ADVANCING GENDER EQUALITY TO COMBAT CORRUPTION IN MINING

Stories from Transparency International’s work supporting women to demand a more accountable mining sector
Transparency International’s Accountable Mining Programme is working across TI’s global network to look at where and how corruption can get a foothold in the mining sector. Using the Mining Awards Corruption Risk Assessment (MACRA) Tool, TI national chapters across 6 continents have identified and assessed corruption risks in mining approvals. By working collaboratively with governments, companies, civil society organisations and communities, we want to build a fairer, clearer and cleaner process for obtaining a mining permit. By building a better system and a fairer process we can prevent corruption before ground is even broken.

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Corruption affects women and men differently. Corruption in decisions and consultations about mining projects also affects women and men differently.

When there is corruption in licensing decisions for mining projects, it can lead to irreversible impacts on the lives of women and men in mining-affected communities. It is often the poorest and most marginalised people in communities who suffer the most from corruption.

Women, particularly those in remote or rural areas where mining takes place, are often in a disadvantaged position because of unequal gender and power relations, lack of access to and control of economic resources, and historical discrimination. Corruption can exacerbate the inequality that they already experience.

At the same time, women have an important role to play in preventing and addressing corruption. Women’s organisations and women leaders play an active role in helping their communities. Understanding the gendered dynamics of corruption in the mining awards process, and supporting the role women play in stopping corruption, is essential to ensuring a better, fairer and cleaner process – for all women and men – across their communities.

WHAT TRANSPARENCY INTERNATIONAL IS DOING

Transparency International’s Accountable Mining programme shines a spotlight on the licensing stage of mining and exploration projects – the stage at which governments decide whether, where and under what conditions a project can go ahead. It is at this stage that agreements are negotiated, deals are made, and plans to mitigate any social and environmental harm are developed.

A fundamental part of this process involves consulting with the men and women living in the communities affected by mining operations. But how transparent, accountable and participatory are these consultations? How accessible is the information for the members of the community? Are they able to respond and negotiate the outcomes they want? And, are women able to equally participate in these discussions?

Too often women’s views and needs are not adequately considered in these consultations with communities. It matters because women are often affected by mining operations in ways that men in their communities are not. Pollution from mining may mean women have to walk further to collect fresh water or must spend time caring for family members. When women are excluded, they lose out to benefits and employment opportunities promised to men.

Opening spaces for women to be involved in decisions about new mining projects and expansions enables them to raise their concerns and have their perspectives included and is vital to advance gender equality.

Women need a seat at the table, and they must also feel confident that their participation in community discussions and decision-making is meaningful. Gender inequality – from the household and community roles expected of men and women, to the barriers to women’s education – holds women back from participating and advocating for their rights, interests and concerns to be included in decision-making.

Greater participation by women creates opportunities for them to hold their local leaders and governments to account for their decisions. It fosters more accountable community and government decision-making, more accountable company conduct and reduced risk of corruption – ensuring better results for communities from decisions about approving mining projects.

That is why strategies to combat corruption in the mining sector must support women to overcome the barriers that hinder their participation in decision-making and accountability efforts.

Transparency International Chapters have been working with women and women’s groups to tackle gender inequality and support women to express their voice and agency in decisions about mining projects. This series of stories provides a snapshot of their work, shares their impact and provides useful insights.
Transparency International Kenya (TI-Kenya) and Kenya’s Law Society join forces to train women about their rights.

In a community hall in Kwale County, on Kenya’s south coast, TI-Kenya has been joined by a group of local paralegals trained by the country’s bar association, the Law Society of Kenya (LSK). They’re at a meeting about increasing women’s participation in the mining licensing process.

While civil society groups have long championed the rights of communities affected by mining, a lack of coordination among groups has historically left communities feeling constantly overwhelmed and lacking important knowledge.

“When we were starting projects, we noticed that civil society organisations were having in-house fights, not speaking the same language, had their own interests and couldn’t reach a consensus on how to help communities and how mining can be beneficial to them,” says Samuel Ngei, Programme Officer on Extractives at TI-Kenya.

This had negative consequences. In one case, it meant there was a significant delay in setting up the Community Development Agreement (CDA) committee that would negotiate mining benefits for the community.

“Most organisations including women-led groups and those working to help empower women in the mining and extractives sector work in silos,” says Samuel. “When it’s been done, working in coalitions, alliances or partnerships has proven to be the best strategy to tackle challenges facing mining communities, such as unfair compensation, disruption relating to land use, and delayed benefits, which affect women more than men.”

Recognising the strength of cooperation, and needing to reach more women to increase their participation in the licensing process, TI-Kenya joined forces with The Law Society of Kenya (LSK). The East African country’s premier bar association has a focus on women’s empowerment, legal education and training, which resonated with TI-Kenya. The pair collaborated on the Supporting Inclusive Resource Development (SIRD) project, pooling their resources and expertise in Kwale, a county like many other across Kenya, where patriarchal attitudes impact women’s decision-making.

It was a new and exciting collaboration and way of working for TI-Kenya. The two organisations had complementary approaches that supported a common goal - to empower communities by improving their ability to take part in discussions about resource development impacting their rights. Within this, they shared a common focus on supporting women and girls affected by extractive industries.

**EQUIPPING COMMUNITIES WITH KNOWLEDGE**

TI-Kenya and LSK jointly facilitated a series of community forums on mining in Kinondo Location, a settlement in Kwale County in November 2020. These forums aimed to ensure that women understood their rights by providing legal expertise and simplifying information on licensing processes and environmental and social impacts assessment (ESIA) procedures.

Ahead of the meetings, TI-Kenya adapted the ESIA procedures into a simple handbook and flyers, and translated them into Swahili, the main language in the remote areas of the country where mining occurs. During the meetings, as they distributed the translated materials, TI-Kenya and LSK facilitated discussions about the positive and negative impacts of mining projects and how they affect men and women disproportionately.

“The goal of simplifying this information into local languages was to motivate more women to participate in our mining forums,” says Samuel. “Through locally-trained paralegals from the SIRD project, we had experts in the subject matter who could articulate local issues in the local dialect.” This included individuals practising in private law firms and others from local community-based organisations.
South Africa's Corruption Watch is designing information materials tailored to women across the country to encourage and enable them to contribute meaningfully to discussions about mining.

In KwaZulu-Natal (KZN), a South African coastal province where the local economy depends on mining, a woman's cell phone beeps. She's been sent an important survey via a data-free link called an Unstructured Supplementary Service Data (USSD). Using this platform to send messages, like a standard text message (SMS), she can fill out and send back the survey for free.

The survey, designed by Corruption Watch, the South African Chapter of Transparency International, will enable her to share her own perspective about the mining application process. Corruption Watch can then use this information to help women like her participate more meaningfully in the process.

In less than three minutes, she'll send back the survey, which is in her local dialect and features simple questions with “yes” or “no” answers. These include queries such as whether she's aware that a mining company has applied for a licence to mine in her community. She is also asked whether she has attended any community meetings to discuss mining projects and if not, why.

Across South Africa, many women are too busy working or carrying out household chores to attend meetings about mining operations - even though participating in these meetings could help them have a say on how projects are conducted. Men will often complete documents on behalf of their wives, sisters, or aunts - grassroots organisations have told Corruption Watch. Even when women are able to attend gatherings, they may fear speaking up, instead taking home forms and handing them to their husbands.

To qualitatively assess how much women are participating in consultations about mining projects and exercising their rights, Corruption Watch designed three surveys on mining prospecting, operations and closures, which will run until the second half of 2022. The surveys are also being used to gather data to create a best practice guide for communities when engaging with the government, private sector, authorities and mining companies in the licensing process. This will be released next year.

“In South Africa, and in other countries as TI's Accountable Mining programme has found, the participation of women in forums related to the licensing process has been simply ‘ticking off a box’ rather than meaningful engagement with women to empower them to advance their rights,” says Mashudu Masutha, legal researcher in extractives at Corruption Watch.

“Through these targeted surveys we can gather crucial information to ensure that when it comes to the licensing process, women are not only at the table but that they are able to fully take part in a valuable way.”

**ENTHUSIASM AMONG WOMEN FOR SURVEYS TAILORED FOR THEM**

The idea for the surveys came from meetings that Corruption Watch held with six diverse mining-affected communities in 2020 about their understanding of how mining projects are approved. In some areas, like Limpopo, women's voices are heard and championed. But in the KZN meeting, the women who attended were not as vocal as the men. The surveys were conceived as a way to make sure that all women in all communities can contribute and indicate how much they know about the awarding of mining licences.

“Some mine-affected communities in South Africa face dire poverty despite housing immense mineral wealth,” says Masidiso Dibakwane, a lawyer at Corruption Watch.

“We don’t want a situation where we’re trying to develop a guide for communities that is informed by local views and needs, but the cost of contributing to this is obstructive to communities themselves, which is why we used tools like the cost-free USSD link,” says Mashudu.

The surveys have been intentionally designed in six local languages. Corruption Watch has also distributed mining licence process maps and infographics that allow women to become better informed about the steps involved in the licensing process.

The first round of distribution involved sending out the survey via SMS and WhatsApp to 517 people who had previously attended Corruption Watch meetings, using the data-free link. The second stage meant sending them out to a larger group of mine-affected communities using the USSD string in collaboration with national carrier, Vodacom. To expand the number of participants, CW linked one survey to their Facebook page.

Almost half of those who took part in the survey (39%) were female.

“There has been a lot of enthusiasm among women in the areas that Corruption Watch is targeting about completing these questionnaires,” says Mashudu. This is why we used tools like the cost-free USSD link, she says.

The findings released so far reinforce the understanding that there are ascribed gender roles in mine-affected communities and men and women are impacted disproportionately by the mining approvals process.

“In order to create meaningful change within mine-affected communities, it is important to be aware of gender relations within them,” says Mashudu.

“We need to understand these and tailor information to women in mine-affected areas in order to work with them meaningfully.”
In Cambodia, while women and Indigenous people often bear the brunt of mining, their opinions are too often ignored. Through workshops, Transparency International Cambodia is equipping them with information and skills to stand up for their rights.

In a village in Ratanakiri province in northeast Cambodia, a woman from the Tompun tribe prepares to speak to mining company representatives. She has heard claims that Indigenous women have been evicted from their homes and are facing relocation without consent or compensation, after mining licences have been awarded.

As an activist and community liaison officer challenging gender expectations and norms – behaviour not always welcomed by male leaders or local authorities – she helps other Indigenous women navigate mining impacts, she told TI Cambodia.

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“Creating a more transparent and democratic Cambodia.”

During the discussions there was broad agreement that women needed to be more meaningfully engaged in the mining approvals process. Participants agreed that community leaders and representatives should lead negotiations with the country’s Ministry of Mines and Energy, as well as mining companies, to improve meaningful participation in the licensing process in order to enhance transparency and accountability.

In evaluations and wrap-up discussions, most people demonstrated a better understanding of the training topics, especially meaningful participation in the EIA process,” says Chanroat.

“Indigenous participants also reported that they better understood FPIC principles. Attendants provided feedback that they better understood gender equity and the gendered effects of mining.”

These include claims about water pollution, and issues related to a lack of information that prevents citizens from defending their rights. Through TI Cambodia’s field work in 2020, it became clear that communities and local authorities lacked knowledge of the principles of Free, Prior and Informed Consent (FPIC) and the environmental impact assessment (EIA) process.

To strengthen the ability of women and Indigenous people to participate as leaders, make decisions and share ideas in other prominent roles, TI Cambodia conducted two-day training sessions on both the EIA process and FPIC in January 2021. These were held in Preah Vihear, Ratanakiri, and Kratie, a province in the country’s east.

The workshops were attended by men and women, staff from Development and Partnership in Action (DPA), a local NGO working on gender equality and natural resource management, local authorities, Indigenous community representatives, human rights defenders (HRDs) and representatives from Greening Prey Lang (GPL), a USAID-funded project to conserve southeast Asia’s largest natural forest. A group from Cambodia’s Kuy Indigenous tribe also attended.

Women made up almost half of the participants at each of the workshops.

Participants learnt about the challenges encountered by women in leadership during community consultation for new mining projects. They also learnt how to improve their self-confidence in these positions. After the training, the participants – men and women – were able to develop their own monitoring activities to closely watch mining operations.

“A participant presents her ideas at the EIA and FPIC Training in Ratanakiri Province. Source: TI Cambodia”

In April, TI Cambodia and the Highlander Association (HA), a local Indigenous women-led organisation based in Ratanakiri, held a meeting between the community and representatives of Angkor Resources Corp to discuss the company’s exploration and community development plan in Taing Se commune, in eastern Ratanakiri. More than half of the participants were women and included village chiefs, community councillors and company representatives.

Lively discussions took place about community concerns about exploration and how Angkor Gold would share benefits from their mining activities with the Taing Se community.

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Transparency International Zambia is supporting women to meaningfully take part in consultations through the environmental impact assessment (EIA) process.

In Kasempa, a remote and underdeveloped part of Zambia’s North-Western province, a mining licence is about to be awarded. The community is preparing themselves for consultation about the potential environmental impacts of a mining project.

Environmental Impact Assessments (EIAs) help to identify and communicate to the public the potential environmental and social consequences of proposed projects, such as new mining operations. Comprehensively identifying the impacts of mining and the consequences for local communities is essential to developing effective plans to prevent and minimise the impacts.

“But meetings are attended mostly by men, and women sit behind,” one woman tells TI Zambia, describing a community consultation.

When operations begin, it’s the same story. “With the coming of the mine, we were excited and expected employment and at least a market for our produce. But that is not happening apart from the few jobs, mostly for men, and the mine does not buy our produce,” says another woman.

In the Southern African nation, everyone has a right to participate in the mining process as set out in the country’s Environmental Management Act and Environmental Impact Assessment Regulations. “But in Zambia’s patriarchal society, gender roles are ascribed by social, cultural and traditional norms and this means that EIAs affect genders differently,” says Tamika Halwiindi, Project Officer for Transparency International Zambia.

“In some instances, women don’t even know that they have a right to participate in the EIA process. When they do, they’re often left out of it, because it’s male-led, or don’t take part in it, because men assume that women will not understand the process.” This is backed up in research conducted by TI Zambia’s local transparency action groups (TAGs).

According to TI Zambia’s fieldwork, communities do not often know how EIA and environmental project briefs (EPBs) are conducted or how they can participate in consultations. They may be unaware of project details, or licences may be granted to companies without their knowledge. Local authorities are even sometimes left out of the process. When they are made available, EIA reports can be too technical for communities to truly understand the potential impacts. This is particularly the case for poorer women with limited education opportunities.

When women cannot take part or participate meaningfully in the EIA process, this most likely will result in EIAs and mitigation plans that fail to take into account how environmental factors uniquely affect women. Without the views and input of women to hold mining companies accountable for the impacts of their projects, dishonest companies are more likely to be able to get away with providing misleading information and avoiding their environmental obligations.

ADDRESSING GENDER DISPARITIES IN PARTICIPATION

To increase women’s knowledge of the EIA process, TI Zambia sought out relevant government ministries and bodies to work with. One key partner was the Zambia Environmental Management Agency (ZEMA), the country’s independent environmental regulator and coordinating agency.

Together, they created public information materials that simplified the EIA process so that it would be better understood by women and others in communities. They also published EIA report summaries in clear, simple language, which were then distributed to host communities.

TI Zambia also supported the country’s Ministry of Mines and the Mining Cadastre Department to promote an online portal to share information on mining licences and rights.

“Many women often don’t understand the extent to which they’re affected disproportionately to men until extraction activities commence and then it may be too late,” says Tamika.

“TI Zambia is working hard to address the gender disparities in mining decisions that we have identified,” she says.

“We have become increasingly aware that to combat corruption, supporting women’s voices and agency is critical. Women need to have a seat at the table and they need to be part of decisions about mining projects.”
NOTES

TRANSPARENCY INTERNATIONAL CHAPTERS HAVE BEEN WORKING WITH WOMEN AND WOMEN’S GROUPS TO TACKLE GENDER INEQUALITY AND SUPPORT WOMEN TO EXPRESS THEIR VOICE AND AGENCY IN DECISIONS ABOUT MINING PROJECTS.