
- ▶ women's relative lack of social status in the community, limiting their exposure to information and opportunities;
- ▶ literacy and education inequalities making it more difficult to secure formal employment; the invisibility of women as miners and, in some cases, lack of personal freedom; and
- ▶ lack of self-confidence to apply for such positions ³.

² In assessments done in mining areas in Mozambique, Tanzania and Uganda, it was found that women, on average, work 5-8 hours more daily than men, mainly due to household work burdens. This was found to leave little or no time available for social engagement and activities that provide access to information, contribute to social status and exposure to new opportunities (Eftimie et al, 2012)

³ As a simple example of personal freedom, numerous women and men consulted in the Mozambique, Tanzania and Uganda assessment cited examples of wives needing permission from their husbands for activities such as taking a child to a health clinic or visiting a friend or relative. While many husbands acknowledge they often discussed major decisions with their wives (e.g. purchase or sale of land), they had the power to make a final decision on issues. Under these conditions, many women obviously would face greater barriers than men in travelling to and accessing information from a Mines Office, reporting to local police and apply for jobs with a mining company, among many others.

Information Box 2: Common gender impacts of the Mineral Sector

Is the Mineral Sector supporting or impeding gender equality? Some common issues include:

- ▶ Mining policy and legislation is often believed to be “gender neutral” but it can actually provide distinct advantages to persons with higher levels of social status, education and literacy, greater financial resources capacity, mobility, and freedom to access information and socially participate. Because women are typically more disadvantaged than men in these respects, impacts can include:
 - in the case of licensing artisanal and small-scale mining (ASM), men often have greater control of mining areas, even if women constitute high percentages of the ASM workforce. This can result in unequal financial benefits from mining and increased risks of harassment, intimidation, sexual violence and other forms of SGBV towards women, girls and other vulnerable persons;
 - in the case of consultative processes by mining and exploration companies, the needs, issues and concerns of women are less likely to be captured if they aren’t able to participate as often and freely as men. As a consequence, decisions may be made that give greater benefits to men or negatively impact women e.g. where to put roads, tailings dams or other facilities; types of community programs needed. e.g. locating of water boreholes);
 - in the case of compensation for land rights or disturbance to land, as men are commonly regarded as household heads, women may not have a say in negotiations or in how compensation is used. They may also be more negatively affected by the outcomes (e.g. uprooting of crops used for household consumption; impacts due to relocation of household).
- ▶ Most formal, skilled employment in mining goes to men. Although this can generate important development benefits for the family, this also has potential to decrease women’s social and economic status and relative power in the household and community relative to the status of men and, therefore, increase their vulnerability and insecurity. For example:
 - in many cultures, husbands often have the final say about decisions concerning the use of increased incomes in the household. The increased disposable earnings from mining can reinforce this power imbalance. Also, decisions about the use of these earnings can be inconsistent with needs and issues identified by their wives and/or may be harmful to the wellbeing of the family;
 - alcohol abuse and adultery can escalate, causing marital instability and domestic violence, including psychological and physical violence;
 - the migration of men to mining areas may leave women more vulnerable to violence in their home communities and, in some cases, can result in temporary marriages, polygamy and/or abandonment of the family;
 - The increase in women’s burden of work (e.g. in farming, home maintenance, domestic chores, etc.) may substantially increase as men increased work in the mines, creating physical and psychosocial health impacts. In many cultures, girls are more likely to be pulled from school than boys in order to meet the demands of the family, creating even longer-term development impacts.
- ▶ Social disorders in communities around mines can differently affect men and women. Common characteristics that commonly arise include alcoholism, drug abuse, growth of the sex trade, increased HIV/ AIDS and other STDs, and, particularly in the case of ASM, general lawlessness and disorder.
- ▶ Environmental impacts from mining can affect women more severely than men. For instance, women responsible for household food and water needs may need to spend much more time and effort meeting these needs if areas typically used for farming or water sources are degraded by mining.
- ▶ Mining is a hazardous activity, particularly in the case of ASM and unregulated medium-scale mining. Both women and men can experience health impacts from work-related illness and injuries, as well as from effects of environmental degradation, HIV/AIDS, domestic violence, etc. Women and girls can face even greater impacts with increased work burdens that come from looking after sick or injured persons and may face even greater vulnerabilities if they are disabled.

Migration of men to mining areas can have severe impacts on women and families left behind, making them more vulnerable to abandonment, exploitation, displacement, violence and other forms of SGBV. Furthermore, because men are disproportionately given lucrative, skilled jobs in medium and large-scale mining poses a risk of worsening power imbalances between women and men in the household, particularly if it reaffirms men’s greater status and control over earnings and how they are used.

Spin-off, indirect employment from mining can benefit both women and men and provide an obvious entry point to mainstream gender. In the case of ASM, benefits to women and men miners vary between individuals, households and communities but lack of control over benefits (e.g. earnings) and decisions concerning their use can also widen gender gaps.

The type of ASM (seasonal, permanent, migratory, rush, driven by conflict or other shocks, e.g. loss of livelihoods due to droughts, floods, etc.) also has different impacts. For instance, women, men, boys and girls in families who engage by panning in rivers near to their homes in order to supplement farming activities face much different development impacts and benefits from mining than miners who migrate to work in gangs or teams in remote, crude camps for months at a time and in forced labour scenarios. Because of this, policy and legal efforts to license ASM can have unintended and negative impacts, potentially marginalizing women and men miners further, if the licensing requirements are not appropriate to the reality (and diversity) of each country's ASM sectors.

Even when not directly involved in mining, women and men can experience very different impacts in communities and regions where exploration, ASM, medium-scale and large-scale mining are taking place and in communities that make-up important trade centres or routes. As a simple example, a resettlement or compensation exercise done by a large mining company can disproportionately benefit men and negatively impact women (and potentially even worsen power imbalances between them) if both are not involved in negotiations, discussions and decisions about use of proceeds.

In summary, the Mineral Sector can widen gender gaps in employment, income, control of resources, freedom of participation and voice, exposure to information and opportunities and, at its most severe, it can expose women, girls, disabled, the elderly and other vulnerable persons to extreme acts of sexual and gender-based violence (SGBV). Each of these impacts has been shown to impede development and therefore put peace and security at risk.



It is, however, also important to recognize that mining can also support gender equality, particularly if it provides income and greater economic freedom and socio-economic status to women, as has been shown in some ASM sites and for small businesses that form in communities around some mining areas. Some useful examples are shown in the next sections.

1.2 THE PRIVATE SECTOR AND GENDER-RESPONSIVE EFFORTS

Recognizing both the potential impacts and opportunities of mining, many large-scale companies around the World are taking steps to increase participation of and benefits to women in order to improve community development outcomes in areas where they work. Rio Tinto, for example, has developed a “Gender Policy and Guidebook” which includes a number of thematic programs to support women’s empowerment in communities around their operations. In Batu Hijau, Indonesia, Newmont Corporation has established community relations offices in 11 villages around the operation, enabling both women and men in those areas to voice concerns or complaints as they arise. The AngloGold Ashanti Fund allocates millions of dollars annually to projects that address strategic gender needs related to education, HIV/AIDS, health, skills training and job creation

In addition, many large companies are more commonly making efforts to ensure that both women’s and men’s voices are captured through separate consultations undertaken during the environmental and social impact assessment (ESIA) phase of large scale mine permitting and throughout mine development, operations and closure. This provides an important way to identify and respond to the needs, concerns and priorities of both women and men during mine planning processes and subsequent corporate social responsibility (CSR) programs.

The practices of some large-scale operations serve as positive examples for the growing number of small-to-medium scale companies that operate formally throughout the region but are under less scrutiny and have fewer skills and resources to develop and implement gender-responsive policies and programs.

One example has emerged for small- to mid-sized companies with support from the German Federal Institute for Geosciences and Natural Resources (BGR) under the Certification of Trading Chains (CTC) initiative in Rwanda. Under the CTC, four Rwandan companies were consulted to inform development of a sample gender policy and implementation guidelines for gender equality. Recognizing the different opportunities and constraints faced by small- to medium-sized mining enterprises, the policy presents simple and practical measures that can easily be adopted (Information Box 3).

As stated in the sample policy and implementation guideline report:

“The motivation for mining companies to promote gender equality is three-fold: firstly, with regard to the lack of skilled workers in Rwanda it is inevitable to consider women in the employment strategy. Secondly, many interviewees, especially those from the management level, mentioned that for specific tasks women are better workers. Thirdly, there is considerable pressure from the government towards gender equality”.

Information Box 3: Gender Equality Policy for small- to medium-sized mining companies

Through the Certification of Trading Chains (CTC) initiative, a sample gender policy and implementation guidelines was developed by Projekt Consult with support from BGR for adaptation and use by four Rwandan mining companies.

The Sample Policy

Nobody working for our company is preferred or discriminated for gender reasons. We commit to equal opportunities regarding recruitment, promotion and remuneration:

- ▶ Job requirements are non-discriminatory
- ▶ Women are explicitly included in the recruiting process
- ▶ Training is provided on a non-discriminatory and equal basis
- ▶ Women are equally encouraged and supported to advance in their careers
- ▶ Remuneration of male and female employees is equal for work of equivalent value

We believe that communication of gender-related problems is important:

- ▶ Concerns and grievances of every employee are equally important
- ▶ Organization of women and recognition of their representatives from the workforce is encouraged and supported.

We commit to the protection and promotion of the family:

- ▶ Workers with family responsibilities are not discriminated and are supported to reconcile, as best as possible, their employment and family responsibilities.
- ▶ Parental leave is provided according to the legislation.
- ▶ Our children are our future. Pregnancy, parenthood or maternity leave are no reasons for dismissal.

We apply the same non-discriminatory standards to our Sub- contractors/ artisanal miners and casual laborers:

- ▶ The company keeps records of all, including female, employees, casual laborers, sub-contractors and artisanal miners.
- ▶ The company ensures participation of women workers in meetings with sub-contractors/ artisanal miners
- ▶ Assistance to sub-contractors/artisanal miners is provided on a non-discriminatory basis.
- ▶ The company does not allow exploitative working structures and unfair treatment among its sub-contractors (zero tolerance for sexual harassment, exploitation and gender-based violence).

Implementation Guidelines

- ▶ Assign senior responsibility for gender questions
- ▶ Raise awareness on non-discrimination
- ▶ Monitor the recruiting process and maintain non-discriminatory work requirements
- ▶ Provide training on a non-discriminatory basis
- ▶ Monitor salaries and careers
- ▶ Development of a policy and guidelines on gender equality for mining enterprises
- ▶ Introduce a grievance management system
- ▶ Encourage and support organization of women and recognition of their representatives from the workforce
- ▶ Employ a gender sensitive approach in the design of the work environment
- ▶ Protect families by offering family friendly work times
- ▶ Know your sub-contractors/artisanal miners and casual workers and assist them on a non-discriminatory basis
- ▶ Actively intervene against sexual harassment and exploitation and gender-based violence
- ▶ Design gender community projects
- ▶ Introduce an award for the most gender-sensitive employee and subcontractor/ artisanal miner
- ▶ Organization of women workers
- ▶ Collaboration of mining companies with the “Réseau des Femmes”.

2 PRINCIPLES FOR MAINSTREAMING GENDER IN THE MINERAL SECTOR

Each Member State has different Mineral Sectors, which operate under different cultural, social, political, legal, economic and environmental conditions. Consequently, different strategies, priorities and approaches will be suitable for different contexts and countries. Despite these differences and, whether in a peacetime or conflict situation, a number of core principles have been identified for effectively mainstreaming gender in the Mineral Sector.

Gender mainstreaming requires that an institution or organization consider gender in all aspects of its policies, practices, activities and institutional structure. **Effective gender mainstreaming calls for gender capacity and accountability to implement gender strategies across an organization rather than only through a centralized individual, office or unit.** This requires high-level commitment, sufficient resources, support from key actors and partners (including gender experts within an institution, ministries of gender and women's CSOs) and the systematic use of institutional tools, such as gender training, incentives that reward gender efforts and inclusion of gender in institutions' reporting, monitoring and evaluation frameworks. Guiding principles for gender mainstreaming therefore fall under the categories of:

- ▶ **Political Will and Institutional Commitment:** In order for gender to effectively be mainstreamed in the Mineral Sector, leaders, managers and others in positions of power must genuinely recognize, communicate and demonstrate their support for gender equality.
- ▶ **Gender Competence and Accountability:** How much does staff - including managers, mines inspectors, geologists, engineers, administrators and others - know about gender inequalities and ways to address them through their roles, functions and mandates in their jobs? To what extent is an organisation's or individual's performance measured by their gender competence.
- ▶ **Gender Mainstreaming in Processes:** Integrating gender into day-to-day and regular processes and functions is one of the most effective ways to ensure the mining sector becomes more responsive.
- ▶ **Critical Intersectoral Partnerships:** Government mining institutions (Ministries, Authorities, Departments, Commissions) typically play the central role in administration, licencing, regulation, enforcement and promotion of the Mineral Sector. As such, they have a critical role to play in spearheading gender mainstreaming.

However, genuine gender mainstreaming calls for a much broader mandate and skill set that most mining institutions possess. Collaboration with and commitments from other organizations and partners will be needed to effectively develop and implement gender strategies.

Although these principles largely focus on the actions, activities and strategies recommended for government mining institutions, they can readily be adapted for any formal mining and exploration company and essential partners in the Mineral Sector (e.g. environmental agencies, CSOs and others).

Supporting Gender Equality through Gender Mainstreaming addresses the need for targeted interventions - where required to promote equality between men and women to ensure both can access and achieve equal opportunities and outcomes.

The basic principles and supporting actions (shown in Table 1) requires that the same and different needs, responsibilities, priorities and interests of women and men and the core issues creating inequalities are considered, wherever possible, and responded to through individuals' and organizations' actions and activities.



Horizontal keys for gender mainstreaming:

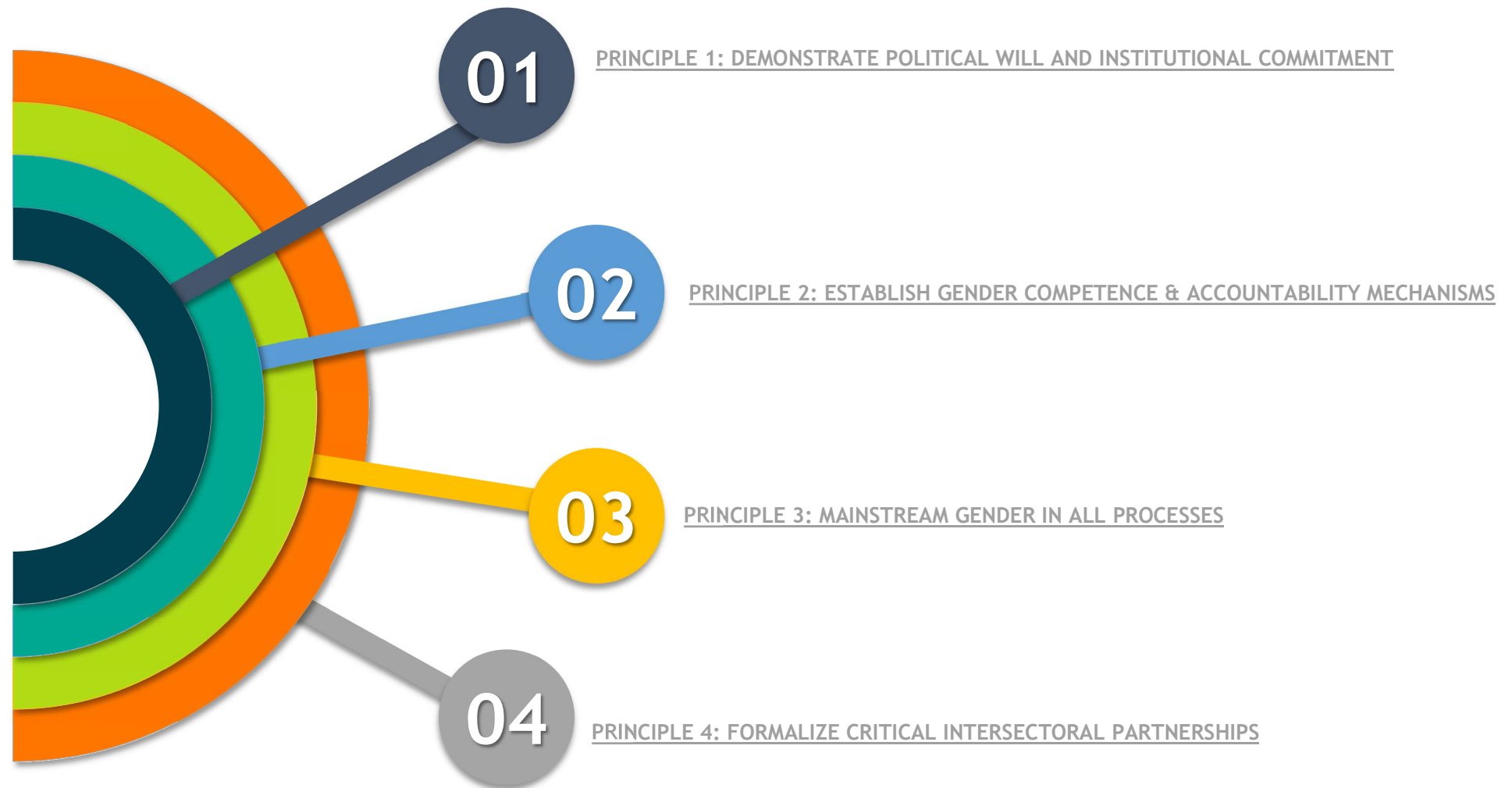
These are keys applicable to all principles, and strategic orientations, in order to ensure that the interventions are coherent with the will of transforming root causes of inequality:

- ▶ Gender-sensitive language
- ▶ Gender-specific data collection and analysis
- ▶ Equal access to and utilisation of services
- ▶ Women and men are equally involved in decision-making
- ▶ Equal treatment is integrated in steering processes

Note: these principles and strategic orientations are generic, while we acknowledge that countries have different contexts (e.g. conflict, post conflict) and are not at the same level with regards to reducing gender gaps.

Countries are encouraged to adapt these to their own contexts to ensure the optimal use of the proposed tools and supporting actions.

Figure 2: Principles for Mainstreaming Gender in the Mineral Sector



2.1 Principle 1: Demonstrate political will and institutional commitment

In order to effectively achieve gender mainstreaming in the Mineral Sector, leaders, managers and others in positions of power must genuinely recognise, communicate and demonstrate their support for gender equality.

Given the complexity of the concept of political will, it can hardly be observed from the actions it supports. This makes it difficult to ensure such commitment and hence the reason to have an accountability mechanism in place.

Political will is the sustained commitment of politicians and administrators to invest the necessary resources to achieve a specific goal. It is the willingness of politicians and other stakeholders to undertake, reform and implement policies. This normally takes three layers, namely: commitment, leadership and responsiveness.

It takes **visible and sustained commitment** by elected leaders and administrators is crucial if positive changes in attitudes, policies, and programmes affecting gender equality in the mineral sector are to be implemented and sustained. These commitments as stipulated in the 2012 Kampala Declaration where Member States committed to mainstream gender in the mineral sector and other policy and legal frame works among countries like the gender policy in Uganda, include commissions such as the Equal Opportunities Commission in Uganda which holds ministries accountable to implement gender driven budgeting, and propose legislation against the gender abuse which is a great driver of inequality in the mineral sector.

Implementation and enforcement of the policy, legal commitments are often weak, as a result of which well-intentioned policies become diluted or are unachievable. Legal commitments must be supported by political commitments: the commitment by authorities to ensure that legislation and codes of conduct are properly implemented and enforced. To secure such commitments is always challenging, especially when the changes required are contrary to socio-cultural norms and practices.

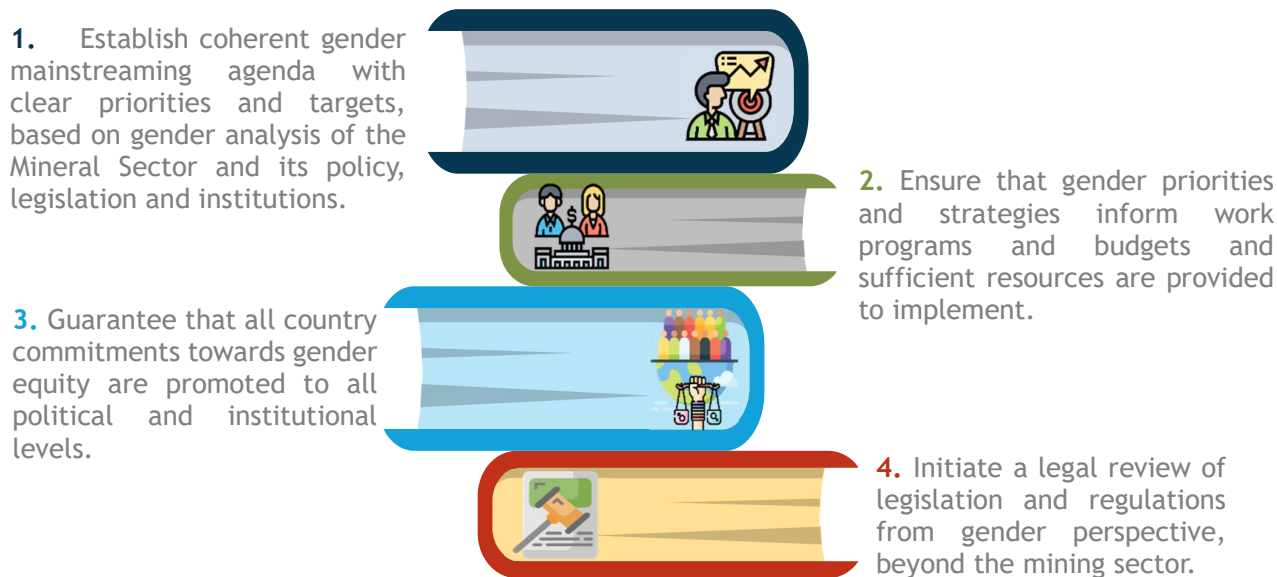
Leadership: This can be looked at from three perspectives of central leadership, women in positions of power and community/ traditional leadership. Leadership is required from a range of actors at central and local levels. At the very top, Presidents and Prime Ministers, cabinet members, members of parliament, and ministry officials must exercise leadership to establish and maintain gender equality as a national priority, to ensure that programmes and policies are followed through, and to counter opposition and passiveness.

Leadership at national-level is also essential if demand for change is to be sustained. At the grassroots level, the leadership of local administrators, community organisers, and traditional authorities can drive progress towards gender equality. In Uganda the Equal Opportunities Commission has been granted the mandate to monitor ministries and sectors on its implementation of gender drivers. However, such initiatives are limited by financial allocation in budgets for its implementation, lack of commitment from the leaders, administrators and stakeholders to implement the necessary reforms in policies which can be seen in the imperative forms of resistance, institutional barriers and institutional resistance.

Responsiveness: As a measure of political will, decision makers and miners must be responsive to the needs and rights of individuals with specific focus on the women. Political responsiveness entails relationships of accountability between citizens (especially women and girls), their government, and the miners. In many cases, we have found leaders acting as champions for change in their communities and yet in some locations this is not possible unless people demand loudly for change decision makers and service providers.

The following objectives, are strategic orientations, requiring actions from both ICGLR and Member States.

Figure 3: Strategic objectives for Principle 1- ‘Demonstrate political will and institutional commitment’



2.1.1 Establish a coherent gender mainstreaming agenda with clear priorities and targets, based on gender analysis of the Mineral Sector and its policy, legislation and institutions.

Gender mainstreaming in the mining sector requires addressing the root causes of inequalities. This can only be achieved by adopting a more global intervention, by addressing other sectors, which are directly related to the mining sector in order to have a positive impact.

Indeed, improving women access to properties, combatting violence against women, improving women access to justice, financial inclusion and economic empowerment etc... would directly support efforts of mainstreaming gender in the mining sector.

At country level:

- ▶ Use gender analysis and disaggregated data to Assess the implications for women and men in mining legislations, policies or programmes;
- ▶ Link with regional and global frameworks to ensure the coherence, mainly with SDGs and 2030 Agenda; and 1325 resolution (women peace and security);

- ▶ Adopt national plans/strategies for gender mainstreaming including the mining sector, aiming to achieve gender equity and address unbalanced relations of power between men and women;
- ▶ Prioritise gender in current reforms of Mineral Policy, law, regulations and institutions in coordination with gender ministries **informed by gender analysis** and implemented through a **Gender Action Plan**;
- ▶ Commit resources to support proactive engagement of key stakeholders in the gender through national and international initiatives to promote cross learning and adoption of best practices; and
- ▶ Encourage and assist stakeholders to create the kind of central leadership and grassroots support that can sustain effective campaigning for change at the mining sites.

Example

Work plans concerning extension services/training to artisanal miners can specify targets for % of men and women participants and activities related to revising training materials to be understood by both women and men and special efforts to mobilise and support participation of women miners. The corresponding budget should be presented with separate columns for total cost and percentages specifically allocated to women and men.

At ICGLR Level:

- ▶ Strengthen high level joint action plans at ICGLR level (conferences, declarations, charters, plans...)
- ▶ Collaborate with regional and international gender research centres, think tanks and programmes
- ▶ Formalise a gender monitoring and policy support unit to value lessons learned and expertise
- ▶ Provide quality technical support to countries
- ▶ Issue regular joint statements to foster countries' engagements to gender mainstreaming in the mining sector

2.1.2 Ensure that gender priorities and strategies inform work programmes and budgets, and that sufficient resources are provided to implement.

This includes mainstreaming of gender within existing work plans (e.g. related to extension services or provision of geodata and licensing information) and additional activities needed to implement a basket of new strategies. Gender priorities, objectives and strategies will only be put into practice if resources are made available to implement them.

This would include low or no-cost changes to existing work plans (e.g. regular work of mines inspectors) and additional, targeted activities, some of which may have a cost (time, money).

At Country Level:

- ▶ Conduct targeted training of government, implementing agencies (including NGOs and CSOs), donors, companies, cooperatives and other key actors with the intention of supporting transforming gender mind sets and commitments to action.
- ▶ Elaborate strategies to report, identify, address and monitor incidences of SGBV in mine sites and communities, which supports compliance with the due diligence requirements.

- ▶ Adopt Gender responsive budgeting (see information Box 4)
- ▶ Develop/ Review guidelines, templates and regulatory requirements for institutions/companies to establish basic gender policies and embed gender within policies on occupational safety and health, labour and environmental management while considering all levels.
- ▶ Appoint a gender- competent focal point/ gender desk and ensure they are supported to fulfil their functions for oversight of gender mainstreaming efforts, ensure staff receive requisite gender training at all levels and obtain gender guidance in policies, work programmes, budgets and activities.

A Gender Focal Point (or gender desk) can take on roles to:

- ▶ review work programmes and budgets and advise on gender mainstreaming within them;
- ▶ help engender and report on the institutions' monitoring and evaluation framework; assist in design and implementation of field-based activities; and
- ▶ provide guidance to technical officers and companies.

A focal person could be an internal technical officer who possesses adequate gender competence but more practically would require a new position (e.g. a gender expert).

He/she may also be a cross-appointed or representative of a gender ministry (which would support coordination between mining and gender institutions) who has been seconded to fulfil this role.

At ICGLR Level:

- ▶ Support countries' general framework for activities such as setting concrete gender equality objectives and developing gender equality action plans.
- ▶ Facilitate sharing experiences, good practices and lessons learned from the continent and beyond.

Information Box 4: Gender Budgeting

*'Gender budgeting draws our attention to the current gendered structures in our society that lead women to perform more unpaid work than men and to make economic sacrifices to manage childcare. Gender budgeting also encourages a process of engagement with politicians and civil society groups to ensure policies meet the needs of marginalized communities. The key insight is that budgeting - through taxes and expenditures - can be an important tool for achieving greater social equality. Gender budgeting is the process by which these goals can be accomplished.'*⁴

*'According to the Council of Europe's widely used definition, gender budgeting is an application of gender mainstreaming in the budgetary process. It involves conducting a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process, and restructuring revenues and expenditures in order to promote gender equality. In short, gender budgeting is a strategy and a process with the long-term aim of achieving gender equality goals.'*⁵

⁴ <https://www.gendereconomy.org/about/>

⁵ <https://eige.europa.eu/gender-mainstreaming/toolkits/gender-budgeting/what-is-gender-budgeting>

‘By applying a gender lens to budgets, governments can understand the different needs of their constituents and plan, execute and monitor expenditures and revenues more effectively’⁶

‘Fully applying gender budgeting within budget processes means the full integration of gender perspectives at all stages of budgeting and planning processes.’⁷

HOW DOES IT WORK?

There are two major levers governments can pull in gender budgeting - tax measures (such as tax-advantaged savings plans) and direct expenditures (such as welfare, childcare, old age support).⁸ ‘Both should be analyzed through a gender lens. There are no “rules” with regard to the best way to implement gender budgeting, but best practices include:

- ▶ *A **gender needs assessment**, including views and opinions from stakeholders and civil society representatives, of the extent to which government policies and programs meet gender equality needs, with a view to identifying priorities for policy action in the budgetary context.*
- ▶ *An **ex-ante assessment** of individual budget measures or their impact on gender equality, in advance of their inclusion in the budget. The annual budget is accompanied with an official assessment, conducted by the central budget authority (or under its authority) of the budget’s overall impact in promoting gender equality, including a gender- disaggregated analysis of specific policy measures (both revenue- and expenditure-related).*
- ▶ *Requirements prescribing that a minimum proportion of budget-related performance objectives and budgeted resources be allocated towards gender-responsive policies.*
- ▶ *An **ex-post impact assessment** of individual budget measures of the extent to which gender equality is effectively promoted and/or attained through the policies set out in the annual budget. Ideally, this would come in the form of a gender audit of the budget conducted by an authority different from the central budget authority.’⁹*

‘Practices and methodologies to introduce and sustain gender budgeting in recent years demonstrate its twin aims: to include the lived realities of women’s and men’s lives in budgets, and to make existing inequalities visible in budgeting.

In practice, gender budgeting is about revealing the different impacts of spending and revenue decisions on women and men, which differ depending on their life stages and economic and social circumstances.

In tandem, it means reviewing public finance decisions to ensure that these contribute to advancing gender equality, rather than reinforcing existing inequalities.’¹⁰

GENDER BUDGETING does not mean spend more; it means spend differently to reduce gender inequalities

⁶ <https://www.gendereconomy.org/gender-budgeting-a-tool-for-achieving-equality/>

⁷ <https://eige.europa.eu/gender-mainstreaming/toolkits/gender-budgeting/what-is-gender-budgeting>

⁸ <https://cdn.gendereconomy.org/wp-content/uploads/2017/10/Gender-budgeting-infographic.pdf>

⁹ <https://www.gendereconomy.org/gender-budgeting-a-tool-for-achieving-equality/>

¹⁰ <https://eige.europa.eu/gender-mainstreaming/toolkits/gender-budgeting/what-is-gender-budgeting>

2.1.3 *Guarantee that all country commitments towards gender equity are promoted at all political and institutional levels*

When commitments are promoted and visible, accountability is improved; giving access to clear information will strengthen the national efforts to go in a coordinated way towards gender equity.

The countries would also enter in a positive competition, celebrate their achievements and learn from one another.

At Country Level:

- ▶ Put in place a statement on gender mainstreaming which defines the organisation’s overall vision of gender equality with a clear commitment to gender mainstreaming.
- ▶ Publish regular reports, newsletters and information on gender mainstreaming in the mining sector.
- ▶ Create a website on gender in the mining sector to make available all resources and achievements
- ▶ Strengthen intersectoral collaboration with all related ministries, women machineries, public institutions and Civil society organisations.
- ▶ Ensure the efforts are reported in publicly available reports.

At ICGLR Level:

- ▶ Monitor countries’ efforts and make them visible to promote positive competition
- ▶ Promote countries’ achievements, good practices and advancement
- ▶ Strengthen accountability of countries to achieve gender equity through organising annual conferences and involving civil society actors.

Figure 4: Goals of the 2030 Agenda for sustainable development



Information Box 5: Gender equality (GOAL 5 of the 2030 Agenda for sustainable development)**Goal 5: Achieve gender equality and empower all women and girls¹¹****5** GENDER
EQUALITY

'Gender equality is not only a fundamental human right, but a necessary foundation for a peaceful, prosperous and sustainable world.

There has been progress over the last decades: More girls are going to school, fewer girls are forced into early marriage, more women are serving in parliament and positions of leadership, and laws are being reformed to advance gender equality.

Despite these gains, many challenges remain: discriminatory laws and social norms remain pervasive, women continue to be underrepresented at all levels of political leadership, and 1 in 5 women and girls between the ages of 15 and 49 report experiencing physical or sexual violence by an intimate partner within a 12-month period.

The effects of the COVID-19 pandemic could reverse the limited progress that has been made on gender equality and women's rights. The coronavirus outbreak exacerbates existing inequalities for women and girls across every sphere - from health and the economy, to security and social protection.

Women play a vital role in responding to the virus, including as frontline healthcare workers and carers at home. Women's unpaid care work has increased significantly as a result of school closures and the increased needs of older people. Women are also hit harder by the economic impacts of COVID-19, as they disproportionately work in insecure labour markets. Nearly 60% of women work in the informal economy, which puts them at greater risk of falling in poverty.

*The pandemic has also led to a steep increase in violence against women and girls. With lockdown measures in place, many women were trapped at home with their abusers, struggling to access services that are suffering from cuts and restrictions. Emerging data shows that, since the outbreak of the pandemic, violence against women and girls - and particularly domestic violence - has intensified.'*¹²

Targets¹³

- ▶ 5.1 End all forms of discrimination against all women and girls everywhere
- ▶ 5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation
- ▶ 5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation
- ▶ 5.4 Recognise and value unpaid care and domestic work through the provision of public services, infrastructures and social protection policies and the promotion of shared responsibility within the household and the family as appropriate at national level
- ▶ 5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life
- ▶ 5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences
- ▶ 5.A Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws
- ▶ 5.B Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women
- ▶ 5.C Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels

¹¹ <https://sustainabledevelopment.un.org/SDG5>

¹² <https://www.osce.org/sustainable-development-goals/05-Gender>

¹³ <https://unstats.un.org/sdgs/metadata/?Text=&Goal=5>

2.1.4 *Initiate a legal review of legislation and regulations from gender perspective, beyond the mining sector*

Legislation and regulations play a critical role in addressing gender gaps. In most cases, focusing only on mining law, without reviewing other general legislations and legislations would not lead to effective gender mainstreaming. Indeed, if laws do not favour women participation (e.g electoral laws), protecting them from violence (penal law), ensuring their access to resources (e.g. property, loans, banking...), all efforts to mainstream gender in the mining sector would not be effective.

Therefore, reviewing legislations beyond the mining sector is crucial.

At Country Level:

- ▶ Conduct gender analysis of the Mineral Sector legislation and regulations to understand gender issues in ASM, medium- and large-scale.
- ▶ Ensure gender analysis is conducted in conjunction with any planned mining policy, legal and institutional reforms.
- ▶ Revise existing laws beyond the mining sector (civil, penal, commercial).
- ▶ Come up with new legislations and regulations in line with the international standards for gender equality.
- ▶ Monitor effective implementation of laws and regulatory texts.

Example

Mining legislation (or related environmental legislation) often requires mining companies to consult with local residents about planned mining developments. Vulnerable persons face barriers to participation in these processes and are therefore often excluded from decisions that may impact them negatively or may be excluded from related opportunities (e.g. employment, CSR projects).

Such legal provisions could be revised so that “companies ensure special efforts are made to hold separate and joint consultations with women and vulnerable persons, including the disabled, elderly and youth in affected communities.”

At ICGLR Level:

- ▶ Revise the RINR ICGLR Model Law to ensure gender mainstreaming in it
- ▶ Provide technical assistance to countries.
- ▶ Publish comparative studies on laws, policies, strategies of gender mainstreaming in the mining sector.
- ▶ Facilitate the exchange between ICGLR Member States.

Information Box 6: ECOWAS Charter on gender mainstreaming in the geo-extractives sector

The Council of Ministers of the Economic Community of West African States (ECOWAS) adopted a CHARTER ON GENDER MAINSTREAMING IN THE GEO-EXTRACTIVES SECTOR in 2021 (Mai, 2021, in Abuja, Nigeria).

The Charter reconfirmed the Member States commitment to achieve gender equality, and to all regional and UN instruments for human rights.

This Gender Charter applies to the Geo-extractives Sector in the Community. And it aims to:

- ▶ 1. Provide a framework for Member States to undertake legislative and regulatory reforms for effective gender mainstreaming in the geo-extractive sector and development policies and programmes related to the geo-extractive sector at regional, national and local levels.
- ▶ 2. Promote consideration of the needs of all strata, categories and groups and respect for the rights of women and youth for more development, the consolidation of peace among peoples and democracy in Member States.

The specific objectives are:

- ▶ 1. Ensure women's participation in decision-making at all levels.
- ▶ 2. Improve the living conditions of women in host communities and respect their social and economic rights.
- ▶ 3. Promote and support entrepreneurial activities of women and youth and increase their share in local business procurement.
- ▶ 4. Create favourable working conditions for the specific needs of women and youth in the sector.
- ▶ 5. Apply the texts on the prohibition of child labour in the sector.
- ▶ 6. Safeguard the safety and security of women and girls in the sector.
- ▶ 7. Protect women and girls in the sector from sexual harassment, sexual exploitation and all other forms of gender-based violence.
- ▶ 8. Mainstream gender into environmental and social impact assessment processes.
- ▶ 9. Build women's resilience to climate change and take effective steps to reduce health and environmental risks in the sector.
- ▶ 10. Promote environmental standards in the geo-extractive sector through actions to reduce health risks to women and children.
- ▶ 11. Ensure gender-sensitive revenue sharing by allocating a specific percentage to women and youth;
- ▶ 12. Ensure the development of basic social services and the funding of projects for women empowerment.
- ▶ 13. Ensure gender-sensitive monitoring, evaluation and reporting systems at all levels.
- ▶ 14. Ensure capacity building for women and youth in the sector.
- ▶ 15. Promote the production and publication of disaggregated gender data in the sector.
- ▶ 16. Promote innovation and research on gender in the sector.
- ▶ 17. Support institutional capacity building on gender and sector governance.

The Charter reflects commitments at both national and regional levels, and it illustrates the strong political will of countries to achieve gender equality.

2.2 Principle 2: establish gender competence & accountability mechanisms

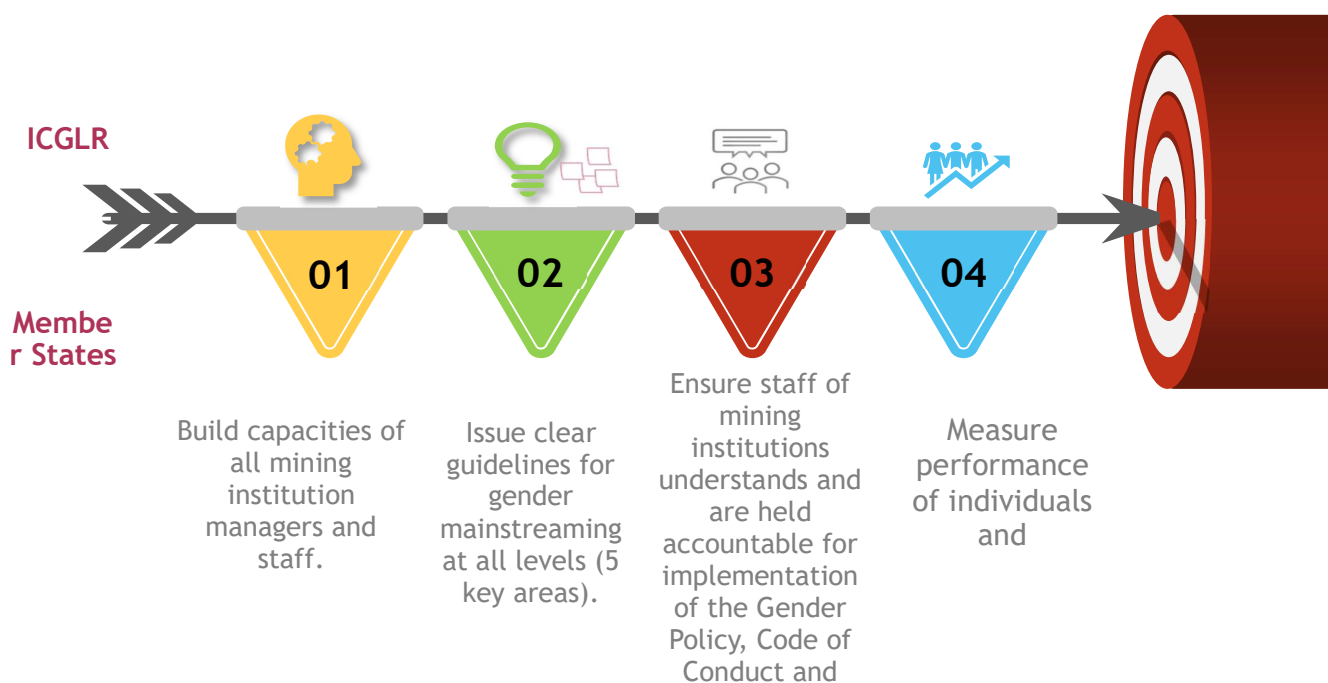
The implementation of gender mainstreaming relies greatly on the competence of the team, backed by a strong institutional mechanism for accountability. Gender competence is the ability of people - mines inspectors, geologists, engineers, administrators and others to recognise gender perspectives in the workplace and policy fields. For gender competence to be achieved there must be commitment, knowledge and skills.

Accountability mechanisms on the other hand refers to the objectives and priorities of an organisation as well as its rules and procedures that provide checks and balances to ensure that gender is at the centre of organisation work. With regards to public institutions, it takes both the political will and leadership of the organisation's top management to ensure the long-lasting implementation of gender mainstreaming. For this to be impactful, the mechanisms should be able to probe at governments'/ organisations commitments to future progress so that trends are measurable.

Therefore, supporting gender equality through gender mainstreaming requires that the same and different needs, responsibilities, priorities and interests of women and men and the core issues creating inequalities are considered and addressed through individual and organisations' actions and activities.

The following objectives, are strategic orientations, requiring actions from both ICGLR and Member States

Figure 5: Strategic objectives for Principle 2 'establish gender competence & accountability mechanisms'



2.2.1 Build capacities of all mining institution managers and staff.

Building capacities could take different forms, such as training, e-learning, study tours, workshops, etc...

Managers and staff should receive good capacity buildings to be able to deliver and to assume their responsibilities and be accountable for.

At Country Level:

- ▶ Conduct Capacity needs assessment to identify gender gaps, address concerns with regards to attitudes, technological challenges and disparities in decision-making
- ▶ With support from gender ministries and district officials in charge of gender, provide gender training on a regular basis to all managers and staff of mining institutions and institutionalise this in work plans and budget.
- ▶ Provide training materials (manuals, e-learning, guidelines...)
- ▶ Review of induction curricula for staff joining the sector
- ▶ Conduct capacity building (induction and refresher) sessions to ensure effective integration of gender aspects
- ▶ Conduct regular sensitisation and role plays on gender equality. These sessions should target mining leadership groups
- ▶ Promotion of male champions who address gender disparities
- ▶ Promotion of gender responsive planning, budgeting and implementation (See Information Box 4)
- ▶ Strengthen the collaboration with the private sector and companies on gender issues
- ▶ Develop and disseminate IEC materials on gender equality and equity in mining sector
- ▶ Translate IEC materials and disseminate to mining communities to promote mindset change

At ICGLR Level:

- ▶ Facilitate regional training workshops
- ▶ Encourage collaboration between Member States
- ▶ Make available all materials produced at national level and accessible language

2.2.2 Issue clear guidelines for gender mainstreaming at all levels

Major resistance to change comes from lack of knowledge or lack of support. Experience shows that providing clear adapted guidelines could address the needs of managers and staff and disarm resistance.

Gender equality is connected to deep social norms and beliefs, which are to be deconstructed with practical tools.

At Country Level:

- ▶ Mainstream gender into organisation policies, project design, budgeting, planning, monitoring and impact frameworks.
- ▶ Appoint Gender Focal Points to review existing job functions to inform these revisions.
- ▶ Put in place (or revise) Gender Policy and Workplace Codes of Conduct within mining institutions. These should be disseminated and discussed internally by staff and should include mechanisms for dealing with sexual harassment and discrimination, including a confidential grievance mechanism.
- ▶ Disseminate clear guidelines to all institutional levels.

Example

The BGR-supported policies for mining companies (Box 2) provide excellent examples for workplace gender policies and can be adapted for government mining institutions.

At ICGLR Level:

- ▶ Facilitate the exchange of experiences between countries
- ▶ Review ICGLR tools and guidelines from gender perspective
- ▶ Make available all produced materials
- ▶ Reward and promote countries achieving significant advancement

Information Box 7: ICGLR Model Law RINR

ICGLR Model Law RINR: The Prevention and Suppression of the Illegal Exploitation of Minerals in the Great Lakes Region, adopted in 2012, comprises the following chapters:

1. Chapter I: Preliminaries:
2. Chapter II: Preventive Measures.
 - a) Part 1 on Supply chain due diligence.
 - b) Part 2 on Licensing
 - c) Part 3 on Regional Certification
3. Chapter III: Suppressive Measures.

The document¹⁴ makes a unique reference to gender and women in the following statement: 'Taking measures to support the progressive professionalization and formalization of the artisanal mining sector through the establishment of cooperatives, associations, or other membership structures as well as improve women's conditions in artisanal mining communities through gender and empowerment programmes.'

¹⁴ CHAPTER II: PREVENTATIVE MEASURES IN RESPECT TO DESIGNATED MINERALS
Part I: Supply Chain Due Diligence; Section 10: Indicators for evaluating due diligence performance

2.2.3 Ensure staff of mining institutions understands and are held accountable for implementation of the Gender Policy, Code of Conduct and engendered job functions

A response mechanism in place - to deal with the violation and also support the victims or survivors is critical. This includes thorough internal communication mechanisms (e.g. information campaigns) and clear, known responses to incidents when the Codes of Conduct are violated.

Note: Policy mandates of government mining institutions can be strengthened by creating a legal mandate to increase accountability. Many countries have already included such mandates within their mining legislations:

- ▶ Regulations for environmental management, occupational health and safety and, in some cases, small scale mining. The Code of Conduct could also be enshrined in Law via supporting Regulations on Social Development in Mining.
- ▶ Laws that clearly define institutional roles and procedures of mining departments, particularly with respect to licensing, regulation, enforcement. These roles could be clearly engendered and expanded to include extension service/outreach roles to women, men and vulnerable persons in the sector.

Example

Policy Statement: “The Ministry of Mining (authority, department, commission etc.) shall establish, implement and monitor a Gender Policy and Code of Conduct and put in place training, oversight and performance measures to build gender competence and support compliance by all Mining (authority, department, commission etc.) staff.”

At Country Level:

- ▶ Establish (or ensure if any) a clear response mechanism to deal with violations and support victims. This should be in line with international standards.
- ▶ Provide gender training on a regular basis to all mining institution managers and staff. This may be through collaboration with gender ministries or by a sufficiently competent Gender Focal Point and should be supplemented by periodic refresher training courses. “Induction training” of new staff should include sensitisation on the Gender Policy and Code of Conduct by the Gender Focal Point.
- ▶ In order to enhance accountability, the law (including regulations) should specify institutional roles and functions/procedures based on engendered functions, including roles of related stakeholders (e.g. police, courts, local and central government agencies)

Example

Ministries of Gender or Gender Departments are often mandated to provide such support to line ministries of other sectors. Formalizing commitments between these institutions would be needed. Alternately, many competent CSOs are equipped to provide this service.

- ▶ Regulations and Codes of Conduct for environmental management, occupational health and safety and small-scale mining could also be defined in law by supporting Regulations on Social Development in Mining.
- ▶ Laws that clearly define institutional roles and procedures of mining departments, particularly with respect to licensing, regulation, enforcement should be clearly engendered and expanded to include extension service/outreach roles to women, men and vulnerable persons in the sector.
- ▶ Integrate gender into job descriptions and performance review processes in mining institutions.
- ▶ Disseminate an engendered code of conduct in a language that is clearly understood by all persons. Display on notice boards, share on various communication platforms
- ▶ Ensure resources are available for dissemination to and sensitization of staff on the policy, code of conduct and engendered job functions.

At ICGLR Level:

- ▶ Encourage collaboration between countries
- ▶ Promote good practices

2.2.4 Measure performance of individuals and institutions by their gender competence.

Internal monitoring, evaluation and reporting frameworks as well as staff performance reviews should include indicators to assess progress.

Opportunities to monitor gender competence will become clearer as job functions, roles and responsibilities become engendered.

At Country Level:

- ▶ Periodic monitoring of gender equality in the accreditation requirements related to the mining sector.
- ▶ Integrate gender into job descriptions in mining institutions. It may not be clear, particularly for technical positions, how gender can be mainstreamed in roles, functions and responsibilities in a traditional mining institution. Any function related to management, engagement with public, private sector (including artisanal miners) and communities, information collection and dissemination, licensing, extension services and a range of others provide entry points to mainstream gender into job descriptions. Typically, most job functions will be adapted by making gender more explicit; or specifying how roles will be performed to ensure both women and men equally benefit.

Example

The functions of a Regional Mines Officer may include advising private sector stakeholders on licensing procedures. Adapting this role to explicitly include “women and men miners” as target beneficiaries and providing additional hands-on guidance through the process to nationals and vulnerable persons, in particular, would-be ways to engender these functions.

- ▶ Integration of gender focused interventions and targets in job descriptions upon which all staff would be appraised.
- ▶ Conduct monitoring and evaluation to generate progress on gender mainstreaming.
- ▶ Develop and implement a gender equity and equality score card upon which performance of respective institution is evaluated. This provides a basis for additional funds to be allocated for subsequent activities.
- ▶ Promote gender sensitive technologies that are adoptable to the gender specific needs.
- ▶ Establish a functional Grievance Redress mechanism through functional Grievance Redress Committees at different levels to serve as early detection and response to gender inequality. (Ministry of Gender labour and social development has been mandated by the government of Uganda to ensure G.R.C are established in all lower local Governments).
- ▶ Integrate gender equality specific obligations in the code of conduct that should be signed by all staff and adhered to.

Example

A unit in charge of providing geo-information should report on the number of men and women receiving the service in their respective offices (this can easily be monitored and reported via registry books with an amended M/F column) in order to gauge effectiveness of outreach efforts.

Similarly, licensing officers can report on the number of men and women who received advice on ASM licensing procedures and assessed on the basis of how such information was provided and, where possible, assessing the outcomes from this (e.g. were extra efforts made to advise and support licensing of women miners' associations or cooperatives?).

At ICGLR Level:

- ▶ Provide technical assistance when required
- ▶ Support collaboration between countries
- ▶ Promote good practices
- ▶ Share available tools and materials

2.3 Principle 3: mainstream gender in all processes

Mainstreaming gender in all processes is the action of assessing the implications for women and men in any planned and implementation action, including legislation, policies and programmes in all areas and at all levels. For this to be achievable, gender equity principles must be applied in order to make gender mainstreaming as a process to become standard practice within mining sector. Gender relations at work (in the mining sector) must be taken into consideration given the fact that they result in the inequalities between women and men as they are mostly structured based on the nature and working system of mining operator which are the availability of production or kind of the work performed by each individual miner. In other words, mining government institutions together with mining companies and cooperatives need to develop their own processes to ensure gender equality and apply gender equity principles wherever possible so that the mining sector remains equally beneficial to both women and men.

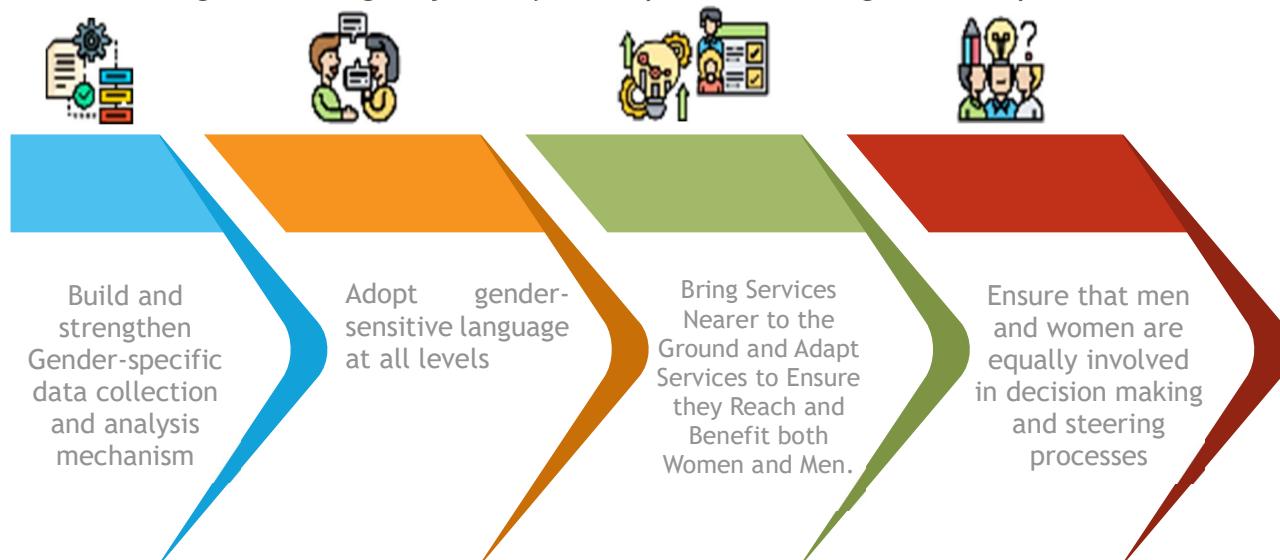
Gender mainstreaming is based on gender analysis (Diagnosis/audit) of all documents, policies, systems, practices, social norms; it is aiming to propose the correctives to gender inequalities and discriminations.

Gender mainstreaming in all processes requires:

- ▶ Conduct a gender analysis/diagnosis
- ▶ Ensure a Gender-sensitive language in all documents and processes
- ▶ Build Gender-specific data collection and analysis systems
- ▶ Promote Equal access to and utilisation of services between women and men
- ▶ Guarantee that Women and men are equally involved in decision-making at all levels
- ▶ Take actions affirming that Equal treatment is integrated into steering processes

The following objectives, are strategic orientations, requiring actions from both ICGLR and Member States.

Figure 6: Strategic objectives for Principle 3 mainstream gender in all processes



2.3.1 Build and strengthen Gender-specific data collection and analysis mechanism

A Gender-specific data collection and analysis mechanism is a corner stone for gender mainstreaming. Generally, different data systems in the same country are not enough interconnected and gender sensitive, so they are not able to provide information for policy makers and decision makers.

It is important to ensure a coherent work on data systems is undertaken to strengthen the systems' ability to spot critical information and to support policies, strategies, programmes and interventions, as well as send warning against any dysfunctions that should be addressed.

- ▶ Data must be collected, analysed and presented by gender. Social dimensions, such as age, ethnicity, income and level of education should also be reflected where possible.

- ▶ Gender-specific analysis of the initial situation must provide the basis for all decisions.

At Country Level:

- ▶ Collect and analyse gender - disaggregated data to measure performance. There is substantial data currently collected by mining institutions that can very easily be gender-disaggregated.
- ▶ Note: Disaggregation of data by gender that is numeric (e.g. the number of women and number of men have obtained small scale mining licenses) does not tell us enough about the outcomes being achieved or actions being taken to achieve them. Qualitative performance indicators are also needed to adequately measure performance (i.e. how are services being delivered and what is that actual outcome on the ground from this)
- ▶ Coordinate with the national statistic institution to ensure data system of gender in mining is compatible with other national systems.
- ▶ Review all data systems to ensure they are gender sensitive and are producing useful data to address gender gaps
- ▶ Analyse trends from the global gender gap report, gender index, Gini index as well as monitoring the national SDGs targets achievement.

At ICGLR Level:

- ▶ Provide technical support to countries willing to build or improve their data systems from gender perspective
- ▶ Publish comparative reports on countries' efforts to achieve gender sensitive data systems in the mining sector

2.3.2 Adopt gender-sensitive language at all levels

It is important to ensure that texts referring to or addressing both women and men must make women and men equally visible.

This applies to forms, documents, telephone directories, texts on the intranet and the internet, advertising for events, folders, posters and films.

Attention must also be paid to a gender-sensitive choice of images when preparing public relations material.

At Country Level:

- ▶ Review all documents, forms, materials to ensure they make visible both men and women.
- ▶ Ensure that all materials, photos, images or public relation materials are gender sensitive, free of gender stereotypes and negative social norms.

At ICGLR Level:

- ▶ Review all documents, forms, materials to ensure they make visible both men and women.

- ▶ Ensure that all materials, photos, images or public relation materials are gender sensitive, free of gender stereotypes and negative social norms.

Information Box 8: Gender sensitive language (UNESCWA)¹⁵

'Language not only reflects the way writers think; it also shapes the thinking of listeners or readers and influences their behaviour.

Word choices often carry unconscious assumptions about gender roles.

The use of terms only referring to males is not accepted anymore, as excluding women is considered an offence.

Language should therefore be used with a high degree of precision. Avoiding discrimination between men and women starts with language, as the systematic use of gender-biased terminology influences attitudes and expectations and could, in the mind of the reader, relegate women to the background or help extending the survival of a stereotyped view of masculine and feminine roles.' UNESCWA, guidelines for gender sensitive language,

2.3.3 Bring Services Nearer to the Ground and Adapt Services to Ensure they Reach and Benefit both Women and Men.

Services and products must be assessed as to their different effects on women and men. This is possible if gender sensitive data systems are set up, and gender diagnosis conducted to inform policies and programs.

Additionally, women typically face greater barriers than men in accessing information and support from centralised government officers.

Decentralisation of services has become more important in many countries for licensing, inspection and delivery of extension services to miners.

To benefit both women and men, gender issues must be considered in both what type of services and how services are designed and delivered.

Gender competence of staff is key. If other government agencies are decentralised (e.g. health, social welfare, environment), establishing a mechanism to jointly undertake some activities can help improve effectiveness. In some situations, it would be beneficial to collaborate with local police forces, welfare offices and CSOs.

Resourcing of decentralised offices and accountability for performance is equally critical. Building upon the policy mandate, a legal mandate of regional offices should be specified in legislation.

At Country Level:

- ▶ Establish gender equality goals at all levels starting from planning process

¹⁵ https://archive.unescwa.org/sites/www.unescwa.org/files/page_attachments/1400199_0.pdf

- ▶ Commit to establish decentralized offices in mining areas or regions, with commitments to coordinate with supporting offices (e.g. police, welfare, labour, environment) and provide services to women and men artisanal miners.
- ▶ Ensure regional officers are gender competent, sufficiently resourced and held accountable for their performance according to engendered work plans, job functions and the Gender Policy and Code of Conduct.
- ▶ Commit gender equality through CEOs, Ministers and/or other managerial positions authorities' statement which will be based on to integrate gender into employment strategies through recruitment and retention, casual and permanent staff, etc.;
- ▶ Ensure that policies and regulatory framework support men and women to have equal access to all consultation, negotiation, and benefit sharing;
- ▶ Allocate sufficient resources to gender activities;
- ▶ Establish company policy model and implementation plans for promoting gender equality including benchmarks that quantify women at all levels;
- ▶ Allow and facilitate women and men to work in mixed teams by considering specific barriers faced by women; Where possible, staff mines offices with both women and men in technical roles who work together to conduct outreach. Given current gender gaps in institutions, formalize collaboration with other govt offices, where present.
- ▶ Train both women and men local leaders as “trainers” who can also act as liaisons between mines offices and mining communities.
- ▶ Collect and Analyse Gender-disaggregated Data to Measure Performance;
- ▶ Establish monitoring and evaluation system to systematically measure gender equality progress in mining.
- ▶ Appoint gender focal points
- ▶ Ensure a work environment that is health, safe and free from discrimination
- ▶ In order to achieve it, some concrete actions could be developed:
- ▶ Provide safe working conditions including protection from exposure to hazardous materials, gender sensitive PPEs,

Example

Regional Mines Offices in Tanzania are mandated to support licensing, regulation, enforcement, provision of extension services to artisanal miners and a range of other functions.

Engendering these functions and building gender competence and accountability of officers staffing these regional offices

Example

A project to provide extension services to artisanal miners in Uganda in 2006-2008 included establishment of a Social-Environment Unit in the Dept. of Mines, where women social scientists and gender experts collaborated with mines officers to design and run the program.

To fill the gender gap at local levels, women and men “miner-leaders” and from other local government offices were trained-as-trainers and partnered with technical mines officers (geologists, engineers) to mobilize and train both women and men miners.

- ▶ Recognize and address differentials impact of different working conditions for women and men;
- ▶ Ensure equal remuneration and benefits for work of equal value. Strive to pay minimum wage to all women and men miners;
- ▶ Establish reporting mechanisms at the site that will allow to communicate different incidences including GBVs and sexual harassment without retaliation;
- ▶ Ensure the protection of women in the workplace by creating a 'Zero Tolerance' approach to GBVs, sexual harassment and discrimination;
- ▶ Facilitate equal access to information including empowering women to access training, on jobs trainings (apprenticeship programmes) support services and technology.
- ▶ Increase awareness participation and commitment to gender equality and women empowerment in mineral supply chains
- ▶ In order to achieve it, some concrete actions could be developed:
- ▶ Ensure principles are applied by different stakeholders of mining operations from governmental institutions and private sectors by considering mining companies and cooperatives, sub-contractors, miner workers, suppliers of mining equipment, etc.;
- ▶ Nominate women role models through mining companies and cooperatives who can play the role of building capacities for women out of the mines for them to be able to join the mining workforce;
- ▶ Support women miners and local community saving groups.

It is important to identify:

- ▶ Who uses the services (women or men or both)?
- ▶ Who are the clients (women or men or both)?
- ▶ Who are the target groups?
- ▶ What are women and men different needs?
- ▶ Are the different circumstances of women and men taken into account when planning and designing services?
- ▶ Have all target groups access to the same sources of information?
- ▶ Who benefits most?
- ▶ Which group would suffer most if they could not use the services offered?
- ▶ Are the offices providing the service structurally gendered and barrier free, (i.e. the waiting areas, lighting, access without steps, signage)?

At ICGLR Level:

- ▶ Document and share good practices and lessons learned
- ▶ Encourage collaboration between countries
- ▶ Collaborate with gender focused regional civil society organizations

2.3.4 Ensure that men and women are equally involved in decision-making and steering processes

There are binding targets for a balanced gender ratio at all levels of decision-making.

Measures and strategies geared towards a balanced gender ratio must be taken at all levels of decision-making.

This is also important when appointing working groups, project teams, commissions and advisory boards, as well as when organising events, e.g. when selecting speakers.

Workplaces must be structurally gendered and barrier free where possible (e.g. gendered signage, sufficient lighting, avoiding potentially frightening situations as in poorly accessible basement archives, access without steps, social rooms for different occupations).

In addition, it is important to promote women effective participation in steering instruments; indeed, steering instruments include quality management and gender budgeting, amongst others.

At Country Level:

- ▶ Integrate gender into employment strategies, with clear targets (percentage of administrative, technical, administrative and managerial positions held by women, increase of women in fields such as geology and mining engineering which often have lower intake by women...), These efforts should apply to both government mining institutions and mining companies.
- ▶ Undertake campaigns with educational institutions to promote women in geology and mining and raise awareness on opportunities for women in that field, in order to eradicate the view of mining as a male-oriented domain.
- ▶ Commit to promotion of women through employment strategies and local procurement requirements.
- ▶ Require companies to explicitly consider women in local training, employment and procurement strategies and report on percentages of jobs/ contracts given to men/women at different levels and positions.
- ▶ Pay attention to the different circumstances of women and men enhances the success rate, effectiveness and maximum utilisation of staff and funds.

Example

A policy statement that requires companies to implement strategies for employment, training and procurement of goods and services from citizens of the country can be adapted by requiring companies to extend such strategies to include women and other vulnerable groups in mining-affected communities.

- ▶ Ensure that all targets related to people are defined in terms of full equality and the targets attained are therefore presented by gender.
- ▶ Control routine as a matter of course to include gender-specific evaluation of results and a systematic steering of the gender ratio, in other words, the development and implementation of (new and adapted) targets, strategies and measures.
- ▶ Ensure all consultation frameworks are based on gender analysis and are supportive to women effective participation.
- ▶ Strengthen cooperation with Women Organizations, Civil society organisations and unions.

At ICGLR Level:





- ▶ Encourage countries to adopt measures ensuring women are represented in decision-making process at all levels related to mining
- ▶ Organise regional training courses and events to promote women participation in decision-making processes and transformational leadership.

2.4 Principle 4: formalize critical intersectoral partnerships

Government mining institutions (Ministries, Authorities, Departments, and Commissions) play the central role in administration, licensing, regulation, enforcement and promotion of the Mineral Sector and therefore have a key role to play in spearheading gender mainstreaming in the Mineral sector. However, genuine gender mainstreaming calls for a much broader mandate and skill set that most traditional mining institutions might possess in their current in-house personnel. Implementation of Mineral Sector strategies for gender mainstreaming will undoubtedly require some collaboration with and commitments from other organisations and partners.

The following objectives are strategic orientations, which require actions from both ICGLR and Member States.

Figure 7: Strategic objectives for Principle 4 'formalize critical intersectoral partnerships'

- 01** Collaborate with Ministries of Gender to help fill capacity gaps. 
- 02** Establish an Intersectoral Working Group on Gender in Mining. 
- 03** Integrate Actions and Strategies, where possible, with other SGBV Strategies. 
- 04** Closely collaborate with UN Agencies and CSOs in the framework of SDGs and 2030 development agenda 

2.4.1 Collaborate with Ministries of Gender to help fill capacity gaps.

Ministries of gender typically have a role to support other sectorial agencies to build gender competence and help them mainstream gender in their policies and work plans.

Engaging representatives from the Ministry of Gender in the Gender Analysis of the Mineral Sector, its policies, laws and institutions would provide a foundation for subsequent collaboration.

At Country Level:

- ▶ Conduct joint meetings between key technical officers and leadership from both Ministries of Mining and Gender to discuss shared objectives can provide the basis for subsequent collaboration.
- ▶ Formalise the commitment to collaborate in writing (MoUs, joint protocols, action plans...).
- ▶ Work closely with the national statistic systems.
- ▶ Organise annual events involving all stakeholders to monitor common achievements and address horizontal challenges.

At ICGLR Level:

- ▶ Establish regular relationships with gender ministries (or women machineries or any relevant institution) at countries' level.
- ▶ Involve these institutions in ICGLR regional events.

Information Box 9: National women's machineries

The BEIJING Platform for Action sets out the role of national machineries in gender mainstreaming as follows: "A national machinery for the advancement of women is the central policy coordinating unit inside the government. Its main task is to support government-wide mainstreaming of a gender-equality perspective in all policy areas."¹⁶

'Typically serving as central coordinating units for women's affairs within national governments, these promote the integration of gender equality measures across national policies and programmes. They are vital partners in the process of developing national actions to achieve international agreements on women's rights, including the Beijing Platform for Action and the Convention on the Elimination of All Forms of Discrimination against Women'.¹⁷

¹⁶ United Nations, 1995; para 201

¹⁷ <https://asiapacific.unwomen.org/en/partnerships/national-machineries>

2.4.2 Establish an Intersectoral Working Group on Gender in Mining.

Gender mainstreaming requires a close collaboration between different sectors. Economy, education, social affairs, labour, planning, etc. should be mobilised to ensure that gender gaps are addressed.

The organisations to be involved in an intersectoral working group will depend on gender priorities and strategies to be implemented as derived from the sectorial Gender Analysis.

Because of the significance of HIV/AIDS and other health issues as well as SGBV and security in the Mineral Sector, strong coordination with police and other security forces and health agencies as well as gender/social welfare organisations would be necessary. Representation from mining companies or private sector associations (miners associations, Chamber of Mines) and women's civil society organisations (CSOs) would also be helpful.

In conflict and post-conflict situations, increased coordination with police and other security forces (including mine security) and health service providers would also be needed as well as increased involvement of mining institutions in other SGBV strategies

At Country Level:

- ▶ Establish an intersectoral working group with key stakeholders as identified in the Gender Analysis.
- ▶ Commit to establish and resource an Intersectoral Working Group on Gender in Mining, which can also play a role in oversight of gender performance of the sector.
- ▶ Ensure Working Group activities are included in institutional work plans and sufficiently resourced.

At ICGLR Level:

- ▶ Facilitate exchange between countries
- ▶ Share good practices and lessons learned

2.4.3 Integrate Actions and Strategies, where possible, with other SGBV Strategies.

Numerous strategies and actions shall be undertaken through the implementation plan for “The Kampala Declaration on Fight Against Sexual Gender Based Violence in the Great Lakes Region”. These range from “zero tolerance” campaigns for SGBV to establishment of income generating programmes for women in cross-border trade and survivors to establishment of security zones.

It makes practical and economic sense to align gender strategies for mining with these efforts and - together - these strategies can lead to improved gender-responsiveness of the Mineral Sector and better development outcomes overall.

At Country Level:

- ▶ RINR Steering Committee Member and Gender Focal Point should sensitise mining institution's leadership / managers on national commitments to fight SGBV in order to agree on strategies that can practically be integrated within institutional work programs
- ▶ Commit to protect human rights and rights of indigenous and vulnerable peoples and local communities.
- ▶ Commit to collaborate with key partners to implement strategies to promote gender equality and combat SGBV in mining areas.

Example

The SGBV Strategies to “involve community policing structures in ensuring justice for SGBV crimes has increased” and “documentation of SGBV crimes has increased” can be supported by requiring collaboration between mining companies and their security teams with local police to report, respond and document incidences of SGBV in mining areas. Similarly, a component of

At ICGLR Level:

- ▶ Connect with African and global dynamics on SGBV
- ▶ Actively participate into 16 Days of Activism against Gender-Based Violence

2.4.4 Closely collaborate with UN Agencies and CSOs in the framework of SDGs and 2030 development agenda

Most UN Agencies promote gender as part of their mandates, mainly UNWOMEN, UNFPA, UNICEF, UNDP. These agencies are very active and supportive to undertake national plans and strategies to reduce gender gaps.

In addition, different UN mechanisms (conventional and non-conventional) could be applied to monitor progress in achieving gender equity, such as CEDAW and CRC committees, the Human rights council (UPR). Their recommendations and resolutions are valuable resources to inform national efforts.

Independent experts and special rapporteurs are also very active in gender related issues.

At Country Level:

- ▶ Establish partnerships with UN agencies at national levels
- ▶ Take part to global initiatives promoted by UN agencies at national level
- ▶ Strengthen collaboration with specialized civil society organizations.
- ▶ Mobilize technical assistance from UN agencies at national level.
- ▶ Contribute to the Universal periodic review of the Human Rights council.
- ▶ Contribute to reports addressed to the UN treaties bodies (CEDAW, CRC...) when relevant.

At ICGLR Level:

- ▶ Establish partnerships with UN agencies at regional and global levels
- ▶ Actively support regional work on SDGs and 2030 Agenda for sustainable development

3 GUIDELINES FOR DEVELOPING COUNTRY-SPECIFIC STRATEGIES

Priorities, strategies and approaches must be adapted for conflict, post-conflict and peacetime settings and in accordance with each country's Mineral Sectors and the different socio-cultural, economic, political, legal and environmental conditions in which mining and exploration takes place.

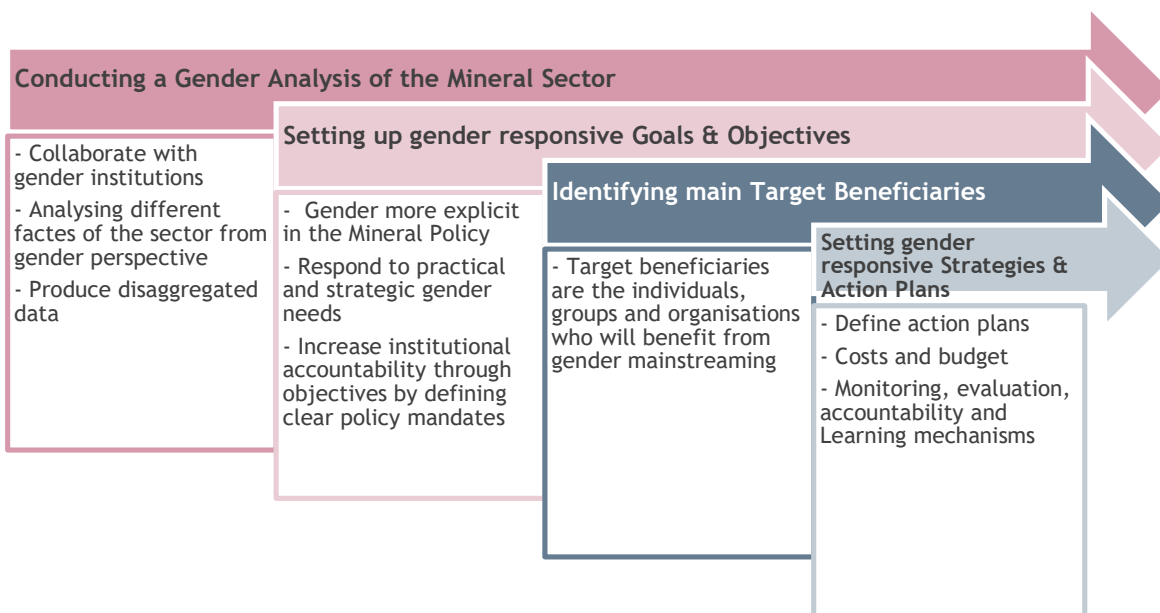
This section provides basic guidance to Member States on how to develop gender strategies within their jurisdictions. Two main types of approaches are suggested:

- ▶ National strategy for gender and mining: Member States may choose to adapt their overall national gender strategy to the specificities of the Mineral Sector in order to achieve national policy coherence, thus resulting in a more structured, explicit framework and action plan.
- ▶ Mainstreaming gender strategies in existing Mineral Sector policy and work plans which may include integration of gender in existing work plans (e.g. ASM extension services programs, joint regulation/policing by mining institutions and police forces) supported by a series of independent, additional activities (e.g. separate sensitization of women and men on mining legislation).

Both approaches essentially require the same components, as summarized in the following sections, and should progressively be conducted to develop country-specific strategies. This section gives initial guidance for this process and includes a “basket of strategies” (Section 3.4) to give insight.

It is important to recognize that simply promoting women in ASM or creating jobs for women in large mining companies is not the point of gender mainstreaming in the Mineral Sector. The role of the Mineral Sector (and any sector for that matter) is much bigger than this. Gender mainstreaming is about decisions made and actions taken to create equal opportunities and equal access to power and resources, equal status and rights needed to help both women and men “to make their own informed, realizable and free life choices”.

Figure 8: Summary of guidelines for developing country-specific strategies



3.1 CONDUCTING A GENDER ANALYSIS OF THE MINERAL SECTOR

Women and men typically have different roles, responsibilities, barriers, opportunities, needs, priorities and interests. Because of this, impacts and benefits of any activity can be unequal for men and women. Mining policy, legislation and related activities of government and the private sector are no different.

Gender analysis helps us understand how mining policy and legislation and the way in which government and the private sector carry out their activities can either serve to increase or hinder women’s and men’s ability to enjoy equal rights, opportunities and benefits.

Gender analysis of the Mineral Sector will help us understand the activities and involvement of men and women in the sector, their access to and control of resources (including land and mineral resources), constraints and opportunities they may experience relative to each other and how current policy, legislation and activities of government and the private sector may be differently impacting and benefiting women and men involved in and affected by mining.

The analysis also seeks to identify obstacles to participation and consider means of surpassing these, as well as looking at areas where progress needs to be made. The analysis should consider other societal factors such as and not limited to rural/urban, class, age, ethnicity, indigeneity, as well as existing power relations within the government and private mining operators. If possible, to compare the current composition to the previous structure of the group, to see whether women’s representation has been increasing, decreasing or steady.

Mineral Policy, legislation and mining sector activities (including exploration and mineral trading) is not gender neutral (nor is necessarily gender sensitive because it provides equal opportunities, in theory, to both women and men). For example, where provisions for licensing of small-scale mining exist and are open to women and men applicants, a requirement in the application process may be to “demonstrate that mineral resources are likely to exist at a scale that warrants the suggested investment.” Most artisanal or small-scale miners will likely need assistance of a geologist to demonstrate the mineral potential, requiring an ability and confidence to locate a geologist and financial resources to pay him or her to do this work. Gender analysis may reveal gender-specific constraints related to this legal provision, such as: language and literacy (e.g. if application requirements are only in English), distance to licensing offices, women’s relative lack of freedom to travel to licensing offices (e.g. requiring permission from husbands), lack of control over the earnings needed to do so, relative lack of experience/self-confidence in dealing with government agencies, and less likelihood of being organized in an association, among many others.

Gender analysis is helpful as it also provides insight into recommendations to overcome these barriers. In the example given, this may include: institutional support for formation of women miners’ associations; provision of geological advisory services to miners associations; establishment of decentralized, gender-responsive licensing offices; etc. and a host of other policy and legal provisions.

Any policy, activity or intervention can therefore be improved by doing a gender analysis during their design/formulation, implementation and evaluation. Because of the different situations and conditions faced by women and men, boys and girls, the elderly, disabled, youth and other person, gender analysis can help improve policies, programs and approaches to ensure that different needs are met to provide equality of opportunities and outcomes.

Ensuring that gender is considered in policy and practice will require:

- ▶ Collaboration with gender experts (potentially within gender competent CSO's and/or gender ministries) to design and implement the analysis. Many gender experts may be well equipped to use a range of gender analysis tools available but may know little about the Mineral Sector so strong collaboration will be needed.
- ▶ Analysing different facets of the Mineral Sector at a grassroots and national level including: ASM, medium-scale mining, large-scale mining, exploration and the mineral trade. Ideally, a sample of representative sites and individuals from each of these categories will be included. Some of this work may have already been conducted through prior assessments.
- ▶ Analysing the Mineral Policy and legislation (as discussed in Principle 1A), particularly with respect to how it may address, improve or worsen gender inequalities or is silent on gender issues identified for the sector.
- ▶ Analysing mining and support institutions engaged in the Mineral Sector. This may include government, companies, miners' associations, police, environmental authorities, local government and others and identify roles they do and should play in gender mainstreaming.

The analysis will result in a number of issues, priorities and recommendations that will provide the foundation for gender priorities that determine mineral policy goals and objectives as well as supporting legal and institutional strategies and actions.

3.2 SETTING UP GENDER RESPONSIVE GOALS & OBJECTIVES

Gender-responsive goals for the Mineral Sector describe the overall vision of what stakeholders want to achieve through their gender strategies. A primary goal describes a longer-term vision and is supported by shorter-term, timebound and clearly measurable goals and objectives.

Most mineral sector policies already have clear goals that generally concern the desire to encourage investment in the Mineral Sector such that it increases its contributions to national economic development. Sometimes environmental protection and social sustainability issues are also included. Gender issues can either be mainstreamed within existing sectorial goals and objectives and/or captured in a series of parallel, complementary goals and objectives (e.g. in cases where a national strategy for gender and/or SGBV in mining is developed). In order to develop gender-responsive goals and objectives:

- ▶ Ensure all key stakeholders have sufficient input in setting goals and objectives. This may include representatives of mining and gender institutions, security/police agencies, mining companies, health

organizations, private sector organizations, women and men miners, CSO's and others. Input from multiple stakeholders can also be obtained during the gender analysis.

- ▶ Review findings of the Gender Analysis (Section 3.1) and agree upon main priorities to be addressed in the strategic actions. This should guide development of an overarching gender-specific goal and/or revision of the existing, overarching mining sector goal. If an existing sector goal is to be revised, ensure that gender is explicitly addressed.
- ▶ Determine what needs to happen in order to achieve this goal. These will guide development of time-bound, specific, realistic, achievable and measurable objectives.
- ▶ Review the original, primary goal. Can the goal be achieved if all of the objectives are met? If not, objectives may need to be revised or additional objectives may be needed.

While it is likely that a series of new objectives will also be required, existing goals and objectives can be adapted according to the following principles for engendering them:

3.2.1 Make gender more explicit in the Mineral Policy.

In order to combat the stigmas associated with women in mining and their relative invisibility as miners and potential beneficiaries of mining, women and men should be clearly stated as targets, beneficiaries or stakeholders. For example:

Sample Mineral Policy Objective

“To promote and develop a marketing system of minerals to ensure that miners get right values of minerals traded in formal markets.”

Engendered Mineral Policy Objective:

“To promote and develop an easily accessible marketing system of minerals to ensure that women and men miners get right values of minerals traded in formal markets.”

3.2.2 Respond to practical and strategic gender needs

These will undoubtedly be identified during the Gender Analysis although a common issue at ASM sites in particular relates to sanitation and hygiene related illnesses. An example of increasing responsiveness may include:

Sample Mineral Policy Objective

“To develop and strengthen local capacity for mineral development.”

Engendered Mineral Policy Objective:

“To develop and strengthen local capacity for mineral development, including through targeted efforts to promote women's enterprises and gender-responsive local mining organizations.”

3.2.3 Increase institutional accountability through objectives by defining clear policy mandates.

Does the Mineral Policy give a mandate for implementation? Revising the supporting principles and strategies under a policy objective will help. For example:

Sample Mineral Policy Objective

“Strengthen management of safety, occupational health and environment in mining activities by promoting best practices in such areas”

Engendered Mineral Policy Objective:

“Strengthen management of safety, occupational health and environment in mining activities by promoting best practices in such areas”

The Government shall:

- ▶ Appoint and provide adequate resources to gender-competent technical officers dedicated to fulfilling this objective.
- ▶ Conduct best-practice training and information campaigns, employing special measures to ensure both women and men have the capacity to improve their safety, health and environmental performance.

Goals and objectives provide the overarching framework for Gender Action Plans (Section 3.5). Specifically, the primary goal of a Policy is achieved through fulfilment of the Policy objectives and the gender strategies developed in Section 3.4 are the actions that are needed to achieve objectives.



Information Box 10: Examples of engendered mineral policy goals & institutional targets

Example of a Primary Mineral Policy Goal:

“To support the contribution of the Mineral Sector to sustainable livelihoods, gender equity, peace and security in mining communities by empowering women, men and vulnerable groups to equitably access, control and benefit from mineral resources”

Mineral Policy commonly outlines a series of objectives (as described above), which can readily be adapted to account for gender issues. Under each objective, the Policy typically also defines a series of strategies.

Institutions responsible for achievement of the objectives (e.g. mining ministries, departments, divisions, etc.) develop work plans and budgets with the intent of carrying out the prescribed strategies and fulfilling the objectives. Work plan activities should necessarily also identify targets as a basis for evaluating overall performance.

A Few Examples of Engendered Targets for Mining Institutions:

By September 2014, gender-responsive Mineral Sector policy and legislation has been adopted.

By June 2015, the number of women holding artisanal mining licenses has increased by 50%.

By January 2014, the number of reported cases of SGBV in mining areas has reduced by 75%.

By June 2013, 100% of mines inspectors have received gender training.

By June 2014, separate meetings with vulnerable men and women in 100% of EIA consultations.

By September 2016, occupational fatalities at ASM sites are reduced by 75%.

By June 2015, at least 75% of compensation agreements by mining and exploration companies are made with both spouses of land title holders.

By January 2013, the number of queries received in regional mines offices has increased by 50% for each of women and men miners.

By September 2014, the number of perpetrators convicted of SGBV in mining areas has increased by 75%.

3.3 IDENTIFYING MAIN TARGET BENEFICIARIES

Target beneficiaries are the individuals, groups and organizations who will benefit from gender mainstreaming. While many strategies (e.g. policy reforms) can lead to sector-wide improvements, a number of activities will undoubtedly target priority mining areas for practical reasons. In order to feasibly and cost-effectively implement gender strategies, a focus could first be directed to primary beneficiaries in selected, high-priority mining areas and expanded as performance is demonstrated and funding increases.

In identifying high-priority mining areas and primary beneficiaries, special consideration should be given to survivors of SGBV and vulnerable women and youth (girls and boys) who live in communities around medium- and small-scale mines and women, youth (boys and girls) engaged in ASM and the mineral trade. **Twelve (12) ICGLR security zones shall be strengthened under the SGBV implementation strategy and, in support of these efforts; these areas should be included amongst priority target beneficiaries (where they exist in Member States).**

Secondary beneficiaries of gender mainstreaming will include: mining companies, local governments and police/security forces, civil society organizations (CSOs) and community-based organizations (CBOs), community leaders, other natural resource users and other key partners (e.g. health workers). The sensitization and participation of these stakeholders will be necessary to meet the needs of the sector and achieve shared goals and objectives.

3.4 SET GENDER RESPONSIVE STRATEGIES & ACTION PLANS

Gender action plans generally outline:

- ▶ each of the strategies needed to fulfil objectives;
- ▶ how they will be implemented (specific steps, actions and outputs);
- ▶ who is responsible for implementing them; desired outcomes (ideally as measurable indicators); and
- ▶ estimated cost requirements. A Gender Action Plan using a similar framework was developed under Uganda’s “Guidance Strategy for Promotion of Gender Equity in Mining” and is presented as an example in Annex 2.

Although this example is useful, **suitable strategies for each Member State will vary depending on the issues identified in the gender analysis of the Mineral Sector** (Section 3.1). However, a basket of possible strategies for each of the ICGLR RINR Tools and specific to the ICGLR SGBV Implementation Work plan are suggested below. These should be reviewed, adapted and built upon by each Member State, where possible, support efforts to harmonize legislation.

These efforts seek to complement but not replicate the explicit SGBV strategies that have been outlined by the ICGLR Steering Committee and its partner organizations related to Articles 1-15 and 17-19 of the December 2011 Kampala Declaration. These Articles and related strategies are directly linked to ICGLR Protocols on: Non-Aggression and Mutual Defence; Prevention and Suppression of Sexual Violence against Women and Children; Judicial Cooperation among others.

Information Box 11: Declaration of the Heads of State and Government of the Member States of the ICGLR, 15th - 16th December 2011¹⁸

ICGLR Heads of States and Governments of the Member States of the International Conference on the Great Lakes Region (ICGLR) committed to the following:

Prevention of SGBV

- 1: Within an agreed timeframe to eradicate existing armed groups in the Region in conformity with the ICGLR Protocol on Non-Aggression and Mutual Defence;
2. Fully domesticate and implement the Protocol on Non-aggression and Mutual Defence, the Protocol on Prevention and Suppression of Sexual Violence against Women and Children as well as the Protocol on Judicial Cooperation, in order to eradicate existing armed groups, combat Sexual and Gender Based Violence and cooperate in matters of extradition, judicial investigation and prosecution of perpetrators;
3. Increase financial and technical support for judicial and security sector reform on human and women's rights and SGBV eradication. This will provide institutional capacity and accountability to protect women, girls, men and boys from Sexual and Gender Based violence in peace time, during conflict and post-conflict situations as a political and security strategy within 12 months;

¹⁸ <https://www.icglr-rtf.org/publication/15-16th-december-2011-kampala-declaration-by-heads-of-state-from-icglr/>

4. Direct responsible institutions to strengthen or establish national level structures for prevention, protection and support of women and children against SGBV and establish early warning mechanisms within 12 months after this 4th Ordinary Summit and Special Session on Sexual and Gender Based Violence to facilitate reporting and documentation of SGBV cases from the grassroots and fast track prosecution of those responsible for n (perpetrating sexual violence to make sure that justice is done swiftly and (p effectively;
5. Integrate SGBV in the national planning frameworks and allocate budget lines for prevention, and response to SGBV particularly the ministries of
Gender, Health, Defence, Security, Interior, Local Government, Justice, Education and Youth;
6. To establish Gender desks (where they do not exist), strengthen them where they exist and allocate relevant budget to facilitate the fight against SGBV within the next financial year.

Ending Impunity for SGBV

7. Declare « Zero Tolerance Now» on SGBV crimes and impunity. Launch national campaigns for zero tolerance on SGBV simultaneously including men in all member states of the ICGLR after this Summit and Special Session of s&BV (2011);
8. Direct concerned ministries to establish and strengthen special courts, sessions and procedures in order to fast track SGBV cases in the Police and the Judiciary (with adequate financing, facilities and gender sensitive officers) within 12 months after this Summit and Special Session on SGBV (2011) to improve access to justice and protect SGBV victims/survivors in line with Article 6 (5) of • ICGLR Protocol (2006) on Prevention and Suppression of Sexual Violence against Women and Children;
9. Establish appropriate mechanisms to investigate and prosecute sexual violence crimes, including crimes that amount to genocide, war crimes or crimes against humanity committed in the region.

Providing support to victims/survivors of SGBV

10. Fast-track the contribution to ICGLR special fund for reconstruction and development so that assistance for victims/survivors of SGBV is provided in line with Article 6 (8) of the ICGLR Protocol (2006);
11. Fast track the establishment and scale up "Recovery Centres" that provide comprehensive services of free medical, psychosocial, forensic, judicial/prosecution services within the next two years of this Summit and Special Session on SGBV. Such centres should be user friendly particularly to women, youth, children, persons with disabilities and men;
12. Direct the relevant ministries and public agencies to establish and strengthen income generating programmes and initiatives to support women especially those in cross-border trade areas, targeting survivors of SGBV.

General Resolution

13. Strengthen the Levy Mwanawasa Regional Centre for Democracy, Good Governance, Human Rights and Civic Education in order to fulfil its mandate;

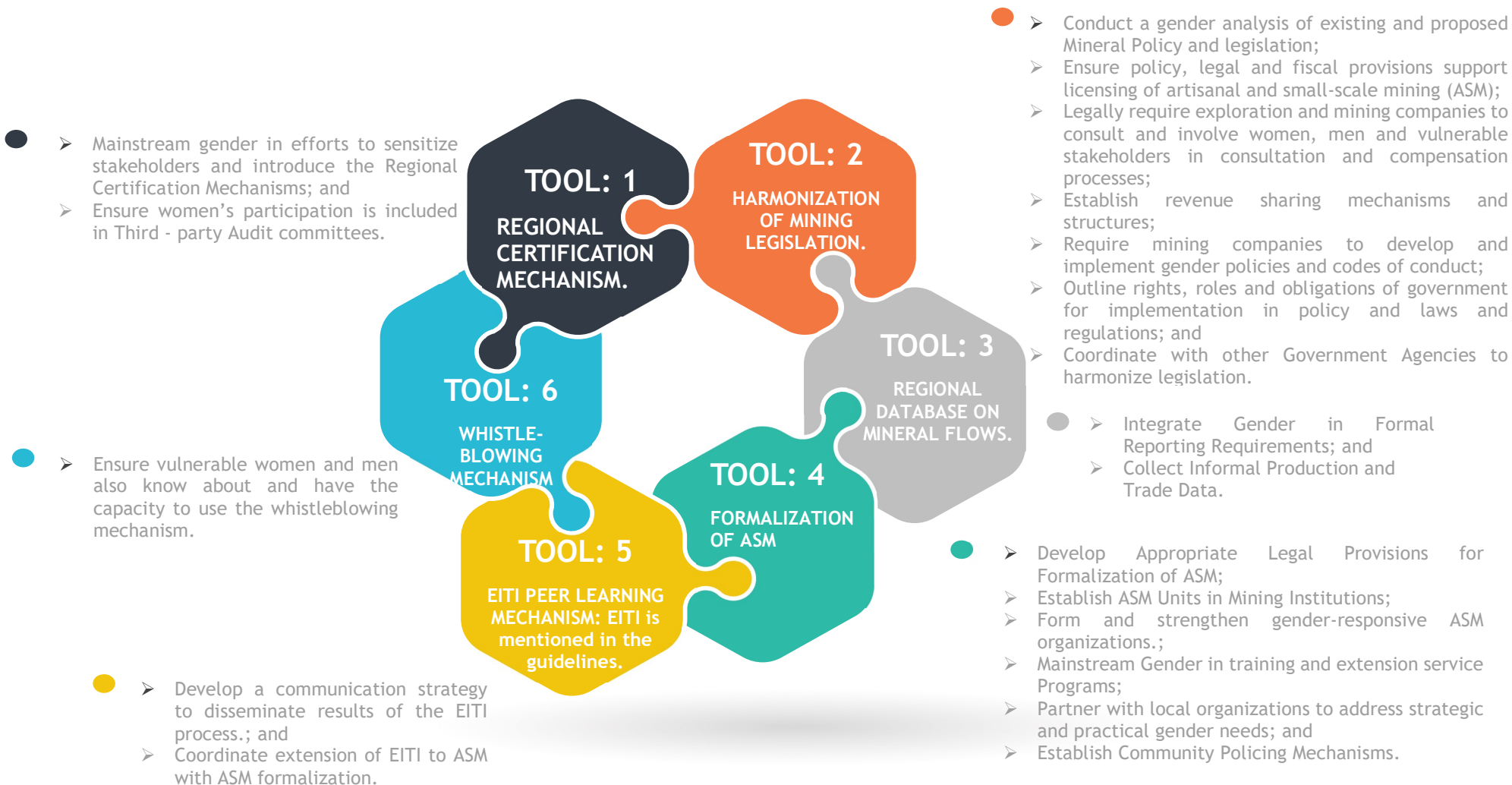
14. We take note of Uganda's offer to host the Regional SGBV Training Facility and direct the ICGLR Secretariat to prepare the financial requirements (budget)- for-the- establishment of the Facility and present it to the next meeting of RIMC for decision;
15. Put in place national and regional media strategy for sustainable use of electronic and print media especially radios, newspapers, televisions and traditional /community-based means to expose the atrocities of sexual and gender based violence, facilitate the sensitization and fight against SGBV;
16. Direct the Secretariat to strengthen the inter-linkages between the Regional Initiatives on Natural Resources (RINR) and the Regional Initiative on Sexual and Gender Based Violence (SGBV) by supporting Member States to mainstream gender aspect into their national policies on the natural resources sector and foster regional exchange and cooperation for sustainable development of the natural resources sector;
17. Direct the Regional Inter-Ministerial Committee (RIMC) at their next meeting in Bangui, Central African Republic (CAR) to discuss unemployment, more especially among youth, within the context of infrastructure development and investment and present the report to their respective Heads of state for relevant action and later report to the next Summit;
18. Empowerment of Professional and Civil Society Organizations (CSOs) such as International Federation of Women Lawyers (FIDA) and all the others in the Great Lakes Region that provide support to victim/survivors of SGBV; and
19. Direct ICGLR Secretariat to follow-up the implementation of the above basis to RIMC and the Summit during.

While some strategies may contribute to mutual objectives under these other decisions, only strategies specific to the Mineral Sector and Article 16 are outlined herein. Furthermore, an initial comprehensive and ongoing gender analysis of the 6 RINR Tools shall be needed as each of these tools is developed and put into place. This process will undoubtedly build upon the “basket of strategies” suggested herein.

3.4.1 Strategies for mainstreaming gender in the 6 RINR tools

Gender Strategies for each of the 6 Tools of the Regional Initiative on Natural Resources (RINR) are presented in Table 2. The Tools and main entry points to mainstream gender are summarized below. Please note that all 6 tools are inter-related and go hand in hand. Efforts in one may be a kick-start requirement for another tool.

Figure 9: Summary of strategies for mainstreaming gender in the 6 RINR tools



a) RINR Tool 1: Regional Certification Mechanism

As core tool of the Initiative, the Regional Certification Mechanism relates to the tracking of the chain-of-custody of four selected natural resources that have been linked with conflict issues, namely cassiterite, wolframite, coltan and gold. The Regional Certification Mechanism ensures that neither mine site nor channels of trade within the country as well the region are in predatory control of armed groups or criminal networks. The mechanism is to be supervised by an ICGLR Audit Committee composed of Member States government, in-region and international CSOs and private sector representatives.

Efforts to introduce legal requirements for certification of cassiterite, wolframite and coltan will undoubtedly have an impact on the most vulnerable artisanal miners who will face the most difficulties in complying. Special efforts will be needed to develop simple compliance guidelines, intensively sensitize and provide support to artisanal miners and intensify ASM formalization efforts (Tool 4). The gender Issues and Entry Points in the RINR Tool 1: Regional Certification Mechanism are summarised as follows:

- ▶ Ensure Mineral Policy and Legal provisions adopted for Certification also strengthen the mandate of mining institutions to provide hands-on support, training and guidance for ASM formalization and compliance with OECD guidelines.
- ▶ Specify requirements for women's participation in Audit Committee.
- ▶ Include gender data collection in Audit Checklist and Report Templates.

Two strategies for mainstreaming gender in the RINR tool 1 are therefore justified as follows:

1. **Mainstream gender in efforts to sensitize stakeholders and introduce the Regional Certification Mechanisms:**

Particularly in the case of ASM, where participation of women and vulnerable persons as miners is greatest, additional efforts will be needed to sensitize and engage women and other vulnerable miners and traders.

Approaches should be strongly linked with ASM formalization efforts in order to prevent further marginalization of ASM, which could lead to loss of livelihoods, increased poverty and therefore increased risks of insecurity.

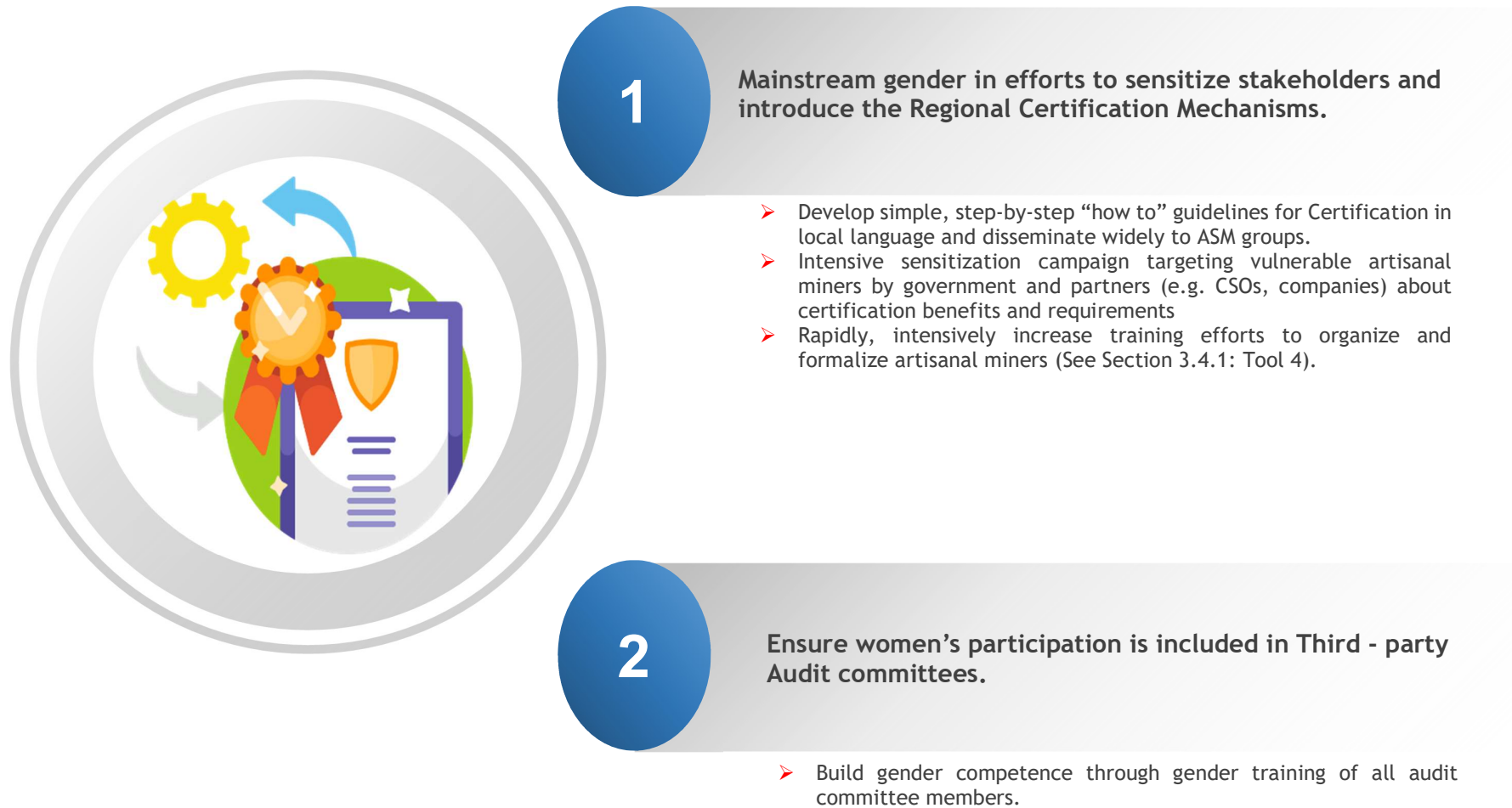
2. **Ensure women's participation is included in Third - party Audit committees:**

Independent 3rd party audits will have oversight by a tripartite audit committee (composed of government, industry and civil society). Representation of women on the audit committee is needed.

To optimize benefits from the committee functions, roles could also include assessing gender impacts / benefits of certification.

The implementation needs of the two strategies are detailed in the following figure:

Figure 10: Strategies for Mainstreaming Gender in the RINR Tool 1



b) RINR Tool 2: Harmonization of Mining Legislation

As prescribed in the Protocol Article 22, legal provisions of the Protocol are to be domesticated by the ICGLR Member States into their national legislation.

This process provides an obvious entry point to effectively mainstream gender in Mineral Sector policy and legislation. Often, the policy and legal framework governing mining is considered to be “gender neutral” or “gender blind”, meaning it does not differently impact or benefit men or women or consider their needs, concerns and priorities differently.

In reality, gender inequalities can be worsened or improved through many legal provisions, particularly those related to fiscal and legal requirements for licensing of ASM, distribution and sharing of revenues from mining and local consultation and compensation requirements. Furthermore, Mineral Policy and legislation is often silent with respect to explicit recognition of women and men and therefore efforts are needed to break the relative invisibility and negative stigma associated with women in mining.

An additional entry point relates to the need to specify strong and clear institutional roles in policy as well as laws and regulations. Mining law often gives a clear mandate to government for licensing, inspection and regulation, monitoring and enforcement but rarely includes other mandates despite their inclusion in Mineral Policy (e.g. related to provision of geo-information, extension services to artisanal miners).

Creating a legal mandate in laws and regulations for government related to other key functions and mainstreaming of gender within these legal mandates can increase both institutional commitment and accountability for performance. An example of this is shown in Box 12.

ICGLR issued a Model Law in 2012, which should be an excellent tool ensuring harmonized legislations; unfortunately, the Model Law does not respond to the good practices of gender mainstreaming, but it will be crucial to:

- Review the model law to integrate gender in all sections, based on the principles of the present guidelines
- Reinforce mechanisms of monitoring countries’ domestication of the model law

Information Box 12: Strong and clear legal mandates for Formalization of ASM - The Mongolia Example

Mongolia's ASM sector has seen rapid growth, largely in response to extreme climatic events that led to widespread loss of traditional livelihoods. In response to this, the Government of Mongolia established a "Temporary Regulation on Artisanal Mining Operations" in 2008 followed by a "Sub-Programme for Development of Small-Scale Mining up to 2015" and establishment of a Small-Scale Mining Unit in the Mineral Resources and Petroleum Authority of Mongolia (MRAM).

The Temporary Regulation, however, "did not provide impetus or incentives for formalization but reflected an attitude of controlling and reduction of ASM activities and had no legal instrument with which to directly allocate land to artisanal miners". Additional constraints related to the type of organizations prescribed for artisanal miners, lack of access to mining areas, and impractical equipment restrictions, among others.

Following intensive analysis of the Temporary Regulation, in 2010, Mongolian Parliament approved the amendments to the Law on Minerals, Law on Land, and Law on Taxation of Personal Income Derived from Private Business and Service to include provisions for ASM and passed the "Regulation on the Extraction of Minerals from Small Scale Mines". These reforms include:

- ▶ Under MRM Order 153, the regulations are supported by simple forms for application of mining areas and Guidelines for model tri-partite agreements between miners, local government and companies; occupational safety and health, environmental protection and data collection/reporting;
- ▶ The regulations outline obligations of miners as well as those of MRAM, local governments inclusive of Citizen's Representative Khurals (local citizen's councils) in implementation, specifying regulation, taxation and support (advisory) roles of government.

By mid-2011, almost 2,000 miners had been formalized in 121 miners groups; ~10,000 USD had been paid into local reclamation funds, about 35% of miners enrolled in social insurance and 50% in health insurance schemes. These improvements are impressive, yet the high cost of licensing continues to be a barrier.

Source: Singo, P., 2011, Summary: Mongolia Case Study, In: Analysis for stakeholders on formalization in the artisanal and small-scale gold mining sector based on experiences in Latin America, Africa, and Asia, Report to UNEP, 59p.



The gender Issues and Entry Points in the RINR Tool 2: Harmonization of Mining Legislation are as follows:

- ▶ Any proposed reforms in the Mineral Sector should, in principle, be subject to a gender analysis during drafting of policies and laws.
- ▶ Policy and law would be strengthened by ASM Regulations.
- ▶ Roles and obligations of miners as well as government should be specified (Box 5).
- ▶ Adapt existing provisions in law and/or draft new ones (some provisions may exist in mining, land or environmental law).
- ▶ Include requirements for company reporting on consultation/ negotiation process.
- ▶ Include in legal requirements for Environmental Impact Assessments (EIAs).
- ▶ Related reforms should specify practical and strategic gender needs and community involvement in determining use of funds.
- ▶ Laws should require clear accountability mechanisms for monitoring and reporting on use of funds (and enforcement measures).
- ▶ Legal provision under licensing obligations (could be integrated with company labour and/or social policies).
- ▶ Obligations should also include reporting on gender performance.

May include provisions in Policy and laws and regulations for Government roles and responsibilities in:

- ▶ Mandating a Gender Focal Point and their responsibilities in mining institutions.
- ▶ Regulation/enforcement, with requirements for sensitivity to different needs of women & men.
- ▶ Provision of ASM extension services, chain-of-custody tracking, database management, ASM formalization, EITI, whistleblowing tools.
- ▶ Monitoring, evaluating and reporting on performance (using gender-disaggregated data, where relevant).

Seven strategies for mainstreaming gender in the RINR tool 2 are therefore justified as follows:

1. **Conduct a gender analysis of existing and proposed Mineral Policy and legislation:**
Explicit recognition of women and men in policy goals and objectives, consideration of the roles and responsibilities of women and men in mining areas and examining different implications for women and men of all legal and policy provisions are needed to mainstream gender in the sector.
2. **Ensure policy, legal and fiscal provisions support licensing of artisanal and small-scale mining (ASM):**
In many countries, the costs and bureaucracy associated with ASM licensing are difficult for most vulnerable miners to meet.

Women miners typically face greater barriers than men in getting licenses given common gaps between women and men in terms of capacity to engage in organizations, literacy, incomes, freedom/resources to travel to mines licensing offices; stigma of dealing with mainly men in technical positions, etc.

3. Legally require exploration and mining companies to consult and involve women, men and vulnerable stakeholders in consultation and compensation processes:

Mining policy and legislation often provides no requirements concerning how or with whom consultation and negotiation should take place.

In general, women are often disproportionately excluded from these processes and are disproportionately affected by impacts (e.g. resettlement, land degradation) without having equitable control of the benefits (i.e. financial compensation).

4. Establish revenue sharing mechanisms and structures:

Many countries already have provisions for royalty sharing, often with a percentage being shared with local governments and/or landowners in mining areas.

This provides an opportunity to direct a portion of funds to persons most affected by mining, ideally in response to gender needs as identified through the gender analysis.

5. Require mining companies to develop and implement gender policies and codes of conduct:

These may extend beyond hiring targets and objectives to codes of conduct (e.g. related to sexual harassment, non-discrimination) and requirements for coordination between mine security officers and local police in response to acts of SGBV.

6. Outline rights, roles and obligations of government for implementation in policy and laws and regulations:

Many mining institutions have well-conceived roles and responsibilities outlined in Mineral Sector Policy but lack the mandate in Laws and Regulations that would help ensure these roles are fulfilled.

A clear and strong legal mandate would help increase implementation, including with respect to engendered roles and functions and achievement of engendered Policy Objectives.

7. Coordinate with other Government Agencies to harmonize legislation:

Many of these and other provisions may require integration with other policy and legislation including that related to land, labour, environment, social welfare, criminal law and others.

The implementation needs of the seven strategies are detailed in the following figure:

Figure 11: Strategies for Mainstreaming Gender in the RINR Tool 2

Coordinate with other Government Agencies to harmonize legislation.

- Include stakeholders from other key sectors in policy and legislative review processes (including gender ministries) will be necessary.

Outline rights, roles and obligations of government for implementation in policy and laws and regulations.

- Review of engendered Policy Objectives and the strategies, actions, roles and functions needed to fulfil them.
- May require specification of roles of non-mining government institutions (e.g. police, local government, Ministries of Gender).
- Clear monitoring, evaluation and reporting requirements of government institutions could also be enshrined in Law.

Require mining companies to develop and implement gender policies and codes of conduct.

- Develop and disseminate related Guidelines for Companies.
- Gender Desk/Gender Focal Point in [Ministry/ Department/ Authority/ Commission] of Mines should be appointed and adequately resourced to monitor/ report on company performance.

Conduct a gender analysis of existing and proposed Mineral Policy and legislation.

- Any proposed reforms in the Mineral Sector should, in principle, be subject to a gender analysis during drafting of policies and



Establish revenue sharing mechanisms and structures.

- Involvement of communities in planning for use of funds, oversight via gender-balanced citizen’s committees.

Ensure policy, legal and fiscal provisions support licensing of artisanal and small scale mining (ASM).

- Review “best practice” licensing approaches and adapt for different types of ASM. Typically this includes:
 - Low cost, simple application and reporting requirements.
 - Ideally locally administered (decentralized).
 - Forms of organization prescribed are suitable to the nature of ASM in a country.
 - Realistic provisions for allocation of mining areas
- Widespread sensitization and awareness
- Campaigns accessible to both women and men.
- Government support/training/ guidance to vulnerable miners to organize and fulfil requirements.

Legally require exploration and mining companies to consult and involve women, men and vulnerable stakeholders in consultation and compensation processes.

- Review of legal provisions concerning consultation and negotiation requirements of mining/ exploration companies with experts in gender, human rights, land and mining law.
- Sensitize companies on these requirements. Smaller companies may require additional guidelines.
- Integrate within broader gender analysis of the Mineral Sector (See Principle #1A and Section 3.1)

c) RINR Tool 3: Regional Database on Mineral Flows

This tool foresees the establishment of a regional database on the production and trade with selected primary commodities in the Great Lakes Region. The availability and disclosure of this data will allow for the depiction of regional trade patterns and is also aimed at building trust among the Member States. In order to achieve these objectives, the Initiative intends to expand the prototype of the database which is currently being tested, to build human capacities for data compilation on a national level and to assess the available data. The regional database is hosted at the ICGLR Secretariat in Bujumbura, Burundi.

Mining institutions nevertheless often collect and report on a wide range of mining sector data. Strategies for integrating gender within data collection and analysis of the mineral trade could include efforts to gender-disaggregate production and trade data. As this tool is further developed, the ways in which gender can practically be integrated will become clearer. It is important to recognize that strong and functioning national and regional databases may, in the future, become a potential vehicle for harmonized reporting on progress towards broader gender and development objectives in mining, including those specific to the SGBV Implementation Work plan. The gender Issues and Entry Points in the RINR Tool 3: Regional Database on Mineral Flows are summarised as follows:

- ▶ Provisions in Regulations specifying reporting requirements.
- ▶ Could be included in provisions for Database Management and reporting.

Two strategies for mainstreaming gender in the RINR tool 3 are therefore justified as follows:

1. Integrating Gender in Formal Reporting Requirements:

Formal mines typically have to report to government on a regular basis (monthly, quarterly and/or annually). These reports often extend beyond production data to include statistics on the workforce, occupational incidents (accidents, injuries) and environmental performance, etc.

Requirements could be expanded to include: gender-disaggregation of this data (by women and men); incidences of SGBV by or on the workforce and responses to such issues; broader corporate social responsibility (CSR) efforts and overall performance with respect to the Gender Policy.

2. Collect Informal Production and Trade Data:

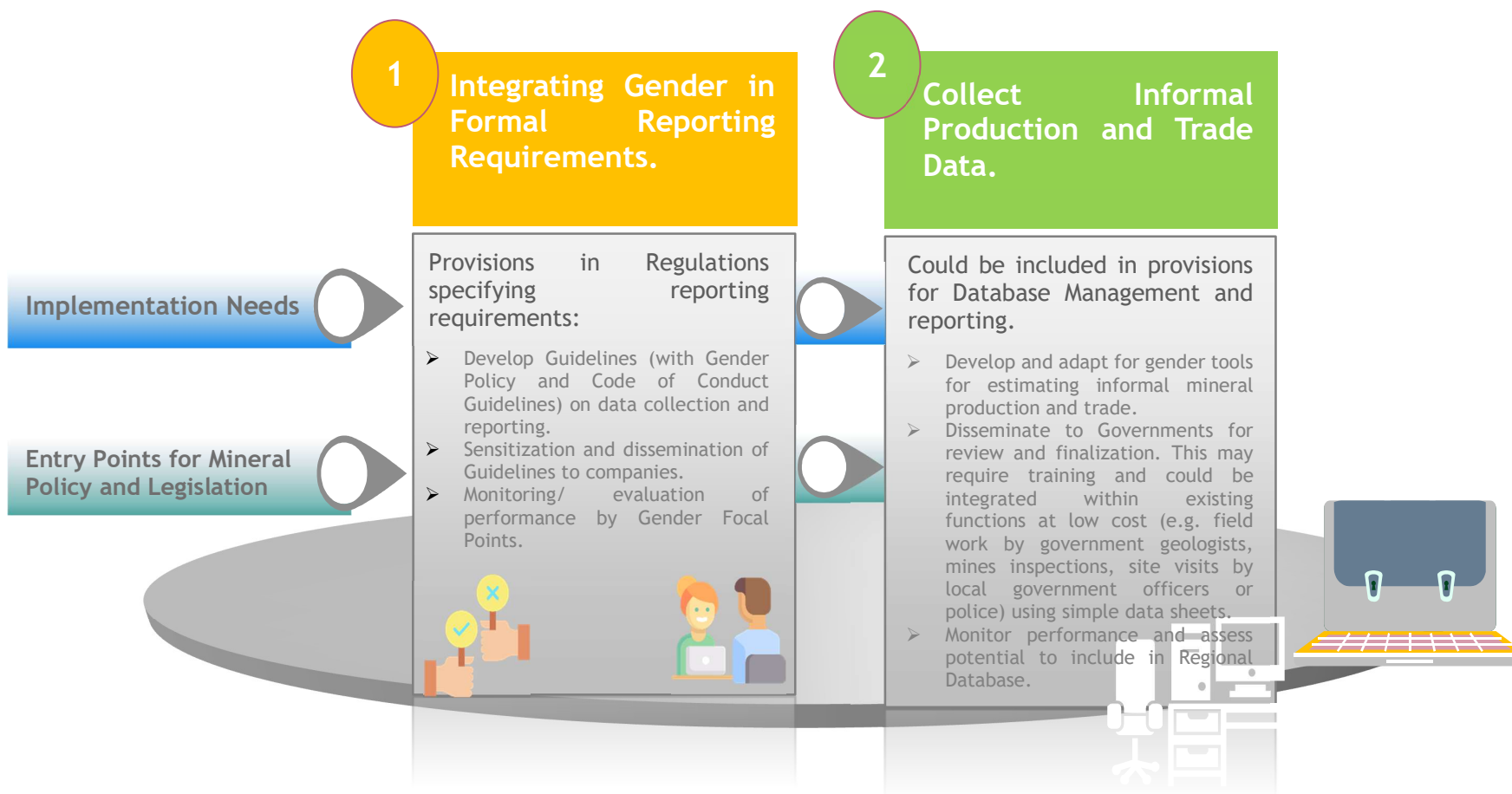
More and more tools are being developed to estimate informal production from ASM and estimate illicit trade flows but are not yet in common practice.

These could be adapted to capture women's and men's involvement, impacts/ benefits of ASM in order to help evaluate effectiveness of legal reforms (e.g. Certification).

Both strategies in this Tool could be integrated in the Regional Mineral Flow Database.

The implementation needs of the two strategies are detailed in the following figure:

Figure 12: Strategies for Mainstreaming Gender in the RINR Tool 3



d) RINR Tool 4: Formalization of ASM

There is growing official recognition by Member States of the significant contribution ASM can make towards poverty alleviation. However, there is still a need to support it to overcome the associated social and environmental challenges in order not to exacerbate the inequality between men and women. The formalisation of the ASM sector without explicitly promoting women's economic empowerment can result in the unintended further exclusion of women from the economic benefits of ASM.

The objective of this tool is to encourage the transformation of the artisanal mining to improve taxation systems, provision of extension services and capacity building in a gender responsive way. The formalisation process includes the development or adaptation of mining (and other) laws and policies with a gender focus in order to address the challenges facing ASM. It aims at improving regulations, particularly in terms of simplifying registration and accounting requirements and increasing productivity - in ways that are responsive to men's and women's needs.

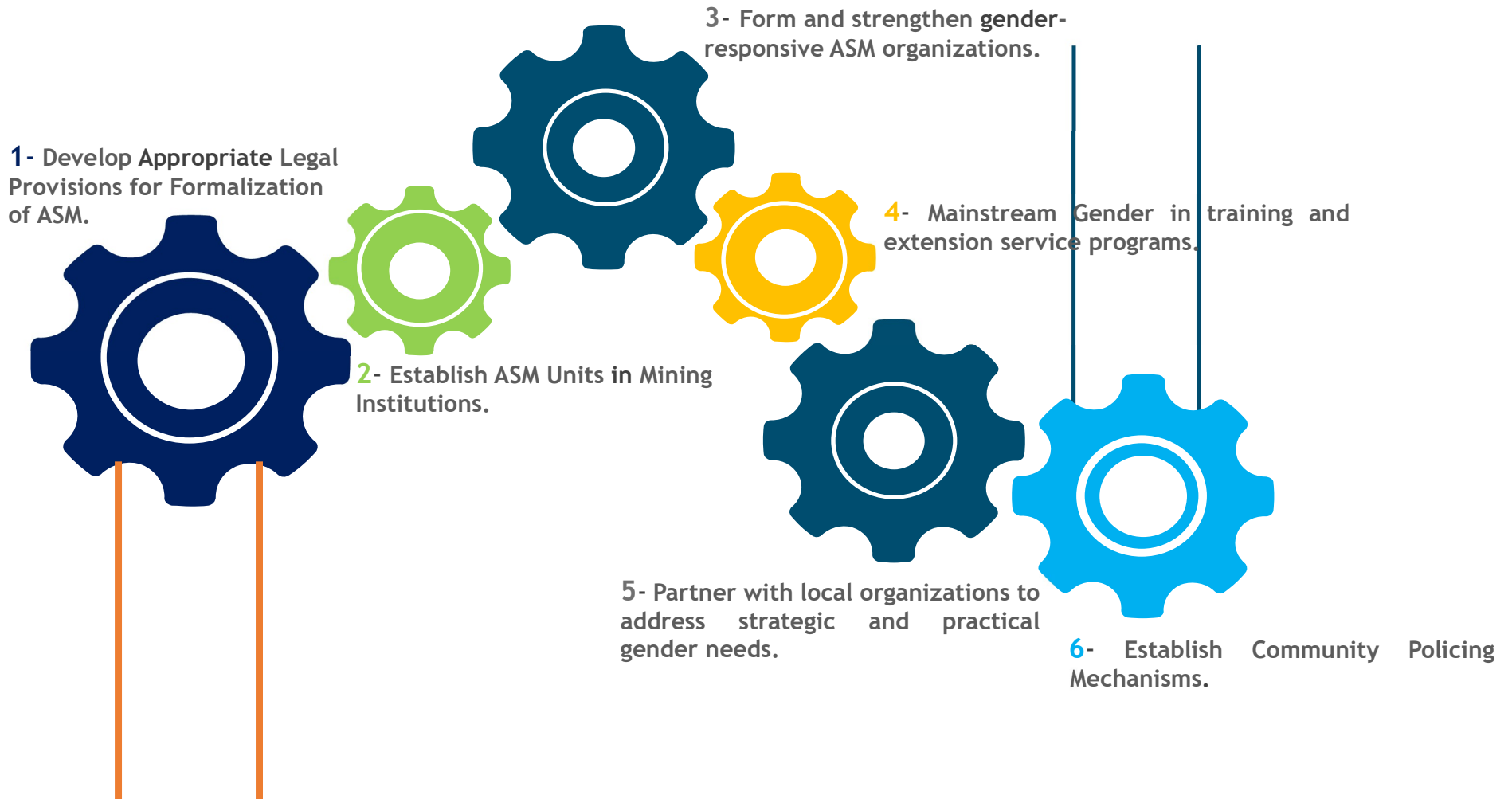
The purpose of effective formalisation also increases transparency and helps reduce fraud, it should also promote women's economic empowerment, and not further exclude them from the benefits of ASM. This applies to extraction, processing and trading within the Member States. Further activities will include capacity building in the respective ministries and agencies of Member States and the setting up of the required infrastructure for pilot tracking of mineral supply chains that are gender responsive.

With high levels of participation of women and vulnerable persons (including the elderly and disabled) in ASM and strong links to SGBV and the high burden of poverty among women, every component of an ASM formalisation strategy takes into account gender considerations in order to transform ASM into an engine for poverty reduction and wealth creation that promotes women's economic empowerment. The gender Issues and Entry Points in the RINR Tool 4: Formalization of ASM are summarised as follows:

- ▶ Include commitment to support Formalization of ASM in Mineral Policy.
- ▶ Develop Laws and Small-Scale Mining Regulations in-line with Formalization "Best Practice" (adapted for respective country's ASM sectors).
- ▶ Include commitment to establish a gender responsive ASM Unit in the Mineral Policy.
- ▶ Include basic environmental, health and safety and social requirements in Small Scale Mining Regulations.
- ▶ Include commitment to collaborate with partners to address Practical and Strategic Gender Needs in the Mineral Policy.
- ▶ Outline simple code-of- conduct requirements in Small Scale Mining Regulations.

Eight strategies for mainstreaming gender in the RINR tool 4 are summarised as follows:

Figure 13: Strategies for Mainstreaming Gender in the RINR Tool 4



The implementation needs of the eight strategies are detailed in the following figure:

1. Develop Appropriate Legal Provisions for Formalization of ASM:

Currently, ASM formalization rates in most ICGLR Member States are extremely low, in part due to high costs of licensing, complicated application and compliance requirements, inadequate licensing provisions (e.g. type of organizations to be created, size of areas, etc.) and lack of incentives and support to be legal.

The ASM formalisation should be approached as a process rather than a one-time action to enable women ASM to come forward when they are ready with the necessary paperwork. This will enable women ASM to progressively comply with technical, environmental, economic, tax, social, and labour requirements for ASM formalisation.

These efforts could be supported by sensitization campaigns targeting government leaders, companies, public) on benefits of formalization.

The implementation needs of this strategy are as follows:

- ▶ Consultation with miners on ASM formalisation.
- ▶ Review, Compile and disseminate Best Practice experiences in ASM formalization, including different licensing and gender mainstreaming strategies.
- ▶ Establish clear strategies to mainstream gender in ASM formalisation.
- ▶ Develop and disseminate easy-to-understand, step-by-step “ASM Formalization Guidelines” that are in line with the gender policy for government, local miners, extension service officers and other partners (e.g. CSOs).
- ▶ Implement grassroots awareness and training campaigns of legal reforms and guidelines, with greater support for most vulnerable miners.
- ▶ Simplify registration requirements: Considering that most mining communities tend to have very low education and literacy rates, Member States should be mindful of the multiple local languages and low level of literacy in the mining communities. The procedures for ASM registration by Member States should be simplified to allow for limited amount of paperwork, understanding that many women and other vulnerable groups engaged in ASM will not possess the paperwork for land or mines. More so, it should be aware that women may have difficulties to access legal documentation to support their registration as ASM, such as national identification or other legal documents. Efforts should be made by Member States to streamline registration processes with flexible requirements, for example, that allow for recommendations provided by local community leaders where necessary, in order to encourage more women to register for ASM formalisation.

2. Establish ASM Units in Mining Institutions:

The technical, legal and gender competence of ASM Unit officers to deliver extension services to ASM will be critical to effectiveness.

These units would be strengthened by inclusion of a social scientist or gender focal point, who can assist in mainstreaming gender in all work programs and budgets.

The implementation needs of this strategy are as follows:

- ▶ Establish ASM units in Mining Institutions (ideally ASM Focal Points could be located in decentralized offices or in mining sites these could be cross -appointed officers).
- ▶ Train ASM Unit Staff for competence in both ASM and gender issues (including SGBV).
- ▶ Integrate gender priorities in the ASM focal point job description.
- ▶ Ensure oversight of the GF point performance.
- ▶ Adequate resources provided to implement work plans and monitoring requirements put in place, with clear budget line totals and percentages for women and men.

3. Form and strengthen gender responsive ASM organizations:

Organization of ASM (in whatever form is appropriate) is the foundation for formalization.

In cases where women miners are active on ASM sites, balance of women and men on organization committees will be needed while, in general, gender training (particularly during development of codes of conduct) is useful.

- ▶ Include Guidelines for Formation and Strengthening ASM Organizations in ASM Formalization Guidelines.
- ▶ Facilitate ASM Unit Staff, working with Gender Focal Points and competent local partners (e.g. CSOs or local government development/ welfare officers) to provide training/ support.
- ▶ Monitor organizations and provide guidance as needed, especially on gender issues.
- ▶ Forms/paper: The ASM registration forms designed by Member States should collect information on men and women's engagement in ASM; ownership of mines, activities, income, etc in order to reflect the gender differences in their position and roles in ASM. Where necessary, difficult concepts in the form should be translated into local languages in order to capture essential information in an appropriate manner. These will help to provide an understanding of how and why women and men differentially interact with, and are impacted by, ASM production and commercialization.

4. Mainstream Gender in training and extension service programs:

Increasing production and improving the technical, safety and environmental performance as well as introducing simple systems for mineral tracking will require training and advice.

These activities should be designed, planned and budgeted to ensure women as well as men both benefit, not just through equal participation but also by design of curriculum and selection of methods.

Include specific modules to address practical and strategic gender needs (e.g. conflict resolution, priority health issues, gender-responsive organizations).

- ▶ Facilitate ASM Unit Staff, working with Gender Focal Points and competent local partners (e.g. CSOs or local government development/ welfare officers) to Train local Trainers (including miner leaders) on gender issues and provide regular training and ongoing advisory support.
- ▶ Ensure ASM organizations have equal representation of men and women.
- ▶ Gender and SGBV training for ASM organizations staff and members.

- ▶ Mining and business trainings to women associations to ensure that women and other vulnerable groups engaged in ASM can come forward and register. Member States must train their staff, especially female staff to work with women and other vulnerable groups in the registration process. All the ASM formalisation staff should be trained to ensure gender-sensitive and gender-just approaches in their interaction with ASM. Importantly, there should not be an impression that some miners are more qualified for ASM formalisation than others, as this may deter women from coming forward to register. As necessary, some ASM leaders or selected ASM (men and women) can be trained to work alongside officials to ease registration and to translate difficult concepts into local languages of their area.
- ▶ Develop simple step by step guidelines on (where possible, context specific) on gender and SGBV for the ASM organisations; and develop simple, easy-to-understand (and where possible pictorial) guidelines and forms to support compliance with environmental, health and safety and social requirements of Small-Scale Mining Regulations.

5. Partner with local organizations to address strategic and practical gender needs:

Priority gender needs will be identified from the Gender Analysis of the Mineral Sector.

Among these, many women, youth and vulnerable persons will not benefit from formalization and certification efforts unless issues related to functional adult literacy and numeracy are addressed.

Linkages will be needed with existing initiatives and projects, CSOs as well as other SGBV Strategies (See Section 3.4.2).

- ▶ In target, priority ASM areas, establish partnerships with relevant government offices, active mining companies and CSOs/NGOs and CBOs that are women led.
- ▶ Formalize collaborations through Regional/Local Mines Offices.
- ▶ Ensure some budget allocation is given to this issue (Note: In some countries a percentage of royalties is allocated to Local Development Funds and could be used for this purpose).
- ▶ ASM formalisation by Member State should make provisions to off-set the fact that women and other vulnerable groups involved in ASM may have a more difficult time than men in traveling to and accessing officials responsible for ASM formalisation, especially, if they are located far away from their communities. Member States should provide relevant timely information on ASM formalisation to the mining communities.

6. Establish Community Policing Mechanisms:

Organized miners and their communities can benefit considerably through internal codes of conduct and community policing. Both of these can also incorporate issues related to security and SGBV.

- ▶ Include in efforts to form and strengthen ASM organizations (above).
- ▶ Ensure necessary collaboration between ASM organizations, formal traders, local leaders, women's groups, police, health facilities, and the judiciary is established during organization formation activities.
- ▶ Develop clear context appropriate referral pathways in case of any incidences of SGBV or other abuses.
- ▶ Sensitise the mining communities on gender equity.

Information Box 13: ASM Formalisation

ICGLR adopted its own regional tools (RINR), and these represent a great opportunity to integrate gender in a crosscutting manner including in the Formalization of ASM tool.

Women are increasingly moving from indirect supportive roles to engaging directly in mining. The division of labour within the ASM supply chain is typically not gendered equitably. Women are also more often occupying non-digging jobs but in most countries, women do not enjoy the same opportunities around access to, control over, and benefits from artisanal mining in their communities.¹⁹

Formalising the ASM sector without explicitly promoting women's economic empowerment may result in further deepening the gender gaps and women's exclusion from the economic benefits of ASM.²⁰ Laws and regulations intending to treat women and men equally are often interpreted with existing stereotypes and societal norms, leading to the exacerbation of inequalities between men and women. Understanding how and why each gender differentially interact with, and are impacted by, ASM production is critical to lead adequate reforms to reach the intended gender equity.

Recommendations and strategies to mainstream gender in ASM

On the political level:

- Shifting views on the ASM sector from being considered as illegitimate or a threat to economies where women are just seen as a cheap reservoir of workers.
- Promote the ASM sector's potential to drive economic growth, alleviate poverty, and contribute to development.
- incorporate gender considerations into high-level policy documents and due-diligence systems.

On the Programming level:

- A normative view is emerging that ASM sector programming should aim to:
 1. Reduce gender disparities in the ASM sector including access to, control over, and benefit from resources;
 2. Reduce gender-based violence in and around mine sites; and
 3. Empower women and girls – economically, socially and politically.
- Promote gender studies in the ASM to explore gender dynamics, harmful and good practices and generate knowledge to enlighten policies.
- Produce gender disaggregated data on the ASM sector as well as specific gender assessment tools, guidelines for mainstreaming gender.
- ensure that development programs in the ASM sector should approach gender as a cross-cutting issue and considered as an integral dimension of the design, implementation, monitoring, and evaluation of ASM development policies and programs.
- Support safe and culturally appropriate reporting mechanisms for abuses in mines, inclusive of abuses that disproportionately affect women.
- Produce specific toolkits and user friendly accessible raising awareness tools on gender in ASM
- Establishing and supporting women's advocacy and support organizations in mining communities.
- Improving women's effective participation in mining decision-making Process
- Support efforts to elevate women into leadership positions in ASM organizations and cooperatives.
- Eliciting men as champions of women's empowerment
- Improving women's livelihoods
- Improving women's access to land and financing in ASM communities

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 Gender and ASM toolkit, https://womenandmining.org/wp-content/uploads/2019/04/Gender_and_ASM_Toolkit.pdf

¹⁹ Gender Issues in the Artisanal and Small-Scale Mining Sector, <https://www.land-links.org/wp-content/uploads/2020/05/USAID-ASM-and-Gender-Brief-1-June-20-Final.pdf>

²⁰ <https://www.iisd.org/system/files/publications/igf-case-study-women-asm.pdf>

e) RINR Tool 5: EITI Peer Learning Mechanisms

The Extractive Industries Transparency Initiative (EITI) is a global Standard to promote open and accountable management of natural resources. It seeks to strengthen government and company systems, inform public debates, and enhance trust.

The EITI Standard sets out the requirements which countries need to meet to be recognised, first as EITI Candidates and subsequently as being an EITI Compliant country. The Standard is overseen by the EITI Board, which comprises 20 members representing implementing countries, supporting countries, civil society organisations, and industry and institutional investors.

During the last few years the number of ICGLR Member States adopting the EITI standard has been constantly increasing and several more Member States have announced their intent to implement the EITI. As the experience of more advanced countries is very valuable to newcomers, the ICGLR is a suitable forum for the facilitation of a peer learning mechanism. Additionally, it is envisaged that mineral volumes, represented by financial revenues recorded by EITI, are balanced with the physical mineral volumes traded, recorded by the ICGLR Regional Database. The ICGLR has also called upon the EITI for the extension of the initiative to cover ASM in the informal sector.

The main gender entry points relate to how women and men can equitably participate in and benefit from EITI processes. If thoughtfully implemented applying the key gender Requirements, this EITI Tool provides an opportunity to empower women and vulnerable persons in mining-affected communities as well as women's and advocacy CSOs.

In order to consider gender balance, Member States may be inspired by the EITI guidance note towards gender-responsive implementation:

Furthermore, subsequent phases of EITI may extend to the use of revenues obtained from Governments. This shall provide an important vehicle for ensuring that gender needs are adequately considered in their distribution, including at local levels. Governments should ensure that men and women benefit equally from mining revenues both when the money is reinvested in the Mineral Sector or it is allocated for other national projects.

The gender Issue and Entry Point in the RINR Tool 5: EITI Peer Learning Mechanisms is summarised as follows:

- ▶ As country's become signatory, commitments likely to be enshrined in Law. These should be clearly engendered to ensure local communities affected by mining can understand and benefit from this information.

The implementation needs of the two strategies are detailed in the following figure:

Figure 14: Strategies for Mainstreaming Gender in the RINR Tool 5

01

Develop a communication strategy to disseminate results of the EITI process.

- Establish collaboration between mining institutions, advocacy CSOs and local CBOs and leaders.
- Mainstream gender in local communication strategy. Mainstream gender in local communication strategy by: ensuring communication methods will be understandable to women, men, youth, the elderly, disabled (written versus verbal, local language, radio versus newspapers versus community meetings versus separate forums with women’s and men’s groups, etc.).



02

Coordinate extension of EITI to ASM with ASM formalization.

- Incorporate local communication strategies (as above) and certify reporting requirements in ASM formalization efforts.



Two strategies for mainstreaming gender in the RINR tool 5 are therefore justified as follows:

1. Develop a communication strategy to disseminate results of the EITI process:

Simply providing a written summary document to local leaders is unlikely to reach people on the ground. Gender must be mainstreamed in related communication strategies. There is a need to conduct outreach and dissemination activities to foster dialogue and improve data accessibility for women: Information about the extractive industries in the Member States should be made publicly available by ensuring that it is written in a clear, accessible style and in appropriate languages and consider access challenges and information needs of different genders and subgroups of citizens.

There is a need for extractive industry data of each Member State to be gender sensitive. For instance, data on employment and beneficial ownership in the Mineral Sector should be determined and made publicly available in absolute terms and as a percentage of the total employment in the Member State. The information would be disaggregated by gender and, when available, further disaggregated by company and occupational level;

2. Coordinate extension of EITI to ASM with ASM formalization:

As more and more ASM areas become formal, legal and certified through Tools 1, 2 and 4, the reality of EITI extending to ASM will become more feasible.

There is a need for promoting diverse participation. In each ICGLR Member State implementing EITI, a Multi-Stakeholder Group (MSG) should be formed comprising government representatives, extractive company officials and civil society organisations working together. Each constituency should consider gender balance in their representation to progress towards gender parity. In addition, the MSG formed would be encouraged to document how gender considerations and inclusiveness have been taken into account.

f) RINR Tool 6: Whistle-Blowing Mechanism

The implementation of a whistle-blowing mechanism aims at capitalising on the knowledge of individuals witnessing or participating in illicit mineral activities. Technological means will provide a possibility to anonymously report such confidential information, which would then be followed up by relevant national investigation and prosecution institutions in collaboration with the ICGLR regional whistleblowing platform.

The way in which information about the whistle-blowing mechanism is communicated and potential witnesses have opportunities to access the mechanism is important. Also, confidentiality and security of informants is crucial to ensure the mechanism does not increase security risks. This Tool could potentially be linked with other efforts related to SGBV reporting. The gender Issue and Entry Point in the RINR Tool 5: Whistle-Blowing Mechanism is summarised as follows:

- ▶ Include commitment to Whistle-blowing Mechanism in the Mineral Policy.

A strategy for mainstreaming gender in the RINR tool 1 is therefore justified as follows:

1. The way in which information about the whistle-blowing mechanism is communicated and potential witnesses have opportunities to access the mechanism is important:

The implementation needs of the strategy are detailed in the following figure:

Figure 15: Strategies for Mainstreaming Gender in the RINR Tool 6



Ensure vulnerable women and men also know about and have the capacity to use the whistleblowing mechanism.

- Integrate whistleblowing mechanism in other sensitization /communication campaigns.
- Ensure communication about the mechanism is clear, easy-to-understand and accessible.
- Assess simple mechanisms for reporting (e.g. SMS through green numbers).

3.4.2 Linking the Mineral Sector with SGBV Implementation Work plans

Each of the strategies proposed in the RINR Tools can help address SGBV by dealing with many of the gender inequalities that are at the root of SGBV. The Mineral Sector can also support other SGBV strategies outlined in the Work plan for Implementation of the Kampala Declaration (Declaration of Heads of State Articles 1-19). These decisions and related strategies are directly linked to ICGLR Protocols on: Non-Aggression and Mutual Defence; Prevention and Suppression of Sexual Violence against Women and Children; Judicial Cooperation among others.

Mineral Sector strategies can also be tailored to help fulfil Kampala Declaration commitments to: prevent SGBV, end impunity for SGBV and provide support to victims of SGBV.

Review of the final Kampala Declaration Work plan by mining sector leaders will help identify additional entry points to support fulfilment of Heads of State Decisions made in the Kampala Declaration. Initial entry points have been identified as follows:

Article 1: Within an agreed time-frame to eradicate existing armed Groups in the Region in Conformity with the ICGLR Protocol on Non-Aggression and Mutual Defence.

Selected SGBV Strategy

- ▶ *12 ICGLR security zones strengthened to carry out mandate on security.*
- ▶ *Communities including women, youth, traditional leaders, faith-based organizations and media are involved in the eradication of existing armed groups.*

Mining Sector Support Strategy

- ▶ *Prioritize implementation of Gender Strategies (Table 2) in security zones*
- ▶ *Coordinate with implementing government agencies and CSOs working in priority mining areas.*
- ▶ *Disseminate Instructional Materials developed in priority mining areas.*
- ▶ *Promote coordination with security teams of large mining companies*

Article 2: Fully domesticate and implement the Protocol on Non-aggression and Mutual Defence, the Protocol on Prevention and Suppression of Sexual Violence against Women and Children as well as the Protocol on Judicial Cooperation in order to eradicate existing armed groups, combat SGBV and cooperate in matters of extradition, judicial investigation and prosecution of perpetrators.

Selected SGBV Strategy

- ▶ *Youth, Parliament and CSOs participate in implementation of protocols.*

Mining Sector Support Strategy

- ▶ *Mines Department Officers (including the ASM Unit) sensitize local youth groups on Protocols in coordination with implementation of other Gender strategies*
- ▶ *Promote sponsorship for youth groups, CSO participation by large mining companies.*

Article 4: Direct responsible institutions to strengthen or establish national level structures for prevention, protection and support of women and children against SGBV and establish early warning mechanisms within 12 months after this 4th Ordinary Summit and Special Session on SGBV to facilitate reporting and documentation of SGBV cases from the grassroots and fast track prosecution of those responsible for perpetrating sexual violence to make sure justice is done swiftly and effectively.

Selected SGBV Strategy

- ▶ *SGBV cases are documented on national and regional level.*

Mining Sector Support Strategy

- ▶ *Coordinate with implementing agencies to input data from company reporting (See Section 3.4.1: Tool 3).*

Article 5: Integrate SGBV in national planning frameworks and allocate budget lines for prevention and response to SGBV particularly the Ministries of Gender, Health, Defence, Security, Interior, Local Government, Justice, Education and Youth.

Selected SGBV Strategy

- ▶ *Relevant Ministries have allocated budget lines for prevention of and response to SGBV.*
- ▶ *Capacity of Member States is enhanced to implement guidelines for mainstreaming SGBV.*

Mining Sector Support Strategy

- ▶ *Ministry of Mining submits resulting budget lines from all selected Gender Strategies (and resulting work plans and budgets.)*
- ▶ *SGBV Guidelines reviewed and considered as country-specific Gender Strategies are selected.*
- ▶ *Gender competence of government mining institution staff progressively developed (See Guiding Principle 2).*

Article 6: To establish Gender Desks (where they do not exist), strengthen them where they exist and allocate relevant budgets to facilitate the fight against SGBV within the next financial year.

Selected SGBV Strategy

- ▶ *Gender Desks are strengthened or established where they do not exist.*

Mining Sector Support Strategy

- ▶ *Gender Focal Points and local Mines Officers (including ASM Unit Officers) coordinate with Gender Desks in Police in priority mining areas.*

Article 7: Declare “Zero Tolerance Now” on SGBV crimes and impunity. Launch national campaigns for zero tolerance on SGBV simultaneously including men in all Member States of the ICGLR after this Summit and Special Session on SGBV.

Selected SGBV Strategy

- ▶ *More awareness among the communities on the existence of the ICGLR Protocol and the Kampala Declaration.*
- ▶ *Increased understanding by all stakeholders of the nature/gravity of SGBV and the severity and consequences of punishments.*

Mining Sector Support Strategy

- ▶ *Sensitize Government mining institution personnel on the ICGLR and Kampala Declaration in conjunction with gender policies, codes of conduct and gender training.*
- ▶ *Disseminate information prepared for the Zero Tolerance Campaign to mining companies, women and men artisanal miners, and mining communities in conjunction with other campaigns/sensitization efforts (e.g. related to certification, guidelines for ASM formalization, training campaigns, etc.).*

Article 9: Establish appropriate mechanisms to investigate and prosecute sexual violence crimes, including crimes that amount to genocide, war crimes or crimes against humanity committed in the region.

Selected SGBV Strategy

- ▶ *Involvement of community policing structures increased.*
- ▶ *Documentation of SGBV crimes increased.*

Mining Sector Support Strategy

- ▶ *Coordinate with implementing agencies to receive guidance on establishing such structures in association with organization and formalization of ASM.*
- ▶ *Coordinate with implementing agencies to input data from company reporting (See Section 3.4.1: Tool 3).*

3.4.3 Gender mainstreaming in Private sector companies

“Gender mainstreaming” provides nowadays a useful framework for mining companies that aim at increasing their engagement with female employees, consumers, and community members along the value chain.

Information Box 14: Definition of “gender mainstreaming,” International Labour Organization

‘Mainstreaming is not about adding a “female component” or even a “gender-equality component” into an existing activity. The goal of gender mainstreaming is the transformation of unequal social and institutional structures into equal and just structures for both men and women.’

Committing to a gender mainstreaming approach means that different human genders including vulnerable groups should play an equal role in planning and implementing mining activities and projects and ensure that this work does not affect negatively either gender.

A proposed “Gender mainstreaming” approach is intended to help mining companies gain the maximum benefits from engaging women across different corporate roles.

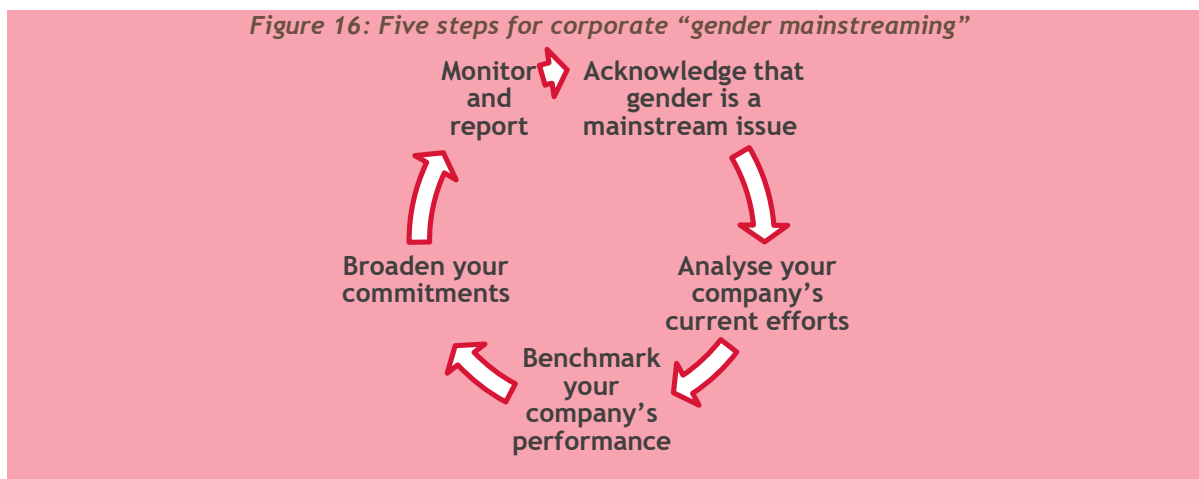
Corporate leaders today understand the need for corporate internal controls to ensure the basics right by implementing non-discriminatory procedures in human resource management including hiring and fair promotion policies, as well as to invest in community programs that are important to women as part of corporate social responsibility.

Example

Some companies moved beyond this to lead the way for more comprehensive gender-equality strategies by making public commitments regarding the importance of gender equality to their business.

Investing in gender diversification including women goes well beyond the “right thing to do”. Experiences across countries shows that the situation of women involved in mining as it did across the world²¹. Promoting Corporate Social Responsibility investment will be critical to improve gender equity, which will impact the overall development on country level and will bring a real return on private sector.

Information Box 15: Five steps for corporate “gender mainstreaming”²²



²¹ <https://cess.ac.in/wp-content/uploads/2019/10/CESS-Working-Paper-No.109.pdf>, Gender Mainstreaming in Mining: Experiences across Countries, Prajna Paramita Mishra & M. Gopinath Reddy

²² <https://www.bsr.org/en/our-insights/blog-view/five-steps-for-companies-to-make-gender-equality-mainstream>, ADITI MOHAPATRA, Former Managing Director, BSR & RACHEAL MEIERS, Former Director, BSR

'Companies can start with five steps:

- 1. Acknowledge that gender is a mainstream issue and that gender equality must be a shared primary goal for everyone. To be done well, this requires senior leadership engagement and cross-functional collaboration to ensure consistent messages are sent throughout the company.*
- 2. Analyse the company's current efforts. Enlist key departments, including sales, human resources, government relations, community affairs, legal, supply chain, and marketing to form a cross-functional gender council to review current efforts and progress on gender to date.*
- 3. Benchmark the company's performance against partners, competitors, and leaders to understand the gaps and opportunities in your current practices. A useful tool for this could be the WEPs, which provide a seven-step framework for companies seeking to advance women.*
- 4. Broaden commitments. Building from this assessment, companies should choose new areas to invest in and make public commitments to progress. Focus on areas where you feel the company can have the greatest impact, but don't ignore issues that are challenging or less marketable. The key to successful gender mainstreaming is establishing consistent messaging and broad attention to gender across issues and departments.*
- 5. Monitor and report. Monitoring performance via dashboards that regularly display data on the representation and progress of women across the company's value chain can be critical for ensuring accountability. It will also help you tell a comprehensive story that consumers, potential employees, and business partners can relate to.'*²³

3.5 ENGENDERING BUDGETS

The process of gender mainstreaming inevitably results in gender-responsive budgets. Once country-specific gender strategies have been identified, work plans should be developed by Government mining institutions with their Gender Focal Points and partners in order to determine exactly what, how, to who, how often and by who selected strategies will be implemented.

The budgets that result from work plans are naturally integrated into institutional budgets and related reporting, monitoring and evaluation frameworks because gender is mainstreamed in activities across an organization.

Gender responsive budgeting is not simply about budgets for activities targeting women. If gender is effectively mainstreamed across an organization, then multiple budget line items can effectively be gender disaggregated.

Examples of gender-responsive budgets include:

- ▶ **Inclusion in existing work plans and activities:** This would require disaggregation of a line budget item according to gender. For example, costs of production and dissemination of training materials on

²³ <https://www.bsr.org/en/our-insights/blog-view/five-steps-for-companies-to-make-gender-equality-mainstream>, ADITI MOHAPATRA, Former Managing Director, BSR & RACHEAL MEIERS, Former Director, BSR

formalization of ASM could be broken into a “total” column with separate columns for women and men, based on intended recipients of the material.

As a simple example, a mining authority/department/division/agency budget for personnel can immediately be “engendered” by determining the proportion of salaries allocated to men and women in the institution. With respect to other activities, once gender has been mainstreamed in job roles and functions (See Guiding Principle #2A), it will become very clear how this can be done.

- ▶ **Budgeting for Gender-specific activities:** Even budgets for new activities should also be disaggregated according to gender. An example may include participation of Gender Focal Points in SGBV Training or activities to disseminate information on the SGBV zero-tolerance campaigns. Furthermore, specific Gender Strategies may be selected and duly incorporated into work plans and budgets but funds may not actually be spent on planned activities in lieu of other priorities.

Once gender is effectively mainstreamed in mining sector budgets, it is quite simple to analyse the proportion of budgets allocated to women and girls compared to men and boys (as targets) and monitor implementation of actual expenditures for the same.

When gender budgets (planned and actual) are evaluated together with other monitoring and evaluation criteria (Section 3.6), the adequacy of budget allocations for gender mainstreaming efforts can be determined. A goal of progressive improvements in gender-responsiveness through budget allocations should be an objective of any mining institution.

3.6 MONITORING & EVALUATION

Improved responsiveness to gender issues in mining requires results-based monitoring and evaluation. In this respect, performance should be assessed on the basis of:

- ▶ **Implementation or output indicators** relate to the completion of certain functions or activities within a specified time in accordance with predefined work plans. For example, this may include: number of female and male miners trained annually; number of local leaders sensitized or number of mining companies adopting a gender policy; proportions of budgets for selected activities allocated to women and girls compared to men and boys, etc.
- ▶ **Outcome indicators** reflect results of implementation of specific activities, policies or programs. Examples include the number of women and men who have mining licenses, number of ASM organizations or mining companies with senior positions held by women and annual income of men and women in mining areas.

Both types of performance indicators are needed in order to determine whether positive or negative outcomes can be attributed to specific actions. Indicators provide a basis to assess the effectiveness of mining institutions and their partners in other organizations in regulatory, advisory and coordination roles, commitment of the private sector and the quality and quantity of services offered to women, men and vulnerable persons as well as impacts of policy or legislative reform.

Work plans and therefore suitable monitoring and evaluation indicators can only be developed once suitable mining sector gender strategies have been selected by Member States.

The Gender Focal Point should be responsible for:

- ▶ informing a mining institution's monitoring and evaluation framework;
- ▶ regular monitoring of performance; and
- ▶ reporting on a quarterly and annual basis in conjunction with "traditional" reporting requirements.

Mining Gender Focal Points and partners in Ministries of Gender and CSOs should play key roles in Annual Gender Performance Reviews (including gender audits of budgets) in order to identify areas for improvement, selected by Member States.

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