

Briefing Note - Gender in Extractives

Context:

Gender neutral or blind mining policy and legislation¹ can serve to exacerbate gender inequalities, mainly by reinforcing or increasing power imbalances. This is largely because sectorial benefits mainly accrue to those who are already comparatively privileged by way of social status, education and literacy, financial status, mobility, access to information, freedom of agency, and participation. Women are typically disadvantaged in comparison to men in all of these respects. For examples: (i) ASSM licencing requirements can strengthen (and legitimize pre-existing) control of men over sites through gender-neutral criteria for ASSM cooperative formation. This can result in unequal benefits from mining and increased risks of harassment, intimidation, exploitation and other forms of violence, even where women comprise a workforce majority; (ii) Legal criteria for consultative processes by mining and exploration companies are less likely to account for the needs and priorities of women and vulnerable groups unless measures are prescribed to ensure their informed participation. Resulting decisions may serve the interests of those involved in and with influence over consultative processes and disproportionately negatively impact excluded groups (women and vulnerable groups); (iii) Compensation and Resettlement Processes often require final agreement with local leaders and household heads, which are typically men. Women may have little say in negotiations or how compensation is used and may more negatively impacts by outcomes (e.g. uprooting of crops used for household consumption during exploration; undue disturbance to family unit where relocation decisions exclude women's concerns).

Even where supportive policies and laws are in place, those mandated to oversee, implement and enforce them may not have the technical capacity, resources or personal commitment needed to identify and respond to gender issues at local, regional and national levels and/or may not be held accountable for their gender performance. Entry points for women's economic empowerment are missed where sectorial research discounts gender specific constraints and opportunities. Women at a community level may have less confidence, resources or freedom to seek information, guidance and technical support or training provided by respective institutions and agencies, a situation impeded by distance of services (e.g. regional or central officers) and staff composition (mainly men). Women are unlikely to work in mining

¹ Ethiopia has ratified the Convention on the Political Rights of Women (CPRW) in 1953, and the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) in 1981. Ethiopia has additionally endorsed the Sustainable Development Goals (SDGs), adopted the principles of the Beijing Platform for Action (1995), the African Charter on Humans and People's Rights (1998). These commitments are supported by the Constitution (1995). Specifically, Article 13 states that all fundamental rights granted are to be interpreted in conformity with the principles of the signed conventions and declarations. Articles 25 and 35 stipulate the right to affirmative action to fight prevailing inequalities and calls for equal participation of women in political, social and economic spheres of life. The Constitution underpins the National Policy on Women (1993) and its associated instruments, which also encourages equal participation of women and men in political, social and economic spheres of life and defines institutional mechanisms to support inclusion of gender within public regulations and interventions. Additional policies call for the elimination of discrimination and equal participation and benefits derived from economic, political and social aspects of all sectors, including: The Health Policy (1994); Education and Training Policy (1994); Development and Social Welfare Policy (1996); Natural Resource and Environmental Policy (1997); and others. Other supportive legislation has since been developed including: The Family Code (2000), which seeks to rectify gaps in preceding legislation (Family Law, 1969) by increasing the minimum age of marriage to 18 years and affording women a share of assets following dissolution of a union lasting for at least 3 years. The updated Penal Code (2005) criminalizes domestic violence (including in not formalized marriage) as well as rape, female genital mutilation, abduction, and early marriage. The Federal Civil Servants' Proclamation No. 515/2007 ensures women's constitutional rights to affirmative action concerning recruitment, promotion, deployment, training and the creation of a violence free (including sexual violence) working environment.

sector governance in professional and technical positions due to a range of factors (harmful beliefs, working conditions, poor pay) thereby perpetuating gender imbalances in workforce compositions and stereotypes of the sector, providing disproportionate benefits (e.g. employment) to men and widening the gap between mining offices and impeding women at local levels from approaching mining offices.

Women in Extractives in the Context of Ethiopia's Minerals Sector:

Ethiopia is a country endowed with different kinds of mineral resources which are yet to be explored and exploited. The country has a long artisanal mining tradition; and it has been the basic mineral and rocks production and processing sector throughout the older civilization of the country. Historical accounts show that Ethiopia was the key source of gold to the Ancient Egyptian Empire, and the gold and precious stones presented by Queen of Sheba as gifts to King Solomon 3000 years ago. Mining in Ethiopia is highly dominated by Artisanal mining that happens in almost all regions of the country, primarily involving production of gold, and gemstones, including dimension stones and salt. ASM is proving to be the primary source of employment for rural communities and jobless urban youth. It currently engages over 1.2 million people, of whom more than 30% are women. Beyond generating employment opportunities to mining communities and migrants, ASM has the potential to catalyze local development, and contribute to the socio-economic well-being of the country. At present, contributions of artisanal mining to the national economy is increasing. In 2014, of the 14% contribution of the mineral sector to foreign exchange earnings, ASM's share accounted 65%.

Clear gender differentiation in roles, responsibilities, access and control over resources, decision-making including impacts and benefits prevails along the artisanal mining value chain. The majority of women gold miners pan from streams, while only few (in a specific region), engage in digging and crushing the ore. Artisanal miners lack knowledge and skills and modern mining technologies; this is more pronounced in the case of women miners who are less educated and lack information. Artisanal mining as a result is ineffective in terms of enhancing quantity and improving quality of products since it is not supported through training and skills development programs, extension and access to microfinance services. The majority of artisanal miners are operating informally (unlicensed) and poorly organized. The legal framework provides for the issuing of artisanal mining licences which gives exclusive rights to artisanal miners to explore and mine in the licensed area, without being requested to fulfil capital or technical competence requirements. While this creates the opportunity for artisanal miners without capital to organize, women have not benefited because their role in mining and contribution to the livelihood of the family is not recognized. Much effort is not made to encourage women to form their own mining association or join men cooperatives. As a result, women tend to mine individually denying women opportunities to access land for mining, bargain for better price during marketing, benefit from pooling of resources to enhance productivity.

The Government of Ethiopia is strongly committed to strengthen the artisanal mining sector. A legal and regulatory framework has been put in place to legalize ASM production and marketing. Currently the Government with a support of SUMM Project is developing a National Artisanal and Small-Scale Mining Strategy for identified strategic minerals mined at the ASSM level. The Government of Ethiopia believes that undertaking a systematic process will allow better governing the sector, and managing environmental and social impact resulting from mining actions including Gender equality and equity in the Mining sector. Given the contribution of artisanal small-scale mining to the national economy and its potential to generate employment, and foreign currency, the Government of Ethiopia intends to better organize the sector based on experiences of other countries and lessons drawn from existing practices and processes of formalization happening in the country, through the design, development and implementation of a comprehensive, gender responsive Artisanal Small-Scale Mining Strategy.

CIRDI – Supporting the Ministry of Mines (SUMM) Ethiopia Project Commitments to Integration of Gender Equality:

The Project Implementation Plan (PIP) approved by the Project Steering Committee (PSC) in November, 2016, stated that Gender Equality will be integrated throughout Project design, implementation, budgeting, monitoring and evaluation, and related coordination, management, and oversight structures. Assessments conducted during SUMM project design phase indicated that gender gaps exist in Ethiopian Mineral Sector at the institutional, mining action and community levels. At the institutional level gender is not integrated in policies and laws guiding the mineral sector. The overall assessment result shows there is very limited coordination for gender integration laterally and horizontally including lack of gender awareness and gender disparity in employment.

The Women's and Youth Affairs Directorate (WYAD) has produced a Gender Mainstreaming Guideline in 2012 to systematically guide the gender mainstreaming process. But the implementation was not initiated following the completion of the guideline as a result the document needs to be updated to accommodate the changes in organizational structure of the Ministry as well as to capture the new techniques of the Ministry. Benchmarking leading practices and the preliminary assessment report conducted at project design phase CIRDI-SUMM has developed a framework for Gender Equality Strategy which provides a holistic analysis of gender issues in mining sector, identifies priority Gender issues and suggests recommendations for gender interventions and integrations.

The recommendations are beyond the scope of the SUMM project and require a joint-efforts of all stakeholders, including MoMP, GSE, other key Ministries and Government institutions, Regional and local government offices, private sector actors (mining and exploration companies, ASSM cooperatives and organizations, women and men miners), Civil society representatives (community members and leaders, CSOs, NGOs) and, educational institutions and programs. To that end, the SUMM developed a framework to establish a Gender Equality Working Group (GEWG) that oversee the establishment of a strong coordination mechanism for integrating gender equality in the MoMP and GSE. The gender analysis and mainstreaming process will be spearheaded by the GEWG, composed of relevant directorates: Mineral Licensing and Administration, Legal Affairs, Environment and Community Development, Planning, Monitoring and Evaluation, Artisanal Mining, Human Resources, and Women and Youth Affairs from Geological Survey Ethiopia, guided by the Women and Youth Affairs Directorate in the MoMP.

The GEWG mandate also included a systematic contribution to the development of the mining sector, achievement of GTP II objectives with equitable benefits accruing to Ethiopian women and men actors in alignment with the Sustainable Development Goal and Agenda 2030. The GEWG established in 2017 to promote institutionalization of gender principles, values, norms and practices in the Ministry and GSE's systems, procedure, structures, and organizational culture. With the main focus on integrating gender concerns and opportunities in policies, legislations, strategies, program designs, plans and budgets through review and analysis including enhancing competence of human resources.

With a technical support of SUMM the GEWG since its operationalized actively engaged in review and analysis of existing policies, legislations, regulations, plans and budgets of the MoMP from gender perspective including enhancing gender competence of human resources to ensure adoption and institutionalization of gender principles, values, norms and practices within the system, structure and organizational culture of the Ministry.

The GEWG mandate was developed jointly with SUMM and includes the following;

- Providing guidance and support to the integration of gender equality in the different components and activities of MoMP planned jointly with SUMM, namely: Policy and legal Reforms, Organizational Assessment, Strategic Plan Development, Review of Licensing Procedures, Planning Implementation and Budgeting;
- Developing a National Gender Equality Strategy for the MoMP with technical Support of SUMM;
- Revising the Gender mainstreaming guideline develop in 2012 and design and dissemination tool to key stakeholders;
- Building capacity and competence of relevant staff through training and information sharing;
- Engaging in monitoring and evaluation including promoting accountability mechanisms;
- Institutionalization of the Gender mainstreaming practices and experiences in mandate and organizational processes of the MoMP and GSE;
- Design mechanisms to communicate accomplishment of the GEWG to leadership and the relevant ministries;
- Dissemination of lessons and experiences through development of communication materials and networking;
- Recommend as required areas/issues for gender analysis, undertake review and analysis and integrate findings in SUMM Annual Plans and systems of the MoMP and GSE.

In order to make the GEWG fully operational the SUMM conducted a Gender Equality working Group Capacity Assessment using a questionnaire to individual member. Following the results that indicates their limited capacity in Gender mainstreaming techniques and application the SUMM organized an advanced training to the GEWG, WYAD staff, GSE Gender focal points, and Regional Mining Bureau Gender officers. The training provided an overview of Gender and sustainable development, enhance understanding of why Gender matters in the Mining sector, identify Gender issues in the Mining Sector, integrate gender mainstreaming into Policy, Program, and Strategies and ensure to develop the skills of the experts to be Gender-responsive in every step of Gender analyses and mainstreaming interventions of the Ministry.

In 2018 – A gender mapping study/assessment was done by the Gender Equality Working Group. The objective of the gender mapping study was to assess level of Gender mainstreaming, in organizational processes, and functions, such as policies, law, strategies, human resources management practices, communication and public relations, program and project design, planning, implementation, monitoring and evaluation, and in organizational coordination mechanisms. Effort was made to take stock of staff perceptions and understanding, in MoMP, the Geological Survey Ethiopia (GSE) and the Regional Mining Agencies/Bureaus through application of self-assessment questionnaire, focus group discussions and interviews. Findings of the study intended to serve as input for review and revision of the Gender Mainstreaming Guideline developed in 2012 by the Women's and Youth Affairs Directorate and the design of a National Gender Equality Strategy for the Mining Sector.

The GEWG is currently working on analyzing existing policies and programs to ensure the inclusion of Gender mainstreaming and Sustainable Development approaches, analysis techniques. In addition, with a technical support of SUMM the GEWG is working on developing a National Gender Equality Strategy benchmarking international leading practices, revising the Gender Mainstreaming Guideline, and develop a comprehensive Gender Training Manual. However, if meaningful change is intended to be achieved in promotion of gender equality, mainstreaming of gender should be responsibility of all staffs and institutionalized in organizational policies, systems, processes and accountability mechanisms.

Linkages between EITI and international indexes

In the efforts to enhance the capacity of MoMP to monitor and report the sector performance, SUMM project have mapped international indexes (see the table below). The country is ranked as poor performers in most of the indexes. The indexes are developed based on the surveys conducted to get the perceptions of the companies. Those companies may be the ones who have engaged in EITI's survey. Studying these indexes the Government of Ethiopia, MoMP can see the areas of improvement so that the sector become more transparent, accountable and competitive (attractive to investors). Many areas of the sector governance captured by those indexes can be captured also by EITI survey in order to provide MoMP with timely and quality information for the their evidence-based policy development.

Index name and website	Brief on the key indicators	Countries that are included in the survey	Ethiopia's ranking/scoring	Meaning of the index for the sector's governance
<p>1. Resource Governance Index (RGI) (Natural Resource Governance Institute - NRG, 2017) 2017 Resource Governance Index</p>	<p><u>Overall:</u> index calculated its composite score using the scores of its 3 index components/indicators.</p> <p><u>More specifically:</u> - NRG translates raw data into scores for the 2 bespoke components of the RGI: 1) value realization and, 2) revenue management.</p>	81 countries (all continents represented)	<p>Rank: 57th Score: 40 (Poor) Meaning: A country has established some minimal procedures and practices to govern resources, but most elements necessary to ensure society benefits are missing.</p>	-Index includes governance related indicators related to value, revenue management and enabling environment.
<p>2. Responsible Mining Index (Responsible Mining Foundation (RMF) RMI Downloads RMI - Responsible Mining Index</p>	<p>RMI results provide a snapshot of company behavior, showing the status of relevant policies and practices at the time of the assessment (mid-2017), based on the most up-to-date information available at the time.</p> <p>The RMI includes 73 indicators applied at the company-wide level across 6 thematic areas: (1) Economic Development: (2) Business Conduct: (3) Lifecycle Management: (4) Community Wellbeing (5) Working Conditions: (6) Environmental Responsibility</p>	16 home countries (North America, Brazil, Chile, UK, Switzerland, most of Asia, Australia, and South Africa) 40 producing countries (all continents represented).	<p>Ethiopia is not included in the 2018 RMI. Ethiopia is not a home country or producing country included in the 2018 RMI.</p>	<p>Index focuses on the extent to which companies have established responsible policies and practices, with a sole focus on mining.</p> <p>The angle they use is interesting in the sense that the indicators used allow to create a picture of policies and practices used by companies to still be economically profitable and have a positive impact on the communities.</p>
<p>3. Role of mining in national economies (Romine)</p>	- Mining contribution index (MCI) 2016 aims to synthesize important aspects of mining's	183 countries (all continents represented)	<p>Rank: 91th Score: 45.2</p>	- MCI provides information about the significance of the mining

<p>International Council on Mining & Metals – ICMM http://www.icmm.com/en-gb</p>	<p>contribution in individual countries into a single number and an associated ranking.</p>		<p>- Metallic mineral, metals and coal export contribution 2014: 3.5% of GDP - Metallic mineral and coal production value 2014: 0.9% of GDP - Mineral rent 2014: 0.74% of GDP)</p>	<p>sector's contribution in national economies. - Since 2012, ranking shows that mining sector contribution to national economy has decreased in Ethiopia: going from 63 in 2012, to 75 in 2014, to 91 in 2016.</p>
<p>5. Ibrahim Index of Africa on Governance (Mo Ibrahim Foundation) http://mo.ibrahim.foundation/iag/2017-key-findings/</p>	<p>In total, the IIAG contains 100 indicators (4 categories): 1) Safety & Rule of law: rule of law (6), accountability(8), personal safety(6), national security (6) 2) Participation & Human rights: participation(5), rights(6), gender (8) 3) Sustainable economic opportunity: public management (9), business environment (7), infrastructure (5), rural sector (8) 4) Human development: welfare (9), education (8) health (9).</p>	<p>All 54 countries of Africa</p>	<p>Overall governance - Rank: 36 (54 countries of Africa) 2016 Score: 47.7/100.0 Trend: Slowing improvement</p>	<p>- Index focused key governance dimensions without specific focus on mining. - However, it provides a relevant picture at a continental level, as well as ranking and trends of Ethiopia's governance performance since 2000.</p>
<p>5. World Bank Doing Business Index http://www.doingbusiness.org/ranking</p>	<p>Economies are ranked on their ease of doing business, from 1–190.</p>	<p>190 countries (all continents represented)</p>	<p>Ranks (out of 190) - Ease of Doing Business: 161 - Starting a Business: 174 - Dealing with Construction Permits: 169 - Getting Electricity: 125 - Registering Property: 139 - Getting Credit: 173 - Protecting Minority Investors: 176 - Paying Taxes: 133 - Trading across Borders: 167</p>	

			<p>- Enforcing Contracts: 68</p> <p>- Resolving Insolvency: 122</p>	
<p>6. Survey of Mining Companies - 2017</p> <p>(Fraser Institute - Canada)</p> <p>Annual Survey of Mining Companies: 2017</p>	<p>- Survey designed to identify provinces, states, and countries that have most attractive policies for encouraging investment in mining exploration.</p> <p>Indexes created in this survey:</p> <p>1) The Investment Attractiveness Index: takes both mineral and policy perception into consideration. Composite index that combines both the Policy Perception Index (PPI) and results from the Best Practices Mineral Potential Index.</p> <p>2) Policy perception index (PPI): a composite index that measures the overall policy attractiveness of the 91 jurisdictions in the survey.</p> <p>3) Best Practices Mineral Potential Index: mineral potential of jurisdictions, assuming their policies are based on “best practices” (i.e., world class regulatory environment, highly competitive taxation, no political risk or uncertainty, and a fully stable mining regime). Basically expressed what miners are saying.</p>	<p>91 jurisdictions, all continents represented</p>	<p>Investment attractiveness index – 2017 Score: 44.3/100 (2016: 57.32 2015: 64.11 2014: 50.76) 2017 rank: 81/91 (2016: 68/104 2015: 51/109)</p> <p>Policy perception index – 2017 Score: 57.31/100 (2016: 53.29 2015:70.27 2014: 51.89) 2017 rank: 64/91 (2016: 79/104 2015: 48/109)</p> <p>Best Practices Mineral Potential 2017 score: 35.71/100 15% encourages investment/20% not a deterrent to investment. (2016/2015: 60) 2017 rank: 83/91 (2016: 57/104 2015: 56/109)</p>	<p>- Mining survey is an informal survey that attempts to assess the perceptions of mining company executives about various optimal and sub-optimal public policies that might affect the hospitality of a jurisdiction to mining investment.</p> <p>- Survey broadly captures the perceptions of those involved in both mining and the regulation of mining for the jurisdictions included.</p>
<p>8. Global Observatory (IPI) including Sustainable Development Goal Index</p>	<p>SDG: indicator framework for the follow up and review of the 2030 Agenda for Sustainable Development</p> <p>TBC</p>	<p>All continents represented</p>	<p>SDG 2016 Score: 43.06</p>	<p>Catalogue of Indices 2016: Data for a Changing World</p>

				https://unstats.un.org/sdgs/indicators/database/?area=ETH
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The following global indexes other than the Resource Governance Index (RGI) where we perform low indicates that we have to work more in producing a report with indicators.

Worldwide Governance Indicators

Extractives Industries Transparency Initiative - EITI in Ethiopia:

Ethiopia EITI (EEITI) was launched in July 2009, involving 100 participants from CSOs, extractive companies and Government Agencies. However, the International Secretariat deferred the application of Ethiopia as candidate seeking further explanations from the Government of Ethiopia (GoE) with regards to the free and active participation of CSOs in the EEITI implementation. Ethiopia became EITI candidate country in March 2014 and published its first EITI report covering period 2013-14 in March 2015. Currently, EITI legislation has been drafted, reviewed by the Ministry of Justice and is soon due to be passed. EEITI Published its third and latest (2015-16) EITI report in March 2018. EEITI encourages multi-stakeholder groups to explore innovative approaches to make the EITI more relevant and useful. Particularly, in its efforts towards full beneficial ownership disclosure by 2020, the 2015-16 EITI Report already disclosed names of natural persons, including politically exposed person, as beneficial owners. And EEITI is considering ways of including artisanal and small-scale mining in EITI reporting given its significance to the national economy. The 2014/15 EITI Report provides an overview of artisanal and small-scale mining including the types of licenses and estimated production figures. Nonetheless, all EITI reports have not present gender-disaggregated data therefore its reports lack analysis of the participation of, beneficiation of and the impacts on men and women employed in extractive sector in Ethiopia. This is a big gap in the data collection methodology of EEITI that needs a new approach.

CIRDI – SUMM Project Commitments to introduce methodologies and tools to collect gender disaggregated data:

At the outset of SUMM in November 2016, CIRDI developed a strategic partnership with EEITI to:

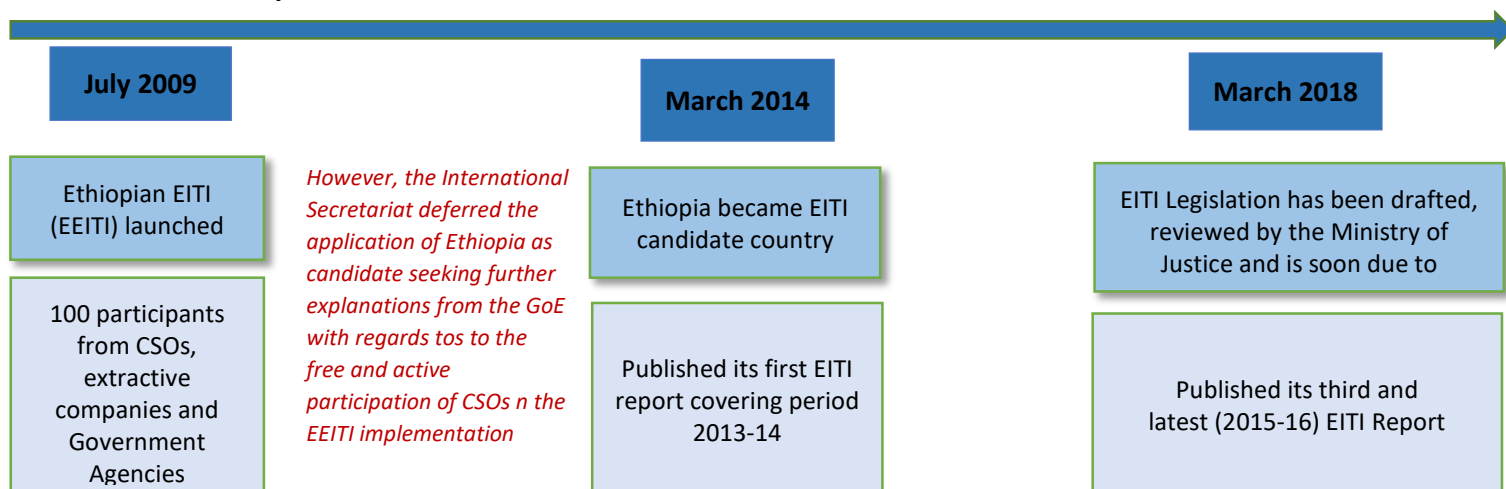
- Improve the data collection method in EITI reporting process to ensure the gender-disaggregation and Gender analysis²;
- Ensure women and stakeholder groups are adequately engaged and can meaningfully participate in stakeholder engagement related to EITI reporting process in particular to policy and legal reviews in general;
- Formalize processes and procedures to ensure gender is adequately incorporated in EITI reports;
- Develop gender competence of MoMP to analyze and effectively address gender concerns, impacts and opportunities in policy and law;
- Ensure engagement and meaningful participation of women and vulnerable groups as beneficiaries of EITI knowledge dissemination, sensitization, and related initiatives;

² The most recent report produced by EEITI launched in January 2018, the data on employment in the reconciled companies is not gender-aggregated. The report includes an section on Social Payment (Section 4.1.3) and Annex 5 on Social Contribution without providing an analysis how the contribution are used for different groups (including male, female and other community members). Those can be areas of improvements in short-term to enhance the gender disaggregation in EEITI reporting.

- Promote women's employment in the sector by conducting sensitization campaigns, including those that highlight women working in different roles;
- Develop gender capacity and provide guidance materials to companies, ASM cooperatives and relevant government officers (i.e. Woreda, Regional and Federal levels) on how to design, implement and evaluate inclusive, gender-responsive consultation/ engagement processes, through the EEITI stakeholder-engagement;

EEITI Executive Board is invited to provide inputs for Extractive Sector Gender Strategy which is currently being developed by the Gender Equality Working Group that led by the Women and Youth Affairs Directorate of MoMP with CIRDI-SUMM technical and financial support. EEITI Executive Board is the key partner that contribute technical inputs to the development of the Ethiopia Artisanal Special Small Scale Mining Strategy that is being piloted and supported by CIRDI - SUMM technical and financial support in 2019-20. The Roadmap aims for enabling and creating conducive environment for local small enterprises that target beneficiation of vulnerable groups including women and Youth. In addition, it will also pave the way for the formalization and collaborative coexistence with large scale mining which will enable women to benefit from engaging in small scale mining activities.

EITI Process in Ethiopia



The EITI encourages multi-stakeholder groups to explore innovative approaches to make the EITI more relevant and useful.

- In its efforts towards full Beneficial ownership disclosure by 2020, the 2015/16 EITI Report already disclosed names of natural persons, including politically exposed person, as beneficial owners.
- EITI is considering ways of including artisanal and small-scale mining in EITI reporting given its significance to the national economy. The 2014/15 EITI Report provides an overview of artisanal and small-scale mining including the types of licenses and estimated production figures.
- The 2014/15 EITI Report includes important recommendations for reform, ranging from data quality assurance to the license register.
- The 2013/14 EITI Report published details of oil, gas and mining license-holders for the first time

SUMM works closely with EEITI on

- Integration of gender by enhancing the EITI current approaches in data collection and reporting
 - Developing the ASSM Strategy Roadmap that provide methodology to include artisanal and small-scale mining in EITI reporting
- SUMM advocates** for incorporate EEITI reporting process into Ministry of Mining and Petroleum (MoMP) process