BACKGROUND NOTE AND EXPLORATION OF KEY CONCEPTS
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1. BACKGROUND TO THE COLLECTION

In this starter collection of six papers, which focuses on Sub-Saharan Africa so far as the available literature allows, WoMin¹ begins to explore some of the themes and questions that are raised by extractivism² and industrial mining in particular, and its impacts upon, and ‘relationship to’ peasant and working-class women. By ‘relationship’, WoMin refers to the myriad ways – within the home, in the fields and in the workplace – in which women, in mainly invisible and unremunerated ways, participate in, shape, and contribute to the ambitions and profits of the extractivist industries.

WoMin has been developed to respond to the rapid growth of the extractivist industries in the region, leading to the displacement of poor peasant communities from the lands and forests upon which their livelihoods, well-being and identity rest, and the degradation and pollution of these same lands, water sources and air. These impacts are disproportionately borne by peasant women who are responsible for 60% to 80% of domestic food production in Sub-Saharan Africa (ASQ, 2002), and who lead on the day-to-day reproduction and care of their households and communities. Women’s work situates them closest to polluted soils and waters, placing them at greater risk for ill-health, a vulnerability they share with their menfolk who labour in the mines. But it is the women who labour on an unpaid basis to care for sick workers and family members, subsidising industries for poor living and working conditions, and releasing the state of its obligations to care for its citizens and hold mining companies accountable for their social and environmental impacts.

The research presented in this collection is one activity in a much larger emergent regional programme encompassing participatory action research and support to grassroots organising and movement-building at country level,³ capacity-building and exchanges involving grassroots-impacted women and staff from support organisations, including a feminist activist formation school to be implemented with the regional Rural Women’s Assembly (RWA); advocacy and campaigns targeting key regional and global institutions; and a large regional assembly of peasant and extractives-impacted women to support the building of a more cohesive continental movement of women, offering real alternatives to destructive extractivism.

In light of the growing social and ecological crisis linked to the rapid expansion of the extractives industries in the region, and the linked climate crisis which is already having devastating impacts in Sub-Saharan Africa and other poor regions of the world, this collection of papers aims to make a modest, but important contribution to informing our efforts to support grassroots women, and the movements of which they form a part.

The papers are written and designed so each can be read separately from the whole, permitting readers to select the themes that are of most interest to them. The primary audience we had in mind when writing was civil society organisation (CSO) practitioners, activists, campaigners and policy staff working on land, natural resources, mining, water and other forms of extractivism. The collection will also be of interest to academics, policy-makers and decision-makers in government, multi-lateral bodies and regional institutions. We have not written for grassroots community activists, but hope that CSO users of these materials will translate the content into useful grassroots information, campaigns and training materials. At a regional level these papers will be used to inform exchanges, training, advocacy and campaigns, and regional forums. The collection starts with a set of six papers and an Advocacy Tool, to which we will add with time.

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¹ WoMin is a programme of activism and research related to women, gender and extractivism in the Africa region and is housed in the International Alliance on Natural Resources in Africa (IANRA), a network of 29 formal member organisations – 28 in Africa and 1 in Europe – plus 10 national IANRA networks in Africa, all working on natural resource questions.

² See section 2 of this Background Note for an explanation and discussion of this concept.

³ In the first two years of the programme, the regional work will build on solid work in five countries – Nigeria, the DRC, South Africa, Tanzania and Zimbabwe – but will involve many more countries through regional network meetings, advocacy and campaign work, and through a regional assembly to be implemented with the regional Rural Women’s Assembly (RWA) in 2014.
Each paper has been researched and written by a different lead author, co-writing with the WoMin project coordinator and overall editor of the series when she has not been the lead writer. We have retained the integrity of the lead author’s approach and style in the final editing process, and each paper therefore reads somewhat differently. As the collection grows, so too will the diversity of approaches, thinking and writing styles reflected in the papers. Various respondents who are either specialists in the specific ‘question/s’ addressed by the paper, or have a general interest in the work of WoMin have also supported each paper. The input of these respondents has been critical to the success of the overall project, and we acknowledge their inputs at the end of each paper.

The research and writing of this collection has been greatly challenged by the difficulty of accessing appropriate gender-sensitive literature on extractivism, and mining in particular, which addresses the Sub-Saharan African context specifically. The area that has been most researched from a gender angle, or with women in mind, is the field of artisanal mining in which women are well represented in the workforce. The rest of the literature – whether related to land grabs, livelihoods impacts, environmental and health effects, or mine workers – is generally gender-blind, meaning that farmers or communities or mine workers are treated as a homogenous group in which the experience of one sub-group (usually men) is interpreted as the experience of all.

In the writing of the papers we have looked to research in other regions of the world and have considered what this literature suggests for the Sub-Saharan African context. In addition, we have looked well beyond the research on mining and natural resources, to that on HIV/AIDS, care work, sex work, violence against women, food rights, migrancy and so on to extrapolate ideas and conclusions that may be relevant to our questions related to women, gender and extractivism. Very importantly, what we have tried to do is come to the existing gender-blind literature with new questions, on the basis of gender-sensitive research and analysis in another sector.

WoMin is very conscious of themes and questions not yet addressed in this collection and we hope to start the process of exploring these through the commissioning and writing of new papers. These include, but are not limited to (a) women’s decision-making rights in free prior and informed consent (FPIC) processes related to extractivist projects; (b) violence against women in an inherently violent extractivist development model – looking beyond remedial interventions to deep structural transformation; and possibly papers focusing on (c) women’s rights in corporate social responsibility efforts; and (d) the gender-specific health impacts of extractivism in the region.

It is important to emphasise that these papers are based on a review of existing literature and material. In 2013 and 2014, leading national organisations under the umbrella of WoMin will undertake new participatory action research (PAR) in specific localities, which we hope will support local organising and allow us to deepen our insights on specific themes and questions related to women, gender and extractivism. Written case studies arising from the PAR will be published as a series and, combined with the contents of some of the papers presented here, will form the basis of a book which we aim to publish in 2014.
### Introducaton: Background Note and Introduction of Key Concepts

A background note, which guides the reader on the general content of the collection and explains some of the key concepts upon which the work is built.

<table>
<thead>
<tr>
<th>Paper 1: A WoMin Perspective on International and Regional Policy and Human Rights Frameworks</th>
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<tr>
<td>This paper discusses the rights, standards and protections offered by broader human rights and mining-specific frameworks according to four thematic areas:</td>
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<td>- women's economic empowerment</td>
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<td>- women's right to adequate health</td>
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<td>- women's right to land and food sovereignty</td>
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<td>- protections against forced evictions and compensation for the loss of land and natural resource rights.</td>
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<td>The paper offers the reader a useful summary of the different types of frameworks (such as Treaties, United Nations General Recommendations and Comments, African Commission Resolutions, Guidelines and Declarations) and discusses how they can be used by marginalised women and their support organisations to claim rights or effect change.</td>
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<td>The paper concludes with some recommendations for policy research and development work, as well as suggestions for sub-regional, continental and international advocacy and campaigns. Some of the key content of this paper is presented in the form of a separate Advocacy Tool, for use by campaigners and activists working on gender and extractivism in the region.</td>
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<th>Paper 2: Women Miners – Navigating Difficult Terrain Underground</th>
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<td>This paper recounts the stories of women workers in South Africa, India, the United States, and Australia and their experiences of sexual harassment, unequal wages, and poor working conditions of a gender-specific nature in the mines. The paper explores women's formal legal inclusion in the mining sector – in Australia and post-apartheid South Africa – arguing that without significant transformation of the work culture and environment, women's incorporation is generally not a liberating experience. The paper looks beyond women's wage labour to address women's reproductive work, which is incorporated into their roles and work duties on the mines, and subsidises for the poor wages and living conditions of male miners. The paper concludes with recommendations for future work and research.</td>
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<th>Paper 3: Land and Food Sovereignty Undermined – Impacts on Peasant Women</th>
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<td>This paper focuses on the multi-layered question: how is industrial-scale mining impacting on peasant women's land rights; their access to, control over and use of natural resources; their access to labour (including control of their own labour) for food production; and hence their own right to food and the food sovereignty of their families and the communities of which they form a part? In exploring this substantive question, the paper examines the correlation between industrial-scale mining and land grabs. It also touches on the polluting effects of mining – the land degradation and poisoning of water supplies in particular – and their gendered impacts. This paper inspires with examples of how peasant women in Sub-Saharan Africa and beyond are organising, confronting, resisting and posing alternatives to the devastating impacts of industrial mining on their lives, their communities and the natural resources upon which survival, life and identity rest. The paper concludes with some recommendations for research and action related to extractivism, land and food sovereignty for African peasant women.</td>
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<td>Paper 4: Women’s Unseen Contribution to the Extractives Industries: Their Unpaid Labour</td>
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<td>This paper explores the impact of mining on women’s unpaid care, a largely invisible question in the analysis of mining and its societal consequences. Unpaid care describes work, often domestic or care-oriented, performed mostly by women in the home, which despite its great social and economic value is not recognised, counted, remunerated or valued. This paper explores in depth the concept of unpaid care, and discusses the different dimensions of poverty and women’s poverty, in particular, in Sub-Saharan Africa, which gives rise to unpaid care. The body of the paper discusses different dimensions of the relationship between mining industry and women’s unpaid labour, making the broad argument that mining capital in Sub-Saharan Africa has, for close to a century, carefully extracted and managed women’s unpaid care to support its labour and social reproduction agenda, which has varied depending on the mineral and its labour requirements for extraction, competition with other industries for labour, the level of industrialisation and its associated capital demands. The paper considers how to recognise, count and support unpaid care, and makes general recommendations for action through WoMin.</td>
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<th>Paper 5: Extractivism’s Impacts on Women’s Bodies, Sexuality and Autonomy</th>
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<td>This paper addresses, so far as the existing literature permits, the impacts of extractivism on women’s ability to make safe and informed choices about their bodies, their health and their sexuality. Much of the research that addresses the relationship between sex, sexuality and the extractives industries does so from a masculine and corporatist perspective. This paper aims to make a small contribution by considering women’s perspectives, and suggests some different ways of theorising these questions for future work. The literature is overwhelmingly dominated by the question of sex work, which takes most of our attention. The paper addresses HIV/Aids and other sexually transmitted infections (STIs) and considers specific risk factors for women related to the extractives industries: migration and migratory status; economic booms and busts, and consequent economic stress on the poor; and the particular construction of masculinity on the mines. The paper also discusses violence against women, arguing that this is intrinsic to extractivism, a model that is inherently violent against eco-systems, against workers, against communities and against women.</td>
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<th>Paper 6: Transformation of Artisanal Mining: Empowering Women, Sustaining Humanity, Saving the Planet?</th>
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<td>This paper sets out by defining artisanal and small-scale mining (ASM) and women’s role in it, pointing out that women’s participation in ASM in the Africa region is the highest (estimated at 50% and more) as compared with all other regions of the world. The paper discusses the various barriers – economic, social and cultural – that women confront participating in ASM, and touches on the gender-specific environmental, health and safety impacts, as well as violence against women in the ASM. The paper highlights some voices of women miners and makes a few key recommendations for transforming the sector to empower and support artisanal miners, and women artisanal miners in particular. This paper makes the central argument that the transformation of ASM cannot be separated from and must in fact be part of a wider rethink of development paradigms and of extractivism in particular.</td>
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<th>Advocacy Tool: International and Regional Provisions of Relevance to Women, Gender and Mining at a Glance</th>
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<td>This tool extracts contents from Paper 2 and will be useful for organisers, campaigners and policy researchers working in the area of women, gender and extractives as well as the related areas of women’s health, land and natural resources, and women’s economic empowerment.</td>
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2. DEFINING SOME KEY CONCEPTS UNDERPINNING THE COLLECTION

2.1 Extractivism, neo-extractivism and post-extractivism

The term extractivism refers to the extraction of minerals, oil and gas, and in the understanding of the writers, water, forest products, new forms of energy such as solar and hydro, and industrial forms of agriculture, which grab land and extract vast quantities of water in the production process. But extractivism also importantly refers to the conditions under which these resources are extracted and whose interests they serve, speaking to a dominant and highly unequal model of development which "organizes – on the basis of the exploitation and marketing of resources for export – the political, socio-economic and cultural relations within the respective country or region: the economy and class structures, gender relations, the state and public discourse" (Brand, 2013).

This development model has been in place, and substantively unchanged, since colonial times. Under colonialism, the extraction of natural resources in the colonies fed the colonial centres with the raw materials, energy, minerals and food the colonisers needed to accumulate capital and fuel their development (Galeano, 1971). Colonial forms of capitalist extraction were characterised by mass land dispossession, environmental devastation, and the deadly exploitation of the labour of colonised subjects, including through indenture and enslavement (Gedicks, 1993; Banerjee, 2000). While the post-colonial independent nation states were freed of direct colonialism in a political sense, they were unable to as easily free themselves from their given economic role of providing cheap raw materials and low-cost labour in a system of global capitalism.

In the last decade, on the back of the global financial and energy crisis, financial institutions such as the World Bank and the International Monetary Fund (IMF) have encouraged extractivism as the major engine to fuel economic growth (which International Finance Institutions [IFIs] promote as the fulcrum of ‘development’) in countries of the global South and North. In addition, financiers and investment bodies, in their constant search for new areas for profitable investment, have identified natural resource extraction as a site for rapid and substantial accumulation (profit-making). Much of this accumulation occurs through the creation of financial instruments or derivatives of financial instruments (i.e. stocks, bonds, futures etc.), which are traded in the market and through which investors, banks and financiers derive enormous profits. Powerful Northern and emerging economies of the global South, particularly the BRICS [Brazil, Russia, India, China and South Africa] group, direct investment and aid towards resource extraction in support of their raw material interests. And blocs such as the European Commission have coordinated policy frameworks, such as the Raw Materials Initiative, which aim to safeguard their access to raw materials in the international market, and give strong backing to multinationals to secure premium investments in European interests (Aguilar, 2012).

Extractivism is also driven by the global energy crisis, which since the early 2000s has seen demand exceed the supply of energy. This is rooted in the continued overconsumption of energy in many of the countries of the global North, with the United States leading, and by the emerging consumption and energy needs of the rapidly growing middle classes in parts of the global South: the BRICS group plus Mexico, Indonesia and Turkey. This ‘energy crisis’ has intensified the search for forms of cheap existing and new energy (solar, biofuel, hydro etc.), both of which, in varying degrees bring about extremely negative social and environmental impacts on affected communities.

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5 The value of unpaid labour and natural resources, such as water and soil minerals/nutrients, which are embedded in the agricultural outputs, but not valued and acknowledged in the setting of market prices. We refer to this as embedded value.

6 The amassing of money or financial assets required to make further investments in order to make more money.
Children awed by toxic and environmentally destructive gas flare, Niger Delta.

Photo: Elaine Gilligan, FOEI and Peter Roderick, the Climate Justice Programme. With thanks to ERA, FOEI and the Climate Justice programme for the use of this photo.
Following theorist Eduardo Gudynas (2010), we can usefully identify three types of extractivism: (a) what he calls predatory extractivism, which is the dominant form, and occurs at significant scale, with little concern for social, environmental and climate impacts; (b) cautious or moderate extractivism, which does consider some social and environmental standards, and may provide for some level of community participation, but which still functions as the economic basis of a country or region; and finally (c) indispensable extraction which Eduardo argues is not a model of extractivism because its intent and practice is a reduced extraction of resources and the promotion of sustainability through recycling, the tightening up of laws, policies and regulatory systems to close unfair material and resource flows, radically reducing pressures on eco-systems, and minimising contributions to emissions (Gudynas, 2010). See Table 3 at the end of this section for more detail on and a comparison of these three models.

Extractivism under capitalism is generally controlled and driven by multinational and transnational corporations, with the state typically assigned the role of putting in place and retaining the conditions necessary for significant and sustained wealth accumulation by these corporations and their allied interests (see, however, discussion on neo-extractivism trends which describes shifts in some countries of the world in these neo-colonial relations). These conditions include policies, laws and regulatory systems or their absence which generally encourage extractivism on terms highly unequal to countries and their citizens – externalising environmental and social costs; maximising the repatriation of funds to corporate headquarters, usually in the global North; and guarantees of a cheap labour force and a compliant citizenry, patrolled by the state police and military often working in concert with the private security arms of the corporates. The powerful global financial institutions, on whose advice indebted states often act, counsel countries on the significance of extractivism to attract sought-after FDI, leverage economic growth, and assist them to put in place the necessary conditions to attract and retain such investments.

Extractivism’s immediate social and environmental impacts on rural, peasant and indigenous communities are great, as these communities lose their lands, their access to natural resources upon which they depend for livelihoods, and very importantly a way of living that often has deep cultural and spiritual significance. The impacts also reach across space – affecting communities along the many hundreds or thousands of kilometres of the whole extractives chain, at the points of extraction, processing, transportation and shipping of raw goods. The impacts are also felt spatially in the rural labour-sending areas where families and women in particular, endure severe impacts upon labour availability for food production, subsistence and market-oriented crop production, and the unpaid labour effects of caring for ill miners. Impacts are also felt across time (often decades or centuries) as communities continue to bear the brunt of polluted water supplies, soil and air, and accumulated impacts, in the form, for example, of acid mine drainage and climate change.

Our analysis of extractivism would be incomplete without attending to the surge of neo-extractivism (or new extractivism) by the progressive, left or socialist states in Latin America, and repeated in a less overt form by many countries in the Africa region in the past decade. Neo-extractivism refers to the growth of laws and policies that strengthen the role of the state in the exploitation and ownership of natural resources (Gudynas, 2010; Aguilar, 2012). Under conditions of neo-extractivism the state seeks a greater share in the benefits of natural resource extraction for national redistribution, typically through public and social service provision. Neo-extractivist policy efforts have included the outright nationalisation of some or all extractivist industries, the

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7 World Social Forum (WSF) political declaration (2013).
8 Refer to Glossary for an explanation of this term.
9 These countries include Brazil, Argentina, Venezuela, Uruguay and Bolivia.
wider national development agenda, Eduardo Gudynas and Carlos Aguilar, argue that in the Latin American context, the model is substantively untransformed. According to Aguilar, "Latin American neo-extractivism has demonstrated the limitations of this model of expecting exports and foreign investment to solve historical and structural problems of inequality, inequity, and above all, the destruction of the environment ..." (Aguilar, 2012: 7). Instead, extractivism – now scaled up and intensified by many of these governments – induces further natural resource conflicts, fails to create jobs, and continues to pass on the most substantive social and environmental costs to communities.

These Latino theorists, in line with environmental and social justice thinking globally, call for a radical rethink of extractivism and for a transition to a post-extractivist model of development. What might this look like and how would it differ from the current extractivist or neo-extractivist models? According to Gudynas (2010: 8) post-extractivism seeks to move beyond a dominant Western economic model, articulating instead an alternative vision of Latin American societies, built upon a transition to a development alternative that "aims to eradicate poverty and to concede Rights to Nature10 which necessarily means a reorientation of production to give priority to the ecosystem and to create regulations and public policies which deal with issues such as land tenure, disproportionate accumulation of wealth and use of the commons" (Gudynas, 2010: 9).

A post-extractivism future does not preclude extractivism but rather presses for a different orientation – for

10 Refer to Glossary for a definition of this term.
growth of public shareholding, the renegotiation of contracts, efforts to close taxation loopholes and grow resource rent (through different taxation mechanisms), and the development of beneficiation activities. In the Africa region, the most ambitious of such programmes is being implemented in Zimbabwe through its Indigenisation Policy, which compels foreign-owned companies, including mining companies, to transfer 51% of their ownership to indigenous ‘locals’, a move aimed at ensuring local benefit for communities and other stakeholders, including the politically well-connected elite. Global and regional institutions such as the United Nations (UN), the Organisation for Economic Co-operation and Development (OECD), and the African Development Bank (AfDB), and global initiatives such as the Extractive Industries Transparency Initiative (EITI), the Africa Progress Panel, and international non-governmental organisations (NGOs), such as Oxfam, are all promoting elements of a neo-extractivist agenda which broadly aim to improve the ability of resource-rich countries to receive a greater share of revenues to promote national development agendas (OECD, 2013). The state’s role in safeguarding the conditions for extractivism continue largely unaffected in this new phase of neo-extractivism, as the state continues to patrol and curb ‘threats’ to extractivism, including by communities whose land, lives and livelihoods are undermined and destroyed. This role is, however presented as one performed in the ‘national interest’ with critiques of continuing destructive extractivism now directed towards a new set of interested actors (the state and its parastatal bodies) cast as imperialist and anti-developmental (Gudynas, 2010; Aguilar, 2012).

While neo-extractivism represents an important effort to hold corporates accountable, and increase or, in some instances, achieve outright control of revenues flowing from extraction to support public services and a

ABOVE: Small scale miners hand-crushing waste rock from Golden Pride’s dumping site in Nzega District, Tabora Region in Tanzania. Photo: Evans Rubara

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indispensable extractivism to be driven by local and regional interests and demands (as opposed to global corporate interests), for low intensity and smaller scale projects with minimal social and environmental impacts, for decisions to be informed by a desire to preserve ecosystems and reduce carbon emissions, and for community participation and social control/ownership all within the framework of a diversified economy which breaks down the “cycle of specialisation in raw materials”, and offers employment alternatives oriented towards poverty eradication (Aguilar, 2012: 9). Employment alternatives should be created at a local and regional level, embracing and strengthening existing land-based livelihoods, and developing new income sources and forms of employment that are not solely limited to the extractivist industries; commitments to safeguarding food sovereignty and local food systems should be paramount in a transition model. In Latin America, the impact of the extractivist industries, the pressure on natural resources and the quest for alternatives has also pushed to the fore debates about “new forms of local and regional autonomy, with proposals ranging from Multinational States to the autonomy of indigenous communities in the Amazon basin” (Aguilar, 2012: 12).

A transition orientation also introduces important questions about what we ‘value’ in developmental terms. The Africa region is experiencing significant growth in gross domestic product (GDP) but is at one and the same time depleting precious non-renewable natural resources, destroying whole eco-systems, undermining the social and cultural practices of communities, threatening food sovereignty and in some cases undermining the very basis for the social reproduction of many of its poor citizens now and into the future. A transition towards a post-extractivist future demands a different developmental logic – one which values the oil or the minerals but also values nature, human well-being, non-renewable natural resources, cultural beliefs and practices, and the protection of the commons as a basis for social reproduction. The World Bank has argued similarly in its 2005 report titled “Where is the Wealth of Nations?” that resource depletion is draining the “net savings” of the poorest countries and crippling future generations; its study calls for a new measure of wealth, going beyond the traditional GDP and including other variables, such as environmental damage (Guardian, 2012).

This post-extractivist or indispensable extractivism (as opposed to neo-extractivist) vision begins to address the mobilisations and demands of affected communities in the global South and increasingly also in the global North who have mobilised to defend their lands, forests, water, ways of living and often their very lives. Their tactics have been diverse and include resisting forced removals, blockading roads and construction efforts, mobilising to demand compensation for impacts on water and forests, building networks and movements of defiance, undertaking hunger strikes, and organising tribunals in which extractives corporations have been ‘placed in the dock’. Rural and peasant women have been central to many of these struggles, often forming the core of defiance because they typically have the most to lose. These local struggles have, in many contexts, been supported through national and cross-continental alliances, involving solidarity actions to shareholders, pressure to Northern ‘host’ governments and media exposés, and extractives corporations have come under pressure through significant compensation claims, often reaching across national boundaries, and global campaigns demanding justice and accountability. A running theme of this collection of papers is to understand and celebrate the resistance of communities and women’s defiance, in particular.

In this collection we embrace much of the political analysis and ideas associated with the broader concept of extractivism, but at this time focus much of our attention on industrial or large-scale mining, as one form of extraction.

11 Refer to Glossary for a definition of this term.
Table 3: Extractives Models – Proposal for a Transition in Latin America

<table>
<thead>
<tr>
<th>MODEL</th>
<th>FEATURES</th>
<th>IMPACTS</th>
<th>EXAMPLES</th>
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<tbody>
<tr>
<td>Predatory Extractivism</td>
<td>• Extensively practised, large-scale</td>
<td>• Pollution and destruction of water sources and forests</td>
<td>• Opencast mining</td>
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<td></td>
<td>• Creates an economy of enclaves</td>
<td>• Displacement of communities</td>
<td>• Soybean monoculture</td>
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<td></td>
<td>• High level of dependence on foreign investment</td>
<td>• Source of rights violations (ILO Conventions 169 &amp; 176)</td>
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<td></td>
<td>• No social control/ transparency</td>
<td>• Semi-slavery working conditions</td>
<td></td>
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<tr>
<td>Moderate (sensible)</td>
<td>• Medium to low scale activities</td>
<td>• Moratorium on the expansion of extractive activities</td>
<td>Legislative decree which forbids opencast mining in Costa Rica</td>
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<tr>
<td>Extractivism</td>
<td>• Existence of environmental, social and fiscal regulations</td>
<td>• Links with local and regional industries in the productive process</td>
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<td></td>
<td>• More adequate use of technologies</td>
<td>• Transparency in the investment and social control over income created</td>
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<td></td>
<td>• Has mechanisms to consult citizens and for their participation</td>
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<tr>
<td>Basic (indispensable)</td>
<td>• Small-scale extractive activities driven by local and regional market demand</td>
<td>• Protection of the ecosystem</td>
<td>Initiative for not exploiting oil of ITT-Yasuni</td>
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<tr>
<td>Extractivism</td>
<td>• Special regulation on health and employment</td>
<td>• Decrease in labour accidents and poverty reduction</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Strong fiscal and environmental legislation</td>
<td>• Diversified exports and investment</td>
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<tr>
<td></td>
<td>• Community participation and social control</td>
<td></td>
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<tr>
<td></td>
<td>• Diversification of the economy and reinforcement of local and regional markets</td>
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Source: Aguilar (2012) inspired by the work of Eduardo Gudynas

2.2 Gender terms and concepts

Throughout the collection we use concepts such as women, women’s rights, gender/gender relations and the division of labour and patriarchy, which are explained here and summarised in the glossaries of the various papers.

Women and men are biologically different, but the social construct of what it means to be a man or a woman is shaped in specific contexts by culture, belief systems, religion, and ideology. Different contexts create a social construct or set of expectations about what it means to be a man or a woman, i.e. how s/he is expected to behave, what s/he is expected to wear, what work s/he may do, how much education s/he may enjoy, and what resources s/he may access and control. These social constructs are created by the state – for example, through law, policy, and the contents of an education curriculum – and by other institutions such as faith bodies, traditional structures and corporations, and by individual families and households. When we refer to differences on the basis of biology then we use the terms men and women. But the socially inscribed differences between men and women we refer to as gender, which create context and socially-specific gender relations between men and women. These relations are not equal – they are always hierarchical in nature, with differences in power and status between men and women of the same race and class usually skewed in favour of men.

Gender roles and relations are not fixed in time, but rather shaped in a given historical moment depending on the requirements of capital and patriarchy. For example, in times of war or social crisis (such as in
human-made disasters), gender roles and relations are often radically transformed to compensate for death and the absence of the labour of men and/or women. Survivalism itself often requires that people step outside of the bounds of social convention so that the species may reproduce itself. Gender roles and relations also shift over time as social norms and values change, as societies and economies evolve, and as the struggles of women yield change.

One important part of these gender relations is the gender division of labour, i.e. the labour that men or women are expected to perform in a specific context and historical moment. While it is impossible to fully generalise this division of labour across very different contexts, we can make some broad statements about how labour is typically distributed:

- Women (and girls) are more likely to hold greater responsibility for domestic work and caregiving, such as cooking and cleaning, and caring for children, the sick and the elderly. This is usually referred to as women’s reproductive role.

- Men are more likely to be associated with productive roles, particularly where the work is paid or market related, while women are more likely to carry primary responsibility for productive work in the realm of subsistence food production and/or the informal sector, including home-based work. Women’s labour is, however, critical to successful market-oriented crop production leading to competing labour demands in the productive realm.

- The third role that poor rural and working-class women must carry is what Caroline Moser (1993) refers to as community management work. This work bridges water management, school governance, food gardening usually for the sick and child-headed households, home-based care work etc. This work is critical to the reproduction of communities and their ‘vulnerable households and members’, which have come under increasing threat as markets encroach onto common resources, as bodies are ravaged by dangerous and degrading poorly remunerated work, and as spirits are undone by divided families, rising individualism and deepening societal decay.

The gender division of labour is socially created but presented and understood as ‘natural’ and often given mystical, spiritual and religious qualities. The assigned roles are underpinned and supported by social and cultural beliefs, with penalties applied when the ‘rules’ are transgressed. In addition, and very importantly for the arguments we explore and build on in this collection of papers, the work performed by men and women in a gendered division of labour is differently valued. This devaluation of women’s labour stems from the ‘naturalisation’ of much of this work in the household, family and community setting. If it is natural and women are born to nurture or cook or clean then this labour does not need to be given an economic value and compensated for.

The gendered division of labour is always unequal with women performing multiple roles and consequently working longer hours, often working harder and enjoying less leisure time as compared with their male counterparts in their families and communities. See Paper 4 addressing the relationship between extractivism and women’s unpaid labour.

These inequalities and power differences between men and women within and across the same social groupings of class, race, gender and ethnicity can be explained by the system of patriarchy, defined as the “systemic societal structures that institutionalise male physical, social and economic power over women ... these structures work to the benefit of men by constraining women’s life choices and chances” (Reeves & Baden, 2000: 28). The roots of patriarchy can be found in women’s reproductive role (the work required to reproduce labour power), and in the control of women’s bodies – their sexuality and their biological reproduction – including through sexual and other forms of violence.

This collection of papers links women, gender and extractivism, exploring a number of themes and questions that arise from the ways in which extractivism impacts upon peasant and working-class women in Sub-Saharan Africa, and very importantly accumulates substantive profits on the back of their cheap paid and (substantively invisible) unpaid labours. The papers aim to inform and deepen understanding, and most importantly inspire and assist you to work alongside affected women to collectively dream and struggle for a different future.
ACRONYMS

AfDB  African Development Bank
ASM  artisanal and small-scale mining
BRICS  Brazil, Russia, India, China and South Africa
CSO  civil society organisation
EITI  Extractive Industries Transparency Initiative
FDI  foreign direct investment
FPIC  free prior and informed consent
GDP  gross domestic product
IANRA  International Alliance on Natural Resources in Africa
IFI  International Finance Institution
IMF  International Monetary Fund
NGO  non-governmental organisation
OECD  Organisation for Economic Co-operation and Development
PAR  participatory action research
RWA  Rural Women’s Assembly
STI  sexually transmitted infection
UN  United Nations
WSF  World Social Forum

GLOSSARY

Acid mine drainage
Acid mine drainage is the flow, or seepage, of polluted water from old mining areas. Depending on the area, the water may contain toxic heavy metals and radioactive particles. These are dangerous for people’s health, as well as plants and animals. See http://www.earthlife.org.za/?page_id=584 for more information.

Gender-blind
Analysis and interventions which fail to recognise gender differences and inequalities between men and women of the same social category.

Gross Domestic Product (GDP)
The total value of officially recognised goods produced and services provided in a country during one year. GDP per capita, the aggregate income or production per head, proxies for well-being of individual citizens, with changes in this measured by a corresponding rate of growth in the GDP.

Rights of Nature
The Rights of Nature, established in the Cochabamba Declaration adopted by thousands of the world’s citizens in Bolivia on 8 December 2000, and the Ecuadorian Constitution in 2008, recognises the Earth and its numerous ecosystems as “a living being with inalienable rights: to exist, to live free of cruel treatment, to maintain vital processes necessary for the harmonious balance that supports all life. Such laws also recognize the authority of people, communities, and governments to defend those rights”. See http://www.pachamama.org/advocacy/rights-of-nature#sthash.QCaVzs1Q.dpuf for more information.

Silicosis
Silicosis is an incurable lung disease resulting from the inhalation of very fine silica dust, which causes inflammation of the lungs. See http://en.wikipedia.org/wiki/Silicosis for more information.
REFERENCES


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The overall editor of this collection of papers is Samantha Hargreaves, the IANRA WoMin project coordinator. Samantha has a long history of activism in the areas of women’s rights, land and food rights, and now extractivism. She has been allied to movements of rural women and landless people in South Africa and the Southern Africa region since the early 1990s. She is currently working alongside the regional RWA, and is involved in a South African effort to build a national forum of women from mining-impacted communities. She is an associate researcher at the Society, Work and Development Institute at the University of the Witwatersrand in Johannesburg.

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The collection has been designed and laid out by Quba Design and Motion, Johannesburg.
WOMEN, GENDER AND EXTRACTIVISM IN AFRICA
A COLLECTION OF PAPERS

PAPER ONE

A WoMin PERSPECTIVE ON INTERNATIONAL AND REGIONAL POLICY AND HUMAN RIGHTS FRAMEWORKS
In this starter collection of six papers, which focuses on Sub-Saharan Africa, WoMin begins to explore some of the themes and questions that are raised by extractivism, and industrial mining in particular, and its impacts upon, and ‘relationship to’ peasant and working-class women. By ‘relationship’, WoMin refers to the myriad ways – within the home, in the fields and in the workplace – in which women, in mainly invisible and unremunerated ways, participate in, shape and contribute to the ambitions and profits of the extractivist industries. The papers aim to make a modest contribution to supporting peasant women and their allies to counter the growing social and ecological crisis linked to the extractives industries in the region. Each paper has been written by a different set of authors, supported by various respondents who are specialists in the specific ‘question/s’ addressed by the paper, or have a general interest in the work of WoMin. WoMin is a programme of activism and research related to women, gender and extractivism in the Africa region and is housed in the International Alliance on Natural Resources in Africa (IANRA), a global alliance of organisations working on natural resource questions.

1 See Glossary to this paper for definition of ‘extractivism’ and the Background Note to the collection for a fuller discussion of the concept. The major focus of this collection of papers is industrial mining, which is one form of extraction.
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ABOVE: Living in the shadow of a mine dump, Ga Pila village, Mokopane, North-West province, South Africa. Photo: ActionAid
"... discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity ..."  

1. INTRODUCTION

The obligation of states to protect, promote and respect women’s human rights in regard to the extractives industries is created in two ways:

a. Through broader human rights instruments that safeguard the civil, political, social and economic rights of women.

b. Through extractives or mining-specific frameworks and documents. Various frameworks have been adopted by the United Nations (UN), the African Union (AU), as well as by sub-regional bodies like the Southern African Development Community (SADC), and the Economic Community of West African States (ECOWAS).

So far, there are no decisions (jurisprudence) that have been made by Treaty-monitoring bodies within the UN system, or by the African Commission on Human and Peoples’ Rights (ACHPR, the body charged with the responsibility for ensuring the promotion and protection of human and peoples’ rights throughout the African continent) on the subject of the violations of women’s rights by the extractives industries. However, where applicable, this paper has drawn on general cases, particularly from the Sub-Saharan Africa region.

We have also included some key frameworks that have been crafted by social movements and global fora of affected peoples and which represent an alternative way of thinking about extractivism, including mining, and related questions such as food sovereignty, climate change, and the rights of indigenous peoples. While these frameworks do not have standing in terms of international human rights law, they carry tremendous political weight expressing as they do the viewpoints and vision of excluded peoples across the world.

This paper on International and Regional Policy and Human Rights Frameworks read from a WoMin perspective is meant to achieve three objectives. Firstly, to help people understand regional and international laws, policies and mechanisms relevant to women, gender and extractivism. Secondly, to assist the WoMin project to inform itself about limitations in international legal and policy frameworks to be addressed in the work going forward. Thirdly, to identify opportunities to make claims and seek redress for women using international and regional laws and policies.

Drawing on the overall themes addressed by this WoMin collection of papers on women, gender and extractivism, this paper focuses on the following key thematic areas:

• women’s economic empowerment;
• women’s right to adequate health;
• women’s right to food and land; and
• protections against forced evictions and compensation for the loss of land and natural resource rights.

Under each of these themes we examine what rights, standards and protections are offered within firstly, the broader human rights frameworks, and secondly, extractives-specific frameworks. In line with the other papers in this collection, we approach these frameworks from the perspective of poor and marginalised women who are affected by mining from a labour or community perspective and not women who are interested in investing in or profiting from large-scale mining. The question of women’s right to participate in decision-making and give their free prior and informed consent (FPIC) for development activities on land and natural resources they access and use is to be addressed in a separate, yet to be commissioned, paper on women, gender and FPIC.


3 In this paper the term extractives or extractivism encompasses a very specific reference to mining.
These rights and standards reflect the outcome of negotiations between powerful actors usually within multilateral institutions about what rights are important, and what the content of these rights should be. The frameworks represent a balance of forces and interests at a particular moment in time. The content of some of the frameworks have been shaped by the struggles of affected peoples – women, indigenous people, landless peoples and so on – and since these struggles to define rights continue, the rights frameworks continue to evolve, incorporating new rights. The enjoyment of these rights, standards and protections by poor and marginalised women rests on their being organised and informed to interpret the rights and make their claims.

A summary of the different types of frameworks (such as Treaties, UN General Recommendations and Comments, African Commission Resolutions, Guidelines and Declarations) and how they can be used by marginalised women and their support organisations to claim rights or effect change is offered in parts across this paper. These are consolidated in a separate Advocacy Tool forming a part of this collection, which will be useful for organisers, campaigners and policy researchers working in the area of women, gender and extractives (as well as the related areas of women’s health, land and natural resources, and women’s economic empowerment).

BELOW: Ruins of a house after its inhabitants were relocated to make way for platinum mining, Mokopane, North-West province, South Africa. Photo: Bobby Marie
Governments that have ratified Treaties (also called conventions and protocols) are bound to discharge three obligations to respect, protect and fulfil. The obligation to protect requires states to take action to prevent violations of human rights by others, including corporations. A Treaty requires ratifying states to submit periodic reports outlining the human rights situation in their respective countries and their actions to fulfil their state obligations (Ipas, 2006). At the UN level these reports are submitted to several designated bodies that are tasked to oversee Treaty implementation. At AU level, they are submitted to the ACHPR.

<table>
<thead>
<tr>
<th>DOCUMENT</th>
<th>LEGAL STATUS</th>
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<tbody>
<tr>
<td>Universal Declaration of Human Rights (UDHR) (1948)</td>
<td>This is an international instrument that was originally intended to only be a statement of human rights principles, but because states have treated it as a document that creates government obligations, the declaration has achieved the status of customary international law. This means that states must ensure that their citizens enjoy rights set out in it (Ipas, 2006).</td>
</tr>
<tr>
<td>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)</td>
<td>This is an international women’s rights Treaty that imposes legal duties on member states to comprehensively protect women’s rights. It came into force on 3 September 1981.</td>
</tr>
<tr>
<td>International Covenant on Economic Social and Cultural Rights (ICESCR) (1966)</td>
<td>This is an international legally binding instrument that advances the obligation of states parties to respect, protect and fulfil economic, social and cultural rights. It came into force on 3 January 1976.</td>
</tr>
<tr>
<td>International Covenant on Civil and Political Rights (ICCPR) (1966)</td>
<td>This is an international legally binding instrument that advances the obligation of states parties to respect, protect and fulfil civil and political rights. It came into force on 23 March 1976.</td>
</tr>
<tr>
<td>Convention on the Rights of the Child (CRC) (1989)</td>
<td>This is an international legally binding instrument that advances the obligation of states parties to respect, protect and fulfil the rights of children. It came into force in September 1990.</td>
</tr>
<tr>
<td>The Indigenous and Tribal Peoples Convention (1989) (No 169)</td>
<td>This is an international legally binding instrument, addressing the fundamental principle that indigenous and tribal peoples should be consulted and fully participate in all decision-making processes that concern them. It came into force on 5 September 1991.</td>
</tr>
<tr>
<td>African Charter on Human and Peoples’ Rights (or the African Charter) (1981)</td>
<td>This is a regional legally binding instrument, which was ratified by all African states by 1999. It came into force on 21 October 1986.</td>
</tr>
<tr>
<td>Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (2003)</td>
<td>This is a regional legally binding instrument that was adopted on 11 January 2003 and came into force on 25 November 2005. All AU member states are expected to ratify this Protocol, and 36 countries had ratified it by 21 February 2013.</td>
</tr>
<tr>
<td>SADC Protocol on Gender and Development (2008)</td>
<td>This is a Southern African sub-regional legally binding instrument that aims to provide for the empowerment of women and is a tool used to set realistic, measurable targets, timeframes and indicators for gender equality and monitor and evaluate the progress made by member states (SADC, 2008). It came into force in November 2012.</td>
</tr>
<tr>
<td>SADC Protocol on Mining (1997)</td>
<td>This is a Southern African sub-regional legally binding instrument that came into force on 10 February 2000. Member States of SADC decided to establish a Protocol on Mining in order to adopt internationally accepted regional standards within the mining sector.</td>
</tr>
<tr>
<td>ECOWAS Directive on the Harmonisation of Guiding Principles and Policies in the Mining Sector (2009)</td>
<td>This is a sub-regional directive governing West African member states. The ECOWAS Council of Ministers adopted this Directive at its 62nd session in Abuja on 26 and 27 May 2009. ECOWAS Directives and their objectives are binding on all member states. However, the modalities for attaining such objectives are left to the discretion of states (ECOWAS, 2012).</td>
</tr>
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</table>

**HOW WE CAN MAKE USE OF THESE TREATIES**

Since the UDHR and the various Treaties cited enshrine universal human rights standards, including those that can help to address gender injustices in regard to extractives, activists can use the instruments to:

- Develop position or issue papers on how extractives policies and laws can comply with human rights standards that protect women, and use these to advocate for improved laws and policies.
- Develop gender-sensitive model mining and other extractives laws and policies that adhere to minimum human rights standards.
- Use the human rights standards to advocate for the development of gender-sensitive Treaties related to the extractives industries; or for the development of gender-sensitive addendums to mining, other extractives or women-specific Treaties, where possible; or for the development of General Recommendations by Treaty-monitoring bodies like the CEDAW Committee and the ACHPR on how mining affects the enjoyment of various human rights by women.
- Monitoring mechanisms like the SADC barometer (which regularly monitors the implementation of the SADC Gender Protocol in each SADC country) can be used to carry analyses addressing gaps related to women and extractives.
2. MINING AND WOMEN’S ECONOMIC EMPOWERMENT

The idea of women’s economic empowerment is not uncontested. According to Naila Kabeer (2012) conceptualisations diverge on three axes: firstly, the extent to which economic empowerment is seen as an end in and of itself or a means to achieving other development goals. Secondly, the extent to which empowerment is defined in purely economic terms (as in the orientation of the World Bank) or whether there is an emphasis to ripple effects into other areas of women’s lives. And lastly, there are differences in thinking about the market and its relationship to women’s economic empowerment. By illustration, the World Bank is of the view that women’s economic empowerment can be achieved by improving their ‘competitiveness’ in the market, whilst the Swedish International Development Agency (SIDA) maintains that women’s economic empowerment must be achieved through women’s “equal access to and control over critical economic resources and opportunities, and the elimination of structural gender inequalities in the labour market including a better sharing of unpaid care work” (Tornqvist and Schmitz, 2009: 9 in Kabeer, 2012). The position that women’s economic empowerment cannot be achieved without addressing structural inequalities in resource access and control, and the fair distribution of paid and unpaid work is the starting point for the analysis that follows.

In respect of extractives, women’s economic empowerment presents itself in two ways: firstly, the erosion of actually existing livelihoods or economic activities by extractives through displacements, loss of land and natural resources, and the pollution of water supplies; and secondly, the potential for women to invest in industrial mining for profit-making purposes (an aspiration of the few and a dimension we have not prioritised in this collection) or to obtain employment in extractives companies and the businesses that support them in upstream or downstream economic activities. Women’s employment as workers in industrial mines and as artisanal and small-scale miners (ASM) may, depending on circumstances and conditions of work, be considered a form of economic empowerment.

As is well pointed out in Paper 6 on artisanal miners and Paper 2 on women who work in industrial mines, the potential for women’s economic and social empowerment is compromised by numerous challenges, such as unsafe working conditions, sexual harassment and discrimination, and gender-specific threats to health. The next section considers how these challenges are incompatible with provisions of three women-specific instruments that promote women’s right to economic empowerment, namely the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the 2003 Protocol to the African Charter on Human and Peoples’ Rights (AU Protocol on the Rights of Women in Africa) and the 2008 SADC Protocol on Gender and Development (SADC Gender Protocol). This is followed by an analysis of the extent to which women’s economic empowerment is a visible theme in mining-specific frameworks at global and continental levels.

2.1 Protections under women-specific human rights related instruments

Under women-specific Treaties, the economic empowerment of women is guaranteed through the protection of their rights in formal employment as well as entrepreneurship. In Paper 2 we outline the many gender inequalities that exist in industrial-scale mining employment. Contrary to the current trend of women either being negligibly employed in the sector, or experiencing discrimination and unequal treatment when they are employed, legally binding Treaties like CEDAW, the AU Protocol on the Rights of Women in Africa, and the SADC Gender Protocol guarantee women’s rights to equal access to employment, to equal opportunities and entitlements as those granted to men, and to occupational safety. It therefore follows that the diligent implementation of the respective obligations by states parties could help to address various forms of sex-based discrimination in the formal mining industry.

Though not legally binding, one useful global framework for women’s economic empowerment is the

4 See Paper 3: Land and Food Sovereignty Undermined – Impacts on Peasant Women.
5 CEDAW Article 11(1)(b) & (d); AU Protocol Article 13(a)(b) & (d); SADC Gender Protocol Article 19.
**Women’s Empowerment Principles** that were developed in 2011 by UN Women and the UN Global Compact in order to inspire businesses to intensify efforts to bring in women at all levels. Some of the principles include: ensuring that all business and corporate policies are gender-sensitive, that is, that they identify factors that impact women and men differently and that corporate culture advances equality and inclusion; ensuring that workplace policies and practices are free from gender-based discrimination; establishing a zero-tolerance policy towards all forms of violence at work; and expanding business relationships with women-owned enterprises, including small businesses, and women entrepreneurs (UN Women & UN Global Compact, 2011). These women-specific Principles are supposed to complement **UN Global Compact Principles**, which also focus on environmental issues and are discussed under section 3.1.

**BOX 1:**

**A Note on the UN Global Compact**

The Global Compact (GC) was launched in 2000 as a strategy aimed at influencing business to align its activities with the UN’s principles. It has been extensively critiqued by CSOs who maintain that (a) the compact does not have mechanisms through which member companies can be sanctioned for non-compliance with the Compact’s principles; (b) that a corporation can continue to participate even if it has not demonstrated progress in meeting the principles; and (c) the GC has accepted members with highly questionable environmental and human rights in direct contravention of the Compact principles.6

In Africa, the **AU Protocol on the Rights of Women in Africa** and the **SADC Gender Protocol** also carry specific provisions relating to women’s economic empowerment through entrepreneurship. Article 13(e) of the AU Protocol on the Rights of Women in Africa requires states parties to create conditions to promote and support the occupation and economic activities of women, in particular within the informal sector. Article 17 of the **SADC Gender Protocol** imposes obligations on member states to take specific action, by 2015, towards the economic empowerment of women by:

- Adopting policies and enacting laws that ensure equal access, benefit and opportunities for women and men in trade and entrepreneurship.
- Reviewing their national trade and entrepreneurship policies to make them gender sensitive.
- Introducing affirmative action measures that ensure that women benefit equally from economic opportunities, including those created through public procurement processes.

In November 2011, the SADC region developed the **Draft SADC Women’s Economic Empowerment (WEEP) Strategy** to strengthen coordination and implementation of the region’s commitments on women’s economic empowerment.7 Though it is not a legally binding instrument, the strategy is significant because it re-emphasises that the pursuit of women’s economic empowerment and gender equality will reduce poverty and promote development (SADC, 2013). The Strategy emphasises the need to focus on addressing challenges related to women’s reproductive work in family and community, which work has been negatively impacted by cuts in budgets for and the privatisation of state services, and which substantively underpins inequalities between men and women within and across different social groups.

The provisions on women’s economic empowerment in AU and SADC frameworks have a direct bearing on women’s participation in artisanal and small-scale mining. The UN has identified this sector as a dangerous and often only marginally profitable one for women (UN, 2012). Paper 6 addresses the many barriers to women’s benefit from artisanal mining: cultural stereotypes about women’s place in society; women’s concentration in processing activities, which involve dangerous materials such as mercury and arsenic; and pay discrimination. Women’s

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6 See Global Compact Critics for more information <http://globalcompactcritics.blogspot.com/>.

7 Draft WEEP Strategy, on file with author.
challenges are compounded by the illegality of ASM in many contexts, resulting in little or no state regulation and support, and instead active repression by some states and corporations when the interests of artisanal miners collide with large-scale mining interests. The various economic empowerment related provisions under the women-specific Treaties could be drawn upon to make arguments for and challenge regional bodies and national states on their obligations to support women's entrepreneurship, including through artisanal mining by putting in place the needed supports (legislative, policy and finance) and protections (laws, regulations and institutional measures) to the artisanal mining sector. These should specifically address the gender-specific barriers and threats that women artisanal miners confront.
2.2 The response of mining-specific frameworks to the women’s economic empowerment agenda

A review of different extractives and mining-specific instruments indicates that some care has been taken to incorporate women’s economic empowerment at the UN and ECOWAS levels, but not at AU and SADC levels. UN frameworks like the 2002 Berlin II Guidelines for Mining and Sustainable Development (Berlin II Guidelines)8 recognise that small-scale mining requires specific regulatory attention under which the special needs of women, who often represent up to 50% of the small-scale mining workforce, should be taken into consideration (Berlin II Guidelines, 2002: 47). This would demand addressing factors that inhibit poor women’s economic success in the sector, which are discussed in Paper 6.

Out of all the instruments analysed under this section, the Berlin II Guidelines is the only document that looks beyond women’s direct involvement in mining to address spill-over economic benefits or opportunities that may result from mining operations within mining communities. It is hard to imagine what these opportunities could be, as they are not very evident in most mining settlements with which the authors are familiar, but the procurement of very limited inputs and services (food for the canteens, or basic support services in maintenance and cleaning) may be possibilities. The Berlin II Guidelines point out that in mining areas, women may not necessarily share equally in economic benefits like direct employment, compensation and the provision of secondary services. They recommend that mine operators address gender inequalities in the economic benefits arising from their activities (Berlin II Guidelines, 2002: 40). However, an oversight of the provision under the Berlin II Guidelines is that it emphasises the responsibilities of mine operators and not the state. Yet, governments should carry the greatest responsibilities for putting in place and enforcing mining legal and policy frameworks, which ensure that the needs of women in the mining sector and mining settlements are appropriately addressed.

Still within the UN system, the 2012 Report by the UN Special Rapporteur on the Human Rights Obligations Related to Environmentally Sound Management and Disposal of Hazardous Substances and Waste focuses on the extractives industry, pinpointing that mining, one of the world’s most dangerous occupations, may violate women’s rights related to employment under CEDAW. He has noted that Article 11 of CEDAW underscores women’s right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction for women in the field of employment. This is complementary to the obligation of state parties to take steps necessary for the improvement of all aspects of environmental and industrial hygiene, as well as the prevention, treatment and control of occupational and other diseases under Article 12 of the Convention. From a women’s economic empowerment point of view, the Special Rapporteur’s observations require that women involved in mining be guaranteed safe working conditions so that their economic empowerment is not undermined by ill-health arising from mining activities.

African frameworks related to mining are inconsistent in their protection and promotion of women’s economic empowerment in the mining sector. While a few have specific provisions on the issue, they are still largely vague. For example, the AU has adopted a number of policy measures related to mining in the 2009 African Mining Vision (AMV)9 and the Action Plan for Implementing the AMV that was adopted in December 2011.10 Aside from wider civil society organisation (CSO) concerns about the orientation of and some of the key proposals contained in the AMV (see Table 5 on Other African Frameworks in section 3.2), the integration of women’s economic empowerment considerations in these instruments is noticeably loose. Under the AMV, states share the vision of having a sustainable and well-governed mining sector that effectively harnesses and deploys resource rents and is safe, healthy, gender and ethnically inclusive, environmentally friendly, socially responsible and appreciated by surrounding communities (AMV, 2009: 3). However, the concept of ‘gender inclusiveness’ is not

8 The Berlin II Guidelines build on the first edition of Environmental Guidelines for Mining Operations that were the outcome of the 1991 Berlin Round Table on Mining and the Environment organised by the UN and the German Foundation for International Development. They are intended to provide general guidance for sound and sustainable management in mining, and are to be amended and improved according to the specific needs of each country.

9 Adopted by the First AU Conference of African Ministers responsible for mineral resources development, held in Addis Ababa in October 2008. Its ultimate goal is to use Africa’s mineral resources to meet the Millennium Development Goals (MDGs), eradicate poverty, and achieve rapid and broad-based socio-economic development.

10 Co-developed by the AU Commission, African Development Bank (AfDB), and UN Economic Commission for Africa.
defined and made tangible in the substantive parts of the vision.

Though the AMV rightly notes that challenges related to the ASM sector include gender inequality (AMV, 2009: 30), it does not match this acknowledgement with a corresponding vision for addressing the challenge. For example, the AMV’s tentative framework for action sweepingly intends to ‘ensure gender equality’ as one of the measures for fostering the establishment of resilient artisanal and small-scale mining communities (AMV, 2009: 35). Without more content on how gender equality could be ensured in the sector, the vision fails to give much direction. On a more positive note, one of the objectives of the AMV’s tentative framework for action is to progress towards gender equity and the empowerment of women. It plans to achieve this by “initiating the empowerment of women through integrating gender equity in mining policies, laws, regulations, standards and codes” (AMV, 2009: 35). At least this provision is more specific and has the potential to address women’s economic empowerment challenges in industrial and artisanal mining sectors but only if AU states, guided by a tangible Action Plan, are aware and mindful of purposefully addressing the challenges confronting women in these sectors. A gender mainstreaming commitment also holds the danger of merely ‘integrating commitments to gender equity’ into existing laws, policies, standards and codes that do little to protect the interests of communities and workers and may therefore hold little transformative potential for peasant and working-class women.

As the AMV is meant to be operationalised by the 2011 Action Plan for Implementing the AMV, one would expect that the loose references to gender under the AMV would be concretised through concise action points under the Action Plan. Disappointingly, the Action Plan, which has nine programme clusters, does not satisfactorily carry through and expand the gender-related actions related to women’s empowerment under the AMV. For example, one of the Action Plan’s expected outcomes is to improve the viability and sustainability of the ASM sector to contribute to growth and development. However, the earmarked activities to realise this outcome just mention “improved health, safety, environment and gender in ASM” (Action Plan, 2011: 22). The reference to gender here has no concrete substance. Further, there is no indication how the ‘gender’ aspect may be monitored. Similarly, the programme cluster related to environment and social issues (whose expected outcome is “a mining sector that is environmentally friendly, socially responsible, and is appreciated by communities”) has no gender-specific intervention (Action Plan, 2011: 22).

At a sub-regional level, the 2009 ECOWAS Directive on the Harmonisation of Guiding Principles and Policies in the Mining Sector is one instrument that has made an effort to progressively require its West African member states to make adequate provision for the realisation of economic, social and cultural rights as they relate to mining activities and women’s empowerment (ECOWAS, 2009: Article 15(3)). However, the provision is framed very broadly, and assumes that member states would be fully cognisant of the need to take specific steps to address gender-specific issues that hamper the economic empowerment of women in mining, which may not always be the case. But in comparison with the 1997 SADC Protocol on Mining, which is a binding Treaty governing Southern African member states and totally gender-blind, the ECOWAS Directive is nominally better.

If the interests of women working in or impacted by the mining industry in Sub-Saharan Africa are to be adequately protected, policy and legal frameworks have to move away from ignoring gender or treating it as an ‘add-on’ and start concretely confronting and addressing their challenges and needs. While noting the positive efforts made by the ECOWAS Directive, it appears that for now, most regional mining frameworks substantively fail to transform the mining sector to address the interests of women mine workers and community members. The primary interest of these frameworks seems to be the strengthening of regional economic integration and state benefits accruing from mining.

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11 Programme cluster 1 – mining revenues and mineral rents management
Programme cluster 2 – geological and mining information systems
Programme cluster 3 – building human and institutional capacities
Programme cluster 4 – artisanal and small-scale mining
Programme cluster 5 – mineral sector governance
Programme cluster 6 – research and development
Programme cluster 7 – environmental and social issues
Programme cluster 8 – linkages and diversification
Programme cluster 9 – mobilising mining and infrastructure investment.
ABOVE: Rosemary Mvula, smallholder and market seller at Kankoyo, which has been devastated by copper mining and is considered the most polluted town in Zambia. Photo: ActionAid
Table 2: UN General Recommendations and General Comments

General Recommendations or General Comments are developed by bodies that have been assigned the role of monitoring how states are complying with major human rights Treaties. These Treaty-monitoring bodies produce the General Recommendations or General Comments to provide guidance to states on how to interpret the rights of the Treaty so that they are given meaning. General Recommendations or General Comments usually focus on a particular article of the Treaty, and articulate in more detail the standards that governments must live up to in implementing the right (Ipas, 2006).

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<td>CEDAW Committee General Recommendation No 21</td>
<td>The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) General Recommendations were adopted by the CEDAW Committee, which monitors the implementation of CEDAW. The Committee is empowered to make General Recommendations based on the examination of reports and information received from states parties. General Recommendations are addressed to states parties and usually elaborate the Committee's view of the obligations assumed under the Convention (CEDAW, n.d.). Since the CEDAW Committee issuing the General Recommendations is the body established to enforce the Treaty, its interpretative guidance is highly authoritative (CEDAW, n.d.).</td>
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<tr>
<td>CEDAW Committee General Recommendation No 24</td>
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<tr>
<td>General Comment No 14 of the Committee on Economic Social and Cultural Rights (CESCR)</td>
<td>The CESCR General Comments are published by the Committee on Economic, Social and Cultural Rights (CESCR), which monitors the International Covenant on Economic Social and Cultural Rights in order to interpret on the content of human rights provisions in the convention. Since the CESCR issuing the General Recommendations is the body established to enforce the Treaty, its interpretative guidance is highly authoritative (Ipas, 2006).</td>
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<td>General Comment No 4 (1991) of the CESCR</td>
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**How we can make use of General Recommendations and General Comments**

We can target the Treaty-monitoring bodies to influence the contents of General Recommendations or General Comments to bring in women’s rights and gender issues as they relate to extractives. There are different ways to do this: (a) write shadow reports to assist committees consider state party reports; (b) attend committee sessions that are considering states party reports and personally meet with committee members between sessions; or (c) make presentations to the committees or pre-session Working Groups of the committees, where possible.

General Recommendations or General Comments can influence governments to implement similarly worded legal and policy provisions (Ipas, 2006).
Table 3: Commission Resolutions and Guidelines

The African Charter created the ACHPR as a body to monitor compliance with the Charter. One of the functions of the ACHPR is to provide guidance on the interpretation of certain rights in the African Charter.

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<td>Resolution on a Human Rights-Based Approach to Natural Resources Governance (2012)</td>
<td>This was adopted by the ACHPR at its 51st Ordinary Session held from 18 April to 2 May 2012. This thematic resolution is similar to the General Comments of UN Treaty bodies. It elaborates in greater detail specific human rights themes or a particular substantive right covered in the African Charter (CHR &amp; ACHPR, 2011). This implies that since the Resolution is produced by the body established to enforce the African Charter, its interpretative guidance is highly authoritative.</td>
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<tr>
<td>Principles and Guidelines on the Implementation of Economic, Social and Cultural (ECOSOC) Rights in the African Charter (2010)</td>
<td>The Principles and Guidelines on the implementation of Economic, Social and Cultural Rights in the African Charter (adopted at the African Commission’s 47th Ordinary Session held in Banjul, the Gambia, from 12 to 26 May 2010) provide detailed guidance to states on drafting and implementing development policies on ECOSOC rights. Together with the state party reporting Guidelines below, they are supposed to guide states in developing state party reports. The Principles and Guidelines are highly authoritative since they are developed by a body that has been trusted to monitor compliance with the African Charter.</td>
</tr>
<tr>
<td>State party reporting Guidelines for ECOSOC Rights in the African Charter (2010)</td>
<td>Another function of the ACHPR is to issue guidelines for state reports. The 2010 State Party Reporting Guidelines assist states in their reporting on ECOSOC rights under the African Charter. They were adopted at the 48th Ordinary Session held in Banjul, the Gambia from 10 to 24 November 2010 (Interrights, 2011). They are to be used in conjunction with the 1989 Guidelines for National Periodic Reports under the African Charter. Though they are not legally binding, they are highly authoritative because they have been formulated by a body that has been trusted to monitor compliance with the African Charter.</td>
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**HOW WE CAN MAKE USE OF AU RESOLUTIONS AND GUIDELINES**

Among other things, the Resolution can be used to press for gender-sensitive environmental impact assessments in countries.

The Principles and Guidelines can be used by advocacy and litigation NGOs to apply ECOSOC rights guaranteed under the Charter to obtain redress for women, and ensure the progressive development of standards related to women’s experiences in regard to extractives. This work can be done at national and regional levels.

CSOs may also find the Guidelines helpful in formulating alternative and shadow reports that focus on women and extractives-related issues. They can also use them as benchmarks against which national policies can be assessed (Ipas, 2006; Interrights, 2011).

CSOs can use the reporting guidelines to formulate alternative and shadow reports to expose violations of women’s rights in and due to extractives, and influence the ACHPR’s concluding observations that it issues after examining each state party report. The Guidelines can also be used to critique state party reports that have failed to integrate analysis related to extractives and women’s rights.
3. WOMEN’S RIGHTS TO ADEQUATE HEALTH

The extractives industries shoulder the obligation to protect women’s health because of environmental standards that have been set at a global level. Broader human rights frameworks clearly protect women’s health, which according to Papers 2 (women who work in industrial mines), 3 (land and food sovereignty impacts) and 5 (women’s sexuality and autonomy) are put at risk by negligent mining practices. However, the role that mining-specific frameworks that have been developed at UN and AU levels are playing in protecting women’s health is varied. Some positive examples are visible at the UN level, but not at the AU level. Some of the alternative frameworks developed by global fora and CSO bodies exhibit an interest to protect women’s health especially in respect of corporate activities.

3.1 Women’s health protections under general human rights related instruments

Women’s ill-health in extractives-impacted communities is commonly provoked by environmental pollution, though Paper 5: Extractivism’s Impacts on Women’s Bodies, Sexuality and Autonomy has also indicated that sex work, different variants of transactional sex and violence impact on women’s health and well-being. Environmental health as a human rights standard was set by the 1992 Rio Declaration on Environment and Development. Under the Declaration (Principle 1), all human beings are entitled to a healthy and productive life in harmony with nature. Further (Principle 3), the right to development of present generations must be fulfilled in ways that do not compromise the needs of future generations. Environmental protection is regarded as an integral part of the development process (Principle 4). The UN Global Compact Principles, which are based on and derive from the Rio Declaration and several other declarations and conventions, call upon businesses to support a precautionary approach to environmental challenges (Principle 7), undertake initiatives to promote greater environmental responsibility (Principle 8), and encourage the development and diffusion of environmentally-friendly technologies (Principle 9).

The Earth Charter, which was launched in 2000 by the Earth Charter Commission, proclaims that some of the common standards by which the conduct of all individuals, organisations, businesses, governments, and transnational institutions are to be guided and assessed include: respecting that alongside the right to own, manage, and use natural resources comes the duty to prevent environmental harm and to protect the rights of people (Principle 1: para 2(a)). This is in addition to preventing pollution of any part of the environment and avoiding the build-up of radioactive, toxic, or other hazardous substances (Principle II: para 6(d)). Though the Earth Charter is not a binding instrument, thousands of local, national, and international organisations, including hundreds of local governments, have endorsed the document and are using it as an educational tool and guide to a sustainable way of living (Rockefeller, n.d.).

The Cochabamba Declaration, an inspiring non-binding framework adopted by thousands of the world’s citizens in Bolivia on 8 December 2000, takes a stand against the capitalist system which has converted Mother Earth “into a source of raw materials, and human beings into consumers and a means of production” (para 6). This system has led to global warming and if this exceeds a 2 degrees Celsius increase, there is a 50% probability

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13 The Universal Declaration of Human Rights; the ILO’s Declaration on Fundamental Principles and Rights at Work; and the UN Convention Against Corruption (Global Compact Network, n.d.).
14 The Earth Charter is a product of a decade-long, worldwide, cross-cultural dialogue on common goals and shared values. First proposed in “Our Common Future” (1987), the report of the UN World Commission on Environment and Development, the drafting of the Earth Charter was part of the unfinished business of the 1992 UN Rio Earth Summit. Following the Summit, two NGOs, the Earth Council and Green Cross International, joined forces to advance the development of an Earth Charter (Earth Charter Initiative, 2012).
15 In May 1995, the Earth Council and Green Cross International co-sponsored a meeting at The Hague to discuss elements of an Earth Charter and to initiate the next stage in the drafting process. An Earth Charter Commission of eminent persons with representation from all regions of the world was then formed to oversee the project.
ABOVE: Filled with despair – one of the more than 4,000 farming families evicted from Geita, Tanzania to make way for the controversial mega Gold Mine. Photo: Evans Rubara
ABOVE: This is my home now – the makeshift home of a family forcibly relocated for mining, Tanzania. Photo: Evans Rubara
that the damages to Mother Earth will be irreversible. The Declaration makes the call for a radical systems change which “recognizes Mother Earth as the source of life” and is based on the following principles:

• harmony and balance among all and with all things;
• complementarity, solidarity, and equality;
• collective well-being and the satisfaction of the basic necessities of all;
• people in harmony with nature;
• recognition of human beings for what they are, not what they own;
• elimination of all forms of colonialism, imperialism and interventionism;
• peace among the peoples and with Mother Earth” (Cochabamba, 2000).

Paper 3: Land and Food Sovereignty Undermined – Impacts on Peasant Women has indicated that natural resources (specifically land and water) contaminated by mining waste have specific impacts on women’s health because of their leading role in food production, water harvesting and natural resource management. These impacts include increased rates of cancer, decreased cognitive function and the development of skin lesions. That these impacts are rarely, if at all, mitigated violates the specific right of women to health, which is firmly secured by Treaties, as well as Treaty-monitoring bodies. Within the UN human rights framework, the International Covenant on Economic and Social Cultural Rights (ICESCR) and General Comments of the Committee on Economic Social and Cultural Rights (CESCR) are pertinent to women’s health. While the ICESCR has asserted the right of everyone to enjoy the highest attainable standard of physical and mental health (Article 12(1)), the CESCR has interpreted this right to apply to the impacts of mining on women, including those in indigenous populations.

The CESCR has pronounced that the provision on “the improvement of all aspects of environmental and industrial hygiene” under Article 12(2)(b) of the ICESCR comprises the prevention and reduction of the population’s exposure to harmful substances such as radiation and harmful chemicals or other detrimental environmental conditions that directly or indirectly impact upon human health (CESCR, 2000: para 15). With regard to women, the Committee has stressed that to eliminate discrimination against women, there is a need for states to develop and implement comprehensive national strategies to promote women’s right to health, whose major goal should be reducing women’s health risks (CESCR, 2000: para 21).

The CESCR has connected the issue of health to the infringement of land rights. It has argued that in indigenous communities the health of the individual is often linked to the health of the society as a whole and has a collective dimension. In this respect, development-related activities that lead to the displacement of indigenous peoples against their will from their traditional territories and environment, denying them their sources of nutrition and breaking their symbiotic relationship with their lands, has a harmful effect on their health (CESCR, 2000). This statement, while gender neutral, is of particular relevance to peasant and indigenous women who enjoy a deep and symbiotic relationship to land and natural resources because of their reproductive responsibilities, and very specifically their pivotal role in food production.

Under the Universal Declaration of Human Rights (1948), motherhood and childhood are entitled to special care and assistance (Article 25(2)). Similarly, CEDAW upholds the right of women to protection of health and to safety in working conditions, including safeguarding the function of reproduction (Article 11: para 1(f)). In mining environments, these rights are violated through women’s exposure to substances that can harm their reproduction, particularly in the ASM sector. The 2012 report of the Special Rapporteur on the Human Rights Obligations Related to Environmentally Sound Management and Disposal of Hazardous Substances and Waste has elaborated on this risk and recommended that in accordance with their obligation to respect, protect and fulfil human rights, states should develop a comprehensive, legally-binding regime to ensure chemical safety throughout the lifecycle of all chemicals, with particular attention to the needs of the most vulnerable (para 69(a)). Further, states should move towards the establishment of international standards regarding the amount of allowable negative impacts of extractive industries on health and the environment so as to address the disparate impacts on communities in nations with weak regulations (para 69(d)).

16 Recent studies conducted by the South African Council for Geosciences (CGS) concluded that AMD in some of the areas contains high levels of radioactivity (Coetzee et al, 2005), which may increase the risk for cancer.
17 The Treaty-monitoring body of the ICESCR.
18 This is addressed in Paper 3, which focuses on land and food sovereignty.
While the authors have ‘respected’ much of the text and language used in the frameworks reviewed here, we do note that the language of ‘vulnerability’ when applied to women does not match our analysis and political orientation. Women in poor communities, by virtue of their class, gender and ethnic status, may have limited or no control over resources, few or no educational opportunities and less decision-making power. But this does not detract from their ability to act to transform their situation. In this respect they cannot be equated with minors or with people who are severely disabled or with the very elderly, all of whom are extremely dependent on able-bodied adults of sound mind. One often finds these different social groups lumped together as ‘the vulnerable’. The language of ‘vulnerability’ infantilises women, strips them of their power, and undermines the powerful contribution women make as care givers, workers and managers of community resources. The notion of women as ‘vulnerable’ and in need of protection denies them their very human power to act to transform the world around them.

Under General Recommendation No 24 of the CEDAW Committee, countries that have ratified CEDAW are encouraged to include in their states party reports information on diseases, health conditions and conditions hazardous to health that affect women or certain groups of women differently from men, as well as information on possible interventions to address these risks and conditions affecting women (para 10). Working-class and peasant women suffer particular exposure to mining-related hazardous wastes due to their roles as farmers, managers of natural resources (like water), and processors of ore in ASM. In Africa, Article 14(1) of the AU Protocol on the Rights of Women in Africa enshrines women’s right to health, which is accompanied by an obligation on states parties to ensure that this right is promoted and respected. Under the Protocol, women’s right to live in a healthy and sustainable environment includes the responsibility of states parties to ensure that proper standards are followed for storage, transportation and disposal of toxic waste (Article 18(2)(e)). The reckless use and disposal of harmful chemicals and mining wastes that lead to acid drainage and other forms of environmental pollution that are particularly harmful to women because of their social and economic roles are clear violations of this right.

Beyond the Protocol, the African continent has made advances in articulating the content of various economic, social and cultural rights under the African Charter in a way that directly responds to health issues affecting women working in or impacted by extractives operations. For example, the ACHPR Principles and Guidelines on the Interpretation of ECOSOC Rights in the African Charter on Human and Peoples’ Rights, which was adopted in November 2010. The Principles and Guidelines explain that the right to health under Article 16(1) of the African Charter imposes a core obligation on African states to protect people against environmental, industrial and occupational hazards, and prevent air, land and water pollution (para 67(xix)). And as part of the protection of people’s right to water and sanitation, member states have the obligation to ensure that water resources are protected from pollution, including through extractive industries in rural areas (para 92(xiv)). The Principles and Guidelines confer a clear duty to member states to implement these core obligations by paying particular attention to members of vulnerable and disadvantaged groups in order to ensure effective equality in the enjoyment of ECOSOC rights (para 32).

In 2012, the ACHPR adopted State Party Reporting Guidelines for ECOSOC Rights in the African Charter on Human and Peoples’ Rights (Tunis Reporting Guidelines), which give more weight to the protection of women’s health. The Guidelines, which are supposed to be applied when African governments are submitting their states party reports to the African Commission, prescribe that progress on the fulfilment of
the right to health should indicate the legislative and other measures taken to protect individuals and peoples against environmental, industrial and occupational hazards; and to prevent air, land and water pollution (para 7(c)(v)) (ACHPR, 2012a). Further, member states should take care to provide statistics disaggregated by gender, age, ethnic origin, urban/rural population and other relevant factors, particularly with reference to vulnerable or marginalised groups (para 3).

The failure of African states to adopt the needed protective policies and standards is therefore a failure of states to fulfil their obligations to protect women’s health under both regional and international conventions.

### 3.2 Mining-specific instruments and women’s health rights

From the frameworks reviewed, women’s health is partially protected in mining policy instruments developed by the UN, while such protection is lacking within equivalent policy frameworks in the AU. A review of selected alternative frameworks outside of official UN and AU human rights mechanisms also demonstrate a lack of attention to women’s health rights. The review was approached from two angles: (a) an examination of mining frameworks that address women’s health more generally; and (b) a study of frameworks that focus on impact assessments, prevention of risks and damage, and rehabilitation.

It should be noted that the frameworks that support women’s health more generally were scanty. The one document that came closest was the **2012 Report of the UN Special Rapporteur on the Human Rights Obligations Related to Environmentally Sound Management and Disposal of Hazardous Substances and Waste**. This report made special mention of the impact of hazardous substances from extractive industries on women’s maternal health, especially during pregnancy and breast-feeding (para 31). The Special Rapporteur has also identified ASM as a particularly dangerous sector for women because they are mainly found in processing jobs that expose them to mercury and other harmful chemicals. He has emphasised that international human rights law like CEDAW requires states parties to put in place preventive measures and programmes to protect women of child-bearing age from mercury exposure (para 35).

The extent to which the health of community members, including and more specifically women’s health, is protected in mining-specific instruments can, in part, be inferred from the requirement of mining companies to conduct environmental and/or social impact assessments, and by provisions related to the prevention of risk and damage, and rehabilitation. The review found that international frameworks that prohibit dumping of wastes do not deal with the prevention of hazardous waste risks by industries at domestic level, but focus on the deliberate disposal of wastes at sea, or in other countries. The **Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (1998)** is relevant nationally, because it mandates states parties to ensure that, where they meet any criteria laid down in national law, members of the public must have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities which contravene provisions of its national law relating to the environment (Article 9(3)) (UNECE, 1998). However, the effectiveness of the Treaty still rests on countries developing and enforcing legislation that punishes corporations for damaging health effects related to environmental pollution or degradation.

The **UN Berlin II Guidelines**, which progressively mainstreams gender, endorses the need for Social Economic Impact Assessments (SEIA) to precede mining operations. They propose that SEIAs should integrate a gender analysis that systematically examines the roles of and relations between women and men in communities to be impacted by the mining operations. This is out of recognition that there may be very specific social and environmental impacts of mining operations on women and children (as a result of already existing power inequalities) that may necessitate specific measures in mitigation plans. The gendered impacts of mining on women’s health can include significant increases in sexually transmitted diseases, sexual harassment and increased levels

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20 These are the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (1975); Convention on the Ban on the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa (Bamako Convention); Convention on the Prevention of Dumping of Wastes and Other Matter (London Convention); Convention to Ban the Import into Forum Countries of Hazardous Waste and to Control the Transboundary Movement and Management of Hazardous Wastes within the Pacific (Waigami Convention); Basel Convention on the Transboundary Movement of Hazardous Wastes and their Disposal.
of violence against women in local communities due to the concentrated presence of male migrant workers (Berlin II Guidelines, 2002: 40).

The Berlin II Guidelines further recommend that compliance with environmental standards and legislation should be enforced through mechanisms such as: imposing civil liability on mining operators; compulsory insurance or payment into an environmental guarantee fund to cover damages and compensation; financial surety; and incentive measures to maintain environmental standards in the absence of specific regulations. The Guidelines even provide suggestions for rehabilitation plans. However, being Guidelines, these provisions are framed as suggestions and countries do not face penalties for non-compliance (Berlin II Guidelines, 2002: 9). Unlike the Berlin II Guidelines, the 1998 UN Environmental Guidelines for Mining Operations21 missed the opportunity to consider gender dimensions when it analysed the effects of environmental problems on miners in the ASM sector.

The 2011 Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises (Ruggie Framework) introduces the notion of ‘gender-sensitive human rights impact assessments’, which may be carried out in addition to environmental and social impact assessments. The Ruggie Framework requires business enterprises to assess the human rights context prior to a proposed business activity. They should identify various groups whose human rights may be adversely affected by the proposed activity, and bear in mind the different risks that may be faced by women and men (HRC, 2011: para 18). Such an approach to a human rights impact assessment could direct attention to health-related vulnerabilities of women, amongst other gender issues. However, to be relevant, such assessments would have to be routine, and not simply carried out as a ‘once-off’ activity prior to the commencement of an extractives project. And more attention would have to be paid to rehabilitation measures to avoid probable risks to women’s health upon mine closures.

On the African continent, women’s health is not considered in AU mining-specific frameworks, though the need for African countries to ensure independent social and human rights impact assessments that guarantee women’s rights has been endorsed by the 2012 Resolution on a Human Rights-Based Approach to Natural Resources Governance adopted by the ACHPR.22 The 2011 Action Plan for Implementing the AMV has omitted gender-specific strategies to achieve its goal of creating “a sustainable and well-governed mining sector that effectively garners and deploys resource rents and that is safe, healthy, gender & ethnically inclusive, environmentally friendly, socially responsible and appreciated by surrounding communities” (AMV, 2009: 3). It broadly targets the “mainstreaming of the principles of impact assessments including strategic, environmental, social, human rights, health into national mining policies, laws, and regulations".23 This action is extremely vague and unhelpful.

The first report of the AU Working Group on Extractive Industries, Environment and Human Rights Violations in Africa (under the ACHPR) presented in October 2012 acknowledged impacts of the extractives industry on the right to health, but not specifically women’s health. In this regard, it highlighted the African Commission’s decision in the Ogoni case, in which the exploitation of oil reserves on Ogoni land in Nigeria had no regard for the health or environment of the local communities, resulting in the contamination of water, soil and air.24 Since the report was issued during the early stages of the Working Group’s mandate, it can only be hoped that the terms of reference of the Working Group, also gender-blind, will be purposefully fulfilled with an awareness of the need to encompass gender questions.

Mining frameworks that touch on the need for environmental and social impact assessments to cover specific environmental issues that [also] affect peasant women in mining contexts have been produced by independent institutions outside the UN and AU. For instance, the International Finance Corporation (IFC) Performance Standards on Environmental and Social Sustainability became effective on 1 January 2012 to guide projects

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21 Compiled by the UN Department of Economic and Social Affairs (UNDESA) & the UN Environment Programme (UNEP) ST/TCD/20.
22 Adopted at its 51st Ordinary Session held from 18 April to 2 May 2012 in Banjul, The Gambia (ACHPR, 2012b).
23 AMV Programme Cluster 7: 31.
24 Communication 155.96 against the Federal Republic of Nigeria. The Commission held that, “Governments have a duty to protect their citizens, not only through appropriate legislation and effective enforcement, but also by protecting them from damaging acts which may be perpetrated by private parties”, and found the Federal Republic of Nigeria in violation of Articles 2, 4, 14, 16, 18(1), 21 & 24 of the African Charter.
that are financed by the IFC, which may include mining. Projects are required to identify individuals and groups that may be directly and differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status – and this includes sex. Projects are also required to avoid the release of pollutants or, when avoidance is not feasible, minimise and/or control the intensity and mass flow of their release to air, water, and land. Connected to this is the obligation of projects to avoid or minimise the potential for community exposure to diseases that could result from project activities, taking into consideration differentiated exposure to and higher sensitivity of vulnerable groups. However, the IFC leaves it to clients to establish their own procedures to monitor and measure the effectiveness of environmental management programmes, as well as monitor their own compliance with any related legal and/or contractual obligations and regulatory requirements. This makes the established standards potentially rhetorical. Still, the IFC standards could be contrasted to the 2008 OECD Guidelines for Multinational Enterprises, which do not highlight the relevance of a gender perspective in the carrying out of environmental impact assessments.

Guidance on how to concretely mainstream gender in impact assessments can be drawn from a gender-impact assessment framework for mining projects produced by Oxfam Australia in 2009. This document outlines key steps for a well-guided gender-impact assessment, including gender considerations that should be made during data collection; context analysis; issue identification; an examination of the project responses to women’s needs; making recommendations and developing a gender-risk awareness strategy; and the undertaking of community-based gender audits or reviews to monitor how a company is addressing gender issues (Oxfam, 2009). The application of such a framework to environmental and social impact assessments could therefore guarantee that the specific impacts of projects on women’s health and other women’s rights by mining and other extractives projects are identified and addressed in project design. What is greatly needed for communities, and for women in communities, is for impact assessments to be fully independent, for results to be shared in ways that are accessible to local communities, and for such assessments to feed into open and democratic decision-making processes in which communities, and women in particular, are empowered to give or withhold consent for extractives activities. The current practice of environmental and social impact assessments being undertaken, and the results managed, by mine operators must be rejected.

25 Performance Standard 1 – Assessment and Management of Environmental and Social Risks and Impacts: para 12.

ABOVE: Sterkwater resettlement area, to which the residents of Ga Pila village were relocated to make way for a mining dump. Residents are fighting the Amplats mining company for services that have not been rendered, for the balance of compensation due, and because their farming fields are located at a great distance away from the settlement. Photo: ActionAid
Table 4: Declarations

A Declaration is a document stating agreed norms or principles. It is not legally binding and cannot be enforced in courts. However, it still expresses agreed rules of conduct that have an impact on international relations that may later crystallise into custom or become the basis of a binding instrument.

<table>
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<tr>
<th>DOCUMENT</th>
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<tr>
<td><strong>Rio Declaration on Environment and Development (1992)</strong></td>
<td>This document was adopted at the 1992 UN Conference on Environment and Development (UNCED), also known as the Earth Summit. It has 27 principles aimed at guiding future sustainable development around the world. It is not a legally binding document.</td>
</tr>
<tr>
<td><strong>Beijing Declaration and Platform for Action (1995)</strong></td>
<td>This was adopted by 187 UN member states at an international human rights conference specifically addressing the human rights of women (1995 Fourth World Conference on Women). It is not a legally binding document. However, over the years, Treaty-monitoring bodies have raised many of the concerns addressed in the Beijing Platform.</td>
</tr>
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**HOW CAN WE MAKE USE OF DECLARATIONS?**

Activists have typically applied provisions of declarations to processes of formulating new laws and policies, and holding governments accountable to their moral obligations.
Table 5: Other African Frameworks

<table>
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<th>DOCUMENT</th>
<th>LEGAL STATUS</th>
<th>HOW CAN WE MAKE USE OF OTHER AFRICAN FRAMEWORKS?</th>
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<tr>
<td>African Mining Vision (AMV) (2009)</td>
<td>The AMV is not a legally binding instrument. It was adopted by Heads of States at the February 2009 AU summit following the October 2008 meeting of African Ministers Responsible for Mineral Resources Development. The starting point of the AMV is that mining must be pursued ‘as the royal road to growth’ with greater attention to retaining the benefits of such growth nationally through the negotiation of fair contracts (and resource rents), establishing requirements and capacity for enjoying a greater share of the backward and forward linkages, and ensuring that local communities enjoy a part of the mining revenue (AMV, 2009).</td>
<td>There are some elements of the AMV which CSOs should support and lobby their governments to translate into national law and policy. The AMV, however, has some critical shortfalls, the most significant of these being its ‘growth obsession’ and the failure to therefore engage the question of unsustainable national and inter-generational wealth loss through natural resource extraction, and the social and environmental impacts which, even if better managed, cannot be sustained by rural communities and the eco-systems with which they and other citizens co-exist (AMV, 2009). Efforts to build an alternative community-driven and women-centred extractives vision and policy for the region should critically engage the AMV and many of its shortfalls.</td>
</tr>
<tr>
<td>Action Plan for Implementing the AMV (2011)</td>
<td>This is not a legally binding instrument. However, it signals concrete commitment by African states to take deliberate steps to realise the AMV. It was considered and adopted by the Second AU Conference of Ministers Responsible for mineral resources development held in Addis Ababa, in December 2011.</td>
<td>Aside from the brief critique presented above, the Action Plan has weak gender content and CSOs can submit specific recommendations to the clusters and the body of African ministers responsible for minerals and agitate for their adoption. It would seem that the clusters can be revised, as the Plan of Action itself notes that ministers directed the creation of a currently missing cluster on policy and regulations, and their harmonisation.</td>
</tr>
<tr>
<td>AU Framework and Guidelines on Land Policy in Africa (2009)</td>
<td>These are not legally binding, and only aim to assist member states to undertake land policy reforms that align to their national development objectives. They articulate some of the principles that should inform the development, content and implementation of land policies in African member states (AU et al, 2009).</td>
<td>CSOs can work to challenge some of the weak provisions of the Guidelines, or at the minimum work for a more progressive interpretation of some of their contents. In addition, work can also be done to ensure that the development and reform of laws and policies which relate to extractives pay due regard to the land rights situation of poor peasant women.</td>
</tr>
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</table>
4. WOMEN’S RIGHT TO LAND AND FOOD SOVEREIGNTY

The right of women peasant farmers to adequate food and tenure security is protected under binding human rights Treaties, Declarations and Voluntary Guidelines. Some mining-specific frameworks within the UN system have made an effort to concede the negative impact of extractives on women's right to adequate food. At an AU level, mining frameworks are silent on this protection, though a recent resolution offers space for a more expansive interpretation of women's rights in the context of natural resource extraction.

4.1 Protections under general human rights related instruments

International instruments have been unequivocal in their defence of women's right to adequate food, which cannot be safeguarded without the right to land. This right must be protected from threats arising from development projects like mining and other forms of natural resource extraction. Indeed, women's food sovereignty is the main reason that Paper 3 has subjected industrial mining and its impacts to such close scrutiny. In terms of the UN human rights system, CEDAW specifically safeguards the right of rural women to equal treatment in land matters (Article 14(2)(g)). Under CEDAW General Recommendation No 21, the CEDAW Committee has emphasised that the right of women to own, manage, enjoy and dispose of property is central to a woman's right to enjoy financial independence, as well as her ability to earn a livelihood and to provide adequate housing and nutrition for herself and for her family (para 26).

Given the various challenges to peasant women's food rights as discussed in Paper 3, it is commendable that the 2012 Report of the UN Special Rapporteur on the Right to Food has taken a special interest in women's right to food. The Special Rapporteur has noted that discrimination against women food producers is not only a violation of their rights, but also has society-wide consequences because of the considerable productivity losses entailed (para 6). This implies that it is discriminatory when peasant women [and their households] have to suffer hunger due to their lack of full access to, control and ownership of land, and when development-related interventions like extractives further exacerbate women's fragile situation. The Beijing Platform for Action (1995) particularly calls on governments to undertake legislative and administrative reforms to give women full and equal access to economic resources, including the right to own land (para 61(b)). Several other gender equality declarations at both UN and AU levels have made similar recommendations.

Binding Treaties like the AU Protocol on the Rights of Women in Africa consider women's access to land as one of the critical measures that states parties must adopt to ensure that women enjoy the right to nutritious and adequate food (Article 15(a)). Under the AU Principles and Guidelines on the Implementation of ECOSOC Rights in the African Charter (2010), the AU Commission has stated that the implied right to water under the African Charter should be interpreted as imposing an obligation on African states to ensure that disadvantaged and marginalised farmers, including women farmers, have equitable access to water (para 92(xx)); and that there is adequate access to water for subsistence farming and for securing the livelihoods of peoples, including indigenous communities/populations (para 92(xxi)). The competition for water between mining and women's subsistence agriculture discussed in Paper 3: Land and Food Sovereignty Undermined – Impacts on Peasant Women should be seriously addressed by African countries in light of these obligations.

The Tunis Reporting Guidelines that the ACHPR adopted in 2012 directs that when states parties are reporting on the implementation of the right to property under the African Charter, they should indicate measures that they have undertaken to ensure that members of vulnerable and disadvantaged groups have independent access to and use of land, and are adequately compensated for the alienation of wealth and resources (para 7(a)).

29 The Committee that monitors the implementation of CEDAW.
30 An outcome of the Fourth UN World Conference on Women held in Beijing, China.
31 These are the Ministerial Declaration of the 2010 High-Level Segment: Implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women: para 61(b); and the 2004 Solemn Declaration on Gender Equality in Africa: para 7.
32 Adopted on 11 January 2003 and entered into force on 25 November 2005. All AU member states are expected to ratify this Protocol, and 36 countries had ratified it by 21 February 2013.
33 Adopted by the ACHPR.
concretely realise this fundamental right (para 1). Ownership and control over land is integral to this right, and access to food a constitutional right and guarantee the development of small-scale agriculture as the vehicle to Via Campesina Food Sovereignty Principles call for agrarian reforms to give equal rights to women and men (Nyéléni, 2007).

Principles of food sovereignty that are substantively built around the interests of women farmers, and include the rights of women farmers, and their allies at the global Forum for Food Sovereignty, the Declaration outlines key principles that address questions relating to compensation for land lost, and the resettlement of displaced people (para 3.4.3). However, the continental land framework fails to establish a clear position on whether mining should trump existing land rights and uses. Its unfortunate and flawed starting point is that mining will always take place and that compensation and resettlement is therefore necessary.

Declarations that have emerged from global forums are also a useful indicator of a shared global vision to safeguard women’s rights to both food and land, to challenge activities that threaten these rights. For instance, the 2009 AU Framework and Guidelines on Land Policy in Africa (Continental Land Framework and Guidelines)35 stresses the need for African countries to develop and/or implement comprehensive land policies that address the serious problem of gender discrimination in access to land resources (para 3.1.4). The Continental Land Framework and Guidelines even acknowledge some development challenges related to mining, though not from a gender perspective. They recommend that land policy reforms should comprehensively address questions relating to compensation for land lost, and the resettlement of displaced people (para 3.4.3).

When extractives industries interfere with peasant women’s agriculture, as they do in many parts of the continent, it makes visible African governments’ low prioritisation of women’s rights to food and land.

In recent times, land and agriculture related voluntary guidelines have also been a mechanism for reinforcing women’s rights to land and food sovereignty. For example, the 2012 Voluntary Guidelines on the Responsible Governance of Tenure of Land, Forests and Fisheries in the Context of National Food Security (Voluntary Guidelines)36 require states to efficiently use legal and policy frameworks to address particular obstacles faced by women and girls with regard to tenure and associated tenure rights (para 5.4). They further recognise the need for secure customary tenure systems, in which special attention has been given to equitable and sustainable access for women, including in indigenous settings (para 9.2).

The 2009 AU Framework and Guidelines on Land Policy in Africa (Continental Land Framework and Guidelines)35 stresses the need for African countries to develop and/or implement comprehensive land policies that address the serious problem of gender discrimination in access to land resources (para 3.1.4). The Continental Land Framework and Guidelines even acknowledge some development challenges related to mining, though not from a gender perspective. They recommend that land policy reforms should comprehensively address questions relating to compensation for land lost, and the resettlement of displaced people (para 3.4.3). However, the continental land framework fails to establish a clear position on whether mining should trump existing land rights and uses. Its unfortunate and flawed starting point is that mining will always take place and that compensation and resettlement is therefore necessary.

Declarations that have emerged from global forums are also a useful indicator of a shared global vision to safeguard women’s rights to both food and land, and to challenge activities that threaten these rights. For instance, the 2006 International Conference on Agrarian Reform and Rural Development (ICARRD) Declaration36 argues that women’s secure access to land is essential to eradicate hunger and poverty and contribute to sustainable development and should therefore be an inherent part of national policies (para 5 & 6). The 2007 Nyéléni Declaration is a significant instrument that affirms women’s right to food sovereignty. Developed by representatives of women farmers, and their allies at the global Forum for Food Sovereignty, the Declaration outlines key principles of food sovereignty that are substantively built around the interests of women farmers, and include the call for agrarian reforms to give equal rights to women and men (Nyéléni, 2007).

Via Campesina, a global alliance of peasant farmers, has defended women’s right to food sovereignty. The Via Campesina Food Sovereignty Principles (Local Food Local Rules, 2011) call on all countries to declare access to food a constitutional right and guarantee the development of small-scale agriculture as the vehicle to concretely realise this fundamental right (para 1). Ownership and control over land is integral to this right, and 34 Developed by the UN Committee for World Food Security and its partners through different sessions and consultative processes that occurred between 2009 and 2011.

35 The continental framework and guidelines were developed through the joint initiative by the AU, the AfDB, and the UN Economic Commission for Africa (ECA). The process started in 2006, and included regional assessments and consultative workshops of different groups of stakeholders and experts from the five regions of Africa. The AU Heads of States and Governments adopted the continental framework and guidelines on 3 July 2009 in Libya through a Declaration on Land Issues and Challenges in Africa. Under the Declaration, the Heads of States and Governments particularly undertook to strengthen security of land tenure for women as an issue requiring special attention.

36 FAO, Final Declaration of the International Conference on Agrarian Reform and Rural Development, ICARRD 2006/3 held from 7 to 10 March 2006. About 1,400 participants including 450 NGO observers, delegations from 96 FAO member countries, international experts and representatives from over 130 farmer organisations and CSOs met in Porto Alegre. The participants reviewed different experiences of agrarian reform around the world; analysed impacts, processes and mechanisms; reviewed the roles of the different actors involved; and then discussed proposals for future action. A Final Declaration was adopted at the end of the Conference inviting all governments to adopt policies that promote agrarian reform and rural development to benefit the poor and most marginalised (RDFS, 2006).
must be free of discrimination, including on the basis of gender (para 2). And in reinforcing democratic control of food, rural women, in particular, must be actively involved in all decision-making on matters related to food and rural transformation (para 3).

Via Campesina’s food sovereignty principles are in conflict with the Comprehensive African Agricultural Development Programme (CAADP), a key vehicle through which African governments seek to revitalise agriculture for economic growth (AU & NEPAD, 2003). CAADP does acknowledge that women, who are the principal users of land, must be supported to achieve stronger rights over the land that they work as an enabling condition for African agriculture development (AU & NEPAD, 2003). However, CAADPs orientation is towards the commercialisation of agriculture, which may well displace ‘inefficient’ peasant and subsistence farmers, most of whom are women. Indeed, a 2011 review of the implementation of CAADP in six countries reveals that country plans lack a poverty focus, and pay very little attention to the needs and rights of peasant women farmers (Action Aid, 2011).

4.2 The response of mining-specific instruments to women’s land and food rights

Women’s right to food in UN documents that focus on mining and/or extractive industries can be deduced from the 2012 Report of the UN Special Rapporteur on the Human Rights Obligations Related to Environmentally Sound Management and Disposal of Hazardous Substances and Waste (HRC, 2012: 10–1) and the Berlin II Guidelines for mining and sustainable development. The Special Rapporteur has confirmed the experiences of peasant women farmers outlined in Paper 3 on land and food rights, and taken issue with the contamination of agricultural soils by extractives activities even after production stops. This is established as a violation of the right to adequate food (in terms of quantity, quality, and safety) recognised in ICESR and other human rights Treaties (para 34). The infringement is further extended by the damage that is done to soil by acid rain, which can negatively impact agricultural productivity by local communities (para 35).

Additional encroachments on the right to adequate food occur when the pollution from toxic waste impacts on agricultural productivity, contributing to a rise in food and commodity prices in mining (and other) communities. In this regard, the Special Rapporteur recommends the need to develop multi-sectoral food and nutrition strategies, which give special attention to the needs of vulnerable groups (para 36). The Special Rapporteur has also recognised the particular vulnerability of women’s land rights by noting that more often than not, it is women who tend the gardens or plots of land and grow the food, and so women are disproportionately impacted by land displacements. While alternative land may be provided, it is often at a distance away and of lower quality, adding to women’s workload (para 32).

The Berlin II Guidelines agree that women are crucial actors in biodiversity management in their multiple roles as farmers, herders, forest gatherers, primary health care givers, market vendors, selectors and preservers of seeds, soil conservationists and keepers of the natural and built environment. The Guidelines note that steps should be taken to identify how mining operations may potentially affect women’s multiple roles in biodiversity management (Berlin II Guidelines, 2002: 40). This would need to include an examination of how the increase in food-related pressures that accompanies dispossession by and impacts of mining activity effect the overall capacity of women to manage biodiversity.

The promotion of women’s rights to food and land in relation to extractive industries has not been spelt out by AU mining-related documents like the AMV and the Plan of Action for the implementation of the AMV. However, some leeway is found under the African Commission’s 2012 Resolution on a Human Rights-Based Approach to Natural Resources Governance of the ACHPR, which finds that natural resource governance in Africa is gravely hampered by, for example, the misappropriation of land; and that rural communities in Africa continue to struggle to assert their customary rights of access and control over various resources, including land, vis-à-vis natural resource extraction (ACHPR, 2012b). The Resolution therefore places a responsibility on African states to ensure that independent social and human rights impact assessments guarantee women’s rights (para 4), which in this context could include ensuring that the food and land interests of peasants are not interfered with by mining developments. Connected to the violation of women’s rights to adequate food and land is the issue of forced evictions and the quality of compensation for land-related losses, which is discussed next.
ABOVE: Village grazing land stolen by mining activity near Rustenburg, North-West Province, South Africa. 

Photo: Bobby Marie
Table 6: Special Mechanisms: UN Special Rapporteurs and AU Working Groups

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<tr>
<th>DOCUMENT</th>
<th>LEGAL STATUS</th>
<th>HOW CAN WE MAKE USE OF THESE SPECIAL MECHANISMS?</th>
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<tr>
<td>Report of the Special Rapporteur on Human Rights Obligations Related to Environmentally Sound Management and Disposal of Hazardous Substances and Waste (2012)</td>
<td>UN Special Rapporteurs are independent experts appointed by the UN Human Rights Council (formerly the UN Commission on Human Rights). They may be assigned different titles like Independent Expert or Special Representative. They have a mandate to monitor, advise and publicly report on human rights situations in specific countries (country mandates) and on human rights violations worldwide (thematic mandates) (ACLU, 2007). A report and recommendations of a Special Rapporteur are not legally binding. However, they still carry moral authority and obligation in terms of country commitments to universal human rights standards. In the conclusions and recommendations provided by the Special Rapporteur, pressure may be applied on governments to rectify the situation and meet universally recognised standards of fairness, due process and minimum respect to human rights in a specific context (adapted from ACLU, 2007).</td>
<td>Country visits by a Special Rapporteur are a good opportunity for NGOs to raise national awareness and to shine the international spotlight on human rights, including women’s rights violations, arising from extractives industries. CSOs can use conclusions and recommendations of a Special Rapporteur to sustain pressure on a government to adopt policies and practices that address challenges encountered by women in extractives-impacted environments (adapted from ACLU, 2007). CSOs can also use the reports of a Special Rapporteur to highlight ‘good practices’ in other parts of the world and to advocate for the adoption of needed Guidelines and Policies to protect and safeguard women’s interests.</td>
</tr>
<tr>
<td>UN Guiding Principles on Internal Displacement (2001)*</td>
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<td></td>
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<tr>
<td>UN Basic Principles and Guidelines on Development-Based Evictions and Displacement (2007)**</td>
<td>This is a Special Mechanism under the African human rights system established under the African Charter mandating the ACHPR to: employ any method of investigating human rights violations; research human rights issues; and undertake promotional activities through country visits. This particular Working Group was created in 2009 to investigate the impact of extractive industries in Africa within the context of the African Charter (CHR &amp; ACHPR, 2011). Like other Special Mechanisms, the reports of the Working Group form the basis of the African Commission’s resolutions (CHR &amp; ACHPR, 2011).</td>
<td>CSOs can lobby the Working Group to make its terms of reference gender-sensitive, and encourage missions specifically oriented to investigating gender aspects of the extractives industry. They can also lobby for the participation of women’s rights CSOs in the work of the Working Group.</td>
</tr>
<tr>
<td>AU Working Group on Extractive Industries, Environment and Human Rights Violations in Africa (under the ACHPR)</td>
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* Developed by the Representative on Internally Displaced Persons.
**Formulated by the Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living.
ABOVE: Slimes waste dam encroaches upon community land and natural habitat, North-West Province, South Africa. Photo: Bobby Marie
5. PROTECTING WOMEN FROM FORCED EVICTIONS AND INADEQUATE COMPENSATION FOR THEIR LAND

Human rights frameworks that protect women (and their communities) from forced evictions and discrimination related to compensation for loss of property have been developed by both the UN and the AU, though the latter has fewer references. However, the documents that have been reviewed, which specifically address mining or the extractive industries more broadly blatantly lack direct protections for women in relation to eviction and compensation.

5.1 Protections under general human rights related instruments

Mining-related displacements of communities, including women, from land they use for livelihoods typically violate “the obligation of States to refrain from, and protect against, forced evictions from land and homes under several international human rights instruments” (UN, n.d.). These obligations are well established in instruments that protect the human right to adequate housing, standard of living and food. For instance, the Universal Declaration on Human Rights and the International Covenant on ECOSOC Rights are two of the instruments that guarantee persons, including women, the right to an adequate standard of living (Articles 25(1) and 11(1) respectively). Further, the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child have provisions against the arbitrary deprivation of or unlawful interference with property, privacy, family and home. All these obligations are flouted when communities are dispossessed of their land and natural resources by extractives developments.

The African Charter to Human and Peoples’ Rights specifically guarantees every person’s right to property, and adds that this right may only be encroached upon in the interest of public need or in the general interest of the community and in accordance with the provisions of appropriate laws (Article 14). Arbitrary relocations are clearly neither performed to meet public need nor community interests, and therefore contradict provisions of the Charter.

According to international human rights standards, movements of people off their land generally qualify as ‘arbitrary displacements’ and ‘forced evictions’. Under the UN Guiding Principles on Internal Displacement (2001), arbitrary displacement includes displacement in cases of large-scale development projects that are not justified by compelling and overriding public interests (Principle 6(2(C)). The 2007 UN Basic Principles and Guidelines on Development-Based Evictions and Displacement that were formulated by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living also align with this position and specify that development-based evictions include evictions often planned or conducted under the pretext of serving the ‘public good’, such as those linked to development and infrastructure projects (including mining and other extractive industries) (para 8: 4). Governments have the responsibility to protect citizens against arbitrary displacements from their homes or places of habitual residence (Principle 6 (1)).

Relocations of communities due to mining developments will typically fall under the definition of ‘forced evictions’ because even if compensatory/alternative land is provided, it does not make the exercise voluntary and almost all evictions contain an element of coercion. States must ensure the equal right of women and men to protection from forced evictions (para 15), which can be achieved by ensuring that titles to housing and land are conferred on all women (para 26). While titling is the focus of the UN Basic Principles, WoMin is of the view that the need is for tenure security which can be guaranteed through, for example, the reform and strengthening of communal tenure systems, the issuing of secure lease rights to state land and so on. The UN 2007 Basic Principles and Guidelines on Development-Based Evictions and Displacement, together with the 2010 AU Principles and Guidelines on the Interpretation of ECOSOC Rights in the African Charter, share a common interpretation of ‘forced evictions’:

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37 Ibid.
38 UDHR Article 17(2); ICCPR Article 17(1); CRC Article 16(1).
acts and/or omissions involving the coerced or involuntary displacement of individuals, groups and communities from homes and/or lands and common property resources that were occupied or depended upon, thus eliminating or limiting the ability of an individual, group or community to reside or work in a particular dwelling, residence or location, without the provision of, and access to, appropriate forms of legal or other protection.39

According to this definition, forced evictions have to be both illegal (not carried out in accordance with the law) and not in conformity with the provisions of international human rights Treaties.40 Paper 3: Land and Food Sovereignty Undermined – Impacts on Peasant Women suggests, on the basis of available research and case studies, that the forced relocations of peasant women farmers and their communities to make way for extractives industries is not usually compatible with international human rights standards due to the absence of FPIC, proper gender-sensitive consultations and fair and adequate compensation.

The UN Committee on ECOSOC Rights, through its General Comment No 4 (1991) on the Right to Adequate Housing, underscored that, notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. Therefore, states parties should take immediate measures aimed at conferring legal security of tenure upon those persons and households currently lacking such protection (para 8(a)). In the African context, the 2010 AU Principles and Guidelines on the Interpretation of ECOSOC Rights in the African Charter confirm that the right to housing exerts, amongst others, the obligation on states parties to ensure the equal rights of women and men to protection from forced evictions and the equal enjoyment of the human right to adequate housing and security of tenure (para 79(xvii)). African governments need to give this guidance due weight as women are most vulnerable to relocations because they lack tenure security and are the primary users of some common property resources (water, forests, woodlots etc.) which are generally not recognised and compensated for in deals with mining companies.

One population group that is particularly vulnerable to relocations or forced evictions are indigenous people, including indigenous women. The Indigenous and Tribal Peoples Convention, 1989 (No 169) adopted by the International Labour Organization (ILO), does not have specific gender-sensitive provisions, but generally requires that the relocation of indigenous peoples should only be considered as an exceptional measure (Article 16(2)). Further, the state is compelled to safeguard the interests of indigenous peoples before undertaking or permitting any programmes for the exploration or exploitation of natural resources pertaining to the people’s lands (Article 15(2)). The protection of indigenous communities from forced evictions has been assured even within the African human rights system, when the African Commission’s Endorois Decision (2006) overruled the decision of the Kenyan government to forcibly evict the Endorois community in order to accommodate mining and tourism interests. This decision did not specifically defend women’s interests as it related to the community at large. The question of Women’s Rights, Gender and FPIC is to be addressed in a separate forthcoming paper in this series.

In the event of relocation, several human rights frameworks outline what is required in terms of compensation. The 2007 UN Basic Principles and Guidelines on Development-Based Evictions and Displacement have established as an irregularity the tendency not to offer compensation to people who do not have title to the land they are using (and women mostly fall in this category). The Basic Principles and Guidelines protect women that have weak land rights by providing that:

all those evicted, irrespective of whether they hold title to their property, should be entitled to compensation for the loss, salvage and transport of their properties affected, including the original dwelling and land lost or damaged in the process.

(para 61)

39 Para 4 of the UN Basic Principles and Guidelines on development-based evictions and displacement; 3; Para 1 of the African Commission Principles and Guidelines on the Interpretation of ECOSOC Rights in the African Charter. Please see my earlier comment.

The Basic Principles and Guidelines also challenge the practice of offering communities cash compensation (often inadequate) or poor quality and inadequate substitute land. They have declared that in cases of land loss, cash compensation should never replace real compensation in the form of land and common property resources. Where land has been taken, the evicted should be compensated with land commensurate in quality, size and value, or better (para 60). The state must provide or ensure fair and just compensation for any losses of personal, real or other property or goods, including rights or interests in property (para 60). A fair application of this provision could ensure that women’s loss of natural resources is taken into account in awarding compensation, an aspect not currently addressed. Impact assessments must take into account the differential impacts of forced evictions on women, children, the elderly, and marginalised sectors of society. All such assessments should be based on the collection of disaggregated data, allowing for the identification of differential impacts (para 33).

### 5.2 The response of mining-specific frameworks to forced evictions and inadequate compensation for land

The review found that mining-specific documents do not generally have particular provisions relating to women and the issues of forced evictions and compensation. Though the Special Rapporteur on the Rights of Indigenous Peoples dedicated a section to the impact of extractive industries on indigenous communities in his 2012 report, a gender perspective was not adopted. And so while the Rapporteur recommends special guarantees of compensation in the form of other land when indigenous communities and peoples are removed from their lands, women’s specific concerns for recognition and compensation of their tenure rights are not addressed.

Frameworks that recommend the adoption of a gender perspective in environmental and social impact assessments could also apply to identify and address women’s interests regarding compensation. Relevant UN and AU frameworks here include: the UN Berlin II Guidelines; the Ruggie Framework; and the AU Resolution on a Human Rights-Based Approach to Natural Resources Governance (2012). Alternative frameworks include: IFC Performance Standards on Environmental and Social Sustainability (2012) and the gender-impact assessment framework for mining projects produced by Oxfam Australia in 2009.

*ABOVE: Elizabeth Mogale demonstrates the village’s water source since the borehole was purposefully broken to force the community to resettle for Anglo Platinum’s mining waste dump, Ga Pila village, Mokopane, North-West province, South Africa. Photo: ActionAid*
### Table 7: International Frameworks

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<tr>
<td>Berlin II Guidelines for Mining and Sustainable Development (2002)</td>
<td>These Guidelines are not legally binding, and are intended to provide general guidance for the sound and sustainable management of mines to regulators.</td>
<td>Activists can draw on these to campaign for guidelines and programmes to ensure that regulation, administrative control and mine management achieve an acceptable level of environmental performance, which can in particular address women's needs.</td>
</tr>
<tr>
<td>UN Global Compact Principles</td>
<td>These principles are not legally binding, but they derive from the Rio Declaration and several other treaties, conventions and sets of standards for businesses to be environmental conscious and responsible (among other issues). They were developed under the Global Compact, which was launched in 2000. The Global Compact asks companies to embrace universal principles so that businesses “can help ensure that markets, commerce, technology and finance advance in ways that benefit economies and societies everywhere” (Global Compact Overview, n.d.). Over 7,000 companies based in more than 135 countries have signed the Global Compact. See Box 1 in section 2.1 for a critique of the Global Compact.</td>
<td>Given legitimate critique about the Global Compact, CSOs could add their voice to calls for the Compact to build in monitoring and sanction mechanisms, and for the exclusion of those companies whose practices do not align with the principles. The principles may have some utility at national level where CSOs could use the ‘moral authority’ of the UN to call on governments to build these principles into regulatory frameworks that are monitored for compliance, with suitably onerous penalties applied when corporates flout these standards.</td>
</tr>
<tr>
<td>Women Empowerment Principles (2011)</td>
<td>The WEPs are not legally binding, and were developed by UN Women and the UN Global Compact. They complement the UN Global Compact Principles by bringing a gender lens to business practice. The same critiques of the Global Compact apply – see Box 1 in section 2.1.</td>
<td>A similar strategy to the one outlined above would apply to the WEPs too.</td>
</tr>
<tr>
<td>Voluntary Guidelines on the Responsible Governance of Tenure of Land, Forests and Fisheries in the Context of National Food Security (2012)</td>
<td>These Voluntary Guidelines are not legally binding. Their purpose is to serve as a reference and guide to improve the governance of tenure of land, fisheries and forests with the overarching goal of achieving food security for all and to support the progressive realisation of the right to adequate food in the context of national food security (FAO et al, 2012).</td>
<td>Since the Guidelines draw on international and regional instruments, including the MDGs that address human rights and tenure rights, CSOs can use them in advocacy interventions aimed at improving state practices that impact on women’s land rights, including extractives.</td>
</tr>
<tr>
<td>ICARRD Declaration (2006)</td>
<td>This is a non-legally binding framework that was adopted by member states that gathered at the International Conference on Agrarian Reform and Rural Development (ICARRD) of the UN Food and Agriculture Organization (FAO), hosted by the government of Brazil.</td>
<td>It can be used as an advocacy tool guiding states to address the extractives industries and the challenges they issue in relation to agriculture and sustainable development, in particular: the realisation of women’s human rights, food security, poverty eradication, and the strengthening of social justice.</td>
</tr>
<tr>
<td>Cochabamba Declaration (2010)</td>
<td>In April 2010, approximately 30,000 of the world’s citizens gathered at the World People’s Conference on Climate Change and the Rights of Mother Earth in Cochabamba, Bolivia to present a people’s and planet Earth alternative to the failed Conference of the Parties (COP 15) climate meeting in Copenhagen. “The Universal Declaration on the Rights of Planet Earth calls for the forging of a “new system that restores harmony with nature and among human beings” (Cochabamba, 2000), for developed countries to commit to quantifiable goals of emission reductions that will return the concentrations of greenhouse gases to 300 ppm”, and for developed countries to honour their climate debt to the rest of the world.</td>
<td>The Cochabamba Declaration is an inspiring document that speaks directly to the experiences and perspectives of indigenous people, peasants and poor women across the developing world. It can serve as a rallying point for organising and solidarity-building between excluded peoples, and inform the development and promotion of a radically different development model, which promotes equity and justice between all peoples, protects the planet and supports the reproductive labour, particularly of women, so critical to the restoration of the planet and the well-being of humanity etc.</td>
</tr>
<tr>
<td>The Earth Charter (2000)</td>
<td>This is a non-binding instrument that was launched by the Earth Charter Commission to set common standards for the conduct of individuals, organisations, businesses, governments, and transnational institutions with regard to the environment.</td>
<td>Thousands of local, national, and international organisations, including hundreds of local governments, have endorsed the document and are using it as an educational tool and guide to a sustainable way of living.</td>
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*For the full Cochabamba Declaration see PWCCC (2004). ** Parts per million (ppm) refers to the amount of carbon dioxide in the Earth’s atmosphere. Carbon dioxide is the most common greenhouse gas, which is what causes global warming. Carbon dioxide and other heat trapping gases are emitted into the atmosphere when fossil fuels like coal and oil are combusted (or burnt) to generate energy for cooking, heating, cooling, propelling vehicles etc. Global warming disturbs the fragile balance that supports life on the planet, and as temperatures rise whole species, including humanity, are threatened (350.org, n.d.).
6. CONCLUSION AND RECOMMENDATIONS

This review and analysis of select ‘general’ international human rights and policy documents has confirmed that there are some strong existing provisions that can protect the rights of peasant and working-class women to economic empowerment, adequate health, food, land rights, and fair and just compensation when relocation is absolutely unavoidable. The mining-related frameworks more generally and in the Africa region specifically substantially neglect the perspectives and interests of just over half of Africa’s citizens (women) whose labour in mining, in food production and in reproductive care are essential to the livelihoods and well-being of both themselves and the majority of the rest of its citizens. These frameworks are gender-blind and conflate women and men’s experiences, needs and interests, thereby violating women’s rights. The African frameworks must work to incorporate international standards and protections for communities whose rights to land, water, health, food, cultural practices and ways of living are threatened by large-scale extractivist industries. And within this, the frameworks should explicitly incorporate a women’s rights perspective that privileges the views and needs of poor and marginal women, representing as they do the majority of Africa’s people who are most affected by poverty and inequality.

While advocacy and campaigns to adjust existing frameworks and build new policies and documents at regional and national levels that will safeguard the rights of poor communities and marginal women in particular are important, we (CSOs, activists and movements) should take care not to overly invest in these as outcomes that will guarantee transformation. As seasoned CSO workers, activists and members of social movements we are well aware that:

a) These frameworks may likely only be open to review and new guiding documents accepted by political decision-makers if there is significant political pressure from organised movements of affected peoples, from the public more generally or from key institutions outside of the country/region.

b) Even if revised or new policy and legal documents could offer new protections and standards for poor communities and marginal women within them, their translation into practical programmes of action and supportive budgets by governments is the very next barrier to these rights being enjoyed by affected citizens.

Rights can only be enjoyed, claimed and demanded for when women and affected peoples are organised, informed and confident to engage power. Our first focus as CSOs is therefore to support wide community and women-led advocacy and campaigns for transformation. These processes can, at one and the same time inform and build new analysis and knowledge, create new skills, deepen or foster new organisations, alliances, networks and movements and start to shift the balance of power between state and citizenry. This work must be undertaken at regional level (and there are a few opportunities highlighted below) and at national level, with appropriate context-specific strategies and tactics defined by leading CSOs.

A few key recommendations for coordinated action at regional level through WoMin in partnership with other regional bodies and movements are as follows:

• The International Alliance on Natural Resources in Africa (IANRA), which hosts WoMin, has entered into partnership with continental oversight bodies to research and develop model Pan African Legislation and Policy related to Extractives. This work plans to bring in a strong gender perspective, which strategy should be nurtured and supported by key gender and women’s rights CSOs with the necessary capacity and knowledge at national and regional levels.

• A range of African CSOs are working with the AU Working Group on Extractive Industries, Environment and Human Rights Violations in Africa to map out the scale, extent and impact of extractives industries in the region. WoMin, through IANRA and in concert with key gender and women’s rights CSOs regionally and nationally, should work to influence and support this process to lift out the gender-specific impacts and challenges created by extractives industries. As part of this scoping effort, the Working Group could be encouraged to form a multi-country mission to understand the gender-specific dimensions of industrial extraction. In addition, through this process of engagement, we should work to influence the AU Working Group on extractives, including making its terms of reference more gender responsive and encourage the involvement of women’s rights and gender CSOs in its work.
• Build a coordinated regional effort to monitor key women’s rights standards and protections related to the extractives industries and their impacts, which are already provided for in global frameworks. This should be undertaken within and across countries through wide alliances, including grassroots women’s organisations and movements. This should link into existing monitoring (such as the SADC Barometer) of Declarations, Treaties and other human rights provisions so as not to duplicate efforts. The results of this monitoring should be publicised on an annual basis, and reported on through shadow reports and presentations to relevant Treaty and other monitoring bodies. In addition, campaigns and other influencing work will be needed to press for the adoption of relevant standards and protections in regional frameworks, for their translation into national law, and for their adequate support through state programmes and budgets.

• Target the CEDAW Committee and the CESCR, as key supporting institutions for advancing women’s rights related to the extractives industries by submitting parallel reports, attending committee sessions and personally meeting with committee members between sessions, and making presentations to the committees, if feasible. The objectives underpinning this engagement would be to influence the drafting of General Recommendations or General Comments, and possibly advocating for the development of a gender-sensitive Treaty or addendum to an existing mining or women-specific Treaty that would address women’s rights violations arising from extractivism. Some elements of this influencing strategy could be taken up with the ACHPR.

• Finally, IANRA in alliance with women’s rights organisations should submit well-researched and strategic complaints on women’s rights violations by the extractives industries to domestic (national) and AU oversight mechanisms.
<table>
<thead>
<tr>
<th>ACRONYMS</th>
<th>Description</th>
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<tr>
<td>ACHPR</td>
<td>African Commission on Human and Peoples’ Rights</td>
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<tr>
<td>AfDB</td>
<td>African Development Bank</td>
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<td>AMD</td>
<td>acid mine drainage</td>
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<td>AMV</td>
<td>African Mining Vision</td>
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<td>ASM</td>
<td>artisanal and small-scale mining</td>
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<tr>
<td>AU</td>
<td>African Union</td>
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<tr>
<td>CAADP</td>
<td>Comprehensive African Agricultural Development Programme</td>
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<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of All Forms of Discrimination Against Women</td>
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<tr>
<td>CESCIR</td>
<td>Committee on Economic, Social and Cultural Rights</td>
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<tr>
<td>CRC</td>
<td>Convention on the Rights of the Child</td>
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<tr>
<td>CSO</td>
<td>civil society organisation</td>
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<tr>
<td>ECA</td>
<td>Economic Commission for Africa</td>
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<tr>
<td>ECOSOC</td>
<td>Economic and Social Council (UN)</td>
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<tr>
<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<td>FAO</td>
<td>Food and Agriculture Organization</td>
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<tr>
<td>FPIC</td>
<td>free prior and informed consent</td>
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<td>IANRA</td>
<td>International Alliance on Natural Resources in Africa</td>
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<td>ICARRD</td>
<td>International Conference on Agrarian Reform and Rural Development</td>
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<tr>
<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<tr>
<td>ICESCR</td>
<td>International Covenant on Economic Social and Cultural Rights</td>
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<tr>
<td>IFC</td>
<td>International Finance Corporation</td>
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<tr>
<td>ILO</td>
<td>International Labour Organization</td>
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<td>MDGs</td>
<td>Millennium Development Goals</td>
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<tr>
<td>NGO</td>
<td>non-governmental organisation</td>
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<tr>
<td>OECD</td>
<td>Organisation for Economic Cooperation and Development</td>
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<td>PWCCC</td>
<td>Peoples World Conference on Climate Change</td>
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<td>RDFS</td>
<td>UN System Network on Rural Development and Food Security</td>
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<td>SADC</td>
<td>Southern African Development Community</td>
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<tr>
<td>SEIA</td>
<td>Social Economic Impact Assessments</td>
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<td>UDHR</td>
<td>Universal Declaration of Human Rights</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNCED</td>
<td>United Nations Conference on Environment and Development</td>
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<td>UNECE</td>
<td>United Nations Economic Commission for Europe</td>
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<tr>
<td>WEP</td>
<td>Women Empowerment Principles</td>
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GLOSSARY

Artisanal and small scale mining
ASM refers to extractives activities which are informal, and often ‘illegal’, usually carried out by the rural poor to supplement subsistence farming activity, and typically performed using fairly rudimentary methods and tools (World Bank, 2012; miningfacts.org, n.d.; Hruschka & Echavarria, 2011). These definitions are not universal, for example, in Tanzania distinctions are often made between ASM on the basis of different levels of mechanisation and legality (Fisher, 2007: 743). Across contexts, artisanal miners may often operate without a mining licence and formal land allocations, both of which are usually financially prohibitive, and it is from this that the label ‘illegality’ may arise.

Extractivism
The term ‘extractivism’ refers to the extraction of minerals, oil and gas, and in the understanding of the writers, water, forest products, new forms of energy such as solar and hydro, and industrial forms of agriculture, which grab land and extract vast quantities of water in the production process. But extractivism also importantly refers to the conditions under which these resources are extracted and whose interests they serve, speaking to a dominant and highly unequal model of development which “organizes – on the basis of the exploitation and marketing of resources for export – the political, socio-economic and cultural relations within the respective country or region: the economy and class structures, gender relations, the state and public discourse.”

Food sovereignty
A term, first used by La Via Campesina (the global movement of peasants) in 1996, which asserts the right of peoples to define and control their own food systems. The Declaration of Nyeleni adopted at the Forum for Food Sovereignty in 2007 asserts that: “Food sovereignty is the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems. It puts those who produce, distribute and consume food at the heart of food systems and policies rather than the demands of markets and corporations. It defends the interests and inclusion of the next generation. It offers a strategy to resist and dismantle the current corporate trade and food regime, and directions for food, farming, pastoral and fisheries systems determined by local producers. Food sovereignty prioritises local and national economies and markets and empowers peasant and family farmer-driven agriculture, artisanal fishing, pastoralist-led grazing, and food production, distribution and consumption based on environmental, social and economic sustainability. Food sovereignty promotes transparent trade that guarantees just income to all peoples and the rights of consumers to control their food and nutrition. It ensures that the rights to use and manage our lands, territories, waters, seeds, livestock and biodiversity are in the hands of those of us who produce food. Food sovereignty implies new social relations free of oppression and inequality between men and women, peoples, racial groups, social classes and generations” (Nyeleni Declaration 2007, para. 3).

Legally binding instrument or framework
A legally binding instrument is a Treaty or a Protocol, which must be ratified if a country is to be bound by it; merely signing the Treaty is insufficient. In some countries, even if parliament has ratified the Treaty, it must still be ‘domesticated’ (translated into national law) for it to have force and effect in local courts. In general terms, however, if a country has ratified a Treaty it is then generally considered to be part of national law and rights holders can agitate for the enforcement of the provisions of the Treaty, as they would any other national law. Once a Treaty is ratified, a country is duty bound to periodically submit state party reports that outline measures being taken to implement each provision. CSOs may also submit what are called shadow reports to offer an alternative assessment on country performance to the relevant Treaty-monitoring body in the hope that their concluding observations on state party reports would make specific recommendations to compel specific actions by government, although this outcome is not guaranteed.

41 The value of natural resources, such as water and land and mineral resources are ‘embedded’ in the agricultural outputs, but are not valued and acknowledged in the setting of market prices. We refer to this as ‘embedded value’.
42 Ulrich Brand, Austria & Germany: Energy policy and resource extractivism: resistances and alternatives, RLF reader for WSF, Tunis
43 Skype interview, Tinyade Kachika, 16 July 2013.
REFERENCES


ACKNOWLEDGEMENTS

The overall editor of this collection of papers is Samantha Hargreaves, the IANRA WoMin project coordinator. Samantha has a long history of activism in the areas of women’s rights, land and food rights, and now extractivism. She has been allied to movements of rural women and landless people in South Africa and the Southern Africa region since the early 1990s. She is currently working alongside the regional RWA, and is involved in a South African effort to build a national forum of women from mining-impacted communities. She is an associate researcher at the Society, Work and Development Institute at the University of the Witwatersrand in Johannesburg.

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WOMEN, GENDER AND EXTRACTIVISM IN AFRICA
A COLLECTION OF PAPERS

PAPER TWO

WOMEN MINERS:
NAVIGATING
DIFFICULT
TERRAIN
UNDERGROUND
In this starter collection of six papers, which focuses on Sub-Saharan Africa, WoMin begins to explore some of the themes and questions that are raised by extractivism, and industrial mining in particular, and its impacts upon, and ‘relationship to’ peasant and working-class women. By ‘relationship’, WoMin refers to the myriad ways – within the home, in the fields and in the workplace – in which women, in mainly invisible and unrenumerated ways, participate in, shape and contribute to the ambitions and profits of the extractivist industries. The papers aim to make a modest contribution to supporting peasant women and their allies to counter the growing social and ecological crisis linked to the extractives industries in the region. Each paper has been written by a different set of authors, supported by various respondents who are specialists in the specific ‘question/s’ addressed by the paper, or have a general interest in the work of WoMin. WoMin is a programme of activism and research related to women, gender and extractivism in the Africa region and is housed in the International Alliance on Natural Resources in Africa (IANRA), a global alliance of organisations working on natural resource questions.

1 See Background Note for a fuller discussion of the concept of ‘extractivism’. The major focus of this collection of papers is industrial mining, which is one form of extraction.
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ABOVE: Mine in Potosí, Bolivia. Photo: Martin St-Amant, Wikimedia Commons
1. INTRODUCTION

I am a mine worker and wish to tell you my story. I am an orphan and have been working in the mines since I was a child. Every day, I am busy with the work in the mines and rush back home for housework. I work in the cooperatives. Our working conditions are very bad and so we had to struggle to improve conditions … [I] feel that women are capable of doing all kinds of work, so women should come forward and not remain in the background. We take help from the police in case of problems. Both men and women work equally to extract the minerals from underground. I am representing the women’s cooperative federation in the conference. Through [the] national women mineworkers federation we struggle for our rights and sometimes it becomes so dangerous that we have to give up our lives. The federation works to strengthen our rights and to fight for better positions in the mining. I want to make the lives of women mineworkers better. (Margirita Alcala, Bolivia)

The field of mining is typically understood as a very masculine enterprise, but this introductory paper will show that women’s participation in industrial mining is significant and not a new phenomenon. The stories of women miners in South Africa, India, the United States, and Australia each tell a different aspect of women’s experience in industrial mining – from sexual harassment to unequal wages and working conditions to the exploitation of their reproductive labour.

The history of women’s involvement in industrial mining is different in each country and has an impact on women miners’ lives and experiences. In South Africa and Australia, for example, the national governments have made a deliberate effort to recruit women into the mining sector, passing legislation that encourages (and sometimes enforces) mining corporations’ employment of women miners. However, women’s legal inclusion in the mining sector has generally not been a liberating experience for women as they have stepped into extremely masculine and already deeply exploitative (in class, race and ethnic terms) work cultures and environments; and there has been little or no adaptation of facilities, work clothing, policies and work practices to address the physical and social differences between women and men. The very institutions that should fight to defend worker rights – the trade unions – are places, at least in the South African context, in which women feel embattled and unsupported.

Working-class and peasant women, in particular, have experienced a particularly exploitative relationship to industrial mines for well over a century. Mines have incorporated women’s productive labour – as in the case of South Africa’s asbestos mines, or India’s coal and mica mines – on terms that are generally more exploitative than their male counterparts. While the specificities of exploitation vary from context to context, women may typically be recruited on contract or through labour brokers, paid less than their male counterparts, predominate in the more dangerous tasks (such as cobbing work in the asbestos industry), and be treated as elastic and expendable: women, for instance, are often recruited and dismissed as the production process requires (McCulloch, 2003: 414; Nandi & Aich, 1996).

But women’s contributions to the industrial mines extend well beyond their wage labour. Women’s reproductive work – the labour involved in reproducing the current and future generation of workers – greatly benefits the mines and their profit margins, as well as the male workers. Women workers perform reproductive (cleaning, nurturing and cooking) work in the mines for male workers over and above their productive duties. In fact, the Australian example (see section 3.2) shows that women miners were actually recruited to bring a domesticating and civilising influence to the mines, which corporations calculated would support productivity increases. And women’s unpaid labour – domestic work, water harvesting, growing subsistence crops, caring for the sick etc. – in the household and community save the mines the cost of provisioning shelter, health services, canteens and water services for workers and their families. Women’s reproductive labours, despite and because of their centrality to capitalism (the mines) and patriarchy (male workers), are invisible undervalued and not paid. Women’s reproductive labour and extractivism is addressed in more detail in Paper 4: Women’s Unseen Contribution to the Extractives Industries: Their Unpaid Labour.

2. MINING AS MASCULINE

Historical and contemporary research and writing on mining and miners has usually been from a masculine perspective. Miners are seen as the manliest of men: hard-working, tough and willing to get dirty to extract valuable ore from the earth. These characteristics are at odds with how women are expected to behave and thus actively exclude women from consideration for mining employment. This mythology of masculine mining is kept intact through a combination of social and legal provisions that discriminate against women. Women’s exclusion is justified as a protection: women are excluded for their own safety and to protect them from the harsh realities of a mining existence. The International Labour Organization’s (ILO) 1935 decision to legally prevent women from working underground was justified in precisely those terms: the protection of women workers from the dangers of mining. The ILO’s decision, though delayed by many years, followed Britain’s earlier 1842 legislation that barred women from mining work.

The historical cycle of exclusion, which initially banned women from mining on the basis of their alleged physical incapability, concentrated women in the position of secretary, miner’s wife or prostitute (or in South Africa’s case, shebeen woman) thereby reinforcing the sexual division of labour. Women typically struggle to firstly, enter the industry and secondly, obtain work in employment categories that pay the highest wages, thus reinforcing their poverty and continuing the cycle of exclusion (Lahiri-Dutt & Macintyre, 2006: xiv). And while they may labour hard in the informal sector, in subsistence farming and in other economic sectors, including artisanal and small-scale mining (ASM) (as discussed in Paper 6), the work that they are associated with is the domestic and care work, which is unpaid and accorded little value by society. By contrast the extractives work carried out by men is considered important and valued:

ABOVE: Mine workers at NFC Africa Mining shaft at Chimbishi. Photo: Christian Aid/David Rose

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3 Other social factors such as race and ethnicity also deeply influence the symbolism of mining. In North America, for example, the symbolism there is influenced by a ‘white male breadwinner ideal’, constructing mining and other forms of work as ideal for white men except in situations where it has best suited the economy to open these jobs up to women and people of colour (Mercier, 2011).

4 The persuasive influence of British legislation is demonstrated below, in descriptions of how traditions of artisanal mining are altered by the arrival of British colonialists.
The hypocrisy of patriarchal social values and fixed notions about a woman’s place reinforce the delineation and distinction of male and female roles in mines. In prohibiting their participation in wage labour, they effectively confine women to domestic and marginal economic roles. (Lahiri-Dutt & Macintyre, 2006: 6)

Legal exclusion also has a western, colonial influence. Many of the countries that barred women from working underground were following Britain’s lead. Ultimately women’s historical exclusion from mining has been politically and economically convenient. When women’s more refined labour has been needed or when men have been absent in large numbers, such as during war, women have been easily deployed to mine. Women are also called upon when the work becomes low paid and it is often this work that is then reconfigured and presented as women’s work. In some circumstances, women workers are regarded as being more responsible, less likely to abuse alcohol and more industrious than their male counterparts, hence justifying their participation in the world of work (Nandi & Aich, 1996: 178).

Women’s exclusion from mining has emerged at particular historical moments and quite unevenly across the world (Mercier & Gier, 2007: 996). In pre-colonial Africa, for example, women worked below ground, but in the pre-colonial Andes, women were considered bad luck and prevented from mining. For women who had played a role in mining in pre-colonial settings, “global historical forces of colonialism or capitalism often altered customary gender roles in mining, limiting women’s customary rights over mineral wealth” (Mercier & Gier, 2007: 996). Women’s legal exclusion from mining is also closely associated with the industrialisation of mining: “mining became more exclusively associated with men as it became more capitalised and centralised” (Mercier & Gier, 2007: 996). Even so, women’s involvement in mining has persisted and increased at moments when there has been a shortage of male labour, or when production needs of corporations shift and jobs are converted to contract and/or low-paid, and are no longer appealing to male workers (Gier & Mercier, 2006: 5).

The “exaggerated masculinity” (Mercier & Gier, 2007: 997) of mining is also tied to capitalism. The male miner is understood as the perfect representative of the working class – hard working, tough and fearless - in capitalist society. Their wives, on the other hand, are not viewed as active participants in and contributors to the economy (as they indeed are) but rather as “peripheral and purely domestic beings” (Lahiri-Dutt & Macintyre, 2006: 2). This construction of women as miners’ wives places them at the intersection of “capitalist exploitation and patriarchal exploitation” (Lahiri-Dutt & Macintyre, 2006: 2).

The masculinity of mining also expresses itself in the way resistance to mining corporations is studied and described. As archetypal working-class men, miners’ resistance efforts have been given close academic and activist attention. The role played by women in these resistance efforts, however, has often been overlooked with some exceptions, such as the story of Domitila Barrios de Chungara, the wife of a Bolivian tin miner (De Chungara & Viezzer, 1978). Women’s crucial participation in and support to mining protests and strikes acts as a challenge to both capitalism and patriarchy, placing women in a precarious position and giving rise to conflicts between men and women.

When women are involved in mining, the activities they predominate in are presented as secondary to the main business of mining and characterised as women’s work. Women’s stereotypical capabilities, including physical weakness, are defined positively as attributes that enable women to carry out these activities. These tasks include processing, cobbng (discussed further in section 4.1), transport and other so-called supportive jobs. In these jobs, women profit from their diligence (an attribute characterised as feminine) that compensates for their lack of strength (a masculine trait). This paper challenges the mainstream convention by thinking about women’s work on the mines as valuable and productive, as one part of the numerous activities that constitute the terrain of mining.

5 This is explained in further detail in Paper 6 on artisanal mining and describes women’s performance of processing work.
3. WOMEN MINERS IN THE GLOBAL NORTH

Women’s involvement in mining in the global North is mainly shaped by (white) women’s unprecedented entry to the workforce during World War II. The absence of working men forced even those overtly masculine industries (such as mining) to hire women, which led to a radical shift in women’s thinking about gender roles and the division of labour. Though the women were forced out of these jobs when the war ended, the seed of the struggle for women’s equal access to employment had been planted, culminating in today’s gender equality initiatives that require mines to recruit and retain a quota of women employees.

3.1 Identity construction in the mines: a US case study

Research conducted in a US mining community, which the authors Kirsten Lucas and Sarah Steimel refer to as Irontown, has found that male miners and their female intimate partners (who are non-miners) build a distant “highly gendered generalised other” (the mining woman) from which they distance themselves. On the other hand, women who work in mining build an identity that both links to but also distances them from this generalised other (Lucas & Steimel, 2009: 320).

In this study, the subjects were male employees and retirees, their wives (who were not mine employees) and children. The mining company in the town had established a summer programme that employed the college-aged children of its regular employees. These children tended to work in the same jobs as their fathers and earned enough to pay for college tuition the following year. The companies paid the youth wages without benefits and thus enjoyed savings in their wage bill. The women miners interviewed in this study were participants in this summer programme and, as Lucas and Steimel point out in their caveat, their views on women miners’ identities is mediated by the fact that they were temporary workers and the daughters of miners.

The male miners and their wives (14 of whom were interviewed as couples) presented three main arguments about why women were unfit for mining: “(a) women are too physically weak to mine; (b) women are easy prey on the mines; and (c) the mines are no place for ladies” (Lucas & Steimel, 2009: 324). The authors refer to this characterisation of women mineworkers as the “gendered, generalised other”. For the first argument, participants argued that women’s physical weakness was a liability requiring men to leave their own duties to assist women and/or expose them to danger; and the lowering of performance standards (Lucas & Steimel, 2009: 331). That there were jobs in mining operations that did not require brute strength was irrelevant to these participants; when it came to measuring a woman’s ability to work in a mine, “strength was the only criterion that mattered” (Lucas & Steimel, 2009: 332).

The second argument against women working in the mines – the woman-as-easy-prey narrative – is built from a mainly sexual perspective, with the industry’s hypermasculinity seen to pose a significant danger to women workers. This argument is meant to discourage women from entering mining operations and is best demonstrated in the warning of male miners to their daughters to stay away from certain men and not let their behaviour intimidate them. Though this desire to protect women workers might be genuine it is problematic in its failure to address the perpetrators of sexual harassment. Women are presented as the liability in the mines because they distract men from their work – either by causing their own sexual harassment or by requiring the protection of other male workers (Lucas & Steimel, 2009).

The construction of women as “ladies”, deserving of respect, is the third argument for why women should be excluded from the mines. The idea that a mine, dirty and sexually explicit, is no place for a “lady” once again places the responsibility on women to avoid compromising situations rather than on the mine and its employees to modify the context and change sexist behaviour. It is women who ought not to enter mines and not men who ought to end abuse and harassment of female employees. Women miners respond to this effort to exclude them in three different, sometimes simultaneous ways: “(a) I can be one of the guys; (b) I’m not like other women; and (c) I can be feminine, too” (Lucas & Steimel, 2009: 336).

6 Women in the US were granted the permanent legal right to enter the mining industry in 1973. In 2006, women comprised 13% of the workforce and earned 73% of men’s wages.

7 See section 4 for more about sexual discrimination and male-dominated workplaces.
The first response – I can be one of the guys – is a direct rebuttal to the gen(d)eralised other, particularly the concern over women’s physical weaknesses. The women who respond in this way tend to emphasise their physical capability by trying to be “one of the boys” (Lucas & Steimel, 2009: 337). The second response is “gender distancing” (Lucas & Steimel, 2009: 338), in which women miners report that they are different from the other women employed at the mining company. They distance themselves from the negative gender stereotypes by pointing out other women who meet those stereotypes. The third strategy is one of “gender linking” (Lucas & Steimel, 2009: 338) in which both a woman miner’s physical strength and her (desirable) feminine attributes are emphasised. One participant describes how she was hounded to bake a cheesecake as a joke. The participant eventually gave in and baked the cheesecake. The ability to take a joke was constructed as masculine (jokes and pranks define the hypermasculine mining environment), but in order to take the joke the participant was forced to engage in stereotypically feminine behaviour – baking (Lucas & Steimel, 2009).

The women miners described above experienced the hypermasculine mining industry in particular ways due to their privileged position – they were typically college students working as temporary miners, with greater employment prospects than their fathers and mothers before them. Women miners in other parts of the world, particularly the global South, experience and cope with the stresses of the mining industry in ways that reflect their social position. Women miners in Australia respond to working conditions in a male-dominated mine by ignoring it or challenging it, with differing results.
3.2 Women’s civilising influence on the mines: an Australian case study

In Australia, research conducted at a state-of-the-art gem mine addresses the gendered ways in which recruitment takes place. Despite efforts by mine management to attract women to the mine, sexist recruitment and work practices still continued. For example, different criteria and standards were set for operators, and for managers and superintendents that were deeply gendered. In the recruitment phase, individuals who did not have experience in mining (mainly women) were preferred for operator positions, while individuals recruited for superintendent positions were required to have mining experience combined with certain personal characteristics – aggression, inflexibility and decisiveness - in order to better exercise control over the operators. The characteristics associated with a superintendent role were therefore constructed as masculine (Eveline & Booth, 2002).

In fact, the mine management’s support for the voluntary affirmative action programme for women initiated by the Australian government in 1986 was pragmatic. The mine hoped that women employees would have a civilising influence on the aggressive male workforce, leading to better safety records and better care of the machinery. Managers justified women’s employment on the basis of the positive effect it would have on male workers – the workplace would be cleaner and hence more comfortable, there would be fewer fights, and women would add some sexual excitement. “Management set ground rules signifying men as those whose comfort, self-image, quality of life, and thus position of primacy, were uppermost” (Eveline & Booth, 2002: 567).

Women described being subjected to sexual surveillance by male colleagues and complained about crude sexist jokes and stories. In line with the practice in other male-dominated industries, men employed various devices to maintain the subordination of women: practical jokes, failing to warn women workers of potential dangers, and the designation of some tasks that women excelled in as women’s jobs, which were devalued. Some male workers described their exaggerated sexist behaviour as a response to women coming into the workplace after men had already staked their claim, a phenomenon that might be described as “prior male rights” (Eveline & Booth, 2002: 571).

Some women worried that the lodging of complaints would only aggravate the men further and lead the company to conclude that employing women was a costly mistake. The opposite occurred, however; with women realising that they were employed for important pragmatic reasons to guarantee greater safety and higher standards in the companies’ operations. Only they could perform the secondary duties expected of them and thus, their jobs could not be in jeopardy, even when the men were challenged or angered. Women occupied a contradictory position in which they simultaneously experienced inequality, but were recognised and legitimised by mine management.

This Australian case illustrates that reducing gender inequality to a numbers game, as opposed to a culture and social problem does little to counter male privilege in the workplace. State legislation, especially non-compulsory state legislation, alone cannot solve the problems of gender inequality in the workplace, and a highly masculine workplace at that.

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8 Refer to the Glossary for a definition of ‘gendered’.
CHAPTER 4: WOMEN MINERS IN THE GLOBAL SOUTH

For centuries, extractives industries in the global South have profited greatly off the labour of black and indigenous workers – this labour was first forced under conditions of slavery, then unfairly extracted by colonial authorities who instituted tithes and taxes to force colonised populations to labour, and in more recent years, the privatisation and commercialisation of lands, agriculture and natural resources, which have left dispossessed peasants with little choice but to yield their labour on continued unfair terms. Gender has, however, typically been downplayed or ignored in structural (race and class) analyses of the mining industry and its history in the global South (Chauncey, 1981). This paper goes some way toward highlighting and addressing this imbalance, by exploring the variety of ways in which women’s productive work on the mines has shaped the industry. The other related question – of women’s reproductive work and its relationship to the extractives industries – is theorised in Paper 4: Women’s Unseen Contribution to the Extractives Industries: Their Unpaid Labour.

4.1 Women mining asbestos in South Africa

Despite the South African government’s 1911 Mining Act, which barred women from underground work, women have played a significant role in the South African asbestos mining industry: “until the industry’s twilight in the 1980s, females comprised up to half of the asbestos mineworkers in South Africa” (McCulloch, 2003: 414). The persistent stereotype of the male miner has rendered invisible “certain kinds of work and, in particular, the work performed by women” (McCulloch, 2003: 414). The lack of official records on women’s contribution to asbestos mining in South Africa has sustained this invisibility.
Though asbestos mining no longer takes place in South Africa, the history of women’s involvement in this sector can reveal much about women’s work in the contemporary global South. Asbestos was easy to mine because it was located near the surface. At some mines, women were paid an independent wage while at others their wage was incorporated into that of their male partner or husband. Women were also employed casually, which contributed to their invisibility in official records. As the industry matured and industrialised, women’s involvement decreased but was not totally eliminated. The reasons were principally economic – industrialisation led to additional labour costs to company of food rations and medical care. Women’s poorly paid labour kept operation costs down to supplement for the higher wage bill of male workers in an industrialising mine.

When official counts of labourers were taken, women’s labour was left out thus excluding the important labour they performed. Women in this industry mainly carried out cobbing, which is the hand processing of the fibre extracted from the ground. Cobbing is badly paid:

> and thus from the side of capital, the major appeal of female labour and cobbing was the cost. The rates of pay for cobbing, hand sorting fibre, and sweeping mills – all tasks done by women – were lower than for the work done by men. Often the female wage was subsumed into the male wage, thereby allowing employers to get two workers for the price of one. (Benya, 2009: 18)

Cobbing is also amongst the more dangerous activities associated with asbestos mining. The combination of low wages and danger would therefore have contributed to the construction of cobbing as women’s work.

In this case, women’s legal exclusion from mining contributed to their subordination. Mine managers could get away with paying women cobbers lower wages because of the informal arrangement of work. Women’s invisibility also limited the compensation women could claim if they experienced health problems associated with cobbing. Once more, the mythology of the male miner, expressed through law banning women’s work on mines, contributed to women’s subordination and exclusion.

**ABOVE:** Cobbing operations, Westerberg Mine, Cape Asbestos Company, South Africa.

*Photo:* Geological Survey Division, 1917
4.2 Women miners in contemporary South Africa

In 2002, the Minerals and Petroleum Resources Development Act (MPRDA) made the broad commitment to expand opportunities for women, later translated into the Mining Charter, which put in place a 10% quota for women’s participation in mining employment to be achieved by 2014. The quota system has led to more women miners being recruited, but poor working conditions have led to problems with retention.

Women miners endure many challenges. To qualify for recruitment, they must pass several physical tests, many of which cannot be conducted when women are menstruating, pregnant or breastfeeding. Work clothing is not suitable with one-piece overalls hampering women’s ability to use the toilet, particularly problematic in confined spaces underground. Women workers also complain of a lack of separate ablution facilities for women. Black women complain that they earn less than their male and their white counterparts. And male miners treat women with suspicion, seeing them as “trophies, lazy and slowing down the work process” (Benya, 2009: 127).

Women are often characterised as bad luck, as incapable of doing the work, and blamed when a team fails to meet its production targets. Management and male peers similarly construct women workers as “discontinuous labour”, contending that they are not committed to their jobs and hence less likely to be promoted (Benya, 2009: 18).

Women miners have complained to their unions about two main concerns – the prevalence of sexual harassment and the absence of adequate maternity provisions. Instead of addressing the harassing behaviour of male miners, the unions treat sexual harassment as an inevitable consequence of women’s presence in a masculine environment. Unions have also failed to address mine management’s problematic practices related to maternity leave. Employers are required to find less risky alternative employment for pregnant women, but if such employment is not available, they can force women to take early maternity leave. The result is that women must return to work soon after the birth of their baby, potentially compromising the health of the child and affecting mother-child bonding, or lose income. The unions’ reluctance to take on women’s issues reflects the sexism and hypermasculinity of the mining industry (Benya, 2009).

Benya’s research (2009) uncovers a variety of coping strategies enacted by both men and women to address the disruptions that women’s entry to the male-dominated workforce poses. The division of labour that is negotiated underground attempts to mirror the traditional division of labour in the household, with women performing supportive work (cleaning and fetching water) while the men engage in the primary mining activity (rock drilling, lashing the ore, and winching the ore from the face to the tips). Here, South African women miners’ experiences echo that of the American temporary miners who were forced to engage in stereotypically feminine behaviour to diminish the challenge their presence posed to male dominance. This behaviour can be described as strategic essentialism – the women rely on stereotypes of femininity to cope and are able to secure advantages like getting off work early.

This stereotypical feminine behaviour is also expressed sexually. Some women engage in sexual relationships in order to improve their home or working lives. This usually involves the exchange of sex for transport, money or help on the job. This impacts women negatively in terms of how they are perceived in their communities and introduces tensions into relations with women workers’ stable intimate partners, including and especially male partners who also work on the mines. With the unions disinterested in addressing so-called women’s issues, women miners are forced to develop their own informal coping strategies, described above, which further entrenches gender inequality (Benya, 2009).

The South African contemporary experience, like that of Australia, illustrates that merely changing the law does not automatically lead to a change in the culture of the workplace, leading Benya to conclude that “the legal incorporation of women in these industries does not itself guarantee equality” (Benya, 2009: 18).
ABOVE: A caring company? In January and July 2013, thousands of workers went on strike to protest against Anglo-Platinum's plan to shut mining shafts and lay off between 6 and 10 000 workers, South Africa. Photo: Bobby Marie
4.3 Women miners in India

According to the Indian 2001 census, women miners in India comprise about 14% of the recognised labour force in the mining sector. However, most women fall under the census category marginal workers⁹ (Government of India, 2011) and their participation in the mining industries may therefore sit closer to 33%. Women predominate in the dolomite, mica and clay mines, the stone quarries and the salt mines (Lahiri-Dutt, 2008; Ghose, 2005).

Research conducted in three eastern states of India concludes that women are concentrated in the lowest paying jobs in mines and have limited access to maternity and child-care benefits, echoing the experience of South African women miners. In many cases, ignorance of and limited access to the law is a contributing factor to women miners’ continued oppression. This research describes a division of labour producing three categories of women workers:

1) Piece-rate workers who break “ore into specified sizes, sorting, screening and filling ore in measured boxes” (Nandi & Aich, 1996: 179) and who are paid according to the work completed.
2) Hazri labourers who do a variety of jobs including the transportation of clay and are paid a guaranteed minimum wage.
3) Permanent workers who are office staff, with more experience and better paid (Nandi & Aich, 1996).

Women predominate in the first two categories. These types of labourers may be local residents or migrants and are sometimes provided with accommodation, though this is typically substandard. The provision of benefits to women labourers is avoided in two ways: (a) owners of small mines claim that they do not have the economic resources to provide the legally stipulated maternity and child-care benefits; while (b) the more prosperous owners skirt these responsibilities by recruiting through labour contractors (Nandi & Aich, 1996).

Intensive field research undertaken in 2009 by GRAVIS (a community development organisation) in mining sites in four districts – Jodhpur, Bikaner, Barmer and Makrana – of the Rajasthan state of India, highlights the experience of women miners in open quarries of mainly sandstone, clay, granite, marble and salt. Out of a wide research focus on inter alia women miners’ earnings, the division of labour; their working conditions, and the occupational and health impacts of their work, we will focus here on their motivations for and history of working on the mines. By way of background, more than 95% of mining activities in Rajasthan falls in the domain of the unorganised sector:¹⁰ 37% of Rajasthani miners are women, and most of them are dalits (of the lower castes) and Adivasi.¹¹ It is also to be noted that in Rajasthan 95% of mineworkers are migrants, with at least 60% to 70% of this number migrating within the state (GRAVIS, 2010).

Because of the invisibility of women’s work on the mines there are no formal records of women’s labour, however the oral testimonies of the women indicate long years of inter-generational service amongst women within their families, often extending back to the mines’ inception. Of the women miners reached through the GRAVIS research, most had been working for the last 10 to 15 years, while more than 10% had worked for longer than 20 years in the mines of Jodhpur, Barmer and Makrana. About 96% of the women miners had started work in these mines before the age of 18 years, with many working from as young as 13 years (GRAVIS, 2010).

Research undertaken in 2003 and 2009 indicates that women work to increase family incomes because there is “no other means of work”, and to “help their husband [bring] ... food to the house” (GRAVIS, 2010: 18). The impetus for women to labour on the mines importantly links back to occupational health and safety impacts, and social problems arising from the poor and unsafe working conditions in the mines. Women mine because of their husbands’ death or incapacitation from mine-related diseases or accidents, or to work off family debts to mine owners. The desperate working conditions on the mines also lead to drug and alcohol addictions amongst male workers, and the consequent loss of employment or disability is a factor pushing women into the very same hellish work environment. Many women miners are the main breadwinners for their families (GRAVIS, 2010).

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⁹ Refer to the Glossary for a definition of marginal workers.
¹⁰ Refer to the Glossary for a definition of the term unorganised sector.
¹¹ Refer to the Glossary for a definition of the term Adivasi.
Women break boulders into cricket-ball sized chunks of stone, stone quarry, Pune Maharashtra, India. Photo: Oxfam Australia.
**BOX 1:**
RAJASTHANI WOMEN MINERS AND THEIR HISTORY OF WORK ON THE MINES (GRAVIS, 2010: 18–22)

**Rameri** is a 40-year-old woman who worked most of her life in the mines. Following [in] the footsteps of her mother and grandmother, and then her mother-in-law, Rameri spent many years breaking stones in the mines. She recollected how poverty led their induction into the mines ... how thousands of women like her are working at the mines from a very tender age ... doing the same tedious job of breaking and loading stones.

At 50 years of age, **Rameshwari Devi** can’t remember when she started working in the mines. Life as a mineworker has left her with nine miscarriages and no children. Since her husband could not work because of his drug addiction and asthma, she was forced to work through her pregnancies in order to take care of him and herself. And unfortunately, the only opportunity for work is in the mines.

**Santu Devi,** 25-years-old, works in the mines just to earn 40 rupees [per day], which is barely enough to take care of her children and husband, who is suffering from tuberculosis. However, even when she comes to the mine in the morning, she is not guaranteed work. Sometimes she has to wait all day for an opportunity that may not come.

Twelve-year-old **Suki** and her older sister toil unhappily in the salt mines of Barmer district, earning a total of 60 rupees per day, barely enough to cover household expenses. The two sisters suffer constant abuse from the mine contractor, and their lives get worse when they arrive home in the evening, exhausted and hungry. Instead of food and rest, they face the wrath of Bharm Ram, their alcoholic father. Bharm Ram stays at home, suffering from ... asthma and tuberculosis; without anything better to do, he takes liquor each night and beats his daughters while drunk.
5. WOMEN’S REPRODUCTIVE LABOUR AND THE MINES

Like other working women, and in the absence of state and corporate support for reproductive work, mining women’s difficulties in the workplace are exacerbated by their primary responsibility for domestic tasks, such as child care, cooking, and cleaning in the home. In some cases, women are expected to perform these tasks in the workplace too, as has been shown in the case study on women miners in Australia.

In South Africa, women’s involvement in asbestos mining can be traced by examining the records related to housing for married men. Asbestos mines generally provided family accommodation, a quite anomalous situation in the mining industry, whereas other mines (gold and diamonds, for example) encouraged migration by single men and generally limited family housing to managers and supervisors, most of whom were white at least until 1994. The orientation of mines to worker housing reflects their calculation of the costs of accommodating miners’ families versus productivity gains. Considerations here would be the value of women’s (and to some extent, children’s) labour, both in a productive and reproductive sense, and likely productivity effects of male workers living in more settled family units. That asbestos mines provided family accommodation demonstrates the significance of women’s contribution. As discussed in section 4.1 (on women’s involvement in asbestos mining), women’s labour was cheap, women were considered more ‘suitable’ to the manual work of cobbing, and importantly, during the transition phase to industrialised asbestos mining, women’s poorly paid labour kept operation costs down.

Owners and managers of asbestos mines also benefited from the reproductive labour women performed: ‘the archival records suggest that women’s skills were important in saving employers the cost of running canteens or treating sick workers’ (McCulloch, 2003: 422). Women’s presence therefore made financial sense to the asbestos mines – to the nature of the work process associated with the mining and processing of asbestos, and how this was structured to maximise profits – and was therefore supported through the provision of family housing for workers. On the other mines – gold and diamonds in particular – women’s labour was needed to support and subsidise the reproduction of miners’ families and the next generation of workers in the deep rural areas from which they migrated, and following this logic, family housing was discouraged. The geomorphology of the mineral, how it is mined and the level of mechanisation required to extract the ore shapes the production process and the labour required, influencing mine decisions about whose labour is required and hence how workers should be accommodated.

In post-apartheid South Africa, the migrant labour system remains substantively intact, while the old apartheid-era modality of accommodating workers has changed. The South African Mining Charter requires that all single-sex housing compounds be transformed into family housing by 2014 and that mines facilitate home ownership options for all mineworkers, also by 2014 (Mining Weekly, 2002). The mines have, in this new era, been able to substantially avoid their responsibility for housing and servicing workers by agreeing to a ‘living out allowance’ of R1 800 (US$180), negotiated with the agreement of the major mining unions, which effectively places responsibility for the daily reproduction of workers in the hands of individual miners and their wives, girlfriends and/or other family members. With this allowance workers are expected to shelter themselves and provision basic services such as water, energy, roads and sanitation without corporate support and in a context in which the state is substantially absent. The burden of responsibility to manage the reproduction of labour and life with no or minimal services principally falls to women in the dense informal peri-urban settlements that surround the industrial mines in South Africa (Hargreaves, 2013).

In India, women’s participation in mining has led to negative health impacts, including diseases like malaria and dysentery. This is exacerbated by the gradual depletion of forest wealth and displacements from land, which women rely upon for subsistence and traditional medicine. Women’s low wages mean that they have limited ability to provide for their families during periods of illness, and restore their own selves back to good health. The gender division of labour, and a culture of self-sacrifice inculcated in women is such that women are more likely to sacrifice their own healing and care to attend to the needs of others, and this is no different for mining women. Migrant women miners are even more vulnerable due to their lack of access to familial child care. These women are forced to take their infants and children to work with young girls either looking after infants or fulfilling their mothers’ duties when they take a break (Nandi & Aich, 1996).
Women’s reproductive work benefits the mines, which effectively unload the burden and the cost of reproducing present-day workers and the next generation of workers for the mining companies onto poor and overworked women. Women’s reproductive work also benefits men in households – women’s work services their needs for food, water, care and sex. And communities also benefit as women work to provide and maintain community assets and services such as forests, water, health care and schooling. While this work is essential to the well-being of households and communities across the globe, this work is usually unrecognised, invisible and undervalued.

**ABOVE:** Woman small-scale miner, Tanzania, shares her worries about the future of her children given her precarious and unsafe livelihood. Photo: Evans Rubara.
6. DRAWING CONCLUSIONS AND MAKING RECOMMENDATIONS

The following main conclusions emerge from the analysis presented in this paper:

- Mining represents the intersection of patriarchy and capitalism, usually symbolised in the figure of the working-class, overtly masculine miner. Women’s entry into this industry is disruptive but does not radically alter the long-established gender hierarchy that is integral to mining. Women are typically cast as the intrusive force, which should adapt to the mine environment, rather than the other way around. They are forced into restrictive gender roles, in a working environment that is also repressive to men. There is therefore limited opportunity for women’s emancipation when they enter the workforce in capitalist society.

- The experience of women miners is deeply shaped by geography, the type of mineral mined, the wider socio-economic and cultural context in which the mine operates, the policy environment, and by social factors such as race, class and ethnicity. The extent to which women’s work is legal and protected is also significant in influencing women workers’ experiences – their wage levels, occupational safety and compensation.

- Despite the vast differences between women miners’ experiences across the globe, there are some important similarities, especially in the coping strategies employed by women. These often involve women engaging in stereotypically feminine behaviours such as flirting or gaining favours from men by exploiting their sexuality, which leads to the perpetuation of gender inequality in the industry.

- Finally, the paper touched on women’s experiences within the trade unions in South Africa, concluding that these are spaces in which women feel embattled and unsupported, echoing their experiences in the male-dominated capitalist work environment of the mines.

6.1 Moving forward

There is much work to be done to address the situation of women miners in specific countries and at a regional and continental level. This work should ideally be taken forward through organised unions and global worker federations, but women’s experiences of male co-workers and of male-dominated union leadership (in the South African context at least) tell us that this solidarity and support is unlikely. The paper has not been able to delve much, given the absence of literature and documentation, into understanding how women are organising within trade union structures, or how women may be seeking support and building solidarity outside of the mines and their various institutions, including the unions. Women miners’ organisations should form the basis for women to press for unions to take up their cause, although there does seem a long and difficult battle ahead.

The most viable point of intervention for the transformation of working conditions of women workers may ironically lie within the mining industry itself in concert with international finance institutions, such as the World Bank and more particularly the IFC. The IFC is already deeply immersed in efforts to increase the numbers of women miners employed in major mining houses in countries like Ghana and South Africa. The IFC and the now notorious Lonmin PLC (implicated in the massacre of 34 striking workers in August 2012 in South Africa, for example, have worked in partnership to develop “innovative solutions allowing Lonmin to increase its female workforce, as required by South African Mining legislation” (IFC, n.d.). This has informed the IFC and Lonmin Women in Mining Manual to help mining companies and other extractive industries “integrate women ... and create a culture that ... retains women” (IFC, n.d.). The World Bank’s Extractives Industries, Gender and Communities work is mainly focused on “better understanding the ... gendered impact of the extractive industries, to create and share information on how to minimize risks and maximize community empowerment, and to ensure that EI projects all include a gender perspective” (World Bank, n.d.). Their work may address some of the challenges experienced by women workers, but more from a community impact and reproductive work angle. The work of the IFC and to a lesser extent the World Bank, aims for transformation of women’s experiences within the industry, but does not ask fundamental questions about the nature of the industry and the extractivist development model, within which lies deeply embedded these unequal relations of class, gender and race.
WoMin’s emergent position is that the model of extractivism itself requires challenge and deep transformation, and this is the primary task before us now. An alternative model of development must be founded on a commitment to preserve local food systems and create local employment which is decent and safe; advance smaller-scale forms of extraction that creates less social and environmental harm; protect eco-systems from damage; safeguard communities and cultural practices that are not gender discriminatory; protect the commons and public services; and value and support the labour of social reproduction and care. The driving force for this transformation must be the people and women in particular whose lands, forests and waterways are destroyed, whose communities are torn apart and whose very lives are destroyed by extractivism. These struggles will need to bring along organised workers in the process of imagining and building the needed transition to a post-extractivist future, and make particular effort to build solidarity with women workers, whose interests are in many ways akin to those of women in impacted communities.
ACRONYMS

ASM  artisanal and small-scale mining
IFC  International Finance Corporation
ILO  International Labour Organization
MPRDA  Minerals and Petroleum Resources Development Ac

GLOSSARY

Cobbing
The breaking down of asbestos rock into ore by hand.

Gendered
Biased towards one gender, typically men.

Marginal workers
Defined as those workers who have not worked for the major part of the reference period (i.e. less than 6 months).

Adivasi
literally means indigenous people or original inhabitants. In India, there are 67.7 million people belonging to what are called Scheduled Tribes, “an administrative term used for purposes of ‘administering’ certain specific constitutional privileges, protection and benefits for specific sections of peoples considered historically disadvantaged and ‘backward’... However, this administrative term does not exactly match all the peoples called ‘Adivasis’” (Bijoy, 2003: par. 1 & 2).

Unorganised sector
Refers to “all unincorporated private enterprises owned by individuals or households engaged in the sale or production of goods and services operated on a proprietary or partnership basis and with less than ten total workers” (Academic Foundation, 2008).
REFERENCES


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WOMEN, GENDER AND EXTRACTIVISM IN AFRICA
A COLLECTION OF PAPERS

PAPER THREE

LAND AND FOOD SOVEREIGNTY UNDERMINED:
IMPACTS ON PEASANT WOMEN
THE WoMin COLLECTION OF PAPERS ON WOMEN, GENDER AND EXTRACTIVISM: A BRIEF NOTE

In this starter collection of six papers, which focuses on Sub-Saharan Africa, WoMin begins to explore some of the themes and questions that are raised by extractivism, and industrial mining in particular, and its impacts upon, and ‘relationship to’ peasant and working-class women. By ‘relationship’, WoMin refers to the myriad ways – within the home, in the fields and in the workplace – in which women, in mainly invisible and unrenumerated ways, participate in, shape and contribute to the ambitions and profits of the extractivist industries. The papers aim to make a modest contribution to supporting peasant women and their allies to counter the growing social and ecological crisis linked to the extractives industries in the region. Each paper has been written by a different set of authors, supported by various respondents who are specialists in the specific ‘question/s’ addressed by the paper, or have a general interest in the work of WoMin. WoMin is a programme of activism and research related to women, gender and extractivism in the Africa region and is housed in the International Alliance on Natural Resources in Africa (IANRA), a global alliance of organisations working on natural resource questions.

1 See Background Note for a fuller discussion of the concept of ‘extractivism’. The major focus of this collection of papers is industrial mining, which is one form of extraction.
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A corn field in Ga Molekane with Potgietersrus Platinum Limited (PPL) mine in the background. Photo: ActionAid
The fields are now fenced in for the mine. This also means we have no way to go and plough the land. If we do try to grow food or collect firewood, we are told we are trespassing and confronted by a [security] convoy. We have no food, water or electricity; we can’t cook, and our houses are cracked … (Magdalene, mother and former farmer, Mokopane, Limpopo Province, South Africa) (IWMN/RIMM, 2010)

1. INTRODUCTION

Farming is how the majority of rural dwellers in Sub-Saharan Africa subsist, and hunger is one of the greatest threats to the well-being and survival of rural families. Peasant women are central to domestic food provisioning in the region, producing 60% to 80% of food consumed within rural households (FAO, n.d.), and harvesting natural resources, such as fruits and medicinal herbs and plants, which are essential to the reproduction and well-being of household members.

This paper focuses on the multi-layered question: how is extractivism, and industrial-scale mining in particular, impacting on peasant women’s land rights; their access to, control over and use of natural resources; their access to labour (including control of their own labour) for food production; and hence their own right to food and the food sovereignty of their families and the communities of which they form a part?

In section 2, the paper touches on the rapid escalation of mining in Sub-Saharan Africa and the factors that are driving this growth. Section 3 addresses the broad theme of land grabs in the region, concluding that land theft linked to extractivism – whether directly through land grabs for mining operations, or indirectly through the land losses arising from pollution, water thefts and finally through the closely related phenomenon of climate change – is significant. The loss of rights to land and natural resources through extractivism undermine food sovereignty, which concept and political vision for an alternative paradigm is explored in section 4. Section 5 address women’s land rights under communal tenure systems, arguing that extractivism’s dispossessions impact in particular ways upon peasant women because of the weakness of these systems more generally, and because of their own existing tenure insecurity in terms of these systems.

Section 6 addresses the very specific ways in which extractivism impacts on women’s land and food rights through the theft, pollution and degradation of land and natural resources, including water and air, and through the loss of male labour to the mines as a result of migration, impacting on food production levels, and contributing to other opportunity costs in the labour-sending areas.

This paper inspires with examples of how peasant women in Sub-Saharan Africa and beyond are organising, confronting, resisting and posing alternatives to the devastating impacts of industrial-scale mining on their lives, their communities and the natural resources upon which survival, life and identity rest. And finally, the paper concludes with recommendations for research and action related to the themes of land, food sovereignty and societal support for social reproduction, all read from the perspective of African peasant women.
2. THE GROWTH OF MINING IN SUB-SAHARAN AFRICA

Sub-Saharan Africa is a key player in a global mining boom driven by the energy needs and consumption patterns of the elites and middle classes of the global North and the emerging economies of the global South. Significant reserves of oil and natural gas exist in Nigeria, Angola, Gabon, Sudan, DRC and Equatorial Guinea, with recent discoveries of oil in Ghana's Jubilee Field and Uganda's Lake Albert Rift Basin, and abundant natural gas findings in Mozambique and Tanzania. The region is rich in many other mineral resources – copper, platinum, gold, diamonds and cobalt, to name just a few – with the richest known deposits in Southern Africa and the Congo River Basin, and new reserves identified on an almost daily basis.

This wealth is fuelling major extractives deals: of the 10 biggest mining investments to be completed in 2011, Ernst & Young (2011) reported that seven were in Africa. Mining group Anglo American has earmarked US$8-billion for new platinum, diamond, iron ore and coal projects on the continent, and Brazil’s Vale has committed to spend more than US$12-billion in Africa over the next five years (The Economist, 2012). In 2011, Chinese mining companies made seven major investments in the mining sector in Africa totalling US$14.7-billion; the smallest of these was worth more than US$1-billion (Campbell, 2013).

According to the World Bank in 2012 (World Bank, 2013), Sub-Saharan Africa is the fastest growing region in the world – even surpassing China’s growth rate in that same year – with Sierra Leone, Niger and Angola leading the group of highest growth countries. What these three countries have in common is new money from mineral exports. They join a long line of other countries in the region that enjoy enormous mineral wealth, but have seen increased poverty levels and rising inequality accompany their fortunes, often referred to as the “resource curse”. This “curse” results from:

- The neglect of other development sectors – including agriculture, the mainstay of rural communities – which impacts productivity levels and ultimately consumer spending.
- High levels of dependency on a single commodity or a few commodities, which often experience price volatility.
- Weak policy and legal frameworks and regulatory regimes, which have allowed multinational and transnational corporations to extract enormous profits and engage in corrupt practices in collusion with some national elites, at the expense of local populations and national development agendas.

BELOW: Mining – destroying landscapes and natural resources, Rustenburg, South Africa. Photo: Bobby Marie
3. LAND GRABS IN THE REGION

Large-scale land dispossession, or ‘land grabs’, have involved the forced acquisition of thousands of hectares of land without due respect for local land users’ entitlements to the land, either through proper consultation, informed consent or adequate compensation for the loss of land-based livelihoods (Kachingwe, 2012). The major focus of public attention has been on land grabs resulting from biofuel schemes and industrial-scale agricultural projects, with minimal attention to mining sector activities.

According to a World Bank 2011 report, approximately 56-million hectares worth of large-scale farmland deals was announced even before the end of 2009, and more than 70% of these were in Africa where countries such as Ethiopia, Mozambique, and Sudan have transferred millions of hectares to investors in recent years (Deininger & Byerlee, 2011). Research in the past decade has shown that large-scale land grabbing in Africa has generally been driven by the food and energy (mainly biofuel2) needs of other countries, (Cotula et al, 2009; Kachika, 2010) with the African Union (AU) noting that “[...] most of this activity is driven by foreign investors and is geared towards the export rather than local markets” (AU et al, 2009). The Organisation for Economic Cooperation and Development (OECD) and the Food and Agriculture Organisation (FAO) have estimated that over the period 2008 to 2018, biofuel may account for 52% of the increased demand for maize and wheat, and 32% of that for oilseeds (OECD & FAO, 2010). Case studies and anecdotal stories tell us that mining leases or concessions have been granted on communal lands already claimed, occupied and used by local peoples (Cotula et al, 2009; Sulle, 2010) and that peasant communities have been pushed off their lands to make way for mines (Cotula et al, 2009; Sulle, 2010). Agricultural production is often brought to a halt (Agyapong, n.d.). Knowledge and data on exactly how much land has been stolen through different types of corporate activity is not available, but based on the scale of land dispossession cumulatively read, it is legitimate to “… wonder where all the expelled populations will go” (Moyo & Yeros, 2011).

The immediate impacts of mining, for example water and air pollution and the diversion of waterways to support mining, can ripple hundreds of kilometres beyond the comparatively small area of land used very directly for mining activities, leaving communities without the water they need to produce and with acid rain affecting food crops. The impacts also accumulate over time, as we have seen with the acid mine drainage (AMD) problem in South Africa (discussed further in section 6.3), destroying waterways, killing livestock, and poisoning once productive farmlands. The indirect impacts of mining and oil extraction are felt through climate change, which is projected to result in the loss of 247-million acres of farmland by 2050 in the Africa region due to significant increases in temperature (Seo & Mendelsohn, 2006). Land dispossession linked to extractivism – whether directly through land grabs for mining operations, or indirectly through the land losses arising from pollution, water thefts and, finally, through the closely related phenomenon of climate change – are significant, compromising the food sovereignty of peasant families across the continent.

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2 See the Glossary for a definition of ‘biofuel’. 
Food sovereignty, a political call by the global movement of peasant farmers, Via Campesina, at the 1996 World Food Summit demands that everyone is properly fed, but also that the food system that feeds us operates in ways that are just, equitable and sustainable (WDM, 2011). It addresses some of the limitations associated with the idea of food security, which is concerned with whether people have sufficient food to eat, but does not address questions about how the food is produced, processed, distributed and consumed, and who controls these processes at all levels of the system (Grain, 2012). The UN Special Rapporteur on the Right to Food, Olivier De Schutter, supports a radical transformation of the food system, which has substantially failed leaving at least 870-million people in the world hungry, according to 2012 FAO's conservative calculation (FAO, 2012). His vision of a transformed food paradigm reflects the principles and approaches of a food sovereignty position (De Shutter, 2012).

Food sovereignty is more than an academic concept or a strategy to guide the work of development agencies. It is, above all, a political demand and a radical vision of an alternative that has politicised and galvanised a global movement of peasants, small-scale producers and their allies for the democratisation of food systems and the policies that support these systems.

In 2007, Via Campesina with other leading global social movements, such as the World March of Women, and the World Forum of Fisher Peoples, convened the Forum for Food Sovereignty (Nyéléni Forum)3 in Selingué, Mali which adopted the Nyéléni Declaration (see extract in Box 1) (Vivas, 2011).

3 The Nyéléni Forum was named in honour of the legend of a Malian peasant woman who struggled to assert herself as a woman in a hostile environment.
BOX 1: WHAT WE ARE FIGHTING FOR
AN EXTRACT FROM THE NYÉLÉNI DECLARATION

A world where:

- all peoples, nations and states are able to determine their own food-producing systems and policies that provide everyone of us with good quality, adequate, affordable, healthy, and culturally appropriate food;
- recognition and respect of women’s roles and rights in food production, and representation of women in all decision-making bodies;
- we value, recognise and respect our diversity of traditional knowledge, food, language and culture, and the way we organise and express ourselves;
- there is genuine and integral agrarian reform that guarantees peasants full rights to land, defends and recovers the territories of indigenous peoples, ensures fishing communities’ access and control over their fishing areas and eco-systems, honours access and control over pastoral lands and migratory routes, assures decent jobs with fair remuneration and labour rights for all, and a future for young people in the countryside;
- agrarian reform revitalises interdependence between producers and consumers, ensures community survival, social and economic justice and ecological sustainability, and respect for local autonomy and governance with equal rights for women and men;
- there are guarantees to the right to territory and self-determination for our peoples;
- peoples’ power to make decisions about their material, natural and spiritual heritage are defended; and
- all peoples have the right to defend their territories from the actions of transnational corporations.

The Nyéléni Declaration recognises that although women produce most of the food in the global South, their role and knowledge is often ignored, and their rights as workers are often violated. Women subsistence farmers are primarily responsible for domestic food production in Sub-Saharan Africa, and hence efforts towards food sovereignty need to be greatly directed towards securing their rights to land and natural resources, and supporting their labour and other contributions at all points of the food system.

Africa cannot afford to further compromise its food sovereignty at a time when the continent is already prone to rising food prices, lowered agricultural productivity and hunger. In the past decade, the general trend is that Africa has become food-import dependent. Over the period 2000–2005, a few relatively wealthy countries on the continent had the highest net food imports per capita (US$-185 per year in real terms), paying for their food import bills using revenue from non-agricultural sources. For this same period, the majority of Africa’s low-income countries, where two-thirds of the total population of Sub-Saharan Africa lives, became net food importers, but were able to import far less food per capita (US$-17 per year) and had difficulty meeting their food imports bills (Rakotoarisoa et al., 2012).

In 2012, considerable declines in global grain production prompted new fears of food shortages and an escalation in food prices similar to the 2008 crisis (Heita, 2012). In this same year, the World Food Programme (WFP) deputy regional director for Southern Africa declared that “large numbers of smallholder farmers and their families were in the grip of what is set to be one of the harshest hunger seasons of recent years” (WFP, 2012).

According to the Southern African Development Community (SADC)’s Food Security Update, jointly produced by the Food Security and Nutrition Working Group, food security indicators signifying crisis and distress were evident amongst countries that experienced persistent and prolonged dry spells and reduced harvests in the 2011 and 2012 season, including Angola, Malawi, Mozambique, Lesotho, and Zimbabwe (Heita, 2012; WFP, 2012).

Rural women are most likely to be affected by the crisis because about 61% of the SADC population, the majority of which are adult women, still resides in rural areas and relies on agriculture for a significant part of their livelihoods (TCOE & IANRA, 2013). Given their preponderance in the population and the special contribution of women to social reproduction, their agricultural interests therefore demand distinctive protection. Instead, as this paper will demonstrate, the exploitations of industrial mining (and extractive agriculture – not addressed in this paper) combined with existing patriarchy, erode and in many cases destroy peasant production systems, undermining food sovereignty and contributing to a sustained crisis of food rights for the majority of citizens in the Africa region.
5. PATRIARCHY, CAPITALISM AND WOMEN’S LAND RIGHTS IN AFRICAN COMMUNAL PROPERTY SYSTEMS

Before addressing the impact of extractivism on peasant women’s land and food rights, the most substantive focus of this paper, it is necessary to first explore women’s existing land rights under communal property systems. Our thesis is that extractivism’s dispossessions impact in particular ways on peasant women because of the weakness of these systems more generally, and because of their own existing tenure insecurity under common property systems. The focus here is on communal tenure (see brief note in Box 2), not because our political position is that private property offers greater security for peasant farmers and women more specifically, but that the majority of communities impacted by extractives-related land dispossessions in the Africa region live under communal tenure regimes.

**BOX 2: INDIVIDUAL AND COMMON RIGHTS UNDER COMMUNAL PROPERTY SYSTEMS**

**A BRIEF NOTE**

Under communal tenure systems, portions of land are held by individual families, and other portions are held and managed in common by the community/tribe/group. These ‘common resources’ include grazing lands, forests or woodlots, communal food gardens, and shared water resources. Many of these resources are typically used and managed by peasant women to fulfil their familial and community reproduction responsibilities. Under communal land systems, people do not hold a title deed and rarely have other evidence of their land rights, such as permits or certificates of occupation.

There is a paradox between the significance of land to women peasants in Sub-Saharan Africa, and the state of their land rights. When women in rural Africa speak about land, its value and importance to livelihoods, culture, and humanity as a whole, they assert that:

*For us, land is very valuable. It is a source of income, because we grow crops or farm livestock. We can use the land ... to educate our children and to build houses. Land is our ‘gold mine’ ...*  
(Women farmers in Eastern Cape, Ndlambe Village) (Kachika, 2009)

*Land is our nature – sometimes we have no jobs, but there is always land on which to do something. Even without a fixed salary, we can put food on our families’ tables.*  
(Anonymous woman, Northern Cape, South Africa) (Kachika, 2009)

*For us, land is life. It is an expression of our existence and is integral to our ecosystems on which we survive as a species – the water, seeds, plants and animals. Our culture and humanity is deeply rooted in the land and how we use it. For us land is the basis for the future of our children and the restoration of our dignity and hope.*  
(Extract from the Southern Africa Rural Women’s Assembly Declaration, 2009)

In almost all societies on the continent, agricultural production and the preservation of natural resources (such as forests and waterways) is primarily the responsibility of women and, to a lesser extent, older children (AU et al, 2009). Despite women’s central role in agricultural production and the contribution of this to the health and well-being of peasant women, their families and their communities, women’s land rights under communal tenure systems across the continent are deeply insecure. To appreciate the source of this insecurity, one has to understand some of the distinctive features of the African tenure system. Under this form of tenure, land rights are embedded in a range of social relationships and units, including households, kinship networks and ‘communities’
Land and Food Sovereignty Undermined – Impacts on Peasant Women

ABOVE: Smallholder farmer, Mercy Welengani, waters her gardens, Mwanza, Tanzania. Photo: ActionAid
(Cousins, 2009). Land rights include strong individual and family rights to residential and arable land and access to common property resources such as grazing, forests, and water. Rights are derived from accepted membership of a social unit, and can be acquired through birth, affiliation or allegiance to a group and its political authority (Cousins, 2009).

To comprehend the precariousness of women’s position within African societies, it is necessary to also look back to the colonial period when Western powers codified laws and instituted systems, ostensibly based on tradition, which caricatured aspects of pre-colonial governance and expanded and/or solidified the powers of male chiefs and elders (Mapanduki, 2007). Male authority in land matters is entrenched across African societies, whether patrilineal or matrilineal. Patriliney is far more common in Africa than matriliney, which is limited mainly to parts of Zambia and Malawi (in Southern Africa), and to Ghana and Ivory Coast (in Western Africa) (see Everyculture, n.d.).

Women’s land rights in patrilineal societies are extremely fragile because wives reside in their husbands’ villages, and farm on land belonging to their husbands and their husband’s clans (Koopman & Faye, 2012; Kachika, 2009). Women’s access to land is therefore indirect, meaning that it is mediated through a man: their father, brother, husband and even son (Kachika, 2009). It is typical for women in these societies to have limited or no decision-making power over the land, i.e. they would have limited say on what crops to plant, or how to use the proceeds coming from the use of the land (Kachika, 2009). Because women are responsible for provisioning the household with certain foods, they usually will have rights to a small garden, the outputs and incomes of which they may exercise control over (Koopman & Faye, 2012). In the case of matrilineal societies, women remain in their natal villages, with their husbands joining them to farm the matrilineal land, which belongs to the women and her clan (Kachika, 2009). Patriarchy, however, persists within the matrilineal system of ownership, as men are still privileged as decision-makers within their home and the wider community, thereby undermining women’s decision rights over family land (Kachika, 2009).

FAO estimates that rural women produce half of the world’s food and, in developing countries, produce between 60% and 80% of food crops (FAO, n.d.). FAO further estimates that women represent a substantial share of the total agricultural labour force, as individual food producers or as agricultural workers, and that around two-thirds of the female labour force in developing economies is engaged in agricultural work (FAO, 2003). Given the centrality of women’s role in food production on the continent and globally, there is a deep and unsustainable contradiction to be found in women’s insecure land rights in both patrilineal and matrilineal societies in the region.

Over centuries, the lands and natural resources of African pastoralists and peasants have been stolen and their forms of governance undermined and distorted by colonialism, by programmes of structural adjustment and enforced privatisation and in this era, by neo-liberal capitalism and its vast mineral and natural resources demands to feed the expanding energy, food and consumption needs of the traditional global North and increasingly the emerging South. These processes of dispossession impact all African peasants, but because of peasant women’s structurally marginal position in African traditional societies, they carry the brunt of the impact.
6. THE CONCRETE IMPACTS OF EXTRACTIVES UPON PEASANT WOMEN IN SUB-SAHARAN AFRICA

The sections to follow explore the very specific ways in which extractivism impacts on women’s land and food rights through the theft, pollution and degradation of land and natural resources, including water and air, and through the loss of male labour to the mines as a result of migration, impacting on food production levels, and contributing to other opportunity costs in the labour-sending areas.

6.1 Actual loss of land for farming and harvesting of natural resources

We get upset when our children say ‘I want something to eat – I’m hungry’. As women, we have always ploughed the land, but now we cannot. The mining company is taking the land we used to plough because they want to build a slimes [tailings] dam here …

(Elizabeth, respected elder in Mokopane, Limpopo, South Africa) (IWMN/RIMM, 2010)

Women are likely to be affected differently to men by large-scale land deals and disproportionately more likely to be negatively affected than men because of the systemic discrimination they face in relation to their access to, ownership of, and control over land (Daley, 2011), as discussed in the section above.

When whole tracts of land are seized by mining companies, peasant women’s loss of land for farming and for the harvesting of natural resources impacts negatively on their food rights and that of their families, as is well illustrated in the example of the Anglo Platinum Mine in Mokopane, Limpopo in South Africa:

For generations, local communities have collectively cultivated this land and grown diverse crops sufficient for subsistence, including pumpkin, tomatoes, carrots, spinach, maize, sorghum, beans, sunflower, peanuts, and watermelon. Since 2001, the local Setswana and Sepedi speaking people have become impoverished, malnourished, and sick, dispossessed of their farmlands, and without access to clean local water sources … The consequences of the loss of food sovereignty and access to water have been indubitably negative for the thousands of villagers, leaving many wondering how they will survive. As the ones responsible for cooking, cleaning, nourishing children, and tending to garden plots, women are experiencing particular distress. (IWMN/RIMM, 2010)

In Sierra Leone, women in the Sierra Rutile mining area have been forced to cultivate upland areas with less productive soils because of mining-linked dispossessions. Two affected districts, Bonthe and Moyamba, are among the five poorest districts in the country, with the loss of livelihoods due to resource theft and environmental degradation caused by rutile and bauxite mining identified as the most significant contributor to chronic poverty and food insecurity (Akiwumi, 2011: 53–70).

In Ghana, it has been confirmed that the greatest impact of gold mining on Ghanaian society has been relocation, and that 95% of those forced to leave their lands between 1990 and 1998 were subsistence farmers. Agricultural lands were converted into dumps for mine waste, and the compensation deals offered by mining companies, if any, were insufficient to maintain a similar quality of life. Farmers were either given inferior quality land, small cash settlements or nothing at all (Earthworks, 2010). Though this data is not sex aggregated, the majority of smallholder farmers in Ghana are women and their output accounts for 80% of total agricultural production (FAO, 2006).

A study of several coal mining projects in Mozambique, conducted by the food-rights network FIAN International, found that peasant communities were being resettled to sites where agricultural conditions, particularly access to water, were not as favourable as on their current lands (FIAN, Forthcoming). A further impact of eviction was that peasant farmers would only be able to harvest one and not two crops in a year. In Sierra Leone, an investigation into the impact of the operations of Sierra Rutile Limited revealed that 11 villages that had been displaced by the company were resettled on farmlands reported to be grossly inadequate (Mboka, 2003).
Research in Tanzania in 2008 found that the relocation of peasant farmers (while possible because of their weak tenure) also deeply eroded their feeling of security on the relocated land, principally their ability to make decisions related to the use of the land, resulting in reduced agricultural productivity (Lange, 2008). In this case, the mining company had imposed restrictions on the types of crops that could be grown, permitting farmers to grow annual but not perennial crops, which the company wished to avoid paying compensation for if another removal was to occur. The villagers were also not permitted to plant trees or dig more than one foot into the ground (Lange, 2008).

Mining relocations may also impact the availability and accessibility of resources, with women having to spend more time collecting water and firewood over longer distances (Rossi & Lambrou, 2008). In Ghana, women that were displaced by a biofuel project complained that they now had to leave their homes to collect firewood at ten o’clock and returned at two o’clock, spending a total of four hours a day harvesting a key source of household fuel (Rice, 2010). This impacts women’s well-being and safety, and has negative impacts upon household agricultural productivity.

Emerging evidence tells us that while the land held and used by individual families in communal tenure systems (see brief descriptive note in Box 2) may typically be compensated for (albeit on an inadequate basis), common resources are typically not recognised and not compensated for at all. In Mozambique, the experience of an association of peasant farmers, half of whom were women, is a classic example of the injustice of excluding land that is communal and collectively held from compensation assessments by mining companies (see Box 3). Equally ignored was the compensation for natural resources, in this case the maçanica fruits, which women harvest and use for household subsistence and sale in the local markets (FIAN International, forthcoming).

An assessment of mining activities and practices in the Tarkwa region in Ghana has uncovered a disagreement between communities and mining companies over compensation for the loss of the use of land (Human Rights Clinic, 2010). Although the law in Ghana permits compensation for deprivation of the use of the natural surface of the land or part of the land in addition to the loss of crops and immovable property (Minerals and Mining Act, section 74), many communities claim that they are only being compensated for the loss of their crops and not the general loss of land use (Minerals and Mining Act, section 74).

**ABOVE:** Smallholder farmer, Ocola Apio Polly, Odom Village, Katakwi District, Uganda. **Photo:** ActionAid
In April 2009, Riversdale Moçambique, a subsidiary of Riversdale Mining headquartered in Australia, was granted a mining license by the Mozambican government for 4,560 hectares in the Moatize district. Mining would start in 2010 and run through to 2035, extracting a total of 2.1-billion tonnes of coal. Riversdale Moçambique identified approximately 5,600 persons (1,147 families) living in the vicinity of the Benga mining project. Five communities (Capanga Nzinda, Capanga Gulo, Capanga Luani, Mpala and Nhanganjo) were to be resettled.

At the time the research was conducted in 2010, the Peasant Association of Capanga, in the Capanga Nzinda community had 16 members, eight of them women. The association was undertaking a variety of productive activities – crop and vegetable farming, fishing, cattle-raising, bee-keeping and brick-making – for own use and sale to the nearby markets of Moatize, Bele and Matondo. The families of the members of the association had lived on the lands for generations. Since 1997, the association had collectively held a formal land-use grant (Direito de Uso e Aproveitamento da Terra) for 150 hectares. Besides this land, each family had its own plot of about 0.5 to 1 hectares. The association owned three water pumps, three water tanks, 10 carriages to carry products to market, and 11 sowing machines. The association had built five boreholes for community drinking water.

In 2006, the Benga coal mining project started its first exploratory works in Capanga. In January 2009 representatives of the company and local authorities informed the association that they would need to vacate their lands. Soon after this, a consultancy company contracted by Riversdale entered the area to conduct an impact assessment study. The members of the association were deeply concerned about the terms of the resettlement in particular the mining corporation’s announcement that assets and resources collectively owned and used would not be compensated for despite their importance to the livelihoods of members. In terms of the agreement, families would receive allotments of a similar size in the resettlement area, but the association would not receive compensation for the collectively held land (150 hectares).

Members were also concerned that the assessment did not include all livelihood losses, such as the second harvest members’ would lose due to reduced water supplies at Cateme, the resettlement area. In addition, the resettlement area was distant from local markets, which the association would have difficulty accessing without motorised vehicles. (FIAN International, 2010)

Rio Tinto has recently issued compensation guidelines that consider communal ownership, including the cultural significance of land, waters, plants and animals (Rio Tinto, 2012). It remains to be seen whether other mining companies will follow suit, whether such voluntary commitments will translate beyond paper, and importantly whether governments will legislate and enforce such requirements, as this is the greatest need.

*We have regrettably not been able to access updated information on the outcome of these negotiations between the Peasant Association and Riversdale.
6.2 The impact of mining’s insatiable thirst for water

Commercial agriculture is the heaviest consumer of fresh water (around 70% of total consumption worldwide), but mining activities are also water intensive. By way of simple example, the mining, processing and production of a single gold wedding ring is estimated to require 8,000 litres of water (Zorrilla, 2009). Coal mining, one of the greediest water consumers, is assessed to use between 70 and 260-million gallons of water per day in the US (Leavett, 2011). Further, research by the Gaia Foundation calculates the ‘embodied water consumption’ of various metals (what it takes to mine and process these metals) as follows: gold at 225,000 litres/kg; nickel (hydrometallurgical route) at 377 litres/kg; titanium at 100 litres/kg; nickel (pyro) and steel (from iron) at almost 80 litres/kg, and aluminium (from bauxite) and copper (hydro) close to 40 litres/kg (Sibaund, 2012).

Mining’s water demands, combined with its polluting impacts on water supplies, give rise to conflicts with and consequent ‘water grabs’ from peasant and small-scale producers, and indigenous peoples (IIED & WBCSD, 2002). For example, in 2007, the Atacama communities of San Pedro de Atacama in Chile rose up in protest against the Pampa Colorado Water Provision Project of the copper mining firm, Escondida, a low-cost mine of BHP Billiton and the world’s single largest producer of copper. This project proposed to pump out some 648-million cubic meters of water at a rate of 32.4-million litres per year (a flow of 1,027 litres per second) for 20 years from the underground waters of the high Andean watersheds in the region. After a year-long fierce resistance, the Atacama communities were victorious when the Regional Environmental Commission of Antofagasta (COREMA) rejected the Pampa Colorado project. Residents of Coloso Bay to the south of the city of Antofagasta to which the copper concentrate is piped for export have not been as fortunate with repeated spillage of contaminated waste water impacting fishing and the harvesting of other marine resources (Global Response, 2007; BHP Billiton Watch, 2009).

In South Africa, mining (and coal mining in particular) is contributing to a growing national crisis in water, with a projected shortfall of 2.7-billion cubic metres of water by 2030. In the water scarce northern Limpopo province, linked land and water grabbing is depriving local farmers of water needed for local food production and stealing access from domestic water users. The Mupo Foundation, which works alongside the local Venda peoples whose livelihoods and spiritual attachments to land and local ecosystems are being disrupted by coal mining, maintains that the disruption of watersheds and aquifers and the poisoning of water supplies by intensive coal mining in the region are irreparably harming agricultural lands and “permanently reducing the Earth’s capacity to store water” (Leavett, 2011).

And in the US, the Native American Navajos continue to battle the Peabody Coal Mining Corporation which has over decades profiteered greatly (US$2.14-billion in gross profits in 2012 for a paltry US$3-million annual lease fee to the Navajos) at the expense of workers’ and community members’ health, the draining of precious Navajo water aquifers, and the pollution of the environment. A January 2013 letter from the Black Mesa residents to the Peabody Executives laments:

Before Peabody’s arrival, natural springs were plentiful. Our animals, both wild and domestic, quenched their thirst effectively without needing to search for waters … Natural springs are extinct now. Black Mesa residents now face the daily chores of hauling water. They drive as far as 30 to 40 miles round trip to deliver potable water to their homes and livestock, while wild animals are left to fend for themselves. Water is essential for life. However, Peabody has wasted billions of acre feet of irreplaceable water. The pristine Navajo Aquifer is irreversibly damaged … (RAMPS, 2013)

Significant water grabs also occur through the controversial unconventional extraction of gas, called hydraulic fracturing or fracking. This process entails the environmentally destructive process of injecting, under high pressure, a cocktail mix of one to eight million gallons (+,000 to 35,000 cubic metres) of water, sand, and toxic chemicals into a purposely dug wellbore. This creates ‘fractures’ in the rock permitting the gas or oil to migrate to the well for onward extraction (Franco et al, 2013; Sibaund, 2012). The water used in drilling or fracturing

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4 Refer to http://www.worldometers.info/water/ for up-to-the-minute information.
comes from lakes, rivers, or water wells, often displacing competing users such as farmers, manufacturers and other industrial users (Sibaund, 2012). In China, the Asian ‘pioneer’ of fracking, government has set a target for the industry “to pump 229-billion cubic feet of natural gas from underground shale formations a year by 2015” (Feodoroff & Franco, 2013) with the shale gas eventually contributing 6% of China’s energy needs by 2020. Aside from rising concerns about the role of corporate oil companies in China’s fracking boom and the impacts this will have on the Chinese peoples’ energy and food sovereignty, there are worries about how fracking will exacerbate ‘water grabs’. Researchers estimate that 485-million cubic feet of water will be required to achieve China’s 2015 target of 229-billion cubic feet of shale gas, with most of the fracking projected to take place in areas plagued by water shortages (Feodoroff & Franco, 2013).

And in California, a corporate water grab is underway through the US$50-billion Bay Delta Conservation Plan to build twin tunnels to divert the Sacramento River to companies in the Central Valley. The powerful fracking industry is set to become the most significant beneficiary of this project, diverting significant public funds away from the more deserving work to rebuild dilapidated infrastructure and expand rainwater and stormwater systems, projects that will create needed local employment, stimulate local economies and provide water security (Bacher, 2013).

While subsistence and small-scale producers are not significant water users, there is still a heavy reliance on borehole water and waterways for agricultural production, and water grabs therefore negatively impact agricultural productivity. Water theft may also impact domestic use. Since women are the most significant users and managers of water supplies for domestic and subsistence use, they may need to walk longer distances to harvest water, and carry the burden of resourcing household food needs when productivity levels drop (Rossi & Lambrou, 2008). These impacts are exacerbated by the pollution of water supplies, an aspect addressed in the following section.

### 6.3 Water and environmental pollution and its impacts

Environmental deterioration occurs mainly as a result of inappropriate and wasteful working practices on the mines during active operations and the absence of, or inadequate rehabilitation of, the surrounding environs upon the closure of the mines (Kitula, 2006; APWLD, 2009). Mining operations, particularly at the large industrial scale, but also including artisanal and small-scale mining (ASM), are inherently disruptive to the environment, producing enormous quantities of waste that can have deleterious impacts for decades (Kitula, 2006). Open-pit mining is particularly harmful as it generates enormous quantities of waste. These wastes contain toxic elements and minerals, which may interact with water to generate contaminated fluids that can pollute soils. Cyanide and mercury leakage or spillage, and improper disposal of mine wastes, can be deadly to humans and can poison farming lands (Ochieng et al, 2010: 3351–7).

The related impact of AMD has been closely studied in South Africa, and the research shows that the water which decants from coal and base metal mines is highly acidic (containing high levels of sulphuric acid and heavy metals) and is very toxic when released into natural streams and rivers, often used to irrigate crops and water livestock. The entry of mine-originated contaminants into agricultural soils and products may also occur during heavy rainfall events that cause over-bank flooding. The human consumption of agricultural products contaminated by poisons emanating from AMD is accompanied by high health risks (Ochieng et al, 2010). Long-term exposure to AMD-polluted drinking water may lead to increased rates of cancer, decreased cognitive function and the development of skin lesions.6

Generally, AMD into waterways and the irresponsible disposal of other mining wastes affect populations well beyond the mined areas in South Africa. For example, in 2010, it was reported that the leakage of more than 36-million cubic metres of AMD a day was devastating the water systems of the Witwatersrand region, the most densely populated metropolitan area in South Africa with a population estimated at 10,267,700 in 2007 (Zeelie, 2010).7 It is feared that approximately 80% of South Africa’s water will be undrinkable by 2015 as a result of se-

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6 Recent studies conducted by the South African Council for Geosciences (CGS) concluded that AMD in some of the areas contains high levels of radioactivity (Coetzee et al, 2005) which may increase the risk for cancer.

7 Also see [https://en.wikipedia.org/wiki/Greater_Johannesburg](https://en.wikipedia.org/wiki/Greater_Johannesburg) for more information.
vere over-pollution (Water Sense, 2010). This water is utilised by both urban and rural populations (Taylor, n.d.).

Fracking (discussed in section 6.2) produces waste called ‘produced water’, which presents a major risk to people and the environment. As many as 600 chemicals are found in the fracking fluid (Sibaund, 2012). Most of the chemical-laced frack fluid injected down the well will stay below ground, but for every million gallons between 20% and 40% will spew back to the surface. It brings with it chemicals, traces of oil-laced drilling mud, and all the other toxic substances previously trapped in the rock (The Wilderness Society, 2012). Most of the wastewater is produced in the first few months of production and, as it is toxic, must be carefully disposed of through recycling (not commonly applied), through re-injection underground, or via surface treatment through processing at wastewater facilities (Hughes, 2011). At this time, most water treatment facilities are still not designed to handle fracking wastewater, and produced water is often left in large ponds to eventually evaporate. In many cases, the contaminated wastewater ends up in rivers and water streams (Desplaces, 2012).

Women’s exposure to contaminated lands and waters is more frequent and intensive because of their primary role as agriculturalists, and their responsibilities for the day-to-day reproduction of households and communities. As one mining company has itself observed:

> the pollution of water by poorly managed mining discharge can also contaminate water, which women typically have to collect and often use more frequently than men for bathing, laundry and food preparation. (Rio Tinto, 2009)

Research undertaken in Tanzania has equally concluded that the pollution of water sources by cyanide and mercury are particularly dangerous to the women and children who collect it for household and livestock use in rural communities (Kitula, 2006). They are also differently impacted because they must deal with the ‘after effects’ of the pollution: lower agricultural yields and livestock-related losses in herding communities, and health impacts on family members, including their own poor health (AWID, 2011).

Peasant women whose land is exposed to extractives-related pollution have complained of dwindling yields. Two experiences of farmers from Nigeria and India illustrate the gravity of this problem. In reference to liquid mineral exploration and exploitation in Nigeria, Margaret Amos, a woman farmer in Imiringi, where oil-related activities started in the 1960s, complained that:

> When Shell came and situated their facilities here and invaded us, our crop yields started depreciating. Of truth, in those days, we experienced higher crop yields than these days. Yes, as one who has been in farming from childhood ... I know what I am talking about. Then, as a young girl, I noticed that our crops – cocoyam, cassava, plantain, and more – grew more luxuriantly. When we harvested them, we got bountiful yields. But all that is now history. What we get these days could be likened to ... [a] skeleton of those days ... We are really convinced that this gas flare is responsible for the decline in crop yield, because it was never so poor before the gas flare. I am approaching 60 years and I mean what I am saying ... [she had started farming in the area in 1972]. (IWMN/RIMM, 2010)

Peasant women farmers in Andhra Pradesh in India, where iron ore mining is taking place, tell a similar story. One female peasant rights activist, Guligamma, recalled that:

> We used to grow sunflower seeds, sugar cane, rice and groundnuts, and be self-sufficient. But now we have a problem because the crop yields are less, the leaves of the plants are wilted, and our vegetables have gone bad. The factories and mines use so much water, that our fields are now cracked and dry. This never happened before the factory and mining came here. The water we used to irrigate our fields is mixed now with chemicals from the factory and our vegetables have turned a reddish colour. The factory water also flows into the drinking water. (IWMN/RIMM, 2010)
Above: Oil extractivism’s polluting impacts, Niger Delta. Photo: Elaine Gilligan, FOEI and Peter Roderick, the Climate Justice Programme. With thanks to ERA, FOEI and the Climate Justice programme for the use of this photo.
The loss of livestock and livestock-related products is another impact connected to mining-induced land degradation and water pollution. Peasant farmers, including women, depend on livestock to power the ploughs and the manure is an important production input. The milk and meat of livestock is an important source of nutrition to peasant households (Kitula, 2006). Resources like manure are particularly important to peasant women farmers since they offer nutrients to often-depleted soils, and empower farmers to maintain traditional agro-ecological farming methods.

For herding communities in Tanzania, mine pits do not only make land unfavourable for agricultural activities following closure, but also adversely impact livestock and wildlife resources which may fall into them (Kitula, 2006). In Mongolia, gold mining has made it increasingly difficult for herders to sustain their way of life. Many female herders have shared their accounts of livestock becoming ill and dying from the effects of mercury and cyanide pollution in the soil and water. And others have recounted tales of animals wandering into mining areas, falling into the manmade holes and craters, and dying (APWLD, 2009).

A combination of air pollution, water pollution and water shortage directly linked to extractives activities results in lower yields, and impacts on peasant food sovereignty. Further, low yields can be caused by reduced rainfall, linked to deforestation caused by extractives industries (Zorrilla, 2009).

6.4 Loss of male agricultural labour and other contributions due to migration

Male migration has a specific gender impact on peasant and small-scale agriculture in what we call labour-sending areas, the communities from which male mineworkers migrate to the mines (our interest here) as well as other sectors, such as commercial agriculture and industry. Many rural communities in Southern Africa continue to send their economically active men to the mines and rely on their remittances for agricultural investment and family survival (IOM, 2010). The states of Southern Africa in this contemporary period can be divided into migrant-sending (Mozambique, Malawi, Lesotho) and migrant-receiving (South Africa, Namibia). Botswana and Swaziland bridge both categories. Countries such as Tanzania and Zambia have experienced major refugee influxes in the last decade but have tended not to send or receive significant numbers of labour migrants (Crush et al, 2005).

Research on Southern African migration patterns undertaken by the Global Commission on International Migration finds that by the 1990s the South African mining industry (the most significant mining employer regionally), with the exception of platinum and gold mines, had shifted to a predominantly local workforce. During a period of significant downsizing and restructuring in the 1990s, the mines laid off local workers at a faster pace than foreign workers with the result that the actual proportion of foreign workers increased from 40% in the late 1980s to close to 60% in 2005. In South Africa there is significant internal migration, with rural communities losing adult male members to work in distant mining areas (Crush et al. 2005).

Many migrants leave wives and family members behind in order to retain access to land and housing in home areas (Crush et al, 2005), a necessity because of the uncertain nature of employment in mines, or because mines (especially in South Africa) do not usually provide the housing and services needed to sustain families. The logic of a single male migrant has been an overriding one for well over a century (IOM, 2010). Most households with intra-national and international migrant members continue to practise agriculture for important supplementary income; to retain a claim on communal lands; and for the retention of cultural and social bonds with community and nature (Jokisch, 2002). In the absence of adult males, all agricultural responsibilities fall to adult women to manage (with many tasks being discharged to children) over and above their own agricultural and domestic work responsibilities (Jokisch, 2002; IIED & WBCSD, 2002).

In what may be reflective of a general effect in Sub-Saharan Africa, in Kenya, one notable impact of male migration has been that women are left to make difficult household decisions, effectively stepping up to become the *de facto* household head, without the needed resources, power and authority to play this role and be respected for it (Macharia, 2003). Women may not always be successful at discharging ‘common male farming tasks’ like ploughing, care and maintenance of the irrigation system, and land preparation due to labour shortage or lack of skill (Gartaula, 2007). When agricultural labour becomes scarce, women’s labour is diverted from the important work to (a) preserve agricultural resources, especially the soil, leading to resource degradation; (b) save seeds and take on agricultural innovation measures and technologies; and (c) contribute labour to other families and
communal tasks, leading to the erosion of cultural and social relations.

While it may be argued that labour shortages in labour-sending areas can be compensated for by hiring labourers with the help of remittances sent by the migrants, not all households receiving remittances enjoy this indulgence. This is because remittances may be earmarked for basic needs, like education, family health and debt repayment, and less to improving agriculture (Crush et al, 2005; Jokisch, 2002). And if additional labour requirements cannot be met during the peak season, production losses can generally not be compensated for by small remittances (Gartaula, 2007). The Global Commission on International Migration's Southern Africa research finds that while remittance levels to Mozambique have been fairly stable, remittances to Lesotho and Swaziland, and within South Africa (to the Eastern Cape specifically) have fallen sharply during the 1990s. This has created a crisis of deepening poverty and domestic tensions for many households that have been reliant on mine remittances, and has triggered the migration of other family members, including women, in search of work to support rural families (Crush et al, 2005; Jokisch, 2002).
7. HOW ARE WOMEN RESPONDING TO LAND AND FOOD VIOLATIONS RELATED TO MINING?

Peasant women are using their power, assuming agency, and struggling to defend the basis for life and dignity that is so threatened by extractivism. Several of the stories in this section are drawn from the International Women and Mining Network (IWMN)/Red Internacional Mujeres y Minería (RIMM) publication *Women from Mining affected Communities Speak Out: Defending Land, Life & Dignity* (IWMN/RIMM, 2010).

7.1 Mobilising to address the abrupt loss of mine jobs by husbands

In Zambia, thousands of mine jobs have been lost since 2009 as copper mines either shut down or slowed production in response to the global economic crisis. Women have stepped into the breach, forming production cooperatives to increase income to stricken households that can no longer afford schooling, health care and food. The story told here is of the Natwisonge Women’s Group in the township of Kankoya in the copper belt province, as narrated by Sabina one of the group’s members:

‘Our group consists of 10 women,’ Sabina said. ‘We share ideas, we raise funds for school and we sell sugarcane, chalk wood, cassava, tomatoes. All in small quantities of course. But it’s a start. We rely on each other for help.’

By combining their resources and working together, they are able to produce more and improve their situation. They still face challenges though: ‘the mine next to our community pollutes the ground water, this is not good for the crops. The mine does not provide us with any help. Our government is absent as well. All of us are feeding families of 10 to 15 people.’

She further explained, ‘We don’t know what our future will be like. What we do know is that we need fertilizers and tools ... clean water and electricity for our community. We are taking the first steps with starting our own women’s group. Now we need to expand our work so we can take care of our families...’ (Action Aid International, n.d.)

In this story, the women farmers affirm, through their struggles, that agriculture is the primary livelihood means for peasant women, and a strategy they fall back on for survival even when capital is scarce. Their ability to respond to a crisis of subsistence impacting tens of thousands of people on the copper belt is however compromised by the polluting impacts of the mining industries.

7.2 Organising to hold mining companies accountable

This type of agency – organising to hold corporations and the state accountable for wrongdoing – has been exercised by women across the region for decades, and here we present an example from Ghana. The women, organised under the Concerned Farmers’ Association, have mobilised, marched, and pursued legal action for fair compensation for damages against the offending mining company, AngloGold Ashanti. The experience is told by sharing the experience of one bold and determined woman, Emelia:

*In Ghana, where there are few women visibly leading political struggles, men are normally perceived as the voices of the community. Nevertheless, Emelia has become a strong community advocate, struggling to demand that AngloGold Ashanti respect the rights of local residents. Emelia has been at the forefront of the coordination of the Concerned Farmers’ Association’s legal case against the AngloGold Ashanti Iduapriem...*
Mine to demand compensation for the destruction of their properties. In addition, Emelia has led a community initiative to hold the company accountable for the pollution of local watersheds, and had successfully traced sources of chemical seepage into their streams from the tailings produced by the Iduapriem Mine.

She has led people from her community in a march through the district capital of Tarkwa to present a petition about the problems of her community to the District Chief Executive and has also spoken extensively to media outlets about the impacts of AngloGold’s mine on her community. Emelia, now 31 years old and the mother of two young children, explains her dedication to the people of her community: ‘Because of the sensitisation from WACAM [a leading NGO that supports communities impacted by mining], I now know where to go and who to contact in case of any problem in the community … The 1992 Constitution and the Minerals and Mining Act are my closest friends now. I don’t want the mining company to cheat my community. And I know my rights as a citizen living in a mining community … [I] feel very powerful in the sight of both the mining company, and the men in my community’. (IWMN/RIMM, 2010)

This case powerfully demonstrates that with access to information and awareness, and support from an allied civil society organisation (CSO), women can collectively become powerful advocates against harmful mining activities. The story also dispels the myth that local communities stand little chance when confronting the much more powerful mining companies. Rather, when women and their communities are organised, empowered to monitor mining activities, and expose the negative impacts of mining activities in their own localities, it is more likely that offending mining companies can be held accountable.
7.3 Leading community campaigns and reclaiming land

In South Africa’s Limpopo province, women have asserted “naga ke ya rona!” (“the land is ours!”) and emerged as leaders in confronting the Anglo Platinum mining company, which has since 2001, forcibly relocated many thousands of Mapela residents to compensatory lands of inferior quality and incomparable extent, usually located many kilometres from their place of residence. The following is their documented experience:

*Faced by a company that has refused to consult – let alone agree to negotiate – with communities, and government officials aligned with the mining industry, Mapela residents of the northern Limpopo province felt they had no choice but to launch a public campaign to defend their rights and demand compensation for their losses. Despite death threats, mass arrests, police shootings and heavy surveillance, women have come forward as leaders of these community campaigns against [the mine]. Many perceive this struggle as a fight for life, a stance for the rights of future generations.*

*Principled statements of resistance emanate from sites where families continue to live on their original homesteads, after refusing Anglo’s removal orders. While some have organised road blockades, others have attempted to return to ploughing by reclaiming their ancestral lands and disregarding Anglo Platinum’s fences.*

*Coordinated actions have taken place to stop Anglo’s bulldozers from entering gravesites. Girls as young as 11 years old have been arrested on trumped up charges of ‘malicious damage to property’, while women of all ages have been wounded by rubber bullets shot by police during non-violent marches and vigils. (IWMN/RIMM, 2010)*

The fearlessness of the Mapela peasant women, facing off the mining company, its threats to their community, and the actual violence and repression meted out by mine security and state police, is inspiring, and is repeated in the struggles of women, their men, and their families across the region and the globe. Women are motivated to play a central role in these protests because large-scale and widespread land grabs and land devastation threaten women and the well-being of their entire households.

Women farmers have the least to gain and the most to lose from mining – their access to family and personal fields is placed under threat, as is access to safe water supplies, woodlots, and other common resources that they use to construct their contributions to household reproduction. And it is this level of threat and risk to self and family that motivates and inspires the formidable resistance of peasant women.
8. CONCLUSIONS AND RECOMMENDATIONS FOR RESEARCH AND ACTION

This review of the available literature on industrial-scale extraction, mining specifically, and its impacts on peasant women’s land and natural resource rights has shown that mining-induced relocations, usually forced in nature, deprive women of access to the land and natural resources they need for subsistence production and household provisioning of food, water, energy, diverse and nutritious foods and medicines. The literature has also informed us about other impacts, such as the degradation of farming land (including through water pollution) resulting in reduced levels of productivity, the diversion and destruction of water resources, and the loss of male labour due to migration. That compensation for relocation usually ignores collectively-held and managed resources (like water, woodlots and grazing areas) in communal areas further undermines food sovereignty and has particular impacts on peasant women who manage and lean heavily on these common resources for social reproduction.

These are just some of the key gendered impacts of industrial-scale mining upon women peasant farmers that governments in Sub-Saharan Africa must acknowledge and respond to if they are to guarantee, at the very minimum, the food security of their rural farming populations. Peasant women, whom we have established to be the main food producers in Sub-Saharan Africa, if recognised and adequately supported in their existing productive and reproductive roles, could contribute greatly to food security (and ideally food sovereignty) goals of governments and help to mitigate the worst impacts of humanitarian disasters, such as droughts or food price hikes.

On the basis of this initial review, WoMin’s overarching recommendation is that states, multi-lateral agencies and CSOs should focus their attention on supporting peasant women along four main axes:
1) strengthening communal property systems and safeguarding women’s land rights within these;
2) supporting and building upon agro-ecological farming methods predominant amongst peasant farmers, which are typically low input, nurturing of soil fertility, and safe to nature and the planet; and
3) identifying and addressing women’s labour needs both in the fields and in the family.

A fourth area of attention - applicable to grassroots movements and their support organisations – is a focus to alternative forms and ways of reproducing life through collectives or communities of producers “reclaiming sharing, and pooling resources of various types, driven by values fundamentally opposed to those embedded in the capital circuits: solidarity, mutual aid, cooperation, respect for human being and the environment, horizontalism and direct democracy” (de Angelis, 2012: xii). These are the terms upon which much social reproduction in the rural Sub-Saharan African context has been traditionally managed, albeit in ways that perpetuated inequalities on the basis of age, status and gender. These practices have been eroded by market intrusions, by land and other natural resource dispossession, by environmental disasters (and by mounting climate change), and deepening poverty. Support for reclaiming, reimagining and rebuilding ‘the commons’ in Sub-Saharan Africa in ways that address societal inequalities and circumvents market and state is a critical dimension of the alternative needed.

WoMin’s specific recommendations for research and action on the questions and issues raised in this paper are:

• Through action and other forms of research, document the impact of the extractives industries on the land and food rights of peasant women in various Sub-Saharan Africa communities. This research should seek to quantify land losses through forced relocation, encroachment and land degradation, as well as the productivity and livelihood impacts of extractivist activities. This work will require collaborations with universities across the region to baseline specific communities prior to the inception of extractives operations, and monitor their impacts over time.

• Specific effort should be focused on thoroughly documenting and quantifying the increased demands upon women’s unpaid labour, of labour migrancy, polluted water supplies, the health impacts of environmental degradation, and forced relocations with a view to taking legal and political action against mining companies for compensation.

• Through IANRA, in alliance with other organisations working in the extractives sector in Sub-Saharan Africa, build a watchtower or observatory to track transnational mining and other extractives corporations to inform advocacy and campaigns, and support movement building.
• Build land and food-focused regional and international campaigns, in alliance with peasant federations and movements, against specific mining corporations to highlight to governments, to the wider public, and to shareholders of such companies the impacts of specific extractivist operations on food security (and sovereignty) and to advocate for alternative forms of extraction, which privilege rights to food, health and human well-being over short-term profit.

• Conduct an audit of land policies and legal frameworks at regional and national levels with a view to identifying how they currently support, or fail to support, women’s legitimate rights to land and natural resources.

• Advocate and campaign for just laws, policies and the necessary regulatory systems and authorities to (a) protect and strengthen communal tenure systems, and transform women’s land rights within these; (b) safeguard the land based lives and livelihoods of rural communities and provide for just and fair compensation for any losses related to land rights, livelihoods and land use when relocation has been agreed and is the option of last resort; and (c) empower communities, and women in particular, with the legal authority and knowledge to participate in and freely influence decision-making about mines and other mega projects affecting their lands and natural resources.

• Support peasant women’s organising, knowledge formation and skills development within mixed and separate movements at local, national and regional levels. And work alongside the Southern African Regional Rural Women’s Assembly to build a regional activist formation school for peasant women.

And most importantly, building upon research, peasant women’s practices of and struggles related to farming, natural resource and eco-system management; and women’s needs and experiences connected to their reproductive role, **build an alternative paradigm for extractivism and for development** more generally around which to build alliances, movements and campaign for change. This work should be undertaken with the Regional Rural Women’s Assembly and other progressive women’s formations and movements across the region. These efforts should specifically address the cross-cutting urban/rural and class question of the state’s responsibilities for supporting the social reproduction of citizens through public services, such as education, health care, water and energy. Our efforts should be focused on the one hand on contesting and pushing back the encroachments of the market upon public assets and services, and on the other to building alternatives outside of the market and the state – these alternatives, ‘the commons’, refer to new ways of organising the social reproduction of life through collectives of producers “reclaiming, sharing, and pooling resources of various types, driven by values fundamentally opposed to those embedded in the capital circuits: solidarity, mutual aid, cooperation, respect for human being and the environment, horizontalism and direct democracy” (The Commoner, 2012: xiii).
A woman smallholder who successfully regained land taken by her brothers, Democratic Republic of the Congo. Photo: ActionAid
ACRONYMS

AfDB  African Development Bank
AMD  acid mine drainage
ASM  artisanal and small-scale mining
AU  African Union
CSO  civil society organisation
FAO  Food and Agriculture Organization
IANRA  International Alliance on Natural Resources in Africa
IIED  International Institute for Environment and Development
IOM  International Organisation for Migration
NGO  non-governmental organisation
OECD  Organisation for Economic Cooperation and Development
SADC  Southern African Development Community
UN  United Nations
WFP  World Food Programme
WBCSD  World Business Council for Sustainable Development

GLOSSARY

Acid mine drainage (AMD)
“Acid mine drainage is the flow, or seepage, of polluted water from old mining areas. Depending on the area, the water may contain toxic heavy metals and radioactive particles. These are dangerous for people’s health, as well as plants and animals” (Earthlife Africa, n.d.). See http://www.earthlife.org.za/?page_id=584 for more information.

Biofuel
A type of energy derived from renewable plant and animal materials. The most common examples are ethanol (made from corn or sugarcane), and biodiesel (usually from vegetable oil and animal fat). See http://www.investopedia.com/terms/b/biofuel.asp for more information.

Extractivism
The term ‘extractivism’ refers to the extraction of minerals, oil and gas, and in the understanding of the writers, water, forest products, new forms of energy such as solar and hydro, and industrial forms of agriculture, which grab land and extract vast quantities of water in the production process. But extractivism also importantly refers to the conditions under which these resources are extracted and whose interests they serve, speaking to a dominant and highly unequal model of development which “organizes – on the basis of the exploitation and marketing of resources for export – the political, socio-economic and cultural relations within the respective country or region: the economy and class structures, gender relations, the state and public discourse.”

Food sovereignty
A term, first used by La Via Campesina (the global movement of peasants) in 1996, which asserts the right of peoples to define and control their own food systems. The Declaration of Nyeleni adopted at the Forum for Food Sovereignty in 2007 asserts that: “Food sovereignty is the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and

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8 The value of natural resources, such as water and land and mineral resources are ‘embedded’ in the agricultural outputs, but are not valued and acknowledged in the setting of market prices. We refer to this as ‘embedded value’.

9 Ulrich Brand, Austria & Germany: Energy policy and resource extractivism: resistances and alternatives, RLF reader for WSF, Tunis
agriculture systems. It puts those who produce, distribute and consume food at the heart of food systems and policies rather than the demands of markets and corporations. It defends the interests and inclusion of the next generation. It offers a strategy to resist and dismantle the current corporate trade and food regime, and directions for food, farming, pastoral and fisheries systems determined by local producers. Food sovereignty prioritises local and national economies and markets and empowers peasant and family farmer-driven agriculture, artisanal fishing, pastoralist-led grazing, and food production, distribution and consumption based on environmental, social and economic sustainability. Food sovereignty promotes transparent trade that guarantees just income to all peoples and the rights of consumers to control their food and nutrition. It ensures that the rights to use and manage our lands, territories, waters, seeds, livestock and biodiversity are in the hands of those of us who produce food. Food sovereignty implies new social relations free of oppression and inequality between men and women, peoples, racial groups, social classes and generations” (Nyeleni Declaration 2007, para. 3).

**Hydraulic fracturing (fracking)**

Hydraulic fracturing, commonly known as fracking, is a new method for extracting natural gas from shale rocks. This process entails the injection, under high pressure, of a cocktail mix of one to eight million gallons (4,000 to 35,000 cubic metres) of water, sand, and toxic chemicals into a purposely dug wellbore. This creates ‘fractures’ in the rock permitting the gas or oil to migrate to the well for onward extraction (Franco et al, 2013; Sibaund, 2012).

**Matriliny**

The practice of tracing descent through the woman’s line to establish ancestry or inheritance. Matrilineal systems cannot be equated with matriarchy, which can broadly be defined as a system in which women and mothers in particular carry political leadership and moral authority, and control property. Even where inheritance may pass along the woman’s line, male authority in land matters and decision-making remains entrenched in matrilineal societies.

**Patriarchy**

“Systemic societal structures that institutionalise male physical, social and economic power over women” (Reeves et al, 2000:3).

**Patriliny**

The practice of tracing descent through the male line for the purpose of establishing relationship, ancestry or inheritance. This practice is an important element of the system of patriarchy.

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PAPER FOUR

WOMEN’S UNSEEN CONTRIBUTION TO THE EXTRACTIVES INDUSTRIES
THEIR UNPAID LABOUR
In this starter collection of six papers, which focuses on Sub-Saharan Africa, WoMin begins to explore some of the themes and questions that are raised by extractivism, and industrial mining in particular, and its impacts upon, and ‘relationship to’ peasant and working-class women. By ‘relationship’, WoMin refers to the myriad ways – within the home, in the fields and in the workplace – in which women, in mainly invisible and unrenumerated ways, participate in, shape and contribute to the ambitions and profits of the extractivist industries. The papers aim to make a modest contribution to supporting peasant women and their allies to counter the growing social and ecological crisis linked to the extractives industries in the region. Each paper has been written by a different set of authors, supported by various respondents who are specialists in the specific ‘question/s’ addressed by the paper, or have a general interest in the work of WoMin. WoMin is a programme of activism and research related to women, gender and extractivism in the Africa region and is housed in the International Alliance on Natural Resources in Africa (IANRA), a global alliance of organisations working on natural resource questions.

1 See Background Note for a fuller discussion of the concept of ‘extractivism’. The major focus of this collection of papers is industrial mining, which is one form of extraction.
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ABOVE: Women’s burden – the search for safe, adequate water supplies, Jiwa, Nigeria. Photo: ActionAid
1. INTRODUCTION

This paper explores the impact of mining on women’s unpaid care, a largely invisible question in the analysis of mining and its societal consequences. Unpaid care describes work, often domestic or care-oriented, performed mostly by women in the home. The concept of unpaid care draws our attention away from the dominant focus to the productive sphere, where work is visible, measured, valued and paid, to the sphere of the home where household members labour to produce a wide range of goods and services that are critical to the well-being of their fellow household members and the reproduction of the workforce. Yet, despite the value of the labour embedded in these goods and services, and their social and economic value, this work is not recognised, counted, remunerated or valued. Men are typically associated with the workplace, the public arena, while women spend more of their time labouring in the home, the private arena. Section 2 of this paper discusses in depth the concept of unpaid care, whilst section 3 locates this question more specifically in the Sub-Saharan African context, exploring some of the dimensions of poverty and women’s poverty that gives rise to unpaid care.

This paper will elaborate on how mining capital in Sub-Saharan Africa has, for close to a century, carefully extracted and managed women’s unpaid care to support its labour and social reproduction agenda, which varies depending on the mineral and the labour requirements for its extraction, competition with other industries for labour, and the level of industrialisation and its associated capital demands. By way of example, the asbestos mines in South Africa provided family accommodation and permitted women’s presence on the mines because their labour was cheaper and could subsidise for the increased costs of labour, as the industry mechanised. Section 4 addresses four experiences that relate to the theme of unpaid care and the mining sector – the asbestos industry touched on above; the effect of mine retrenchments and closure on the informal sector and women’s unpaid care in the Zambian Copperbelt; mine control of the social interactions between men and women, and the reproduction of the new generation of workers also in the Zambian Copperbelt; and the externalisation of costs related to the reproduction of the workforce to working-class women in the underserviced and marginal frontier mining settlements around Marikana in South Africa.

Sections 5 to 7 address the broad question ‘what is to be done’, with section 5 touching on a regional class action suit against gold mining corporations for the unpaid care impacts of silicosis, a disease of the lungs afflicting mineworkers; section 6 focusing more generally on how to recognise, count and support unpaid care; and section 7 concluding with some general recommendations for action through this regional programme of work on women, gender and extractivism, WoMin.

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1 Refer to Glossary for a definition of this term.
2 Refer to Glossary for a definition of this term.
3 Refer to Glossary for a definition of this term.
2. WHAT IS UNPAID CARE?

Unpaid care, mainly performed by women in most of the global South, and fractionally less so in parts of the global North, has been rendered quite invisible by the overriding focus of mainstream (mainly male) economists and policy-makers to the productive, as opposed to the household, sphere of work. What is measured and monitored, as an indicator of national development and well-being, is the total value of officially recognised goods produced and services provided in a country during one year. This is referred to as the gross domestic product (GDP). GDP per capita, the aggregate income or production per head, proxies for well-being of individual citizens, with changes in this measured by a corresponding rate of growth in the GDP. The GDP measure excludes the wide range of goods and services produced in and by households, mainly through women’s unpaid labour, and therefore ignores a very significant area of economic activity. Joseph Stiglitz, a former chief economist and senior vice-president of the World Bank, has argued that the neglect of this unpaid household labour underestimates women’s important contributions to the economy. Stiglitz and Maurice Weinrobe express a worry that GDP and GDP per capita may be highly inadequate measures for human well-being if they mask significant quantities of unpaid work, and/or if growth occurs because paid hours of work are being substituted for women’s unpaid care. “Ignoring [women’s unpaid work in the household] may lead to incorrect inferences about levels and changes in well-being” (Miranda, 2011: 6).

Unpaid care forms an essential part of social reproduction, which refers to:

the processes involved in maintaining and reproducing people, specifically the labouring population, and their labour power on a daily and generational basis. It involves the provision of food, clothing, shelter, basic safety and health care, along with the development and transmission of knowledge, social values and cultural practices and the construction of individual and collective identities.

(Bezanson & Luxton, 2006: 3)

Social reproduction, in simple terms, embraces the activities required to ensure the basic, day-to-day survival of individuals and families. While social reproduction can include domestic and care-oriented services provided by paid workers or the state, this paper will focus on those services that are unpaid. Within the household, unpaid work produces goods and services that are consumed by the members, or sometimes by people outside of the household, but are not sold on the market (Miranda, 2011). The work is also not remunerated, meaning that the labour through which the goods and services are produced is not paid for. For the purposes of this paper we will use the term ‘unpaid care’ to refer to traditional domestic tasks, such as cooking and cleaning, and care work (such as caring for the sick and the elderly). While subsistence agriculture is a critical area of unpaid work, demanding vast quantities of peasant women’s time in the global South and Sub-Saharan Africa specifically (FAO, n.d.), we do not bring this into focus here.

The “third-person rule” (Budlender, 2002: 28; Budlender, 2004: 30; Miranda, 2011) is a very helpful criterion to distinguish those activities that are productive and should come under the rubric of unpaid work and those which are very specifically leisure activities. If a third person could hypothetically be paid to perform an activity – such as cooking, cleaning, child care and laundry – then these activities are deemed productive and are unpaid work. Those activities, such as sleeping, or watching a film, or reading a book, in which benefits accrue to the person undertaking the activity and not to the ‘hirer’ are considered leisure activities (Arboleda, n.d.; Ironmonger, 1996 in Miranda, 2011).

Who is mainly responsible for unpaid work? A 2011 Organisation for Economic Cooperation and Development

4 Refer to Glossary for a definition of this term.

5 The GDP measure has inter alia also been criticised for its failure to account for damages to the environment caused by development, as well as wealth depletion through, for example, the exploitation of non-renewable natural resources. GDP as a general measure of development cannot apprise about the spread of wealth between citizens and therefore may conceal significant inequalities characterising development processes.

6 See Paper 3, which focuses on the land and livelihoods impacts of the extractives industries – there we address the unpaid labour impacts of the loss of labour through male migration, and the subsidisation of the extractives industries by women’s work in subsistence agriculture.
(OECD) study titled “Cooking, caring and volunteering: unpaid work around the world” draws the conclusion that, in the 29 countries studied, women spend more time on unpaid work than men. The gender gap is on average two hours and 28 minutes per 24-hour day, but there is a significant difference between countries. For instance, the research finds that Turkish, Mexican and Indian women spend an additional 4.3 to five hours per day on unpaid work than their male counterparts, while in the Nordic countries, the difference between men and women per day is small – one hour (Miranda, 2011). The research has unfortunate limitations in its focus on 23 OECD countries and three emerging economies, with only one country – South Africa – falling in Sub-Saharan Africa.

Figure 1: Women do more unpaid work than men in all countries

![Graph showing the difference in unpaid work between men and women in various countries.](image)

Source: Miranda, 2011: 12

In 2012, ActionAid International undertook time-use studies in four countries – Nepal, Uganda, Kenya and Nigeria, which whilst neither definitive nor generalizable to all women in these countries finds that housework, after sleeping, is the second most time-demanding activity for women. By contrast, the second most demanding activity for men (after sleep) is GDP work, which includes waged work, work in own/family business, small-scale trading, and subsistence agriculture. The research finds that the gap between women's and men's unpaid care work is greater than the gap in the amount of time they spend on unpaid or paid GDP work. Further, women's working time across all forms of work exceeds that of men, with women in Nepal working 1.4 hours for every hour worked by men (ActionAid, 2013).

Refer to Glossary for a definition of this term.
Unpaid care is not remunerated and this is crucial in determining how broader society understands and responds to this work. In societies that link money and value, an activity that is not paid for is inevitably understood as valueless. That women are assumed to be naturally or intrinsically better at caring, cooking and nurturing and thus do not need to be compensated for performing this work, is an important aspect of how their labour is devalued. Unpaid care, while perceived and treated as work without value, is essential to the functioning of all economies and to human sustenance and development. Without the replenishment of current workers and the preparation of future generations for the workplace, capitalist economies would not survive. Even when this work is remunerated, as in the case of domestic workers, the wages paid are low and still mainly performed by (black working-class) women.

It is important to emphasise that unpaid care is work. Despite the fact that it is not remunerated, unpaid care still involves physical and/or emotional effort and time to accomplish a task or goal. Unpaid care is relentless; there is no distinction between work time and non-work time and no organised breaks for the women who perform this vital labour. The societal expectations that construct unpaid care as non-work also contribute to the relentless nature of it. If there is no clear understanding of the physical and emotional effort required to perform unpaid care and it is understood as merely an expression of woman’s innate capabilities, it becomes difficult for women to draw the line at the end of a workday.

A key focus of women’s rights struggles historically has been for the valorisation (recognition and remuneration) of care work. The “commercialisation of domestic work … is [however] not sufficient to put an end to the devaluation of this work” (Barbagallo & Federici, 2012: 9). The trend has been towards the “ethnicisation and marketization of domestic tasks” (Barbagallo & Federici, 2012: 6) meaning that domestic work services can now be bought on the market but are typically provided by black women and women of colour, usually migrants from the global South, who are poorly paid. In addition, women’s growing participation in work that is recognised according to the GDP measure has not automatically led to women’s liberation. This is because women continue to carry primary responsibility for unpaid work in the context of the household, leading to a ‘double work burden’. As Camille Barbagallo and Silvia Federici argue “promoting paid labour participation reduces the supply for unpaid caregiving work even when the demand for unpaid care remains unchanged” (in Friedemann-Sanchez & Griffin, 2011: 512). Advocating for women’s entrance to the paid workforce must be accompanied by significant state and corporate investment to social reproduction (water, energy provision, child care, education and health-care services) and significant societal transformation (in households, families and communities related to the unequal division of labour and the devaluation of ‘women’s work’) if productive work is to be a liberating experience for women.
Box 1: The Three Rs: Recognition, Reduction and Redistribution of Care Work

ActionAid International, in its 2013 publication *Making Care Visible* (ActionAid, 2013) provides a very useful framework for conceptualising potential solutions to the dilemma of unpaid care. The three Rs can be understood as follows:

**Recognition** of unpaid care work requires that this work (mainly done by women) is made visible and acknowledged. Part of this recognition should entail acknowledging that unpaid care is work and it is productive and hence valuable. “Recognition can take several forms, including provision of compensation for the work, recognising it when determining other benefits, such as pension payments, or measuring unpaid care work in national statistics.”

**Reduction** of unpaid care work for individual women and for society as a whole. A service usually provided at household level could be rendered differently, for example by government or through collectives of community members financially supported by the state. Similarly, unpaid care work would be reduced if basic services, such as health care or education were provided, or provided closer to where people live and work to reduce travel or walking time.

**Redistribution** of unpaid care so that the overall amount of work remains the same, but it is more equally shared amongst household members. “One example of this is where male household members take on a greater share of housework and childcare. Another example is where government takes on a greater share of healthcare provision by setting up an effective public healthcare system.”

Above: Women are responsible for 60-80% of food consumed in rural households in sub-Saharan Africa. Woman smallholder, Gaube, Nigeria. Photo: ActionAid
3. RURAL WOMEN’S STATUS AND UNPAID CARE WORK IN SUB-SAHARAN AFRICA

Unpaid caregiving cannot be properly understood without examining poverty, women’s poverty specifically, and its key and context-specific drivers. This analysis must be nuanced and intersectional, addressing how the social factors of class, race, sexual orientation, religion and so on interplay to shape the experiences and choices of different groups of women. For our purposes here, we will touch on general indicators of poverty and well-being, land and food rights, violence against women and HIV/AIDS at the Sub-Saharan African level.

Sub-Saharan Africa has the highest incidence of rural poverty (87%) anywhere in the world. While Africa is enjoying impressive growth rates in recent years averaging 5% annually, the World Bank admits that this ‘growth’ has “been less poverty-reducing than elsewhere in the world; and despite the faster growth in resource-rich countries, levels of poverty are falling at a slower rate” (eNCA, 2013). The Bank estimates that more than a third of the world’s extreme poor still live in Sub-Saharan Africa and this is still the only region in the world where the number of poor people rose “steadily and dramatically” between 1981 and 2010 (eNCA, 2013). With respect to the rural context, whilst the percentage of all rural people who are considered poor has dropped, the number of rural people living in extreme poverty (less than US$1.25 a day) has risen (IANRA, 2013). This poverty has a women’s face, what commentators often refer to as the feminisation of poverty, a trend in which women are found to be disproportionately represented amongst the poor. By way of example, a rather dated 1992 United Nations (UN) report finds that “the number of rural women living in poverty in developing countries has increased by almost 50% over the past 20 years to an awesome 565 million – 374 million of them in Asia, and 129 million in Sub-Saharan Africa” (cited in Power, 1993: 5).

Turning to land and food, rural households in Sub-Saharan Africa have a high dependency on agriculture, with 40% to 70% of rural households (and 64% of the entire Sub-Saharan African population) at the national level deriving three-quarters of their income from on-farm sources (IFAD, 2011). Women subsistence farmers are responsible for 60% to 80% of domestic food production in Sub-Saharan Africa and provide on average 46% of the agricultural labour, but perversely have limited rights to land, credit, extension support and production inputs (Dixon, 1982: 558–9; Gladwin, 2002). In Kenya, for example, women are 5% of registered landowners but 80% of the agricultural labour force (McFerson, 2010).

The World Health Organization (WHO) (2009) estimates that 10% to 60% of women (ages 15 to 49 years) across the world experience violence against women (physical, sexual and emotional) (WHO, 2009, 2013). Gender-based violence (GBV) estimates range from 30% in Malawi, Rwanda, and Zimbabwe to 50% in Cameroon, Kenya, and Zambia, and up to 60% in Uganda (Borwanker et al in McFerson, 2010). Violence against women increases women’s vulnerability to HIV either because of exposure to the virus through rape, or because women struggle to negotiate safe sex in abusive relationships.8

According to UNAIDS (2011), an estimated 23.5-million people are HIV-infected in Sub-Saharan Africa, representing 69% of the global HIV burden. This translates into nearly one in every 20 adults living with HIV. And women in Sub-Saharan Africa remain disproportionately impacted by the HIV epidemic, accounting for 58% of all people living with HIV in the region in 2011 (UNAIDS, 2012a, 2012b). Women are not only most vulnerable to infection, but have had to carry the greatest burden of care as already inadequate health-care services have been stripped down and user fees introduced by governments over the last two to three decades (Budlender, 2004: v), usually at the behest of the World Bank, the International Monetary Fund (IMF) and other financial institutions.

There are many explanations for women’s poverty – in the rural context, women are poor because they do not have secure access to and control over the key resources (land, water, tools and other inputs) required for production, and this, coupled with limited investments in the education of girl children, poorer nutrition, and other forms of social discrimination, leave women poorer than their male counterparts. In addition, from a labour market perspective, women are poor because they “tend to be concentrated in economic activities with low earnings, where earnings are irregular and insecure” (Budlender, 2002: 6–7). The ILO’s 2012 Global Employment Trends

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8 See Paper 5 focusing on extractivism and women’s bodies, which addresses the multiple dimensions of violence as they relate to women living in and impacted upon by the extractivist industries.
Women’s Unseen Contribution to the Extractives Industries: Their Unpaid Labour

indicates that the global financial crisis appears to have worsened gender gaps in unemployment across all regions, and that Sub-Saharan Africa’s already very high and rising female labour force participation rates seem to be related to a “negative factor: persistent and pervasive poverty, which make economic activity a necessity rather than an option” (ILO, 2012: 21).

In order to both recognise women’s contribution to national economies through care, domestic and reproductive work, and provide adequate policy and programme responses, it is important that we understand the many factors that give rise to unpaid care work. Very importantly, women’s unpaid care is shaped by structural exclusions and inequalities of, amongst others, gender, race, class, and ethnicity in their families, their communities, the economy and the wider society. In addition, the power women exercise in these different institutional spheres is determined by their ability (or inability) to negotiate the redistribution of unpaid care, find individual solutions (such as the buying in of household goods and services), and advocate for changes in policy and law. Organised movements of women, which bridge the global South and global North, will need to seriously assert the political question of unpaid care against governments, multilateral bodies, communities and families.

for Women
A focus on the home-based care of people living with HIV/AIDS (PLWHA) offers rich insights to the nature of care work, and the numerous impacts on caregivers, from which we can extrapolate understanding beyond the HIV/AIDS sector.

Who cares?

Olagoke Akintola’s survey of home-based care in Southern Africa finds that home-based caregiving is gendered and that the majority of caregivers are women. A few quantitative studies have reached similar conclusions – a 2001 study in Malawi found that 94% of caregivers were women (Zimba & McInerney, 2001), while a 2004 South African study found a rate of 78% (Homan et al, 2005). Studies have also found that mothers and sisters of the sick person form the majority of family caregivers. Most caregivers are in the same generation as those they care for, which Akintola argues means that their “caring competes with labour force participation” (Akintola, 2008: 121). This means that most caregivers provide care instead of earning income through wage employment or investing in subsistence agriculture, which compromises the food security of households.

Debbie Budlender (2002, 2004) draws attention to documented evidence of child caregivers who are usually hidden from public view, not acknowledged by government officials and excluded by home-based care organisations who seek to avoid support for child labour. The education of these children is compromised by their caring activities. Finally, older people also form a significant number of caregivers. These caregivers are already vulnerable to illness because of their age and this is further compromised by their caregiving.

Most caregivers have no formal employment. Akintola’s study found that, “over half of the HIV/AIDS-affected households … had no employed person” (Akintola, 2008). Many households rely on government grants to survive, with another study finding that between 34% and 40% of HIV/AIDS-affected families derived their income from old-age pensions.

What care is provided?

Caregivers engage in many different activities from the ‘basic nursing care’ of bedridden patients to the provision of spiritual and moral support. Men often provide a different kind of care because they are less experienced in the ‘nurturing’ commonly associated with women. There is also a fear that they will be seen to be doing ‘unmanly work’. Due to cultural constraints, men are less likely to provide certain care (bathing, for example), especially if the patient is a woman. Men are perceived as less compassionate and less capable of performing caregiving work, particularly the nursing care discussed above. Women caregivers are also burdened by maintaining normal household duties such as cleaning and cooking and, in addition, may also be the breadwinner of their households (Akintola, 2008: 124).
**Effects of providing home-based care**

One study in Tanzania (HelpAge International, 2004) found that the cost of care provided to a person living with HIV/AIDS was five times the amount the average older person could earn in petty trading, selling food or alcohol or other income-generating activities. That these families are already poor exacerbates the financial impact. Though the financial implications of volunteer caregiving ought to be easier to identify, there has also been limited research on this topic. Studies that have touched on this question, find that volunteer caregivers sometimes spend their own money to provide food or medication to their patients, extending the financial burden beyond family caregivers (Akintola, 2008).

Opportunity costs describe the time and earning potential lost when providing home-based care. A number of general conclusions can be reached based on the limited research: many caregivers report losing opportunities to earn an income (in a variety of occupations from self-employment such as hairdressing to subsistence farming) when they performed caregiving work. Further, because the households in which this caregiving takes place are usually poor, the opportunity costs they experience are disguised by their unemployment. The assumption is that if the caregiver is unemployed, they are not losing anything in performing caregiving. However, this ignores the loss of social time or time spent on other household chores (Akintola, 2008).

There has also been limited research on the opportunity costs of caregiving for child caregivers. Young girls are particularly vulnerable because they have been socialised into this role from a young age. Many child caregivers begin caring as secondary caregivers, to provide a reprieve to the adults in their family who are primary caregivers. Caregiving can also have a negative impact on children’s education: this may take the form of withdrawal from the education system or negative impacts on performance owing to tiredness and time constraints of the care burden. This is particularly dangerous for girls who have limited access to education in the first place (Akintola, 2008).

The physical costs to caregivers include body aches, headaches and increased vulnerability to tuberculosis and HIV. They also experience emotional costs as they emotionally attach to patients who suffer pain and ill-health, and/or die. There may also be a social cost to caring for a person with HIV/AIDS, which relates to stigma and possible discrimination (Akintola, 2008).
4. MINING AND UNPAID CARE

The crucial contribution of women’s unpaid care to the growth and development of the global capitalist economy is demonstrated in the example of the mining industry, in which South Africa has held a dominant place regionally for well over a century. As discussed in other papers in this WoMin series, the South African mining industry has been historically reliant on cheap intra-national and cross-border migrant labour. While some shifts occurred in the patterns of labour sourcing in the 1980s towards a more localised and settled labour force, the platinum and gold mines retained a predominantly foreign migrant workforce. Restructurings and retrenchments in the 1990s re-established a majority foreign workforce of about 60% across the mining sector by 2005 (Crush et al, 2005). South African mines, with the exception of the asbestos mines which required women’s cheap labour prior to and in the early phases of the sector’s industrialisation (explored in Paper 2 of this series), discouraged men from bringing their wives and children with them by providing single-sex hostel accommodation. Family accommodation was typically limited to white-collar workers, mainly white workers, in the apartheid period. Apartheid-era pass laws and influx control legislation dating from the early 1920s, and the 1960 Group Areas Act regulated the inflow of labour and supported the mines’ quest for cheap labour.

The families of the migrant miners typically remained in their rural localities, in South Africa or in the labour-contributing states of Mozambique, Malawi, Swaziland and Lesotho, supplementing meagre mineworker remittances with subsistence farming to sustain their households. Harold Wolpe (1972) argues that this racialised system of migration helped the mine bosses in two ways – it eliminated the need to pay a family wage (with wage calculations made on the basis of a single male worker) and further, enabled an even lower wage because these men were subsidised by their families’ subsistence farming activities in distant rural villages. This system of migrancy also displaced the cost of caring for ill workers from the mining company and apartheid government to the rural family. Instead of providing and maintaining health services for workers, sick workers were repatriated to their home villages (Marks, 2006: 569–9) to be taken care of by their mothers, wives and/or other female relatives. Wolpe concludes that apartheid capitalism was able to thrive by paying black workers a wage “below [their] cost of reproduction” (1972: 425) with the balance of these costs sustained through the unpaid care of black peasant and working-class women, a practice that continues to this day.9

There has been limited research on women’s performance of unpaid care in mining settlements and labour-sending communities. This section of the paper will address four relevant studies. The first focuses on the Zambian Copperbelt and the impact of the economic crisis on the informal sector, with its ripple effects into care work in the home; the second is a South African research study and focuses on asbestosis10 (a lung disease arising from the mining of asbestos), from which we extrapolate implications for women’s unpaid care; the third focuses on social reproduction in the Zambian Copperbelt; and the fourth addresses social reproduction and women’s unpaid care in a frontier mining settlement, called Marikana, the site of the massacre of 34 striking workers by police in August 2012.

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9  See section 5 of this paper.
10  Refer to the Glossary for a definition of this term.
ABOVE: Wives of miners, Bleskop informal settlement, Rustenburg, North-West province, South Africa. Photo: Bobby Marie
4.1 Economic crisis, erosion of essential services and women’s unpaid care, Zambian Copperbelt

Regina Namatovu and Cristina Espinosa, in their research on the Zambian Copperbelt, argue that households whose members predominate in the informal sector are equally if not more negatively impacted upon by public sector cuts brought on by the global economic crisis, than those in the formal sector. Women predominate in the informal sector because of their greater reproductive and domestic work burden and their limited access to formal education, one of requirements for employment in the formal sector. Women’s concentration in the informal sector makes them more vulnerable to the effects of this economic crisis.

The mining sector is the backbone of Zambia’s economy. It supplies 3.2-million jobs and provides minimal social services (such as medical care, housing and education) to workers and their families (Namatovu & Espinosa, 2011: 68). The global economic crisis had a severe impact on the Zambian copper mining industry, as copper prices plunged, and mines responded by scaling back or even halting production on some of the mines. Thousands of male workers were retrenched, and mining companies shut down or scaled back their operations. Women ‘absorbed the impact’ firstly, by mobilising to generate additional household income to compensate for lost income; and secondly, by increasing their domestic responsibilities as social services (such as public health) were cut, negatively impacting their income-earning abilities (Namatovu & Espinosa, 2011: 68).

These gendered impacts and responses have largely remained invisible in gender-neutral analyses of the social impacts of the global economic crisis. Working-class women traditionally perform three roles – “productive, domestic reproductive and social reproductive” – that men, due to entrenched gender roles and ideology, are not obliged to take on (Namatovu & Espinosa, 2011: 73). This triple work burden deepens during times of economic crises as women work longer and harder, under more arduous circumstances, to reproduce their families.

The informal sector, the area in which women’s labour predominates, was impacted by the “contraction in the demand for informal services” that followed the global economic crisis (Namatovu & Espinosa, 2011: 69). Women informal sector workers were also negatively impacted by increased competition from men who entered the informal sector in large numbers after losing their formal sector jobs.

The risky coping strategies adopted by poor households in times of economic crises also disproportionately affect women. In Zambia, this includes:

- prostitution, early marriage of adolescents to much older adults, increased use of child labour resulting in school desertion and reduction in number and quality of daily meals which affect the health of children and women due to cultural norms that favour male nutrition. (Namatovu & Espinosa, 2011: 74)

Though both boys and girls are involved in the increasing rate of child labour in Zambian small-scale copper mines (which have mushroomed on the closure of the formal mines), girls face the additional vulnerability of sexual exploitation. Children orphaned by HIV/AIDS who are being cared for by guardians are also vulnerable to child labour. Prostitution and adolescent-adult marriages also lead to increased exposure to sexually transmitted infections including HIV/AIDS. Young women in Zambia are also more likely to contract HIV than their male counterparts. In the midst of public spending cuts that affect the provision of state health-care services, these ‘coping strategies’ are especially dangerous and likely lead to an increase in women’s care responsibilities.

Other public health crises, such as the largely invisible crisis brought on by asbestosis in South Africa, also have a disproportionate effect on women, as discussed in the section to follow.

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11 This is explored in greater detail in Paper 5 addressing women’s bodies, sexuality, and autonomy.
ABOVE: Young wife of a migrant mineworker in the shack they call home, Bleskop informal settlement, Rustenburg, South Africa. Photo: Bobby Marie
4.2 Asbestosis and its impacts upon women and their unpaid labour, South Africa

While Lundy Braun and Sophia Kisting’s work on the impact of asbestos-related illness in South Africa does not specifically address unpaid care, its description of the neglectful behaviour of mining corporations, particularly their efforts to “externalise the cost of compensation to government, workers and communities” provides insight into how women and their unpaid care is affected by asbestosis and its numerous social and economic impacts (Braun & Kisting, 2006: 1392).

Asbestos mining has a long history in South Africa, spanning its initiation in the late 1890s to “the industry’s twilight in the 1980s” (McCulloch, 2003: 414). The industry, unlike other mining sectors such as gold, diamonds and platinum, historically encouraged family migration enabling the mining companies to reduce costs by drawing on the cheap or unpaid care of family members, but also as a method of shirking their responsibilities for asbestosis, which by 1929 was in widespread evidence (Braun & Kisting, 2006: 1388). This occurred through what is called a ‘freelance tributor system’ in which the mine company purchases asbestos from a self-employed miner, who would work with the rest of his family as a production unit – the typical division of labour was for men to blast the holes and dig the asbestos, while the women and children would use hand tools to ‘cob’ the fibre. This system of informal production worked well for smaller undercapitalised companies, allowing them to escape responsibility for the payment of services, such as medical care and worker rations, and avoid regulation from both a labour and health and safety standards perspective.

There are a number of other practices that mining companies adopted to avoid or hide the effects of asbestosis. Among migrant miners, this was made easier by their circumstances:

> **when the contracts expired, the majority returned to their country of origin, and their disease experiences were not included in … South African statistics.** (Braun & Kisting, 2006: 1390)

In respect of South African employees, if a worker became ill the company would typically repatriate the worker to a rural area where health care was limited and an autopsy was unlikely to be performed. Through this tactic, companies were able to keep the official record of asbestosis among workers low. However, as this particular study on asbestosis points out, this placed a great burden on the rural communities where these men were dumped: “communities in rural reserves, where there was almost no access to healthcare, bore the full burden of undiagnosed disease” (Braun & Kisting, 2006: 1390).

Braun and Kisting argue that the “informal organization of the asbestos industry” and the appalling living conditions of asbestos workers in South Africa set up patterns of exposure and disease that differed greatly from North America or western Europe. Because men, women and children worked together, the entire family was at risk of disease. Exposure to the fibre was higher and occurred at a younger age than elsewhere in the world. Miners also lived immediately adjacent to the mines, often in houses constructed of asbestos materials, resulting in occupational and ongoing environmental exposure to asbestos. They also note that the exposure of women and children to asbestos was greater because the women were concentrated in cobbing, the process of sorting the ore and separating the asbestos fibre from the rock all by hand. Women, in the absence of child-care support and adequate schooling facilities, would often perform this work alongside their children, with one researcher describing women cobbing “with their babies lying on soft asbestos fibres as they worked” (Hocking in Braun & Kisting, 2006).

The racialised nature of the occupational health system in the apartheid-era asbestos mining industry also had a deleterious effect on black miners’ health. Hard-won concessions such as medical check-ups and compensation were in practice limited to white workers. Black workers were required to see doctors employed by the mine, a significant conflict of interest given the potential costs of compensation for occupational disease. Black workers were also less likely to receive the requisite six-monthly check-ups. These failures in the health service inevitably

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12 Refer to the Glossary for a definition of this term.
13 Refer to the Glossary for a definition of this term.
14 See [http://www.brown.edu/Departments/Africana_Studies/Asbestos/4_0.html](http://www.brown.edu/Departments/Africana_Studies/Asbestos/4_0.html) for further information.
Women’s unpaid care of sick men and children on the mines, and in particular, their care of asbestosis-infected
men who were ‘disappeared’ by the mining companies back into their rural communities, is a question that is
not researched and well understood. An important question that has been touched on by at least one researcher
(Felix, 1998) is the health impacts of the asbestos tailing dumps left by asbestos mine owners. Her study points
to the impacts of asbestos mining on surrounding communities, where more than 40% of villagers were found to
suffer from ARDs, with women constituting the majority of those affected. Women’s unpaid care work – harvest-
ing of water, the time they spend in homes (often built with materials having asbestos content) and their subsist-
ence production – increase their risk of exposure to fibres and hence their likelihood of developing asbestosis
and other ARDs.
ABOVE: The demands of reproductive work start early in life for women – young girl harvesting firewood, near Barrick’s North Mara Mine, Tanzania. Photo: Tamara Herman
4.3 The management of social reproduction by mining corporations, Zambian Copperbelt

George Chauncey Jr’s (1981) article on social reproduction in the Zambian Copperbelt between 1927 and 1953 follows after Wolpe’s seminal discussion of migrancy and cheap labour in the South African mining industry. Chauncey describes how copper mining companies, unlike those in South Africa, chose to locate social reproduction “under company domain and on company property” (Chauncey, 1981: 135). This had several benefits, including mining companies’ ability to control the social interactions between men and women, and the reproduction of the new generation of workers (Chauncey, 1981: 136). This practice of encouraging the migration of entire families to mining compounds also grew out of a need for Zambian copper mining companies to compete with the higher paying gold and diamond mines of South Africa and their labour recruitment patterns in the sub-region (Chauncey, 1981: 136):

The companies quite explicitly saw the sexual, domestic and other services women provided men in their compounds as non-monetary inducements for men to work in the Copperbelt despite the low wages obtaining there. (Chauncey, 1981: 137)

Though, in theory, the decision to accommodate women and children in mining compounds could lead to greater expense for the mining companies (the most obvious being the cost of housing married workers), in practice, the burden of reproducing workers remained the responsibility of the women. Chauncey demonstrates this transfer of cost in the example of food rationing. Married workers only received a small supplement to provide for their wives, thus forcing women living in the mining compounds to continue the subsistence agriculture they would have performed in their places of origin. Chauncey describes the assigning of unused company land to miners’ wives to encourage the establishment of gardens. These companies made a further saving by buying vegetables and other produce from these same women at a lower price than the company would pay a commercial farmer (Chauncey, 1981: 139).

Married workers consistently proved to be cheaper for the mining company than single workers. In yet another food-related example, Chauncey describes how single men, who were too tired to prepare and cook the uncooked rations usually provided by the mining company, were provided with more expensive cooked rations, while married workers continued to be provided with uncooked rations. Mining companies also used women to keep the turnover rate low, with workers more likely to stay in employment longer if women were present at the compounds.

As suggested earlier, mining companies’ practice of encouraging workers to bring wives and families to the mine compounds had the benefit of giving companies’ direct access to the next generation of workers, allowing these companies to:

[introduce children] at an early age to the industrial discipline management found... so difficult to inculcate in older workers. (Chauncey, 1981: 142)

While encouraging workers to bring their families to the mines, the companies simultaneously worked to ensure that the workers did not sever their connection to their villages and towns of origin. This allowed them to escape their responsibilities to workers on retirement, illness and death (Chauncey, 1981: 142).

Though mining companies sought to keep women in the mine compounds economically dependent on their husbands, evidence suggests that women in these burgeoning urban areas engaged in informal economic activity to support their husbands’ low wages. Beer-brewing was the principal economic activity of women on these mine compounds. This activity often led to substantial earnings for women, but also attracted mine management’s attention. Mining companies were particularly concerned with the effects of alcohol consumption on labour efficiency and tried a number of measures to reduce the brewing of beer in homes. This included the construction of beer halls and the banning of home brewing (Chauncey, 1981).

Though some of these women were (poorly and not completely) remunerated for their reproductive activities, their experiences and the lengths mining companies would go to encourage their presence in mine compounds demonstrates the value of women’s social reproduction, similarly emphasised in the Latin American experience of mine mechanisations in the early 20th century, where women workers were valued for their contributions to the stability of the workforce (see Gier & Mercier, 2006: 14).
4.4 State and corporates externalise social reproduction costs to workers, Marikana South Africa

Initial explorations by Samantha Hargreaves (2013) on the theme of social reproduction and women’s unpaid care in Marikana, the site of the 2013 massacre of 34 striking workers by police in the North-West province of South Africa, adds a complimentary perspective to other dimensions addressed in the above-mentioned research. Her article makes the argument that, in the dense informal settlements surrounding the Lonmin mine in Marikana, it is women’s unpaid care that ensures the reproduction of the predominantly male workforce and guarantees super-profits to Lonmin, the world’s third largest platinum producer, whose earnings in 2011 were US$226-million.\(^\text{15}\)

In spite of significant profits accruing to the mine over more than a decade, generously distributed to shareholders and its leading executives, the workers live in what can only be described as deep misery and squalor. To the workers and their families, the mine offers minimal social services, in the form of a clinic (and a hospital for the workers) at Wonderkop, and some water distribution points. Most workers and their families live in shacks built of tin and wood and use hand-dug pit toilets or defecate in the open veld or local streets. For those with the finances to spare, a borehole can be drilled for a fee of just over US$80; for the rest, water can only be accessed

\(^\text{15}\) While Lonmin’s fortunes fell in 2012 due to a depressed market in platinum group metal prices, this was followed by a quick recovery with Lonmin enjoying tremendous profits in the last quarter of 2012.
by standing in long early-morning queues “as the water in the shared taps is finished by midday”. The nearest hospitals are more than 20km away, and schools are overcrowded, and distant, with parents having to pay high transport costs. There is no formal electricity provision in the settlement, resulting in dangerous ‘illegal’ connections or reliance on other hazardous alternatives, such as candles or paraffin. In the words of one mineworker:

People live in very unreasonable conditions. It makes me feel terrible when I look at the mining company and how big it is. It is a world-class group that makes so much money, but look at our community. Look at how we must live. (De Waal, 2012)

The burdens that arise from poor living conditions fall principally to women, and to older children who, on an unpaid basis, take care of the household by provisioning safe water, caring for the sick, sourcing and preparing food and so on. For many women, this represents hours of work beyond their productive work outside of the home, which may be paid or of an informal nature.

The mining companies have substantially abscended from their responsibility to house and service workers, aided by the 2002 South African Mining Charter (Department of Mineral Resources, 2010) which provided for a “living out allowance” to mineworkers of US$200 in 2012. The allowances were introduced as part of a strategy to gradually eliminate hostels and phase out the migrant labour system by assisting the families of mineworkers to live with them. The living-out allowance effectively devolves responsibility for the delivery of housing and services to individual workers, an unrealistic expectation given the high cost of credit and housing, and the impossibility of individuals self-managing such a process. Local government is obliged in terms of the constitution and relevant municipal policies and laws to meet the housing and service needs of populations within its jurisdiction. The Rustenburg municipality, under which the Marikana town and the Wonderkop settlement fall, has been riven with corruption for many years, and has substantially failed in its constitutional mandate (see Corruption Watch, 2013; Dube & Sole, 2011; Molatlhwa, 2012). A genuine housing strategy must and can only be met by responsible institutions with the necessary capital and capacity: the mining company, working in partnership with the local municipality, with adequate national state subsidy.

In October 2012, the Lonmin workers won a 22% increase in their salaries, representing a significant victory after one of the deadliest strikes in South Africa’s history. Yet, both the new trade union that most actively supported the strike, the Association of Mineworkers and Construction Union (AMCU), and the emergent worker formations (called strike, and now worker committees) focused almost exclusively on the demand for a higher minimum wage. Despite the miserable living conditions that workers and their families endure, and the patent failures of local government and Lonmin, demands related to labour reproduction did not feature in the month-long strike. Neither did the deep indebtedness of the mineworkers, driven by a largely unregulated and profit-driven financial services sector (see Steyn, 2013; Bond, 2012; Rees & Volker, 2013; Wild et al, 2013).

This focus on wages, to the exclusion of other critical social and economic challenges, reflects a narrow economistic or workerist position, which is deeply masculine. In September 2011, the majority of Lonmin workers were men, with women representing 7.6% of the workforce (Lonmin plc, 2011). If women’s voices demanding housing and social services were listened to, the traditional trade unions and even new democratic worker controlled formations would have to extend their focus to address the crisis of reproduction. The demands on corporations and the state to fulfil their obligations would allow a much broader and richer debate about social policy. Hargreaves concludes by arguing that the best prospects for a sustained radical challenge to an extractivist, profit-oriented and migrancy-dependent maldevelopment model now destroying the very basis for life and its reproduction, lies in unifying these struggles and foregrounding women’s perspectives and solutions.

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16 Marikana Women Unite workshop with Sikhala Sonke women’s group, Wonderkop, November 2012.

We will now consider a very different perspective of the ‘mining wife’ from the global North by briefly outlining the experience of middle-class mining wives and their unpaid care contributions, which benefit in the first instance their mining husbands; and in the second instance, the mining corporations for whom they work. In Australia, wives’ contributions are essential to the success of a mining engineer in the industry. Linda Rhodes expresses this in the idea of the “two-person career”, a career in which both members of a couple have to perform certain tasks for the benefit of one member of the couple’s career (Rhodes, 2003: 149). In heterocentric*, patriarchal society, this usually takes the form of a wife performing unpaid care in aid of her husband’s career, labour which is often “taken for granted as essential to enable the husband to progress along his chosen career path” (Rhodes, 2003: 150). This arrangement is common in many occupations, but is particularly poignant in the mining industry due to the historical exclusion of women from the industry and the isolated environment that usually characterises mining employment in Australia.

That mining engineers must relocate or commute to distant and isolated mining sites forces a difficult position upon miners’ wives. These women bear the greater burden of either giving up family, friends and employment to relocate to an isolated mining community or becoming intermittent single parents, solely responsible for household and child-care tasks for long stretches of time (Rhodes, 2003: 150). These women’s contributions are taken for granted by both their husbands and their managers in the mining corporations. The mining engineers’ workplace promotion is dependent on their wives’ performance of these tasks (such as managing relocation or maintaining the household in the husband’s absence) without pay or recognition. This echoes the situation of women in the global South whose husbands migrate far from rural homes to secure poorly paid work on the mines. In contrast, however, the standard of living offered by mining corporations operating in Australia and the more generous wages enjoyed by Australian miners’ eases the burden of unpaid care for wives.

Male miners and their corporate managers are complicit in the creation of the ‘mining wife’, an “unpaid but important position that insidiously requires them to extend their domestic, maternal and public relations skills, along with their good will, from the domestic context into the corporate world” (Rhodes, 2003: 149). One of the activities that wives perform in aid of the mining companies for whom their husbands work is entertainment. Because some women enjoy this activity, they are less likely to describe it as ‘work’ and consider being remunerated for it. The practice of failing to remunerate mining wives for their labour because they ‘enjoy’ it builds on the idea that these kinds of activities (cleaning, cooking and entertaining) are part of women’s natural capabilities and the role they should ‘naturally’ perform. The women in the study described the assumption (held by both their husbands and the company) that entertaining additional guests at short notice was only a little extra work and did not require recognition. The idea that women would be undertaking a slight expansion of their usual domestic tasks justified the companies’ failure to recognise and compensate their work. Women ought to be cleaning and cooking and so asking them to cook for extra guests was not ‘work’ nor should it be recognised or compensated for.

While the Australian middle-class miners’ wife may have access to the financial resources (albeit not always her own, a source of common oppression with global South women) to buy in household services, and may have access to a wider range of public services, the invisibility and undervaluation of much of her daily work is an oppression she shares with her global South sisters.

* Refer to the Glossary for a definition of this term.
Extractives industries’ impacts on women’s unpaid care are also explored in other papers in this series:

- **Paper 3**, on the effects of industrial-scale mining on peasant women’s land and food rights, addresses the effects of land grabs, land degradation and environmental pollution on women’s social reproduction responsibilities, mainly performed through unpaid care. The paper also touches on the loss of male labour through migration to distant mining sites and the impacts of this on women’s labour contributions mainly to subsistence production.

- **Paper 6**, focusing on artisanal mining, touches on its environmental impacts (the pollution of water supplies and soil, and the deforestation of lands) and health impacts, both on themselves and their families, and the results for women’s workload in the family.
5. CLAIMING COMPENSATION FOR WOMEN’S UNPAID CARE: A LEGAL CASE IN SOUTHERN AFRICA

The IANRA, together with the Women’s Legal Centre (WLC) in South Africa, are currently working in partnership to build a regional legal case and political strategy for the recognition and compensation of women’s unpaid care of male mineworkers afflicted with silicosis. The IANRA/WLC collaboration links to other individual and class action compensation suits that have been brought by male mineworkers and some of their widows against gold mining corporations for damages related to silicosis.

There is a critical dimension that is missing from the current flawed system of compensation, and from the existing legal suits against corporations and this is the ‘externalisation’ of the costs of silicosis and the linked health problem of tuberculosis (TB) from the responsible corporations to poor rural labour-sending households, and to poor rural women in these households in particular. Women (supported by children) will have given quite substantially of their time and labour to nurse a miner through his illness and/or to his death, possibly over many years. This paper has addressed the effects of this in Box 2 on the burden of caregiving: the sacrifice of paid work or livelihoods generation; the compromising of educational opportunities; the negative impacts upon the health and emotional well-being of the caregiver and so on. This transposition of social liability from the responsible mining corporation to poor families and communities entrenches poverty and impedes gender equality. Even in the limited manner in which mining companies acknowledge their obligation to their employees, through the Occupational Diseases in Mines and Works Act of 1973, women’s unpaid care work is not acknowledged.

The problem lies in achieving this recognition. The work will need to identify, measure and attach a value to the unpaid care work that women in a social relationship of care with men infected with silicosis have/had to undertake. The valuation of unpaid care work is a yet unsettled issue. In addition, this proposed legal intervention must also consider what form of compensation is appropriate for unpaid caregivers. This question will be explored with women claimants regionally, but should at the minimum ensure industry funding or co-funding (with the state) of health and other social services that lift the burden of unpaid care work off women where they live. Cash forms of compensation and subsidy should also be explored where women can exercise effective control over these benefits.

A successful unpaid care work legal precedent, if accompanied by widespread organising amongst rural and women’s movements, could force legal reform, the overhaul of the compensation system, and further reforms, for example, in the area of taxation. It could also trigger changes related to wider state social protection programmes, and inform the struggles of women within their communities and in wider society for recognition and support to social reproduction.

18 Refer to the Glossary for a definition of this term.
RECOGNISING AND COUNTING UNPAID CARE WORK

Recognising unpaid care work is the most common recommendation made by researchers and activists on this topic, but exactly how to go about achieving this is where many diverge. Counting unpaid care is one of the crucial ways to get it recognised in social and political terms. If individuals (and the work they do) are not counted, it is left invisible and misunderstood, and makes it very difficult to develop policy to address their specific needs. As touched upon in section 2 of this paper, how work is calculated to determine the GDP still excludes the household production of services, which proponents argue is very difficult to measure (Budlender, 2002, 2004). While it is true that unpaid care is difficult to measure, time-use surveys have begun to substantively address this challenge. These surveys, often used in unpaid care work studies ask participants how they spend their time on a daily basis. Methods used can include a time diary, which involves the participant keeping a diary and noting down activities as they occur, or a stylised activity list in which participants determine how much time is spent on each of a pre-generated list of activities (Esplen, 2009; Budlender, 2002, 2004). Other methods for collecting data about unpaid care work include observation, an activity log, and interviews using stylised questions.

The answer to the question of how to count unpaid care inevitably leads to an effort to determine an hourly wage. There are a number of methods to achieve this, including relying on the wage paid to domestic workers or determining the wage the unpaid worker would have earned if she had the opportunity to work outside the home (which is called the potential wage argument). However, all have their problems. Domestic work is poorly paid because of its associations with the household and with women, as well as the idea that the work is unskilled. Assigning the average domestic worker wage to unpaid care will not greatly alleviate the poverty many unpaid carers and their households experience. The potential wage argument is also problematic because it would result
in valuing the labour provided by a university graduate higher than that provided by a person who may not have completed high school, but has a wealth of expertise and experience that they bring to bear on their work. It would benefit those middle- to upper-class women who perform less (and less strenuous) unpaid care and disadvantage poor women. The assigning of value to an activity that is not paid already occurs for subsistence agriculture: applying this same action to unpaid care is an important first step.

Budlender justifies counting unpaid care work because of the “positive externalities” it provides to third parties, in particular employers (Budlender, 2004: 37). Child care, cooking, cleaning and other unpaid care activities improve and replenish the labour force, which in turn benefits employers. However, the people who perform this work are not compensated for the contribution they make to the success of the economy. If unpaid care is counted and acknowledged, then the economic cost to the people who perform this work will also be recognised. Failure to recognise this work leads to the incorrect assumption that women can provide an “inexhaustible supply of unpaid care” for the economy, which will eventually lead to its depletion (Makina, 2009: 316). If women are simply performing their ‘natural’ duties by providing unpaid care, there will always be women to perform this labour and it can never be depleted.

There are a number of countries – Tanzania, Canada, the United Kingdom, Norway and South Africa – where governments have sought to understand women’s unpaid care burden, mainly through time-use surveys, and have put in place initiatives to alleviate or compensate women for this work. For example, in Norway, the government put in place a system of ‘care credits’ for social security entitlements. These credits were intended to compensate for the paid work time lost by individuals who cared for family members. And in Canada, their national pension plan includes a provision to ensure that parents are not penalised when they step out of the paid workforce for a time to care for young children. However, the majority of these countries are ‘developed’ with substantive public income and many of the initiatives enacted target women or parents working in the formal sector. There are serious limitations to transferring this experience to countries of the global South.

The above examples once again demonstrate the importance of an intersectional approach addressing the multiple social factors of, amongst others, race, class, sexual orientation and religion. Without acknowledging the different ways and conditions under which women perform and experience unpaid care work, policy changes will be difficult to advocate. Budlender also recommends that research on unpaid care work consider men (allowing for a deeper comparative gender analysis), and address the unpaid care work done by children.

Akintola (2008) calls for more quantitative and representative studies. She stresses the need to appreciate the social benefits provided by home-based care, particularly in skills development. Anesu Makina recommends that more state resources be spent on caregiving and that the cost of home-based care for the (mostly) women caregivers be recognised. This includes protecting their right to education and paid work and providing support to them in the form of medical supplies and food subsidies. She also suggests the professionalisation of caregiving to give women the opportunity to enjoy adequate remuneration and to draw more men into caregiving.

BELOW: Externalised costs – when children play in polluted waters and slimes waste dams it is women’s unpaid labours that nurture them back to health. Photo: ActionAid
7. CONCLUSION AND SPECIFIC RECOMMENDATIONS FOR WoMin

The idea that women are naturally better at domestic and other reproductive work than men permeates all discussions of unpaid care in both the global North and the global South. It is on this basis that women's lack of (or low) compensation for this work is justified. The link between women's performance of unpaid care, the assumption that women's performance of unpaid care is an expression of their innate abilities and the fact that the work is low paid has been demonstrated repeatedly throughout this paper. The reality is that “care work impoverishes women and … perpetuates existing gender inequalities” (Makina, 2009: 315).

Unpaid care has also been discussed in the context of neoliberal policies that advocate a cut in public spending. This affects the provision of basic services like water, electricity, housing, roads and social services, particularly state health services which transfer the cost of caring for sick people from the state to the family (which really means women and girl children). Mining companies also transfer responsibility by limiting their legal and moral responsibility to provide housing, basic and social services to workers and their families, and diverting resources to small-scale corporate social responsibility schemes that reinforce government's failures and assert corporations' moral authority.19 The research upon which this paper has drawn has clearly illustrated the way in which the mining corporations have cynically planned, sometimes with state collusion, how best to reduce costs related to, or to better control, the reproduction of workers, by either encouraging family migration or forcing families apart, extracting women's labour under extremely exploitative conditions or banning their work on the mines altogether.

The mining corporations have profiteered greatly for over a century from the cheap labour of men and, separately or in combination, the cheap labour and unpaid care work of women, much of which has been rendered invisible by corporations and governments. This paper has aimed to make a small contribution to creating visibility and drawing attention to the mining industries’ exploitation of women’s unpaid care. The recommendations that follow will inform some of the work of WoMin in the years ahead, and may inspire research and action on the part of other agencies.

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19 See Dinah Rajak’s (2010) critique of corporate social responsibility, which examines Anglo Platinum’s decision to provide anti-retro viral therapy to its employees in South Africa.
7.1 Specific recommendations for WoMin

1. More research (both qualitative and quantitative) in specific sites across the region examining the ways in which women’s unpaid care is inserted into and benefits the extractives industries. Some of this work should be longitudinal to examine how women’s structural location evolves over time in response to shifts in the economic fortunes of corporations; changing labour needs, including in response to modernisation; and worker and women’s demands upon the system. The research should also bridge geographies, an absolutely essential requirement in the context of regional and intra-national labour migration patterns. Deeper knowledge is essential to support social struggles on this question and inform the development of appropriate policies, including alternatives to be advanced through organising and advocacy.

2. Expand support to the silicosis compensation claim against gold mining corporations for women’s unpaid care work, bringing in women claimants from other labour contributing states in the region, and working to build a strong ‘winnable’ case. In addition, encourage and support the pursuit of other similar claims against extractives industries across the region.

3. There may be space to work with carefully selected progressive arms of the labour movement in different countries and through regional or global federations to raise this question of the corporate abuse of women’s unpaid care, especially where the abuse is ‘transmitted’ through the calculation of male wages in ways that incorporate assumptions about women’s unpaid care contributions to the reproduction of workers and other members of households. A most unusual July 2013 demand of striking South African Eskom Medupi workers for an ‘in transit’ allowance covering the time workers spend in transport to and from work represents a real advance in traditional ‘workerist’ claims, and is a short step away from demands related to social reproduction.

4. Recommendation 1 has argued for more in-depth research which, when combined with support to women’s organising, should allow for the formulation of policy positions to advance to continental bodies such as the Pan African Parliament and its African Commission on Human and Peoples’ Rights (ACHPR) Working Group on Extractive Industries, as well as the African Union Working Group on Extractive Industries, Environment and Human Rights Violations in Africa. Other international bodies such as the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) committee and the Committee on Economic, Social and Cultural Rights (CESC) should also be targeted. For further information on key global and regional human rights and policy frameworks, how to use these to advance claims, and recommendations for which institutions to engage, see Paper 1.

Through national and regional movements of rural women, peasant farmers and communities impacted by extractivism, WoMin must work to deepen thinking and knowledge about the exploitation of women’s unpaid care by the extractives and other industries, and advance support for real alternatives that will liberate women through the recognition, redistribution and reduction of women’s unpaid care. The most significant political work is to raise these questions in women’s organisations and movements, and find ways of linking women’s unpaid care to concerns about violence against women, economic justice for women, women’s sexuality and control over their bodies and so on. Women’s unpaid care, one of the most important political questions for women’s rights, has been substantively knocked off the agenda until very recently, and it is time to reassert this agenda as a crucial component of the struggle for women’s rights and gender equality.

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20 A greenfields coal-fired power plant project situated in Lephalale, Limpopo.
ACRONYMS

ACHPR  African Commission on Human and Peoples’ Rights
AMCU  Association of Mineworkers and Construction Union
ARD  asbestos related diseases
CEDAW  Convention on the Elimination of all Forms of Discrimination Against Women
CEC  Committee on Economic, Social and Cultural Rights
GBV  gender-based violence
GDP  gross domestic product
IANRA  International Alliance on Natural Resources in Africa
ILO  International Labour Organization
IMF  International Monetary Fund
OECD  Organisation for Economic Cooperation and Development
PLWHA  people living with HIV/AIDS
TB  tuberculosis
UN  United Nations
WHO  World Health Organization
WLC  Women’s Legal Centre

GLOSSARY

Asbestosis
Asbestosis is an incurable lung disease arising from the inhalation of very fine silica dust, which causes inflammation of the lungs. The disease causes shortness of breath, chest pain, coughing and persistent fatigue, and makes people extremely susceptible to tuberculosis – see <http://en.wikipedia.org/wiki/Silicosis> for further information.

Cobbing
Cobbing is the breaking down of asbestos rock into ore by hand.

Extractivism
The term ‘extractivism’ refers to the extraction of minerals, oil and gas, and in the understanding of the writers, water, forest products, new forms of energy such as solar and hydro, and industrial forms of agriculture, which grab land and extract vast quantities of water in the production process. But extractivism also importantly refers to the conditions under which these resources are extracted and whose interests they serve, speaking to a dominant and highly unequal model of development which “organizes – on the basis of the exploitation and marketing of resources for export – the political, socio-economic and cultural relations within the respective country or region: the economy and class structures, gender relations, the state and public discourse.”

Freelance tributor system
A system of mobilising cheap and unpaid labour in terms of which the mine company would purchase asbestos from a self-employed miner, who would in turn work with the rest of his family as a production unit.

21 The value of natural resources, such as water and land and mineral resources are ‘embedded’ in the agricultural outputs, but are not valued and acknowledged in the setting of market prices. We refer to this as ‘embedded value’.

22 Ulrich Brand, Austria & Germany: Energy policy and resource extractivism: resistances and alternatives, RLF reader for WSF, Tunis
**Gross Domestic Product (GDP)**
The total value of officially recognised goods produced and services provided in a country during one year. GDP per capita, the aggregate income or production per head, proxies for well-being of individual citizens, with changes in this measured by a corresponding rate of growth in the GDP.

**GDP work**
GDP work is paid (salaried work, work in own/family business, small-scale trading) or unpaid (subsistence agriculture, home based carers) work recognised in GDP calculations.

**Heterosexism**
Heterosexism is a term that applies to a system of bias, and discrimination in favour of heterosexual (or opposite-sex sexuality) as opposed to homosexual (or same-sex sexuality) orientations. See [http://en.wikipedia.org/wiki/Heterocentric] for further information.

**Silicosis**
Silicosis is an incurable lung disease resulting from the inhalation of very fine silica dust, which causes inflammation of the lungs. See [http://en.wikipedia.org/wiki/Silicosis] for further information.

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Women's Unseen Contribution to the Extractives Industries: Their Unpaid Labour


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PAPER FIVE

EXTRACTIVISM’S IMPACTS ON WOMEN’S BODIES, SEXUALITY AND AUTONOMY
THE WoMin COLLECTION OF PAPERS ON WOMEN, GENDER AND EXTRACTIVISM: A BRIEF NOTE

In this starter collection of six papers, which focuses on Sub-Saharan Africa, WoMin begins to explore some of the themes and questions that are raised by extractivism, and industrial mining¹ in particular, and its impacts upon, and ‘relationship to’ peasant and working-class women. By ‘relationship’, WoMin refers to the myriad ways – within the home, in the fields and in the workplace – in which women, in mainly invisible and unre remunerated ways, participate in, shape and contribute to the ambitions and profits of the extractivist industries. The papers aim to make a modest contribution to supporting peasant women and their allies to counter the growing social and ecological crisis linked to the extractives industries in the region. Each paper has been written by a different set of authors, supported by various respondents who are specialists in the specific ‘question/s’ addressed by the paper, or have a general interest in the work of WoMin. WoMin is a programme of activism and research related to women, gender and extractivism in the Africa region and is housed in the International Alliance on Natural Resources in Africa (IANRA), a global alliance of organisations working on natural resource questions.

¹ See Background Note for a fuller discussion of the concept of ‘extractivism’. The major focus of this collection of papers is industrial mining, which is one form of extraction.
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1. INTRODUCTION

In the mine areas, a single woman can only be respectable if she is known to have had a husband or boyfriend who died or left her. Those who have never had a man do not get any respect. In this squatter community if you are single it’s even worse – since the only way we survive is through sex. If you are [a] single woman here, everyone will draw conclusions about your work no matter how discreet you try to be. The only way to be respected here is to have a man. (Respondent, research on sex workers in Carletonville, South Africa) (Campbell, 2000: 480)

My parents are dead; I was staying with my uncle, [but] when the mine closed [and he lost his job], he told me to go to the [home] village in Kasama [northern Zambia]. There is no one to stay with in the village – my grandmother has many orphans – that’s why I joined my friends ... We are three and we rent a room in Ndola; we travel to all [the] Copperbelt towns. I think Chingola is where business is good – people pay and they don’t complain too much. I am surviving; it is a bad thing, but I have nothing else to do. (Judith Mubanga, a sex worker in Ndola, Zambia (IRIN News, 2009)

The environmental, social and economic impacts of the extractive industries on local populations are far-reaching, and have particular gendered1 impacts because of women’s already unequal power and status in their communities. This paper will specifically address, as much as the existing literature allows, the impacts of this ‘development’ model of extractivism on women’s ability to make safe and informed choices about their bodies, their health and their sexuality.

Much of the research that addresses the relationship between sex, sexuality and the extractives industries focuses on the construction of masculinity2 and male sexuality amongst miners (see for example Moodie et al, 1988), the prevalence of sex work in mining communities, and the impact of these different dimensions on HIV-infection levels and consequently on industry productivity and profits (see Rajak, 2010 for an example). Though such literature provides insight into the highly gendered nature of the mining industry, research that explores women’s experiences of sexuality, sexual health and bodily autonomy3 is greatly needed. This paper, drawing on secondary research, case studies and other materials aims to make a small contribution by foregrounding women’s experiences and by outlining new questions and ways of theorising the question to guide future work.

The literature is overwhelmingly dominated by the question of sex work, which takes most of our attention. In section 2 the paper outlines the different ways in which the relationship between sex work and the mining industry has been theorised, and section 3 contrasts two contexts – South Africa and Australia – arguing that the experience of sex workers is deeply shaped by the mining industry, the conditions under which workers labour and the broader socio-economic context. Section 4 addresses HIV/Aids and other sexually transmitted infections (STIs) and considers specific risk factors for women related to the extractives industries: migration and migratory status, economic booms and busts and economic stress on the poor, and the very particular construction of masculinity on the mines. Section 5 discusses violence against women, arguing that this is intrinsic to extractivism, a model that is inherently violent against eco-systems, against workers, against communities and against women.

1 Refer to the glossary for a definition of this term.
2 Refer to the glossary for a definition of this term.
3 Refer to the glossary for a definition of this term.
2. WAYS OF THEORISING SEX WORK AND THE MINING INDUSTRY

There is a widely acknowledged link between sex and the mining industry. Where there are mines, the commercial sex industry often follows. This is arguably the result of the overtly masculine character of mining leading to the geographic concentration of significant numbers of men who have migrated, usually without their families, in search of work. Historically, there are three ways in which the link between mining and sex work has been conceptualised:

1) Commercial sex work as survivalist in nature or a “strategy of resistance” (Laite, 2009: 742).
2) Prostitution as a ‘necessary evil’ to be tolerated as a part of the effort of reproducing male labour.
3) Prostitution as a threat to production and the discipline of workers, or to the morality of residents of rural mining communities (Laite, 2009).

2.1 Prostitution as a resistance or survival strategy?

The reading of sex work as ‘resistance’ to the established order of society by women arises very much in the North American context. Where women were excluded from waged labour on the mines, and possibly even prevented from providing stereotypically feminine services such as cooking and cleaning, the “selling [of] sexual labour often proved the most lucrative, if not the only, means by which a woman could profit from mining” (Laite, 2009: 745). In contexts outside of North America where life and death survivalism may leave working-class women with few options beyond selling their bodies, a progressive reading of sex work as resistance is more difficult. In addition, the blurring of boundaries between domestic and sexual labour in global South contexts complicates this pioneering reading. Research on the Zambian Copperbelt reveals that women there may play the more normative role of ‘wife’, providing both sexual and domestic labour in exchange for economic support, while others may exclusively provide sex, and be considered prostitutes, with women providing a range of sexual and intimate services in between. In all cases, women are motivated by survivalism in a society in which they have little power and few livelihood options.

Theorists who adopt a resistance angle contend that men’s purchase of sex may serve as a challenge to “conventional morality, and as a way to refuse or even to defy the ordered and controlled world of modern capitalism” (Laite, 2009: 747). This perspective allows us to think about the male purchase of sex as more complex than men’s biological need for sex (see section 4.3 for further discussion on male identity and sexuality). In some communities, the toleration of prostitution might be read as community-wide resistance to corporate morality and control. For example, saloons in the United States and their equivalents across the world historically operated as spaces outside of the control of the bosses where prostitution, drinking and gambling took place. And these have also been cited as spaces where labour resistance and unions could develop.

2.2 Prostitution as a necessary evil

Historians who adopt this perspective argue that mining companies recognise that continued prostitution is in their best interests as it “facilitates the reproduction of male labour”, allowing the men to enjoy sex and some companionship and “return to work without any permanent social or financial responsibilities” (Laite, 2009: 750). They argue that mining companies pay their workers enough to buy sex locally, but not enough to sustain a family in the mining area, thereby discouraging miners’ demands for a family wage. One historian explicitly argues that the tacit acceptance of prostitution “was a way to keep miners from saving money and to keep them from bringing their families to the mines” (Laite, 2009: 751).

Mining companies and the more conservative rural communities in which mines are located, may also justify prostitution on the basis that men have a biological need for regular sexual release and to protect ‘good’ local women from sexual assault. And mining companies may tolerate prostitution to “detribalise” (Laite, 2009: 752) the locality through the mixing of prostitutes and miners from different regions, defusing tensions and creating more socially ‘harmonious’ communities.

This perspective provides another reading of saloons and bars, previously described as strategically resistant...
spaces. It could be argued that separating prostitution and other ‘vices’ from the day-to-day mine experience was another form of corporate control and regulation. Mining companies tolerated prostitution as long as it remained geographically and socially separate from the rest of society. This often expressed itself in the forced removal of saloon and bar owners from the centre of mining towns to the outskirts (Laite, 2009).

2.3 Prostitution as a threat to production and the physical and social health of a community

This perspective has justified the repression of prostitution and is first associated with the arrival of ‘good’ or ‘respectable’ white women in North American mining regions, decreasing the need for prostitutes and women of colour. This repression of prostitution shores up the oppressive distinction between ‘good’ white women and other women. Contemporary critiques of mining development that adopt this perspective tend to see prostitution as a negative by-product of the rapid economic development associated with mining. In these analyses prostitution is constructed as “the worst possible fate” for women and as a “symbol of the mining corporations’ social irresponsibility” (Laite, 2009: 758).

The repression of prostitution may be driven by a number of factors: firstly, by societal pressure to control young, independent women who occupy a space “away from patriarchal control” (Laite, 2009: 756). This is evidenced in a study on sex workers in Carletonville, South Africa which illustrates the contradictions which inhere in prostitution for women: empowering in its ability to provide an income to women with limited economic options and grant women a sense of control in their interactions with men, but exploitative in the crushingly low earnings and the physical dangers they confront. Secondly, there are racial and ‘ethnic’ politics related to the repression of prostitution, as research in Kenya illustrates. In one study, local communities’ opposition to prostitution expressed itself in ethnic terms, with the local Luhya groups objecting both to the corrupting influence of prostitution on their women and the “influx of women of different ethnicities” (Laite, 2009: 757).

This discourse of prostitution as a threat to mining profits and social well-being seems to have emerged during the two World Wars, when mining companies began to adopt positions that were repressive of prostitution, closely linked to efforts to exert greater social control over their workers. The companies took measures such as pressuring governments to pass anti-prostitution laws, closed canteens and replaced saloons and dance halls with corporate controlled social clubs, and enacted regulations to control the living quarters of married workers. In the Zambian Copperbelt, a wage dispute arising from competition between prostitutes and temporary wives resulted in the mining companies instituting a family wage to encourage more settled family living arrangements (Laite, 2009).

WoMin seeks to avoid dichotomising this question – prostitution as resistance or survival – and hence sides-steps singular explanations for sex work and its relationship to extractivist industries, or industrial development more generally. Instead, we think about prostitution as an occupation or a socio-economic practice that is many things at once: a method of strategic resistance for women, a survivalist strategy, and something that is quite integral to the mining industry, at once necessary to the reproduction of male workers, but also a potential threat to profits. This is the orientation with which we approach the case studies on sex work, and the other analytical sections to follow.
ABOVE: Sex worker. Photo: IRIN
3. CONTRASTING CONTEMPORARY SEX WORK IN MINING AREAS IN THE GLOBAL SOUTH AND NORTH

This section presents two case studies on sex work in mining towns: working-class sex workers in the Carletonville mining town in South Africa and the more general situation of sex workers in mining towns across rural Australia. These case studies illustrate very powerfully how the experiences of sex workers are shaped by the broader socio-economic context, and by the nature of the mining industry: the highly capitalised Australian mines with a predominantly white-collar migrant workforce, and the less mechanised mines in South Africa, which are heavily reliant on an unskilled or semi-skilled migrant workforce of national and regional origins. The mining context shapes and gives rise to a very different ‘industry of the flesh’. The case studies illustrate the nuanced ways in which women understand and experience sex work (the South African case study) and how the authorities and the wider public adopt a discourse and a policy orientation which accords well with the different conceptual orientations that have been outlined in section 2 above.

3.1 Working-class sex workers in South Africa

The high rate of STIs, particularly HIV, is cited as one of the most important impacts of the commercial sex industry on mining and has hence been the major focus of research to date (see Xu et al, 2008; I-Tech, 2011; Faas et al, 1999, Desmond et al, 2005). The association between sex workers and the spread of HIV/AIDS in the mines is widely accepted, and is often accompanied by blame, with sex workers apportioned greatest responsibility for the high prevalence rate and hence targeted in HIV/AIDS and STI prevention programmes. Catherine Campbell’s 2000 study of sex workers’ condom use on a mine in Carletonville, South Africa, assumes a feminist orientation by concentrating on women’s experiences and exploring the ways in which sex workers are disempowered by social and economic circumstances.

The research finds that miners and sex workers continue to engage in risky sexual behaviour, despite an awareness of HIV/AIDS and a high rate of infection: 25% of mineworkers and 69% of sex workers were HIV positive. Male mineworkers’ sexual behaviour has been subject to a great deal of academic interest. Risky behaviour by men is attributed to a particular “social construction of masculinity” (Campbell, 2000: 480) on the mines, where a man is considered to have a one in 40 chance of being killed in a workplace accident over a 20-year career and a home life that typically involves separation from the primary family. Masculinity is constructed around dominant ideas like “regular flesh-to-flesh sex is ... necessary for a man’s good health” (Campbell, 2000: 480) and men have an insatiable sexual appetite for multiple women.

For the sex workers in Carletonville, “self-efficacy” (Campbell, 2000: 482) which is loosely defined as “the extent to which women feel they are in control of their lives in general, and their sexual health in particular” (Campbell, 2000: 482), defines their ability to engage in safe sex practices and has an impact on numerous aspects of their lives. Women’s lack of self-efficacy is evident in their life stories, all defined by the common theme of disempowerment. Women entered sex work to escape abusive husbands or poverty-stricken childhoods.

The research paints a picture of deep exploitation in these women’s day-to-day experiences. The sex workers describe two types of encounters with male clients: R20 (US$2) day-time sexual encounters that sometimes take place in full view of other sex workers; and R50 (US$5) all-night encounters that involve the client sleeping over in the sex worker’s shack. The Carletonville sex industry is distinguished by the general absence of “pimps or middle men or women” (Campbell, 2000: 484). The absence of a pimp means that women are able to retain all their earnings and achieve a greater sense of control over their working lives.

Carletonville sex workers develop support systems, which sometimes even include their clients, in the absence of pimps. However, these relationships are simultaneously supportive and conflictual due to the competitive nature of their work:

*there was evidence for strong networks of social support, but these were tempered by the jealousies and competitiveness of negotiating survival in a hostile environment where the key resources of survival (clients and boyfriends) were in short supply.*

(Campbell, 2000: 486)
To return to the theme of self-efficacy, virtually all the women expressed a hope that they would meet a client, particularly a permanently employed one, who would fall in love with them and begin supporting them, enabling them to leave sex work. For these women, the escape from sex work could only be achieved by entering a permanent relationship with an economically stable partner. This could also transform their social status as their work and single independent lifestyles had forced a separation from many of the symbolic sources of respect and dignity associated with ‘African social relations’ (Campbell, 2000: 488), leaving them vulnerable to disrespect and abuse (Campbell, 2000).

This lack of self-efficacy also expresses itself in the sex workers’ dealings with clients. The sex workers reported that clients’ reluctance to use condoms was decisive because of the sex workers’ economic vulnerability and the persistence of “the customer is always right” maxim.4 These sex workers engage in a number of strategies to “distance themselves from the stigma” of their work (Campbell, 2000: 488). The most common strategy is the repetition and reinforcement of the narrative of their being ‘no alternative’ to their profession. The majority of the women also justified their entry to the industry by arguing that they had been ‘tricked’ into selling sex. The women were reluctant to name the work they did and emphasised this as temporary employment until better opportunities came along.

A very generous reading of these women’s choices is that by leaving the “drudgery of conventional womanhood” (Campbell, 2000: 490) and engaging in sex work, they could be performing a radical and liberatory act. The women themselves reported some advantages of sex work, such as being able to support family and children, and being independent from the control of a male partner. The illegality of the sex industry in South Africa, and the absence of regulation and support for sex workers, deeply shapes women’s experiences, in stark contrast with the situation in Australia, the focus of the next case study.

3.2 Sex workers in the Australian outback5

Sex workers’ experiences in Australia are mediated both by the legal status of prostitution in Australia and by the nature of the mining industry, which is highly industrialised and relies on a skilled and well-paid white-collar workforce, which is predominantly migratory. The character of migration is also different to that which predominately prevails in Sub-Saharan Africa, with male miners in Australia being flown into a mining location for set

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4 Alongside patriarchal influences, one could argue.

5 We have only been able to locate one piece of in-depth research on sex work in a booming Australian mining industry and for the rest have drawn on ‘grey literature’ of newspaper reports, case studies and online reference materials.
periods of time (usually two weeks) and then flown home for a rest period. This practice is commonly referred to as ‘fly in fly out’ (FIFO).

Private prostitution or one-person brothels are legal in all of the states of Australia, but the precise laws governing sex work vary from state to state. In New South Wales and Queensland street prostitution is illegal (but not for the client), whilst in Victoria, street prostitution is permitted so long as it does not take place near schools, churches or hospitals. New South Wales and Victoria permit licensed regulated brothels (DPNC, 2000).

Australia’s decade-long and now waning (see Business Spectator, 2013; Scott, 2013; O’Sullivan, 2013) mining boom, which has been mainly driven by China’s commodity needs and favourable export prices (Gregory, 2011) and characterised by FIFO migrant workers and miners’ high wages, has led to major growth in the sex industry (Carrington et al, 2012), with a significant rise in the number of overseas sex workers. The New South Wales government’s 2012 commissioned research finds that 53% of sex workers are from Asia (Thailand, Korea and China specifically), with a further 13.5% from other non-English-speaking countries (France 24, 2012).

The same research reports that sex workers in remote mining towns can charge double the capital city median6 hourly rate of A$150 (just over US$150). A brothel in the gold mining town of Kalgoorlie in Western Australia advertises services starting at A$300 an hour, with the proprietor reporting that her workers can earn up to A$4,000 a week at a busy time, about three times the average full-time Australian wage. The sex workers come from the eastern states of Australia, and other parts of the world and many commute in and out on a weekly basis, following the FIFO model (France 24, 2012). In Perth – the gateway to the resource-endowed Western Australia – sex workers can earn $200,000 a year, more than the miners. A renowned brothel there charges clients $400 an hour, split evenly between the sex worker and the house. The sex workers come from Cuba, Brazil, Scotland, Canada and even the US (Qadar, 2013).

The available research and reporting suggests that there may be some variation in the experience of sex workers, with local police in the remote North-West corner of Queensland reporting concerns that women may be trafficked in from Asia and exploited by criminals. This concern is, however, contested by the Scarlet Alliance movement of sex workers, which argues that there has not been an increase in the rate of trafficking reported, and that exploited sex workers can seek redress because their work is recognised in law (Lewis, 2012).

This boom has been blamed by at least the Australian Medical Association and the Queensland Health Minister Lawrence Springborg for the spike in HIV and STI rates in mining states. Springborg has specifically blamed sex workers for the doubling of the HIV diagnoses – 2.7 per 100,000 population in 2001 to 5.4 in 2010 – in the state of Queensland (Scott & Minichiello, 2012).

Analysis by John Scott and Victor Minichielo, academics at the University of New England (Scott, MacPhail & Minichiello, 2012), contest this analysis arguing that it echoes an unfounded hysteria that appears at times of national crisis – such as the Second World War and during the mid-80s when the HIV/AIDS epidemic was at its peak – when sex workers are singled out as a major threat to society, and subject to punishment, control and regulation. Instead, the latest available data (from 2005) shows that HIV has not transmitted in a sex industry setting in Australia, with Australian sex workers testing at very low rates of HIV and ST infection and achieving high rates of condom usage. They argue that the vilification of prostitutes in the mine boom era may be linked to the threats they and migrant FIFO workers pose to the “moral fabric of generally conservative [rural] communities” (Scott, MacPhail & Minichiello, 2012: no page number). “In many ways, female sex workers come to symbolise a range of concerns associated with rapid change in regions affected by the mining boom” (Scott, MacPhail & Minichiello, 2012: no page number). They argue instead that increases in the rates of STIs and HIV usually pre-date the current mining boom – and are linked to the decline of safe sex compliance amongst the gay and heterosexual populations – and are not limited to states with active mining industries.

Advocacy related to sex work in the global South generally emphasises the importance of legalising or decriminalising sex work, opening the way for greater regulation of the industry, and ensuring greater safety and support for sex workers. The experience of sex workers in Australian mining towns attests to the importance of legal safeguards and protection, but it is also important to emphasise the significant differences in socio-economic context and the shape of the mining industry, which will greatly influence sex worker earning opportunities and working conditions.

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6 Refer to the Glossary for a definition of this term.
4. HIV/AIDS, STIS AND SEXUAL ‘RISK’ FOR WOMEN LINKED TO THE MINING INDUSTRY

Sex workers in Sub-Saharan Africa have the highest rate of HIV infection (36.9% were HIV-positive) amongst all sex workers globally according to 2007–2011 data analysed by the Lancet Infectious Diseases study (Nashuuta, 2013). “And HIV prevalence among sex workers and their clients today is commonly 10 to 20-fold higher than among the general population” (WHO, 2011).

Figure 1: Trends in women living with HIV

Source: UNAIDS, 2010: 25

However, sex workers are not the only women who experience increased risk and vulnerability to HIV and STIs. Just over half of all people living with HIV are women and girls. In Sub-Saharan Africa, the number of people living with HIV reached 22.5 million in 2009, representing 68% of the global total and half of all new infections occur among women (UNICEF, 2010). Young women bear a vastly greater share of the HIV burden, with young women aged 15 to 24 years estimated to be eight times more likely than men to be HIV positive (UNAIDS, 2010). Within Sub-Saharan Africa, Southern Africa is the most severely impacted. “Globally, 34% of people living with HIV in 2009 resided in the 10 countries in Southern Africa; 31% of new HIV infections in the same year occurred in these 10 countries, as did 34% of all Aids-related deaths. About 40% of all adult women with HIV live in Southern Africa” (UNAIDS, 2010: 26).

Women’s vulnerability to HIV/AIDS is deeply entrenched in the gender inequalities that exist between men and women in everyday heterosexual encounters and relationships. And beyond that, specific groups of women are rendered particularly vulnerable because of the structural social and economic realities in their lives: poverty, racism, and ethnic discrimination, for example. Many of the risk factors for women contracting HIV and STIs coalesce and, in some respects, may be exaggerated in remote rural mining communities (Higgins, Hoffman & Dworkin, 2011).

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7 Notwithstanding critiques of the ‘women’s vulnerability paradigm’ in HIV studies and programmes as that which largely excludes the perspectives of men made vulnerable by their own race, class position, and sexual orientation, and which fails to consider men’s gendered needs in relation to the epidemic, the paradigm does offer a powerful framework for making gendered dimensions of vulnerability explicit and explaining why women experience higher rates of infection, beyond established arguments related to greater biological susceptibility.
Extractivism’s Impacts on Women’s Bodies, Sexuality and Autonomy

These include:

- **A lack of reproductive health facilities and information**, such as sex education, access to birth control, pre- or post-natal care which are necessary to safeguard and support reproductive processes at all of life’s stages. Mining settlements are generally located in remote rural locations, and often collect around small rural towns that do not have the infrastructure and range of services demanded by growing populations of miners, their dependents and the people that service the mining corporations and their workers, including sex workers (IWHC, n.d., 2006).

- **A lack of basic education.** By 2009, the number of out-of-school children globally had declined overall and there was a reduced gender gap, but approximately 35-million girls were still out of school compared to 31-million boys. Almost half of the world’s out-of-school girls are in Sub-Saharan Africa (World Bank, 2013). For settled communities displaced from their lands by mining activities, education may be interrupted, and artisanal and small-scale mining (ASM) – as reported in Ghana and Burkina Faso (GNA, 2012; Iberle, 2012) – draws children and young adults out of schooling to provide income to stressed rural households. HIV adds another layer of complexity, as girls are more likely to be drawn out of schooling to assist primary caregivers, usually female, in their care of sick relatives. Education is critical to give girls concrete skills for future employment and livelihoods creation, information access, and confidence, all of which are essential to protect women from infection.

- **Child marriage**. Despite numerous global declarations, conventions and commitments by governments, child marriages remain prevalent with one out of every nine girls likely to be married before they turn 15 years of age (UNFPA, 2012: 6). And it is girls that are poor, less-educated, and who live in rural areas that are most likely to marry young. The percentage of young girls married before the age of 18 years is 77% in Niger, 71% in Chad, 63% in Mali, 61% in Cameroon and 57% in Mozambique. In parts of Ethiopia, 50% of girls are married before the age of 15, and in Mali, 39% (Nour, 2006). Child brides face a higher risk of contracting HIV because they typically marry “older, sexually experienced men who may already be infected, or who may be unfaithful, or both” (IWHC, n.d.). Girls aged 15 to 19 years are two to six times more likely to contract HIV than boys of the same age in Sub-Saharan Africa (ICRW, 2012). These young girls often know very little about sex, HIV or STIs, or how they can protect themselves (IWHC, n.d.; UNFPA, 2012).

The risk factors we explore in greater depth below are migration and migratory status; economic stress and disempowerment; and the ethos of masculinity or machismo that characterises the extractives industries. Violence is addressed separately in section 5.

### 4.1 The link between migration, migratory status and HIV infections

The epidemiology of HIV/Aids in Sub-Saharan Africa is closely related to the process of migration (Brummer, 2002), much of this historically tied to the mining industry in South Africa. “Migrants – and mobile populations in general – have played a significant role in the initial spread of HIV in the Southern African region” (Brummer, 2002: 2). This is because the movement of labour is of a temporary or seasonal nature, in which migrants return home on a regular basis facilitating the rapid spread of the virus. In this current more advanced stage of the AIDS epidemic in Southern Africa, with extremely high HIV prevalence levels in the population in general, the contribution of population movement has become less relevant.

“Migrants are no longer agents that help to spread HIV, but have [rather] become individuals at high risk”

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8 See Paper 4, section 4 for a discussion on the gendered dimensions of unpaid care work.

9 The United Nations (UN) Convention on the Rights of the Child defines a child as anyone under the age of 18 unless adulthood is legally attained earlier under the applicable country law. Thus, with some exceptions, ‘child marriages’ are generally understood to mean marriages taking place before age 18.

10 Refer to the Glossary for a definition of this term.
(Brummer, 2002: 2) with several studies showing that migrants are more vulnerable to HIV infection than their non-migrant counterparts. This is attributed to the growth of “high-risk sexual behaviour” amongst migrants usually associated with changes as a result of migration. The most commonly cited post-migration shift is separation from a regular sexual partner and family. The second change is increased migrant income, and the third mechanism linking migration with changes in sexual behaviour is the shift in the social and cultural environment, and with this the loss of cultural or social strictures that come with life in a village or a close-knit community (Brockerhoff & Campbell in Brummer, 2002).

The specific impact of HIV/AIDS on mineworkers and their families is difficult to estimate, since there are hardly any HIV prevalence figures available for the mining industry in Southern Africa (Elias, 2001 in Brummer, 2002). The industries’ own dated estimates are somewhat helpful with Anglo American (cited in a 2007 article) indicating that one in every three of its workers is infected. The world’s fourth biggest gold producer, Gold Fields, estimates the total cost from HIV infection amongst its workers at around US$5 per ounce of gold (cited in the same 2007 article) (MAC, 2007). A 1998 study in Carletonville, Gauteng in South Africa found that 28.5% of all mineworkers was infected with HIV, and of mineworkers attending a STD clinic in the same region, 49% tested HIV positive (Brummer, 2002).

In Mozambique, a coordinator of the provincial working group for the fight against HIV/AIDS has indicated that “35,000 cases of STIs were registered in the area [in 2012] ... 10,000 of them in Moatize, at the centre of the coal boom, which has only 40,000 residents” (The Guardian, 2013). There is a close relationship between HIV and ST infection with individuals who are infected with STIs at least two to five times more likely than uninfected individuals to acquire HIV infection if they are exposed to the virus through sexual contact (CDC, 2010).

Risk-taking behaviour by male migrants, and the associated higher rates of HIV and STIs, places wives (often in distant labour-sending areas) and long-term partners – who may not be well informed, have poor access to health care, and reproductive health-care services in particular, and with limited power to negotiate condom use – at high risk.

Female circular migration has increased in recent years though research has tended to focus on male migrant experience and HIV risk (Camlin et al, n.d.). A study looking at both migrant and non-migrant women in the Carletonville gold mining area in South Africa, however, demonstrates the impact migrant status can have on exposure to HIV/AIDS, regardless of gender. From a sample size of 834, the researchers found that migrant women were generally older than non-migrant women and were also more likely to have had two partners or more. They were also more likely to have had sexual contact with a partner outside of their regular partner, “possibly as a strategy for economic survival during their migration period” (Zuma et al, 2003: 816). Condom use was generally low (22%), but higher among non-migrant women. Women aged 35 or younger and who were married were at greater risk for HIV infection than their older, single counterparts.

A most significant KwaZulu-Natal, South Africa focused study by Camlin et al on Gender, Migration and HIV suggests “higher risk behavior in the context of migration may place women at higher risk than men of acquiring HIV” (Camlin et al, n.d.). Behaviours that place women at higher risk include women’s predominance in the informal sector (for example, market vending or beer-brewing) with less exposure to workplace HIV prevention and health programmes, and pressures to supplement low income with sex in exchange for money, commodities, transportation or housing. The researchers conclude that women in the region are not “static, passive recipients of HIV infection from male migrants: they are fully participating in migration, and unfortunately bearing more of the burden of HIV associated with migration” (Camlin et al, n.d.). Indeed higher female mobility may be one factor enabling greater inter-connectedness of sexual networks (this being a determining factor in the spread of HIV), and therefore potentially contributing to the high and sustained prevalence of HIV in the region (Camlin et al, n.d.).
4.2 Economic booms and busts, risky sexual behaviour, and HIV

Research suggests a relationship between class, or lower socio-economic standing, and riskier sexual behaviour, such as the initiation of sexual activity at an earlier age and less regular use of condoms (APA, n.d.). The mining industry is extremely volatile, characterised by dramatic booms and downturns, which can have a harmful impact on already vulnerable, poor communities that rely heavily on mining for employment and livelihoods. The consequence of this volatility goes beyond the obvious economic implications and impacts on social and cultural relations in communities. A study of Zambian copper mining sites, looking at the effect of economic booms and downturns on ‘risky’ sexual behaviour, demonstrates this impact (Wilson, 2012).

The study found that the 2003 to 2008 copper boom triggered by global economic expansion, rising demand for copper and a consequent rise in the price of copper, resulted in a decrease in transactional sex and multiple partnerships and in a reduction in the pregnancy rate of young women. This was particularly true in the urban areas surrounding mines. The two groups that experienced the greatest decrease in transactional sex and multiple partnerships during the boom were young people and women. This data is consistent with other research that posits “women in poor countries reduce particularly risky sexual behaviour in response to positive income shocks” (Wilson, 2012: 798). Women engage in transactional sex as a survival strategy of last resort and are thus more likely to avoid it while men, regardless of income status, are more likely to report engaging in transactional sex:

*Increased employment opportunities for women outside of the transactional sex market should lead to a decrease in the supply of risky sex. Conversely, rising incomes among men may lead to an increase in demand for sex. (Wilson, 2012: 798)*

Women’s bodily autonomy is therefore heavily dependent not only on men, as demonstrated in earlier sections, but also on economic circumstances and the extent to which the benefits of a boom are distributed more equally between men and women. Economic stress on individual women and their families – arising from mine retrenchments during a period of downturn or when mines close; from land and resource grabs associated with extractive operations; and generally high levels of unemployment in peri-urban settlements that mushroom around mines – place enormous pressure on women to bring income into families, and contribute to an increased trade in the flesh (their bodies) one of the few resources that women may be able to control.

In mining communities, similar to other poor non-mining urban and peri-urban communities, women engage in numerous income-generating activities to derive a living. Women who sell food and alcohol may also sell sex to supplement their income, whilst others may be more fully immersed in commercial sexual activity. A Tanzanian study undertaken by Allen Desmond et al (2005) that focused on female recreational facility workers11 and male mineworkers in a town 3kms from a major gold mining operation in north-western Tanzania concludes that it is extremely difficult to define sex work neatly and establish a distinct category of commercial sex workers.12

Their study finds a wide range of categories of women defined by their exchange of sex for money or goods, but differentiated by whether this is understood as a full or part-time activity, by the degree of permanence in the relationship between the woman and her client/the man, and by whether they are permanent residents or visitors to the town. The male miners distinguished those who were continually available (and less desirable) permanent residents in the town (Desmond et al, 2005: 1743), referred to as ‘machanguda’, which is slang for prostitute, and those who visited the town, referred to as ‘malaya’, which is a common Tanzanian term for professional sex worker. ‘Wasimbe’ described single women who ran small businesses in addition to sex work and ‘Mabaamed’ or barmaids, which described those who sourced most of their income from selling sex, but were distinct from other sex workers because their sex work was less visible.

These terms are derogatory and were rarely used by the women themselves. Instead, these terms are used by male miners to distinguish women who exchange sex for money from ‘respectable’ women who are in steady

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11 Defined as those employed in bars, hotels, restaurants and video and disco halls (Desmond et al, 2005: 1740).
12 This discussion of the difficulties of the category ‘sex worker’ may aid in the shaping of further research that acknowledges the fluidity of categories like ‘transactional sex’ and ‘commercial sex work’.
relationships. The research finds that these categories are not fixed but extremely fluid with women moving across these various standings, depending on their economic circumstances and their attachment to a man in a more permanent relationship. This research clearly demonstrates women’s lack of autonomy; in a patriarchal capitalist society women are defined primarily by their life chances linked to their relationships with men.

4.3 Masculinity and risky sexual behaviour on the mines

The mining industry is a hyper-masculine one. The mines are projected as the terrain of the manliest of men: hard-working, tough and willing to get dirty to extract the valuable resources that lie hidden deep below the earth’s surface. In the masculine mythology surrounding the industry, mining is often described in sexual terms, with the Earth imagined as a woman, only capable of being penetrated by a male miner (Lahiri-Dutt & Macintyre, 2006: 7). This image helps to maintain women’s exclusion from mining by constructing women as incapable of penetrating the Earth/woman the way a man can. Despite evidence of women’s involvement in mining for centuries, women’s place in this masculinist discourse is in the home, physically and metaphorically separated from the world of mining and wage-earning (Mercier, 2011).

In this highly masculinised industry, gender and sexual identity are constructed in particular ways, differentiating men and women, and workers in different occupational classes. Asanda Benya’s work on women miners-workers on a platinum mine in Rustenburg, South Africa addresses the ways in which masculine and feminine identities and the division of labour are renegotiated underground as the traditional male work environment is ‘forced’ (by quotas) to accommodate women workers (Benya, 2009a, 2009b). Factive, an Australian organisation doing work on mine safety, notes that masculinity is historically and culturally specific with ‘ideal’ masculine roles and behaviours constructed, performed and policed differently by diverse occupational groups, such as senior management and members of construction crews, who mainly perform manual labour (Laplonge & Albury, 2011). Dunbar Moodie’s important historical work on migrancy and male sexuality on South African gold mines (Moodie, 1994) provides a fascinating account of the highly structured, socially sanctioned, and often abusive, sexual relations between older men and young male recruits to the mines. His work shows how the social and cultural context permitted these relations, confirming that sex and gender roles and even modes of sexual activity are socially and historically constructed. The research also points to the deeply unequal power relations at play in these relations, in this case influenced by status, position and age. Sex, then as now, on the mines is thus very centrally about power, about relations of domination and subordination, which are not fixed but in flux, responding to shifts in the social, cultural and economic context.

The International Organisation for Migration (IOM) 2002 study by Daan Brummer on labour migration and HIV/AIDS in Southern Africa13 and the case study by Campbell (2000) on sex work in Carletonville, a gold mining town in South Africa, draw similar conclusions about male identity construction on the mines. Campbell's study offers an important conceptual framework for thinking about how identity in the context of diverse group memberships is “constantly constructed and reconstructed in response to the life challenges posed by the relevant social and material worlds” (Campbell, 1997). The group memberships related to mining life, which the miners in her study identified were underground work-team members, hostel room-mates and ‘home-boys’ (fellow workers from the same place of origin). The ‘recipes for living’, which group membership offers consist of (a) a set of behaviours; and (b) ways of interpreting behaviour and experience.

The social construction of masculinity amongst both the Carletonville and Basotho miners, the focus of Brummer’s in-depth research, is shaped by an extremely dangerous, taxing, and unpleasant work environment, “dirty and overcrowded” hostel life which entails separation from family through migrancy,14 and few options for leisure activity (Campbell, 1997; Brummer, 2002). Read together, the mineworkers in the IOM and Campbell

13 Brummer undertook 40 in-depth interviews with Basotho mineworkers on the interrelated themes of migrancy, masculinity and sexual behaviour and HIV.

14 Across the region the shift from single-sex hostels to family-based accommodation on many mines, and the introduction of ‘living-out allowances’ in the South African context means that miners may now live with families, usually second families. Wages are typically not calculated to support family living and this may leave many miners with significant economic stress and hardship, a significant factor contributing to the miner uprising in South Africa, which has been ongoing since July 2012.
Extractivism's Impacts on Women's Bodies, Sexuality and Autonomy

ABOVE: Sex workers outside a bar in Zambia. Photo: IRIN
studies, experience an acute sense of powerlessness which contributes, in turn, to high sexual risk-taking behaviours.

Masculine identities are crafted by mineworkers as a way to deal with the great fears and difficulties related to their day-to-day working lives. They construct an idealised notion of “the most honourable way of being a man”, what Raewyn Connell and James Messerschmidt refer to as “hegemonic masculinity” against which behaviour is measured and adjusted (Connell & Messerschmidt, 2005: 832). In the Campbell study, workers were consistently reminded by their peers and more experienced workers that they are men with the responsibility of supporting their families. They have no choice but to put up with the risks and stresses of working underground. “A man was someone who was brave enough to withstand the rigours of the job” (Campbell, 1997: no page number). And closely enmeshed with this idea of what it means to be a man on the mines is a highly “macho sexuality” explained as the pursuit of unprotected flesh-to-flesh sex, multiple sexual partners and insatiable sexuality all of which is justified as being in the ‘nature of men’. In the words of one informant to Campbell’s research: “There are two things to being a man: going underground, and going after women” (Campbell, 1997: no page number). One of the Basotho miners reported that: “All men like to taste. Men always go to different women” (Brummer, 2002: 13). The mineworkers in the IOM study indicated that faithfulness and responsibility, usually referring to the fulfilment of financial obligations to family, were the two defining features of masculinity. While all men agreed that ‘in principle’ men should be faithful to their partners, some men exercised double standards with one man saying “When I’m sleeping outside [sleeping with other women] I always use a condom, so I am faithful to my wife. I can’t give her the disease [HIV/AIDS], so she doesn’t know” (Brummer, 2002: 13).

Miners rationalise the risk of contracting HIV/AIDS as minimal compared with the risk of dying or being injured underground with one miner having this to say: “The dangers and risks of the job we are doing are such that no one can afford to be motivated with life – so the only thing that motivates us is pleasure” (Campbell, 1997: no page number). Campbell and Brummer similarly conclude that the construct of masculinity that emerges, ironically, is one which also entails considerable risk for men, leaving them particularly vulnerable to HIV infection, and in turn opening long-term partners to high risk.
5. EXTRACTIVISM’S VIOLENCE AND ITS IMPLICATIONS FOR WOMEN

The UN Declaration on the Elimination of Violence against Women states in Article 1:

_the term ‘violence against women’ means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life._15

In 2013, the World Health Organization (WHO) estimated that some 35% of the world’s women would experience either intimate partner or non-partner violence in their lifetime. Intimate partner violence (sexual and/or physical) is the most common form of violence against women, affecting 30% of women worldwide (WHO, 2013a, 2013b). Women in central Sub-Saharan Africa are most at risk, with a prevalence rate of 65.6% of ever-partnered women having experienced intimate partner violence. All the regions (central, east, southern and west) of Sub-Saharan Africa sit above the global average of 26.4% (WHO, 2013a).

With respect to intimate partner homicide, the same study estimates that as many as 38% of all murders of women globally are committed by their intimate partners. The median prevalence of intimate partner homicide amongst murdered women was highest in the South-East Asia region (at approximately 55%), with the African region sitting at around 40%.

Figure 2: Global map showing regional prevalence rates of intimate partner violence by WHO region* (2010)

Coming to non-partner sexual violence, defined as an experience of being forced to perform any unwanted sexual act by someone other than a husband/intimate partner, the WHO found enormous variation across regions, with the highest prevalence reported in the central region of Sub-Saharan Africa (21%) followed by the Sub-Saharan Africa southern region at 17.4% (WHO, 2013a: 48).

Women who have been abused by their partners are “16% more likely to have a low-birth-weight baby ... twice as likely to experience depression, and, in some regions, are 1.5 times more likely to acquire HIV, as compared to women who have not experienced partner violence” (WHO, 2013a: 9). Women who have been subject to non-partner violence are 2.3 times more likely to abuse alcohol and close to three (2.6 specifically) times more likely to have depression or anxiety than women who have not experienced non-partner sexual violence (WHO, 2013a).
ABOVE: A survivor of conflict and one of its main weapons against women – rape, Kibati Refugee Camp, the Democratic Republic of Congo. Photo: ActionAid
The Democratic Republic of Congo (DRC)'s epidemic of gender-based violence (GBV) – it holds the dubious reputation as the ‘rape capital of the world’ – and on-going conflicts deeply influence women’s experiences in mining communities. The International Trade Union Confederation (ITUC) has identified an inherent link between the civil conflict and the exploitation of natural resources, what they call the “economic incentive structure” (ITUC, 2011: 6). The continued conflict, of which GBV is a defining feature, is the result of a combination of historical, political and economic factors. And the military and the various armed groups party to the conflict have a vested interest in maintaining an insecure environment to guarantee their continued sharing in the profits of different forms of natural resource extraction.

The illegality of ASM enables the control and illegal taxation of small-scale mines and miners by military groups, fuelling competition and conflict between them. Congolese artisanal miners are very poorly paid, subject to harmful working and living conditions, and have limited access to basic services, such as water, sanitation and health care. Mining in the DRC is also characterised by various forms of forced labour, debt bondage and child labour (with children comprising up to 40% of the population at mining sites).

While women make up between 20% to 50% of the working population at mining sites across the DRC, they predominate in secondary and supporting work tasks – such as transport and processing – which is the most poorly paid, as well as work more oriented to ‘reproduction’, such as the sale of food, alcohol and sex. Although women have a legal right to work in mines in the DRC, their participation is inhibited by cultural stereotypes. Women are also subject to GBV by fellow male miners, whose migratory status and abuse of alcohol lead to “diminished moral responsibility and violent tendencies” and by state and non-state security personnel (ITUC, 2011: 21).

Many women are forced into sex work by the lack of other income-generating possibilities or to supplement their poorly paid work on the mines. Mining marriages in which sexual services are exchanged for a regular portion of a miner’s wage are common, as is forced prostitution involving underage girls. GBV leads to higher rates of STIs, teenage pregnancies and child abandonment amongst women living and working on the mines (ITUC, 2011). The link between sexual violence and mining may have been overstated leading some academics (Perks & Vlassenroot, 2010) to argue that not all mining in the DRC is fraught with GBV.

The Congolese justice system has miserably failed women by not enforcing laws, and not taking harsh action against the perpetrators of rape and sexual assault. In October 2009, mobile courts that focus on gender crimes were introduced in small cities and rural areas in the eastern Congo in an effort to improve access to justice (ITUC, 2011).

* This case study is based on a publication by ITUC, 2011.
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ABOVE: Women artisanal miners in the Democratic Republic of Congo. Photo: Guy Oliver, IRIN.
Violence against women is endemic to conflict contexts and often particularly heinous (see WHO, 1997; Amnesty International, 2005; IWTC, 2009; Chilenji, 2008). Given the known association between the presence of extractives industries and conflict, women are particularly impacted as these conflicts assume gender-specific forms, such as sexual harassment, sexual abuse and rape. The extraction of high-value natural resources are known to trigger, escalate and sustain violent conflicts around the globe. Conflict is fomented when communities are dispossessed of their lands and other natural resources. Land and natural resources dispossessions and degradations give rise to increasing competition over diminishing renewable resources, such as land and water, which are deepened as climate change impacts bite more deeply in Sub-Saharan Africa (UN, 2012). Valuable natural resources also become a major source of conflict between rival political groups over control of the revenues giving rise to mechanisms such as the Kimberly Process16 and provisions related to conflict minerals from eastern Congo in the Dodd-Frank Wall Street Reform Act (Raise Hope for Congo, 2011).

According to the WHO (1997) the specific forms of violence which women and girls in conflict situations are typically subjected to are:

- mass rape ...
- sexual slavery, forced prostitution, and forced ‘marriages’;
- multiple rapes and gang rape (with multiple perpetrators) and the rape of young girls;
- sexual assault associated with violent physical assault;
- resurgence of female genital mutilation, within the community under attack, as a way to reinforce cultural identity;
- women forced to offer sex for survival, or in exchange for food, shelter, or ‘protection’.

(WHO, 1997: 1)

Whilst the conflict associated with the extractives industries may occur at different levels of scale and intensity, the research and work that has been done on violence against women during conflict is instructive. According to the United Nations Population Fund (UNFPA) (2006) the factors motivating violence against women during conflict varies. The violence may be fairly random – what they refer to as a by-product of the general collapse in the social and moral order that accompanies war. Non-combatant men, emasculated by the conflict and displacement, may subject women to increased domestic violence. Sexual violence may also be more systematic, used by fighting forces to destabilise populations and “subjugate and humiliate” men where women are “idealized as the bearers of a cultural identity and their bodies perceived as ‘territory’ to be conquered” (WHO, 1997: 1). A further motivation, which is particularly relevant to the extractives industries, is where sexual violence is employed to “quell resistance by instilling fear in local communities [the perceived enemy] or in opposing armed groups” (Ward & Marsh, 2006: 4). The case study (at the end of this sub-section), which addresses the use of gang rape by Barrick Gold’s private security at the Porgera gold mine in Papua New Guinea illustrates well how some corporations with state support can employ violence, and in this instance, rape, to punish ‘illegal miners’ and instil fear in local populations that may be defying or resisting corporate intrusions and dispossession.

Extractivism’s impacts extend beyond violence against women to include other structural forms of violence, which typify this highly unequal model of development based on the over-exploitation of mainly non-renewable natural resources for exportation in their raw material form. WoMin’s emergent position is that Extractivism is inherently violent:

- against local eco-systems which are often degraded and polluted by extractivist activities;
- against local communities who may be dispossessed of their land and natural resource rights upon which livelihoods depend, and live under conditions of poverty and high unemployment with few basic services;
- upon workers who usually labour under difficult and dangerous conditions for low pay; and
- against the planet, which is increasingly threatened by climate change closely associated with the exploitation of gas, oil and minerals such as coal.

The major parties complicit in this violence are the extractivist corporations, and states, where they have a vested financial interest in the extractives industries and/or fail to put in place the necessary legal protections and regulatory systems to safeguard and protect citizens. Corporates and states may also use private and state security to

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subdue local dissenting populations and safeguard the basis for continued accumulation. These structural and other forms of violence all have gender-specific dimensions explored in this and other papers in the series.

Rosa Lizarde, a feminist and a climate justice activist, articulates powerfully some of the deep interconnections between extractivism and violence against women:

>This [struggle against destructive extractivism] is not only against violence against our Earth which is violence against women, their families and their communities. It is an assault on women activists ... some who pay with their lives, who in facing the Extractives Development Model – the industry, the government and the exploitative system – put themselves at risk. (Feminist Task Force, 2013)
Papua New Guinea is an extremely poor country with abundant natural resources. Mining predominates in the country’s economy, which at 2002 accounted for 75% of exports and 21% of gross domestic product (GDP). The Porgera gold mine sits in the remote highlands of Papua New Guinea, a place quite forgotten by government until the mine’s development in 1990. Porgera is 95% owned and solely operated by Barrick Gold, a Canadian corporation and the world’s largest gold mining company. Since 1990 the Porgera Joint Venture (PJV) has produced more than 16-million ounces of gold representing about 12% of Papua New Guinea’s total exports.

But in spite of the great wealth the mine generates, Porgera has extremely high poverty levels and few government services. The mine has attracted economic migrants in search of work and opportunity, which combined with high levels of local poverty and unemployment has led to the rapid growth of ‘illegal’ small-scale mining.

Most illegal miners:

- chip away at discarded bits of rock on the mine’s vast waste dumps for a paltry income ... but some illegal miners organize daring, violent raids on the mine’s open pit, underground tunnels, or stockpile areas, often clashing with mine security personnel. These raids occur almost every night. (HRW, 2011: 9)

The Papua New Guinea government has failed to mount an adequate response to these conflicts and security challenges in Porgera and instead permitted the 450 private security personnel under PJV’s Asset Protection Department to function as the de facto police force in Porgera. This, combined with Barrick’s sponsorship of government mobile police squads, led to serious accusations of abuse against the company. Research by Human Rights Watch documents six ‘alleged’ incidents of gang rape of women by mine security personnel over the period 2008 to 2010, but other similar incidents have been identified through subsequent investigations, and represent a much broader pattern of ongoing abuse.

One woman was gang raped by five security personnel who caught her on one of the waste dumps. She was not an illegal miner but had gone there to sell betel nuts to the miners. She was forced into the back of their land cruiser and they took turns raping her. When they had finished they threw her on the ground, kicked her repeatedly and threatened she would be charged with trespassing if she tried to report the crime. Another woman and her husband were arrested by five security personnel at the same dumpsite. The guards drove her husband away and she was gang-raped in bushes near the dump. She told her story thus:

One security came and held my clothes and ripped it. Another held me very tight – and these are not women but men so I could not fight them. They made me fall on the ground and tore all of my clothes. One of them covered my eyes with his hand while he was raping me ... Each of them raped me two times. After they raped me I was lying on the ground for about two hours ... Then I went into a stream [near] there and washed myself and I walked home. I thought of doing that [reporting the crime] but since my husband was taken to jail I had no one to support me in going there so I just left it that way. I was scared they might just lock me up in the cell. (HRW, 2011: 48–9)

In January 2011 PJV announced that it was firing several employees for involvement in, or failure to report assaults against women and other serious crimes. And HRW reports that some of these individuals were subsequently arrested and charged by the police. It is not clear whether the employers were actually dismissed and if the cases against these employees ever went to court. However, in January 2013, after years of denial, Barrick Gold announced that it was implementing a remedy programme for victims of rape by employees of its Porgera mine. In order to receive a quite paltry remedy package – access to psycho-social/trauma counselling and health care – women would need to enter an agreement in which they would effectively sign away rights to possible future legal action, a position critiqued by activists.

* This case study is based on a report by HRW, 2011.
6. RECOMMENDATIONS AND CONCLUSION

With reference to sex work, the principal call of academics and activists is for the decriminalisation or legalisation of sex work, accompanied by the close regulation of the industry. Decriminalisation essentially means the removal of laws against prostitution, while “legalisation usually refers to a system of governmental regulation of prostitutes wherein prostitutes are licensed and required to work in specific ways” (Klinger, 2003). These measures would have an enormously positive impact on the experiences of women who engage in commercial sex work – it would grant them the right to go to the police for protection from clients who abuse or rob them and would also formalise their living and working rights. Like artisanal miners, however, this regulation must be conducted with sex workers not for them. One should also not expect that the simple act of legislating will eliminate sex workers’ vulnerability to assault and oppression; a cultural and attitudinal shift is also required. One of the ways to achieve this shift, particularly with regard to condom use and awareness of HIV/AIDS, is to target the men who use sex workers’ services.

Many policy recommendations of researchers are also concerned with HIV/AIDS. In general, there is strong emphasis on programmes that raise awareness about HIV. Campbell, who conducted research on sex workers in the Carletonville area in South Africa, recommends openness about the profession of sex work as being critical to successful HIV/AIDS prevention programmes. Conceptually, Campbell rejects the archetype of the ‘powerless woman of Africa’ that predominates in much academic literature and argues for a more nuanced analysis that focuses not only on the ways in which women are oppressed, but also on their strengths, upon which peer education projects can build.

Desmond et al, who conducted their research in Tanzania, argue that the concept of high-risk groups (like sex workers) is inadequate to address the transmission of HIV and other STIs. Instead they recommend the use of risk environments (i.e. communities or areas where risky sexual behaviour is rife) to focus attention on the many different types of people engaged in high-risk behaviour.

There is a significant gap in knowledge about and work with female migrants including those who are attracted to settlements surrounding extractives industries. Research by Camlin et al in KwaZulu-Natal, South Africa suggests that, in the context of migration, women are at higher risk than men in acquiring HIV, and that this is one factor underpinning the high and sustained prevalence of HIV in the region. This is a question for further investigation and work in extractives settlements regionally.

High levels of poverty and unemployment in significant swathes of the global South and parts of the global North combine with the erosion of livelihoods and development alternatives by a dominant model of extractivism to place enormous economic stress on working-class and peasant families. And this has particular gendered effects on women, who carry the weight of responsibility for household reproduction. Women in mining communities may often have little choice but to enter full-time commercial sex work, or supplement low incomes with the sale of sex on a less continuous basis. Giving poor women real economic choices – working towards economic justice for women – is critical if women are to enjoy bodily autonomy and make safe choices about their bodies and their sexual health.

The work to counter extractivism and its destructive impacts from the very specific perspective of marginal women is therefore critical. Advancing and strengthening currently existing alternatives – land-based subsistence and small-scale production and processing activities – combined with low intensity and small-scale extractivist efforts, in preference to mega-scale industrial projects, which in contrast to mega-scale industrial projects, create work and real local benefit is an important part of the solution. In addition, social and environmental impacts must be an important focus of legal and regulatory attention, and communities, women in particular, must be empowered to influence and shape extractivist efforts, and to decline these when the overall impacts will be too damaging to local livelihoods and lives. These are just some of the elements that must be considered in a post-extractivist society we must work to craft with peasant and working-class women at the centre. For it is in this renewed society in which humanity and eco-systems are privileged over profits that women will be freed from sexual slavery and abuse and enjoy real autonomy and rights over their own bodies. These struggles are one and the same.
**ACRONYMS**

**ASM**  artisans and small-scale mining  
**DRC**  Democratic Republic of Congo  
**FIFO**  fly in fly out  
**GBV**  gender-based violence  
**GDP**  gross domestic product  
**HRW**  Human Rights Watch  
**IANRA**  International Alliance on Natural Resources in Africa  
**IOM**  International Organisation for Migration  
**ITUC**  International Trade Union Confederation  
**IWHC**  International Women’s Health Coalition  
**STI**  sexually transmitted infection  
**UN**  United Nations  
**UNFPA**  United Nations Population Fund  
**WHO**  World Health Organization  

**GLOSSARY**

**Bodily autonomy**

When women are empowered to claim their right to a violence free life, to enjoy safe sex on terms agreeable to them, and to make informed decisions about reproduction.

**Extractivism**

The term ‘extractivism’ refers to the extraction of minerals, oil and gas, and in the understanding of the writers, water, forest products, new forms of energy such as solar and hydro, and industrial forms of agriculture, which grab land and extract vast quantities of water in the production process. But extractivism also importantly refers to the conditions under which these resources are extracted and whose interests they serve, speaking to a dominant and highly unequal model of development which “organizes – on the basis of the exploitation and marketing of resources for export – the political, socio-economic and cultural relations within the respective country or region: the economy and class structures, gender relations, the state and public discourse.”

**Gendered**

Reflecting or privileging the “experience, prejudices, or orientations of one sex” (Merriam-Webster online dictionary) over the other.

**Masculinity/machismo**

The quality or condition of being masculine that is usually context specific and historically and culturally defined. Machismo refers to a particular construction of masculinity that is exaggerated “stressing attributes such as physical courage, virility, domination of women, and aggressiveness” see http://www.thefreedictionary.com/machismo)

**Median**

Relating to, located in, or extending toward the middle.

---

17 The value of natural resources, such as water and land and mineral resources are ‘embedded’ in the agricultural outputs, but are not valued and acknowledged in the setting of market prices. We refer to this as ‘embedded value’.

18 Ulrich Brand, Austria & Germany: Energy policy and resource extractivism: resistances and alternatives, RLF reader for WSF, Tunis
Self-efficacy
“The extent to which women feel they are in control of their lives in general, and their sexual health in particular”, and defining their ability to engage in safe sex practices (Campbell, 2000: 482).

Transactional sex
“Transactional sex is defined as a relationship that involves the exchange of money or material goods for sex. While this transaction has both an economic and sexual component, it is often differentiated from formal sex work… because women engaging in transactional sex do not always view themselves as sex workers...
It is predominately men who provide the material benefits and women who receive these material benefits in transactional sexual encounters” (MacPherson EE et al, 2012).

REFERENCES


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The paper was co-authored by Samantha Hargreaves, the overall editor of the series, and Patricia Hamilton. Patricia Hamilton has a Masters in Gender Studies from the University of Sussex, UK and is a PhD candidate in the Department of Women’s Studies and Feminist Research at the University of Western Ontario, Canada.
PAPER SIX

TRANSFORMATION OF ARTISANAL MINING: EMPOWERING WOMEN, SUSTAINING HUMANITY, SAVING THE PLANET?
THE WoMin COLLECTION OF PAPERS ON WOMEN, GENDER AND EXTRACTIVISM: A BRIEF NOTE

In this starter collection of six papers, which focuses on Sub-Saharan Africa, WoMin begins to explore some of the themes and questions that are raised by extractivism¹, and industrial mining in particular, and its impacts upon, and ‘relationship to’ peasant and working-class women. By ‘relationship’, WoMin refers to the myriad ways – within the home, in the fields and in the workplace – in which women, in mainly invisible and unrenumerated ways, participate in, shape and contribute to the ambitions and profits of the extractivist industries. The papers aim to make a modest contribution to supporting peasant women and their allies to counter the growing social and ecological crisis linked to the extractives industries in the region. Each paper has been written by a different set of authors, supported by various respondents who are specialists in the specific ‘question/s’ addressed by the paper, or have a general interest in the work of WoMin. WoMin is a programme of activism and research related to women, gender and extractivism in the Africa region and is housed in the International Alliance on Natural Resources in Africa (IANRA), a global alliance of organisations working on natural resource questions.

¹ See Background Note for a fuller discussion of the concept of ‘extractivism’. The major focus of this collection of papers is industrial mining, which is one form of extraction.
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Below: Woman artisanal miner sifting for gold in the waste rock surrounding the open pit mine, Barrick’s North Mara Mine, Tanzania. Photo: Tamara Herman
1. INTRODUCTION

Everything in Mgusu settlement speaks of its role as a mining community. Day breaks to the sound of ‘crushers’ churning like cement mixers to grind gold-bearing ore; men pass each other on the path between the settlement and the pits as one shift in the mine ends and the next one begins. As the day gets hotter and the air fills with dust, people process the gold – young men tipping buckets of sludge down sluices covered in sacking; boys rhythmically stirring the ground ore with mercury in shallow pans; old women sitting in the dust, crushing rocks with lump hammers; and girls selling tea from kettles balanced on their heads. (Fisher, 2007: 743)

While quite idealistically described here, artisanal and small-scale mining (ASM) is inundated by environmental, safety, social and economic problems and women carry the brunt of these. One writer, Traore (cited in Hinton et al., 2003), comments that the “the positive impacts [of artisanal mining] are hardly felt by women, [but] they are hard-hit by the negative impacts.” This is because women generally hold an unequal position in their families and communities, and artisanal mining and its impacts only exacerbate these inequalities.

Despite these challenges, however, women’s participation in artisanal mining in the Africa region is the highest across all regions of the world (estimated at anywhere between 40% and 100% of the workforce) (Amutahi & Lutta-Mukhebi, 2001; Jennings, 1999; Lahiri-Dutt, 2008; Onuh, 2002) and the livelihoods of between 100 and 200-million people depend on those that are directly employed (calculated at between 20 and 30 million) globally in ASM. ASM employs very poor people, many of whom supplement inadequate rural incomes from subsistence agriculture and other economic activities. The requirements for initial capital investment are low, as are the operating costs and it is, hence, a most viable option for employment for the poor (UNEP, 2012).

Section 2 of this introductory paper defines artisanal mining, and discusses general trends in the region, including women’s participation. Section 3 explores some of the barriers – cultural, economic and social – to women’s participation on equal terms with men in ASM. Section 4 addresses the gender dimensions of environmental and health and safety impacts, and touches on violence against women in ASM. Section 5 presents a few inspiring stories about women miners who have struggled to make their voices heard and assert their interests. The paper concludes (section 6) with recommendations for transforming the sector to empower and support artisanal miners and women artisanal miners in particular.

This paper and the wider collection of which it is a part makes the argument that the transformation of ASM cannot be separated from a wider rethink of development paradigms and of extractivism in particular towards a model that is more locally and regionally rooted, at a smaller scale, which take into account the protection of ecosystems and is based on respect for human rights, guaranteeing safety and dignity for poor women in particular.
2. ARTISANAL MINING, REGIONAL TRENDS AND WOMEN’S PARTICIPATION

2.1 What is artisanal mining?

ASM refers to extractives activities which are informal, and often ‘illegal’, usually carried out by the rural poor to supplement subsistence farming activity, and typically performed using fairly rudimentary methods and tools (World Bank, 2012; miningfacts.org, n.d.; Hruschka & Echavarria, 2011). These definitions are not universal, for example, in Tanzania distinctions are often made between ASM on the basis of different levels of mechanisation and legality (Fisher, 2007: 743). Across contexts, artisanal miners usually operate without a mining licence and formal land allocations, both of which are usually financially prohibitive, and it is from this that the label ‘illegality’ may arise.

ASM is carried out by both men and women (and in some circumstances, children) and has the potential to provide a source of income to otherwise deeply impoverished individuals and communities. How this sector is organised, however, plays an important role in its ability to eradicate poverty and achieve economic empowerment, especially of women.

Writers and policy-makers may sometimes oversimplify the distinction between small- and industrial-scale mining whereas the two are closely intertwined, each shaping the other in terms of where and how mining takes place. ASM activities may often take place near or even within the concessions of large-scale mining operations; they may also take place in abandoned mining areas or in tailings dams. As both sectors scale up the interaction between them may increase, with relations ranging from cooperation to violent confrontation (miningfacts.org, n.d.). In addition, the sectors are linked in their common (mis)treatment of women. It is probably more appropriate to think of the relationship between the two sectors as a ‘continuum’, rather than a clear separation (Lahiri-Dutt & Macintyre, 2006: 9). In this collection of papers we conceptualise the two sectors as linked, and draw on some common ideas and literature, but have written two separate papers, one focused on artisanal mining and one on industrial-scale mines.²

2.2 The scale and growth of artisanal mining, and women’s involvement

The World Bank estimates that as many as 20-million people engage in ASM worldwide (World Bank, 2012). And the International Institute for Environment and Development (IIED) guesses direct participation in ASM anywhere between 20 and 30-million people, with livelihoods benefits at least five times that number. In addition, they contend that ASM employs 10 times more people than large-scale mining (Buxton, 2013).

In 2003, women’s participation in ASM was estimated at around 30% globally, but their involvement may now be much higher. In the Africa region, women’s participation ranges from an estimated low of 5% in South Africa to 50% of ASM miners in Ghana and Malawi (see Table 1) (Amutabi & Lutta-Mukhebi, 2001; Jennings, 1999; Lahiri-Dutt, 2008; Onuh, 2002). The difference in estimates may be explained by how participation in ASM is defined. Women’s work in artisanal mining may typically range from direct involvement in the extraction and processing of ore to the provision of cleaning and cooking services on site. Depending on how participation is defined, estimates of women’s involvement in artisanal mining activity may vary significantly.

² See Paper 2: Women Miners – from Invisibility to Visibility.
Table 1: Estimates of ASM and proportion women in selected African countries

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>TOTAL NUMBERS</th>
<th>PERCENTAGE WOMEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burkina Faso</td>
<td>100 000 – 200 000</td>
<td>45</td>
</tr>
<tr>
<td>Central African Republic</td>
<td>&gt;100 000</td>
<td></td>
</tr>
<tr>
<td>DRC</td>
<td>2 000 000</td>
<td>20</td>
</tr>
<tr>
<td>Ghana</td>
<td>180 000 – 200 000</td>
<td>50</td>
</tr>
<tr>
<td>Malawi</td>
<td>40 000</td>
<td>50</td>
</tr>
<tr>
<td>Mali</td>
<td>200 000</td>
<td>30</td>
</tr>
<tr>
<td>Mozambique</td>
<td>60 000</td>
<td></td>
</tr>
<tr>
<td>South Africa</td>
<td>10 000</td>
<td>5</td>
</tr>
<tr>
<td>Tanzania</td>
<td>550 000</td>
<td>25</td>
</tr>
<tr>
<td>Uganda</td>
<td>196 000</td>
<td>45</td>
</tr>
<tr>
<td>Zambia</td>
<td>30 000</td>
<td>30</td>
</tr>
<tr>
<td>Zimbabwe</td>
<td>350 000 – 500 000</td>
<td>44</td>
</tr>
</tbody>
</table>

Source: Drawn from World Bank, 2012

There has been a significant growth in the ASM sector since the 1990s with two separate global initiatives both estimating that ASM participation has more than doubled in just over a decade (Hentschel et al, 2002; Hruschka & Echavarria, 2011). This growth globally has been fuelled by poverty and unemployment as well as by the increased global demand for minerals such as gold, diamonds and other precious stones, as well as tin and tungsten, used in the development of high-technology devices (Hentschel et al, 2002; Hruschka & Echavarria, 2011; Yakovleva, 2007). Structural adjustments under economic liberalisation programmes from the 1990s and neo-liberal reforms of the 2000s in the global South have had a particularly negative impact on rates of poverty and led to more people turning to artisanal mining to supplement low incomes. The growth of artisanal mining, and women’s involvement in the sector, is highest in the poorest parts of the world. In line with this argument, two South African researchers, argue that there is a relationship between the Human Development Index (HDI) of countries and the proportion of the total workforce involved in ASM. “The trend is for countries with low HDI positions to have a higher proportion of workers employed in ASM” (Hoadley & Limpitlaw, 2004: 1). 

Graph 1 shows this relationship, arguing that where there are anomalous relationships this can be explained by ASM participation being driven by opportunity rather than need.

---

3 See the Glossary for a definition of this term.
‘Africa is Rising’ with impressive growth rates in recent years averaging 5% annually. There is also considerable optimism about future growth prospects with the International Monetary Fund (IMF) predicting an average annual growth rate of 5.6% for Sub-Saharan Africa (eNCA, 2013). The IMF predicts too that of the ten fastest growing economies in 2011-2015, seven will be in Sub-Saharan Africa (Martins, 2013). Growth rates have, however, according to the World Bank ‘been less poverty-reducing than elsewhere in the world, and despite the faster growth in resource-rich countries, levels of poverty are falling at a slower rate’ (eNCA, 2013). The Bank’s Background Paper for the 2013 World Development Report, which focuses on the performance of four fast growing African economies – Tanzania, Mozambique, Ethiopia and Ghana, similarly argues that despite fairly robust growth rates in these four countries (Tanzania and Mozambique’s growth was estimated at 7% in 2012) this has failed to translate into significant poverty reduction (Martins, 2013). According to a recent Bank note on poverty, more than a third of the world’s extreme poor still live in Sub-Saharan Africa and this is still the only region in the world where the number of poor people rose ‘steadily and dramatically’ between 1981 and 2010 (eNCA, 2013).

There are a number of explanations given for the limited poverty-reducing effects of high growth rates, with two specific aspects explored in detail here. Firstly, and very significantly, the majority of Africa’s citizens are still rural (61% of the Southern African Development Community (SADC) population, the majority of which are adult women) (Paradza, 2012) and more than 70% of all impoverished Africans live in rural communities, wholly dependent on agriculture for their livelihood (Rural Poverty Portal, 2009). Agricultural investment to small-scale farmers, in particular, is critical to rural poverty reduction, 4 while capital investment with or without minimal employment creation – the character of the extractivist and other industries (such as water and electricity) that have predominated in fuelling recent economic growth in the region – does not address poverty. Paper 3, addressing the land and food sovereignty effects of extractives, well illustrates the impacts of land dispossessions, as well as the productivity-reducing impacts of land and environmental, including water, degradation.

4 Agriculture in Sub-Saharan Africa comprises nearly one third of the continental gross domestic product (GDP) and two-thirds of employment, making rural Africa a vital component in the overall economic development of the region (ONE, 2012).
Secondly, while food prices have declined since the August 2012 (World Bank, 2013a) high, they remain inflated with the February 2013 price of wheat, maize and rice higher than a year ago by at least 15%, 8%, and 5% respectively (World Bank, 2013b). The poor spend a disproportionately greater amount of household income on basic foodstuffs and are therefore most vulnerable to food price increases. As discussed in Paper 3, the general trend, in the past decade, has been for Africa to become food-import dependent, with the majority of Africa’s low-income countries struggling to meet their food-import bills (Heita, 2012). And while West and East Africa enjoyed stabilised and even lower food prices in staples because of a strong 2012 harvest, Southern Africa in 2012 experienced declines due to a lean season, with maize prices in Mozambique, Malawi and Zambia consequently being extremely high in 2013. In 2012, considerable declines in global grain production prompted new fears of food shortages and an escalation in food prices similar to the 2008 crisis (Heita, 2012). These are the poverty reinforcing trends that are occurring alongside and masked by an overriding focus on economic growth rates as the marker of development and transformation in the region.

‘Africa may be rising’ for investors and the rich, but the poor and the rural poor specifically are, from the brief analysis shared here at least, enjoying few of the benefits. Since ASM attracts the poor, and offers a flexible supplementary source of employment to those employed in subsistence agriculture, ASM is likely to continue its upward growth trend in the region.

2.3 The status of artisanal mining

The legal status of artisanal mining deeply influences how artisanal miners experience the sector. Many researchers argue that the absence of formal, legal protection is a direct cause of the poor health and safety practices, low wages and exploitation that often accompanies artisanal mining. In Ghana, it has been suggested that the government has, until now, deliberately failed to rectify health and safety dangers because it fears state intervention will encourage galamsey5 mining. In Mongolia, researchers argue similarly that:

[t]he lack of formal recognition of ninja mining is largely responsible for these conditions. By deeming these settlements illegal the government is able to avoid its obligation to ensure that sanitation and water quality standards are met and effectively prevent ninja miners from asserting these rights under the law. (Bjerregaard, 2009: 44)

The illegality of artisanal mining has, until recently, been directly related to the growth of industrial mining in the region. The governments of Ghana and Tanzania, for example, have in the past decade or more adopted what can only be described as a hostile policy orientation to artisanal miners because of environmental damage and the perceived threat they pose to formal industrial mining. In Mongolia, there have been reports of government repression of ninja miners who begin encroaching on land designated for industrial mines.

Eleanor Fisher, writing about Tanzania, but addressing the Africa region more generally, describes the evolution in the thinking and practice of governments and international bodies towards artisanal mining over the last five decades. In the 1970s and 1980s, artisanal mining was generally treated as incompatible with the interests of large-scale mining, and hence segregated from the overall minerals sector development and legislative framework in countries, at best neglected and often repressed. In the early 1990s, a policy shift occurred, when major international bodies such as the United Nations (UN) and the World Bank sought to formalise artisanal mining bringing it ‘out of the cold’ into a unified legal framework embracing large and small-scale mining. This shift coincided with the period of economic liberalisation or structural adjustment in many countries of the global South, which entailed the partial or full privatisation of government institutions and assets, the opening of national markets to exports, and fewer restrictions on the movement of domestic and foreign capital. The macro-policy shifts thrust governments into the position of competing with one another for new global capital investments into sectors, including mining, previously under public control. This required the restructuring of the economy, policies and regulatory systems to suit the interests of major multinational companies. This macro-institutional policy transformation did not necessarily lead to artisanal mining being fully embraced by governments. Some still continued

5 Refer to Glossary for definition of term.
to see artisanal mining as a threat to industrial mining, which draws foreign direct investment and is seen to make a more significant contribution to national development goals.

In more recent years, under the tutelage of the World Bank, formalisation processes related to artisanal mining have been initiated across the region. In Ghana, for example, the government recognising revenue losses as a result of smuggling and the growth of the unregulated ‘black market’ initiated formalisation processes to tap into this income (Hilson, 2002: 4). The capturing of illicit resource flows seems to be the principal factor guiding ASM formalisation processes across the world. What may be less critical drivers of the formalisation agenda are commitments to improve the livelihoods of miners, address the health and occupational hazards ASM workers confront, and support the participation of more marginal groups, such as women (UNEP, 2012).

Daniele Moretti (2006: 13) and Kuntala Lahiri-Dutt (2008: 218), writing about artisanal mining in Papua New Guinea and South Asia respectively, trace the marginality and, in some contexts, the outright criminalisation of artisanal mining, back to the colonial period. Lahiri-Dutt describes how British colonialism transformed traditional artisanal mining activity, introducing modern technologies and labour management that obliterated traditional systems of knowledge and labour and firmly placed these old systems outside the legal framework. Persistent gender inequality in contemporary artisanal mining may also be traced back, in part, to a colonial history in which women’s knowledge and women’s labour was ignored and distorted to preserve colonial notions of women’s place in society.

This section has imploded much of the stereotyping related to women’s participation in ASM by illustrating the scale of women’s employment, up to 50% and more in specific mines. These women continue an unbroken chain of women’s involvement from the days of early, small-scale mining, which was historically practised by families, including women and children (Burke, 2006: 27–8). Women’s participation, like their male peers, is driven by poverty of which they bear the disproportionate burden in most contexts. While women share with men many of the challenges of working in ASM, such as the difficulty of mobilising capital and equipment, the health and occupational effects of working with extremely toxic chemicals, and harassment by state authorities, they experience these in particular ways by virtue of their gender and existing gender discrimination in their families and communities. They also experience gender-specific barriers to their participation – such as cultural stereotyping, segregation and discrimination through the gender division of labour, and weaker access to and control over resources – land, mining equipment and finance – as compared with men. These are discussed in the section to follow.

BELOW: A woman small-scale miner hand-crushing waste rock from Golden Pride’s dumping site in Nzega District, Tabora, Tanzania. Photo: Evans Rubara
3. BARRIERS TO WOMEN’S EQUAL PARTICIPATION

3.1 Gendered division of labour

Traditional gender norms manifest in the division of labour that is common to most artisanal mining sites, resulting in women facing “horizontal segregation” in occupation (Lahiri-Dutt, 2008: 218). For example, women are much less likely to be involved in the extraction of ore, with one study conducted in West and Central Africa finding that women were only involved in extraction 13% of the time versus men’s 95% (Malpeli & Chirico, 2013: 8). In a study in Burkina Faso, men were responsible for breaking large pieces of ore while women were tasked with crushing smaller pieces. Women tend to be concentrated in the processing and transporting of the ore and other so-called “secondary mine site activities” (Malpeli & Chirico, 2013) such as cooking, cleaning and selling water or alcohol. Processing often entails working with dangerous substances such as mercury and arsenic (the effects on children and families will be discussed later, in section 4.1), and despite these risks, women are paid less for this work than the extractive activities. And even when men are involved in processing work, they will likely be better paid than their female counterparts. The following quote captures well the risks involved in working with mercury, a risk that often falls to poor uninformed women:

We have talked to a molinero (local term for artisanal miners in Venezuela), Mr David Mejias, who recently lost his brother with mercurialism symptoms. According to Mr Mejias, his brother who used to take care of the amalgamation (the process of separating the gold from the ore to form an amalgam using mercury) work, died due to kidney problems, breathing deficiency and [a] swollen heart. As Mr Mejias was telling this story, his helper, now a woman was burning amalgam in a shovel. At this point, he said: ‘from now on I will be inside of my office when she burns the amalgam’. Mr Mejias has never seen a retort [a safety device that reduces exposure to mercury dust] and no environmental or mining inspector has ever given him technical advice. He prefers to hire unaware women for the dirty work. (Hinton, Veiga & Beinhoff, 2003: 10)

The reasons justifying women’s concentration in processing are varied but tend to relate to the ‘refined’ nature of the work, requiring careful and meticulous attention (Hinton, Veiga & Beinhoff, 2003: 8). According to traditional ideas about gender, men are more suited to physically demanding work while women are ‘naturally’ gifted at delicate, careful labour. Because processing is so poorly paid, as compared to extraction, women are often forced to supplement their income by performing other tasks at mining sites such as providing food, drink and sometimes sex.

Some researchers have suggested that there may be another reason women are more likely to be involved in processing rather than extracting. The geomorphology of particular sites, essentially “how natural forces such as wind, water, and gravity shape and alter a landscape”, might explain women’s work (Malpeli & Chirico, 2013: 8). The thickness of the overburden layer determines how easily the ore within can be extracted. In one study undertaken in West and Central Africa, women were more likely to be involved in extraction at sites where the overburden layer was thin and required less labour and tools to extract the ore. The researchers also found that women also dominated in recycling, which is a form of extraction that involves the meticulous search for smaller discoveries of gold or diamonds. In emphasising the physical as an explanation for the division of labour, however, this assumes that women are weaker than men and incapable of performing physically demanding labour, a position challenged by the reality of women’s domination in agricultural production.

The gendered division of labour is also shaped by the mineral being mined and the level of mechanisation at mining sites. Women are more likely to be involved in extractive activities in the case of low value minerals such as salt and clay (and in one study, diamonds) (Hinton, Veiga & Beinhoff, 2003: 20). This division of labour might be explained by the value of the mineral – women are less likely to be involved in extractive work or control mining sites where the ore mined is of greater value, further entrenching women’s poverty.

6 Refer to Glossary for a definition of this term.
The higher the level of mechanisation, the more likely the mine will adhere to some health and safety regulations and will be legally registered. However mechanisation is also linked to women’s participation; the more mechanised the mine is, the less likely women will be involved in its operations. This coincides with women’s exclusion from industrial mining; in fact, some researchers have argued that the number of women engaged in non- or partially-mechanised artisanal mining far outstrips the participation of women in industrial mining (Lahiri-Dutt, 2008: 217).

Artisanal mining in some regions of Sierra Leone is unique in that both gold and diamond mining takes place at the same site. In these circumstances, the gendered division of labour results in men extracting both gold and diamond gravel, but women process the gold while the men process the diamonds (Pijpers, 2011: 1075). At mining sites where only diamonds are extracted, women are often restricted to processing and service-providing work while at gold mining sites, there is more likely to be a ‘mixed-gender’ approach to extraction and processing (Pijpers, 2011: 1075). It could be argued that the gendered division of labour is shaped by how each mineral is ‘culturally appreciated’ and the reliability of income from the different forms of mining. Diamonds are associated with investment rather than sustenance, and gold mining is constructed as providing more reliable and regular income than diamond mining, in which a good diamond find can yield a great amount of money, but such finds are rare.

The typical division of labour in ASM, in which women predominate in processing, transporting and service work, relies on the commonly held idea that mining is men’s work. This explains the belief that arduous tasks can only be completed by men and that women pose a supernatural danger to underground work. It also permits women’s involvement in tasks considered secondary to the manly task of extracting minerals from the ground. While much of women’s work is barely acknowledged and certainly not equally valued, their contributions are however critical to the success of artisanal mining. And this starts to explain the interest of many international and local organisations in women’s participation in artisanal mining. Given women’s central role in artisanal mining, and taking into account women’s vital contributions to the social reproduction of families and communities, if women are targeted for empowerment, artisanal mining might be transformed into a viable source of economic development for impoverished communities.

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Refer to Glossary for a definition of this term.
Mining is regarded as a masculine endeavour and this creates several obstacles to women’s participation in artisanal mining. Firstly, cultural stereotyping and taboos related to the work that women might do create many barriers to women entering artisanal mining. Secondly, the work in ASM that is defined as ‘acceptable’ for women concentrates them in some of the most dangerous work tasks. And finally, in a masculine field women's labour is undervalued – women are weaker, they cannot work as hard as men, they are not as skilled as men and so on – resulting in women being paid less than their male counterparts, even if they do the same work (Moretti, 2006).

In Mount Kaindi, Papua New Guinea, women are trapped in a cultural ‘catch-22’: Anga people (one of the communities that live in Papua New Guinea) believe that protection from accidents and success in mining is dependent on spirits that will provide guidance (Moretti, 2006: 138). However, the spirits do not help those they do not know and because women have not historically been active in mining, the spirits are unlikely to be familiar with them. Other cultural barriers to women’s participation include the negative association between menstruation, sex and the pollution of gold (Moretti, 2006: 138). Mining is often described in sexual terms, with the Earth imagined as a woman, only capable of being penetrated by a male miner (Lahiri-Dutt & Macintyre, 2006: 7). This image helps to maintain women's exclusion from mining by constructing women as incapable of penetrating the Earth/woman the way a man can.

These gender norms are not specific or intrinsic to the culture of the Anga people in Papua New Guinea. They are rooted in a history of colonialism, which actively excluded women from participating in mining. During this period, indigenous men were the first to enter the industrial mines while the women were left behind in the villages, a pattern of migratory labour that repeats across the world. This granted men the advantage of learning on the job. In the post-independence period, social and cultural attitudes created under colonialism continue to exclude women from industrial mining, reducing their ability to learn skills that can be applied to ASM (Moretti, 2006).

3.2 Control over resources

Women's concentration in the more risky and manual jobs in the mine[s], with little or no safety or security, and at low wages is directly linked to their limited access to and control over resources such as land, credit, decision-making, political power and education. Access to resources empowers women to negotiate entry to the workforce on better terms and equally importantly to choose to withhold their labour and pursue alternative, safer, and possibly more lucrative, livelihoods.

In countries, such as Papua New Guinea, Tanzania and Zimbabwe, the regulation and formalisation of the ASM sector has disadvantaged women because of their unequal social status limiting their ability to navigate complex state bureaucracies and their weak access to key resources, such as finance and knowledge of legislation. In Tanzania and Zimbabwe, the formalisation of artisanal mining has unsurprisingly led to greater social exclusion of marginal miners lacking information and capital, the majority of whom are women. In Tanzania, government policy treats artisanal miners as a homogenous group, failing to accommodate for differences arising from the type of mineral mined, different histories of experience, socio-cultural constraints (which women, for example, experience) and importantly wide divergence between those miners that have access to capital and those who do not. It is the politically connected and/or educated elites, usually men, with capital, and the experience
and confidence to negotiate with bureaucrats who are advantaged and have been greatly empowered through the formalisation and land-claiming processes (Fisher, 2007: 751). The upliftment of marginal women miners through formalisation is not automatic unless the policy and associated programmes are designed to support this outcome.

The Tanzanian formalisation processes must be understood in the context of expanding industrial-scale mining, which tramples upon informal claims to land made by artisanal miners. Absolutely futile are the efforts of poor artisanal miners who, lacking finance, legal support and confidence, are expected to independently negotiate competing land ownership claims with the Goliath multi-national mining corporations. Artisanal miners are further disadvantaged by their general exclusion from official communications and decision-making processes, which relate to a weak state bureaucracy, typically holding a bias towards industrial mining (Fisher, 2007).

Education is another resource to which women may have limited access. When families confront economic hardship, it is girls that are more likely to drop out of school to bring in additional income to the family. Girls, like their mothers, are under greater social pressure to care for and ensure the well-being of the household and its members, which entails sourcing food, water and other basic household goods. Poverty may force women and girls to enter risky artisanal mining, but the diversion of their labour may compromise an important source of family income and nutrition: subsistence agriculture for which women and girls are typically responsible. Some researchers have argued that women's increasing involvement in artisanal mining reduces the amount of time they spend working in subsistence agriculture and has resulted in poorer nutrition for their families (Yakovleva, 2007: 38; Hinton, Veiga & Beinhoff, 2003: 19).

Land is a resource critical to artisanal mining. In Papua New Guinea, patriarchal land ownership and inheritance systems, which exclude women members of families, negatively affect women's participation in artisanal mining (Moretti, 2006: 137). The Mining (Safety) Act of 1992 ties the right to mine to legal ownership of a tenement, which limits women's ability to mine independently of a man. The Act does not permit miners to apply for registered tenements from the government, but women are less likely to take this up due to the domination of “all spheres of public and private decision-making” by men (Moretti, 2006: 141). In Mongolia, women and men ninja miners stand side by side against industrial mining corporations who, with active state collaboration, forcibly remove them from their land and mines, and repress their struggles (Bjerregaard, 2009).

Finally, women have poor access to credit, which limits their economic options in artisanal mining and other economic sectors. Women's access is limited by no or weak collateral, by poor education, and the discriminatory “attitudes of bankers towards women miners”; a study of South African women miners suggests that only 6% of women have access to loans (Lahiri-Dutt, 2008: 229). In Ghana, in the absence of viable credit alternatives, women may enter artisanal mining with a view to saving enough money to start another business, for example in hairdressing or palm oil production. However, in the absence of credit and state support, women who work as artisanal miners cannot afford to purchase or lease the land and the tools they need to achieve greater independence, including building their own operations, and increasing their earnings. They are therefore forced to engage in supplementary activities, such as the sale of food or sex, just to survive. The absence of capital limits women's choices – to not enter artisanal mining or to enter on terms that support women's economic empowerment and dignity (Yakovleva, 2007).

In the past decades micro-financing organisations have mushroomed across the globe in support of ‘women's empowerment’. The success of these initiatives is up for debate – some researchers argue that micro-financing is crucial to help those women who only engage in artisanal mining as a means to an end (Yakovleva, 2007: 39). Providing these women with credit will grant them the freedom to engage in more economically sustainable productive activity and avoid the dangers posed by artisanal mining. Other writers support the micro-financing of artisanal mining efforts specifically (Lahiri-Dutt, 2008: 236). They argue that artisanal mining is already critical to the livelihoods of many millions of poor women and their dependents globally and that the sector must be supported to transform to guarantee the safety and well-being of its workforce and of women artisanal miners in particular. Within this wider transformation agenda, credit can empower women with greater choice and control over their mining activities (Hayes & Perks, 2012: 541). See section 6.1, Box 3 titled ‘A feminist and structural critique of micro-finance and artisanal mining – a few thoughts’.

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9 See Paper 3: Land and Food Sovereignty Undermined – Impacts on Peasant Women for more on patriarchal land tenure, industrial-scale mining and land rights violations.
4. HOW DO WOMEN EXPERIENCE ARTISANAL MINING?

As touched upon in the introduction, women bear the brunt of the negative aspects and consequences of artisanal mining. The informal (and sometimes illegal) nature of the work makes it dangerous – a lack of basic mine safety including equipment and awareness, poor, if any, health and other government facilities such as schools, and police services; and unsanitary if not dangerous living conditions. While artisanal mining’s impacts on the environment cannot be compared with the scale and extent of damage created by industrial mines, ASM does pollute water supplies and soil, creates problems of ‘unsecured pits’ and results in significant deforestation of lands (Labonne, 1996: 119). Women experience these impacts differently from their male counterparts because of their unequal social status and a division of labour, which sees women carrying the greater burden of responsibility for household food production, water collection, and the care of the ill. They, in addition, endure lower wages, predominate in the more dangerous processing activities, and suffer sexual harassment and exploitation.

4.1 Health and safety

The health and safety of workers in the ASM sector has garnered much interest in research and activist circles. An examination of how women experience this aspect of artisanal mining is an important step in the effort to protect and promote women’s rights. As stated above, there is a link between the informality of artisanal mining, the lack of equipment and training that often characterises it and the severe health and safety threats posed to ASM workers. This is a particular problem for women, for whom the lack of adequate equipment and training is the norm. As discussed earlier, there is a close link between the level of mechanisation (which implies the presence
of equipment and training) and the participation of women: “when the degree of mechanisation is low, women are more likely to predominantly be engaged in this activity” (Hinton, Veiga & Beinhoff, 2003: 10).

As previously mentioned, women’s concentration in processing means they have greater exposure to mercury, dust, asbestos and other dangerous materials. This danger can be exacerbated by a lack of awareness or knowledge about the dangers these materials pose. In Ghana, there has been no attempt by the government to address this lack of health and technical knowledge amongst galamsey miners because they do not wish to encourage “illegal behaviour” (Yakovleva, 2007: 39). In Mongolia, female ninja miners’ main source of danger is mercury exposure. Processing work is attractive to female artisanal miners because of their ability to perform this work in the home, which may be at a distance from the site of extraction. This means that women are able to earn an income while they continue to perform their domestic duties. Due to a lack of child care and schooling in artisanal mining areas, children often accompany their mothers to sites or are present in the home and are thus exposed to these dangerous substances. In Mongolia, where many female ninja miners perform the amalgamation process in their homes, children’s exposure to mercury is particularly extreme (Bjerregaard, 2009). Women bear the greatest burden of health impacts on their families arising from chemical exposure and environmental degradation as the division of labour generally requires that they undertake the care work over and above their productive responsibilities. 10

The poor working conditions that typically characterise artisanal mining are a significant contributor to health problems facing the miners. The lack of safety equipment and poor occupational and health standards contribute to accidents. In addition, when accidents happen or miners/workers fall ill, health facilities are either lacking or at a distance, leading to preventable disabilities and fatalities. In South Asia, the absence of toilet facilities compromises the health and safety of women artisanal miners. They may risk bladder and urinary tract infections, and confront sexual harassment and even rape when they are forced to relieve themselves in the open. High rates of silicosis and tuberculosis, which may reduce the working life of miners by 12 to 15 years and their life expectancy to 50 years, are also consequences of poor occupational health. Water pollution on artisanal mining sites has also been found to disproportionately affect women ninja miners in Mongolia because of their more intensive exposure to water in processing activities (Lahiri-Dutt, 2008). Other illnesses such as hypertension, cholera and malaria are also prevalent and linked to the poor working and living conditions of artisanal miners (Yakovleva, 2007).

4.2 Sexual harassment and exploitation

Women’s health and well-being is also compromised by the high levels of sexually transmitted infections (STIs), HIV, teenage pregnancy, sexual harassment, domestic violence and prostitution that usually characterise life in artisanal mining settlements. In Ghana, women’s vulnerability to STIs and HIV is arguably due to the “lack of sex education, the influence of religious attitudes towards contraception, shortage of family planning clinics and economic circumstances that force [women] into sex for survival” (Yakovleva, 2007: 37). In India and Mongolia, exploitative working and living conditions lead to an increase in alcoholism (mostly amongst men), which in turn increases levels of violence, particularly domestic violence (Bjerregaard, 2009; Lahiri-Dutt, 2008). In the DRC, drug and alcohol abuse among male artisanal miners is also reported to have increased, reflecting in part the history of violent conflict in that country (Hayes & Perks, 2012: 531).

A high incidence of physical and sexual violence in artisanal mining areas is not universal; some researchers have argued that there is a link between how established these communities are, and the level of support they receive from the state, and the incidence of violence:

Unlawful activities (e.g. drugs, violence and prostitution) may be more prevalent in ad hoc communities created in response to a ‘rush’, than in well-established communities where government presence may be more significant, familial ties are stronger, and social cohesion more evident. (Hinton, Veiga & Beinhoff, 2003: 13)

10 See Paper 4: Women’s Unseen Contribution to the Extractives Industries: Their Unpaid Labour for further discussion on women’s unpaid care work and mining, with a particular focus on the social and environmental impacts of industrial-scale mining.
While this demonstrates the importance of a government regulatory presence, and some of the potential benefits of formalisation of the ASM sector, governments have also failed to intervene to protect artisanal miners from harassment and repression by mining companies. Corporate violence and repression may take gender-specific forms, as in the reported gang rapes of women at the Porgera gold mine in Papua New Guinea, owned by the Canadian gold mining firm Barrick Gold (Human Rights Watch, n.d.).

Forced labour is another risk to women’s rights and livelihoods. This may take many forms including indebted sex work (Hinton, Veiga & Beinhoff, 2003: 13) (when women take loans which they can never repay and are thus forced into sex work to settle their debts), debt bondage (Lahiri-Dutt, 2008: 232) (when women are bonded and forced to labour on the mines to settle their debts), and forced marriages (ITUC, 2011: 22). There have been recorded instances of these forms of forced labour in both South Asia and the DRC. Women’s lower social status and economic position along with increasing demands to provide for growing families make them more vulnerable to forced labour.

For some women, artisanal mining may offer some economic, social and sometimes sexual liberation, as has been confirmed by research in one mining camp in Burkina Faso (Werthmann, 2009: 18). Firstly, women report earning more money than was possible in their villages of origin or even in the cities and, most importantly, they are able to control this income. They are not obliged to contribute to the upkeep of family members who might not have their best interests at heart. Secondly, these women experience greater social freedom, challenging gender norms and pursuing otherwise taboo relationships. Women who have left an unhappy marriage, or refused marriage by tradition to the brother of a deceased husband, or been “retrieved” by parents because of their husband’s inability to pay the bride price (Werthmann, 2009: 20) are able to seek out new lives for themselves, sometimes involving a temporary relationship with a man in the mining camp.

However, all of the potential benefits of life in a mining camp are diminished by the risk of developing a “compromised reputation”. Women workers and residents of mining camps are stereotyped as “loose women” involved in “illicit sexual relationships”, and living lives outside of the bounds of what is considered acceptable behaviour for women (Werthmann, 2009: 20). Similarly, some women who engage in sex work in artisanal mining communities in the DRC find their reputations compromised such that they are unable to return to their communities (Hayes & Perks, 2012: 534).

Women artisanal miners in the DRC are subject to an alarmingly high rate of gender-based violence, a phenomenon that began during the war and has not abated. Researchers working on artisanal mining in the DRC have identified several factors that contribute to the prevalence of gender-based violence in artisanal mining communities. These include:

- The weakening or absence of traditional village authorities;
- The limited presence of police or judicial authorities;
- A workforce that consists largely of men who are single or far from their families and wives;
- Cultural patterns that assign a socially inferior role to women, especially young women and girls which, in turn, fosters a sense of impunity on the part of the perpetrators;
- The furtherance of beliefs and practices that encourage violence against women by local witch doctors (fétichieurs); and
- The prevalence and acceptance of the sex trade, which places women at particular risk of abuse (Hayes & Perks, 2012: 537–8).

### 4.3 Environmental impacts

ASM’s contribution to environmental devastation is significantly less than its industrial counterpart, but still requires consideration and intervention. The environmental damage posed by artisanal mining is of particular importance to women. In Mongolia and other countries, women are responsible for sourcing food, medicine and other natural resources necessary for the livelihood of families. Deforestation, water pollution, the “destruction of viable pastureland” and other environmental impacts effect women most deeply, reducing their ability to provide for their families and forcing them to forage longer and more widely to access resources, such as firewood, water and medicinal herbs (Bjerregaard, 2009: 58). This adds to the length of their working day, and may place them
at physical risk of exposure to sexual violence and in some regions, to animal attacks.

In the DRC, the problematic manner in which artisanal mining is carried out (which is a consequence of a lack of technical skill amongst artisanal miners) can lead to the “degrading [of] the overall value of the ore body” and the exploitation of “wood, land, and water” with little reward (Hayes & Perks, 2012: 532). In Ghana, cyanide spillages, dewatering, and the pollution of groundwater associated with gold mining activity has increased the burden on women, who have to walk further and for longer to access safe drinking water (Owusu-Koranteng, 2004).

Environmental damage also affects subsistence agriculture and other land-based livelihoods. This impacts women in two particular ways. Firstly, women are more likely to use the communal farming lands negatively impacted by the encroachments of and impacts of mining activity since they are the principal subsistence producers in Sub-Saharan Africa. Secondly, men are more likely to have legal or formal ownership of farming lands and when decisions about land development occur or if compensation is received, they are the ones that benefit despite women being the majority of the actual users of land.

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*ABOVE: Pumduro alluvial diamond mine, Sierra Leone. Photo: Robert Pijpers*

11 See Paper 3 addressing land and food sovereignty impacts.
5. WOMEN STRIVE TO OVERCOME BARRIERS

Despite low wages, exploitative and dangerous working and living conditions and cultural exclusion, women continue to participate in artisanal mining in ever greater numbers. This is inevitably the result of worsening rural poverty and the increased responsibility this places on women to provide for their families. An understanding of how women respond to and overcome the numerous obstacles to their involvement in artisanal mining must be the starting point to inform actions to help protect and promote women’s rights.

In Papua New Guinea, women challenge the cultural stereotypes that link success in mining with men’s connection to benevolent spirits, hence excluding women’s participation. Some achieve this by presenting alternative versions of the spirits arguing, for example, that gold is a man in search of a woman miner to unearth him. Others directly challenge the cultural beliefs, contending that these serve men by allowing them to colonise the gold and hold its riches to themselves. Still others, who are forced to mine to compensate for the misspending and irresponsibility of husbands, fathers or brothers, accept that they are transgressing spiritual boundaries, but are doing so out of need (Moretti, 2006: 13).

A study in Burkina Faso explores the ‘revolutionary’ emergence of female pit owners and other entrepreneurs who challenge social conventions and manage rather than perform labour. Women-only associations of artisanal miners protect and support women who confront many obstacles in artisanal mining. The women lend cash to one another amongst other supportive gestures:

In many mining camps, as in other migratory settings, women form networks or associations that offer assistance in cash or kind when a woman is in need, or intervene in cases of conflict with authorities, customers, or partners, such as for instance quarrels with customers in restaurants who order food and then refuse to pay. Cases of theft or physical attacks (including rape) can be brought before the police, but often women hesitate to get involved with state authorities. In cases like these, the women’s association’s speaker can act as an intermediary between the women and customers or authorities. Women’s associations also organize festivities on holidays or on the occasion of naming ceremonies or marriages, when all the members show up in dresses made from the same cloth (uniforme). In the mining camp described here, there was an association of about 200 members presided by a woman trader. She said that practically all members of this association had known each other for about 12 years because they had previously worked in other mining camps, some of them outside Burkina Faso. (Werthmann, 2009: 20)

Tanzanian women have also been able to use artisanal mining as an opportunity to ‘transgress boundaries’ sometimes earning enough money to finance mining operations themselves (Fisher, 2007: 742).
BOX 2: TWO ARTISANAL MINERS AND THEIR STORIES OF STRUGGLE

Story 1: Namakau Kaingu, Zambia

Namakau Kaingu, mine owner-operator and chairperson of the SADC Women in Mining Trust, is a remarkable individual. She has overcome significant hurdles to achieve considerable success in gemstone mining in Zambia, and generously shares her time and expertise with other women. Namakau arrived on foot to a major gemstone mining area where women had not ventured before and were forbidden from participating in mining. Initially, she was continually requested by men to leave the area, but Namakau persevered. She learned the requirements of the mining authorities and used her knowledge and determination to excel beyond the men working in the region. Namakau now owns her own well-developed mine that supports a community of 18 male workers and their wives and children. As the government school is 25 kilometres from the community, Namakau has built a school for local children and is committed to sustainability, environmental responsibility, and the well-being of workers and their families.

In addition to her responsibilities at the mine, Namakau continues to advance women’s involvement in mining through her volunteer activities. She is chairperson of the SADC Women in Mining Trust, one of the most recognised women’s mining associations in the world, and is currently in the process of assisting native women form their own mining association. Namakau also offers her time and expertise by conducting workshops for women in topics ranging from gemmology, mine development, basic geology, environmental preservation, and management and safety issues. She inspires other women, serving as an important role model for women in mining. (Hinton, Veiga & Beinhoff, 2003: 17)

Story 2: Yamiyae, Papua New Guinea

Yamiyae … was born in the Aseki area of the Menyamya District. When she was still a young girl, she married a Hamtai man, with whom she had two children. A few years into the union, her husband abandoned her for another woman. Left without access to gardening land, Yamiyae went to live with relatives near Menyamya, where she met and married a Menya man … Luk. From Menyamya, the two then moved to Kaindi, where one of Luk’s parallel cousins worked for New Guinea Goldfield (NGG). Eventually, Luk became a NGG tributer* and the couple had two children of their own. In 1990, however, Luk died in a tragic mining accident, leaving Yamiyae and her children from both marriages behind. After Luk’s death, some of his relatives from the Bulolo District and Menyamya confronted Yamiyae, whom they accused of having caused his death with ‘poison magic’ or witchcraft. In a heated confrontation, the group burnt down the couple’s house and took away or destroyed all of Luk’s water pumps and mining tools. Indeed it was only thanks to the intervention of some relations of hers who resided in Kaindi that she wasn’t killed that very night.

Although she received monetary compensation from NGG for the death of her husband, Yamiyae was forced to relinquish it to her in-laws. In addition to this, Luk’s relatives attempted to take Yamiyae’s tribute away from her on the basis that she was ‘only a woman’ and had no right to hold on to her husband’s land. According to Yamiyae, however, NGG first and then Edie Creek Mining (ECM) ‘stood by her side’ and refused to transfer her tribute rights to her affines’… Yamiyae recounted how she had initially struggled to mine and to garden at the same time on her own. After a while, a woman from a nearby settlement of full-time agriculturalists started to give her food from her gardens, freeing Yamiyae to mine full-time and accumulate enough resources to finance her children’s primary and secondary education. In return, Yamiyae allowed the woman’s family to work on her land when they needed money for store goods. Similarly, Yamiyae received regular support and material help ranging from child minding to gifts of food or help in building houses and tool sheds from her neighbours and local relatives, whom she repaid by letting them work for her when they needed money to buy salt, soap, or other trade items. Finally, she succeeded in maintaining regular contact and positive relations with her relatives back in the Aseki area because she was able to assist them with PMV15 (public motor vehicles) fares when they came to visit her and to contribute to marriage and funerary payments and other important exchanges in her community of origin. (Moretti, 2006: 144–5)

* and ** See the Glossary for a definition of this term.
The stories from Papua New Guinea, Zambia, and Burkina Faso inspire us with women's creativity, resilience and courage. They inform us that much of the success of individual women rests not necessarily on their 'uniqueness' but on the support and solidarity of other women, often organised in women's collectives. The stories tell us how women cleverly navigate the barriers thrown up by family members, husbands, and mining corporations. What seems noticeably absent, and perhaps we have not been able to locate these stories at this time when formalisation processes have just started in many countries, is a state that is actively supporting and encouraging poor women's involvement and empowerment. It is this question of the wider transformation of the ASM sector, with the state playing a driving role, and with women's participation at the centre, which is the focus of section 6.

6. SOME OF THE RECOMMENDATIONS MADE IN THE LITERATURE

The place to start when thinking about a future transformed ASM sector is the recognition that women play a powerful role in ASM communities at this time: “...women are of fundamental importance in terms of food security, are critical to community stability, cohesiveness and morale” (Hinton, Veiga & Beinhoff, 2003: 26), this aside from the important contributions they make as workers. In South Asia, Kuntala Lahiri-Dutt argues that the lives of entire communities can be improved through the empowerment of women – the lifting up of their voices, the provision of training, improved facilities and higher wages – in artisanal mining. Ray Bush, drawing on the Ghana experience, argues similarly that artisanal mining has the capacity to uplift communities and secure galamsey miners' livelihoods (Bush, 2009: 57). Lahiri-Dutt calls for researchers and activists to recognise that artisanal mining is an important feature of the mining landscape and a significant source of livelihoods for tens of millions of poor people, and to turn their attention to improving the conditions in the sector, with a particular focus on addressing women's experiences. Women must therefore come to the centre of current efforts to transform artisanal mining into a sector that can create sustainable livelihoods and communities, and safeguard eco-systems, offering a viable alternative to industrial-scale mining.

6.1 Formalisation and regulation of ASM

The regulation and formalisation of ASM is one of the most common recommendations made by researchers in this field. For many writers, the informality of ASM has led to the exacerbation of women's unequal position and discouraged state bodies from acting to alleviate some of the problems plaguing the sector. However, formalisation has to be conducted in a way that acknowledges the role played by women and does not lead to a worsening of their conditions.

Formalisation, despite its challenges (see section 2), can present an important opportunity to address women's negative experiences in artisanal mining. It is through this process that artisanal mining could be recast as an economic alternative for working-class women, improving their socio-economic conditions and offering them an avenue for greater social liberation. Formalisation, if carefully thought through and properly supported, could also work to address some of the environment damages caused by this sector, costs which are predominantly borne by women. One author, Beatrice Labonne (1996), argues that formalisation processes could, for example, build in post-mining restoration processes to deal with negative environmental effects.

For Labonne, the regulation of artisanal mining “into a more efficient, safe, less destructive and equally accessible activity” could grant women independent lives (Labonne, 1996: 120). One of the advantages of artisanal mining is its potential to provide supplementary income to other economic activities such as farming. She recommends a combination of bottom-up and top-down approaches, which may be summarised as follows:

1) An acknowledgement of and documentation of women's involvement in mining (which she argues can be accomplished by conducting participatory research, among other methods – one of the objectives of WoMin).
2) A “reshaping” (Labonne, 1996: 121) of the oppressive environment in which women work by enacting policies that aid women, such as the provision of child care to ease their family responsibilities.

Yakovleva, however, points to some of the dangers of formalisation, noting that women are often pushed out of mining by the process because of structural constraints related to lack of skill, information and capital. Similarly
Hinton, Veiga and Beinhoff, who established the link between mechanisation and women's participation, point out that the commercialisation of and enlargement of small-scale mining has a negative effect on women's participation and on the environment upon which they rely for subsistence.

### 6.2 Micro-finance and other supports to women miners

Many of the writers – Hinton, Lahiri-Dutt and Werthman – make the call for enlarging access to micro-finance by women artisanal miners. Hinton et al very importantly recommend the creation of women's coalitions and associations as a critical intervention to obtaining funding. And they argue that the financing of women miners through micro-finance schemes has been enormously successful “in revolutionizing women's lives” (Hinton et al, 2003: 21). Lahiri-Dutt has similarly praised micro-finance for giving back women some control. Katja Werthmann, writing about Guinea, issues a specific critique of the introduction of financing schemes which aim to encourage women to pursue other economic activities when women need financial support to develop their mining efforts. She suggests an approach that considers all the factors affecting women's decision to work in mining camps in order to better support activities that will benefit women in the long-term.

Looking beyond financial support, Hinton and her colleagues point out the importance of moving away from gender-blind to gender-sensitive development interventions in support of artisanal miners. For example, in the provision of technical assistance to artisanal mining communities, women must be involved to ensure that the mechanisation is appropriate and does not exclude their participation. These technology assistance programmes must build on local knowledge and practices, such as the garimpo technologies in Brazil, and consider the culturally-specific context in which these activities take place. Technology innovations that save time are especially important for women, given the multiple demands they face.

Education is another key recommendation of ASM researchers. Hinton et al recommend education programmes targeting women, with a special focus on the health dangers of artisanal mining. And Yakovleva argues that if women had broader access to training and education this could give them greater choice, ensuring that when they do enter the labour market whether for artisanal mining or other economic sectors, they can access better paying jobs.

Finally, with regard to women's experiences of sexual harassment, violence and exploitation, Karen Hayes and Rachel Perks recommend gender-based programmes that address both men and women's behaviour. They argue that focusing attention only on women can lead to “violent backlashes” that worsen women's conditions (Hayes & Perks, 2012: 538). If gender-based violence (GBV) is to be addressed, both men and women need to be encouraged to change their behaviour. These initiatives also need to include structural changes that establish an efficient judicial system and appropriate health-care facilities to treat survivors of GBV (Hayes & Perks, 2012, 538). While the writers of this paper broadly agree with these arguments, we are of the view that women must be supported to organise themselves separately from men for social and economic empowerment as the basis for increased social status, for defence of women at risk of or confronting violence, and for different choices that may liberate women from economic dependency on men, the basis for much abuse.

Rachel Perks and Koen Vlassenroot, focusing on the DRC, identify several initiatives that can play a crucial role in “the promotion of legal resource exploitation” and reduce the violence and conflict that is often associated with mining in the DRC (Perks & Vlassenroot, 2010: 66). These wider structural reforms are absolutely critical to addressing the challenges confronting women working in artisanal mining, and to safeguard their well-being, health and safety. Their recommendations echo those of important global efforts, such as the Kimberly Certification Process (KP), which include actions to ensure the effective tracing and certification of minerals so that mineral flows are not entering legitimate trade and fuelling conflict, and instituting reform of the mining sector by strengthening government capacity to monitor the industry (Perks & Vlassenroot, 2010: 67).

The lack of in-depth data on women's involvement in ASM is one of the more significant barriers to developing recommendations to assist women, an aspect to be addressed through future work of WoMin.

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12 See the Glossary for a definition of this term.
13 See the Glossary for a definition of this term.
ABOVE: A smile from a woman worker on an artisanal mining site is “an escape from [her] pain and a way to get through the day” (Photographer).

Photo: Evans Rubara
Micro-finance has been framed as a key instrument for socio-economic development – the UN’s positioning during the 2005 ‘Year of Micro Credit’ – and has been hailed by many mainstream development institutions and actors for decades as a key strategy for lifting poor people, and especially poor women, ‘out of poverty’. The Grameen Bank in Bangladesh, established in 1976, was the forerunner of micro-finance, offering small loans to villagers organised in voluntary groups and relying on peer pressure and group support (the joint liability condition) to guarantee the timely and full repayment of the loans. While initially focused on credit, micro-finance has extended into insurance, savings and money-based transfer systems.

The scale and reach of the micro-finance sector is significant – in 2012, micro-finance was estimated to reach about 200-million clients worldwide (Greene, 2012) the majority of whom are based in Asia. In Sub-Saharan Africa the sector is growing quickly, with an end-2008 estimate of 16.5-million depositors and 6.5-million borrowers (Haman & Schwank, 2011).

Since 2010 there has been a rapidly growing criticism of micro-finance, even from the UN, with researchers and institutions increasingly concluding that there has been minimal, if any, impact on poverty. Two leading researchers have recently concluded that “…30 years into the microfinance movement we have little solid evidence that it improves the lives of clients in measurable ways” (Roodman & Morduch, 2009). Rapid growth in the micro-credit industry has created financial bubbles, which have popped in places such as Bosnia, Nicaragua, Morocco and Palestine (Yunus, 2012), and there are growing worries of a collapse similar to the US subprime mortgage meltdown, which was directly linked to the 2008 global finance crisis. This concern, combined with the recent controversies surrounding the Grameen Bank, and the rush of suicides amongst indebted borrowers in Andhra Pradesh, India fuelled by high interest rates and extreme indebtedness has brought micro-finance sharply into question (Provost, 2012).

From a feminist perspective, researchers such as Lamia Karim who has been analysing the micro-finance sector in Bangladesh since the 1990s have critiqued the idea of women lenders as “autonomous individuals who make independent choices in the marketplace” (Karim, 2012/2013; also see Rajput, 2003: 1–22). Instead, women often live within extended family and kin structures, beholden to more powerful members, usually fathers, brothers and husbands who exercise control over women’s decision-making, life choices and income. She concludes that in the Bangladeshi context, men control the loans that women receive in almost 90% of cases (Karim, 2012/2013). In addition, she and others have critiqued micro-finance institutions’ manipulation of the ‘docile and accommodating’ nature of women to guarantee high repayment rates (98% in the case of the Grameen Bank). Finally, credit rarely reaches the poorest people, the majority of whom are women, because the sums of money they require are too small and hence too expensive to manage to recover costs, and generate profit as occurs with most lending bodies, even those of a ‘charitable’ nature.

Poor Africans and poor African women, in particular, need basic financial services – deposit and savings, loan and insurance facilities – in the context of rising poverty and deep insecurity in income levels. This need is not in dispute. The questions are rather where this support should come from, in what form it should be packaged, how it should be regulated and controlled and very importantly, how it fits into a wider structural change agenda that addresses the constraints that micro-level interventions such as finance cannot resolve. The provision of finance services to women miners within the frame of an untransformed ASM that offers little income, is physically dangerous and unsupported (if not actively repressed by states), will not change their circumstances. Instead, micro-finance provision must be linked to a wider agenda of empowering and improving the lives of poor women miners through a radical transformation of the ASM, its relationship to the state and to the industrial mining sector.
7. CONCLUSION

This paper has described women’s experiences of artisanal mining in the Africa region, drawing on literature from other parts of the world to supplement our understanding. A few conclusions have been reached:

- The rural poor predominate in ASM, which serves as an important supplement to low incomes earned through subsistence farming. The global growth in the sector since the 1990s is directly linked to rising poverty and unemployment, increases that are acutely felt by women who must seek out additional income for families under increasing economic pressure. High economic growth rates in Sub-Saharan Africa have not translated into significant reductions in poverty, and in rural poverty in particular, and the growth of ASM is therefore projected to increase as an important source of employment for the rural poor and poor women in particular.

- Women’s participation in ASM is highest in the Africa region, with researchers estimating that in some countries (Ghana and Malawi) women can comprise upwards of 50% of ASM miners. Yet, women miners are still rendered invisible by the stereotype of the male miner, and until this exclusion is reversed the gender-specific needs and interests of women miners will continue to be ignored.

- Women are in particular danger because they tend to predominate in the processing work, exposing themselves to toxic chemicals. In the absence of adequate schooling and child care, women often have no choice but to work with their children present, resulting in their exposure to these same dangerous chemicals. Women are paid less than men, even when they do the same work. Women’s exclusion from extraction work (which is better paid) is justified on the basis of cultural and traditional taboos, which relate to the ‘dangers’ women pose to mines and miners. Women also carry the brunt of environmental impacts arising from ASM because of their responsibilities for household provisioning of food, water and fuel.

This WoMin regional project on women, gender and extractivism will support, over the next years, some key recommendations emerging from this paper:

1. Following on from Beatrice Labonne’s recommendation on the need to acknowledge and document women’s involvement in mining, we are supporting participatory research in at least eight countries in the Africa region in 2013 and 2014, which will make a contribution to rendering more visible women’s contributions in ASM.

2. Hinton et al have made an important recommendation for the creation of women’s networks and associations to lift up the voices of women miners and empower them to claim their rights. A focus on mobilisation, networking and movement-building lies at the very heart of WoMin.

3. Finally, a combination of knowledge construction and visibility creation through research, combined with the building of women’s organisation, lays the basis for advancing a key recommendation of Werthmann – that reforms/transformations of the sector must follow the lead of the women themselves, their experiences and their desires for change.

While formalisation and regulation of ASM is necessary, this paper and the collection of which it forms a part, argues that this should occur within a much wider programme of transforming the mining sector altogether. This transformation programme should be based on a radically different vision about how mining can and should contribute to development, advancing further some of the important work started by countries in this region and other parts of the world to address financial outflows, resource rent, corporate and state transparency and accountability, and increased beneficiation.

The illegality and informality of the ASM cannot be untied from its deeply unequal relationship to its counterpart, the industrial mining sector. In most countries, industrial mining is privileged in state policy and official (and unofficial) practices, a major factor contributing to the marginalisation of artisanal mining. Governments are mainly being driven to formalise ASM to capture its important revenues. There are however numerous other benefits of formalisation and regulation: the livelihood benefits to hundreds of thousands if not millions of poor citizens, the potential for significant local economic development, and the more sustainable use and management
of natural resources, which are increasingly scarce and threatened, in particular, by large-scale extraction. These are the arguments to be made in support of a transformation of the ASM, and the mining sector as a whole.

There is need to advance beyond this framework for action to critically interrogate and challenge a development model that equates economic growth with development, which privileges development of some over the livelihoods, well-being and ways of living of the majority, and which creates a relationship between humanity and nature which is deeply exploitative and is eroding the very basis for the sustained reproduction of humanity now and into the future. A radical new vision of development, and of the place of extractives in it, is needed, with a transformed ASM holding a pivotal place in this new orientation towards extractivism in the Africa region.

ABOVE: Mama Gudila Method tells the horrific story of artisanal miners buried alive in the mining shafts in Bulyanhulu, Kahama District, Tanzania in 1996. Photo: Evans Rubara
Transformation of Artisanal Mining: Empowering Women, Sustaining Humanity, Saving the Planet?

ACRONYMS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ARM</td>
<td>Alliance for Responsible Mining</td>
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<td>ASM</td>
<td>artisanal and small-scale mining</td>
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<td>GBV</td>
<td>gender-based violence</td>
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<td>GDP</td>
<td>gross domestic product</td>
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<td>HDI</td>
<td>Human Development Index</td>
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<td>IIED</td>
<td>International Institute for Environment and Development</td>
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<td>IMF</td>
<td>International Monetary Fund</td>
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<tr>
<td>KP</td>
<td>Kimberly Certification Process</td>
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<td>SADC</td>
<td>Southern African Development Community</td>
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<tr>
<td>STI</td>
<td>sexually transmitted infection</td>
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GLOSSARY

Gender-blind initiatives
Initiatives that fail to take into account the different ways men and women experience poverty etc.

Human Development Index
A composite measurement of life expectancy, education and income used to rank countries into four tiers of human development.

Tributer
A miner who works for a certain portion of the ore, or its value – see http://www.thefreedictionary.com/Tributer.

Extractivism
The term 'extractivism' refers to the extraction of minerals, oil and gas, and in the understanding of the writers, water, forest products, new forms of energy such as solar and hydro, and industrial forms of agriculture, which grab land and extract vast quantities of water in the production process. But extractivism also importantly refers to the conditions under which these resources are extracted and whose interests they serve, speaking to a dominant and highly unequal model of development which “organizes – on the basis of the exploitation and marketing of resources for export – the political, socio-economic and cultural relations within the respective country or region: the economy and class structures, gender relations, the state and public discourse.”

Horizontal segregation in occupation
“Occupational gender segregation has been at the heart of debates about gender inequality. High levels of segregation have been considered to be a significant factor in the discrepancy between the wages of women and men, to impose constraints on careers, and generally to be at the root of gender inequality” (Blackburn et al., 1997: para 1). Horizontal segregation specifically refers to the tendency for the workforce of a specific industry or sector to predominantly be made up of one particular gender, such as the construction industry which is predominantly made, and childcare in which a female workforce predominate (European Agency for Safety and Health at Work https://osha.europa.eu/en/faq/women-and-health/what-does-2018gender-segregation-in-occupations2019-mean).

Affines
Relative/s by marriage.

15 The value of natural resources, such as water and land and mineral resources are ‘embedded’ in the agricultural outputs, but are not valued and acknowledged in the setting of market prices. We refer to this as ‘embedded value’.

16 Ulrich Brand, Austria & Germany: Energy policy and resource extractivism: resistances and alternatives, RLF reader for WSF, Tunis
Galamsey miners
Term used to refer to artisanal gold miners in Ghana.

Geomorphology
“...how natural forces such as wind, water, and gravity shape and alter a landscape” (Malpeli & Chirico, 2013: 8).

Social reproduction
“...the processes involved in maintaining and reproducing people, specifically the labouring population, and their labour power on a daily and generational basis. It involves the provision of food, clothing, shelter, basic safety and health care, along with the development and transmission of knowledge, social values and cultural practices and the construction of individual and collective identities” (Bezanson & Luxton, 2006: 3).

Garimpo miners
Portuguese term referring to peasant miners in Brazil.

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World Bank (2013a) Food Price Watch.


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The collection has been designed and laid out by Quba Design and Motion, Johannesburg.

This paper was authored by Samantha Hargreaves, the overall editor of the series and Patricia Hamilton. Patricia Hamilton has a Masters in Gender Studies from the University of Sussex, UK and is a PhD candidate in the Department of Women’s Studies and Feminist Research at the University of Western Ontario, Canada. Thanks are also due to Rachel Perks, mining specialist at the World Bank, and Jochen Luckscheiter, the International Politics Programme Manager of the Southern African Regional Office of the Heinrich Böll Foundation, for their support to this work and their feedback to various drafts of this paper.
WOMEN, GENDER AND EXTRACTIVISM IN AFRICA
A COLLECTION OF PAPERS

ADVOCACY TOOL
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INTERNATIONAL AND REGIONAL PROVISIONS OF RELEVANCE TO WOMEN, GENDER AND EXTRACTIVES AT A GLANCE

In this Advocacy Tool you will find a consolidated summary of the different types of instruments and frameworks and how they can be used by marginalised women and their support organisations to claim rights or effect change. This should be a helpful tool for organisers, campaigners and policy researchers working in the area of women, gender and extractives, as well as the related areas of women’s health, land and natural resources, and women’s economic empowerment. The tool can assist you in policy research and analysis; devising an influencing strategy (lobbying, advocacy or campaigns, for example) targeting relevant institutions at national, continental or global levels; and beginning to think through a possible legal strategy as a tactic for effecting a specific legal or policy change. The next seven sections look at the various instruments and frameworks and asks of each: What they are and how we can use them?
Governments that have ratified Treaties (also called Conventions and Protocols) are bound to discharge three obligations, to: respect, protect and fulfil. The obligation to protect requires states to take action to prevent violations of human rights by others, including corporations. A Treaty requires ratifying states to submit periodic reports outlining the human rights situation in their respective countries and their actions to fulfil their state obligations (Ipas, 2006). At the United Nations (UN) level these reports are submitted to several designated bodies that are tasked to oversee Treaty implementation. At African Union (AU) level, they are submitted to the African Commission on Human and Peoples’ Rights (ACHPR).

### 1. TREATIES

<table>
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<tr>
<th>DOCUMENT</th>
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<tbody>
<tr>
<td>Universal Declaration of Human Rights (UDHR) (1948)</td>
<td>This is an international instrument that was originally intended to only be a statement of human rights principles, but because states have treated it as a document that creates government obligations, the declaration has achieved the status of customary international law. This means that states must ensure that their citizens enjoy rights set out in it (Ipas, 2006).</td>
</tr>
<tr>
<td>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)</td>
<td>This is an international women’s rights Treaty that imposes legal duties on member states to comprehensively protect women’s rights. It came into force on 3 September 1981.</td>
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<tr>
<td>International Covenant on Economic Social and Cultural Rights (ICESCR) (1966)</td>
<td>This is an international legally binding instrument that advances the obligation of states parties to respect, protect and fulfil economic, social and cultural rights. It came into force on 3 January 1976.</td>
</tr>
<tr>
<td>International Covenant on Civil and Political Rights (ICCPR) (1966)</td>
<td>This is an international legally binding instrument that advances the obligation of states parties to respect, protect and fulfil civil and political rights. It came into force on 23 March 1976.</td>
</tr>
<tr>
<td>Convention on the Rights of the Child (CRC) (1989)</td>
<td>This is an international legally binding instrument that advances the obligation of states parties to respect, protect and fulfil the rights of children. It came into force in September 1990.</td>
</tr>
<tr>
<td>The Indigenous and Tribal Peoples Convention (1989) (No 169)</td>
<td>This is an international legally binding instrument, addressing the fundamental principle that indigenous and tribal peoples should be consulted and fully participate in all decision-making processes that concern them. It came into force on 5 September 1991.</td>
</tr>
<tr>
<td>African Charter on Human and Peoples’ Rights (or the African Charter) (1981)</td>
<td>This is a regional legally binding instrument, which was ratified by all African states by 1999. It came into force on 21 October 1986.</td>
</tr>
<tr>
<td>Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women (1980)</td>
<td>This is a regional legally binding instrument that was adopted on 11 January 2003 and came into force on 25 November 2005. All AU member states are expected to ratify this Protocol, and 36 countries had ratified it by 21 February 2013.</td>
</tr>
<tr>
<td>SADC Protocol on Gender and Development (2008)</td>
<td>This is a Southern African sub-regional legally binding instrument that aims to provide for the empowerment of women and is a tool used to set realistic, measurable targets, timeframes and indicators for gender equality and monitor and evaluate the progress made by member states (SADC, 2008). It came into force in November 2012.</td>
</tr>
<tr>
<td>SADC Protocol on Mining (1997)</td>
<td>This is a Southern African sub-regional legally binding instrument that came into force on 10 February 2000. Member States of SADC decided to establish a Protocol on Mining in order to adopt internationally accepted regional standards within the mining sector.</td>
</tr>
<tr>
<td>ECOWAS Directive on the Harmonisation of Guiding Principles and Policies in the Mining Sector (2009)</td>
<td>This is a sub-regional directive governing West African member states. The ECOWAS Council of Ministers adopted this Directive at its 62nd session in Abuja on 26 and 27 May 2009. ECOWAS Directives and their objectives are binding on all member states. However, the modalities for attaining such objectives are left to the discretion of states (ECOWAS, 2012).</td>
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### HOW WE CAN MAKE USE OF THESE TREATIES

Since the UDHR and the various Treaties cited enshrine universal human rights standards, including those that can help to address gender injustices in regard to extractives, activists can use the instruments to:

- Develop position or issue papers on how extractives policies and laws can comply with human rights standards that protect women, and use these to advocate for improved laws and policies.
- Develop gender-sensitive model mining and other extractives laws and policies that adhere to minimum human rights standards.
- Use the human rights standards to advocate for the development of gender-sensitive Treaties related to the extractives industries; or for the development of gender-sensitive addendums to mining, other extractives or women-specific Treaties, where possible; or for the development of General Recommendations by Treaty-monitoring bodies like the CEDAW Committee and the ACHPR on how mining affects the enjoyment of various human rights by women.
- Monitoring mechanisms like the SADC barometer (which regularly monitors the implementation of the SADC Gender Protocol in each SADC country) can be used to carry analyses addressing gaps related to women and extractives.
2. UN GENERAL RECOMMENDATIONS AND GENERAL COMMENTS

General Recommendations or General Comments are developed by bodies that have been assigned the role of monitoring how states are complying with major human rights Treaties. These Treaty-monitoring bodies produce the General Recommendations or General Comments to provide guidance to states on how to interpret the rights of the Treaty so that they are given meaning. General Recommendations or General Comments usually focus on a particular article of the Treaty, and articulate in more detail the standards that governments must live up to in implementing the right (Ipas, 2006).

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<tr>
<td>CEDAW Committee General Recommendation No 21</td>
<td>The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) General Recommendations were adopted by the CEDAW Committee, which monitors the implementation of CEDAW. The Committee is empowered to make General Recommendations based on the examination of reports and information received from states parties. General Recommendations are addressed to states parties and usually elaborate the Committee's view of the obligations assumed under the Convention (CEDAW, n.d.). Since the CEDAW Committee issuing the General Recommendations is the body established to enforce the Treaty, its interpretative guidance is highly authoritative (CEDAW, n.d.).</td>
</tr>
<tr>
<td>CEDAW Committee General Recommendation No 24</td>
<td></td>
</tr>
<tr>
<td>General Comment No 14 of the Committee on Economic, Social and Cultural Rights (CESCR)</td>
<td>The CESCR General Comments are published by the Committee on Economic, Social and Cultural Rights (CESCR), which monitors the International Covenant on Economic Social and Cultural Rights in order to interpret on the content of human rights provisions in the convention. Since the CESCR issuing the General Recommendations is the body established to enforce the Treaty, its interpretative guidance is highly authoritative (Ipas, 2006).</td>
</tr>
<tr>
<td>General Comment No 4 (1991) of the CESCR</td>
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**HOW WE CAN MAKE USE OF THESE TREATIES**

- We can target the Treaty-monitoring bodies to influence the contents of General Recommendations or General Comments to bring in women’s rights and gender issues as they relate to extractives. There are different ways to do this: (a) write shadow reports to assist committees to consider states party reports more critically; (b) attend committee sessions that are considering state party reports and personally meet with committee members between sessions; or (c) make presentations to the committees or pre-session working groups of the committees, where possible.

- General Recommendations or General Comments can influence governments to implement similarly worded legal and policy provisions (Ipas, 2006).
3. AFRICAN COMMISSION RESOLUTIONS AND GUIDELINES

The African Charter created the ACHPR as a body to monitor compliance with the Charter. One of the functions of the African Commission is to provide guidance on the interpretation of certain rights in the African Charter.

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<tr>
<td>Resolution on a Human Rights-Based Approach to Natural Resources Governance (2012)</td>
<td>This was adopted by the ACHPR at its 51st Ordinary Session held from 18 April to 2 May 2012. This thematic resolution is similar to the General Comments of UN Treaty bodies. It elaborates in greater detail specific human right themes or a particular substantive right covered in the African Charter (CHR &amp; ACHPR, 2011). This implies that since the Resolution is produced by the body established to enforce the African Charter, its interpretative guidance is highly authoritative.</td>
<td>Among other things, the Resolution can be used to press for gender-sensitive environmental impact assessments in our respective countries.</td>
</tr>
<tr>
<td>Principles and Guidelines on the Interpretation of Economic, Social and Cultural (ECOSOC) Rights in the African Charter (2010)</td>
<td>The Principles and Guidelines on the implementation of Economic, Social and Cultural Rights in the African Charter (adopted at the African Commission's 47th Ordinary Session held in Banjul, the Gambia, from 12 to 26 May 2010) provide detailed guidance to states on drafting and implementing development policies on ECOSOC rights. Together with the state party reporting guidelines below, they are supposed to guide states in developing state party reports. The Principles and Guidelines are highly authoritative since they are developed by a body that has been trusted to monitor compliance with the African Charter.</td>
<td>The Principles and Guidelines can be used by advocacy and litigation non-governmental organisations (NGOs) to apply ECOSOC rights guaranteed under the Charter to obtain redress for women, and ensure the progressive development of standards related to women's experiences in regard to extractives. This work can be done at national and regional levels. Civil Society Organisations (CSOs) may also find the Guidelines helpful in formulating alternative and shadow reports that focus on women and extractives-related issues. They can also use them as benchmarks against which national policies can be assessed (Ipas, 2006; Interrights, 2011).</td>
</tr>
<tr>
<td>State Party Reporting Guidelines for ECOSOC Rights in the African Charter (2010)</td>
<td>Another function of the ACHPR is to issue guidelines for state reports. The 2010 State Party Reporting Guidelines assist states in their reporting on economic, social and cultural rights under the African Charter. They were adopted at the 48th Ordinary Session held in Banjul, the Gambia from 10 to 24 November 2010 (Interrights, 2011). They are to be used in conjunction with the 1989 Guidelines for National Periodic Reports under the African Charter. Though they are not legally binding, they are highly authoritative because they have been formulated by a body that has been trusted to monitor compliance with the African Charter.</td>
<td>CSOs can use the Reporting Guidelines to formulate alternative and shadow reports to expose violations of women's rights in and due to extractives, and influence the Commission's concluding observations that it issues after examining each state party report. The Guidelines can also be used to critique state party reports that have failed to integrate analysis related to extractives and women's rights.</td>
</tr>
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4. DECLARATIONS

A Declaration is a document stating agreed norms or principles. It is not legally binding and cannot be enforced in courts. However, it still expresses agreed rules of conduct that have an impact on international relations that may later crystallise into custom or become the basis of a binding instrument.

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<tr>
<td>Rio Declaration on Environment and Development (1992)</td>
<td>This document was adopted at the 1992 UN Conference on Environment and Development (UNCED), also known as the Earth Summit. It has 27 principles aimed at guiding future sustainable development around the world. It is not a legally binding document.</td>
</tr>
<tr>
<td>Beijing Declaration and Platform for Action (1995)</td>
<td>This was adopted by 187 UN member states at an international human rights conference specifically addressing the human rights of women (1995 Fourth World Conference on Women). It is not a legally binding document. However, over the years, Treaty-monitoring bodies have raised many of the concerns addressed in the Beijing Platform.</td>
</tr>
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HOW CAN WE MAKE USE OF DECLARATIONS?

Activists have typically applied provisions of declarations to processes of formulating new laws and policies, and holding governments accountable to their moral obligations.
## 5. OTHER AFRICAN FRAMEWORKS

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<tr>
<td>2009 African Mining Vision (2009)</td>
<td>The African Mining Vision (AMV) is not a legally binding instrument. It was adopted by heads of state at the February 2009 AU summit following the October 2008 meeting of African Ministers Responsible for Mineral Resources Development. The starting point of the AMV is that mining must be pursued ‘as the royal road to growth’ with greater attention to retaining the benefits of such growth nationally through the negotiation of fair contracts (and resource rents), establishing requirements and capacity for enjoying a greater share of the backward and forward linkages, and ensuring that local communities enjoy a part of the mining revenue (AMV, 2009).</td>
<td>There are some elements of the AMV which CSOs should support and lobby their governments to translate into national law and policy. The AMV, however, has some critical shortfalls, the most significant of these being its ‘growth obsession’ and the failure to therefore engage the question of unsustainable national and inter-generational wealth loss through natural resource extraction, and the social and environmental impacts which, even if better managed, cannot be sustained by rural communities and the eco-systems with which they co-exist (AMV, 2009). Efforts to build an alternative community-driven and women-centred extractives vision and policy for the region should critically engage the AMV and many of its shortfalls.</td>
</tr>
<tr>
<td>Action Plan for Implementing the AMV (2011)</td>
<td>This is not a legally binding instrument. However, it signals concrete commitment by African states to take deliberate steps to realise the AMV. It was considered and adopted by the Second AU Conference of Ministers Responsible for Mineral Resources Development held in Addis Ababa, in December 2011.</td>
<td>Aside from the brief critique presented above, the Action Plan has weak gender content and CSOs can submit specific recommendations to the clusters and the body of African ministers responsible for minerals and agitate for their adoption. It would seem that the clusters can be revised, as the Plan of Action itself notes that ministers directed the creation of a currently missing cluster on policy and regulations, and their harmonisation.</td>
</tr>
<tr>
<td>AU Framework and Guidelines on Land Policy in Africa (2009)</td>
<td>These are not legally binding, and only aim to assist member states to undertake land policy reforms that align to their national development objectives. They articulate some of the principles that should inform the development, content and implementation of land policies in African member states (AU et al, 2009).</td>
<td>CSOs can work to challenge some of the weak provisions of the Guidelines, or at the minimum work for a more progressive interpretation of some of their contents. In addition, work can also be done to ensure that the development and reform of laws and policies which relate to extractives pay due regard to the land rights experiences and concerns of poor peasant women.</td>
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6. SPECIAL MECHANISMS: UN SPECIAL RAPPOREURS AND AU WORKING GROUPS

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<tbody>
<tr>
<td>Report of the Special Rapporteur on Human Rights Obligations Related to Environmentally Sound Management and Disposal of Hazardous Substances and Waste (2012)</td>
<td>UN Special Rapporteurs are independent experts appointed by the UN Human Rights Council (formerly the UN Commission on Human Rights). They may be assigned different titles like Independent Expert or Special Representative. They have a mandate to monitor, advise and publicly report on human rights situations in specific countries (country mandates) and on human rights violations worldwide (thematic mandates) (ACLU, 2007).</td>
<td>Country visits by a Special Rapporteur are a good opportunity for NGOs to raise national awareness and to shine the international spotlight on human rights, including women’s rights violations, arising from extractives industries.</td>
</tr>
<tr>
<td>Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises (2011)</td>
<td>A report and recommendations of a Special Rapporteur are not legally binding. However, they still carry moral authority and obligation in terms of country commitments to universal human rights standards. In the conclusions and recommendations provided by the Special Rapporteur, pressure may be applied on governments to rectify the situation and meet universally recognised standards of fairness, due process and minimum respect to human rights in a specific context (adapted from ACLU, 2007).</td>
<td>CSOs can use conclusions and recommendations of a Special Rapporteur to sustain pressure on a government to adopt policies and practices that address challenges encountered by women in extractives-impacted environments (adapted from ACLU, 2007).</td>
</tr>
<tr>
<td>UN Guiding Principles on Internal Displacement (2001)</td>
<td>Regardless of their non-binding nature, Guidelines developed by Special Rapporteurs/Representatives have been known to be applied by UN bodies, intergovernmental organisations, NGOs, regional organisations and individual states by incorporating them into resolutions, recommendations, reports, policies and laws (IDMC, 2013).</td>
<td>CSOs can also use the reports of a Special Rapporteur to highlight ‘good practices’ in other parts of the world and to advocate for the adoption of needed guidelines and policies to protect and safeguard women’s interests.</td>
</tr>
<tr>
<td>UN Basic Principles and Guidelines on Development-Based Evictions and Displacement (2007)</td>
<td>This is a Special Mechanism under the African human rights system established under the African Charter mandating the ACHPR to: employ any method of investigating human rights violations, research human rights issues, and undertake promotional activities through country visits. This particular Working Group was created in 2009 to investigate the impact of extractive industries in Africa within the context of the African Charter (CHR &amp; ACHPR, 2011). Like other Special Mechanisms, the reports of the Working Group form the basis of the African Commission’s resolutions (CHR &amp; ACHPR, 2011).</td>
<td>CSOs can lobby the Working Group to make its terms of reference gender sensitive, and encourage missions specifically oriented to investigating gender aspects of the extractives industry. They can also lobby for the participation of women’s rights CSOs in the work of the Working Group, where possible.</td>
</tr>
</tbody>
</table>

1 Developed by the Representative on Internally Displaced Persons.
2 Formulated by the Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living.
## 7. OTHER INTERNATIONAL FRAMEWORKS

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<tbody>
<tr>
<td>Berlin II Guidelines for Mining and Sustainable Development (2002)</td>
<td>These Guidelines are not legally binding, and are intended to provide general guidance for the sound and sustainable management of mines to regulators, practitioners, managers, government officials, mining companies and others with an interest in the mining industry.</td>
<td>Activists can draw on these to campaign for guidelines and programmes to ensure that regulation, administrative control and mine management achieve an acceptable level of environmental performance, which can in particular address women's needs.</td>
</tr>
<tr>
<td>UN Global Compact Principles</td>
<td>These principles are not legally binding, but they derive from the Rio Declaration and several other declarations and conventions and set standards for businesses to be environmentally conscious and responsible (among other issues). They were developed under the Global Compact, which was launched in 2000. The Global Compact asks companies to embrace universal principles so that business “can help ensure that markets, commerce, technology and finance advance in ways that benefit economies and societies everywhere” (UN Global Compact, Overview). Over 7,000 companies based in more than 135 countries have signed onto the Global Compact (see Box 1 at end for a critique of the Global Compact).</td>
<td>Given legitimate critique about the Global Compact, CSOs could add their voice to calls for the Compact to build in monitoring and sanction mechanisms, and for the exclusion of those companies whose practices do not align with the principles. The principles may have some utility at national level where CSOs could use the ‘moral authority’ of the UN to call on governments to build these principles into regulatory frameworks that are monitored for compliance, with suitably onerous penalties applied when corporates flout these standards.</td>
</tr>
<tr>
<td>Women Empowerment Principles (2011)</td>
<td>The Women Empowerment Principles (WEPs) are not legally binding, and were developed by UN women and the UN Global Compact. They complement the UN Global Compact Principles by bringing a gender lens to business practice. The same critiques of the Global Compact apply (see Box 1.)</td>
<td>A similar strategy to the one outlined above would apply to the WEPs.</td>
</tr>
<tr>
<td>Voluntary Guidelines on the Responsible Governance of Tenure of Land, Forests and Fisheries in the context of National Food Security (2012)</td>
<td>These Voluntary Guidelines are not legally binding. Their purpose is to serve as a reference and guide to improve the governance of tenure of land, fisheries and forests with the overarching goal of achieving food security for all and to support the progressive realisation of the right to adequate food in the context of national food security (FAO et al, 2012).</td>
<td>Since the Guidelines draw on international and regional instruments, including the Millennium Development Goals (MDGs) that address human rights and tenure rights, CSOs can use them in advocacy interventions aimed at improving state practices that impact on women's land rights, including extractives.</td>
</tr>
<tr>
<td>ICARRD Declaration (2006)</td>
<td>This is a non-legally binding framework that was adopted by member states that gathered at the International Conference on Agrarian Reform and Rural Development (ICARRD) of the UN Food and Agriculture Organization (FAO), hosted by the government of Brazil.</td>
<td>It can be used as an advocacy tool guiding states to address the extractives industries and the challenges they issue in relation to agriculture and sustainable development, in particular: the realisation of women’s human rights, food security, poverty eradication, and the strengthening of social justice.</td>
</tr>
<tr>
<td><strong>Cochabamba Declaration (2010)</strong></td>
<td>In April 2010, approximately 30,000 of the world’s citizens gathered at the World People’s Conference on Climate Change and the Rights of Mother Earth in Cochabamba, Bolivia to present a people’s and planet Earth alternative to the failed Conference of the Parties (COP 15) climate meeting in Copenhagen. The Universal Declaration on the Rights of Planet Earth calls for the forging of a “new system that restores harmony with nature and among human beings” (Cochabamba, 2000), for developed countries to commit to quantifiable goals of emission reduction that will return the concentrations of greenhouse gases to 300 ppm⁴, and for developed countries to honour their climate debt to the rest of the world. The Cochabamba Declaration is an inspiring document, which speaks directly to the experiences and perspectives of indigenous people, peasants and poor women across the developing world. It can serve as a rallying point for organising and solidarity building between excluded peoples, and inform the development and promotion of a radically different development model, which promotes equity and justice between all peoples, protects the planet and supports the reproductive labour, particularly of women, so critical to the restoration of the planet and the well-being of humanity etc.</td>
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<tr>
<td><strong>The Earth Charter (2000)</strong></td>
<td>This is a non-binding instrument that was launched by the Earth Charter Commission to set common standards for the conduct of individuals, organisations, businesses, governments, and transnational institutions with regard to the environment. The Earth Charter is a non-binding instrument that was launched by the Earth Charter Commission to set common standards for the conduct of individuals, organisations, businesses, governments, and transnational institutions with regard to the environment. Thousands of local, national, and international organisations, including hundreds of local governments, have endorsed the document and are using it as an educational tool and guide to a sustainable way of living.</td>
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3 For the full Cochabamba Declaration see PWCCC (2004).

4 Parts per million (ppm) refers to the amount of carbon dioxide in the Earth’s atmosphere. Carbon dioxide is the most common greenhouse gas, which is what creates global warming. Carbon dioxide and other heat trapping gases are emitted into the atmosphere when fossil fuels like coal and oil are combusted (or burnt) to generate energy for cooking, heating, cooling, propelling vehicles etc. Global warming disturbs the fragile balance that supports life on the planet, and as temperatures rise whole species, including humanity, are threatened (350.org, n.d.).
ACRONYMS

ACHPR  African Commission on Human and Peoples’ Rights
AFDB  African Development Bank
AMV  African Mining Vision
AU  African Union
CEDAW  Convention on the Elimination of All Forms of Discrimination Against Women
CRC  Convention on the Rights of the Child
CSO  civil society organisation
ECOSOC  Economic, Social and Cultural (Rights)
ECOWAS  Economic Community of West African States
FAO  Food and Agriculture Organization
IANRA  International Alliance on Natural Resources in Africa
ICARRD  International Conference on Agrarian Reform and Rural Development
ICCPR  International Covenant on Civil and Political Rights
ICESCR  International Covenant on Economic Social and Cultural Rights
MDGs  Millennium Development Goals
NGO  non-governmental organisation
SADC  Southern African Development Community
UDHR  Universal Declaration of Human Rights
UN  United Nations
UNCED  United Nations Conference on Environment and Development
WEP  Women Empowerment Principles

BOX 1:
A BRIEF NOTE ON TERMS

The Global Compact was launched in 2000 as a strategy aimed at influencing business to align its activities with the UN’s principles. It has been extensively critiqued by CSOs who maintain that (a) the compact does not have mechanisms through which member companies can be sanctioned for non-compliance with the Compact’s principles; (b) that a corporation can continue to participate even if it has not demonstrated progress in meeting the principles; and (c) the Global Compact has accepted members with highly questionable environmental and human rights in direct contravention of the Compact principles. 5

Legally binding instrument or framework – a Treaty or a Protocol, which must be ratified if a country is to be bound by it; merely signing the Treaty is insufficient. In some countries, even if parliament has ratified the Treaty, it must still be ‘domesticated’ (translated into national law) for it to have force and effect in local courts. In general terms, however, if a country has ratified a Treaty it is then generally considered to be part of national law and rights holders can agitate for the enforcement of the provisions of the Treaty, as they would any other national law. Once a Treaty is ratified, a country is duty bound to periodically submit state party reports that outline measures being taken to implement each provision. CSOs may also submit what are called shadow reports to offer an alternative assessment on country performance to the relevant Treaty-monitoring body in the hope that their concluding observations on state party reports would make specific recommendations to compel specific actions by government, although this outcome is not guaranteed.

5 See Global Compact Critics for more information <http://globalcompactcritics.blogspot.com/>.
REFERENCES


